

SPRING CREEK UTILITY DISTRICT
Minutes of Special Meeting of Board of Directors
February 12, 2025

The Board of Directors (the “Board”) of Spring Creek Utility District (the “District”) held a special meeting in person in accordance with the duly posted notice of meeting and the Texas Open Meetings Act. The roll was called of the duly constituted officers and members of said Board, as follows:

Claude Humbert	-	President
Mark Fusca	-	Vice President
Frederick Sunderman	-	Secretary
Leslie Gourley	-	Assistant Secretary
Paul Sterling	-	Director

All of the said members were present, thus constituting a quorum.

Also present were Mason Mueller of Cobb, Fendley & Associates Inc. (the “District’s Engineer”); Claudia Garza of Municipal Operations & Consulting, Inc. (the “District’s Operator”); Jonathan Roach, Ray Arce, and Jessica Gentry of Roach & Associates PLLC (the “District’s Attorney”); Aric Braddock of ASB Services, Inc. (the “District’s Inspector”); and Anthea Moran*, who entered later in the meeting, of Masterson Advisors LLC (the “District’s Financial Advisor”).
[*Remote Attendees]

PUBLIC COMMENTS

There were no public comments.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (“MS4”) AND SOUTH MONTGOMERY COUNTY STORM WATER COALITION (“SMCSWC”) ANNUAL REPORT

Mr. Roach gave a general overview of the SMCSWC’s history. He then stated that there are new policies requiring public education displays at community events, drainage channel signage, and more. Director Humbert noted that the District’s Communications Consultant would prepare an article on the education of MS4s. He then suggested that the District possibly have its own policies and procedures adopted similarly to other storm sewer systems not covered by the Montgomery County Drainage District No. 6 (“DD6”). The Board then had a lengthy discussion regarding DD6, property covered by the MS4, and potential individual District permitting and regulations. After a lengthy discussion, Director Sunderman motioned to defer approval of the SMCSWC renewal until the Board’s February 17, 2025, meeting. Director Sterling seconded the motion, which passed unanimously.

Ms. Moran entered the meeting remotely.

REVIEW FINANCING OPTIONS FOR DISTRICT PROJECTS

Ms. Moran presented the items requested to be included in the bond application based on the 2024 certified value. She noted that they are recognizing this as one (1) bond issue but that they could sell in multiple tranches. She further explained that if the bonds are not sold within one (1) year, the District can apply for an extension of approval. The Board then discussed refinancing, extension costs, and future interest rate patterns. Director Humbert noted that Messrs. Arce and Mueller have researched different grants for some of the desired projects. Director Sunderman pointed out some of the top priority projects for the District. After some discussion, Director Sunderman motioned to submit Bond Application No. 16 for the full amount as presented. Director Sterling seconded the motion, which passed unanimously.

ADMINISTRATION BUILDING

Director Humbert noted that pricing was available for the Administration Building project within the District's budget, noting there are various change orders. He also said that the Administration Building Committee wanted to discuss the real need for some of the potential change orders. Director Humbert noted a natural gas generator was not initially included in the plans. Mr. Mueller explained that the 80-kilowatt generator was included in the scenario that the building was acting as a shelter for the community. Director Fusca inquired if there were legal repercussions in calling the building a shelter. Mr. Mueller stated he was unsure of the requirements for a building to be considered a shelter but noted that it would have been integrated into the structural design work towards the beginning of the project. Further discussion ensued regarding the different generator options.

Ms. Moran exited the meeting.

After some discussion, the Board concurred to defer approval of the change orders for the project. Mr. Mueller confirmed that he would meet with the Administration Building Committee to be ready for approval on February 17, 2025. Director Humbert inquired about the approval status of the Fire Marshall. Mr. Mueller noted it should take approximately two (2) weeks. Director Sunderman then motioned to approve the change orders. The motion failed due to lack of a second.

JOINT FACILITIES ADVISORY COMMITTEE ("JFAC") MATTERS

The Board concurred to hold a special JFAC meeting on March 31, 2025, at 5:30 p.m.

PENDING BUSINESS, INFORMATION MATERIALS, ROUTINE CORRESPONDENCE, CONSULTANT REVIEW, AND RELATED MATTERS

Mr. Roach noted that Director Sunderman had sent the 360 Consultant Evaluations to the District's Attorney. He also asked that each Director consider their top three (3) District goals for

2025. Next, Director Fusca noted that the Board should vote in the upcoming Montgomery County Appraisal District election. Then, Director Humbert said that he had spoken with the District's Engineer regarding details of deadlines on critical projects for the District to be presented at the February 17, 2025, meeting.

REGIONAL AGENCY COORDINATION, GRANT/AGENCY FUNDING OPPORTUNITIES, AND RELATED MATTERS

Mr. Arce noted that the District's Attorney and Engineer are compiling a list of grant writers. Mr. Mueller stated that the District will need to look at the engineering fees before submitting for a grant. Mr. Arce explained the grant approval process to the Board, noting that they had planned to present the District's projects to the specific program they qualify for, the Clean Water Reuse Program. Director Humbert inquired about attending the Texas Water Infrastructure Coordination Committee ("TWICC") meetings before meeting with the specific programs offering the grants. After some discussion, Mr. Arce stated that the District's Attorney and Engineer would request to be on the TWICC agenda to discuss the District's projects before going to the Clean Water Reuse Program. Further discussion ensued regarding funding and refinancing options.

Mr. Braddock exited the meeting.

EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE, SECTION 551.071, 551.074, ET. SEQ.

The Board did not enter into an executive session.

DISCUSS PENDING BUSINESS AND MATTERS FOR FUTURE AGENDAS

The Board concurred to hold their next regular meeting on February 17, 2025, at 5:00 p.m. After no further discussion, Director Fusca motioned to adjourn the meeting. Director Gourley seconded the motion, which passed unanimously.

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Passed and approved this 17th day of March 2025.

/s/Leslie Gourley

Asst. Secretary, Board of Directors

[SEAL]

