

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

February 25, 2021

The February 25, 2021 Board of Directors meeting was held with limited attendance and via remote access in accordance with the Governor's March 16, 2020 proclamation, as extended, suspending certain open meetings statutes in response to the current COVID-19 pandemic and statewide disaster declaration. The public was provided a toll-free number and free videoconference link to participate in the meeting.

Present:

Scott Roberts, President
Walt Smith, Secretary (Participating Remotely)
Jason Bethke, Director
Jack Creveling, Director
Clint Garza, Director

Staff and Consultants:

Jennifer Riechers, Agency General Manager
Jennifer Smith, Agency Controller (participating remotely)
Tricia Altamarino, Agency Engineer
Eric Morgan, Agency Operations Manager
Stefanie Albright, (Lloyd Gosselink Rochelle & Townsend, P.C.), Agency General Counsel
George Murfee, (Murfee Engineering Company, Inc.), District Engineer

I. CALL TO ORDER

Director Roberts called the meeting to order at 2:01 p.m.

II. ESTABLISH QUORUM

A quorum was established with the above-referenced Directors present.

III. PUBLIC COMMENT

No public comment on non-agenda items was provided.

Director Roberts commended staff because the PUA did not lose service or have to be on a boil water notice. Director Garza stated that PUA crews were out looking for leaks, and Ms. Riechers was coordinating and addressing these problems.

IV. CONSENT AGENDA

- A. Approve minutes of January 21, 2021 regular Board Meeting.**
- B. Approve payment of invoices.**
- C. Approve Contractor Pay Requests including:**
 - 1. DN Tanks, Inc., Pay Application No. 6, \$62,597.40 Southwest Parkway GST 1 CIP Project**
 - 2. Austin Engineering Company, Inc., Pay Application No. 1, \$144,946.25, Lift Station 9 Rehab.**
- D. Approve Non Standard Service Agreement for:**
 - 1. Dripping Springs Independent School District, 290 System, 117 Water LUEs.**

MOTION: A motion was made by Director Roberts to approve the Consent Agenda items A-D, provided as Exhibits A-D. The motion was seconded by Director Garza.

The vote was taken with the following result:

Voting Ayc: Directors Roberts, Smith, Bethke, Creveling and Garza
Voting Nay: None
Abstained: None
Absent: None

V. OLD BUSINESS

At 2:21 p.m., Director Roberts announced that the Board would convene in executive session to consult with its attorney pursuant to Texas Government Code § 551.071 regarding Items V. A and B, and items VI. A, B, C, K, M, N, and to deliberate regarding real property pursuant to Texas Government Code § 551.072 regarding Item VI.K.

At 3:14 p.m., Director Roberts announced that the Board would reconvene in open session and that no action had been taken in executive session.

Director Creveling abstained from participation in executive session regarding Item VI.M.

- A. Discuss, consider and take action regarding pending litigation, relating to the following:**
 - 1. Weekley Homes LLP v. West Travis County Public Utility Agency, in the 200th Judicial District Court, Travis County, Texas; Cause No. D-1-GN-20-002291.*

This item was discussed in executive session.

B. Discuss, consider and take action on approval of amended Non Standard Service Agreement for 17507 Hamilton Pool Road.

This item was discussed in executive session.

MOTION: A motion was made by Director Garza to ratify approval of the Amended and Restated Nonstandard Service Agreement for the Provence Subdivision. The motion was seconded by Director Roberts.

The vote was taken with the following result:

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

VI. NEW BUSINESS

A. Discuss, consider and take action regarding planning for growth in the water system and implementation of tools to manage water capacity.

This item not discussed in open session or in executive session.

B. Discuss, consider and take action regarding administrative activities and costs to implement PUA policies, including policies relating to management of water capacity.

This item not discussed in open session or in executive session.

C. Discuss, consider and take action regarding 87th Regular Session of the Texas Legislature.

This item was discussed in executive session.

D. Discuss, consider and take action on proposal from Halff Associates, Inc. for subsurface utility engineering on Fitzhugh Road.

Ms. Riechers presented this item, presented as Exhibit E. She stated this was for potholing to identify lines and provide information for planning that is created to the widening of Fitzhugh Road.

MOTION: A motion was made by Director Creveling to approve the proposal from Halff Associates, Inc. for subsurface utility engineering on Fitzhugh Road. The motion was seconded by Director Roberts.

The vote was taken with the following result:

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

E. Discuss, consider and take action on amendment to Service and Development Policies regarding General Manager approval of Service Availability Letters and Non Standard Service Agreements.

Ms. Albright presented this item, provided as **Exhibit F**. This expands General Manager previous authority from 10 LUEs to 20 LUEs. Ms. Riechers stated that she agreed.

MOTION: A motion was made by Director Creveling to approve the amendment to Service and Development Policies regarding General Manager approval of Service Availability Letters and Non Standard Service Agreements. The motion was seconded by Director Roberts.

The vote was taken with the following result:

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

F. Discuss, consider and take action on reimbursement agreement between WTCPUA and JPD Backyard Finance, LLC for 24” Water Transmission Line.

Mr. Murfee presented this item, provided as **Exhibit G**. He stated that the Backyard is finalizing their construction plans. The PUA has a 24” main in front of their property, and the Backyard didn’t want to the PUA to later put in this line. The Backyard has offered to build this line with their project, and the agreement is for the PUA to pay for its portion of the project.

MOTION: A motion was made by Director Smith to approve the reimbursement agreement between WTCPUA and JPD Backyard Finance, LLC for 24” Water Transmission Line. The motion was seconded by Director Creveling.

