

**SPRING CREEK UTILITY DISTRICT**  
**Minutes of Meeting of Board of Directors**  
**February 16, 2026**

The Board of Directors (the “Board”) of Spring Creek Utility District (the “District”) held its regular monthly meeting 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
Leslie Gourley	-	Secretary
Paul Sterling	-	Assistant Secretary
MJ Dougherty IV	-	Director

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

Also present were Monica Pena of Utility Tax Service, LLC (the “District’s Tax Assessor”); Mason Mueller and Amber Hurd of Cobb, Fendley & Associates, Inc. (the “District’s Engineer”); Lonnie Wright, Claudia Garza, and Dale DeLatte of Municipal Operations & Consulting, Inc. (the “District’s Operator”); Jonathan Roach\*, Ray Arce, and Jessica Gentry of Roach & Associates, PLLC (the “District’s Attorney”); Brian Desilets and Eric Gonzalez of Clarity Consulting Corporation (the “District’s Bookkeeper”); Aric Braddock of ASB Services, Inc. (the “District’s Inspector”); Calep Estes and Danae Dehoyos of Touchstone District Services (the “District’s Communications Consultant”); Ryan Fortner\* of Revenue Management Services (the “District’s Sales Tax Consultant”); Captain Atkins and Sergeant Carswell of Montgomery County Precinct 3 (the “District’s Security”), who entered later in the meeting; Paul Cote and Benjamin Slotnick of Montgomery County Municipal Utility District No. 89 (“MC89”); and Anthony Cerda, who entered later in the meeting, a member of the public. [\*Remote Attendees].

Call to Order: President Humbert called the meeting to order.

**PUBLIC COMMENTS**

There were no public comments.

**REVIEW SERIES 2026 BONDS AND RELATED MATTERS**

Mr. Roach provided a brief update on the status of the Series 2026 Bonds. After some discussion, Director Gourley motioned to authorize the District’s Attorney, Financial Advisor, President, and Secretary to move forward with anything needing execution or submission for said bonds. Director Dougherty seconded the motion, which passed unanimously.

## CONSENT AGENDA: MINUTES

The Board considered approval of the regular meeting minutes from January 19, 2026. After some discussion, Director Gourley motioned to approve the January 19, 2026, regular meeting minutes, subject to revisions. Director Sterling seconded the motion, which passed unanimously.

## CONSENT AGENDA: CONSULTANT REPORTS

Following discussion, Director Gourley motioned to approve the following consultant reports: (1) Security Report, attached hereto as Exhibit "A"; (2) Tax Assessor's Report, attached hereto as Exhibit "B"; and (3) Communications Report, attached hereto as Exhibit "C". Director Sterling seconded the motion, which passed unanimously.

## CONSENT AGENDA: COMMITTEE REPORTS

There was nothing new to report.

## BOOKKEEPER'S REPORT

Mr. Desilets presented the Bookkeeper's Report, attached hereto as Exhibit "D".

Ms. Pena exited the meeting.

After a brief discussion regarding the Fieldhouse reimbursement status, Director Gourley motioned to approve the Bookkeeper's Report and payment of invoices. Director Sterling seconded the motion, which passed unanimously.

Mr. Gonzalez exited the meeting.

## SALES TAX REPORT AND STRATEGIC PARTNERSHIP AGREEMENT ("SPA") UPDATES

Mr. Fortner presented the Sales Tax Report.

Mr. Cote temporarily exited the meeting.

After some discussion, Director Gourley motioned to approve the Sales Tax Report. Director Fusca seconded the motion, which passed unanimously.

Mr. Fortner exited, and Mr. Cote re-entered the meeting.

## ENGINEER'S REPORT

Mr. Mueller presented the Engineer's Report, attached hereto as Exhibit "E". Mr. Braddock requested a survey of the Walmart Detention Pond, as it is in very poor condition and in need of maintenance. After some discussion, Director Gourley motioned to approve the survey. Director

Sterling seconded the motion, which passed unanimously. Next, Messrs. Cote and Slotnick presented proposals regarding the San Jacinto River Authority (“SJRA”) Surface Waterline, noting that the line would run near the District and would be a great opportunity to connect for more water capacity.

Next, Mr. Mueller reported that Grossman Design Build (“GDB”) completed the previously approved change order work at the District Building at the end of January 2026. He then presented Construction Pay Estimate No. 13 & Final in the amount of \$4,600.00, payable to GDB, and recommended approval for payment.

