

MINUTES OF MEETING OF THE BOARD OF DIRECTORS
OF WILLIAMSON-TRAVIS COUNTIES
MUNICIPAL UTILITY DISTRICT #1

September 16, 2020

STATE OF TEXAS

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COUNTIES OF WILLIAMSON AND TRAVIS

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A regular meeting of the Board of Directors of Williamson-Travis Counties Municipal Utility District No. 1 was held at 6:00 p.m. on September 16, 2020 by remote access only in accordance with the March 16, 2020 Order by Governor Abbott temporarily suspending certain requirements of the Texas Open Meetings Act to advance the goal of limiting face-to-face meetings to slow the spread of COVID-19. The meeting was open to the public and notice was given as required by the Texas Open Meetings Act and as modified by the Governor's Order.

The meeting was called to order at 6:07 p.m. and roll was called of the members of the Board, to-wit:

Catherine Franke	-	President
Jana Norton-Ramirez	-	Vice President
Chris Rocco	-	Secretary
Art Medrano	-	Assistant Secretary/Treasurer
Luis Zervigon	-	Assistant Secretary/Treasurer

All Directors were present, thus constituting a quorum. Also attending the meeting were Todd Burrer, Kristi Hester, Michael Luft, Makenzi Scales, and Leigh Catlin of Inframark; Herb Edmonson of Gray Engineering; Bill Flickinger of Willatt & Flickinger; Robert Tijerina of the Williamson County Constable's Department; James and Diana Sagnes of Sage Management; Scott Knussman of Sunscape Landscaping; Michael Willett of Touchstone District Services; Beth Jones of the Anderson Mill West Neighborhood Association; and District residents Gerald Burgess, Luz Dahger, Megan Dudo, Linda Fabre, David Flores, Cindy Green, Iva Jandras, Carroll Norrell, and Sarah Teale.

Agenda Item 1: Receive Citizens' Communications

- Linda Fabre addressed the Board with a public comment. She explained House Bill 2840 to Dir. Franke regarding stopping the discussion of an agenda item and said that she violated the Public Meetings Act. She said that Dir. Franke has been slandering Ms. Teale and her in every meeting for over a year and is interfering in the current election. Dir. Franke has not yet responded to the open records request regarding a statement she made during a meeting, and Dir. Zervigon has joined in a smear campaign and has personally threatened her.

Ms. Fabre addressed the Board regarding Agenda Item 4. She had asked for the complete televising report and invoices three months ago and they have not yet been produced. She wants to know why taxpayer money is being wasted to have lawyers withhold this information. This is a driving force to become indebted to more bonds.

Ms. Fabre addressed the Board regarding Agenda Item 6. She noted the increase in severity of petty crime in the community which is escalating at alarming rate. She says the District needs to bring in law enforcement because the constables patrolling primarily during school times is not a deterrent to crime. She wants to contract with the Williamson County Sheriff's Department over six months to determine if it is worth the cost.

Ms. Fabre addressed the Board regarding Agenda Item 7. She says that this measure is a bad idea and wonders who will be liable for this person's actions, and whether they will speak for a

Board member rather than the public. She has seen Dir. Zervigon order constables to action during meetings. She wants to identify what percentage of community has asked for this and why.

Ms. Fabre addressed the Board regarding Agenda Item 9. She wonders how the attorney and special council can charge over \$13,000 in legal fees without releasing any records, and why invoices are approved from two firms without the release of records. Her outstanding requests cost \$945 to satisfy, so she will have other people re-submit those outstanding requests.

Ms. Fabre addressed the Board regarding Agenda Item 12. She said the Board sent Sage Management and an Inframark maintenance technician to pull up campaign signs in a public display of election interference.

Ms. Fabre addressed the Board regarding Agenda Item 13. An Ethics Commission complaint has been filed against Dir. Franke and Dir. Zervigon for their interference in the upcoming election. They have threatened and defamed David Flores and her. Dir. Norton Ramirez and Megan Dudo are also participants and have benefited for 2.5 years from that participation.

Ms. Fabre addressed the Board regarding Agenda Item 14. She disagrees with the decision to spend additional money on parks at this time when over \$1.5 million was spent to improve parks and ponds. She does not understand why it is necessary to allocate \$200,000 for future improvements.

