

LAKE POINTE MUNICIPAL UTILITY DISTRICT

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS

June 14, 2018

The Board of Directors of Lake Pointe Municipal Utility District (the "District") met in a regular session, open to the public, inside the boundaries of the District, in the Lake Pointe Community Center, 11700 Sonoma Drive, Austin, Texas 78738 on June 14, 2018 at 7:00 p.m. The District posted a copy of the notice of meeting along with associated certificates, attached as "Exhibit A."

Item No. 1

Item No. 1 was the Call to Order and Establish Quorum. Counsel Wilburn called the roll of the members of the Board of Directors:

Director Rick Arney
Director Joe Boyer
Director Jim Burgeson
Director Mike Burshnick
Director Fred Goff
Director Steven Knuff
Director Jim Norris
Director Marci O'Connell
Director Robert Salgo
Director Darrell Thornley

All of the members of the Board were present, except Directors Arney, Boyer, and Burgeson. Also, in attendance were Valerie Wheeler with TUMCO Consultants; Guillermo Angulo with LandCare; Randall Wilburn with Gilbert Wilburn PLLC; Eileen Brzoska with West Travis Co. PUA; and resident Sharyl Burshnick.

Item No. 2

Item No. 2 was to receive Public Comment on items not on the Agenda. No members of the public made comment. The Board took **NO ACTION** on this item.

Item No. 3

Item No. 3 was to review and approve the minutes of the May 16, 2018 West Travis Co. MUD No. 3 Board of Directors' meeting. Director Salgo made a motion to approve the minutes. Director Norris seconded the motion, and it **PASSED** unanimously.

Item No. 4

Item No. 4 was to review and approve the minutes of the May 16, 2018 West Travis Co. MUD No. 5 Board of Directors' meeting. Director Burshnick made a motion to

approve the minutes. Director O'Connell seconded the motion, and it **PASSED** unanimously.

Item No. 5

Item No. 5 was to review and approve the minutes of the May 26, 2018 regular meeting. Director Burshnick made a motion to approve the minutes. Director Salgo seconded the motion, and it **PASSED** unanimously.

Item No. 6

Item No. 6 was to discuss, consider, and take action as necessary regarding the payment of any West Travis Co. MUD No. 3 bills. Director Salgo asked Mr. Angulo with LandCare regarding the status of the work on Lyons Club. Mr. Angulo noted that the work would be complete by the following Monday. With the condition that the Operations Manager hold the LandCare check until Director Salgo confirms the work on Lyons Club is complete, Director Salgo made a motion to approve the bills as presented. Director Thornley seconded the motion, and it **PASSED** unanimously.

Item No. 7

Item No. 7 was to discuss, consider, and take action as necessary regarding payment of any West Travis Co. MUD No. 5 bills. Director Burshnick made a motion to approve the bills as presented. Director O'Connell seconded the motion, and it **PASSED** unanimously.

Item No. 8

Item No. 8 was to discuss, consider, and take action as necessary regarding payment of the District's bills. The Board discussed the TUMCO bill, which total was the combination of the prior monthly bills for the two former districts. Director Salgo made a motion to approve the bills as presented. Director Goff seconded the motion, and it **PASSED** unanimously.

Operations Manager Wheeler discussed the need to set up new accounting software with Community Brands. Director Burshnick made a motion to approve the proposal from Community Brands for \$1695. Director Salgo seconded the motion, and it **PASSED** unanimously.

Item No. 9

Item No. 9 was to discuss, consider, and take action as necessary regarding landscape services with the Lake Pointe Subdivision. Guillermo Angulo presented a proposal to add rock along Resaca Blvd at a cost not to exceed \$298. Director O'Connell made a motion to approve the proposal as presented. Director Salgo seconded the motion, and it **PASSED** unanimously.

Mr. Angulo also discussed the need to replace two irrigation controllers at the Vista Pointe Park. Director Salgo made a motion authorizing LandCare to replace two controllers at a cost not to exceed \$2,000. Director Thornley seconded the motion, and it **PASSED** unanimously.

Item No. 10

Item No. 10 was to discuss, consider, and take action as necessary regarding the ongoing activities of the West Travis County Public Utility Agency ("PUA"), including discussions regarding easements for the PUA Raw Water Line. President Knuff and Counsel Wilburn updated the Board regarding the ongoing raw water line project, including recent easement and property ownership issues related to the Lake Pointe Community Center. In researching the issue, the PUA attorney discovered a possible ownership discrepancy involving the community center.

