

MINUTES OF SPECIAL MEETING
BOARD OF DIRECTORS

LOST CREEK LIMITED DISTRICT
Travis County, Texas

May 9, 2017

The Board of Directors of Lost Creek Limited District of Travis County, Texas, convened in a special meeting at the Lost Creek Limited District administrative office located at 1305 Quaker Ridge Drive, Austin, Travis County, Texas, on Tuesday, May 9, 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 Attorneys: Tony Corbett

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

Residents and guests: See Attached Sign-in Sheet

Representatives of the LCNA and the members of the Architectural
Control Committee were present

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

Director McCormick called the meeting to order at 6:33 p.m. All directors were present except Directors Stewart and Bitner, thus constituting a quorum. Director Bitner subsequently arrived at approximately 6:44 p.m.

2. Deed Restriction Enforcement Matters (Agenda Item 2)

Director McCormick made some general comments regarding his expectations for the meeting and meeting procedures.

Director Connor stated her objection to Agenda Item 2(b), which provided for Board of Directors consideration of an Order delegating certain deed restriction enforcement authority to the General

Manager. Among other matters, she asserted that consideration of the Order was a violation of the Open Meetings Act because a copy of the Order was not furnished to all residents of the District, and that the Order unlawfully delegated authority to the General Manager. Mr. Corbett stated that he disagreed with her legal conclusions because the agenda provides adequate notice of the subject matter of the proposed deliberation and because the Open Meetings Act does not require that packet materials be furnished to every resident of the District. He stated that Texas law specifically authorizes the Board to delegate authority to the General Manager. He further stated that the Board may choose to provide copies of backup materials to residents, but the Open Meetings Act does not require such.

Mr. Corbett recommended that consideration of the Order be deferred to the Board's regular meeting because it was unrelated to the coordination of deed restriction enforcement activities with the Lost Creek Neighborhood Association ("LCNA") and Architectural Control Committee ("ACC"), which was the primary purpose of the special meeting, but stated the Board had the legal authority to proceed with consideration of the item if it so chooses. After further discussion, the Board stated that it would table consideration of the agenda item until its regular meeting.

The Board then conducted discussions with representatives of the LCNA and ACC regarding the coordination of deed restriction approvals and enforcement activities. Among other matters, the group discussed the following concepts:

- (i) Procedures for the ACC to provide notice of approval applications and notice of unauthorized construction activities to the District. In particular, the parties discussed the preparation of a weekly update by the ACC identifying all pending approval applications, and the use of a standard form to notify the District of unauthorized construction activities;
- (ii) Inspections by the ACC to confirm construction is completed in accordance with approvals;
- (iii) Notification of adjacent property owners when a property owner seeks a variance to a deed restriction;
- (iv) Changes to the form ACC Approval Application;
- (v) Recordation of ACC approvals for variances;
- (vi) Notice on the website of pending ACC approval applications; and
- (vii) Potential changes to ACC Application filing procedures to protect privacy information.

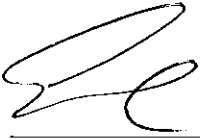
No actions or votes were taken by the Board of Directors.

Representatives of the ACC and LCNA indicated that they would discuss the issues internally and subsequently report their findings and recommendations to the District.

The meeting participants generally concurred that it would be mutually beneficial for the District and LCNA to update the prior Memorandum of Agreement to define their respective roles, responsibilities and coordination of deed restriction enforcement activities.

3. **Adjournment (Agenda Item 3)**

By unanimous acclamation, Director McCormick adjourned the meeting at 8:32 p.m.



Secretary



BOARD OF DIRECTORS MEETING
LOST CREEK LIMITED DISTRICT

May 9, 2017

SIGN IN SHEET

	NAME (Please Print)	ADDRESS (optional)	TELEPHONE (optional)
1	REAR KENN		512 922 6827
2	Megan Mears		
3	Wilson Shirlen		
4	Barbara Szalay		
5	Barbara Szalay		
6	CAUDÉ Sam 17th		
7	ETTY BRUSH		512.789.0553
8	JAY BRIM		
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