

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

**September 29, 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 September 29, 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
Arthur Jistel	Vice-President
Scott Crosby	Secretary
Lee Wretlind	Treasurer
Claudia Tobias	Assistant Secretary/Treasurer

and all Directors were present, thus constituting a quorum.

Also present were Patricia Rybachek and Michael Luft of Severn Trent Environmental Services ("ST"), the District's General Manager; Herb Edmonson of Gray Engineering, Inc. ("Gray"), the District's Engineer; and Phil Haag and Suzanne McCalla of McGinnis Lochridge ("McGinnis"), the District's Attorney. Several members of the public were also present at the meeting. A copy of the sign-in sheet for those in attendance at the meeting is attached hereto.

Upon calling the meeting to order, Director Reilly noted that there were several residents present who wished to address the Board.

First, Gary Chapel questioned the Board on their plan to provide information to District residents about the conversion of the District into a Limited District. Director Reilly responded that the District planned to hold several public meetings beginning next summer. He explained that pursuant to the District's Strategic Partnership Agreement (the "SPA") with the City of Austin (the "City"), the District would be annexed into the City on December 15, 2017, for full purposes and would thereafter be known as River Place Limited District. He added that the Limited District would remain in place until May of 2018, when a confirmation election for the Limited District would be held to determine if the Limited District would remain in existence. Director Reilly continued that if approved by a majority of the voters in the District, the Limited District would remain in place for ten years, at which point the SPA could be amended to extend the Limited District for another ten years. Mr. Chapel asked if the rules of the Limited District would be different from the District's current rules. Mr. Haag replied that the rules of the Limited District were primarily set out in the SPA and that the Limited District would stay under the same authority of the Water Code as the District [Chapter 49 and Chapter 54]. Director Reilly stated that the Limited District, if approved, would continue to maintain the District's parks and nature trails at the same level of care that is currently provided by the District. If the Limited District is not approved by the voters of the District, the City will take over the maintenance of the District's parks and trails

as well as solid waste services, he said. A lengthy discussion ensued regarding the differences between a municipal utility district and limited district. No action was taken on any items discussed.

The next item of business was approval of the monthly consent agenda containing the minutes of the August 19, 2016, special meeting and the August 22, 2016, regular meeting and payment of bills and expenses. After review and upon a motion duly made by Director Jistel and seconded by Director Tobias, the Board voted unanimously to approve the Consent Agenda as presented.

Director Reilly then convened the public hearing for consideration of the 2016 tax rate for the District. Ms. McCalla confirmed that the Notice of Public Hearing on Tax Rate was published in the Austin American Statesman as required. Director Reilly observed that there were several persons present who wished to address the Board concerning the tax rate. Those residents in attendance then questioned the Board about the proposed tax rate, including questions regarding the District's Park Fund. Director Reilly explained that monies in the Park Fund were accrued over the past ten years from surplus monies of the District. He continued that the amounts budgeted for the current fiscal year would not contribute to the surplus amounts in the Park Fund. Director Reilly added that the monies in the Park Fund could be used for the Limited District to assist in stabilizing the taxes needed to maintain the District's Parks and Nature Trails during the life of the Limited District. Another resident present asked what would happen to the District's funds if the Limited District was not approved by a majority of the voters in the District at the confirmation election. Director Reilly responded that the City would assume all the District's assets, including the monies in the Park Fund and General Operating Fund. A lengthy discussion ensued. After a question from a resident present, Director Reilly confirmed that District residents would not be taxed by the City for the 2017/2018 fiscal year [10/1/2017-11/1/2018]. He continued that the Board was estimating a \$0.08 tax rate for the Limited District. After additional discussion, Director Reilly closed the public hearing. Director Wretlind made a motion to: (1) approve a maintenance and operations tax rate of \$0.1345 per \$100 of assessed valuation; (2) approve a debt service tax rate of \$0.0725 per \$100 of assessed valuation for an overall tax rate of \$0.2070 per \$100 of assessed valuation; and (3) adopt the ORDER LEVYING TAXES. Director Wretlind reminded those present that the tax rate was estimated to cover 14.5 months [October 1, 2016 through December 15, 2017], the time until the District was annexed by the City. He continued that after that time if the Limited District was approved by the voters of the District, the Board would approve a new budget for the remaining 9.5 months [December 16, 2017 through September 30, 2018]. The motion passed with Directors Tobias, Wretlind, Reilly and Jistel voting in favor, and Director Crosby voting against the motion. A copy of the Order Levying Taxes is attached hereto and shall be considered to be a part of these minutes.

Ms. McCalla then explained that the Board needed to adopt an Amendment to the District's Information Form whenever any information in the Information Form was changed, including the annual setting of the District's tax rate. She explained that the

amendment would be filed with the Texas Commission on Environmental Quality, in the Official Public Records of Travis County, and in the offices of McGinnis Lochridge. After review, upon a motion duly made by Director Wretlind and seconded by Director Tobias, the Board voted unanimously to approve Amendment No. 33 to the District's Information Form and to authorize filing of same as outlined. A copy of Amendment No. 33, thus approved, is attached hereto and shall be considered to be a part of these minutes.

Next, Ms. Rybachek presented the General Manager's report in its entirety and as contained in the Directors' packets and attached hereto as an exhibit to these minutes. Ms. Rybachek told the Board that the Parks Committee had met with seven residents of the District to discuss the selection of new playscape equipment for Sun Tree Park. She continued that the meeting went well and that the District was actively moving forward with the playscape project. Director Wretlind suggested that the playscape project include resurfacing the entire parking lot, and the Board concurred.

Ms. Rybachek next reported that 25 persons had signed up for new tennis memberships at the District's tennis courts. She stated that after October 1, 2016, additional persons could sign up for a membership via the District's online reservation system. She continued that the District's website was being kept up-to-date and that the District's Park Rules would be added to the website.

