

**MINUTES OF MEETING OF BOARD OF DIRECTORS OF
TANGLEWOOD FOREST LIMITED DISTRICT**

June 19, 2024

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

The Board of Directors of Tanglewood Forest Limited District met in regular session, open to the public, on June 19, 2024, at Westoak Woods Baptist Church, 2900 W. Slaughter Ln., Austin, Texas, pursuant to notice duly given in accordance with law. A copy of the Certificate of Posting of the Notice is attached hereto as **Exhibit “A”**.

The following Board Members were present, thus constituting a quorum:

Ron Peterson	President	Present
Nikki Krueger	Vice President	Present
Brian Whelan	Treasurer / Secretary	Present
Robbie Castille	Director	Absent
Mike Canty	Director	Present

Also present for the meeting were: Jennifer Schein of The Carlton Law Firm, P.L.L.C.; Brody McKinley of SafeGuard Aquatics; Charlie Mowen of TexaScapes; and residents of the District.

Director Peterson convened the meeting at 6:00 p.m. and took the agenda items in the order described below. The Directors each introduced themselves to the attendees of the meeting.

PUBLIC COMMENT

Item 1 – Receive communications from the public on items not listed on the posted agenda.

Damien Trevino, a District resident, told the Board he has lived in the District for more than twenty years and would be running for a seat on the Board. Mr. Trevino said the Board needs someone with integrity on the Board. Noel Gonsalvez, a District resident, said his windows were smashed in again while he was attending a Lauren DeWilde hearing at the 299th District Court. Mr. Gonsalvez said this has happened twice within eight months and it could be bad luck, or coincidence, but he feels that since he was also threatened last month, it was not a coincidence. Mr. Gonsalvez said that no other cars were vandalized other than his and that a harassment charge has been filed against him. Mr. Gonsalvez wants District residents to be aware of the intimidation and false charges being made against him. Mr. Gonsalvez said the residents of the District deserve Directors that actually live in the District and will not fund and support criminals to run for the District Board. Mr. Gonsalvez also said the District deserves Directors that will always work diligently, honestly, and ethically and will serve in the best interest of all residents. Mr. Gonsalvez said his ultimate goal is to have Directors elected that live in the District. Mr. Gonsalvez asked that those in attendance get the word out to their neighbors to let them know what is going on so that residents are aware of who is on the ballot.

Item 2 – Public Comment on Agenda Items. Addressed in items below.

CONSENT ITEMS

Item 3 – Consider approval of the May 22, 2024 regular meeting minutes. Director Krueger repeated what Director Castille said during public comment at the May 22 meeting where he stated “Noel, if you don’t quit doing what you’re doing, things are going to get bad for you”. Director Krueger moved to approve the May 22 meeting minutes as presented. Director Canty seconded the motion, and the motion passed 4-0.

REPORTS AND COMMITTEE MATTERS

Item 4 – Receive report from the Finance Committee and Treasurer and consider taking related action regarding the following: Director Whelan said Paypal has released \$8,100 of District funds into the pool account. Director Whelan also said that a Zelle account has been created and is up and running in place of the PayPal account. Director Whelan also noted that the Zelle account has a better rate for the transfer of money.

Mr. Gonsalvez requested that when a Director votes against approving certain checks for payment, persons in attendance be made aware of which checks the Director is voting against. Director Krueger noted that for the past few months Director Castille has been voting against approving per diems, which pay the Board Directors, and any checks to the law firms that represent the District.

- (a) **monthly financial report, payment of monthly bills and invoices and transfers of District funds:** Director Whelan presented the check register and discussed the profit and loss report and the check register for May. Director Whelan requested a transfer of \$103,926 from savings to the checking account to cover the bills and invoices. Director Krueger moved to approve the bills, invoices, and check register and transfer of \$103,926 to the checking account. Director Peterson seconded the motion, and the motion passed 4-0.

