

**MINUTES OF SPECIAL MEETING OF  
THE BOARD OF DIRECTORS OF THE  
WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY**

April 20, 2023

**Board:**

Scott Roberts President  
Jack Creveling, Vice President  
Walt Smith, Treasure/Secretary  
Jason Bethke, Director  
Clint Garza, Director

**Staff and Consultants:**

Jennifer Riechers, Agency General Manager  
Eric Morgan, Agency Operations Manager  
Jennifer Smith, Agency Controller  
Lauren Kalisek (Lloyd Gosselink Rochelle & Townsend, P.C.), Agency General Counsel  
David Klein ((Lloyd Gosselink Rochelle & Townsend, P.C.), Agency General Counsel  
Kathryn Thiel (Lloyd Gosselink Rochelle & Townsend, P.C.), Agency General Counsel  
Jason Baze (Murfee Engineering Company, Inc.), District Engineer  
George Murfee (Murfee Engineering Company, Inc.), District Engineer

**CALL TO ORDER**

The meeting was called to order at 1:06 p.m. by President Roberts.

**I. ESTABLISH QUORUM**

Quorum was established with the Directors and staff mentioned above.

**II. PUBLIC COMMENT**

Pat Sinnot provided public comment on behalf of the Lake Pointe HOA to thank the agency staff for their investigation and response to a wastewater line problem on Sonoma Drive.

David Tuckfield, counsel for the City of Dripping Springs, addressed the Board regarding the proposed wholesale agreement amendment for the Anarene project, including the City's concerns regarding proposed provisions regarding the elevated storage tank.

**III. CONSENT AGENDA**

- A. Approve minutes of February 16, 2023 Regular Board Meeting, February 22,2023 Special Board Meeting and March 30, 2023 Special Board Meeting.**

- B. Approve payment of invoices and other bookkeeping matters, including:
  - 1. Quarterly Investment Report.
  
- C. Ratify payments approved by General Manager:
  - 1. S.J. Louis Construction of Texas, Ltd., Pay Application #8, \$148,707.55, 1080 Transmission Main-Segment A;
  - 2. G Creek, Inc, Pay Application #3, \$721,902.21, Uplands Trident/Office Building Renovation;
  - 3. B-5 Construction Company, Inc., Pay Application #4, \$53,179.33, County Line 1420 Pump Station Upgrades.
  
- D. Approve Contractor Pay Requests including:
  - 1. Preload LLC, Inc., Pay Application #12 (Final), \$74,353.22, Hamilton Pool Road GST #2;
  - 2. Process Wastewater Technologies, Pay Application #2, \$564,640.00, Water Treatment Solids Dewatering Equipment;
  - 3. B-5 Construction Company, Inc., Pay Application #6, \$60,224.85, County Line 1420 Pump Station Upgrades;
  - 4. B-5 Construction Company, Inc., Pay Application #7, \$10,945.77, County Line 1420 Pump Station Upgrades;
  - 5. B-5 Construction Company, Inc., Pay Application #8, \$8,079.82, County Line 1420 Pump Station Upgrades;
  
- E. Approve Change Orders, including:
  - 1. G Creek, Change Order #4, \$6,818.44, Permanganate Chemical Feed Relocation;
  - 2. Preload LLC, Inc., Change Order #2, \$-17,495.68, Hamilton Pool Road GST #2;
  - 3. S.J. Louis Construction of Texas, Ltd., Change Order #4, \$128,724.78, 1080 24" Transmission Main-Segment A.
  
- F. Ratify approval of proposal from Murfee Engineering Co., Inc. for Ledgestone Terrace 6" Water Main Relocation Design and Approval, Approved 2/14/23.
  
- G. Approve 2022 Annual Developer Reimbursement in the amount of \$180,519.94 to NASH Sweetwater, LLC per Wholesale Water Services Agreement between WTCPUA and Lazy Nine MUD 1A.

**MOTION:** A motion was made by Director Bethke to approve the Consent Agenda, presented in items A-G with the exclusion of Item H of the Board Packet. The motion was seconded by President Roberts.

The vote was taken with the following result:

Voting Aye: Unanimous  
 Voting Nay:  
 Abstained:

Absent:

- H. Approve Order Amending Wholesale Rates to revise/document monthly base charge for Headwaters MUD.**

Ms. Riechers provided background on the need for the Order to implement previous action taken by the Board on wholesale rates in response to questions from Board Members.

