

**WESTPOINTE SPECIAL
IMPROVEMENT DISTRICT
AGENDA MATERIALS**

BOARD MTG VIA VIDEOCONFERENCE

May 24, 2021, 4 pm

**NOTICE OF MEETING
WESTPOINTE SPECIAL IMPROVEMENT DISTRICT**

BOARD OF DIRECTORS OF WESTPOINTE SPECIAL IMPROVEMENT DISTRICT WILL BE HELD ON Monday, May 24, 2021 AT 4:00 P.M., WILL BE HELD BY VIDEO CONFERENCE TO CONSIDER AND ACT UPON ANY LAWFUL SUBJECT WHICH MAY COME BEFORE SAID MEETING, INCLUDING, AMONG OTHERS, THE ITEMS LISTED ON THE AGENDA.

INSTRUCTIONS FOR VIDEO-CONFERENCE

THIS BOARD MEETING WILL BE HELD USING A VIDEO CONFERENCE SYSTEM CALLED ZOOM AND IS AUTHORIZED BY GOVERNOR GREG ABBOTT'S TEMPORARY SUSPENSION OF CERTAIN ASPECTS OF THE TEXAS OPEN MEETINGS ACT WHICH ALLOWS FOR A GOVERNING BODY TO HOLD A "VIRTUAL" MEETING SO AS TO AVOID GATHERING MEMBERS OF THE PUBLIC AND/OR BOARD MEMBERS IN A PHYSICAL SETTING THAT MIGHT CONSTITUTE A PUBLIC HEALTH RISK. YOU MAY ONLY WITNESS AND/OR PARTICIPATE IN THIS MEETING BY USING THE METHOD LISTED BELOW.

PUBLIC COMMENTS WILL ONLY BE ACCEPTED IN WRITING NO LATER THAN THIRTY (30) MINUTES IN ADVANCE OF THE MEETING BY SENDING THEM TO THE FRANK GARZA AT: fgarza@dtrglaw.com In the body of the email please include date, your name, your address, phone number, agenda item # if applicable or subject of discussion, and your comments.

Using a computer or mobile device: To view or listen to the meeting below, please click the link below or copy and paste the web address into your browser and follow the instructions.

<https://us02web.zoom.us/j/84963742254?pwd=MEtCYytzbnZmTHJEdFdCT1hUVHlyUT09>

Meeting ID: 849 6374 2254
Passcode: 819181

or by phone: 1 (346) 248-7799
Passcode: 819181

1. Call to Order, Declare a Quorum
2. Approve minutes of December 9, 2020 meeting.
3. Discuss and review status of 2020-2021 budget.
4. Discussion and possible action regarding General Contractor Procurement and Developer selection of Contractors for public improvements.
5. Discussion regarding Developer Submittal process.
6. Discussion and possible action ratifying the purchase of Board E/O insurance.
7. Discussion and action regarding payment to DTRG for legal services.
8. Discussion and action regarding payment to Armstrong & Vaughn for accounting services.
9. Discussion and action regarding payment to Bexar Appraisal District.
10. Discussion regarding update on development in the District
11. Adjournment.

Westpointe Board of Directors reserves the right to adjourn into executive session at any time to discuss any of the matters listed above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) and § 551.086 (Economic Development)

I certify that a copy of the May 24, 2021 agenda of items to be considered by the BOARD OF DIRECTORS OF WESTPOINTE SPECIAL IMPROVEMENT DISTRICT was posted on May 21, 2021 at the following website:
<https://bexarcospecialimprovementdistricts.com/westpointe>

F.J. Garza

Frank J. Garza, General Counsel

AGENDA ITEM 2

**WESTPOINTE PUBLIC SPECIAL IMPROVEMENT DISTRICT
DECEMBER 9, 2020**

**THE STATE OF TEXAS §
 §
COUNTY OF BEXAR §**

The Board of Directors of Westpointe Public Special Improvement District (“District”) met in a regularly scheduled meeting, open to the public, via videoconference as a result of COVID-19 pandemic as authorized by Governor Greg Abbott’s Order allowing for such “virtual” meetings. Meeting was called to order at **4:00 p.m. on the 9th day of December, 2020**, and the roll was called of the duly appointed members of the Board, to-wit:

Frank Cannon	President
Daniel Barrera	Vice-President
Thomas Garza	Secretary
Andres Serbones-Ortiz	Director
Salah Diab	Director
Derrick Howard	Director
Carlo White	Director

and all but Director Serbones-Ortiz were present to establish a quorum of the Board

Also present at the meeting were Frank Garza, General Counsel for Westpointe SID and Hugo Gutierrez.

