

CERTIFICATE FOR ORDER OR RESOLUTION

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

The undersigned officers of the Board of Directors of River Place Municipal Utility District of Travis County, Texas (the "District") hereby certify as follows:

The Board of Directors of River Place Municipal Utility District convened in **regular** session on the 25th day of July 2017, at the regular meeting place thereof, and the roll was called of the duly constituted officers and members of the Board, to wit:

Patrick Reilly	President
Arthur Jistel	Vice President
Scott Crosby	Secretary
Lee Wretlind	Treasurer
Claudia Tobias	Assistant Secretary/Treasurer

and all of said persons were present, except for the following absentees: Directors Wretlind and Tobias, thus constituting a quorum. Whereupon, among other business, the following was transacted at the meeting:


**ORDER OF THE BOARD OF DIRECTORS OF
RIVER PLACE MUNICIPAL UTILITY DISTRICT AMENDING PARK RULES**

was introduced for the consideration of the Board. It was then duly moved and seconded that the Resolution be adopted, and, after due discussion, the motion, carrying with it the adoption of the Resolution prevailed and carried by the following vote:

AYES: *All present*
NOES:

That a true, full and correct copy of the aforesaid Order or Resolution adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; and that said Order or Resolution has been duly recorded in said Board's minutes of said meeting; that the persons named in the above and foregoing paragraph were duly chosen, qualified and acting officers and members of the Board as indicated therein, that each of the officers and members of said Board was duly and sufficiently notified officially and personally, in advance, to the holding of said meeting for such purpose; that said meeting was open to the public as required by law; that public notice of the time, place and subject of said meeting was given as required by the Texas Government Code, §551.043, as amended, and §49.063 of the Texas Water Code, as amended, and that the undersigned are the duly chosen, qualified and acting officers of the current Board of Directors.

SIGNED AND SEALED this 25th day of July 2017



Secretary, Board of Directors



President, Board of Directors

**ORDER OF THE BOARD OF DIRECTORS OF
RIVER PLACE MUNICIPAL UTILITY DISTRICT AMENDING PARK RULES**

WHEREAS, Section 54.201 and Section 54.771, et seq., of the Texas Water Code, as amended, authorize a municipal utility district to acquire, operate, maintain and improve works, improvements and facilities incident, helpful or necessary for a district to accomplish its purposes, including parks and recreational facilities for the inhabitants of the district; and

WHEREAS, River Place Municipal Utility District (the "District") owns and maintains parks, nature trails, park pavilions, tennis courts, and basketball courts (collectively the "District Parks"); and

WHEREAS, Section 54.205 of the Texas Water Code, provides that a municipal utility district may adopt and enforce reasonable rules and regulations to regulate privileges on any land or any easement owned or controlled by the district; and

WHEREAS, the District reestablished its rules and regulations governing activities at the District Parks on August 22, 2016, so as to best operate and manage the District's Parks and park facilities (the "Park Rules"); and

WHEREAS, the Board of Directors of the District has determined that it is in the best interest of the District to amend its Park Rules to include a provision governing the use of the District's Parks for large group activities.

NOW THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF RIVER PLACE MUNICIPAL UTILITY DISTRICT OF TRAVIS COUNTY, TEXAS, THAT:

Section 1. The matters and facts recited in the preamble of this Order are found and determined to be true and correct and are incorporated as a part of this Order.

Section 2. Section 1.02 of the Park Rules and Regulations - District Park Rules and Policies- shall be amended to include the following:

- o) Large Group Activity: Approval by the District's General Manager or Parks Committee Chairman shall be required for all large group activities planned in the Parks, as defined in Section 1.01 of the Park Rules and Regulations, for Saturdays, Sundays, and holidays. A large group activity shall be defined as any activity to be conducted on or in the Parks at which 25 or more persons potentially may be present at one time. The District will consider the proposed impact of the activity on the District's facilities; the health, safety and welfare of other park users and surrounding property owners; and other relevant circumstances. The sponsor or representative of the large group activity shall provide not less than 7 days' notice to the District so that a determination may be made as to what requirements, if any, may be applicable to the event for purposes of protecting the Parks and the health, safety and welfare of park users and adjacent property owners. In the event that such notice is not given to the District, the District may withhold authorization for an event, or terminate an event, based upon another groups or persons' use of the park during the event date, the nature of the event, and other relevant circumstances.

