

MINUTES OF MEETING
OF
BOARD OF DIRECTORS

THE STATE OF TEXAS

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COUNTY OF TRAVIS

LAKESIDE WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1

The Board of Directors of Lakeside Water Control and Improvement District No. 1 (“District” or “Lakeside WCID No. 1”) held a regular meeting, by two-way toll-free telephonic conference call, at [(877) 309-2073 and entering code 884-485-949] open to the public, on May 12, 2020, at 7:00 p.m. (in person meetings are typically held at the Blackhawk Amenity Center, 3111 Speidel Drive, Pflugerville, Texas). A copy of the notice of meeting along with associated certificates of posting are attached as Exhibit “A”.

The roll was called of the members of the Board of Directors, to-wit:

Jeff Stivers	President
Thomas Arndt	Vice President
James Laughlin	Secretary/Treasurer
Brian Kinney	Assistant Secretary
Joshua Miller	Assistant Secretary

All members of the Board participated by telephone, thus constituting a quorum of the Board of Directors. All Directors who participated by telephone voted on all matters that came before the Board. Also participating by telephone were Jeff Monzingo of Montoya & Monzingo, LLP; Keith Collins of Randall Jones Engineering, Inc.; David Klein and Maris Chambers, Attorneys and Fred Castro, Paralegal with Lloyd Gosselink Rochelle & Townsend, P.C.

Mr. Klein stated this meeting was being held under the Governor’s March 16, 2020 proclamation, as extended in April, suspending certain Texas Open Meetings Act laws in response to the current COVID-19 pandemic and statewide disaster declaration. He stated this open meeting of the Board of Directors was being recorded and the recording would be made available to the public. Mr. Klein stated that the conference call line allowed for 2-way communication, and the Board would provide members of the public with the opportunity to speak, as in any normal Lakeside Water Control and Improvement District No. 1 open meeting. Mr. Klein asked that the attendees use the same courtesy as an in-person meeting and try to avoid talking over each other. He stated that the Board would announce the instances where comments from the public would be accepted.

Director Stivers called the meeting to order at 7:02 p.m. and announced that a quorum of the Board was in attendance (on the call). Director Stivers stated that the Board would next take action concerning the qualifying of newly elected directors. Mr. Klein presented this item and noted there were two (2) positions for the office of director scheduled to be voted on at the

District's May 2, 2020 Director Election. He noted that only two (2) people had filed an application to have their names placed on the ballot; and therefore, only two (2) candidates' names were to be placed on the ballot. Mr. Klein noted that the only people that had filed applications with the District to have their names placed on the ballot were Jeff Stivers and Brian Kinney. He noted that no person had filed a declaration of write-in candidacy for the District's May 2, 2020 Director Election. Mr. Klein noted that the Secretary of the District had certified in writing that Jeff Stivers and Brian Kinney were unopposed for election to the office of director; that Jeff Stivers and Brian Kinney were declared elected to serve a four-year term on the Board of Directors of the District, and the election called for May 2, 2020 was canceled by order of the Board of Directors of the District adopted on March 10, 2020. After discussion, Mr. Klein confirmed that his office was in receipt of executed Statements of Officer and Oaths of Office for Jeff Stivers and Brian Kinney and declared them qualified to serve as Board members of the District.

Director Stivers stated that the Board would next consider the election of new officers. Mr. Klein explained that after each director's election, the Board is required to meet and elect officers. After discussion, upon motion by Director Laughlin, seconded by Director Kinney, and unanimously carried, the Board voted to retain the current slate of officers.

Director Stivers stated that the Board would next consider the approval of the minutes of the April 20, 2020 regular meeting. Upon motion by Director Arndt, seconded by Director Kinney, and unanimously carried, the Board approved the minutes of the April 20, 2020 regular meeting, as presented.

The next item to come before the Board was to receive public comment. No comments from the general public were received by the Board.

Director Stivers stated that the Board would next receive a report from the District's Engineer. Mr. Collins provided a brief report on the status of utility construction within the Blackhawk subdivision. Next, Mr. Collins informed the Board that Lakeside WCID No. 2D had awarded the contract for the Pedestrian Trails Project within the Lakeside WCID No. 2D greenbelt to JKB Construction Company, LLC, the low bidder, with a total bid amount of \$390,827.80. Finally, Mr. Collins reported that he had contacted a structural engineer to obtain guidance regarding the Reserve at Westcreek Amenity Center concrete floor repair and re-staining project to determine whether a structural analysis was warranted before having the floor resurfaced and re-stained. He stated that the structural engineer declined to provide an opinion without reviewing as-built plans and performing a structural analysis. Mr. Collins stated that the structural engineer's take on the situation was that since the cracks had been observed for some time and there did not appear to be any settling of the surrounding area or worsening of the cracks then the foundation should be stable. In the event the Board wanted a definitive answer, a detailed analysis would be required. Mr. Collins informed the Board that the Reserve at Westcreek Owners Association (the "Reserve") was agreeable to any decision made by the Board regarding this issue. After discussion, Mr. Collins stated that three bids had been solicited for the Reserve at Westcreek Amenity Center concrete floor repair and re-staining project and was directed to review the proposals and make a recommendation on how to move forward at the next meeting of Lakeside WCID No 2D. Mr. Collins stated that he would contact Director Kinney after reviewing the bids to gain any insight Director Kinney may have regarding this project.

