

**MINUTES OF MEETING OF BOARD OF DIRECTORS OF
NORTH AUSTIN MUNICIPAL UTILITY DISTRICT NO. 1**

October 21, 2015

THE STATE OF TEXAS §
 §
COUNTIES OF TRAVIS §
 AND WILLIAMSON §

A regular meeting of the Board of Directors of North Austin Municipal Utility District No. 1, open to the public, was held on October 21, 2015, at the Rattan Creek Community Center, 7617 Elkhorn Mountain Trail, Austin, Texas, pursuant to notice duly given in accordance with law. A copy of the Certificate of Posting of said Notice is attached hereto as **Exhibit "A"**.

The roll was called of the members of the Board, to-wit:

Alan McNeil	-	President
Donald G. Conklin	-	Vice President
Jo Jones	-	Secretary
Keith Collins	-	Treasurer
Kim Green	-	Assistant Secretary/Treasurer

and all of said Directors were present, except for McNeil, with Director Conklin arriving late, thus constituting a quorum. Also in attendance at the meeting were Gary Spoons with Crossroads Utility Services; Mary Bott with Bott & Douthitt, P.L.L.C.; David Malish with Murfee Engineering Co., Inc.; Bill Burke with Clearwater Management; Diana Sagnes with Sage Management Services; Kevin Flahive with Armbrust & Brown, PLLC; Rene Curfman with the Rattan Creek Neighborhood Association; and Quentin Wheatley, a resident of the District.

Director Jones called the meeting to order at 6:06 p.m. and stated the Board would first receive citizen communications. Mr. Wheatley, a member of Boy Scouts Troop 143, addressed the Board regarding his eco-project proposal to catalog the gps coordinates of all storm drains within the District. Director Conklin arrived at 6:07 p.m. and stated that he and Director McNeil had discussed the project with Mr. Wheatley, the product of which would be used by the District in connection with its MS4 program. The Board discussed with Mr. Wheatley the timing of his project and safety precautions to be taken while cataloging coordinates. Director Conklin stated he would review Mr. Wheatley's proposal in detail and follow up with him.

Director Conklin stated the Board would next receive a report from the Rattan Creek Neighborhood Association. Ms. Curfman stated RattanFest and subsequent clean-up went well. She and Mr. Burke then discussed with the Board the electrical outage that occurred during the event. Mr. Burke explained how one of the breaker boxes in the Community Center over-heated due to the demand placed on it. He stated three outdoor electrical sockets were also damaged. The Board then discussed options for limiting electricity usage during future events with the park to avoid a reoccurrence of the electrical damage.

The next item to come before the Board was to approve the minutes of the August 17, September 3, September 14, September 16 and September 24 minutes. Upon motion by Director Collins and second by Director Jones, the Board voted unanimously to approve the August 17 minutes as presented, with Director Conklin abstaining. Upon motion by Director Collins and second by Director Jones, the Board voted unanimously to approve the September 3 minutes as

presented. After discussion of revisions and upon motion by Director Conklin and second by Director Green, the Board voted unanimously to approve the September 14 minutes as revised, with Director Collins abstaining. Upon motion by Director Collins and second by Director Jones, the Board voted unanimously to approve the September 16 minutes, with Director Conklin abstaining. Upon motion by Director Jones and second by Director Green, the Board voted unanimously to approve the September 24 minutes, with Director Collins abstaining.

There being no park and landscape report, Director Conklin stated the Board would next receive the pool and community center report. Mr. Burke referred the Board to his report, a copy of which is attached as **Exhibit "B"**. He then discussed with the Board the status of the pool heater replacement, stating that the one functioning heater was heating the pool sufficiently at the time. Mr. Burke discussed with the board the recent vandalism of one of the pet waste stations near the soccer field in Robinson Park and replacement of the station with one in storage. He then discussed the preparations for use of the Community Center as a polling location during the November 3rd elections.

