

MINUTES OF MEETING OF THE BOARD OF DIRECTORS
OF WILLIAMSON-TRAVIS COUNTIES
MUNICIPAL UTILITY DISTRICT NO. 1

20 March 2024

STATE OF TEXAS

§
§
§

COUNTIES OF WILLIAMSON AND TRAVIS

The Board of Directors (the "Board") of Williamson-Travis Counties Municipal Utility District No. 1 (the "District"), of Williamson and Travis Counties, Texas, met in regular session, open to the public at 6:30 p.m. on the 20th day of March 2024, at The Park at Lakeline Oaks located at 1000 Old Mill Road, Cedar Park, Texas 78613, an official meeting place within the boundaries of the District, pursuant to notice duly given in accordance with the law, and the roll was called of the duly constituted officers and members of the Board, to wit:

Linda Fabre	President / Treasurer
Hanoi Avila	Vice President
Kelley D. Masters	Secretary
David Flores	Assistant Secretary
Beth Jones	Director

and all of said persons were present, thus constituting a quorum.

Also present in person were Bryan Dodson and Ms. Dodson, residents of the District; Makenzi Scales, Elizabeth Reeves, and Stephanie Reese of Inframark, LLC ("Inframark"), the District's Operator and General Manager; and Cole Konopka of Coats Rose, P.C. ("Coats Rose"), the District's Attorney. Attending the meeting by teleconference were Cara Silva of Artesian Financial Services ("Artesian"), the District's Accountant; Jacob Valentien of Westwood Professional Services, Inc. ("Westwood"), the District's Engineer; and Tammi Nelson of Coats Rose.

Agenda Item No. 1: Comments and questions from District residents.

- Mr. Dodson addressed the Board with a public comment regarding the importance of having deed restrictions in the District and receiving support from the District to enforce those deed restrictions.
- Director Fabre then requested that the District's consultants make every effort to upload their meeting materials to the shared Google Drive account at least five business days prior to each Board of Directors meeting.

Agenda Item No. 2: Consent Agenda, including approval of minutes of 21 February 2024.

- The Board then considered approving the minutes of 21 February 2024. Director Jones noted that she did not have an opportunity to review the minutes prior to today's meeting and therefore she would need to abstain from voting.

- **Motion:** Approve the minutes of 21 February 2024, as presented.

Motion by: Director Flores
Second by: Director Masters

Ayes: Director Fabre
Director Avila
Director Flores
Director Masters

Abstained: Director Jones

Agenda Item No. 3: Accountant's Report, including:

- (a) review of payments on current not-to-exceed expenditures; and
- (b) payment of bills and invoices.

- Ms. Silva next presented the Accountant's Report and reviewed the District's bills and invoices. She then addressed questions from Director Fabre regarding budget items and the status of the closing of the District's bank account with Austin Capital Bank. Mr. Konopka then stated that he would contact Austin Capital Bank to close the account. Director Fabre also noted that there were two FedEx charges included in this month's invoice from Artesian that had been previously paid by the District. Ms. Silva then stated that Artesian would issue a credit of \$128.59 to the District's invoice for the following month for the two FedEx charges. Director Fabre then requested that Artesian hold Check No. 1130 to Inframark in the amount of \$16,367.24 until Inframark could provide additional receipts and information as requested.
- Director Fabre then recalled that there was a mistake regarding the fees of office paid to Director Avila at the 21 February 2024 Board of Directors meeting. She noted that Director Avila received payment for 11 fees of office and that he should have only received payment for 2 fees of office. Director Avila then stated that he would contact Ms. Silva to coordinate reimbursement to the District for the additional fees of office.
- **Motion:** Authorize payment of the District's bills and invoices in the amount of \$308,060.83.

Motion by: Director Masters
Second by: Director Fabre

Ayes: Director Masters
Director Avila
Director Fabre
Director Flores
Director Jones

Agenda Item No. 4: Engineer's Report, including:

- (a) status of Sun Chase Park playscape (Cunningham Recreation);
- (b) status of Hatch Lift Station project (Liberty Civil Construction, LLC);
- (c) status of District facilities;
- (d) update on Estimate of Replacement Value for District insurance;
- (e) status of Lead and Copper Rule Revisions project;
- (f) status of removal/replacement of monument sign on El Salido Parkway;
- (g) update on Sun Chase trickle channel flow;
- (h) update regarding proposed annexation of Anderson Mill Road by the City of Cedar Park, including survey and inventory of District's facilities;
- (i) update on other matters, as needed; and
- (j) Infrastructure Committee report.

