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

July 20, 2004

A regular meeting of the Board of Directors was held July 20, 2004, 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
Robert O'Donnell	- Secretary
Joy Smith	- Treasurer
	and Assistant Secretary
Janet Maxey	- Assistant Secretary-Treasurer

and all of the Directors were present, except Director Walters who arrived later, thus constituting a quorum. Also present during the course of the meeting were Mona Oliver, District covenant enforcement specialist; John Bartram of Armbrust & Brown, LLP, the District's law firm; Margret Wingrove of ECO Resources, the District's utility management firm; Robert Ferguson, P.E., of Murfee Engineering; Richard Fadal of TexaScapes, Inc.; Derek Harshbarger; Jang Hee Pak of United Martial Arts Education Center in the District; Ed Schwanke of 14836 Single Trace in the District; Bill and Stacy Anderson of 2111 Cervin Blvd. in the District; Mike Shay of 14312 Richard Walker in the District; Darlene Bauhs of 2445 Rick Whinery in the District; Steve Shannon of BFI; Mike Howe, president of the Wells Branch Neighborhood Association, of 14979 Doria in the District; and Cliff Avery of Gilleland Creek Press.

Director Howe called the meeting to order at 6:34 p.m. and announced that Director Walters was on his way to the meeting and was expected shortly. She recognized Ms. Wingrove for the utility manager's report. Ms. Wingrove reviewed previous directives from the Board and presented her financial report and utility operations report, copies of which are attached as Exhibit "B" and "C," respectively. She noted that the actual balance varied only \$647 from budget projections. Director Smith inquired about the miscellaneous revenue reported. She also asked about the increase in expenditure for office supplies. Director Howe explained that the amount included the purchase of a computer for one of the District's swimming pools. Director Smith suggested that the budget should include a separate line for office equipment. Director Smith inquired about the lower-than-anticipated expenditure for pool personnel wages. *She asked, and the Board generally concurred, that the District manager supply input on why Budget Category 6806 was under budget.* Director Smith asked why capital expenditures for the Recreation Building showed a negative

1 number, *and Ms. Wingrove agreed to look into the matter.* Director O'Donnell asked
2 whether Ms. Wingrove had a report of receipts from June sales of water, and when
3 she said she did not, *Director O'Donnell asked, and the Board generally so directed,*
4 *that she e-mail the Board with that figure.*
5

6 Ms. Wingrove further reported that the County tax collector was pursuing taxpayers
7 who were in arrears. The Board discussed whether to withhold recreation tags from
8 applicants who are in arrears for taxes or utility bills. Mr. Bartram advised that, based
9 on his conversation with Sue Brooks Littlefield of his office, the Board not pursue that
10 policy because collection of back taxes was properly the role of the County.
11

12 On utility matters, Ms. Wingrove advised that the City of Austin planned to meet with
13 its wholesale customers August 4. She also reported that the District had begun its
14 first year in a five-year project to videotape inside its utility lines and determine
15 infrastructure problems. She said that no problems had as yet been identified.
16

17 Director Howe then announced that the Board would receive input from citizens and
18 recognized Ms. Bauhs. She said that she had seen crews trimming trees and later
19 noticed debris thrown into the creek behind her home. Mr. Fadal agreed to inspect
20 the creek with Ms. Bauhs in an effort to determine the source of the problem.
21

22 Director Walters arrived at 6:48 p.m. and recognized Mr. Shay who stated he was a
23 resident for eight years and frequently enjoyed the District's disc golf course. He
24 complimented the District on its facility but encouraged the District to install
25 concrete teeboxes to replace the gravel-and-dirt teeboxes currently in use. He said
26 concrete teeboxes were generally found on other courses and required less
27 maintenance while providing a superior surface He informed the Board about the
28 existence of the Professional Disc Golf Association, which has standards for courses.
29 Director Walters said the Recreation Committee would look into the matter in time to
30 make budget recommendations.
31

