

MINUTES  
TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 10

February 6, 2024

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 February 6, 2024, at 1845 Kingfisher Ridge Cove, 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 Directors Fawthrop and Sneed, thus constituting a quorum.

Also present at the meeting in person were Patrick Wines, member of the public; 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").

Also present by telephone was Hal Lanham of AWR; Nancy Olson of McCall Gibson Swedlund Barfoot ("MGSB"); and George Vie of George W. Vie III PC.

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 were no comments from the members of the public attending the meeting in person or by telephone. Director Taylor moved to the next agenda item.

APPROVE MINUTES

The Board considered approving the minutes of January 2, 2024, regular meeting. After review and discussion, Director Tasset moved to approve the minutes of January 2, 2024 regular meeting as submitted. Director Eckermann seconded the motion, which passed by unanimous vote.

ADOPT RESOLUTION CONCERNING EXEMPTIONS FROM TAXATION

The Board considered adoption of a Resolution Concerning Exemptions from Taxation. After review and discussion, Director Taylor moved to adopt a Resolution

Concerning Exemptions from Taxation, reflecting a \$10,000 exemption for persons over 65 years of age or for disabled persons and a general residential homestead exemption of fifteen percent (15%) of the appraised value (but not less than \$5,000) of the residence homestead, and direct that such document be filed appropriately and retained in the District's official records. Director Tasset seconded the motion, which passed by unanimous vote.

ENGAGE AUDITOR TO CONDUCT AUDIT FOR THE FISCAL YEAR END FEBRUARY 28, 2024

The Board reviewed an engagement letter from McCall to perform the District's audit for the fiscal year end February 28, 2024, reflecting the anticipated fee will be an amount not to exceed \$9,000. After review and discussion, Director Tasset moved to approve and authorize execution of the engagement letter with McCall to conduct the audit for the District's fiscal year end February 28, 2024, and direct that such document from McCall be filed appropriately and retained in the District's official records. Director Eckermann 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 Eckermann moved to approve the tax assessor/collector's report. Director Tasset seconded the motion, which passed by unanimous vote.

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 reported that no response was received from Burns & McDonald or Magellan Midstream Partners regarding the Non-Disclosure Agreement requested by regarding the requested site visit to the District's water plant. The Board took no action.

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 revised Emergency Water Supply Agreement between the District and Travis County Water Control and Improvement District - Point Venture ("PV - WCID") to supply potable water during emergency conditions. and discussed additional revisions to be made to the Agreement including the supply and delivery points for each District. Director Taylor stated that the Board will execute the Agreement once PV - WCID gives its approval of the revised Agreement. The Board took no action.

## OPERATION OF DISTRICT FACILITIES

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

Ms. Hargett stated that the Board of Directors of the Lower Colorado River Authority ("LCRA") is meeting in February and will consider a once-per-week watering schedule that would be effective beginning of May 1, 2024. She stated that the District's Drought Contingency Plan will be amended according to the revised watering schedule and customers will be notified of the watering schedule prior to May 1, 2024.

Ms. Hargett reviewed an action plan prepared by AWR related to the lead and copper sampling required by the Texas Commission on Environmental Quality ("TCEQ").

Ms. Hargett stated that the replacement for Booster Pump No. 1 is scheduled for installation in February.

Ms. Hargett reported on grinder pump calls.

Ms. Hargett stated that the annual Water Use Survey Report and the Water Loss Audit Report required by the Texas Water Development Board are due by March 1, 2024, and May 1, 2024, respectively.

Ms. Hargett reported that there is a new manager for the Waterford Marina. She stated that the rate for boat slips to access the District's barge will increase from \$6,600 to \$6,900 per year effective April 1, 2024.

Ms. Hargett reviewed a draft Annual Water Use Survey Report and stated that the Report will be sent to the Texas Water Development Board ("TWDB") by March 1, 2024, as required.

