

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

October 17, 2024

Board:

Scott Roberts, President  
Jack Creveling, Vice President  
Walt Smith, Secretary/Treasurer (attended remotely)  
Michael Barron, Director  
Andrew Clark, 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.), Agency Engineer

**I. CALL TO ORDER**

The meeting was called to order by President Roberts at 1:04 p.m.

**II. ESTABLISH QUORUM**

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

**III. SWEARING IN OF NEW DIRECTORS**

Directors Barron and Clark were sworn in prior to commencement of the meeting.

**IV. ELECTION OF OFFICERS**

The election of officers was opened. The following officers were elected:

A motion was made by Director Creveling to nominate Director Roberts as President. The motion was seconded by Director Barron. Director Roberts election as President was confirmed unanimously.

A motion was made by President Roberts to nominate Director Creveling as Vice President. The motion was seconded by Director Clark. Director Creveling's election as Vice President was confirmed unanimously.

A motion was made by President Roberts to nominate Director Smith as Secretary. The motion was seconded by Director Creveling. Director Smith's election as Secretary was confirmed unanimously.

A motion was made by President Roberts to nominate Director Barron as Alternate Secretary. The motion was seconded by Director Creveling. Director Barron's election as Alternate Secretary was confirmed unanimously.

**V. PUBLIC COMMENT**

President Roberts requested to hold public comments until New Business Item B was presented.

**VI. PUBLIC HEARING - Section 26.002 Texas Parks & Wildlife Code Hearing on use of a portion of public park land for 290W 30" Waterline Transmission Main Improvements (10115 W State Highway 71, Travis County, Texas).**

Mark Kestner of Murfee Engineering Company presented this item. Mr. Kestner discussed using a portion of public park land for the 290W 30" Waterline Transmission Main Improvements. Mr. Kestner provided background information on the project, including the location of the transmission main in relation to surrounding properties and governmental entities. When discussing the proposed pathway for the transmission main, Mr. Kestner noted that the line would terminate at the WTCPUA's County Line Pump Station and has been divided into four different phased segments for construction and competitive bidding. Mr. Kestner noted that Segment 1 will run parallel to the existing waterline transmission main along Highway 71. Mr. Kestner continued, noting that most of the property at issue in this public hearing will remain unencumbered with any elements or facilities resulting from the improvements. Mr. Kestner provided maps and charts related to alignment of the projected transmission main for the Board's review. Mr. Kestner stated that, due to location and sizing requirements, an additional 15' easement along with the existing 30' easement is required to construct the 30" transmission main parallel to the existing the 24" transmission main. Mr. Kestner requested that the Board approve the new alignment that includes the additional easement and consider condemnation of the property following this public hearing that is statutorily required because the property includes conservation land.

**PUBLIC COMMENT:**

Barry McConachie provided public comment. Mr. McConachie stated he is a member of the community where the development will be taking place and owns 36 acres of property as well as another property downstream from the Mirasol Springs development. Mr. McConachie stated the proposed condemnation would cause a pipeline that would increase water availability for the Mirasol development to be built. Mr. McConachie addressed the Board regarding Texas Public Wildlife Code Section 26.001 and the requirements of the code. He raised the issue of consideration of reasonable and prudent alternatives to the taking of conservation land for pipeline construction. Mr. McConachie stated there are

several alternate options including rainwater, water treatment and water reclamation. He stated the Board must also consider under the code all reasonable options to minimize harm to the land resulting from the taking of such land. Mr. McConachie stated that the taking of this land would create a direct harm to the surrounding property and protected species. Mr. McConachie requested that the Board deny condemnation.

President Roberts offered clarification for the record that the line being considered for condemnation is part of the 290 Northern Hays County system and only services Northern Hays County and Dripping Springs. The Hwy 71 System is the system that would potentially service Mirasol Springs.

