

MINUTES  
TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 10

May 7, 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 May 7, 2024, at 17817 Kingfisher Ridge 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 Taylor, 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"); Patrick Wines, resident in the District; and Kathryn Garner and Megan Leissner of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

Director Eckermann 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. Director Eckermann moved to the next agenda item.

APPROVE MINUTES

The Board considered approving the minutes of April 2, 2024, regular meeting. Ms. Garner discussed revisions to the minutes received from Quiddity. After review and discussion, Director Fawthrop moved to approve the minutes of April 2, 2024, regular meeting as revised. Director Sneed seconded the motion, which passed by unanimous vote.

2024 DIRECTORS ELECTION

The Board reviewed a Certificate of Election, reflecting the election of Patrick Wines, to the Board of Directors of the District for a four-year term ending May 6, 2028.

Ms. Garner stated that Director Wines executed a Sworn Statement, Official Bond, and Oath of Office as required by the Texas Constitution and Texas Water Code.

Ms. Garner distributed and reviewed a memorandum regarding Texas Open Meetings Act and Public Information Act training requirements for Directors and stated that Director Wines is required to receive his training within 90 days of taking the Oath of Office and forward his certificate of completion to ABHR for inclusion in the District's permanent records.

Ms. Garner reviewed with the Board legislation enacting Chapter 176 of the Texas Local Government Code, which requires directors and consultants to disclose certain conflicts of interest. She stated forms adopted by the Texas Ethics Commission for making disclosures under Chapter 176 are required to be filed, if a conflict exists, with the records administrator for the District. Ms. Garner encouraged the Directors to contact ABHR if assistance is needed in determining whether a conflict requires disclosure.

After review and discussion, Director Sneed moved to (1) approve the Certificate of Election and the distribution of same to Director Wines and direct that the Certificate of Election be filed appropriately and retained in the District's official records; and (2) approve Director Wines's Sworn Statement, Bond, and Oath of Office, and direct that they be filed and retained in the District's official records and that the Oath of Office be filed with the Secretary of State of the State of Texas. Director Tasset seconded the motion, which passed by unanimous vote.

#### APPOINTMENT OF ANDREW FAWTHROP

The Board considered the appointment of Andrew Fawthrop to the Board of Directors to serve until May 6, 2028. Ms. Garner stated that Director Fawthrop executed a Sworn Statement, Official Bond, and Oath of Office as required by the Texas Constitution and Texas Water Code.

Ms. Garner reviewed the memorandum regarding Texas Open Meetings Act and Public Information Act training requirements for Directors and stated that Director Fawthrop is required to receive his training within 90 days of taking the Oath of Office and forward his certificate of completion to ABHR for inclusion in the District's permanent records.

After discussion, Director Eckermann moved to (1) appoint Director Fawthrop to the Board of Directors; (2) approve Director Fawthrop's Sworn Statement, Official Bond, and Oath of Office, and direct that they be filed and retained in the District's official records and that the Oath of Office be filed with the Secretary of State of the State of Texas. Director Sneed seconded the motion, which passed by unanimous vote.

#### REORGANIZE BOARD AND ELECT OFFICERS

The Board then considered reorganizing the Board. After discussion, the Director Fawthrop moved to reorganize the Board as follows:

John Sneed	President
Andrew Fawthrop	Executive Vice President
Andi Tasset	Secretary
Dan Eckermann	Vice President/ Assistant Secretary
Patrick Wines	Treasurer

Director Wines seconded the motion, which passed by unanimous vote.

AUTHORIZE FILING OF DISTRICT REGISTRATION FORM WITH TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Ms. Garner stated the District Registration Form must be filed with the Texas Commission on Environmental Quality ("TCEQ") to show the new slate of officers. After discussion, Director Eckermann moved to authorize ABHR to file the District Registration Form with the TCEQ. Director Tasset seconded the motion, which passed by unanimous vote.

FINANCIAL AND BOOKKEEPING MATTERS; REVIEW ANNUAL BUDGET IN REVISED FORMAT; AND TAX ASSESSMENT AND COLLECTIONS MATTERS, INCLUDING DELINQUENT TAX COLLECTIONS, AND PAYMENT OF TAX BILLS

The Board reviewed the bookkeeper's report prepared by Myrtle Cruz, Inc., a copy of which is attached.

Director Fawthrop presented and reviewed the District's budget in a revised format. Discussion ensued regarding the District's budget vs. actual expenses. After discussion, Director Fawthrop stated that he would meet with Quiddity to discuss engineering costs and would continue revising the budget format to present to the Board at the next meeting.

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 (1) approve the bookkeeper's report and the checks presented for payment; and (2) approve the tax assessor/collector's report. Director Tasset seconded the motion, which passed by unanimous vote.

The Board discussed a letter that the District received from a resident regarding the drought and high water usage in the District. The Board concurred to communicate with the resident regarding the District's water conservation efforts.

