

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

17 January 2024

STATE OF TEXAS

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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 January 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 Maria Repria Augustino, Chris Bunton, and Tina Flores, residents of the District; Makenzi Scales 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 and Ashleigh Bass of Artesian Financial Services, 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.

- Ms. Augustino addressed the Board with a public comment to report possible violations of deed restrictions in the District. Director Fabre then requested that Ms. Augustino submit her complaints and supporting documentation through the District's website for the Board's consideration.
- Mr. Bunton also addressed the Board with a public comment to report possible violations of deed restrictions in the District. He stated that photographs of the reported incidents were submitted through the District's website. Director Fabre then noted that the Board would review the information submitted.

Agenda Item No. 2: President's Report.

- Director Fabre commended the Board on the continued success of the District since February 2023. She also discussed the goals of the District for the year 2024, including completion of the Hatch Lift Station project and ensuring that all of the District's parks are in compliance with the Texas Health and Safety Code.

Agenda Item No. 3: Consent Agenda, including approval of minutes of 13 December 2023.

- The Board then considered approving the minutes of 13 December 2023. Mr. Konopka noted that Coats Rose was in the process of revising the minutes according to the comments received from Director Fabre and Director Masters.

- **Motion: Approve the minutes of 13 December 2023, as revised.**

Motion by: Director Masters
Second by: Director Avila

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;
- (b) status of Hatch Lift Station project;
- (c) status of District facilities;
- (d) review of Estimate of Replacement Value for District insurance;
- (e) status of Lead and Copper Rule Revisions project;
- (f) update on other matters, as needed; and
- (g) Infrastructure Committee report.

- Mr. Valentien next reviewed the Engineer's Report with the Board. He updated the Board on the status of the Request for Proposals for the Sun Chase Park playscape. Mr. Valentien then reported that Westwood received three bids from the following playground contractors: Cunningham Recreation, The PlayWell Group, Inc., and Lea Park & Play, Inc. Director Fabre stated that the Parks Committee reviewed the three bids and recommended that the Board accept the bid from Cunningham Recreation in the amount of \$96,110.06.

- **Motion: Accept the bid from Cunningham Recreation for the Sun Chase Park playscape in the amount of \$96,110.06.**

Motion by: Director Masters
Second by: Director Flores

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

Nos: **Director Jones**

- Mr. Valentien next updated the Board on the status of the Hatch Lift Station project. He explained that the delivery date for the project equipment had been postponed until 1 March 2024.
- Mr. Valentien then reported that Westwood participated in a tour of the District’s facilities led by Inframark on 4 January 2024. He stated that Westwood would coordinate updates to the District’s insurance policies as needed.
- Mr. Valentien then updated the Board on the status of the Lead and Copper Rule Revisions (“LCRR”) project. He reported that Westwood was reviewing the files and records provided by Gray Engineering, Inc. (“Gray Engineering”) for the efforts extended on the LCRR project thus far. Mr. Valentien added that Westwood would update the required Form 2943 as necessary and submit a copy to the Texas Commission on Environmental Quality (the “TCEQ”) and the United States Environmental Protection Agency by 16 October 2024. He then presented a work order for Westwood to perform the remaining work on the LCRR project in the amount of \$24,500.00. Mr. Valentien noted that the work order did not require Board action at this time.
- Mr. Valentien then stated that Westwood was coordinating with Inframark to make any necessary revisions to the District’s Stormwater Management Plan and Phase II MS4 Annual Report.
- Mr. Valentien then noted that Westwood submitted documentation to the District’s Auditor in response to their request on 3 January 2024.
- The Board then discussed the monument sign on El Salido Parkway and considered authorizing Westwood to research replacement options for the damaged monument sign, taking into consideration any future plans of the Texas Department of Transportation for the surrounding areas of the monument sign. Mr. Valentien stated that the estimated cost for Westwood to perform the work would be between \$1,200.00 and \$1,500.00.
- **Motion:** **Authorize Westwood to research options to remove or replace the damaged monument sign on El Salido Parkway in an amount not to exceed \$1,200.00.**

