

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

June 26, 2019

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 26, 2019, 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:

Jo Jones	-	President
Donald G. Conklin	-	Vice President
Diana Christiano	-	Secretary
Kim Green	-	Treasurer/Assistant Secretary
Rachel Beaulieu	-	Assistant Secretary/Assistant 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.; Richard Fadal with TexaScapes, Inc.; Marc Marroquin with Premier Recreation Management Services, LLC; Andrew Hunt with Crossroads Utility Services, L.L.C.; Sergeant Troy Brogden and Detective Jason Waldon with the Williamson County Sheriff's Office; Jimmy and Diana Sagnes with Sage Management Services; April Bliss and Deana Tollerton with the Rattan Creek Neighborhood Association; Jay Howard with Texas Disposal Systems, Inc.; and Kevin Flahive with Armbrust & Brown, PLLC.

Director Jones called the meeting to order at 6:04 p.m., and stated that the Board would first consider approval of the May 13, 2019 and May 15, 2019 minutes. Upon motion by Director Green and second by Director Beaulieu, the Board voted unanimously to approve the May 13, 2019 and May 15, 2019 minutes, as presented.

The Board next received citizen communications and Director Jones addressed Ms. Tollerton. Ms. Tollerton stated that many residents had been discussing the potential splash pad project that the Board was considering. She requested that the Board solicit input from the residents of the District. Director Green encouraged interested residents to attend the Board's regular meetings to provide input. Director Jones recommended, and the Board discussed, putting up signage soliciting resident input at the pool.

The Board next received a report from the Rattan Creek Neighborhood Association (the "RCNA"). Ms. Bliss stated that the RCNA's next event would be the Fourth of July parade. She requested, and Sergeant Brogden confirmed, that two off-duty Sheriff's Deputies would attend the event. She then requested that the Board approve an adult swim night at the pool. Mr. Marroquin stated that if alcohol were to be served, he would coordinate with Sergeant Brogden to have an off-duty Sheriff's Deputy present at the event. The Board agreed and directed Mr. Marroquin to select the date of the event. Ms. Bliss then discussed the National Night Out event

at 6:00 p.m. on August 6, 2019. She stated that the RCNA would have food trucks in the Community Center parking lot. The Board discussed the event with Mr. Flahive and elected to post notice of a special Board meeting for that event, as a quorum of the Board would be present and the Board would discuss District business with each other and residents of the District at the event. Ms. Bliss concluded by stating that the children's concert would be held at 10:00 a.m. on July 13, 2019 in Rattan Creek Park.

Director Jones then stated that the Board would receive the restrictive covenants report and recognized Mr. and Mrs. Sagnes. Mrs. Sagnes reviewed her report. Director Jones then stated that she wanted to schedule a special Board meeting that the all directors could attend so that the Amended and Restated Resolution Adopting Rules Relating to Enforcement of Restrictive Covenants and the Amended and Restated Resolution Approving Form Notice of Violation Letters could be discussed and acted on. The Board elected to hold the meeting at 6:30 p.m. on July 8, 2019 and requested that Mr. Flahive and Mr. and Mrs. Sagnes attend.

The Board next received the accountant's report. Ms. Bott distributed an updated cash activity report, attached as **Exhibit "B"**, which contained fifteen additional checks. She stated that she would void Director Conklin's per diem check, due to his absence. After discussion, upon motion by Director Jones and second by Director Green, the Board voted unanimously to approve the additional checks referenced on the updated cash activity report, but directed Ms. Bott to hold the reimbursement check to Director Green while she contacted the car rental company about having the sales tax charge removed.

Director Jones stated that the Board would next receive the security report. Sergeant Brogden reviewed his report, attached as **Exhibit "C"**. He stated that the Williamson County Sheriff's Office had received 150 calls from within the District during the month of May. Sergeant Brogden and Detective Waldon then discussed the incident involving a backpack that was set on fire, damaging the concrete in the Grand Pavilion. Director Jones stated that Mr. Marroquin attempted to remove the char on the concrete using a pressure washer, but was not successful. Detective Waldon stated that the parties involved were youths. He asked the Board if it desired to prosecute a property damage charge. After discussion, upon motion by Director Green and second by Director Jones, the Board voted unanimously prosecute a property damage charge.