No citizens signed up to be heard.

2. APPROVE LAST MEETING MINUTES OF SEPTEMBER 11, 2020.

Mr. Frank Cannon conducted the meeting and opened up this agenda item and the Board discussed and approved the Minutes of September 11, 2020.

Following review and discussion, upon a motion made by Secretary Thomas Garza and seconded by President Frank Cannon, the Board voted unanimously to approve the Minutes of September 11, 2020.

3. DISCUSSION AND REVIEW STATUS OF 2020-2021 BUDGET.

Mr. Frank Garza opened this agenda item for discussion. Mr. Garza referenced attachment in Tab 3 which is the Financial Statements for the one month and two months ended in November 30, 2020. The current total assets are \$30,576.

No action is necessary for this agenda item.

4. **DISCUSSION AND ACTION REGARDING DISTRICT'S ACKNOWLEDGEMENT AND CONSENT TO PARTIAL ASSIGNMENT OF APPROXIMATELY 106.32 ACRES OF LAND LOCATED IN THE DISTRICT FROM VISE OAKS I, LTD., A TEXAS LIMITED PARTNERSHIP TO PULTE HOMES OF TEXAS, L.P., A TEXAS LIMITED PARTNERSHIP RELATED TO THE PUBLIC IMPROVEMENT FINANCING AGREEMENT, INCLUDING THE CONSIDERATION OF A RESOLUTION APPROVING A CONSENTING TO SUCH ACKNOWLEDGEMENT AND CONSENT AND ANY OTHER ACTION REQUIRED.**

Mr. Frank Garza opened up this agenda item for discussion. Vise Oaks, the developer who is a party to the District's Finance Agreement, has entered into an Agreement with Pulte Homes of Texas to purchase approximately 106 acres. Under the terms of the agreement, the District is required to approve such assignment as long as the developer has not defaulted on the Agreement and the Assignee agrees to all terms and conditions of the original Finance Agreement.

Following review and discussion, upon a motion made by Director Salah Diab and seconded by Director Derrick Howard, the Board voted unanimously to consent to partial assignment of approximately 106.32 acres of land located in the district from vise oaks I, LTD to Pulte Homes of Texas, L.P.

5. **DISCUSSION REGARDING UPDATE ON THE DEVELOPMENT IN THE DISTRICT.**

Mr. Hugo Gutierrez discussed the status of the development in the District.

6. **ADJOURNMENT.**

The Board officially adjourned at 4:20p.m.

Thomas Garza, Secretary

AGENDA ITEM 3

**WESTPOINTE SPECIAL
IMPROVEMENT DISTRICT**

FINANCIAL STATEMENTS

**FOR THE ONE MONTH
AND SEVEN MONTHS ENDED
APRIL 30, 2021**

WESTPOINTE SPECIAL IMPROVEMENT DISTRICT
 STATEMENT OF ASSETS, LIABILITIES AND FUND BALANCE - CASH BASIS
 GENERAL FUND
 APRIL 30, 2021

ASSETS

Cash	\$	73,346
TOTAL ASSETS	\$	73,346

LIABILITIES AND FUND BALANCE

Liabilities:

Developer Advances	\$	25,000
Accrued Liabilities		15,037
TOTAL LIABILITIES		40,037

Fund Balance:

Unassigned		33,309
TOTAL LIABILITIES AND FUND BALANCE	\$	73,346

WESTPOINTE SPECIAL IMPROVEMENT DISTRICT
STATEMENT OF REVENUES AND EXPENDITURES - CASH BASIS
BUDGET TO ACTUAL - GENERAL FUND
FOR THE ONE MONTH AND SEVEN MONTHS ENDED APRIL 30, 2021

