Legacy Water Supply Corporation
Board Meeting
MINUTES
September 4, 2024
at 11:30 a.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 11:30 a.m. CST.

   b. Directors Present: Kathleen "Kandy" Walker, Melissa Johnson, and David Earl.

   c. Others Present: None.

2. Determine Quorum: A quorum was present.

3. Public Comments: There were no public comments.

4. Public Hearing(s): None.

5. Consent: The following items may be acted upon in a single motion. No separate discussion or action on any of these items will be held unless pulled at the request of a member of the Board.

   a. Consider approval of the Minutes of the following Legacy Water Supply Corporation Meeting:

      i. June 12, 2024

         1. *Melissa Johnson made a motion to table discussions until a later meeting date regarding approval of the June 12, 2024, Board Meeting minutes. There was no second. The item was tabled for a later date.*

6. Action/Discussion Items:

   a. Consider and take possible action on nomination(s), election(s), and confirmation(s) for vacant Director position(s) pursuant to LWSC Bylaws;

      i. Kathleen "Kandy" Walker made a motion to table discussions regarding taking possible action on nomination(s), election(s), and confirmation(s) for vacant Director position(s) pursuant to LWSC Bylaws. Melissa Johnson seconded the motion. The motion was unanimously approved and carried.

b. Consider and take possible action on Nomination, Appointment, and Confirmation of General Manager for LWSC;

   i. *Melissa Johnson made a motion to authorize David Earl to post an anonymous job posting through Indeed, Zip Recruiter, etc., for the Role of General Manager for LWSC; and to table discussions regarding taking possible action on Nomination, Appointment, and Confirmation of General Manager for LWSC until a later meeting date. David Earl seconded the motion. The motion was unanimously approved and carried.*

c. Consider and take possible action on Resolution Approving Membership Application(s) received;

   i. *No Membership Application(s) have been received. The item was passed on by the Board.*

d. Consider and take possible action on Appointment of a Representative from Legacy Water Supply Corporation to serve on the Area Groundwater Utility Agency ("AGUA"), created under Chapter 791, Texas Government Code;

   i. *David Earl made a motion to approve the Resolution Appointing Melissa Johnson to serve as a Representative from Legacy Water Supply Corporation to Serve on the Area Groundwater Utility Agency ("AGUA"). Kathleen "Kandy" Walker seconded the motion. The motion was unanimously approved and carried.*

e. Consider and take possible action on adopting base form for Wholesale Water Supply Agreement for use in future negations relating to the sale of potable water on a wholesale basis;

   i. *Melissa Johnson made a motion to table discussions regarding adopting a base Wholesale Water Supply Agreement form until such time as said form has been completed. Kathleen "Kandy" Walker seconded the motion. The motion was unanimously approved and carried.*

f. Consider and take possible action on Resolution Authorizing General Counsel to Request Qualifications and/or Proposals for Professional Bond Counsel Services;

   i. *Melissa Johnson made a motion to approve General Counsel, David Earl, to negotiate a contract with Tom Sage for Professional Bond Counsel Services to be brought back before the Board for ratification. Kathleen "Kandy" Walker seconded the motion. The motion was unanimously approved and carried.*

g. Consider and take possible action on Resolution Authorizing General Counsel to Request Qualifications and/or Proposals for Program Management Services;

    i. *Melissa Johnson made a motion to approve the Resolution Authorizing General Counsel to Request Qualifications and/or Proposals for Program Management Services. Kathleen "Kandy" Walker seconded the motion. The motion was unanimously approved and carried.*

h. Consider and take possible action on Resolution Authorizing Board Secretary and/or General Counsel to Execute a Letter of Intent between Legacy Water Supply Corporation and Balcones Water Supply Corporation;

    i. *Kathleen "Kandy" Walker made a motion to approve General Counsel to draft a Letter of Intent between Legacy Water Supply Corporation and Balcones Water Supply Corporation for the Board to consider and take possible action on at a later meeting date. Melissa Johnson seconded the motion. The motion was unanimously approved and carried.*

i. Consider and take possible action on Banking Resolution;

    i. *David Earl made a motion to approve the Banking Resolution authorizing the creation of a Legacy Water Supply Corporation checking account at IBC Bank in Laredo, with all checks written off the account requiring the signature of two (2) Board Members. Melissa Johnson seconded the motion. The motion was unanimously approved and carried.*

j. Discuss and receive status update regarding negotiations between TSG and Legacy Water Supply Corporation;

    i. *The Board received updates from General Counsel regarding the status of negotiations between TSG and Legacy Water Supply Corporation. No further action taken.*

k. Discuss and take possible action on establishing priority of production of groundwater and establishing three separate categories or classes in connection therewith;

    i. *The Board discussed the priority of groundwater and the possibility of establishing three separate categories or classes in connection therewith. No further action taken.*

l. Consider and take possible action regarding future meeting dates.

i. *Melissa Johnson made a motion to propose a future Board meeting on September 25, 2024, at 12:00 p.m. at 1826 North Loop 1604 West, Suite 260, San Antonio, Texas 78248. Kathleen "Kandy" Walker seconded the motion. The motion was unanimously approved.*

7. Executive Session:

   a. 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; and

      i. *The Board did not hold Executive Session - no decisions were made and no action was taken during Executive Session.*

8. Adjourn.

   a. *Kathleen "Kandy" Walker made a motion to adjourn the meeting. David Earl seconded the motion. The motion was unanimously approved and carried, and the meeting was adjourned at 12:43 p.m. CST.*

Approved this 18th day of December, 2024.

(SEAL)

Secretary, Board of Directors