

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13

MINUTES OF THE MEETING OF  
THE BOARD OF DIRECTORS OF  
WELLS BRANCH MUNICIPAL UTILITY DISTRICT

July 18, 2006

14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

A regular meeting of the Board of Directors was held July 18, 2006, at the Wells Branch Community Center, 2106 Klattenhoff, Austin, Texas. The meeting was open to the public and notice was given as required by the Texas Open Meetings Act. A copy of the Certificate of Posting of the Notice is attached as Exhibit "A".

32  
33  
34  
35  
36  
37  
38

Members of the Board as it was called to order are:

Charles R. Walters	-President
Donna Howe	-Vice President
Janet Maxey	- Secretary
Joy Smith	- Treasurer
Tom Cheshire	- Assistant Secretary-Treasurer

39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49

and all of the Directors were present, thus constituting a quorum. Also present during the course of the meeting were Don H. Williams, District general manager; Margret Wingrove of ECO Resources, the District's utility firm; John Bartram and Jeff Hobbs of Armbrust & Brown, LLP, the District's law firm; Robert Ferguson, P.E., of Murfee Engineering, the District's engineering firm; Richard Fadal of TexaScapes, Inc., the District's landscaping firm; Jim Blaschke of Hewlett-Packard; Jerry Converse of Fulbright & Jaworski, LLP; Jim Alvis and Michael Mace of Page Southerland Page; Gregory Wilson of 15501 Cadoz Drive in the District; and Cliff Avery of Gilleland Creek Press.

Director Walters called the meeting to order and recognized Ms. Wingrove for a financial report, attached as Exhibit "B," and utility manager's report, attached as Exhibit "C." Ms. Wingrove asked for and received authorization for transfers in the amount of \$835,360 for the purposes of making the District's bond payments. Ms. Wingrove directed the Board's attention to a positive result from the District's operations during the period.

In her utility report, Ms. Wingrove advised the board that the number of accounts terminated had increased during the period, and Director Smith noted with chagrin that 97 of those in arrears were repeat delinquencies.

Director Walters then announced that the Board would receive input from citizens and recognized Mr. Wilson who asked the Board to act to deter speeding on Cadoz. Director Walters stated that the Board had no authority to enforce traffic laws, but would contact Travis County officials and encourage improved enforcement. Director Maxey stated that the Public Safety Committee would work with the County to determine possible striping that could affect speeds on the road.

1 Mr. Wilson also expressed concern over a business on FM 1325 that seemed to have  
2 placed a junkyard close to the District. Mr. Williams responded that the property was  
3 outside the jurisdiction of the District. Director Walters suggested that the Facilities  
4 Committee could investigate and identify any possible action to reduce the eyesore.

5  
6 Director Walters then recognized Mr. Bartram for a report from the District's  
7 attorney. Mr. Bartram introduced Mr. Converse, representing Hewlett-Packard, and  
8 stated that the Board had previously approved guidelines for tax abatement and  
9 authorized negotiation with Hewlett-Packard representatives for the tax abatement.  
10 Those negotiations were now successfully concluded, but they required an  
11 amendment to the guidelines. **Director Howe moved, seconded by Director**  
12 **Maxey, approval of the Order Adopting Amended and Restated**  
13 **Guidelines and Criteria for Tax Abatement, attached as Exhibit "D." The**  
14 **motion passed unanimously.**

15  
16 **Director Howe moved, seconded by Director Smith, that the Board**  
17 **approve the Tax Abatement Agreement with Hewlett-Packard Company,**  
18 **attached as Exhibit "E," and authorize the Board President to execute the**  
19 **agreement upon receiving an executed copy from Hewlett-Packard.** The  
20 Board discussed landscaping around the proposed H-P facility and reviewed a set of  
21 plans provided by Mr. Alvis. **The motion passed, with Directors Howe, Smith,**  
22 **Maxey and Cheshire voting "aye" and Director Walters abstaining.**

23  
24 At 6:35 p.m., Director Walters announced that the Board would convene in executive  
25 session as permitted by the Texas Open Meetings Act, Section 551.071 to consult with  
26 the District's attorney on matters of pending litigation.

27  
28 The Board reconvened in open session at 7 p.m., and Director Walters announced  
29 that no action was taken in executive session. **In the matter of Tracey Bell,**  
30 **Director Smith moved, seconded by Director Howe that the District reject**  
31 **the settlement offer and counter with an offer to return the parties to**  
32 **their previous positions. The motion passed unanimously.**

33  
34 Director Walters then recognized Mr. Bartram to continue his report, and Mr.  
35 Bartram reported on an open records request received by the District. Mr. Bartram  
36 also reported on the progress of finalizing a parkland purchase from St. Andrew's  
37 Presbyterian Church. He said that those involved hoped to schedule a closing  
38 August 15.

39  
40 Director Walters then announced that the Board would receive a report from the  
41 District's manager, including reports on the Community Gardens; solid  
42 waste/recycling services; facilities; landscape; restrictive covenant enforcement;  
43 customer service; recreation, and aquatics, attached as Exhibits "F" through "M." Mr.  
44 Williams reported that fines for violating the terms of its contract with the District  
45 continued to mount against IESI, the District's solid waste and recycling contractor.  
46 He said he planned to work with the Administrative Committee on particulars of the  
47 infractions. *On the facilities report, Director Howe suggested, and the Board*  
48 *generally concurred, that it was no longer necessary to include activity conducted*  
49 *as part of the District's agreement with Northtown Municipal Utility District.* Mr.  
50 Williams further reported that a defective circulation motor had been replaced



1 **the amount of \$67,450 for repair of the District's tennis courts and to**  
2 **direct that the item be placed on the August 15 agenda for ratification.**  
3 **The motion passed unanimously.**

4  
5 **FINANCE COMMITTEE:** Director Howe presented a report from the Committee,  
6 attached as Exhibit "T." She noted that the Committee had begun meeting to prepare  
7 for development of the FY2007 budget. The Board discussed concerns expressed by  
8 the Stony Ridge Homeowners Association.

9  
10 The Board recessed at 8:30 p.m. and reconvened in open session at 8:47 p.m., and  
11 Director Walters stated that the Board would receive a report from the Public Safety  
12 Committee. Director Cheshire reported that he had met with a representative of the  
13 Travis County Transportation Department to discuss the dips and cracks on  
14 Merriltown Drive and other roadway problem spots throughout the District. He  
15 stated that many of these areas were already slated for repair by the County either  
16 later this year or early next year. He further reported that the County also had plans  
17 to repair sidewalks damaged by growing tree roots as well as to resurface the  
18 intersection of Wells Port Drive and Wells Branch Parkway. He concluded by  
19 reporting that any serious problems with roadways or sidewalks should be reported to  
20 the County immediately.

21  
22 At 8:50 p.m., Director Walters stated that the Board would convene in executive  
23 session in order to discuss personnel matters as permitted by Section 551.074 of the  
24 Texas Government Code. The Board reconvened in open session at 9:20 p.m., and  
25 Director Walters announced that no action had been taken in executive session.

26  
27 There being no further business to come before the Board, the meeting was  
28 adjourned.

29  
30 Respectfully submitted:

31  
32  
33  
34  
35 \_\_\_\_\_  
36 August 15, 2006

36 Date

35 \_\_\_\_\_  
36 Janet Maxey, Secretary  
37 Board of Directors  
38 Wells Branch Municipal Utility District  
39

40  
41 (SEAL)