

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

April 29, 2024

**Board:**

Scott Roberts, President  
Jack Creveling, Vice President  
Walt Smith, Secretary/Treasurer  
Clint Garza, Director

**Staff and Consultants:**

Jennifer Riechers, Agency General Manager  
Jennifer Smith, Agency Controller  
Lauren J. Kalisek (Lloyd Gosselink Rochelle & Townsend, P.C.), Agency General Counsel  
(attended via conference call due to illness)  
Kathryn Bibby (Lloyd Gosselink Rochelle & Townsend, P.C.), Agency General Counsel  
Jason Baze (Murfee Engineering Company, Inc.), Agency Engineer  
George Murfee (Murfee Engineering Company, Inc.), Agency Engineer  
Dennis Lozano (Malone Wheeler), Agency Engineer

**I. CALL TO ORDER**

The meeting was called to order by President Roberts at 2:02 p.m.

**II. ESTABLISH QUORUM**

A quorum was established with the above-referenced Directors, staff and consultants present.

**III. PUBLIC COMMENT**

Jake Posey with Strategies 360 made introduction to the board.

**IV. CONSENT AGENDA**

- A. Approve minutes of February 15, 2024 Regular Board Meeting and March 21, 2024 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. G Creek Inc., Pay Application #9, \$127,986.42, Uplands WTP Renovation;**
  - 2. Landmark Structures, Pay Application #8, \$323,422.75, 1240 EST;**
  - 3. Udelhoven Oilfield System Service, Inc., Pay Application #1, \$354,219.50, Lake Pointe LS Rehab.**
- D. Approve Contractor Pay Requests and invoices including:**
  - 1. Austin Engineering, Co; Pay Application #1; \$52,250.00 – 1080 Transmission Main Segment B;**
  - 2. Udelhoven Oilfield System Service, Inc; Pay Application #2; \$227,628.02 – Lake Pointe Lift Station Rehab.**
- E. Approve purchase of blower for Lake Pointe Lift Station, \$55,992.00 ACFM, Inc.**
- F. Approve 2023 Annual Developer Reimbursement in the amount of \$639,040.60 to NASH Sweetwater, LLC per Wholesale Water Services Agreement between WTCPUA and Lazy Nine MUD 1A**

**MOTION:** A motion was made by Director Creveling to the Consent Agenda, presented in items IV. A-F of the Board Packet. The motion was seconded by Director Smith.

The vote was taken with the following result:

Voting Aye: Directors Roberts, Creveling, Smith and Garza

Voting Nay:

Abstained:

Absent: Director Bethke

**V. NEW BUSINESS**

- A. Discuss, consider and take action on Amendment to the Water and Sewer Development Policies (J. Riechers).**

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

President Roberts announced the Board would convene in Executive Session to discuss items marked for Executive Session at 2:25 p.m. The Board reconvened to open session at 4:25 p.m. The Board took action on the items as indicated below in open session.

This item was discussed in Executive Session under the Consultation with Attorney Exception pursuant to Texas Government Code, Section 551.074.

**MOTION:** A motion was made by Director Smith to approve item V. A, as presented in the Board Packet with the following additions for wholesale customers: provide for penalties for missed payments by wholesale customers; continue sole source requirements; and ensure that retail customers do not subsidize wholesale customers. The motion was seconded by President Roberts.

**The vote was taken with the following result:**

**Voting Aye:** Directors Roberts, Creveling, Smith and Garza

**Voting Nay:**

**Abstained:**

**Absent:** Director Bethke

**B. Discuss, consider and take action on First Amendment to Water Facilities Lease and Services Agreement with Greenhawe Water Control and Improvement District No. 2.**

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

This item was discussed in Executive Session under the Consultation with Attorney pursuant to Texas Government Code, Section 551.074.

