LAKE POINTE MUNICIPAL UTILITY DISTRICT MINUTES AUGUST 13, 2025

The Board of Directors ("Board") of Lake Pointe Municipal Utility District ("District") met in person for a regular meeting on August 13, 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 6:02 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; Matt Kutac with the Law Office of Matthew B. Kutac, PLLC; Josiah Longbons and Blake Foree with Landscape Resources, Inc. ("LRI"); Ben Cude with Knight-Fowler-Millsap, LLC ("KFM'"); Pat Sinnot, Lake Pointe Homeowners Association representative; and Mike Barron, West Travis County PUA representative (Mr. Barron left the meeting at 7:30pm, before addressing WTCPUA matters).

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 July 14, 2025 regular meeting.** Director Lewis made a motion to approve the meeting minutes as presented. Director Elam 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:

4. **Facilities Committee – (Director Elam, Director Jopling)**
   A. **General landscape maintenance report;** Mr. Longbons provided an update on previously approved projects, noting that everything has been completed except for sod installation at the entry. No action.

B. **Landscape services contract, should changes be necessary;** No action.

C. **Projects – proposed, new and status of approved projects;** Director Jopling presented new project proposals, and the board took the following action:

i. Bed Creation on Resaca: the proposal for creating a bed with Texas sage and red yucca. Director Jopling made a motion to approve this proposal in the amount of $8,215. Director Elam seconded the motion, and the motion passed 5-0.

ii. Resaca River Rock Installation: Director Jopling made a motion to approve the proposal for $2,261. Director Elam seconded the motion, and the motion passed 5-0.

iii. Vine Removal: the proposal was presented for final cleanup of vines on oaks in the area to benefit tree growth. Director Jopling made a motion to approve the proposal in the amount of $1,020. Director Elam seconded the motion, and the motion passed 5-0.

iv. First Grind Mulch Installation: Director Jopling made a motion to approve the proposal in the amount of $5,250. Director Lewis seconded the motion, and the motion passed 5-0.

D. **Neighborhood Residential Construction Projects;** Mr. Swanks reported that no new applications or updates on previous letter issuances were reported. No action.

E. **Discuss, consider, and take action on the Treated Effluent Irrigation;** Director Elam noted that the PUA's feasibility study appeared positive, and Director Flaws offered to take involvement in the discussion. This item was closed for further discussion at a later date. No action.

F. **Stormwater basin maintenance;** Mr. Swanks presented the following proposals, and the board took the following action:

i. Detention Ponds Leaf and Trash Removal proposal was presented to clean debris from all ponds after recent rains. Director Jopling made a motion to approve the proposal in the amount of $3,855. Director Elam seconded the motion, and the motion passed 5-0.

ii. Sediment Removal and Disposal proposal for the drainage ditch off Carlsbad Drive was discussed due to clogging. Director Elam made a motion to approve the proposal for $4,136.94. Director Jopling seconded the motion, and the motion passed 5-0.

5. **Lake Pointe Projects Committee (Director Flaws, Director Lewis)**

A. **Update on projects, including reports from consultants, bond counsel, landscape architect and engineers, including:**

1) **Discussion concerning kayak and stand-up paddleboard storage;** Director Lewis discussed a proposal for grid-based prefab containers for vertical kayak and paddleboard storage at the dock, as an offset to not having boat slips. Director Elam noted the risks and benefits of such a system. No action.
2) **Discussion of parking pad improvements and proposal;** Tabled.

B. **Confirm execution of Master Services Agreement with Knight-Fowler-Milsap, LLC (KFM) and review and approval of proposal for District engineer services thereunder;** Director Lewis made a motion to approve the District Engineer proposal with KFM Engineering Design, dated June 23, 2025, under the existing master services agreement with KFM. Director Flaws seconded the motion, and the motion passed 5-0.

C. Consultants' work/scope of work for projects, including consideration of proposal for TCEQ consulting services; *See Item 5D*

D. Review and possibly take action on KFM proposals regarding wall, dock, park and roadway projects; Director Lewis and Director Flaws updated the Board on the process of detailing work scopes with KFM for bond-approved projects, explaining the need to approve portions of proposals to initiate work. These funds would initially come from operating reserves and are intended to be reimbursed from bond proceeds. The board took the following actions on certain portions of the agreements:

- For the Wall Project proposal, the Board discussed approving the survey piece to start the work. Director Flaws made a motion to approve a portion of Section A under the Fee Schedule (Surveys, Topography, and Tree Survey Preparation) for up to $102,500. Director Elam seconded the motion, and motion passed 5-0.
- For the Boat Dock Route Design proposal, the Board discussed approving key components to start the design and bidding process. Director Flaws made a motion to approve the following scope items under the Fee Schedule: Section C (Site Planning Prep and Processing) for $20,000, a portion of Section D ("Boat Dock" line item) for $10,000, Section F (Project Meetings) for $10,000, and Section G (Landscape Architecture) for $11,600, totaling $51,600. Director Lewis seconded the motion, and the motion passed 5-0. These funds would initially come from operating reserves and are intended to be reimbursed from bond proceeds.
- For the Vista Point proposal, the Board approved specific sections. Director Flaws made a motion to approve the following scope items under the Fee Schedule: Section F (Project Meetings) for $15,000, and Section G (Landscape Architecture - Schematic Design) for $5,800 and Design Development for $8,150, totaling $28,950. Director Lewis seconded the motion, and the motion passed 5-0.

