

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

17 July 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 July 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:

Hanoi Avila	President
Linda Fabre	Treasurer
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 Sylvia Lopez and Cynthia Kimble, residents of the District; Makenzi Scales of Inframark, LLC ("Inframark"), the District's Operator; and Jacob Valentien of Westwood Professional Services, Inc. ("Westwood"), the District's Engineer. Attending the meeting by teleconference were Cole Konopka of Coats Rose, P.C. ("Coats Rose"), the District's Attorney; 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. Lopez addressed the Board with a public comment concerning the 19 June 2024 Board meeting. She stated that she was appalled when three Board members voted to remove Director Fabre from the Billing and Invoice Committee and then voted for Director Jones and Director Avila to assume that role. She then stated that the District's vendors work for the District and not the other way around. She inquired whether certain Board members supported payment without scrutinization because it is easier. Ms. Lopez then stated that the same three Board members voted to remove Director Fabre as President of the Board of Directors and appoint Director Avila as President. She stated that she had issues with Board members being hypocritical and asked Director Avila why he would be a better President when he does not hold himself accountable. She further questioned whether a resident could put forth a deed restriction violation complaint against a Board member. Director Flores responded that the deed enforcement is not governed by rules, but by policy. He then stated that the policy states that any resident could put forth a complaint against any property in their own section. Director Masters concurred with

Director Flores' explanation. Director Masters then asked Ms. Lopez why she cared since she did not live near Director Avila's chickens.

- Ms. Kimble then addressed the Board with a public comment stating her concern about water. Ms. Kimble stated that it seemed that the Board's focus is not on water and wastewater. She then stated her concern with regard to spending money without knowing the costs of maintaining lift stations and future repairs. She further stated her recommendation that the District hire a business coach to assist with the Board getting along with one another.

Agenda Item No. 2: Consent Agenda, including approval of minutes of 19 June 2024.

- **Motion: Approve the minutes of 19 June 2024, as corrected.**

Motion by: Director Fabre
Second by: Director Masters

Ayes: Director Flores
Director Avila
Director Fabre
Director Masters

Noes: Director Jones

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

- (a) payment of bills and invoices;
- (b) review of payments on current not-to-exceed expenditures;
- (c) status of five-year transaction history from Austin Capital Bank;
- (d) review draft budget for the District for Fiscal Year ending 30 September 2025; and
- (e) unclaimed property.

- Ms. Sliva next presented the Accountant's Report and reviewed the District's bills and invoices, including Summary of Funds, Cash Flow statements and Actual versus Budget report. Ms. Sliva reported that Artesian did not write a check to Badger Meter ("Badger") because Badger owes the District a credit and that Artesian is holding the Badger invoice for payment. Ms. Sliva reported that the District is ahead this fiscal year on the budget in the amount of \$756,817.00.

- **Motion: I move that the bills and invoices for this month not be paid because they were not included in the Board packet for review.**