Ms. Hargett updated the Board on the work completed by AWR during the recent freeze event and stated that there was no disruption of water or sewer service during the freeze.

Ms. Hargett stated that she is working with the manufacturer of the District's water meters, Badger Meter, to reduce the minimum time of 24 hours to send an alert to customers regarding water leaks, or to allow customers to customize the water alerts to their needs.

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

REVIEW AND DISCUSS STORAGE OF BOAT AND THE RENEWAL OF THE WITH WATERFORD MARINA, AND TAKE ANY NECESSARY ACTION

The Board reviewed a proposed Vessel Storage License Agreement between the District and Waterford Marina. After review and discussion, Director Taylor moved to approve the Vessel Storage License Agreement and direct that it be filed appropriately and retained in the District's official records. Director Tasset seconded the motion, which passed by unanimous vote.

FACILITIES SECURITY AND THE STORAGE AREA ADJACENT TO THE DISTRICT'S WATER TREATMENT PLANT

There was no discussion on this agenda item.

ENGINEERING MATTERS

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

Ms. Mitchell updated the Board on the Wastewater Treatment Plant ("WWTP") Improvement Project being completed by G Creek Construction, Inc ("G Creek"). She reviewed and recommended approval of Pay Estimate No. 1 in the amount of \$93,510.00, payable to G Creek for the demolition of the existing aeration equipment and installation of underground piping, conduit, and duct bank for a new chemical feed system.

Ms. Mitchell stated that G Creek provided a revised estimated construction phase duration of 240 calendar days for the WWTP Improvement Project. She reviewed a proposal from Quiddity for Extended Construction Phase Services for the 2023 WWTP Improvements to extend the duration of the construction phase services and field project representation from 120 days to 240 days including an increase in engineering fees related to the inspection and monitoring of the project.

Ms. Mitchell stated that Quiddity is coordinating with AWR on solutions related to the isolation of Train No. 1 and Train No. 2. She reviewed and recommended approval of a proposal from G Creek in the amount of \$22,183.06 for the replacement of stiffeners for Train No. 1.

Ms. Mitchell updated the Board on the status of the installation of the generator at the water treatment plant site. She stated that the contractor has provided an updated schedule, and the startup of the generator is planned for mid-February. She reviewed Pay Application No. 2 in the amount of \$182,615.40, payable to CSE-W Industries, Inc and recommended that the Board postpone approval of Pay Estimate No. 2 due to delays to the project caused by the contractor. After review and discussion, the Board concurred to postpone payment of Pay Application No. 2, based on Quiddity's recommendation.

Ms. Mitchell updated the Board on the Water Well Project and stated that the contract was awarded to Bee Cave Drilling, Inc. in the amount of \$116,532.00. She stated that the contractor installed the erosion controls on January 25, 2024, and that Quiddity is coordinating with Travis County to schedule the pre-construction inspection.

Ms. Mitchell reviewed the annual Water Plant inspection log including the status of ongoing activities related to the inspection's findings and identified future Capital Improvements Projects.

Ms. Mitchell stated that the District's barge is due for inspection. She reviewed and recommended approval of a proposal from Chapman Marine in the amount of \$3,600.00 to conduct the inspection of the barge.

Ms. Mitchell updated the Board on an alternative method for pumping water from Lake Travis in order to access available capacity at lower elevations of Lake Travis. After review and discussion, the Board concurred to defer action on this agenda item.

Ms. Mitchell reported that the TCEQ approved the District's updated Emergency Preparedness Plan ("EPP") submitted by Quiddity with the additional information regarding the water treatment plant fuel tank size.

Ms. Mitchell stated that all public water systems are required to conduct and submit a comprehensive service line inventory to the TCEQ by October 16, 2024, related to the Lead and Copper Rule Revision. She stated that Quiddity will present a proposal for preparing and submitting an inventory of the District's water service lines at the Board's next meeting.

