

## WALLER COUNTY MUNICIPAL UTILITY DISTRICT NO. 35

Minutes of the Meeting of Board of Directors  
March 16, 2026

The Board of Directors (the "Board") of Waller County Municipal Utility District No. 35 (the "District") met in special session, open to the public, on March 16, 2026, in accordance with the duly posted Notice of Public Meeting, and the roll was called of the duly constituted members of the Board, as follows:

Victoria A. Battistini, President  
Ryan C. Ward, Vice President  
Jaelyn Day, Secretary  
Daniel C. Feiler, Assistant Secretary  
Tiffani S. Walker, Assistant Secretary

all of whom were present with the exception of Director Walker, who entered later in the meeting as noted herein, and Director Ward, thus constituting a quorum.

Also present were: Blair Bozoarth of Quiddity Engineering, LLC ("Quiddity"); Jennifer Abad of Municipal Accounts & Consulting, L.P. ("MA&C"); Mia Hargrove of Municipal District Services, LLC ("MDS"); Stephen Eustis of Robert W. Baird & Co., Inc. ("Baird"); Patty Rodriguez of BLICO, Inc., dba Bob Leared Interests ("BLICO"); and Christina Cole, Jessica Chen, and Kris Eddlemon of Schwartz, Page & Harding, L.L.P. ("SPH").

The President called the meeting to order and declared it open for such business as might regularly come before the Board.

### **PUBLIC COMMENTS**

There were no comments from members of the public.

### **MINUTES**

The Board considered the minutes of its meeting held on February 9, 2026. After discussion, it was moved by Director Battistini seconded by Director Feiler, and unanimously carried, that said minutes be approved, as written.

### **TAX ASSESSOR-COLLECTOR REPORT**

Ms. Rodriguez presented to and reviewed with the Board a written Tax Assessor-Collector Report ("TAC Report") for the period ended February 28, 2026, including the disbursements presented therein for payment from the District's tax account, a copy of which TAC Report is attached hereto as **Exhibit A**. After discussion, on motion made by Director Feiler, seconded by Director Battistini and unanimously carried, the Board approved the TAC Report and authorized

the payments listed therein.

### **RESOLUTION REQUESTING APPRAISAL OF PROPERTY**

The Board considered the approval and execution of a Resolution Requesting Appraisal of Property as of April 1, 2026. After discussion on the matter, Director Feiler moved that the Board adopt a Resolution Authorizing Request for Appraisal of Property as of April 1, 2026, attached hereto as **Exhibit B**, and that the President be authorized to execute same on behalf of the Board and District. Director Battistini seconded said motion, which unanimously carried.

### **OPERATOR'S REPORT**

Ms. Hargrove presented to and reviewed with the Board the Operations Report dated March 16, 2026, a copy of which is attached is attached hereto as **Exhibit C**. She advised that there are four (4) delinquent accounts totaling \$333.34, which MDS has been unable to collect. She advised that MDS recommends these accounts be turned over to collections for further collection efforts. Following discussion, Director Battistini moved that the Operator's Report be approved, water service be terminated to those customers who remain delinquent in accordance with the terms of the District's Rate Order, and that MDS be authorized to turn over the subject accounts to collections for further collection efforts, as discussed and as reflected in the Operations Report. Director Feiler seconded said motion, which unanimously carried.

Ms. Hargrove next presented and reviewed MDS' annual implementation of Consumer Price Index ("CPI") increase and the related Third Amendment to Schedule of Rates effective as of March 1, 2026, a copy of which is included as part of **Exhibit C**. She then responded to questions from the Board, and noted that MDS does not recommend any related changes to the District's Rate Order in connection with the CPI increase. Upon discussion, Director Battistini moved that the Board (i) approve the Third Amendment to Schedule of Rates, (ii) authorize the President to execute same on behalf of the Board and the District, and (iii) authorize SPH to accept and acknowledge the associated Texas Ethics Commission 1295 Form. Director Feiler seconded said motion, which unanimously carried.

### **RATE ORDER**

The Board next considered amending the District's Rate Order including, but not limited to, the sanitary sewer rate charged in connection with park and recreational facilities, commercial, and multi-family customers and as outlined in the amended Rate Order, attached as **Exhibit D**. Following discussion, it was moved by Director Battistini, seconded by Director Feiler, and unanimously carried that the Rate Order be amended.

### **WATER LOSS AUDIT**

The Board next considered the approval of the 2025 Water Loss Audit (the "Audit"). In connection therewith, Ms. Hargrove noted that the Audit will be filed with the Texas Water Development Board ("TWDB") by the May 1, 2026 deadline. After discussion, Director Battistini

moved that the Board approve said Annual Water Loss Audit, subject to completion of same, and authorize MDS to file same with the TWDB prior to the deadline. Director Feiler seconded the motion, which carried unanimously.

### **CRITICAL LOAD STATUS**

The Board deferred taking action with regard to this matter upon noting that the District does not own any facilities that qualify for critical load status.

### **ENGINEERING REPORT**

Mr. Bozoarth next presented to and reviewed with the Board an Engineering Report dated March 16, 2026, a copy of which report is attached hereto as **Exhibit E**, relative to the status of various engineering and construction projects within the District. Upon review and discussion of the Report, Director Feiler moved that the Engineering Report and all actions noted therein be approved as recommended by Quiddity, including (i) approval of regrading of the swale located in Sunterra Section 50 by Semarck, and (ii) approval of payments in the amounts of \$5,250 and \$25,916 to A&M Contractors, Inc. for road and signage repairs located within Sunterra Sections 67 and 68. Director Battistini seconded the motion, which unanimously carried.

