

MINUTES  
TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 10

November 7, 2023

The Board of Directors (the “Board”) of Travis County Municipal Utility District No. 10 (the “District”) met in regular session, open to the public, on November 7, 2023, at 1316 Watercliffe Drive, Lago Vista, Texas, 78645, inside the boundaries of the District, and the roll was called of the members of the Board:

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

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

Also present at the meeting in person were Cathy Mitchell and Meagan Norris of Quiddity Engineering, LLC (“Quiddity”); Tammy Hargett of AWR Services, Inc. (“AWR”); and Kathryn Garner and Nancy Phan of Allen Boone Humphries Robinson LLP (“ABHR”).

PUBLIC COMMENTS

Director Taylor offered any members of the public attending the meeting by telephone and in person the opportunity to make public comment. There being no members of the public attending the meeting in person or by telephone, Director Taylor moved to the next agenda item

RESOLUTION DESIGNATING IN-DISTRICT MEETING PLACES

The Board considered establishing additional in-district meeting places of the District. Ms. Garner presented a Resolution Establishing Additional In-District Meeting Places, effective June 1, 2022, reflecting (1) the establishment of a meeting place at 1316 Watercliffe Drive; (2) confirmation of the meeting places previously established at 1845 Kingfisher Ridge Cove, 18001 Kingfisher Ridge Drive, 17805 Kingfisher Ridge Drive, and 17817 Kingfisher Ridge Cove; and (3) the removal of 1405 Osprey Ridge Loop as a meeting place. After review and discussion, Director Taylor moved to adopt the Resolution Establishing Additional In- District Meeting Places, effective as of June 1, 2022, and direct that it be filed appropriately and retained in the District’s official records. Director Eckermann seconded the motion, which passed by unanimous vote.

## APPROVE MINUTES

The Board considered approving the minutes of October 3, 2023, regular meeting. After review and discussion, Director Eckermann moved to approve the minutes of October 3, 2023 regular meeting as submitted. Director Sneed seconded the motion, which passed by unanimous vote.

## FINANCIAL AND BOOKKEEPING MATTERS

The Board reviewed the bookkeeper's report, a copy of which is attached. After review and discussion, Director Fawthrop moved to approve the bookkeeper's report and the checks presented for payment, with the exception of the check for Director Tasset. Director Sneed seconded the motion, which passed by unanimous vote.

## TAX ASSESSMENT AND COLLECTION MATTERS

The Board reviewed the tax assessor/collector's report, including the delinquent tax roll, a copy of which is attached. After review and discussion, Director Taylor moved to 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

The Board concurred to remove this item from the agenda.

## RECEIVE REPORT REGARDING PROPOSED SITE VISIT BY BURNS & MCDONALD ON BEHALF OF MAGELLAN MIDSTREAM PARTNERS AND NON-DISCLOSURE AGREEMENT, AND TAKE ANY NECESSARY ACTION

Ms. Garner updated the Board on the status of the Non-Disclosure Agreement between the District and Burns & McDonald on behalf of Magellan Midstream Partners ("Magellan") regarding the requested site visit to the District's water plant. She stated Magellan and Burns & McDonald continue to review the revisions provided by ABHR and additionally requested a site map of the District's water treatment plant and confirmation on the accuracy of the water flow information for the District's water treatment facility listed on the Texas Commission on Environmental Quality ("TCEQ") website. After discussion, the Board directed Quiddity to provide current water flow information for the District's water treatment facility to Magellan and Burns & McDonald. The Board concurred to not provide a site map until the Non-Disclosure Agreement is approved and executed by all parties.

CONSIDER EMERGENCY WATER SUPPLY AGREEMENT BETWEEN THE DISTRICT AND TRAVIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT - POINT VENTURE, AND TAKE ANY NECESSARY ACTION

The Board reviewed the proposed Emergency Water Supply Agreement between the District and Travis County Water Control and Improvement District - Point Venture ("PV - WCID") to supply potable water to each other under emergency conditions. The Board also reviewed the comments to the agreement provided by PV-WCID. The Board then discussed possible methods for delivering the treated water from the tanker truck into the District's ground storage tanks at the water treatment plant and clearing a pathway to the water treatment plant. Following review and discussion, the Board concurred to (1) authorize AWR and Quiddity to coordinate on soliciting a proposal for preparation of a delivery pathway to the District's ground storage tanks; and (2) authorize ABHR to revise the agreement between the District and PV-WCID regarding the additional terms discussed by the Board and incorporating the comments provided by PV-WCID.

OPERATION OF DISTRICT FACILITIES

Ms. Hargett reviewed the operator's report, a copy of which is attached.

Ms. Hargett updated the Board on the results of the one sample that exceeded the maximum contaminant level for lead and copper set by the TCEQ, noting that AWR learned that the sample was taken from a bathroom faucet that was rarely used. She stated that a notification letter was sent to the residents of the District, as required by the TCEQ, and reviewed the action plan required by the TCEQ, a copy of which is attached to the operator's report. The Board discussed ways to inform residents about the copper and lead levels in the District's water supply.

Ms. Hargett reported on the Highland Lake storage levels and stated that the District continues to be at Stage 3 of the District's Drought Contingency Plan ("DCP"). She stated that the Lower Colorado River Authority ("LCRA") will hold a meeting to discuss pro rata curtailment and updates to the LCRA's DCP. Ms. Hargett stated that AWR will attend the meeting and provide any updates to the Board at the next meeting, as well as any suggested revisions to the District's DCP based on the LCRA's decisions.

