

LAKE POINTE MUNICIPAL UTILITY DISTRICT

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS

November 12, 2020

The Board of Directors of Lake Pointe Municipal Utility District (the "District") met in a regular session, open to the public, on November 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 Jason Rew-Hunter
Director Marci O'Connell

All of the members of the Board were present. Also, in attendance were William Swanks with TUMCO; Josiah Longbons and Blake Foree of Landscape Resources; Randall Wilburn with Gilbert Wilburn PLLC; Tom Hegemier with Doucet & Associates; and Jason Bethke from the West Travis Co PUA.

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. 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"), including a presentation by a representative of Hamilton Pool Road Matters. Mr. Jim Koerner with Hamilton Pool Road Matters made a presentation to the Board regarding the PUA and the proposed development on the Hatchett tract. The group asked that the Board of Directors adopt a resolution in opposition of the PUA's agreement to serve additional connections on the Hatchett tract.

At 7:44 p.m. on November 8, 2020 and after receiving comments and questions from the public, President Knuff announced that the Board would convene in Executive

Session pursuant to Section 551.071 of the Texas Government Code to receive advice from Legal Counsel.

At 8:23 p.m. on November 8, 2020, President Knuff reconvened the Board Meeting in open session, and he announced that no votes were taken and not decisions were made during the Executive Session.

President Knuff read the Board's position on future development that the Board adopted during its August 202 Board meeting. He then made a motion to amend the Board's position statement by adding the following language:

"We encourage that any PUA Board Members who are or work for developers to abstain from any votes for additional LUEs for Provenance."

Director Salgo seconded the motion, and it **PASSED** unanimously.

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 October 8, 2020. Director Salgo suggest a change in the draft minutes to reflect the agreement with the Boy Scouts that the District would own the documents created as part of the Eagle Scout project. He made a motion to approve the minutes as amended. Director Knuff seconded the motion, and it **PASSED** 4-0-1, with Director O'Connell abstaining from the vote.

Item No. 7

Item No. 7 was to discuss, consider, and take action as necessary regarding landscape services within the Lake Pointe Subdivision. Josiah Longbons with Landscape Resources informed the Board that his firm was working to winterize the landscaping and focusing on cleaning the retention ponds and removing fallen leaves from the property.

Mr. Longbons presented two proposals: one to lift the tree canopies along Sonoma and Napa for an amount not to exceed \$6,600 and a second proposal to lift the canopies along Resaca for an amount not to exceed \$3,200. Director Salgo made a motion to approve the proposals as presented. Director O'Connell seconded the motion, and it **PASSED** unanimously.

Mr. Longbons also gave an update on the status of the District's irrigation system. He noted that the system was operational except for the controllers at the Resaca entrance and along Bee Cave Road. The Board took **NO FUTHER 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 provided photographs from the project's landscape architect showing the mock-up of a possible wall for construction along Resaca. Mr. Baze provided a general update on the status of the wall, and the Board discussed possible options including materials, landscaping, and lighting for the wall. The Board took **NO ACTION** on this item.

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. Director Salgo made a motion to pay the invoices as presented. Director Knuff seconded the motion, and it **PASSED** unanimously.

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. Operations Manager Swanks noted that the last bill for the pond project were completed, and the District Engineer is moving forward with inspections of the pond outfalls for the TCEQ MS4 permit. Mr. Swanks also made a presentation of two proposal for a new project to clean the outfalls for the Fairfax and Resaca ponds as recommended by the District Engineer. Director O'Connell made a motion to accept the proposal from DigDug. Director Salgo seconded the motion, and it **PASSED** unanimously.

Item No. 8, Cont.

Item No. 8 was to discuss, consider, and take action as necessary regarding ongoing activities of the West Travis Co Public Utility Agency ("PUA"). President Knuff noted that he was working with the PUA General Manager to ensure the waterline project is finished timely and consistent with the District's requirements. The Board took **NO FUTHER ACTION** on this item.

Item No. 9

Item No. 9 was to discuss, consider, and take action as necessary regarding the Preserve. Operations Manager Swanks noted that he was working to obtain a bid for park benches to place in the Preserve. Director Knuff presented his idea of placing park benches in the Preserve.

President Knuff also made a presentation for a volunteer cleanup day within the subdivision, including areas around the Community Center.

President Knuff also provided an update on the status of the waterline within the Preserve.

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 District's website. President Knuff asked Director Rew-Hunter for a biography and

photograph for the website. 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. 12

Item No. 12 was items for future agendas. The Board did not have any additional items to propose for future agendas.

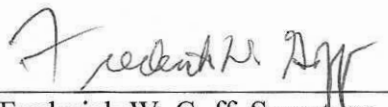
Item No. 13

Item No. 13 was Adjournment. President Knuff made a motion to adjourn the meeting. Director Rew-Hunter seconded the motion, and it **PASSED** unanimously.

PASSED, APPROVED, AND ADOPTED this 10th day of December 2020.



(DISTRICT SEAL)


Frederick W. Goff, Secretary