

1 MINUTES OF THE MEETING OF
2 THE BOARD OF DIRECTORS OF
3 WELLS BRANCH MUNICIPAL UTILITY DISTRICT
4
5

6 January 21, 2003
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9 A regular meeting of the Board of Directors was held January 21, 2003, at the Wells Branch
10 Community Center, 2106 Klattenhoff, Austin, Texas. The meeting was open to the public
11 and notice was given as required by the Texas Open Meetings Act. A copy of the Certificate
12 of Posting of the Notice is attached as Exhibit "A".
13

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	Scott Gilmore	- Secretary
19	Joy Smith	- Treasurer
20		and Assistant Secretary
21	Robert O'Donnell	- Assistant Secretary-Treasurer
22		

23 and all of the Directors were present, except Director Gilmore, thus constituting a
24 quorum. Also present during the course of the meeting were Don H. Williams, District
25 manager; Sue Brooks Littlefield of Armbrust & Brown, LLP; Margret Wingrove of ECO
26 Resources; Robert Ferguson, P.E., of Murfee Engineering; Deputy Curtis Orton of the
27 Travis County Sheriff's Office; Melissa Hooper of AMLI Apartments; and Cliff Avery of
28 Gilleland Creek Press.
29

30 Director Walters called the meeting to order at 6:35 p.m. and recognized Mr. Williams for a
31 report from the District's manager. Mr. Williams reviewed previous directives and presented
32 his report, including the Community Gardens report, solid waste/recycling services report,
33 facilities report, landscape report, restrictive covenants report, customer service report,
34 recreation report and aquatics report, copies of which are attached as Exhibits "B" through "I,"
35 respectively. Mr. Williams noted that because of demand for Community Gardens plots, staff
36 may have to prepare more areas for additional plots. He stated he would confer with the
37 Administrative Committee regarding an apparent use of garden plots for commercial use by
38 an out-of-district resident. Director Howe opined that when the District created the
39 Community Gardens, the Board did not intend for it to be used for commercial purposes. Mr.
40 Williams further commented that he intended to speak with Harte-Hanks representatives
41 because the company was not maintaining the landscaping perimeter of its parking lot on
42 District property, as its agreement with the District provided. Mr. Williams informed the
43 Board he intended to see if Harte-Hanks would make some provision to allow the District to
44 maintain the perimeter. Mr. Williams said that the fencing project was virtually completed. He
45 informed the Board that Northtown Municipal Utility District, with which the District has an
46 operations agreement, required some channel clean-up. Mr. Williams said he planned to
47 present a proposal for the District to perform the services. Mr. Williams further reported he
48 had met successfully with representatives of the Offsides Soccer Club and, with the assistance

1 of Mr. Richard Fadal of TexaScapes, Inc., the District's landscape contractor, had
2 communicated the District's historic commitment to the program. Mr. Williams commented
3 he believed the forthcoming soccer season would get off to a better start than in previous years.
4 Mr. Williams said District staff was exploring the costs of installing trail lighting from Mills
5 Pond to Bratton Lane. Director Howe inquired about the progress of installing a convex
6 mirror at the pedestrian tunnel underneath Bratton Lane. Mr. Williams said the mirror was on
7 order and that District workers would install it upon arrival.
8

9 On covenant matters, Mr. Williams reported another sighting of a tow truck that had been the
10 subject of a court order banning it from the District in violation of restrictive covenants. Mr.
11 Williams shared a letter, a copy of which is attached as Exhibit "J," from a resident
12 complimenting the District on its prompt action regarding a dog loose in the District's
13 greenbelt. Director Howe, referring to the covenant report in the packet, encouraged Mr.
14 Williams to weed out cases that were no longer active. Mr. Williams reported that
15 maintenance staff members planned to offer fishing instruction at Mills Pond in the spring. He
16 reported that Aquatics Manager Manny Woo had returned from an extended leave and was
17 actively recruiting lifeguards for the pools.
18

19 Director Walters then announced that the Board would receive a report from the Public Safety
20 Committee and recognized Deputy Orton who presented the Board with a statistical survey
21 compiling crimes reported in the District, copies of which are attached as Exhibit "K." The
22 Board expressed appreciation to Deputy Orton for the information and discussed particular
23 items. The Board encouraged Deputy Orton to continue compiling the information. The
24 Board discussed how best to disseminate the information to residents. On other matters,
25 Director O'Donnell, noting the report regarding supplemental traffic enforcement, a copy of
26 which is attached as Exhibit "L," expressed appreciation for the efforts of sheriff's officers with
27 whom the District had contracted.
28