Bobby Levinski provided comment. Mr. Levinski is an Attorney with the Save our Springs Alliance. Mr. Levinski stated that the project defied the original intent of the easement and conservation easements for the Barton Creek Habitat and Preserve. Mr. Levinski further stated the lands have not been preserved as pathways for new development. Mr. Levinski stated that based on the presentation provided there were challenges with the existing alignment of an easement not that it was not prudent and feasible to build that option. Mr. Levinski closed by stating finding otherwise would be arbitrary.

Dan Snodgrass provided comment. Mr. Snodgrass is Director of Land Protection and Stewardship for the Nature Conservancy in Texas. Mr. Snodgrass discussed the agency's role in helping to preserve land and water in Texas including land and water in the Barton Creek Watershed. The proposed waterline easement extends 15 feet beyond the existing 30-foot easement. Mr. Snodgrass stated the easement would decrease the natural buffer provided by trees along the highway and erode protections for wildlife pushing them further into the habitat. These buffers would be removed as a result of approval of this item which not only protects wildlife such as the federally protected Golden-cheeked Warbler habitat but discourages trespassing. Mr. Snodgrass stated the Nature Conservancy has worked tirelessly to conserve water quality and quantity. This project would negatively impact surrounding ecology. Mr. Snodgrass cited alternatives that would potentially minimize the impact on wildlife to include utilizing the existing easement and/or rights-of-way running along both sides of the highway.

Bill Bunch provided comment. Mr. Bunch is the Executive Director of the Save our Springs Alliance. Mr. Bunch added his support for the Nature Conservancy speaker and their view on the condemnation of this property. Mr. Bunch stated he would prefer the Agency expand the current pipeline rather than expand on to preserve land. Mr. Bunch stated the Board must take reasonable steps to minimize and mitigate potential harm. Mr. Bunch further stated there is nothing in the agenda packet or in the presentation to support that the Agency has made such reasonable efforts. Mr. Bunch stated the historical background provided regarding the LCRA construction of the pipeline were gross misrepresentations to the community for that line which was initiated during a period of drought. Mr. Bunch stated 98% or more of capacity for that line was to serve new development instead. Mr. Bunch stated he was opposed to expansion of 30" line and would prefer the WTCPUA serve current commitments rather than focusing on service of new developments that would cause actual harm. He stated that the Agency was not in compliance with the Texas Parks

and Wildlife Code and urged the Board to vote no on this item. Mr. Bunch encouraged the Board to build the line in the current right-of-way or on land along the opposite side of the highway.

**VII. CONSENT AGENDA**

- A. Approve minutes of September 24, 2024 Regular Board Meeting.**
- B. Approve payment of invoices.**
- C. Ratify payments approved by General Manager:**
  - 1. Texan Municipal & Industrial, Pay Application #1, \$332,027.10, Southwest Parkway Generator Installation.**
- D. Approve Contractor Pay Requests and invoices including:**
  - 1. EVT Construction LLC, Pay Application #2, \$7,044.43, Ledgestone Terrace Water Line Relocation;**
  - 2. EVT Construction LLC, Pay Application #3 & Final, \$4,474.76, Ledgestone Terrace Water Line Relocation;**
  - 3. Payton Construction, Pay Application #2, \$16,717.00, Southwest Parkway Pump Station;**
  - 4. Austin Engineering Co., Pay Application #5, \$682,645.93, 1080 Transmission Main;**
  - 5. Landmark Structures, Pay Application #14, \$14,516.95, 1240 Elevated Storage Tank.**
- E. Approve Third Amendment to General Manager Contract.**

President Roberts stated Item VII.E would be removed for consideration for the Consent Agenda.

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

The vote was taken with the following result:  
Voting Aye: Unanimously  
Voting Nay:  
Abstained:  
Absent: Director Smith

## VIII. NEW BUSINESS

**A. Discuss, consider, and take action regarding long term planning for the Lake Pointe Wastewater Treatment Plant (S. Roberts).**

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

Director Roberts presented this item. Director Roberts stated that the Lake Pointe Wastewater Treatment Plant (WWTP) should be decommissioned and capacity expanded at the Bohls Wastewater Treatment Facility.