Director Jones then addressed Mr. Fadal to provide the park and landscape maintenance report. Mr. Fadal referred the Board to his report, attached as **Exhibit "D"**, and reviewed the report with the Board. He stated that all approved projects were either on schedule or close to being on schedule. Mr. Fadal stated that the soccer field repair and topdressing project had been delayed due to recent rainfall, but should be completed by the end of the week. He stated that the poison ivy treatments had been completed. Mr. Fadal stated that he would bring some seasonal proposals to the July 17, 2019 regular Board meeting. He stated that he would coordinate with Mr. Hunt and the Parks & Greenbelt Committee on the 2019-2020 budget proposals. Mr. Fadal stated that he had provided two conceptual plans for the new monument sign for the Community Center to the Community Center Committee. He then presented: (i) proposal no. 9511 for Rattan Creek Park eastern trail repair in the amount of \$24,709, attached as **Exhibit "E"**; and (ii) proposal no. 9512 for spring/summer color installation in the amount of \$1,607, attached as **Exhibit "F"**. Mr. Fadal and the Board then discussed the need to address the drainage issue affecting the portion of the trail located near Napier Trail. He stated that he would inspect the area and prepare a proposal. The Board directed Mr. Fadal to submit the proposal for consideration at the July 8, 2019 special Board meeting. Upon motion by

Director Green and second by Director Christiano, the Board voted unanimously to approve both proposals, as presented.

Director Jones then advised Sergeant Brogden that Mr. Hunt's office would put up temporary signage notifying residents of the prohibition against ignited fireworks within the District prior to the Fourth of July.

The Board next reviewed the proposed Solid Waste & Recycling Collection & Disposal Agreement with Texas Disposal Systems, Inc. Mr. Hunt stated that Mr. Howard was in attendance to address any questions the Board may have. Director Beaulieu asked Mr. Howard to provide the approximate costs that the contractor would incur in order to provide solid waste services to the District. Mr. Howard stated that the carts would cost approximately \$400,000 and a new truck would need to be added to the fleet at a cost of approximately \$325,000, of which 20% would be attributed to the District, for a total approximate cost of \$465,000. Director Jones then asked if there were any other questions of Mr. Howard. There being none, at 6:51 p.m., Director Jones stated that the Board would convene in executive session pursuant to Section 551.071 of the Texas Government Code to receive legal advice from Mr. Flahive relating to the Solid Waste & Recycling Collection & Disposal Agreement. The Board reconvened in the open meeting at 7:26 p.m. and Director Jones stated that no actions were taken during executive session. The Board then directed Mr. Flahive and Mr. Hunt to continue negotiations with Texas Disposal Systems, Inc.

The Board then received the pool and community center report. Mr. Marroquin reviewed his report, attached as **Exhibit "G"**. He discussed with the Board the proactive steps that he and his staff were taking to ensure safety at the pool in light of the recent youth drowning at a public pool in Cedar Park. Mr. Marroquin stated that use of the pool had been very high. He stated that movie nights would be held at the pool on the evenings of July 19, 2019 and August 3, 2019. Mr. Marroquin recommended that the adult swim night discussed earlier in the meeting be held on August 10, 2019. The Board agreed and directed Mr. Marroquin to screen a movie at the event and charge a small fee to fund the licensing fee, if necessary. Mr. Marroquin then stated that he was continuing to work with the Community Center Committee on the event coordinator position that would be proposed to the Board at the July 17, 2019 regular meeting. Mr. Hunt then presented color scheme options for the resurfaced tennis courts and basketball court. After discussion, the Board directed that the resurfaced courts be blue with green surrounds. Mr. Marroquin then presented the Pool Use Agreement with CK Swimming LLC, attached as **Exhibit "H"**. After discussion, upon motion by Director Green and second by Director Christiano, the Board voted unanimously to approve the Pool Use Agreement, as presented.

The Board next received the general manager's report. Mr. Hunt referred the Board to his report, attached as **Exhibit "I"**, and reviewed it with the Board. He stated that the materials for the gaga ball pit had been ordered and should be received later in the week. Mr. Hunt stated that, as discussed at a prior meeting, the District's consultants would share in the cost of the materials and, if necessary, the District would fund any costs not paid by the consultants. He stated that the District's water loss was 4%. Mr. Hunt then discussed the wastewater line blockage caused by tree roots near 7017 Buccaneer Trail. He stated that since the blockage was in the District's line, he would coordinate reimbursement to the resident of the costs incurred in hiring a licensed plumber to investigate the matter. Mr. Hunt confirmed that the reimbursement check was one of the additional checks approved earlier in the meeting. He stated that he did not have any write-offs for the Board's consideration. Mr. Hunt then stated that he was working to complete the design/build proposal for the splash pad project for the