After review and discussion, Director Taylor moved to: (1) approve the engineering report; (2) approve Pay Estimate No. 1 in the amount of \$93,510.00, payable to G Creek, based on Quiddity's recommendation; (3) approve the proposal for Extended Construction Phase Services from Quiddity, and direct that the proposal be filed appropriately and retained in the District's official records; (4) approve the proposal from G Creek in the amount of \$22,183.06 for the replacement of stiffeners for Train No. 1, and direct that the proposal be filed appropriately and retained in the District's official records; and (5) approve the proposal from Chapman Marine in the amount of \$3,600.00 for the inspection of the barge, and direct that the proposal be filed appropriately and retained in the District's official records. Director Tasset seconded the motion, which passed by unanimous vote.

## FINANCIAL AND BOOKKEEPING MATTERS

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

## ADOPT BUDGET FOR FISCAL YEAR ENDING FEBRUARY 28, 2025

The Board reviewed a proposed budget for the fiscal year ending February 28, 2025. The Board discussed certain line items to be removed. After review and discussion, Director Taylor moved to adopt the budget for the fiscal year ending February 28, 2025. Director Eckermann seconded the motion, which passed by unanimous vote.

## REPORT ON ASSOCIATION OF WATER BOARD DIRECTORS ("AWBD") WINTER CONFERENCE AND APPROVE ELEGIBLE EXPENSES AND DISCUSS ATTENDANCE AT THE AWBD SUMMER CONFERENCE

Director Eckermann reported on his attendance at the AWBD Winter Conference.

## REPORT REGARDING DEVELOPMENT IN THE DISTRICT

There was no discussion on this agenda item.

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

There was no discussion on this agenda item.

## REPORT ON DISTRICT WEBSITE

Director Tasset reported on the District website.

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

There was no discussion on this agenda item.

## APPROVE ENGAGEMENT LETTER WITH LITIGATION COUNSEL

The Board reviewed an engagement letter with George W. Vie III PC. litigation counsel to the District. After review and discussion, Director Taylor moved to engage George W. Vie III PC, authorize execution of the engagement letter, and direct that the

engagement letter be filed appropriately and retained in the District's official records. Director Tasset seconded the motion, which passed unanimously.

2024 DIRECTORS ELECTION

Ms. Garner reviewed an Order Calling Directors Election. She discussed that the Notice of Election may be required to be posted or published and provided to the County Clerk and Voter Registrar of Travis County. After review and discussion, Director Taylor moved to adopt the Order Calling Directors Election and direct that the Order be filed appropriately and retained in the District's official records and authorize the Secretary's agent to post or publish the Notice of Election and provide it to the County Clerk and Voter Registrar, if required. Director Tasset seconded the motion, which passed by unanimous vote.

NEXT MEETING DATE AND LOCATION

After discussion, the Board agreed to hold (a) the March 5, 2024 meeting at 18001 Kingfisher Ridge Drive, Lago Vista, Texas 78645, (b) the April 2, 2024 meeting at 1316 Watercliffe Drive, Lago Vista, Texas 78645, and (c) the May 7, 2024 meeting 17817 Kingfisher Ridge Drive, 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 12:53pm.

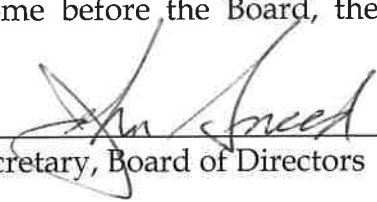
RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION REGARDING MATTERS CONSIDERED IN EXECUTIVE SESSION, OR A SETTLEMENT OFFER

The Board reconvened in open session at 1:10pm. After discussion, Director Taylor moved to authorize George W. Vie III to file a motion of extension of 30 days. Director Tasset seconded the motion, which passed by unanimous vote.

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

(SEAL)



  
Secretary, Board of Directors

ATTACHMENTS TO THE MINUTES

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