

**MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 94**  
**Minutes of Meeting of Board of Directors**  
**July 1, 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 July 1, 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 Pachuillo, Assistant Secretary  
JT Dibble, Assistant Secretary

all of whom were present, except Director Pachuillo, 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"); Grady Turner of Quiddity Engineering, LLC ("Quiddity"); Michelle Townes of McCall Gibson Swedlund Barfoot Ellis PLLC ("McCall"); and Spencer Creed, Amber Kaiser and Kat Lyons 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**

The Board next considered approval of the minutes of the Board meeting held June 3, 2025. Revisions were noted to pages three (3) and six (6) of said minutes. After discussion, it was moved by Director Rueschhoff that the minutes of the Board meeting held June 3, 2025, be approved, as revised. Director Olsen seconded the motion, which unanimously carried.

**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 June 2025, a copy of which report is attached hereto as **Exhibit A**.

Sergeant Orr next queried the Board regarding the funds associated with new laptop equipment for officers in their vehicles as discussed and approved at previous meetings. In that regard, Mr. Diaz stated that check no. 2482 in the amount of \$10,988.48 payable to Centre Technologies is being signed at today's meeting.

Mr. Creed then queried Sergeant Orr regarding the status of payment to the District for the previously auctioned patrol vehicles which were replaced. Sergeant Orr asked if SPH and/or McLennan have received communication on this matter from the Montgomery County Treasurer's Office. Mr. Diaz stated that McLennan has received no communications and has not been able to verify receipt of the payment(s). Mr. Creed requested that McLennan contact the County Treasurer's office directly to discuss the matter further.

Sergeant Orr exited the meeting at this time.

### **AUDIT REPORT**

Ms. Townes introduced herself to the Board and presented a draft audit report prepared by McCall for the District's fiscal year end March 31, 2025, a copy of which is attached hereto as **Exhibit B**. In connection with the District's audit, Ms. Townes also presented the Board with a Management Letter prepared by McCall, concerning the Board's internal controls over financial reporting (the "Management Letter"), a copy of which is included with **Exhibit B**, which is being submitted in connection with the requirements of Statement on Auditing Standards No. 115. Mr. Creed further discussed the Management Letter with the Board as well as a draft response to same prepared by SPH ("Management's Response"). After discussion, it was moved by Director Rueschhoff, seconded by Director Waymel and unanimously carried, that (i) the audit report for the fiscal year ended March 31, 2025, be approved, subject to incorporation of any final comments from the Board or the District's consultants, (ii) the President be authorized to execute the Annual Filing Affidavit on behalf of the Board and the District, (iii) such audit report and Annual Filing Affidavit be filed with the appropriate governmental authorities, including the Texas Commission on Environmental Quality ("TCEQ"), and (iv) the draft Management's Response be approved and forwarded to McCall for inclusion in the final Management Letter.

Ms. Townes exited the meeting at this time.

### **BOOKKEEPER'S REPORT**

Mr. Diaz next presented and reviewed a written Bookkeeper's Report dated July 1, 2025, including the District's Investment Report for the month of May 2025, copies of which are attached hereto as **Exhibit C**. Following discussion, it was moved by Director Rueschhoff that the Board (i) approve the Bookkeeper's Report and Investment Report, including check numbers 2517 and 2518 both payable to Trees by Frank ("TBF"), and (ii) authorize the District's Investment Officer to execute the Investment Reports on behalf of the Board and the District. Director Olsen seconded the motion, which carried unanimously. It was noted that there exists a discrepancy between the amount of one of the TBF invoices and the corresponding amount referenced in the minutes. The Board requested that McLennan hold that check pending confirmation of the correct amount by Director Olsen.

Ms. Nussa entered the meeting during presentation of the Bookkeeper's Report.

### **REPUBLIC SERVICES, INC.**

Ms. Nussa addressed the Board on behalf of Republic and presented a verbal report and general update regarding the District's garbage and recycling collections. She requested the District provide notice to the residents concerning the importance of waste acceptance protocol and not placing fireworks in the garbage/recycling containers. Following discussion, the Board authorized Touchstone to provide such notice to residents via the District's website, the Spring Trails Community Association, Inc.'s (the "Association") website, and social media.

### **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 D**. Mr. Scott advised of a downed tree that is located within the District's easement as reflected on page eleven (11) of his report. He advised that SWS will attempt to haul off the tree in a truck and, if unable to do so, will provide a formal proposal to cut up and remove the tree at the next meeting. No action was taken by the Board at this time.

### **TAX ASSESSOR/COLLECTOR'S REPORT**

Ms. Saucedo then presented and reviewed the Tax Assessor/Collector's Report for the month of June 2025, including a delinquent account listing as of June 26, 2025, copies of which are attached hereto as **Exhibit E**. After discussion, it was moved by Director Waymel that the Tax Assessor/Collector's Report be approved and the disbursements identified therein be approved for payment. Director Dibble seconded the motion, which carried unanimously.