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

**The vote was taken with the following result:**

**Voting Aye:** Directors Roberts, Creveling, Smith and Garza

**Voting Nay:**

**Abstained:**

**Absent:** Director Bethke

**C. Discuss, consider and take action on Non Standard Service Agreements for:**  
**1. Penn Tract, 1497 water LUE's, 290 System.**

Discussion of this item was tabled and staff were directed to bring this item back to the June Board Meeting.

**D. Discuss, consider and take action on Recommendation of Award for Southwest Parkway Pump Station Generator Installation Project (J. Riechers).**

Jennifer Riechers presented this item. J. Riechers stated that Malone Wheeler had proposed installation of a generator at Southwest Pkwy. Dennis Lozano was present to answer questions from the Board regarding this project. J. Riechers advised the Board that installation of a generator at this location was critical. Director Roberts asked if impervious cover had already been coordinated. G. Murfee discussed the process by which the WTCPUA is coordinating overlapping projects.

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

**The vote was taken with the following result:**

**Voting Aye: Directors Roberts, Creveling, Smith and Garza**

**Voting Nay:**

**Abstained:**

**Absent: Director Bethke**

**E. Discuss, consider and take action on Proposal from Murfee Engineering, Inc. for engineering services for a 12" Waterline Extension on Hwy. 290 (G. Murfee).**

George Murfee presented this item. G. Murfee stated the Endeavor project had agreed to build a 12" waterline for their project. The developer had already provided funds for the project to the Agency. G. Murfee stated easements have been resolved and he feels comfortable moving forward with the project.

**MOTION: A motion was made by Director Smith to approve item V. E, as presented in the Board Packet. The motion was seconded by Director Garza.**

**The vote was taken with the following result:**

**Voting Aye: Directors Roberts, Creveling, Smith and Garza**

**Voting Nay:**

**Abstained:**

**Absent: Director Bethke**

**F. Discuss, consider and take action on Proposal from Murfee Engineering, Inc. for Wholesale Flow Control Valve Design and Approvals (G. Murfee).**

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

This item was discussed in Executive Session under the Consultation with Attorney Exception pursuant to Texas Government Code, Section 551.074.

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

**The vote was taken with the following result:**

**Voting Aye:** Directors Roberts, Creveling, Smith and Garza

**Voting Nay:**

**Abstained:**

**Absent:** Director Bethke

**G. Discuss, consider and take action on amendment to WTCPUA's Drought Contingency Plan (J. Riechers).**

Jennifer Riechers presented this item. Director Creveling had questions regarding lake levels.

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

**The vote was taken with the following result:**

**Voting Aye:** Directors Roberts, Creveling, Smith and Garza

**Voting Nay:**

**Abstained:**

**Absent:** Director Bethke

**H. Discuss, consider and take action on disposition of surplus WTCPUA property (17 acres on Highway 71) (J. Creveling).**

*(This item may be taken into Executive Session under the Consultation with Attorney and Real Property exception).*

This item was discussed in Executive Session under the Consultation with Attorney and Real Property Exception pursuant to Texas Government Code, Section 551.074. No action was taken but staff were directed to bring this item back for discussion at the June Board meeting.

**I. Discuss, consider and take action of updates to the PUA Organizational Chart (W. Smith).**

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

This item was discussed in Executive Session under the Personnel Exception pursuant to Texas Government Code, Section 551.074. No action taken. Staff were provided with direction by the Board.

- J. Discuss, consider, and take action regarding WTCPUA general process for condemnation and authorization of General Manager to act on behalf of Agency in condemnation matters (J. Riechers/L. Kalisek)**  
*(This item may be taken into Executive Session under the consultation with attorney exception).*

This item was discussed in Executive Session under the Consultation with Attorney Exception pursuant to Texas Government Code, Section 551.072. No action taken. Staff were provided with direction by the Board.