ENGINEERING MATTERS

Nathan Walton and Alan Chavez of Quiddity entered the meeting via video call. Ms. Mitchell stated that Mr. Chavez and Mr. Walton will discuss the acquisition and

installation of the generator at the water plant site, as requested by the Board at the last meeting. Mr. Chavez then reviewed with the Board the history of the generator project at the water plant site including the design process and associated costs. Discussion ensued regarding the costs of the generator project, the District's annual budget, and plans for the handling of future construction projects.

Ms. Mitchell then updated the Board on the status of the generator project at the water plant site and stated that W-Industries, Inc. is working to terminate the wiring at the generator. She discussed the options for economic disincentives and the date of substantial completion of the generator project at the water plant site. After discussion, the Board concurred that the date of substantial completion of the generator project at the water plant site will be determined at a later date. Mr. Walton and Mr. Chavez left the meeting.

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

Ms. Norris updated the Board on the Wastewater Treatment Plant ("WWTP") Improvement Project. She stated that the contractor began coating work including the blasting and priming and completed the metal work within Train No. 1. She reviewed and recommended approval of Pay Estimate No. 2 in the amount of \$105,954.04, payable to G-Creek Construction. She then reviewed and recommended ratifying approval of Change Order No. 2 to the contract with G-Creek Construction for the WWTP Improvements Project to increase the contract in the amount of \$24,674.21. The Board determined that Change Order No. 2 is beneficial to the District.

Ms. Norris updated the Board on the Emergency Water Well Project. She stated that Bee Cave Drilling cleaned the site as authorized at the last meeting. She presented a proposal in the amount of \$13,045.31, from Bee Cave Drilling for the acidization and jetting of the water well and cleanup of the site and stated that Director Taylor had authorized the work. She stated that the contractor plans to begin the 36-hour pump test on May 6, 2024, and explained that the expected gallons per minute ("gpm") of the pump is 25 to over 30 gpm. She reviewed an invoice in the amount of \$67,771.78, payable to Bee Cave Drilling for the construction of the water well.

Ms. Norris then discussed piping of the water well. She stated that Quiddity met with Directors Fawthrop and Eckermann and AWR on April 29, 2024, to discuss conceptual design options for the water well piping and that they concurred to direct the piping into the smallest ground storage tank, Tank No. 1. She stated that the Board previously authorized the design of the piping and now can authorize the full proposal from Quiddity for the construction of the piping. After discussion, the Board directed Quiddity to send the results of the 36-hour pump test to Director Fawthrop and concurred to authorize approval of the proposal from Quiddity for the bidding and construction services for the piping of the water well in the approximate amount of \$49,000.00, subject to receipt and review by Director Fawthrop of the results of the 36-hour pump test being 30 gpm or more.

Ms. Norris stated that there were no updates on zebra mussels.

Ms. Norris updated the Board on drought contingency and discussed the current water levels of Lake Travis. She stated that Chapman Marine, Inc ("Chapman"). inspected the barge on March 28, 2024. She reviewed the inspection report with the Board and stated that Chapman determined that there was a strain on the electrical cables of the barge. She stated that an additional inspection is needed to determine the cause of the strain and possible solutions. She reported that Quiddity received an initial proposal for the inspection of the cables from Merrigan Electric in the amount of \$135.00 per hour for a minimum of 4 hours.

Ms. Norris stated that there were no requests for service or utility commitment letters.

Ms. Norris stated that the Lead and Copper Rule Revision Compliance project is in progress.

After review and discussion, Director Wines moved to (1) approve Pay Estimate No. 2 in the amount of \$105,954.04, based on the engineer's recommendation (2) ratify approval of Change Order No. 2 in the amount of \$24,674.21 as an increase to the contract with G-Creek Construction, based upon the Board's finding that the Change Order is beneficial to the District and the engineer's recommendation; (3) ratify approval of the proposal for \$13,045.31, from Bee Cave Drilling for the acidization and jetting of the water well; (4) approve the invoice of \$67,771.78 payable to Bee Cave Drilling, for the construction of the emergency water well; (5) authorize Quiddity to engage Merrigan Electric for the inspection of the cables at the barge for an amount not exceed \$700.00; (6) approve the proposal with Quiddity in the amount of \$49,000.00 for the bidding and construction services for the piping of the water well, subject to receipt by Director Fawthrop of the results of the 36-hour pump test being 30 gpm or more; and (7) approve the engineer's report. Director Tasset seconded the motion, which passed by unanimous vote.

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, OR A SETTLEMENT OFFER

The Board convened in executive session at 12:08 p.m. pursuant to Section 551.071 Texas Government Code to conduct a private consultation with its attorney to discuss pending or contemplated litigation or to seek and receive legal advice by the District's attorney.

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

The Board reconvened in executive session at 12:44 P.M. The Board took no action.

ENGINEERING MATTERS CONTINUED

Discussion ensued regarding the date of substantial completion of the generator project at the water plant site. Ms. Mitchell stated that she will compile the engineering fees accumulated as a result of the delay to the project caused by the contractor. After discussion, Director Fawthrop stated that he would create a tracking system for engineering projects and the associated costs.

