

MINUTES  
TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 10

June 1, 2021

The Board of Directors (the "Board") of Travis County Municipal Utility District No. 10 (the "District") met on the 1st day of June, 2021, in regular session by teleconference, with access by telephone available to the public, pursuant to Texas Government Code Section 551.125 and Governor Greg Abbott's emergency disaster declaration dated March 13, 2020, and the roll was called of the members of the Board being present by telephone:

Vance Taylor	President
Dan Eckermann	Executive Vice President
Andrew L. Fawthrop	Vice President
Harvey Reiter	Secretary
Andi K. Tasset	Assistant Secretary

and all of the above were present, thus constituting a quorum.

Also attending the teleconference were Ashlee Martin of McCall Gibson Swedlund Barfoot PLLC; Cathy Mitchell of Jones & Carter, Inc. ("J&C"); Tammy Hargett of AWR Services, Inc. ("AWR"); and Kathryn Garner and Janet Swartz of Allen Boone Humphries Robinson LLP ("ABHR").

Ms. Garner reviewed certain recommended protocols for conducting the District's meeting via teleconference. She announced that the meeting was being recorded and that consultant reports presented at the meeting were posted online and available to the public in the form of an "agenda packet" prior to the start of the meeting at <https://www.districtdirectory.org/agendapackets/tcmud10>.

PUBLIC COMMENTS

Director Taylor offered any members of the public attending the meeting by telephone the opportunity to make public comment. There were no public comments.

RATIFICATION OF EMERGENCY OR URGENT ACTIONS, IF ANY, AND  
RATIFICATION OF COVID-19 EPIDEMIC RELATED EMERGENCY ACTIONS, IF  
ANY

The Board concurred that there were no emergency actions to ratify.

RATIFICATION OF APPROVAL OF DEVELOPER REIMBURSEMENT AGREEMENT

Ms. Garner stated that May 4, 2021, the Board considered proposed changes to certain sections of the Development Financing Agreement between the District and

BWB Holdings, Ltd. (“BWB”). The Board approved the revised terms for Sections 2(a)(2), 4.01 and 4.02, and authorized the President and Secretary to execute the Development Financing Agreement (the “Agreement”) once accepted by BWB and finalized by ABHR. Ms. Garner stated that BWB had requested that Waterford Development Partners LP, an entity related to BWB replace it as the party to the Agreement. Ms. Garner stated that pursuant to the District’s Resolution Regarding Delegation of Authority Related to Emergency Action or Urgent Action, Director Taylor approved the Developer Financing Agreement between the District and Waterford Development Partners, LP. After discussion, Director Taylor moved to ratify the urgent action taken by Director Taylor to approve the Developer Financing Agreement between the District and Waterford Development Partners, LP. Director Fawthrop seconded the motion, which passed by unanimous vote.

#### APPROVE MINUTES

The Board considered approving the minutes of the May 4, 2021, regular meeting. After review and discussion, Director Taylor moved to approve the minutes of the May 4, 2021, meeting. Director Fawthrop seconded the motion, which passed by unanimous vote.

#### FINANCIAL AND BOOKKEEPING MATTERS AND TAX ASSESSMENT AND COLLECTION MATTERS

The Board reviewed the bookkeeper’s report, a copy of which is attached. The Board reviewed the tax assessor/collector’s report, including the delinquent tax roll, a copy of which is attached. Director Reiter stated that the District’s insurance claim for damages incurred to facilities during the winter storm has been submitted and there is a \$5,000 deductible. Director Taylor recommended that the Board discuss an overview of the District’s financial situation for 2021 and 2022 at the July meeting. After review and discussion, Director Reiter moved to (1) approve the bookkeeper’s report and the checks listed on the report; and (2) approve the tax assessor/collector’s report. Director Eckermann seconded the motion, which passed by unanimous vote.

#### AUTHORIZE DELINQUENT TAX ATTORNEY TO PROCEED WITH COLLECTION OF DELINQUENT TAXES

Director Reiter recommended the Board consider authorizing the delinquent tax attorney to proceed with the collection of delinquent taxes in July. The Board tabled action on this agenda item.

#### AUDIT FOR FISCAL YEAR END FEBRUARY 28, 2021

Ms. Martin presented and reviewed the District’s audit for the fiscal year end February 28, 2021. Following review and discussion, Director Reiter moved to approve the audit subject to final director and consultant review, authorize filing of the audit with the Texas Commission on Environmental Quality, and direct that the audit be filed

appropriately and retained in the District's official records. Director Fawthrop seconded the motion, which passed by unanimous vote.

#### AUTHORIZE RENEWAL OF DISTRICT'S INSURANCE POLICIES

Ms. Garner stated that a proposal for renewal of the insurance policies from Arthur J. Gallagher & Co. will be presented at the July meeting. The Board tabled action on this agenda item.

#### OPERATION OF DISTRICT FACILITIES

Ms. Hargett reviewed the operator's report, a copy of which is attached. She stated that 188 customers were billed during the month of April. Ms. Hargett reported on the Highland Lake Storage levels.

Ms. Hargett stated that the new raw water line has been installed and is operational. She added that the check valve is being replaced. Ms. Hargett stated that AWR is investigating the breakers on the barge which tripped when the valve was being drained.

