

Minutes
Lakeway Municipal Utility District
Board of Directors Meeting
November 18, 2015

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

Directors Present: Larry Burmeier
 Mel Neese
 Tom Brewer
 Kay Andrews
 Jerry Hietpas

Staff Present: Earl Foster
 Loyd Smith

QUORUM

1. Determine Quorum and Call to Order

Meeting was called to order at 9:30AM.
Burmeier declared a quorum of Directors present.

2. Pledge of Allegiance was led by Burmeier.

CITIZENS

3. None

AGENDA ITEMS:

4. Discussion/Action on Investment Policy changes.

- Foster gave an overview of the proposed changes.
- Vince Maggio, Vice Chairman of the Finance Committee, shared Committee views.
- General Board Discussion.
- Andrews moved to accept the changes; Brewer seconded.
- Motion passed unanimously.

5. Discussion/action regarding an Order Declaring a Portion of Lot 1, Lakeway Municipal Utility District, E-5 Tank Subdivision, Lakeway Texas Consisting of 81.56 acres (+/-) and having the street address of 1931 Lohmans Crossing to be Surplus Property; Approving a Bid Packet for the Public Sale of the Surplus Property, and Directing the

General Manager of the District to Publish Notice of the Public Sale of the Surplus Property.

- Foster reviewed the Order and the Bid Packet.
- General Board Discussion.
- Final Date to receive bids was established as January 27, 2016 at 2:00PM
- George Blume, Land Committee member, stated the Board should not be in a hurry to sell the land in order to obtain the best price.
- Neese moved to approve the Order declaring the land as Surplus; Brewer seconded.
- Motion passed unanimously.
- Neese moved that the Board appoint a Committee consisting of Jerry Hietpas, Chair, Frank Cooley, and Charles Edwards to negotiate a contract with Commercial Realtors E.H. Breazeale and Doris Van Trease of Breazeale and Trease Real Estate Firm, Lakeway, Texas for the purpose of marketing and selling surplus LMUD property. Said property shall consist of 81.56 Acres having the street address of 1931 Lohmans Crossing. The District Staff shall provide any administrative support needed. Offers for this property shall be presented to the Board of Directors for final action.
- Brewer called a point of order stating the Board has already voted to proceed on the path of doing an RFP first and if that does not succeed then we move to a commercial broker. This would require a motion for reconsideration.
- Andrews indicated she would second the motion.
- Brewer restated the Parliamentary for a motion for reconsideration, and that the second must come from a Board Member who voted in the majority on the original vote being reconsidered.
- Neese moved for Reconsideration and challenged the Parliamentary ruling.
- Neese stated he couldn't find anything in Roberts Rules of Order stating the second must come from the majority.
- Andrews seconded the Reconsideration Motion.
- Motion failed 2-3; Andrews and Neese voted for.
- Hietpas moved to approve Bid Packet with recommended changes from the General Manager for the Public Sale of the Surplus Property and direct the General Manager of The District to publish notice of the Public Sale of Surplus Property post haste.
- Brewer seconded; motion passed unanimously.
- Foster stated LMUD would post Public Notice in the Lake Travis View two consecutive weeks in accordance with the Water Code.
- Foster recommended that LMUD advertise in the Regional Wall Street Journal for \$4,400 per issue two times and The Austin Business Journal for \$1,500 per month for two months.
- Andrews mentioned several websites where advertising is free or at low cost.
- Brewer moved to accept the General Managers proposal and approve \$15,000 in advertising. Hietpas seconded the motion.
- Motion passed unanimously.

- Brewer complimented Foster and the Land Committee for their work on the RFP.
 - Andrews brought up water and mineral rights. Burmeier asked Foster to check to see if LMUD had such rights on the property in question.
6. Discussion/action to Authorize General Manager to prepare and submit an application to the City of Lakeway to subdivide the District's tank site from Lot 1, Lakeway Municipal Utility District, E-5 Subdivision.
- Heitpas moved to authorize the General to submit the application.
 - Neese seconded.
 - Motion passed unanimously.
7. Discussion/Action on Petition to Annex District-Owned Land into the District.
- Foster reviewed the Petition.
 - Andrews moved to approve the Petition. Brewer seconded.
 - Hietpas asked if there had been any response from the School District or the Church of Christ inviting them to participate.
 - Foster replied that there had been no response from either.
 - Andrews suggested making a phone call to both parties.
 - Motion passed unanimously.
8. Discussion/Action on Petition to the City of Lakeway, Texas for Consent to Annex District-Owned Land into the District.
- Hietpas moved to approve. Brewer seconded
 - Motion passed unanimously
9. Discussion/Action to authorize General Manager to prepare and submit an application to the TCEQ to amend the District's water and wastewater CCN's to include additional land.
- Foster stated this authorization is just to start the process.
 - Neese moved to approve. Hietpas seconded
 - Motion passed unanimously.
10. Discussion/action to have HDR complete Final Engineering on I-4 under drain and I-5 reuse system.
- Foster reviewed the project and introduced John Marler of HDR Engineering.
 - Neese moved to approve; motion withdrawn.
 - Hietpas moved that the Board approve HDR doing the detailed construction design, sometimes called the final design, for the scope of the project as detailed

in this report dated July 28, 2015, with the exception of the reconsideration of how many pumps we include at this time.

- Brewer seconded the motion.
- General Board Discussion.
- Marler of HDR Engineering clarified some points for the Board.
- Motion passed unanimously.

11. Discussion/Action on Travis County MUD’s 11, 12, & 13 Wastewater Capacity agreement.

- Foster presented an update on the agreement.
- General Board Discussion.
- No action was taken.

CONSENT AGENDA:

Brewer moved to approve the consent agenda; Hietpas seconded. Motion passed unanimously.

12. Approve Minutes of Regular Meeting Oct 14, 2015.

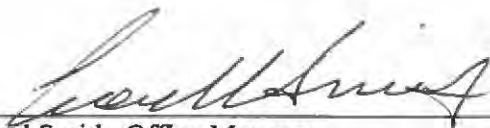
FINANCIAL REPORT:

13. Financial Report

- A. Discussion of Financial Report for September 2015.
- B. Discussion of Budget versus Actuals through September 2015.
- C. Discussion of Calendar December, January 2015.
- D. Approve Excel Construction Pay Application #7- \$212,325.00.

ADJOURNMENT

The meeting was adjourned at 11:14AM.



 Loyd Smith, Office Manager

Minutes approved on the 9th day of December, 2015.



 Jay Brunson
 President, Board of Directors

ATTEST:



 Secretary, Board of Directors