**PUBLIC COMMENT:**

Amanda Wilton-Green provided comment. Ms. Green lives in the Lake Pointe neighborhood less than one block from the facility for the last ten years. Ms. Green stated there has been a substantial increase in unpleasant odors from the plant over the last year. In the last six months, there has been an increase in the intensity and persistence of the odor being present in the neighborhood at least 5 days of each week. Ms. Green would like Board to prioritize expanding the Bohls Wastewater Treatment Facility. Ms. Green further stated that although the Capital Improvements Plan does not list the decommission of the facility, it appears to be included as part of the budget with expansion and design to be completed in 2020. She indicated the wastewater treatment plant permit is up for renewal and questioned if there are plans to complete expansion of the Bohls WWTP. She continued by asking where plans may be accessed by the public. Ms. Green questioned how the Board plans to manage odors coming from the facility and urged the Board to make this item a priority rather than a long term project and include language that indicates this project is a priority.

Cindy Smiley provided comment. Ms. Smiley is an Environmental & Water Law attorney representing the Lake Pointe Homeowners Association. Ms. Smiley requested the Board allow her to assist with the nuisance conditions. Ms. Smiley stated she attended a board meeting 10 years ago regarding nuisance odors and wastewater spills for the same plant. Ms. Smiley presented a letter on behalf of the President of the Lake Pointe Homeowners Association to the Counsel for the WTCPUA urging the Board to act immediately, decommission the Lake Pointe Plant and bring the facility into compliance. Ms. Smiley said she is available to provide assistance on behalf of the Lake Pointe Homeowners Association with this project.

Director Roberts requested this item be placed on the agenda for November. Director Roberts stated it was the desire of the Board to decommission as soon as possible and in order to accomplish this, expansion of the Bohls facility was necessary. Director Roberts indicated repairs to the Lake Pointe lift station are ongoing and efforts have been made to minimize odors during the repair.

No action taken on this item.

**B. Discuss, consider and take action on Service Availability Letter for:  
1. Mirasol Springs, 347 Water LUEs, 71 System.**

George Murfee presented this item. He presented a map of the Mirasol area within WTCPUA service area. Mr. Murfee stated there were no plans to move water down Hamilton Pool Road to the west to provide service to Peacock, Harris Ranch, Preservation Ranch, and Provence, which have already been approved by the WTCPUA. Mr. Murfee stated the line will be built through the Mirasol project despite whether the development receives service. Mirasol would determine if the line will be installed via right-of-way or easement. Mirasol will be built and paid for by the developers. Mr. Murfee stated Mirasol has strict restrictions on irrigation and is only requesting average daily flow. Irrigation will be provided by rainwater. WTCPUA would only provide 108 GPM. Mirasol will provide irrigation.

Director Roberts explained his understanding that Mirasol would surrender their permit to pump from the Pedernales River and any firm commitments they had from the LCRA. Mirasol will agree to not use wells for landscape irrigation. Director Roberts further clarified since the 4" lines would not provide fire flow; the developers will build a tank to maintain fire flow.

**PUBLIC COMMENT**

Lou Adams provided comments. Mr. Adams is co-owner on Lake Creek Canyon. Mr. Adams expressed concern over impacts to the golden cheek warbler habitat. The habitat is surrounded by 1400 acres of the Mirasol Development, and it stands to be the most affected by this project. Mr. Adams commented that water preserves in the hill country have been used as a research field project by universities. Mr. Adams questioned who would be sacrificing water to provide water for this commercial development. Mr. Adams requested the Board look at Hamilton Pool Road and Highway 71 as alternatives. Mr. Adams expressed concern over who this would affect. Mr. Adams urged the Board to stay their approval of this project until after a SOAH hearing in late October.

Elaine Davenport provided comments. Ms. Davenport is a resident living near Stage Coach Ranch subdivision off of Hamilton Pool Road. Ms. Davenport offered her support for Mr. Adam's comments. Ms. Davenport expressed concern that there was no opposition to this proposal. She further stated no map has been provided which would allow the community to review the proposal. She further indicated she would like the Board to consider slower growth that can be sustained and requested the Agency establish standards for pipeline construction that would minimize harm to the area. Ms. Davenport suggested alternatives including rainwater collection and water reuse as potential options.

