

MINUTES OF MEETING  
THE WOODLANDS ROAD UTILITY DISTRICT NO. 1  
April 18, 2022

The Board of Directors (the "Board") of The Woodlands Road Utility District No. 1 (the "District") met in Regular Session, open to the public, on the 18<sup>th</sup> day of April, 2022, at 10:00 a.m., at the regular meeting place of the Board at 2455 Lake Robbins Drive, The Woodlands, Montgomery County, Texas, outside the boundaries of the District, and the roll was called of the duly constituted officers and members of the Board, to-wit:

Bill A. Neill	Chairman
Richard A. DeBone	Vice Chairman
Nelda Blair	Secretary
Gil Staley	Assistant Secretary
Lloyd W. Matthews	Assistant Secretary
Mark Keough	Director
Bob Milner	Director

with all of said persons being present, with the exception of Directors Neill, Matthews and Milner, thus constituting a quorum.

Also present were Mark Miller of Municipal Accounts & Consulting, L.P. ("MA&C"), Dan Kolkhorst and Rhonda Trow of The Howard Hughes Corporation ("Howard Hughes"), Donnie Reed of LJA Engineering, Inc. ("LJA"), Dan Hannon, member of the public, and Bryan Yeates and Katie Davis of Schwartz, Page & Harding, L.L.P. ("SPH").

The meeting was called to order and it was announced that a quorum was present, declaring the meeting open for such business as might regularly com before the Board.

**PUBLIC COMMENT**

There were no comments received from the public.

**MINUTES OF MEETING**

The Board reviewed the minutes of the meeting held on January 17, 2022. Following review and discussion, Director Blair moved that such minutes be approved, as presented. The motion was seconded by Director Keough and carried by unanimous vote.

**ENGINEER'S REPORT**

Mr. Reed advised that he had nothing new to report to the Board at this time.

**DEVELOPER'S REPORT**

Mr. Kolkhorst advised that he had nothing to report to the Board under the Developer's Report at this time.

## **TAX ASSESSOR/COLLECTOR REPORT**

The Board reviewed a written report prepared by Ms. Tammy McRae, the District's tax assessor/collector, concerning the accounting for and disbursement of tax collections for the month of March, 2022. During such review, it was noted that, after adjustments, 99.29% of the District's 2021 taxes have been collected as of March 31, 2022. A copy of such report is attached hereto as **Exhibit A**.

Mr. Yeates presented to and reviewed with the Board correspondence received from Ms. McRae regarding the cancellation and removal of delinquent tax accounts from the District's delinquent tax roll pursuant to Texas Property Tax Code, Section 33.05, a copy of which is attached hereto as **Exhibit B**. Following review and discussion, Director Keough moved that the Board authorize Ms. McRae to cancel and remove the necessary delinquent tax accounts from the District's delinquent tax roll subject to the provisions of Section 33.05, Texas Property Tax Code. Director Blair seconded the motion, which unanimously carried.

## **CONTINUING DISCLOSURE REPORT**

Mr. Yeates presented to and reviewed with the Board the District's Annual Report on Financial Information and Operating Data Pursuant to S.E.C. Rule 15C2-12 (the "Continuing Disclosure Report") relative to the District's outstanding bonds, a copy of which is attached hereto as **Exhibit C**. In connection therewith, Mr. Yeates advised the Board that the Continuing Disclosure Report was filed by the District's continuing disclosure counsel, McCall, Parkhurst & Horton, L. L. P. ("MPH"), by the applicable deadline and that no further action is required of the Board in connection with this matter.

## **ANNEXATION OF LANDS TO AND/OR EXCLUSION OF LANDS FROM THE BOUNDARIES OF THE DISTRICT**

Mr. Yeates addressed the Board regarding the proposed exclusion of 4.5210 acres from the boundaries of the District, and the simultaneous annexation of certain acreage into the boundaries District. In connection therewith, Mr. Yeates advised the Board that because the District has outstanding indebtedness payable from District taxes and remaining authorized but unissued bond authority payable from District taxes, the District may not exclude property from its boundaries unless additional land is annexed into the District's boundaries simultaneously. In that regard, Mr. Yeates advised the Board that the District's ability to simultaneously annex/exclude acreage is subject to the fulfillment of the following requirements: (i) the taxable value of the acreage to be annexed into the boundaries of the District must equal or exceed the taxable value of the acreage to be excluded, (ii) the estimated costs for providing District facilities and services to the annexed acreage must be equal to or less than the estimated costs for providing District facilities and services to the excluded acreage, and (iii) if the District has outstanding bonds or contractual obligations payable in whole or in part by a pledge of the net revenues from the District's systems, the projected net revenues to be derived from the annexed acreage during the succeeding 12-month period, as determined by the District's engineer, must equal or exceed the projected net revenues that would otherwise have been derived from the acreage to be excluded during the same period. Following discussion, Director Blair moved that the Board (i) authorize the submission of an application to the City of Houston (the "City")

requesting the City's consent to include additional land into the boundaries of the District, (ii) authorize the District's consultants to prepare the necessary documentation for inclusion in said application, including a Petition for Consent to Include Additional Land in the District (the "Petition"), and (ii) authorize the Vice Chairman and Secretary to execute the Petition on behalf of the Board and the District. Director Staley seconded the motion, which unanimously carried.

