

LAKE POINTE MUNICIPAL UTILITY DISTRICT

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS

July 12, 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 July 12, 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 Norris. Also, in attendance were Valerie Wheeler and William Swanks with TUMCO Consultants; Keith Young with Doucet & Associates; Randall Wilburn with Gilbert Wilburn PLLC; and resident Austin Anderson.

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. 10

Item No. 10 was to discuss, consider, and take action as necessary regarding engagement of a District Engineer. Director Salgo asked that the Board take up this item out of order. Keith Young with Doucet & Associates introduced himself and the firm to the Directors. He noted that Doucet & Associates would begin work with William Swanks on the District's renewal of the MS4 permit, which is due December 2018, and the drainage issues at Lyons Club. William Swanks with TUMCO noted that the TCEQ investigator stated that the District was not performing enough maintenance on the water quality pond. The TCEQ investigator suggested that the District hire a landscape maintenance company

with experience in water quality pond management and that the District begin tracking the amount of trash and debris removed from the ponds. The Board took **NO ACTION** on this item.

Item No. 3

Item No. 3 was to review and approve the minutes of the June 14, 2018 Lake Pointe MUD Board of Directors' meeting. Director Salgo asked that a discussion regarding his question about the District's Investment Policy be added to the minutes. Director Thornley asked that the discussion with WTCPUA Director Brzoska regarding the District's position on issues before the West Travis County Public Utility Agency be added to the minutes. Director Knuff made a motion to postpone possible action on this item until the next Board meeting. Director O'Connell seconded the motion, and it **PASSED** unanimously.

Item No. 4

Item No. 4 was to discuss, consider, and take action as necessary regarding payment of the District's bills. The Board discussed whether to continue using the Travis County Sheriff's Office for patrols within the District and agreed to continue for at least one more month. Operations Manager Wheeler provided an update regarding the preliminary budget for the District for the remainder of the fiscal year. Director Burshnick made a motion to approve the bills as presented. Director O'Connell seconded the motion, and it **PASSED** unanimously.

Item No. 5

Item No. 5 was to discuss, consider, and take action as necessary regarding landscape services with the Lake Pointe Subdivision. William Swanks of TUMCO made the presentation on behalf of Guillermo Angulo. Mr. Swanks noted that when the WTCPUA made repairs to the sewer lines along Resaca and cut the District's irrigation line, there had been a need for a valve on the irrigation line near the entrance to the Pointe. Director Burgeson made a motion to approve the proposal as presented. Director Burshnick seconded the motion, and it **PASSED** unanimously.

The Board also discussed the proposed cleanup behind Etna Drive. Director Salgo noted that the maintenance of that area was part of LandCare's existing contract as shown by the existing schedule. The Board took **NO FURTHER ACTION** on this item.

Item No. 6

Item No. 6 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. Director Thornley and WTCPUA Director Eileen Brzoska met to discuss the impact fee issue and other action items discussed during the District's last Board meeting. President Knuff and Director Salgo discussed the WTCPUA schedule for upgrading the wastewater manholes in the District. The Board took **NO ACTION** on this item.

Item No. 7

Item No. 7 was to discuss, consider, and take action as necessary regarding the Preserve. President Knuff asked Mr. Swanks to replace the sign located at the dock. He also asked about the District's liability insurance for the dock, and Operations Manager Wheeler agreed to investigate the District's insurance policy. Director Thornley noted that he was not having any success in contacting Clifton Chowning with Moss Monster regarding completion of the repairs to the dock. He asked Mr. Swanks to complete the repairs on the dock. The Board took **NO ACTION** on this item.

Item No. 8

Item No. 8 was to discuss, consider, and take action as necessary regarding the Boundary Fence. Counsel Wilburn presented the proposed agreement with the changes as previously discussed with the Board. Director Burgeson made a motion to send the latest draft to the Lake Austin Lake Pointe Homeowners' Association for consideration. Director O'Connell seconded the motion, and it **PASSED** unanimously.

Item No. 9

Item No. 9 was to discuss, consider, and take action as necessary regarding the repair and maintenance of District facilities. William Swanks of TUMCO informed the Board that he was waiting on the gate company to make the necessary upgrades to the Vista Pointe Park gate. He also noted that the new canopy for the Vista Pointe Park playscape was being made. Mr. Swanks also informed the Board that TUMCO was moving offices, and the District needed to rent storage space to hold the District's record files. Director Burgeson made a motion to approve the proposal for storage rental as presented. Director O'Connell seconded the motion, and it **PASSED** unanimously.

Item No. 11

Item No. 11 was to discuss, consider, and take action as necessary regarding the Lake Pointe MUD website. President Knuff reported that Big Marketing has put together a template for the Districts website, and the website should be ready next month. 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 adoption and affirmation of the following District rules: Construction Deposit Rule, Preserve Rule, and Fireworks Rule. Directors Burshnick and Salgo discussed their recommended revisions to the Construction Deposit Rule. The Board asked that the District's retainage of \$500 from each deposit remain in the rules to pay for TUMCO's time for bookkeeping and inspections of the construction site. The Board also discussed elimination of the minimum deposit based upon a percentage of the total construction cost. Director Salgo volunteered to revise the rules and present the revised rules at the next Board meeting. The Directors asked that the Fireworks Rule be removed from consideration, and they noted that the Board had approved the Preserve Rule during the prior Board meeting. The Board took **NO ACTION** on this item.

Executive Session

At 9:07, President Knuff announced that the Board would recess the open meeting and convene in Executive Session to receive legal advice from the District's attorney regarding ongoing or threatened litigation regarding the District's property in accordance with Section 551.071 of the Texas Government Code.

At 9:40, President Knuff reconvened the Board in open session, announcing that the Board took no action during the Executive Session.

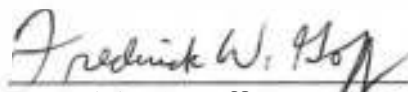
Item No. 13

Item No. 13 was items for future agendas. Counsel Wilburn noted that the Board would be considering the District's budget, taxes, and election orders during the next meeting. The Board also discussed the possibility of adding solar panels to the District's property for the benefit of the District's residents.

Item No. 14

Item No. 14 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)