

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

5  
6 May 20, 2003  
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9 A regular meeting of the Board of Directors was held May 20, 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:

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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  
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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; Norman Tomlinson,  
28 District facilities manager; and Cliff Avery of Gilleland Creek Press.  
29

30 Director Walters called the meeting to order at 6:33 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,"  
34 respectively. Ms. Wingrove reported that year-to-date revenues were on track.  
35 Expenses were well below budgeted amount because expenditures for capital  
36 outlays had not yet occurred. Ms. Wingrove directed the Board's attention to a  
37 letter sent to customers regarding delays in processing that may accompany some  
38 on-line bill-paying services provided by banks. The Board reviewed its policy on  
39 late payments. *Director Smith suggested, and the Board generally concurred,*  
40 *that a story in the District's newsletter point out that deposits collected as a*  
41 *result of late payments were refundable.*  
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1 There being no citizens present who wished to address the Board, the Board  
2 recessed at 6:48 p.m. for a dedication of the East Creek Trail and an inspection of  
3 the newly acquired Annex on Wells Port Drive. The meeting reconvened in the  
4 Community Center at 7:55 p.m.

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6 Director Walters then recognized Mr. Williams for a report from the District's  
7 manager. Mr. Williams reviewed previous directives and presented his report,  
8 including the Community Gardens report, solid waste/recycling services report,  
9 facilities report, landscape report, restrictive covenants report, customer service  
10 report, recreation report, aquatics report, and Northtown Municipal Utility  
11 District Interlocal Agreement report, copies of which are attached as Exhibits "D"  
12 through "L," respectively. Mr. Williams noted that Bill Todd of the Wells Branch  
13 Homestead hoped to plant sugar cane in the garden and refurbish the cane press  
14 in front of the Homestead. Mr. Williams further reported that the fishing  
15 instruction conducted May 3 at Mills Pond had been a success. In discussing  
16 landscaping, Mr. Fadal said that he and his staff were working on balancing turf  
17 health. Mr. Williams reported that he planned to open the District Office for four  
18 hours on Saturdays during June to allow residents to purchase their recreation  
19 tags, and the Board generally concurred. On recreation matters, Mr. Williams  
20 noted that the District would order a large quantity of Stuff 2-Do T-shirts to  
21 reduce unit cost and to use the same design over two years.

22  
23 Director Walters then recognized Ms. Littlefield for a report from the District's  
24 attorney. Ms. Littlefield discussed a pending pass-through agreement for 2200  
25 Howard Lane. She stated that the Board should delegate authority to the Facilities  
26 Committee to act on future pass-through service requests under the existing  
27 Interlocal Agreement with the City of Austin and allow the District manager to  
28 provide a form to applicants for restrictive covenants associated with the request.  
29 **Director Howe moved, seconded by Director Smith, that the Board**  
30 **authorize the Facilities Committee to act on pass-through requests**  
31 **under the existing Interlocal Agreement with the City of Austin and to**  
32 **cause the appropriate form for restrictive covenants to be supplied**  
33 **through the District manager. The motion passed unanimously.**

34  
35 Director Walters then recognized Mr. Ferguson for a report, attached as Exhibit  
36 "M," from the District's engineer. Mr. Ferguson reported that he was contacting  
37 the City of Austin regarding progress on decommissioning the no-longer-used  
38 wastewater line in the Shoreline Detention Pond project. Mr. Ferguson reported  
39 that the quote for wastewater service to the office building came in higher-than-  
40 expected. He suggested that he reconsider the project and that the Board allow the  
41 Facilities Committee be authorized to approve up to \$15,000 for the project.  
42 **Director Smith so moved, seconded by Director Walters, and the**  
43 **motion passed unanimously.** Mr. Ferguson further reported on progress at

1 the Wells Branch Community Library’s construction site. He reported that the City  
2 of Austin had ordered the contractor to take out a Y-yoke providing water service.  
3 In doing so, water service had been interrupted to the Stonegate area. The Board  
4 generally expressed its dismay that the City of Austin had interfered with the  
5 operation of the District’s water and wastewater system.

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

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10 **Agenda Item No. 6** Approve the minutes of the March 27, 2003  
11 special meeting and April 15, 2003 regular  
12 meeting;

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14 **Agenda Item No. 7** Approve Finance Committee’s  
15 recommendations regarding payment of bills  
16 and invoices and write-offs, copies of which  
17 are attached as Exhibits “N” and “O”  
18 respectively;

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20 **Agenda Item No. 8** Approve pay estimates/change orders for  
21 3000 Shoreline Drive Water Quality and  
22 Regional Detention Pond, a copy of which is  
23 attached as Exhibit “P;”

24  
25 **Agenda Item No. 9** Approve audit engagement letter from  
26 Maxwell Locke & Ritter, L.L.P., a copy of  
27 which is attached as Exhibit “Q.” for audit of  
28 the District’s financial statements for the  
29 fiscal year ending September 30, 2003;

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31 **Agenda Item No. 10** Approve Amendment No. 3, a copy of which  
32 is attached as Exhibit “R.” to Utility  
33 Management Services Agreement; and

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35 **Agenda Item No. 11** Approve request for pass-through  
36 wastewater service from Gerry Tucker  
37 (Central Texas Tiltwall, L.P.) for 2200  
38 Howard Lane, including approving  
39 Resolution Authorizing Pass-Through  
40 Wastewater Service to 2200 Howard Lane, a  
41 copy of which is attached as Exhibit “S.”

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

1 Director Walters then announced that the Board would receive reports from  
2 Committees:

3  
4 **ADMINISTRATIVE COMMITTEE:** Director Walters presented a copy of the  
5 Committee reports, a copy of which is attached as Exhibit "T." **The Committee**  
6 **recommendations, serving as a motion and second, to revise staffing**  
7 **duties as presented, the motion passed unanimously.**

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9 **CONSERVATION COMMITTEE:** No report

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11 **FACILITIES COMMITTEE:** No report

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13 **FINANCE COMMITTEE:** No report.

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15 **INTERGOVERNMENTAL RELATIONS COMMITTEE:** Director Howe  
16 reminded the Board that the District was hosting, along with Aqua Water Supply  
17 Corporation, a breakfast May 23 for Central Texas utility districts regarding  
18 vulnerability assessments required by federal antiterrorism legislation.

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20 **PUBLIC SAFETY:** No report. Director Howe shared an observation she had  
21 received from a resident that shrubbery removed for the fencing project had acted  
22 as a sound buffer.

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24 **RECREATION COMMITTEE:** No report.

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26 Director Walters then announced that the Board would consider legislative matters.  
27 The Board discussed legislation regarding districts' ability to offer park and recreation  
28 facilities and to incur bonded indebtedness. The Board generally commended action  
29 by State Senator Gonzalo Barrientos to protect the interest of Travis County residents  
30 living in municipal utility districts.

31  
32 There being no further business to come before the Board, the meeting was adjourned  
33 at 9:09 p.m.

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35 Respectfully submitted,

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37  
38 June 17, 2003

39 Date

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Scott Gilmore, Secretary

Board of Directors

Wells Branch Municipal Utility District

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42  
43 (SEAL)