### **DELINQUENT TAX REPORT**

In connection with the District's delinquent tax collections, 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.

### **ADOPTION OF RESOLUTION NOMINATING PERSON AS THE DISTRICT'S NOMINEE TO APPEAR AS A CANDIDATE ON BALLOT OF DIRECTORS FOR THE MONTGOMERY CENTRAL APPRAISAL DISTRICT'S ("MCAD") BOARD OF DIRECTORS**

Mr. Creed then reported that the Board received correspondence from MCAD regarding nominations for 2026 MCAD Board members, copies of which correspondence are attached hereto as **Exhibit F**. Mr. Creed presented and reviewed the correspondence provided by MCAD dated May 28, 2025, that states all nomination resolutions must be submitted by July 15, 2025; however, he noted that the District received subsequent correction correspondence from MCAD dated June 20, 2025, stating that nominations were to be received by June 1, 2025, therefore the deadline has

passed and the District was not eligible to participate in the vote this year. No action was taken by the Board at this time.

## **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 G**, and reviewed same with the Board.

With regard to the request by Harris County Water Control and Improvement District No. 92 ("No. 92") for temporary water supply, Mr. Creed advised that No. 92 is still reviewing the draft letter agreement between the District and No. 92.

Mr. Creed next presented to the Board an email from Paul Cote to Director Rueschhoff which includes instructions for making comments on the Region H Water Planning Group ("Region H") 2026 Initially Prepared Plan ("IPP") and a proposed letter drafted by SPH, as requested by the Board, to Region H on behalf of the District related to the 2026 IPP, copies of which are attached hereto as **Exhibits H and I**. Following discussion, Director Olsen moved that the Board approve the letter to Region H, and that the President be authorized to execute same on behalf of the Board and the District. Director Rueschhoff seconded the motion, which unanimously carried.

The Board then queried Mr. Minter regarding power being out at the Water Plant on June 30, 2025. Mr. Minter stated that the Ground Storage Tank is back online and functioning; but there is still an issue with the generator. He advised that NRG is coming out on July 2, 2025, to confirm that the generator is still functioning properly.

Ms. Saucedo exited the meeting during the Operations Report.

## **ENGINEER'S REPORT**

Mr. Turner next presented to the Board a written Engineer's Report, dated June 25, 2025, a copy of which report is attached hereto as **Exhibit J**, relative to the status of various projects within the District. Following discussion, it was moved by Director Olsen, seconded by Director Dibble, and unanimously carried, that the Engineer's Report and all action items listed therein be approved, as recommended by Quiddity, including the District's approval of payment of Pay Estimate No. 3 in the amount of \$58,410.00 submitted by CFG Industries, LLC in connection with the Ground Storage Tank No. 1 Rehabilitation at Water Plant No. 1 project.

Mr. Scott exited the meeting at this time.

Mr. Turner next presented to the Board a report prepared by Quiddity with regard to inspections of Lift Station Nos. 1-3 report, a copy of which report is attached hereto as **Exhibit K**. A discussion ensued regarding the recommended work to be completed at Lift Station No. 2. Following discussion, Director Waymel moved that Quiddity be authorized to prepare a proposal

for such work for consideration by the Board at the next meeting. Director Olsen seconded the motion, which unanimously carried.

With regard to supply of surface water, Mr. Turner advised that the San Jacinto River Authority ("SJRA") is amending its water model to include additional service areas in southern Montgomery County, and anticipates completion of the model in August 2025. He further advised that Quiddity recommends the District authorize preparation of a surface water supply request to the SJRA so that it may be included in such model. Following discussion, Director Olsen moved that Quiddity be authorized to prepare and send such request to the SJRA on behalf of the District. Director Dibble seconded the motion, which unanimously carried.

#### **STATUS OF CONSTRUCTION OF NEW CONCRETE WASTEWATER TREATMENT PLANT; RE-RATING ANALYSIS FOR PLANT**

Mr. Turner reviewed with the Board the results of Quiddity's initial analysis of influent sampling and flow data in connection with the possible re-rating of the Plant. He noted the need for additional data to support the request to the TCEQ, but that Quiddity will prepare some conservative budget estimates for the next meeting so that discussions with the other districts may begin. The Board noted that the status of construction of the new concrete wastewater treatment plant by Montgomery County Municipal Utility District No. 119 on behalf of itself and the District was covered under the Engineer's Report.

