

SPRING CREEK UTILITY DISTRICT
Minutes of the Special Meeting of
Board of Directors/Joint Facilities Advisory Committee
July 29, 2025

The Board of Directors (the “Board”) of Spring Creek Utility District (the “District”) met in special session as part of a Joint Facilities Advisory Committee (“JFAC”) meeting, open to the public, in person and via videoconference* 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 Boards 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 except Director Humbert, thus constituting a quorum.

Also present were Mason Mueller and Amber Hurd of Cobb, Fendley & Associates Inc. (the “District’s Engineer”); Lonnie Wright and Mike Williams of Municipal Operations & Consulting, Inc. (“MC88, MC89, & the District’s Operator”); Calep Estes of Touchstone District Services (the “District’s Communications Consultant”); Arrick Braddock of ASB Services, Inc. (the “District’s Inspector”); Jonathan Roach, Ray Arce, Jessica Gentry, and Jewel Wheeler of Roach & Associates, PLLC (the “District’s Attorney”); Kathryn Mercado* and Andrew Vaughn* of Allen Boone Humphries Robinson, legal counsel for Montgomery County Municipal Utility District No. 89 (“MC89’s Attorney”); Josh Zientek of Mitchell, Zientek & Scruggs, LLP, legal counsel for Montgomery County Municipal Utility District No. 88 (“MC88’s Attorney”); Justin Abshire and Diego Burgos of Quiddity Engineering, LLC (“MC88 & MC89’s Engineer”); Paul Cote, Shawn Goodman, and Benjamin Slotnick*, Directors of MC89; Jeremy Davis, Ryan Tsamouris, Larry Douty, and Kent Doerries, Directors of MC88; Erin Garcia* of Myrtle Cruz, and Billy Jo Craig, a resident of the Districts. [*Remote attendees]

PUBLIC COMMENTS

There were no public comments.

WATER PLANT EXPANSIONS AND AMENDED AND RESTATED JOINT WATER FACILITIES AGREEMENT

Mr. Burgos reported that the Texas Commission on Environmental Quality (“TCEQ”) and county approvals for the Ground Storage Tank (“GST”) have been secured. The project is expected to move forward with advertising at the upcoming Board meeting.

Mr. Mueller provided an update on the pre-construction meeting held last month and confirmed that all submittals have been reviewed. He is currently working to obtain an updated drilling schedule for the well. In response to Director Sunderman's inquiry regarding the booster pump, Mr. Mueller advised that the booster pump expansion at Water Plant No. 2's re-pressurization plant has been operational for the past month, with a potential warranty item under review.

Mr. Burgos further noted that completion of the original water model, initially anticipated in June, has been delayed due to consideration of upsizing the southern line. The additional analysis is expected to be complete by late August or early September. Design work will not begin until results are finalized, as they may impact system capacity and pressure dynamics.

WATER RECLAMATION/RE-USE (PURPLE PIPE) OPTIONS

Mr. Braddock presented the cost options for coloring the GSTs, noting that the purple pipe color would cost \$6,000 per tank, totaling \$12,000. After discussion, Director Fusca motioned to proceed with the purple color for both GSTs. Director Sterling seconded the motion, and it carried unanimously.

Mr. Abshire entered the meeting during discussion.

STORMWATER QUALITY MANAGEMENT PROGRAM OPTIONS

Mr. Roach noted that each participating entity is responsible for developing its own stormwater quality management program.

DROUGHT CONDITIONS AND WELL/SUPPLY ISSUES

Directors Cote and Goodman raised concerns regarding the District's Drought Contingency Plan ("DCP"), citing the need for clearer penalty guidelines. Director Gourley added that well levels will be checked this week to determine whether escalation to a higher DCP stage is warranted. Director Fusca recommended that all districts standardize and revise their DCPs for consistency, particularly to address high water usage by homeowners' associations. Director Tsamouris suggested including more objective criteria and stronger enforcement measures.

The Board held an in-depth discussion regarding DCP parameters, including weather conditions, static water levels, run times, and infrastructure failure scenarios such as a well being offline.

BIRNHAM WOODS PEDESTRIAN BRIDGE CHANNEL CROSSING

Mr. Burgos reported that Montgomery County has approved the Birnham Woods pedestrian bridge and sidewalk extension. Precinct representatives have no objections but have requested a right-of-way agreement to clearly define maintenance responsibilities for the bridge.

Mr. Arce exited the meeting.

BUDGETS RELATED TO JOINT FACILITIES

Mr. Vaughan presented a draft budget, noting an approximate \$100,000 increase in repair and maintenance costs. Ms. Garcia clarified that Capital Improvement Project (“CIP”) expenses are excluded from the general budget as they are categorized as one-time expenditures. Mr. Vaughan advised that he will circulate the draft budget to the bookkeepers and engineers for all joint districts.

Director Cote provided a brief update regarding the SJRA budget and expressed interest in attending an upcoming conference to learn more about conservation district operations statewide. He requested approval for the joint districts to share the \$2,000 attendance cost. The Boards concurred with the request and approved Director Cote’s attendance.

REGIONAL AGENCY COORDINATION, ELECTION, AND GRANT MATTERS

Director Cote noted that Commissioner Wheeler has been unhelpful regarding available grant opportunities for the Districts.

2025 LEGISLATIVE MATTERS

Director Roach reported that legislative summaries have been compiled, including information on 17 constitutional ballot items for the November 2025 election. The summaries have been submitted to the Texas Special Districts Coalition, and offered to share the summaries with anyone interested.

ADDITIONAL DISTRICT ENGINEERING/CONSTRUCTION/MAINTENANCE PROJECT MATTERS AND RELATED CONSULTANT UPDATES;

The Boards discussed general project updates and planning for National Night Out.

NEXT JOINT MEETING DATE

The Boards concurred to reconvene for the next JFAC meeting on March 31, 2025, at 6:30 p.m.

The Boards concurred to adjourn the JFAC meeting.

Mr. Arce re-entered the meeting.

All attendees except the Board, the District’s Engineer and Inspector exited the meeting. Following a brief discussion regarding fire hydrant maintenance, Director Gourley motioned to approve an additional \$35 per hydrant for 256 hydrants. Director Sterling seconded, and the motion passed unanimously.

Director Fusca exited the meeting temporarily.

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

The Board entered into Executive Session at 8:02 p.m. for consultation with the District's Attorney.

RECONVENE IN OPEN SESSION AND AUTHORIZE ANY ACTION RESULTING FROM EXECUTIVE SESSION

The Board reconvened in open session at 8:37 p.m.

DISCUSSION OF PENDING BUSINESS AND MATTERS FOR FUTURE AGENDAS

The Board concurred to hold the next regular meeting on August 18, 2025, at 5:00 p.m. There being no further discussion, Director Gourley motioned to adjourn the meeting. Director Sterling seconded the motion, which passed unanimously.

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Passed and approved this 18th day of August 2025.

/s/ Frederick Sunderman
Secretary, Board of Directors

(SEAL)

