

**MINUTES OF MEETING OF  
THE BOARD OF DIRECTORS OF THE  
WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY**

August 17, 2023

**Board:**

Scott Roberts President  
Jack Creveling, Vice President  
Walt Smith, Secretary/Treasurer  
Jason Bethke, Director  
Clint Garza, Director

**Staff and Consultants:**

Jennifer Riechers, Agency General Manager  
Eric Morgan, Agency Operations Manager  
Jennifer Smith, Agency Controller  
Lauren J. Kalisek (Lloyd Gosselink Rochelle & Townsend, P.C.), Agency General Counsel  
Kathryn Thiel (Lloyd Gosselink Rochelle & Townsend, P.C.), Agency General Counsel  
David Klein (Lloyd Gosselink Rochelle & Townsend, P.C.), Agency General Counsel  
Jason Baze (Murfee Engineering Company, Inc.), District Engineer  
George Murfee (Murfee Engineering Company, Inc.), District Engineer

**I. CALL TO ORDER**

The meeting was called to order by President Roberts at 1:02 p.m.

**II. ESTABLISH QUORUM**

A quorum was established with the above-referenced Directors, staff and consultants present.

**III. PUBLIC COMMENT**

Dennis Daniels of Reunion Ranch WCID requested information on recent capacity issues at the District and a boil water notice. Mr. Daniels indicated he would like to encourage better communication between the WTCPUA and the District concerning boil water notices. Ms. Riechers indicated recent conservation measures have had a positive impact in reducing the instances of boil water notices within the WTCPUA service area. President Roberts asked staff to follow-up with Mr. Daniels.

**IV. CONSENT AGENDA**

- A. Approve minutes of June 15, 2023 Regular Board Meeting.**
- B. Approve payment of invoices and other bookkeeping matters, including:**

1. Quarterly Investment Report;
- C. Approve Annual Review of Investment Policy.
- D. Approve Revised Personnel Policy Manual.
- E. Ratify payments approved by General Manager:
1. BOK Financial, Revenue Bonds, Series 2015, \$981,031.25;
  2. BOK Financial, Revenue Refunding Bonds, Series 2017, \$6,790,575.00;
  3. BOK Financial, Revenue Bonds, Series 2019 \$624,400.00, and
  4. BOK Financial, Revenue Bonds, Series 2022 \$1,467,975.00;
  5. G Creek, Pay App #6, Uplands WTP Renovation, \$466,957.14;
  6. M.A. Smith Contracting Co., Inc., Pay App #1, Sonoma Drive WW Line Repair, \$219,850.00.
- F. Ratify change orders approved by General Manager:
1. G Creek, Inc., Change Order #3, Uplands WTP Renovation, \$21,945.00;
  2. G Creek, Inc., Change Order #4, Uplands WTP Renovation, \$11,533.83.
- G. Approve Contractor Pay Requests and invoices including:
1. S.J. Louis Construction of Texas, Ltd., Pay Application #11, \$263,027.45, 1080 24" Transmission Main-Segment A;
  2. Landmark Structures, Pay Application #1, \$533,126.70, 1240 Elevated Storage Tank;
  3. Landmark Structures, Pay Application #2, \$1,067,236.17, 1240 Elevated Storage Tank;
  4. Lone Star Sitework, LLC, Pay Application #1, \$121,452.30, Trautwein Road at Hwy. 290 12" Waterline Relocation;
  5. Cash Construction, Inc., Pay Application #16, \$354,249.30, 30" Raw Water Transmission Main No. 2;
  6. EDC Construction, \$26,500.00, Installation of metal building at County Line PS.
- H. Approve Contractor Change Orders:
1. S.J. Louis Construction of Texas LTD, Change Order #5, \$22,222.93, 1080 Transmission Main Segment A;
  2. Cash Construction, Inc., Change Order #4, -\$5,113.50, 30" Raw Water Transmission Main No. 2.

- I. Award Contract Services Agreement to:**
- 1. Wastewater Transport Services, LLC, Sludge Transportation and Disposal.**
  - 2. Brenntag Southwest, Water and Wastewater Treatment Plant Chemicals other than Liquid Ammonium Sulfate and Orthophosphate.  
Shannon Chemical Corporation for Orthophosphate.  
Chameleon Industries, Inc for Liquid Ammonium Sulfate.**
  - 3. Cy'Services, Landscape Maintenance.**

**MOTION:** A motion was made by President Roberts to approve the Consent Agenda, presented in items IV.A-I of the Board Packet. The motion was seconded by Director Smith.