Ms. Hargett reported on the number of violation letters issued for violations of the District's DCP, noting that 19 of the letters were for second violations. After discussion, the Board authorized AWR to coordinate with Director Tasset on communication to residents commending the overall compliance with the District's water restrictions and highlighting the water usage of the few outlying high water users.

Ms. Hargett reported that booster pump no. 1 failed at the water treatment plant and recommended repair of the booster pump in the amount of \$14,000.00. In response

to an inquiry from the Board, Ms. Hargett estimated a new booster pump would cost between \$20,000.00 to \$25,000.00. After discussion, the Board concurred to purchase a new booster pump if the total cost does not exceed \$25,000.00 and if it does, to repair the booster pump in the amount of \$14,000.00.

Ms. Hargett reported that the chlorine analyzers and the turbidimeter at the water treatment plant are obsolete and recommended that they be replaced in the amount of \$14,131.00.

Ms. Hargett presented a proposal for trimming of the trees around the water and wastewater treatment plants' fences in the amount of \$2,760.00. After review and discussion, the Board concurred to take no action.

Ms. Hargett reported that she and Director Tasset continue to draft the next newsletter to be distributed to the residents of the District.

After review and discussion, Director Taylor moved to: (1) accept the operator's report; (2) approve the purchase of a new booster pump in an amount not to exceed \$25,000.00, if possible; (3) authorize the repair of the booster pump in the amount of \$14,000.00, if the cost of a new booster pump exceeded \$25,000.00; and (4) approve the replacement of the chlorine analyzers and the turbidimeter at the water treatment plant in the amount of \$14,131.00. Director Eckermann seconded the motion, which passed by unanimous vote.

#### REVIEW ESCROW AGREEMENT FOR EXTENSION OF WATER SERVICE TO DISTRICT LANE AND TAKE ACTION, IF NECESSARY

Ms. Hargett updated the Board regarding the request from residents on District Lane for the District to provide water services to their property. Ms. Hargett stated a proposal was received in the amount of \$96,874.00 for construction and connection of a water distribution line. She stated that Quiddity reported that due to the cost proposed, new proposals will be solicited. The Board reviewed the Escrow Agreement but took no action.

#### ENGINEERING MATTERS

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

Ms. Mitchell stated a Notice to Proceed was issued for the Wastewater Treatment Plant Improvement Project, but Quiddity is continuing to review the contract submittals from the contractor to ensure that the documents are accurate.

Ms. Mitchell updated the Board on the status of the installation of the generator at the water treatment plant site. She stated that Quiddity sent a letter to the contractor regarding the expiration of the contract period of performance for substantial

completion, a copy of which is attached to the engineer's report. Ms. Mitchell reported that the generator was delivered at the end of October and installation is anticipated to occur at the end of November, subject to receipt of the automatic transfer switch.

Ms. Mitchell reported that the Water Well Project received approval from Travis County and the Fire Marshall and stated that Bee Cave Drilling ("Bee Cave") provided its contract for review. She stated that Quiddity met with ABHR and Directors Eckermann and Fawthrop to discuss the contract and the plan moving forward. She stated that Bee Cave provided two proposals with different design options in the approximate amounts of \$94,000.00 and \$199,000.00. After discussion, the Board concurred to authorize Quiddity, ABHR, Director Fawthrop, and Director Eckermann to review the proposals and design plans provided by Bee Cave.

The Board next discussed an alternative plan for accessing water to be pumped from Lake Travis and the available capacity of the Lake Travis. Board discussion ensued regarding the methods to pump water from Lake Travis.

After review and discussion, Director Taylor moved to approve the engineering report. Director Fawthrop seconded the motion, which passed by unanimous vote.

#### REPORT REGARDING DEVELOPMENT IN THE DISTRICT

Director Taylor reported on development of the District.

#### ENGINEERING MATTERS (CONT'D)

The Board requested an update on status of the required Sanitary Control Easements related to usage restrictions in the 150-foot radius around the District's water well required by the TCEQ. Ms. Garner stated the TCEQ pre-approved the revised Sanitary and Pollution Control Order and the Sanitary Control Easement.

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

Director Sneed requested additional information on the monthly fee that the condominium pays, and Ms. Hargett stated that the fees are for the mowing, trash pickup, and maintenance of the ponds.

#### REPORT ON DISTRICT WEBSITE

Ms. Hargett stated that she and Director Tasset will be working on adding an additional page to the District's website to educate District residents about water conservation.

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

There was no discussion on the agenda item.

NEXT MEETING DATE AND LOCATION

Following discussion, the Board agreed to hold (a) the December 5, 2023 meeting at 17817 Kingfisher Ridge Drive, Lago Vista, TX 78645, (b) the January 2, 2023 meeting at 17805 Kingfisher Ridge Dr. Lago Vista, TX 78645, and (c) February 6, 2023 meeting at 18001 Kingfisher Ridge Dr. Lago Vista, Texas 78645, with each meeting accessible by a telephone conference line.

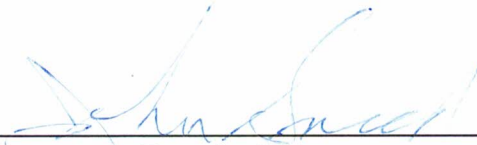
CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE, TO CONDUCT A PRIVATE CONSULTATION WITH ATTORNEY, AND DISCUSS PENDING OR CONTEMPLATED LITIGATION

The Board convened in Executive Session at 12:29 p.m.

RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION REGARDING MATTERS CONSIDERED IN EXECUTIVE SESSION, OR A SETTLEMENT OFFER

The Board reconvened in Open Session at 12:39 p.m. The Board took no action.

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

  
Secretary, Board of Directors

(SEAL)



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