Motion by: **Director Jones**
Second by: **Director Avila**

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

Nos: **Director Flores**

- Next, Mr. Valentien discussed the water flow in the Sun Chase trickle channel. He presented maps that were previously prepared by Gray Engineering of the storm sewer utilities in the Sun Chase trickle channel. Mr. Konopka then noted that he scheduled a meeting with Director Fabre and the attorney for the City of Cedar Park (the "City") on 1 February 2024. He stated that he would bring the water flow issue to the City's attention during the meeting.
- Mr. Valentien then presented an updated Hourly Rate Schedule reflecting an increase in Westwood's hourly rates for the year 2024, effective 1 January 2024.
- Director Jones then inquired regarding the installation of a second Park West sign. Director Fabre stated that the request to install a second Park West sign would be added to the Infrastructure Committee's list of projects to be considered. Director Jones also inquired regarding Westwood's investigative findings on the new lights that were installed on the building behind London Lane Pond. Director Fabre requested that Mr. Valentien check the notes provided by Gray Engineering to confirm the developer's plans to construct a fence or wall around the building to block the lights.
- Director Fabre then recommended that the Infrastructure Committee develop a plan to assist with budgeting for current and future infrastructure projects.

Agenda Item No. 5: Accountant's Report, including:

- (a) review of payments on current not-to-exceed expenditures;
- (b) payment of bills and invoices; and
- (c) Budget Committee report, including amend budget for the fiscal year ending 30 September 2024.

- Ms. Silva next presented the Accountant's Report and reviewed the District's bills and invoices.
- The Board then discussed the budget for the fiscal year ending 30 September 2024.
- **Motion: Authorize payment of the District's bills and invoices in the amount of \$427,283.12.**

Motion by: **Director Masters**
Second by: **Director Avila**

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

Agenda Item No. 6: General Manager / Operator's Report, including:

- (a) adopt Amended Rate Order if necessary;
- (b) discuss streetlight at The Enclave;
- (c) status of monument sign on El Salido Parkway;
- (d) status of Sun Chase trickle channel flow; and
- (e) status of insurance claims filed on behalf of District.

- Next, Ms. Scales reviewed the General Manager/Operator's report with the Board. She discussed certain issues regarding the District's water accountability and informed the Board that Inframark was in the process of switching out the technician that conducts the District's water meter readings. Ms. Scales then reported on the number of terminations associated with failure to pay for water services by the due date.
- Ms. Scales next updated the Board on ongoing and future park projects in the District. She reported that the tennis court card readers had been repaired at Anderson Mill West Park. Ms. Scales presented proposals from B.C. Fence LLC and FenceMaxx to repair the chain link fence at Anderson Mill West Park. She noted that both proposals were in the amount of \$985.00.
- **Motion:** **Accept the proposal from FenceMaxx to repair the chain link fence at Anderson Mill West Park in the amount of \$985.00.**

Motion by: **Director Masters**
Second by: **Director Avila**

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

- Ms. Scales then presented proposals from CourTex Construction, Inc. and My Backyard Sports for the resurfacing of the pickleball and tennis courts at Anderson Mill West Park. The Board requested that Ms. Scales prepare a spreadsheet with a breakdown comparison of each proposal for the Board's review at the next Board of Directors meeting.
- Ms. Scales then noted that LandCare and Inframark had concluded winterization efforts for the District.

