

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

March 17, 2021

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 March 17, 2021, via Zoom teleconference due to the global COVID-19 pandemic, and 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
Sue McCoy	Vice President	Resigned 03/15/21
Nikki Krueger	Treasurer	Present
Kat Dowling	Secretary	Present
Robbie Castille	Director	Present

Also present for the meeting were: John Carlton of The Carlton Law Firm, P.L.L.C.; Trey Thompson of Pioneer Real Estate Services; Trevor Van Osselaer of Safeguard Aquatics; Charlie Mowen of TexaScapes; and residents of the District.

Director Peterson convened the meeting at 6:04 p.m. and took the agenda items in the order described below.

**CONSENT ITEMS**

**Item 1 - Consider approval of the February 24, 2021, regular meeting minutes.** Director Dowling discussed a revision to page 3 of the draft meeting minutes. Director Krueger moved to approve the February 24, 2021, regular meeting minutes with revision, and Director Castille seconded. The motion passed 4-0.

**REPORTS AND COMMITTEE MATTERS**

**Item 2 - Receive report from the Finance Committee and Treasurer and consider taking related action regarding the following:**

- (a) **payment of monthly bills and invoices and transfers of District funds:** Director Krueger presented the monthly bills and invoices and explained an additional payment to the Travis County Sheriff’s Office was needed, as well as a transfer in the amount of \$43,000 to the operating account from savings account. Director Dowling moved to approve the payment of bills and invoices and the transfer of \$43,000, and Director Krueger seconded. The motion passed 4-0.

(b) **monthly financial report:**

(c) **quarterly investment report for fourth quarter of 2020:**

Director Krueger presented the monthly financial report and the fourth-quarter quarterly investment report. Director Dowling moved to approve both the financial report and the quarterly investment report, and Director Krueger seconded. The motion passed 3-0-1, with Director Castille abstaining due to lack of familiarity with reported numbers.

(d) **amendments to budgets for FY2020 and FY2021:** no amendments to the budgets were presented to the Board and matter was not addressed.

**Item 3 - 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:** Trevor Van Osselaer of Safeguard Aquatics presented the pool report. Mr. Van Osselaer informed the Board that he is working to obtain updated estimates on the reserve study pool items, as well as obtaining estimates for pool repairs related to the winter storm. The flow meter for the main pool will need to be replaced, and water to the building is needed in order to fill the baby pool. Mr. Van Osselaer reported that he will repair the flow meter in the coming week and refill the baby pool with a separate pump. Director Dowling stated that repairs in the bathroom are needed in order to get water for the pool.

Director Dowling asked Mr. Van Osselaer about the projections for summer plans and opening the pool. Mr. Van Osselaer will meet with the Pool Committee in the coming weeks to discuss the plans. Director Peterson stated that he will meet with Mr. Van Osselaer and Brody McKinley in two weeks to discuss the plan for opening the pool in May. Mr. Van Osselaer reviewed the prior procedures for opening the pool; he will meet with Director Peterson and report back to the Board at the April meeting. Director Dowling wants to ensure the necessary information about the pool is posted to the District's website.

Director Castille inquired about the insurance deductible associated with the repairs. Trey Thompson of Pioneer Real Estate Services stated that he is awaiting a response from the insurance adjuster. Director Dowling asked if the insurance policy information is on-file. John Carlton of The Carlton Law Firm, P.L.L.C., stated that it is, but will need to research the matter. Director Castille asked who was handling the insurance claim. Director Peterson responded that he is handling the claim with Mr. Van Osselaer and Mr. McKinley.

**Item 4 - Receive report from the District's landscape maintenance contractor and Park Committee and consider taking related action:** Charlie Mowen of TexaScapes presented the landscaping report.