Mr. Mueller then provided an update on Water Plant No. 3, noting that water well drilling commenced in early November 2025, including installation of the sound wall. He advised that the well driller is currently awaiting water-quality sample results, which are anticipated in March 2026. A final screen-setting recommendation has been developed and will be confirmed upon receipt of the water-quality results. Mr. Mueller further reported that Schier Construction Company, Inc. (“SCC”) is coordinating with CenterPoint regarding relocation of the electrical service in accordance with the District Inspector’s request, as reflected in the previously approved Change Order No. 1. He noted that the new utility pole has been set and CenterPoint is proceeding accordingly. Mr. Mueller also advised that generator procurement lead times may result in delivery occurring after overall project completion. He then presented Pay Estimate No. 7 in the amount of \$433,622.75, payable to SCC, and recommended approval for payment.

Mr. Mueller also presented a proposal amendment for the Lone Star coordination efforts for Board approval.

Finally, Mr. Mueller noted that construction of foundations for equipment and tanks associated with the Reclaimed Water Treatment project is substantially complete, with the exception of one (1) pump pad adjacent to the chlorine contact basin. He advised that W.W. Payton Corporation (“WWP”) has completed the framing and concrete placement for drive areas in coordination with the District’s Inspector and the sludge hauling schedule. Mr. Mueller presented Pay Estimate No. 4 in the amount of \$47,383.50, payable to WWP, and recommended approval for payment.

Mr. Braddock and Ms. Garcia temporarily exited the meeting.

After some discussion, Director Gourley motioned to approve: (1) the Engineer’s Report; (2) Construction Pay Estimate No. 13 & Final; (3) Pay Estimate No. 7; (4) the proposed amendment for the Lone Star coordination efforts regarding Water Plant No. 3; and (5) Pay Estimate No. 4. Director Sterling seconded the motion, which passed unanimously.

Mr. Braddock and Ms. Garcia re-entered the meeting.

## OPERATOR’S REPORT

Mr. Wright presented the Operator’s Report, attached hereto as Exhibit “F”.

Captain Atkins and Sergeant Carswell entered the meeting.

Mr. Wright reported that the San Jacinto River Authority (“SJRA”) has reduced its rates, noting that the District’s Rate Order will reflect a decrease from \$2.82 to \$2.51. He further reported that Sun Auto has remitted payment for the first back charge issued in October 2025. However, he advised that collection of the second back charge, issued in December 2025, has been delayed due to staffing changes at Sun Auto. Mr. Wright requested authorization to add the outstanding balance of \$1,487.59 to Sun Auto’s monthly water bill for collection. The Board concurred.

Mr. Desilets temporarily exited the meeting.

After some discussion, Director Gourley motioned to approve the Operator’s Report, including the delinquent cut-off list. Director Sterling seconded the motion, which passed unanimously.

### **INSPECTOR’S REPORT**

Mr. Braddock presented the Inspector’s Report, attached hereto as **Exhibit “G”**.

Mr. Desilets re-entered the meeting.

Mr. Braddock reported that he is preparing to order new park trash receptacles, replacement trash cans, and replacement football goals; however, a 55% deposit is required at the time of order, payable to Adventure Playground Systems. After some discussion, the Board concurred to approve Check #10538 in the amount necessary to satisfy the 55% deposit. Next, Mr. Braddock reported on additional improvements and maintenance items at the Wastewater Treatment Plant, including work on the offline clarifier, aeration basin, and recoating the clarifier weir. He further discussed the installation of PSI gauges on each basin to better regulate air pressure, replacement of two (2) leaking air-piping couplings, and inspection of the “chicken-feeder” diffusers in the contact basins. Following discussion, the Board concurred to approve the purchase and installation of the PSI gauges.

Messrs. Roach and Cote temporarily exited the meeting.

Mr. Braddock inquired about the status of the Texas A&M University Reforestation Grant Application, and Director Humbert noted that the District received a notice declining its eligibility for the grant.

Mr. Cote re-entered the meeting.

After discussion, Director Gourley motioned to approve the Inspector’s Report. Director Sterling seconded the motion, which passed unanimously.

## **SECURITY REPORT**

Sergeant Carswell presented a proposal outlining the personnel and equipment needs for the addition of two (2) deputies and one (1) patrol vehicle. He advised that implementation of the proposal would require an increase to the District's security budget.

Mr. Roach re-entered the meeting.

After a lengthy discussion, Director Fusca motioned to authorize the issuance of a Letter of Intent to MCC3 for the purchase of one (1) new patrol vehicle. Director Dougherty seconded the motion, which passed unanimously.

