

MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 94
Minutes of Meeting of Board of Directors
May 6, 2025

The Board of Directors (the "Board") of Montgomery County Municipal Utility District No. 94 (the "District") met in regular session, open to the public on May 6, 2025, in accordance with the duly posted notice of meeting, and the roll was called of the duly constituted members of said Board, as follows:

Jerry Rueschhoff, President
Roger Olsen, Vice President
Ray Waymel, Secretary
Michael Pachulio, Assistant Secretary
JT Dibble, Assistant Secretary

all of whom were present at the meeting, thus constituting a quorum.

Also attending the meeting were Creston Minter and Cody Wright of H2O Innovation Operation and Maintenance, LLC ("H2O"); Jorge Diaz of McLennan & Associates, LP ("McLennan"); Barbara Nussa of Republic Services, Inc. ("Republic"), who entered later in the meeting as noted herein; Monica Saucedo of Assessments of the Southwest, Inc. ("ASW"); Erik Scott of Storm Water Solutions L.P. ("SWS"); Danae Dehoyos of Touchstone District Services, LLC ("Touchstone"); Sergeant Joshua Orr of the Montgomery County Constable's Office ("MCCO"); Jeffrey Bishop of Quiddity Engineering, LLC ("Quiddity"); and Spencer Creed, Kris Eddlemon, and Amber Kaiser 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 the public at this time.

MINUTES OF MEETING(S)

The Board next considered approval of the minutes of the Board meetings held April 1, 2025, and April 30, 2025. After discussion, it was moved by Director Rueschhoff that the minutes of the Board meeting held on April 1, 2025, be approved, as written. Director Olsen seconded the motion, which unanimously carried. The Board deferred approval of the minutes of the meeting held on April 30, 2025, until the next meeting.

A discussion ensued regarding the proposed installation of additional street lighting in a certain area of the District. Following discussion, the Board requested that an item be included on the next agenda to formally consider a proposal for same.

REPORT FROM THE MONTGOMERY COUNTY CONSTABLE'S OFFICE REGARDING SECURITY

Sergeant Orr next presented and reviewed a security report provided by the MCCO's office for the month of April 2025, a copy of which report is attached hereto as **Exhibit A**. In connection therewith, Sergeant Orr advised that tailgate thefts have recently increased within the District. The Board requested that Touchtone include a notification with regard to the increase in such thefts on the District's website.

Sergeant Orr next addressed the Board regarding the costs associated with new laptop equipment for officers in their vehicles. In that regard, he advised that the cost for same is approximately \$10,998. After discussion, it was moved by Director Olsen that the Board approve the purchase of the laptop equipment, as discussed. Director Rueschhoff seconded the motion, which unanimously carried.

A discussion ensued regarding potential recommendations for additional staffing on the District's contract with MCCO. Following discussion, Sergeant Orr advised that MCCO will provide recommendations and a proposal for same at the June meeting.

Sergeant Orr exited the meeting at this time.

BOOKKEEPER'S REPORT

Mr. Diaz next presented and reviewed a written Bookkeeper's Report dated May 6, 2025, including the District's Investment Report for the month of March 2025, copies of which are attached hereto as **Exhibit B**. Following discussion, it was moved by Director Rueschhoff that the Board (i) approve the Bookkeeper's Report and Investment Reports, and (ii) authorize the District's Investment Officer to execute the Investment Reports on behalf of the Board and the District. Director Pachulio seconded the motion, which carried unanimously.

UNCLAIMED PROPERTY REPORT(S)

The Board deferred consideration of approval of an Unclaimed Property Report and the filing of same with the Texas Comptroller of Public Accounts prior to July 1, 2025.

STORMWATER MANAGEMENT PROGRAM AND DRAINAGE FACILITIES REPORT

Mr. Scott presented and reviewed a Drainage Facilities Report provided by SWS, a copy of which is attached hereto as **Exhibit C**. Director Olsen inquired about the type of fertilization applied within the District by SWS. Mr. Scott advised he would obtain more information about the type(s) of fertilizers that are applied and will discuss same with the Board at the next meeting.

