

LAKE POINTE MUNICIPAL UTILITY DISTRICT

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS

October 11, 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 October 11, 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 Director Boyer. Also, in attendance were Valerie Wheeler and William Swanks with TUMCO Consultants; Randall Wilburn with Gilbert Wilburn PLLC; Guillermo Angulo of LandCare; and Pat Sinnott with Lake Austin Lake Pointe HOA.

Item No. 2

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

Item No. 3

Item No. 3 was to review and approve the minutes of the September 13, 2018 Board of Directors’ meeting. Director Salgo made a motion to approve the minutes as amended. Director Burgeson seconded the motion, and it **PASSED** unanimously.

Item No. 4

Item No. 4 was to discuss, consider, and take action as necessary regarding the District's financial reports and payment of the District's bills. Operations Manager Wheeler presented the reports and bills for the Board's consideration. Director O'Connell had a question regarding the LCRA bill, which Mr. Angulo explained is the bill for irrigation with raw water. Director Salgo asked about the high cost for the irrigation water bills, and he suggested that LandCare check the meters to look for evidence of highwater usage or leaks. TUMCO will collect the information and enter into a spreadsheet to determine daily usage. Director O'Connell made a motion to approve the bills as presented. Director Norris seconded the motion, and it **PASSED** unanimously.

Item No. 5

Item No. 5 was to discuss, consider, and take action as necessary regarding the repair and maintenance of District facilities, including the Lyons Club stormwater system repair.

William Swanks noted that the manufacturer covered the cost for the repair to the irrigation pump under warranty except for the cost of delivery and installation costs.

Director Thornley noted that the repair work on the dock looked good.

Pat Sinnott asked about the tree trimming. She noted that LandCare has not trimmed the trees along sidewalks along Sonoma in 18 months. She asked if the District had yet determined whether the District would be trimming the trees along the streets within the neighborhood. Director Arney reminded LandCare that the maintenance agreement calls for LandCare to trim trees up to 8 feet in height, which should clear the sidewalk.

Director Burgeson noted that shrubbery along Bayton Lane had overgrown the sidewalk.

Director Salgo noted that he, the District's engineer, and Director O'Connell met with two residents along Lyons Club to discuss the proposal to repair the problems with the stormwater system. He noted that the District presented the schedule for the Lyons Club stormwater system repair to the residents. Tom Hegemier with Doucet Engineers will present a proposal to address the problem at the Board's December meeting, expecting substantial completion by the middle of March 2019. The Board took **NO ACTION** on this item.

Director Knuff arrived at this time.

Director Salgo noted that the District had received a Notice of Violation from Travis County Natural Resources regarding the District's water quality ponds. The Board discussed developing a dialogue with the County to address the County's concerns.

Item No. 6

Item No. 6 was to discuss, consider, and take action as necessary regarding landscape services within the Lake Pointe Subdivision. Guillermo Angulo presented two

proposals: the first proposal for an irrigation repair at 12100 Carlsbad Drive for a cost not to exceed \$249.90, and the second proposal for removal and cleanup of trees behind the Community Center, including raising the canopies up to 12 feet and removing suckers from all trees, for an amount not to exceed \$4709.00. Director Salgo made a motion to approve the proposals as presented. Director O'Connell seconded the motion, and it **PASSED** 8-1.

At the next meeting, LandCare will provide a proposal to raise the canopies along the neighborhood's major roadways up to 12-feet.

Item No. 7

Item No. 7 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.

Council Wilburn noted that the PUA has requested a meeting, scheduled for Monday, October 15, 2018, to discuss the raw water line easement issues. Pat Sinnott suggested that Director Brzoska attend the meeting. Director Knuff will attend the meeting with Counsel Wilburn.

Director Knuff informed the Board about a PUA request to open cut the pipeline along the stairs to Lake Austin versus the proposal to bore and jack the line under the rock wall. Director Salgo noted that the District had suggested that PUA include the open cut as an alternative bid item. Director Salgo also noted the concern about the historic oak. Director O'Connell noted that City of Austin would allow the PUA to open cut within the root zone of the historic oak tree.

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 Preserve.

Director Norris informed the Board that he has scheduled the Preserve work day for the Saturday after next, October 20, 2018.

Director Norris provided the Board with two proposals from permit coordinators to obtain the permits for the proposed dock. The proposals are for the coordinators to provide the Board with input on the potential project and costs for the project. Director Norris believes Mr. Rasberry will be more responsive to the District's needs and requests. Director Burgeson expressed his concern regarding the proposed retainer costs for answering the questions regarding possible dock designs. Director Knuff asked Director Norris to clarify the proposal regarding potential costs that the District could incur. Director O'Connell expressed her concern that Mr. Rasberry may receive general answers from the City that the District may not be able to enforce upon the District's submittal of the formal construction plans to the City for approval. Director Knuff had a question regarding the kayak rack.

The Board took **NO ACTION** on this item.

Item No. 9

Item No. 9 was to discuss, consider, and take action as necessary regarding the Boundary Fence. Counsel Wilburn noted that he had not heard back from the HOA on the revised agreement. The Board took **NO ACTION** on this item.

Executive Session

The Board did not meet in Executive Session.

Item No. 10

Item No. 10 was items for Future Agendas. The Board took **NO ACTION** on this item.

Item No. 11

Item No. 11 was Adjournment. Director Burgeson made a motion to adjourn the meeting. Director O'Connell seconded the motion, and it **PASSED** unanimously.

PASSED, APPROVED, AND ADOPTED this 8th day of November 2018.


Frederick W. Goff, Secretary

(DISTRICT SEAL)