

**LAKE POINTE MUNICIPAL UTILITY DISTRICT
MINUTES
March 9, 2023**

The Board of Directors (“Board”) of Lake Pointe Municipal Utility District (“District”) met in person for a regular meeting on March 9, 2023, at 6:00 p.m., open to the public. The District posted a copy of the Notice of the meeting as required.

President Elam called the meeting to order at 6:02 p.m.

The following Board Members were present, thus constituting a quorum:

Terry Elam	President	Present
Vacant	Vice President	
Jody Flaws	Secretary/Treasurer	Present
Jason Rew-Hunter	Director	Present [arrived at 6:27 p.m.]
Scott Mincey	Director	Present

Also in attendance were William Swanks with TUMCO, Josiah Longbons and Blake Foree with Landscape Resources, Inc.(“LRI”), Douglas Mains with Elite Computing, Kelli Carlton with The Carlton Law Firm, and members of the public.

REPORTS AND COMMITTEE MATTERS

- 1. Receive communications from the public on items not listed on the posted agenda.** None
- 2. Public Comment on Agenda Items.** None.

MINUTES

- 3. Review and approve minutes of February 9, 2023 and February 16, 2023.**
The Board discussed minor changes to the February 9, 2023, minutes. President Elam moved for approval of the February 9, 2023, minutes with minor amendments. Director Flaws seconded the motion. The motion carried 3-0.

President Elam moved for approval of the February 16, 2023, minutes with minor amendments. Director Flaws seconded the motion. The motion carried 3-0.

- 4. Receive report from committees and provider representatives and discuss and consider reports, committees, committee structure and assignments, committee responsibilities, and any proposals presented by the committees or providers, including:**

A. Facilities Committee

- 1) Landscape maintenance report, including proposals for additional services and project updates.** Josiah Longbons had no proposals to present to the Board but provided an update on the piles of mulch at Carlsbad Pond. Mr. Longbons

stated there were roughly 11 piles of mulch (approximately 165 total cubic yards) which can be utilized throughout the District. Mr. Longbons was working on a proposal to best utilize the mulch throughout the District. He will provide that proposal once completed. No action.

- 2) **General maintenance.** Mr. Longbons stated the brush pile removal was going well. The brush piles at Pleasant Panorama, Napa Park, Avenal, and Vista Point have been removed and LRI was about a quarter of the way through the Napa brush pile. The LRI crews are finding more breakage in trees resulting from the previous storm damage. LRI will do another tree assessment in 30 to 60 days to make an official evaluation. The Board asked Mr. Longbons for a proposal regarding the removal and replacement of two dead Live Oak trees. Mr. Longbons will bring a proposal to the next meeting.

(Director Rew-Hunter arrived at this time.)

The Board discussed the replacement of sod. Mr. Longbons stated the Asian Jasmine is rebounding after the freeze and most of the plant material recently planted is rebounding as well, particularly at Resaca Island. No action.

- 3) **Ongoing Stormwater Basin Maintenance Project.** William Swanks stated that once the tree debris is removed from around the stormwater basins, the weeds will be sprayed, likely occurring in May. No action.
- 4) **Kayak storage.** Tabled
- 5) **Landscape services contract, should changes be necessary.** No action.

B. Outreach Committee

- 1) **Collaboration with the West Travis County Public Utility Agency (“WTCPUA”) on water, water transmission, water storage, and related issues, including:**
 - a. **Receive update from WTCPUA representative.** No WTCPUA representative was present; however, there was a report on the recent WTCPUA meeting in the agenda packet. The Board discussed the WTCPUA storm response. No action.
- 2) **Collaboration with the Lake Pointe Homeowners’ Association (“LPHOA”), including:**
 - a. **Receive update from LPHOA representative.** There was no LPHOA representative present.
 - b. **Resaca and Sonoma Boundary Fence Project.** President Elam noted discussions have started with the LPHOA regarding the Boundary Fence Project. Director Mincey attended the recent LPHOA meeting during which the LPHOA suggested a wooden or composite fence instead of a stone fence. The Board had a brief discussion on boundary fence material. No action.

- c. **Lake Pointe Boat Docks Project.** President Elam stated there has not been any movement on this project.
 - d. **Collectors' Corners.** No report.
 - e. **Storm Remediation.** *See* discussion under Item 4(A), above. President Elam reported that Texas Disposal Systems could not deliver the dumpsters as proposed; instead, LRI agreed to haul off storm debris. No action.
- 3) **Collaboration with other governments and private entities on issues affecting the District.** President Elam reported no other communication with Travis County on storm remediation.

