

# LAKE POINTE MUNICIPAL UTILITY DISTRICT

## MINUTES OF A MEETING OF THE BOARD OF DIRECTORS

December 13, 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 December 13, 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 to Call to Order and Establish Quorum. President Knuff called the roll of the members of the Board of Directors:

Director Fred Goff  
Director Steven Knuff  
Director Jim Norris  
Director Marci O'Connell  
Director Robert Salgo

All of the members of the Board were present. Also, in attendance were William Swanks with TUMCO Consultants; Randall Wilburn with Gilbert Wilburn PLLC; Guillermo Angulo with LandCare; Tom Hegemier with Doucet & Associates; 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 November 8, 2018 Board of Directors' meeting. Director O'Connell made a motion to approve the minutes as amended. Director Salgo 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.

Director Salgo introduced Tom Hegemier with Doucet & Associates. Mr. Hegemier presented the alternative proposals to address the drainage issues with Lyons Club Drive. Doucet has two different alternatives for the repair: one option to install a pipe to convey the water to the pond, and the other option is to repair and maintain the existing

drainage swale. Director Salgo noted that both options included repair and restoration of the sloped area.

Mr. Hegemier noted that the channel option would cost slightly less and would not require a permit. The pipe option could reduce future maintenance, but it would cost slightly more to construct and will require the District to obtain permits from Travis County and the City of Bee Cave. Director O'Connell noted that the Board needed to decide which option the District would use to repair the drainage system at Lyons Club Drive. Director Salgo made a motion to approve the channel option. Director Norris seconded the motion, and it **PASSED** unanimously.

Director O'Connell then presented the proposal for developing the maintenance plan for the District's stormwater ponds. The Engineering Subcommittee and Doucet were comfortable with moving forward with the proposal as presented. Director Salgo suggested that Tom Hegemier prepare a draft cover letter for President Knuff's signature. Director Salgo noted that the maintenance plan would calendar the maintenance of the District's ponds over a three-year period. Mr. Hegemier provided a general description of the proposed maintenance for the District's 11 other ponds, including some silt removal in four or five ponds. Director O'Connell made a motion to authorize Doucet to proceed with preparation and submittal of the District's Pond Maintenance Plan to Travis County Engineering. Director Norris seconded the motion, and it **PASSED** unanimously.

William Swanks of TUMCO reported on the problem with the median lights along the Resaca Blvd. near the entrance. He priced the replacement of light fixtures for an amount not to exceed \$5,300. He also noted that Lake Austin Lake Pointe HOA was interested in upgrading the lights in the same area. Pat Sinnott informed the Board that the HOA was interested in sharing the cost of upgrading the lights. Ms. Sinnott stated that the HOA would be obtaining a new bid for replacing the lights at all three entrances. The Board took **NO ACTION** on this item.

Williams Swanks informed the Board that the PUA had cut the power to the gate at the Vista Pointe Park. He further noted that the HOA has transferred the account into the HOA's name.

#### **Item No. 6**

Item No. 6 was to discuss, consider, and take action as necessary regarding landscape services within the Lake Pointe Subdivision, including consideration of a proposed LandCare contract to add to the District's responsibility a landscape maintenance plan for the entrance to the Pointe. Mr. Swank presented one proposal from LandCare for trimming trees near the stormwater pond on Brittany Point for a cost not to exceed \$270.09. Director O'Connell made a motion to approve the proposal as presented. Director Salgo seconded the motion, and it **PASSED** unanimously.

Director Knuff asked about an upcoming proposal from LandCare to increase prices in March 2019 and whether the District would have a new contract. Mr. Angulo stated that the proposal was for a price increase only, and LandCare would not propose a new contract.

Director Salgo noted that the District received five water bills for the month, and two bills still showed usage from prior months when LandCare was supposed to have turned off the water. The Board discussed how the bills continue to show usage from months before the landscape and operating company shut-off the water valves. Director Knuff noted that he and Director Salgo have reached out for examples of various Requests for Proposal for landscaping services. He plans to present a request for proposals for consideration of the Board at the next Board meeting.

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

**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 William Swanks presented the reports and bills for the Board's consideration. Director Salgo had questions about pending bills. Director O'Connell made a motion to approve the bills as presented. Director Salgo seconded the motion, and it **PASSED** unanimously.

**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. Pat Sinnott informed the Board that she attended the PUA meeting to obtain some resolution on outstanding issues with the PUA. She noted that President Roberts had directed the PUA's engineer to provide the information that the HOA had requested previously regarding the easement. 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 noted that the Dock Committee did not meet. Directors Knuff and Norris discussed the existing dock permit for the lots within the undeveloped Section 10.

Director Knuff reminded the Board that the District is scheduled to conduct the lottery for the kayak storage area in January. He wanted to know the Board's preference of whether to conduct the lottery. The Board members expressed their preference that the lottery occur at the January HOA meeting. The Board took **NO ACTION** on this item.

**Item No. 9**

Item No. 9 was to discuss, consider, and take action as necessary regarding coyote management within the District. William Swanks contacted the Ag Extension Service Biologist, who informed Mr. Swanks that the City of Austin conducts all coyote management in Travis County, and the City of Austin has a "no-kill" policy toward coyote management. The Board took **NO ACTION** on this item.

## Executive Session

The Board met in Executive Session at 8:30 p.m.

Director Salgo made a motion authorizing the Board President to meet with the Defendants in the ongoing litigation. Director Norris seconded the motion, and it **PASSED** unanimously.

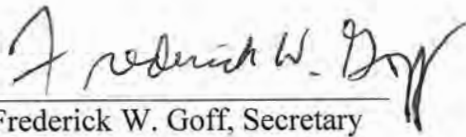
### Item No. 10

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 Knuff made a motion to adjourn the meeting. Director O'Connell seconded the motion, and it **PASSED** unanimously.

**PASSED, APPROVED, AND ADOPTED this 10<sup>th</sup> day of January 2019.**

  
Frederick W. Goff, Secretary

(DISTRICT SEAL)