

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

5
6 April 15, 2003
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9 A regular meeting of the Board of Directors was held April 15, 2003, at the Wells
10 Branch Community Center, 2106 Klattenhoff, Austin, Texas. The meeting was
11 open to the public and notice was given as required by the Texas Open Meetings
12 Act. A 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:

15
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 and Director
24 O'Donnell, thus constituting a quorum. Also present during the course of the
25 meeting were Don H. Williams, District manager; Sue Brooks Littlefield of
26 Armbrust & Brown, LLP; Margret Wingrove of ECO Resources; Robert Ferguson,
27 P.E., of Murfee Engineering; Richard Fadal of TexaScapes; Barry Pruitt and Jason
28 Rowe of BFI; and Cliff Avery of Gilleland Creek Press.
29

30 Director Walters called the meeting to order at 6:36 p.m. and recognized Ms.
31 Wingrove for a report from the District's utility manager. Ms. Wingrove reviewed
32 previous directives from the Board and presented her financial report and utility
33 operations report, copies of which are attached as Exhibit "B" and "C," respectively.
34 Ms. Wingrove reported that year-to-date revenues were within \$5,000 of the budget
35 amount and that expenditures, particularly capital outlays, had been lower than
36 anticipated, such that the District enjoyed a favorable balance of \$970,000 above its
37 budgeted figure. In her utility report, she directed the Board's attention to her
38 analysis of per-household water consumption at apartment complexes in the District
39 and noted that AMLI apartments enjoyed the lowest level of consumption. She
40 further reported that April was the second month of the new late-payment policy. Mr.
41 Williams reported that he planned to send a letter to late payers to remind them of
42 the revised system. The Board discussed the pattern of write-offs for uncollectible
43 accounts.

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2 Director Walters then announced that the Board would receive input from citizens
3 and recognized Mr. Pruitt, who presented a letter, a copy of which is attached as
4 Exhibit “D.” and a business card to each Board member. Mr. Pruitt described his
5 experience in the waste industry and informed the Board that he had been hired
6 as general manager of the Austin area operation to correct the problems with
7 service. He said he had met with Mr. Williams who “gave me a list of problems,
8 and I’m here to fix them.” Director Walters explained that the Board was looking
9 for consistent level of service, whereas the experience with BFI had suffered from
10 some sporadic breakdowns. Mr. Pruitt said he had analyzed the problem with
11 trucks being in the District before the time specified by the contract, and that he
12 was preparing to dispatch two trucks to the District to accomplish collection
13 within the time parameters. He also said he anticipated the purchase of new
14 equipment to automate collection and speed up collection. Director Howe stated
15 that some constituents had inquired about smaller carts, and Mr. Rowe said
16 smaller carts were available.

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18 Director Walters then recognized Mr. Williams for a report from the District’s
19 manager. Mr. Williams reviewed previous directives and presented his report,
20 including the Community Gardens report, solid waste/recycling services report,
21 facilities report, landscape report, restrictive covenants report, customer service
22 report, recreation report, aquatics report, and Northtown Municipal Utility
23 District Interlocal Agreement report copies of which are attached as Exhibits “E”
24 through “M,” respectively. Mr. Williams noted that the Community Gardens plots
25 were sold out. He reported that he had met with organizers of the IronKids
26 Triathlon to make arrangements regarding the upcoming event. He noted that an
27 LCRA contractor had damaged a portion of fence, and LCRA had agreed to make
28 repairs. He reported that Facilities Manager Norm Tomlinson hoped to have the
29 East Creek Trail ready for dedication at the Board’s next meeting. He reported on
30 the teen clinics being planned and reported on the staff members involved. He
31 noted that the instructor for the cheerleading clinic had significant experience in
32 national competitions. *Director Smith suggested, and the Board generally*
33 *concurred, that advertising regarding the clinics should discuss the credentials of*
34 *the instructors.* The Board generally concurred with the prices of the clinics. Mr.
35 Williams reported that he was working with the Facilities Manager and the
36 Aquatics Manager to coordinate maintenance at the pools. He noted that the term
37 of the agreement with Northtown Municipal Utility District was coming to an end.
38 Ms. Littlefield reported that the Northtown Board had consistently expressed its
39 appreciation for the job that Mr. Williams and other District staff members were
40 accomplishing.

