

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

January 16, 2020

**Present:**

Scott Roberts, President  
Don Walden, Vice President  
Ray Whisenant, Secretary  
Bill Goodwin, Assistant Secretary

**Staff and Consultants:**

Jennifer Riechers, Agency General Manager  
Jennifer Smith, Agency Controller  
Keli Kirkley, Agency Accountant  
Reuben Ramirez, Agency Engineer Technician  
Curtis Jeffrey, Agency Lead Water Operator  
Stefanie Albright, (Lloyd Gosselink Rochelle & Townsend, P.C.), Agency General Counsel  
David Klein, (Lloyd Gosselink Rochelle & Townsend, P.C.), Agency General Counsel  
Dennis Lozano, (Murfee Engineering Company, Inc.), District Engineer

**I. CALL TO ORDER**

Director Roberts called the meeting to order at 10:02 a.m.

**II. ESTABLISH QUORUM**

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

**III. PUBLIC COMMENT**

No public comment was received.

**IV. CONSENT AGENDA**

- A. Approve minutes of December 12, 2019 regular Board Meeting.**
- B. Approve payment of invoices and other related bookkeeping matters, including:**
  - 1. Quarterly Investment Report;**
  - 2. BOK Financial Invoices for Bond Payments:**

- a. Revenue and Refunding Bonds, Series 2013, \$131,937.50.
- b. Revenue Bonds, Series 2015, \$708,831.25.
- c. Refunding Bonds, Series 2017, \$3,199,125.00.
- d. Revenue Bonds, Series 2019, \$322,748.21.

**C. Approve Contractor Pay Requests including:**

- 1. Cash Construction Company, Inc., Pay Application No. 1, \$94,151.25 Raw Water Line No. 2 CIP Project
- 2. Cash Construction Company, Inc., Pay Application No. 2, \$74,394.00 Raw Water Line No. 2 CIP Project
- 3. DN Tanks, Inc., Pay Application No. 3, \$353,313.32 West Bee Cave Pump Station GST No. 2 CIP Project
- 4. DN Tanks, Inc., Pay Application No. 4, \$149,600.06 West Bee Cave Pump Station GST No. 2 CIP Project

**D. Approve Utility Conveyance Agreements to convey facilities to the WTCPUA from the following:**

- 1. HM High Pointe Development Inc., High Pointe Phase 2, Section 2B

**MOTION:** A motion was made by Director Roberts to approve the Consent Agenda Items A-D, provided as Exhibits A-D. The motion was seconded by Director Whisenant.

The vote was taken with the following result:

Voting Aye: Directors Walden, Whisenant, Goodwin and Roberts  
 Voting Nay: None  
 Abstained: None  
 Absent: Director Brzoska

**V. OLD BUSINESS**

At 10:56 a.m., Director Roberts announced that the Board would convene in executive session to consult with its attorney under Texas Government Code § 551.071 regarding Items V.A, V.B, VI.A.

At 12:27 p.m., Director Roberts announced that the Board would reconvene in open session and that no action had been taken in executive session.

**A. Discuss, consider and take action regarding pending and/or anticipated litigation, including:**

- 1. *John Hatchett, Sandra Hatchett and JPH Capital, LLP v. West Travis County Public Utility Agency; in the 201st Judicial District Court, Travis County, Texas; Cause No. D-1-GN-18-001654.*

2. *John Hatchett, Sandra Hatchett and JPH Capital, LLP v. West Travis County Public Utility Agency, No. 03-18-00668-CV in the Court of Appeals for the Third District of Texas at Austin.*
3. *John Hatchett, Sandra Hatchett and JPH Capital, LLP v. West Travis County Public Utility Agency, Civil Action No. 1:19-CV-00260 in the United States District Court for the Western District of Texas, Austin Division.*

This item was discussed in executive session.

**B. Discuss, consider and take action regarding Hill Country Galleria concerns regarding wastewater pretreatment program**

This item was discussed in executive session.

Director Roberts stated that the PUA is implementing the pretreatment program consistent with the PUA Tariff, state laws, federal laws, and industry guidelines.

**VI. NEW BUSINESS**

**A. Discuss, consider and take action regarding assessment of impact fees.**

This item was discussed in executive session.

**B. Discuss, consider and take action regarding recommendation for Change Order No. 1 for the Hamilton Pool Road Pump Station Expansion CIP Project**

Mr. Lozano presented this item, provided as Exhibit E. He stated that there was some difficulty in procuring pumps for this project and Murfee Engineering is recommending an alternative pump that would change the scope of the project, which is represented in the change order.

**MOTION:** A motion was made by Director Whisenant to approve the change order which recommends an alternative pump that would change the scope of the project. The motion was seconded by Director Roberts.

The vote was taken with the following result:

Voting Aye: Directors Walden, Whisenant, Goodwin and Roberts  
Voting Nay: None  
Abstained: None  
Absent: Director Brzoska

Director Walden asked when completion was forecasted, to which Mr. Lozano stated lead time on the pumps is twelve weeks and that the entire project was anticipated to be completed in four months. In response to a question from Director Roberts, Mr. Lozano stated that this is a planned



increase in capacity to meet current demands and growth with current commitments and is a CIP project.

## **VII. STAFF REPORTS**

### **A. General Manager's Report.**

Ms. Riechers presented this report, provided as Exhibit F. Director Goodwin asked about the billing and software implementation. Ms. Riechers stated that there has been several weeks of training on the financial side and staff feels that the process is going well. The financial portion will be up and running in March and the utility billing component in June.

