

MINUTES OF MEETING
OF
BOARD OF DIRECTORS

THE STATE OF TEXAS	§
	§
COUNTY OF TRAVIS	§
	§
BELVEDERE MUNICIPAL UTILITY DISTRICT	§

A regular meeting of the Board of Directors of Belvedere Municipal Utility District was held on December 18, 2018, in accordance with the duly posted notice of said meeting. The roll was called of the members of the Board of Directors, to-wit:

Peter Golde	President
James Koerner	Vice President
Kim Clifford	Secretary
Ronald Ubertini	Assistant Secretary
Steven Bryson	Assistant Secretary

All above-referenced members of the Board were present, except Director Bryson, thus constituting a quorum of the Board of Directors. All directors present participated in voting on all matters that came before the Board. Also in attendance were Stefanie Albright and Jacqueline Perrin, Attorneys and Fred Castro, Legal Assistant, with Lloyd Gosselink Rochelle and Townsend, P.C.; and David Malish and Evan Parker with Murfee Engineering Company. Lee Blanton and Tom Wiles were present on behalf of the Belvedere Homeowners Association (HOA).

Director Golde called the meeting to order at 6:03 p.m. and announced the Board would first receive public comments. The Board recognized Mr. Blanton, who stated that he had numerous questions regarding the Amenity Center storage building site plan. He stated that the Board could take his questions now, or later in the agenda under the agenda item dealing with Amenity Center Lot improvements. Mr. Blanton noted that several attempts by the HOA had been made to obtain permission from the Board to meet with the District's Engineer to address their issues. Director Golde noted that the Board would address questions concerning the Amenity Center storage building site plan later in the meeting.

The next item to come before the Board was to consider approval of the minutes of the November 20, 2018 regular meeting. Mr. Castro noted that Board's meeting agenda contained a typographical error by erroneously stating that the Board would be approving the minutes of the Board's November 18, 2018 regular meeting. **Upon motion by Director Koerner, seconded by Director Clifford, and unanimously carried by the Board members present, the Board approved the minutes of the November 20, 2018 regular meeting, as amended, and provided as Exhibit A.**

The next item to come before the Board was to consider the bookkeeper's report, including payment of invoices, coordination on bookkeeping matters, and CD investments. Director Koerner presented this item and directed the Board to the report provided as **Exhibit B**. Director Koerner reported that the District's cash balance before expenditures totaled \$11,653.82, which exceeded the total of all invoices presented for payment, thus there was no need to transfer funds from the District's Money Market Fund into the District's General Fund Checking Account to pay those outstanding invoices. Director Koerner drew the Board's attention to Check No. 1083, payable to Murfee Engineering Company, in the amount of \$1,020.00 for services rendered in connection with work associated with the Amenity Center improvements, and noted that the District's General Fund would be reimbursed for this amount from the District's Capital Projects Account. Director Koerner noted that the District's Bookkeeper recommended that such transfers be accomplished on a quarterly basis.

Next, Director Koerner noted that Check No. 1085, payable to Lloyd Gosselink for legal fees had been voided as a District credit had not been applied to the outstanding invoice. Director Clifford inquired about work performed by Lloyd Gosselink regarding the completion and filing of an eminent domain report with the Texas Comptroller's Office. Ms. Albright informed the Board that a new law mandated that the Comptroller of Public Accounts create an online eminent domain database and that certain public and private entities with eminent domain authority report specific information to the Comptroller for posting. Ms. Albright stated that such a report was prepared on behalf of the District and filed accordingly. Director Clifford inquired about charges regarding the transfer of the donated bench and the preparation of the minutes. After discussion, the Board determined that no request for adjustments to the invoice from Lloyd Gosselink would be made.

Next, in connection with the invoice submitted by Murfee Engineering Company, Director Clifford noted that invoices for basic engineering services were provided without a narrative or detail describing work that had been performed for the District, and inquired whether the Board should require such information. After discussion, Mr. Malish stated that the firm would provide more detail in its invoicing to the District with regards to the basic engineering services provided every month. **Upon motion by Director Clifford, seconded by Director Ubertini, and unanimously carried by the Board members present, the Board approved the Bookkeeper's Report, and payment of invoices as detailed in Exhibit B.**

The Board next addressed the engineering report from Murfee Engineering Company, including drainage facilities maintenance and repair; and Engineering Services agreement. Mr. Malish presented this item, a copy of the District Engineers Report was provided as **Exhibit C**. He noted that he had nothing new to report to the Board related to drainage facilities maintenance as pending projects had been completed. Director Golde informed the Board that he had directed Murfee Engineering to review certain drainage areas where erosion was occurring and to provide the Board with options on how to address these issues. Director Golde also noted that he had requested that Mr. Malish to provide the Board with options on how to deal with rain impacts on Carlton Ridge Trail as well as with culvert issues along Shady Trail and Lower Pond Trail. Director Golde noted that he would be willing to volunteer to do the work to address these issues, in association with his personal landscaper, in order to save the

District money, if the Board was agreeable. After discussion, Director Ubertini volunteered to assist Director Golde in his efforts to address these areas.

Next, Director Clifford noted that the item related to the Engineering Services Agreement had been discussed and noted that no additional action on behalf of the Board was necessary.

