

1 MINUTES OF THE MEETING OF
2 THE BOARD OF DIRECTORS OF
3 WELLS BRANCH MUNICIPAL UTILITY DISTRICT
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5
6 March 9, 2010
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9 The Board of Directors held a special Town Hall meeting on March 9, 2010 at the Wells
10 Branch Community Center, 2106 Klattenhoff Drive, Austin, Texas. The meeting was
11 open to the public and notice was given as required by the Texas Open Meetings Act. A
12 copy of the Certificate of Posting of the Notice is attached as Exhibit "A".
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14 Members of the Board as it was called to order are:
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16 Charles R. Walters	- President
17 Donna Howe	- Vice President
18 Janet Maxey	- Secretary
19 Joy Smith	- Treasurer
20 Tom Cheshire	- Assistant Secretary-Treasurer

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22 and all of the Directors were present thus constituting a quorum. Also present during
23 the course of the meeting were Jesse L. Kennis II, District Manager; Tricia Rybachek,
24 the District's Office Manager; Steve Herrera, the District's Operations Manager; Matt
25 Fuller, the District's Recreation Manager; Ben Heimsath and Aurelia Vanderzyl of
26 Heimsath Architects; Debby Thompson, of the Wells Branch Neighborhood Association;
27 Bob Bauhs, Darlene Bauhs, Bill Johnson, Jeanie Wyatt, Manuel E. Barberena, Pauline B.
28 Barberena, Ron Jones, Dan Schupp, Joan Lohmerin, Bev Yerk, Edmond McElhaney,
29 Dolores Miner, David Gezana, Ryan Lambers, Mike Placier, Marilyn Wilson, Humphrey
30 Seay, John Cucorollo, Scott Ballenger, Larry Biegert, Lindsey Younts, Pamela
31 Woodward, Mateo Alejandre, Tara Persad, Chadee Persad, Tom Peterson, Pat Whitaker,
32 Ricky Nungaray, Rosa Nungaray, Barbara Hedlund, Barb Hoelzer, Marlene Counts,
33 Kevin Smith, Salvador Aguirre, Nina Aguirre, Rebecca Zertuche, Anricka Tillman, Jason
34 Tillman, Kathleen Clark, Henry Ekberg, Kerry Ekberg, Robert Chambers, Dave Maurer,
35 Judy Bentley and other residents of the District; and Clay Avery of Gilleland Creek
36 Press.
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38 Director Walters called the meeting to order at 7:03 p.m. and stated that the purpose of
39 the Town Hall Meeting was to take comments and input from neighbors regarding the
40 proposed new District office building. Director Walters introduced Mr. Heimsath and
41 stated that he would be giving a presentation on the project and facilitating the feedback
42 portion of the evening. Director Walters spoke about the IRIS system and noted that
43 residents could sign up for the service in the back of the room with Ms. Rybachek.
44

45 Mr. Heimsath thanked the residents for their attendance and stated that the meeting's
46 purpose was to share information. Mr. Heimsath stated that the process was in its very
47 early stages. Mr. Heimsath discussed his firm and his experience. Mr. Heimsath then
48 discussed the study his firm had conducted on the current District office building and
49 the conclusion that the building needed to be replaced. Mr. Heimsath discussed the
50 building's origins as a house. Mr. Heimsath noted that the meeting was intended to

1 open communication and asked the residents to refrain from judgment to facilitate
2 brainstorming. Mr. Heimsath discussed the building process and stated that the next
3 step after the present meeting would be to meet with the Board to review input from the
4 present meeting. Mr. Heimsath emphasized that there was no current design in place
5 for a new building. Mr. Heimsath introduced Ms. Vanderzyl and spoke about
6 community interaction in the building process.

7
8 Mr. Heimsath then began his presentation on the current office building and the
9 possibilities for a new facility. Mr. Heimsath discussed his firm's efforts to renovate and
10 utilize existing buildings whenever possible. Mr. Heimsath showed examples of his
11 firm's work. Mr. Heimsath showed measured drawings of the current building and
12 discussed the building's construction, stating that it had defective qualities even for a
13 residence. Mr. Heimsath highlighted the additions and changes to the building and
14 discussed the conversion from residential property to an office building, as well as the
15 different standards involved between the two classifications. Mr. Heimsath stated that
16 the District staff has had to work around defects and ongoing maintenance. Mr.
17 Heimsath highlighted safety issues in the building and noted that it was not in
18 compliance with the Americans with Disabilities Act (ADA). Mr. Heimsath stated that
19 those defects could only be remedied, if at all, by a complete interior renovation of the
20 building. Mr. Heimsath discussed the problems with the electrical, mechanical and
21 plumbing systems that had resulted from the residence's conversion to an office. Mr.
22 Heimsath discussed the roof of the building and its need for replacement. Mr. Heimsath
23 discussed the nonconformity of additions to the building and the challenges with
24 drainage at the building. Mr. Heimsath discussed the inflexibility of certain lines and
25 facilities due to the residential construction, and noted that pest infestation had been
26 identified at the building. Mr. Heimsath recalled the issues with the ADA, noting that it
27 would be nearly impossible to make the building compliant by simply fixing the existing
28 defects. Mr. Heimsath stated that the current building had some positive aspects that
29 could be considered for preservation, and discussed possible uses for those amenities.