The next item to come before the Board was to take action concerning First Amendments to the following Cost Sharing Agreements (i) Cost Sharing Agreement for Channel Maintenance Project, and (ii) Cost Sharing Agreement for Trail Project, copies of which are attached as Exhibit "B". Mr. Klein presented this item and noted that the Lakeside Districts have several active cost sharing agreements in place where each Lakeside District shares in the costs for projects that benefit all participating Lakeside Districts. Mr. Klein noted that the First Amendments to Cost Sharing Agreements achieve a recalibration of the percentages that each Lakeside District will pay under these Agreements. He noted that the First Amendment to the Cost Sharing Agreement for Channel Maintenance addressed the ongoing maintenance of drainage ways that include the clean out and re-grading of catch basins and stormwater inlet structures within their boundaries. Mr. Klein stated that the First Amendment to the Cost Sharing Agreement for the Trail Project called for the joint participation in the design, construction, and contract administration for three trail segments to be located with the boundaries of the District.

Mr. Klein noted that the percentage participation by each of the Lakeside Districts in each of these Cost Sharing Agreements had been inconsistent, as they were based upon certain conditions that existed at the time each Cost Sharing Agreement was entered into. Mr. Klein stated that to insure that costs were being allocated accurately amongst the participating Lakeside Districts it was determined that the cost allocation percentages be consistent within each Agreement moving forward and would be based upon the District Engineer's Living Unit Equivalent ("LUEs") tracking spreadsheet for the full buildout of each of the participating Lakeside Districts.

Mr. Klein noted that besides amending the allocation of costs for each participating Lakeside District, the First Amendment to the Cost Share Agreement for Channel Maintenance Project would be further amended to include Lakeside WCID No. 2A to the list of participants for this Project, as development within this District had progressed to the point where it would also have drainage ways that will require ongoing maintenance. Mr. Klein recommended that the Board approve the First Amendments to the Cost Sharing Agreements, as presented. Upon motion by Director Stivers, seconded by Director Miller, and unanimously carried, the Board approved the above-referenced First Amendments to Cost Sharing Agreements.

Director Stivers stated that the Board would next receive recreational facilities reports and take action concerning the same, including but not limited to, maintenance and/or improvements related to existing recreational facilities and determining hours of use of recreational facilities. Mr. Monzingo presented recreational facilities reports from the Associations operating the District's recreational facilities, copies of which are attached as Exhibit "C". Mr. Monzingo noted that the amenity centers are closed due to the COVID-19 pandemic and little was going on. He noted that the report provided by the Park at Blackhawk and Lakeside HOA included an update on work related to the water fountain replacement. He noted this project was on hold. Finally, Mr. Monzingo noted that the HOA's report included an expenditure of \$1,320 due to the installation of a safety rail at Eire Drive.

Next, Mr. Klein informed the Board that consideration of hours of use of recreational facilities was placed on the Board's agenda, given a call received from the Reserve who had

experienced problems with people playing basketball until late at night, sometimes until 2:00 a.m. Mr. Klein stated that the Reserve was seeking guidance regarding establishing hours of operation for the basketball court and with placing signage at the basketball court displaying hours of use of the facilities. Mr. Klein noted that his review of the Joint Use and Maintenance Agreement between the District and the Reserve did not include information concerning the hours of operation of any of the recreational facilities, but gave discretion to the Reserve regarding the day-to-day operation of the recreational facilities and amenity center.

Mr. Klein informed the Board that suggestions offered by Lakeside WCID Nos. 2A, 2B, 2C, and 2D included (i) putting any lights at the basketball court on timers to limit use of the facility at night; (ii) posting signage that displayed reasonable hours of operation; and (iii) removal of basketball goals. After discussion, Director Miller had concerns that some may feel that the removal of the basketball goals could be construed as a discriminatory action. After further discussion, Mr. Klein noted that calls to the City of Pflugerville Police Department had resulted in inaction, because the basketball court is not located within the corporate limits of the City. He noted that it was his understanding that the Travis County Sherriff's Office also proved difficult as this issue was a lower priority. Mr. Klein noted that the Board for Lakeside WCID No. 2D was contemplating enclosing the basketball court with keycard access as a long-term solution. After discussion, Director Stivers noted that the Meadows of Blackhawk HOA attempted to enclose its basketball court and found that kids would either go under the fence or tear it up to gain access.

