

HAYS COUNTY DEVELOPMENT DISTRICT NO. 1

Minutes of Meeting Thursday, October 12, 2023

The Board of Directors (the "Board") of Hays County Development District No. 1 (the "District") met in regular session, open to the public, at 8:30 a.m. on Thursday, October 12, 2023, at the office of Carlson, Brigance & Doering, Inc., 5701 West William Cannon, Austin, Texas 78749, whereupon the roll was called of the members of the Board to-wit:

Billy Foulds	President
Trey Novosad	Vice President
George Baker	Secretary
Kasey Studdard	Assistant Secretary
John Bolt Harris	Assistant Secretary

All members of the Board were present in person, with the exception of Director Harris, thus constituting a quorum. Also in attendance in person or by phone were: Justin Taack of Bott & Douthitt, PLLC ("Bookkeeper"); Ronnie Moore, P.E. of Carlson, Brigance & Doering, Inc. ("CBD" and/or "Engineers"); Zach Petrov of Johnson Petrov LLP ("Attorney" or "JP"); Terry Howe and Grant Robinson (via telephone) of Siepiela Interests, Inc. ("Developer"); William Abshire and Cody Abshire of Capital Area Utility Management, LLC ("CAUM"); Corey Howell of GMS Group, L.L.C. ("Financial Advisor"); Andrew N. Barrett of Barrett & Associates, PLLC ("Special Counsel") and Steve Ginsburg, a resident.

The meeting was called to order at 8:30 a.m., and in accordance with the notice posted pursuant to law, the following business was transacted:

I. Public Comment.

There was no members of the public present wishing to speak.

II. Approve regular meeting minutes of the September 14, 2023 and the September 27, 2023.

The Board reviewed the minutes of the regular meeting held on September 14, 2023 and the special meeting minutes of September 27, 2023, copies of which were previously distributed to the Board.

Upon motion by Director Baker, seconded by Director Foulds, after full discussion and with all Directors present voting aye, the Board approved the regular meeting minutes of the September 14, 2023 and the special meeting minutes of September 27, 2023, as presented.

III. Bookkeeper's Report.

a. Mr. Taack of Bott & Douthitt, PLLC presented and reviewed the Bookkeeper's Report, a copy of which is attached hereto as Exhibit "A."

b. Mr. Taack presented director and vendor payments and one (1) transfer from TexPool Operating Account to Cadence Bank for the Board's approval, as well as invoice from

Hays Trinity Groundwater Conservation District.

Mr. Taack then reviewed the October 12, 2023 Financial Statements of the District.

Upon motion by Director Baker, seconded by Director Foulds, after full discussion and with all Directors present voting aye, the Board: 1) authorized payment of all invoices; 2) approved one (1) transfer from TexPool Operating Account to Cadence Bank; 3) authorized payment of the invoice from Hays Trinity Groundwater Conservation District; and 4) approved the Bookkeeper's Report.

IV. **Developer's Report.**

Mr. Howe reported Section 13 and 10 are anticipated to start in February and be developed together. He also reported that the treated effluent around Section 12 was under construction.

V. **Engineer's Report.**

Mr. Moore of Carlson, Brigrance & Doering, Inc. presented and reviewed the Engineer's Report, a copy of which is attached hereto as Exhibit "B." Mr. Moore updated the Board on the current Engineering activities within the District.

a. Mr. Moore reported that the construction for Caliterra Phase 5, Section 14, Streets, Drainage, Water, Wastewater and Erosion Control Improvements, was complete. Mr. Moore recommended the Board accept the project improvements.

b. Next, Mr. Moore presented and reviewed three (3) bids for the Caliterra Parkway Traffic Signal Improvements and recommended awarding the construction contract to Austin Traffic Signal Construction Co., Inc., the best and most economical completion of the District's project, in the amount of \$434,037.36, based on the Engineer's review of contractor qualifications and HDR's recommendation, the engineer for the project.

Upon motion by Director Studdard, seconded by Director Baker, after full discussion and with all Directors present voting aye, the Board: 1) Accepted Caliterra Phase 5, Section 14, Streets, Drainage, Water, Wastewater and Erosion Control Improvements, as complete; 2) Concurred in awarding the construction contract to Austin Traffic Signal Construction Co., Inc., the best and most economical completion of the District's project, in the amount of \$434,037.36; and 3) Approved the Engineer's Report.

VI. **Operations Report.** Mr. C. Abshire of Capital Area Utility Management, LLC presented and reviewed the Operation's Report, a copy of which is attached hereto as Exhibit "C."

Mr. C. Abshire reported that two (2) written violations were sent to Pulte regarding overflowing refuse containers and lot landscape maintenance requirements. CAUM will continue to monitor.

Upon motion by Director Studdard, seconded by Director Baker, after full discussion and with all Directors present voting aye, the Board approved the Operations Report.

VII. **Financial Advisor's Report.**

Mr. Howell reviewed the Preliminary Official Statement ("POS") and the Notice of Sale with respect to the 2023 Unlimited Tax Bonds (the "Bonds"), a copy of which is attached hereto as Exhibit "C". He responded to questions from the Board and requested authorization to advertise the sale of such Bonds, pending comments from Johnson Petrov. The Board concurred to move it's next meeting time to noon for the sale of the bonds.

Upon motion by Director Foulds, seconded by Director Baker, upon full discussion and with all Directors present voting aye, the Board authorized GMS to advertise the sale of the Bonds upon receipt of comments from Johnson Petrov and move the next meeting time to noon.

VIII. **Attorney's Report.**

a. Receive update from Legal Counsel concerning District operations, agreements and finances and take any action as necessary.

b. Agreement between the District and Dripping Springs Water Supply Corporation.

No updates at this time.

c. Amending Order Establishing Rules for the Protection of the District's Drainage System ("Amended Order").

Mr. Petrov presented and reviewed the Amended Order. Discussion ensued.


Upon motion by Director Foulds, seconded by Director Baker, upon full discussion and with all Directors present voting aye, the Board approved the Amended Order.

d. Maintenance of Facilities within the District and Coordination of the HOA and Developer.

Mr. Petrov and W. Abshire updated the Board on their discussions with the HOA regarding property maintenance.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, the meeting was adjourned.

PASSED and APPROVED this 9th day of November, 2023.


Secretary, Board of Directors

EXHIBITS:

- A - Bookkeepers Report
- B - Engineer's Report
- C - Operations Report