41
42 Director Walters then recognized Mr. Ferguson for a report, attached as Exhibit
43 “N.” from the District’s engineer. Mr. Ferguson reported that his solicitation for

1 bids for repairs at the Larry McGinnis Lift Station had not received any response.
2 He stated that the project may be less than \$25,000. *The Board directed that Mr.*
3 *Ferguson solicit input from reliable contractors.* Mr. Ferguson reported that he
4 has sent a notice to Travis County regarding the Bratton Lane improvements and
5 will be requesting an inspection for compliance with the Americans with
6 Disabilities Act. He reported that he had met with Chris Lippe, director of the City
7 of Austin’s Water and Wastewater Utility, asking for removal of the requirement
8 for casing for a sewer pipe under the Shoreline Detention Pond Project. He
9 reported that he had subsequently tried to contact Mr. Lippe with no success. He
10 stressed that the contractor was rapidly reaching the point where the project could
11 be delayed if a decision were not reached. Mr. Ferguson recommended that unless
12 the City waived the requirement in the next 24 hours, the District proceed with
13 encasing the pipe. *Director Howe directed, and the Board generally concurred,*
14 *that unless she was successful in contacting Mr. Lippe the next day to receive a*
15 *favorable decision, Mr. Ferguson was to instruct the contractor to proceed, with*
16 *the encasing of the pipe.* Mr. Ferguson also discussed vulnerability assessments
17 which utilities are required by the Federal Government to perform following the
18 terrorist attacks of September 2001. Director Howe noted that the District was
19 sponsoring a breakfast for Central Texas utilities on May 23 to share information
20 on the matter.

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

24
25 **Agenda Item No. 6** Approve the minutes of the March 18, 2003
26 regular meeting;

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28 **Agenda Item No. 7** Approve Finance Committee’s
29 recommendations regarding payment of bills
30 and invoices and write-offs, copies of which
31 are attached as Exhibits “O” and “P”
32 respectively; and

33
34 **Agenda Item No. 8** Approve pay estimates/change orders for
35 3000 Shoreline Drive Water Quality and
36 Regional Detention Pond, a copy of which is
37 attached as Exhibit “Q.”

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39 **Agenda Item No. 9** Approve the revised District Registration
40 Form, a copy of which is attached as Exhibit
41 “R.” and authorize filing the Report with the
42 Texas Commission on Environmental
43 Quality; and

1
2 **Agenda Item No. 10**

3 Approve Insurance Bonds from the Texas
4 Municipal League Intergovernmental Risk
5 Pool, including Directors' Position Schedule
6 Bond, Public Employee Blanket Bond and
7 Tax Assessor Collector Bond.

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

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

13
14 **ADMINISTRATIVE COMMITTEE:** Director Walters noted that the District had
15 received responses from its request for proposals for solid waste and recyclable
16 collection and hauling services. Mr. Williams shared a "flash" analysis of the
17 proposals, a copy of which is attached as Exhibit "S." *The Board directed to the*
18 *Committee to review the proposals and prepare an appropriate recommendation.*

19
20 **CONSERVATION COMMITTEE:** Director Howe reported that Wells Branch
21 representatives had met with City of Austin representatives regarding irrigation
22 meters.

23
24 **FACILITIES COMMITTEE:** Mr. Williams noted that the District had pumped out
25 the drainage pond on Bratton Lane.

26
27 **FINANCE COMMITTEE:** No report.

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29 **INTERGOVERNMENTAL RELATIONS COMMITTEE:** No report.

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31 **PUBLIC SAFETY:** No report.

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33 **RECREATION COMMITTEE:** Director Walters presented the report of the
34 Committee, a copy of which is attached as Exhibit "T."

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36 The Board recessed at 7:51 p.m. and reconvened in open meeting at 8:20 p.m.
37 Director Walters announced that the Board would convene in executive session for
38 purposes permitted by Sections 551.071 and 551.074 of the Texas Government Code,
39 to receive legal advice relating to personnel issues and the status of the recreation
40 manager. The Board reconvened in open session at 8:47 p.m., and Director Walters
41 announced that no action had been taken during executive session. *The Board then*
42 *directed Ms. Littlefield to reaffirm and clarify the Board's proposal to Ms. Moonan,*
43 *and to extend the time for accepting the proposal through Wednesday, April 16.*
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1 There being no further business to come before the Board, the meeting was adjourned
2 at 8:50 p.m.

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4 Respectfully submitted,

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7 May 20, 2003 _____

8 Date

Joy Smith, Treasurer

and Assistant Secretary

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Board of Directors

11

Wells Branch Municipal Utility District

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13 (SEAL)