LAKE POINTE MUNICIPAL UTILITY DISTRICT MINUTES
September 10, 2025

The Board of Directors ("Board") of Lake Pointe Municipal Utility District ("District") met in person for a regular meeting on September 10, 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 6:04 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	Absent

Also in attendance was William Swanks with TUMCO; Doug Mains with Elite Computing, LLC; Matt Kutac with the Law Office of Matthew B. Kutac, PLLC; Josiah Longbons and Blake Foree with Landscape Resources, Inc. ("LRI"); Ben Cude and Luis Hidalgo with Knight-Fowler-Millsap, LLC ("KFM'"); and Pat Sinnott, Lake Pointe Homeowners Association representative.

PUBLIC COMMENT

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

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

PUBLIC HEARING

3. **Conduct Public Hearing on 2025 Tax Rate;** The Board conducted a public hearing on the 2025 tax rate. Director Elam opened the public hearing. There were no persons present for the public hearing, which Director Elam closed. Pursuant to Item 7(b) of the posted notice, Director Elam made a motion to adopt the tax rate as published at the rate of 0.1347. Director Flaws seconded the motion, and the motion passed 4-0.

MINUTES

4. **Review and approve minutes for the July 14, 2025 regular meeting.** Director Elam made a motion to approve the meeting minutes as presented. Director Jopling seconded the motion, and the motion passed 4-0.

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:

4. **Facilities Committee – (Director Elam, Director Jopling)**
   A. **General landscape maintenance report;** Mr. Longbons provided the report, stating that general maintenance was business as usual. The fall turf management program is scheduled to start toward the end of September or beginning of October. Fall mulch installation is typically scheduled for November to prepare the District for the holiday season. No action.

   B. **Landscape services contract, should changes be necessary;** Director Jopling reported good progress with Legal Counsel Matt Kutac on contract redline. Committee to focus on renegotiating rates. Director Elam inquired about language for periodic mud pond cleanup and costs for trash removal at docks and trailheads. Discussion confirmed goal of a clause allowing General Manager or LRI to handle unforeseen tasks without board approval. Mr. Longbons will incorporate trash removal discussion. No action.

   C. **Projects – proposed, new and status of approved projects;** Mr. Longbons confirmed several approved projects were completed, including the bald cypress removal and sod installation at Resaca, installation of mulch at Resaca and the Bluffs, creation of a new bed along the sidewalk, vine removal from trees, and the cleanups of ponds and the drainage ditch off Carlsbad. Director Jopling presented a new project proposal, and the board took the following action:

      i. Vine Treatment: Director Jopling moved to approve the Vine treatment proposal in the amount of $600. This is for herbicide application, applied twice, to finalize the multi-phase project in that area. Director Elam seconded the motion, and the motion passed 4-0.

   D. **Neighborhood Residential Construction Projects;** Mr. Swanks reported that two new homes have reached out regarding construction projects, but construction has not yet started. Director Flaws confirmed that Mr. Swanks is tracking all deposits in a separate bank account for auditing purposes. No action.

   E. **Discuss, consider, and take action on the Treated Effluent Irrigation;** This item was tabled. No action.

   F. **Stormwater basin maintenance;** Mr. Swanks confirmed that the ponds' cleanup was completed and the amount of waste removed was tracked for the MS4 permit. He presented a proposal for a replacement motor and pump for the Carlsbad Pond pump, which runs 24 hours a day and has burned up. Director Elam motioned to approve the proposal from AAW Pumps Motors Controls in the amount of $2,067.14. Director Jopling seconded the motion, and the motion passed 4-0.

5. **Lake Pointe Projects Committee (Director Flaws, Director Lewis)**
   A. **Authorize any further scope items under approved proposals from District engineer for design services related to wall, park dock and dock access route projects;** The

board discussed the following items. No action.

i. **KFM Consultant Update/Survey Status:** Director Flaws introduced Luis Hidalgo as the new Project Manager for KFM. Mr. Cude confirmed the survey began the previous Monday (September 8, 2025) and is focusing on the public right-of-way, shooting topographic imagery. The survey is estimated to take approximately **six weeks**, concluding roughly by the beginning of October.
ii. **Wall Project / Right of Entry:** Mr. Cude confirmed the survey requires access (right of entry) into backyards to shoot the backside of existing walls for design purposes. Ms. Sinnott noted that the HOA declarations already contain language allowing MUD/HOA entry for maintenance with notice.
iii. **Boat Dock:** Director Flaws reported the application for the permit extension was submitted to the City of Austin before the expiration date (end of August). Once the extension is secured, KFM will finalize bid documents, which Ken Heroy (TCEQ consultant) will review. The goal is to put the project out for bid in the next month. Construction is anticipated during the cold season to be less disruptive and potentially completed by March/April 2026.
iv. **Parking Area:** Director Elam stressed that the parking area project must be treated as a priority project due to construction blackout dates (February 1st to September 1st) in that area.
v. **Vista Point Park:** Director Flaws stated this is the starting point for park improvements, beginning with the development of plans for a simple restroom facility. General Manager Swanks confirmed Vista Point Park is outside the Preserve boundaries.