Motion by: Director Fabre
Second by: Director Flores

Ayes: Director Fabre

Director Flores

**Noes: Director Jones
Director Avila
Director Masters**

- Director Jones stated that due to the natural disaster that occurred recently in Houston that Artesian had been without power and without a way to upload information to the Board Packet. She then stated that a natural disaster should not be a reason to not pay bills. Director Flores stated that because of a natural disaster the Board does have a reason to hold payment and that it would be irresponsible for the Board to approve payment of bills and invoices without prior review. He then stated that the Board could hold a special meeting in a week or two to pay the bills and invoices once the Board has received and reviewed the bills and invoices.
- Director Fabre stated that the Board Packet should contain bills, invoices, payroll for the Constables, Fees of Office payment requests for Directors and an accurate bookkeeper's report. She then stated that all of the material for the Accountant's Report for the Board Packet is due five (5) business days prior to a Board meeting. Director Fabre further stated that as of 4:00 p.m. on the evening of 17 July 2024 the Accountant's Report was completely devoid of any material that would allow a vote to pay the District's bills and invoices or approve any part of the Accountant's agenda item. She then stated that a vote to pay any invoices that had not been verified by the Board would be irresponsible. Director Fabre stated that she has no confidence in a Billing and Invoice Committee recommendation when both members have failed to place the information for consideration into the Board Packet. She then stated that approving without verification is merely rubber-stamping and that she would not do that because of the number of errors made by Artesian during the course of their employment with the District. Director Fabre then stated that before the meeting she quickly flipped through the stack of checks sitting on the dais. She then stated that the Inframark invoice number 1155855 had no receipts attached and is almost \$10,000.00. She further stated that Waste Management of Texas, Inc.'s ("Waste Management") invoice had gone up \$2,444.71 without an explanation. She then stated that there are two refund deposit checks in the Board Packet that are almost \$1,000.00 that require verification and that the deposit holder names were redacted. Ms. Scales stated that the increase in the Waste Management invoice was due to a Consumer Price Index ("CPI") increase which the Board had previously approved.
- Director Flores inquired when the Billing and Invoice Committee received the bills and invoices. Director Avila stated the Billing and Invoice Committee had received the bills and invoices by email at 11:30 a.m. on 16 July 2024 and then had a second meeting with Artesian at 4:00 p.m. on that same day to go over everything in the Board Packet. Director Flores then stated that the Accounting Report should have been uploaded on Tuesday so that the Board would have had at least one full day to review. Director Fabre then stated that in the last five months, she had uploaded the bills and invoices for Artesian and that Artesian had never uploaded their own Board Packet.

- Director Avila then requested a total amount of the invoices to be paid. Ms. Sliva replied that the total amount of invoices to be paid is \$317,021.42. Mr. Konopka then asked if the total amount of invoices included payment to Liberty Civil Construction, LLC ("Liberty Civil"). Ms. Sliva then stated that Artesian had received a request from Mr. Konopka and Mr. Valentien to issue a check to Liberty Civil but Artesian had not received a pay application. Ms. Sliva then stated that a check will be made out to Liberty Civil once Mr. Konopka and Mr. Valentien approve payment. Mr. Konopka then stated that last month the Board had approved a Pay Application from Liberty Civil but deferred submitting payment until a potential lien could be reviewed by the District's legal counsel. Mr. Konopka reported that he had been in contact with Mr. Valentien and the contractor for Liberty Civil who confirmed that no lien had been placed on Liberty Civil. Mr. Konopka then stated that the District's payment to Liberty Civil will be used to pay the subcontractor to ensure that no lien is placed on Liberty Civil.
- Director Jones then stated that our District would like to keep the water on and that if there is a fire somewhere that the District would like Emergency Medical Services ("EMS") to respond to the fire.
- Director Fabre then reiterated that the bills and invoices in the Board packet are incomplete and missing backup receipts and that the Billing and Invoice Committee had approved the invoices without the backup receipts in violation of public finance laws. She then stated that she is requesting that all backup receipts be uploaded to the Board Packet so that the receipts can be annotated by her for the benefit of the auditor. Director Avila then stated that backup receipts will be uploaded to the Board Packet. Director Masters then stated that ever since she has been on the Board, it had always been the practice of the Board to defer to the Billing and Invoice Committee. She then stated that she was following the Board's prior precedent and would follow the Billing and Invoice Committee's recommendation. She further stated that she does not feel it is fair to deny the Board's contractors to be paid for work performed because a mistake was made. She further stated that for next month, that she would like to see the invoices and bills be uploaded to the Board Packet in time for a full review from the Board.
- **Motion: Authorize payment of the District's bills and invoices in the amount of \$317,021.42.**
Motion by: Director Jones
Second by: Director Masters