### **RESOLUTION ADOPTING PREVAILING WAGE RATE SCALE FOR CONSTRUCTION PROJECTS**

Ms. Cole presented to the Board for review and approval a Resolution Adopting Prevailing Wage Rate Scale for Construction Projects (the "Resolution"), attached hereto as **Exhibit F**. She reviewed various provisions of the Resolution with the Board. Ms. Cole also presented and reviewed with the Board a survey which reflected prevailing wage rates for Waller County and the U.S. Department of Labor. After discussion and consideration of the survey and the proposed Resolution, Director Feiler moved (i) that the Board adopt the Resolution reflecting the wage rates for Waller County, as set out on the attached survey, and (ii) that the President and Secretary be authorized to execute and attest same on behalf of the Board and the District. Director Battistini seconded said motion, which unanimously carried.

### **SILT SOLUTIONS, INC.**

The Board next considered a report from Silt Solutions, Inc. ("SSI") in connection with storm water pollution and prevention services. Ms. Cole advised that SSI provided a report for the period February 12, 2026 through March 3, 2026, a copy of which is attached hereto as **Exhibit G**.

### **LANDSCAPE ARCHITECTURE REPORT**

The Board deferred consideration of a landscape architect report upon noting that a representative of Kudela & Weinheimer was not present at the meeting.

Director Walker entered the meeting at this time.

Ms. Cole then presented a Quitclaim Conveyance of Facilities in connection with Sunterra Phase 8 – Hardscape, Landscape, and Irrigation (Bartlett Road) (the "Quitclaim Conveyance"). Following discussion, Director Feiler moved that the Board approve and accept the Quitclaim Conveyance, and that the President be authorized to execute same on behalf of the Board and the District. Director Battistini seconded the motion, which unanimously carried.

### **BOOKKEEPER'S REPORT**

Ms. Abad presented to and reviewed with the Board the Bookkeeper's Report, dated March 16, 2026, attached hereto as **Exhibit H**, including the disbursements presented for payment, as prepared by MA&C. After discussion, it was moved by Director Feiler that the Bookkeeper's Report be approved, and that the disbursements identified in the Bookkeeper's Report be authorized for payment. Director Battistini seconded said motion, which unanimously carried.

### **UNCLAIMED PROPERTY REPORT**

The Board then considered authorizing the District's consultants to research unclaimed property and to prepare Unclaimed Property Reports as of March 1, 2026. After discussion, Director Feiler moved that the District's Operator, Tax Assessor-Collector, and Bookkeeper be authorized to research their records to determine whether or not there is any unclaimed property for the stated period and that the consultants be authorized to prepare Unclaimed Property Reports, if necessary, for the Board's consideration, approval and filing with the Texas Comptroller of Public Accounts prior to July 1, 2026. Director Battistini seconded said motion, which unanimously carried.

### **DEVELOPER'S REPORT**

It was noted that a developer representative was not present at the meeting.

### **SECURITY PATROL REPORT**

Ms. Cole presented to and reviewed with the Board a Security Patrol Report prepared by On-Site Services, LLC for the month of February 2026, a copy of which is attached hereto as **Exhibit I**.

### **ATTORNEY'S REPORT**

The Board considered the attorney's report. In connection therewith, Ms. Cole advised the Board that she had nothing further to discuss with the Board of a legal nature which was not covered under a specific agenda item.

### **SUPPLEMENTAL AGENDA**

The Board considered cancellation of the Directors Election called for May 2, 2026. Ms. Cole advised that, in accordance with Subchapter C, Chapter 2 of the Texas Election Code, the District may cancel the Directors Election if each candidate whose name is to appear on the ballot

and/or has registered as a write-in candidate is unopposed as of 5:00 p.m. on February 20, 2026. In such case, the Board may declare the unopposed candidates to be elected. In that regard, there was presented to the Board a certificate of the Secretary declaring all candidates unopposed. Ms. Cole then presented and reviewed the Order Declaring Candidates Elected, attached hereto as **Exhibit J**. After discussion, Director Feiler moved that the Order be adopted by the Board declaring Jaclyn Day and Tiffani Walker, elected Directors of the District, each to serve a term of four years or until a successor is duly elected or appointed, that the President or Vice President be authorized to execute and the Secretary or Assistant Secretary to attest same on behalf of the Board and the District, and that the Directors Election called for May 2, 2026, be cancelled. Director Battistini seconded said motion, which unanimously carried.

**FUTURE AGENDA ITEMS**

The Board next considered additional items for placement on future agendas. No specific agenda items, other than routine and ongoing matters, were requested.

**ADJOURNMENT**

There being no further business to come before the Board, on motion made by Director Feiler, seconded by Director Battistini, and unanimously carried, the meeting was adjourned.



  
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Secretary

LIST OF ATTACHMENTS

- EXHIBIT A Tax Assessor-Collector's Report
- EXHIBIT B Resolution Authorizing Request for Appraisal of Property
- EXHIBIT C Operations Report; Correspondence related to MDS' annual implementation of Consumer Price Index increase and related Third Amendment to Schedule of Rates
- EXHIBIT D Rate Order
- EXHIBIT E Engineering Report
- EXHIBIT F Resolution Adopting Prevailing Wage Rate Scale for Construction Projects
- EXHIBIT G Report provided by Silt Solutions, Inc.
- EXHIBIT H Bookkeeper's Report
- EXHIBIT I Security Patrol Report
- EXHIBIT J Order Declaring Candidates Elected