

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

March 15, 2017

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 March 15, 2017, 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
Kim Green	-	Treasurer
Rachel Beaulieu	-	Assistant Secretary/Treasurer

and all of said Directors were present, except for Director Conklin, thus constituting a quorum. Also in attendance at the meeting were Mary Bott with Bott & Douthitt, P.L.L.C.; David Malish with Murfee Engineering Co., Inc.; Marc Marroquin with Premier Recreation Management; Andrew Hunt with Crossroads Utility Services, L.L.C.; Richard Fadal with TexaScapes, Inc.; Sergeant Troy Brogden with the Williamson County Sheriff's Office; Kevin Flahive with Armbrust & Brown, PLLC; and April Bliss, a resident of the District and President of the Rattan Creek Neighborhood Association.

Director McNeil called the meeting to order at 6:03 p.m. and stated that the Board would first consider approval of the January 16, February 13 and February 15 minutes. Upon motion by Director Jones and second by Director Green, the Board voted unanimously to approve the January 16 minutes, as presented. Upon motion by Director Jones and second by Director Green, the Board voted unanimously to approve the February 13 minutes, as presented. Upon motion by Director Jones and second by Director Green, the Board voted unanimously to approve the February 15 minutes, as presented.

There being no citizens communications, Director McNeil addressed Ms. Bliss to provide a report from the Rattan Creek Neighborhood Association (the "RCNA"). Ms. Bliss stated that the RCNA's next events would be the neighborhood garage sale on March 25, followed by the Easter egg hunt event on April 8, which would be moved to April 15 if the event is rained out on April 8. She stated that she was not yet sure of the date for the crawfish boil event.

Director McNeil then addressed Sergeant Brogden to provide the security report. Sergeant Brogden reviewed his report with the Board, attached as **Exhibit "B"**. He clarified that the reference in his report to an abduction within the District did not occur and was, in fact, a scam seeking a ransom. Sergeant Brogden stated that he would address the matter in his April report. The Board then directed Mr. Hunt to work with Maxwebs to set up a process to upload each of Sargeant Brogden's monthly reports to the District's website.

The Board next received the park and landscape report. Mr. Fadal referred the Board to his report, attached as **Exhibit "C"**, and reviewed it with the Board. He stated that this was a busy time of year picking up Oak leaf drops and mowing. Mr. Fadal stated that ant treatments would soon begin. He stated that removal of the split rail fence at Robinson Park had been completed. Mr. Fadal stated that bamboo removal in the greenbelt adjacent to 12911 Marimba Trail and 7401 Rankin Trail was underway. He stated that he would work with the Parks & Greenbelt Committee to identify additional projects and bring proposals for those projects to the Board in April. Mr. Fadal then coordinated a meeting with the Parks & Greenbelt Committee at 2:00 p.m. on March 16 to inspect the completed and ongoing projects.

Director McNeil then addressed Mr. Marroquin to provide the pool and community center report. Mr. Marroquin referred the Board to his report, attached as **Exhibit "D"**, and reviewed it with the Board. He addressed the pool heater repair project, the tennis court security system issues and ongoing efforts to remedy those issues, and the recent occurrence of a child pulling the fire alarm pull in the community center. Mr. Marroquin then discussed the need to repair or replace the benches in the men's locker room by the pool. After discussion, upon motion by Director Green and second by Director Jones, the Board voted unanimously to direct Mr. Marroquin to retain the subcontractor of his choice to replace all three benches in the locker room, with benches of a composite material, if possible, at a total cost to the District not to exceed \$3,000.00. Mr. Marroquin then discussed with the Board the Hurricane Swim Team's request to place signage on and around the tennis courts in Rattan Creek Park to publicize the swim team until June 1. The Board directed Mr. Marroquin to allow the swim team to place the signs in the park. Mr. Marroquin then discussed with the Board a request to use the community center for a children's yoga class at a cost equal to the reduced rental rates paid by the kinder dance and karate groups, which is approximately 20% of the amount paid by attendees of the class. After discussion, the Board elected to decline to provide the discounted rate and directed Mr. Marroquin and Mr. Flahive to locate copies of the District's rental agreements with the kinder dance and karate groups, as well as the church group that rents the community center, for the Board's review and consideration. Mr. Marroquin then discussed with the Board a request by a therapist to use the small conference room in the community center for meetings held by an eating disorder support group, comprised of 8-12 people, at no cost. He stated that the requestor stated that approximately 20%-30% of the attendees would be residents of the District. After discussion, the Board declined to rent the conference room to the group at no cost.

There being no cleaning services report, the Board directed Mr. Hunt to contact Mr. McKenzie to remind him to furnish the Board with the monthly written report.