Roy Waley provided comment. Mr. Waley is Conservation Director and Chair of the Austin Regional Sierra Club. Mr. Waley stated that Lake Travis is 45.2% full.

Water Conservation should be the focus now. Mr. Waley stated while he can live without many things he cannot live without water. Mr. Waley expressed that the Board should not incentivize development in a very environmentally sensitive area and endanger the water system for current residents paying for service. Mr. Waley does not believe the development is necessary. Mr. Waley expressed that he did not believe rainwater collection was a viable option due to lack of rain and potential future long term droughts. Mr. Waley further stated that while the Pedernales river is a beautiful river, most of the year it remains a dry creek bed. Mr. Waley told the Board it should not endanger the springs that provide water. Mr. Waley requested the Board vote no on the matter and provide more information on the project.

Mike Clifford provided comment. Mr. Clifford is a Technical Director with the Greater Edward's Aquifer Alliance. Mr. Clifford challenged Mr. Murfee's assertions that a 4" line could only serve the development. Mr. Clifford stated that was incorrect. Mr. Clifford stated a 4" pipe can run 260 gallons per minute and the development will utilize 108 gallons per minute which would add 59% additional capacity. He stated an extension of this line would inevitably lead to expansion of the pipeline and wastewater lines which creates another development corridor. Mr. Clifford indicated there should be no rush to consider this agenda item. He stated there is no approved plan for Wastewater and there is an ongoing contested case hearing regarding a wastewater plan. Mr. Clifford indicated there is significant opposition of Mirasol Springs plan for transport of wastewater to proposed wastewater treatment plant. Mr. Clifford further indicated without a permit; construction has been delayed. Mr. Clifford requested the Board postpone action on the agenda item and call a special meeting at a later date. He further asked the Board to have the engineer provide follow-up regarding the 4" line.

Hugh Winkler provided comment. Mr. Winkler is a 20-year resident living off of Hamilton Pool Road. He continued that he is also a member of Hamilton Pool Road Scenic Corridor Coalition and the group organized to fight the original pipeline along Hamilton Pool Road. Mr. Winkler stated the effects of the passage of the original pipeline can be seen. He urged the Board to maintain policy that the Agency will not provide service in the area that includes the Mirasol proposed development. Mr. Winkler further urged the Board to vote no on this agenda item and to consider the impact it has on the community.

Sun Young Chung provided comment. Ms. Chung stated there is a swimming hole in the area where Mirasol wants to pump at Hammett's Crossing. She told the Board she raised her family swimming in the area every other weekend. She said the location is an inspiring place and it is a shame that the community would lose access to this space. Ms. Chung stated this area is not the right place for new development. Ms. Chung advised the Board that the most important things that we can give our children is the sound of birds singing and clear water for swimming. She urged the Board to reconsider and take time to consider this project.

Carol Philipson provided comment. Ms. Philipson expressed concern for allowing out of state developers to continue to develop projects in areas where they are

unaffected. Ms. Philipson urged the Board to consider the impact on climate change. She continued that the community should take care of the available water.

Christy Muse provided comment. Ms. Muse stated she was personally committed to finding the best outcome for Mirasol for the last three years. Ms. Muse stated details have not been provided in order to make a decision on the proposal. Water pipeline extensions in rural areas run contrary to all smart growth principles because they stress existing utilities, parks, and groundwater. She added that the Highway 71/ Hamilton Pool Road traffic struggles were handed to the community by LCRA lines constructed in the early 2000s. She continued that the LCRA overextended itself and was forced to divest. It led to the creation of the WTCPUA. It was intended to be a different kind of entity that would take care of existing customers and be conservative regarding new development. Ms. Muse stated that although the Mirasol project is intended to be a conservation minded development, there is no legal mechanism to ensure the requirements remain in effect long term. Ms. Muse asked the Board to delay discussion and allow community involvement.

