

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

July 20, 2022

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 July 20, 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 | Absent |
| Nikki Krueger | Treasurer / Secretary | Present |
| Robbie Castille | Director | Present |
| Josh Schauer | Director | Present |

Also present for the meeting were: John Carlton of The Carlton Law Firm, P.L.L.C.; Trevor VanOsslear of SafeGuard Aquatics; Charlie Mowen of TexaScapes (by phone); and residents of the District.

Director Peterson convened the meeting at 6:03 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 June 15, regular meeting minutes. Director Krueger requested a revision on page 3 to remove an extra “n” from Onit’s company name. Director Castille moved to approve the June 15, 2022, regular meeting minutes with correction to item 7 as discussed. Director Schauer seconded the motion, and the motion passed 4-0.

REPORTS AND COMMITTEE MATTERS

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. Trevor VanOsslear of SafeGuard Aquatics reviewed the June report as provided in the meeting packet. He discussed that operations have been going well but there have been some issues with the chemical supplies. Mr. VanOsslear reported that there had been two minor rescues in June.

Director Peterson described an incident that happened at the pool. A person recently released from the hospital was behaving erratically at the pool. The person was asked to leave but remained in the parking lot. The incident was reported to the police at the time but there was no response. Mr. VanOsslear will post the Travis County Sheriff Office phone number if there are other incidents that need to be reported. Director Peterson said the person lives in Manor and someone was going to pick him up, but he was not picked up. Director Peterson also contacted the City Council representative to register a complaint about the lack of response from the Austin Police Department. Resident Eileen Schwartz commented on the pool incident as well.

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 via telephone detailing June activities, as provided in the packet. Mr. Mowen explained that several large limbs have been removed from Lindshire and Woodland parks. He also mentioned that the two bi-annual irrigation inspections were completed and passed. Mr. Mowen explained that the irrigation controller at Woodland Park was out of sync and has been fixed to water at the correct time.

- (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 mentioned that two proposals have been submitted to the Parks Committee for stonework at Lindshire Park and the gazebo, granite for the trails, and for tree planting at three of the parks. Director Krueger said that the first bid, bid number 10052, was for concrete work at Lindshire Park for \$2,844.95. Director Castille was in favor of the first bid and was concerned about the second proposal. Director Krueger mentioned planting will not occur until September. She also stated that the second proposal, bid number 10054, was for tree replacement and planting for \$7,545. Director Castille moved to approve both proposals with planting to occur in September, Director Krueger seconded the motion. The motion passed 4-0.

Director Krueger reviewed the District Manager’s report on park related items. She stated that the lights at Tanglewood Park tennis courts are being worked on, the holiday lights have been ordered, and the work on the drainage ditch on the southwest side has been completed by the City of Austin. Director Krueger further mentioned the District has reduced the port-a-potties in Greenbriar Park to one until

the fall. She noted that 75% of the deposit has been paid for the new Gazebo. Director Krueger stated that the vendor turned off the fountain in June due to the pump being down. The aerator is working at opposite end. One of the bladders is broken but repair is not required. A new fountain with lights would cost \$5,342.80, a fountain without lights would be \$3,781.19, and installation would cost \$500-\$1,000. Director Krueger asked the Board if they wanted to preapprove the fountain expense. She also stated that the temperatures are hotter earlier so that is a problem now and suggested \$7,000 for preapproval for the fountain expense. Director Peterson is opposed to the lights, and Directors Castille and Krueger both prefer the fountain have lights. Director Krueger mentioned having a warranty of 3-5 years for the lights. Director Castille moved to approve the fountain expense with lights for \$7,500. Resident Ilene Schwartz mentioned the lights are also a safety feature. Director Krueger seconded the motion, the motion passed 4-0.

Director Castille asked about the Lindshire Park photocells, and Director Krueger responded Mr. Thompson is already working on that work order.

Director Castille spoke with watershed protection at the City of Austin. Kelli Bruce advised him that if the District wants to run more water in the pond the District just needs to report a variance for meter usage to fill the pond for the remainder of the season. Director Krueger stated that Director Castille was not approved to represent the District or the Parks Committee to the City of Austin or anyone without prior board approval. Director Schauer asked about a complaint to the City of Austin regarding the pond report. Director Castille said the City of Austin will issue a report. The Board discussed the matter further but took no action.

- (b) **consider amendments to the Park Rules:** The matter was not addressed.

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 mentioned that the Finance Committee met on Monday, July 18, 2022. She also stated that there are two Stratus invoices this month and requested \$95,000 to be transferred to the operating account for payment of the June bills. Director Castille moved to approve the transfer, and Director Schauer seconded the motion. The motion passed 5-0. Director Dowling moved to approve the check register and Director Krueger seconded the motion. The motion passed 5-0.

Director Krueger presented the budget information and explained that the budget discussed will be strictly operating expenses and the tax rate will be discussed on August 3rd. She also stated that vandalization costs have increased payments to Green Power Washing, and she will ask for a proposal for Green Power Washing to conduct regular inspections and work at the parks. Director Krueger further stated that the budget increase to cover the power washing would be from \$1,000 to \$5,000. The communications budget would increase to cover more items. The neighborhood budget had community park events removed and a \$1,000 events line item added. A budget line item was added for holiday lights. The pool cost budget

has increased to cover lifeguards at any additional pool openings outside of regular hours. The TexaScapes budget item has increased by \$1,000. Director Krueger asked to resolve any expense questions tonight. Mr. Carlton advised that the board can approve the expense portion of the budget.

- (b) **amendments to budget for FY2022:** The matter was not addressed.
- (c) **security issues including report from Travis County Sheriff's Office:** Director Krueger stated there were no security issues to discuss.

Item 7 – Receive report from District's General Manager and consider taking related action, including matters related to: Mr. Thompson was unavailable to attend the meeting.

- (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:** The matter was not 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:** The matter was not addressed.
- (f) **report from General Manager and Deed Restriction Committee regarding enforcement of deed restrictions with the District:** Director Krueger will speak with Mr. Thompson to get a deed drive update.

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

- (a) **website content:** Director Peterson mentioned the website was still having some issues. Director Castille was concerned that the District's address was still listed as 9801 Curlew and should be corrected to 9809 Curlew. Director Dowling stated she would review the history and address the website issues at the next meeting.
- (b) **newsletter:** Director Schauer stated the summer newsletter issue went out and work has begun on the content for the next newsletter.

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: The matter was not addressed.

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

Item 12 – Discuss and consider revisions to the District's Code of Ethics. The matter was not addressed.

Item 13 – Discuss and consider time, date, and agenda items for the next Board meeting. There will be a special meeting on August 03, 2022, at 6:00 pm. The next regular meeting will be held on August 17, 2022, at 6:00 p.m.

Meeting adjourned at 6:40 p.m.

(Seal)



Nikki Krueger, Secretary
Board of Directors

Date: August 17, 2022