Director Whelan noted that the half a million-dollar CD will have generated about \$10,000 in interest as of July 9th which is when the CD will terminate. Director Whelan mentioned that he would like to reinvest the current CD money from the CD terminating on July 9th into one \$250,000 CD for 3 months that would have a 4.5% interest rate and one \$250,000 CD for 9 months at a 4.75% interest rate. Director Whelan moved to fund one \$250,000 CD at a 4.5% interest rate for 3 months and another \$250,000 CD at a 4.75% interest rate for 9 months. Director Krueger seconded the motion, and the motion passed 4-0.

Director Whelan discussed the parks labor fees be moved into the labor line item and that will be reflected in next month’s financial documents.

- (b) **amendments to the budget for FY2024:** There are no amendments to the budget this month.
- (c) **security issues including report from Travis County Sheriff’s Office and renewal of contract with Travis County Sheriff’s Office for 2024:** There is no report from the Sheriff’s Office this month.

Item 5 - Receive report from the District's pool operations contractor and Pool Committee and consider taking related action, including matters related to: pool operator and pool maintenance/lifeguard contract; leak repairs; pool maintenance, general repairs and upkeep; operating schedule; pool programs; pool funding; lifeguards; and rates and fees for pool use. Mr. McKinley presented the May operations report to the Board and said routine maintenance was completed, session one of the swim lessons has been completed and session two will begin soon. Mr. McKinley mentioned extending the summer hours based on the change in Austin ISD's schedule. Mr. McKinley also said the closing of the pool can be extended from the 12th of August to the 19th and it would cost \$13,500 for the extra week extension. Director Peterson said the Pool Committee has discussed giving the residents an extra week to swim. Director Krueger also noted the District will have its community event on August 17th. Director Peterson said he would like to leave the pool hours as they are and not open during the week but only on weekends through the end of September. Director Krueger suggested that the pool be kept open an extra week so residents can swim the extra week that school is out and close a weekend earlier in September. Director Krueger moved to keep the pool open an extra week, until August 19th. Director Canty seconded the motion, and the motion passed 4-0.

Item 6 – Receive report from the District's landscape maintenance contractor and Park Committee and consider taking related action: Mr. Mowen presented the May parks report to the Board and said routine park maintenance had been completed. Mr. Mowen said there was stage two irrigation happening and noted storm damage at Greenbriar Park that was addressed. Director Whelan said the trash receptacles and recycling bins were delivered.

- (a) **Landscape maintenance contract, proposals and estimates for additional landscaping work, maintenance, repair, replacement and improvements to landscaping and landscape related facilities, irrigation systems, and tree trimming:** The matter was not addressed.
- (b) **consider amendments to the Park Rules:** The matter was not addressed.

Item 7 – Receive report from District's General Manager and consider taking related action, including matters related to:

- (a) **management services, and related issues:** The matter was not addressed.
- (b) **use, maintenance, repair, replacement and improvement of District property and facilities including, but not limited to, buildings, restrooms, electrical systems, lighting, and parking areas:** Ms. Bocanegra discussed the renewal of the class B pool permits and the community event Saturday, August 17th, including the movie that will be shown. Ms. Bocanegra also mentioned potentially adding cameras at the pool house to help deter vandalism including options for the Board to consider. The Board discussed the Arlo subscription for retaining the video feed. Director Krueger moved to approve a \$500 transfer for the Arlo 3 pack of cameras and the first year's payment for retaining the video feed. Director Whelan seconded the motion, and the motion passed 4-0.

Ms. Bocanegra noted that there have been complaints from the neighborhood residents about letting pets run wild and pets going to the bathroom in other people's yards. Ms. Bocanegra said there have been a few violations issued for off leash pet violations.

- (c) **Large event requests:** The matter was not addressed.
- (d) **park and restroom cleaning and related services from cleaning contractor:** The matter was not addressed.
- (e) **pond cleaning and related services from Aquatic Features:** The matter was not addressed.
- (f) **regarding enforcement of deed restrictions with the District:** The matter was not addressed.

