

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

September 24, 2024

Board:

Scott Roberts, President (departed at 2:12 pm)
Jack Creveling, Vice President
Walt Smith, Secretary/Treasurer
Jason Bethke, Director

Staff and Consultants:

Jennifer Riechers, Agency General Manager
Jennifer Smith, Agency Controller
Lauren Kalisek (Lloyd Gosselink Rochelle & Townsend, P.C.), Agency General Counsel
Kathryn Bibby (Lloyd Gosselink Rochelle & Townsend, P.C.), Agency General Counsel
George Murfee (Murfee Engineering Company, Inc.), District Engineer
Dennis Lozano (Malone Wheeler), Agency Engineer

I. CALL TO ORDER

The meeting was called to order by President Roberts at 1:00 p.m.

II. ESTABLISH QUORUM

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

III. PUBLIC COMMENT

Gary Hebert (on behalf of Double Down Capital) addressed the Board regarding an upcoming development within the WTCPUA service area and a potential agreement between developer, Travis County WCID 17, and/or WTCPUA for water service.

IV. CONSENT AGENDA

- A. Approve minutes of June 20, 2024 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. Ratify payments approved by General Manager:**
 - 1. Landmark Structures, Pay Application #12, \$38,588.05, 1240 EST;**

2. **BOKF Financial, Revenue Bonds, Series 2015, \$1,083,656.26;**
3. **BOKF Financial, Revenue Refunding Bonds, Series 2017, \$6,883,450.00;**
4. **BOKF Financial, Revenue Bonds, Series 2019, \$633,100.00;**
5. **BOKF Financial, Revenue Bonds, Series 2022, \$1,483,637.50.**
6. **Austin Engineering, Co; Pay Application #3; \$641,604.25 – 1080 Transmission Main Segment B;**
7. **Landmark Structures, Pay Application #13, \$28,215.00, 1240 EST;**
8. **Udelhoven Oilfield System Service, Inc., Pay Application #3, \$558,742.33, Lake Pointe Lift Station Rehab.**

E. Approve Contractor Pay Requests and invoices including:

1. **Austin Engineering Co; PA 4; \$160,000.81 – 1080 Transmission Main Segment B.**
2. **Payton Construction, Inc; PA 1; \$39,500 – Southwest Parkway Pump Station.**

F. Award Contract Services Agreement to:

- **Wastewater Transport Services, LLC, Sludge Transportation and Disposal;**
- **Brenntag Southwest, Water and Wastewater Treatment Plant Chemicals for chlorine;**
- **Shannon Chemical Corporation for Sodium Permanganate;**
- **Chameleon Industries, Inc for Liquid Ammonium Sulfate;**
- **Chemtrade Chemicals US, LLC for Aluminum Chlorohydrate;**
- **Polydyne Inc. for Polymer;**
- **Carus LLC for Orthophosphate;**
- **Cy'Services, Landscape Maintenance.**

MOTION: A motion was made by Director Creveling to approve the Consent Agenda, presented in Items IV. A - F¹ of the Board Packet. The motion was seconded by Director Roberts.

The vote was taken with the following result:

Voting Aye: Roberts, Creveling, Smith, Bethke
 Voting Nay: None
 Abstained: None
 Absent: None

¹ The item numbers reflected in this motion and all subsequent motions track the item numbers provided in the September 24, 2024 Board Packet and do not follow the numbering system reflected in the agenda.

V. NEW BUSINESS

A. **Discuss, consider and take action on Draft Land Use Assumptions and Capital Improvement Plan report (G. Murfee).**

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

President Roberts announced the Board would convene in Executive Session at 1:06 p.m for items marked for Executive Session. President Roberts departed during Executive Session; however, the Board maintained a quorum. Vice-President Creveling served as presiding officer for the remainder of the meeting. The Board reconvened regular session at 3:24 p.m. The Board took action on the items as indicated below in open session.

This item was taken into Executive Session under consultation with attorney exception. No action was taken by the Board during Executive Session.