**MOTION: A motion was made by Director Bethke to approve the Consent Agenda, Item H of the Board Packet. The motion was seconded by President Roberts.**

The vote was taken with the following result:

Voting Aye: Unanimous

Voting Nay:

Abstained:

Absent:

**V. NEW BUSINESS**

- A. Discuss, consider and take action on Wholesale Service Agreements for:**  
**1. Anarene (City of Dripping Springs);**

*(This item may be taken into Executive Session under the consultation with attorney exception).*

At 1:32 p.m. President Roberts announced the Board would convene in executive session to consult with its attorney pursuant to Texas Government Code 551.071 regarding items V.A, E, F and M.

At 2:56 p.m., President Roberts announced the Board would reconvene in open session and stated that no action was taken.

The Board directed District staff and legal counsel to continue negotiations with the City of Dripping Springs.

- B. Discuss, consider and take action on approval of Service Availability Letters for:**

- 1. Ledgestone Terrace Apartments, 368 Water LUEs, 290 System;**

**MOTION: A motion was made by Director Garza to approve this item, presented in item V.B of the Board Packet. The motion was seconded by President Roberts.**

The vote was taken with the following result:

Voting Aye: Unanimous

Voting Nay:  
Abstained:  
Absent:

**2. 8921 Hwy. 290, 188 Water LUEs, 290 System;**

**MOTION:** A motion was made by Director Garza to approve this item, presented in item V.B of the Board Packet. The motion was seconded by President Roberts.

The vote was taken with the following result:

Voting Aye: Unanimous  
Voting Nay:  
Abstained:  
Absent:

**3. Huthnace Ranch, 81 Water LUEs, 71 System, Amended SAL.**

**MOTION:** A motion was made by Director Garza to approve this item, presented in item V.B of the Board Packet. The motion was seconded by President Roberts.

The vote was taken with the following result:

Voting Aye: President Roberts, Directors Smith, Bethke and Garza  
Voting Nay:  
Abstained: Director Creveling  
Absent:

**C. Discuss, consider and take action on approval of Non Standard Service Agreement for:**

**1. Huthnace Ranch, 81 LUEs, 71 System.**

**MOTION:** A motion was made by Director Garza to approve this item, presented in item V.C of the Board Packet. The motion was seconded by President Roberts.

The vote was taken with the following result:

Voting Aye: President Roberts, Directors Smith, Bethke and Garza  
Voting Nay:  
Abstained: Director Creveling  
Absent:

**D. Discuss, consider and take action on Order Declaring PUA Vehicles as Surplus Property and Authorizing the Sale of Vehicles (J. Riechers).**

Ms. Riechers presented this item.

**MOTION:**            **A motion was made by Director Creveling to approve this item, presented in item V.D of the Board Packet. The motion was seconded by President Roberts.**

The vote was taken with the following result:

Voting Aye: Unanimous

Voting Nay:

Abstained:

Absent:

- E. Discuss, consider and take action on additional water supply alternatives (S. Roberts).**

*(This item may be taken into Executive Session under the consultation with attorney exception).*

This item was discussed in Executive Session. No action was taken.

- F. Discuss, consider and take action on impact fee assessment procedures (J. Riechers).**

*(This item may be taken into Executive Session under the consultation with attorney exception).*

This item was discussed in Executive Session. No action was taken.

Ms. Riechers and Ms. Smith discussed preferred adjustments to impact fee assessment procedures to better recover the full impact fee amounts for new developments as follows: the amount of the impact fee shall be the current Impact Fee in effect at the time the application is submitted for service with payments due upon application for service.

**MOTION:**            **A motion was made by Director Creveling to approve the adjustments to the WTCPUA's impact fee assessment procedures as presented by staff. The motion was seconded by President Roberts.**

The vote was taken with the following result:

Voting Aye: Unanimous

Voting Nay:

Abstained:

Absent:

- G. Discuss, consider and take action on amendment to PUA Water and Sewer Development Policy (J. Riechers).**

This item was pulled from discussion and no action was taken.

- H. Discuss, consider and take action on Reimbursement Agreement with Live Oak Springs for construction of WTCPUA CIP facilities (G. Murfee).**

**MOTION:** A motion was made by Director Garza to authorize the General Manager to negotiate and execute a Reimbursement Agreement with the developer for Live Oak Springs for construction of WTCPUA CIP facilities . The motion was seconded by President Roberts.

