

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

June 20, 2024

**Board Members Present:**

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

**Board Members Absent:**

Jason Bethke  
Position 5 Vacant

**Staff and Consultants:**

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

**I. CALL TO ORDER**

The meeting was called to order by President Roberts at 1:03 p.m.

**II. ESTABLISH QUORUM**

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

**III. PUBLIC COMMENT**

No public comment was made.

**IV. CONSENT AGENDA**

- A. Approve minutes of April 29, 2024 Regular Board Meeting.**
- B. Approve payment of invoices and other bookkeeping matters, including:**
- C. Ratify payments approved by General Manager:**
  - 1. Landmark Structures, Pay Application #9, \$180,424.00, 1240 EST;**
  - 2. Landmark Structures, Pay Application #10, \$83,361.07, 1240 EST.**

- D. **Approve Contractor Pay Requests and invoices including:**
  - 1. **Austin Engineering, Co; Pay Application #2; \$11,328.75 – 1080 Transmission Main Segment B;**
  - 2. **Landmark Structures, Pay Application #11, \$80,876.82, 1240 EST;**
  - 3. **EVT Construction LLC, Pay Application #1, \$77,976.00, Ledgestone Terrace Water Line Relocation.**
  
- E. **Approve purchase of two High Service Pump and Motor Assemblies Replacement, Uplands Water Treatment Plant, \$38,620.00, Payton Construction, Inc.**
  
- F. **Approve Engagement Agreement between the PUA and Sheets & Crossfield, PLLC for preliminary condemnation consultation.**

**MOTION:** A motion was made by Director Creveling to approve the Consent Agenda. The motion was seconded by President Roberts.

The vote was taken with the following result:  
Voting Aye: Directors Roberts, Creveling and Smith  
Voting Nay:  
Abstained:  
Absent: Direct Bethke

**V. NEW BUSINESS**

- A. **Discuss, consider and take action on Reimbursement Agreements with:**
  - 1. **Pearl Townhomes;**
  - 2. **Orchard Ranch;**
  - 3. **Bee Cave Urgent Care.**

Jennifer Riechers presented this item.

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

The vote was taken with the following result:  
Voting Aye: Directors Roberts, Creveling and Smith  
Voting Nay:  
Abstained:  
Absent: Director Bethke

- B. **Discuss, consider and take action on Service Availability Letters and Non Standard Service Agreements for:**
  - 1. **Penn Tract, NSSA, 1497 water LUE's, 290 System;**
  - 2. **Life Family Church, SAL/NSSA, 23 water LUE's, 290 System;**

3. **Blacks Family Hospitality, SAL/NSSA, 60 water LUE's, 290 System;**
4. **Orchard Ranch, Third Amendment NSSA, 264 water LUE's, 290 System.**

The Penn Tract NSSA was tabled for discussion.

**MOTION:** A motion was made by Director Smith to approve items V.B 2-4, 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 and Smith

Voting Nay:

Abstained:

Absent: Director Bethke

- C. **Discuss, consider and take action on Recommendation of Award for Southwest Parkway Pump Station Improvement Project (G. Murfee).**

This item was presented by George Murfee.

**MOTION:** A motion was made by President Roberts to approve item V.C, 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 and Smith

Voting Nay:

Abstained:

Absent: Director Bethke

- D. **Discuss, consider and take action on Proposal from Murfee Engineering, Inc. for engineering services for Uplands Water Treatment Plant Transmission Main (G. Murfee).**

George Murfee presented this item. G. Murfee and the Board discussed compliance with the 10A permit to secure easements.

**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 Creveling.

The vote was taken with the following result:

Voting Aye: Directors Roberts, Creveling and Smith

Voting Nay:

Abstained:

Absent: Director Bethke

- E. Discuss, consider, and take action regarding Proposals for General Counsel Legal Services and Condemnation/Eminent Domain Legal Services. (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 1:15 p.m. The Board reconvened regular session at 2:24 p.m. The Board took action on the items as indicated below in open session.

This item V.E. was taken into Executive Session under the Consultation with Attorney Exception pursuant to Texas Government Code Section 551.071. No action was taken. Staff was provided instructions and directed to bring back this item at the August meeting.

- F. 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 consultation with attorney exception).*

This item was taken into Executive Session under the Consultation with Attorney Exception pursuant to Texas Government Code Section 551.071.

- a. Discuss, consider and take appropriate action on a resolution determining the necessity and authorizing the use of eminent domain to condemn temporary construction easement interests in and to 0.0696 acre and 0.1267 acre located at 9415 US Highway 290E and owned by OCCORP, LLC required for the construction of the Hwy 290 Transmission Main Project (Parcel 27TCE).**

**MOTION:** A motion was made by President Roberts to approve item V.F. A . The motion was seconded by Director Smith.

The vote was taken with the following result:

Voting Aye: Directors Roberts, Creveling and Smith

Voting Nay:

Abstained:

Absent: Director Bethke

- b. Discuss, consider and take appropriate action on a resolution determining the necessity and authorizing the use of eminent domain to condemn temporary construction easement interests in and to 0.9149 acre located at 10301 US Highway 290E and owned by 290 RANCH, LLC required for the construction of the Hwy 290 Transmission Main Project (Parcel 36TCE).**