Ms. Fabre addressed the Board regarding Agenda Item 15b. A trailer was allowed to park in the street for 48 hours if a triangle was set up in front of it, and she wonders if this applies everywhere or just to the Travis County side of the District. She said eleven letters were sent to residents regarding trailers, and one is in legal. This is another example of inequities in deed enforcement.

Ms. Fabre addressed the Board regarding Agenda Item 15f. Both the attorney's letters do not differentiate between the MUD and AMWNA. Money was already spent to determine that the AMWNA is not a public association, so additional public funds should not be spent for a private organization.

Ms. Fabre addressed the Board regarding Agenda Item 15i. She says that the Sage Management contract has changed so significantly from 22 months ago that it should be rebid. She says that the fraud Sage Management is perpetrating has been repeatedly dismissed and she would like John Bucey to present the issue to the Texas Attorney General.

Ms. Fabre addressed the Board regarding Agenda Item 15j. She says that she and her lawyer met with John Bucey last month and that constituents had not been notified about the issue beforehand. Mr. Bucey noted that the MUD Board had decided not to pursue legislation at this time.

Ms. Fabre addressed the Board regarding Agenda Item 18. She has outstanding open records requests that are now five months old to see bills and invoices every month. They are signed off by Dir. Norton Ramirez and Dir. Medrano and should be publicly available. She asked why Dir. Norton Ramirez had spent \$50,000 on parks that are closed. The Board demonstrates unwillingness and inability to be transparent.

Ms. Fabre addressed the Board regarding Agenda Item 20b. She said Gerald Burgess presented an opinion about open records requests, and while she can't be sued for community oversight, she can sue him for defamation as she keeps meticulous records.

- Sarah Teale addressed the Board with a public comment. She says it is an interesting choice of words for Dir. Franke to call her a bully, as she knows what a bully is and has taught children how to stand up to bullies. The community can stand up to a bully by voting this November.

Ms. Teale addressed the Board regarding Agenda Item 8c. She will share information with authorities when she sees things happening in order to protect her neighbors. Over the last month she has been forced to make several different reports and submit many documents. The quality of water and wastewater in the District is one of them.

Ms. Teale addressed the Board regarding Agenda Item 8f. Last week she lodged an environmental complaint with TCEQ after Sunscape sprayed herbicide on paths in Hatch Pond while people were using the paths. She discussed the potential hazards of using the herbicide Finale.

Ms. Teale addressed the Board regarding Agenda Item 8i. She brought up concerns about herbicides in March and is concerned about her children and dogs interacting with harmful chemicals. She says she was told that no herbicides were sprayed.

Ms. Teale addressed the Board regarding Agenda Item 8s. She found a posting on the website with a question regarding ponds and herbicides and believes her children and pets to be in danger.

Ms. Teale addressed the Board regarding Agenda Item 12. She filed a report with the Williamson County Sheriff's office about the removal of her political sign. Because it is still an active investigation, she is not able to discuss details. She looked at documents and hers is not District property.

Ms. Teale addressed the Board regarding Agenda Item 34. She says that the MUD has no power or authority over the right-of-way outside of the public utility easement. No one from the MUD should be interfering on anyone's property for any reason but meter reading. She says residents can tell them to stay off their property and can call a sheriff should someone trespass.

- Cindy Green addressed the Board with a public comment. She moved to Anderson Mill West in April 1999 and things were great until about 18 months ago when some residents began attempting to destroy the community. She wants her neighbors to understand that the terrific work and improvements done by the MUD will stop if these people are elected to the MUD.
- Mr. Burgess addressed the Board with a public comment. He discussed how following the rules can prove beneficial to everybody, especially now during an ongoing pandemic.

Mr. Burgess addressed the Board regarding Agenda Item 6. As a crossing guard, he benefits enormously from the constables' presence; they are always patrolling around the schools and checking in with him, and he does not believe there is a reason to complain about the cost for them to keep neighborhood safe. Additionally, he has seen the sheriff in the District to stop people speeding through the school zone.

Mr. Burgess addressed the Board regarding Agenda Item 7. He thinks that having additional security is a good idea and applauds the Board for the suggestion. The Board has everyone's security in mind with this proposition.

