

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

17 April 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 17th day of April 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 Seoung Eun Park, a resident of the District; Makenzi Scales and Stephanie Reese of Inframark, LLC ("Inframark"), the District's Operator and General Manager; Jacob Valentien and Justin Faure of Westwood Professional Services, Inc. ("Westwood"), the District's Engineer; and Cole Konopka of Coats Rose, P.C. ("Coats Rose"), the District's Attorney. Attending the meeting by teleconference were Cara Sliva of Artesian Financial Services ("Artesian"), the District's Accountant; and Tammi Nelson of Coats Rose.

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

- Ms. Park addressed the Board with a public comment to appeal a charge on her account in the amount of \$194.09 due to a water leak at her residence at 1508 Spiderlily View. Director Fabre responded to Ms. Park, stating that the District's Rate Order determines how expenses are billed and that this particular charge was the responsibility of the customer. Ms. Park then asked if the Board would consider reducing the charge and Director Fabre stated that the Board could not reduce the charge but that the Board could offer Ms. Park a payment plan. Director Masters noted that she was in favor of reducing the charge as a show of good faith. A discussion then ensued.
- Motion:** **Authorize the addition of the appeal request submitted by the resident at 1508 Spiderlily View to the agenda for the 15 May 2024 Board meeting.**

Motion by: Director Flores
Second by: Director Masters

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

Agenda Item No. 2: Consent Agenda, including approval of minutes of 20 March 2024 and 3 April 2024.

- Mr. Konopka noted that the minutes of 3 April 2024 would be presented for the Board's approval at the 15 May 2024 Board meeting. The Board then considered approving the minutes of 20 March 2024. Director Masters stated 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 20 March 2024, as presented.**
Motion by: Director Flores
Second by: Director Avila
Ayes: Director Fabre
Director Avila
Director Flores
Director Jones
Abstained: Director Masters

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. Sliva next presented the Accountant's Report and reviewed the District's bills and invoices. She reported that Artesian was in the process of closing the District's bank account with Austin Capital Bank. Ms. Sliva then noted that the District received payment from Texas Municipal League ("TML") in the amount of \$489,661.00 for the insurance claim that was submitted for the Hatch Lift Station project. She added that Check No. 1083 to OmniSite had been voided due to Inframark previously issuing a check to OmniSite for that invoice. Director Fabre then noted various discrepancies in the Accountant's Report, and she requested that Ms. Sliva re-run the Accountant's Report to accurately reflect the payments that were made by the District. She also requested that the revised report be published as an attachment on the District's website under the 17 April 2024 Board meeting. Director Fabre then requested that Artesian hold Check No. 1159 to Inframark in the amount of \$2,872.94 due to an issue regarding penalty charges that were included on the invoice from CubeSmart Self Storage ("CubeSmart") in the amount of \$267.36. Director Fabre then stated that Mr. Konopka offered to contact CubeSmart to discuss reduction of

the penalty charges. Mr. Konopka then requested that Ms. Sliva contact him to discuss issuing a credit to the District for the penalty charges. After discussion, Director Fabre retracted her request to hold Check No. 1159 to Inframark and she stated that she would confirm that a credit was issued to the District at the next Board meeting.

- **Motion:** Authorize payment of the District's bills and invoices in the amount of \$490,485.58.

Motion by: Director Masters
Second by: Director Flores

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

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

- (a) status of Sun Chase Park playscape (Cunningham Recreation);
- (b) status of Sun Chase Park cleanup;
- (c) status of Hatch Lift Station project (Liberty Civil Construction, LLC);
- (d) status of District facilities;
- (e) update on Estimate of Replacement Value for District insurance;
- (f) status of Lead and Copper Rule Revisions project;
- (g) update regarding proposed annexation of Anderson Mill Road by the City of Cedar Park;
- (h) update on development of a Capital Improvement Plan for the District;
- (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 requested an updated schedule for the expected delivery and installation of the playscape equipment from Cunningham Recreation. He reported that he had not received an update from Cunningham Recreation at this time, but that he would relay any updates to the Board as they are received.
- Mr. Valentien next updated the Board on the status of the Sun Chase Park cleanup and tree maintenance. He reported that Scott Sinn of Westwood had met with the Parks Committee to walk Sun Chase Park to determine the necessary scope items for maintenance and beautification of the park. Mr. Valentien then stated that the Parks Committee requested that Westwood assist with the development and implementation of a Request for Proposal ("RFP") for the tree maintenance at Sun Chase Park. He then presented a work order for Westwood to prepare the Sun Chase Park Tree Maintenance RFP in the amount of \$10,000.00 and requested authorization to begin the project.