**MOTION:** A motion was made by President Roberts to approve item V.F. B. The motion was seconded by Director Smith.

The vote was taken with the following result:

Voting Aye: Directors Roberts, Creveling and Smith

Voting Nay:

Abstained:

Absent: Director Bethke

- c. Discuss, consider and take appropriate action on a resolution determining the necessity and authorizing the use of eminent domain to condemn a permanent waterline easement interest in and to 2.1925 acres, and temporary construction easement interests in and to 0.4591 acre and 0.4925 acre, located at 10115 West State Hwy 71 and owned by THE NATURE CONSERVANCY, A DISTRICT OF COLUMBIA NON-PROFIT CORPORATION, f/k/a The Nature Conservancy of Texas, Inc. required for the construction of the Hwy 290 Transmission Main Project (Parcel 5&6WE + 5&6TCE).

**MOTION:** A motion was made by President Roberts to approve item V.F. C. The motion was seconded by Director Smith.

The vote was taken with the following result:

Voting Aye: Directors Roberts, Creveling and Smith

Voting Nay:

Abstained:

Absent: Director Bethke

- d. Discuss, consider and take appropriate action on a resolution determining the necessity and authorizing the use of eminent domain to condemn temporary construction easement interests in and to 0.2479 acre located at 11886 Rim Rock Trail #3 and owned by ANCHOR EQUITIES, LTD. required for the construction of the Hwy 290 Transmission Main Project (Parcel 51TCE).

**MOTION:** A motion was made by President Roberts to approve item V.F. D. The motion was seconded by Director Smith.

The vote was taken with the following result:

Voting Aye: Directors Roberts, Creveling and Smith

Voting Nay:

Abstained:

Absent: Director Bethke

- G. Discuss, consider and take action on WTCPUA construction of Hamilton Pool Road parallel line (S. Roberts).**  
*(This item may be taken into Executive Session under the consultation with attorney exception).*

This item was taken into Executive Session under the Consultation with Attorney Exception pursuant to Texas Government Code Section 551.071. No action was taken. Board provided instructions to staff.

- H. Discuss, consider and take action on Draft 2024 CIP project list (G. Murfee).**  
*(This item may be taken into Executive Session under the consultation with attorney exception).*

This item was taken into Executive Session under the Consultation with Attorney Exception pursuant to Texas Government Code Section 551.071. The Board instructed G. Murfee to remove all items from the Capital Improvements Plan that were associated with the service availability letter for Dripping Springs Water Supply Corporation.

- I. Discuss, consider and take action on Term Sheet for Dripping Springs Water Supply Corporation Proposed Amended and Restated Wholesale Water Services Agreement (J. Riechers).**  
*(This item may be taken into Executive Session under the consultation with attorney exception).*

This item was taken into Executive Session under the Consultation with Attorney Exception pursuant to Texas Government Code Section 551.071.

- MOTION: A motion was made by Director Creveling to rescind the service availability letter for the Dripping Springs Water Supply Corporation. The motion was seconded by Director Smith.**

The vote was taken with the following result:

Voting Aye: Directors Roberts, Creveling and Smith

Voting Nay:

Abstained:

Absent: Director Bethke

- J. 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 taken into Executive Session under the Real Property Exception pursuant to Government Code Section 551.072. No action was taken.

**K. Discuss, consider and take action on status of WTCPUA's Watering Restrictions (J. Riechers).**

Jennifer Riechers presented this item. Ms. Riechers explained that the LCRA has moved out of stage 2 water restrictions to stage 1 water restrictions. Ms. Riechers would like Board input. Ms. Riechers stated staff recommends following the LCRA guidelines unless this would not be supported by infrastructure or capacity.

**MOTION: A motion was made by President Roberts to match LCRA Policy provided it does not exceed the WTCPUA's capability to provide service. The motion was seconded by Director Creveling.**

The vote was taken with the following result:

Voting Aye: Directors Roberts, Creveling and Smith

Voting Nay:

Abstained:

Absent: Director Bethke

**L. Discuss, consider and take action on upcoming meeting schedule (J. Riechers)**

Jennifer Riechers presented this item. Ms. Riechers provided information regarding Capital Improvement Plans and Impact Fee requirements and how that would impact Board meeting schedule. The Board directed staff to schedule Board meetings in July, August, September, and any special meetings as needed. No action taken.

**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. Ms. Smith provided a review of the budget variance impact created by stage 2 water restrictions. Director Smith asked about additional impact fees from the Highway 290 projects and directed staff to provide a report on impact fees that have been paid.

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

As presented in VI.C of the Board Packet.

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

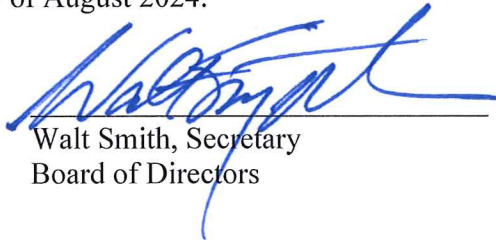
As presented in VI.D of the Board Packet.

**VII. ADJOURNMENT**

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

The meeting was adjourned by President Roberts at 2:42 p.m.

PASSED AND APPROVED this 15th day of August 2024.



Walt Smith, Secretary  
Board of Directors