TAX ASSESSOR/COLLECTOR'S REPORT

Ms. Saucedo then presented and reviewed the Tax Assessor/Collector's Report for the month of April 2025, including a delinquent account listing as of April 30, 2025, copies of which

are attached hereto as **Exhibit D**. After discussion, it was moved by Director Rueschhoff that the Tax Assessor/Collector's Report be approved and the disbursements identified therein be approved for payment. Director Pachulio seconded the motion, which carried unanimously.

SIXTH AMENDMENT TO AGREEMENT FOR SERVICES OF TAX ASSESSOR/COLLECTOR

Ms. Saucedo next presented to and reviewed with the Board the Sixth Amendment to Agreement for Services of Tax Assessor/Collector (the "Sixth Amendment") between ASW and the District, a copy of which is attached hereto as **Exhibit E**. Mr. Creed advised that SPH has reviewed and approved the form of same. Following discussion, Director Rueschhoff moved that the Board (i) approve the Sixth Amendment and authorize the President to execute same on behalf of the Board and the District, and (ii) authorize SPH to accept and acknowledge the associated Texas Ethics Commission 1295 Form. Director Pachulio seconded the motion, which unanimously carried.

DELINQUENT TAX REPORT

Mr. Creed reminded the Board that the District's delinquent tax attorneys, Perdue, Brandon, Fielder, Collins & Mott, L.L.P., provide written reports on a quarterly basis, and advised that no report was received for today's meeting.

OPERATIONS REPORT

The Board next considered the Operations Report. Mr. Minter presented a written report prepared by H2O, a copy of which is attached hereto as **Exhibit F**, and reviewed same with the Board. He advised that Crown Hydrant Services has completed repairs of the fire hydrants within the District, and that C&C Water Services, LLC has completed repairs to the pumping equipment located at water well no. 1.

Mr. Minter next addressed the Board regarding the unauthorized drainage connection at 28322 Madeline Manor Lane, as discussed at the April meeting. He advised that the resident at this address has moved the drain back inside of their fence; however, a washout in the area is in need of being repaired. Following discussion, Director Olsen moved that H2O be authorized to install "sea sand" in the area that is impacted by the washout. Director Dibble seconded the motion, which unanimously carried.

Mr. Minter next addressed the Board regarding the request from Harris County Water Control and Improvement District No. 92 ("No. 92") for temporary water supply from the District during a Water Plant project scheduled to take place in October 2025. Discussions ensued regarding testing of the water meter by No. 92, review of the current agreement between the District and No. 92, as well as pumpage and permit requirements, for any necessary updates. Following discussion, Mr. Creed advised that SPH will review the existing agreement and prepare an associated letter agreement addressing temporary water supply for review and consideration by the Board at a future meeting.

Ms. Nussa entered the meeting at this time.

The Board deferred approval of a Consumer Confidence Report and authorizing the distribution of same to customers until the next meeting.

AMENDMENT TO THE DISTRICT'S EMERGENCY WATER SUPPLY AGREEMENT WITH NO. 92

The Board deferred approval of an amendment to the District's Emergency Water Supply Agreement with No. 92, as discussed earlier in the meeting.

REPUBLIC SERVICES, INC.

Ms. Nussa addressed the Board on behalf of Republic and presented a verbal report. She then presented to and reviewed with the Board the Second Amendment to Exclusive Residential Refuse Service Contract (the "Second Amendment") between the District and Republic, a copy of which is attached hereto as **Exhibit G**. Mr. Creed advised that SPH has reviewed and approved the form of same. Following discussion, upon motion made by Director Waymel, seconded by Director Olsen and unanimously carried, the Board approved the Second Amendment and authorized the President to execute same on behalf of the Board and the District.

