

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

April 28, 2020

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 **April 28, 2020**, beginning at 7:00 p.m., via teleconference and videoconference in compliance with an advisory issued by the Office of the Governor, 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, except Directors Mushtaler and Rachkind, thus constituting a quorum.

Also present were Jesse Kennis, Makenzi Scales, and Michael Luft of Inframark ("**Inframark**"), the District's General Manager; and Zachariah T. Evans and Suzanne McCalla of McGinnis Lochridge ("**McGinnis**"), the District's Attorney. Several members of the public were also in attendance.

Upon calling the meeting to order, Director Crosby noted that there were no persons present who wished to address the Board during the Citizen Communications portion of the meeting.

The next item of business before the Board was approval of the monthly consent agenda containing the minutes of the February 25, 2020, regular Board of Directors meeting, the Quarterly Investment Report, and payment of the District's bills and expenses. After review, upon a motion duly made by Director Jistel and seconded by Director Crosby, the Board voted unanimously to approve the consent agenda, including the minutes of the February 25, 2020, regular Board of Directors meeting, as written.

At this point Director Rachkind joined the meeting.

The Board next discussed updates to the District's website. Mr. Kennis stated that the District's website was up-to-date.

The Board deferred discussion on the District's Nature Trail until later in the Board meeting.

The next item of business before the Board was A RESOLUTION OF THE BOARD OF DIRECTORS OF RIVER PLACE LIMITED DISTRICT REGARDING DELEGATION OF AUTHORITY DUE TO AN EMERGENCY; PROVIDING FINDINGS OF FACT; PROVIDING FOR AN OPEN MEETING (the "**Emergency Resolution**"). Mr. Evans explained that because of the ongoing pandemic, Governor Abbott has declared a state of emergency in the area in which the District is located. He continued that the Emergency Resolution would

allow the District's Bookkeeper to utilize the Bookkeeper's Account to pay bills approved at a Board meeting notwithstanding the dollar limits previously approved by the Board in its Ethics Policy. Director Crosby detailed the provisions of the Emergency Resolution. Mr. Evans emphasized that the Emergency Resolution would only be effective during a declared disaster, when the Board was unable to convene in person safely. After discussion, upon a motion duly made by Director Crosby and seconded by Director Jistel, the Board voted unanimously to approve the Emergency Resolution, as presented. A copy of the Emergency Resolution is included in the Board Packet; which packet is attached hereto as an exhibit to these minutes.

Mr. Kennis next reviewed the General Manager's report in its entirety and as included in the Board Packet. He noted that a large tree limb was removed from the water line road trail as well as a hole in the area filled with concrete. Mr. Kennis next reviewed the Landscaping Report from Texasclapes, the District's Landscaper, with the Board. He stated that work on the District's sports fields would be delayed during the pandemic, but that when possible he planned to meet with Texasclapes and Directors Jistel and Mushtaler regarding future maintenance of the sports fields.

Director Mattox then questioned the ownership of the water line road trail (the "**Water Line Road**"). Director Jistel explained the history of the Water Line Road. He stated that the Water Line Road was currently owned by the City of Austin (the "**City**"), but that the City did not maintain the Water Line Road. He added that the District utilized the Water Line Road to empty trashcans along the District's Nature Trail as well as to access the District's Nature Trail for various maintenance. He noted that the District pays \$150 per month to have the Water Line Road area mowed. Director Mattox questioned if the District had a legal easement authorizing the District's use of the Water Line Road, and Director Jistel responded in the affirmative. Director Mattox stated his belief that the costs to maintain the Water Line Road should be paid by the City and not the District.

At this point Director Mushtaler joined the meeting.

Mr. Kennis then reviewed a letter from Waste Connections of Texas, the District's solid waste collector ("**Waste Connections**"), regarding changes to their services during the pandemic. He noted that Waste Connections planned to continue to operation with "cart only" operations until May 29, 2020. He added that Waste Connections had also suspended residential bulk and brush pickup services as well as limited residential recycle and trash services to collection of only contents within carts. Mr. Kennis explained that because more residents were staying at home during the pandemic, more solid waste was produced and required removal from the District. He added that he contacted Waste Connections about the issue and that they had offered to provide an additional dumpster in the District for residents to deposit extra trash into at no additional charge to the District. A lengthy discussion ensued regarding the insufficient services currently provided to the District by Waste Connections. The Board noted that a lack of resolution of the issues could jeopardize the District's willingness to continue to engage Waste Connections. After consideration, the Board directed the District's General Manager to contact Waste Connections regarding additional options available to the District.

Mr. Evans next provided the Attorney's Report. He detailed provisions in the March 16, 2020, order issued by Governor Abbott and noted that certain provisions of The Open

Meetings Act continued to be suspended, thus allowing the Board to continue meeting via video and/or audio conference. He added that he would keep the Board updated on the status of changes to the District's ability to meet via video conference.

The Board next discussed changes to the policies for the District's Nature Trail. Director Mushtaler noted that large numbers of persons continued to try and access the Nature Trail despite the restrictions in place. Director Mushtaler noted that the River Place Homeowners Association (the "HOA") had provided security services for the District during the past weekend. The Board discussed at length the District's ability to secure the Nature Trail and District parks going forward. Director Mushtaler suggested a phased approach to opening the District's Nature Trail and parks. After a question from the Board, Mr. Evans stated that the Board has the jurisdiction and authority to determine if allowing persons to access District facilities is safe, and to take any actions deemed necessary. The Board then considered the numbers of Travis County Constable's Office deputies (the "Constable's Office") required to patrol the District's Nature Trail and parks. After continued discussion, upon a motion duly made by Director Mattox and seconded by Director Jistel, the Board voted unanimously to: (1) authorize funding 50% of the costs to hire two deputies per weekend, at a total cost not to exceed \$1,000 per weekend; and (2) authorize Director Mushtaler determine the need for additional security services by the Constable's Office and to take any actions necessary with regard to opening or closing the Nature Trail and parks to ensure the safety of District residents.

Next, Mr. Luft provided an update to the Board on the status of the District's accounts and investments. He reviewed the income for the District and summarized the activity in each of the District's accounts. He also reviewed the Quarterly Investment Report.

Director Jistel then provided the Parks Report. He reported that the District had received \$412 in donations to the Nature Trail and that the District's fields were in good shape. He added that the upcoming soccer season was cancelled.

There being nothing further to come before the Board, the meeting was adjourned



Secretary, River Place Limited District
Board of Directors



River Place Limited District
Attachments
April 28, 2020

1. Board Packet.