- Director Masters then noted that there were two proposals included in the General Manager/Operator's Report for the Sun Chase Park cleanup, which she stated did not include any oversight, scheduling, or professional guidance. She further stated that the Board had the option to approve one of the proposals included in the General Manager/Operator's Report or to authorize Westwood to proceed with the project using a more methodical and supervised plan. A discussion then ensued.
- Director Jones then inquired regarding the extent of the Sun Chase Park cleanup, stating that residents have requested to keep the forts at the park. Director Masters and Director Flores stated that there had been no discussion regarding the removal of the forts and that the cleanup plan was to remove dead trees and dangerous limbs. The Board then discussed the District's Five-Year Park Plan in relation to Sun Chase Park.
- **Motion: Approve the work order from Westwood to prepare the Sun Chase Park Tree Maintenance RFP in an amount not to exceed \$10,000.**

Motion by: Director Masters
Second by: Director Flores

Ayes: Director Masters
Director Flores
Director Avila
Director Fabre
Director Flores
- Mr. Valentien next updated the Board on the status of the Hatch Lift Station project. He reviewed correspondence between Westwood, Liberty Civil Construction, LLC ("Liberty Civil"), and Smith & Loveless Inc. regarding the schedule of repairs to the Hatch Lift Station, noting that the electrical control panel was expected to be completed by the end of this week with shipment anticipated for the following week. Director Fabre then recalled that the Accountant's Report reflected that TML issued payment to the District in the amount of \$489,661.00 for the insurance claim that was submitted for the Hatch Lift Station project and she discussed the remaining costs to be paid by the District.
- Mr. Valentien then reported that he had no new updates regarding the status of the District's facilities or on the Estimate of Replacement Value for the District's insurance. Director Fabre stated that the District had received an invoice reflecting the increase in the insurance premium, which she noted was an additional \$482.16 for the remainder of 2024.
- Next, Mr. Valentien updated the Board on the status of the Lead and Copper Rule Revisions project. He stated that Westwood had reviewed the work performed by Gray Engineering, Inc. and had tentatively verified that the information was correct. Mr. Valentien then reported that Westwood had begun researching record drawings to locate areas that have unidentified service line materials, and that Westwood would provide a status update at a future Board meeting. Mr. Valentien further stated that the deadline to report this

information to the Texas Commission on Environmental Quality (the "TCEQ") and to the United States Environmental Protection Agency is 16 October 2024.

- Mr. Valentien then updated the Board on the status of the proposed annexation of Anderson Mill Road by the City of Cedar Park (the "City"). He stated that he sent the Right-of-Way ("ROW") inventory to the City and that the City had acknowledged receipt of the ROW inventory. Mr. Valentien then stated that Westwood would assist Coats Rose with the annexation process as needed.
- Mr. Valentien next presented an update on the development of a Capital Improvement Plan ("CIP") for the District. He stated that in order to compile a complete CIP, Westwood recommended that the District commence in a facility assessment and an asset management plan to ensure that all of the District's assets and facilities are incorporated into the CIP. He then presented examples of what the facility assessment, asset management plan, and CIP will entail. Mr. Valentien then stated that Westwood would present a work order outlining the costs to develop a CIP for the District for the Board's consideration at the 15 May 2024 Board meeting. He added that, upon authorization, Westwood would prepare a draft of the CIP and meet with the Infrastructure Committee to review the draft CIP and the inventory of the District's assets to understand what the list of recommended projects might be, and the costs for those projects.

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

- (a) report on operation of the District facilities;
 - (b) discuss and authorize any repairs, maintenance items, or other work deemed necessary;
 - (c) update on El Salido Parkway streetlight repair;
 - (d) update on agreement with Badger Meter, Inc. and discuss status of installation of endpoints;
 - (e) status of insurance claims filed on behalf of the District;
 - (f) status of District's Phase II MS4 Permit;
 - (g) update on proposals for audio visual repairs;
 - (h) update on total hours worked by the Williamson county Precinct 2 Constable's Office deputies;
 - (i) update on household hazardous waste pickup service for residents; and
 - (j) status of removal of monument sign on El Salido Parkway.
- Ms. Scales next presented the General Manager/Operator's Report. She reported that the District's water accountability was 91% for the month of March 2024.
 - Ms. Scales then updated the Board on the Waste Management, Inc. ("WM") At Your Door Special Collection Program for household hazardous waste pickup. She reported that WM informed Inframark that the additional service would require a one-year agreement between the District and WM. Ms. Scales then reviewed correspondence from WM regarding their annual Consumer Price Index ("CPI") rate adjustment.
 - Next, Ms. Scales updated the Board on ongoing park projects in the District. She stated that, as previously mentioned during the meeting, Inframark solicited the following two proposals for the Sun Chase Park cleanup: (1) a proposal from LandCare to remove dead or broken branches, clean up underbrush, and haul away and dispose of debris at Sun