(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:** Mr. Mowen informed the Board that material from the winter storm has been picked up. Mr. Mowen further reported that it appears the arborist did a good job removing higher broken limbs. Director Peterson asked if any plants had been lost due to the winter storm. Mr. Mowen responded affirmatively, stating that the

rosemary and pittosporum are likely lost. Those plants will be cut back, to see if that encourages regrowth, and the palm trees will be treated in the same way. The necessary cut-backs to those plants will be completed the day after the meeting. Mr. Mowen further advised that he intends to give the ligustrum hedge on the east side of the tennis court more time to bud, and the crepe myrtles appear to be coming back in other areas. Mr. Mowen stated that he will need to continue to monitor the plants for the next couple of months. Mr. Mowen informed the Board that lady bugs will be released the day after the meeting and that ant bait will be distributed later in the month. Mr. Mowen also reported that the irrigation survived well, and one pipe was repaired at Tanglewood Park, near the dumpster. In addition, the tennis court drainage project will be completed next week. Mr. Mowen stated that he will await resolution of the insurance claim before presenting other proposals. Director Dowling inquired about filling the sink hole. Mr. Mowen responded that he will work on that soon. Director Castille asked if the Board wanted to authorize plant replacement. Director Dowling advised that the Park Committee is first waiting to see which plants grow back. Mr. Mowen agreed with that course of action. Mr. Mowen then stated that the Tanglewood Park sign looks great, and that Lindshire Park may need work.

- (b) **park and tennis court rules:** Director Dowling asked about the tennis court rules. Mr. Thompson stated that he will pick up signs. Director Dowling advised that this item may be removed from the agenda.

**The Board returned to Item 3.** Mr. Thompson reported that there is a \$1,000 deductible under the insurance policy.

- (c) **security contract:** Director Krueger asked about the security contract requirements. Director Peterson asked about reviewing the security contract. Director Krueger further asked about the frequency of security activity. Director Dowling stated that the call log was previously provided. Mr. Carlton advised that he will look into the matter and locate the reports.
- (d) **contract for holiday lights:** Director Dowling stated that the holiday lights will be discussed at the April meeting of the Parks Committee. Mr. Thompson will schedule the meeting. The item will be addressed at the District's regular April meeting.

**The Board returned to Item 4(a).** Director Dowling asked about repairs to the message board and the conduit by the tennis court. Mr. Thompson advised that he will repair the message board but is awaiting the tennis court project to address the conduit. Director Castille asked about planting proposals. Mr. Mowen responded that he has reviewed the proposals. Director Castille asked Mr. Thompson about the bids for Gazebo Park, stating that he is concerned about safety issues with the gazebo and wants to postpone decisions until after the Board determines the repairs for Gazebo Park. Director Dowling informed the Board that she is ready to move forward with sign landscaping, and the Board can review the matter in April or act on it at the current meeting. Director Krueger advised that she is ready to approve the project. Director Peterson suggested acting on the sign landscaping at the regular April meeting, to await additional information on the pool repairs. Director Castille recommended approval of planting and work on gazebo repairs.

Director Krueger stated that she is awaiting bids on the repairs from Mr. Thompson. Mr. Carlton will include proposals 9755 and 9756 in the packet for the regular April meeting.

**Item 5 - Receive report from District’s General Manager and consider taking related action:** Trey Thompson of Pioneer Real Estate Services presented the report.

- (a) **management services, management services contract, and related issues:** Matter was tabled and 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 presented proposals for Gazebo Park, which include a bid of \$9,480 to repair and replace, and a bid of \$3,600 to repair and stain seats, repair and stain floor, clean-up, and address roof. Director Dowling advised that there should be no staining, as that is a project for the Parks Committee. Director Castille asked about the cupola on the roof, which would add approximately \$800. Director Dowling mentioned that the gazebo has a metal roof. Mr. Thompson clarified that the proposal for total replacement includes the metal roof. Director Krueger stated that the Parks Committee will meet on April 8 to discuss the matter further.

Director Dowling asked about the pond pump. Mr. Thompson responded, saying that there were no problems with the pump. Director Krueger asked about lighting repair costs and the status of additional estimates, addressing LED versus fixtures. Mr. Thompson advised that he is still awaiting the additional estimates. Director Dowling stated that the Parks Committee will review the estimates at the scheduled committee meeting. Director Castille informed the Board that a homeowner inquired about tennis court furniture. Director Dowling advised that furniture replacement is part of the tennis court project.

- (c) **park and restroom cleaning and related services from cleaning contractor:** Matter was tabled and not addressed.
  
- (d) **pond cleaning and related services from Aquatic Features:** Matter was tabled and not addressed.

**Item 6 - Receive report from District’s General Manager and Deed Restriction Committee regarding enforcement of deed restrictions within the District, including, but not limited to, notices to property owners, compliance efforts and necessary referrals to the District’s legal counsel for enforcement in court:** District resident Steve Gerlofs asked about budget overruns for deed restriction legal costs, and mentioned the big yellow house on Ivanhoe. Director Castille stated that the homeowner is alive. Director Dowling asked Mr. Carlton about the total cost and suggested a budget amendment to address the cost. Director Peterson will discuss.