Board's consideration. The Board then discussed possible locations for the splash pad, if the Board elected to construct the project. Mr. Hunt stated that he would present the design/build proposal to the Pool Committee before bringing it to the Board. He stated that his office would soon perform lead and copper water sampling within the District, as required to be performed every three years. Mr. Hunt stated that the findings of the sampling must be submitted to the Texas Commission on Environmental Quality by September 30, 2019. He stated that he would coordinate a meeting between the Williamson County Liaison Committee and Williamson County Commissioner Terry Cooks in the near term. Mr. Hunt stated that the special Board meeting to conduct a budget workshop would be held at 6:30 p.m. on July 29, 2019. He then presented the proposal from Hot Dog Marketing for website design services in the amount of \$6,250, attached as **Exhibit "J"**. After discussion, upon motion by Director Jones and second by Director Beaulieu, the Board voted unanimously to approve the proposal, as presented.

At 8:29 p.m., Director Jones stated that the Board would take a short recess. Director Jones reconvened the meeting at 8:40 p.m. and addressed Mr. Malish to provide the engineer's report. Mr. Malish reviewed his report, attached as **Exhibit "K"**, with the Board. He stated that the site plan for the Tamayo Bridge project had been approved by the City of Austin, but Williamson County had not provided approval. Mr. Malish stated that the water and wastewater infrastructure within the Amber Oaks Lots 4, 5 & 6/Advanced Smiles projects had been completed and that the Water Lines Easement needed to be approved and recorded. He stated that the water meter for Advanced Smiles had been set. Mr. Malish then stated that he had not heard from the engineers or developers of the self-storage and convenience store projects. He stated that Austin Water Utility had approve the site plan for the water line relocation project on the NW Austin Office Partners LLC site. Mr. Malish stated that the depth of area electric facilities would need to be determined in order to obtain final City of Austin approval of the site plan, which he was working on. He then discussed the Parmer Lane bridge project with the Board and recommended that the Board retain Bill Kelm with Pickett, Kelm & Associates, Inc. to provide structural engineering services and John Wooley with Balcones Geotechnical to provide geotechnical engineering services. Mr. Malish stated that he would present proposals from both contractors for consideration at the July 17, 2019 regular Board meeting. He then discussed with the Board the federal requirement that the District commission an Emergency Response Plan for its water and wastewater infrastructure. Mr. Malish stated that he would locate and solicit proposals from contractors that prepare these plans for Board consideration.

There being no lobbyists' report, bond projects, City of Austin wholesale rate cases, future annexation, limited district conversion or other City of Austin related issues to come before the Board, the Board next received the attorney's report.

Mr. Flahive stated that the Agreement for Gas Installation by Texas Gas Service in the packet was not final, as it did not contain the exhibits. He stated that the agreement did correctly provide that the relocation of the gas main to facilitate the Tamayo bridge project would be designed, permitted and constructed by Texas Gas Service at a fixed cost to the District. Mr. Flahive stated that he expected to present the final agreement to the Board for consideration at the July 17, 2019 regular meeting. He then presented the Water Lines Easement from Bentraker LLC for the Advanced Smiles Project, attached as **Exhibit "L"**, which he stated was on the District's required form. Upon motion by Director Jones and second by Director Green, the Board voted unanimously to approve and accept the Water Lines Easement. Mr. Flahive then presented the schedule for adopting the 2019-2020 budget and 2019 tax rate. He explained that Travis Central Appraisal District had received such a large volume of ad valorem tax protests that it would not be able to timely deliver the certified tax rolls. Mr. Flahive

explained that his office would continue to work with Travis Central Appraisal District on the matter.

Director Jones then asked if there were any other matters to come before the Board. Director Beaulieu stated that she supported Ms. Tollerton's proposal to have the Board solicit input from the residents on the splash pad project, if the Board moves forward with the project. The Board discussed the Pool Committee engaging the residents to obtain input in connection with its diligence on the potential project. There being no other matters to come before the Board, upon motion by Director Jones and second by Director Green, the Board voted unanimously to adjourn at 9:21 p.m.

(SEAL)



  
Diana Christiano, Secretary  
Board of Directors

Date: July 17, 2019