MOTION: A motion was made by Director Smith to approve this item pursuant to changes recommended to staff during Executive Session, presented as item V. A of the Board Packet. The motion was seconded by Director Creveling.

The vote was taken with the following result:

Voting Aye: Creveling, Smith, Bethke
Voting Nay: None
Abstained: None
Absent: Roberts

B. **Discuss, consider and take action on WTCPUA construction of Hamilton Pool Road parallel line (S. Roberts).**

(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. No action was taken by the Board during Executive Session. During open session, Bill McLean addressed the Board on behalf of Masonwood Development regarding this item and requested that the Board approve the Masonwood Development's proposal to amend the existing Nonstandard Service Agreement for the project, including the Masonwood Development's calculation of outstanding engineering costs to be covered by Masonwood Development. Director Smith confirmed that meters pursuant to the current NSSA would be released upon reimbursement of all outstanding engineering fees. Additionally, Director Smith stated that the WTCPUA will be considering a special impact or subsequent user fee for the development to cover the PUA construction and all right of way acquisition costs for the Hamilton Pool Road line.

MOTION: A motion was made by Director Smith to authorize the General Manager and Counsel to negotiate and finalize an Amended and Restated Nonstandard Service Agreement with Masonwood Development. The motion was seconded by Director Bethke.

The vote was taken with the following result:

Voting Aye: Creveling, Smith, Bethke
Voting Nay: None
Abstained: None
Absent: Roberts

C. Discuss, consider and take action on FY2024 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 consultation with attorney exception. No action was taken by the Board during Executive Session. During open session, J. Smith presented on this item and provided an overview of FY 2025 Budget, including issuance of bonds in later part of FY 2026 (year 2027) (approximately \$90 M), transfers from impact fee fund to CIP fund to fund projects and from general fund; and she noted the Agency's CIP has increased \$120M since the 2021 study.

MOTION: A motion was made by Director Creveling to approve this item as drafted, presented as item V. C of the Board Packet. The motion was seconded by Director Smith.

The vote was taken with the following result:

Voting Aye: Creveling, Smith, Bethke
Voting Nay: None
Abstained: None
Absent: Roberts

D. Discuss, consider and take action on WTCPUA Organizational Chart (J. Smith).

J. Smith presented this item.

MOTION: A motion was made by Director Creveling to approve this item, presented as item V. D of the Board Packet. The motion was seconded by Director Smith.

The vote was taken with the following result:

Voting Aye: Creveling, Smith, Bethke
Voting Nay: None
Abstained: None
Absent: Roberts

E. Discuss, consider and take action on Annual Review of Administrative Financial Policies (J. Smith).

J. Smith presented this item. Ms. Smith noted that the changes to the Administrative Financial Policies all related to increasing monetary approval limits for the General Manager and staff to reduce the amount of items that must be brought back for Board approval. Director Smith noted that many municipalities in the area are looking to do the same regarding raising monetary approval limits for staff.

MOTION: A motion was made by Director Smith to approve this item, presented as item V. E of the Board Packet. The motion was seconded by Director Bethke.

The vote was taken with the following result:

Voting Aye: Creveling, Smith, Bethke
Voting Nay: None
Abstained: None
Absent: Roberts

F. Discuss, consider, and take action regarding Proposals for General Counsel Legal Services. (J.Riechers)

(This item may be taken into Executive Session under consultation with attorney exception).

This item was taken into Executive Session under consultation with attorney exception. No action was taken by the Board during Executive Session.

G. Discuss, consider, and take action regarding a Resolution of the Board of the West Travis County Public Utility Agency determining a Public Need and Necessity for the Acquisition of Certain Property and Authorizing the Agency's Use of Its Eminent Domain Power to Acquire Said Property Interests for 1080 Transmission Line (J.Riechers/ G.Murfee)

(This item may be taken into Executive Session under consultation with attorney exception).

MOTION: A motion was made by Director Roberts to approve this item, presented as item V. G. of the Board Packet. The motion was seconded by Director Smith.