Director Malish noted that comments had been received from Travis County regarding changes to the District's plans related to the Amenity Center Improvements Site Permit. He noted that Travis County was requiring that the District obtain a line-of-site easement, which would require the services of a surveyor. Mr. Malish noted that a quote from Capital Surveying Company, Inc. in the amount of \$1,500 was provided for the Board's consideration noting that Capital Surveying Company, Inc. would be retained by Murfee Engineering Company to do this work. Mr. Malish noted that the quote of \$1,500.00 included about one hour of time for Murfee Engineering to incorporate the easement into the site plan. A copy of Mr. Malish's letter of recommendation is provided as **Exhibit D**. **After discussion, upon motion by Director Koerner, seconded by Director Golde, and unanimously carried by the Board members present, the Board approved the engagement of Capital Surveying Company, Inc. by Murfee Engineering Company for an amount not to exceed \$1,500.00 as detailed in Exhibit D.**

Ms. Albright noted that once the survey was complete her firm would obtain an Ownership and Lien Report to confirm ownership of the property and that there were no liens or other encumbrances on the property. She stated that her firm would then prepare the necessary easement document, which would be provided to Travis County. Director Clifford requested that Ms. Albright provide the HOA with a copy of the proposed easement language as soon as possible in order to ensure that any concerns the HOA might have with the language contained within the easement were addressed.

Next, Mr. Parker provided the Board with a brief update related to changes that were incorporated into the preliminary concept plan by Method Architecture, as directed by the District's Subcommittee in consultation with the HOA. He noted that he was awaiting written signoff of the concept plan from the HOA and District in order for the project move forward. Mr. Parker noted that once all necessary approvals were obtained from Travis County, the project would then be advertised for bid, which would take approximately 30 days. Mr. Parker noted that the process to reach the point where a Notice to Proceed could be issued was typically 4 months. Mr. Parker stated that in this case, he estimated the process would take approximately 6 months before the Notice to Proceed could be issued.

Director Ubertini reminded the Board that the projected cost for the storage building was initially estimated to be \$75,000 but had been increased to \$200,000 by the Board at a previous meeting. He added that he wanted to confirm that the Board remained in agreement with this new budget amount. After discussion, it was the consensus of the Board that a construction cost budget estimate of \$200,000 was realistic.

Next, a discussion ensued concerning the site plan for the project. In response to an inquiry from Mr. Blanton, Mr. Parker confirmed that a single contract would be issued to address

both site work and building construction. Mr. Blanton noted that the HOA was generally in agreement with the design for the storage building. He indicated that the few exceptions should be addressed in the final construction plans. He explained that final approval by the HOA was pending review of these final construction plans and that approval of the site plan and approval of the construction plans would be approved separately.

Next, Mr. Blanton noted that the HOA had a potential landscape architect in mind who had been asked to look at the landscaping improvements and make suggestions. He stated that a scalable electronic copy of the site plan was being requested by the HOA to facilitate this effort. Mr. Parker agreed to provide such a document to Mr. Blanton.

Mr. Blanton next inquired why an additional fire hydrant was required as there were currently 2 fire hydrants in the vicinity. After discussion, Mr. Malish stated that he would consult with the local fire department, who reviewed and signed off on the site plan, to determine the answer and the fire hydrant would be removed if not needed.

Mr. Blanton then inquired why the clean out and staging areas as well as the construction access road were located in their current positions. He noted that the HOA would like these areas to be relocated if possible (i) to take advantage of an access road currently in place, (ii) to keep all activity for the projects on Lot 1 and (iii) to maximize the amount of parking spaces being made available. Mr. Malish agreed to investigate and advise.

Mr. Blanton also inquired about the plan and purpose of a drainage swale located adjacent to the proposed storage building in order to provide direction to the landscape architect mentioned previously on what landscaping improvements could be placed in this area. Mr. Malish stated that he understood a grass drainage swale was contemplated, but would confirm this and get back to Mr. Blanton.

Finally, Mr. Blanton inquired what, if any permits, were legally required for these projects. Mr. Malish advised that the District had already engaged the county and numerous other agencies about these projects and that it could potentially be more time consuming to undo what had been started than to finish the process without specifically answering the question posed.

Director Clifford inquired whether Mr. Malish anticipated going over the budget amount for engineering services associated with this project. Mr. Malish stated that should he find it necessary to revise the budget associated with his firm's work in connection with this project he would come back to the Board for authorization.

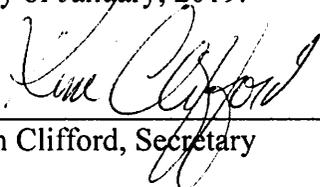
The next item to come before the Board was to discuss, consider, and take action on the contract for solid waste disposal services with Texas Disposal Systems (TDS). Director Koerner provided the Board with a brief review of his negotiations with TDS concerning a new contract for solid waste collection services. Director Koerner noted that TDS offered terms and conditions effectively the same as the District's current agreement with TDS with the exception of an extension of the term of the contract to 10 years. Director Koerner noted that TDS maintained

that it was holding firm on the terms and conditions of their contract due to the fact that TDS claimed to be losing money on this route. After discussion, Director Koerner suggested that the Board begin the search for a new service provider and stated that he would spearhead that effort. After discussion, the Board supported Director Koerner's efforts to investigate alternative solid waste disposal service providers.

The Board next considered current and proposed facilities owned or maintained by the District, including reimbursements to the HOA under the Joint Maintenance Agreement and landscaping of Amenity Center lot improvements and other facilities. The Board determined that no action was needed with regards to these items at this meeting.

There being no further business and upon motion made by Director Ubertini, seconded by Director Koerner, and unanimously carried by the Board members present, the meeting was adjourned at 7:33 p.m.

PASSED, APPROVED AND ADOPTED THIS 15th day of January, 2019.



Kim Clifford, Secretary