

**LAKE POINTE MUNICIPAL UTILITY DISTRICT
MINUTES
July 22, 2024**

The Board of Directors (“Board”) of Lake Pointe Municipal Utility District (“District”) met in person for a regular meeting on July 22, 2024, at 6:30 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 6:35 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
Michael Jopling	Director	Present

Also in attendance were William Swanks with TUMCO, Josiah Longbons with Landscape Resources, Inc. (“LRP”); Doug Mains with Elite Computing; and Erin Selvera with The Carlton Law Firm.

PUBLIC COMMENT

1. **Receive communications from the public on items not listed on the posted agenda.** None.
2. **Public Comment on Agenda Items.** None.

DIRECTOR ELECTION

3. **Supplemental Agenda Items:**
 - a. **Discuss and consider approval of the Order Calling Director Election for November 5, 2024.** Director Elam moved to approve the Order Calling the Director’s Election in November. Director Lewis seconded the motion, and the motion passed 5-0.
 - b. **Discuss and consider action Authorizing Secretary’s Appointment of Agent to Perform Duties During Election Period and Designating Location for Filing Application for a Place on A Ballot in District Director Elections.** Director Elam moved to approve the Resolution Authorizing Secretary’s Appointment of Agent to Perform Duties During Election Period and Designating Location for Filing Applications for a Place on the Ballot in District Director Elections. Director Flaws seconded the motion, and the motion passed 5-0.
 - c. **Discuss and consider action Authorizing District’s attorney to give Notice of Director Election for November 5, 2024, election.** Director Elam moved to authorize the District’s attorney to give notice of the Director Election. Director Lewis seconded the motion, and the motion passed 5-0.

d. Discuss and consider approval of the Resolution Approving the Election Services Contract and Joint Election Agreement with Travis County.

Director Elam moved to approve the Resolution Approving Contract for Election Services and Joint Election Agreement with Travis County. Director Flaws seconded the motion, and the motion passed 5-0.

e. Any other matters in connection with the District's November 5, 2024, director election. No action.

MINUTES

- 4. Review and approve minutes of the June 13, 2024, regular meeting.** Director Elam moved to approve the June 13, 2024, minutes with minor amendments. Director Flaws seconded the motion, and the motion passed 5-0.

REPORTS AND COMMITTEE MATTERS

5. Facilities Committee – (Director Elam, Director Jopling)

A. General Landscape Maintenance Report. Josiah Longbons reported on the weekly landscaping maintenance service. No action.

B. Landscape services contract should changes be necessary. The Board discussed the contract with LRI. LRI proposed to slightly increase the maintenance contract fees by five percent due to increasing costs of fertilizer, herbicides, gas, insurance and labor. Tabled.

C. Projects.

1) Status/completion of approved. Mr. Longbons reported the Resaca collectors' corners and corners at Lake Stone South were completed on both sides. LRI remediated the Sterling Panorama North and South corners. LRI completed all projects with no issues.

2) New Proposals.

- **Boulders/Rocks.** Director Lewis asked the Facilities Committee to review the rock installations. No action.
- **Pond restocking** – The Board approved restocking the pond with fish but had not paid the invoice to do so. William Swanks will follow up with Aquatic Features, for a restocking after the Summer.
- **Bee Caves and Wall Canopy Lift and Removal** – Mr. Longbons presented the proposal to lift tree canopy in this area for \$3800.

Director Elam moved to approve the proposal. Director Jopling seconded the motion, and the motion passed 5-0.

- **Resaca and Vista Point Park Tree Canopies.** Mr. Longbons presented the proposal to lift tree canopy in this area for \$4600. Director Elam moved to approve the proposal. Director Jopling seconded the motion, and the motion passed 5-0.
- **Sonoma Baton Napa and Collector Street Tree Canopy Lift.** Mr. Longbons presented the proposal to lift tree canopy in this area for \$8050. Director Elam moved to approve the proposal. Director Rew-Hunter seconded the motion, and the motion passed 5-0.

3) **Stormwater basin maintenance.** Aquatic Features provided a proposal to plant 48 new water plants in the upper pond at Carlsbad for \$3000. The recent inspection report required cattails to be removed on the upper part of the pond. The Board requested the cattail removal be on a 6-month program, leaving the cattails on the lower part of the pond and removing the cattails from the upper part of the pond. Director Flaws moved to approve the Aquatic Features estimate of \$3000 to plant 48 plants in the Carlsbad upper pond. Director Jopling seconded the motion, and the motion passed 5-0. The Board asked the Facilities Committee to speak with LRI regarding keeping the stormwater drainage area from backing up with sediment.

6. Lake Pointe Wall Committee – (Director Flaws, Director Lewis)

- A. **Project update, including update from consultants and bond counsel for same.** Director Lewis invited Gray Engineering to the meeting, but no representative was in attendance. Director Lewis reported the landscape architect and engineer are working together on this project.
- B. **Review budget and plans for proposed wall.** Tabled.
- C. **Additional potential projects that may be included in a bond issuance.** 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.** Director Elam reported the committee is developing a short list for the representative position and will provide the information to the public. The current representative’s term ends in September.
 - 2) **Special Warranty Deed from WTCPUA.** Tabled.
 - 3) **Easement on property subject to deed.** Tabled.