- (a) **restrictive covenants review and notification process:** Matter was tabled and not addressed.

**Item 7 – Receive report from the Communications Committee.** Director Dowling reported that she has been working with Mr. Thompson to update the pool programming and create a newsletter. Director Castille suggested an online message board forum, similar to the City of Austin. Mr. Carlton discussed the challenges of electronic message board management, as well as limitations

on decision making. Director Peterson advised that the Board should discuss the matter at the regular April meeting.

**Item 8 - Receive report from the Events Committee:** Director Peterson informed the Board of his intention to schedule strategic planning as a weekend meeting, and that he has not yet heard back from Catherine Rockwell. Director Dowling advised that she will locate the contact information for the person that previously led the strategic planning session. Director Dowling noted that the Board historically completed strategic planning during the week. Director Peterson advised that he wants to get a calendar in place for next year. Director Krueger stated that she prefers District business be scheduled on typical meeting days. Director Dowling noted that she can work around her personal schedule and suggested the fourth week of April or May. Director Krueger proposed scheduling the strategic planning session for May 5<sup>th</sup>. Director Castille mentioned that he knows a parliamentarian. Director Peterson suggested waiting to schedule the strategic planning until the vacancy on the Board has been filled. Directors Krueger and Dowling agreed. Director Dowling proposed scheduling the strategic planning session for the fourth week of May, between May 25 and May 27, and the Board generally agreed. Director Krueger noted that she also has contact information for individuals that may be able to lead the strategic planning session.

- (a) **setting District calendar for 2021:** Matter was tabled and not addressed.

**Item 9 - Receive report from the Advocacy Committee.** Director Krueger reported that no committee meeting was held and that she does not think the committee is necessary. Director Castille agreed. Director Krueger moved to sunset the Advocacy Committee, and Director Peterson seconded. The motion passed 4-0.

**Item 10 - Receive General Counsel report and consider taking related action:** No report.

- (a) **pending contract issues, open records requests, and election matters:** matter was tabled and 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):** matter was tabled and not addressed.
- (c) **other litigation matters:** matter was tabled and not addressed.
- (d) **legal investigations and other legal issues, if any:** matter was tabled and not addressed;

**Item 11 - 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.** Mr. Carlton reported that DeWilde's Motion to Sever was denied by the Court.

**OTHER MATTERS**

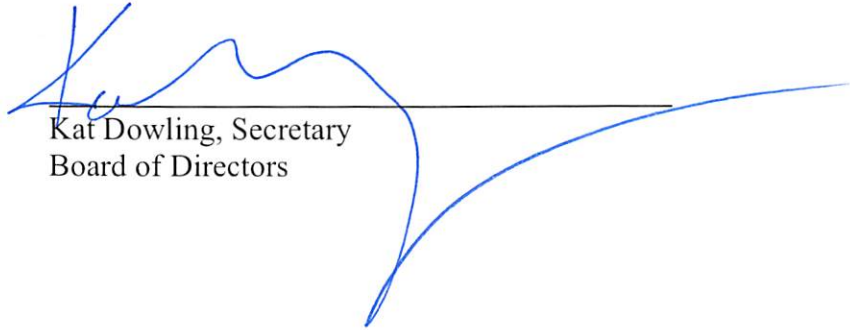
**Item 12 - Discuss and consider time, date, and agenda items for the next Board meeting:** Next meeting scheduled for April 21, 2021 at 6:00 p.m.

**PUBLIC COMMENT**

**Item 13 - Receive communications from the public on items not listed on the posted agenda.**  
None.

Meeting adjourned at 7:10 p.m.

(Seal)



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Kat Dowling, Secretary  
Board of Directors

Date: April 21, 2021

# **EXHIBIT A**

**CERTIFICATE OF POSTING FOR  
TANGLEWOOD FOREST LIMITED DISTRICT  
AT  
POOL AND TENNIS COURTS  
NEAR SLAUGHTER AND CURLEW  
AUSTIN, TEXAS 78748**

STATE OF TEXAS

§

COUNTY OF TRAVIS

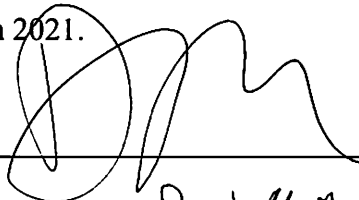
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I, David Murr, hereby certify that at 4:15 p.m. on March 12, 2021, I posted a copy of the attached notice of meeting of the Board of Directors at a place readily accessible and convenient to the public.

