

SH130 MUNICIPAL MANAGEMENT DISTRICT NO. 1
201 W. 5th Street, Suite 1350
Austin, Texas 78701

**Minutes of Special Meeting
of
The Board of Directors of SH130 Municipal Management District No. 1**

THE STATE OF TEXAS §
COUNTY OF TRAVIS §
SH130 MUNICIPAL MANAGEMENT DISTRICT NO. 1 §

The Board of Directors (“*Board*”) of SH130 Municipal Management District No. 1 (“*District*”) met in a special session, open to the public, on August 5, 2024, at 100 Congress Avenue, Suite 1100, Austin, Texas 78701, a designated office of the District outside the boundaries of the District. Mike Krusee, Chairman of the Board of Directors, called the meeting to order at or about 1:05 p.m.

The following members of the Board were present at the meeting:

Mike Krusee	President
Vacant	Vice President
Austin Talley	Secretary
Albert Hawkins	Asst. Secretary
Robert Walker	Asst. Secretary

All current Directors were present and a quorum was had. All Directors were present at each time a vote was taken, and had an opportunity to vote on all items that came before the Board during the meeting.

Also present at the meeting were the following persons:

- District staff Aundre Dukes, Tim Alcott, Kristinn Massay, Candice Salazar, and Kerry Joiner;
- Jim Carpenter, a landowner within the District, and Felix Zayas and Vance McMurry of the Emerald Island project;
- Randy Moshier of Frost Bank (via Zoom);
- Attorneys Emilio B. Nicolas and Jennifer Freel, and paralegals Stephanie Sanchez and Tracey Green of Jackson Walker L.L.P. (“*Jackson Walker*”), legal counsel for the District; and
- Attorney Andrew Johnson of Johnson Petrov, LLP, legal counsel for the District.

References herein to “*Agenda Item No.*” refer to the corresponding agenda item number set forth in the meeting’s *Public Notice of Special Meeting of the Board of Directors of SH130 Municipal Management District No. 1* dated August 1, 2024.

1. With regard to Agenda Item No. 3: Director Krusee called for public comments, and there being none, the Board continued with the agenda.

2. With regard to Agenda Item No. 4: The Board next considered the minutes of the July 17, 2024 regular meeting. Director Krusee requested that a vote on the approval of the minutes be held until the next regular meeting to allow additional time for his review. Director Talley noted that, as Secretary of the Board, he had reviewed the minutes and found them accurate, and found no reason not to approve them as drafted. Director Walker agreed, and advised the Board that he was prepared to approve the minutes in their current form. Director Hawkins expressed that, although he had no objection to the minutes as drafted, he wished to respect Director Krusee’s request to hold the vote until the next regular meeting. Director Krusee called for a formal vote on the matter, following which, Directors Talley and Walker voted to approve the minutes in their current form at this time, and Directors Krusee and Hawkins voted not to approve at this time. The minutes were therefore not approved at the meeting, as the required majority was not achieved.

3. With regard to Agenda Item No. 5: No discussion was had, and there was no action to recommend or take at this time, with respect to proposed loan to the Emerald Island project to acquire an approximately 37-acre tract of land for use in relation to the District.

4. With regard to Agenda Item No. 8: The Board next discussed filling the vacancy on the Board. Director Krusee thanked Director Walker for making time to discuss the filling of the vacancy with Mr. Carpenter’s nominee, Ty Cunningham, in the time between the last regular meeting and today’s special meeting, and related that he too had had conversations with Mr. Carpenter on the subject. Director Krusee urged the Board to consider the process of presenting additional nominees to fill the vacant Board seat, allowing the individual Board members time to meet and familiarize themselves with the nominees, and then decide the matter by a formal vote. Director Talley suggested that the Board form a committee to fill of the vacancy, but no action was taken on that suggestion.

5. With regard to Agenda Item No. 6 (executive session): At or about 1:14 p.m., the Board recessed into executive session. The executive session was initially attended by all four current Directors; Mr. Alcott; Mr. Dukes; Mr. Johnson; Mr. Nicolas; and Ms. Freel. Messrs. Alcott, Dukes, and Johnson left the executive session early, prior to its conclusion.

The executive session adjourned at or about 1:49 p.m., at which time Director Krusee announced that the Board would reconvene in public session, and then the Board took the following action:

A. On motion made by Director Walker, seconded by Director Talley, and unanimously approved by the rest of the Board, the Board directed Jackson Walker to prepare and send a letter to the Texas Commission on Environmental Quality (“*TCEQ*”) requesting at least a two-week delay of TCEQ’s review and decision of a pending petition

to fill the Board's vacancy with Mr. Carpenter's nominee, Ty Cunningham, so that the Board may itself appoint a new director to fill the vacancy and notify TCEQ.

6. With regard to Agenda Item No. 9: There being no additional business to conduct, and with the date of the next regular meeting of the Board scheduled for Wednesday, August 14, 2024, upon motion by Director Krusee, seconded by Director Talley, and unanimously approved, the Board adjourned the meeting at or about 1:51 p.m.

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APPROVED AND ADOPTED on this 21 day of August, 2024.



SH130 Municipal Management District No. 1

By: 

Print Name: AUSTIN M TALLEY

Title: SEC - BOB