E. **Review and adopt Resolution Declaring Intention to Reimburse Project Expenditures From the Proceeds of Tax-Exempt Obligations;** Discussion occurred regarding reimbursement window that will have 60-day backdate for hard costs and must occur within 18-months of expenditure or project completion, and no more than 3 years from the original payment. has Adoption of the resolution must coincide with the bond issuance timeframe. The Board decided to table the adoption of this resolution because no hard costs are expected to be incurred immediately. No action.

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;** No action.

2) **Easement on and maintenance agreement for Preserve access road;** In Mr. Barron's absence, legal counsel Matt Kutac reported that he sent an email to the PUA regarding the easement and maintenance agreement and was awaiting a response. No action.

3) **Discussion of WTCPUA shared road improvements as suggested by KFM;** Chris Allen from KFM suggested adding siding to the edges of the lake road to prevent erosion and potholes, which would be an expensive but preventative measure. No action.

B. **Collaboration with the Lake Pointe Homeowners' Association ("LPHOA"), including update from LPHOA representative;** Ms. Sinnot provided updates on pickleball courts, community center renovations, and donation benefit for flood victims. She also mentioned that the new HOA rules require residential construction projects to be completed within six months, with fines for non-compliance, to prevent prolonged construction. No action.

1) Evaluate the feasibility of constructing pickleball courts; Ms. Sinnot discussed the HOA's plans to build two pickleball courts on HOA property, including efforts to address potential noise levels with "noise abatement elements". David Lewis raised concerns about noise impact on the preserve and surrounding neighborhoods, as well as drainage impacts. No action.

C. **Collaboration with other governments and private entities on issues affecting the District;** Tabled.

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 made a motion to approve Director's Fees in the amount of $3,536. Director Elam seconded the motion, and the motion passed 5-0. Director Flaws made a motion to approve the monthly expenses (bills included in this month's board packet) totaling $71,102.05. Director Dashtara seconded the motion, and motion passed 5-0.

B. **Engage Auditor;** Director Flaws made a motion to approve the Maxwell Locke & Ritter LLP Audit Engagement Letter for the fiscal year ended September 30, 2025, in the amount of $17,000. Director Lewis seconded the motion, and the motion passed 5-0.

C. Review, discuss and adopt proposed budget for fiscal year beginning October 1, 2025 and ending September 30, 2026; Director Flaws made a motion to approve the proposed budget for the fiscal year beginning October 1, 2025, and ending September 30, 2026, totaling $781,671. Director Dashtara seconded the motion, and the motion passed 5-0.

D. Discussion of proposed tax rate for 2026 tax year; William Swanks confirmed that Travis County provided the calculations for the proposed tax rate. *See Item 7E*

E. **Adopt Notice of Public Hearing on Tax Rate and authorize publication;** Mr. Kutac advised on the process of adopting the notice. Director Flaws made a motion to adopt the Notice of Tax Rate Hearing and authorized its publication with a tax rate of 0.1347. Director

Elam seconded the motion, and the motion passed 5-0.

8. **Preserve Committee – (Director Jopling)**
   A. **Issues affecting the Preserve;** This item was taken into executive session under section 551.071 of Texas Government Code for the purposes of legal advice. No action was taken during the executive session. In the open session, Director Jopling updated on a gate incident with minor damage to be resolved. William Swanks discussed challenges in finding porter services for trash cans and ongoing discussions about gate repair. No action.

   B. **Volunteer initiatives and contributions;** Tabled.

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;** Discussion continued on the feasibility and cost of scanning historical records for better organization. No action.

   C. **Resident communications;** Discussion revolved around improving communication with residents regarding bond projects, suggesting regular website updates and standardized responses to inquiries. No action.

OTHER MATTERS

10. **Update regarding 2025 legislative session and changes in law affecting the District;** Matt Kutac provided updates on new legislative requirements, including a three-business-day notice for meetings (effective Sept 1st) and additional requirements related to agenda item specificity. The Board has decided to delegate agenda preparation to Vicki Hahn, the paralegal at Winstead, starting with the next month's meeting.

11. **Discuss and take action regarding homeowner violations of District construction rules and trespass and dumping on District property**; This item was taken into executive session under section 551.071 of Texas Government Code for the purposes of legal counsel advice at 9:58pm. The Board reconvened in open session at 10:30 p.m. No action was taken during the Executive Session. In the open session, Director Elam made a motion to authorize legal counsel to send a second letter to the homeowner regarding the encroachment. Director Flaws seconded the motion, and the motion passed 5-0.

12. **Review and adopt updated Water Conservation Plan and discuss LCRA reuse cost sharing program;** Matt Kutac presented the updated LCRA Water Conservation Plan, which was reviewed and sent to LCRA. Director Flaws made a motion to approve the LCRA Water Conservation Plan. Director Elam seconded the motion, and motion passed 4-0.

13. **Review and adopt amended resolution establishing offices and meeting places of the Board of Directors and confirming locations for the posting of notice of meetings of the Board;** Discussion occurred regarding potential secondary meeting locations due to possible clubhouse temporary unavailability. Director Lewis made a motion to adopt a resolution to designate 12112½ Pleasant Panorama View, Austin, Texas 78738 (Vista Pointe Park) as a secondary meeting location.

Director Dashtara seconded the motion, and the motion passed 5-0.

14. **Cybersecurity Training requirement. Deadline: August 15;** Directors were reminded to complete the mandatory cybersecurity training by August 15th. No action.

15. **Discuss and consider items for future agendas;** No specific items were discussed.

16. **Adjourn.** Director Elam moved to adjourn the meeting. Director Lewis seconded the motion, and the motion passed 5-0. The meeting adjourned at 10:31p.m.

EXECUTED this the 10th day of September, 2025.

Valerie Dashtara

Valerie Dashtara, Secretary/Treasurer