

MINUTES OF MEETING  
OF THE  
BOARD OF DIRECTORS

THE STATE OF TEXAS §

COUNTY OF HAYS §

CROSSWINDS MUNICIPAL UTILITY DISTRICT §

The Board of Directors (the "Board") of Crosswinds Municipal Utility District ("Crosswinds MUD", also sometimes referred to herein as the "District") met in regular session, open to the public, at 5501 West William Cannon Drive, Austin, Texas, an office of the District outside the boundaries of the District, on January 9, 2020, and the roll was called of the members of the Board to-wit:

Amy Laine	President
Lee Weber	Vice President
Elizabeth P. Edwards	Secretary
Anthony Dell'Abate	Assistant Secretary
Michael Gideon	Assistant Secretary

All members of the Board were present at the commencement of the meeting. All directors present at the time the votes were taken voted on such matters. Also present were Andy Barrett with Andy Barrett & Associates PLLC, attorney for the District, Judy McAngus, paralegal with Winstead PC ("Winstead"), Ronnie Moore with Carlson, Brigance & Doering, Inc. ("CB&D"), engineer for the District, Kristi Hester and Jesse Kennis with Inframark, the District's operations and bookkeeping firm. In addition, Terry Howe, representing Development Solutions CW, LLC ("Dev Sol"), the current developer of lands within the District, were present for the meeting.

1. The Board called for public comments. Hearing no comments, the Board continued on to the next item of business.

2. The Board acknowledged receipt of the Minutes of Meeting of the Board of Directors conducted on December 12, 2019 and following a full review and upon motion by Director Weber, seconded by Director Edwards and unanimously carried, the Board approved such Minutes as written.

3. The Board reviewed a proposed form of Waiver of Special Appraisal for Benefit of the District ("Waiver") proposed for execution by Dev Sol with respect to Crosswinds, Phase 2, a copy of which is attached hereto as **EXHIBIT "A"**. Following a review and motion by Director Dell'Abate, seconded by Director Weber and unanimously carried, the Board approved the form of such Waiver. It was noted that once Dev Sol executed and returned the Waiver, Judy McAngus would have the Waiver recorded in the Hays County Real Property Records and would provide a copy of the recorded Waiver to the Hays Central Appraisal District.

4. The Board recognized Ronnie Moore with CB&D who confirmed additional details with regard to the on-going construction in Phase 2 by Chasco Constructors, Ltd. ("CHASCO").

Mr. Moore noted that there were no action items at this time under the CHASCO contract for the Phase 2 facilities which had been completed but that they were still awaiting the receipt of the final Pay Application as executed by Dev Sol. He noted that he would hope to have that back no later than the February meeting and, once received most likely CB&D will be ready to recommend the final pay application, including the release of retainage, and acceptance of the project at the next Board meeting.

5. With regard to on-going development related matters, Terry Howe updated the Board with regard to the status of construction within the District noting that there had been 5 closings in November with 9, thus far, slated for December. He stated that there were 210 total homes within the District, with 23 under construction, with 14 completed and vacant and 8 model homes at this time.

6. With regard to the existing water and sewer related agreements regarding facility construction, projects, easements, conveyances to the City of Kyle ("City"), Andy Barrett reiterated that, as reported a few meetings ago, he had informed the City and potential apartment developer that the District would not be able to share the current capacity in the lift station with other developers since it had been sized to cover full development of the existing land within the District. Mr. Barrett noted that he had still not heard back from either party since conveying the Board's position on such matter.

Mr. Barrett further noted that within the next few months he will most likely have a proposed amendment for the Board's consideration and approval as relates to the existing Retail Water and Wastewater Service Agreement between the District and the City that ties to a design change from the current 150,000 gallon hydropillar elevated water storage tank now called for in the existing agreement to a different type of tank that will provide the required water storage capacity but at a cost savings to the District.

7. The Board was updated on the proposed sale of the District's Series 2020 Unlimited Tax Road Bonds ("Series 2020 Road Bonds") and upon motion by Director Edwards, seconded by Director Laine and unanimously carried, the Board authorized its consultants to begin the preparation of the Preliminary Official Statement and Notice of Sale in conjunction with the proposed sale of the Series 2020 Road Bonds.

8. Kristi Hester next presented Inframark's monthly financial and bookkeeping report, a copy of which is attached hereto as **EXHIBIT "B"**. Ms. Hester reviewed the entire report with the Board. Also, she noted that the tax collection report through the month of December 2019 reflected collections of 82.35% for 2019 taxes. In addition, the Board reviewed a recap of builder facility fee collections and wires relating to the transfer of tax collections received by the District to the District's separate TexPool operating and debt service funds and a separate transfer of funds from the TexPool operating fund to the District's BancorpSouth operating account. In addition, the Board reviewed the Investment Report for the quarter ending December 31, 2019 ("Investment Report"). Following a full review and upon motion by Director Dell'Abate seconded by Director Weber and unanimously carried, the Board approved the complete report, including all checks and wires as set out therein and the Investment Report.

9. Jesse Kennis with Inframark confirmed that he had included a few violation reports issued to builders in connection with erosion control violations and also some pictures of drainage related issues that Inframark would be monitoring and handling repairs, as needed, in the above Inframark report. He noted that they would continue to monitor erosion control where home building activity is occurring, mainly within the new Phase 2 section of development, and would continue to issue violation reports in accordance with the District's rules and regulations with regard to any future violations.

10. The Board confirmed a proposed special meeting for January 23, 2020 and confirmed its next regular meeting for February 13, 2020.

There being no further business to conduct, Director Edwards moved that the meeting be adjourned, which motion was seconded by Director Weber, and unanimously approved, and the Board adjourned until further call.

APPROVED AND ADOPTED this 13<sup>th</sup> day of February, 2020.



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Elizabeth P. Edwards, Secretary  
Board of Directors  
Crosswinds Municipal Utility District