

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

May 18, 2016

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 May 18, 2016, 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, 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 and Marc Marroquin, Jr. with Clearwater Management; Richard Fadal with TexaScapes, Inc.; Kevin Flahive with Armbrust & Brown, PLLC; Capt. Mike Gleason with the Williamson County Sheriff's Department; Will Washington, a resident of the District and President of the Rattan Creek Neighborhood Association; and the following residents of the District: Matthew Szekely, Teresa de Onis, Nancy Hayter, Blair Lapwing, Leon Fainbuch, C.J. Cannaday, Omar Phoenix and Linda Kotek.

Director McNeil called the meeting to order at 6:10 p.m. and stated that the Board would first receive citizen communications and recognized Mr. Szekely. Mr. Szekely stated that the lack of compliance with the Williamson County leash law within the District was an ongoing problem. He stated that he was concerned about the wellbeing of his two young children. Director Conklin stated that there had been more complaints of non-compliance with the leash law over the past 18 months, but that increased enforcement by the Williamson County Sheriff's Department had reduced the problem. He stated that the problem required more attention and encouraged residents to report the days, times and locations during which they see offenders to the Williamson County Sheriff's Department so that they could engage in more targeted enforcement. Director McNeil then recognized Mr. Cannaday, who stated that he also wanted to discuss the problem of non-compliance with the leash law near his residence. He stated that he lived on New Boston Bend at an entrance to the greenbelt where many individuals let their dogs run off-leash. Mr. Cannaday stated that there was no signage relating to the leash law in the area and he thought that such signage may help curb the behavior. He also discussed with the Board recent events of mail and package theft from the mail kiosk located at the corner of Amarillo Avenue and Corpus Christi Drive. Mr. Cannaday stated that the US Postal Service Inspector General's Office had informed him that this was a District matter. The Board, Mr. Spoons and Capt. Gleason discussed with Mr. Cannaday that the District had no jurisdiction

over the mail kiosk, but Capt. Gleason would have his deputies increase patrols in the area. Director McNeil then recognized Mr. Lapwing who stated that his residence was also served by the same mail kiosk and he thought the residents would have to address the matter. Director McNeil asked Mr. Washington to publicize the issue through the Rattan Creek Neighborhood Association. Director McNeil then recognized Ms. de Onis, who handed out pictures of her poodle that was injured in an attack by two off-leash Dobermans within the District. She stated that there was a culture of non-compliance with the leash law within the District and she asked for the District's help with the matter to avoid future attacks. Ms. de Onis stated that additional signage that included the penalty of a \$500 fine and a Class C Misdemeanor may help. Director McNeil stated that he would like to have notices of the leash law added to the District's website and the RCNA's website. Capt. Gleason recommended that residents take photos of violators and provide identifying information, such as the violator's address, if possible. Director McNeil then recognized Ms. Hayter. She asked how to pursue installing a small house in her backyard for use by her daughter and granddaughter. Director Jones directed Ms. Hayter to the RCNA Architectural Control Committee. Ms. Hayter then asked how to pursue utilizing the District's lot near the corner of Parmer Lane and Dallas Drive for a community garden. Director McNeil stated that the concept had been raised at times over the past 15 years, but there had been insufficient support among residents of the District to bring it to fruition. Director Jones stated that she would contact Ms. Hayter about the matter. Director McNeil then recognized Mr. Fainbuch, who recommended to the Board that it encourage residents to take photos of violators of the leash law and provide them to the Williamson County Sheriff's Department. He then stated that he understood there was insufficient land within the District on which a dog park could be constructed, but that many of the residents did not know this and he recommended that the issue be addressed on the District's website. Director Conklin stated that he had tried in the past to engage the group of residents within the District that oppose the leash law, but they had not reciprocated. Director McNeil then recognized Mr. Phoenix, who discussed his recommendations to increase compliance with the leash law. He stated that more signage that states the penalties and provides a phone number to call to report violators would help. Director McNeil then recognized Ms. Kotek. She stated that her house had been egged nine times and she was curious if this was common within the District or she was being singled-out. She then inquired about setting up a neighborhood watch program. Capt. Gleason stated that that a neighborhood watch program was active within the District in years past, but not at the present. He stated that he would assist the program, but the residents needed to come together to staff the program. Capt. Gleason then discussed with the Board and residents in attendance the calls from within the District that the Williamson County Sheriff's Department had received over the past two months. Among the calls that Capt. Gleason reported were: three abuse/neglect calls; one non-injury accident call; one injury accident call; five alarm calls; twenty animal calls; one animal bite/attack call; one cardiac arrest call; two deceased persons calls; six disturbance calls; six domestic disturbance calls; one drug call; one environmental crime call; and ten theft calls. He stated that over the two month period, his officers had conducted ninety-four security checks within the District.

Director McNeil then recognized Mr. Washington to provide the RCNA report. Mr. Washington stated that the member only pool party was rained out and held in the Great Room in the Community Center. He stated that the crawfish boil went well. Mr. Washington then stated that he would be out of town for one to four months, but available by phone or email.