OPERATION OF DISTRICT FACILITIES; AND REVIEW DROUGHT CONTINGENCY PLAN, ADOPT ORDER ADOPTING AMENDED AND RESTATED DROUGHT CONTINGENCY PLAN, AND APPROVE SUBMISSION OF PLAN TO LOWER COLORADO RIVER AUTHORITY

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

Ms. Hargett stated that a backup generator from Cypress Ranch Water Control and Improvement District No. 1 ("Cypress Ranch WCID No. 1") is for sale in the amount of \$15,000.00 and an additional \$2,500.00 for the automatic transfer switch. The Board considered purchasing the backup generator for the District's WWTP and discussed the related requirements of the Texas Commission on Environmental Quality. After discussion, the Board concurred to analyze the cost benefit of purchasing a used vs. new generator and consider purchasing the generator from Cypress Ranch WCID No. 1 at the next meeting.

Ms. Hargett reported that two bulk tanks at the water plant need to be replaced and requested authorization to purchase new tanks for a cost of \$4,830.00 per tank, for a total of \$9,660.00, not including the costs related to labor and disposal of the old tanks.

The Board reviewed an amended Drought Contingency Plan ("DCP") for the District. Ms. Hargett stated that the District's DCP was amended to be as strict as the amended DCP of the Lower Colorado River Authority ("LCRA") and that the amended DCP must be submitted to the LCRA by June 1, 2024. Discussion ensued regarding additional revisions to the District's DCP related to water use restrictions. After review and discussion, Director Eckermann moved to approve the amendments to the District's DCP as discussed and to authorize AWR to submit the DCP to the LCRA, as required. Director Wines seconded the motion, which passed by unanimous vote.

After review and discussion, Director Wines moved to (1) accept the operator's report; and (2) authorize AWR to purchase two replacement bulk tanks in the total amount of \$9,660.00. Director Fawthrop seconded the motion, which passed by unanimous vote.

#### CONSIDER LCRA PRO RATA CURTAILMENT PLAN

Ms. Hargett reported that the LCRA submitted a Pro Rata Curtailment Plan ("Plan") for each firm water district. She reviewed the District's data that the LCRA used to create the Plan and the curtailment requirements of each stage of the drought, starting at Stage IV. She stated that she submitted a higher modified baseline to the LCRA for the curtailment of water use for the District based on corrected data and is awaiting approval from the LCRA.

#### DISCUSS RECOMMENDATIONS FROM DIRECTORS AND CONSULTANTS REGARDING WATER USAGE IN THE DISTRICT

The Board discussed recommendations from Directors and consultants regarding reducing water usage in the District, including distributing educational materials to residents related to water conservation and District membership in organizations in Texas that assist with water access and conservation. After discussion, the Board concurred to continue to compile the recommendations from Directors and consultants and discuss them at the next meeting.

#### FACILITIES SECURITY AND THE STORAGE AREA

The Board discussed fire safety and security of the District's facilities. Director Wines stated that he would review the security measures of the District's facilities and update the Board at a future meeting.

#### 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

Director Wines stated that he is a member of the Board of Directors of the Waterford 3 Property Owner's Association ("W3POA") and updated the Board on the activities of W3POA. The Board concurred to discuss any potential conflicts of interest as they may arise related to Director Wines's membership of both the Board of Directors for the District and W3POA.

#### 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

Director Tasset and Ms. Hargett updated the Board on communications with residents on the District's website.

The Board considered sending a letter to residents regarding the drought. After discussion, the Board concurred to research trucks to haul water into the District, the potential timeline of drilling an additional emergency water well, and consider sending a letter to residents regarding the drought at a future meeting.

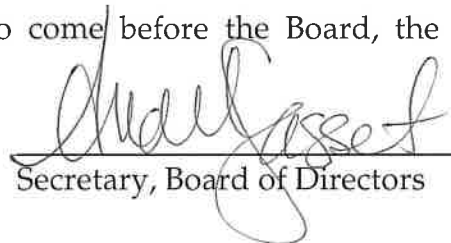
TRAVEL REIMBURSEMENT GUIDELINES AND DIRECTOR EXPENSES FOR THE ASSOCIATION OF WATER BOARD DIRECTORS SUMMER CONFERENCE

Ms. Garner reviewed the District's Travel Reimbursement Guidelines and the Board discussed specific expenses eligible and ineligible for reimbursement for the upcoming Association of Water Board Directors summer conference.

NEXT MEETING DATE AND LOCATION

After discussion, the Board agreed to hold (a) the June 4, 2024 meeting at 17805 Kingfisher Ridge Cove (b) the July 2, 2024 meeting at 1845 Kingfisher Ridge Cove, and (c) the August 6, 2024 meeting at 1100 Watercliffe Drive, with each meeting accessible by a telephone conference line.

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

  
Secretary, Board of Directors

(SEAL)





ATTACHMENTS TO THE MINUTES

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