I understand that the notice was posted in order to comply with the Open Meetings provision of Chapter 551 of the Government Code and that the Board of Directors of the District will rely on this certificate in determining whether the provisions of Chapter 551 of the Government Code have been satisfied.

Witness my signature this 12<sup>th</sup> day of March 2021.

  
\_\_\_\_\_

Name Printed: David Murr

Company: Corporate Couriers



**CERTIFICATE OF POSTING FOR  
TANGLEWOOD FOREST LIMITED DISTRICT  
AT  
THE CARLTON LAW FIRM, P.L.L.C.  
4301 WESTBANK DRIVE, SUITE B-130  
AUSTIN, TEXAS 78746**

**STATE OF TEXAS**                   §  
  §  
**COUNTY OF TRAVIS**           §

I, Katy Hennings, hereby certify that at 2:17 p.m. on March 12, 2021, I posted a copy of the attached notice of meeting of the Board of Directors at a place readily accessible and convenient to the public.

I understand that the notice was posted in order to comply with the Open Meetings provision of Chapter 551 of the Government Code and that the Board of Directors of the District will rely on this certificate in determining whether the provisions of Chapter 551 of the Government Code have been satisfied.

Witness my signature this 12<sup>th</sup> day of March 2021.

  
\_\_\_\_\_  
Katy Hennings

**CERTIFICATE OF POSTING FOR  
TANGLEWOOD FOREST LIMITED DISTRICT  
AT  
TRAVIS COUNTY COURTHOUSE  
5501 AIRPORT BLVD.  
AUSTIN, TEXAS 78751**

**STATE OF TEXAS**                   §  
  §  
**COUNTY OF TRAVIS**               §

I, Katy Hennings, hereby certify that at 2:15 p.m. on March 12, 2021, I delivered the attached notice of meeting of the Board of Directors to the Travis County Clerk's Office for subsequent posting with Travis County.

I understand that the notice was posted in order to comply with the Open Meetings provision of Chapter 551 of the Government Code and that the Board of Directors of the District will rely on this certificate in determining whether the provisions of Chapter 551 of the Government Code have been satisfied.

Witness my signature this 12<sup>th</sup> day of March 2021.

  
\_\_\_\_\_  
Katy Hennings

**CERTIFICATE OF POSTING FOR  
TANGLEWOOD FOREST LIMITED DISTRICT  
ON  
WWW.TANGLEWOODFORESTLIMITEDDISTRICT.COM**

**STATE OF TEXAS**                   §  
  §  
**COUNTY OF TRAVIS**           §

I, Trey Thompson, hereby certify that at 3:45 p.m. on March 12, 2021, I posted a copy of the attached notice of meeting of the Board of Directors on the District's internet website – [www.tanglewoodforestlimiteddistrict.com](http://www.tanglewoodforestlimiteddistrict.com).

I understand that the notice was posted in order to comply with the Open Meetings provision of Chapter 551 of the Government Code and that the Board of Directors of the District will rely on this certificate in determining whether the provisions of Chapter 551 of the Government Code have been satisfied.

Witness my signature this 12<sup>th</sup> day of March 2021.



\_\_\_\_\_  
Trey Thompson

# TANGLEWOOD FOREST LIMITED DISTRICT

## Agenda

March 17, 2021

TO: THE BOARD OF DIRECTORS OF TANGLEWOOD FOREST LIMITED DISTRICT  
AND ALL OTHER INTERESTED PERSONS:

Notice is hereby given that the Board of Directors of Tanglewood Forest Limited District will hold a meeting on **Wednesday, March 17, 2021**, at **6:00 p.m.**, via Zoom teleconference call or at the Tanglewood Pool House, 9809 Curlew Drive, Austin, Texas, for the following purposes:

