

Hunters Crossing Local Government Corporation
Meeting Agenda
Bastrop City Hall City Council Chambers
1311 Chestnut Street
Bastrop, TX 78602
(512) 332-8800



January 24, 2018 at 6:00 P.M.

Hunters Crossing Local Government Corporation meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at (512) 332-8800 or write 1311 Chestnut Street, 78602, or by calling through a T.D.D. (Telecommunication Device for the Deaf) to Relay Texas at 1-800-735-2989 at least 48 hours in advance of the meeting.

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purposes of seeking confidential legal advice from the City Attorney on any item on the agenda at any time during the meeting.

The City of Bastrop reserves the right to reconvene, recess, or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

1. Call to Order
 2. Public Comments. [Note: Persons may address the Board on any issue not otherwise listed on this Agenda. Please observe the time limit of three (3) minutes for general public comments. In accordance with the State of Texas Open Meetings Act, the Board cannot undertake discussion or take any action on Public Comments received at the meeting, but can: (1) recite Board/City policy on the points raised and/or (2) place items on an upcoming agenda for both discussion and action at that upcoming meeting.]
 3. Consider action to approve minutes from the November 15, 2017 meeting. **Pgs. 3-5**
 4. Presentation of the unaudited Quarterly Financial Summary Report for the period ending December 31, 2017. **Pgs. 6-8**
 5. Informational update to Board, by President, on matters related to the Hunters Crossing Local Government Corporation and/or Public Improvement District.
 6. Invitation for input from Board members related to issues for possible inclusion on future agendas.
-

7. EXECUTIVE SESSION

7A. The Board of Directors shall recess its regular session and convene into executive session pursuant to Section 551.071 of the Texas Government Code to deliberate and seek advice of its attorneys regarding the operation of Hunters Crossing Public Improvement District and *Whiteaker et. al v. Forestar Group, Inc. et. al*, Cause No. 423-5020, filed in the 423rd Judicial District, Bastrop County, Texas, along with 14 other property owner lawsuits making identical claims against the same 12 named defendants in which the City and the Hunters Crossing Local Government Corporation are listed among the defendants and are currently pending in the Bastrop County district courts.

8. CONVENE INTO REGULAR SESSION

9. TAKE ANY NECESSARY OR APPROPRIATE ACTION ON MATTERS POSTED FOR CONSIDERATION IN CLOSED/EXECUTIVE SESSION

10. Consider action to confirm the location, time/s and date/s for the next meeting/s of the Hunters Crossing Local Government Corporation.

11. ADJOURNMENT

I, the undersigned authority, do hereby certify that this Notice of Meeting as posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located at the entrance to the City of Bastrop City Hall, a place of convenient and readily accessible to the general public, as well as to the City's website, www.cityofbastrop.org and said Notice was posted on the following date and time: Friday, January 19, 2018 at 4:45 a.m./p.m. and remained posted for at least two hours after said meeting was convened.



Tracy Waldron, Chief Financial Officer



STAFF REPORT

MEETING DATE: January 24, 2018

AGENDA ITEM: 3

TITLE:

Consider action to approve minutes from the November 15, 2017 meeting.

STAFF REPRESENTATIVE:

Tracy Waldron, Chief Financial Officer

POLICY EXPLANATION:

Section 551.021 of the Government Code provides as follows:

- (a) A governmental body shall prepare and keep minutes or make a tape recording of each open meeting of the body.
- (b) The minutes must:
 - 1. State the subject of each deliberation; and
 - 2. Indicate the vote, order, decision, or other action taken.

RECOMMENDATION:

Approve, amend, or correct the minutes of the November 15, 2017 Hunters Crossing Local Government Corporation.

ATTACHMENTS:

- November 15, 2017 DRAFT Hunters Crossing Local Government Corporation Meeting Minutes

HUNTERS CROSSING LOCAL GOVERNMENT CORPORATION MINUTES

November 15, 2017, 6:00 p.m.

The Hunters Crossing Local Government Corporation Board met on November 15, 2017, at Bastrop City Hall located at 1311 Chestnut Street, Bastrop, Texas. Board members in attendance were Lynda Humble, Brian C. Rider, Rick Womble, Lyle Nelson and Tabitha Pucek. Michelle Dodson was absent.

Members of the public in attendance was W. Richard Gartman.

City Staff present was Tracy Waldron, Chief Financial Officer.

