LAKE POINTE MUNICIPAL UTILITY DISTRICT MINUTES
JUNE 11, 2025

The Board of Directors ("Board") of Lake Pointe Municipal Utility District ("District") met in person for a regular meeting on June 11, 2025 at 6:00 p.m., open to the public. The District posted a copy of the Notice of the meeting as required.

President Elam called the meeting to order at 6:07 p.m.

The following Board Members were present, thus constituting a quorum:

Terry Elam	President	Present
Jody Flaws	Vice President	Present
Valerie Dashtara	Secretary/Treasurer	Present
Michael Jopling	Director	Present
David Lewis	Director	Present

Also in attendance was William Swanks with TUMCO; Doug Mains with Elite Computing, LLC.; Josiah Longbons and Blake Foree with Landscape Resources, Inc. ("LRI"); Mike Barron, West Travis County PUA representative; and Matt Kutac with the Law Office of Matthew B. Kutac, PLLC joined the meeting later in the evening at 7:35pm.

PUBLIC COMMENT

1. **Receive communications from the public on items not listed on the posted agenda**. None.

2. **Public Comment on Agenda Items.** None.

MINUTES

3. **Review and approve minutes for the May 14, 2025 regular meeting.** Director Elam made a motion to approve the meeting minutes as presented. Director Flaws seconded the motion, and the motion passed 5-0.

4. **Review and approve minutes for the May 28, 2025, special meeting.** Director Elam made a motion to approve the meeting minutes as presented. Director Lewis seconded the motion, and the motion passed 5-0.

REPORTS AND COMMITTEE MATTERS

Receive reports from committees and provide representatives and discuss, consider, and take action on reports, committees, committee structure and assignments, committee responsibilities, any proposals presented by the committees or providers, and take any related action on the following items, including:

5. **Facilities Committee – (Director Elam, Director Jopling)**
   A. **General landscape maintenance report;** Mr. Longbons reported on the general maintenance as business as usual, with nothing significant to report until September/October, aside from weekly regular maintenance. Concerns were raised by Director Flaws about inaccurate water usage readings; discussion on accessing new digital meter data through WTCPUA accounts. No Action
   B. **Landscape services contract, should changes be necessary;** Tabled pending legal counsel.
   C. **Projects – proposed, new and status of approved projects;** Director Jopling and Mr. Longbons presented new project proposals, and the Board took the following actions:

      i. Sonoma Tree Work, Resaca Entry Dead Tree Removal, Resaca Cedar Elm Tree Removal & Stump Grind, Resaca and Vista Pointe Park Tree Work, and Napa and Bayton Entrance Tree Work: Director Jopling moved to approve the five proposals as presented for the total cost of $15,812.50. Director Elam seconded the motion, and the motion passed 5-0.

      ii. Resaca West Side Bed Improvements and Napa Entry Plant Fill In: Director Jopling moved to approve proposals as presented for $2,847.50 and $4,090.00 respectively. Director Elam seconded the motion, and the motion passed 5-0.

      iii. Yucca Rostrata Treatment: Mr. Longbons suggested a treatment to protect the plants from yucca bugs. Director Jopling moved to approve the proposal as presented for $595. Director Elam seconded the motion, and the motion passed 5-0.

   D. **Stormwater basin maintenance;** Director Elam motioned to approve the Aquatic Features, Inc. invoice for 2-day removal and disposal of dead cattails stands near the dam for $3,000. Director Jopling seconded the motion, and the motion passed 4-0 (Director Lewis wasn't in the room for this motion). Mr. Swanks confirmed that the new picnic tables were installed, and the benches in the preserve would be installed next week.

6. **Lake Pointe Projects Committee (Director Flaws, Director Lewis)**
   A. **Update on projects, including reports from consultants, bond counsel, landscape architect and engineers;** Directors Flaws and Lewis mentioned that once KFM agreement is signed, the dock bid process will immediately begin, along with subcontract work for the TCEQ consultant and the survey for the wall project. No Action.
   B. **Consultants' work/scope of work for projects;** The board discussed that current landscaping projects are scaled back near the wall due to potential impact from future construction. No Action.
   C. **Review and update budgets and plans for projects as necessary;** Tabled.
   D. **Proposed agreement with Knight-Fowler-Millsap, LLC for Professional Design Services;** Director Flaws and Director Lewis stated that the legal review of KFM Master Services Agreement (MSA) by District counsel (Matt Kutac) was completed. KFM's external counsel has been identified, and Mr. Kutac will interact directly with him to finalize the agreement. A special meeting may be called soon to approve the MSA once finalized to expedite the process. No Action.

7. **Outreach Committee - (Director Elam, Director Flaws)**
   A. **Collaboration with the West Travis County Public Utility Agency ("WTCPUA") on water, water transmission, water storage, wastewater treatment and related issues,**

including:

1) **Receive update from WTCPUA representative and provide direction as necessary;** Mr. Barron stated that the top priority is the decommissioning of the wastewater plant, the timeline of which is about 18 to 24 months. No Action.
2) **Easement on and maintenance agreement for Preserve access road;** Road maintenance agreement is still pending collaboration of legal counsel from both sides, LPMUD and WTCPUA. No Action.