ENGINEER'S REPORT

Mr. Bishop next presented to the Board a written Engineer's Report, dated May 1, 2025, a copy of which report is attached hereto as **Exhibit H**, relative to the status of various projects within the District. He provided the Board with an update concerning the Recoating of Ground Storage Tank No. 1 by CFG Industries, LLC ("CFG"). He further advised that the District is in receipt of Pay Estimate No. 1 and Change Order No. 1 in the amounts of \$49,837.50 and \$9,500, respectively, copies of which are attached to the Engineer's Report. Following discussion, Director Rueschhoff moved that the Board approve payment of Pay Estimate No. 1 and Change Order No. 1, as recommended. Director Pachulio seconded the motion, which unanimously carried.

In connection with the proposed installation of approximately forty-five (45) trees in certain areas of the District by the Spring Trails Community Association (the "Association"), Mr. Bishop advised that Quiddity prepared a map depicting areas where the trees can be planted, as authorized by the Board at the April meeting. It was noted that a representative of H2O was onsite when the areas were marked for tree planting to avoid interference with District utilities. A copy of the map is attached to the Engineer's Report.

A discussion ensued regarding the proposed re-rating of the Joint Wastewater Treatment Plant to be prepared at the District's expense, as discussed at the April meeting. In that regard, Mr. Bishop advised that Montgomery County Municipal Utility No. 119 ("No. 119") has authorized the District to move forward with the re-rating analysis. He further advised that the cost to perform the analysis is \$20,500, as outlined in the proposal attached as part of **Exhibit H**. Following discussion, Director Rueschhoff moved that the Board approve the proposal and authorize the

President to execute same on behalf of the Board and the District. Director Pachulio seconded the motion, which unanimously carried.

STATUS OF CONSTRUCTION OF NEW CONCRETE WASTEWATER TREATMENT PLANT

Mr. Bishop next provided an update concerning the status of construction of the new concrete wastewater treatment plant by No. 119 on behalf of itself and the District. No action was taken by the Board at this time.

EMERGENCY WATER SUPPLY CONTRACT WITH NO. 119

The Board next considered the status of billing and No. 119's payment for recent water usage pursuant to the Emergency Water Supply Contract between the District and No. 119. In that regard, it was noted that the District received payment from No. 119 and that this item can be removed from future agendas.

ASSOCIATION CONSTRUCTION PROJECTS WITHIN DISTRICT PROPERTY; ASSOCIATION AND/OR RESIDENT COMMUNICATIONS

The Board next considered the approval and/or status of any Association related construction or maintenance projects within District property and resident communications concerning maintenance. A discussion ensued regarding the removal of the bird watching sanctuary area within the District. Director Rueschhoff advised that this project has been completed, and that the invoice has been submitted to McLennan for payment by the District.

TOUCHSTONE DISTRICT SERVICES

The Board next discussed the status of the District's website. In that regard, Ms. Dehoyos presented and reviewed a Communications Meeting Report prepared by Touchstone, a copy of which is attached hereto as **Exhibit I**. She advised that the text message sent to residents by H2O related to the website increased website traffic during the month of April. She then reviewed and discussed historical data from other districts concerning text notices as a means of increasing website traffic.

Ms. Saucedo exited the meeting at this time.

WORKSHOPS AND/OR PROFESSIONAL DEVELOPMENT PROGRAM

A discussion ensued regarding the District's Professional Development Program workshops. It was noted that the workshop related to a tour of the No. 119 facilities was held on April 30, 2025, at 9:00 a.m.

The Board considered holding a workshop conducted by the fire marshal to be held sometime in May. Director Olsen advised that he would coordinate the scheduling of same.

The Board concurred that a workshop related to the exercise of the District's Emergency Response Plan (ERP) be held on June 18, 2025, at 9:00 a.m.

ATTORNEY'S REPORT

The Board next considered the attorney's report. In that regard, Mr. Creed reminded the Board that it previously authorized termination of Ted A. Cox, P.C. as special litigation counsel for the District in connection with the unauthorized construction of a building on District property owned by the Association and the pending litigation regarding same. Following discussion, Director Olsen moved that the Board's prior action regarding termination of Ted A. Cox, P.C. as special litigation counsel be ratified and approved in all respects. Director Rueschhoff seconded the motion, which unanimously carried.

