

MINUTES  
TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 10

December 3, 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 December 3, 2024, at 1845 Kingfisher Ridge Cove, Lago Vista, TX 78645, inside the boundaries of the District, and the roll was called of the members of the Board:

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

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

Also present at the meeting in person were Meagan Norris of Quiddity Engineering, LLC ("Quiddity"); Tammy Hargett of Si Environmental, LLC; and Kathryn Garner and Megan Leissner of Allen Boone Humphries Robinson LLP ("ABHR").

Also attending the meeting by telephone was Cathy Mitchell of Quiddity.

PUBLIC COMMENTS

Director Sneed offered members of the public the opportunity to make public comment.

There being no members of the public wishing to make public comment, Director Sneed moved to the next agenda item.

APPROVE MINUTES

The Board considered the minutes of November 5, 2024, regular meeting. After review and discussion, Director Eckermann moved to approve the minutes of November 5, 2024, regular meeting. Director Tasset seconded the motion, which passed by unanimous vote.

ENGINEERING MATTERS

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 reviewed and recommended approval of Pay Application

No. 9 in the amount of \$52,327.31, payable to G. Creek Construction Inc. ("G. Creek"). She then reviewed Change Order No. 6 to decrease the contract with G. Creek in the amount of \$51,812.50. The Board determined that Change Order No. 6 is beneficial to the District. Ms. Norris also presented a Certificate of Substantial Completion.

Ms. Norris updated the Board on the Generator at the Water Plant site. She reviewed and recommended approval of Pay Application No. 2, Revised and Final in the amount of \$251,016.90 payable to CSE W-Industries, Inc ("W-Industries"). She then reviewed Change Order No. 2 to increase the contract with W-Industries in the amount of 26 contract days. The Board determined that Change Order No. 2 is beneficial to the District. Ms. Norris also presented a Certificate of Substantial Completion and recommended that the Board accept the facilities. The Board discussed delays to the project caused by the contractor and the necessary economic disincentives.

The Board then considered a revision to the minutes of the August 6, 2024, regular meeting, to reflect the accurate action related to the Generator project.

Following review and discussion, and based upon the engineer's recommendation, Director Sneed moved to:

- (1) approve the engineering report;
- (2) approve Pay Application No. 9 in the amount of \$52,327.31, payable to G. Creek;
- (3) approve Change Order No. 6 to decrease the contract with G. Creek in the amount of \$51,812.50;
- (4) approve Pay Application No. 2 and Final in the amount of \$251,016.90, as reduced by economic disincentives equal to \$73,000 (146 days X \$500/day) pursuant to the Contract Between the District and W-Industries for the Generator at the Water Plant Site due to a substantial completion date 146 days that was beyond that approved by the District, and to accept the facilities;
- (5) approve Change Order No. 2 to increase the contract with W-industries in the amount of 26 days;
- (6) amend the minutes of the August 6, 2024, regular meeting as discussed; and
- (7) authorize ABHR to send a letter to W-Industries regarding the Board's decision related to economic disincentives and to include a District check in the amount of \$251,016.90, as full and final payment under the contract.

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

The Board commended Ms. Norris and Ms. Mitchell for their service to the District as the District's engineers.

Ms. Norris left the meeting.

## CHANGE IN DISTRICT ENGINEER

The Board discussed matters related to changing the District's engineering firm and replacing that firm with Gray Engineering, Inc. Following discussion, the Board approved continuing the process and negotiating a contract to be in place by the next monthly meeting.

## LEAD AND COPPER SERVICE LINE INVENTORY, INCLUDING APPROVE RELATED NOTICES

Ms. Hargett updated the Board on the District's lead and copper service line inventory (the "Lead & Copper Inventory"). Discussion ensued and the Board concurred to post the following notice to the public as part of these minutes:

Travis County Municipal Utility District No. 10 has completed the Lead & Copper Inventory as required by the U.S. Environmental Protection Agency. Through records research and field investigation of the distribution system, it has been determined that the system has no lead service lines or galvanized pipes requiring replacement service lines. If you would like a copy of the Lead & Copper Inventory, please submit your request to [tra010@txdistricts.info](mailto:tra010@txdistricts.info).

