

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF  
THE RIVER PLACE LIMITED DISTRICT**

**August 28, 2018**

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The Board of Directors (the “**Board**”) of the River Place Limited District of Travis County (the “**District**”), Texas met in **regular** session, open to the public on August 28, 2018, at the River Place Country Club, 4207 River Place Boulevard, Austin, Texas beginning at 7:00 p.m., pursuant to notice duly given in accordance with the law.

The roll was called of the following members of the Board to wit:

Scott Crosby	President
Arthur Jistel	Vice-President
Jennifer Mushtaler	Secretary
Ivar Rachkind	Treasurer
Tim Mattox	Assistant Secretary/Treasurer

and all Directors were present, thus constituting a quorum.

Also present were Patricia Rybachek and Michael Luft of Inframark (“**Inframark**”), the District’s General Manager; and Morgan Johnson and Suzanne McCalla of McGinnis Lochridge (“**McGinnis**”), the District’s Attorney.

Upon calling the meeting to order, Director Crosby noted that no one was present who wished to address the Board.

Mr. Luft next discussed the status of the District’s accounts and investments with the Board. He reviewed the income for the District and summarized the activity in each of the District’s accounts. He stated that he had researched banks offering the highest interest rates for certificates of deposit (“**CDs**”) and had requested information from these banks. Mr. Luft continued that he had found one bank willing to offer a rate to the District that was higher than the TexPool rate, and he was following up with the bank to finalize the terms and provide the bank with requested District documents. He also reported that the District’s 2017 tax levy was 99.5% collected as of the date of the meeting.

Next, Ms. Rybachek updated the Board on data gathered regarding weekend cleanings of the District’s Parks. She emphasized that although she had researched the costs, determining accurate numbers was difficult as Inframark does not track their employees’ time in a way that is conducive to providing the information. She noted that Inframark would begin tracking the costs separately going forward. Ms. Rybachek explained that in the past, weekend cleanings of the District’s Parks were determined to be unnecessary and were discontinued. She stated that over time the number of visitors to the Woodlands Park had increased with the popularity of the Nature Trail, thus requiring additional time spent after busy weekends to clean the District’s Parks. After a

question from the Board regarding the need to reengineer and/or expand the capacity of the District's restrooms due to the increased use of the parks, Ms. Rybachek responded that she had spoken with Herb Edmonson of Gray Engineering, Inc., the District's Engineer, about the issue. She continued that Mr. Edmonson recommended doing a study of past usage versus usage during peak months in order to determine if the facilities were designed to handle the current flows. After discussion, Director Crosby opined that verifying the capacity would be sufficient. He continued that the meter readings from December, when the District's Parks were not as heavily utilized should be compared with the meter readings during the busiest months to determine usage. Ms. Rybachek confirmed that she would work with the District's Engineer to obtain the requested information.

The Board next discussed the usage of the District's pavilions by residents and non-residents. Ms. Rybachek reported that she had verified recent rentals and that of the 32 rentals, only seven were non-residents. Director Mattox questioned if the receipts from the rental of the pavilions would offset the overtime costs of Inframark to clean up the District's Parks on weekends. Ms. Rybachek responded that the average cost to clean up the District's Parks on the weekends was \$175.00. The Board requested that an item be added to the District's September agenda regarding updating the rates for the rental of the District's Pavilions.

At this point Director Jistel arrived at the meeting.

Ms. Johnson then reported on the City of Austin's (the "**City**") future plans for the surface water treatment plant site located within the District. She stated that her office had contacted the City Attorney regarding the issue and that the City had informed them that a decision on the surface water plant site would likely not be made until approximately 2030.

The next item of business before the Board was the installation of a gate at Panther Hollow. Director Crosby questioned the need to keep the item on the agenda. Director Mattox explained that the Section 16 Homeowner's Association ("**Section 16 HOA**") had reached out to the City regarding the steps that the Section 16 HOA would need to go through in order to install a gate across Big View Drive in the District, which gate would also satisfy Alan Kane's, a homeowner in the District residing at 8816 Big View Drive, request to install a gate limiting access to the public during the evening hours to the section of the Woodlands Park located across the bridge in Panther Hollow (the "**Park**"). After a question regarding approval from the other three lot owners in Panther Hollow, Director Mattox confirmed that the issues with the residents of Panther Hollow were resolved. Ms. Johnson explained that the Joint Use Access Agreement would need to be amended and that the City would need to approve the amendment. Director Mattox stated that the amendment would need to reflect that vehicular access to the Park would be restricted to certain emergency and maintenance personnel. Director Jistel questioned how persons with kayaks or other water vehicles would have access to Lake Austin. A lengthy discussion ensued. After discussion, upon a motion

duly made by Director Crosby and seconded by Director Mushtaler, the Board voted unanimously to authorize the District's Attorney to revise the First Amendment to the Joint Use Access Agreement (the "**Amendment**") to restrict vehicular access by the public. The Board noted that final approval of the Amendment would be contingent upon the construction of the gate and a solution providing lake access for kayaks and other similar non-motorized water vehicles.