Chase Park in the amount of \$2,340.00; and (2) a proposal from ecoSystems Landscape Services to remove accumulated debris including fallen limbs, broken and hanging branches, and underbrush at Sun Chase Park in the amount of \$2,836.36. Ms. Scales then stated that no action was needed on the two proposals due to the Board authorizing Westwood to prepare an RFP for the tree maintenance at Sun Chase Park. Ms. Scales further stated that the scope of services in the RFP included the debris cleanup covered in the two proposals.

- Ms. Scales next gave a status update on the removal of the monument sign on El Salido Parkway. She presented a proposal from Southwest Monument & Sign to remove the existing sign in the amount of \$3,255.00. A discussion ensued with a determination that the sign remain in place until such time as the Board purchases a new sign to be placed in a less vulnerable location.
- Next, Ms. Scales updated the Board on the status of the El Salido Parkway streetlight repair. She stated that she contacted Pedernales Electric Cooperative, Inc. and they provided her with a pole number for 3405 El Salido Parkway and confirmed that the location belongs to the City of Cedar Park, and not the District. Ms. Scales further confirmed that there had been an additional pole at that location around 2007.
- Ms. Scales then updated the Board regarding the audio-visual equipment used for District meetings. She stated that she followed up with Touchstone District Services ("Touchstone") regarding the District's request for its own YouTube channel and that she was informed that Touchstone was in the process of switching services from YouTube to Vimeo, Inc. ("Vimeo"). She added that Touchstone was unable to provide a cost estimate for the District to create its own Vimeo channel at this time. Ms. Scales also reported that Touchstone did not recommend the use of the Owl Labs system because it was initially set up for educational purposes. She then said that Touchstone offered to attend a future Board meeting to discuss other options with the Board. Director Fabre stated that she would investigate which company set up the current audio-visual meeting equipment.
- Ms. Scales next reported on the status of the District's Quarter 1 park inspections, stating that the inspection reports had been received from ParkPro Tek and forwarded to the Parks Committee for review. She added that ParkPro Tek would provide proposals for some of the repair items listed in the inspection reports. Ms. Scales then noted that she did not believe that any mulched surfaces were noted as being Priority 1 hazards. Director Fabre then requested that Ms. Scales share with the Board the list of the Priority 1 and Priority 2 items that are being repaired on a monthly and quarterly basis.
- Next, Ms. Scales provided an update on the power washing of the District's masonry walls. She stated that she had researched the District's records as far back as 2012 and that she was not able to locate any work orders submitted by Inframark for power washing the District's masonry walls.
- Ms. Scales next reported that a streetlight survey was conducted on 12 March 2024 and that all streetlights were functioning properly at that time.

- Then Ms. Scales informed the Board that Inframark received a request for a payment plan from a resident at 1303 Lantana Lane. She further reported that the resident paid the outstanding balance on her water bill on 17 April 2024 and that the payment plan may no longer be needed. A discussion then ensued regarding the resident's account history. Director Fabre noted that, per the District's Rate Order, Inframark was authorized to place the resident on a three-month payment plan if needed.
 - Next, Ms. Scales stated that she had received questions from a Director concerning the Billing Summary attached to the General Manager/Operator's report. Ms. Scales directed the Board's attention to an updated Billing Summary, which she stated now contains accurate calculations.
 - Ms. Scales then presented the letter from TML regarding the insurance payout for the Hatch Lift Station claim as discussed earlier in the meeting.
 - Ms. Scales next reported that the electronic card readers on the doors at the District's building at The Park at Lakeline Oaks were no longer working. She stated that Inframark was now required to lock and unlock the doors manually, which may cause the District to incur overtime charges. Ms. Scales reported that the current card reading system is outdated and would require the use of a new cloud-based system to remedy the issue. She then presented a proposed Sales Agreement between the District and Oracle Security Solutions ("Oracle") to remove the current system and install the new cloud-based system in the amount of \$3,019.00, with an additional maintenance cost of \$15.00 per door, per month. Director Fabre asked if Oracle could send the District's invoices directly to Artesian for payment and Ms. Scales stated that she would contact Oracle regarding this matter. Director Fabre also requested that the District's Attorney review the Sales Agreement.
 - **Motion: Approve the Sales Agreement between the District and Oracle, subject to review by the District's Attorney.**
- Motion by: Director Masters**
Second by: Director Flores
- Ayes: Director Masters**
Director Flores
Director Avila
Director Fabre
Director Flores
- Ms. Scales next presented a proposal from LandCare to remove broken branches from a tree located at 1200 Old Mill Park. She stated that the broken branches were overhanging a resident's fence at 1100 Bourne Drive and a discussion ensued.
 - **Motion: Approve the proposal from LandCare to remove the broken branches from a tree located at 1200 Old Mill Park in the amount of \$325.00.**

