

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF  
THE RIVER PLACE MUNICIPAL UTILITY DISTRICT**

**February 23, 2016**

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The Board of Directors of the River Place Municipal Utility District of Travis County, Texas met in regular session, open to the public on February 23, 2016 at the River Place Country Club, 4207 River Place Boulevard, Austin, Texas beginning at 2:00 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:

Patrick Reilly	President
Kenneth Bartlett	Vice President
Arthur Jistel	Secretary
Lee Wretlind	Treasurer
Claudia Tobias	Assistant Secretary/Treasurer

and all Directors were present, except Director Tobias, thus constituting a quorum.

Also present were Patricia Rybachek and Lisa Adkins of Severn Trent Environmental Services ("Severn Trent"), the District's General Manager; Herb Edmonson, P.E., of Gray Engineering, Inc. ("Gray"), the District's Engineer; Kimberly Ohlson, a resident of the District; Scott Crosby and Wick Tobias, President and Vice-President, respectively, of the River Place Homeowners' Association (the "HOA"); and Morgan Johnson and Suzanne McCalla of McGinnis Lochridge, the District's Attorney.

Upon calling the meeting to order, Director Reilly stated that Ms. Ohlson was present at the meeting to review with the Board a presentation on the River Place Municipal Utility District Erosion Project (the "Erosion Project") on behalf of Bailey Ohlson, who completed the Erosion Project as part of her effort to achieve a Girl Scout Gold Award.

Ms. Ohlson thanked the Board for their time, and proceeded to narrate a PowerPoint presentation on the Erosion Project. She pointed out that the Erosion Project included ten areas along the trail that were in need of repair. She continued that five French drains had been installed and approximately ten tons of crushed granite distributed along the trail. Ms. Ohlson informed the Board that 78 persons had volunteered to help with the Erosion Project and that the volunteers had contributed over 280 volunteer hours. She also noted that Home Depot® had supplied employees to help with the Erosion Project. After the presentation, the Board congratulated Bailey Ohlson on a job well done. Ms. Ohlson added that Bailey Ohlson would be required to submit an article on the Erosion Project to the Four Points News and to create a YouTube video of the Erosion Project in order to complete her Girl Scout Gold Award. The Board also noted that Wesley Busch would be receiving his Eagle Scout award for the project he completed in the District during the past summer.

Next, Mr. Crosby addressed the Board. He first reported on the status of the distribution of funds received by the HOA as a result of the water rate case against the City of Austin (the "City"). He stated that the issue had not been resolved as of the date of the HOA's last meeting due to conflicting views on how to distribute the money. He stated his belief that there would be a decision regarding the funds made in the near future.

Mr. Crosby then informed the Board that he had completed an application to run for the Board of Directors of the District in the District's May 7, 2016 Directors Election (the "Election"). He reported on his reasons for wanting to be on the Board, including his belief that the HOA's and the District's Boards should jointly move toward the consolidation of services. He added that he planned to meet with the other applicants in the Election to discuss their reasons for running for the Board.

The next item of business was approval of the monthly consent agenda containing the minutes of the January 26, 2016, regular meeting and payment of bills and expenses. After review and upon a motion duly made by Director Wretlind and seconded by Director Jistel, the Board voted unanimously to approve the Consent Agenda as presented.

Next, the Board discussed the provisions in the Strategic Partnership Agreement ("SPA") between the City and the District regarding the District's 323 acres of park land (the "Preserve Land"). Ms. Johnson reminded the Board that the SPA currently reflects that upon annexation of the District by the City, the City will assume ownership of the Preserve Land, including the District's nature trail system (the "Nature Trail"). She then reviewed with the Board the proposed First Amendment to the SPA, a copy of which is attached hereto. She explained that the amendment proposes that upon annexation, the District would continue to own and maintain the Nature Trail but not the remainder of the Preserve Land. A lengthy discussion ensued. Director Reilly explained that it was the Board's intent to just obtain an easement allowing the District access to the Nature Trail. He also suggested that the Full Purpose Annexation Date of December 15, 2017, included in the amendment should be revised to December 31, 2017, and the Board concurred. Ms. Johnson stated that the requested revisions would be made to the amendment and presented for further discussion at the Board's next meeting.

The Board then reviewed a Joint Election Agreement and Contract for Election Services Agreement for the Election (the "Joint Election Agreement") with Travis County (the "County"). Ms. McCalla reminded the Board that with a joint election, the County would essentially be conducting the Directors Election for the District. Ms. McCalla further explained that when a registered voter of the District went to vote in the joint election, the ballot would be coded to recognize that the voter was allowed to vote in the election and the ballot would automatically show on the screen of the electronic voting equipment. After discussion, upon a motion duly made by Director Wretlind and seconded by Director Jistel, the Board voted unanimously to approve the Joint Election

Agreement as presented. A copy of the Joint Election Agreement is attached hereto and made a part of these minutes.

Ms. McCalla then told the Board that pursuant to Section 31.123 of the Texas Election Code, the District was authorized to appoint an authorized agent for all purposes of the Election. She explained that the District's Agent was: (1) responsible to maintain and make available for inspection all Election documents received during the Election and (2) required to be available for election duties for at least three hours each day, during regular officer hours, on regular business days, beginning on March 18, 2016, and ending no earlier than June 16, 2016. She then presented for the Board's review a Notice of Appointment of Agent appointing McGinnis Lochridge as the District's Agent for the Election. Upon a motion duly made by Director Jistel and seconded by Director Wretlind, the Board voted unanimously to authorize the appointment of McGinnis Lochridge as the District's Agent for the Election. A copy of the Notice of Appointment of Agent is attached hereto as an exhibit.

