

# LAKE POINTE MUNICIPAL UTILITY DISTRICT

## MINUTES OF A MEETING OF THE BOARD OF DIRECTORS

October 8, 2020

The Board of Directors of Lake Pointe Municipal Utility District (the "District") met in a regular session, open to the public, on October 8, 2020 at 7:00 p.m., via videoconference meeting to advance the public health goal of limiting face-to-face meetings (also called "social distancing") to slow the spread of the Coronavirus (COVID-19). The regular meeting, open to the public, was held virtually on zoom.com in accordance with the order of the Office of the Governor of Texas issued March 16, 2020. 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 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 for Director O'Connell. Also, in attendance were William Swanks with TUMCO; Jared Armstrong and Blake Foree of Landscape Resources; Randall Wilburn with Gilbert Wilburn PLLC; Tom Hegemier with Doucet & Associates; and Jason Bethke and Dennis Lozano from the West Travis Co PUA.

### Item No. 6

Item No. 6 was to discuss, consider, and take action as necessary regarding maintenance of the District's facilities, including the District's pond maintenance program. District Engineer Tom Hegemier updated the Board on the progress of DigDug towards completion of the work including the latest change order. He recommended payment of the invoice for the retainage and change order. He also noted that the District Engineer would be inspecting the ponds in late October for compliance with the MS4 permit. 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 Boundary Fence Project within the Lake Pointe Subdivisions.

Jason Baze with Jones|Carter updated the Board on the progress of the project. He noted that the team had made a presentation during the HOA Annual Meeting. Mr. Baze

noted that the architect was working with HOA representatives on the preparation of example walls. The Board took **NO ACTION** on this item.

**Item No. 7**

Item No. 7 was to discuss, consider, and take action as necessary regarding landscape services within the Lake Pointe Subdivision. Blake Foree with Landscape Resources informed the Board that his firm had completed the irrigation system repairs which the Board approved during the prior meeting.

Director Salgo requested Landscape Resources prepare a proposal for trimming the trees along Sonoma Dr. He also asked whether Landscape Resources was maintaining the area between Lakestone and Sterling Panorama. Blake Foree confirmed that Landscape Resources was maintaining that area. The Board took **NO ACTION** on this item.

**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 receive an update from the Lake Pointe Homeowners' Association. The Board took **NO ACTION** on this item.

**Item No. 4**

Item No. 4 was to review and approve minutes of the September 10, 2020. Director Norris made a motion to approve the minutes as presented. 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 District's financial reports and payment of bills and invoices. Operations Manager Swanks presented the bills, including invoices from the Travis County Appraisal District, Land Resources, Travis County ESD, and Jones|Carter. Director O'Connell made a motion to pay the invoices as presented. Director Salgo seconded the motion, and it **PASSED** unanimously.

**Item No. 8**

Item No. 8 was to discuss, consider, and take action as necessary regarding ongoing activities of the West Travis Co Public Utility Agency ("PUA"). PUA Director Jason Bethke informed the Board of the status of several pending issues. He noted that the PUA Board had formed a subcommittee to develop possible settlement proposal for the ongoing litigation from developers. He also noted that the Board was changing the development standards to simplify the review process. Director Bethke stated that the PUA Board had confirmed the PUA's position that all new development must pay its way.

Dennis Lozano with the PUA's engineering firm addressed the Board regarding the PUA's sludge management program. He stated that the PUA was working on a plan to

move sludge from the Lake Pointe WWTP to the Bohls WWTP for further processing. If the project is possible, the project would be carried out in two phases: one would be the installation of new dewatering equipment and the second phase would entail the construction of a pump station. The engineers are also investigating the possibility of closing the Lake Pointe WWTP and using the site as a pump station only.

Director Norris expressed his concern regarding the steps down to the kayak rack that were constructed as part of the PUA raw waterline project.

The Board then considered the re-appointment of Jason Bethke to the PUA Board. Director Norris made a motion to re-appoint Mr. Bethke. Director Salgo seconded the motion, and it **PASSED** unanimously.

#### **Item No. 9**

Item No. 9 was to discuss, consider, and take action as necessary regarding the Preserve.

Director Norris introduced Liam Blank who informed the Board of an Eagle Scout project to construct and install map and information signage within the Preserve. The Board discussed ownership of the documents created during the project, and the Eagle Scout agreed to provide that information and transfer ownership of the information to the District. Director Norris made a motion to authorize reimbursement of the Eagle Scout for expenses incurred not to exceed \$1,000. Director Salgo seconded the motion, and it **PASSED** unanimously.

Director Norris then addressed the Board regarding the installation of a power supply for a future boat dock. He noted that Austin Energy had developed a plan, but mistakenly thought the District needed an easement from the PUA. Director Norris had also obtained a separate 911 address for the dock. Mr. Swanks with TUMCO relayed his conversation with PUA General Manager Reichers, who did not express any concern with adding the Austin Energy power supply for the dock.

Director Norris express his support for authorizing Austin Energy to proceed for a cost not to exceed \$15,000. Director Salgo asked if the Board could receive mor information from Austin Energy, including a detailed proposal. The Board took **NO ACTION** on this item.

#### **Item No. 10**

Item No. 11 was to discuss, consider, and take action as necessary regarding the District's website. Director Knuff updated Board on the status of the website. 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 engagement of the Auditor. Counsel Wilburn informed the Board that it had approved this engagement at a prior Board 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;
- C. Safety issues related to COVID-19; and
- D. 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 Norris made a motion to adjourn the meeting. Director Salgo seconded the motion, and it **PASSED** unanimously.



**PASSED, APPROVED, AND ADOPTED this 12<sup>th</sup> day of November 2020.**

Frederick W. Goff, Secretary

(DISTRICT SEAL)