Director Goodwin asked about the Impact Fee Advisory Committee (IFAC) and Ms. Riechers flagged that there would need to be another Hays County representative appointed. Director Walden asked about the dewatering pilot program and asked if there was any odor associated with the process. Mr. Lozano replied that there was no odor identified and that he was pleased with the pilot. Discussion ensued regarding the dewatering process and current sludge hauling.

Director Roberts asked about the effluent management and questioned why Spanish Oaks did not over-seed which would likely result in the golf course taking more effluent. Mr. Jack Creveling stated that this is a preference of the golf course and he would inquire. Director Roberts asked staff to ask Falconhead golf course if they over-seeded, and asked staff to look into how much water winter rye would absorb.

Director Walden asked about the Raw Waterline No. 2 project and whether there was a schedule to meet and provide updates to Lake Pointe. Mr. Lozano stated that there was ongoing communication, but not a specific schedule for meetings.

Ms. Riechers pointed out that two new employees have been hired, including an IT administrator who would be trained on SCADA. Tricia Altamirano is also working part-time as an engineer for the PUA.

### **B. Controller's Report.**

Ms. Smith presented this report, provided as Exhibit G. She stated that overall the PUA is tracking well with the forecasted budget.

Don Walden stated that payment is being made on four series of bonds and asked that Ms. Smith provide the amortization schedule in future agendas when bond payments are made.

### **C. Engineer's Report including:**

#### **1. Capital Improvements Plan Update.**

Mr. Lozano presented this report, provide as Exhibit H. Director Goodwin inquired about the Raw Waterline No. 2 project and contract administration which was flagged as being more intensive than anticipated. Mr. Lozano stated that this a combination of items with the contractor

as well as communications and public relations with Lake Pointe. He stated that there have been a lot of on-site inspections with Lake Pointe officials that was more than anticipated but recognized that the project is going well and that this is an important and significant project in the community that necessitated such meetings.

Director Goodwin referenced the water production graphs and inquired about the raw water usage. He stated this graph peaked in 2017, but the other graphs show 2019 peaking. He stated the raw water usage is only what the PUA is billed by LCRA pursuant to the PUA's firm water contract. He stated that the differentiation is the growth in wholesale versus retail. Mr. Lozano flagged the wastewater flow projections chart and stated that the investments in operations and efficiency have paid off and that the PUA is anticipated to see an increase in flow in the future.

Director Walden asked that these graphs be brought back periodically with a narrative of what each of the graphs is telling engineering consultants as well as any trends.

Director Roberts asked about the 2019 legislative change allowing telecommunications companies the ability to use TXDOT right of ways. Mr. Lozano stated that this is an opportunity for new problems that could impact the PUA in the future, and that this is why the PUA looks to obtain easements where possible.

Director Roberts asked about the beneficial water recycling (BWR) project and stated that the TCEQ has issued a final and non-appealable wastewater permit. He stated that the water side is a more technical process to obtain approval, and the next step is to prepare a draft protocol for the operations of the project. He stated this will be the 12-month of study that the TCEQ will review. In response to a question from Director Roberts, Mr. Lozano clarified that for the BWR project, the PUA needs both wastewater permitting from the water quality at TCEQ, as well as water supply permitting from TCEQ. He stated that this process is technical and administrative. Director Roberts asked when it is anticipated that the project will be up and running and producing potable water to the distribution system, to which Mr. Lozano stated it would take approximately 24 months. Director Goodwin asked what the PUA would do with the output of the BWR project during the 12-month period, to which Mr. Lozano replied that the water would be sent to the effluent ponds.

Director Roberts asked about the status on ASR (Aquifer Storage and Recovery), to which Mr. Lozano stated that Murfee Engineering is drafting a final report that will be provided to the Board for review in the next month. Discussion ensued regarding the potential benefits and challenges of a PUA ASR project.

#### **D. Operations Report.**

Mr. Jeffrey presented this report, provided as Exhibit I.

Director Walden asked when raw water pump no. 5 would be in service, to which Mr. Michael Sarot, PUA Pump and Motor supervisor, stated that they haven't received the report on this pump yet.



Director Whisenant stated that it seems that these pumps have long lead times for replacement, to which Mr. Sarot stated that this has been observed with the brand of pump utilized. In response to Director Whisenant, Mr. Sarot stated that having more spare options relating to pumps would be a good idea. Mr. Lozano stated that there is a market-wide demand for pumps and that the PUA is looking to additional alternatives that may assist with these lead times. Director Walden asked that a plan be created relating to pumps, repairs, and spare parts to ensure that future demand isn't impacted.

Director Walden asked about complaints from Senna Hills relating to pressure, to which staff confirmed that it was likely air in the line from routine maintenance.

### VIII. ADJOURNMENT

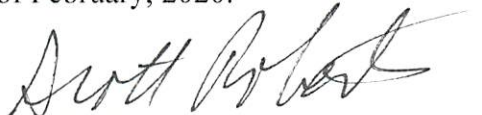
**MOTION:** A motion was made by Director Goodwin to adjourn the meeting. The motion was seconded by Director Whisenant.

The vote was taken with the following result:


Voting Aye: Directors Walden, Whisenant, Goodwin, and Roberts  
Voting Nay: None  
Abstained: None  
Absent: Director Brzoska

The meeting adjourned at 12:28 p.m.

PASSED AND APPROVED this 20<sup>th</sup> day of February, 2020.

  
\_\_\_\_\_  
Scott Roberts, President  
Board of Directors

ATTEST:

  
\_\_\_\_\_  
Walt Smith Ray Whisenant, Secretary/Treasurer  
Board of Directors