

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

March 17, 2021

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 17, 2021, 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 as **Exhibit "A"**.

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

Donald G. Conklin	-	President
Jo R. Jones	-	Vice President
Diana Christiano	-	Secretary
Kim Roche-Green	-	Treasurer/Assistant Secretary
Rachel Beaulieu	-	Assistant Secretary/Assistant Treasurer

and all of said Directors were present, except for Director Beaulieu, thus constituting a quorum. Also in attendance at times during the meeting were David Malish with Murfee Engineering Co., Inc.; Andrew Hunt with Crossroads Utility Services, L.L.C.; Greg Behl with Texas Disposal Systems, Inc. ("TDS"); Richard Fadal with TexaScapes, Inc.; Marc Marroquin with Premier Recreation Management Services, LLC; Deputy Tim Ramos with the Williamson County Sheriff's Office; Chris Newman with the Rattan Creek Neighborhood Association (the "RCNA"); and Kevin Flahive with Armbrust & Brown, PLLC.

Director Conklin called the meeting to order at 6:00 p.m. There being no citizen communications, the Board considered approval of the February 22 and February 24 minutes. Upon motion by Director Conklin and second by Director Jones, the Board voted 4-0 to approve the February 22 minutes, as presented. The Board then addressed corrections to lines 171, 174, 192 and 196 of the February 24 minutes. Upon motion by Director Conklin and second by Director Jones, the Board voted 4-0 to approve the February 24 minutes, as corrected.

Director Conklin then recognized Ms. Newman to provide a report from the RCNA. Ms. Newman stated that the community brush clean-up effort went well. She confirmed that she did not think additional brush pickups by TDS would be necessary. Ms. Newman then stated that the RCNA would resume publishing a newsletter, which would initially be an electronic newsletter and ultimately return to a hardcopy newsletter.

Director Conklin stated that the next item on the agenda was the restrictive covenants report. He stated that the Board would return to the agenda item later in the meeting in order to convene in executive session and receive legal advice from Mr. Flahive regarding pending enforcement actions and then take any necessary actions.

The Board next considered the accountant's report. Mr. Hunt stated that he had nothing new to report since the March 15 bills and invoices meeting. Director Conklin stated that he had

inquired with Mary Bott and confirmed that the District's ad valorem tax collections were on pace with the two prior years.

Director Conklin then stated that the Board would next consider security matters. Deputy Ramos referred the Board to the report from the Williamson County Sheriff's Office, attached as **Exhibit "B"**, and asked if there were any questions. The Board discussed with Deputy Ramos the complaints received from residents on Dime Box Trail relating to a mold remediation contractor conducting business out of a residence on the street and congesting the street with commercial vehicles and roll-off dumpsters filled with mold contaminated materials. Deputy Ramos then discussed recent incidents of mailbox theft within the District.

The Board next received the park and landscape maintenance report. Mr. Fadal reviewed his report, attached as **Exhibit "C"**, with the Board. He stated that the fallen branch and storm clean-up project within the District's parks and greenbelts was approximately 95% completed. Mr. Fadal stated that his crews had pruned back the perennials and small shrubs, but not larger shrubs or trees at this time. He stated that he would re-inspect the District's parks and greenbelts in April and provide an inventory of the damage caused by the storm at the April 21 regular Board meeting.

The Board next received the solid waste services report. Mr. Behl introduced himself to the Board and stated that, due to Ja-Mar Prince's promotion, he would take over as the TDS representative for the District. He then referred the Board to his report, attached as **Exhibit "D"**. Director Conklin thanked Mr. Behl for TDS's preparation of the proposal for additional brush pickups within the District, but the Board did not think it was necessary to conduct those additional pickups. The Board then discussed and directed Mr. Hunt to post information about TDS's requirements for size, weight and bundling of brush for pickup on the District's Facebook page and website. Mr. Behl stated that he had information and illustrations that he would provide to Mr. Hunt for that purpose. Director Jones recommended to Mr. Behl that TDS's Waste Wizard app be utilized to push notices of the four-week unlimited leaf bag pickup periods occurring twice per year. Mr. Hunt recommended to Mr. Behl that the Waste Wizard app also be utilized to push out a notice of the upcoming bulk item pickup on April 17. Mr. Behl stated that he would provide an informational video regarding bulk item pickup for Mr. Hunt to post to the District's Facebook page and website. The Board then directed Mr. Hunt to install signage regarding the bulk pickup within the District.

Mr. Marroquin then presented the pool and community center report, attached as **Exhibit "E"**. He stated that he was preparing the swimming pool for the summer season. Mr. Marroquin stated that he continued to operate the pool at 25% of maximum capacity utilizing the reservation system and desired to continue in that manner with possible incremental increases in maximum capacity up to 50% if and when the Board elects. He then discussed protocols that could be put in place when the restrooms were reopened.