Next, the Board discussed the issue of assuming the maintenance and operations of the drainage system for the District from the City. Ms. Johnson explained that the City had recently responded to the District's request to assume the drainage responsibilities for the District from the City in lieu of the City charging drainage fees to residents. She continued that Anupa Gharpurey, the Financial Manager for the City's Watershed Protection Department and Chad Shaw, Assistant City Attorney, had reviewed the District's request. Ms. Johnson stated that Ms. Gharpurey stated that the City had preliminarily determined that the District does not qualify to assume the drainage responsibility due to two main reasons: (1) the City now owns the drainage system; and (2) some drainage enters the Bull Creek watershed. Ms. Johnson continued that the City had offered to schedule a meeting with the District's Engineer and District representatives regarding the request. After discussion, the Board directed the District's Attorney to schedule the meeting with the City to discuss the drainage issue.

Director Mushtaler next updated the Board on the status of District's ad hoc committee on traffic issues at the District's trailheads (the "**Traffic Committee**"). She stated that the Traffic Committee had met to discuss plans to resolve traffic issues within the District. She continued that one option proposed was to charge fees to non-residents of the District for use of the Nature Trail. She said that the Traffic Committee was proposing a trial period during which hired personnel would be stationed at each of the Nature Trail's three entrances to collect a predetermined fee. The Traffic Committee was recommending a fee between \$5.00 and \$10.00 per person and possibly an additional fee for those persons with pets, she added. Director Mushtaler emphasized that the trial period would allow the Traffic Committee to gauge the use of the Nature Trail as well as gather other useful data to help determine a permanent solution to the traffic issues surrounding the use of the District's Nature Trail. A lengthy discussion regarding the specifics of the proposal ensued. After continued discussion, Director Crosby directed the Traffic Committee to prepare a proposal detailing the specific parameters being considered for presentation to the Board at the District's September Board of Directors meeting.

The Board next considered the proposed tax rate for 2018. The Board discussed the tax rate recommendation at length. After further consideration and discussion, upon a motion duly made by Director Mushtaler and seconded by Director Mattox, the Board voted unanimously to: (1) approve a maximum tax rate of \$0.0750 per \$100 of assessed valuation for maintenance and operation expenses; and (2) call a public hearing on the proposed tax rate for September 25, 2018, at 7:00 p.m. and (3) authorize

publication of the notice for the District's public hearing on the tax rate in the Four Points News, as in years past.

The next item of business before the Board was approval of the monthly consent agenda containing the minutes of the July 24, 2018, regular Board of Directors meeting, and payment of District bills and expenses. After review, upon a motion duly made by Director Rachkind and seconded by Director Jistel, the Board voted unanimously to approve the Consent Agenda, including the minutes of the July 24, 2018, regular Board of Directors meeting, as written.

The Board then discussed the maintenance of the District's sports fields. Director Jistel explained that recently Sunscape Landscaping, LLC ("**Sunscape**"), the District's Landscaper, had over seeded the District's sports fields with a seed that was supposed to be Bermuda grass. He continued that what actually grew in the sports fields was Goosegrass. Director Jistel stated that Sunscape was notified, but claimed that it was not a Sunscape issue. Director Jistel reported that likely the only future solution would be to re-sod all of the fields and he presented proposals estimating the costs of re-sodding all the fields between \$41,000 and \$75,000. Director Mushtaler pointed out that the costs to irrigate the fields during the over seeding process should be considered in the overall costs to re-sod the fields. Director Jistel said that there were no plans to do anything at this time, as the sports fields were scheduled to be utilized in the fall, but that a decision regarding the issue should be made soon. After discussion, the Board requested that the District's General Manager contact Sunscape and request that a representative from Sunscape be present to answer questions at the District's September Board of Directors meeting.

Next, Director Jistel stated that there had been an issue with the irrigation system at the Woodlands Park. He reported that a valve was stuck at the upper sports fields causing pressure issues throughout the system. He then questioned if the District should consider using City water instead of raw water pumped from Lake Austin for its irrigation needs. Director Jistel continued that he had spoken with the District's Engineer regarding ongoing problems with the pump at the Woodlands Park, who suggested that the Board might consider installing a verti-pump in place of the current pump. Director Jistel stated his belief that the last time the District considered this option the costs to replace the pump were approximately \$40,000 to \$50,000. After discussion, the Board requested that the District's General Manager obtain additional information from the District's Engineer regarding the pump issues at the Woodlands Park.

Ms. Rybachek next reviewed the General Manager's report in its entirety and as included in the Directors' packet, a copy of which is attached hereto.

Director Jistel then presented the Parks Committee report. He stated that the crushed granite recently installed along the walking trail in Sun Tree Park had eroded as a result of the recent rains. He presented a proposal from Capital Landcare & Utilities

("Capital") to install concrete along this section of the walking trail in Sun Tree Park in lieu of replacing the crushed granite. After review and a motion duly made by Director Jistel and seconded by Director Mattox, the Board voted unanimously to approve the proposal from Capital to replace the eroded portions of the walking trail in Sun Tree Park at a total cost to the District of \$11,700. A copy of the proposal, thus approved, is attached to these minutes and shall be considered an exhibit.

Director Jistel next reported that bees were removed from trees along the Nature Trail at a total cost of \$300 to the District.

There being nothing further to come before the Board, the Board confirmed that the District's next regular meeting was scheduled for September 25, 2018, and the meeting was adjourned

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Secretary, River Place Limited District  
Board of Directors

(SEAL)

River Place Limited District  
Attachments  
August 28, 2018

1. Directors Packet; and
2. Proposal from Capital for installation of concrete along walking trail in Sun Tree Park.