

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

May 1, 2001

A regular meeting of the Board of Directors was held May 1, 2001, 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".

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

Charles R. Walters-President
Donna Howe -Vice President
Scott Gilmore- Secretary
Joy Smith-Treasurer and Assistant Secretary

and all of the Directors were present, thus constituting a quorum. Also present were Don H. Williams, District manager; Charles Swick, assistant District manager; Dawn Moonan, District recreation manager; Norman Tomlinson, District facilities manager; Sue Brooks Littlefield of Armbrust Brown & Davis, LLP; Margret Wingrove of ECO Resources; Robert Ferguson of Murfee Engineering; Richard Fadal of TexaScapes, Inc.; Robert O'Donnell of 1709 Gaylord Drive in the District; Ryan Gravatt of 15023 Wells Port Drive in the District; Bill Glass of 14908 Yellow Leaf the District; Richard Pavlasek of 15018 Wells Port Drive in the District; Janet Maxey of the Armada Swim Team; David Carmody of 14814 Bescott in the District; and Cliff Avery of Gilleland Creek Press.

Director Walters called the meeting to order at 6:31 p.m. and recognized Mr. Tomlinson for his manager's report as Mr. Tomlinson had another obligation. Mr. Tomlinson presented his report, a copy of which is attached as Exhibit B. Director Walters commended Mr. Tomlinson's staff on their work in the trails improvement (fence) project. Director Smith commended Mr. Tomlinson's staff on their part of the recent youth fishing tournament at Mills Pond.

Director Walters then recognized Mr. Williams for a report from the District manager, a copy of which is attached as Exhibit C. Mr. Williams reported concerns about basketball goals placed in or near the right-of-way of streets in the District, such that they invited children to play in the streets. The Board noted that Travis County officials had expressed concern about the safety of such practices. The Board directed the newsletter editor to place an article in the District's newsletter concerning safety problems associated with basketball goals in or near the right-of-way. Mr. Williams said that the District was

having problems with boats and recreational vehicles parked in public view, in violation of restrictive covenants. The Board directed that the newsletter editor place an article in the newsletter regarding the problem. Mr. Williams also reported that a resident had been driving his vehicle on the greenbelts in violation of District rules.

Director Walters then announced that the Board would take reports from consultants. Mr. Ferguson reported that in discussions with the City of Austin regarding its approval for the Shoreline detention pond, City of Austin officials insisted that the District grant a storm sewer easement to itself as part of the project. Director Howe moved, seconded by Director Smith, that the Board approve the storm sewer easement, a copy of which is attached as Exhibit D, and authorize the Board's president to execute the easement. The motion passed unanimously. Mr. Ferguson reported that with the execution of the easement and the payment of wastewater inspection fees, final City of Austin approval on the project should be forthcoming.

Director Walters then recognized Ms. Wingrove who reported on problems with customer water lines at the Lakes at Wells Branch apartments. She reported that crews had been summoned to repair a leak on a line. She noted that even though the leak was before one of seven two-inch meters set at the complex, the line belonged to the apartment complex. She reported that the leak would be difficult to fix. She reported that the apartment management had not had an opportunity to review the District's position and the apartment complex's options to exercise control over its lines. Ms. Littlefield suggested that Ms. Wingrove contact the owner and apprise him or her of the difficulty so that an alternative for repair could be presented at the Board's May 15 meeting. The Board generally concurred.

Director Walters then announced that the Board would receive comment from citizens and recognized Mr. Pavlasek. Mr. Pavlasek reported that problems from speeders along Wells Port Drive continued to mount, and a serious accident had occurred there recently. Director Walters thanked Mr. Pavlasek for his comments and noted that while the District had no authority over streets or to enforce speeding, the Board's Intergovernmental Relations Committee would press Travis County for an evaluation of the area for a traffic signal.

Director Walters then announced that the Board would consider items on its consent agenda, including:

Agenda Item No. 4 Approve minutes of the April 17, 2001 regular meeting.

Director Smith moved, seconded by Director Howe, approval of the consent agenda, and the motion passed unanimously.

Director Walters then announced that the Board would conduct a work session in the form of a management briefing by senior District staff.