**Due to the state of emergency and/or local disaster caused by the COVID-19 pandemic, the Board of Directors of Tanglewood Forest Limited District may hold its meeting via telephone conference call because of the difficulty and risks of convening a quorum in one location. If initiated, the call will be recorded as required by the Texas Open Meetings Act. The public may participate in the meeting via the internet at [www.zoom.us/join](http://www.zoom.us/join) or by telephone at 346-248-7799 and entering meeting ID: 843 4365 8745.**

Individual members of the public wishing to address the Board at a meeting held in person or over telephone / video conference must register to speak in the 15 minute period before the meeting begins by signing up on the attendance form for in-person meetings or logging into the virtual meeting and providing the information to the meeting host at least 5 minutes prior to the start of the meeting. Individual members of the public may address the Board for a maximum of 3 minutes on items not on the current agenda under public comment and for a maximum of 2 minutes per person per agenda item. Members of the public may collectively address the Board for a total of 15 minutes on items not on the current agenda under public comment. Individuals may address the Board once per item. No formal action, discussion, deliberation, or comment will be made for items not on this agenda.

### CONSENT ITEMS

1. Consider approval of the February 24, 2021, regular meeting minutes;

### REPORTS AND COMMITTEE MATTERS

2. Receive report from the Finance Committee and Treasurer and consider taking related action regarding the following:
  - (a) payment of monthly bills and invoices and transfers of District funds;
  - (b) monthly financial report;
  - (c) quarterly investment report for fourth quarter of 2020; and
  - (d) amendments to budgets for FY2020 and FY2021;
3. 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;
4. Receive report from the District's landscape maintenance contractor and Park Committee and consider taking related action, including matters related to:
    - (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; and
    - (b) park and tennis court rules;
    - (c) security contract; and
    - (d) contract for holiday lights;
  5. Receive report from District's General Manager and consider taking related action, including matters related to:
    - (a) management services, management services contract, and related issues;
    - (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;
    - (c) park and restroom cleaning and related services from cleaning contractor; and
    - (d) pond cleaning and related services from Aquatic Features;
  6. Receive report from District's General Manager and Deed Restriction Committee regarding enforcement of deed restrictions within the District, including, but not limited to, notices to property owners, compliance efforts and necessary referrals to the District's legal counsel for enforcement in court, and the following:
    - (a) restrictive covenants review and notification process;
  7. Receive report from the Communications Committee;
  8. Receive report from the Events Committee and consider action regarding the following:
    - (a) setting District calendar for 2021;
  9. Receive report from the Advocacy Committee;
  10. Receive General Counsel report and consider taking related action regarding the following:
    - (a) pending contract issues, open records requests, and election matters;
    - (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);
    - (c) other litigation matters; and
    - (d) legal investigations and other legal issues, if any;

11. 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;

**OTHER MATTERS**

12. Discuss and consider time, date, and agenda items for the next Board meeting; and

**PUBLIC COMMENT**

13. Receive communications from the public on items not listed on the posted agenda; *[Members of the public may sign up to speak for three (3) minutes regarding general topics or specific agenda items. If speaking on specific agenda items, citizens may speak one time per agenda item. Those desiring to speak must complete the citizen communication form supplied by the District so they may be recognized by the Board President. In accordance with the Texas Open Meetings Act, any response to a public comment that is made on an item that is not on the published final agenda will be limited to a statement of factual information or a statement of existing policy given in response to the public comment. Any deliberation or decision by the Board must be limited to a proposal to place the subject on a future agenda.]*

The Board of Directors is authorized by the Texas Open Meetings Act to convene in closed or executive session for certain purposes. These purposes include receiving legal advice from its attorney pursuant to §551.071 of the Texas Government Code; discussing real property matters pursuant to §551.072 of the Texas Government Code; discussing gifts and donations pursuant to §551.073 of the Texas Government Code; discussing personnel matters pursuant to §551.074 of the Texas Government Code; discussing security personnel or devices pursuant to §551.076 of the Texas Government Code. If the Board determines to enter executive session regarding any item on this agenda, the Presiding Officer will announce that an executive session will be held and will identify the item to be discussed and provision from the Open Meetings Act that authorizes the closed or executive session.

(SEAL)



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Attorney for the District

The District is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please call John Carlton at (512) 614-0901 for information. Hearing impaired or speech disabled persons equipped with telecommunication devices for the deaf may utilize the statewide Relay Texas Program by dialing 7-1-1 or 1-800-735-2988.