

**LAKE POINTE MUNICIPAL UTILITY DISTRICT
MINUTES
April 9, 2024**

The Board of Directors (“Board”) of Lake Pointe Municipal Utility District (“District”) met in person for a regular meeting on April 9, 2024, at 6:00 p.m., open to the public. The District posted a copy of the Notice of the meeting as required.

Director Elam called the meeting to order at 6:34 p.m.

The following Board Members were present, thus constituting a quorum:

Terry Elam	President	Present
Jason Rew-Hunter	Vice President	Present
Jody Flaws	Secretary/Treasurer	Present
David Lewis	Director	Present
Vacant	Director	

Also in attendance were William Swanks with TUMCO; Josiah Longbons with Landscape Resources, Inc. (“LRI”); Doug Mains with Elite Computing, Pat Sinnott with Lake Pointe Homeowners’ Association (“LPHOA”); Erin Selvera with The Carlton Law Firm; and members of the public.

PUBLIC COMMENT

1. **Receive communications from the public on items not listed on the posted agenda.** Resident Jeff Christianson discussed the dead cedar trees on the trail.
2. **Public Comment on Agenda Items.** None.

DIRECTOR CANDIDATES

3. **Presentation by and discussion with candidates for the open Director position.** Director Elam introduced the two candidates, Mike Barron and Michael Jopling to the Board, and asked each candidate to provide information on their background and interest in joining the Board.

Mr. Jopling and his family are 10-year Lake Pointe residents. Mr. Jopling mentioned his finance background and his interest in the Preserve. Mr. Jopling is interested in the Preserve because his home backs up to the Preserve and he has assisted with projects in the area. Mr. Jopling stated he also has interest in the dock project, landscaping, and would like to bring a general awareness to the community and to see more community engagement.

Mr. Barron and his wife are 17.5-year Lake Pointe residents. Mr. Barron stated he has an extensive background in finance, including being a Certified Financial Officer (“CFO”) for State of Texas Retirement System, Texas Mutual Insurance Company, and was named the best CFO by the Boston Business Journal in 2018. Mr. Barron voiced his interest in maintaining, repairing, and refurbishing areas in the District as structures start to age and as the community grows.

Due to inclement weather and flooding into the meeting place, Director Elam recessed the meeting at 6:44 p.m. Director Elam reconvened the meeting at 7:07 p.m., and the meeting continued in open session.

MINUTES

4. **Review and approve minutes of the March 21, 2024 regular meeting.** The Board discussed the March 21 regular meeting minutes. Director Elam moved to approve the March minutes with minor changes. Director Lewis seconded the motion, and the motion passed 4-0.

REPORTS AND COMMITTEE MATTERS

5. Facilities Committee – (Director Elam)

A. **General Landscape Maintenance Report.** Josiah Longbons reported on general landscape maintenance. Director Elam asked about adding mulch to District areas and Mr. Longbons stated mulching would begin in the Fall. No action.

B. **Landscape services contract, should changes be necessary.** Tabled.

C. Projects.

- 1) **Status/completion of approved.** Mr. Longbons reported on previously approved projects, noting two of the three were completed. Mr. Longbons provided an update on the work on the granite trail and discussed how well the design was working in providing drainage in basin and swales areas.

Mr. Longbons also reported on the retention pond project, stating the tree and clean up were completed, but the plant material installation was outstanding. Mr. Longbons voiced his concern for the area after the hailstorm. No action.

- 2) **New Proposals.**

- **Carlsbad Spring Planting.** Mr. Longbons presented the \$638.75 proposal to plant Mexican Bush Sage, organic compost and adjust irrigation heads. Director Elam moved to approve the proposal as presented. Director Lewis seconded the motion, and the motion passed 4-0.
- **West side beds Plant fill-in at Lakestone and Resaca.** Mr. Longbons presented the \$10,165 proposal to plant Red Salvia, Red Yuccas, Red Turks Cap, and Texas Sage throughout the District, stating the plants do well in the summer and winter and are drought resistant. Director Elam moved to approve the proposal as presented for \$10,165. Director Lewis seconded the motion, and the motion passed 4-0.

- 3) **Stormwater basin maintenance.** Tabled.