The Board then received a report from the District's general manager. Mr. Hunt referred the Board to his report, attached as **Exhibit "F"**. He stated that the District had a -1.29% water loss during the month of February. Mr. Hunt stated that two fire hydrant replacements had been performed and one sampling station was being installed. He stated that the new dialer for the Tamayo Drive pump stations was being installed. Mr. Hunt confirmed that he had delivered an invoice to Ranger Excavating, L.P. for the \$1,000 fine for water theft levied by the Board at the January 20 regular meeting, but had not yet received payment. He next presented one write-off for approval. Mr. Hunt next discussed utility invoice delinquencies with the Board. After discussion, the Board elected to continue cutting off service due to nonpayment for

residents that are 60+ days delinquent and consider returning to the 30+ day delinquency cut-off at a future meeting. He then presented the Managed IT Services and Support Agreement with Contigo Technology LLC, attached as **Exhibit “G”**, which remained unchanged from the version presented to the Board at the February 24 regular meeting. Mr. Hunt explained that the contractor declined to modify the terms. After discussion, the Board directed Mr. Hunt and Mr. Flahive seek to identify alternative consultants for the Board’s consideration. Mr. Hunt then handed out the draft Signage Master Plan for the District prepared by Studio 16:19, attached as **Exhibit “H”**. The Board reviewed and discussed the Signage Master Plan and elected to revisit the item at the April 19 bills and invoices meeting. Mr. Hunt then reported that all District facilities damaged by the storm had been repaired, except for the older restrooms in Robinson Park. He stated that he was working with the Texas Municipal League Intergovernmental Risk Pool to process a claim for storm damage. Mr. Hunt then discussed the sidewalk repair project and stated that Austin/San Antonio Concrete Raising LLC planned to commence work on the project around April 7. The Board then directed Mr. Hunt to provide notice of the project to District residents via the District’s Facebook page, the website and door hangers along Dallas Drive.

Director Conklin then recognized Mr. Malish to provide the District engineer’s report, attached as **Exhibit “I”**. Mr. Malish stated that the Tamayo bridge project was complete and accepted and would be removed from his report moving forward. He then updated the Board regarding the content of discussion during his meeting with Texas Department of Transportation staff, Director Conklin, and the District’s structural and geotechnical engineers regarding the Parmer Lane bridge project. Director Roche-Green then stated that she wanted to schedule a Pool Committee meeting with all necessary consultants to discuss the pool equipment building remodel and expansion project to determine available options for moving forward and prepare a recommendation to the Board. Mr. Hunt stated that he would coordinate the meeting. Mr. Malish then updated the Board regarding his office’s work on the risk and resiliency assessment for community water system pursuant to the America’s Water Infrastructure Act of 2018. He next stated that National Power Rodding Corp. would begin the wastewater line tving project in the near term. Mr. Malish next discussed with the Board the City of Austin’s project to decommission the Rattan Creek lift station. The Board directed Mr. Malish to coordinate with the Greenbelt Committee regarding any requests of the City of Austin to utilize any portions of the District’s property in the vicinity of the lift station for the project.

Director Conklin then updated the Board regarding bills filed during the current Legislative Session, which the District’s lobbyists would continue to monitor.

There being no bond projects items, City of Austin wholesale rate case items, future annexation, limited district conversion, other City of Austin related issues, or attorney’s report, Director Conklin stated that the Board would return to the restrictive covenants agenda item and Mr. Flahive presented the restrictive covenant report attached as **Exhibit “J”**. At 7:34 p.m., the Board convened in executive session pursuant to Section 551.071 of the Texas Government Code to receive legal advice from Mr. Flahive. The Board reconvened in open meeting at 8:00 p.m. and Director Conklin stated that no action was taken during executive session. After discussion, upon motion by Director Jones and second by Director Christiano, the Board voted 4-0 to direct Mr. Flahive to deliver a Final Notice of Violation and Demand for Compliance to the owner and occupant of 13221 Dime Box Trail in the event that Sage Management’s tour, upon expiration of the 15 day period provided in the courtesy card to the owner and occupant, indicated that the property remained in violation of applicable restrictive covenants.

The Board next discussed District facilities. Mr. Flahive reviewed Governor Abbott's Executive Order No. GA-34, issued on March 2, and the Travis County Commissioner's Court's resolution issued March 9. The Board discussed options and timing of further reopening the swimming pool and other facilities currently subject to limitations due to the COVID-19 pandemic. Director Roche-Green stated that she desired to wait until after the Spring Break and Easter holidays to take any actions. The Board elected to revisit the matter at the April 21 regular meeting. Mr. Marroquin then presented the Kinderdance request for use of the Grand Pavilion for a dance recital on May 22 with limited attendance, which he had initially presented to the Board at the February 24 regular meeting. After discussion, upon motion by Director Christiano and second by Director Roche-Green, the Board voted 4-0 to grant the request. Mr. Marroquin then updated the Board regarding use of the swimming pool by the Boy Scouts and Starflight emergency medical technicians and potential use of the community center by a church, all within current limitations adopted by the Board.


Mr. Flahive then presented the Amended and Restated Resolution Establishing Committees and Appointing Committee Members. The Board discussed changes to committee names and composition and, upon motion by Director Jones and second by Director Conklin, voted 4-0 to approve the Amended and Restated Resolution Establishing Committees and Appointing Committee Members in the form attached as **Exhibit "K"**.

Director Conklin then asked if there were any other matters to come before the Board. Director Roche-Green raised the request by resident Terri Short that the Board consider installing a disc golf course in Robinson Park. The Board discussed the matter, but did not take any action. Director Roche-Green then discussed "greenwaste" pickup with the District. Mr. Hunt stated that it was discussed with TDS during contract negotiations, but not included in the current scope of services being provided to the District. Director Jones then raised the issue of the City of Austin zoning case for the property located at 7700 West Parmer Lane and her concern about the traffic impact analysis for the zoning case indicating that bike lanes would be installed within Williamson County rights-of-way within the District. Mr. Hunt stated that he was looking into the matter and would report back to the Board. There being no further matters to come before the Board, upon motion by Director Conklin and second by Director Roche-Green, the Board voted unanimously to adjourn at 8:41 p.m.

(SEAL)



Date: April 21, 2021

  
Diana Christiano, Secretary  
Board of Directors