The vote was taken with the following result:

Voting Aye: Roberts, Creveling, Smith, Bethke
Voting Nay: None
Abstained: None
Absent: None

- H. Discuss, consider, and take action regarding a Resolution of the Board of the West Travis County Public Utility Agency determining a Public Need and Necessity for the Acquisition of Certain Property and Authorizing the Agency's Use of Its Eminent Domain Power to Acquire Said Property Interests for 290 30" Parallel Transmission Line (J.Riechers/ G.Murfee)**
(This item may be taken into Executive Session under the consultation with attorney exception).

MOTION: A motion was made by Director Roberts to approve this item, presented as item V. H of the Board Packet. The motion was seconded by Director Smith.

The vote was taken with the following result:

Voting Aye: Roberts, Creveling, Smith, Bethke
Voting Nay: None
Abstained: None
Absent: None

- I. Discuss, consider and take action on Dripping Springs Water Supply Corporation Amended and Restated Wholesale Water Services Agreement (J. Riechers).**
(This item may be taken into Executive Session under consultation with attorney exception).

This item was taken into Executive Session under consultation with attorney exception. No action was taken by the Board during Executive Session. The Board advised the General Manager to move forward pursuant to Board direction provided during Executive Session.

- J. Discuss, consider and take action on Proposal from Murfee Engineering, Inc. for engineering services related to WTCPUA Equipment Yard development (G. Murfee).**

Mr. Murfee presented this item and provided an overview of the proposal and WTCPUA Equipment Yard project.

MOTION: A motion was made by Director Smith to approve this item, presented as item V. J of the Board Packet. The motion was seconded by Director Creveling.

The vote was taken with the following result:

Voting Aye: Creveling, Smith, Bethke
Voting Nay: None
Abstained: None
Absent: Roberts

K. Discuss, consider and take action on Request for Adjustment to Project Budget from Murfee Engineering, Inc. for 1080 Transmission Main (G. Murfee).

Mr. Murfee presented this item. No action taken.

L. Discuss, consider and take action on Request for Scope and Budget Amendment for Uplands WTP Sludge Dewatering Improvements from Malone Wheeler (J. Riechers).

Ms. Riechers presented this item. Ms. Riechers noted that this is an ongoing project, and that staff is recommending the changes be made to the project scope and budget.

MOTION: A motion was made by Director Smith to approve this item, presented as item V. L of the Board Packet. The motion was seconded by Director Bethke.

The vote was taken with the following result:

Voting Aye: Creveling, Smith, Bethke
Voting Nay: None
Abstained: None
Absent: Roberts

M. Discuss, consider and take action on Service Availability Letter and Non Standard Service Agreement for:

1. Calvert House Restaurant, 28 Water LUEs, 290 System;

MOTION: A motion was made by Director Creveling to approve this item, presented as item V. M of the Board Packet. The motion was seconded by Director Smith.

The vote was taken with the following result:

Voting Aye: Creveling, Smith, Bethke
Voting Nay: None
Abstained: None
Absent: Roberts

N. Discuss, consider and take action on review of the City of Dripping Springs Wild Ridge Supplement Agreement (S. Roberts).

(This item may be taken into Executive Session under the consultation with attorney exception).

This item was taken into Executive Session under consultation with attorney exception. No action was taken by the Board during Executive Session.

MOTION: A motion was made by Director Smith to authorize staff to negotiate, finalize, and execute the Wild Ridge Supplement Agreement as presented conditioned upon a requirement for 16" transmission main to be built from

the elevated storage tank site to the developer's property line prior to provision of service. The motion was seconded by Director Creveling.

The vote was taken with the following result:

Voting Aye: Creveling, Smith, Bethke
Voting Nay: None
Abstained: None
Absent: Roberts

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

J. Smith presented this item. Ms. Smith stated that the Agency submits its plans annually to TCDRS. Ms. Smith stated that the WTCPUA's required contribution rate is 10.55% and the WTCPUA's current rate is 11.36%. Ms. Smith proposed raising the contribution rate to 12%, which would have the WTCPUA be fully funded in two years. Ms. Smith noted that raising the rate now would mean the contribution rate would subsequently go down once fully funded. Ms. Smith also noted that she was proposing to add a group term life policy.