- Beth Jones addressed the Board with a public comment. She has been in the neighborhood for 21 years and has seen many changes and upgrades happen in the community. Parks have been improved greatly through actions of the MUD Board. The current criticisms and hatred coming from a few people has truly hurt not just her family but every individual in the community. She wants to see more positive behavior but is concerned that property values will decrease because of this.
- Megan Dudo addressed the Board with a public comment. She is running for MUD Board of directors and noted that over last few months, residents may have heard negative things about her. She asks for residents to take the opportunity to learn about her for themselves and to reach

out directly to her with questions. Each question helps her to better consider issues in the community.

Ms. Dudo addressed the Board regarding Agenda Item 3. She has developed a questionnaire for Cypress Elementary students on current ways they get to and from school. She is also working with parents and students to perform walking audits. Anyone interested can follow Safe Routes to School for Cypress Elementary on Facebook.

- David Flores addressed the Board with a public comment. He wants everybody to know that the people who accuse him of saying bad things do not actually talk to him because he is very nice. He will stand up for himself. He says he has managed family golf courses for many years and keeps them pristine very easily and cheaply. He continued that if people want to vote for Dir. Norton Ramirez or Megan Dudo, who do not run businesses, they can, but the MUD is a business.
- Dir. Franke closed the public comment section of the meeting.
- No action was taken on this item.

Agenda Item 5: Report from the District's landscape contractor on landscape maintenance and suggested landscape improvements

- Scott Knussman presented information on Sunscape's duties and responsibilities within the District and the projects Sunscape has worked on with the Parks Committee and Board. Their contract with the MUD started about three years ago and many improvements have been made since they have been onsite. Sunscape's responsibilities include installation and repair of planters, planting trees, corner plantings, plant beds in parks, irrigation installation, general maintenance to keep parks manicured and clean, and lift station maintenance.
- Dir. Franke asked what progress had been made on removing the dead trees at Anderson Mill West; Mr. Knussman said that there were some scheduling issues between Labor Day and the rain, but the permits have been approved and work will begin shortly. He discussed with the Board and Ms. Scales repurposing the trunks if they are large enough.
- Dir. Norton Ramirez asked about the herbicide that Sunscape used; Mr. Knussman will discuss application procedures with his team and address any issues.
- No action was taken on this item.

Agenda Item 22: Report from the Information Management Committee

- Mr. Willett reviewed the new features and pages available on the website. He suggested transferring the website over on a Friday because it can take up to 48 hours to fully transfer. Dir. Zervigon asked if Inframark personnel would still be able to update the webpage; Mr. Willett said that they will be trained and be able to post and edit the site, but Touchstone staff can as back-up.
- Mr. Willett noted that Touchstone uses the cloud to store data and can expand as much as needed; for example, ten years or more of documents can be saved as opposed to a platform like Wix with limited data storage. The documents belong to the MUD and can be transferred over at any time.
- **Motion: Authorize launch of the new website by Touchstone Media.**

Motion by: Dir. Franke

Second by: Dir. Zervigon

Aye: Dir. Franke
Dir. Medrano
Dir. Norton Ramirez
Dir. Rocco
Dir. Zervigon

Agenda Item 2: Presentations by Anderson Mill West Neighborhood Association, Inc., Hunter's Glenn Homeowners Associations, Inc., Lakeline Oaks Homeowners Association, Inc. and Volente Hills at Park Forest Owners Association, Inc.

- Mr. Burgess noted that he had not received any major requests via the ACC; there was a minor application that had been approved. He noted that deed restrictions are not able to exist without an ACC, and anyone who is interested in protecting the value of their property should want an active ACC.
- Ms. Norrell discussed Agenda Item 2 as a standing agenda item. She has not been able to determine how to attend a meeting regarding Volente Hills, yet this agenda item appears monthly with no information. Dir. Franke explained that the Board meetings used to have a more conversational tone before moving to more structured meeting. Because communication with the HOAs and other associations was diminished, there is now a standing agenda item so that each organization can have a conversation with the MUD directors without time limitations. If any Boards or associations come to the meetings, there is an item to accommodate their needs.
- No action was taken on this item.

