

LAKE POINTE MUNICIPAL UTILITY DISTRICT

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS

October 10, 2019

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 10, 2019 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, except Director Knuff. Also, in attendance were William Swanks with TUMCO; Helen Gilbert with Gilbert Wilburn PLLC; Pat Sinnott with the Lake Pointe HOA.

Item No. 2

Item No. 2 was to receive Public Comment on items not on the Agenda. New homeowner John Doherty at 12456 Fairfax Ridge addressed the board about his fence, which has encroached on District property for approximately 21 years. He was confirming the Developer's original consent and requesting the District consent to keeping the current fence location with no obligation to move it. Director Salgo made recommendation that any conveyance be recorded. Director O'Connell pointed out that the West Travis County Public Utility Agency ("PUA") wastewater line and easement is in same area which also has the potential to impact two (2) other residences. Operations Manager Swanks committed to reviewing the PUA wastewater map to locate the line. The Board will consider this issue during its November meeting. The Board took **NO ACTION** on this item.

Item No. 3

Item No. 3 was to review and approve minutes of the September 12, 2019 regular meeting. Director O'Connell made a motion to adopt the minutes. Director Goff 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. Director Salgo stated that he thought the bill for water use at the Napa Drive meter was surprisingly high. Pat Sinnott also stated that she had spoken to a potential alternative landscape service. Director O'Connell made a motion to pay the invoices 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 maintenance of the District's facilities, including the following:

- a. Renewal of the LCRA Raw Water Contract;
- b. Authorization for Doucet Engineering to proceed with design and specifications for the District's proposed pond maintenance activities;
- c. Removal of AT&T trash on District property;
- d. Removal of trees growing against the new HOA fence
- e. Removes of gats allowing unauthorized access to District property; and,
- f. Repair of lamps along the Bee Cave Road boundary fence.

Director Salgo suggested deferring execution of the LCRA contract until next month. Director Goff requested a list of main changes from the previous LCRA contract be provided in advance of the November meeting. The Board took **NO ACTION** on the LCRA item

Director Norris made a motion to authorize Doucet to commence work on the District's three pond maintenance projects. Director O'Connell seconded the motion, and it **PASSED** unanimously.

Director Salgo suggested the District dispose of the dead trees and AT&T trash. Director Salgo also objected to a gate that exists in the recently-replaced HOA boundary fence on the east side of the development that provides access to District property. He stated that unauthorized dumping of trash and other rubbish had taken place on the District's property, and the gate invited the potential for further trespass. HOA President Pat Sinnott stated that the gate had existed for year, that the homeowner requested the contractor replace the gate at the homeowner's expense, and that the HOA had approved the request. After discussion with the Board, Ms. Sinnott agreed to send a letter on behalf of the HOA to the homeowner stating that the homeowner was not authorize to access the District property. Operations Manager Swanks stated that lamps along Bee Caves Road had been replaced. Director O'Connell made a motion to dispose of the trees and utility equipment. Director Norris seconded the motion, and it **PASSED** unanimously

Item No. 6

Item No. 6 was to discuss, consider, and take action as necessary regarding landscape services within the Lake Pointe Subdivision. The Board reviewed LandCare's work proposal. The directors discussed the overgrown pyracantha behind the gate to the District's detention pond on Napa Drive. Director Salgo suggested deferring action until the next meeting, except for the repair of a malfunctioning irrigation valve. Director O'Connell made a motion to replace the malfunctioning valve for \$990. Director Norris seconded the motion, and it **PASSED** unanimously.

Item No. 7

Item No. 7 was to discuss, consider, and take action as necessary regarding ongoing activities with the PUA. Operator Swanks will send executed easement agreement to the PUA. The PUA agreed to pay for any tree trimming necessitated by water line installation. 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 reported on discussion with Austin Energy, which recommended that a commercial electrician look at the extension of a power line to the boat dock with potential for solar alternative. Director O'Connell raised issue of access after dusk and use of codes for same, which can and have been changed periodically. 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 Project within the Lake Pointe Subdivisions, including consideration of the Statement of Qualifications for Program Manager Services. Director O'Connell discussed review of the two proposals received. Director O'Connell circulated a scoring rubric she and Director Salgo prepared to score the respondents independently, discussed their findings, and recommended Jones|Carter contingent concurrence from the HOA Board at their upcoming meeting. Director O'Connell made a motion to recommend awarding contract to Jones|Carter contingent on agreement by the HOA. Director Norris seconded, and the motion **PASSED** unanimously.

Item No. 10

Item No. 10 was to discuss, consider, and take action as necessary regarding the District's Solid Waste Management Contract. This item will be deferred to the next meeting. The Board took **NO ACTION** on this item.

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. 11

Item No. 19 was items for future agendas. The Board did not have any additional items to propose for future agendas. Director O'Connell mentioned that the website has not been updated to include current minutes since April 2019. Director Salgo stated that he will make other recommendations and Operations manager Swanks said he would put website maintenance back on the next Board agenda.

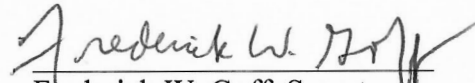
Item No. 12

Item No. 12 was Adjournment. Director O'Connell made a motion to adjourn the meeting. Director Norris seconded the motion, and it **PASSED** unanimously.

PASSED, APPROVED, AND ADOPTED this 14th day of November 2019.



(DISTRICT SEAL)


Frederick W. Goff, Secretary