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

The vote was taken with the following result:

Voting Aye: Creveling, Smith, Bethke
Abstained: None
Absent: Roberts

**P. Discuss, consider and take action on General Manager contract (L. Kalisek).
(This item may be taken into Executive Session under the consultation with attorney exception and personnel matter exception)**

This item was taken into Executive Session under consultation with attorney exception and personnel matter exception. No action was taken by the Board during Executive Session.

MOTION: A motion was made by Director Smith to adopt the salary and incentives package for the period beginning October 1, 2024 and expiring on September 30, 2029, as discussed by the Board during Executive Session. The motion was seconded by Director Bethke.

The vote was taken with the following result:

Voting Aye: Creveling, Smith, Bethke
Voting Nay: None
Abstained: None
Absent: Roberts

- Q. Discuss, consider and take action on Purchase Agreement for Easement on Parcel 14B for the 1080 Waterline.**
(This item may be taken into Executive Session under the consultation with attorney exception).

This item was taken into Executive Session under consultation with attorney exception. No action was taken by the Board during Executive Session.

MOTION: A motion was made by Director Smith to approve this item pursuant to the General Manager's recommendation, presented as item V. Q of the Board Packet. The motion was seconded by Director Creveling.

The vote was taken with the following result:

Voting Aye: Creveling, Smith, Bethke
Voting Nay: None
Abstained: None
Absent: Roberts

- R. Discuss, consider and take action on Purchase Agreement for Easement on Parcel 27 for the 290 30" Waterline.**
(This item may be taken into Executive Session under the consultation with attorney exception).

This item was taken into Executive Session under consultation with attorney exception. No action was taken by the Board during Executive Session.

MOTION: A motion was made by Director Smith to approve this item pursuant to the General Manager's recommendation, presented as item VI. R of the Board Packet. The motion was seconded by Director Creveling.

The vote was taken with the following result:

Voting Aye: Creveling, Smith, Bethke
Voting Nay: None
Abstained: None
Absent: Roberts

- S. Discuss, consider and take action on Draft Template language for Service Availability Letters and Non Standard Service Agreements (S. Roberts).**
(This item may be taken into Executive Session under the consultation with attorney exception).

No action was taken on this item.

- T. Discuss, consider and take action on upcoming meeting schedule (J. Riechers).**

The Board will set the next Board meeting in late October 2024.

VI. STAFF REPORTS

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

As presented in item VI. A of the Board Packet. No questions.

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

As presented in item VI. A of the Board Packet. No questions.

C. Operation's Report (J. Riechers).

As presented in item VI. A of the Board Packet. No questions.

D. Engineering Report (G. Murfee).

1. Capital Improvements Plan Update

As presented in item VI. A of the Board Packet. No questions.

VII. ADJOURNMENT

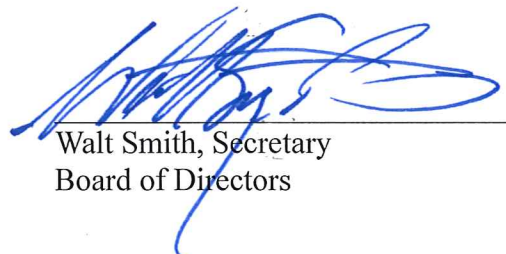
MOTION: A motion was made by Director Smith to adjourn the meeting. The motion was seconded by Director Creveling.

The vote was taken with the following result:

Voting Aye: Creveling, Smith, Bethke
Voting Nay: None
Abstained: None
Absent: Roberts

The meeting was adjourned by Vice President Creveling at 3:44 p.m.

PASSED AND APPROVED this ___ day of October 2024.



Walt Smith, Secretary
Board of Directors