#### **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 format of reports provided by the tree maintenance contractor, TBF. Mr. Creed reminded the Board that a form of Work Order is attached to the Master Stand-By Services Agreement (Tree Maintenance) (the "Agreement") between the District and TBF, a copy of which form is attached hereto as **Exhibit L**. He advised that, to date, TBF has not provided the forms for projects completed within the District pursuant to the terms of the Agreement. Following discussion, Director Rueschhoff moved that the Board require completion of the form of Work Order by TBF for future projects. Director Dibble seconded the motion, which unanimously carried.

Mr. Turner exited the meeting at this time.

#### **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 M**. The Board requested that Touchstone review and streamline the options for contacting the District through the website.

## **WORKSHOPS AND/OR PROFESSIONAL DEVELOPMENT PROGRAM**

A discussion ensued regarding the District's Professional Development Program workshops. The Board concurred that a workshop related to the exercise of the District's Emergency Response Plan be held on July 16, 2025, from 8:00-10:00 a.m.

## **RECORDS DESTRUCTION REQUEST**

Mr. Creed advised the Board that the District's Records Retention Schedules adopted in connection with its Records Management Program require that certain records of the District be retained only for specific periods of time based on the type of record. He next presented a request from the District's Records Management Officer for approval to destroy certain records (which will not be scanned in and stored electronically) in accordance with the District's Records Retention Schedules. A copy of the subject request is attached hereto as **Exhibit N** (the "Request"). After discussion, Director Olsen moved that SPH be authorized to destroy the records described in the Request. Director Dibble seconded said motion, which carried unanimously.

## **SAN JACINTO RIVER AUTHORITY**

Mr. Creed next discussed with the Board proposed amendments to its current Rate Order applicable to participants in the SJRA's Groundwater Reduction Plan. Mr. Creed stated that, although no official notice had yet been received, the SJRA will be sending a notice of a four cent (\$0.04) decrease in the rate that will be in effect for participants as of September 1, 2025. No action was taken by the Board at this time.

## **ATTORNEY'S REPORT**

The Board next considered the attorney's report. In that regard, the Board deferred consideration of the Interim Arbitrage Compliance Reports for the District's Series 2016 Refunding Bonds, Series 2019 Refunding Bonds, Series 2019 Unlimited Tax Bonds, Series 2020 Refunding Bonds, and Series 2021 Refunding Bonds, pending completion of said reports.

Ms. Dehoyos exited the meeting during the above discussion.

## **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.

## **EXECUTIVE SESSION**

The President announced that the Board was entering into executive session pursuant to Texas Government Code Section 551.071 at 3:11 p.m., concerning item 19(b) on the agenda. At this time all those present, with the exception of the Board, Mr. Creed, Amber Kaiser, and Kat Lyons exited the meeting.

At 3:36 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.

**ADJOURN**

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



  
Secretary  
Board of Directors

**LIST OF NON-RECURRING ACTION ITEMS FOR NEXT MEETING**

| <b>TASK</b>                                                                                                                | <b>RESPONSIBLE PARTY</b> | <b>DUE DATE</b>                                                     |
|----------------------------------------------------------------------------------------------------------------------------|--------------------------|---------------------------------------------------------------------|
| Provide checks for auctioned vehicle(s) (previously auctioned) and for replaced security video equipment (to be auctioned) | MCCO                     | MCCO to provide check(s) for auctioned vehicle(s) by August 5, 2025 |
| Review letter agreement with No. 92 in connection with requested temporary water supply                                    | No. 92                   | August 5, 2025                                                      |
| Discussion with Trees by Frank regarding completing Work Order for Invoices                                                | Director Olsen           | August 5, 2025                                                      |
| Scope memo for projects identified in lift station inspections report                                                      | Quiddity                 | August 5, 2025                                                      |
| Budget Analysis for Joint WWTP                                                                                             | Quiddity                 | August 5, 2025                                                      |
| Streamline contact links and emails on District website                                                                    | Touchstone               | August 5, 2025                                                      |

## **LIST OF EXHIBITS**

|           |                                                          |
|-----------|----------------------------------------------------------|
| EXHIBIT A | Security Report                                          |
| EXHIBIT B | Draft Audit Report                                       |
| EXHIBIT C | Bookkeeper's Report                                      |
| EXHIBIT D | Drainage Facilities Report                               |
| EXHIBIT E | Tax Assessor/Collector's Report                          |
| EXHIBIT F | Correspondence from Montgomery County Appraisal District |
| EXHIBIT G | Operations Report                                        |
| EXHIBIT H | Email Communications                                     |
| EXHIBIT I | District Letter to Region H                              |
| EXHIBIT J | Engineer's Report                                        |
| EXHIBIT K | Inspection Report - Lift Stations Nos. 1-3               |
| EXHIBIT L | Work Order Form (Trees by Frank)                         |
| EXHIBIT M | Communications Meeting Report                            |
| EXHIBIT N | Records Destruction Request Letter                       |