

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. 2C

On November 14, 2023, at 5:45 p.m., the Board of Directors of Lakeside Water Control and Improvement District No. 2C (“District”) held its regular meeting, open to the public, outside the boundaries of the District, at 21100 Carries Ranch Road, Pflugerville, Texas. A copy of the notice of the meeting along with associated certificates of posting is attached hereto as **Exhibit “A”**.

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

David Wang	President
Scott Stratton	Vice President
Larry English	Secretary/Treasurer
Craig Twellmann	Assistant Secretary
Susan Brannan	Assistant Secretary

All members of the Board were in attendance, except Directors Wang and Stratton, thus constituting a quorum of the Board of Directors. All Directors who attended voted on all matters that came before the Board. Also attending were Jeff Monzingo of Montoya & Monzingo, LLP; Keith Collins, P.E. with Jones-Heroy & Associates, Inc.; Andrew Hunt and Natalie Arbour of Crossroads Utility Services; Danielle Lam, Attorney, and Fred Castro, Paralegal of Lloyd Gosselink Rochelle & Townsend, P.C.; Tish Thompson of Insight Drives Results, LLC; Robert Tiemann of Tiemann Land & Cattle Development, Inc.

1. Call meeting to order and establish a quorum. Director English called the meeting to order at 5:45 p.m. He announced that a quorum of the Board was in attendance.
2. Discuss, consider, and take action to approve minutes of October 9, 2023 regular meeting. Director English presented this Item, and a copy of these meeting minutes is attached hereto as **Exhibit “B”**. Director Brannan moved to approve the minutes of the October 9, 2023 regular meeting, as presented. Director Twellmann seconded the Motion and the Motion passed unanimously, 3-0.
3. Receive public comment (three (3) minutes per speaker; but any person providing public comment through a translator is limited to six (6) minutes, unless the District uses simultaneous translation equipment in a manner that allows the Board to hear the translated public testimony simultaneously with the speaker). There were no public comments.

4. Receive report from the District's Engineer and discuss, consider, and take action regarding the same. Director English introduced this Item. Mr. Collins presented his report, a copy of which is attached hereto as **Exhibit "C"**. Mr. Collins highlighted the following points: (1) he has been coordinating Board Agenda Item needs and responding to development-related questions as needed; (2) he reported the sidewalk repairs along Harrier Flight and the 8-acre pond was experiencing delays due to the weather; (3) he has been working with the District's General Counsel and Crossroads Utility Services to address District master meters and billing procedures; (4) he was requested by the Park at Blackhawk and Lakeside Homeowners Association (the "HOA") to look at drainage issues at 20917 Brooklyn Melissa regarding pooling water in the resident's back yard; (5) the Tennis Court site plan had been submitted to the City of Pflugerville, and the District is still awaiting comments from the City of Pflugerville; and (6) the Trail Connection Project contractor has started work on the design for this Project and that field survey work has been performed and topographic files have been prepared.
5. Discuss, consider, and take action as necessary regarding the implementation of the District's Stormwater Management Program (the "MS4 Program") and enforcement of the same. Director English introduced this Item. Mr. Collins stated that he had nothing to report with the exception that the next meeting of the District's Stormwater Management Program Subcommittee was scheduled for December 6, 2023.
6. Discuss, consider, and take action as necessary concerning the Carries Ranch Amenity Center Project, including but not limited to (A) Change orders; and (B) Pay applications. Director English introduced this Item. Ms. Thompson presented her Summary Report to the Board, a copy of which is attached hereto as **Exhibit "D"**. Ms. Thompson reported that the Carries Ranch Amenity Center Project (the "Project") was proceeding as planned with no new major issues to report. Next, she presented Change Order No. 19, a deduction in the amount of \$250,000.00, related to the exercise equipment since the District would directly purchase the equipment; Change Order No. 20 which was voided; Change Order No. 21, in the amount of \$ 92,740.54, for work related to pumphouse construction; Change Order No. 22, representing an internal contractor change which does not require review or approval; and Change Order No. 23, in the amount of \$19,494.94, representing work related to the addition of an office. Last, Ms. Thompson presented Pay Application No. 11, submitted by Fineline General Contractor, Inc., in the amount of \$162,320.94, and a copy of the District Engineer's letter of recommendation for such matters. Change Order Nos. 19, 21, and 23, Pay Application No. 11, and the District Engineer's letter of recommendation are attached to Ms. Thompson's Summary Report. Director Brannan moved to approve Change Order Nos. 19, 21, and 23, and Pay Application No. 11, as recommended. Director Twellmann seconded the Motion and the Motion passed unanimously, 3-0.
7. Discuss, consider, and take action as necessary on issues pertaining to the transition of utility services from the City of Pflugerville to Crossroads Utility Services ("Crossroads") and Central Texas Refuse ("CTR"). Director English introduced this Item. Ms. Lam provided a brief update on the transition of utility services from the City to Crossroads. She reported that a letter was sent on behalf of the Districts to the City with instructions for points of contact and