Ayes: Director Jones
Director Avila
Director Masters

Noes: Director Flores
Director Fabre

- A Board discussion ensued regarding the report sent by Austin Capital Bank. Director Jones stated that it was brought to the attention of the Billing and Invoice Committee shortly before the Board meeting on 17 July 2024, that Director Fabre had contacted the District's auditor, McCall Gibson, to request that the auditor contact Austin Capital Bank for the account statement history at no charge to the District. She then stated that the action taken by Director Fabre circumvented a past Board motion. Director Jones further stated that actions of this nature can end up causing the District to incur more costs from the District's vendors and consultants. She then stated that no Board member should ask for any vendor to perform a request for free and that it insinuates that this District is not willing to pay consultants for work that is performed.
- Director Fabre then stated that the meeting minutes from last month's Board meeting reflect that Ms. Sliva instructed her to check with the auditors for the bank records from Austin Capital Bank because the Board did not approve any expenditure to gather those records. She then stated that she was instructed to contact the auditor. Director Fabre further stated that she did not make a telephone call to the auditor and request that he obtain any records. She then stated that she sent an email to the auditor for any statements they have from last year's audit, and that the auditor responded that they do not collect bank statements and directed her to the bookkeeper who does have those bank statements. Director Fabre stated that the account as relayed from Director Jones is mendacious and is not a true account of what happened. She then stated that she was concerned that since Artesian did not have the bank statements that the bank statements may have been omitted from last year's audit. She then stated that she will be following up on any omission during this year's audit which begins in August 2024. She further stated that she then made a telephone call to Austin Capital Bank and learned that someone had obtained the District's banking history and incurred a fee for doing so despite not having approval from the Board. Director Fabre stated that she received a quote of \$3.00 per bank statement and \$50.00 per hour for research. Director Fabre then stated that Mr. Konopka had requested that Ms. Sliva obtain a quote for the bank statements and requested that Ms. Sliva present the quote to the Board at the July Board meeting. Director Fabre then directed the Board's attention to the meeting minutes of 19 June 2024 for the direction on this item. Director Fabre then requested a copy of Lisa Rickert's email from Mr. Konopka.
- Director Avila and Director Flores requested an update at the August Board meeting from Artesian regarding the transfer of \$237,848.61 from Austin Capital Bank.
- Director Fabre then stated that there should be a draft budget for the Board's review at the 17 July 2024 Board meeting in keeping with the District's financial calendar.
- Ms. Sliva reported that according to the TCEQ guidelines, a budget is adopted in the last month of the fiscal year, which is September. She then stated that Artesian will be presenting a proposed budget at the August Board meeting.
- Director Flores then stated that there is not enough time to work on the budget if the proposed budget is presented at the August Board meeting. He then stated that the Board should have received a preliminary budget at the 17 July 2024 Board meeting to

allow for changes. He then stated that the Board may need another meeting in between August and September to go over recommendations of each Committee.

- Director Fabre stated that the minutes from 19 June 2024 reflect that Ms. Sliva assured the Board that Artesian would be submitting a report to the Board on the unclaimed property in the District by the 30 June 2024 deadline. Director Fabre then stated that she has not received any unclaimed property report from Artesian and inquired whether it was submitted to the Comptroller. Ms. Sliva was unable to find an unclaimed property report but would provide one at the next meeting.
- Director Fabre stated that Artesian had failed to perform in a timely and competent manner. She then stated that Artesian had failed to adhere to the District's process for review. She further stated that Artesian had failed to present bills, invoices and payroll to the Board for approval. Director Fabre then stated that Artesian had failed to adhere to the Board's resolution regarding timeliness. She further stated that Artesian bookkeepers had failed the District for the past five months and provided nothing in advance of the 17 July 2024 meeting. Director Fabre then stated that Artesian had failed to meet the deadlines for the unclaimed property and preliminary budget reports. She then stated that Artesian had not demonstrated an ability to meet the demands of this District and had consistently failed for the past five months. She further stated that Artesian's failure was demonstrated by the facts recorded in the March through June Board Packets under the Accounting agenda item.
- Director Jones stated that Artesian had done a fantastic job for the District considering they were without power due to the natural disaster. She then stated that firing someone for a weather issue is inappropriate.
- Director Avila then stated that he disagreed with Director Fabre's statement.
- **Motion: Authorize termination of Artesian for failure to meet contractual terms for the preceding five month period.**

Motion by: Director Fabre
Second by: Director Flores

Ayes: Director Fabre
Director Flores

Noes: Director Jones
Director Avila
Director Masters
- Ms. Scales then reported that the balance of the Austin Capital Bank account in the amount of \$248,189.85 was transferred to TexPool on 15 April 2024.