Agenda Item 3: Participation by the District in study of traffic issues related to Aster Pass and in other parts of the District

- No action was taken on this item.

Agenda Item 4: Report from the District's Engineer

- Herb Edmonson presented the Engineer's report to the Board, noting that water accountability was at 111%, a decrease from last month likely because of the replacement of faulty meters. He will continue to coordinate with Ms. Scales and the City of Cedar Park to ensure meter accuracy. The City of Cedar Park showed usage at the meter on Little Elm, but that meter had not been read and was not part of their calculations because they thought it was inactive. Obtaining these reads should help to level the water accountability percentage.
- The evaluation of the sanitary sewer system has been completed and cost estimates discussed. An amount not-to-exceed \$65,000.00 is recommended to address repairs during this fiscal year. Some projects will need to be addressed with vendors outside of Inframark due to the scope of the work. Mr. Flickinger asked what was included in the \$65,000.00 estimate; Mr. Edmonson said that there are some jetting services needed, two of which will require extensive road excavation and line replacements. He can make additional recommendations based on proposals next month. Dir. Zervigon added that this is for next fiscal year out of normal revenues.
- **Motion: Approve a not-to-exceed amount of \$65,000.00 to address the required wastewater repairs in the 2020/2021 Fiscal Year.**

Motion by: Dir. Zervigon
Second by: Dir. Medrano

Aye: Dir. Franke
Dir. Medrano
Dir. Norton Ramirez

Dir. Rocco
Dir. Zervigon

Dir. Franke noted that the District had experienced several sewer backups and wondered if they were related to the cleaning and might not happen after the jetting and repairs. Ms. Scales said that most issues occurred on the residential side and won't be impacted, but the District needs to keep up with the cleaning of the system.

- The crosswalk striping in Williamson County areas has been completed. Ms. Scales has not received an update from Travis County on striping in that area.
- Mr. Edmonson discussed the Hatch Pond lift station, which has had numerous mechanical and electrical issues. It is an old lift station with an antiquated dry pit/wet well system. He looks to upgrade and replace it with a newer, modern lift station.
- Inframark will send the wording for the new sign at Hatch Pond to GEI once it is complete.
- Mr. Edmonson updated the Board on the sidewalk from Sun Chase to Madeline Loop Pond; he will re-visit with the vendor to ensure that previous cost proposals are still valid.

Agenda Item 6: Report on Security Patrols; Increase/Decrease in Hours for Patrols; Contracts with Williamson County for Use of Vehicles by Off-Duty Deputy Constables & Deputy Sheriffs; Employment of Off-Duty Deputy Constables & Deputy Sheriffs

- Constable Tijerina addressed the Board to discuss the burglaries that had recently occurred in the District. He was unable to provide additional information as the investigation is still pending, but, as of yesterday, the stolen vehicle has been recovered and two arrests were made. The Sheriff's office is making active patrols of the MUD, but residents are encouraged to lock their cars and remove any valuables. Dir. Norton Ramirez additionally noted that any keys, guns, garage door openers, etc. should also be removed from vehicles.
- No action was taken on this item.

Agenda Item 7: Creation of non-paid position of Community Liaison between the District and Law Enforcement and appointment of person to fill that position

- Dir. Franke and Dir. Norton Ramirez will work to solicit interested parties to the position.
- No action was taken on this item.

Agenda Item 8: Report from District Manager and Affected Persons, including Payment of Bills and Invoices and Transfer of Funds.

- Kristi Hester addressed the Board, providing an update on Inframark's roles and responsibilities to the District as well as clarification on recent activities in the District. The Inframark team and dedicated staff follow the policies set forth by District (e.g. rules and regulations, rate order, and other policies set forth). Ms. Hester specifically addressed an incident that occurred on August 21, on which date a staff member following a 2008 resolution concerning the removal of signs pulled signs located in public right of way. At no time did staff remove these signs: they were relocated to the front door with a notice that sign should not be placed in the right of way.
- Makenzi Scales presented the general manager's report.
- The distribution system currently shows 111% accountability. She is working diligently to check billing system calculations, inspect 1.5"+ meters, and coordinate with the City of Cedar Park to ensure appropriate information and data are available. The Little Elm master meter has not been

notated as a working meter by Cedar Park, but it has been showing usage. Inframark uses that number in calculations but Cedar Park has not been.