- Mr. Valentien next reviewed the Engineer's Report with the Board. He first updated the Board on the status of the Sun Chase Park playscape, stating that he had received all executed contract documents from Cunningham Recreation and that all equipment had been ordered for the playscape. Mr. Valentien then stated that he would request a detailed schedule from Cunningham Recreation for the shipment and delivery of the equipment.
- Mr. Valentien next updated the Board on the status of the Hatch Lift Station project. He stated that Liberty Civil Construction, LLC ("Liberty Civil") reported that the electrical panel was still in fabrication and that once the equipment arrived, Liberty Civil would need two additional weeks to complete the installation. Director Fabre then stated that she would like to review the narrative description that was submitted to the District's insurance company regarding the failure of the Hatch Lift Station. Ms. Scales responded stating that she would distribute the narrative description to the Board following the meeting. Director Fabre then noted that she had researched the prior minutes of the District and recalled that a motion was made to authorize the purchase of an additional pump for the Hatch Lift Station, but that the motion had failed and an additional pump was not purchased.
- Mr. Valentien then updated the Board on the status of the Anderson Mill West Park footbridge. He reported that Westwood inspected the footbridge and determined that the footbridge did not appear to have any rotted or compromised wood, and that the work to be completed by Inframark should adequately repair the bridge. Director Fabre then pointed out that the General Manager/Operator's Report showed that there were a few rotted boards that needed to be replaced. Ms. Scales then stated that she would discuss the additional cost to remove the rotted boards in her report.
- Mr. Valentien then reported on the wall repair along Anderson Mill Road, stating that Westwood had inspected the wall and provided suggestions on how to repair the wall. He further reported that the contractor had repaired the wall and that the repair seemed to be sufficient. Director Fabre then confirmed that the wall was repaired and that the resident was satisfied with the repair.

- Mr. Valentien then recalled that the markup of his recommended changes to the Estimate of Replacement Value for the District's insurance had been previously distributed to Directors and consultants for review. Ms. Scales then reported that the District's insurance had been processed and that she received updated certificates reflecting the increased replacement values per Westwood's recommendations. She also noted that Westwood recommended that the replacement values for the lift stations on Sun Chase Boulevard and Dagama Court be incrementally increased until they reach a total replacement value of \$500,000 and \$650,000-\$700,000, respectively. Ms. Scales then reported that the updated cost for the annual insurance premium for the District would be processed with the next scheduled payment. Director Fabre then discussed the light pole that was repaired on El Salido Parkway and the possibility of the District's insurance covering the cost to replace the damaged light poles in the District.
- Mr. Valentien then updated the Board on the status of the Lead and Copper Rule Revisions ("LCRR") project. He reported that Westwood reviewed the documents provided by Gray Engineering, Inc. ("Gray") and compiled the list of items completed by Gray on the LCRR project. Mr. Valentien noted that Gray previously submitted two invoices to the District on 1 August 2023 in the total amount of \$9,999.12. He further reported that Westwood intends to review and validate the work performed by Gray on the LCRR project. Mr. Valentien then recalled that Westwood had previously submitted a work order for the remaining work on the LCRR project at the 17 January 2024 Board of Directors meeting and that the Board deferred action on the work order until Westwood could confirm the work completed by Gray. He then requested that the Board reconsider the work order authorization.
- **Motion: Approve the work order from Westwood for the remaining work on the LCRR project in an amount not to exceed \$25,000.**

Motion by: Director Flores
Second by: Director Masters

Ayes: Director Masters
Director Avila
Director Fabre
Director Flores
Director Jones
- Next, Mr. Valentien stated that he had no new updates on the status of the monument sign on El Salido Parkway. Director Fabre then recommended that the Board defer this project until June 2024 so that the Board could review the District's budget and determine the feasibility of replacing the sign. Director Masters then recommended that the Board authorize removal of the damaged sign in the meantime and Director Fabre requested that Ms. Scales provide a proposal to remove the sign.
- Mr. Valentien next reported that Westwood had investigated the site of the Sun Chase trickle channel flow. He reported that Westwood received communications from Ms. Scales stating that Inframark had discovered a service line leak. Ms. Scales then noted that the

leak had been repaired on 19 March 2024 and that the flow was significantly less following the repair.