The vote was taken with the following result:

Voting Aye: Directors Smith, Bethke, Creveling and Garza
Voting Nay: None
Abstained: None
Absent: Director Roberts

G. Discuss, consider and take action on reimbursement agreement between WTCPUA and Dripping Springs Independent School District related to oversizing of water line on Darden Hill Road.

Ms. Altamarino presented this item, provided as Exhibit H. She stated that Hays County is requiring that the Darden Hill Road line be relocated due to the project transportation needs. She stated that with the tie-in being moved, the PUA has negotiated with the school district to upsize the 12 inch line to a 16 inch line.

MOTION: A motion was made by Director Smith to approve the reimbursement agreement between WTCPUA and Dripping Springs Independent School District related to oversizing of water line on Darden Hill Road. The motion was seconded by Director Roberts.

The vote was taken with the following result:

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

H. Discuss, consider, and take action of Charge Order, \$30,086.86, from Liberty Civil Construction, LLC for Darden Hill Road water line oversize.

Ms. Altamarino presented this item, presented as Exhibit I. The included agreement is for the PUA to reimburse Dripping Springs ISD for the costs to upsize the waterline.

MOTION: A motion was made by Director Smith to approve the Charge Order, \$30,086.86, from Liberty Civil Construction, LLC for Darden Hill Road water line oversize. The motion was seconded by Director Roberts.

The vote was taken with the following result:

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

I. Discuss, consider, and take action on proposal from Nelisa Heddin Consulting for the performance of cost of service and rate design study.

Ms. Riechers presented this item, provided as Exhibit J. She stated this goes in hand with the CIP that Murfee Engineering is currently preparing. Ms. Riechers stated that staff recommends Ms. Heddin be engaged due to her institutional knowledge with the PUA.

J. Discuss, consider, and take action on engagement letter from Nelisa Heddin Consulting for 2021 Impact Fee Study.

MOTION: A motion was made by Director Creveling to approve the proposal from Nelisa Heddin Consulting for the performance of cost of service and rate design study and to approve the engagement letter from Nelisa Heddin Consulting for 2021 Impact Fee Study. The motion was seconded by Director Roberts.

The vote was taken with the following result:

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

K. Discuss, consider, and take action on Water Treatment Plan expansion.

MOTION: A motion was made by Director Roberts to authorize the General Manager to engage a real estate agent to explore property options regarding the water treatment plant expansion. The motion was seconded by Director Creveling.

The vote was taken with the following result:

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

L. Discuss, consider, and take action on proposal from Murfee Engineering Company for engineering services related to the Darden Hill Road Water Line Relocation, \$45,000.

Mr. Murfee presented this item, provided as Exhibit K. He stated this project is in process and stated that the PUA's role is basically construction management as the plans are essentially complete. He detailed potential future plans for the line, and stated that this project will likely qualify as CIP.

MOTION: A motion was made by Director Smith to approve the proposal from Murfee Engineering Company for engineering services related to the Darden Hill Road Water Line Relocation in an amount not to exceed \$45,000. The motion was seconded by Director Roberts.

The vote was taken with the following result:

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

M Discuss, consider, and take action on approval of Service Availability Letter and Non Standard Service Agreement for Preservation Ranch, 71 System/HPR, 33 Water LUEs.

Director Creveling recused himself and abstained in voting and participation on this item.

Ms. Riechers this item, including the service availability letter and nonstandard service agreement, provided in Exhibit L. Discussion ensued regarding facilities to be constructed on Hamilton Pool Road and the provision of service. The Board directed that the existing language in the nonstandard service agreement making the 33 LUEs contingent on the construction of additional facilities on Hamilton Pool Road should remain in the Agreement.

MOTION: A motion was made by Director Smith to approve the Service Availability Letter and Non Standard Service Agreement for Preservation Ranch, 71 System/HPR for 33 Water LUEs. The motion was seconded by Director Garza.

The vote was taken with the following result:

Voting Aye: Directors Roberts, Smith, Bethke, and Garza
Voting Nay: None
Abstained: Director Creveling
Absent: None

N. Discuss, consider, and take action on completion of Raw Water Line No. 2 outstanding items.

Mr. Murfee presented on this item, providing a summary of the project close-out and remaining items to be completed.

O. Discuss, consider, and take action on scheduling of CIP Planning Workshop.

Ms. Riechers proposed a special meeting that would be focused on CIP planning to discuss projects with specificity and future planning. She proposed not having a regular March meeting, but holding a workshop with a reduced agenda in the second week of March. The Board directed that the special meeting and workshop be held on March 11 at 1:00 p.m.

V. STAFF REPORTS

A. General Manager's Report.

Ms. Ricchers presented this item, provided as Exhibit M. She stated that the winter event in February fell during winter averaging, and stated that the PUA intends to exclude February from winter averaging. She stated that staff also intends to approve leak adjustments for leaking and burst pipes relating to winter event.

She commended staff – both the operations and administrative teams - who worked during the difficult winter weather event in February.

B. Controller's Report.

Ms. Smith presented this item, provided as Exhibit N.

C. Operations Report.

Mr. Morgan presented this item, provided as Exhibit O.

D. Engineer's Report including:

1. Capital Improvements Plan Update

Mr. Murfee presented this item, provided as Exhibit P.

VI. ADJOURNMENT

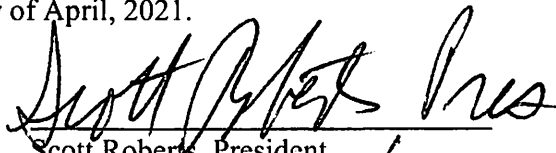
MOTION: A motion was made by Director Creveling to adjourn the meeting. The motion was seconded by Director Roberts.

The vote was taken with the following result:

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

The meeting adjourned at 3:18 pm.

PASSED AND APPROVED this 15th day of April, 2021.



Scott Roberts, President
Board of Directors