Director Stivers stated that this brings up the Board's next agenda item concerning the engagement of a peace officer. Mr. Klein stated that the Reserve had inquired what options they had if people are out playing basketball past the posted hours of operation. Mr. Klein stated that typically the hiring of a peace officer would entail the hiring of off-duty police officers to patrol the District. Mr. Klein noted that in the meeting materials provided to the Board, a copy of the Texas statute related to the District's use of peace officers was provided for the Board's review, a copy of which is attached as Exhibit "D".

Mr. Klein noted that he was not seeking Board action regarding the hiring of a peace officer at this time, but wanted to flag this issue for the Board. Mr. Klein noted that none of the other Lakeside District Boards were in favor of this option. After discussion, Mr. Klein noted that Travis County law enforcement has already established presence within the Blackhawk community as Travis County law enforcement maintains an office at the Blackhawk Amenity Center, which they use to accommodate shift changes. Director Stivers suggested that Travis County be contacted to inquire what policing activities are currently being conducted within the neighborhood, if any, and inquire about the possibility of requesting that Travis County patrol the neighborhood and costs associated for such an arrangement. After discussion, Director Kinney stated that he was in favor of posting signage that stated reasonable hours of operation that also include a statement about the need to practice social distancing during the shelter in place period that could be removed when appropriate. Directors Laughlin and Miller noted that they were against removal of the basketball goals. Mr. Klein noted Director Laughlin's and Director Miller's objections. After discussion, Director Laughlin inquired whether the District was bound by law to enforce restrictions due to the COVID-19 pandemic. In response, Mr. Klein noted that that the Lakeside Districts should take actions to maintain the public health, safety and welfare, and to that point, the amenity centers are currently closed because of the pandemic. He noted that discouraging gatherings at other District

owned recreational facilities is no different and shows consistency on the part of the Lakeside Districts on how it is dealing with the pandemic. After further discussion, Director Stivers suggested that signage be posted at District owned recreational facilities concerning the hours that such facilities may be used. Director Kinney suggested that Mr. Klein be directed to meet with the associations responsible for the day-to-day operations of the District's recreational facilities concerning recommendations on policies that should be put in place and the verbiage for signage concerning the hours of use of District recreational facilities for future consideration. After discussion, upon motion by Director Stivers, seconded by Director Kinney, and unanimously carried, the Board directed Mr. Klein to meet with the associations responsible for the day-to-day operations of the District's recreational facilities concerning policy recommendations that should be put in place and the verbiage for signage concerning the hours of use of District recreational facilities for future consideration.

Director Stivers that the Board would next consider the hiring of peace officers. After discussion, upon motion by Director Stivers, seconded by Director Miller, and unanimously carried, the Board directed that Mr. Klein gather information concerning policing activities currently being conducted within the neighborhood by Travis County law enforcement. Director Stivers noted that the Board's motion did not authorize Mr. Klein to engage in the hiring of peace officers for the District.

Director Stivers stated that the Board would next consider the payment of invoices and Bookkeeper's report. Mr. Monzingo distributed a list of list of current invoices and the District's Quarterly Investment Report, copies of which is attached as Exhibit "E". After discussion, upon motion by Director Stivers, seconded by Director Arndt, and unanimously carried, the Board approved the payment of invoices and District Quarterly Investment Report, as presented.

The next item to come before the Board was to act concerning the amenity center site and project. Director Kinney stated that he had no new information to report at this time.

Director Stivers stated that the Board would next take action concerning District website design and management. Ms. Chambers presented a brief update on her progress related to taking the District's new website live and making sure that it complies with State law. She stated that the District's website would be taken live as soon as practicable.

The next item to come before the Board was to receive a report regarding compliance with Cybersecurity Awareness Training pursuant to House Bill 3834 from the 2019 Legislative Session. Ms. Chambers presented this item. She reiterated that elected officials such as members of the Board are now required to complete an annual cybersecurity awareness training course approved by the Texas Department of Information Resources ("DIR"). Ms. Chambers noted that the deadline for each director to complete the training is June 14th, and the District must report each Board member's compliance to DIR by June 15th. She stated that to meet those deadlines, She would be sending out an instructional email to the Board requesting that each Board member complete a recommended DIR-approved cybersecurity awareness course before the District's next Board meeting, in June. She noted that doing so would allow the Board to confirm that training had been properly completed, and would allow the District to meet the deadline to certify compliance to the DIR.

In connection with Director announcements or requests for items at the Board's next meeting, Director Laughlin requested that an item concerning the Board's use of videoconferencing by Board members be placed on the Board's next meeting agenda.

After discussion, there being no further business and upon motion by Director Stivers, seconded by Director Laughlin, and unanimously carried, the meeting was adjourned at 8:16 p.m. until further call.

PASSED, APPROVED AND ADOPTED THIS 9th day of June, 2020.

(District Seal)


James Laughlin, Secretary