

LAKE POINTE MUNICIPAL UTILITY DISTRICT

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS

January 9, 2020

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 January 9, 2020 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. Vice-President Salgo called the roll of the members of the Board of Directors:

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

All of the members of the Board were present. Also, in attendance were William Swanks with TUMCO; Randall Wilburn with Gilbert Wilburn PLLC; Lorenzo Hermano of LandCare; Jared Armstrong with Landscape Resources; Jimmy Rommel with Maxwell Locke & Ritter; and Jason Baze and Cathy Mitchell from Jones|Carter.

Item No. 2

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

Item No. 3

Item No. 3 was to review and approve minutes of the December 12, 2019 regular meeting. Director Salgo made a motion to approve the minutes as amended. 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 the District's financial reports and payment of bills and invoices. Operations Manager Swanks presented the bills, including the addition of the invoices from Doucet & Associates and from Maxwell Locke & Ritter. Director Salgo made a motion to pay the invoices as presented. Director Goff seconded the motion, and it **PASSED** unanimously.

Item No. 5

Item No. 5 was to discuss, consider, and take action as necessary regarding maintenance of the District's facilities.

Operations Manager Swanks reported on the repair of the light pole at the Vista Pointe Park. Director Knuff noted that the WTCPUA will reimburse the District for the repairs.

Director O'Connell asked whether the District should add water to the Carlsbad pond. Operations Manager Swanks replied that he had added 100,000 gallons to that pond.

Counsel Wilburn noted that he had heard from Mr. Doherty regarding the fence issue behind 12456 Fairfax Ridge. Mr. Doherty had informed Counsel Wilburn that he would have something for consideration before the next Board meeting.

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 landscape services within the Lake Pointe Subdivision. Mr. Hermans informed the Board that LandCare was visiting the property on a weekly basis for mowing. Director O'Connell asked about the irrigation schedule, and the Board instructed LandCare to turn off the irrigation for the Napa Park.

Jared Armstrong with Landscape Resources introduced himself and his company to the Board. He provided an unsolicited proposal to the Board for performing the District's landscape services. In Mr. Armstrong's opinion, LandCare is not providing the Lake Pointe Subdivision with the attention it deserves. He stressed that the District needs a landscape maintenance company that proactively manages the District's water quality ponds.

Director Knuff noted that the time for the District to engage a new landscape company may be after the completion of the Resaca wall. Director Salgo stated his agreement with Mr. Armstrong's assessment that the landscaping for the subdivision was tired and uninteresting. The Board thanked Mr. Armstrong for his proposal. The Board requested a list of references from Mr. Armstrong. The Board took **NO ACTION** on this item.

Item No. 7

Item No. 7 was to discuss, consider, and take action as necessary regarding ongoing activities of the West Travis Co Public Utility Agency ("PUA"). Director Knuff reported on the update from the contractor regarding the construction of the raw water line. The contractor noted that the construction will not occur in phases, but instead will be constructed in one phase. Director Knuff informed the Board of the "closed" signs that will be installed at the trail heads and gates into the Preserve to protect the residents from the construction. He also noted that the PUA will close the road to the Lake starting in February. 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 stated that getting power to a future dock may be difficult, and he had not heard back from Austin Energy regarding Director Norris' inquiries into Austin Energy about the power supply. Director Salgo suggested installing a boardwalk to hide the future conduit leading to the future doc.

Operations Manager Swanks noted that he hired Waterloo Surveyors for a price not to exceed \$900 to perform a boundary survey along the lots adjacent to the Preserve. 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 District's website. Director Knuff noted that he would add Director Norris' picture to the website and a form for construction deposits. The Board took **NO ACTION** on this item.

Item No. 10

Item No. 10 was to discuss, consider, and take action as necessary regarding the Boundary Fence Project with the Lake Pointe Subdivisions, including the following:

- a. Discussion with Program Manager;
- b. Consideration of The Pointe HOA request for District assumption of maintenance obligation;

Jason Baze of Jones|Carter made a presentation of the Jones|Carter proposal to the Board. He stated that he anticipates holding the first meeting as a kick off meeting with the Board, the HOA Board of Directors, and interested stakeholders. After that meeting, Jones|Carter will provide a detailed program plan.

Director O'Connell explained that the Committee would like the Board to take the proposal home to review. The Committee will meet with the Lake Austin Lake Pointe HOA Board. Afterward, the Committee suggested that the Board meet as a whole for a special meeting afterward to give final approval of the proposal.

The Board tentatively scheduled the Special Meeting for January 27 at 7 pm, provided that the Community Center is available for the meeting.

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 District's Solid Waste Management Contract. Director Knuff reported that he had sent the edits to Texas Disposal Systems ("TDS"), and he has not heard back from TDS. 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 District's Financial Audit for Fiscal Year 2019. Jimmy Rommel presented copies of the draft Audit Report and Governance Communication. He noted that the Auditor is issuing a clean opinion, and he went through the details of the Audit and Governance Communication. Director Salgo made a motion to adopt the Audits as presented. Director Norris seconded the motion, and it **PASSED** unanimously.

EXECUTIVE SESSION

The Texas Open Meetings Act, Chapter 551 of the Texas Government Code, authorizes the Board of Directors to convene in close or executive session for certain purposes, including receiving legal advice from the District's attorney (Sec. 551.071); discussing real property matters (Sec. 551.072); discussing gifts and donations (Sec. 551.073); discussing security personnel or devices (Sec. 551.076); and discussing information technology security practices (Sec. 551.089). If the Board of Directors goes into executive session to discuss any item on this agenda, the President Officer will announce that the Board will meet in Executive Session will be held, will note the time, and will identify the item to be discussed and the provision of the Open Meetings Act which authorizes the Executive Session. The District may meet in executive session on any agenda item or any item listed below:

- A. the District's Preserve;
- B. West Travis County PUA; and
- C. ongoing or pending litigation involving the District.

The Board did not meet in Executive Session.

Item No. 13

Item No. 13 was items for future agendas. The Board did not have any additional items to propose for future agendas.

Item No. 14

Item No. 14 was Adjournment. Director Knuff made a motion to adjourn the meeting. Director Goff seconded the motion, and it **PASSED** unanimously.

PASSED, APPROVED, AND ADOPTED this 13th day of February 2020.



(DISTRICT SEAL)

Frederick W. Goff
Frederick W. Goff, Secretary