Ms. Moonan delivered her report, a copy of which is attached as Exhibit E on District recreation activities. Ms. Moonan reported she was attempting to identify aerobic instructors. She reported that the Stuff 2-Do camp had filled its enrollment in one hour. Director Howe inquired whether the new recreation center would allow the District to expand its summer programming, and Ms. Moonan responded in the affirmative. The Board discussed the Homestead tours, and Director Walters suggested scholarship money for less-well-off school districts that wish to tour the facility. The Board discussed the recent duathlon and concluded that the event was too large for the District to accommodate comfortably. Ms. Maxey commended the Board for its support of the Wells Branch Armada swim team.

Mr. Swick delivered his report, a copy of which is attached as Exhibit F, on customer service matters within his area of responsibility. He reported on a gas leak on Wells Port during which time it was discovered that the contractor involved in the gas leak may have been using water from a District hydrant without proper authority. The Board directed Ms. Littlefield to draft a letter to the contractor notifying the contractor that it was in violation of District rules and subject to fine. Director Gilmore praised Mr. Swick's efforts and noted he was working well with Board members. The Board also praised Ms. Lanna Chapman of the District's office staff for her many good efforts to provide excellent customer service. Mr. Swick reviewed his efforts to quantify customer service and noted that results collected indicated a high degree of satisfaction with the District's service to its customers.

Director Howe inquired whether the District's Neighborhood Guide included information about homestead exemptions. Mr. Avery responded that it did not, and the Board directed that future editions of the Neighborhood Guide include that information.

Mr. Williams delivered a report from Mr. Lapman (Manny) Woo, the District's aquatics manager, a copy of which is attached as Exhibit G. Mr. Williams reported that the aquatics staff was working with swim teams to assure that the cover was replaced on the pool, preventing energy loss. Mr. Williams reported that if problems persisted, the District may be forced to revisit contract rates charged to the swim teams to recover costs associated with energy loss.

Director Walters then announced that the Board would return to citizen input and recognized Mr. Carmody who urged the Board to dedicate a portion of the District's parks and greenbelts to a leash-free area for dogs. The Board discussed the proposal pending from the Recreation Committee, a copy of which is attached as Exhibit H. The Committee recommendation serving as a motion and second, the motion passed unanimously. The Board directed staff to make sure that appropriate signage and waste disposal equipment was in place. Mr. Glass suggested that seating should be added to the area, and Director Walters asked Mr. Williams to look into that possibility.

The Board then discussed the removal of a willow tree as recommended by the Facilities Committee, a copy of which is attached as Exhibit I. The Board consulted with Mr. Fadal who confirmed his recommendation to remove the tree and possibly replace it with

cypress trees on either side of the channel. The Committee recommendation serving as a motion and second, the motion passed unanimously.

Director Walters then announced that the Board would discuss overtime compensation for exempt managers, and Mr. Williams distributed his recommendation, a copy of which is attached as Exhibit 6J. Discussion ensued. Mr. Williams noted that the District's schedule often required senior managers to attend an event on what may otherwise be a holiday. He noted that senior managers were accruing more comp time than they could reasonably be expected to expend within the required period. The Finance Committee's recommendation to approve the proposal serving as a motion and second, the motion passed unanimously.

Director Walters then announced that the Board would discuss filling the vacancy created by the resignation of John Graham. Director Walters noted that Mr. Glass had recently applied for the position, joining Mr. O'Donald in executive session for purposes permitted by Section 551.071 of the Texas Government Code, in order to receive legal advice from the District's attorney.

At 9:28 pm, the Board reconvened in open session and Director Walters announced that no action had been taken during executive session. The Board then discussed the procedure for evaluating the District's general manager and concurred that, as the Board was late in conducting its evaluation and making the appropriate salary adjustment, Mr. Williams's salary adjustment would be made effective May 1 and would take into account the fact that no adjustment had occurred the prior year.

Director Howe then stated that she had received a request from a resident requesting that the Board implement an exemption for persons over 65 years of age. The Board agreed to look into the matter, but noted that there were other options available under the tax code, including freezing the taxable value of a residential homestead of a person over the age of 65.

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

Respectfully submitted,

_____ May 15, 2001 _____
Date Joy Smith, Treasurer
and Assistant Secretary
Board of Directors
Wells Branch Municipal Utility District

(SEAL)