

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

June 15, 2022

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 June 15, 2022, at the Tanglewood Pool House, located at 9809 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
Kat Dowling	Vice President	Present
Nikki Krueger	Treasurer / Secretary	Present
Robbie Castille	Director	Present
Josh Schauer	Director	Absent

Also present for the meeting were: John Carlton of The Carlton Law Firm, P.L.L.C.; Trey Thompson of Pioneer Real Estate Services; 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.

PUBLIC COMMENT

Item 1 – Receive communications from the public on items not listed on the posted agenda. No public comments.

Item 2 – Public Comment on Agenda Items. No public comments.

CONSENT ITEMS

Item 3 – Consider approval of the May 18, 2022, regular meeting minutes. Director Krueger had two revisions for the last paragraph of item 5. Director Dowling, not Director Krueger, asked about the lifeguards and Director Castille, not Director Krueger, asked about future use of the diving board. Director Peterson had a revision to item 6, that he spoke to the City of Austin regarding a school zone light, not a sign. Finally, Director Dowling wanted to clarify in item 6 that the \$1,153 quote pending approval was for the movie screen and services, not the movie rights. Director Krueger moved to approve the May 18, 2022, regular meeting minutes with corrections to items 5 and 6 as discussed. Director Castille 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 Krueger presented the financial report included in the packet. Director Krueger noted that the Stratus cleaning invoice may be received late and could be included in next month's bills. Director Krueger requested a \$100,000 transfer for payment of all invoices and checks. Director Dowling moved to approve payment of all invoices and to approve of the \$100,000 transfer to the operating account for bill payments. Director Krueger seconded the motion, and the motion passed 3-0-1 with Director Castille abstaining.

Director Castille noted that in the balance sheet the assets the District has listed do not reflect the Travis County Appraisal District's values. He further stated he believes the District's assets are upwards of 3.5 million as opposed to the 2 million shown in the District's balance sheet. Director Peterson asked how the District should address the difference between the District's records and Travis County Appraisal District. Director Castille suggested the District use the 2021 values as a starting point until the 2022 values are released.

- (b) **amendments to budget for FY2022:** Director Krueger had a question regarding the profit and loss adjustment and recommended adjusting the legal budget from \$90,000 to \$50,000, raising the deed restriction budget to \$40,000, and increasing the special projects and elections budget to \$30,000. Director Dowling made a motion to approve the amendments to the FY2022 budget and Director Peterson seconded. The motion passed 3-0-1 with Director Castille abstaining.
- (c) **security issues including report from Travis County Sheriff's Office:** Director Krueger stated there were no security issues to discuss.

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. Brody McKinley of SafeGuard Aquatics presented the May report as provided in the meeting packet. He discussed the numbers of passes and season passes that have been sold so far. Mr. McKinley also discussed one water rescue that took place and two issues regarding patrons' behavior at the pool. Lastly, Mr. McKinley stated the pool supplies are backordered and the supply company needs about a four-week lead time to become fully stocked again. SafeGuard Aquatics will be installing a secondary tower so the pool can use dry chemicals, as backup.

Director Peterson described the incident that occurred on May 21, 2022, at the pool. He explained that the conditions for this particular patron's attendance at the pool, post May 21 incident, will only be during non-peak hours, from when the pool opens until noon and from 4pm until the pool closes. The patron and his mother understand that if there is another incident, the patron will not be allowed back to the District's pool. Director Peterson has been observing the patron at the pool on certain days and has no issues to report. Director Peterson also mentioned the lifeguards are aware that should an incident occur, they are to contact Director Peterson or Director Schauer.

Director Dowling mentioned some residents had contacted her with questions about the lap lane and if it was currently down or closed. Mr. McKinley responded that the lap lane is scheduled to be repaired because the entire anchor for the lap lane is broken and there are no temporary fixes available.

Item 6 – Receive report from the District’s landscape maintenance contractor and Park Committee and consider taking related action: Charlie Mowen of TexaScapes presented the landscape report detailing May activities, as provided in the packet. Mr. Mowen explained that TexaScapes has completed the planting that was discussed at the May meeting, and the irrigation for the Eagle Scout project has also been completed. Director Krueger asked about the irrigation day for Greenbriar Park. Mr. Mowen stated the irrigation day at Greenbriar Park is each Tuesday. He also stated that the broken tree limbs in Lindshire Park and Woodlawn Park will be addressed on June 16th.

Director Castille mentioned that at Crowns Point and Manchaca, there are low-hanging limbs. Mr. Mowen said that he will go and check on the limbs in that area. Director Dowling stated that the Parks Committee will discuss the low hanging limbs at Manchaca at the next Parks Committee meeting. Mr. Mowen will review the limbs and get a bid to remove them if possible. Director Dowling mentioned possibly removing a cypress tree at Tanglewood Park and Mr. Mowen responded if the cypress tree is dead, he can have it taken down.

Director Dowling stated that the movie night went well, and the company the District used was very good with staffing the entire night. She has asked the company about their availability later in the year and will bring proposals for the Board’s review once they have been received.

- (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:** Mr. Thompson discussed the work order list that was provided in the packet. Mr. Thompson discussed receiving an email from Director Dowling regarding the lights at Tanglewood Park and Mr. Thompson assigned the work order to All American to have them replaced. Mr. Thompson also discussed a proposal for post lights at Greenbriar Park from All American for roughly \$1,400 per light, which includes partial trenching to run any wires necessary to power the lights. He also discussed a proposal from Onit for the Little Basin monument sign light. Mr. Thompson will present the proposal to the Parks Committee at the next Parks Committee meeting.