The vote was taken with the following result:  
Voting Aye: Unanimous  
Voting Nay:  
Abstained:  
Absent:

**V. NEW BUSINESS**

- A. Discuss, consider and take action on FY2023 Budget (J. Smith).**  
*This item may be taken into Executive Session under the Consultation with Attorney exception.*

This item was taken into Executive Session under the consultation with attorney exception at 1:44 p.m. The Board resumed open session at 3:10 p.m. No action was taken during executive session.

Jennifer Smith provided a presentation on the final proposed Fiscal Year 2024 budget. Among other items, she noted challenges with the collection of impact fees in the amounts needed to fund the WTCPUA's approved capital improvements program. Board members discussed impacts to existing and future water customers.

**MOTION:** A motion was made by Director Smith to adopt the FY2024 Budget. The motion was seconded by President Roberts.

The vote was taken with the following result:  
Voting Aye: Unanimous  
Voting Nay:  
Abstained:  
Absent:

**MOTION:** A motion was made by Director Smith that upon consideration and final adoption of the Fiscal Year 2024 proposed Budget the Board adopts a policy change to adjust water availability upon prepayment of impact fees, including a restriction of irrigation for commercial customers and its impact on said budget. The specific policy change allows commercial connects while ensuring peak demand is realized and would not impact system capacity. The motion was seconded by President Roberts.

The vote was taken with the following result:

Voting Aye: Unanimous

Voting Nay:

Abstained:

Absent:

**B. Discuss, consider and take action on WTCPUA Organizational Chart (J. Riechers).**

Jennifer Riechers presented this item. Ms. Riechers explained that every year the agency looks at the organizational chart in conjunction with the budget analysis. The WTCPUA currently has 6 vacant positions. Two positions are currently vacant and being held to maintain a total of 44 positions within the agency.

Director Bethke asked what the dotted lines between employees were for in the organizational chart. Ms. Riechers explained the dotted lines indicated that the employee or consultant reported directly to the Board and the solid lines indicated the employee or consultant reported directly to the General Manager. Director Garza and Director Bethke requested Ms. Riechers to amend the organizational chart so that the General Manager is the only member of staff or consultants that reports directly to the Board.

**MOTION:** A motion was made by Director Bethke to approve this item, presented in item VI.B of the Board Packet with deletion of dotted lines. The motion was seconded by Director Garza.

The vote was taken with the following result:

Voting Aye: Directors Bethke, Garza, Smith and Creveling

Voting Nay: President Roberts

Abstained:

Absent:

**C. Discuss, consider and take action on Order Amending WTCPUA's Wholesale Water and Wastewater Rates (J. Riechers)**

Jennifer Riechers presented this item. Director Smith asked about ongoing negotiations concerning wholesale agreements and the process to amend such agreements. President Roberts stated he would abstain from voting.

**MOTION:** A motion was made by Director Smith to approve this item, presented in item VI.C of the Board Packet. The motion was seconded by Director Garza.

The vote was taken with the following result:  
Voting Aye: Directors Creveling, Smith, Bethke and Garza  
Voting Nay:  
Abstained: President Roberts  
Absent:

- D. Discuss, consider and take action on approval of Service Availability Letter for:**  
**1. Hamilton Pool Village, 155 Water LUEs, 71 System.**

Items VI.D and VI.E were taken under consideration simultaneously. The Board asked Ms. Riechers why the agreement did not request optional enhanced measures. The Board discussed terms permitted in the agreement and directed counsel to provide an update on the legality concerning the inclusion of such terms at the next meeting.

**MOTION:** A motion was made by Director Creveling to approve this item, presented in item VI.D of the Board Packet. The motion was seconded by President Roberts.

The vote was taken with the following result:  
Voting Aye: Unanimous  
Voting Nay:  
Abstained:  
Absent:

- E. Discuss, consider and take action on Non Standard Service Agreement for:**  
**1. Hamilton Pool Village, 155 Water LUEs, 71 System.**

**MOTION:** A motion was made by Director Creveling to approve this item, presented in item VI.E of the Board Packet. The motion was seconded by President Roberts.

The vote was taken with the following result:  
Voting Aye: Unanimous  
Voting Nay:  
Abstained:  
Absent:

- F. Discuss, consider and take action on annual TCDRS contribution rate (J. Smith).**

Jennifer Smith presented this item. Ms. Smith explained that the Texas County District Retirement System has suggested that the employer contribution be reduced to 11%. Ms. Smith requested that the Board keep the 11.36% contribution rate because the plan is 94% funded and to avoid or minimize any increased unfunded liability.