30
31 Mr. Heimsath discussed a breakdown of the use of the current office space and stated
32 that subsequent to the inventory his firm had taken of the current space, his firm had
33 looked at how much space is ideal for the District's office activities and brainstormed
34 possibilities for more efficient use of potential office space. Mr. Heimsath stated that his
35 preliminary projections suggested a need for a slightly larger facility. Mr. Heimsath
36 discussed bubble diagrams of both the current building, which showed the District staff
37 currently using 5600 sq. ft of space, and one possibility for a new one, which allowed for
38 7900 sq. ft. of usable space for both District offices and meeting areas. Mr. Heimsath
39 discussed office space and showed examples of possible interior spaces based on his
40 firm's previous work. Mr. Heimsath stated that the landscaping at the current building
41 was excellent in some areas, and spoke about the possibilities for preserving those
42 features at the new building. Mr. Heimsath stated that the emphasis of the present
43 meeting was to get the community's ideas on fixing the current building/designing a
44 new replacement, and that all ideas were welcome. Mr. Heimsath stated that in his
45 professional opinion, replacing the current building with a new office building would be
46 financially beneficial to the District when compared with the sizeable cost of remedying
47 the defects of the current building, which was not designed for use as an office. Mr.
48 Heimsath reiterated that the costs of fixing the current building's defects did not include
49 bringing it into compliance with modern safety codes or the ADA, which would have to
50 be a separate issue. Mr. Heimsath stated that it was his professional recommendation

1 that the current District office building be replaced. Mr. Heimsath noted that the site
2 for a new building was under review as was the entire project. Mr. Heimsath then
3 briefly spoke about possible expansion to the recreation center and stated that the issue
4 was one for future consideration.

5
6 Mr. Heimsath opened the floor for comments from the residents. Discussion originally
7 centered on the number of employees that work in the building. Mr. Kennis stated that
8 12 employees office in the building with no plans to significantly add more employees. A
9 resident asked for the Board's current decision and Director Walters stated that the
10 Board's current decision was to replace the building with a new one designed by Mr.
11 Heimsath's firm. Director Walters emphasized that no decision had been made as to the
12 exact specifications of the new building, and that the District would like to be able to
13 take advantage of the recent economic downturn. In response to a resident's question,
14 Director Walters noted that the final expenditure on the building would be a decision of
15 the Board based on community input.

16
17 A resident asked about the number of stories a new building would contain, and Mr.
18 Heimsath, while reiterating that everything was up for discussion, stated that his firm
19 felt the best decision was to build a one-story building. A resident then asked about
20 grant funding for "green" building initiatives. Mr. Heimsath stated that the process had
21 already begun of looking into those issues, and that it may require some initial
22 investment from the District for application fees and the permit process. Mr. Heimsath
23 stated that until a specific proposal is generated, it would be difficult to pursue those
24 options further. Director Walters noted that the District already had pursued those
25 avenues in the area of solar energy funding. Director Walters then stated that a new
26 office building would not require the imposition of new taxes as the District currently
27 maintained a fund for capital expenditures and improvement, for which the project
28 would qualify. A resident asked about the size of the capital improvement fund and
29 Director Howe stated that it was currently around \$2 million.

30
31 A resident asked about the need for more meeting space given the current amount of
32 space available to residents. Mr. Heimsath stated that during the brainstorming
33 process, of which the present meeting was part, some indications had been made to his
34 firm by the District staff that conflicts had arisen between groups desiring to rent space
35 and more possibilities for space could mean more opportunities for residents. Director
36 Walters talked about the need for different size spaces that could meet the residents
37 differing needs. The resident followed up her original question by stating her opinion
38 that there was ample space available in the District for groups to meet and that any
39 more space would be unnecessary. Another resident strongly echoed that opinion and
40 stated his opinion that the size of any new building should be no larger than the current
41 building. A different resident expressed the opinion that more space for community
42 groups would be a good idea and allow for growth among neighborhood entities. She
43 stated that she would like to allow the District room for growth, and stated as an
44 example her recently begun Girl Scout Troop that had difficulty finding space to meet in
45 the District at their desired time.