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

- (a) status of Sun Chase Park playscape (Cunningham Recreation);
- (b) status of Sun Chase Park cleanup and tree maintenance;
- (c) status of Hatch Lift Station project (Liberty Civil Construction, LLC);
- (d) discuss assessment of Hatch Lift Station failure and authorize appropriate action;
- (e) status of District Facility assessment;
- (f) status of Lead and Copper Rule Revisions project;
- (g) update on development of an Asset Management Plan and Capital Improvement Plan for the District;
- (h) update on other matters, as needed; and
- (i) Infrastructure Committee report.

- Mr. Valentien next reviewed the Engineer's Report with the Board. He updated the Board on the status of the Sun Chase Park playscape and stated that the Texas Accessibility Standard ("TAS") plan review was completed. He then stated that the TAS review report showed concern due to insufficient information on the plans to validate compliance. He further stated that he is coordinating a meeting with the inspector to visit the site to inspect and measure the accessibility of the gravel sidewalk. Mr. Valentien stated that he does not expect any issues with the upcoming verification inspection. Mr. Valentien reported that the TAS Plan Review report was attached to the Engineer's Report for the Board's review.
- Mr. Valentien next updated the Board on the status of Sun Chase Park cleanup and tree maintenance. He then stated that he had walked the site prior to the grand opening of Sun Chase Park and a few items were noted that required cleanup. He further stated that Davey Tree Service ("Davey") had a crew out the same afternoon and completed the remaining cleanup work. Mr. Valentien reported that he had received a pay application from Davey in the amount of \$16,500.00. He then stated that he recommended payment to Davey in the amount of \$16,500.00 and that a copy of Davey's invoice was attached to the Engineer's Report.
- Director Flores then stated that the Davey invoice was very fair for the amount of work that Davey had performed.
- **Motion: Approve Pay Application from Davey in the amount of \$16,500.00 for work performed at Sun Chase Park on 10 July 2024.**

Motion by: Director Avila
Second by: Director Masters

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

- Mr. Valentien next updated the Board on the status of the Hatch Lift Station failure. Mr. Valentien stated that he had contacted S Kanetzky Engineering, the electrical engineer hired by Gray Engineering for the project, for a review of the electrical punch list items. He then stated that he had met with the electrical contractor and performed a site walk on 17 July 2024 and that most, if not all, items on the electrical punch list had been resolved. He then stated that all civil and mechanical items had been addressed. He further stated that he would present final payment paperwork for the Hatch Lift Station repair at next month's board meeting.
- Mr. Valentien then stated that he had received a change order request in the amount of \$94,916.00 from Liberty Civil for the bypass pumping for the shutdown at the Hatch Lift Station from Friday, 24 May 2024 to Thursday, 30 May 2024. He then stated that the Contractor had intended to present the change order to the Board in person at the 17 July 2024 Board meeting but had not appeared. Mr. Valentien further stated that he does not recommend the change order for payment because he strongly believed that bypass pumping was part of Liberty Civil's contract with the District. He then stated that Liberty Civil chose to handle the bypass of the Hatch Lift Station at their own discretion, means and methods and that they chose to do it the week before a holiday. A board discussion ensued regarding the change order. Mr. Valentien stated that the change order stems from Liberty Civil asking for more money outside the contract terms which specifically stated that bypass pumping is included with no additional fees. Mr. Valentien then stated that the change order request was for the additional days of pumping that became necessary while Liberty Civil was waiting on replacement parts. Mr. Konopka agreed that additional costs should be borne by Liberty Civil.
- Director Fabre then stated that Liberty Civil should have mitigated their own losses. She then stated that her oath is to the constituency and not the contractor. She further stated that she is sympathetic to the situation but cannot obligate District funds because of empathy for a contractor. Director Fabre then stated that the District has fulfilled its contractual obligation to Liberty Civil and will certainly pay Liberty Civil once their invoice is submitted for payment. She further stated that she and Mr. Valentien had discussed ways that Liberty Civil could have mitigated their loss.
- Director Masters agreed that the change order is an expense that should not be borne by the taxpayers of the District.
- Director Avila then questioned how the nonpayment of the change order affects the District's relationship with Liberty Civil and the completion of the contract.
- **Motion: Reject change order request from Liberty Civil in the amount of \$94,916.00 because the additional pumping expense was the result of the failure of the parts supplier hired by Liberty Civil and that the expense should be borne by the parts supplier and not the taxpayers of the District.**

