

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

June 21, 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 June 21, 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, 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.; Diana Sagnes with Sage Management Services; Smitty McKenzie with SDI Management; Sergeant Troy Brogden with the Williamson County Sheriff's Office; Kevin Flahive with Armbrust & Brown, PLLC; April Bliss, a resident of the District and President of the Rattan Creek Neighborhood Association; and Dennis Minks and Spencer Sartin, residents of the District.

Director McNeil called the meeting to order at 6:08 p.m. and stated that the Board would first consider approval of the May 17 and May 22 minutes. Director Conklin pointed out a correction on page 1 of the May 17 minutes. Upon motion by Director Jones and second by Director Green, the Board voted unanimously to approve the May 17 minutes, as corrected, with Director McNeil abstaining. Upon motion by Director Conklin and second by Director McNeil, the Board voted unanimously to approve the May 22 minutes, as presented, with Director McNeil abstaining.

Director McNeil then stated that the Board would receive citizens communications and addressed Mr. Minks. Mr. Minks discussed with the Board the maintenance of the bench and associated landscaping located in the greenbelt near the Greybull Trail trailhead in honor of Cpl. Chad Eric Oligschlaeger. He requested that the Board consider extending water to the area via hose bib or irrigation system for use in connection with the landscaping. The Board complimented Mr. Minks regarding the high quality of maintenance of the area over the past nine years and directed Mr. Hunt and Mr. Fadal to investigate the District's options for extending water service to the area and report back to the Board. Director McNeil then addressed Mr. Sartin. Mr. Sartin updated the Board on the status of his Eagle Scout project to install mile markers along the entire length of the trail in the greenbelts. Director Conklin asked

Mr. Sartin to obtain a report and/or verification of completion of the project from Williamson County for presentation to the Board.

Director McNeil addressed Ms. Bliss to provide a report from the Rattan Creek Neighborhood Association (the "RCNA"). Ms. Bliss thanked Mr. Marroquin for his assistance with the RCNA members only pool party, which she reported was attended by 50-60 people and resulted in 25 new RCNA memberships. She stated that the RCNA's next event, RattanFest, would be held on September 23.

Director McNeil then recognized Sergeant Brogden to provide the security report. Sergeant Brogden reviewed his report with the Board, attached as **Exhibit "B"**. He stated that the two most notable events over the prior month were the theft of tools and copper wiring from the Booster Station Enclosure project that was under construction and the single vehicle accident on Dallas Drive. Director Green asked Sergeant Brogden if he was aware of the recent reports on social media of shots fired into homes along Parmer Lane. He responded that he had not received any reports to that effect. Director Green then discussed with Sergeant Brogden recent reports of a suspicious van in the District. He stated that he would inform the other Williamson County Sheriff's Deputies of those reports.

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 there was a lot of activity in the District's parks. Mr. Fadal stated that he was targeting ragweed in the greenbelts and parks. He then updated the Board on the status of the projects approved by the Board in recent months, stating that six of the nine projects had been completed, as reflected in his report. Mr. Fadal stated that he would complete setting the stone benches in the greenbelt in July. He then presented proposal 9153, attached as **Exhibit "D"**, for topdressing and fertilizing the three soccer fields, at a cost of \$9,231.40. Upon motion by Director McNeil and second by Director Jones, the Board voted unanimously to approve the proposal, as presented.

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 "E"**, and reviewed it with the Board. He stated that all benches had been installed in the men's restroom and the project to paint the exterior of the community center, pergolas and wrought-iron fences would commence on June 24. Mr. Marroquin stated that the Karate group had until July 15 to furnish the required certificate of insurance or discontinue use of the community center. He then stated that the first Hurricane Swim Team swim meet went well and that they'd requested private use of the pool on July 10 from 6:00 p.m. to 8:00 p.m. for their annual year-end banquet. After discussion, the Board elected to allow use of the pool on July 10 from 7:00 p.m. to 9:00 p.m. Director Conklin then asked about the high volume of fliers and signs posted on District property for summer camps not conducted in a District facility. The Board directed Mr. Hunt to contact the groups posting the fliers and signs to request that they be removed, prior to having them removed.

The Board next received the cleaning services report. Mr. McKenzie reviewed his report, attached as **Exhibit "F"**, with the Board. The Board directed Mr. McKenzie to provide the date of vandalism of the outdoor restroom at the community center to Mr. Marroquin so that he could try to determine what group was using the community center at that time.

Director McNeil then addressed Mr. Hunt to provide the general manager's report. Mr. Hunt referred the Board to his report, attached as **Exhibit "G"**, and reviewed it with the Board. He discussed with the Board the scope of repairs to the Rattan Creek Park and Robinson Park

