LAKE POINTE MUNICIPAL UTILITY DISTRICT MINUTES

September 9, 2026

The Board of Directors ("Board") of Lake Pointe Municipal Utility District ("District") met in person for a regular meeting on September 9, 2026, 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 6:00 p.m.

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

Terry Elam	President	Present
Michael Jopling	Vice President	Present
Valerie Dashtara	Secretary/Treasurer	Present
David Lewis	Director	Present
Adam Levine	Director	Present

Also in attendance were William Swanks with TUMCO; Doug Mains with Elite Computing, LLC; and Matt Kutac with the Law Office of Matthew B. Kutac, PLLC. In addition, Blake Foree and Jared Armstrong with Landscape Resources, Inc. ("LRI"); Chris Bodine with Knight-Fowler-Millsap, LLC ("KFM"); JaMar Prince with Texas Disposal Systems ("TDS"); and residents Dr. David Williams and Kristin Becker were present for portions of the meeting.

PUBLIC COMMENT

1. **Receive communications from the public on items not listed on the posted agenda;** None.
2. **Public Comment on Agenda Items.**

- **Dr. Williams** (Lake Pointe resident residing adjacent to Vista Pointe Park) expressed concerns regarding two aspects of the Vista Pointe Park Improvement Project:
    1. *Relocation of the Security Access Gate:* He cautioned that moving the gate closer to the park entrance may result in non-residents occupying cul-de-sac parking spaces, increasing after-hours gatherings, noise, speed racing on the park road, and illegal activities.
    2. *Vista Pointe Park Lighting:* He questioned the necessity and brightness of proposed park lights, noting concerns about light pollution, interference with adjacent preserve guidelines, and potential conflict with Fish and Wildlife restrictions. President Elam thanked Dr. Williams for the historical context and stated the Board and Projects Committee would evaluate the concerns.
- **Ms. Becker** commented on the Lake Austin Dock Project, raising safety concerns about fixed dock elevations sitting ~2 feet above water level with wave action. She expressed concern that children, floaties, kayaks, and toys could get sucked under the structure, and asked if buffer rails, drop-down bars, or diagonal debris guards could be installed. President Elam and Director Lewis clarified that fixed docks are required under current City of Austin regulations (floating docks are no longer permitted), noted that the swim dock will sit slightly lower than the day dock, and confirmed that the Board is exploring secondary safety bars and ladder options.
- **Mr. Prince** addressed the Board regarding solid waste services, highlighting TDS's nearly 30-year partnership with the District. He emphasized TDS's vertical integration, local infrastructure,

reliability, and responsiveness, and requested that the Board negotiate directly with TDS prior to considering any Request for Proposals (RFP) for solid waste collection.

3. **Conduct Public Hearing on 2026 Tax Rate;** President Elam opened the public hearing on the proposed 2026 tax rate. No members of the public requested to speak during the hearing. President Elam then closed the public hearing.

REPORTS AND COMMITTEE MATTERS

Receive reports from committees and provider 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 Jopling, Director Lewis)**

   A. **General landscape maintenance report;** Blake Foree (LRI) reported that routine summer landscape maintenance operations are proceeding on schedule across District grounds. No action.

   B. **Projects - proposed, new and status of approved projects;**

   The Board reviewed and took action on several landscape and storm cleanup proposals:

