

CERTIFICATE FOR ORDER OR RESOLUTION

THE STATE OF TEXAS §
COUNTIES OF WILLIAMSON AND TRAVIS §

The undersigned officers of the Board of Directors of Williamson-Travis Counties Municipal Utility District No. 1 of Williamson and Travis Counties, Texas (the "District") hereby certify as follows:

The Board of Directors of Williamson-Travis Counties Municipal Utility District No. 1 convened in regular session on the 17th day of August 2022, at The Park at Lakeline Oaks located at 1000 Old Mill Road, Cedar Park, Texas 78613, a location within the boundaries of the District, and the roll was called of the duly constituted officers and members of the Board, to wit:

- Catherine Franke President
Art Medrano Vice President
Megan Dudo Treasurer
Beth Jones Secretary
Linda Fabre Director

and all of said persons were present, except for the following absentees: NONE, thus constituting a quorum. Whereupon, among other business, the following was transacted at the meeting:

AN ORDER OF THE BOARD OF DIRECTORS OF WILLIAMSON-TRAVIS COUNTIES MUNICIPAL UTILITY DISTRICT NO. 1; REQUIRING USERS OF DISTRICT SOLID WASTE REMOVAL SERVICES TO STORE TRASH CARTS OUT OF PUBLIC THOROUGHFARES, SIDEWALKS, ROADWAYS, PARKS, OTHER COMMON AREAS; PROVIDING PENALTIES; PROVIDING FINDINGS OF FACT; PROVIDING FOR OPEN MEETING

was introduced for the consideration of the Board. It was then duly moved and seconded that the Order of Resolution be adopted, and, after due discussion, the motion, carrying with it the adoption of the Order or Resolution prevailed and carried by the following vote:

AYES: Directors Franke, Medrano, Dudo and Jones
NOES: Director Fabre

That a true, full and correct copy of the aforesaid Order or Resolution adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; and that said Order or Resolution has been duly recorded in said Board's minutes of said meeting; that the persons named in the above and foregoing paragraph were duly chosen, qualified and acting officers and members of the Board as indicated therein, that each of the officers and members of said Board was duly and sufficiently notified officially and personally, in advance, to the holding of said meeting for such purpose; that said meeting was open to the public as required by law; that public notice of the time, place and subject of said meeting was given as required by the Texas Government Code, §551.043, as amended, and §49.063 of the Texas Water Code, as amended, and that the undersigned are the duly chosen, qualified and acting officers of the current Board of Directors.

SIGNED AND SEALED this 17th day of August 2022.



Catherine Franke
President, Board of Directors

AN ORDER OF THE BOARD OF DIRECTORS OF WILLIAMSON-TRAVIS COUNTIES MUNICIPAL UTILITY DISTRICT NO. 1; REQUIRING USERS OF DISTRICT SOLID WASTE REMOVAL SERVICES TO STORE TRASH CARTS OUT OF PUBLIC THOROUGHFARES, SIDEWALKS, ROADWAYS, PARKS, OTHER COMMON AREAS; PROVIDING PENALTIES; PROVIDING FINDINGS OF FACT; PROVIDING FOR OPEN MEETING

WHEREAS, Section 49.211, Texas Water Code, grants Williamson-Travis Counties Municipal Utility District No. 1 ("**District**") "the functions, powers, authority, rights, and duties that will permit accomplishment of the purposes for which it was created or the purposes authorized by the constitution, [the Texas Water Code], or any other law"; and

WHEREAS, Section 54.203, Texas Water Code, provides, "A district authorized to purchase, construct, acquire, own, operate, maintain, repair, improve, extend, or establish a municipal solid waste collection and disposal system, including recycling, inside and outside the district and make proper charges for it. A district may require use of such services as a condition for receiving other district services. A district may enter into an exclusive contract with a private entity to provide such services to all land and persons within its boundaries[]"; and

WHEREAS, pursuant to the authority granted under subsection 49.213(c)(6), Texas Water Code, the Board of Directors ("**Board**") of the District previously entered into a contract with Waste Management of Texas, Inc. ("**Waste Management**"), to provide municipal solid waste and disposal services ("**Services**") to residences within the District's boundaries; and

WHEREAS, Waste Management provides the Services, in part, by utilizing large recycling and trash disposal containers ("**Carts**"), which residents must leave at their curbs in order for Waste Management to provide Services; and

WHEREAS, District contractors and Directors have observed that some residents within the District routinely leave their Carts at the street curb or in plain sight of the public for extended periods of time, well after Services have been provided; and

WHEREAS, the proliferation of Carts left in plain view creates (i) a health and safety hazard by interfering with the flow of traffic on roadways within the District, as well as (ii) aesthetic blight within the District; and

WHEREAS, pursuant to Section 49.004, Texas Water Code, the Board is authorized to "set reasonable civil penalties for the breach of any rule of the [D]istrict that shall not exceed the jurisdiction of a justice court as provided by Section 27.031, Government Code;" and

WHEREAS, in order to protect the health and safety of the District and its residents, the Board hereby adopts reasonable rules requiring all users of the Services to store their Carts outside of public thoroughfares, including, but not limited to sidewalks, roadways, parks and other public common areas;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF WILLIAMSON-TRAVIS COUNTIES MUNICIPAL UTILITY DISTRICT NO. 1, THAT:

SECTION 1. Findings of Fact. The above recitals are true and accurate legislative findings of fact. The recitals are adopted and incorporated herein for all purposes.

SECTION 2. Open Storage of Carts Prohibited.

(a) All users of Services within the District shall store their Carts outside of public thoroughfares, which include, but are not limited, to sidewalks, roadways, parks and other public common areas.

(b) Carts may be placed at the curb of residences no more than 24 hours prior to, and left as such no more than 24 hours after, 12:00 PM of the day Services are schedule for that particular residence.

SECTION 3. Penalty for Violation. Pursuant to Section 49.004, Texas Water Code, as amended, the District may assess civil penalties not to exceed those provided under Section 27.031, Texas Government Code, as amended, against any person or entity found to be in violation of this Order.

SECTION 4. Repeal of Conflicting Provisions. This Order supersedes and replaces all previous orders, resolutions, or other policies relating to the subject matter hereof.

SECTION 5. Open Meeting. The Board has considered this Order during a duly noticed meeting that was open to the public, in compliance with Chapter 551, Texas Government Code, and Section 49.063, Texas Water Code.

PASSED AND APPROVED this 17th day of August 2022.

/s/ Catherine Franke
President, Board of Directors

ATTEST:

/s/ Beth Jones
Secretary, Board of Directors

(SEAL)