Motion by: Director Fabre

Second by: Director Flores

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

- Mr. Valentien then reported that he had no new updates regarding the assessment of the Hatch Lift Station Failure.
- Mr. Valentien next reported on the status of the District facility assessment and reported that Westwood had commenced the site visits to review each District facility in preparation of the facility assessment. He then stated that Westwood would be scheduling a site visit to assess the condition of the CMU walls.
- Mr. Valentien then requested that agenda items (g) and (e) be merged into a single agenda item. He then stated that Westwood had prepared drafts of the Facility Assessment, Asset Management Plan and Capital Improvement Plan and that a meeting with the Infrastructure Committee had been set for 3 August 2024. He further stated that Westwood planned to present the drafts of the Facility Assessment, Asset Management Plan and the Capital Improvement Plan at the August Board meeting to assist with budget planning.
- Director Flores then inquired about limiting committee meetings and presenting drafts of the Facility Assessment, Asset Management Plan and the Capital Improvement Plan directly to the Board in an effort to save District funds.
- Director Avila stated that a two level review opportunity is always better and that a two level review had been the practice of the District.
- Director Jones then stated that it was a good practice to walk the District and review District facilities each month.
- Director Masters then stated that there were other cost saving measures more significant than eliminating Committee meetings.
- Mr. Valentien then stated that of late there had not been a lot of new information and that maybe there is not a need for the Infrastructure Committee to meet every month. He further stated that once the Capital Improvement Plan and Facility Assessment had been completed and presented to the Board that monthly meetings of the Infrastructure Committee may not be necessary.
- Director Avila then stated regarding the Infrastructure Committee report that meeting minutes were attached to the Engineer's Report for the Board's review.

- Next, Mr. Valentien updated the Board on the status of the Lead and Copper Rule Revisions project. He then stated that Westwood had exhausted almost all administrative desktop measures to validate the service line inventory of the District. Mr. Valentien stated that Westwood had identified two areas that may require field verification of service line material. Mr. Valentien further stated that the deadline to report this information to the Texas Commission on Environmental Quality (the "TCEQ") is 16 October 2024.

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) status of repair of monument sign on El Salido Parkway;
- (d) status of ParkPro Tech's replacement and repair efforts at Anderson Mill West Park;
- (e) update on Federal Emergency Management Agency (FEMA) reimbursement for storm cleanup; and
- (f) update on illicit discharge of pool water at 1602 Spiderlily View and updating District's Rules and Regulations.

- Next, Ms. Scales presented the General Manager/Operator's Report. She reported that a streetlight survey was conducted on 14 June 2024, and that all streetlights were reported as working. A Board discussion ensued regarding an email from a resident regarding the resident's circumstances that lead to their inability to make their water bill payment by the deadline. Ms. Scales then reported that Southwest Monument came out and repaired the lettering on the monument sign on El Salido Parkway at no cost to the District and that the agenda item can be removed. She then stated that Park Pro Tek was awaiting quotes from a new vendor for several priority repairs for Anderson Mill West Park. Ms. Scales then updated the Board on the Federal Emergency Management Agency (FEMA) reimbursement for storm cleanup. She stated that the District's UEI number was finally approved by Sam.gov and that FEMA can now move forward with reimbursement of funds for the District. Ms. Scales next reported that an informative letter was mailed to the resident at 1602 Spiderlily View on 28 June 2024 regarding the alleged illicit discharge of pool water and that a copy of the letter was attached to the General Manager/Operator's Report for the Board's review. A Board discussion ensued regarding the letter sent to 1602 Spiderlily View. Director Fabre inquired about the testing of the water to determine chlorine residue or PH levels. Ms. Scales then stated that no testing was conducted on the water.
- Director Fabre then requested an update on the Sun Chase Park light under agenda item 5(b). Ms. Scales then stated that Inframark had requested a quote from M&C Lighting Inc. and that the quote will be addressed at next month's Board meeting. Director Fabre then requested an update on the hazardous waste pickup. She then inquired when the hazardous waste pickup program began and stated that she had not seen any notices to residents on the District's water bills. Ms. Scales then stated that Mr. Daugereau of Waste Management is working with Mr. Konopka to amend the language in the agreement between the District and Waste Management to present to the Board for