Director McNeil then addressed Mr. Hunt to provide the general manager's report. Mr. Hunt referred the Board to his report, attached as **Exhibit "E"**, and reviewed it with the Board. He stated that he would seek to have Randy Wilburn attend the April regular meeting either in person or by phone to update the Board regarding the status of the water and wastewater rate cases. Mr. Hunt stated that the curbside cleanup would occur on April 1. He then discussed with the Board the incident involving a driver that ran into a fire hydrant, resulting in the District's replacement of the hydrant at a cost of \$2,800, for which he would invoice the driver. Mr. Hunt then discussed the incident on Dime Box Trail involving a wastewater backup due to a tree root within the wastewater line. He explained that the resident was requesting that the District reimburse her in the amount of \$320.00 for the cost she incurred to have a contractor auger the wastewater line. After discussion, the Board directed Mr. Hunt to reimburse the resident in the amount of \$320.00. Mr. Flahive then discussed with the Board the terms of the proposed Amended and Restated Order Establishing Water and Wastewater Service Rates,

Charges and Tap Fees, and Adopting General Policies with Respect to the District's Water, Wastewater and Drainage Systems, attached as **Exhibit "F"** (the "Amended and Restated Rate Order"). He explained the terms relating to deposits required of applicants for District approvals, as directed at the February 15 regular meeting. After discussion, upon motion by Director Jones and second by Director Green, the Board voted unanimously to approve the Amended and Restated Rate Order, as proposed.

The Board then received a report from the bookkeeper. Ms. Bott referred the Board to the cash activity report that she handed out, attached as **Exhibit "G"**. She reviewed with the Board the director and vendor payments, the three transfers, the certificate of deposit renewal or redemption, depending on the interest rate that could be obtained by renewing, all for Board approval. Ms. Bott stated that the per diem check for Director Conklin would be voided due to his absence. She then discussed the proposed resolutions and agreement to establish the Local Government Investment Cooperative ("LOGIC") accounts, attached as **Exhibits "H", "I" and "J"**. Upon motion by Director Jones and second by Director Beaulieu, the Board voted unanimously to approve the director and vendor payments, the three transfers, the certificate of deposit renewal or redemption, at Ms. Bott's election based on the interest rate that would be obtained by renewing, and the resolutions and agreement for the LOGIC accounts.

The Board next received the engineer's report from Mr. Malish. He referred the Board to his report, attached as **Exhibit "K"**. Mr. Malish reviewed his report with the Board, stating that the Amber Oaks Lots 4, 5 & 6 project would be changed, requiring further review. He stated that the size of the water line for Standard Pacific would be increased in response to comments from the Jollyville Fire Department, the developer of which was approximately \$1,200.00 in arrears to the District for review expenses. Mr. Malish stated that he was working with Mr. Hunt to prepare a table reflecting the status of all projects under review and approvals in process with the District, the amount of funds on deposit by the applicant, and the actions remaining to be taken by the District's consultants. He stated that he would provide this information, as to each applicant's project, with a copy of the Amended and Restated Rate Order. Mr. Malish stated that the Booster Station Enclosure and Robinson Park Restroom projects were not progressing as expected. He stated that he would continue to communicate with the contractor regarding those projects. Mr. Malish stated that he expected City of Austin approval of the Rattan Creek Park Pavilion project in the near term, which would require the posting of fiscal surety in the estimated amount of \$7,195.00, to secure the District's obligation to install and maintain erosion controls for the project, which amount would be refunded to the District at the conclusion of the project. He requested that the Board approve an amount not to exceed \$9,000.00 for fiscal surety for the Rattan Creek Park Pavilion project so that Mr. Malish could obtain permit approval. Upon motion by Director Jones and second by Director Green, the Board voted unanimously to approve the amount not to exceed \$9,000.00 for the stated purpose. Mr. Malish then discussed holding a meeting with the Community Center Committee and Rattan Creek Park Pavilion architect, Duke Garwald, to review and, if desired, modify the architectural plans for the project prior to soliciting bids for the project. The Board directed Mr. Malish to schedule the meeting. Mr. Malish then discussed the Tamayo Bridge project with the Board. The Board requested that Mr. Malish provide to the Board the plans for the project indicating the areas within which the required trees and shrubs must be planted. Mr. Malish then updated the Board on the status of the Rattan Creek Drainage Study, stating that the study would not be published until mid-2018. Lastly, Mr. Malish discussed with the Board the portion of the District's wastewater lines that must be TVed in 2017 and stated that he had solicited a proposal from Utility Testing and Services, the company that has provided TV services to the District the last few years, at an approximate cost of \$2.00 per linear foot of wastewater line. Upon motion by Director McNeil and second by Director Green, the Board voted unanimously

to approve an amount not to exceed \$45,000.00 to fund Utility Testing and Services TVing of the wastewater lines in the District for 2017, subject to the contractor's compliance with HB 1295.

There being no bond projects to discuss or lobbyists' report, the Board next received the restrictive covenants report. Mr. Flahive stated that he had no matters to address with the Board. However, he stated that he would address 13102 New Boston Bend at the April regular meeting. He stated that he had received correspondence from the property owner and Sage Management that he would discuss with the Board at the April regular meeting.

There being no future annexation, limited district conversion, or other City of Austin related issues or attorney's report, the Board next discussed potential accommodations for the 2017 CASE Conference. There being no other matters to come before the Board, upon motion by Director McNeil and second by Director Green, the Board voted unanimously to adjourn at 8:03 p.m.

(SEAL)



  
Rachel Beaulieu, Asst. Secretary/Treasurer  
Board of Directors

Date: April 19, 2017