- Ms. Scales discussed the installation of fans at the Anderson Mill West pavilion after receiving a quote of \$8,000.00 from M&C Electric. These fans are similar to the fans at Lakeline Oaks. She noted that since Anderson Mill West is much taller, the fans will need to go on poles and also be larger, so the airflow is appropriate. The fans will also be caged in, so they are less likely to be damaged, mistakenly or otherwise.
- Ms. Scales discussed the installation of in-ground lights at El Salido and 620 in the amount of \$5,860.00.
- **Motion: Recommend payment of \$5,860.00 to install in-ground lights at El Salido and 620.**

Motion by: Dir. Franke
Second by: Dir. Norton Ramirez

Aye: Dir. Franke
Dir. Medrano
Dir. Norton Ramirez
Dir. Rocco
Dir. Zervigon

Dir. Franke noted that these lights will improve the aesthetics of the entrance and lessen the chances of the sign being hit because it is dark. Ms. Scales said there will be seven lights in the small median area. An amount of \$6,600.00 had been budgeted for the work, so the current amount is coming in under budget.

- **Motion: Accept M&C Electric proposal for fan installation at Anderson Mill West pavilion in the amount of \$8,000.00.**

Motion by: Dir. Franke
Second by: Dir. Norton Ramirez

Aye: Dir. Franke
Dir. Medrano
Dir. Norton Ramirez
Dir. Rocco
Dir. Zervigon

Ms. Scales noted that the budgeted amount was \$6,000.00 so this item is slightly over budget, but it will not be out of the budget in general. She will send approval to M&C Electric in the morning so the work can be scheduled and completed.

- Ms. Scales noted that the Little Free Library near the Old Mil Gazebo had been removed: a broken irrigation head caused water damage to the bottom and it is undergoing repairs.
- The basketball nets at Lakeline Oaks had been damaged but are now repaired.
- A broken light at the Lakeline Oaks building has been replaced.
- Some of the trails at the parks are overgrown with weeds; Ms. Scales has sent pictures to Sunscape and they have been spraying to combat the weeds. The District maintenance tech noted that some areas are looking better but there are still many areas that need improvement.
- A bench at Anderson Mill West was damaged; Ms. Scales is looking to have it repaired and sealed in order to prevent rust.

- A table at Anderson Mill West had been moved out of position and overturned; it is now back in its appropriate location. Dir. Norton Ramirez asked if it could be cemented into place; Ms. Scales noted that there is already cement there but more could likely be added.

- **Motion: Approve Summer 2020 District newsletter.**

Motion by: Dir. Norton Ramirez
Second by: Dir. Rocco

Aye: Dir. Franke
Dir. Medrano
Dir. Norton Ramirez
Dir. Rocco
Dir. Zervigon

Dir. Norton Ramirez asked for a message to be put on the bill and the newsletter posted to the website.

- Ms. Scales met with Waste Management to review an insert flier with the aim to have it appear in the September bill.
- Ms. Scales updated the Board on the residence at **** Brighton Bend; a plumber found several issues that contributed to the high usage.
- Ms. Scales presented the billing report. She noted that consumption was closer to the average. A total of 155 delinquent letters were mailed out, but no tags were hung and there were no disconnects.
- Michael Luft presented the financial report.
- Although the rate of collections remains lower than usual, the budget is still ahead in terms of revenue.
- There is a projected reserve of \$2.2 million, about \$200,000 higher than expected depending on how the month progresses.
- **Motion: Approve payment of bills and invoices totaling \$346,397.02.**

Motion by: Dir. Medrano
Second by: Dir. Zervigon

Aye: Dir. Franke
Dir. Medrano
Dir. Norton Ramirez
Dir. Rocco
Dir. Zervigon

Dir. Franke noted about \$60,000 worth of projects that have not been completed; Ms. Scales responded that the fans and lights had not been counted in the total, so the amount will change.

- Mr. Flickinger recommended discussing Agenda Items 9, 12, and 13 in an executive session.