- K. Discuss, consider, and take action regarding condemnation proceedings for capital projects (J. Riechers/ G. Murfee)**  
*(This item may be taken into Executive Session under the Real Property exception).*
- a. Resolution Declaring the Public Necessity for Acquiring by Condemnation Certain Described Real Property Interests for Purposes of the Highway 290 Transmission Main Project, and Authorizing Legal Proceedings to Secure Right of Entry (9415 Highway 290, Austin, Texas 78736)**
  - b. Resolution Declaring the Public Necessity for Acquiring by Condemnation Certain Described Real Property Interests for Purposes of the Highway 290 Transmission Main Project, and Authorizing Legal Proceedings to Secure Right of Entry (10301 U.S. Highway 290, Austin, Texas 78737)**
  - c. Resolution Declaring the Public Necessity for Acquiring by Condemnation Certain Described Real Property Interests for Purposes of the Highway 290 Transmission Main Project, and Authorizing Legal Proceedings to Secure Right of Entry (10115 State Highway 71, Austin, Texas 78735).**

This item was discussed in Executive Session under the Real Property Exception pursuant to Texas Government Code, Section 551.072. No action taken. Staff were directed to bring this item back for discussion during the June Board meeting.

- L. Discuss, consider and take action on Proposal from Malone Wheeler, Inc. for engineering study to determine feasibility of providing effluent for irrigation use in Lake Pointe (J. Riechers).**

Jennifer Riechers presented this item. J. Riechers stated that Agency needs to perform a feasibility study to determine whether providing effluent for irrigation use in Lake Pointe is an option. D. Lozano provided an explanation for the need to perform a study and an explanation on why the project should be funded by the WTCPUA.

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

**The vote was taken with the following result:**

**Voting Aye:** Directors Roberts, Creveling, Smith and Garza

**Voting Nay:**

**Abstained:**

**Absent:** Director Bethke

- M. Discuss, consider and take action on Circle Drive Pump Station and Ground Storage Tank project (G. Murfee).**  
*(This item may be taken into Executive Session under the consultation with attorney exception).*

This item was discussed in Executive Session under the Consultation with Attorney Exception pursuant to Texas Government Code, Section 551.072. No action taken. Staff were provided with direction by the Board.

- N. Discuss, consider and take action on Purchase Agreement for Easement on Parcel 36 for the 1080 Waterline.**  
*(This item may be taken into Executive Session under the Real Property exception).*

This item was discussed in Executive Session under the Real Property Exception pursuant to Texas Government Code, Section 551.072. No action taken. Staff were provided with direction by the Board.

- O. Discuss, consider and take action on Purchase Agreement for Easement on Parcel 14C for the 290 Transmission Main Project.**  
*(This item may be taken into Executive Session under the Real Property exception).*

This item was discussed in Executive Session under the Real Property Exception pursuant to Texas Government Code, Section 551.072. No action taken. Staff were provided with direction by the Board.

- P. Discuss, consider and take action on wholesale service contract requests (S. Roberts).**  
*(This item may be taken into Executive Session under the consultation with attorney exception).*

This item was discussed in Executive Session under the Consultation with Attorney Exception pursuant to Texas Government Code, Section 551.072. No action taken. Staff were provided with direction by the Board.

## **VI. STAFF REPORTS**

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

As presented in VI. A of the Board Packet.

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

As presented in VI. B of the Board Packet.

**C. Operation's Report (E. Morgan).**

As presented in VI. C of the Board Packet.

**D. Engineering Report (G. Murfee).**

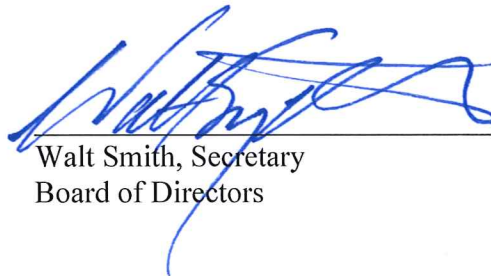
As presented in VI. D of the Board Packet.

**VII. ADJOURNMENT**

**MOTION: A motion was made by Director Garza to adjourn the meeting. The motion was seconded by Director Smith.**

The meeting was adjourned by President Roberts at 4:29 p.m.

PASSED AND APPROVED this 20th day of June 2024.



Walt Smith, Secretary  
Board of Directors