B. Timing of upcoming bond issuance and adoption of Resolution Declaring Intention to Reimburse Project Expenditures From the Proceeds of Tax-Exempt Obligations; Director Flaws discussed coordinating the timing of the bond issuance to ensure the collection of debt tax. Legal Counsel Kutac recommended keeping the reimbursement resolution on the agenda until it is adopted. This item was tabled.

6. 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; The WTCPUA representative was not present, and this item was tabled.

2) **Easement on and maintenance agreement for Preserve access road;** Legal Counsel Kutac confirmed he would follow up with the PUA's counsel regarding this item. This item was tabled.

3) **Discussion of WTCPUA shared road improvements as suggested by KFM;** Director Flaws stated the committee has minimal desire to perform major upgrades to the lake road beyond necessary patching and cleanup. No action.

B. **Collaboration with the Lake Pointe Homeowners' Association ("LPHOA"), including update from LPHOA representative;** Ms. Sinnott provided an update:

• **Community Center:** Approved benches/storage seating and incoming kitchen cabinets (estimated 7 weeks for installation).
• **Annual Meeting:** The HOA annual meeting is scheduled for September 22nd; MUD representatives were invited to provide an update on the District's bond projects.
• **Declarations:** The HOA board received final approval on language to amend declarations related to wildfire safety. Changes include allowing standing seam metal roofs and requiring new roofs to have a Class A fire rating for composition shingles. These requirements apply only to new/replacement roofs.
• **Pickleball Courts:** The HOA is researching noise mitigation measures (pads, minimum 8-foot tall fences). They are planning for two courts, with construction likely starting in the spring.
• **MUD/HOA Meters:** Ms. Sinnott reported the HOA is paying for several meters (e.g., irrigation pumps, wall lighting) that should belong to the MUD. General Manager Swanks noted the difficulty in switching the meter accounts with Austin Energy and the PUA due to the requirement for original TCEQ creation documents referencing the former names (Mud 3, Mud 5). Director Elam directed Mr. Swanks to start working with Legal Counsel Kutac to resolve the name issue.

C. **Collaboration with other governments and private entities on issues affecting the District;** Director Elam reported that AT&T is currently conducting micro-trenching for fiber conduit installation within the District's right-of-way under a Travis County permit. Concerns were raised regarding damage to MUD and homeowner property. Legal Counsel Kutac confirmed that homeowner improvements within a utility easement are generally made at the homeowner's risk unless the easement states otherwise. No action.

7. **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 Dashtara motioned to approve Director's Fees in the amount of $4,420. Director Flaws seconded the motion, and the motion passed 4-0. Director Flaws motioned to approve the August bills totaling $60,499.90. Director Elam seconded the motion, and the motion passed 4-0. Director Flaws motioned to approve a late invoice from Winstead for July services totaling $1,301.25. Director Elam seconded the motion, and the motion passed 4-0.

   B. **Consider and adopt order setting tax rate for 2025 and authorize filing and posting of the same;** This item was addressed after the public hearing on the 2025 tax rate. Please reference Item 3 above.

8. **Preserve Committee – (Director Jopling)**
   A. **Issues affecting the Preserve;** Director Jopling discussed the path leading to the concrete structure by the water. The erosion of the path and wall leading to the ruins creates an unsafe condition. Mr. Kutac suggested using temporary caution tape/signage warning visitors of the hazard. The Board discussed incorporating a complete refurbishment of the Preserve Gate (new pillars, fence, security mechanism, and potentially a lateral-sliding gate) into the upcoming Vista Point Park bond project design. The Board convened in

Executive Session at 8:47 PM to discuss Item 8A for the purpose of receiving legal counsel. The Board reconvened in Open Session at 9:22 PM. Director Elam motioned to approve legal counsel engaging David Smith. Director Jopling seconded the motion, and the motion passed 4-0.

B. **Volunteer initiatives and contributions;** Director Jopling planned a Fall Trail Cleanup and confirmed the volunteer waiver would be sent to Legal Counsel Kutac for review.

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

   A. **District's digital accounts, including updates, website, meeting transportation, and IT issues;** No action.

   B. **District's historical records and records management;** Director Elam directed General Manager Swanks to work with the IT consultant Doug Mains to start scanning and digitizing the physical boxes of historical records. No action.

   C. **Resident communications;** Director Flaws and Director Elam agreed to create a high-level update/presentation on the status and milestones of bond projects for the upcoming HOA annual meeting**.** No action.

OTHER MATTERS

10. **Discuss and take action regarding homeowner violations of District construction rules and trespass and dumping on District property**; This item was discussed in Executive Session. No action was taken in Open Session on this item.

11. **Adjourn.** Director Elam moved to adjourn the meeting. Director Jopling seconded the motion, and the motion passed 4-0. The meeting adjourned at 9:23p.m.

EXECUTED this the 8th day of October, 2025.

Valerie Dashtara

Valerie Dashtara, Secretary/Treasurer

LAKE POINTE MUNICIPAL UTILITY DISTRICT
TRAVIS COUNTY
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