Agenda Item 10: District Rate Order

- Mr. Flickinger presented the changes to the rate order. Deposits for renters and for the quad apartments will increase. Dir. Rocco noted that certain landlords will likely pass on the additional

deposit cost to their renters, when the owners are the ones not paying the bill. Mr. Flickinger additionally noted that the cap on the deposit amount would be removed, and refunds will no longer be available after the 12-month good standing period.

- **Motion: Adopt the updated Rate Order as presented.**

Motion by: Dir. Franke
Second by: Dir. Zervigon

Aye: Dir. Franke
Dir. Medrano
Dir. Rocco
Dir. Zervigon

No Vote: Dir. Norton Ramirez (dropped from call)

Agenda Item 11: Directors Election/Elección de Directores

- Mr. Flickinger said there would be no action items tonight. Everything is currently proceeding according to schedule with early voting beginning on October 13.
- No action was taken on this item.

Agenda Item 14: Report from the Parks Subcommittee

- Ms. Scales has ordered hand sanitizer stations that will be installed at Lakeline Oaks and Anderson Mill West once the parks are opened.
- Dir. Franke discussed the plaque for Thomas Sacco. Ms. Scales is investigating having a sign made that will be identical to other park signs while remaining within the budget; alternatively, text can be added to the existing sign. Dir. Medrano asked what the budget was for the sign; Ms. Scales says it is between \$1,250 and \$2,500, but she will look up the number to be certain.
- Dir. Norton Ramirez discussed park openings within the District. She has contacted several other MUDs (including Block House, Anderson Mill Limited District, and Brushy Creek), as well as the City of, Cedar Park, and all are opening in phases. Most have playgrounds that are open but not water fountains. The Phase I opening of the MUD included limited numbers at the tennis, basketball, and volleyball courts. For the Phase II opening, Dir. Norton Ramirez suggested opening playgrounds after the equipment had been sanitized; adding new signage to limit large groups; and pavilions open at half capacity (not including the community center) but no reservations available.
- Dir. Franke asked what benchmarks she was looking to have to keep expanding the opening; Dir. Norton Ramirez responded that once the play equipment had been sanitized, people will need to bring their own hand sanitizer and/or cleaning sprays. The equipment will not be cleaned every day. They discussed the text to go on the new signage.
- Ms. Scales said that ATX Softwash will be used to sanitize the playscapes as they are less expensive than JaniKing.
- **Motion: Open District parks in Phase II, to include: opening pavilions at half capacity with no reservations for facilities; social distancing required; masks required; rule signs put into place; no large group gatherings; pavilion usage on a first-come, first-served basis; playgrounds sanitized prior to opening; hand sanitizing stations as provided by the District; and BYO sanitizer/cleaning sprays/water.**

Motion by: Dir. Norton Ramirez

Second by: Dir. Franke

Aye: Dir. Franke
Dir. Medrano
Dir. Norton Ramirez
Dir. Rocco
Dir. Zervigon

Dir. Zervigon asked about the rules regarding the number of people that can gather and noted that it is self-enforced. Failure to observe these rules will put others in danger; constables can perform regular checks on the parks to observe any violations. Ms. Scales noted that the constables are only able to offer recommendations and are unable to enforce rules. Dir. Franke wanted to know how quickly hand sanitizer stations can be installed; Ms. Scales will investigate. Dir. Franke said the District will determine how to move ahead once more data are available.

Agenda Item 15: Report from the Deed Restriction Committee

- Sage Management reported no new deed restriction violations at **** Madeline Loop. If further violations occur, the resident will be put back at fine stage.
- **Motion: Waive the remaining fines in abeyance for property on Madeline Loop.**

Motion by: Dir. Franke
Second by: Dir. Zervigon

Aye: Dir. Franke
Dir. Medrano
Dir. Norton Ramirez
Dir. Rocco
Dir. Zervigon

- Mr. Flickinger presented the Rules Governing Violations of Deed Restrictions, noting that it became appropriate to move some provisions from Sage Management's contract into the rules instead.
- **Motion: Approve amended rules as presented by Mr. Flickinger.**

