

Wg 9.20.2023

Legacy Municipal Management Distirct

Board Meeting

MINUTES

Tuesday August 15, 2023

at 2:00 p.m. CST

**1826 North Loop 1604 West, Suite 260,
San Antonio, TX 78248**

1. Call to Order and Roll Call:
 - a. David Earl called the meeting to order at 2:10 p.m.
 - b. Directors Present: Melissa Johnson, Kathleen "Kandy" Walker, and Mike Olson
 - c. Others Present: Karen Scheffler, Nancy Beward, Clayton Chandler, Rick Walker, David L. Earl, and Johnathan Earl
2. Proof of Quorum: A quorum was present.
3. David Earl opened the meeting for public comment.
 - a. *Citizens to be Heard: None*
4. Consent Items:
 - a. July 24, 2023, Organizational Board Meeting Minutes.
 - i. *Kathleen "Kandy" Walker made a motion to approve the July 24, 2023, Minutes. Mike Olson seconded the motion. The motion was unanimously approved and carried.*
5. Action/ Discussion Items:
 - a. Consider and Take Possible Action on Petition Submitted by Simeon Escondido, LLC, and filed with the Board requesting an election under Tex. Loc. Gov't Code § 375.243;
 - i. *After discussion and review of the Petition, Mike Olson made a motion to accept and approve the Petition submitted by Simeon Escondido, LLC. Kathleen "Kandy" Walker seconded the motion. The motion was unanimously approved and carried.*
 - b. Consider and Take Possible Action on Resolution Authorizing Negotiation, Conveyance, and Acceptance of Donation for a 10.00 Acre Tract from Simeon Escondido, LLC, and Authorization for Execution of Documentation to Effectuate Conveyance as Needed, Including Acknowledgement of Donation Amount;

- i. After discussion, Kathleen "Kandy" Walker made a motion to allow the acceptance of donation of a 10-acre tract from Simeone Escondido, LLC. Melissa Johnson seconded the motion. The motion was unanimously approved and carried.*
- c. Consider and Take Possible Action on Order Adopting Section 49.2371 Electronic Bidding Rules for the District;
 - i. After discussion, Mike Olson made a motion to adopt the Electronic Bidding Rules. Kathleen "Kandy" Walker seconded the motion. The motion was unanimously approved and carried.*
- d. Consider and Take Possible Action on Order Adopting Electronic Signature Rules for Construction Contracts for the District
 - i. After discussion, Melissa Johnson made a motion to adopt electronic signature rules. Mike Olson second the motion. The motion was unanimously approved and carried.*
- e. Consider and Take Possible Action on Order Approving and Adopting Legacy Municipal Management District's Disadvantaged Business Program & Policy In Accordance with TEX. LOC. GOV'T CODE § 375.222;
 - i. After discussion and review, Kathleen "Kandy" Walker made a motion to approve the LMMD's Disadvantaged Business Program & Policy. Melissa Johnson second the motion. The motion was unanimously approved and carried.*
- f. Consider and Take Possible Action on Resolution Authorizing Application to TCEQ for approval to Exercise Additional Powers including, but not limited to, Waste disposal and Drainage powers;
 - i. After discussion and review, Kathleen "Kandy" Walker made a motion to approve this item. Mike Olson second the motion. The motion was unanimously approved and carried.*
- g. Consider and Take Possible Action on Resolution Authorizing and Directing District Engineer to Prepare and Issue, if appropriate, Water Service Availability Letter to SE Legacy Development, LLC, for the Number of LUEs Requested (68 LUEs) in Submitted Water Service Request Form;
 - i. After discussion and review, Mike Olson made a motion to approve and authorize the Distirct Engineer to prepare such letter. Kathleen "Kandy" Walker second the motion. The motion was unanimously approved and carried.*

- h. Consider and Take Possible Action on Authorizing the Negotiation and, if applicable, Execution of a Non-Standard Service Agreement with SE Legacy Development, LLC;
 - i. *After discussion and review, Kathleen "Kandy" Walker made a motion to approve this item. Mike Olson second the motion. The motion was unanimously approved and carried.*
- i. Consider and Take Possible Action on Order Adopting Preliminary Engineering Report ("PER") Prepared by District Engineer for the facilities and improvements identified therein;
 - i. *After discussion and a brief overview, Mike Olson made a motion to approve and adopt the PER on Road Improvements. Melissa Johnson second the motion. The motion was unanimously approved and carried.*
 - ii. *After discussion and a brief overview, Melissa Johnson made a motion to approve and adopt the PER on Water, Sewage, and Drainage.. Mike Olson second the motion. The motion was unanimously approved and carried.*
- j. Consider and Take Possible Action on Order Calling a System Facilities Bond Election, a Road Bond Election, and Refunding Bond Elections for Legacy Municipal Management District and Making Provisions for Conducting Such Election and Other Provisions Incidental and Related Thereto;
 - i. *After discussion, Kathleen "Kandy" Walker made a motion to approve the elections. Mike Olson second the motion. The motion was unanimously approved and carried.*
- k. Consider and Take Possible Action on Reimbursement Agreement with SE Legacy Development, LLC;
 - i. *After discussion, Kathleen "Kandy" Walker made a motion to approve a reimbursement agreement with SE Legacy Development, LLC. Mike Olson second the motion. The motion was unanimously approved and carried.*
- l. Consider and Take Possible Action on Resolution of the Board of Directors of LMMD Declaring its Intention to Reimburse Itself from the Proceeds of One

or More Tax-Exempt Financings for Certain Expenditures Made and/or to be made in Connection with Capital Improvement Project(s).

i. After discussion, Mike Olson made a motion to approve this resolution. Kathleen "Kandy" Walker second the motion. The motion was unanimously approved and carried.

m. Consider and Take Possible Action on Resolution Authorizing Negotiation and, if applicable, Execution of a Wholesale Water Supply Agreement with Legacy Water Supply Corporation, and adoption of Resolution authorizing such action;

i. After discussion, Mike Olson made a motion to approve this resolution. Melissa Johnson second the motion. The motion was unanimously approved and carried.

n. Consider and Take Possible Action on Resolution Authorizing Negotiation and, if appropriate, Execution of Agreement between District and Webb County Elections Department for Administration of Election(s) as Called by District for November 2023, Bond Election(s);

i. After discussion, Melissa Johnson made a motion to approval of this item. Mike Olson second the motion. The motion was unanimously approved and carried.

o. Consider and Take Possible Action on any other items related to the District calling for a Bond Election in November, 2023;

i. After discussion, no action necessary.

p. Consider and Take Possible Action regarding future meeting dates;

i. After discussion, consensus of the Board to have the next meeting on September 19, 2023 at 3:00 pm at this same location.

6. Consider and Take Possible Action on Developer's Report, and any related action.

a. David Earl gave the developers report. No action needed.

7. Executive Session pursuant to Sections 551.071, 551.072, and 551.074, Texas Government Code, as may be necessary, to consult with attorney; deliberate regarding real property; and personnel matters;

a. Executive Session was not required.

8. Motion to adjourn.

*a. Kathleen "Kandy" Walker made a motion to adjourn at 2:30 p.m.
Mike Olson seconded the motion. The motion was unanimously
passed and carried.*

(SEAL)



Secretary, Board of Directors