C. Finance and Audit Committee

- 1) **FY2022 and/or FY2023 budget amendments.** Director Flaws described the year-to-date budget information compiled, including two amendments to the FY23 budget. The Board discussed the budget line item for storm remediation. Director Flaws stated there are no additional amendments to the FY23 budget at this time. Director Flaws noted expenses will increase during the summer. No action.
- 2) **District's insurance policy(ies).** No report. Tabled.
- 3) **Amend District's investment policy.** Director Flaws stated the Finance and Audit committee met and discussed extending the length of allowable maturities to keep surplus revenue invested longer. Director Flaws moved to amend the investment policy as discussed. President Elam seconded the motion. The motion carried 4-0.
- 4) **District's five-year strategic plan.** Tabled.
- 5) **Approve the District's financial reports and payment of the District's bills, invoices and Directors' fees.** Mr. Swanks presented the invoices and Directors' fees submissions in the agenda packet. Director Flaws corrected his Director's fees spreadsheet, wherein \$150 was accidentally omitted, making the revised total \$750.

The Board discussed expenses from the Preserve clean-up, currently coded as "Storm Remediation" in the budget. Mr. Swanks will not bill LPHOA for the Preserve clean-up expenses.

Director Flaws moved for approval of Director's fees of \$5700. Director Rew-Hunter seconded the motion. The motion carried 4-0.

Director Flaws moved for approval of invoices totaling \$70,081.72. Director Rew-Hunter seconded the motion. The motion carried 4-0.

- 6) **Directors' bonds and Treasurer's/bookkeeper's bond or insurance.** No report. Tabled.

D. Preserve Committee

- 1) **Habitat Conservation Plan.** No discussion.
- 2) **Issues affecting the Preserve.** Director Mincey stated the Preserve trail clean-up was completed over several weekends prior to March 1, and all trails are passable with debris moved off the trails. The Board discussed the firefighting plan for the Preserve. Mr. Swanks reported that he had discussed this issue with the fire department previously. The fire department has no written plan for fighting Preserve fires. The fire department will simply fight a brush fire as best as it can. Mr. Swanks added the fire department will do an assessment for home fire safety at a homeowner's request. Mr. Swanks further stated that, due to the winter storm, the fire department will not start brush clearing until the end of the year. Mr. Swanks asked for the District to be added to the fire department's schedule as soon as possible after September. No action.
- 3) **Roadway access and permit renewal.** Tabled.

E. Communication Committee

- 1) **District's digital account updates, if necessary.** The Board discussed transitioning all digital accounts to Doug Mains for administration.
- 2) **District's website, IT issues, and ongoing requests.** Mr. Mains resolved the issue on the District's website regarding the "Contact Us" tab.
- 3) **District's historical records and records management.** Director Flaws is continuing to migrate District records to the network for digital storage.

No action.

F. Procurement Committee

- 1) **Request for Qualifications for a landscape architect.** Director Rew-Hunter presented the Request for Qualifications (RFQ) in the agenda packet. Discussion followed on the RFQ. Director Rew-Hunter moved for approval of the draft RFQ subject to approval by legal. President Elam seconded the motion. The motion carried 4-0.

DIRECTOR MATTERS

5. **Discuss and consider appointing a director to fill Director Handsel's unexpired term.** Director Flaws posted the opening for a Director on social media and the District's website and received one application from David Lewis. President Elam moved to appoint David Lewis to fill Penny Handsel's unexpired term. Director Mincey seconded the motion. The motion carried 4-0. Mr. Swanks will swear in Mr. Lewis before the next meeting.
6. **Discuss and consider election of officers.** Tabled. Moved to April meeting.

OTHER MATTERS

7. **Review records management program and make changes as appropriate.** Kelli Carlton discussed with the Board the previously-approved records management policy and the need to provide Forms SLR 504 (designation of local government records management officer) and SLR 508 (declaration of compliance with the records scheduling requirement of the local government records act) to the Library and Archives Commission. Director Flaws signed SLR 504 and SLR 508.
8. **Adopt a resolution regarding public participation at open meetings.** President Elam moved for approval of Resolution Regarding Public Participation at Open Meetings as amended. Director Rew-Hunter seconded the motion. The motion carried 4-0.
9. **Receive General Counsel report, including, but not limited to, tax matters, pending contract issues, open records requests, litigation, reporting requirements, and other legal issues.** Ms. Carlton provided for signature the amended Resolution Establishing Offices and Meeting Places of the Board of Directors and Establishing Locations for the Posting of Notice of Meetings of the Board that was approved last month. The Board signed the Resolution.
10. **Discuss and consider items for future agendas.** Noted above.
11. **Adjourn.** President Elam moved to adjourn the meeting. Director Rew-Hunter seconded the motion. The motion carried 4-0. The meeting adjourned at 8:17 p.m.

EXECUTED this the 13th day of April, 2023.





Jody Flaws, Secretary/Treasurer