

LAKE POINTE MUNICIPAL UTILITY DISTRICT

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS

April 8, 2021

The Board of Directors of Lake Pointe Municipal Utility District (the "District") met in a regular session, open to the public, on April 8, 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. Also, in attendance were William Swanks with TUMCO; Josiah Longbons and Blake Forcee 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; Permit Coordinator Stephen Hawkins; and Pat Sinnott, John Persbach, Sarah McGiffert, Kent O'Brien, Jim Norris, Penny DeCou, Hillary Fields, John Newell, and Chris Hartman.

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. 6

Item No. 6 was to discuss, consider, and take action as necessary regarding maintenance of the District's facilities, including discussion and possible action regarding the Preserve and drainage area between Lake Stone Drive and Sterling Panorama Terrace

President Knuff summarized the District's previous discussion on whether to utilize the

property between Lake Stone Drive and Sterling Panorama Terrace. President Knuff made a motion to not open the trailhead at Resaca Boulevard. Vice-President Salgo seconded the motion, and the Board opened the item for discussion.

John Persbach addressed the Board. He expressed his safety and privacy concerns of his neighboring homeowners as well as his concern about the lack of a crosswalk across Resaca Boulevard. Sarah McGiffert addressed the Board and expressed similar concerns about lack of privacy if a trail is constructed within the drainage way. Pat Sinnott also addressed the Board and expressed similar. Penny DeCou also addressed the Board and stated that her family had recently purchased the home based upon the privacy provided by the District's undeveloped property in the drainage way. Hillary Fields addressed the board regarding her concerns to any opening of a trail behind her home. Chris Hartman stated that he agreed with the other people addressing the Board. John Newell added his concerns to the proposal.

After closing the discussion, President Knuff called the vote on the motion to not open the trailhead at Resaca Boulevard, and it **PASSED** unanimously.

Operations Manager Swanks updated the Board on behalf of the District's Engineer regarding the proposed pond maintenance construction plans. He also noted the possibility of either adding new work in a drainage area near San Benito Court or adding the work to next year's pond maintenance projects. Finally, Mr. Swanks asked whether he should contact Travis County to install road bollards at the end of San Benito Court.

The Board took **NO FURTHER 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 completed its work to address the comments received to date from Travis County. Design Workshop is continuing to develop the landscaping plan. Mr. Baze also noted ongoing coordination with the HOA Subcommittee. Landscape Resource met on site and discussed issues with the irrigation system, including a schedule for replacement of much of the irrigation system. Mr. Baze also noted that the City of Bee Cave did not have any comments.

President Knuff asked about a possible start date for construction. Mr. Baze stated that he estimated a start date sometime in the summer. Pat Sinnott asked whether the proposal is for a double-walled rock fence or single-walled rock fence similar to the wall along Bee Cave Road. Mr. Baze replied that the current design envisions a double-walled rock fence.

President Knuff noted that The Pointe Homeowners' Association had prepared the work to repair the wall at entrance to The Pointe; however, the owner of the last home before entering the Pointe had taken issue with the debris left from the wall contractors.

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”). Vice-President Salgo gave an update on his interaction with the PUA’s engineer, Steve Jones, regarding the final punch list items to finalize the construction of the raw water line. President Knuff relayed his confirmation that the PUA had not paid the retainage to the contractor to date. Operations Manager Swanks noted that the PUA had repaired the irrigation lines but not the controller wires or the wall lighting system. PUA General Manager Reichers stated that the PUA had not made the final payments to the contractor for the project.

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. He stated that Landscape Resources had a few proposals for review by the Board.

He noted that various landscaping needs rejuvenation pruning of the Carolina Jasmine, Texas Sage, and Fig Ivy within the community. He presented Proposal No. 1 for \$9,827.50 to perform the pruning in the District’s common areas. Mr. Longbons presented a separate plan for installation of planter beds along the Bee Cave Road boundary wall. Proposal no. 2 was for removal of the cedar and vines under the large Live Oak at Bee Cave Road and Resaca Boulevard at a cost not to exceed \$1,200.00. Proposal No. 3 was for removal of a large volume of leaves from the retention ponds for a cost not to exceed \$4,300. Finally, he asked for input on Landscape Resources’ proposal for refurbishing the plantings located at the entrances to the community.

Pat Sinnott noted neighborhood concerns with overgrowth in the area near Carlsbad near Fortuna and Palm Dale Court.

President Knuff made a motion to approve Proposal Nos. 1, 2, and 3 as presented. Vice-President 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. Jim Norris informed the Board that Rick Raspberry is no longer available to work on behalf of the District due to health issues. Mr. Norris introduced Stephen Hawkins as a potential representative of the District in an effort to obtain all necessary permits for a new dock. Mr. Hawkins discussed his proposal for obtaining a dock permit for the District.

President Knuff asked Mr. Norris and Mr. Hawkins to review and refine their proposal for discussion during the Board’s meeting in May. The Board took **NO ACTION** on this item.

Item No. 4

Item No. 4 was to review and approve minutes of the March 11, 2021 regular meeting. President Knuff made a motion to approve the minutes as amended. Director Rew-Hunter 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. President Knuff made a motion to pay the invoices as presented. Vice-President Salgo seconded the motion, and it **PASSED** unanimously.

Item No. 10

Item No. 10 was to discuss, consider, and take action as necessary regarding 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. President Knuff made a motion to appoint Penny Handsel to fill the unexpired term of Chris Lupton. Vice President Salgo seconded the motion, and it **PASSED** unanimously.

Item No. 13

Item No. 13 was to discuss, consider, and take action as necessary regarding the engagement of legal counsel for the District. 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. 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 10th day of June 2021.



(DISTRICT SEAL)


Frederick W. Goff, Secretary