29 Director Walters then announced that the Board would receive input from citizens and
30 recognized Ms. Hooper. Ms. Hooper said she continued to feel frustrated about the reliability
31 of billing for water usage at the apartment complex she represented. She noted the problem of
32 unusually high usage had begun about the time that the District had started using remote
33 electronic meter reading to calculate the complex's bills. She said a plumber had failed to find
34 any problems. She said the only assumption she could make was there was a meter reading
35 problem. Mr. Williams presented a chart of usage analysis for Ms. Hooper's complex and
36 other complexes in the District, a copy of which is attached as Exhibit "M." He stated that the
37 pattern of usage indicated that there was not a leak present. He further stated that he had
38 directed staff to use mechanical readings for monthly billing purposes and use electronic
39 reading for daily usage calculations. That way, he said, the District could determine if there
40 was a variance between electronic and mechanical reading. *Director Walters directed Mr.*
41 *Williams to determine the cost of pulling the electronic meter.*
42

43 Director Walters then announced that the Board would receive a report from the District's
44 attorney and recognized Ms. Littlefield. She reported that the District had received a contract
45 for the purchase of property on Wells Port Drive.
46

47 Director Walters then recognized Ms. Wingrove for a report from the District's utility
48 manager. Ms. Wingrove reviewed previous directives from the Board and presented her
49 financial report and utility operations report, copies of which are attached as Exhibit "N"
50 and "O," respectively. Ms. Wingrove stated that the District's balances showed a positive

1 \$294,000 for the year-to-date. She reported that she would circulate a letter to authorize
2 the wire transfer of the payment due on the District's bonded indebtedness, *and the Board*
3 *generally concurred* On utility matters, Ms. Wingrove reported that there had been no
4 utility terminations in December because of the holidays, and that the District would
5 return to its normal schedule in January.

6
7 Director Walters then recognized Mr. Ferguson for a report from the District's engineer, a
8 copy of which is attached as Exhibit "P." He reported that ECO Resources was scheduling
9 line repair and getting quotes for lift station repair. He reported that the Texas Water
10 Development Board had received a packet with required information about the Shoreline
11 Detention Pond project. *Director Walters asked Mr. Ferguson to look into the possibility of*
12 *including options for a future transformer and conduit to serve the playing field that would be*
13 *available for use in the pond during dry periods* Mr. Ferguson noted his written report in
14 some packets included discussion of the Lakes Apartment, and that this material was not a
15 purposeful inclusion and should have been omitted.

16
17 Director Walters then announced that the Board would consider items on its consent
18 agenda, including:

- 19
20 **Agenda Item No. 6** Approve the minutes of the January 7, 2003
21 regular meeting;
22
23 **Agenda Item No. 7** Approve Finance Committee's recommendations
24 regarding payment of bills and invoices and
25 write-offs, copies of which are attached as
26 Exhibits "Q" and "R" respectively;
27
28 **Agenda Item No. 8** Approve Order Establishing Rules and Usage
29 Charges for District Facilities and related
30 recreational guidelines, a copy of which is
31 attached as Exhibit "S;" and

1 **Agenda Item No. 9**

2 Approve additional standards for District
3 Manager, a copy of which is attached as Exhibit
4 “T,” for fiscal year ending September 30, 2003.
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6 **Director Howe moved, seconded by Director Smith, approval of the consent agenda, and**
7 **the motion passed unanimously.**
8

9 Director Walters then announced that the Board would receive reports from Committees:
10

11 **ADMINISTRATIVE COMMITTEE:** No report.
12

13 **CONSERVATION COMMITTEE:** Director Howe reported that the City of Austin had
14 solicited information from the District to present an award to the District for its
15 conservation efforts..
16

17 **FACILITIES COMMITTEE:** Director Smith said that because of the press of duties at his
18 job, Director Gilmore will likely be temporarily unable to chair the Committee, and she
19 would take on that responsibility in his absence.
20

21 **FINANCE COMMITTEE:** Director Howe presented a copy of the Committee Report, a
22 copy of which is attached as Exhibit “U.” Director Howe also directed the Board’s
23 attention to a proposal to revise collection policies. Director Howe noted a high
24 correlation between persons who are late with payment and those who leave the District
25 owing on their utility bill. The Committee felt that lateness on two payments out of any
26 four consecutive billing periods should require an additional \$100 deposit, up to a
27 maximum of \$500. A customer could receive a \$100 deposit refund for each twelve months
28 of consecutive timely payment. It was noted that for reconnection of service after
29 termination for late payment, all applicable fees and deposits would have to be collected.
30 **The Committee recommendation serving as a motion and second to revise the Order**
31 **Establishing Rates, Charges and Tap Fees, a copy of which is attached as Exhibit “V,” the**
32 **motion passed unanimously.** The Board agreed that the new policies would go into effect
33 with the billing mailed March 1.
34

35 **INTERGOVERNMENTAL RELATIONS COMMITTEE:** Director Howe announced that
36 she had attended an American Water Works Association Board Meeting in San Antonio,
37 where a Texan, Katie McCain of Dallas, was named president-elect. She is the first woman
38 in the 121-year history of the organization to be so honored. Also, Mari Garza of Dallas
39 was elected director-at-large.
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43 There being no further business to come before the Board, the meeting was adjourned.
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45
46 Respectfully submitted,
47

1
2 February 4, 2003
3 Date
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7
8 (SEAL)

Joy Smith, Treasurer
and Assistant Secretary
Board of Directors
Wells Branch Municipal Utility District