Josh Bennet provided comment. Mr. Bennet is a local resident off of Overland Stage Road. Mr. Bennet asked the Board to postpone discussion of this item and allow for outreach to any additional community members that may be impacted by this item. Mr. Bennet said he would like the Board to consider pragmatic solutions like the use of other water sources. He expressed that the generational wealth of natural resources should be passed along to new generations.

Jody "Jo Ellen" Askins provided comments. Ms. Askins owns property right across the creek and across from Lou Adams property. Ms. Askins said her entire family swims in the creek and she was sad when she discovered news of the pipelines. Ms. Askins stated this item has been rushed and she is stunned by the seemingly quick turnaround. Ms. Askins stated she feels as though public input is being bypassed. Ms. Askins requested that the Board assist her with providing more time to discuss a path forward that is agreeable for all. She further stated transparency is critical.

Victoria Rose provided comment. Ms. Rose asked the Board not to approve the Service Agreement letter due to the impact on endangered species. Ms. Rose stated increased development and additional infrastructure will disrupt the habitat of the Golden-cheeked Warbler whose habitat is already shrinking. Ms. Rose discussed a mussel species found in the Pedernales River. This species is susceptible to pollution from construction. Ms. Rose said the springs salamander not yet listed as endangered would be affected by exempt wells along this pipeline and any changes in water quality along the spring shed. Ms. Rose further stated the pipeline would need to travel across a conservation easement and or parkland and is in opposition for a developer that purports to be conservation oriented. Ms. Rose stated this development threatens a key piece of what makes this area special.

Annie Borden provided comment. Ms. Borden is a Hamilton Pool Road resident and lives across from what will be the Mirasol resort development. Ms. Borden stated she is grateful that the developer realizes there is not enough groundwater to



serve the development. Ms. Borden stated that until yesterday she was unaware where the line would go. Ms. Borden said it shows a lack of transparency. She further indicated she thought it was not the Board's desire to open up green spaces and vistas along the western side of Hamilton Pool Road and not develop a pipeline in this area. Ms. Borden stated once you extend this line, others will follow. Ms. Borden requested the Board postpone action on this item and allow the community to provide input.

Jim Truitt provided comment. Mr. Truitt is a representative for the development. Mr. Truitt disagreed with Ms. Borden's assertion that there is not enough water and that is why they are going through the SOAH process. Mr. Truitt stated there are alternate sources of water that can address the concerns expressed today and requested the Board vote to approve the application.

Blaine Williams provided comment. Mr. Williams owns property in Stage Coach Ranch development. Mr. Williams said the groups that have been working to make Mirasol less impactful were not notified of this meeting in a timely manner and for this reason alone he requested postponement of Board action. Mr. Williams says no map has been provided and the impact to the natural areas will be great. Mr. Williams asked the Board to postpone action to allow for further community input.

William Riley provided comment. Mr. Riley lives in Hammett's Crossing. Mr. Riley invited those who are unfamiliar with rainwater collection to view his property and see the great amount of work that goes into rainwater collection. Mr. Riley cautioned against taking any irrevocable action on this item right now and does not understand how this could be done. He asked the Board to postpone this item.

Patricia Hanley provided comment. Ms. Hanley is a resident downstream and across the river from the proposed development. Ms. Hanley stated she is against the pipeline. Ms. Hanley stated the perception that the idea for a pipeline was the result of outcomes reflected in the hydrology report that concluded wells would result in decreased spring flows. Ms. Hanley commented that water is a limited resource and with this development it impacts the availability of water to another community. Ms. Hanley stated the development is in two counties and questioned the ability of one county to serve another.

Sonja Pinto provided comment. Ms. Pinto is a resident of the City of Dripping Springs. Ms. Pinto stated if the water supply is limited, there should not be consideration of adding wastewater treatment plants. Ms. Pinto requested the Board focus on reducing water supply requests rather than expansion. Ms. Pinto said the focus should be on conservation efforts and education of Homeowners Associations that prevent property owners from making conservation efforts.