32 Director Walters then recognized Mr. Schwanke who told the Board that the
33 greenbelt behind his home had been partially mowed last year but that work had
34 stopped. He said that weeds were high and presented a fire threat. He asked when he
35 and his neighbors could look forward to seeing the greenbelt cut. *The Board directed*
36 *the District manager to look into the matter and report to the Facilities Committee.*
37

38 Director Walters then recognized Mr. Harshbarger who said he was using an indoor
39 basketball court at the Recreation Center from 4 to 5 p.m. on a weekday when he was
40 told to leave because the court was reserved for the Stuff 2-Do camp. He said that no
41 signs in the Center indicated this was the case. Director Walters said that he expected
42 that only a half of the gymnasium would be required for the camp, leaving a court
43 available for free use. *The Board directed the Recreation Committee to work with the*
44 *District manager and the recreation manager to clarify the issue.*
45

46 Director Walters then recognized Mr. Pak who informed the Board he had opened a
47 martial arts academy in the District. He said that a ribbon-cutting was scheduled
48 August 2 and invited the community for Saturday sessions to learn self-defense

1 techniques. The Board welcomed Mr. Pak and thanked him for attending the meeting.

2
3 Director Walters then recognized Bill and Stacy Anderson. Ms. Anderson,
4 representing the Wells Branch Armada swim team, presented an appreciation plaque
5 to the District for its support of the children in the team. Mr. Anderson discussed
6 problems with an addition to the family's home. Mr. Anderson said he had received
7 Architectural Control Committee permission to enclose the deck, but he had received
8 a cease-and-desist letter from the District to stop the project. Mr. Howe, as an ACC
9 member, stated that the permission as granted was contingent on complying with
10 appropriate codes. Mr. Anderson discussed whether this required hiring a contractor
11 for the project. The Board generally determined that if the project were inspected by
12 an expert for compliance with codes, the project could continue with Mr. Anderson
13 performing the work. *The Board directed the Administrative Committee to review*
14 *documentation and work with the District's compliance specialist to assure*
15 *satisfactory completion.* Director Howe urged that the Andersons' neighbors needed
16 to indicate their acceptance of the project.

17
18 Director Walters then recognized Mr. Howe who, speaking as president of the Wells
19 Branch Neighborhood Association, encouraged the Board to participate in the
20 Neighborhood Night Out August 3 at the Pavilion. Mr. Howe also reported that the
21 Neighborhood Association planned to revive its Neighborhood Watch program and
22 would ask for assistance in placing signs around the District. Director Walters stated
23 that the Public Safety Committee would be happy to cooperate in the project.

24
25 Director Walters, noting the traditional Night Out observance, inquired if the Board
26 wished to reschedule its meeting that would normally be held the same night. The
27 Board decided to forego its August 3 meeting and hold a budget work session on
28 August 10 with a regular meeting on August 17.

29
30 Director Walters then recognized Mr. Shannon who briefed the Board regarding solid
31 waste collection activities. The Board discussed shifts in collection schedules.
32 *Director Howe suggested, and the Board generally so directed, that the*
33 *Administrative Committee research the possible use of an autodialer to notify*
34 *residents when shifts occurred in collection days.*

35
36 Director Walters then recognized Ms. Oliver, sitting in for the vacationing Don H.
37 Williams, to present the District manager's report, including the Community Gardens
38 report, solid waste/recycling services report, facilities report, landscape report,
39 restrictive covenants report, customer service report, recreation report, aquatics
40 report, and Northtown Municipal Utility District activity report, copies of which are
41 attached as Exhibits "D" through "L," respectively. Ms. Oliver reported that she had
42 been notified that sheriff's officers will no longer tow cars that are not streetworthy.
43 *Director Smith asked that copies of the customer service cards referenced in the*
44 *customer service report be supplied for inspection by the Board, and the Board*
45 *generally concurred.*

46
47 The Board discussed the forthcoming Concerts in the Park series. Director Maxey
48 opined that the events are more successful when they are held on Sunday evenings.