Item 8 – Receive report from the Communications Committee and consider action regarding the following: Director Whelan and the Board discussed possibly setting up a quarterly meeting with City Councilman Ryan Alter.

- (a) **website content:** Director Krueger mentioned that NextDoor is not an official communication platform for the District.
- (b) **newsletter:** Director Krueger mentioned the newsletter went out last month and the next one will include information about the movie night, community event in August, and the upcoming election.

Item 9 – Receive General Counsel report and consider taking related action regarding the following: Maureen Gerloffs, a District resident, mentioned election issues with people not living in the District getting on the ballot. Ms. Gerloffs asked what could be done to avoid that situation. Director Krueger reminded the Board what the District’s election secretary can do. Director Peterson mentioned that the Bickerstaff law firm has been retained to look into any election applications that are received.

- (a) **pending contract issues, open records requests, and election matters:** The matter was not addressed.
- (b) **other litigation matters:** The matter was not addressed.
- (c) **legal investigations and other legal issues, if any:** The matter was not addressed.
- (d) **the Attorney Generals response to The Carlton Law Firm’s request for exception to R. Castille’s February 4, 2022, Open Records Request and Cause No. D-1-GN-22-002141:** The matter was not addressed.
- (e) **demand letters regarding District property damage that occurred June of 2023:** The matter was not addressed.

Item 10 – Discuss, consider, and take any action necessary regarding the State of Texas v. DeWilde, Lauren (Cause No. D-1-DC-22-900009) in the 299th District Court of Travis County, Texas. Mr. Gonsalvez said this case is still relevant because Director Castille is a commonality with the case noted in item 11 and he is still a Board Director. Mr. Gonsalvez said this case still impacts the District since Director Castille is still on the Board and still goes to court with Ms. DeWilde. Mr. Gonsalvez believes this case will still be an issue for the District.

Item 11 – Receive report from Special Counsel and consider taking action regarding Cause No. D-1-GN-23-001675; Plaintiff’s Verified Original Petition and Application for Temporary Restraining Order, Temporary Injunction, and Permanent Injunction in the matter of Kimberly Minjarez vs. Tanglewood Forest Limited District; Ron Peterson, Nikki

Krueger, Brian Whelan, each in his or her Official Capacity as Directors of Tanglewood Forest Limited District. Mr. Gonsalvez said this case is still relevant because Director Castille is a commonality with the case noted in item 10. Mr. Gonsalvez said this case still impacts the District since Director Castille is still on the Board. Mr. Gonsalvez believes this case will still be an issue for the District.

OTHER MATTERS

Item 12 – Discuss and consider adopting the tax and budget planning calendar for 2024 and authorize payment for tax process publications. Director Krueger moved to approve the tax planning calendars. Director Whelan seconded the motion, and the motion passed 4-0.

Item 13 – Discuss and consider approval of the Westoak Woods Baptist Church Facilities use Agreement. Director Krueger moved to approve the agreement pending legal revisions and approval. Director Canty seconded the motion, and the motion passed 4-0.


Item 14 - Discuss and consider rules of conduct during Board meetings. Director Krueger suggested this item be removed from the agenda and the Board agreed to remove the item.

Item 15 – Discuss and consider Board member duties, responsibilities, ethics, and actions. Director Krueger reiterated that the District does not officially communicate through the NextDoor platform. Director Krueger said Director Castille sent her an email with a coloring page from the inside out - how to deal with your emotions book. Director Krueger also said Director Castille asked her if she sews her own clothes and wanted the residents to know how some Directors act.

Item 16 – Discuss and consider time, date, and agenda items for the next Board meeting. The next board meeting will be held on July 17th, 2024 at 6:00 p.m. at the Westoak Woods Baptist Church. Director Krueger mentioned the Church has a rule prohibiting profanity.

The meeting adjourned at 6:41 p.m.

(Seal)


Brian Whelan, Secretary
Board of Directors

Date: July 17, 2024