Maria Morrissey provided comment. Ms. Morrissey lives along the road adjacent to the Mirasol development. Ms. Morrissey questioned why the development needs 96,000 gallons of water a day. Ms. Morrissey stated she has done her own calculations on water usage. She stated the development has 71 guest rooms which

by her average would utilize 17,000 gallons a day, 31 luxury home sites utilizing 21,000 gallons per day and 40 conservation home sites utilizing 16,000 gallons per day equaling a total usage of 54,000 gallons per day. Ms. Morrissey questioned why the development needs 96,000 gallons per day. She further questioned where the water would go if they do not have a wastewater treatment facility. Ms. Morrissey requested the Board request more details and ask more questions. She further requested the Board not vote on this item until those answers have been provided.

Bobby Levinski provided comment. Mr. Levinski is an attorney with Save Our Springs Alliance. Mr. Levinski stated he would speak to a policy passed earlier today that leads to a vote of no on this item. Mr. Levinski said an increase in facilities encourages development and urban sprawl. This urban sprawl and development lead to larger demands for water creating a domino effect. He said increased development pressures have also led to residential wells being built and creates an incentive to build more wells. Mr. Levinski stated adding service across Rural Route 12 changes the ball game because development cannot be undone and water supplies are limited. He requested the Board delay this decision by a couple of months and noted that in a recent meeting with applicant a map, which was promised, was not provided.

Bill Bunch provided comment. Mr. Bunch is the Executive Director of Save our Springs Alliance. Mr. Bunch stated the WTCPUA has not given adequate and required notice of this action nor provided adequate time for the public to review. Mr. Bunch stated in addition there were no maps of alignment or backup materials provided for review. He said there has been no discussion of how construction will lead to easement of conservation property. Mr. Bunch stated if this was a great solution for the community it should stand some scrutiny. Mr. Bunch stated it was disrespectful to the community, constituents, as well as the new Board members to push through this item without further review. Mr. Bunch asked the Board members if there is a reason this item needs to be rushed. He continued based on your silence the answer is there is no rush. Mr. Bunch requested the Board postpone this item for at least the next month. Mr. Bunch stated the letter provided is misleading and suggests there will not be any more pumping but then discusses pumping for potable water but the WTCPUA policy that was amended by the Board earlier in this meeting said only no pumping for landscaping. He continued the development has a farm and they will grow this farmer to sustain their restaurants and other developments. Mr. Bunch stated that is not landscape irrigation and they are pumping from exempt wells. Mr. Bunch said what will occur is what is shown in the Meadows Center for watering environment study which says extending waters along Highway 290 has increased ground water pumping not diminished or substituted it. Mr. Bunch asked that a requirement be put in writing that there is no ground water pumping or diversion from the river by the developer. Otherwise, the developer is only subject to WTCPUA policy requirements which can easily be changed by the Board.

Director Barron asked what the timeline for approval of this item is and what the service availability letter commits the WTCPUA to.

Lauren Kalisek, Counsel for the WTCPUA, described the nature of a service availability letter (SAL) and the process by which a Non-Standard Service Agreement (NSSA) is approved. Ms. Kalisek explained the service availability letter is the first step in identifying terms and conditions of what will be in the binding NSSA.

Director Barron asked what the normal timeframe is related to approval of a SAL. Mr. Murfee stated the normal time frame to address SER requests is to respond within two weeks and the Mirasol application has been pending for two months.

Director Barron indicated he would like to understand more and wait to take action.