**MOTION:** A motion was made by President Roberts to approve this item, presented in item VI.F of the Board Packet. The motion was seconded by Director Creveling.

The vote was taken with the following result:

Voting Aye: Unanimous

Voting Nay:

Abstained:

Absent:

**G. Discuss, consider and take action on Request for Amendment to the Wholesale Water Service Agreement with Travis County MUD #12 to include LTISD Elementary #8 (J. Riechers).**

Jennifer Riechers presented this item. She explained that an amendment was needed to the Travis County MUD #12 Water Service Agreement to incorporate the new LTISD Elementary #8 site into the District's service area.

**MOTION:** A motion was made by Director Garza to approve this item, presented in item VI.G of the Board Packet. The motion was seconded by President Roberts.

The vote was taken with the following result:

Voting Aye: Unanimous

Voting Nay:

Abstained:

Absent:

**H. Discuss, consider and take action on policy regarding transfer of LUE assignments (J. Riechers).**

*This item may be taken into Executive Session under the Consultation with Attorney exception.*

This item was taken into Executive Session under the consultation with attorney exception at 1:44 p.m. The Board resumed open session at 3:10 p.m. No action was taken during executive session.

**I. Discuss, consider and take action on revision of WTCPUA Tariff (J. Riechers).**  
*(This item may be taken into Executive Session under the Consultation with Attorney exception)*

This item was taken into Executive Session under the consultation with attorney exception at 1:44 p.m. The Board resumed open session at 3:10 p.m. No action was taken during executive session.

Jennifer Riechers presented this item. Ms. Riechers requested the Board approve the amendment to the WTCPUA Tariff as presented in the Board Packet. Under this amendment, customers must pay the current impact fees that are in effect on the date of application for service.

**MOTION:** A motion was made by Director Smith to approve this item, presented in item VI.I of the Board Packet subject to final review by Lloyd Gosselink and approval by the General Manager. The motion was seconded by Director Creveling.

The vote was taken with the following result:

Voting Aye: Unanimous

Voting Nay:

Abstained:

Absent:

**J. Discuss, consider and take action on amendment to Billing Services Agreement with Hays MUD 4 (J. Riechers).**

Jennifer Riechers presented this item. The amendment is to add collection of grease trap inspection fees and remit to Hays MUD 4 on a monthly basis.

**MOTION:** A motion was made by Director Smith to approve this item, presented in item VI.J of the Board Packet. The motion was seconded by President Roberts.

The vote was taken with the following result:

Voting Aye: Unanimous

Voting Nay:

Abstained:

Absent:

**K. Discuss, consider and take action on proposal from Lonquist & Co., LLC for a geologic evaluation for wastewater disposal (J. Creveling).**

Jack Creveling presented this item. Mr. Creveling discussed beneficial reuse and expanded on two potential avenues for discharge or reuse. He described the potential for saltwater disposal and an examination of local geology to determine a potential suitable formation for wastewater disposal.

**MOTION:** A motion was made by Director Creveling to approve this item, presented in item VI.K of the Board Packet. The motion was seconded by President Roberts.

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The vote was taken with the following result:  
Voting Aye: Unanimous  
Voting Nay:  
Abstained:  
Absent:

**L. Discuss, consider and take action on CCN Release Agreement with Michael Wong and AR 290 West, 8921 US 290 (L. Kalisek).**

*This item may be taken into Executive Session under the Consultation with Attorney exception.*

This item was taken into Executive Session under the consultation with attorney exception at 1:44 p.m. The Board resumed open session at 3:10 p.m. No action was taken during executive session.

**M. Discuss, consider and take action on Request from Murfee Engineering, Inc. for Adjustment to Project Budget for Ledgestone Terrace 6" Water Main Relocation (G. Murfee).**

George Murfee presented this item. Mr. Murfee stated that Travis County is making drainage and road improvements that conflict with the agency's lines. The area surrounding the line is small. Mr. Murfee stated there have been attempts to have the county incorporate the WTCPUA's plans into the County's plans but the efforts have been unsuccessful. Mr. Murfee advised it would be more expensive to continue efforts with Travis County, and will approach the Travis County Commissioners to obtain relief from the County.

**MOTION: A motion was made by President Roberts to approve this item, presented in item VLM of the Board Packet. The motion was seconded by Director Creveling.**

The vote was taken with the following result:  
Voting Aye: Unanimous  
Voting Nay:  
Abstained:  
Absent: :

**N. Discuss, consider and take action on Request from Murfee Engineering, Inc. for Adjustment to Project Budget for County Line 1420 Pump Station Upgrade project budget amendment (G. Murfee).**

George Murfee presented this item. Mr. Murfee explained supply chain delays. Mr. Murfee stated the project is necessary and requested additional funding to complete the project.