1 *The Board, expressing its will that concerts be held from 6 to*
2 *8 p.m. Sunday nights, directed the Recreation Committee to review and adjust the*
3 *schedule.*

4
5 Director Walters then recognized Mr. Bartram for a report from the District's
6 Attorney. Mr. Bartram stated that his office was writing a bank in Maryland in an
7 attempt to resolve a covenant compliance issue at a home that was repossessed.

8
9 Director Walters then recognized Mr. Ferguson for a report, attached as Exhibit "M,"
10 from the District's engineer. Mr. Ferguson also provide a report, attached as Exhibit
11 "N," that the Texas Department of Transportation was requesting out-of-district
12 service to serve its toll booth for the extension of
13 Loop 1. The Board instructed Mr. Ferguson to inform TXDoT of the process the
14 District normally follows to handle such requests. Mr. Ferguson further reported on
15 efforts to determine the cause of slow drainage in the Shoreline Regional Detention
16 Pond.

17
18 Director Walters then announced the Board would consider the consent agenda,
19 including:

20
21 **Agenda Item No. 6** Approve, as amended, the minutes of the
22 July 6, 2004 regular meeting; and

23
24 **Agenda Item No. 7** Approve Finance Committee's
25 recommendations regarding payment of bills
26 and invoices and, as revised, write-offs,
27 copies of which are attached as Exhibits "O"
28 and "P" respectively.

29
30 **Director Howe moved, seconded by Director Smith, approval of the**
31 **consent agenda as presented, and the motion passed unanimously.**

32
33 Director Walters then announced that the Board would receive reports from
34 Committees:

35
36 **ADMINISTRATIVE COMMITTEE:** No report.

37
38 **FACILITIES COMMITTEE:** Director Smith stated she would have suggestions to
39 the Recreation Committee regarding items for the forthcoming budget discussion.
40 The Board discussed when to update the District's Park Master Plan.

41
42 *Director O'Donnell asked about the liability issues associated with skate parks, and*
43 *the Board directed the attorney to investigate and report on those issues.*

44
45 **FINANCE COMMITTEE:** Director Howe discussed the budget process.

46
47 **PUBLIC SAFETY COMMITTEE:** Director O'Donnell presented the Committee
48 report. **The Committee recommendation, attached as Exhibit "Q," served**

1 as a motion and second to approve the Interlocal Agreement with the
2 Travis County Sheriff's Department, subject to the review by the
3 Committee. *The Board directed the Public Safety Committee to obtain regular*
4 *reports about sheriff's patrols and integrate the patrols with the District's private*
5 *patrol service. The motion passed unanimously.*
6

7 **RECREATION COMMITTEE: The Committee recommendation, attached**
8 **as Exhibit "R," served as a motion and second to adopt the revised Order**
9 **Establishing Rules and Usage Charges for District Facilities.** Discussion
10 ensued. Director Smith called the question. **The motion passed with Directors**
11 **Walters, Smith and Maxey voting "aye" and Directors Howe and**
12 **O'Donnell voting "nay."** Director Howe stated she felt the change was not
13 necessary at this time.
14

15 Director Walters then announced the Board would receive announcements from
16 Board members. Director Walters announced that a resident had requested a special
17 allowance to hold a wedding reception at the Community Center on New Year's Day,
18 normally a day on which the facility is not rented. The applicant, Director Walters
19 stated, had agreed to pay the costs associated with the special use. *The Board directed*
20 *the staff to approve the request with the proviso that it was a one-time exception.*
21

22 Director Smith then stated for the record that she opposes changing a regular Board
23 meeting time to a time at which a Board member cannot be present.
24

25 There being no further business to come before the Board, the meeting adjourned.
26

27 Respectfully submitted:
28
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31

32 August 10, 2004
33 Date

Robert O'Donnell, Secretary
Board of Directors
Wells Branch Municipal Utility District

37 (SEAL)
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39