

MINUTES OF REGULAR MEETING
BOARD OF DIRECTORS

LOST CREEK LIMITED DISTRICT

Travis County, Texas

February 8, 2017

The Board of Directors of Lost Creek Limited District of Travis County, Texas, convened in a regular meeting at the Lost Creek Limited District administrative office located at 1305 Quaker Ridge Drive, Austin, Travis County, Texas, on Wednesday, February 8, 2017. Lawful and proper notice of the time, place and the subject of the meeting was posted at the place and time required by law.

Directors: Leah Stewart
Eric Castro
Chuck McCormick
Andy Bitner
Madeleine Connor

District Attorney: Tony Corbett
Freeman & Corbett

Bookkeeper/Manager/Deed
Restriction Enforcement Officer: Jim Emmons (Pinnacle Texas Management
Services)

Residents and guests: See Attached Sign-in Sheet

1. Board Convenes, and Roll Call (Agenda Item 1)

Director McCormick called the meeting to order at 6:30 p.m. All directors were present except Director Connor, thus constituting a quorum.

2. Citizen Communications (Agenda Item 2)

Barbar Szalay addressed the Board. She expressed her wishes for a quick recuperation for Director McCormick in connection with his recent surgery. She generally urged the Board to work together, serve the entire community and follow all laws.

Cassidy Reynolds, a member of the Girl Scouts, asked if the Board would be interested in a dog park project. The Board responded that it was not on the meeting agenda so it could not discuss or take action regarding the matter. The Board requested that she meet with the General Manager and/or Director Connor to discuss the concept, and that it could be included on the next meeting agenda for discussion and possible action if she still desired to proceed.

Carla Doyne provided comments on behalf of the Lost Creek Civic Organization regarding the draft release of Code Next by the City of Austin and its potential impact on the District and its residents.

3. **Message from the President (Agenda Item 3)**

Director McCormick provided a brief statement regarding his service as President of the Board of Directors. He expressed appreciation for the prior service by other directors and the District's legal counsel. Director McCormick then described his career background and experience.

4. **Solid Waste Collection Services Rate Increase (Agenda Item 6(a))**

Steve Shannon, of Progressive Waste Solutions, spoke to the Board regarding his prior request for an increase in rates for solid waste collection and recycling services. He requested that the Board approve an amended rate of \$16.50 per customer per month until such time as the City of Austin commences service or the parties agree to otherwise amend the rates. He described many reasons for the proposed rate increase, including increased costs for fuel, employee benefits and safety costs, and landfill disposal costs, and noted that rates had not increased since 2013.

Director Castro suggested that the District fund the proposed increase. Other Board members noted that this would result in all taxpayers' monies being used to fund services for less than all residents. After further discussion, the Board agreed that it would not do so.

Director Stewart moved that the Board approve the proposed increase to be effective March 1, 2017 provided the final bills to customers are prorated to ensure customers are not billed for services during the same period services are provided by the City of Austin. Director Castro seconded the motion, which carried unanimously (4-0).

The Board requested that notice of the rate increase be provided to residents.

5. **Announcements (Agenda Item 3)**

Jim Emmons identified handouts for the Board.

6. **Audit (Agenda Item 5)**

This matter was tabled based on a communication from the auditor that the report was not yet completed.

7. **Consent Agenda (Agenda Item 6)**

After discussion regarding the financial reports, Director Castro moved that the Board approve the Consent Agenda. Director Stewart seconded the motion, which carried unanimously.

8. **Deed Restriction Enforcement Matters (Agenda Item 7)**

Jim Emmons presented his monthly Deed Restriction Enforcement Report.

Due to the urgency associated with unauthorized exterior construction activities, he requested that the Board authorize cease and desist letters between meetings. The Board discussed adoption of an Order at its next meeting delegating authority to the General Manager to prepare and send such letters, and to authorize special litigation counsel to seek a restraining order in the event of emergencies. The Board also requested legal counsel to send the General Manager a template cease and desist letter.

The Board noted the benefits of providing regular notice to the residents regarding the ACC approval requirement.

After discussion regarding the fact that the landowners had refused to respond to the District's demand letters, Director Stewart moved that the Board find that enforcement of the applicable deed restrictions is necessary to sustain property values and therefore to authorize special litigation counsel to pursue judicial relief against the owners of 1734 Ben Crenshaw Way for violations of the deed restrictions. Director Castro seconded the motion, which carried unanimously.

9. **Evaluation Process for District Employees and Management Staff (Agenda Item 8(b))**

Director McCormick proposed that the Board conduct evaluations of the District's employee and contract management staff. The Board discussed procedures for conducting the evaluations. After discussion, the Board agreed to include an agenda item on the next meeting agenda for Board members to provide feedback regarding performance.

10. **Dark Sky Festival (Agenda Item 8(c))**

Director Castro informed the Board regarding the festival and noted that he intended to attend the festival.

11. **Communications (Agenda Item 8(d))**

Mr. Emmons noted that he and Director Stewart were still working on a draft communication to residents.

Mr. Emmons noted that he intended to post approved minutes on the District's website. He also discussed proposed improvements to the website.

12. **Legal Services Agreement (Agenda Item 8(e))**

Mr. Corbett provided an update regarding the dissolution of his current law firm and discussions with new firms. He requested feedback from the Board regarding its preference to continue the current billing arrangement that includes a flat monthly fee for attendance at meetings. The Board requested that the current fee structure continue.

13. **Office Building Renovation Project (Agenda Item 8(f))**

Mr. Emmons provided an update regarding the renovation project. The Board also discussed and provided direction to the General Manager regarding the location of maps, artwork, and the literature stand.

14. **General Manager's Report (Agenda Item 9)**

Mr. Emmons presented the monthly General Manager's Report.

15. **District Goals and Priorities (Agenda Item 10)**

The Board and General Manager discussed the status of implementation of District goals and priorities.

During the discussion, the Board requested that the General Manager secure proposals from contractors for landscaping and erosion control improvements.

The Board authorized Director Stewart and McCormick to prepare proposed revisions to the Board's park rules and reservation policies for future consideration by the Board.

16. **Meeting Date (Agenda Item 11)**

The Board scheduled its April meeting for April 17, 2017.

17. **Adjournment (Agenda Item 12)**

Upon a motion by Director Castro that was seconded by Director Pastor, the Board adjourned the meeting at 8:35 p.m.



Secretary



**BOARD OF DIRECTORS MEETING
LOST CREEK LIMITED DISTRICT**

February 8, 2017

SIGN IN SHEET

	NAME (Please Print)	ADDRESS	TELEPHONE / EMAIL / CONTACT INFORMATION
1	KAM Hirsch, son	PEARSON/MLK	
2	Stephanie Reynolds	6900 MKD	
3	Cassidy Reynolds	" "	
4	Carl = Turner		
5	Barbara Szalay	1322 Thoburns Cove	
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BOARD OF DIRECTORS MEETING
LOST CREEK LIMITED DISTRICT

February 8, 2017

SPEAKER SIGN IN SHEET

	NAME (Please Print)	ADDRESS	TELEPHONE / EMAIL / CONTACT INFORMATION
1	Cassidy Reynolds	6400 Mauna Kea Dr	DOG PARK - 5/15 844 4400
2	Carla Nyne		
3	Barbara Szalay		
4	Steve Shannon	Waste Connections	
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