	1 Month Ended April 30, 2021	Year to Date Through April 30, 2021	Budget	Over (Under) Budget (YTD)	% of Budget
REVENUES					
Ad Valorem	\$ 35,958	\$ 63,008	\$ 45,761	\$ 17,247	137.69%
Sales Tax	-	-	-	-	100.0%
Miscellaneous Income	-	-	-	-	100.0%
TOTAL REVENUES	35,958	63,008	45,761	17,247	137.69%
EXPENDITURES					
Appraisal Fees	-	-	50	(50)	0.0%
Insurance Costs	1,500	1,500	1,000	500	150.0%
Auditing Services	-	-	-	-	100.0%
Legal Services	-	-	15,000	(15,000)	0.0%
Engineering Services	-	-	5,000	(5,000)	0.0%
Accounting Services	-	-	4,800	(4,800)	0.0%
Banking Services	24	281	45	236	624.4%
Contingencies	-	-	19,800	(19,800)	0.0%
TOTAL EXPENDITURES	1,524	1,781	45,695	(43,914)	3.9%
NET INCREASE (DECREASE) IN FUND BALANCE	\$ 34,434	\$ 61,227	\$ 66	\$ 61,161	92768.2%
PROJECTION OF FUND BALANCE					
Fund Balance - April 30, 2021	\$ 33,309				
Less: Remaining Budgeted Expenditures	(43,914)				
Required Commitment of Fund Balance	-				
Estimated Remaining Fund Balance (Deficit)	\$ (10,605)				

AGENDA ITEM 4

MEMO

TO: Mr. Francisco J. Garza
Westpointe PID Board

DATE: February 22, 2021

FROM: Trey Dawson, P.E. *TD*

PROJECT NO.: 6445-40
6550-11
6979-09
11412-03

cc: Dane Wright, P.E. *DW*

RE: Westpointe PID – General Contractor Procurement

The Westpointe Public Improvement District (PID) Board has agreed to initiate a procurement effort to facilitate and expedite the bid process by establishing a team of contractors for reimbursable projects within the Westpointe Public Improvement District. The typical public bid process involves a publication in the San Antonio Express News for two (2) consecutive weekends, followed by a mandatory pre-bid meeting and a public bid opening for each project. The prequalification of contractors will allow the developers, if they so choose, to bid projects within the district boundary without having to go through the standard public bidding and advertising process.

The developer also reserves the right to go through the standard public bid process should they want to include a contractor that did not have an opportunity to be involved in the procurement process.

Following the PID Board recommendation for procurement, Pape-Dawson Engineers, Inc. advertised a Request for Qualifications from contractors on January 16-17 and again on January 23-24 the San Antonio Express News:

Request for Qualifications

Pape-Dawson Engineers, Inc, on behalf of the Westpointe Public Improvement District, is accepting submittals for general contractor qualifications to perform future sitework projects consisting of street, drainage, and utility improvements within the district. Basic qualifications that must be met through this procurement are: minimum of 200 single-family lots constructed in 2019 or 2020 with revenue exceeding \$5 million. Qualifications should be emailed to Dane Wright (DWright@Pape-Dawson.com) by February 5, 2020 to be considered for this selection.

On February 5th, 2021 three (3) contractors submitted their qualification packages for PID consideration and approval:

R&S Excavation
D&D Contractors, Inc.
7 Site and Utility, LLC

MEMO

Westpointe PID Board
General Contractor Procurement
February 22, 2021
Page 2 of 2

A similar publication was made in the San Antonio Express News in February 2020 in which five (5) contractors submitted their qualification packages for PID consideration and approval; however, only the four (4) below met the qualifications per the Pape-Dawson memo dated May 29, 2020.

DNT Construction, LLC
SACC, Inc.
V.K. Knowlton Construction and Utilities, Inc.
Yantis Company

Pape-Dawson Engineers, Inc. has reviewed these qualification packages and recommends that the PID Board select the above seven (7) companies as approved contractors for Westpointe PID reimbursable projects. All of them have met the minimum requirements set by the developer and the PID for this general procurement.

END OF MEMO

P:\65\50\11\Word\Memos\210222 PID General Procurement_Westpointe.docx

AGENDA ITEM 6



MID-CONTINENT CASUALTY COMPANY

1437 S. BOULDER SUITE 200 TULSA OK 74119

DIRECTORS AND OFFICERS POLICY

POLICY NO: 04-DO-000160606

Parent Organization and Mailing Address

Agent Name and Mailing Address

**WESTPOINTE SPECIAL IMPROVEMENT
DISTRICT
601 NW LOOP 410
SUITE 100
SAN ANTONIO TX 78216**

**MCDONALD & WESSENDORFF 42-0954
INSURANCE - PROGRAM
611 MORTON STREET
RICHMOND TX 77469**

POLICY PERIOD: From 04/06/2021 to 04/06/2022 at 12:01 A.M. Standard Time at your mailing address shown above.

