

MINUTES OF MEETING
BOARD OF DIRECTORS

LOST CREEK LIMITED DISTRICT
Travis County, Texas

October 21, 2020

The Board of Directors of Lost Creek Limited District of Travis County, Texas, convened in a regular meeting on Wednesday, October 21, 2020. Lawful and proper notice of the time, place and the subject of the meeting was posted at the place and time required by law. In accordance with the Governor’s emergency proclamation suspending certain provisions of the Texas Open Meetings Act effective March 16, 2020 in response to the COVID-19 pandemic, the meeting was conducted remotely. All persons, including members of the public, could participate in the meeting by telephone or weblink in accordance with the instructions set forth on the meeting agenda.

Directors: Leah Stewart
Chris Vetromile
Megan Marrs
Andy Bitner
Madeleine Connor

District Attorney: Tony Corbett (General Counsel)

Bookkeeper/Manager/Deed

Restriction Enforcement Officer: Jim Emmons and Tanya Emmons (Pinnacle Texas Management Services)

1. Board Convenes, and Roll Call (Agenda Item 1)

Director Stewart called the meeting to order at 6:30 p.m. All directors were present except Director Connor.

2. Citizen Communications (Agenda Item 2)

A resident expressed comments regarding an establishment that was not complying with dark sky standards.

Another resident made many comments, including regarding the presence of a food truck, a desire to participate on the Manager Review Committee, Austin police services, deed restriction enforcement, fiscal constraint, transparency, a water fountain, and District improvements.

Another resident spoke regarding the consistency between “citizen agendas” and “board agendas.” He proposed better communications between the Board and citizens.

3. **Announcements (Agenda Item 3)**

Tanya Emmons made comments regarding a “like” made by a Pinnacle employee on a Neighborhood Next Door website, and stated that she had instructed the employee to no longer post information or comments on NextDoor without authorization.

4. **Consent Agenda (Agenda Item 4)**

After discussion, Director Bitner moved that the Board approve the Consent Agenda with the exception of both sets of the September meeting minutes. Director Stewart seconded the motion, which carried unanimously.

The Board discussed revisions to the draft minutes. After discussion, Director Stewart moved to approve the minutes subject to the corrections identified. Director Bitner seconded the motion, which carried unanimously (4-0).

5. **Deed Restriction Matters (Agenda Item 5)**

Mr. Emmons presented his monthly deed restriction enforcement report. The Board authorized him to send courtesy notices to property owners in potential violation of the restrictions. .

6. **General Manager Report (Agenda Item 12)**

Tanya Emmons provided the monthly General Manager report. The Board took no action in response to the report.

7. **Financial Affairs (Agenda Item 6)**

Director Bitner presented his monthly financial report. The Board took no action in response to the report.

8. **District Park, Greenbelt, Pavilion, Meeting Room and Amenity Rules (Agenda Item 7)**

The Board discussed amendment of the District’s rules relating to reservations for use of Boulevard Park. Tanya Emmons reported that reservations were common in the mornings, and access to the park had been limited to those persons with reservations, which had caused frustration by users without reservations. She suggested that the Board allow three usage periods per day, with the middle spot being non-reservable and available for public use. The Board also discussed allowing some morning periods to be open for public use, or to eliminate reservation periods in the afternoon.

After discussion, Director Stewart moved that the Board amend the Park Rules to modify playground reservation periods from 9:00 a.m. to 11:00 a.m., and from 2:00 p.m. to 4:00 p.m. Director Bitner seconded the motion, which carried 3-0-1 (with Director Marrs abstaining).

9. **Security Patrols (Agenda Item 8)**

Tanya Emmons reported that the hourly rate for security patrol services would increase effective January 1, 2021.

10. Communications with Residents (Agenda Item 9)

The Board considered a draft Annual Report for residents. Director Bitner presented the draft Annual Report for Board feedback. The Board discussed contents of the draft Report and provided feedback. The Board took no final action.

11. Rules of Decorum (Agenda Item 10)

Director Stewart suggested that the Board direct legal counsel amend the existing Bylaws to address decorum during public comment without restricting protected speech. After discussion, the Board directed legal counsel to revise the draft Bylaws to incorporate restrictions to preserve the orderly conduct of meetings for Board consideration.

12. Management Committee Review Committee (Agenda Item 11)

Director Marris requested that the Board appoint a committee to work with the Management Company to establish written operational procedures, and to facilitate an annual review process. Director Marris moved that the Board establish a committee of Directors Marris and Stewart. Director Vetromile seconded the motion, which carried unanimously (4-0).

13. Marshall Tract (Agenda Item 13)

Director Marris presented a draft letter to Milestone requesting a meeting to discuss the proposed Marshall Tract Development, annexation of the property into the District, and potential opportunities for the Developer and District to work together. After discussion, Director Stewart moved that the Board authorize Director Marris to finalize and transmit the letter to Milestone substantially in the form presented. Director Vetromile seconded the motion, which carried unanimously (4-0).

Director Marris also reported that she had no new information to report regarding the elevated water storage facility location. She reported that she was told infrastructure construction for the project was contemplated to begin in September 2021, and home construction would commence in May 2023.

14. Standing Reports (Agenda Item 14)

There were no committee reports.

15. Scheduling of Future Board Meetings (Agenda Item 15)

The Board scheduled a special canvassing meeting for November 16, 2020 at noon, and the December meeting for December 16, 2020.

16. Summary of Action Items (Agenda Item 16)

The Board summarized the following action items:

1. The Board directed the Manager to secure fencing around the Boulevard Park playground area to allow the public to access the remainder of the park area without locking the main gate.
2. The Manager would secure an updated security patrol contract for 2021 services for consideration by the Board.
3. Director Bitner would continue to work on a draft Annual Report based on Board feedback.
4. The Manager would contact security patrol representatives regarding Halloween patrols.
5. Legal counsel would revise the District Bylaws to incorporate rules of decorum applicable to public comment.
6. The Management Company Committee members would meet with Pinnacle representatives.
7. Director Marrs would finalize and send a Milestone regarding opportunities for the District and developer to work together for their mutual benefit.

17. Adjournment (Agenda Item 17)

Director Bitner moved to adjourn the meeting at 8:42 p.m. The meeting adjourned at 8:42 p.m.

Secretary