6. Lake Pointe Wall Committee

- A. Wall Committee Director appointments; No action.**
- B. Engagement of an engineering firm; Director Lewis reported on his meeting regarding the dock proposal and RFP with David Gray with Gray Engineering, Inc. (“GEI”). Director Lewis mentioned GEI’s interest in the wall renovation project. No action.**
- C. Project updates. Tabled.**

7. Outreach Committee – (Director Elam, Director Rew-Hunter)

- A. Collaboration with the West Travis County Public Utility Agency (“WTCPUA”) on water, water transmission, water storage, and related issues, including:**
 - 1) Receive update from WTCPUA representative. Tabled.**
 - 2) Special Warranty Deed from WTCPUA; Tabled.**
 - 3) PUA representative Board directives; Tabled.**
 - 4) Appoint WTCPUA representative. Tabled.**
- B. Collaboration with the Lake Pointe Homeowners’ Association (“LPHOA”), including:**
 - 1) Receive update from LPHOA representative. Tabled.**
 - 2) Collectors’ Corners. Tabled.**
- C. Collaboration with other governments and private entities on issues affecting the District. Tabled.**

8. Finance and Audit Committee – (Director Flaws, Director Lewis)

- A. Approve the District’s financial reports and payment of the District’s bills, invoices and Directors’ fees. Director Flaws presented the District’s invoices and Directors’ fees to the Board. Director Flaws moved to approve bills totaling \$40,024.16. Director Lewis seconded the motion, and the motion passed 4-0. Director Flaws moved to approve the Director fees in the amount of \$4,480 as presented. Director Lewis seconded, and the motion passed 4-0.**
- B. Quarterly investment report; Tabled.**
- C. Budget amendments, if any. Tabled.**
- D. District’s five-year strategic plan. Tabled.**

- E. Tax account modification with Travis County.** Tabled.
- F. Information from District’s financial advisor and possible engagement of a new advisor;** Tabled.
- G. Engage bond counsel for assistance with financing District projects;** Director Elam reported his discussions with Director Flaws to hire McCall, Parkhurst and Horton as bond counsel. Director Flaws stated the proposal is pending review once received. No action.
- H. Annual review of investment policy and code of ethics and a resolution for same;** Tabled.

9. Preserve Committee – (Director Rew-Hunter)

- A. Habitat Conservation Plan.** Tabled.
- B. Issues affecting the Preserve.** William Swanks provided the Board with an update on the Preserve gate. Mr. Swanks stated the contractor has been engaged and Mr. Swanks is waiting to hear on a start date. No action.
 - 1) Boy Scout Eagle Project.** Tabled.
- C. Friends of the Preserve.** Tabled.

10. Communication Committee – (Director Elam, Director Flaws)

- A. District’s digital account updates, if necessary.** No action.
- B. District’s website, IT issues, and ongoing requests.** Tabled.
- C. District’s historical records and records management.** Tabled.
- D. Resident communications.** No action.

11. Procurement Committee – (Director Rew-Hunter)

- A. Landscape architect and contract for same.** Director Rew-Hunter reported receiving the KFM contract and the contract is pending further review by Erin Selvera to discuss revisions to add legal requirements applicable to District. No action.

12. Recreational Dock Committee – (Director Lewis, Director Flaws)

- A. Engineering work for swim dock;** *See* Item 6B, above.
- B. Construction requirements and construction delivery method;** Tabled.
- C. Review budget.** Tabled.

D. Review dock plans. Tabled.

OTHER MATTERS

- 13. Discuss, consider and take action on appointment of new Director;** Director Elam moved to appoint Michael Jopling as the new Director. Director Rew-Hunter seconded, but the motion failed 2-2. Director Flaws moved to appoint Mike Barron as new Director and Director Lewis seconded, but the motion failed 2-2. Mr. Barron then withdrew his application and Director Elam moved to appoint Michael Jopling as the new Director. Director Rew-Hunter seconded, and the motion passed 4-0.
- 14. Discuss, consider and take action on updated Drought Contingency Plan Amendment and potential watering strategy;** Ms. Selvera reported on the drought contingency plan amendment. Director Elam moved to approve the drought contingency plan amendment. Director Lewis seconded, and the motion passed 4-0.
- 15. Discuss, consider, and take action on LCRA's pro-rata curtailment requirements, including review of Customer Curtailment Plan for District and any allotment modifications;** No action.
- 16. Receive General Counsel report, including, but not limited to, tax matters, pending contract issues, open records requests, litigation, reporting requirements, and other legal issues, if any, and take action as needed;** Tabled.
- 17. Discuss and consider items for future agendas; and** No action. Note: the Board tabled many agenda items due to inclement weather and flooding into the meeting place. Tabled items will be added to the next regular meeting agenda.
- 18. Adjourn.** Director Elam moved to adjourn the meeting. Director Lewis seconded the motion, and the motion passed 4-0. The meeting adjourned at 8:32 p.m.

SIGNED this the 9th day of May 2024.





Jody Flaws, Secretary/Treasurer