

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" or "Board of Directors") of Crosswinds Municipal Utility District (the "District") met in regular session, open to the public, on February 14, 2024 at 5701 West William Cannon Drive, Austin, Texas, an office of the District outside the boundaries of the District, 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
Kathleen Kutac	Assistant Secretary

All members of the Board were present at the commencement of the meeting, except Director Laine. Also present were Andy Barrett with Andy Barrett & Associates, PLLC, general counsel for the District, and Kimberly Studdard, paralegal, with Winstead PC, bond counsel for the District, Ronnie Moore with Carlson, Brigance & Doering, Inc. ("CB&D"), engineers for the District, Justin Taack with Bott and Douthitt, PLLC ("Bott & Douthitt"), the District's bookkeeping firm, Cody and William Abshire with SiEnvironmental, LLC ("SiEnvironmental"), formerly Capital Area Utility Management, LLC ("CAUM"), the District's operations firm, and Terry Howe, representing developers for the District.

1. The Board called for public communications and comments. Hearing none, the Board continued on to the next item of business.

2. The Board acknowledged receipt of a copy of the Minutes of the Board's January 10, 2024 regular meeting, and following a review and motion by Director Weber, seconded by Director Edwards and unanimous approval, said Minutes were approved as written.

3. Ms. Studdard then discussed with the Board the need for a directors' election every two years of even-numbered years, as required by the District's legislation and the Election Code, and it was noted that there were three (3) positions up for election in May of 2024. The Board then discussed the form of joint election contract and election services agreement ("Election Contract") with Hays County ("County") related to the May 4, 2024 directors' election and authorized execution of the final form by the Board's officers should the election move forward. As also relates to the May 4, 2024 directors' election, the Board next considered an Order Calling Directors' Election ("Order Calling"). Upon motion by Director Weber, seconded

by Director Kutac and unanimously carried, said Order Calling was adopted and authorization for execution of the final Election Contract, if needed, was approved.

4. Terry Howe then discussed with the Board construction activity currently underway, and it was noted that there were 28 closings in February and 21 are expected in March. There are currently 824 houses on the ground, 651 of which are occupied, 75 are under construction, and 66 homes are complete but vacant. It was noted that the water tower is still being worked out with GBRA to get submittals done, and that they had the ditch ready to go for PEC but due to heavy rains, it'll have to be redone.

5. With respect to any proposed additions of lands to the District, Mr. Barrett noted that there was nothing for consideration by the Board at such time.

6. The Board then recognized Ronnie Moore with CB&D who referred the Board to CB&D's Engineering Report for the current meeting. The report updated the Board with requests regarding approval of pay applications for Crosswinds Phase 6B and Contract B-Ground Storage Tank. Regarding Contract A-Elevated Storage Tank, it was noted that construction is substantially complete with no action items to bring before the Board. Regarding Contract B-Ground Storage Tank, it was noted that construction is approximately 80% complete. Lastly, it was noted that a couple of change orders are pending. Upon motion by Director Weber, seconded by Director Edwards, the following recommended pay applications were unanimously approved:

Crosswinds Phase 6B:

Pay Application No. 7 (\$172,944.45).

Contract B-Ground Storage Tank:

Pay Application No. 14 (\$10,980.00),

Pay Application No. 15 (\$175,968.00).

7. With regard to any additional water and sewer related agreements, status of negotiations regarding existing service rates and amendments to such agreements, status of conveyances to the City of Kyle or other related matters, Mr. Barrett noted he had nothing for the Board's consideration at such time.

8. Mr. Barrett discussed with the Board outstanding builder violations incurred by Gehan and a proposed resolution presented by the developer for payment of same. Mr. Barrett noted that the developer has asked the Board to approve \$17,000.00 in lieu of the original amount in order to resolve the issue and move forward. Following a review and motion by Director Weber, seconded by Director Kutac and unanimous approval, said \$17,000.00 was approved.

9. Mr. Taack then reviewed an Accounting Report dated February 14, 2024, which included a review of the Cash Activity Report, including receipts and expenditures, a summary of action items as relate to director and vendor payments, fund transfers and bond payments, as reflected therein. It was noted that four fund transfers and six bond payments would need to be approved by the Board **detailed as follows:** transfer from District's TexPool Operating Account to the District's Cadence Bank Bookkeepers account in the amount of \$23,369.66, a transfer from the District's TexPool Tax Account to the District's TexPool Operating Account in the amount of

\$549,274.06, a transfer from TexPool Tax Account to TexPool Debt Service Utility Account in the amount of \$416,116.71, and a transfer from the District's TexPool Tax Account to the TexPool Debt Service Account Road in the amount of \$532,629.39. Mr. Taack then discussed the six bond payments for the Board's approval: SR 2018 - \$139,656.25, SR 2020 - \$119,187.50, SR 2021 - \$111,402.50, SR 2022 - \$171,718.75, SR 2023 - \$62,881.25, SR 2023A - \$152,755.21. It was also noted that UMB Bank submitted an invoice for their paying agent fee. Lastly, Mr. Taack noted that bank statements went out late, and therefore, the tax collection amounts had not been reconciled. Upon motion by Director Weber, seconded by Director Edwards and unanimously carried, the Board approved the Accounting Report which included the approval of director and vendor payments and fund transfers, as set out therein. Upon motion by Director Edwards, seconded by Director Kutac and unanimously carried, the Board approved the bond payment amounts as well.

10. With regard to an Operations Report for the District, Mr. Abshire noted that there were no action items for the Board but that the three ponds were visited on January 24, 2024. It was noted that DNT is scheduled to drain the standing water in Pond 3A on February 12 and will begin repairs by February 16. Regarding customer complaints, on January 23, 2024, the accumulated builder sediment and debris were removed from a buried drainage inlet behind a resident's home that was causing flooding in their backyard. An extensive communication regarding resident expectations of Pond 3A was received, and with help from the developer, future plans and expectations were clarified. SiEnvironmental conducted trash clean up on February 6, and the builders in the area have been put on notice that trash violations would be distributed for any sites that are not being held to community standards. Mr. Abshire noted that there is a pending proposal for tire haul off and that "o dumping signage" was ordered in an attempt to curb the amount of dumping occurring behind the Phase 3 detention pond. After a brief discussion, and upon motion by Director Edwards and seconded by Director Dell'Abate the Operations Report was approved.

11. There being no reason for Executive Session, the Board scheduled their next regular meeting date of Wednesday, March 13, 2024 at the offices of CB&D, and 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 13th day of March 2024.



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