46
47 Director Howe discussed the District's tax setting policies, and a resident asked whether
48 building a new office was a defensive mechanism against annexation by the City of
49 Austin. Director Smith stated that the issue at hand was that the District badly needed a
50 new office building. One resident asked a question about the possible new building's

1 fate in the event of annexation and Director Walters answered that the building would
2 hopefully remain property of the community and its residents. A resident asked about
3 the yearly cost outlay that the District was spending on maintenance for the current
4 building. Director Walters stated that that figure would be a result of many different
5 components based on the patchwork-like process that was necessitated by a defective
6 building. Director Walters stated that the figure could be found by consulting the
7 District's budget and financial reports.

8
9 Discussion then ensued on environmentally efficient building and many residents
10 expressed favorable attitudes toward such initiatives, while some expressed reservations
11 about possible cost prohibitions. Mr. Heimsath spoke briefly about the LEEDS
12 certification program and the District's ongoing investigation into the process.
13 Residents then expressed a desire to know actual cost figures for building a new office as
14 well as fixing the current building. Director Walters stated that the Board had been
15 working with a flexible \$1.5 million budget as a preliminary idea for a new building.
16 Director Walters stated that it would be an estimated \$750,000 to fix the building
17 without consideration being paid to ADA compliance and other safety issues.
18 Discussion then centered on the decision to build a new office building rather than
19 leasing commercial property in the District, with some residents concerned that leasing
20 office space would be a more financially sound option. Director Walters stated that the
21 Board had discussed the issue and decided that designing and building a District owned
22 asset on District owned property was favorable to attempting to find suitable space in
23 the District in another property owner's building. Director Maxey stated that, as a
24 governmental entity, the District was exempt from paying property taxes on any
25 building it constructs and any land it owns. Director Smith noted that occupying
26 commercial space in the District could preclude a private interest from filling that space,
27 thus possibly affecting the District's job and tax base and sales tax revenue for other area
28 local governments such as Travis County Emergency Services District #2. Mr. Heimsath
29 discussed the benefits that community groups he has worked with have seen from
30 owning an asset like a building.

31
32 One resident stated his opinion that the present meeting was more for facilitating
33 communication and that it was important to reserve judgment and focus on
34 brainstorming, which led to more residents espousing their ideas. A resident noted that
35 meeting space could be added by upgrading the Wells Port Annex. Another resident
36 asked about possible other locations for the District office so that the recreation center
37 could be further expanded onto the current site of the District office. One resident
38 wondered why, if the District was moving its operations to a temporary site so the new
39 office could be built, that temporary site could not be permanent. Mr. Heimsath stated
40 that the District would likely be looking for a situation that was intended to be
41 temporary, in which the staff would make do for a short period of time. Another
42 resident proposed that the District's property on Owen Tech Drive be evaluated as a
43 possible site for a new office. Discussion ensued on the current District office site and
44 the distinction between District owned land and land in the District. A resident
45 suggested a smaller multi-purpose building that could be converted from office space to
46 meeting space. Discussion ensued on the possibility of separating office space from
47 meeting/gathering space. One resident suggested some sort of marker noting the
48 existence of the current office building once it was gone. Discussion ensued about
49 standards for historical landmarks and the history of the current office building. Some
50 residents expressed concerns about preserving the current building.


1 A resident noted that he desired transparency from the Board during the process in the
2 form of updates and more town hall meetings. Another resident expressed a desire to
3 see some sort of description of funding and cost breakdown. Discussion then ensued on
4 the possibility of recouping expenses by charging for use of the District's meeting space,
5 and Director Maxey stated that space is free to community groups but that the District
6 does charge for private social events such as parties and weddings.

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8 Mr. Heimsath asked for any other statements or questions from the audience and there
9 was none. Director Walters then thanked the residents for their attendance and their
10 input, and stated that the Board would use the information in their assessments going
11 forward. Director Waters stated that there would be further town hall meetings to gauge
12 the process of the project and involve the community whenever possible.

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14 There being no further business to come before the Board, the meeting was adjourned at
15 8:45 p.m.

16
17 Respectfully submitted:

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20
21
22 April 6, 2010
23 Date



24 Janet Maxey, Secretary
25 Board of Directors
26 Wells Branch Municipal Utility District

