

**WALDEN POND FRESH WATER SUPPLY DISTRICT  
OF KAUFMAN COUNTY**

**TO: THE BOARD OF SUPERVISORS OF WALDEN POND FRESH WATER SUPPLY DISTRICT OF KAUFMAN COUNTY AND TO ALL OTHER INTERESTED PERSONS:**

Notice is hereby given pursuant to V.T.C.A., Government Code §551, that the Board of Supervisors of Walden Pond Fresh Water Supply District of Kaufman County (“District”) will hold a special meeting on Thursday, November 3, 2022, at 12:00 p.m. at 2728 N. Harwood Street, Suite 500, Dallas, Texas 75201. The Board will discuss and, if appropriate, act upon the following items:

1. Public communications and comments;
2. Review and approve Minutes of the October 20, 2022, Board of Supervisors meeting;
3. Consider and, if timely, approve a draft of the audit for the fiscal year ended June 30, 2022;
4. Ratify and approve engagement of disclosure counsel and Resolution Approving Contingent Fee Contract;
5. Open public bids and award sale of Unlimited Tax Road Bonds, Series 2022 (“Series 2022 Road Bonds”);
6. Consider approval and authorization of execution of documents for the Series 2022 Road Bonds, including, but not limited to:
  - a. Bid awarding sale;
  - b. Bond Order;
  - c. Paying Agent/Registrar Agreement;
  - d. General and No-Litigation Certificate; and
  - e. All additional certificates and documents required to secure the necessary approval of and closing of the Series 2022 Road Bonds;
7. Consider authorization of submission of Transcript of Proceedings to the Texas Attorney General, confirmation of the next Board meeting date in advance of bond closing for approval of an Agreed Upon Procedures Report, and take any action as may be necessary or related thereto;
8. Consider engagement of Hilltop Securities, Inc., for arbitrage compliance reporting in connection with the Series 2022 Road Bonds;
9. Hear report from developer or engineer as to development projects within the District and take any action in connection with plat approval, reimbursement agreements or assignments thereunder, or other development related items;
10. Hear report from operator and take any action necessary or appropriate regarding utility accounts and communication, repair of District facilities, security of District facilities, or other operations related items;

11. Consider review and acceptance of engineer's report, and take any action necessary or appropriate;
  - a. Status of construction projects within the District;
  - b. Consider authorizing preparation of construction plans/specifications for water, sewer, paving and recreational facilities or repair/modification of existing facilities;
  - c. Consider approval/ratification of construction plans and specifications;
  - d. Consider approval/ratification of advertising for bids for contract(s);
  - e. Consider approval/ratification of award of construction contract(s);
  - f. Consider approval/ratification of contractor pay estimates, change orders and engineering fee statements; and
  - g. Consider acceptance of certificate of completion; authorize final acceptance of facilities.
12. Review and approve bookkeeping report, adopt any necessary resolutions and approve signature cards relating to any new accounts, investment report, budget related matters, update listing of depositories, review tax collections, approval of engagement for preparation of annual financial report, and take further action on such matters as may be necessary with regard to bookkeeping matters;
13. Consider review and adopt Resolution Adopting Operating Budget for fiscal year ending June 30, 2023;
14. Consider review and adopt amended resolution designating posting location of meeting notice;
15. Discuss and set date of next Board meeting; and
16. Adjournment.

The Board of Supervisors will go into Executive Session, if necessary and appropriate, pursuant to the applicable section of Subchapter D, Chapter 551, Texas Government Code Annotated, the Texas Open Meetings Act, on any matter that may come before the Board. No action decision or vote on any subject or matter may be taken unless specifically listed on the agenda for this meeting.

EXECUTED this 26<sup>th</sup> day of October, 2022.



WALDEN POND FRESH WATER  
SUPPLY DISTRICT OF KAUFMAN  
COUNTY

Ross S. Martin, Attorney for the District

## Notice of Contingent Fee Legal Services Contract

Walden Pond Fresh Water Supply District of Kaufman County (the "District") requires the assistance of outside legal counsel in carrying out its responsibilities related to the issuance of the District's municipal securities and other related matters from time to time. Pursuant to Section 2254.102(e) of the Texas Government Code, as amended (the "Contingent Fee Act"), the District is required to provide written notice to the public stating certain criteria in connection with the engagement of legal counsel to be paid in accordance with a contingent fee legal services agreement (the "Contract"). This notice is given in accordance with the Contingent Fee Act. This notice relates to the engagement of McCall, Parkhurst & Horton L.L.P. ("Outside Counsel") as disclosure counsel to the District.

The District is pursuing the issuance and sale of municipal securities and may pursue other debt obligations from time to time. In that regard, the District requires the representation of Outside Counsel for the purpose of providing legal representation to the District in the area of federal securities law pertaining to the issuance of such public securities, and for achieving an efficient and lawful issuance of municipal securities and other debt obligations by the District from time to time. Outside Counsel is a well-qualified law firm with more than 100 years of experience and has represented numerous entities similar to the District in matters relevant to the Contract. The District has not engaged Outside Counsel for previous matters. The District cannot adequately perform the legal services with attorneys and supporting personnel of the District because the District does not employ in-house counsel and, due to the state law complexity and federal law intricacies relating to the issuance of public securities, engagement of Outside Counsel is necessary for the issuance of municipal securities. The District has found that the attorneys or law firms with experience in matters relevant to the Contract do not perform their legal services on an hourly basis; rather, such attorneys and law firms are engaged and are paid only to the extent such attorney or law firm completes the matters relevant to the Contract on behalf of the District. It is in the best interest of the residents and taxpayers and/or ratepayers of the District for the District to engage Outside Counsel on a contingency basis because of the nature of the transaction for which the legal services will be obtained, and, moreover, the District wishes to preserve its right to discontinue the transaction that is the subject of the Contract for any reason (financial or otherwise) at no expense to the District.