

MINUTES OF REGULAR MEETING OF
PASEO DEL ESTE MUNICIPAL UTILITY DISTRICT NO. 9
Friday, January 12, 2024

STATE OF TEXAS §
 §
COUNTY OF EL PASO §

The Board of Directors of Paseo del Este Municipal Utility District No. 9 (the “District”) held a regular meeting, open to the public, at TRE & Associates, LLC, located at 110 Mesa Park Drive, Suite 200, El Paso, Texas 79912, a regular meeting place of the Board of Directors of the District (the “Board”), and by video/telephone conference call at 11:30 a.m. (MST) on Friday, January 12, 2024, and the roll was called of the directors of the Board, to-wit:

Elizabeth Bustamante	President
Yvette Lascurain	Vice President
Richard Owen	Secretary
Maurice Grenier	Assistant Secretary
Olivia Zuniga	Assistant Secretary

and all said persons were continuously present, thus constituting a quorum. Directors Lascurain and Zuniga entered the meeting during discussion of Item No. 2.

Also present were Michael G. McLean of Gordon Davis Johnson & Shane P.C.; Kayla Marshall of Gordon Davis Johnson & Shane, P.C. (by video/telephone conference call); Ronald J. Freeman of Terril & Waldrop; Bob West of West, Davis & Company, L.L.P. (by video/telephone conference call); Maria Urbina of Hilltop Securities, Inc. (by video/telephone conference call); Tyler Wilson of Municipal Accounts & Consulting, L.P.; Nadia Ganser of TRE & Associates, L.L.C. (by video/telephone conference call); Erika Duran of Inframark; and Frank Ortiz of TRE & Associates, L.L.C.

1. The Board first considered approval of the minutes of the Board’s November 10, 2023, regular meeting. Director Owen made a motion to approve the minutes. Director Grenier seconded the motion, which the Board passed unanimously.

2. As its next item of business, the Board considered Texas law regarding District meeting places. No action was taken by the Board.

3. The Board then considered the District’s annual financial statements and Auditor’s report. Mr. West gave a brief report. Upon a motion made by Director Owen and a second by Director Zuniga, the Board unanimously approved the Financial Statements, Supplemental Information and Independent Auditor’s Report for Year Ended September 30, 2023.

4. The Board next received the Intergovernmental Coordinator's Report, providing the following updates:

- a. Mr. Freeman and the District's Financial Advisor provided a report on the \$6,000,000 Contract Tax Revenue Bonds;
- b. Mr. Freeman provided brief updates on the PSB Litigation;
- c. Mr. Freeman provided brief updates on the Inframark Contract; and
- d. Ms. Duran provided updates related to the Interim Field Office and Districts' logo.

No action was taken by the Board. Director Grenier left and re-entered the meeting during discussion of this item. Mr. West left the meeting during discussion of this item.

5. The Board then considered the General Manager's and Operator's Report. Ms. Duran gave a report summarizing the status of development within the District and other districts. No action was taken by the Board.

6. The Board next considered approving payment of bills and invoices and the financial report. Mr. Wilson presented the financial report for the District along with bills and invoices. After discussion, Director Owen made a motion to approve the payment of bills and invoices listed in the report (Check Nos. 5000 – 5012). Director Lascurain seconded the motion, which the Board passed unanimously. A copy of the Bookkeeper's Report is attached to these minutes.

7. The Board then considered approval of the Resolution Authorizing Application to the Texas Commission on Environmental Quality for Approval of third Use of Surplus Funds. Director Owen made a motion to approve the resolution. Director Zuniga seconded the motion, which the Board unanimously approved.

8. The Board next considered approval of the Proposal for Engineering Services from TRE & Associates, L.L.C., to begin work on the District's third surplus funds application to the Texas Commission on Environmental Quality. Director Owen made a motion to approve the engagement of TRE & Associates, L.L.C. Director Lascurain seconded the motion, which the board unanimously passed.

9. The Board then considered approval of engagement of an Auditor for preparation of Agreed Upon Procedures ("AUP Report") for developer reimbursement in relation to the District's Use of Surplus Maintenance and Bond Funds. Director Owen made a motion to approve the engagement of West, Davis & Company, L.P. Director Zuniga seconded the motion, which the Board unanimously passed.

10. No Developer's Report was presented to the Board.

11. As its final act of business, the Board considered the Engineer's Report. Mr. Ortiz gave a brief report providing updates on the construction and development in the Paseo del Este MUDs. No action was taken by the Board.

12. No public comments were received.

There being no further business, the meeting was adjourned.

Approved March 15, 2024.



Secretary, Board of Directors