Motion by: Dir. Franke
Second by: Dir. Zervigon

Aye: Dir. Franke
Dir. Medrano
Dir. Norton Ramirez
Dir. Rocco
Dir. Zervigon

- Ms. Sagnes said that regular enforcement would begin on October 1, ending the Pandemic Protocol.
- Mr. Flickinger presented the Amended and Restated Restrictive Covenant Management Agreement for Sage Management. Sage Management agrees to provide monthly reports, prepare minutes of the DRC meetings, and utilize a shared drive in conjunction with attorney. Some provisions were moved to the rules as noted above in order to provide a more simplified, understandable agreement and to revamp database requirements.
- Dir. Franke was pleased with the simplification of the contract; the original contract was micromanaging because the previous company had provided poor service. Sage Management does not require such micromanagement, and feedback from the community has been positive.

- Dir. Zervigon noted that the previous deed restriction management company, Real Manage, was more experienced with HOA rather than deed restrictions, but were more economical at the time. The contract grew because of provisions needed to micromanage them, which are no longer needed with Sage Management.
- **Motion: Approve the Amended and Restated Restrictive Covenant Management Agreement for Sage Management.**

Motion by: Dir. Franke
Second by: Dir. Zervigon

Aye: Dir. Franke
Dir. Medrano
Dir. Norton Ramirez
Dir. Rocco
Dir. Zervigon

- Dir. Zervigon said that because of rolling quorum requirements, oftentimes the Board is unaware of certain items until they appear on the agenda for discussion. Last year, he had discussions with John Bucey's office about preparing a bill. It was postponed so the Board could research the project and reach out to the affected community. It was not intended to be a quick process: information would be given to the affected community so they could comment on it, and those comments would guide the Board's action. Instead, it became an election issue for Ms. Fabre, who sent a letter to the residents in Hunters Glenn 2 and had them sign a petition. Because it became a campaign issue, the waters were poisoned, and the Board could no longer follow the intended procedure. Otherwise, the Board would have worked through the issue until December. Because of the misrepresentations that were made in the letters sent out to residents would take an enormous amount of energy and effort to counter, the effort was abandoned. For years, there has been no HOA in Hunters Glenn 2, so there was no way to review ACC requests. However, Cedar Park had building permit requirements for substantial projects, so the ACC was not as necessary. Cedar Park has since decided to no longer necessitate permits, so there is no oversight. Going forward, there is no ACC, no building permit process, and no oversight to protect those residents.
- Dir. Franke said that the most important piece of the legislation was not for the ACC provision: it is the road powers. Roads are in poor condition in the Williamson County section of the MUD; road powers would allow the MUD to negotiate with Williamson County for better roads.
- Dir. Zervigon added that Williamson County has already backed off on performing sidewalk maintenance as county governments turn over road maintenance to MUDs, which could happen here as well. Legislation could have enabled the MUD to perform road maintenance, but currently, the MUD has no road powers now.

Agenda Item 16: Report from the Investment Committee

- Mr. Flickinger presented the Resolution Regarding Annual Review of District Investment Policy and Investment Strategies; a change occurred because of the investment policy consultant's suggestion to change Paragraph 2 under the Authorized Investments on page five to allow a maximum stated maturity of two years rather than 18 months.
- **Motion: Approve the change to the Resolution Regarding Annual Review of District Investment Policy and Investment Strategies as presented.**

Motion by: Dir. Zervigon
Second by: Dir. Rocco

Aye: Dir. Franke
Dir. Medrano
Dir. Norton Ramirez
Dir. Rocco
Dir. Zervigon

Agenda Item 17: Report from the Audit Committee

- No action was taken on this item.

Agenda Item 18: Report from the Bills & Invoices Committee

- No action was taken on this item.

Agenda Item 19: Report from the Budget Committee

- No action was taken on this item.

Agenda Item 20: Report from the Customer Care Committee

- No action was taken on this item.

Agenda Item 21: Video recording of Board meetings by the District

- No action was taken on this item.

Agenda Item 22: Report from the Information Management Committee

- Mr. Flickinger noted that the Communications Policy is still being addressed and must be in place prior to the Facebook page launch. The Communications Policy dictates how the Board can communicate with the public once the Facebook page becomes interactive.
- No action was taken on this item.