a request for a final reconciliation of accounts. She stated that the City had sent an invoice for Transition Charges and her team had verified that the Transition Charges were for the District's specific termination date. She recommended that the Board authorize the approval of the payment to the City for the Transition Charges.

8. Receive operations report from Crossroads Utility Services ("Crossroads"). Director English introduced this Item. Ms. Arbour presented her report a copy of which is attached hereto as **Exhibit "E"**. She stated that Manville Water Supply Corporation's drought watering restrictions had been removed within the District. Ms. Arbour stated that a full water report would be provided to the Board at its next regular meeting. She stated that eleven water meters were found to be inoperable and needed to be replaced. Ms. Arbour requested that the Board authorize the purchase of eleven electronic water meters at a cost of \$287.50 each. Director Brannan moved to approve the purchase of eleven electronic water meters at a cost of \$287.50 each. Director Twellmann seconded the Motion and the Motion passed unanimously, 3-0.
9. Discuss, consider, and take action as necessary concerning proposal for Lead & Copper Revised Rule Data Collection Services. Director English introduced this Item. Ms. Arbour presented her firm's proposal for providing data collection and service line inventory preparation for compliance with the Lead and Copper Revised Rule ("LCRR"), a copy of which is attached hereto as **Exhibit "F"**. She clarified that the proposal did not include the costs of testing at schools and child care facilities which is also required by the LCRR. Ms. Arbour stated that Crossroads has partnered with Elston Johnson & Associates to complete the District's mandated LCRR sampling in schools and child care facilities, including any child care facilities operated within a house, as Crossroads did not have the expertise to conduct such testing of these types of facilities. Ms. Arbour stated that the Board could expect a separate proposal from Mr. Johnson to perform this service. Director Twellmann moved to accept the Crossroads Lead and Copper Revised Rule Data Collection Services proposal. Director Brannan seconded the Motion and the Motion passed unanimously, 3-0.
10. Discuss, consider, and take action as necessary concerning adoption of service policies and delegation of authority to Crossroads Utility Services. Director English introduced this Item. Ms. Lam stated that the Board had previously delegated authority to Crossroads, the Board President, and other District representatives deemed necessary by the President to develop the terms of the Service Policy. Ms. Lam stated that these service policies were still being prepared.
11. Receive recreational facilities reports and take action as necessary concerning same, including but not limited to, maintenance and/or improvements to existing recreational facilities, and amenity center operations. Director English introduced this Item. Mr. Monzingo presented the reports from the Blackhawk HOA and the Reserve at Westcreek Owners Association regarding the status of the District's recreational facilities. Copies of these reports are attached hereto as **Exhibit "G"**. Mr. Monzingo stated that no action was required to be taken by the Board in connection with the reports submitted by the HOA and Reserve at Westcreek. Next, Ms. Lam reported that the Blackhawk Amenity Center facilities have been very popular and

the HOA had received complaints about the rules for the use of the Blackhawk Amenity Center and the reservation system. She presented a resolution amending and restating rules for the use of the Blackhawk Amenity Center, a copy of which is attached hereto as **Exhibit "H"**. Ms. Lam stated that the goal of these amendments is to give District residents equal opportunity to use the facilities. Director Brannan moved to adopt a resolution amending and restating rules for the use of the Blackhawk Amenity Center, as presented. Director Twellmann seconded the Motion and the Motion passed unanimously, 3-0.