Section 3. The amended Park Rules attached hereto as Exhibit "A" shall henceforth apply to the District's Parks and park facilities.

Section 4. The Board may adopt additional rules and fees, as it deems necessary.

Section 5. The enforcement of this Order and the Park Rules as amended herein, and the imposition of penalties will be handled as outlined in the Park Rules.

Section 6. The General Manager and/or her agent will serve as the District's representative in identifying violations and following the procedures as outlined in Exhibit "A."

Section 7. The Secretary of the Board is hereby directed to file a copy of this Order in the principal office of the District.

PASSED AND APPROVED this 25th day of July 2017.

/s/ Patrick Reilly
President, Board of Directors
River Place Municipal Utility District

ATTEST:

/s/ Scott Crosby
Secretary, Board of Directors
River Place Municipal Utility District

[DISTRICT SEAL]

EXHIBIT A

PARK RULES AND REGULATIONS

1) **Section 1.01** **Description & Location of District Parks**

- a) **Sun Tree Park:** Located at 10607 Sun Tree Cove, this Park consists of 5.5 acres, and includes a pavilion, equipped with electricity, restrooms, water fountains, barbeque pits, picnic tables, playscapes, all-purpose athletic fields, a basketball court, crushed granite walking trail, concrete sidewalks, and a paved parking lot.
- b) **Woodlands Park:** Located at 8820 Big View Dr., this Park consists of 9.7 acres, and includes a pavilion, equipped with electricity, restrooms, barbeque pits, picnic tables, playscapes, all-purpose athletic fields, water fountains, 2 lighted tennis courts, sandy beach area, crushed granite walking trail, concrete sidewalk, and a paved parking lot.
- c) **The Nature Trail:** Consists of three separate trailheads. The trailhead off of Big View Drive has parking. The other trailheads are located off River Place Blvd (*See Section 1.07 for Trail Rules*).
- d) **Parks:** Refers to all of the District's Parks: the Natural Trail, Sun Tree Park, and Woodlands Park.

2) **Section 1.02** **District Park Rules & Policies**

- a) **Park Hours:** Sunrise to Sunset, except for the lighted tennis courts (*See Section 1.05 Tennis Court Rules and Regulations*). Copies of the Tennis Court Rules are also posted at the tennis courts.
- b) **Use by Minors:** Children under the age of 8 years must be accompanied by an adult at all times. Adults should accompany children, of all ages, coming to or going from the Parks.
- c) **Alcoholic Beverages:** Alcoholic beverages may be consumed, but public intoxication is prohibited within the Parks. Please use trash receptacles.
- d) **Glass Beverage Container:** Glass beverage containers are prohibited in the Parks.
- e) **Open Flames:** No open flames are allowed in the parks. All fires must be contained in the permanently installed barbecue grills throughout the parks. All fires and/or coals must be extinguished prior to departure from the area. Coals and embers must not be placed in the trash receptacles.
- f) **Motor-Driven Vehicles and Equipment:** Motor driven vehicles are prohibited from all fields and can only be used on public roadways and parking areas.
- g) **Parking:** Parking in the Parks or parking lots must be in accordance with the use of the Parks during authorized hours. The District may have a vehicle towed at the expense of the owner if the vehicle is parked in violation of these rules.