Captain Atkins and Sergeant Carswell exited the meeting.

## **JOINT FACILITIES ADVISORY COMMITTEE ("JFAC") MATTERS**

Director Humbert requested that the Engineers for the joint districts prepare and present a summary of the existing data to the three (3) JFAC water wells, as well as the proposed fourth water well. Mr. Cote noted that the JFAC should further discuss the SJRA pipeline proposal, as he intends to circulate a letter in the near future.

Messrs. Cote and Slotnick exited the meeting.

## **DIRECTORS REPORT**

Mr. Arce presented the Texas Water Development Board grant for projects related to new water supply, water leak repair, and more, noting that the District is eligible for the grant. Next, Director Humbert discussed an announcement by the Region 6 Flood Planning Group about upcoming public open houses in the coming weeks to present new flood maps.

## **ATTORNEY'S REPORT**

Mr. Roach reviewed the District's required annual filing with the Special Purpose District Public Information Database ("SPDPID"), indicating that much of the financial information used for the report is taken from the District's most recent audit. Director Fusca then made a motion, seconded by Director Gourley, to approve the filing of the District's financial report with the Comptroller. The motion passed unanimously.

Next, Mr. Roach discussed the requirements for adopting wage rate scales for construction and engineering projects. He further indicated that the Board has historically adopted wage rate scales concurrent with the Montgomery County Davis-Bacon Act ("DBA"). After some discussion, Director Fusca made a motion, seconded by Director Gourley, to adopt the wage rate scales concurrent with the DBA. The motion passed unanimously.

Finally, Mr. Roach presented the Arbitrage Report. He advised that Arbitrage Compliance Specialists, Inc. ("ACSI") has completed the arbitrage rebate report for the Series 2014 Bonds. He

further noted that the arbitrage report for the Series 2016 Bonds is due April 9, 2026, at a cost of \$3,425.00. Mr. Roach also reported that an interim arbitrage report for the Series 2021 Bonds was completed several months ago, reflecting an estimated rebate liability of approximately \$90,000.00. He stated that ACSI has proposed to complete the final arbitrage report for the Series 2021 Bonds for a total fee of \$775.00, with a due date of April 23, 2026. After some discussion, Director Sterling motioned to approve: (1) the invoice for the 2014 Bonds Report; (2) the authorization of completing the 2016 Bond Report; and (3) the authorization of completing the 2021 Bond Report. Director Dougherty seconded the motion, which passed unanimously.

Messrs. Mueller, Wright, DeLatte, Estes, Cerda, Ms. Hurd, Ms. Garza, and Ms. Dehoyos exited the meeting.

#### **DISCUSS PENDING BUSINESS AND MATTERS FOR FUTURE AGENDAS**

Mr. Roach reported that the District's Attorney did not receive any candidate applications for the upcoming May 2026 Directors Election. He advised that, because Directors Humbert and Dougherty are unopposed, the Board may cancel the election at its next regular meeting in accordance with applicable law. Next, Director Humbert announced that the Water Smart Event is scheduled April 7, 2026, from 5:00 p.m. to 8:00 p.m., and the Board discussed the event planning and related details. Then Director Dougherty inquired about the building's acoustics and suggested installing children's artwork to improve sound absorption. Mr. Braddock confirmed that he and Director Sterling are evaluating potential solutions to address the acoustics issue.

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

The Board entered into executive session at 8:50 p.m. with the District's Attorney and Inspector.

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

The Board reconvened in open session at 9:48 p.m.

The Board concurred to contact Badger Meter to inspect the endpoints on the meters and resolve the existing issue.

#### **DISCUSS PENDING BUSINESS AND MATTERS FOR FUTURE AGENDAS CONTINUED**

The Board concurred to reconvene for their next regular meeting on March 16, 2026, at 5:00 p.m., and to hold the special JFAC meeting on March 31, 2026. There being no further business to discuss, Director Gourley motioned to adjourn the meeting. Director Dougherty seconded the motion, which passed unanimously.

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Passed and approved this 16<sup>th</sup> day of March 2026.

/s/ Leslie Gourley  
Secretary, Board of Directors

[SEAL]



**LIST OF EXHIBITS**

- Exhibit A - Security Report
- Exhibit B - Tax Assessor's Report
- Exhibit C - Communications Report
- Exhibit D - Bookkeeper's Report
- Exhibit E - Engineer's Report
- Exhibit F - Operator's Report
- Exhibit G - Inspector's Report