President Knuff and Counsel Wilburn discussed a request from Texas Parks and Wildlife Department to conduct a survey within the Preserve to identify possible endangered plant species.

WTCPUA Director Eileen Brzoska provided the Board with an update of ongoing issues with the PUA. The Board expressed to Director Brzoska the District's support for the following issues: the PUA adopting impact fees at 100% of the costs for the new infrastructure; the PUA's participation in programs from the Texas State Energy Conservation Office that support energy efficiency that could be applied to the PUA; and the PUA's improvement in customer communications and customer relations. The Board took **NO ACTION** on this item.

Item No. 11

Item No. 11 was to discuss, consider, and take action as necessary regarding the Preserve. Director Thornley noted that there were new eroded areas along the road to the PUA raw water intake structure. Director O'Connell noted that the District and PUA are waiting on the construction of the raw water line prior to addressing the erosion areas.

Director Norris presented a copy of the survey that he received for the dock area.

President Knuff informed the Board that two (2) kayaks were stolen from the kayak lockers. The Board discussed possible installation of new No Trespassing Signs.

The Board appointed Steven Knuff and Jim Norris to the dock subcommittee. The Board took **NO ACTION** on this item.

Item No. 12

Item No. 12 was to discuss, consider, and take action as necessary regarding the repair and maintenance of District facilities. Operations Manager Wheeler had nothing new to report. The Board took **NO ACTION** on this item.

Item No. 13

Item No. 13 was to discuss, consider, and take action as necessary regarding engagement of a District Engineer. Directors O'Connell and Salgo informed the Board that the District had receive four (4) responses from prospective engineering firms. They recommended that the Board engage Doucet & Associates. Director Burshnick made a

motion authorizing the District to proceed with possible hiring of Doucet & Associates. Director Thornley seconded the motion, and it **PASSED** unanimously. President Knuff volunteered to send letters to each of the engineering firms that responded to the Request for Qualifications.

Item No. 14

Item No. 14 was to discuss, consider, and take action as necessary regarding the Lake Pointe MUD website. President Knuff reported that he had received proposals from Big Marketing, which is the same firm that had previously prepared the MUD 5 website. Director Norris made a motion to approve the proposal from Big Marketing for a cost not to exceed \$2700. Director O'Connell seconded the motion, and it **PASSED** unanimously.

Item No. 15

Item No. 15 was to discuss, consider, and take action as necessary regarding the District's Investment Policy. Director Salgo had a question regarding language included in the policy. Specifically, Director Salgo asked about language regarding the applicability of the District's Investment Policy to trustees or fiscal agents investing or holding financial assets on behalf of the District. Counsel Wilburn and Operations Manager Wheeler would research the issue and report back at the next meeting. The Board took **NO ACTION** on this item.

Item No. 16

Item No. 16 was to discuss, consider, and take action as necessary regarding the adoption and affirmation of the following District rules: Construction Deposit Rule, Preserve Rule, and Fireworks Rule. The Board appointed Directors Burshnick and Salgo to a subcommittee to review the applicability of these rules and to report back to the Board at the next Board meeting. Director O'Connell made a motion to approve the Preserve Rules and authorize publication of notice of adoption of the rule. Director Goff seconded the motion, and it **PASSED** unanimously.

Item No. 17

Item No. 17 was to discuss, consider, and take action as necessary regarding the adoption of the following Board Resolutions: Records Retention Schedule, Meeting Place, Public Place to Post Notice of Board Meeting, and Signatory Authority on District Bank Accounts. Director O'Connell made a motion to approve the resolutions as presented. Director Burshnick seconded the motion, and it **PASSED** unanimously.

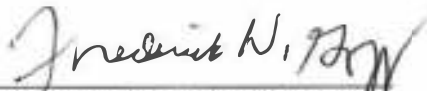
Item No. 18

Item No. 18 was items for future agendas. The Landscape Committee was to report back to the Board regarding the Schedule of Inspections, Scope of Work, and a Checklist to ensure LandCare was completing work according to the requirements of the existing landscape maintenance agreement. Counsel Wilburn was to review and provide a revised draft of the Boundary Wall Agreement. The directors hoped to engage Doucet & Associates to begin work on the District's MS4 permit and the drainage issues at Lyons Club.

Item No. 19

Item No. 19 was Adjournment. Director O'Connell made a motion to adjourn the meeting. Director Burshnick seconded the motion, and it **PASSED** unanimously.

PASSED, APPROVED, AND ADOPTED this 9th day of August 2018.


Frederick W. Goff, Secretary

(DISTRICT SEAL)