4) **PUA representative Board directives.** Tabled.

5) **Appoint WTCPUA representative.** Tabled.

B. Collaboration with the Lake Pointe Homeowners' Association ("LPHOA"), including:

1) **Receive update from LPHOA representative.** No report.

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 moved to approve the financial report as presented. Director Elam seconded the motion, and the motion passed 5-0. Director Flaws then moved to approve the June Director fees as presented (\$5,967). Director Rew-Hunter seconded the motion, and the motion passed 5-0. Director Flaws moved to approve payment of the outstanding invoices totaling \$56,702.91. Director Elam seconded the motion, the motion passed 5-0.

B. Quarterly investment report. Director Lewis reported on the treasury bills. No action.

C. Budget amendments, if any. Director Flaws reported on the year-to-date budget line items as follows:

Director Flaws proposed merging line items 71208 –Park Improvements at \$14k with line items 71212 – Subdivision Improvements and 72005 – Educational. Director Rew-Hunter proposed adjustments to the funding of accounts. No action.

D. District's five-year strategic plan. Tabled.

E. Authorization to join TexPool and complete required documents for same. Director Lewis discussed joining TexPool with the Board. Director Lewis moved to authorize participation in TexPool including completing the required documents for participation. Director Flaws seconded the motion, and the motion passed 5-0.

F. Engagement for Fiscal Year 2024 audit. Director Flaws moved to engage Maxwell Lock & Ritter LLP to perform the FY2024 audit for the District. Director Lewis seconded the motion, and the motion passed 5-0.

G. District's Budget for Fiscal Year 2025 and resolution for same. The Board discussed and modified the draft budget presented. Director Elam moved to approve the amendments as proposed and to adopt the FY2025 budget of

\$1,084,500 and a resolution for same. Director Flaws seconded the motion, and the motion passed 5-0.

H. District insurance update. Mr. Swanks noted the park has been added to the District's insurance policy. Mr. Swanks stated the swim dock will be added to the policy at no additional charge

I. Supplemental engagement by General Counsel regarding bond work. Director Elam and Director Lewis discussed the typical practice of District's attorney working with appointed bond counsel on bond issues. Director Flaws moved to approve and sign the engagement letter dated June 5, 2024, related to the issuance of bonds. Director Lewis seconded the motion, and the motion passed 5-0.

9. Preserve Committee – (Director Rew-Hunter, Director Jopling)

A. Habitat Conservation Plan. Tabled.

B. Issues affecting the Preserve. Director Rew-Hunter reported that teenagers in the Preserve are a continuing concern. Mr. Swanks reported a pedestal was installed on the inside of the gate and the Board will develop a plan to require cars to badge out of the gate after hours. The Board discussed adding maps at the trailheads. Balboa Services will begin fire break work on September 1. No action.

C. Volunteer Initiatives and Contributions. The Boy Scout project's signs will soon be installed. The Girl Scout project had two successful Preserve cleanups. The two Girl Scouts are also working on an educational video. The Board noted that dock users are leaving behind trash and the Board discussed sending an email to residents to be mindful about removing their trash from the dock. The Board noted LPHOA does not regularly pick up trash from that area.

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

A. District's digital account updates, if necessary. Tabled.

B. District's website, IT issues, and ongoing requests. Tabled.

C. District's historical records and records management. The Board discussed the slow process of reviewing historical records and determining how to store the records, including determining a naming convention for the electronically stored files. Mr. Swanks will coordinate with Doug Mains to determine the best approach.

D. Resident communications. The Communications Committee will circulate information on trash removal from the dock and the two Scout projects in the Preserve to residents. The Committee will also provide information on the new Preserve gate procedures to WTCPUA.

- i. **Update on notice to residents regarding WTCPUA representative opening.** Director Elam will provide notice to residents on the representative opening.

11. Procurement Committee – (Director Rew-Hunter)

- A. **KFM contract and architecture work.** The Board discussed the KFM contract proposal. Director Elam moved to approve the Master Services Contract with KFM. Director Rew-Hunter seconded the motion, and the motion passed 5-0.

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

- A. **Receive update on engineering work, bidding for swim dock, and engineer’s recommendation.** The Board discussed the two bids received. No action.
- B. **Review budget and dock plans as necessary.** Tabled.
- C. **Consider bids received and take action on accepting or rejecting bids;** Tabled.
- D. **Action on reimbursement resolution for swim dock expenditure.** Tabled.

OTHER MATTERS

- 13. **Discuss, consider and take action on revisions to Drought Contingency Plan.** Erin Selvera discussed with the Board the need to make changes to the Drought Contingency Plan previously submitted. She will work to address the concerns of the Board and provide a revised Plan for the Board to consider in August. No action.
- 14. **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.** See above. No additional report.
- 15. **Discuss and consider items for future agendas.** None.
- 16. **Adjourn.** Director Elam moved to adjourn the meeting. Director Rew-Hunter seconded the motion, and the motion passed 5-0. The meeting adjourned at 09:50 pm.

APPROVED this the 8th day of August 2024.



Jody Flaws, Secretary/Treasurer