### **ADDITIONAL PENALTY ON DELINQUENT REAL PROPERTY TAXES**

Mr. Yeates advised the Board that it previously took action at its January 17, 2022, Board meeting to (i) adopt the Resolution Authorizing an Additional Penalty on Delinquent Real Property Taxes, and (ii) authorize Perdue Brandon Fielder Collins & Mott, L.L.P. to proceed with the collection of the District's 2022 delinquent real property tax accounts on July 1, 2022, subject to proper notice having been given as provided in said Resolution, including the filing of lawsuits as necessary, and that no further action is required in connection with this matter.

### **BOOKKEEPER'S REPORT**

Mr. Miller presented to and reviewed with the Board a bookkeeping report, dated as of April 18, 2022, including a list of bills and charges to be paid, as prepared by MA&C. Following discussion, Director Keough moved to approve such report and pay the bills and charges listed therein. The motion was seconded by Director Blair and carried by unanimous vote. A copy of the bookkeeping report thus approved is attached hereto as **Exhibit D**.

The Board then reviewed the Quarterly Investment report for the reporting period ending December 31, 2021, a copy of which is included in the bookkeeping report. Following discussion, it was moved by Director Keough that the Quarterly Investment Report be approved, and that the District's Investment Officer be authorized to execute same on behalf of the Board and the District. The motion was seconded by Director Blair and carried by unanimous vote.

### **ANNUAL SURVEY OF WAGE RATE SCALES**

The Board considered the review of an annual survey of prevailing wage rates for construction projects and the adoption of a Resolution in connection therewith. In that regard, Mr. Yeates reported that SPH is recommending that the District adopt the applicable United States Department of Labor ("DOL") wage rate scales, as permitted under Section 2258.022 of the Government Code. Following discussion, Director Blair moved that the applicable DOL wage rate scales be adopted as the District's prevailing wage rate scale for construction projects, and that the Resolution Adopting Prevailing Wage Rate Scale for Construction Projects attached hereto as **Exhibit E** be adopted by the Board. The motion was seconded by Director DeBone and carried by unanimous vote.

### **SUPPLEMENTAL AGENDA**

The Board considered the cancellation of the Directors Election called for May 7, 2022. Mr. Yeates advised that, in accordance with Subchapter C, Chapter 2 of the Texas Election Code, the District may cancel the Directors Election if each candidate whose name is to appear on the ballot and/or has registered as a write-in candidate is unopposed as of 5:00 p.m. on

February 22, 2022. In such case, the Board may declare the unopposed candidates to be elected. In that regard, there was presented to the Board a certificate of the Secretary declaring all candidates unopposed. Mr. Yeates then presented and reviewed the Order Declaring Candidates Elected (the "Order"), a copy of which is attached hereto as **Exhibit F**. After discussion, Director DeBone moved that (i) the Order be adopted by the Board declaring Nelda Blair, Daniel T. Hannon and Alexander Sutton elected Directors of the District, each to serve a term of two years or until a successor is duly elected or appointed, (ii) the Chairman or Vice Chairman be authorized to execute and the Secretary or Assistant Secretary to attest same on behalf of the Board and the District, and (iii) the Directors Election called for May 7, 2022, be cancelled. Director Staley seconded said motion, which unanimously carried.

**CLOSED SESSION**

The Vice Chairman announced that a closed session would not be necessary.

**ADJOURNMENT**

There being no further matters to come before the Board, Director Keough moved that the meeting be adjourned. The motion was seconded by Director DeBone and carried by unanimous vote, and the meeting was adjourned.

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(SEAL)



  
Secretary, Board of Directors

List of Attachments to  
The Woodlands Road Utility District No. 1  
Minutes of Meeting of April 18, 2022

- Exhibit A – Tax Assessor/Collector's Report for March 2022
- Exhibit B – Correspondence regarding Limitation on Collection of Taxes
- Exhibit C – Annual Report on Financial Information and Operating Data Pursuant to S.E.C. Rule 15C2-12
- Exhibit D – Bookkeeper's Report
- Exhibit E – Resolution Adopting Prevailing Wage Rate Scale for Construction Projects
- Exhibit F – Order Declaring Candidates Elected