The vote was taken with the following result:

Voting Aye: Unanimous

Voting Nay:

Abstained:

Absent:

- I. **Discuss, consider and take action on proposal from Murfee Engineering Company, Inc. for 1175 Waterline Modifications-Hwy. 71 System (G. Murfee).**

**MOTION:** A motion was made by Director Garza to approve this item, presented in item V.I of the Board Packet. The motion was seconded by President Roberts.

The vote was taken with the following result:

Voting Aye: Unanimous

Voting Nay:

Abstained:

Absent:

- J. **Discuss, consider and take action on budget amendments from Murfee Engineering Company, Inc for the following project:**
  1. **TLAP Permit Renewal and Major Amendment;**

**MOTION:** A motion was made by Director Creveling to approve this item, presented in item V.J of the Board Packet. The motion was seconded by Director Garza.

The vote was taken with the following result:

Voting Aye: Unanimous

Voting Nay:

Abstained:

Absent:

2. **Uplands WTP Expansion Project.**

**MOTION:** A motion was made by Director Creveling to approve this item, presented in item V.J of the Board Packet. The motion was seconded by Director Garza.

The vote was taken with the following result:

Voting Aye: Unanimous

Voting Nay:

Abstained:  
Absent:

- K. Discuss, consider and take action on budget amendment from Malone Wheeler for Effluent Management Master Plan (J. Riechers).**  
**MOTION:** A motion was made by President Roberts to approve this item, presented in item V.K of the Board Packet. The motion was seconded by Director Garza.

The vote was taken with the following result:  
Voting Aye: Unanimous  
Voting Nay:  
Abstained:  
Absent:

- L. Discuss, consider and take action on proposal from Malone Wheeler for WCID 20 Proposed Interconnect Feasibility Review (J. Riechers).**  
**MOTION:** A motion was made by Director Smith to approve this item, presented in item V.L of the Board Packet. The motion was seconded by President Roberts.

The vote was taken with the following result:  
Voting Aye: Unanimous  
Voting Nay:  
Abstained:  
Absent:

- M. Discuss, consider and take action on Revised Sixth Amendment to City of Dripping Springs Wholesale Services Agreement (J. Riechers).**  
*(This item may be taken into Executive Session under the consultation with attorney exception).*

This item was discussed in Executive Session. No action was taken.

- MOTION:** A motion was made by Director Garza to approve this item, presented in item V.M of the Board Packet. The motion was seconded by President Roberts.

The vote was taken with the following result:  
Voting Aye: Unanimous  
Voting Nay:  
Abstained:  
Absent:

- N. Discuss, consider and take action on Recommendation of Award for 1240 Elevated Storage Tank (G. Murfee).**

**MOTION:**            **A motion was made by Director Creveling to approve this item, presented in item V.N of the Board Packet. The motion was seconded by President Roberts.**

The vote was taken with the following result:

Voting Aye: Unanimous

Voting Nay:

Abstained:

Absent:

- O. Discuss, consider and take action on proposal from Halff Associates, Inc. for grant consulting services (J. Riechers)**

**MOTION:**            **A motion was made by Director Creveling to approve this item, presented in item V.O of the Board Packet. The motion was seconded by President Roberts.**

The vote was taken with the following result:

Voting Aye: Unanimous

Voting Nay:

Abstained:

Absent:

## **VI. STAFF REPORTS**

- A. General Manager's Report (J. Riechers).**

No highlights.

- B. Controller's Report (J. Smith).**

No update provided.

- C. Operations's Report (C. Jeffrey).**

Eric Morgan presented this item. Mr. Morgan provided a description of the obstruction of sewer and replacement pipe necessary for customers on Sonoma Drive.

- D. Engineering Report (G. Murfee) including:  
1. Capital improvements Plan Update.**

No update provided.

## **VII. ADJOURNMENT**

**MOTION:**            **A motion was made by President Roberts to adjourn. The motion was seconded by Director Garza.**



The vote was taken with the following result:

Voting Aye: Unanimous

Voting Nay:

Abstained:

Absent:

The Meeting was adjourned at 2:57 p.m.

PASSED AND APPROVED this 15<sup>th</sup> day of June, 2023.



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Walt Smith, Secretary  
Board of Directors