

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

September 18, 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 September 18, 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. Noel Gonsalvez, a District resident, introduced himself and spoke about his intentions for running for a place on the Board of Directors. Mr. Gonsalvez asked that the neighborhood support Damien Trevino and Steve Gerlofs and himself and vote for them to obtain seats on the Board. Mr. Gonsalvez discussed the issues he believes lie before him such as the 10 year agreement with the City of Austin that will need to be renewed in 2027. Mr. Gonsalvez believes a meeting with City Councilman Ryan Alter will benefit the District to help navigate the renewal. Mr. Gonsalvez noted the pool needs renovation and also discussed partnering with the City of Austin to address Idylwild Park and develop the park to make it safer. Damien Trevino, a District resident, introduced himself and discussed how he is a second-generation resident of the District. Mr. Trevino noted he loves the neighborhood and the neighbors he has. Mr. Trevino wants the Board to remain transparent and would like to promote more cohesion within the community and with the City of Austin.

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

CONSENT ITEMS

Item 3 – Consider approval of the August 19, 2024, regular meeting minutes. Director Krueger moved to approve the August 19, 2024 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:

- (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 August. Director Whelan discussed the invoices and bills. The Board discussed the correction of certain line items and the removal of some double costs. The Board discussed a charge for a port a potty that does not exist and that expense was removed. Director Whelan noted that Blue Moon Cinemas had two charges, and one needed to be removed. Director Whelan is working with the District bookkeeper to address the corrections that have been discussed. Director Whelan discussed the need for a transfer of \$63,890.13 from the savings to the operating account. Director Krueger moved to approve the bills, invoices, and check register and a transfer of \$63,890.13 to the checking account. Director Canty 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) discuss and consider budget meetings/workshops:** The matter was not addressed.

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 August operations report to the Board and said routine maintenance was completed and noted that pool revenue was \$2,467.32. Mr. McKinley said there were two minor water rescues and two minor patron behavior incidents. Mr. McKinley also said there is a list of items to address from the inspection that occurred that will be addressed in the off season.

Item 6 – Receive report from the District's landscape maintenance contractor and Park Committee and consider taking related action: Mr. Mowen presented the August parks report to the Board and said routine park maintenance had been completed. Mr. Mowen also told the Board that irrigation was adjusted for the community event held on the 17th. Mr. Mowen discussed two proposals for infield plantings. One proposal is for planting at Greenbriar Park for \$3,890.20 and the second is Kempler Park for \$1,540.00. Director Krueger noted that these are to be planted

around the signage and around the parks. Director Krueger moved to approve proposals 10464 and 10465. Director Peterson seconded the motion, and the motion passed 4-0.

- (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: Ms. Bocanegra mentioned that a letter has gone out that Pioneer Beck has merged with RowCal property management which is a full service HOA management company. Ms. Bocanegra said all services for the community will remain the same and she will continue to be the contact for the District.

- (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 said the pool passed the City of Austin inspection and she will install the new permits once they arrive. Ms. Bocanegra noted the trashcans and recycling bins need to be cleaned, it would cost about \$45 per can and there are about 20 trashcans and 20 recycling bins. The Board noted cleaning all the cans would cost about \$2,000. Director Krueger moved to approve \$2,000 for the cleaning of the trashcans and recycling bins. Director Whelan seconded the motion, and the motion passed 4-0.
- (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 Krueger asked the Board to discuss a date for the December event. Director Peterson noted that the Board tries to coordinate with Kocurek elementary for the December event. Director Krueger asked if the Board would consider selecting a date and then calling the Elementary school to find out about their PTO date. The Board discussed possible dates for the December event.

- (a) **website content:** The matter was not addressed.
- (b) **newsletter:** Director Krueger noted that the newsletter content will be regarding the tax rate and the Director Election and noted that terms for herself, Director Peterson, and Director Castille will be ending this year.

Item 9 – Receive General Counsel report and consider taking related action regarding the following: Mr. Gonsalvez asked about the status of the candidates on the ballot and Ms. Schein

noted that a candidate that had previously applied requested to be removed and he was removed. Mr. Gonsalvez asked about which candidates were on the ballot and Director Peterson noted that the ballot would include all candidates that did not withdraw.

- (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. 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 Board member duties, responsibilities, ethics, and actions. Director Krueger discussed a current Board member has put significant threats on sitting board members. Mr. Gonsalvez also said if anyone wants to speak with him, he will be around after the Board meeting to help answer any questions. Mr. Gonsalvez said that in the 2022 Director Election two candidates applied to run for the Board, one candidate's address was a duplex that was being remodeled and the other had an address on Riddle Road but never lived there. Mr. Gonsalvez said that two candidates for the current election would probably not be seen and that the person pushing for their election would likely be seen instead.

Item 13 - Discuss and consider action regarding Cyber Liability and Data Breach Response Coverage with Texas Municipal League Intergovernmental Risk Pool. The Board discussed the proposed cyber security coverage and interlocal agreement with TML as included in the agenda packet. Director Krueger moved to approve the cyber security coverage. Director Whelan seconded the motion, and the motion passed 4-0.

Item 14 – Adopt updated notice to purchasers (aka District Information Form) and approve recording in the official public records. Ms. Schein discussed the updated notice to purchasers with the Board. Director Krueger moved to approve the updated notice to purchasers. Director Whelan seconded the motion, and the motion passed 4-0.

Item 15 – Discuss and consider time, date, and agenda items for the next Board meeting. The next Board meeting will be held on October 16th, 2024 at 6:00 p.m. at the Westoak Woods Baptist Church.

The meeting adjourned at 6:27 p.m.

(Seal)

A handwritten signature in black ink, appearing to read "Brian Whelan", written over a horizontal line.

Brian Whelan, Secretary
Board of Directors

Date: October 16, 2024