

Minutes
Lakeway Municipal Utility District
Board of Directors Meeting
December 13, 2023

The Board of Directors met in REGULAR session at 9:30AM at 1097 Lohmans Crossing, Lakeway, Texas, with the following participating:

Directors Present:	Lawrence Christian Larry Burmeier Don Goff Phil Lanier
Directors Absent :	Frank Cooley
Staff Present:	Earl Foster Loyd Smith
Attorneys Present:	Anne Stanford

QUORUM:

1. Determine Quorum and Call to Order
Meeting was called to order at 9:30 AM.
Christian declared a quorum of Directors present.
2. Pledge of Allegiance was led by Christian.

CITIZENS

3. None

AGENDA ITEMS:

4. Discussion and Possible action on "Twelfth amendment to Commercial Contract Unimproved Property" by and between the District and HSD-Lohmans Partners, LP, pertaining to the sale of land generally situated at 1829 Lohmans Crossing, Lakeway, Texas.
 - Foster explained that the only changes are moving the closing date from January 2024 to January 2025 on one contract, and from July 2024 to July 2025 on the other, and that the buyer could close earlier if they desired.
 - Burmeier asked about progress on the bridge; Foster replied that the City was working with Stratus Properties on that.
 - Lanier said the original completion was scheduled for November 2023.

- Burmeier asked what would happen if the Board didn't approve this amendment; Foster replied that we could demand closing and the Buyer would likely attend our BOD meeting in January.
 - Burmeier moved to approve the Twelfth Amendment as presented; Goff seconded.
 - General Board discussion.
 - Motion passed unanimously.
5. Discussion and possible action to approve an easement on parcel of land out of and a part of the T.C.R.R. Co. Survey Number 196, Abstract number 2526 situated in Travis County, Texas, being a portion of Lot 7, resubdivision of Final plat of Lakeway MUD E5 Tank.
- Foster said there is no emergency access on the back side of our property, and this will be fenced and will only be used for ingress and egress in emergency situations. He added that our attorneys will remove the statement that LMUD will remove utilities from this part of the property.
 - Lanier asked why they would want utilities removed; Foster replied that this is probably just standard language they used in agreements.
 - Christian asked if this would be at the buyer's cost; Foster replied yes.
 - Goff asked if the access would be paved; Foster replied that he assumed it would be paved in some way.
 - Burmeier asked who insisted in having the ingress and egress; Foster replied he believed it was the Fire department and that emergency personnel would have access to unlock the gate during emergencies.
 - Lanier moved to approve the easement as presented with the understanding that our attorneys will remove the section stating utilities will be removed from the property; Burmeier seconded.
 - General Board discussion.
 - Motion passed unanimously.
6. Discussion and possible action to approve Notice to Purchaser.
- Foster said this is the final document that the Board approved in November and there was just some cleanup work to be done on the document due to some changes in requirements and that our attorneys had completed the cleanup.
 - Goff moved to approve the document as presented; Lanier seconded.
 - General Board Discussion
 - Motion passed unanimously.
7. Discussion and possible action to approve the Advertisement for bids S-5 Water Recycling Plant Expansion project.

- Foster said this item is the main reason for having a Board meeting in December, as the advertising starts before January, and he wanted to make sure the Board was aware. The first ad will appear on December 20, 2023, and the second will appear on December 27, 2023. The bid opening will occur on January 24, 2024 at 2PM in the LMUD Board Room. Foster said the cost is estimated at \$8.5M.
- Goff ask if this was above the original estimate; Foster replied the original estimate in 2015 was \$5M, and in 2019 it was 30% higher. He added that we have already spent \$700K on prework, and that the current estimate in our cash flow is \$8.5M.
- Lanier asked if the \$8.5M included the \$700K; Foster replied no, that the \$8.5M is future anticipated expenditures.
- Goff asked how we get the extra money; Foster said he can review the projected Cash Flow with the Board and explain the options.
- Goff asked how long this project will take; Foster replied the estimate is 18 months, but he believes we can complete it in 8-9 months.
- Burmeier said he believes the Board should see the proposal; Foste replied the E&O Committee has seen the plans, but that the Board can see it next week if needed.
- Christian said the E&O Committee must be satisfied, or they would have said something.
- Lanier moved to approve the advertisements as presented; Goff seconded.
- General Board Discussion
- Motion passed unanimously.

8. Discussion and possible action on GM Report, Financials, Calendar

- Foster reviewed the October financials and noted that this was a non-revenue month.
- Included in the documents was an estimate from Chapman Marine for the installation of Barge hoses to replace the damaged ones for \$48,925. The hoses are in, and the work will be done next week upon Board approval.
- Lanier asked if we had used Chapman Marine in the past; Foster indicated we have used them several times.
- Lanier asked how long it would take; Foster replied the labor estimate is for 8 hours, but he guessed it could easily turn into 2 days.
- Burmeier moved to approve the estimate as presented; Lanier seconded.
- Motion passed unanimously.
- Goff moved to approve the GM Report as presented; Lanier seconded.
- General Board discussion.
- Motion passed unanimously.

CONSENT AGENDA- The following consent items may be approved by one Board vote. Any Director may pull consent items from the consent agenda for discussion.

Lanier moved to approve the consent agenda; Burmeier seconded. Motion passed unanimously.

9. Approve minutes from Regular board meeting November 8, 2023.

ADJOURNMENT

The meeting was adjourned at 10:01 AM.



Loyd Smith, Finance/Administration Manager

Minutes approved on the 10th day of January 2024.



President, Board of Directors

ATTEST:



Secretary, Board of Directors