Director Conklin stated the Board would next address the Solid Waste and Recycling Collection and Disposal Agreement with Round Rock Refuse, Inc. Mr. Spoons discussed with the Board the cost benefit rationale for entering into the agreement in the near term. Mr. Flahive discussed with the Board the substantive differences between the proposed agreement and the District's existing agreement with Round Rock Refuse, Inc. and the Board's position regarding same. Mr. Flahive stated that, based on the Board's input, he would work with Mr. Spoons to negotiate a revised version of the agreement with Round Rock Refuse, Inc. that he could recommend for approval at the Board's November meetings.

Director Conklin stated the Board would next discuss and consider committee appointments, including, but not limited to the Resolution Appointing Committee Members and the Resolution Establishing Committees, Procedures for Approval of Expenditures, and Signature of Disbursements. After discussion and upon motion by Director Collins and second by Director Conklin, the Board voted unanimously to approve the appointment of committee members and alternates as shown on the spreadsheet prepared by Director Jones, as corrected by Mr. Flahive, a copy of which is attached as **Exhibit "C"**. Mr. Flahive then discussed with the Board options for granting additional authority to committees, including limited ability to make District expenditures. After discussion, the Board elected to revisit the matter at the November meetings.

The next item to come before the Board was to receive a report from the District's general manager. Mr. Spoons stated that he had reviewed his report with the Board at the October 19 meeting. He stated that Tom Letizia had completed cleaning out the storm sewer outlets within the District.

Director Conklin stated the Board would then receive the bookkeeper's report. Ms. Bott referred the Board to the updated cash activity report, a copy of which is attached as **Exhibit "D"**, and discussed with the Board the five supplemental checks to be approved. Upon motion by Director Collins and second by Director Jones, the Board voted unanimously to approve the five supplemental checks.

Director Conklin stated the Board would then review and consider action regarding the bond projects. Mr. Malish stated that Duke Garwald had prepared initial illustrations of the booster pump enclosures, amphitheater and Robinson Park restroom facility, which Mr. Malish would bring to the Parks and Greenbelt Committee for review and comment in the near term.

The next item to come before the Board was to receive the engineer's report. Mr. Malish referred the Board to his report, a copy of which is attached as **Exhibit "E"**. He said that he would prepare a mylar for the two requested land use plan amendments for Lots 1, 2 & 3, Block A, State Farm Section Five and Lots 1 & 2, Block B, State Farm Section One on October 27. Mr. Malish then stated that he would meet with the newly appointed Drainage Committee to discuss the findings of the Rattan Creek Drainage Study. Director Collins stated that he would like Mr. Malish to produce the findings of the study and his office's findings and recommendations for floodplain modification to remove private property from the newly established floodplain at one time so that the Board could fully understand its options. Mr. Malish agreed and stated that to do so he would first need to have the surveys of potentially impacted private properties within the District prepared. He stated that he would bring proposals for the surveying work to the Board at its November meetings.

Director Conklin stated the next item to come before the Board was to receive the restrictive covenants report, including services rendered, inspection reports and outstanding violations and litigation. Ms. Sagnes reviewed her report with the Board, a copy of which is attached as **Exhibit "F"**. The Board discussed with Ms. Sagnes the form and content of her reports and desired changes to same. Ms. Sagnes, Mr. Flahive and the Board then discussed the protocol for restrictive covenant enforcement within the District.

Director Conklin stated the Board would then address any items relating to future annexation, limited district conversion, and other City of Austin related issues. There being none, Director Conklin then asked if there were any other matters to come before the Board. Director Collins discussed with the other Board members and Mr. Spoons restoring the Monday work sessions to administrative meetings and scheduling citizens communication and other presentations to the Board during the Wednesday regular meetings. Mr. Spoons then raised the issue of the new open-carry statute to take effect on January 1, 2016. Mr. Flahive discussed with the Board the state of the law before and after January 1, 2016, with respect to prohibiting the unlicensed carry of firearms, the licensed concealed carry of firearms and the licensed open-carry of firearms, particularly with respect to the Board's legal authority to post statutorily compliant signage prohibiting the carrying of firearms within District property.

There being no other matters to come before the Board, upon motion by Director Green and second by Director Conklin, the Board voted unanimously to adjourn at 7:34 p.m.

(SEAL)



Date: November 18, 2015

Jo Jones
Jo Jones, Secretary
Board of Directors