- Then Ms. Scales presented proposals from Hollywood Powers Electric, LLC and M&C Electric, Inc. (“M&C”) to replace the streetlights on Little Elm Trail and at The Enclave on El Salido Parkway. Director Fabre noted that M&C’s proposal only included the replacement of the streetlight on Little Elm Trail. Ms. Scales stated that she would request an updated proposal from M&C to include the replacement of the streetlight at The Enclave. Director Flores then expressed concerns regarding the request to replace the streetlight at The Enclave and a discussion ensued.
- Next, Ms. Scales reported that Inframark completed all submittals to the Federal Emergency Management Agency (“FEMA”) and to the Texas Historical Commission as of 16 January 2024. She noted that the total cost submitted to FEMA was \$138,000.00 and that the expected payout amount was estimated to be \$103,000.00.
- Ms. Scales then stated that she would present a redline of Inframark’s recommended amendments to the District’s Consolidated Rate Order at the next Board of Directors meeting.
- Ms. Scales then informed the Board that a leak had been reported at Little Elm Pond. She noted that repairs were underway.
- Ms. Scales next updated the Board on the status of insurance claims filed on behalf of the District. She stated that Inframark was in the process of uploading documentation through the Texas Municipal League (“TML”) portal. Ms. Scales added that TML would review the documentation and assess the final payout amount for the insurance claims. The Board then discussed the fire hydrant that was struck by a vehicle. Mr. Konopka stated that he would contact the driver’s insurance company to request payment for the damage.
- Ms. Scales then reported that the District received bids from ParkPro Tek, T.F. Harper & Associates LP (“T.F. Harper”), LandCare, and Whittlesey Landscape Supplies to replenish the engineered wood fiber mulch at the District’s parks. She then discussed the differences among the four bids and noted that the lowest bid received was from T.F. Harper in the amount of \$29,706.67. The Board then expressed concerns regarding the amount of cubic feet of mulch listed in the bid from T.F. Harper. Ms. Scales stated that she would get written confirmation from T.F. Harper of their guarantee that the completed work would pass an inspection.
- **Motion:** **Approve a not-to-exceed amount of \$58,500.00 to replenish the engineered wood fiber mulch at the District’s parks and accept the bid from T.F. Harper in the amount of \$29,706.67, subject to Inframark obtaining written confirmation of T.F. Harper’s guarantee that the completed work would pass an inspection.**

Motion by: **Director Masters**
Second by: **Director Flores**

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

- Director Masters then asked about the delinquent door tags that were hung at the elementary schools in the District. Ms. Scales noted that the Leander Independent School District (“LISD”) could not be excluded from the delinquent notification process; however, she assured the Board that the water provided to LISD schools would never be disconnected due to late payment. Ms. Scales also noted that Inframark was developing a new billing system that would include additional steps to notify delinquent customers of their late payments. The Board then considered amending the District’s Consolidated Rate Order for customers who use over 100,000 gallons per month.

Agenda Item No. 7: Committee Assignments and Reports, including:

- (a) Parks Committee, including discuss and possibly approve amended Park and Pond Rules and Regulations;
- (b) Deed Restriction Committee, including discuss and possibly adopt new deed restrictions policy; and
- (c) Information Management Committee.

- Next, Director Masters presented a proposal from CertaPro Painters of Austin (“CertaPro Painters”) for the painting and staining of the two gazebos at The Park at Lakeline Oaks (“Gazebos Nos. 1 and 2”), the foot bridge at Madeline Loop Pond (“Foot Bridge No. 1”), and the foot bridge at Anderson Mill West Pond (“Foot Bridge No. 2”). The Board then considered excluding the painting of Foot Bridge No. 2 due to needed repairs. The Board requested that Ms. Scales ask CertaPro Painters for an updated proposal to include the cost to repair Foot Bridge No. 2 and exclude the cost to paint and stain Foot Bridge No. 2.

- **Motion:** **Accept the proposal from CertaPro Painters to stain and repair Gazebos Nos. 1 and 2 and Footbridge No. 1 in an amount not to exceed \$10,375.00, and to exclude the cost to paint and stain Foot Bridge No. 2.**

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

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

- Director Masters then reported that all of the District’s playgrounds were inspected. She requested that Inframark review the inspection report to summarize the Priority 1 and Priority 2 concerns and solicit bids to repair and replace those items for the Board’s review at the next Board of Directors meeting.
- The Board then discussed the proposed Park and Pond Rules and Regulations for the District.
- **Motion: Adopt the proposed Park and Pond Rules and Regulations, effective 17 January 2024, subject to finalization by Coats Rose.**

