

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

5  
6 November 18, 2003  
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9 A regular meeting of the Board of Directors was held November 18, 2003, at the  
10 Wells Branch Community Center, 2106 Klattenhoff, Austin, Texas. The meeting  
11 was open to the public and notice was given as required by the Texas Open  
12 Meetings Act. A copy of the Certificate of Posting of the Notice is attached as  
13 Exhibit "A".  
14

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

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17 Charles R. Walters -President  
18 Donna Howe -Vice President  
19 Scott Gilmore - Secretary  
20 Joy Smith - Treasurer  
21 and Assistant Secretary  
22 Robert O'Donnell - Assistant Secretary-Treasurer  
23

24 and all of the Directors were present, except Director Gilmore, thus constituting a  
25 quorum. Also present during the course of the meeting were Don H. Williams,  
26 District manager; Norman Tomlinson, District facilities manager; John Bartram  
27 of Armbrust & Brown, LLP; Margret Wingrove of ECO Resources; Robert  
28 Ferguson of Murfee Engineering; Richard Fadal of TexaScapes, Inc.; Janet Maxey,  
29 a resident of the District; Brian Thompto of 2812 Sand Dollar Drive; Bill Glass  
30 of 14908 Yellowleaf Trail in the District; Cliff Avery of Gilleland Creek Press; and  
31 the late A. Wasp, a resident of the District.  
32

33 Director Walters called the meeting to order at 6:30 p.m. and recognized Ms.  
34 Wingrove for a report from the District's utility manager. Ms. Wingrove reviewed  
35 previous directives from the Board and presented her financial report and utility  
36 operations report, copies of which are attached as Exhibit "B" and "C,"  
37 respectively. She discussed the usage statistics from apartment complexes in the  
38 District and noted that the Arbors Apartment continued to experience the highest  
39 per-unit usage. She noted that the District continued to enjoy a decrease in past-  
40 due accounts. *Director O'Donnell asked Ms. Wingrove to supply comparisons of*  
41 *the number of past-due accounts to the previous year, and Ms. Wingrove agreed*  
42 *to do so.*  
43

1 Ms. Wingrove discussed a proposal from Kimmons Security Services, Inc. to  
2 provide the federally required Vulnerability Assessment and Emergency Response  
3 Plan. *Director Howe suggested the Board wait to receive another proposal, and*  
4 *the Board directed that the matter be placed on the agenda of a subsequent*  
5 *meeting.*

6  
7 Director Walters then announced the Board would receive citizens  
8 communication and recognized Mr. Thompto, a resident of the neighboring  
9 Bratton Wood subdivision. Mr. Thompto encouraged the Board to get exert its  
10 influence regarding the alignment of an extension to Loop 1 (MoPac Expressway)  
11 which is to be a toll road. He said that under the current alignment, Wells Branch  
12 area residents would have to exit at Parmer Lane – a substantial distance – or pay  
13 a toll to access the neighborhood from the expressway. Mr. Ferguson advised the  
14 Board that Texas Department of Transportation officials had advised him that  
15 motorists could exit at Merriltown without paying a toll. Mr. Thompto said the  
16 plans had apparently been revised. The Board encouraged Mr. Thompto to contact  
17 Mike Howe, president of the Wells Branch Neighborhood Association, to enlist his  
18 support on the matter. *The Board also directed the Intergovernmental Relations*  
19 *Committee to schedule a town hall meeting on the matter.*

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21 Director Walters then recognized Mr. Williams for a report from the District’s  
22 manager. Mr. Williams reviewed previous directives and presented his report,  
23 including the Community Garden report, solid waste collection report, facilities  
24 report, landscape report, restrictive covenants report, customer service report,  
25 recreation report and aquatics report, copies of which are attached as Exhibits “D”  
26 through “K,” respectively. Mr. Williams introduced Mr. Tomlinson who provided  
27 an update on the District’s facilities.