Motion by: Director Masters
Second by: Director Flores

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

- Finalizing her report, Ms. Scales reported that there were two remaining checks that had not been collected by residents for the refunding of customer deposits in excess of \$200.00, despite her numerous attempts to contact the residents. She further stated that she had attempted to personally deliver the checks to the residents after hours, but that the residents were not home at that time. Ms. Scales then requested the Board's authorization to have Artesian void the two checks and issue credits to the two accounts for the deposit refund amounts. Director Fabre stated that since the checks were written six months ago, she would first like to review the account history of the two accounts. She then requested that the Board continue this discussion at the 15 May 2024 Board meeting.
- Ms. Scales then inquired if the Board was interested in pursuing the WM's At Your Door Special Collection Program for household hazardous waste pickup as discussed earlier in the meeting. Director Fabre stated that this matter would be addressed later in the meeting.
- The Board then discussed the monument sign on El Salido Parkway. Director Jones stated that she believed the monument sign should be left in place until the Board decided to replace the sign since the sign is still standing. Director Fabre agreed that it would be more economical to remove the sign at the time of replacement and that the sign still served a purpose for the District. She further noted that the sign was missing the letter "E" and Director Jones requested that Ms. Scales provide a cost estimate to replace the missing letter. Director Fabre then recommended that replacement of the sign be added to the Infrastructure Committee's list of projects.
- A discussion then ensued regarding the El Salido Parkway streetlight repair. Ms. Scales stated that according to the Williamson County Central Appraisal District map, the streetlight location did not fall within the boundaries of the District and instead was located on property owned by the City. Mr. Konopka stated that he would contact the City regarding this matter.
- Next, Director Fabre requested an update on the status of the Master Service Agreement ("MSA") between the District and Badger Meter, Inc. and Mr. Konopka noted that he was still in the process of reviewing the MSA.
- Director Fabre then requested an update on the status of the District's Phase II Municipal Separate Storm Sewer Systems ("MS4") General Permit. Ms. Scales reported that this item has been deferred until the TCEQ completes the process to renew the Texas Pollutant

Discharge Elimination System Phase II MS4 General Permit, which she noted has been delayed until August 2024.

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 complaint;
- (c) Information Management Committee; and
- (d) review committee assignments and create working committees.

- Director Fabre next asked Ms. Scales if an Inframark technician could clean the barbeque grills at all of the parks that have grills.
- Director Masters stated that there were no new complaints submitted to the Deed Restriction Committee ("DRC"). She then reported that the DRC received an inquiry from a resident in Anderson Mill West regarding the temporary placement of a Portable On Demand Storage ("PODS") container in the street, stating that PODS was requiring permission for the PODS container to be placed in the street. Mr. Konopka then stated that the deed restrictions for Anderson Mill West do not prevent temporary obstructions in the street and that the District has no authority to approve or deny the request.
- Director Fabre then requested that Ms. Scales coordinate with Touchstone to update the link on the District's website concerning Nonenforcement of Deed Restriction Decisions by the Board.

Agenda Item No. 7: Old business, including account status and repairs by the property owner of 1501 Black Cherry Drive.

- Next, Director Fabre reported that she drove by the property at 1501 Black Cherry Drive and it did not appear that any repairs had been made at that time. Mr. Konopka stated that he would send additional correspondence to the property owner regarding the status of repairs to the residence.

Agenda Item No. 8: New business, including:

- (a) discuss Request for Qualifications (RFQ) for a financial advisor for the District;
- (b) consider annual Consumer Price Index (CPI) increase from Waste Management, Inc;
- (c) discuss appeal request from resident on Pepper Grass Trail;
- (d) discuss hiring of Special Counsel/Contracts;
- (e) discuss publication of job vacancy notices for facility manager and administrative employee, and take necessary action; and
- (f) consider request from resident to engage in a payment plan for 1303 Lantana Lane.