- **Tree Cleanup at Rimrock Drive:** The Board reviewed a proposal for storm damage tree cleanup where a fallen tree on MUD property damaged a homeowner's border fence near the Nevada pond.
  - **Motion:** Director Jopling moved to approve the proposal for tree cleanup at Rimrock Drive in the amount of **$1,725.00** (3 crew hours). Director Lewis seconded the motion; passed **5-0**.
- **Irrigation Controller Replacement:** The Board reviewed a proposal to replace a failed smart irrigation controller.
  - **Motion:** Director Jopling moved to approve the proposal for irrigation controller replacement in the amount of **$1,200.00**. Director Lewis seconded the motion; passed **5-0**.
- **Vista Pointe Park Damaged Cedar Elm Cleanup:** The Board reviewed a proposal to clear storm-damaged cedar elm trees in the pond area near Vista Pointe Park.
  - **Motion:** Director Jopling moved to approve the proposal for cedar elm tree cleanup in the amount of **$2,875.00**. Director Lewis seconded the motion; passed **5-0**.
- **Emergency Storm Damage Cleanup Invoice (8/28/26):** The Board reviewed an emergency storm cleanup invoice from LRI. Director Jopling and President Elam raised concerns regarding applied overtime rates and costs exceeding District Manager Swanks' $5,000 emergency spending authorization limit. Jared Armstrong (President of LRI) introduced himself, explained LRI's crew schedule, and expressed a commitment to improving advance communication on emergency thresholds. The Board convened in Executive Session under Section 551.071 to discuss contractual terms, and no formal motion was taken in open session.

   C. **Neighborhood Residential Construction Projects;** No new residential project submittals were reported. No action.

   D. **Stormwater basin maintenance.** Operations Manager Swanks reported meeting with Hundl Green Environmental Services regarding chain-link fence repairs at the Lyon Club Ct by the stormwater pond (damaged top rail and bent fencing), estimated at ~$700. The proposal will be grouped with preserve gate repairs. No action.

5. Outreach Committee - (Director Elam, Director Levine)

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 submitted a written report outlining recent regional utility operations, school water service disruptions, and infrastructure challenges along Hamilton Pool Road. No action.

2) PUA Treated Effluent Irrigation Feasibility Study; Tabled pending further technical updates from WTCPUA. No action.

B. Collaboration with the Lake Pointe Homeowners' Association ("LPHOA"). The Board reviewed the LPHOA liaison report. The LPHOA invited the MUD Board to present at their upcoming Annual Meeting. The Board reached consensus that MUD presentation materials should remain strictly focused on MUD governance, tax rates, and official website information rather than speculative project Q&A. No action.

C. Collaboration with other governments and private entities on issues affecting the District. President Elam reported contacting Travis County regarding downed traffic and stop signs following recent storms. County crews responded promptly to re-erect impacted street signs near the elementary school and neighborhood entrances. Director Levine provided an update on exploring solar-powered radar speed feedback signs for neighborhood safety. No action.

6. Lake Pointe Projects Committee (Director Lewis, Director Elam)

A. Report from District engineers and landscape architects on status of the following ongoing projects and take action as necessary, including without limitation approval of design plans, authorization to advertise and/or bid, award of contracts for construction, approval of pay applications and necessary change orders and approval of substantial and final completion, as appropriate.

- **1) Lake Austin Dock Project:** Day dock construction is substantially complete. Substantial completion for the overall project (including the swim dock) is targeted for October 1, 2026. The Board discussed logistical considerations surrounding the upcoming City of Austin inspection requirements and LCRA's scheduled Lake Austin drawdown (10-foot draw down starting October 12, with refilling beginning November 24). The Board agreed to publish realistic community updates on the District website regarding opening timelines.
- **2) Vista Pointe Park Improvement Project, including addition of grinder pump for restroom:** Restroom foundation and utility stub-outs are complete. The Board evaluated wastewater disposal methods for the new 10x12 foot masonry restroom building. Gravity-fed sewage would require a 12-foot-deep trench along the tree line, risking severe root damage and destruction of mature trees. Installing an electrical sewage grinder pump allows for shallow trenching and directional boring under pavement away from tree roots.
    - **Motion (Grinder Pump):** President Elam moved to approve **Change Order No. 3** to the G Creek contract in the amount of **$8,415.00** for the installation of a sewage grinder pump system. Director Lewis seconded the motion; passed **5-0**.
    - **Motion (Sidewalk Connection):** The Board reviewed sidewalk elevation adjustments adjacent to the new outdoor kitchen structure to create a flush, ADA-compliant transition. President Elam moved to approve **Change Order No. 2** to the G Creek contract in the

amount of **$1,954.14** for sidewalk removal and re-pouring. Director Lewis seconded the motion; passed **5-0**.