THE NAMED INSURED IS: SPECIAL DISTRICT

BUSINESS DESCRIPTION: SPECIAL DISTRICT

IN RETURN FOR PAYMENT OF THE PREMIUM AND SUBJECT TO ALL THE TERMS OF THIS POLICY, WE AGREE WITH YOU TO PROVIDE THE INSURANCE AS STATED IN THIS POLICY.

THIS POLICY CONSISTS OF THE FOLLOWING COVERAGE PARTS FOR WHICH A PREMIUM IS INDICATED. THIS PREMIUM MAY BE SUBJECT TO ADJUSTMENT.

	PREMIUM
NON-PROFIT ORGANIZATION LIABILITY COVERAGE PART	\$ 1,500.
LIMIT OF LIABILITY \$ 1,000,000. AGGREGATE	
RETENTION \$ 0. EACH CLAIM	

Premium shown is payable: \$ 1,500. at inception; \$ 1st Anniversary; \$ 2nd Anniversary

PAY PLAN: Agency Bill No Installments

NOT SUBJECT TO AUDIT

Form(s) and Endorsement(s) made a part of this policy at time of issue*:

ML1395(04/19)	MI9065(02/07)	MI9059(04/04)	MI9046(06/10)	MI9014(01/14)	MI9002(06/00)
ML1279(05/04)	ML1459(05/97)				

*Omits applicable Forms and Endorsements if shown in specific Coverage Part/Coverage Form Declarations.
Please refer to MyBilling for billing information at <https://MyBilling.mcg-ins.com>.

Countersigned at: RICHMOND TX Date: 04/09/2021 By: _____
Authorized Representative

AGENDA ITEM 7

DAVIDSON TROILO REAM & GARZA
A PROFESSIONAL CORPORATION
601 NW LOOP 410, SUITE 100
SAN ANTONIO, TX 78216
(210) 349-6484 Tax #74-1792996

May 20, 2021

Westpointe Public Improvement District
Board Meeting

7384-1 FJG

STATEMENT FOR PERIOD THROUGH 4/30/21

SUMMARY STATEMENT FOR LEGAL SERVICES RENDERED AND COSTS
AND EXPENSES ADVANCED.

BALANCE DUE

\$19,389.19

7384/1
Pcd#260734

AGENDA ITEM 8

WESTPOINTE SPECIAL IMPROVEMENT DISTRICT

May 24, 2021

Board Members

Frank Cannon
President

Deborah F. Fraser, CPA
Shareholder
Armstrong, Vaughan & Associates, PC
941 W. Byrd Blvd., Suite 101
Universal City, TX 78148

Daniel Barrera
Vice-President

Re: Crosswinds Special Improvement District

Thomas Garza
Secretary

Dear Debbie:

This letter is a request from the Westpointe Special Improvement District (District) to issue a check in the amount of **\$4,000** to Armstrong, Vaughan & Associates for accounting services from the period October 2020 thru May 2021. Monthly cost under the terms of the contract is \$500.

Salah Diab
Director

If you have any questions, please do not hesitate to call me.

Derrick Howard
Director

Andres Serbones-Ortiz
Director

Sincerely,

Carla White
Director

Frank Cannon
President

C: Frank J. Garza, General Counsel

AGENDA ITEM 9

STATEMENT



Page: 1/1
Date: 5/1/2021
Account: 4395

Bexar Appraisal District

411 N. Frio
P. O. Box 830248
San Antonio TX 78283-0248
(210) 242-2402 Ext. 0000

Amount Paid: _____

WESTPOINT SID
MR. FRANK GARZA
C/O DAVIDSON & TROILO
601 NW LOOP 410 STE 100
SAN ANTONIO TX 78216

Payment Terms: Net 30

Deposits Received: \$0.00

Document No.	Date	Code	Description	Amount	Balance
00012528	12/1/2020	SLS	00012528	\$31.00	\$31.00
00012597	3/1/2021	SLS	00012597	\$31.00	\$62.00

Amount Due: \$62.00

Current	31 - 60 Days	61 - 90 Days	91 and Over			
\$0.00	\$0.00	\$31.00	\$31.00	\$0.00	\$0.00	\$0.00

Codes: SLS = Sales / Invoices
SCP = Scheduled Payments
DR = Debit Memos

FIN = Finance Charges
SVC = Service / Repairs
WRN = Warranties

CR = Credit Memos
RTN = Returns
PMT = Payments