Next, Director Reilly discussed with the Board the cleanup of the drainage area near the Big View Detention Pond in the District (the "Detention Pond"). He explained that two culverts run underneath the Detention Pond and empty into Lake Austin. He continued that a portion of this area was on the District's property and a portion was on the property of District homeowners and that the entire area had accumulated unwanted trash and debris. He stated that he had obtained a quote from Capital Landcare of \$475.00 to clean up the area located on the District's property. After discussion, upon a motion duly made by Director Wretlind and seconded by Director Jistel, the Board voted unanimously to approve the proposal from Capital Landcare as presented.

Next, the Board received reports from District consultants. The Consultant Reports are included in the Board Packet, a copy of which is attached hereto as an exhibit to these minutes.

General Manager – Ms. Rybachek presented the General Manager's report in its entirety. She reviewed with the Board the District's Spring Newsletter as well as the questions to be included in the District's resident survey. She stated that information directing residents to the internet link to take the survey would be posted on the District's marquee. Copies of the Spring Newsletter and survey questions are attached to these minutes and shall be considered exhibits. Ms. Rybachek added that the Spring Newsletter would be distributed before Easter.

After a question from Director Reilly regarding the District's detention ponds, Ms. Rybachek responded that she would ensure that a report on the ponds would be included in the next General Manager's report presented at the March Board of Directors meeting.

She then reviewed various maintenance and operations performed throughout the District during the month of February.

Engineer – Mr. Edmonson stated that he had nothing additional to report.

Attorney – Ms. Johnson next reminded the Board that House Bill 1295, 84<sup>th</sup> Texas Legislative Session ("HB 1295"), became effective September 1, 2015, and applies to a contract of a governmental entity entered into after December 31, 2015, that either requires an action by the Board or has a value of at least \$1,000,000. She continued that under the terms of HB 1295, set forth in the Government Code, Section 2252.908, the District may not enter into any contract that requires an action by the Board unless the business entity submits a disclosure document listing any interested parties to the contract. She explained that the form of the disclosure document has been prescribed by the Texas Ethics Commission (the "TEC") as Form 1295. Ms. Johnson continued that the business entity must electronically enter required information onto the Form 1295 and print a copy of the completed form, which will include a certification of filing containing a unique certification number. An authorized agent of the business entity must then sign the Form 1295 and have it notarized, she said. Ms. Johnson explained that the signed and notarized Form 1295 must then be filed with the District at the time the business entity enters into a contract. Ms. Johnson stated that not later than 30 days after the District has received the Form 1295, the District, or an agent of the District, must submit a copy to the TEC electronically, after receipt of which, the TEC will post the completed Form 1295 to its website within seven business days. She then distributed a memorandum from McGinnis Lochridge detailing the provisions of HB 1295 and the procedures required by the District in order to be in compliance. A copy of the memorandum is attached as an exhibit to these minutes. Ms. Johnson added that to ensure the District's compliance with HB 1295's requirements, her office was drafting a resolution delegating authority to the District's General Manager to approve contracts for minor projects done routinely throughout the month. She added that the draft resolution would be presented for review and discussion at the District's next Board meeting.

Ms. Johnson then reported that the format of the District's agendas would be changing to be more inclusive of all topics discussed at a Board meeting. She added that any items to be discussed at future Board meetings should be forwarded to Ms. McCalla's attention for inclusion on the agenda.

Next, the Board reviewed proposed amendments to the District's budget for the fiscal year ending September 30, 2016. Director Wretlind explained that the budget would be amended to reflect separate Parks and General Operating Budgets. Ms. McCalla then presented a RESOLUTION ADOPTING AN AMENDED DISTRICT BUDGET FOR FISCAL YEAR ENDING SEPTEMBER 30, 2016 for the Board's review. After discussion, upon a motion duly made by Director Wretlind and seconded by Director Jistel, the Board voted unanimously to approve the Resolution as presented. A copy of the Resolution, thus approved, is attached hereto as an exhibit to these minutes.

Director Jistel next updated the Board on the status of the parks in the District. He stated that the scheduling meeting for the District's sports fields had been held on January 16, 2016, and that most of the fields were booked. The Board discussed the parking along the sides of the road by persons using the trails and sports fields. Director Jistel noted that the parking issue seemed to be more seasonal and that the issue should resolve during the hotter summer months. No action was taken on this item.

There being nothing further to come before the Board, the Board scheduled its next meeting for March 22, 2016, and the meeting was adjourned.



*Claudia Jistel*  
Secretary, River Place MUD  
Board of Directors

**THE RIVER PLACE MUNICIPAL UTILITY DISTRICT**  
**February 23, 2016**  
**Minutes Attachments**

1. First Amendment to the Strategic Partnership Between the City of Austin and the District;
2. Election Agreement between the District and Travis County;
3. Notice of Appointment of Agent;
4. Spring Newsletter and survey questions
5. Resolution adopting an amended budget for the fiscal year ending September 30, 2016;
6. Board Packet; and
7. Memorandum on House Bill 1295 from McGinnis Lochridge.