B. **Collaboration with the Lake Pointe Homeowners' Association ("LPHOA"), including update from LPHOA representative;** Director Elam will confirm with the HOA manager that key fobs/apps access is deactivated when residents move out, as systems are not fully synched. None of the HOA representatives were present at the meeting. No Action.

C. **Collaboration with other governments and private entities on issues affecting the District;** Director Elam stated that TCEQ public meeting hosted by the HOA is scheduled on July 17th.

8. Finance and Audit Committee - (Director Flaws, Director Lewis)

A. **Approve the District's financial reports and payment of the District's bills, invoices, and Directors' fees;** Director Flaws moved to approve the May Director's Fees totaling $8,619. Director Elam seconded the motion, and the motion passed 5-0. Director Flaws moved to approve the invoices included in the June agenda packet, totaling $28,753.40. Director Lewis seconded the motion, and the motion passed 5-0.

B. **Consider 2025/26 budget and tax rate;** Director Flaws motioned to approve a budget amendment of $302,829, adjusting the 2024-2025 budget to $781,671. Director Dashtara seconded the motion, and the motion passed 5-0. These savings plus interest income will contribute to the new projects, potentially reducing debt issuance. Director Flaws then shared a draft budget for next year using the same $781,671 figure, as a discussion and not for approval. It will formally be approved in August or September. In regard to tax rate, Director Flaws projected that even with a maximum 3.5% increase for 2025, revenue would likely decrease slightly, keeping it essentially flat. The board discussed not planning to exceed the 3.5% revenue threshold, which would avoid an election.

C. **Discussion of preliminary taxation rates given 2025 appraisal values;** *See 8.B.* A formal vote on the exact tax rate requires specific notice and typically occurs in August. No Action.

D. **Discuss Cyber insurance policy renewal;** Mr. Swanks provided cyber insurance policy for discussion. The District TML insurance policy previously came with cyber insurance, but it is now being separated as an opt-in rider, with premiums increasing to $1,000-$1,250 from the base premium of $175/annum. The board agreed that there is no strong need for the policy and no action is required, as they are opted out by default. No Action.

E. **Consider setting up generic invoices@lakepointemud.org email alias as well as PO Box;**
A PO box for the district was discussed to centralize mail. No Action

F. **Discuss uploading invoices in Quickbooks;** Director Flaws brought up setting up a generic alias for invoices to centralize and archive them for future reference. No Action

9. Preserve Committee - (Director Jopling)

A. **Issues affecting the Preserve;** Director Jopling brought to discussion the Security Camera

System and suggested exploring options for updating the equipment in the future, aiming for a more comprehensive system before new dock construction. Director Jopling also stated that the gate access policy that was approved at the last meeting has been posted on the website. However, signage needs to be updated to reflect the changes. No Action.

B. **Volunteer initiatives and contributions;** Director Jopling discussed that the website has been updated for those seeking out volunteer opportunities through Friends of Preserve. A fall community cleanup may be discussed after the dock construction is complete. No Action

10. **Communication Committee - (Director Elam, Director Flaws)**

A. **District's digital accounts, including updates, website, meeting transportation, and IT issues;** The LPMUD website needs to be updated by removing bond vote information and providing new project information. Director Elam suggested that he would use Chat GPT to generate new verbiage for the relevant content.

B. **District's historical records and records management;** *See item 12.* Access to the Drive will be granted to the legal team. No Action.

C. **Resident communications;** The board discussed collaborating with the HOA to send out a few resident communications, including communication about the gate access change, a reminder about snake season, post holiday trash pick-up, etc. Updates on the dock and fence projects will be delayed until more concrete information is available. No Action.

11. **Procurement Committee - (Director Elam, Director Dashtara)**

A. **Transfer of legal records from Carlton Law Firm to Matt Kutac;** As per Mr. Kutac, Ms. Carlton is out of the country, and records transfer is estimated for the end of June.

B. **Winstead PC Engagement letter;** Director Elam signed the engagement letter with Winstead PC for paralegal services.

OTHER MATTERS

12. **Review and consider action on the Records Management Program SLR Forms 504 and 508 and update as appropriate;** Mr. Kutac suggested having Winstead keep track of district records for sustainability. He will coordinate with Vicki at Winstead PC to assist Directors Dashtara with organizing and managing LPMUD records on Google Drive along with the physical records. No Action.

13. **Update on the status of the preserve encroachment case and other homeowner construction projects;** Director Elam moved to go into executive session at 8:43pm under section 551.071 of the Texas Government Code for the purposes of legal advice and discussing contracts. The board reentered open session at 9:10pm. The board took no action during the executive session.

14. **Discuss and consider items for future agendas.** Director Elam suggested creating a Neighborhood Residential Construction Projects item under the Facilities Committee section 5E. He also instructed Mr. Swanks to include the spreadsheet of residential construction projects (address, deposit, date started) in the future board packets. Director Dashtara will continue to prepare the agendas for the future meetings, with legal counsel reviewing them before posting to the public. Lastly, the board agreed to remove Item 13 from the future agenda.

15. **Adjourn.** Director Jopling moved to adjourn the meeting. Director Lewis seconded the motion, and the motion passed 5-0. The meeting adjourned at 9:19p.m.

EXECUTED this the 9th day of July, 2025.

Valerie Dashtara

Valerie Dashtara, Secretary/Treasurer