Director Smith stated he has unique perspective because of his role as County Commissioner for Hays County. He stated Hays and Travis County only have a few mechanisms for controlling development in unincorporated parts of the County. Director Smith stated Texas is a pro land owner state and as such limitations are placed on the ability for counties to regulate who builds. Director Smith continued that his biggest concern is the fact that based on the 1800 acres of land that Mirasol will occupy it's possible for any developer to develop that property with 300 houses and still meet the requirements placed by Hays County. He added if said developer were to go with just septic and rainwater collection then they could go to up to 1800 homes on that property. He stated the Mirasol project gives them the best ability to control the growth in the area. Director Smith provided an explanation of operation of the minimum living unit equivalent (LUE) commitments required by the State of Texas. He continued the WTCPUA must show that the Agency can meet the minimum state mandated capacity required per LUE. He stated the WTCPUA must build for that worst case scenario. Director Smith stated the Counties do not have the additional regulatory and/or statutory authority to institute limitations on development. Director Smith stated this project provides an opportunity to place restrictions on the developer based on water service. Director Smith stated he would think that the neighbors would prefer to have the development as submitted as opposed to 1800 homes on that same property.

Director Barron stated that because he is not familiar with the project, he would like additional time to study the issue as he is not prepared to vote on the item today.

Director Clark stated he understands issues and the project due to the benefit of being on the City of Bee Cave City Council. He stated is ready to take action today if necessary.

President Roberts stated the reasons that he would support this project are that they don't pump out of the river and they don't pump out of the ground. President Roberts continued the WTCPUA has adequately made efforts to have those two things stopped and the WTCPUA has taken care of the issue of extending capacity

to other developers in the area. President Roberts stated he has always honored the request of another Board member. President Roberts confirmed that Director Barron would like to delay action. President Roberts requested the item be brought back in a month. He requested the Agency's Engineer to clarify the calculations for LUE, and sizing calculations. President Roberts instructed staff to be able to discuss enforcement policy of the WTCPUA. He continued the Board's only reason for considering extending service to the development is in order to stop pumping out of the Pedernales River and the Trinity Aquifer.

Director Smith encouraged speakers to review Hays County restrictions and share alternatives that Director Smith may look into.

**MOTION:** A motion was made by President Roberts to bring this item back for discussion at the November 18<sup>th</sup>, 2024 meeting. The motion was seconded by Director Creveling.

The vote was taken with the following result:

Voting Aye: Unanimous

Voting Nay:

Abstained:

Absent:

**C. Discuss, consider and take action on WTCPUA policy regarding future water service limits on Hamilton Pool Road (S. Roberts).**

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

President Roberts presented this item and explained it has been the policy of the Agency not to provide service beyond Ranch Road 12 or do so on a limited basis. President Roberts believes a change to this policy is necessary. President Roberts proposed the WTCPUA only provide service to projects West of Ranch Road 12 on Hamilton Pool Road if:

- 1) Provision of service reduces pumpage out of the aquifer and/or the Pedernales River; and
- 2) Contracts for service include a stipulation that irrigation and/or landscape water needs may not be taken from the aquifer or the Pedernales River. Any violation of this provision would result in the WTCPUA's ability to terminate service.

Director Smith joined the Board meeting at 1:32 p.m. and requested that the Board also consider attaching a time table to violation of the policy whereas if a violation occurs, the WTCPUA would provide 60-day notice prior to termination of service.

President Roberts concurred. Directors Smith and President Roberts provided clarification that the policy would only apply to the Hamilton Pool Road area and not the Highway 290 system. Director Clark questioned if consideration would be

given for public entities. President Roberts clarified there would not be additional consideration given to government entities.

**MOTION:** A motion was made by President Roberts to amend Agency policies so that effective October 17, 2024, service west of Ranch Road 12 along Hamilton Pool Road will be limited to developments that do not pump groundwater or surface water from the Pedernales River for any purpose and include provisions in the applicable non-standard service agreement that the agreement and service by the WTCPUA may be terminated within 60 days' notice. The motion was seconded by Director Creveling.

The vote was taken with the following result:

Voting Aye: Unanimous

Voting Nay:

Abstained:

Absent:

**D. Discuss, consider, and take action regarding a Resolution determining and making certain findings and approvals required by Chapter 26 of the Texas Parks and Wildlife Code regarding the Proposed 290W 30" Transmission Main project and alignment (10115 W State Highway 71, Travis County, Texas) (G. Murfee).**

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

This item was not taken into Executive session.