- Mr. Valentien next updated the Board on the status of the proposed annexation of Anderson Mill Road by the City of Cedar Park (the "City"). He reported that Westwood had walked the District's Right-of-Way ("ROW") along Anderson Mill Road and took inventory of all of the District's facilities contained within the ROW, which he then presented to the Board. Mr. Valentien further stated that he would work with the District's Attorney on any legal documentation required for the annexation. Mr. Konopka then requested that Mr. Valentien share the inventory documentation with the City.
- Finalizing his report, Mr. Valentien updated the Board regarding the Request for Proposal ("RFP") for an Operator for the District. He reported that Westwood distributed the RFP to six operating companies and that he received submittals from Inframark and Municipal Operations & Consulting, Inc. ("Municipal Operations & Consulting"). He noted that the other four companies declined to submit a proposal in response to the RFP.

Agenda Item No. 8: New business, including:

(a) development of a Capital Improvement Plan for the District.

- Mr. Valentien next discussed the process and requirements for developing a Capital Improvement Plan for the District. He stated that the process would include documenting all of the District's facilities and the existing conditions of those facilities, and creating a timeline to repair or replace those facilities. Mr. Valentien stated that he would put together examples of documents that he had prepared for other districts and distribute those examples to the Board for review. He also noted that he would prepare a cost estimate for Westwood to develop a CIP for the District.
- Director Fabre then requested that Ms. Scales provide the date and cost of the most recent power washing of the District's walls. She also requested that Ms. Scales provide proposals for tree trimming along the District's walls and for wall cleaning. Director Fabre then stated that she would like for a notice to be distributed to all residents in the District regarding tree trimming.
- Director Fabre next requested that Ms. Scales prepare a report outlining the total project cost for the meter replacement project for the Board's review at the 17 April 2024 Board of Directors meeting.
- Next, Director Masters reported that a survey of Sun Chase Park revealed a tremendous amount of deferred maintenance, overgrowth, and dead landscaping. She stated that she would like the cleanup and beautification of the park to coincide with the grand opening of the new Sun Chase Park playscape. Director Masters then requested the Board's authorization for the Parks Committee to conduct a walkthrough of the park with the District's Engineer and Landscape Architect to get their recommendations on the cleanup project. Ms. Scales then noted that LandCare was in the process of preparing a proposal to clean up Sun Chase Park. Director Fabre stated that she would like for the Board to

receive proposals from three companies for the park cleanup project. Director Jones then expressed the importance of completing the Priority 1 and Priority 2 Park Repairs. Director Fabre assured Director Jones that the Priority 1 and Priority 2 Park Repairs would be completed in conjunction with the other necessary park-related cleanup and maintenance items.

- **Motion:** **Authorize the Parks Committee to conduct a walkthrough of Sun Chase Park with the District’s Engineer and Landscape Architect and to solicit proposals for the cleanup of the park.**

Motion by: **Director Masters**

Second by: **Director Avila**

Ayes: **Director Masters**
Director Flores
Director Fabre
Director Avila
Director Jones

Agenda Item No. 5: General Manager / Operator's Report, including:

- (a) report on operation of the District's facilities;
- (b) discuss and authorize any repairs, maintenance items, or other work deemed necessary;
- (c) consider agreement with Badger Meter, Inc. and discuss status of installation of endpoints;
- (d) status of insurance claims filed on behalf of the District;
- (e) status of District’s Phase II MS4 Permit;
- (f) update on proposals for audio visual repairs;
- (g) report on total hours worked by the Williamson County Precinct 2 Constable’s Office deputies;
- (h) adopt Amended Rate Order;
- (i) update on contract negotiations with Inframark, LLC; and
- (j) update on household hazardous waste pickup service for residents.