- Then Mr. Konopka stated that he would contact various financial advisors that may be interested in contracting with the District to provide services related to the review and analysis of the District's tax rate on an annual basis.
- Director Fabre then recalled that correspondence regarding WM's annual CPI rate adjustment was presented under the General Manager/Operator's Report. She noted that the annual CPI rate adjustment is included in the Solid Waste Collection Agreement between the District and WM, and that the provision is non-negotiable. Ms. Scales then stated that the rate for collection services would increase 6.05% over the District's current monthly service fee from \$21.73 to \$23.04, and from \$19.44 to \$20.62 for senior residents. Director Fabre then suggested that the Board consider increasing the District's basic service fee for the 2024-2025 budget year.
- The Board next discussed the appeal request submitted by the resident on Pepper Grass Trail for the non-routine fee of \$194.09. Director Fabre noted that the District's Rate Order clearly states that non-routine service fees would be the responsibility of the customer. The Board then considered amending the District's Rate Order to state that all appeals are subject to the Board's discretion. A discussion ensued.
- **Motion: Authorize the District's Attorney to draft an amended Rate Order for the Board's review at the 15 May 2024 Board meeting.**

Motion by: Director Masters
Second by: Director Avila

Ayes: Director Masters
Director Avila
Director Jones
Director Flores

Noes: Director Fabre

- The Board then concurred to defer action on the appeal request submitted by the resident on Pepper Grass Trail until the 15 May 2024 Board meeting. Then Mr. Konopka recommended that Ms. Scales notify the resident that the Board voted to defer action on the appeal request and to request that the resident pay their water bill on time to avoid accumulating any additional penalty fees on the account.
- Director Fabre next stated that she was seeking legal advice from the District's Attorney regarding the hiring of special counsel for potential litigation. She noted that this matter would be discussed in executive session.
- Next, Director Fabre stated that she drafted the job vacancy notices for a Facility Manager and an Administrative Employee for the District. She recommended that the Board defer

discussion regarding the job vacancy notices until the 15 May 2024 Board meeting. Director Fabre also suggested that the Board defer the hiring process until Inframark's departure date has been determined. Director Jones inquired regarding the Board's decision to terminate the District's contract with Inframark at the 3 April 2024 Board meeting and a discussion ensued. Director Jones then requested that Mr. Konopka add an agenda item to revisit the discussion regarding the termination of Inframark at the 15 May 2024 Board meeting.

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) discuss termination of Inframark, LLC.**

- Mr. Konopka next updated the Board on the proposed annexation of Anderson Mill Road by the City. He recalled that the Board had previously authorized Westwood to compile a list of the District's assets contained within the ROW on Anderson Mill Road and that the list was provided to the City to be incorporated into a License Agreement between the District and the City. He added that the License Agreement would allow the District and the District's employees to enter onto the property located within the ROW to perform routine maintenance and make repairs to the District's facilities as needed. Mr. Konopka then presented the License Agreement for the Board's review and approval, along with a Resolution Consenting to Annexation by the City of Cedar Park, Texas, of a Portion of Anderson Mill Road Roadway and Right-Of-Way (the "Resolution").
- Mr. Konopka next discussed the Board's decision to terminate the District's contract with Inframark at the 3 April 2024 Board meeting. He noted that the Amended Operation and Maintenance Agreement requires a 180-day termination notice and that the Board had requested that Inframark waive the required notice period. He further stated that Inframark declined to waive the notice period and that Inframark would remain a consultant for the District until 30 September 2024.

- **Motion: Approve the License Agreement between the District and the City and adopt the Resolution.**

Motion by: Director Flores

Second by: Director Fabre

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

Noes: Director Jones

Agenda Item No. 10: Convene in executive session.

- The Board convened in executive session at 9:05 pm.

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

- The Board reconvened in open session at 10:00 p.m.
- Director Fabre then read a statement concerning Director Avila violating his own deed restrictions by having chickens in his backyard. She then recommended that Director Avila step down from the DRC and a discussion ensued. Director Avila stated that he was in the process of gathering signatures to amend the deed for his section to allow for backyard chickens.

- **Motion: Keep the members of the Deed Restriction Committee as is.**

Motion by: Director Masters
Second by: Director Jones

Ayes: Director Masters
Director Jones
Director Avila
Director Flores

Abstained: Director Fabre

- Lastly, the Board discussed an email received from a resident to Director Jones.

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

(SEAL)




Secretary, Board of Directors