Agenda Item 23: Report from the Infrastructure Committee

- Dir. Franke attended a Lakeline Oaks HOA meeting and learned that residents there want more streetlights. Currently, mailbox clusters and corners have lights. Dir. Zervigon said that the MUD had increased the number of streetlights by 50% and invited the residents and HOA to provide suggestions as to what they want. There are locations that are still dark spots.
- No action was taken on this item.

Agenda Item 24: Report from the Management Committee

- No action was taken on this item.

Agenda Item 25: Report from the Solid Waste Committee

- No action was taken on this item.

Agenda Item 26: Report from the Records Modernization Committee

- Dir. Franke indicated that the Google Docs still need to be updated.
- No action was taken on this item.

Agenda Item 27: Amended Information Form

- Mr. Flickinger presented the District's Amended Information Form; the change is the tax rate that was lowered at Monday's meeting. The Notice to Purchaser also needs to be updated to reflect the new tax rate as well as update old language about unilateral annexation.
- **Motion: Approve the Amended Information Form and Notice to Purchaser.**

Motion by: Dir. Medrano
Second by: Dir. Norton Ramirez

Aye: Dir. Franke
Dir. Medrano
Dir. Norton Ramirez
Dir. Rocco
Dir. Zervigon

Agenda Item 28: *Termination of Agreement with RVM Recycling, Inc. for reverse vending machine for recycling*

- Mr. Flickinger discussed the termination of the District's agreement with RVM Recycling, Inc., which was not making enough money and so intended to remove the machine by the end of the month. Appropriate notice was provided to the District.
- No action was taken on this item.

Agenda Item 29: *Service provider/vendor evaluations*

- Ms. Scales continues to work through evaluations but has been delayed by budget season.
- No action was taken on this item.

Agenda Item 30: *Amendment to Operation and Maintenance Agreement between the District and Inframark, LLC*

- No action was taken on this item.

Agenda Item 31: *Bookkeeping Services Agreement between the District and Inframark, LLC*

- No action was taken on this item.

Agenda Item 32: *Traffic hazards in District; Request to County to Restrict through-truck traffic*

- No action was taken on this item.

Agenda Item 33: *Agreements with Williamson and Travis Counties for solar speed signs; Traffic study by Williamson County; Stop sign installation at intersection of Alexandra Lane and Old Mill Road*

- Mr. Flickinger is working with Travis County on the agreement. Because one sign will be mounted, it needs to pass through legal with the County, who are examining the mounting details. This sign requires a special type of pole and not a standard one.
- No action was taken on this item.

Agenda Item 34: *Agreements with Williamson and Travis Counties for maintenance of right-of-way throughout the District, including trimming trees and other vegetation, and for placement of doggie bag dispensers*

- No action was taken on this item.

Agenda Item 35: Minutes from prior regular and special meetings; Reconsideration of Minutes previously approved with oral revisions

- Dir. Zervigon noted an error in the name of a meeting participant in the August 7 minutes.
- **Motion: Approve minutes of the August 7, 2020 meeting as corrected.**

Motion by: Dir. Zervigon
Second by: Dir. Franke

Aye: Dir. Franke
Dir. Medrano
Dir. Norton Ramirez
Dir. Rocco
Dir. Zervigon

- **Motion: Approve minutes of the August 19, 2020 meeting.**

Motion by: Dir. Zervigon
Second by: Dir. Medrano

Aye: Dir. Franke
Dir. Medrano
Dir. Norton Ramirez
Dir. Rocco
Dir. Zervigon

Dir. Franke announced that the Board of Directors will go into closed session for consultation with the District's attorney pursuant to Section 551.071 of the Texas Government Code regarding matters related to Agenda Item 9, Agenda Item 12, and Agenda Item 13. The Board went into closed session at 10:13 p.m.

At 10:58 p.m., Dir. Franke announced that the Board of Directors has concluded its closed session and is returning to open meeting, and that no action was taken during the closed session.

Agenda Item 36: Adjournment

- **Motion: Adjournment of meeting at 10:59 p.m.**

Motion by: Dir. Medrano
Second by: Dir. Norton Ramirez

Aye: Dir. Franke
Dir. Medrano
Dir. Norton Ramirez
Dir. Rocco
Dir. Zervigon



Board of Directors

10/24/2020

Date