approval before the program can be added to the District's agreement. Mr. Konopka then stated that Mr. Daugereau is drafting an amendment, and that Waste Management has common amendments, and that Mr. Daugereau would be providing drafted amendments for review. Director Fabre then requested an update on the arrears report from last month and the eighty (80) accounts that have zero dollars on deposit. Director Fabre then stated that the work requested in the arrears report is covered in Inframark's base fee which includes customer billing. Ms. Scales then stated that she would look into the matter.

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

- Next, Director Masters reported that the Parks Committee had approved the request to repair the slide at the Anderson Mill West Park. She stated that the grand opening party for Sun Chase Park was held on 29 June 2024 and that the event was a great success. She then stated that Joe McDermott was amazing and contributed to a fun afternoon. Director Masters stated that she wanted to reassure any members of the public that no Board discussions or deliberations occurred at the event even though four Board members attended the event and thus constituted a quorum. She then reported that the Board received an email from a resident who caught his hand on one of the transfer stations and that the Parks Committee had addressed the situation.
- Director Masters next provided an update from the Deed Restriction Committee. She stated that the Deed Restriction Committee had received two complaints since the last Board meeting. She then stated that one of the complaints involved a residence on Boerne Drive in Hunters Glen, Phase 2 involving a resident operating a landscaping business out of his home and employee trucks being parked in the street. Director Masters then inquired of Mr. Konopka for advice on the matter. Mr. Konopka stated that if the cul-de-sac is a public roadway, then the Board cannot restrict parking on the road. Mr. Konopka requested that Director Masters forward the complaint for his review. Director Masters then stated that the second complaint involved overgrown grass on Sycamore Trail. She further stated that she had investigated the complaint and that it is the opinion of the Committee that nothing at the residence affected the taxable value of the District and that no action would be taken.
- Director Jones then inquired of Mr. Konopka about running a commercial business out of your home and whether work trucks are allowed. Mr. Konopka then stated that he would look into the matter.
- Director Avila then reported that the Information Management Committee did not have an update to present. Director Jones then stated that the Information Committee was working on a couple of items but that more work needed to be completed.

- Director Fabre then stated that the current Information Management Committee had done nothing to correct the errors and omissions on the District's website since they were appointed to the Committee over a year ago. She then stated that the amount of misinformation or missing information is alarming and grows each month because there had been no oversight over the contractor responsible for the District's web presence and no follow up to ensure that the District's published information is accurate. Director Fabre stated that she had repeatedly asked for corrections to the District's website and the reservation system, and nothing had been done. She then stated it is now time to put the District's website to work for the District and that can only be done with a Committee who is committed to the website's excellence. She further stated examples of lingering mistakes such as restrictive covenants not enforced which have not been published on the District's website. She then stated that the District's 2023 audit is still not published on the District's website. Director Fabre then stated that the audit report for 2022 that is on the District's website is a draft and not the final report. She then stated that the Board Packet material is incomplete, and that the District's home page refers to the Hatch Lift Station as nearing completion to name just a few of the problems with the District's website. Director Fabre stated that there are legal requirements for a government website and if the legal requirements are not met then the District cannot have a website, and that the requirements are not being met. Director Fabre then inquired of Mr. Konopka regarding the ramifications for the District's website being out of compliance with state law. Mr. Konopka stated the District could receive a letter stating that the District is out of compliance and that the District would be required to address the issues in a certain amount of time or be subject to penalties. Mr. Konopka then stated that it is very important that every MUD who has a website be current with information, legislation and rules because the residents and the general public look at the websites as well as regulatory agencies who scan and occasionally look for violations.
- Director Avila then inquired whether Mr. Konopka had noticed anything or noted any concerns with the District's website that would put the District at legal risk. Mr. Konopka then stated that he would have to look at the website.
- Motion: Authorize removal of Director Avila and Director Jones from the Information Management Committee because Director Avila and Director Jones were not updating the District's website in line with state law for the eighteen (18) month period that they have served on the Committee and replace the existing members with Director Fabre and Director Flores.**