**MOTION:** A motion was made by Director Creveling to approve this item as presented in item VIII.D 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:

**E. Discuss, consider and take action on Proposal from Murfee Engineering for Budget Amendment for Uplands Water Treatment Plant Expansion (G. Murfee).**

George Murfee presented this item. Mr. Murfee stated this is an amendment to an existing contract and relates to the site plan receiving approval from the City of Bee Cave and TCEQ requirements. Mr. Murfee continued that this relates to \$57,800, most of which has already been spent.

**PUBLIC COMMENT:**

Bill Bunch provided comment. Mr. Bunch is the Executive Director of the Save our Springs Alliance. Mr. Bunch stated he was opposed to the expansion of the Uplands Water Treatment plant due to the LCRA and City of Austin's hydro modelers predicting less available firm yield water. Mr. Bunch stated this would translate to the legal max that the LCRA can supply public water to utilities like the WTCPUA which represents a 40% cutback. Mr. Bunch stated there will not be a continuing water supply to treat. He requested the Board invest the limited ratepayer funds into reuse projects rather than expansion projects. Mr. Bunch requested the Board serve its existing commitments and acknowledge the state of our water in the Highland Lakes. Mr. Bunch requested this item be placed on hold.

MOTION: A motion was made by Director Creveling to approve this item as presented in item VIII.E of the Board Packet. The motion was seconded by Director Barron.

The vote was taken with the following result:

Voting Aye: Unanimous

Voting Nay:

Abstained:

Absent:

**F. Discuss, consider and take action on Proposal from Murfee Engineering Co., Inc. for Engineering Services for 1340 Elevated Storage Tank, Dripping Springs (G. Murfee).**

George Murfee presented this item. Mr. Murfee stated this is a tank that is part of the City of Dripping Springs service area. The City will provide an easement to the WTCPUA. Mr. Murfee continued that the project is imminent and must occur. WTCPUA has already given a commitment to the City for 1,000 LUEs and this tank is needed to fulfill that commitment. President Roberts confirmed that the work is for design and construction.

MOTION: A motion was made by Director Smith to approve this item as presented in item VIII.F 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:

**G. Discuss, consider and take action on Proposal from Murfee Engineering Co., Inc. for Engineering Services for 1420 Elevated Storage Tank #2, Hamilton Pool Road (G. Murfee).**

George Murfee presented this item. This is an additional tank that is needed to alleviate issues for the Belvedere Subdivision. President Roberts questioned how big the tank is. Mr. Murfee stated it could be between 600,000 – 1,000,000 gallons for storage. The primary reason for the tank is related to summer needs. President Roberts questioned if this could be done in 1 year or in 9 months. Mr. Murfee stated it could not be done in 9 months but 1 year was possible.

**MOTION:** A motion was made by President Roberts to approve this item as presented in item VIII.G 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:

**H. Discuss, consider and take action on Proposal from Murfee Engineering Co., Inc. for Budget Amendment for 1240 Elevated Storage Tank Project (G. Murfee).**

George Murfee presented this item. Mr. Murfee stated the Agency just finished the Parten Ranch Tank. Mr. Murfee stated this amendment is intended to pay for work that has already been completed and a small amount that needs to be completed.

**MOTION:** A motion was made by Director Barron to approve this item as presented in item VIII.H 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:

**I. Discuss future meeting schedule (J. Riechers).**

Jennifer Riechers presented this item. Ms. Riechers stated in order to call a public hearing for the upcoming update to the CIP and impact fees, a Board meeting will need to be called in November to meet the publication requirements. Ms. Riechers

suggested November 18<sup>th</sup> at 10:00 a.m. and December 18<sup>th</sup> at 1:00 p.m. Ms. Riechers said she would check on the availability of the meeting location.

## IX. ADJOURNMENT

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

The vote was taken with the following result:

Voting Aye: Unanimous

Voting Nay:

Abstained:

Absent:

The meeting was adjourned by President Roberts at 3:20 p.m.

PASSED AND APPROVED this 18th day of November 2024.



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Walt Smith, Secretary  
Board of Directors