28  
29 A. Wasp arrived to the consternation of the Board and audience. **By unanimous**  
30 **consent, the District’s engineer smushed it.**

31  
32 Director Walters then recognized Mr. Bartram for a report from the District’s  
33 attorney. Mr. Bartram directed the Board’s attention to documents related to  
34 *Nationsrent of Texas, Inc. v. Wells Branch Municipal Utility District* a copy of  
35 which is attached as Exhibit “L.” He reported a settlement in the matter appeared  
36 imminent.

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38 Director Walters recognized Mr. Ferguson for a report from the District’s  
39 engineer, a copy of which is attached as Exhibit “M.” Director Smith reported on a  
40 conversation with a developer of 45 acres in the District. She said he was working  
41 with Star Charter School for possible development of the site for a school facility  
42 rather than single-family homes. The plan could also include a greenbelt next to

1 the Wells Branch Community Library. Director Howe expressed concern about  
2 traffic patterns around the school, rather than the homes originally contemplated.

3  
4 Director Walters then recognized Mr. Glass for a discussion regarding a request, a  
5 copy of which is attached as Exhibit "N," to vacate a drainage easement at his  
6 home. Mr. Glass stated that a veranda encroached into the easement; however, in  
7 his 20 years of residency, stormwater had never even reached the 7.5 foot public  
8 utility easement, much less the 25 foot drainage easement. The Board expressed  
9 considerable interest in this fact. Discussion ensued on amending the 100-year  
10 floodplain originally established with the subdivision was developed. Mr.  
11 Ferguson recommended that Mr. Glass contact R.J. Brandes Company, which  
12 performed engineering work for construction of the Shoreline Detention Pond. He  
13 suggested that Mr. Glass's buyers may be satisfied with a statement from Mr.  
14 Brandes regarding the effect of the pond on downstream drainage. Mr. Glass  
15 agreed that would be satisfactory. In the meantime, *the Board directed the*  
16 *Facilities Committee to review and recommend appropriate action regarding*  
17 *re-evaluating the flood plain.* Director Walters suggested, *and the Board*  
18 *generally directed, that the District's attorney supply Mr. Glass a letter*  
19 *indicating the Board's intent to review flood plains pursuant to the Facilities*  
20 *Committee recommendations.*

21  
22 Director Walters then announced that the Board would consider items on its  
23 consent agenda, including:

24  
25 **Agenda Item No. 7**

26 Approve Finance Committee's  
27 recommendations regarding payment of bills  
28 and invoices and write-offs, copies of which  
29 are attached as Exhibits "O" and "P"  
30 respectively;

31  
32 **Agenda Item No. 8**

33 Approve pay estimates/change orders for  
34 3000 Shoreline Drive Water Quality and  
35 Regional Detention Pond, a copy of which is  
36 attached as Exhibit "Q."

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

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40 Director Walters then announced that the Board would receive reports from  
41 Committees:

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43 **ADMINISTRATIVE COMMITTEE:** No report

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2 **CONSERVATION COMMITTEE:** No report.

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4 **FACILITIES COMMITTEE:** No report.

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6 **FINANCE COMMITTEE:** No report.

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

9  
10 **PUBLIC SAFETY:** Director O'Donnell reported that the Public Safety  
11 Committee had met with Travis County Commissioner Karen Sonleitner. The  
12 commissioner suggested a petition drive to install speed calming devices on Wells  
13 Port Drive.

14  
15 **RECREATION COMMITTEE:** Mr. Tomlinson, filling in for Mr. Williams,  
16 reported that Matt Fuller had joined the staff as recreation coordinator.

17  
18 Director Walters then announced that the Board would receive announcements  
19 from Board members. Director Howe reported that missing cats along Emmitt  
20 Parkway had prompted rumors of an alligator in the area. *The Board generally*  
21 *directed the addition of a lost pets section on the District website.*

22  
23 There being no further business to come before the Board, the meeting was  
24 adjourned at 7:54 p.m.

25  
26 Respectfully submitted,

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28  
29  
30 December 2, 2003

31 Date

\_\_\_\_\_  
31 Scott Gilmore, Secretary

32 Board of Directors

33 Wells Branch Municipal Utility District

34  
35 (SEAL)