Motion by: Director Fabre
Second by: Director Flores

Ayes: Director Fabre
Director Flores

Noes: Director Jones
Director Avila
Director Masters

Agenda Item No. 7: Old business, including:

- (a) discuss account status and repairs by the property owner on Black Cherry Drive; and
- (b) discuss Constable's summer patrol schedule, report on overlapping of hours and Constable attendance at Board meetings.

- Director Masters then reported no update to the account status and repairs by the property owner on Black Cherry Drive.

Agenda Item No. 8: New business, including:

- (a) discuss submitting monthly Fees of Office forms;
- (b) discuss shredding and/or storage of accounting records;
- (c) discuss giving access to CubeSmart storage unit to Board members; and
- (d) discuss reinstating the nighttime security patrols.

- Director Jones then stated that she would like the Constable to speak to the Board on the subject of nighttime security and that the changes in our neighborhoods are not going as well as in the past since the District lost the security patrols.
- Constable Stinson stated that recent events in the world were caused by the lack of security or inadequate security resulting in chaos and destruction. He then stated many of the District's residents favored having a blanket of security in the District. He further stated that having increased security in the District would lessen vagrancy and crimes. Constable Stinson then stated that having increased security in the District is a positive. Director Jones then stated that the District has seen an increase in burglaries and break-ins occurring during the day in such a way as not previously seen in the District. Director Fabre stated that Constable Stinson gave her a three-month look at all of the reported incidents in this neighborhood and Director Jones' assertions were not substantiated by the reports data. She further stated that she inquired from Constable Stinson what could a roving patrol handle from the list of offenses contained in the three-month report. Director Fabre then stated that the Constable replied that the only offenses that the roving patrol employees could handle are mischief and traffic accidents with no injuries. Director Jones stated that the residents of the District want the increased security.
- Director Jones then stated that in her neighborhood there are many young children. She then stated that residents in her neighborhood with children have asked why police officers are no longer in the neighborhood. She further stated that she responded to the residents by stating that she would do everything that she could to make our neighborhood feel safe and secure once again.
- Director Flores then stated that it was not the responsibility of the District to provide security. He then stated that for the District to provide security would be overstepping the District's authority and creating a bigger government. Director Flores stated that people

should get a security system, or a gun, or 4, 5, or 6 dogs like he himself has. He further stated that if the residents of the District feel unsafe, they need to speak to the Williamson County Sheriff's Department regarding their concerns.

- Director Fabre stated that in the Board packet there are timesheets for the District's two Constables from Williamson County and the District. She then stated that she had performed a comparison of the timesheets and that there are yellow highlights on days that show overlapping hours and that both Constables are billing both governments for the same hours worked. She further stated that to grasp the magnitude of double billing that one need only consider the cost of a Constable and a vehicle at \$78.00 per hour for an additional four hours per week for a full year is \$16,000. Director Fabre stated that the cost to clean out Sun Chase Park was \$16,000. Director Fabre then stated \$16,000 could be used to power wash the District's walls, trim up more trees and top dress mulch in the District's parks. Director Fabre stated that she met with Constable Stinson about the timesheet discrepancy and Constable Stinson agreed to record only hours worked for the District going forward. Director Fabre further stated that the Constables are retained by the District to be a deterrent for crime, and to be visible in school zones to deter speeding. Director Fabre then stated that the inaccurate time reporting had been going on for eight years. Director Fabre further stated that the crime report provided by Constable Stinson shows reported crimes in the last three months as occurring only between the hours of 9:00 a.m. and 6:00 p.m and not when they were in the District.
- Director Masters then stated that agenda item 8(d) was her agenda item. Director Masters then stated Nextdoor and social apps reflected that car prowls have become endemic. She further stated that a vehicle had been stolen on Old Mill Road right across the street from the District's main office. Director Masters then stated that you cannot understate the importance of deterrence and that she agreed with Constable Stinson. Director Masters further stated that it is important for the Board to give the residents of the District more security. Director Masters then stated that it is part of the Board's responsibility to be a good government and provide the security that the residents are seeking, which is to reinstate the overnight security patrols.
- Director Avila then stated that the meeting had lasted two hours. Director Avila further stated that if Director Masters wanted to make a motion to extend the meeting that he would second the motion.
- **Motion: Extend the meeting to complete agenda item 8(d).**