12. Discuss, consider, and take action as necessary concerning tree removal, fence repairs, and landscape maintenance within the Estates of Rowe Lane. Director English introduced this Item. Ms. Lam recommended that the Board convene in executive session to discuss this Item and Item and Agenda Item 14 to Discuss, consider, and take action regarding per- and polyfluoroalkyl substances (PFAS) and litigation concerning the same.

At 6:23 p.m., Director Twellmann moved to enter into an executive session under Texas Government Code § 551.071 to receive legal advice from its attorney on (i) Item 12 regarding tree removal, fence repairs, and landscape maintenance within the Estates of Rowe Lane, and (ii) Item 14 regarding per- and polyfluoroalkyl substances (PFAS) and litigation concerning the same. Director Brannan seconded the Motion and the Motion passed unanimously, 3-0. At 6:42 p.m., Director Brannan moved to conclude the executive session and reenter open session. Director Twellmann seconded the Motion and the Motion passed unanimously, 3-0. Director English stated that no action was taken by the Board during executive session. Director English stated that the Board would revisit Agenda Item 12.

Director Twellmann moved to approve the proposal submitted by Lomas Land Maintenance for the removal of all trees on the District's property behind Purple Thistle Drive, Pflugerville, Texas within the Estates of Rowe Lane, a copy of which is attached hereto as **Exhibit "I"**.

Next, Director Brannan moved to authorize payment/reimbursement for fence repairs by Pflugerville Pfence Company at 2704 Purple Thistle Drive, Pflugerville, Texas, to the extent allowed by law. Ms. Lam stated that verification of the damage was necessary as the initial quote from Pflugerville Pfence Company was for the repair/replacement of 72 linear feet of fence, which appeared to be more than just the damaged portions based on the pictures of the damage. Director Twellmann seconded the Motion and the Motion passed unanimously, 3-0. The Board then moved to Item 14.

13. Discuss, consider, and take action on the payment of invoices and bookkeeper's report. Director English introduced this Item. Mr. Monzingo presented his bookkeeper's report, a copy of which is attached hereto as **Exhibit "J"**. Mr. Monzingo identified the District's revenues, invoices, proposed bank account transfers for the current reporting month, and the District's Quarterly Investment Report. Mr. Monzingo requested that the Board transfer \$200,000.00 from the District's Money Market Account to the District's Checking Account to pay bills. He requested that the Board strike Check Nos. 4224 and 4229, payable to Directors Wang and Stratton due to their absence from this meeting. Mr. Monzingo requested that the

Board add Check No. 4251, payable to Specialized Public Finance Inc. in the amount of \$1,000.00. He stated that Check No. 4247, payable to Lakeside WCID No. 2D in the amount of \$25,000.00 represented the District's contribution to Lakeside WCID No. 2D's account for joint utility maintenance and repairs, and clarified that the money would belong to the District but is held in the joint account to make it easier to make joint payments. Director Brannan moved to approve the report, as modified by Mr. Monzingo, authorizing the payment of invoices, bank transfers, the addition of Check No. 4251, and the Quarterly Investment Report. Director Twellmann seconded the Motion and the Motion passed unanimously, 3-0.

14. Discuss, consider, and take action regarding per- and polyfluoroalkyl substances (PFAS) and litigation concerning the same. After executive session and discussion of Agenda Item 12, the Board moved to this Item. Director Brannan moved to authorize the District's General Counsel to opt the District out of the Dupont and 3M PFAS litigation settlements. Director Twellmann seconded the Motion and the Motion passed unanimously, 3-0.
15. The Board will meet in executive session to receive advice from its attorneys regarding per- and polyfluoroalkyl substances (PFAS) and litigation concerning the same, in accordance with Texas Government Code § 551.071.
16. Directors' items for the next agenda and announcements from Board members. Director English introduced this Item. There were no announcements or requests for items at the Board's next meeting.
17. Adjournment. Director Brannan moved to adjourn the meeting. Director Twellmann seconded the Motion and the Motion passed unanimously, 3-0. The meeting was adjourned at 6:46 p.m.

PASSED, APPROVED, AND ADOPTED THIS 12th day of December 2023.





Larry English, Secretary