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- h) Commercial Advertising: Commercial advertising on the District's signs and/or property is prohibited.
- i) Destructive Activities: Activities that cause or are likely to cause destruction, damage, or defacement to the Parks and/or Park facilities are prohibited.
- j) Missiles: Hurling, throwing, discharging, firing or propelling by any means any missile is prohibited. This rule applies to, but is not limited to, golfing activity, firearms, pellet guns, air guns, fireworks, slingshots, bows and arrows and blowguns, throwing stones, darts, knives, spears and javelins. This rule does not apply to balls, frisbees, and other similar athletic objects.
- k) Disruptive Behavior: Disruptive or hazardous conduct or behavior that interferes with other Park patrons' enjoyment of the Park is prohibited. Under circumstances where a patron's conduct is unlawful, or poses an imminent threat of injury or prevents the public enjoyment of the Park, wildlife preserve, or facility, please contact the following law enforcement officers: Travis County Sheriff at 512-854-9285.
- l) Peace and Quiet: Any noise which is broadcast, or caused to be broadcast beyond the immediate proximity of the area of the Park, whether by shouting, singing, using a radio, phonograph, television, musical instrument, or by operating mechanical or electronic equipment is prohibited (*See* Section 1.03(h) for rules regarding amplification for special events).
- m) Conduct in Park: The person or organization reserving the facility shall be responsible for the conduct and behavior of the entire group using the facility and for the enforcement of all District Park Rules during the period of the reservation.
- n) Athletic Fields: The athletic fields will be used on a first-come-first-serve basis except during peak periods of seasonal sporting activities. During this period, a schedule of the fields will be prepared and posted at the respective Park bulletin board. The fields will only be scheduled during week days from 4:00 p.m. to sunset. A notice will be posted at Park bulletin boards announcing when and where the scheduling meeting will take place. The purpose of scheduling the fields is to maximize the use of the limited fields available in River Place.
- o) Large Group Activity: Approval by the District's General Manager or Parks Committee Chairman shall be required for all large group activities planned in the Parks, as defined in Section 1.01 above, for Saturdays, Sundays, and holidays. A large group activity shall be defined as any activity to be conducted on or in the Parks at which 25 or more persons potentially may be present at one time. The District will consider the proposed impact of the activity on the District's facilities; the health, safety and welfare of other park users and surrounding property owners; and other relevant circumstances. The sponsor or representative of the large group activity shall provide not less than 7 days' notice to the District so that a determination may be made as to what requirements, if any, may be

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applicable to the event for purposes of protecting the Parks and the health, safety and welfare of park users and adjacent property owners. In the event that such notice is not given to the District, the District may withhold authorization for an event, or terminate an event, based upon another groups or persons' use of the park during the event date, the nature of the event, and other relevant circumstances.

3) Section 1.03 Reservations for Park Pavilion

a) Fees & Deposit for Reserving Park Pavilion:

i) Resident Rate: \$50.00 rental fee + \$50.00 refundable deposit = \$100.00

ii) Non-Resident Rate: \$100.00 rental fee + \$100.00 refundable deposit = \$200.00

b) Return of Deposit: The deposit will be returned upon satisfactory inspection of the facilities at the conclusion of the reservation. Any damage, usage not approved, or maintenance required "out of the ordinary" after the reservation is completed will be charged to the user and/or taken out of the deposit. If the deposit does not cover the cost, the user will be billed for the balance. Failure to make any attempt to clean up and/or pay for additional clean up and/or damage costs will result in denial of future reservation requests and forfeit of deposit.

i) Parties wishing to reserve a pavilion should go to www.RiverPlaceMUD.org.

ii) For questions call Severn Trent (512) 246-0498 or email Parks@STServices.com

c) Payment: All fees and deposits may be paid by check or money order in person (8:00 a.m. - 5:00 p.m., Monday - Friday) or via mail at the District Office located at Severn Trent, 14050 Summit Drive, Suite 113-A, Austin, Texas 78728. Checks and money orders should be made payable to River Place M.U.D. There will be a \$25.00 service charge for all returned checks. Credit and debit card payments are accepted through the website, www.riverplacemud.org, reservation system.

d) Cancellations: Please call Severn Trent at 512-246-0498 or email Parks@STServices.com at least 24-hours in advance if necessary to cancel a reservation.

e) Arrival/Departure: Reservations are arranged for a specific period of time, known as arrival and departure times. The arrival time is the time you have requested to begin the reservation. The reservation is expected to end at the departure time previously arranged.

f) Cleanup: The person or organization reserving the pavilion is required to return the pavilion and adjacent grounds to their original condition. All hard surfaces are to be clean of loose materials, including decorations, trash, and litter. All of these materials are to be placed in the trash receptacles. If the receptacles are full, all remaining debris must be placed in plastic garbage bags that are securely tied and placed next to the trash carts/bins. A Cleanup Checklist will be provided to each resident with the reservation form.

g) Parking: Parties reserving the pavilion are requested to use the parking lot near the pavilion. Use of the parking lot during after-hours (sundown to sunrise) is prohibited.

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- h) Amplification: Parties desiring to use amplification must receive written authorization from Severn Trent. Amplification systems must not exceed 44 decibels total output power on all channels combined. Speakers for the system must be placed within the pavilion so that the sound is confined to the immediate pavilion area. If complaints from surrounding homes are received by the Sheriff's office, the user will be required to turn off amplified sound.

