

MINUTES OF MEETING
BOARD OF DIRECTORS

LOST CREEK LIMITED DISTRICT
Travis County, Texas

September 22, 2020

The Board of Directors of Lost Creek Limited District of Travis County, Texas, convened in a regular meeting on Tuesday, September 22, 2020. Lawful and proper notice of the time, place and the subject of the meeting was posted at the place and time required by law. In accordance with the Governor's emergency proclamation suspending certain provisions of the Texas Open Meetings Act effective March 16, 2020 in response to the COVID-19 pandemic, the meeting was conducted remotely. All persons, including members of the public, could participate in the meeting by telephone or weblink in accordance with the instructions set forth on the meeting agenda.

Directors: Leah Stewart
Chris Vetromile
Megan Marrs
Andy Bitner
Madeleine Connor

District Attorney: Tony Corbett (General Counsel)

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

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

Director Stewart called the meeting to order at 6:30 p.m. All directors were present.

2. Citizen Communications (Agenda Item 2)

A resident spoke regarding the District's public comment procedures and proposed rules of decorum. She recommended that the District expand public comment procedures and not adopt rules of decorum.

Another resident spoke regarding the District's contract with its management company. He asked whether a specific management company submitted a bid for management services, and how the District solicited proposals.

3. Announcements (Agenda Item 3)

Tanya Emmons announced that anyone who desired to provide testimony during the tax hearing should contact the General Manager by email so that they could be recognized.

4. Consent Agenda (Agenda Item 4)

After discussion, Director Stewart moved that the Board approve the Consent Agenda excluding the August 25, 2020 and September 16, 2020 minutes. Director Bitner seconded the motion, which carried 4-0-1 (with Director Connor abstaining).

Director Stewart moved that the Board approve the August 25, 2020 minutes subject to revision of Item 14 to reflect the three year term of the management contract. Director Marris seconded the motion, which carried unanimously.

5. Financial Affairs (Agenda Item 6)

Director Bitner presented his monthly financial report. The Board took no action in response to the report.

Mr. Bitner also presented a draft fiscal year budget

6. Public Hearing Regarding Tax Rates (Agenda 6(c))

At 7:19 p.m., Director Stewart convened a public hearing regarding the adoption of a final tax rate for Tax Year 2020. There was no public testimony, and Director Stewart closed the public hearing at 7:23 p.m.

7. Resolution Approving Fiscal Year Budget (Agenda Item 6(d))

Director Marris moved that the Board adopt the Resolution Approving the Fiscal Year Budget as presented. Director Vetromile seconded the motion, which carried 4-0-1 with Director Connor abstaining. A copy of the Resolution (including the approved Budget) is attached to these meeting minutes.

8. Tax Order (Agenda Item 6(e))

Director Stewart moved that the Board approve the Order levying a final maintenance tax rate of \$0.0428 per \$100 taxable value for Tax Year 2020. Director Marris seconded the motion, which carried 4-0-1 with Director Connor abstaining.

9. District Information Form (Agenda Item 6(f))

Director Stewart moved that the Board approve an Amendment to District Information Form, including the updated Notice to Purchaser Form, to reflect the updated tax rate. Director Bitner seconded the motion, which carried 4-0-1 with Director Connor abstaining.

10. Deed Restrictions (Agenda Item 5)

Mr. Emmons presented his monthly deed restriction enforcement report. The Board authorized him to send courtesy notices to property owners in potential violation of the restrictions. With respect to a potential violation at 2331 Cypress Point East, the Board authorized the General Manager to direct litigation counsel to send a demand letter, with a specific deadline, if the matter was not corrected.

11. **District Park, Greenbelt, Pavilion, Meeting Room and Amenity Rules (Agenda Item 7)**

Jim Emmons and Tanya Emmons provided a report regarding the implementation of the District's new use and reservation policies for District park and other amenities.

12. **Security Patrols (Agenda Item 8)**

The Board briefly discussed the scheduling of security patrols within the District and greenbelt. Director Bitner moved that the Board authorize patrol schedules three times per week through November. Director Marris seconded the motion, which carried 4-0-1 with Director Connor abstaining.

13. **Remodeling of Administration Building (Agenda Item 9)**

Tanya Emmons and Director Marris provided a report regarding the proposed remodeling of the District administrative building and purchase of a water bottle filler. Tanya Emmons presented contractor proposals for proposed improvements. After discussion, the Board asked Ms. Emmons to get more information regarding the cost of replacement of the existing water fountain. Director Marris moved that the Board approve the contract with Austin Pro and Austin Gutterman for gutter work at the front of the building at a total cost not to exceed \$20,000. Director Bitner seconded the motion, which carried 4-0-1 with Director Connor abstaining.

14. **Communications with Residents (Agenda Item 10)**

The Board authorized the Manager to work with Director Bitner on the Annual Report.

Director Marris suggested the Board provide information to residents regarding communications to the Austin Police Department regarding security incidents in the District. The Board directed Pinnacle to include a communication on NextDoor.

15. **Gazebo Roof Replacement (Agenda Item 11)**

Director Stewart moved that the Board approve the proposal for gazebo roof replacement in the Board packet. Director Marris seconded the motion, which carried 4-0-1, Director Connor abstaining.

16. **Boulevard Fence Banner (Agenda Item 12)**

The Board discussed the District's policy regarding the placement of banners on the District fence for sponsored events. After discussion, Director Connor moved to deny the request for placement

of a Back To School Photo Events. Director Stewart seconded the motion. The motion carried 4-0-1 with Director Connor abstaining.

17. Rules of Decorum (Agenda Item 13)

The Board took no action regarding this matter.

18. General Manager Report (Agenda Item 14)

Tanya Emmons provided the monthly General Manager report. The Board took no action in response to the report.

19. Marshall Tract (Agenda Item 15)

Director Marrs provided a brief report regarding potential development of the Marshall Tract. She noted that she sent a letter to the City of Austin regarding the District's preferred location for the elevated storage tower.

20. Standing Reports (Agenda Item 16)

There were no committee reports.

21. Scheduling of Future Board Meetings (Agenda Item 17)

The Board scheduled the November meeting for November 24, 2020.

22. Summary of Action Items (Agenda Item 18)

The Board summarized the following action items:

1. The General Manager would post a complete copy of the District Park Rules on the District's website.
2. The General Manager and legal counsel would transmit the tax order to Travis County.
3. The General Manager would get more information regarding the cost of replacement of the existing water fountain.
4. Director Bitner would work with the Manager on preparation of a draft Annual Report for Board consideration.
5. The General Manager would include information on NextDoor regarding resident communications with the Travis County Sheriff Deputy.
6. Legal counsel would provide background information regarding rules of decorum to the Manager.
7. The General Manager will collect information regarding reservations at Boulevard Park for Board consideration at the next meeting.

23. Adjournment (Agenda Item 15)

Director Marrs moved to adjourn the meeting at 8:53 p.m. The meeting adjourned at 8:53 p.m.

Secretary