



Porter Special Utility District

22162 Water Well Road

Porter, Texas 77365

Office: (281) 354-5922

Fax: (281) 354-5050

NOTICE OF REGULAR MEETING **OF THE BOARD OF DIRECTORS**

Notice is hereby given that the Board of Directors (the "Board") of PORTER SPECIAL UTILITY DISTRICT (the "District") will hold a regular meeting, open to the public, on **Monday, March 25, 2024, at 7:00pm**, in the Board Room of the District at 22162 Water Well Road, Porter, Texas 77365, to consider and take action on the following matters.

Board of Directors

Doug Pillow, President

Jodi Ruonavar, Vice President

Danny Bridges, Treasurer

Caroline Denham, Secretary

Jason Ashy, Director

Donald Bell, Director

Charlie Lyons, Director

Term Expires

May 2027

May 2026

May 2027

May 2026

May 2026

May 2026

May 2027

1. Call Meeting to Order

- a. Roll Call of the Board of Directors / Declaration of a Quorum
- b. Invocation
- c. Pledges of Allegiance

2. Public Comment

The Board and District Staff truly value the public's input. Please respect the following when making formal comments to the Board of Directors:

- Please sign in when you arrive prior to making public comment, or at the time of making your comments.
- Please keep comments restricted to the topics listed on the agenda and limit time to a maximum of three (3) minutes.
- Please keep comments respectful of others and organized for understanding.

3. Review and Approve Minutes

- a. Minutes from the Regular Board Meeting on February 26, 2024

4. Old Business

5. New Business

- a. Montgomery County MUD #24
 - i. Wholesale Rate Study Memo, including approving wholesale water rate increase as recommended
 - ii. Additional Capacity Request and Schedule Amendment

6. Financial Report

- a. Financial Statements for the period ending January 31, 2024
- b. Financial Statements for the period ending February 29, 2024
- c. Review Quarterly Investment Report for period ending February 29, 2024

7. Engineering Report

- a. Development Projects
- b. Infrastructure Fee Projects
 - i. Well #5 Rehabilitation, including approving Pay Application #1 from Alsay Incorporated in the amount of \$49,050
- c. Capital Bond Projects
- d. Impact Fee Capital Improvement Projects
- e. One-Year Warranty

8. General Counsel Report

- a. Development Agreement with Adams Street Apartments
- b. Engagement of Disclosure Counsel (Exhibit A Notice)
- c. Update on \$10,000,000 Waterworks System Revenue Bonds, Series 2024
 - i. Schedule for sale and closing
 - ii. Paying Agent Bids
 - iii. Preliminary Official Statement
 - iv. Order Adopting Official Notice of Sale and Bid Form, Authorizing Distribution Thereof and of Preliminary Official Statement and Authorizing Publication of Notice of Sale

9. General Manager Report

- a. Update regarding wells and facilities, water production and demand, fleet vehicles and equipment, drought and weather forecasts
- b. Drought Contingency Plan

10. Executive Session

11. Director Comments

12. Next Regular Board Meeting – April 29, 2024 at 7:00pm

13. Adjournment

At any time during the meeting the Porter Special Utility Board of Directors may meet in executive session on any of the above agenda items for any reason authorized by the Texas Open Meetings Act (Texas Government Code Chapter 551), including for consultation concerning attorney-client matters (551.071); deliberation regarding real property (551.072); deliberation regarding prospective gifts (551.073); personnel matters (551.074); and deliberation regarding security devices (551.076). No action may be taken during executive session, therefore, following executive session, the Board of Directors will reconvene to an open meeting and take action, as necessary.

It is hereby affirmed that this NOTICE OF MEETING was duly posted, no later than 4:30pm on March 22, 2024, on the bulletin board at the office of the Porter Special Utility District and on the Porter Special Utility District's website in accordance with the Texas Open Meetings Act.



Jonathon Smith
General Manager

EXHIBIT A

Notice of Contingent Fee Legal Services Contract

Porter Special Utility District (the "District") requires the assistance of outside legal counsel in carrying out its responsibilities related to the issuance of the District's municipal securities and other related matters from time to time. Pursuant to Section 2254.102(e) of the Texas Government Code, as amended (the "Contingent Fee Act"), the District is required to provide written notice to the public stating certain criteria in connection with the engagement of legal counsel to be paid in accordance with a contingent fee legal services agreement (the "Contract"). This notice is given in accordance with the Contingent Fee Act. This notice relates to the engagement of McCall, Parkhurst & Horton L.L.P. ("Outside Counsel") as disclosure counsel to the District.

The District is pursuing the issuance and sale of municipal securities and may pursue other debt obligations from time to time. In that regard, the District requires the representation of Outside Counsel for the purpose of providing legal representation to the District in the area of federal securities law pertaining to the issuance of such public securities, and for achieving an efficient and lawful issuance of municipal securities and other debt obligations by the District from time to time. Outside Counsel is a well-qualified law firm with more than 100 years of experience and has represented numerous entities similar to the District in matters relevant to the Contract. The District has engaged Outside Counsel for previous matters. The District cannot adequately perform the legal services with attorneys and supporting personnel of the District because the District does not employ in-house counsel and, due to the state law complexity and federal law intricacies relating to the issuance of public securities, engagement of Outside Counsel is necessary for the issuance of municipal securities. The District has found that the attorneys or law firms with experience in matters relevant to the Contract do not perform their legal services on an hourly basis; rather, such attorneys and law firms are engaged and are paid only to the extent such attorney or law firm completes the matters relevant to the Contract on behalf of the District. It is in the best interest of the residents, taxpayers and/or ratepayers of the District for the District to engage Outside Counsel on a contingency basis because of the nature of the transaction for which the legal services will be obtained, and, moreover, the District wishes to preserve its right to discontinue the transaction that is the subject of the Contract for any reason (financial or otherwise) at no expense to the District.