Director Reilly questioned if Severn Trent was ensuring that the quarterly inspections of the District's detention ponds were being completed, and Ms. Rybachek responded in the affirmative.

Mr. Edmonson then presented the Engineer's Report, as contained in the Directors' packets. He reported that Lockhart Excavation planned to install an 8-inch casing pipe as well as re-pipe the irrigation suction line at the irrigation pump at the Woodlands Park (the "Pump Project"). He stated that the cost of the Pump Project should not exceed \$2,200. After a brief discussion, upon a motion duly made by Director Jistel and seconded by Director Wretlind, the Board voted unanimously to approve the Pump Project in an amount not to exceed \$2,200.

Next, Mr. Edmonson presented a proposal in the amount of \$7,425 from Kuts & Kleans, Inc. ("Kuts & Kleans") to clean out the pond along Big View Drive in the District. He explained that Kuts & Kleans would clean the front of the pond along the bridge and install a rock gable at two outlets. He added that the proposal included the removal of brush and trees. After consideration, upon a motion duly made by Director Jistel and seconded by Director Tobias, the Board voted unanimously to approve the proposal of \$7,425 for the clean out of the pond along Big View Drive. A copy of the proposal is attached hereto and shall be considered an exhibit to these minutes.

Mr. Edmonson then stated that Gray had solicited bids to address the items at Sun Tree Park noted by Altura Solutions, L.P. as non-compliant with Texas Accessibility Standards (TAS). He presented for the Board review a proposal from Westar Construction, Inc. ("Westar") for \$24,835 for replacement of the existing asphalt parking lot and concrete sidewalks. After discussion, upon a motion duly made by Director Tobias and seconded by

Director Wretlind, the Board voted unanimously to approve the proposal from Westar as discussed at a total cost to the District of \$24,835.00. A copy of the proposal, thus approved, is attached hereto as an exhibit to these minutes.

Mr. Edmonson next explained that the restrooms at Sun Tree Park would also need to be updated and a new accessible drinking fountain installed. He then presented a proposal from Fazzone Construction ("Fazzone") in the amount of \$9,535.48 to update the restrooms and install the accessible drinking fountain. After review and discussion, Director Tobias made a motion to approve the proposal by Fazzone in the amount of \$9,535.48. Director Jistel seconded the motion, which passed with all Board members voting in favor of the motion. A copy of the proposal is attached to these minutes as an exhibit.

Continuing his report, Mr. Edmonson told the Board that after meeting with City staff regarding the Woodlands Park slope stabilization, including a follow up site visit, Gray has begun assembling a site plan application for submittal to the City. He continued that the application would include the development and design of a plan to stabilize the existing bank and possibly reclaim area lost to erosion. He noted that the site plan application will require the services of an environmental hydrologist as well as a land surveyor to provide additional information required by the City.

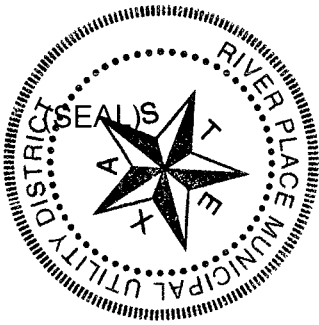
Next, Director Wretlind detailed with the Board the status of the District's investments. He reviewed the income to the District and summarized the activity in the District's accounts. He noted that the District was slightly over budget for the Parks Funds account due to the purchase and installation of signs along the District's Nature Trail. He also stated that he had asked the District's Bookkeeper to review different options to try and optimize yield for the District's investments.

Director Jistel then reported that a "hoedown" was scheduled in the District for October 15, 2016. He continued that a red oak tree had to be cut down at Sun Tree park recently because the tree was rotted in the center. Director Jistel stated that he and Director Tobias had met with an expert on trees who informed them that mulch placed over the flare of a tree creates moisture at the base of the tree which can cause the heart of the tree to rot. Director Jistel added that the trees in the Woodland Park appeared to be in great condition. He then presented a proposal from Kuts & Kleans to remove excess cedar trees from underneath the pecan trees at the Woodlands Park at a total cost to the District of \$1,475. After review, upon a motion duly made by Director Wretlind and seconded by Director Tobias, the Board voted unanimously to approve the removal of the cedar trees under the pecan trees at the Woodlands Park in an amount not to exceed \$1,475. A copy of the proposal from Kuts & Kleans is attached hereto and shall be considered an exhibit to these minutes.

Next, Director Jistel stated that a person playing basketball on the District's basketball court had sprained his ankle on an acorn that had fallen on the court. He continued that the player was requesting that the District keep the courts cleaned of all acorns. After discussion, the Board concurred that continually removing naturally occurring debris from the basketball courts was unfeasible and that persons utilizing the District's basketball courts should sweep off the courts prior to playing.

Director Reilly then told the Board that the District continues to receive complaints from District residents about persons parking along streets in the District in order to access District trails. The Board discussed possible solutions to the parking issue. The Board agreed to continue discussion at future Board meetings to try and resolve the issue.

There being nothing further to come before the Board, the Board scheduled its next meeting for October 25, 2016, and the meeting was adjourned



  
Secretary, River Place MUD  
Board of Directors

River Place Municipal Utility District  
Attachments  
September 29, 2016

1. Board packet;
2. Attendance List;
3. Order Levy Taxes;
4. Amendment No. 33 to the District Information Form;
5. Proposal from Kuts & Kleans for the clean out of the pond along Big View Drive;
6. Proposal from Westar for the installation of new asphalt and sidewalks;
7. Proposal from Fazzone for the installation of a new drinking fountain; and
8. Proposal from Kuts & Kleans for removal of cedar trees at Woodlands Park.