Mr. Creed next advised that the District is in receipt of correspondence from the San Jacinto River Authority ("SJRA"), a copy of which is attached hereto as **Exhibit J**, regarding a meeting scheduled to be held on May 19, 2025, concerning proposed amendments to the current Rate Order applicable to participants in the SJRA's Groundwater Reduction Plan. Directors Rueschhoff and Olsen advised that they planned to attend the meeting on behalf of the Board.

Ms. Nussa, Mr. Minter, Mr. Wright, Mr. Scott, Ms. Dehoyos, and Mr. Bishop exited the meeting at this time.

The Board next discussed requirements and procedures for payment of per diems to directors. No action was taken by the Board at this time.

Mr. Creed next advised that the District received a request to relocate meetings within the District. The Board instructed SPH to respond to the resident and advise that special meetings are typically held within the District, and that a dial-in number is available for use by the public at all regularly scheduled meetings.

Mr. Diaz exited the meeting at this time.

EXECUTIVE SESSION

The President announced that the Board was entering into executive session pursuant to Texas Government Code Section 551.171 at 2:25 p.m., concerning item 19(b) on the agenda. At this time all those present, with the exception of the Board, Mr. Creed, Kris Eddlemon, and Amber Kaiser exited the meeting.

At 2:55 p.m., the President announced that the Board would reconvene in Open Session. No action was taken with respect to the matters conducted in closed session.

FUTURE AGENDA ITEMS

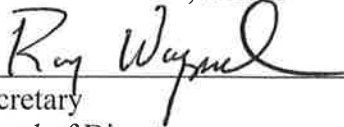
The Board next considered additional items for placement on future agendas. A discussion ensued concerning the installation of an additional streetlight near the entrance to the Sweet Bay subdivision, and the District paying the costs for installation and maintenance of same. The Board

concurred that Director Waymel will discuss such installation with the resident whose home is located next to the proposed location and that Director Waymel or Director Dibble will obtain a proposal for the installation.

ADJOURN

There being no further business to come before the Board, Director Rueschhoff moved that the meeting be adjourned. Director Olsen seconded said motion, which unanimously carried.




Secretary
Board of Directors

LIST OF NON-RECURRING ACTION ITEMS FOR NEXT MEETING

TASK	RESPONSIBLE PARTY	DUE DATE
Provide check for auctioned vehicle (previously auctioned) and for replaced security video equipment (to be auctioned)	MCCO	MCCO to provide check for auctioned vehicle by May 6, 2025, and for video equipment approximately June 2025
Proposal for additional officer(s)	MCCO	June 3, 2025
Consumer Confidence Report	H2O	June 3, 2025
Review emergency water supply agreement with No. 92 in connection with requested temporary water supply	SPH	June 3, 2025
Conduct lift station inspections	Quiddity	Report prepared with recommendations and cost estimate by July 2025
Re-Rating Analysis for Joint WWTP	Quiddity	July 1, 2025
Proposal for additional street lighting	Directors Dibble and/or Waymel	June 3, 2025
Schedule Fire Marshal Workshop	Director Olsen	Following today's meeting
Notify District residents about the website	Association	HOA to provide to residents in May
Place notification on District website related to increase in tailgate thefts	Touchstone	June 3, 2025
Notify adjacent homeowner of potential installation of street light near entrance to Sweet Bay subdivision and obtain proposal for installation	Directors Waymel and/or Dibble	June 3, 2025

LIST OF EXHIBITS

EXHIBIT A	Security Report
EXHIBIT B	Bookkeeper's Report
EXHIBIT C	Drainage Facilities Report
EXHIBIT D	Tax Assessor/Collector's Report
EXHIBIT E	Sixth Amendment to Agreement for Services of Tax Assessor/Collector
EXHIBIT F	Operations Report
EXHIBIT G	Second Amendment to Exclusive Residential Refuse Service Contract
EXHIBIT H	Engineer's Report
EXHIBIT I	Communications Meeting Report
EXHIBIT J	Correspondence from the San Jacinto River Authority