playscapes to be made, which Crossroads Utility Services L.L.C. ("Crossroads") would subcontract to perform. Upon motion by Director Conklin and second by Director Jones, the Board voted unanimously to direct Crossroads to cause the repairs to be made at a cost of \$6,561.02. Mr. Hunt then discussed with the Board the findings from the recent Texas Municipal League ("TML") aquatic facility inspection. He then discussed with the Board a late fee waiver request from the owner of the Rattan Creek Apartments. After discussion, the Board elected to decline to waive the late fees incurred by the property owner. Mr. Hunt then presented the proposed Contractor Agreement with T Bar M Land Services, LLC, attached as Exhibit "H", for repair of the five footbridges within the District, replacing the decking and stringers, at a total cost of \$13,575.00 if treated wood were used, or a total cost of \$17,375.00 if poly decking were used. Upon motion by Director Green and second by Director McNeil, the Board voted unanimously to approve the Contractor Agreement, utilizing poly decking at a cost of \$17,375.00, subject to HB 1295 compliance, and directed the Parks & Greenbelt Committee to select the color of the decking to be used. Mr. Hunt then reviewed the proposed Plumbing Inspection Services Agreement with Roadrunner Inspection Services, LLC, attached as Exhibit "I". After discussion, upon motion by Director Conklin and second by Director Jones, the Board voted unanimously to approve the agreement, as proposed. Mr. Hunt then discussed the content of the Payment Plan Agreement with Edward Hauser relating to reimbursement to the District for the cost of repair to the fire hydrant, which he would contact Mr. Hauser to execute. Mr. Hunt then reviewed his perimeter fence options and estimated costs memorandum, attached as Exhibit "J". After discussion with Mr. Hunt and Mr. Malish, the Board directed them to revise the options described in the memorandum to include additional locations for fencing within the District and associated estimated costs to the Board at the July regular meeting.

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 "K". She reviewed with the Board the one additional check to the Texas State Comptroller in the amount of \$1,151.97 for approval. Upon motion by Director McNeil and second by Director Green, the Board voted unanimously to approve the additional payment, as proposed.

The Board next received the engineer's report from Mr. Malish. He referred the Board to his report, attached as Exhibit "L". Mr. Malish reviewed his report with the Board, stating that he had received updated plans for the Amber Oaks Lots 4, 5 & 6, which he would review. He stated that the Continental Properties project was nearing completion and two model homes had been completed in the Standard Pacific Properties project. Mr. Malish stated that he would require that both developers clean out the storm sewer inlets affected by the projects. He reported that the Booster Station Enclosure and Robinson Park Restroom projects were progressing. Mr. Malish then discussed the redesign of the Rattan Creek Park Pavilion project with the Board. Director Green reviewed the revised illustration prepared by Duke Garwood. The Board discussed the addition of the fire place to the design and the impact on appropriate materials for the structure. The Board elected to proceed with the redesign and directed Mr. Malish to work with Mr. Fadal to determine any necessary tree-trimming for the project and to work with Mr. Garwood to produce final drawings for Board approval at the July regular meeting, prior to soliciting bids. Mr. Malish then discussed the status of the Tamayo Bridge project, stating that turnover in staff at Williamson County had slowed the review and approval process. He reported that he had received plans for the waterline to serve Advanced Smiles Dental, which he would review. Mr. Malish stated that he understood that the Rattan Creek Drainage Study would be published in mid to late summer of 2018. Lastly, he reviewed with the Board the investigation report from Texas Commission on Environmental Quality staff regarding the improvements constructed by NW Austin Office Partners LLC at 13630 Briarwick Drive, finding two violations.

The Board next considered approval of the First Amendment to Pool Use Agreement with CK Swimming LLC for The Sailfish Swim Team. After discussion, upon motion by Director Green and second by Director Jones, the Board voted unanimously to approve the amendment, modified by Mr. Flahive to limit CK Swimming LLC's use of the pool to competitive youth swim team purposes, attached as **Exhibit "M"**.

There being no discussion or action regarding bond projects, the Board next received the lobbyists' report. Director Conklin stated that the annexation legislation was included by Governor Abbott on the list of items that may be addressed by the Legislature during the called Special Session.

The Board next received the restrictive covenants report. Ms. Sagnes reviewed her report with the Board. The Board directed Ms. Sagnes to contact Sergeant Brogden relating to allegations of illegal activity within the District.

Director Conklin then updated the Board regarding a recent discussion with Jay Joyce relating to the City of Austin wholesale rate cases.


There being no future annexation, limited district conversion, or other City of Austin related issues, the Board next received a report from the District's attorney. Mr. Flahive provided the Board with an update regarding the status of the litigation relating to the Water Line Easement (OPRWTC 2001060527), stating that NW Austin Office Partners LLC had until July 11 to file a response to the District's petition. Mr. Flahive then reviewed the proposed Order Establishing Records Management Program and Appointing Records Management Officer, and Appointing Public Information Coordinator, attached as **Exhibit "N"**, with the Board. Upon motion by Director Conklin and second by Director Jones, the Board voted unanimously to approve the Order, as proposed. Mr. Flahive then discussed with the Board his recommendation that the Board consider purchasing from TML workers' compensation coverage for the Board members and for a fifth Williamson County Sheriff's Deputy providing security services to the District. After discussion, upon motion by Director McNeil and second by Director Green, the Board voted unanimously to purchase both additional workers compensation coverages from TML Intergovernmental Risk Pool, effective immediately through endorsements and then added to the District's coverages effective October 1, at a total cost not to exceed \$700.00. Lastly, Mr. Flahive reviewed the budget and tax rate action item schedule for the fall, attached as **Exhibit "O"**.

There being no other matters to come before the Board, upon motion by Director McNeil and second by Director Jones, the Board voted unanimously to adjourn at 9:41 p.m.

(SEAL)



Date: July 19, 2017

  
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Jo Jones, Secretary  
Board of Directors