**MOTION:** A motion was made by Director Garza to approve this item, presented in item VI.N of the Board Packet. The motion was seconded by President Roberts.

The vote was taken with the following result:  
Voting Aye: Unanimous  
Voting Nay:  
Abstained:  
Absent:

- O. **Discuss, consider and take action on Request from Murfee Engineering, Inc. for Adjustment to Project Budget for Darden Hill Road Waterline Relocation (G. Murfee).**

George Murfee presented this item. Mr. Murfee stated that there have been similar relocation requests for other projects that the WTCPUA is currently managing. Mr. Murfee stated there is a 50-54" oak tree on the property that is in the center of the Agency easement. Board members discussed road planning activities by Hays County associated with the project.

**MOTION:** A motion was made by Director Smith to approve this item, presented in item VI.O of the Board Packet. The motion was seconded by Director Creveling.

The vote was taken with the following result:  
Voting Aye: Unanimous  
Voting Nay:  
Abstained:  
Absent:

- P. **Discuss, consider and take action on Proposal from Murfee Engineering, Inc. for RM 620 Widening Infrastructure Relocation Project (G. Murfee).**

George Murfee presented this item. Director Smith discussed communications received from Hays County. Director Garza discussed the City of Bee Cave's perspective about the future of TxDOT construction. Director Creveling asked about upgrading the line. Mr. Murfee stated he would look into this option. Director Smith asked for a review of the age and condition of the lines to avoid delays.

**MOTION:** A motion was made by Director Creveling to approve this item, presented in item VI.P of the Board Packet. The motion was seconded by Director Garza.

The vote was taken with the following result:  
Voting Aye: unanimous  
Voting Nay:  
Abstained:  
Absent:

- Q. Discuss, consider and take action on Proposal from Murfee Engineering, Inc. for 2024 Impact Fee Study (G. Murfee).**  
*This item may be taken into Executive Session under the Consultation with Attorney exception.*

This item was taken into Executive Session under the consultation with attorney exception at 1:44 p.m. The Board resumed open session at 3:10 p.m. No action was taken during executive session.

Mr. Murfee presented this item and discussed the need for an updated Impact Fee Study.

**MOTION: A motion was made by Director Creveling to approve this item, presented in item VI.Q of the Board Packet. The motion was seconded by Director Smith.**

The vote was taken with the following result:  
Voting Aye: Unanimous  
Voting Nay:  
Abstained:  
Absent:

- R. Discuss, consider and take action on Preliminary Engineering Analysis and Report in Support of Development of 50,000 GPD of Effluent Disposal SADDs Fields at the Falconhead West Property (B. Canady).**

George Murfee presented this item. Mr. Murfee discussed the continuation of ongoing discussions on effluent management, this items relation to the injection well application currently pending at TCEQ, the possibility of subsurface area drip distribution, and preparation on how to resolve effluent disposal needs in the future.

**MOTION: A motion was made by President Roberts to approve this item, presented in item VI.R of the Board Packet. The motion was seconded by Director Smith.**

The vote was taken with the following result:  
Voting Aye: Unanimous  
Voting Nay:  
Abstained:  
Absent:

## **VI. STAFF REPORTS**

- A. General Manager's Report (J. Riechers).**

Jennifer Riechers presented this report. Ms. Riechers stated the Agency is continuing Stage 3 water restrictions. Ms. Riechers stated that 350 watering

violation letters have been mailed to customers and 14 fines have been issued. Ms. Riechers stated there have not been many repeat violations.

Director Bethke stated there is concern regarding pushing through distribution to fill storage tanks when the irrigation demand is extremely high. Director Bethke reflected on the difficulty of filling the tanks while distributing water.

**B. Controller's Report (J. Smith).**

Jennifer Smith presented the report. Director Smith stated connections are at 30% of what was projected last year.

**C. Operation's Report (E. Morgan).**

**D. Engineering Report (G. Murfee).**

**VII. ADJOURNMENT**

**MOTION: A motion was made by Director Smith to adjourn the meeting. The motion was seconded by Director Garza.**

The vote was taken with the following result:

Voting Aye: Unanimous

Voting Nay:

Abstained:

Absent:

President Roberts adjourned the meeting at 3:19 p.m.

PASSED AND APPROVED this 19<sup>th</sup> day of October, 2023.

  
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Walt Smith, Secretary  
Board of Directors