Motion by: Director Masters
Second by: Director Flores

Ayes: Director Masters
Director Flores
Director Fabre
Director Avila

Nos: Director Jones

- Director Avila and Director Masters next updated the Board on the status of incidents related to deed restriction violations in the District. Director Fabre then recommended that the Deed Restriction Committee review the documentation provided by Ms. Augustino and Mr. Bunton in connection with their respective complaints and determine a plan of action if necessary. The Board then reviewed and discussed the proposed Order Enforcing Deed Restrictions.
- **Motion: Adopt the proposed Order Enforcing Deed Restrictions, as presented.**

Motion by: Director Masters
Second by: Director Avila

Ayes: Director Masters
Director Avila
Director Fabre
Director Flores

Nos: Director Jones

Agenda Item No. 8: Old business;

- There was no discussion on this agenda item.

Agenda Item No. 9: New business, including authorize execution of vehicle contract with the Williamson County Precinct 2 Constable's Office.

- Mr. Konopka then presented a Standard Agreement with Local Governmental Entity Regarding Off-Duty Contracting of County Constable Deputies (the "Agreement") between the District and the Williamson County Precinct 2 Constable's Office. He noted that the Agreement reflected an increase in deputies' vehicle usage rate to \$13.00 per hour, per vehicle.
- Ms. Scales then reviewed correspondence from the City stating that on 14 December 2023 the City approved adjustments to the water and sewer rates charged to all customers. She noted that the District's new volumetric rate per 1,000 gallons will be \$4.75 for water and \$3.99 for wastewater, effective 1 February 2024. The Board then considered amending the District's Rate Order to include pass-through verbiage stating that the District will match the water and sewer rates set by the City, plus ten percent.
- **Motion: Adopt an amended Rate Order to include pass-through verbiage stating that the District will match the water and sewer rates set by the City, plus ten percent.**
Motion by: Director Masters
Second by: Director Jones
Ayes: Director Masters
Director Jones
Director Fabre
Director Avila
Director Flores

Agenda Item No. 10: Attorney's Report, including:

- (a) status of eminent domain reporting to the Texas Comptroller (due 1 February 2024);
- (b) annual review of District's Investment Policy and Investment Strategies and adopt Resolution evidencing same; and
- (c) discuss annexation of Anderson Mill Road.
- Next, Mr. Konopka reported that Coats Rose will file with the Texas Comptroller the annual report for the District containing certain information relating to the District's eminent domain authority pursuant to Senate Bill 1812 as approved by the 84th Texas Legislature – Regular Session 2015.
- The Board then reviewed the District's investment strategies and the strategies for each of the District's accounts, pursuant to the requirements of the Public Funds Investment Act. Mr. Konopka presented a Resolution Evidencing Review of Investment Policy and Investment Strategies (the "Resolution"), along with the List of Authorized Brokers included as Exhibit "A" to the Resolution.

- **Motion: Adopt the Resolution, as presented.**

Motion by: Director Fabre
Second by: Director Avila

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

- Mr. Konopka then discussed the proposed annexation of Anderson Mill Road into the City's boundaries. He presented a map of Anderson Mill Road and explained that the road passes through the boundaries of the City, Travis County, and the District. Mr. Konopka stated that the City's goal is to obtain control of the entirety of Anderson Mill Road to allow for a more cohesive traffic control system. He also reported that Travis County has approved the annexation request to convey its portion of Anderson Mill Road over to the City. Mr. Konopka then recalled that he has a meeting scheduled with Director Fabre and the attorney for the City on 1 February 2024 to discuss annexation matters.
- Director Fabre then asked about the possibility of the City performing water meter readings for the District and issuing water bills directly to District customers. After discussion, the Board authorized Coats Rose and Westwood to attend the meeting with the City along with Director Fabre to discuss this matter further.

Agenda Item No. 11: Convene in executive session.

- The Board convened in executive session at 10:10 p.m.

Agenda Item No. 12: Actions related to matters discussed during executive session.

- The Board reconvened in open session at 11:21 p.m. and took no action.

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



Kelley Maden
Secretary, Board of Directors