- Ms. Scales then reviewed the General Manager/Operator's Report and discussed the items for Board approval this month. She recalled that Certa Pro Painters ("CertaPro") discovered a few rotted boards that needed to be replaced while performing repairs to the Anderson Mill West Park footbridge. Ms. Scales noted that the work had been completed and she presented a Change Order from CertaPro for replacing the boards at an additional cost of \$242.17.

- **Motion:** **Approve the Change Order from CertaPro for replacing the rotted boards at the Anderson Mill West Park footbridge in the amount of \$242.17.**

Motion by: **Director Flores**

Second by: **Director Masters**

Ayes: **Director Masters**
Director Flores

**Director Fabre
Director Avila
Director Jones**

- Next, Ms. Scales noted that the District's water accountability was at 95% for the month of February 2024.
- Ms. Scales then updated the Board on ongoing park projects in the District. She stated that the mulch had been installed at several of the District's parks and that the mulch at the remaining parks would be installed soon.
- Ms. Scales next reported that Inframark received the Master Service Agreement ("MSA") from Badger Meter, Inc. ("Badger") for the purchase of the smart meters and that the MSA was sent to the District's Attorney for review. She then stated that Inframark would move forward with the installation of 10 to 20 endpoints on a weekly basis as soon as the Board approved the MSA with Badger.
- Ms. Scales then stated that the ParkPro Tek Quarterly Report Summary had been completed and that Inframark had begun reaching out to different contractors to gather proposals for certain items listed in the report. She noted that ParkPro Tek had begun working on some of the items listed in the report and that she would follow up with ParkPro Tek to get a status update on those items.
- Ms. Scales next stated that there were no outages reported during the streetlights survey that was conducted on 11 March 2024. She then discussed the issue regarding the exposed wiring from the base of a streetlight at The Enclave, stating that the exposed wiring had been secured with a cap. The Board then discussed the proposed location of the new streetlight at The Enclave. Director Fabre pointed out that the proposal from M&C Electric ("M&C") included pricing for the installation of two streetlights at The Enclave, and that one of the proposed locations may be on property owned by the City. Director Fabre then stated that the maintenance worker at The Enclave told her that replacing the previously installed streetlight would provide sufficient lighting and she requested that Ms. Scales request an updated proposal from M&C to install one streetlight at the location of the existing base with wiring, subject to confirming that the location is not on City property. Director Flores then stated that he would also like to see an itemized breakdown of the proposal from M&C for the installation of the streetlight.
- **Motion:** **Authorize Inframark to verify that the location of the existing streetlight base at The Enclave is within the boundaries of the District and, if so, approve a proposal from M&C to install the streetlight in an amount not to exceed \$14,900.**

Motion by: **Director Masters**
Second by: **Director Jones**

Ayes: **Director Masters**
 Director Avila

**Director Fabre
Director Flores
Director Jones**

- Director Jones then exited the meeting at this time.
- Ms. Scales next presented information regarding the Meeting Owl 3 device by Owl Labs. She stated that the cost of the device was \$1,049.00 and that there would be additional costs for a TV monitor and setup. Director Fabre then requested that Ms. Scales provide a total project cost to purchase and set up the Meeting Owl 3 device.
- Ms. Scales next updated the Board on the cost for Waste Management's At Your Door Special Collection Program. She stated that the total cost to add the service would be \$1.40 per household, per month. Ms. Scales then noted that all homes would be charged for the service and that the frequency was unlimited and tracked. Director Fabre stated that she was in favor of the program and that the District should implement the program for a year. Ms. Scales then recommended notifying residents of the program through various means of communication over the course of two weeks and going live with the program on 1 May 2024. She added that she would request written documentation from Waste Management regarding the program details and the cancellation policy.
- Ms. Scales then stated that during the meeting Ms. Reeves verified that the location of the existing streetlight base at The Enclave was located on City property. She added that she would contact the City to see if the City would agree to install the streetlight and she requested that Director Fabre send her with a written statement regarding her conversations with the maintenance worker at The Enclave to provide to the City.
- Next, Ms. Scales discussed the total hours worked by the Williamson County Precinct 2 Constable's Office ("Precinct 2") deputies, stating that she was missing the total hours for Deputy Mark Johnson. Director Fabre confirmed that the hours listed in the District's Audit Report included the hours for roving patrol. She then stated that Precinct 2 could determine the amount of hours that each deputy would need to work in order to remain within the District's budget.
- Ms. Scales next provided an update on the claims filed with the Federal Emergency Management Agency ("FEMA"). She stated that she submitted a request for a Unique Entity Identifier number from the SAM.gov website but that she had not received the number as of the date of this meeting. Ms. Scales then confirmed that the W-9 and the direct deposit information had been submitted to FEMA.
- Ms. Scales then updated the Board on the status of insurance claims filed on behalf of the District. She presented updated insurance certifications for the adjustments that were made to the District's real and personal property schedule and also for the District's Law Enforcement Liability policy. Ms. Scales also updated the Board on the District's insurance claim for the Hatch Lift Station Project and stated that she had provided Texas Municipal League ("TML") all of the estimates, work orders, and invoices from Liberty Civil. A discussion then ensued.