4) Section 1.04 Moon Walk, Trains or Other Similar Entertainment Equipment

River Place Municipal Utility District (the "District") shall not be liable for any damage of property or personal injuries sustained from or caused during the use of the Parks, including by way of example and not in limitation, the use of Moon Walk, trains, petting zoos, mechanical bulls, ponies or other similar entertainment equipment at Sun Tree Park or at Woodlands Park in the District.

A Release, Hold Harmless and Indemnification Agreement must be completed and signed by any person or organization reserving the pavilion and returned to the District office. This document can be obtained from the District office. A copy of all paperwork and a confirmation letter will then be forwarded to the person reserving the pavilion. All paperwork must be in your possession during use of the District facilities and Parks.

5) Section 1.05 Tennis Program at Woodlands Park

- a) Usage of the tennis courts at the District's Parks is restricted to tennis members only, with a maximum of 3 guests.
- b) Tennis Membership:
 - a. Memberships last for one year
 - b. Residents of the District shall pay a \$50 membership fee annually
 - c. Non-Residents of the District shall pay a \$300 membership fee annually
- c) Refunds will not be issued for canceled or unused tennis memberships for any reason
- d) Tennis members can book a tennis court up to 4 times within a 7-day period.
- e) Reservations for the tennis courts can be made a maximum of 7 days in advance
 - a. Please provide the courtesy of canceling any reservation in a timely fashion to allow others to utilize the courts.
- f) The scheduling time period is a 30-minute minimum and a 90-minute maximum
 - a. A 15-minute "late arrival" applies before reservations are voided.
- g) Court #2 is reserved for resident play Monday and Saturday from Sunrise to noon.
- h) Tennis court reservations have priority over "drop-in" usage.

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- i) Tennis instructors who use any District park to provide tennis lessons must carry liability insurance of a minimum of \$1,000,000.
 - j) Tennis instructors may only occupy the tennis courts for 20 hours a week.
 - k) Dangerous or offensive conduct or language is prohibited on the tennis courts. If this type of behavior occurs, members will be asked to leave the tennis courts.
 - l) Alcoholic beverages and glass containers are prohibited inside the fenced court areas.
 - m) Black soled shoes are prohibited on the tennis courts.
 - n) Pets, bicycles, skateboards, chalk use, roller blades, and/or motorized vehicles are prohibited inside the fenced court areas.
- 6) **Section 1.06** **Basketball Court Rules**
- a) The court is first come first served unless reserved. To reserve or confirm a reservation, go to www.riverplacemud.org
 - b) Non-reserved games should be no longer than an hour (if others are waiting to play)
 - c) Hanging from rims or dunking on the goals is prohibited
 - d) Courts are used for basketball play ONLY
 - i) No pets, bicycles, skateboards, skates, caulk use or motorized vehicles are allowed.
 - e) Food and/or beverages are not allowed on the court
 - f) Courts must be left free of litter and debris
 - g) Any poor sportsman like conduct will not be tolerated
 - h) To report unlawful conduct, contact parks@stservices.com or call the sheriff at 512-854-9285.
- 7) **Section 1.07** **Trail Rules**
- a) Remain on the trail at all times.
 - b) Do not deposit or leave any trash at or near the trails.
 - c) Dogs are allowed, but must remain leashed at all times.
 - d) Remove all dog waste from the trail.

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- e) No smoking, fires, cooking, or camping at or near the trails.

8) Section 1.08 Violations and Enforcement of Rules

- a) Violations. Violations of these Park Rules may make the person or organization ineligible for future use of all facilities.
- b) The Board hereby imposes a fine of up to \$5,000 in civil penalties for the breach of any rule of the District, including these Park Rules. In addition, the violator shall pay the District twice the costs the District has sustained due to the violation up to the maximum amount allowed by law. A penalty under this Section is in addition to any other penalty provided by the laws of this State and may be enforced by complaints filed in the appropriate court of jurisdiction in the county in which the District's principal office or meeting place is located. If the District prevails in any suit to enforce its rules, it may, in the same action, recover any reasonable fees for attorneys, expert witnesses, and other costs incurred by the District before the court. The amount of the attorneys' fees shall be fixed by the court.
- c) Vandalism Warning. Damage to public and private property is a crime. The District will pay up to \$1500 to anyone providing information that leads to the apprehension and conviction of persons causing damage to District property. Persons causing damage to District property will be prosecuted to the full extent of the law.
 - i) To report such activity, please call the Travis County Sheriff's office at 512-854-9285.
 - ii) For emergency calls only dial 911.

Approved 7/25/2017