

## **HAYS COUNTY DEVELOPMENT DISTRICT NO. 1**

### **Minutes of Meeting Thursday, August 11, 2022**

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, August 11, 2022, 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:

David Reynolds	President
Vacant	Vice President/Investment Officer
George Baker	Secretary
Kasey Studdard	Assistant Secretary
Billy Foulds	Assistant Secretary

All members of the Board were present in person, with the exception of Director Reynolds, thus constituting a quorum. Also in attendance were: Ronja Keys of Inframark ("Operator"); Justin Taack of Bott & Douthitt, PLLC ("Bookkeeper"); Ronnie Moore, P.E. of Carlson, Brigance & Doering, Inc. ("CBD" and/or "Engineers"); Andrew N. Barrett of Barrett & Associates, PLLC ("Special Counsel"); Corey Howell of the GMS Group, L.L.C. ("Financial Advisor") and Zach Petrov of Johnson Petrov LLP ("Attorney" or "JP").

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 public comment at this time.

#### **II. Approve regular meeting minutes of the July 14, 2022.**

The Board reviewed the minutes of the regular meeting held on July 14, 2022, a copy of which was previously distributed to the Board.

Upon motion by Director Studdard, seconded by Director Foulds, after full discussion and with all Directors present voting aye, the Board approved the regular meeting minutes of the July 14, 2022, as presented.

#### **III. Bookkeeper's Report.**

Mr. Taack of Bott & Douthitt, PLLC presented and reviewed the Bookkeeper's Report, a copy of which is attached hereto as Exhibit "A." Mr. Taack reported the District is 99.44% collected on taxes.

Mr. Taack presented director and vendor payments, and one (1) transfer for the Board's approval.

Upon motion by Director Studdard, seconded by Director Foulds, after full discussion and with all Directors present voting aye, the Board: i) authorized payment of all invoices; ii) approved one (1) transfer; and iii) approved the Bookkeeper's Report.

**IV. Developer's Report.**

There was not a Developer representative present.

**V. Engineer's Report.**

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

Mr. Moore presented and reviewed a Change Order No. 4 in the amount of \$3,800.00 and Change Order No. 5 in the amount of \$26,675.00 for Caliterra Phase 4 Section 12 (CBD 5183); Streets, Drainage, Water, Wastewater and Erosion Control Improvements. Mr. Moore recommended the Board approve both change orders.

Mr. Moore stated that the Caliterra Phase 5, Section 14 is still pending approval from the County.

Upon motion by Director Baker, seconded by Director Foulds, after full discussion and with all Directors present voting aye, the Board approved the Engineer's Report, including approval of Change Order No. 4 in the amount of \$3,800.00 and Change Order No. 5 in the amount of \$26,675.00 for Caliterra Phase 4 Section 12.

**VI. Operator's Report.**

Ms. Keys presented and reviewed the Caliterra General Manager's Report, a copy of which is attached hereto as Exhibit "C".

Ms. Keys also requested the Board approve the additional mowing by Zane Furr prorated based on field mowed at a cost of \$3,825 per lot and \$7,650 per month; and the DEC alarm repair by Sunscape in the amount of \$2,097.97.

Upon motion by Director Baker, seconded by Director Studdard, after full discussion and with all Directors present voting aye, the Board approved: 1) the Operator's Report; 2) the additional mowing by Zane Furr.

**VII. New Business.**

a. Resolution Regarding Tax Characterization for 2022. Mr. Petrov reviewed the differences between low tax rate, developing, and developed districts and stated that the District is currently undergoing construction projects and issuing bonds to pay for new facilities serving more than 5% of the District, which would categorize the District as a developing district. Upon motion by Director Baker, seconded by Director Foulds, after full discussion and with all Directors present aye, the Board approved the Resolution designating the District as a developing district for the 2022 tax year, a copy of which is attached hereto as Exhibit "D".

b. Discuss Proposed 2022 Tax Rate, Consider Financial Advisor's Recommendation, Authorize Publication of Effective Tax Rate Calculation and Establish Public Hearing Date.

Mr. Howell reviewed his analysis and recommendation for the 2022 tax rate setting. A copy of the recommendation is attached hereto as Exhibit "E". The recommendation includes a levy of a tax rate totaling \$0.90 per \$100 assessed valuation for the year 2022, comprised of \$0.35 per \$100 assessed valuation tax rate for operation/maintenance purposes, a water, sewer, drainage debt service rate of \$0.31 per \$100 assessed valuation tax rate and \$0.24 per \$100 assessed valuation tax rate for road debt service, and a public hearing concerning the proposed 2022 tax rate set for Thursday, September 8, 2022 at 8:30 a.m. at the Engineer's office. Discussion ensued.

Upon motion by Director Foulds, seconded by Director Studdard, after full discussion and with all Directors present voting aye, the Board proposed a tax rate of \$0.90 per \$100 assessed valuation for the year 2022, comprised of \$0.35 per \$100 assessed valuation tax rate for operation/maintenance purposes, a water, sewer, drainage debt service rate of \$0.31 per \$100 assessed valuation tax rate and \$0.24 per \$100 assessed valuation tax rate for road debt service, and a public hearing concerning the proposed 2022 tax rate set for Thursday, September 8, 2022 at 8:30 a.m. at the Engineer's office, and authorized ASW to publish notice of the tax rate hearing.

c. Amendment to Contract for Municipal Solid Waste Collection with Texas Disposal Systems, a copy of which is attached hereto as Exhibit "F". The amendment would include curbside leaf bag collection up to six (6) paper lawn bags of leaves or bundles of brush in the Fall and Spring.

Upon motion by Director Foulds, seconded by Director Studdard, after full discussion and with all Directors present voting aye, the Board approved the Amendment to the Municipal Solid Waste Contract with Texas Disposal Systems to include curbside leaf bag collection up to six (6) paper lawn bags of leaves or bundles of brush in the Fall and Spring.

d. Engagement of Jones Heroy & Associates. The Board reviewed the engagement letter of Jones Heroy & Associates, a copy of which is attached hereto as Exhibit "G" to assist with the Bond Application and Summary of Costs. Discussion ensued.

Upon motion by Director Foulds, seconded by Director Studdard, after full discussion and with all Directors present voting aye, the Board engaging Jones Heroy & Associates.

**VIII. Financial Advisor's Report.**

Mr. Howell reviewed and presented a letter pursuant to the Municipal Securities Rulemaking Board ("MSRB") Rule G-23. A copy of the Rule G-23 letter is attached hereto as Exhibit "H".

**IX. Attorney's Report.**

a. Receive update from Legal Counsel concerning District operations, agreement and finances and take any action, as necessary. No action taken.

b. Agreements between the District and Dripping Springs Water Supply Corporation. No action taken.

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

**PASSED and APPROVED** this 8th day of September, 2022.

*George W Baker*  
Secretary, Board of Directors



**EXHIBITS:**

- A - Bookkeepers Report
- B - Engineer's Report
- C - Caliterra General Manager's Report
- D - Resolution Regarding Tax Characterization for 2022
- E - Financial Advisor's Recommendation to 2022 Tax Rate
- F - Amendment to Contract for Municipal Solid Waste Collection with Texas Disposal Systems
- G - Engagement of Jones Heroy & Associates
- H - Rule G-23 Letter