- **3) Trail Improvement Project:** Tabled; the Projects Committee is preparing a comprehensive waterfront trail renovation scope for future bidding once dock construction concludes.
- **4) Wall Project:** Tabled pending LPHOA Board review of the draft Memorandum of Understanding (MOU) for the joint wall/monument committee.
- **5) Monument Project:** Tabled pending joint committee formation.
- **6) New access gate at Vista Pointe Park:** Work remains pending structural steel fabrication (10-week lead time) and KFM's final design for pedestrian bypass trails.

B. Additional or revised KFM Proposals. No additional or revised KFM proposal was presented for action. The item was tabled.

C. Approval of revised KFM Preliminary Engineering Report for Bond Issuance: District Engineer Chris Bodine confirmed that all supplemental information requested by Jones Heroy has been submitted.

- **Motion:** President Elam moved to approve KFM's revised Preliminary Engineering Report for bond issuance. Director Lewis seconded the motion; passed **5-0**.

7. Preserve Committee - (Director Jopling, Director Dashtara)

A. Issues affecting the Preserve - report and action as necessary; Minor storm-damaged tree limbs along preserve trails were cleared. No major unaddressed hazards were reported. No action.

B. Accessibility and security issues for trailhead entrances. Operations Manager Swanks presented a trail gate proposal from Hundl Green Environmental Services ($5,600) for a 6-foot-tall steel turnstile/zigzag gate at the Carlsbad trailhead to prevent unauthorized golf carts and motorized vehicles from entering the Preserve. The Board discussed balancing access control with bicycle access (permitted under Preserve rules) and emergency fire vehicle ingress. President Elam and Director Levine suggested exploring removable locking stanchions/bollards paired with flank fencing instead of a full turnstile. The item was tabled for refined design concepts. No action.

C. Volunteer initiatives and contributions; The Committee is targeting a community volunteer Preserve cleanup event in November 2026. No action.

8. Communication Committee - (Director Levine, Director Dashtara)

A. District's digital accounts, including updates, website, meeting transcription, and IT issues. Website overhaul discussions were tabled for the next regular session. Director Dashtara confirmed that the LPHOA added a direct MUD newsletter subscription button on the homepage of the HOA website. No action.

B. District's historical records and records management. Operations Manager Swanks reported that an additional 12 boxes of archived financial records were shredded during the month, with approximately 75 boxes remaining in storage undergoing systematic scanning and review. No action.

C. Resident communications. The Committee prepared communications regarding the Vista Pointe Park 90-day closure and is drafting an interim update regarding Lake Austin dock completion and water drawdown schedules. No action.

9. Finance and Audit Committee - (Director Lewis, Director Dashtara)

A. Approve the District's financial reports and payment of the District's bills, invoices, and Directors' fees. The Board reviewed the financial materials and approved several payments listed below. Director Dashtara made the motions to approve the following:

- July 2026 Directors' fees totaling $4,199. The motion was seconded by Director Elam; passed 5-0.
- Monthly bills totaling $24,880.85. The motion was seconded by Director Elam; passed 5-0.
- LRI Monthly Maintenance Invoice in the amount of $14,337.57. The motion was seconded by Director Jopling; passed 5-0.
- G Creek Construction Pay Application No. 4 in the amount of $66,490.31. The motion was seconded by Director Elam; passed 5-0.
- Two KFM invoices received after the Board packet was prepared, one for engineering services for $397.50 and another for landscape architecture for $1,145. Both motions were seconded by Director Elam; both passed 5-0.

B. Matters related to upcoming bond issuance and related bond application report. The item was tabled.

C. Consider and adopt order setting tax rate for 2026 and authorize filing and posting of same: Following the public hearing under Item 3, the Board considered formal adoption of the 2026 tax rate.

- **Motion:** President Elam moved to adopt an Order Setting Tax Rate for 2026 at $0.138070 per $100 of assessed valuation ($0.113070 maintenance & operation rate, $0.025000 debt service rate) and authorize filing and posting of same. Director Dashtara seconded the motion; passed 5-0 by record vote.