Ms. Hargett reported on AWR's coordination with Director Tasset on District communications to residents. She stated that a notice will be added to the water bill regarding the sticker that will be placed on all alarm panels on grinder pumps in the District. Director Fawthrop requested AWR distribute flyers to residents regarding best practices for grinder pump when installing the stickers.

Ms. Hargett did not have a report on delinquent accounts and terminations.

Ms. Hargett stated AWR will send emergency procedures to the Board to review. In response to Director Fawthrop's inquiry, Ms. Mitchell stated that J&C is working on a report on the risk of equipment failure at the District's facilities.

Ms. Hargett discussed the Consumer Confidence Report with the Board.

After review and discussion, Director Taylor moved to (1) accept the operator's report; and (2) approve the Consumer Confidence Report and authorize the operator to deliver the Consumer Confidence Report and file the certificate of delivery with the Texas Commission on Environmental Quality. Director Eckermann seconded the motion, which passed by unanimous vote.

#### CONDUCT ANNUAL REVIEW AND RECEIVE REPORT FROM OPERATOR ON IDENTITY THEFT PREVENTION PROGRAM AND ADOPT IDENTITY THEFT PREVENTION PROGRAM AMENDMENT

Ms. Hargett discussed the District's Identity Theft Prevention Program (the "Program") and an Annual Red Flag Compliance Report on the Program. She reported

no significant incidents of identity theft and recommended no changes to the Program. The Board agreed that it was not necessary to adopt a Program amendment. Following review and discussion, the Board concurred to accept the annual report on the Program and direct that the report be filed appropriately and retained in the District's official records.

#### ENGINEERING MATTERS

Ms. Mitchell reviewed the engineer's report, a copy of which is attached.

#### CAPITAL IMPROVEMENT PLAN ("CIP")

Ms. Mitchell stated that J&C worked with the operator on two items in the CIP Plan. She added that J&C assisted in assessing booster pumps no. 3 and no. 4 at the water plant which are back in service. Ms. Mitchell stated that a SCADA System is included in the CIP Plan for this year.

Ms. Mitchell stated that the replacement of the bar screen at the wastewater treatment plant has been moved to next year. She stated that J&C is working on a proposal for Lift Station No. 1 piping replacement.

#### REPAIR TO RAW WATER LINE

Ms. Mitchell updated the Board on the raw water line repair. She stated that the contractor has completed installation of the new raw water line and is cleaning up the site.

#### INSPECTIONS AND REPAIRS

Ms. Mitchell stated that the annual inspection of the water plant will be June 4, 2021.

#### ZEBRA MUSSEL REMOVAL AND PREVENTION

Ms. Mitchell stated that the new raw water pump screens have been received by Chapman Marine and J&C is working to schedule the installation.

#### CONTINGENCY PLAN FOR DISTRICT FACILITIES

Ms. Mitchell stated that she is reviewing the plan and will provide feedback on mitigation strategies to Director Fawthrop.

Ms. Mitchell stated that J&C provided documentation to the insurance company on the District's insurance claim.

After review and discussion, Director Reiter moved to accept the engineer's report. Director Eckermann seconded the motion, which passed by unanimous vote.

REPORT REGARDING DEVELOPMENT IN THE DISTRICT

Director Taylor reported on development in the District.

DISTRICT AND PROPERTY OWNERS ASSOCIATIONS COORDINATION AND BOARD MEMBER INPUT REGARDING ISSUES FACING THE DISTRICT

There was no discussion on this agenda item.

FREEZE EVENT LESSONS LEARNED FOLLOWUP

Director Eckermann discussed the preparation of the District's emergency plan. Director Tassett stated that she and Ms. Hargett reviewed AWR's plans on communications with customers during emergencies.

CONTINGENCY PLANNING FOLLOWUP

There was no discussion on this agenda item.

MAINTENANCE AND FORMAT OF THE DISTRICT WEBSITE

Director Tasset updated the Board on the District website. She requested comments from the Board on the website.

NEWSLETTERS, COMMUNICATIONS WITH RESIDENTS AND/OR PROPERTY OWNERS REGARDING UPDATES TO IRIS DISTRICT COMMUNICATION SYSTEM AND OTHER DISTRICT COMMUNICATIONS

Director Tasset discussed the preparation of the newsletter.

CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE, TO CONDUCT A PRIVATE CONSULTATION WITH ATTORNEY

The Board did not convene in executive session.

NEXT MEETING DATE AND LOCATION

Following discussion, the Board agreed to hold the next meeting on July 6, 2021, at 10:30 a.m. in person at 17817 Kingfisher Ridge Drive and by teleconference, with access by telephone available to the public, pursuant to the Texas Government Code Section 551.125 and Governor Greg Abbott's emergency disaster declaration dated March 13, 2020.

There being no further business to come before the Board, the meeting was adjourned.

/s/ Harvey Reiter  
Secretary, Board of Directors



ATTACHMENTS TO THE MINUTES

	<u>Page</u>
Bookkeeper's report.....	2
Tax assessor/collector's report .....	2
Operator's report.....	3
Engineer's report.....	4