

LAKE POINTE MUNICIPAL UTILITY DISTRICT

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS

March 11, 2021

The Board of Directors of Lake Pointe Municipal Utility District (the "District") met in a regular session, open to the public, on March 11, 2021 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

All of the members of the Board were present, except Director Rew-Hunter. Also, in attendance were William Swanks with TUMCO; Josiah Longbons and Blake Foree of Landscape Resources; Randall Wilburn with Gilbert Wilburn PLLC; Jason Baze with Jones|Carter; Jason Bethke and Jennifer Reichers from the West Travis Co PUA; and Pat Sinnott.

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. 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 provided the Board with an update on the status of the landscaping and impacts from the February freeze event. He stated that Landscape Resources was making an assessment of the plants that are dormant versus those killed by the freeze and that he would prepare a proposal for a future meeting to replace the dead plant material. Mr. Longbons

noted that Landscape Resources is working to repair leaks and breaks in the irrigation system, including breaks along Bee Cave Road. He will also prepare a proposal for making repairs to the lighting along the Bee Cave wall.

Vice-President Salgo stated he had spoken with Steven Jones of Murfee Engineering regarding possible removal of some silt fence located uphill of the construction area. William Swanks noted for Landscape Resources that WLE had complete repairs to the lines and valves along Napa Drive. President Knuff asked whether all of the controllers and wires were repaired, and Mr. Swanks was unaware of whether these repairs have been completed.

Landscape Resources noted that some of the vegetation which normally can withstand freezing temperatures is struggling to recover. Mr. Longbons asked whether the Board should wait to see if the vegetation will recover or replace the plants. He recommended that Landscape Resources perform some restorative pruning, and the Board agreed with the recommendation.

The Board took **NO ACTION** on this item.

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. Tom Hegemier stated that the plans for the second phase of pond maintenance are 95% completed. He noted that there are six (6) ponds up for maintenance work this summer, with an estimated cost of \$175,000. Vice-President Salgo asked Mr. Hegemier to forward the draft plans and cost estimates for Board review. Mr. Hegemier went through the draft plans with the Board. Vice-President Salgo asked Mr. Hegemier to share the draft plans with Aquatic Features.

Operations Manager Swanks noted that he had obtained the tree signs and trash cans, and he will work on installing within the next few weeks. He also will work with President Knuff on determining the location for the benches in the Preserve.

Pat Sinnott thanked the District for acquiring the live oak tree signs and suggested the HOA include information about Oak Wilt in future HOA communications.

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"). Jason Bethke provided an update to the Board regarding completion of the Raw Water Line Project. He stated that the PUA Board voted to oppose the proposed legislation to modify the governance of the PUA. Mr. Bethke noted that the PUA Board went through the proposed Capital Improvement Program for the PUA, including the potential decommissioning of the wastewater plant located within the Lake Pointe community. The Board also discussed

briefly a bill filed by Representative Goodwin that change the governance of the PUA.

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 Jones|Carter would be resubmitting plans to address the comments from Travis County, including the continuing issues with sight distances at the intersection of Lake Stone and Resaca Blvd. Mr. Baze will continue to coordinate with the HOA representative and Landscape Resources, including how to address restoration on the homeowners' side of the wall. He noted that he had met with the structural engineer to investigate issues associated with the dry stack wall located on the northeast corner of Resaca Blvd. and Sonoma Drive. Unfortunately, the design team lost a few weeks due to the state-wide power outage and freeze event.

The Board took **NO ACTION** on this item.

Item No. 4

Item No. 4 was to review and approve minutes of the February 11, 2021 regular meeting. Vice- President Salgo made a motion to approve the minutes as amended. President Knuff 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 a bill for the Eagle Scout project and an invoice from Deluxe Checks for the District's checks. Vice-President Salgo made a motion to pay the invoices as presented. President Knuff seconded the motion, and it **PASSED** unanimously.

President Knuff had questions regarding the budget summary, including costs for the wall project and the engineering projects. Operations Manager Swanks stated the variance in the wall project was due to reimbursements from the Lake Pointe HOA and the overage in the general engineering category was due to not coding the individual projects. He noted that he would work with his staff to reallocate those engineering costs. The Board took **NO FURTHER ACTION** on this item.

Item No. 9

Item No. 9 was to discuss, consider, and take action as necessary regarding the Preserve. President Knuff asked the HOA to allow residents access to the Preserve through the gate. As of yet, First Service has not finalized granting access to the residents. He will continue to work to get the gate open for all residents. 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 noted that he had added the Texas Disposal System's contract on the District's 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 appointment of a new Director to fill the vacancy of Chris Lupton. The Board took **NO ACTION** on this item.

Item No. 13

Item No. 13 was to discuss, consider, and take action as necessary regarding the engagement of legal counsel for the District. Counsel Wilburn made a short presentation of The Carlton Law Firm. Vice-President Salgo made a motion to approve the engagement letter. President Knuff 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;
- 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. 14

Item No. 14 was to discuss Future Agenda items. The Board discussed placing the Lake Stone spur on a future agenda. The Board also discussed the possibility of placing the community propane issue on future agendas.

Item No. 15

Item No. 15 was Adjournment. Vice-President Salgo made a motion to adjourn the meeting. President Knuff seconded the motion, and it **PASSED** unanimously.

PASSED, APPROVED, AND ADOPTED this 8th day of April 2021.



(DISTRICT SEAL)


Frederick W. Goff, Secretary