- Ms. Scales then noted that Inframark had submitted a response to the District's RFP.
 - Ms. Scales next discussed amending the District's Rate Order to include verbiage stating that the District would charge residents for non-routine items both during business hours and after hours. Director Fabre then noted a mistake in the current Rate Order, stating that the current Rate Order included a discount on the Basic Services Fee for individuals that are 65 years of age or older, but that the discount should only be applied to the fees for trash services for individuals that are 65 years of age or older. Ms. Scales then confirmed that the District had historically provided a discount for Basic Services Fees for individuals that are 65 years of age or older.
 - **Motion: Adopt the Amended Rate Order to include verbiage stating that the District would charge residents for non-routine items both during business hours and after hours.**
- Motion by: Director Avila**
Second by: Director Flores
- Ayes: Director Fabre**
Director Avila
Director Flores
Director Masters

Agenda Item No. 6: Committee Assignments and Reports, including:

- (a) Parks Committee, including review and approve proposals as needed;
- (b) Deed Restriction Committee, including status of deed violation complaints; and
- (c) Information Management Committee.

- Director Fabre then asked if there had been any consideration about showing a second movie to residents in the District. Ms. Scales noted that all of the equipment had been purchased but that the District did not purchase a second movie. Director Fabre then stated that she would research previous minutes of the District to confirm if a second movie was purchased. Director Fabre then requested that the Parks Committee discuss plans for showing a second movie.
- Director Masters next provided an update from the Deed Restriction Committee (the "DRC") concerning the property at 2311 Granger Lane. She stated that photographs were taken of the property on 1 March 2024 and 17 March 2024 that showed that the trailer had been removed from the driveway and that there had been cleanup efforts made to the property. Director Masters then reported that it was of the opinion of the DRC that the current status of the property does not negatively impact the taxable value of the District and that no further action was required at this time.
- Director Masters then reported that additional complaints were received regarding properties located within Anderson Mill West, Sections 1 and 2. She stated that the DRC

requested the billing address of the individual that submitted the complaints, as well as photographs of the incidents being reported. Director Masters then reported that the DRC had not received a response as of the date of this meeting and that no further action was required at this time.

- Director Masters next stated that a property on Mulberry Way was reportedly functioning as an Airbnb rental property and that a complaint was received regarding the noise levels and possible security risks of the property. She then asked Mr. Konopka about possible remedies for the situation and Mr. Konopka noted that there was nothing in the District's Order Enforcing Deed Restrictions that prohibits short-term rentals or leases for properties in the District. Director Masters then stated that the DRC would like to send a letter to the property owner stating that the Board was aware that the property was functioning as an Airbnb rental property and to provide the owner with the list of deed restrictions in the District. Director Fabre noted that the letter would be an informative letter and not a Notice of Violation letter. Director Flores then stated that he was not in favor of sending a letter to the property owner because he did not believe that this was an issue at this time.
- **Motion: Authorize Coats Rose to draft a letter to the property owner on Mulberry Way to provide information regarding the deed restrictions in the District.**

Motion by: Director Masters
Second by: Director Avila

Ayes: Director Masters
Director Avila
Director Fabre

Nos: Director Flores
- Director Fabre then requested that the Information Management Committee work with Inframark to correct and update the District's website as needed.

Agenda Item No. 7: Old business, including:

(a) appeal requested by the property owner of 1501 Black Cherry Drive.