Motion by: Director Masters
Second by: Director Avila

Ayes: Director Masters
Director Avila
Director Jones
Director Flores

Noes: Director Fabre

- Director Flores stated that he would prefer to have two separate motions for maintaining the current Constable patrol schedule and reinstating the nighttime security patrols.
- **Motion: Reinstating the weekend nighttime security patrols by accepting the proposal from Ranger Guard and to maintain the current Constable patrol schedule.**
 - Motion by: Director Masters**
 - Second by: Director Jones**
 - Ayes: Director Jones**
 - Director Masters**
 - Director Avila**
 - Abstain: Director Flores**
 - Director Fabre**
- **Motion: Authorize extension of meeting by four minutes to cover Attorney's Report.**
 - Motion by: Director Jones**
 - Second by: Director Avila**
 - Ayes: Director Jones**
 - Director Avila**
 - Director Masters**
 - Director Flores**
 - Noes: Director Fabre**

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

- (a) discuss the November 2024 Directors Election, including adopt Order Calling Directors Election and review and approve agreements for joint election with Travis County;
- (b) consider Resolution Adopting Rules for Electronic Submission of Bids;
- (c) update regarding annexation of Anderson Mill Road by the City of Cedar Park;
- (d) status of Master Service Agreement with Badger Meter, Inc. and discuss installation of end points; and
- (e) discuss reconstitution of the Board of Directors and authorize filing of District Registration Form with the Texas Commission on Environmental Quality.

- Mr. Konopka stated that contained in the Board packet under the Attorney's folder there was an Order Calling Directors Election as well as a Joint Election Agreement with Travis County. Mr. Konopka then stated that he had requested that the Board adopt the Order Calling Directors Election and also approve the Joint Election Agreement with Travis

County. Mr. Konopka further stated that the Board's approval of the Order Calling Directors Election and the Joint Election Agreement ensured that the District will not have to hire election judges and provide voting machinery. Mr. Konopka stated that the District was hiring Travis County to be the election provider. He then stated that also contained in the Board packet is the Resolution Adopting Rules for Electronic Submission of bids. He further stated that there is no urgency in adopting the resolution and that the resolution allows the Board's engineer to accept electronic bids from contractors. Mr. Konopka further stated there was no update concerning the annexation of Anderson Mill Road. He then stated that the City of Cedar Park (the "City") was going to update the licensing agreement to state that the City would maintain the entire right of way along the District's portion of Anderson Mill Road. Mr. Konopka then stated that Ms. Marfin with the City did not think the landscaping of the right of way would be an issue but was awaiting confirmation by the City's Manager. Next, Mr. Konopka stated that at the 19 June 2024 meeting the District voted to appoint Director Avila as President and that Director Fabre would remain in her role as Treasurer. He then stated that he did not know if the District wanted to appoint a Vice Present or reconstitute the Board and also whether the Board authorized Coats Rose to file the District Registration form with the TCEQ.

- **Motion: Adopt the Order Calling Directors Election.**

Motion by: Director Masters

Second by: Director Jones

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

- **Motion: Approve the Joint Election Agreement with Travis County and approve**

Resolution regarding voting equipment.

Motion by: Director Masters

Second by: Director Jones

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

- **Motion: Authorize Coats Rose to file the District Registration Form with the TCEQ as the Board currently stands.**

Motion by: Director Avila

Second by: Director Jones

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

Abstain: Director Fabre

- **Motion: Adjourn the Board Meeting.**

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

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

Abstain: Director Fabre

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 the Board.

- There was no discussion on this agenda item.

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



Kelley Masters
Secretary, Board of Directors