1. **Call to Order:**
Board President Lynda Humble called the meeting to order at 6:00 p.m.
2. **Public Comments**
There were no public comments.
3. **Consider action to approve minutes from the September 19, 2017 meeting.**
There being no corrections to the minutes, Board Member Rick Womble made the motion to approve the minutes, seconded by Board Member Lyle Nelson, passed unanimously.
4. **Consider action on the nomination and election of Secretary for the Hunters Crossing Local Government Corporation Public Improvement District Board.**
President Lynda Humble explained that the term of former Board Member and Secretary, Brandon Johnson ended and the Board is required to elect a new Secretary. Board Member Brian Rider nominated Board Member Tabitha Pucek for the position of Secretary, seconded by Mr. Nelson and passed unanimously.
5. **Informational update to Board, by President, on matters related to the Hunters Crossing Local Government Corporation and/or Public Improvement District.**
Ms. Humble informed the Board that the City has engaged attorney George Hyde with the legal firm of Russell, Rodriguez, Hyde, and Bullock, LLP, to review all the Hunters Crossing PID documents. While Mr. Hyde is prepared to give the Board a briefing in Executive Session, there are some potential conflicts of interest that need to be addressed before the briefing can happen.

Ms. Humble explained a Texas statute that specifies that a board member who oversees property valued at \$2500.00 or more, related to a matter on the board's agenda, has a conflict of interest. However, the Texas Attorney General states that if a majority of the board has a conflict, then no conflict exists. The only method to overcome the conflict of interest is for all board members to register the appropriate conflict of interest form.

Ms. Humble further explained that time available at this meeting will not allow staff to properly educate the Hunters Crossing Board on the form. Therefore, the matter will be postponed until a later meeting date after Christmas. Ms. Humble suggested that the Board meet on January 24, 2018. Mr. Hyde will work with the Board to get the proper form

completed in order to protect those serving. With the proper disclosures in place, the goal would be that at the January 24, 2018 meeting the Board can move forward with discussions.

Mr. Rider explained that he was cooperating with Mr. Hyde by providing him with additional needed documents, and that he will continue to do so. He further explained that as the attorney for Forestar, he will not be able to attend executive sessions as he has a duty to tell Forestar what happens in executive session. He also has a duty to the Hunters Crossing Board to maintain confidentiality of what is said in executive session. Therefore, he simply will not attend executive sessions to avoid this conflict. He stated he will be as cooperative as possible under the circumstances. Ms. Humble explained to the Board that although Mr. Rider will not be present in the executive sessions, he will continue to work with Mr. Hyde to connect all the pieces of past and recent history.

Mr. Nelson asked Mr. Rider to clarify that he has not been corresponding with Board members. Mr. Rider stated his only contact has been with Mr. Hyde. Mr. Nelson inquired how the conflict of interest clause could impact previous decisions made by previous Hunters Crossing Boards. Ms. Humble stated that in speaking with Mr. Hyde, there is no concern. If the Board was unaware of this clause at the time of the action, no wrongdoing occurred.

6. **Invitation for input from Board members related to issues for possible inclusion on future agendas.**

Mr. Rider stated that he is interested in the legal update related to making the conveyances so that property that should be public becomes public. He stated that this has been a loose end for many years and needs resolved. He also shared that Forestar was very happy that Ms. Humble is with the City of Bastrop and thanked her for her efforts in getting this issue resolved.

7. **Adjournment:**

Ms. Humble made the motion to adjourn at 6:13 p.m. Passed unanimously.

APPROVED:

ATTEST:

Lynda Humble, Board President

Tabitha Pucek, Board Secretary



STAFF REPORT

MEETING DATE: January 24, 2018

AGENDA ITEM: 4

TITLE:

Presentation of the unaudited Quarterly Financial Summary Report for the period ending December 31, 2017.

STAFF REPRESENTATIVE:

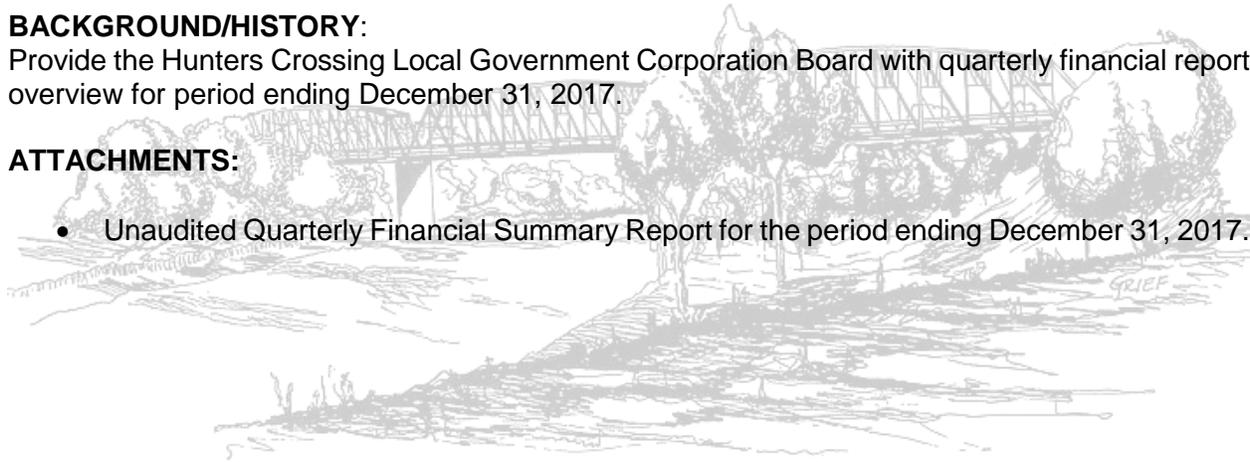
Tracy Waldron, Chief Financial Officer

BACKGROUND/HISTORY:

Provide the Hunters Crossing Local Government Corporation Board with quarterly financial report overview for period ending December 31, 2017.

ATTACHMENTS:

- Unaudited Quarterly Financial Summary Report for the period ending December 31, 2017.



CITY OF BASTROP, TEXAS
LGC PID FINANCIAL SUMMARY
12/31/2017

AD VALOREM REVENUE	FY17-18	
	Budget	Projected
M&O Funds		
Commercial - Current - M&O	\$ 37,881	\$ 4,293
Commercial - Flat - Current - M&O	\$ 14,779	\$ 14,348
Multifamily-M&O	\$ 17,400	\$ 17,400
Single Family - Flat - Current - M&O	\$ 11,742	\$ 9,567
Single Family - Flat - Delinquent - M&O	\$ 350	\$ 32
Penalty and Interest - M&O	\$ 200	\$ 26
Prorated PID Fees- M&O	\$ -	
Interest Income	\$ 1,300	\$ 101
TOTAL M&O FUNDS RECEIVED:	\$ 83,652	\$ 45,767
Capital Funds		
Commercial - Current - Capital	\$ 84,844	\$ 9,615
Multifamily-Capital	\$ 37,325	\$ 40,705
Single Family - Flat - Current - Capital	\$ 171,366	\$ 136,239
Single Family - Flat - Delinquent - Capital	\$ 500	\$ 442
Penalty and Interest - Capital	\$ 650	\$ 26
Prorated PID Fees - Capital	\$ -	
Interest Income	\$ 900	\$ 141
TOTAL CIP FUNDS RECEIVED:	\$ 295,585	\$ 187,168
TOTAL AD VALOREM TAXES	\$ 379,237	\$ 232,935
EXPENDITURES	Budget	Projected
Maintenance & Repairs		
Irrigation	\$ 10,000	\$ 2,050
Miscellaneous Repairs	\$ 5,000	\$ 812
Miscellaneous Projects*	\$ -	\$ 7,549
Total Maintenance & Repairs	\$ 15,000	\$ 10,411
Contractual Services		
Mowing Services	\$ 41,000	\$ 10,155
Maintenance Services	\$ 20,000	\$ 4,763
Security Services	\$ -	\$ -
Professional Services/ Audit	\$ 6,000	\$ -
Legal Fees	\$ 2,000	\$ -
Property Tax Fees	\$ 1,500	\$ -
Total Contractual Services:	\$ 70,500	\$ 14,918
Occupancy		
Utiities	\$ 5,500	\$ 2,973
Well User Fees	\$ 750	\$ 191
Total Occupancy:	\$ 6,250	\$ 3,164
Miscellaneous & Other		
Miscellaneous Expenses	\$ 500	\$ -
Reimbursement to Developer	\$ 323,500	\$ -
	\$ 324,000	\$ -
	\$ 415,750	\$ 28,493

CITY OF BASTROP, TEXAS
LGC PID FUND BALANCE SUMMARY
as of 12/31/2017

Maintenance & Operation Funds

09-30-2016 Audited Beginning Balance M&O		\$ 122,853
Revenue	\$ 93,379	
Expenses	\$ (206,187)	
Net	\$ (112,808)	
09-30-2017 Projected Ending M&O Balance		\$ 10,045
Revenues	\$ 83,652	
Budgeted Expenses	\$ (92,250)	
Net	\$ (8,598)	
09/30/2018 Proposed Ending M&O Balance		\$ 1,447

Percentage of Fund Balance 1.6%

Capital Funds

09-30-2016 Audited Beginning Capital Balance		\$ 9,941
Revenue	\$ 309,477	
Expenses	\$ (285,000)	
Net	\$ 24,477	
09-30-2017 Projected Ending Capital Balance		\$ 34,418
Revenues	\$ 295,885	
Budgeted Expenses	\$ (323,500)	
Net	\$ (27,615)	
09/30/2018 Proposed Ending Capital Balance		\$ 6,803