D. Potential transition from current Frost platform to Frost Business Connect Banking platform: Director Lewis and Operations Manager Swanks reported that high capital project wire/ACH transfer fees ($30 per wire) and tight transaction dollar limits under the current free Frost checking platform create administrative delays. Upgrading to "Frost Business Connect" at $60.00 per month eliminates per-transaction wire fees and expands electronic transfer limits.

- **Motion:** Director Lewis moved to approve upgrading District banking services to Frost Business Connect at a rate of $60.00 per month. Director Dashtara seconded the motion; passed 5-0.

MINUTES

10. Review and approve minutes for the August 12, 2026 regular meeting. The Board reviewed the August 12, 2026, meeting minutes. President Elam requested minor wording adjustments regarding dock signage timing, and Director Jopling noted minor typographic corrections.

- **Motion:** Director Lewis moved to approve the August 12, 2026, regular meeting minutes as amended. President Elam seconded the motion; passed 5-0.

OTHER MATTERS

11. **Review letter to the Board confirming candidates for the November 3, 2026, Directors Election; consider and adopt Order Declaring Unopposed Candidates Elected and Cancelling Election and authorize required notice of same.** Legal Counsel Kutac reported that the filing deadline for the November 3, 2026, Director Election passed with only the three incumbent directors submitting applications. Pursuant to Subchapter C, Chapter 2, Texas Election Code, the candidates are unopposed and the election may be canceled.

    - **Motion:** President Elam moved to adopt the **Order Declaring Unopposed Candidates Elected** and canceling November 2026 Director Election, declaring Terry Elam, Michael Jopling, and Adam Levine elected for four-year terms beginning November 2026, and authorizing required public notices. Director Lewis seconded the motion; passed 5-0.

12. **Discussion and possible action regarding homeowner violations of District construction rules and trespass and dumping on District property, including without limitation discussion of possible settlement agreement with homeowner.**

    This item was discussed in the Executive Session.* Upon reconvening in open session at 9:50 p.m.:

    - **Motion:** Director Jopling moved to authorize legal counsel to issue a formal demand letter to homeowners regarding violation of District construction and dumping rules**.** Director Elam seconded the motion; passed 5-0.

13. **Discussion and possible action regarding approval of letter agreement or letter of intent between the District and LPHOA concerning formation and operation of proposed joint committee to address matters related to Wall Project and Monument Project.** Discussed in Executive Session under Section.* No open session action was taken pending internal review by LPHOA leadership.

14. **Discussion and possible action regarding solid waste services and potential request for proposals for such services.** Discussed in Executive Session.* The Board discussed solid waste service timelines. Legal Counsel Kutac clarified that the current TDS contract expires on November 1, 2027 (requiring 120-day advance notice prior to termination). The Board agreed to begin evaluating potential RFP parameters in early spring 2027. No action was taken.

15. **Discussion and possible action regarding dumping of yard waste and other debris upstream of Lake Austin Dock Project.** Director Lewis and Operations Manager Swanks reported that landscape crews upstream from private homes near Steiner Ranch/Mary Quinlan Park have been dumping lawn clippings and brush into Lake Austin, which floats downstream and accumulates around the District's dock construction site. The Board directed staff and Director Levine to report the activity to City of Austin and LCRA for monitoring. No formal action was taken.

16. **Discussion and possible action regarding appointment of District investment officers, related amendments to investment policy, execution of necessary agreements in connection with such matters and other matters related thereto.** Tabled; no action taken**.**

17. **Executive Session.**

    ***** *The Board convened in Executive Session pursuant to Section 551.071 of the Texas Government Code (Legal Consultation) at 8:48 p.m. to discuss Item 4B (emergency LRI invoice), Item 6A-4 (LPHOA MOU), Item 12 (homeowner violations), Item 13 (joint committee agreement), and Item 14 (solid waste contract terms). The Board reconvened in open session at 9:50 p.m. No action was taken during Executive Session.*

18. **Adjourn.** Director Jopling moved to adjourn the meeting at 9:50 p.m. Director Lewis seconded the motion; passed 5-0.

EXECUTED this the 14th day of October, 2026.



Valerie Dashtara

Valerie Dashtara, Secretary/Treasurer