

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

April 17, 2024

THE STATE OF TEXAS §
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COUNTY OF TRAVIS §

The Board of Directors of Tanglewood Forest Limited District met in regular session, open to the public, on April 17, 2024, in the library at Kocurek Elementary, 9800 Curlew Drive, 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: John Carlton of The Carlton Law Firm, P.L.L.C.; Brody McKinley of SafeGuard Aquatics; Charlie Mowen of TexaScapes; Vangie Bocanegra of Pioneer Real Estate Services; 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, discussed a zoning letter he received from the City of Austin. Mr. Carlton said the zoning letter will not affect any restrictive covenants for the District or the District itself.

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

CONSENT ITEMS

Item 3 – Consider approval of the March 20, 2024 regular meeting minutes. Director Krueger moved to approve the March 20 meeting minutes as presented. Director Whelan 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:

- (a) **monthly financial report, payment of monthly bills and invoices and transfers of District funds:** Director Whelan presented the financial report and discussed the new check register. Director Whelan requested a \$75,000 transfer from the savings to the checking account to pay the April bills. Director Krueger moved to approve the \$75,000 transfer and pay bills as discussed. Director Peterson seconded the motion, and the motion passed 4-0.
- (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.
- (d) **confirm District Investment Officer Training is up to date:** Director Whelan asked about the investment officer training and discussed it with Mr. Carlton.
- (e) **review and approve quarterly investment report for 1st quarter:** Director Whelan presented the quarterly investment reports for the first quarter. Director Peterson moved to approve the quarterly investment reports as presented. Director Krueger seconded the motion, and the motion passed 4-0.

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. Tara O'Donnell, a District resident, asked the Board about setting up adult aqua aerobic classes. Mr. McKinley said he would put together adult aqua aerobic classes together for the Board to consider.

Mr. McKinley presented the March operations report to the Board and said the pool will open Saturday, April 20, 2024. Mr. McKinley said there would be five sessions of swimming lessons beginning June 24, 2024. Mr. McKinley told the Board routine maintenance had been completed for the month and both chlorine towers had been replaced. Director Whelan asked about the pay rate for the lifeguards and Mr. McKinley said the pay rate has stayed the same.

Director Peterson asked about the water fountain and Ms. Bocanegra said the water fountain parts have arrived and will be installed soon. Ms. Bocanegra discussed the pool deck repair proposal to repair and level the pool deck. Ms. Bocanegra said one proposal is for \$7,243.01 including taxes and she is seeking two additional bids to present to the Board. Director Krueger said she would like to see more estimates for the deck repair. Director Peterson said it is a tripping hazard that must be repaired. Director Canty also mentioned it is a big tripping hazard. Ms. Bocanegra suggested approval of an amount for pool deck repair. Director Krueger moved to approve \$6,691 for pool deck repair pending receipt of additional bids. Director Whelan 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 March report and said the ladybug release occurred and received the biannual irrigation inspection request and scheduled the inspection by the end of July.

- (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:** Director Whelan said he received an inquiry about purchasing Greenbriar Park. Director Whelan noted that it probably will not happen, but just wanted to let everyone know.
- (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:** Director Krueger said that the Board has pulled PayPal off of the website as they cannot access the account due to it being an older Pioneer account. Director Krueger said there is no solution to access the account with money in it, which is approximately \$1,100. Director Canty said he will work on accessing PayPal and obtaining the Merchant ID#. Director Krueger asked about obtaining a Venmo account for the District and Mr. Carlton advised there is a need to comply with depository requirements. Mr. Carlton said he will research and get information back to the Board.
- (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 said the lights at Kempler Park have been repaired again and the graffiti at Lindshire Park and Greenbriar Park will be addressed.
- (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:** Ms. Bocanegra said Aquatics Features had no issues to report at the time.
- (f) **regarding enforcement of deed restrictions with the District:** The matter was not addressed.
- (g) **security cameras for the District pool house:** The matter was not addressed.

Item 8 – Receive report from the Communications Committee and consider action regarding the following:

- (a) **website content:** Director Krueger said she is waiting for the February meeting minutes and will upload them to the District website once they have been received.
- (b) **newsletter:** Director Krueger said the newsletter will come out soon and will include election information.

Item 9 – Receive General Counsel report and consider taking related action regarding the following:

- (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 General's 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:** Mr. Carlton told the Board the demand letters will go out soon.

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. The matter was not addressed.

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. The matter was not addressed.

OTHER MATTERS

Item 12 – Discuss and consider the code of ethics for district directors, officers, employees, and persons who are engaged in handling investments for the district, investment policy, and travel and professional services policy. Director Peterson asked this item be tabled so he has more time to review the code of ethics, investment policy, and travel and professional services policy.

Item 13 – Discuss and consider retention of Bickerstaff, Heath, Delgado, and Acosta LLP as special counsel for all 2024 and 2026 Director Election matters. Director Krueger said she would like to hire Bickerstaff, Heath, Delgado and Acosta for 2024 and 2026 election matters as they are already aware of the District's election issues. Director Krueger moved to hire Bickerstaff, Heath, Delgado and Acosta for 2024 and 2026 election matters. Director Whelan seconded the motion, and the motion passed 4-0.

Item 14 - Discuss and consider policies regarding use of management information including:

- (a) budgets for use in planning and controlling cost;** The item was tabled.
- (b) an audit committee of the board;** The item was tabled.
- (c) uniform reporting requirements;** The item was tabled.

Item 15 - Discuss and consider rules of conduct during Board meetings. The matter was not addressed.

Item 16 – Discuss and consider Board member duties, responsibilities, ethics, and actions. Ms. O'Donnell asked who on the Board has terms ending this election cycle. Director Krueger said Directors Peterson, Krueger, and Castille will be up for election again. Director Krueger mentioned adding Director Canty to committees. Director Peterson said he would like to have Director Canty help with the pool committee. Director Krueger said she would like Director Canty to assist with the communications committee. Director Krueger moved to have Director Canty appointed to the pool and communications committees. Director Whelan seconded the motion, and the motion passed 4-0.

Item 17 – Discuss and consider time, date, and agenda items for the next Board meeting. Director Peterson asked if May 22 would work for the Board members. Director Whelan said it costs \$162 to use the space at Kocurek Elementary. Director Canty noted there was better parking and more space using the Elementary. Director Krueger asked the Carlton Law Firm to look into the meeting space for June and July. The next regular meeting will be held on May 22, 2024, at 6:00 p.m. at Kocurek Elementary School.

The meeting adjourned at 6:38 p.m.

(Seal)



Brian Whelan, Secretary
Board of Directors

Date: May 22, 2024