The Board next considered approval of the minutes of the April 18, April 20 and May 4 meetings. Upon motion by Director Collins and second by Director Green, the Board voted unanimously to approve the April 18 minutes as presented. Upon motion by Director Collins and second by Director Green, the Board voted unanimously to approve the April 20 minutes as

presented, with Director Conklin abstaining. Director Jones then discussed with the Board and Mr. Flahive a correction to the May 4 minutes. Upon motion by Director Jones and second by Director Collins, the Board voted unanimously to approve the May 4 minutes, as corrected, with Director Conklin abstaining.

Director McNeil then recognized Mr. Fadal to provide the park and landscape maintenance report. Mr. Fadal stated that he had provided his report at the May 16 meeting and had nothing further.

The Board then received the pool and community center report. Mr. Burke stated that he had provided his report at the May 16 meeting and had nothing further. Mr. Marroquin then discussed with the Board and Mr. Flahive the terms of the Pool Use Agreement with the Hurricane Swim Team and an inconsistency between the terms of the agreement and common practice. After the discussion, Mr. Flahive stated that he would prepare an amendment to the Pool Use Agreement and bring it to the Board for approval at the June regular meeting.

The Board then received a report from the District's general manager. Mr. Spoons stated that he had provided his report at the May 16 meeting. He stated that the City of Austin had delivered a corrected wholesale water service invoice, which he had delivered to Jay Joyce for review and approval and would then have paid.

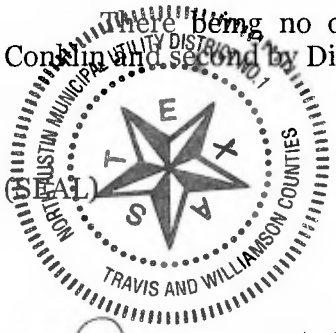
Director McNeil then recognized Ms. Bott to provide the bookkeeper's report. Ms. Bott presented her report to the Board. Ms. Bott reported that the Board had authorized her to roll over a certificate of deposit with International Bank of Commerce at the April Board meeting, but that she had learned that the District would receive a better interest rate from the TexPool account, so she had deposited the funds into the District's TexPool account instead. She also reported that at Monday's Board meeting she had requested and the Board authorized her to rollover a certificate of deposit at Compass Bank with an interest rate of 0.01% into the TexPool account. She stated she was now requesting that the Board authorize her to cash in the certificate of deposit and place the funds with TexPool, since they were paying a higher interest rate. Upon motion by Director McNeil and a second by Director Conklin, the Board unanimously voted to authorize the bookkeeper to cash in the certificate of deposit at Compass Bank and invest the funds with TexPool.

The Board then received a report from the District's engineer. Mr. Malish stated that he had provided his report at the May 16 meeting and had nothing further.

Director McNeil stated the Board would next review the bond projects and consider taking any necessary action. Director Conklin stated that he and Director Green, as the members of the Bond Projects Committee, would meet with Mr. Malish and Mr. Flahive regarding how best to move forward with the drainage project and bring proposals to the Board at the June regular meeting. Director Green then asked Mr. Malish what would be needed to move the culvert project forward in the meantime. Mr. Malish stated that he agreed with Director Collins' recommendation that the District obtain an environmental impact assessment for the entire Rattan Creek area within the District, as it would be required to permit any work within the creek. Mr. Malish discussed with the Board that he had requested and would bring to the Board at the June regular meeting a proposal for the environmental impact assessment for the entire creek, proposals for geotechnical, structural and civil work relating to the design, permitting and construction of the culvert project, and a cost estimate for construction of the culvert project.

There being no restrictive covenant report, Director McNeil stated that the Board would next discuss future annexation, limited district conversion, and other City of Austin related issues, including considering engagement letter with Enoch Keever for legal services related to *City of Austin, Texas v. Public Utility Commission of Texas*, Cause No. D-1-GN-16-001344. Mr. Flahive discussed with the Board the provision that he had added to the engagement letter with Enoch Keever stating that the legal fees would be allocated among the districts pursuant to the 2012 interlocal agreement. Director Conklin then discussed with the other Board members a hearing to be conducted by the Texas Senate Intergovernmental Communications Committee the following day on the subject of annexation legislation. He stated that Wells Branch MUD had retained Brian Sledge and those interested in speaking at the hearing would meet with Mr. Sledge and then attend the hearing. The Board members encouraged Director Conklin to attend and speak on behalf of the Board. Director Conklin then discussed with the other Board members meeting that 3 Point Partners was scheduling with City of Austin City Council members to discuss the water rate case. He stated that he would attempt to attend all of the meetings and invited the other Board members that were able to attend to do so. The Board members encouraged Director Conklin to attend and speak on behalf of the Board. Director Collins asked Director Conklin to let him know when the meetings were scheduled so that he could attend as his scheduled permitted.

There being no other matters to come before the Board, upon motion by Director Conklin and second by Director Green, the Board voted unanimously to adjourn at 7:43 p.m.



Jo R Jones  
Jo Jones, Secretary  
Board of Directors

Date: June 15, 2016