Mr. Thompson also discussed the Tanglewood pool gate and said the pool gate upgrade was installed and working on June 7th. He also mentioned that the mulch and mulch barriers arrived early, and they are awaiting installation.

Director Castille asked about the monument sign vandalizations. Director Krueger asked about the cage being repaired for the monument sign and the need to consider rebids for its repair.

Mr. Thompson updated the Board regarding the Lindshire railing report and said the City of Austin will repair and add to the guardrail by the end of June. The \$10,669.50 check for financing was sent to Texas Backyard Structures as a deposit to keep the quote that was provided for the gazebo work. Mr. Thompson said the material has been ordered but the installation will likely be by mid-August and it is currently on schedule.

- (c) **Large event requests:** Mr. Thompson described an event request for a bounce house that he discussed with the Parks Committee. Although bounce houses are not allowed, after meeting with the Parks Committee bounce houses will be allowed if insurance can be provided by the individual and the Board approves. Mr. Carlton stated that the Carlton Law Firm could draft a liability form for bounce house requests approved by the Board. Director Castille asked if the individual would have to have insurance for the bounce house or if the bounce house rental company would have to provide the insurance. Mr. Thompson stated it would be dependent on who is providing the bounce house. If the individual owns and provides the bounce house, then they would need to provide the insurance. If the individual is renting a bounce house with a company and the company is the one manning the bounce house on the day of the event, then the company would provide insurance. Director Dowling asked if bounce house approval should be a case-by-case basis or a general policy. Mr. Carlton recommended updating the Park Rules to clarify the process for large events. Mr. Thompson asked if the District could provide a list of insurance companies to anyone looking to have an event. Mr. Carlton responded that the District can suggest insurance companies and should accept any company that can provide a policy that meets the District's requirements. Tim Cunningham asked if there are any other excluded activities and Director Krueger responded that there are many other activities that are disallowed. Director Castille explained that some types of motorized equipment, like a Ferris wheel or merry go round for example, would require insurance. The Board also discussed the request for a bounce house party. Mr. Thompson explained that the request is for a child's party with 10 people estimated to attend. Director Krueger suggested bringing these items back to be discussed in the July Board meeting so the Parks Committee can discuss and provide needed information regarding insurance requirements and any park rules updates if needed.
- (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:** Mr. Thompson stated that the pond looked normal and the water level full, and that the fountain will continue to turn on and off periodically due to the time of year.
- (f) **report from General Manager and Deed Restriction Committee regarding enforcement of deed restrictions with the District:** Mr. Thompson advised that the deed drive was completed on June 7, 2022 with a little over 100 violations. He

mentioned that Pioneer has been updating their new system and the goal is to have the system ready by the time he does the July deed drive.

Director Peterson asked about the verification software and Geotags. Mr. Thompson said that the updated Travis County Appraisal District list will help resolve the system issues. Mr. Carlton confirmed that the Carlton Law Firm is holding off on deed enforcement letters until the Board requests further action.

Item 8 – Receive report from the Communications Committee and consider action regarding the following: Director Castille asked about the Instagram account and said that it still has Horizon listed as the contact. Director Dowling responded that she would look at the Instagram contact information.

- (a) **website content:** Director Dowling updated the Board on the status of the website.
- (b) **newsletter:** Director Dowling said that the newsletter was delayed, and Mr. Thompson said they should have the information to send out the newsletter before the next Board meeting. The newsletter will have election and pool 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) **District’s process for legal action and legal action on deed restriction enforcement (including Tanglewood Forest Limited District v. Ninfa Yanez, Cause No. D-1-GN-19-007074 in the District Court of Travis County, Texas):** The matter was not addressed.
- (c) **other litigation matters:** The matter was not addressed.
- (d) **legal investigations and other legal issues, if any:** The matter was not addressed.
- (e) **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:** Mr. Carlton updated the Board on the Attorney General’s answer to the suit filed.

Item 10 – Receive report from Special Counsel regarding One Barton Place v. Horizon HOA Management, Lauren DeWilde et al., Cause No. D-1-GN-20-001451 in the District Court of Travis County, Texas. The matter was not addressed.

OTHER MATTERS

Item 11 – See supplemental agenda for November 2022 Director Election items: Mr. Carlton explained the election items to the Board. Director Krueger moved to approve items 1-4 of the supplemental agenda, and Director Peterson seconded. The motion passed 3-0-1 with Director Castille abstaining.

Item 12 – Discuss and consider adoption of the tax and budget planning calendar for 2022, and take any related action. Mr. Carlton explained the tax planning calendar to the Directors and confirmed a quorum is needed for the special meetings on August 3rd and August 17th. Director

Castille moved to approve and adopt the 2022 tax planning calendar with the August 3rd and August 17th meeting dates. Director Krueger seconded the motion, and the motion passed 4-0.

Item 13 – Discuss and consider scheduling budget meetings/workshops: The matter was not addressed.

Item 14 – Discuss and consider Board member duties, responsibilities, and actions. The matter was not addressed.

Item 15 – Discuss and consider revisions to the District’s Code of Ethics. The matter was not addressed.

Item 16 – Discuss and consider time, date, and agenda items for the next Board meeting. The next regular meeting will be held on July 20, 2022, at 6:00 p.m.

Meeting adjourned at 6:47 p.m.

(Seal)



Nikki Krueger, Secretary
Board of Directors

Date: July 20, 2022