Following review and discussion, Director Eckermann moved to approve the District's Lead & Copper Inventory and to make a copy of the inventory available by request submitted to [tra010@txdistricts.info](mailto:tra010@txdistricts.info) and to post notice of the availability of the inventory in these minutes, as stated above. Director Fawthrop seconded the motion, which passed by unanimous vote.

## CONSIDER ACQUISITION OF PRE-OWNED OR NEW GENERATOR AND TAKE ANY ACTION NECESSARY

In a previous meeting, the Board had approved reviewing the purchase of a previously owned generator. This decision was later amended. Following discussion, Director Fawthrop moved to purchase a backup generator when the developer submits a plan for the pending development and the capacity needed can be determined. Director Wines seconded the motion, which passed by unanimous vote.

## DISCUSS FACILITIES SECURITY, STORAGE AREA ADJACENT TO DISTRICT WATER PLANT AND FIRE PROTECTION

This item was deferred.

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

The Board discussed the Lead & Copper Inventory that was submitted to the TCEQ. Ms. Mitchell stated that the TCEQ confirmed their receipt of the Lead and Copper Inventory and that no further action is required at this time.

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

Ms. Hargett updated the Board regarding the wastewater system. She stated that the transducer and flow meter of Train No. 2 will be replaced for a cost of \$5,750.00.

Director Wines left the meeting.

Ms. Hargett stated that a notice will be sent in billing statements to residents to include information regarding a new address for mailing check payments that will become effective in 30 - 60 days.

Director Eckermann reported on the Firm Water Meeting of the Lower Colorado River Authority that he attended with Ms. Hargett.

Following review and discussion, Director Eckermann moved to approve the operator's report. Director Fawthrop seconded the motion, which passed by unanimous vote.

DISCUSS CONTINGENCY PLANNING

The Board deferred action on this agenda item.

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; TAX ASSESSMENT AND COLLECTION MATTERS

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

Director Sneed stated that Directors Fawthrop and Wines will review and update the District's budget.

Director Fawthrop reviewed District data related to income, expenses, and capital.

The Board then reviewed the tax assessor/collector's report, including the delinquent tax roll, a copy of which is attached. Discussion ensued regarding the collection of delinquent taxes in the District.

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

#### REPORT REGARDING DEVELOPMENT IN THE DISTRICT

The Board discussed development in the District.

#### DISTRICT AND PROPERTY OWNER ASSOCIATIONS ("POAs") COORDINATION AND BOARD MEMBER INPUT REGARDING ISSUES FACING THE DISTRICT

The Board discussed matters related to the POAs and the District.

#### REVIEW AND UPDATE EMINENT DOMAIN REPORT TO TEXAS COMPTROLLER

Ms. Garner reported that ABHR will file the District's annual Eminent Domain Report with the Texas Comptroller in December. She stated that the report will state that the District did not use its eminent domain authority in 2024.

#### REPORT ON DISTRICT WEBSITE

Director Tasset discussed an analytics report for the District's website.

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

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

#### TRAVEL REIMBURSEMENT GUIDELINES AND DIRECTOR EXPENSES FOR THE ASSOCIATION OF WATER BOARD DIRECTORS ("AWBD") WINTER CONFERENCE

Ms. Garner reviewed the District's Travel Reimbursement Guidelines in connection with attendance at the upcoming AWBD Winter Conference in Austin.

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 12:36 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

The Board reconvened in open session at 12:40 p.m. The Board took no action.

NEXT MEETING DATE AND LOCATION

After discussion, the Board agreed to hold (a) the January 7, 2025 meeting at 17805 Kingfisher Ridge Drive, (b) the February 4, 2025 meeting at 1100 Watercliffe Drive; and the March 4, 2025 meeting at 1316 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.

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Secretary, Board of Directors

(SEAL)

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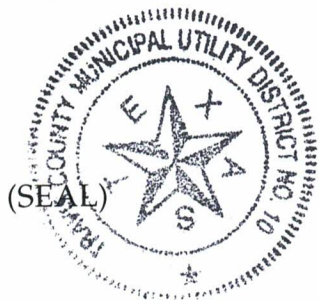
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