- Next, Director Fabre updated the Board on the status of the appeal request submitted by the property owner of 1501 Black Cherry Drive. She stated that she felt confident that the information provided now accurately reflected the current standing of the account. Director Fabre then noted that no repairs had been made to the property owner's home as stated in his appeal request. She then asked for the Board's authorization for Coats Rose to send a letter to the property owner regarding his appeal request.
- **Motion: Authorize Coats Rose to send a letter to the property owner of 1501 Black Cherry Drive to inform him of the following: (1) that the Board has honored his request for an appeal; (2) that he must pay his current account balance in full by the next billing cycle; (3) that he will**

continue to receive a water bill each month for the monthly fees regardless of water use; and (4) that the Board's expectation is that he will begin the repairs to his home as stated in his appeal request.

Motion by: Director Fabre
Second by: Director Masters

Ayes: Director Fabre
Director Masters
Director Avila
Director Flores

Agenda Item No. 8: New business, including:

- (b) review and approve Fire Protection Agreement with the City of Cedar Park; and
- (c) discuss and act upon Operator RFP's.

- Mr. Konopka next presented a new Fire Protection Agreement (the "Agreement") between the District and the City for the Board's review. He noted that the new Agreement was essentially the same as the existing Agreement but that the term of the new Agreement would be a five-year term. Mr. Konopka stated that the service rates had not changed from the prior Agreement. Director Fabre then requested to defer approval of the Agreement to April 2024 to allow all Board members time to review.
- Director Fabre then discussed the two proposals that were received in response to the District's RFP for an Operator for the District from Inframark and Municipal Operations & Consulting. Mr. Konopka recommended that the Board interview both companies and the Board concurred to schedule a special meeting to interview both companies on 3 April 2024 at 6:30 p.m.

Agenda Item No. 9: Attorney's Report, including:

- (a) update regarding proposed annexation of Anderson Mill Road by the City of Cedar Park; and
- (b) update regarding resolution of accounting issues with Inframark, LLC.

- Next, Mr. Konopka reported that he had no new updates regarding the proposed annexation of Anderson Mill Road by the City. He recalled that Mr. Valentien had conducted a survey and prepared a spreadsheet of the District's assets contained within the District's ROW of Anderson Mill Road. He then stated that he and Mr. Valentien would meet with the City to review the information and discuss the best way to address responsibilities for the District's assets.
- Mr. Konopka and Ms. Scales then updated the Board regarding the accounting issues with Inframark. Ms. Scales reported that Inframark credited one of the payments to the District and were looking into the request for additional credits to the District. Mr. Konopka stated that he believed that the request was for approximately \$12,000 or roughly five months of credits to the District. Mr. Konopka then requested that Ms. Scales provide written

confirmation of the amounts to be credited to the District. Director Fabre then noted that the District did not receive a base fee invoice from Inframark this month. She added that the District now has five months of base fees that have not been corrected to reflect the Consumer Price Index ("CPI") increase that went into effect on 1 October 2024. Ms. Scales then stated that Inframark deferred applying the CPI increase to the District's billing due to the current contract negotiations between Inframark and the District. She then noted that Inframark would not back-bill the District for the five months of base fees that did not include the CPI increase.

- Mr. Konopka then recommended that the Board consider hiring a Financial Advisor for the District to analyze the District's tax rate once a year and to offer advice on what the District's tax rate should be based on the budgetary needs of the District. Director Fabre then requested that the hiring of a Financial Advisor for the District be placed on next month's meeting agenda for further discussion.
- A discussion then ensued regarding bond matters.

Agenda Item No. 10: Convene in executive session.

- The Board did not convene in executive session.

Agenda Item No. 11: Actions related to matters discussed during executive session.

- The Board did not convene in executive session.

Agenda Item No. 12: Such other matters as may come before Board, including:

- (a) Discussion about items to be included on the agenda for future meetings; and
- (b) Schedule future meetings as required.

- Lastly, Director Fabre requested that the following items be placed on the meeting agenda for 17 April 2024: (1) publication of a job vacancy notice for Facility Manager and Administrative Employee; and (2) review committee assignments and create working committees. She then requested that Item 1 also be placed on the 3 April 2024 special meeting agenda.

There being no further business to come before the Board, the meeting adjourned.



(SEAL)


Secretary, Board of Directors