

MINUTES OF MEETING OF THE BOARD OF DIRECTORS
OF WILLIAMSON-TRAVIS COUNTIES
MUNICIPAL UTILITY DISTRICT NO. 1

December 17, 2008

[Attachments for Minutes December 17, 2008](#)

STATE OF TEXAS §

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COUNTIES OF WILLIAMSON AND TRAVIS §

A regular meeting of the Board of Directors of Williamson-Travis Counties Municipal Utility District No. 1 was held at 6:00 p.m. on December 17, 2008, at the District office at The Park at Lakeline Oaks, 1000 Old Mill Road, Cedar Park, Texas 78613. The meeting was open to the public and notice was given as required by the Texas Open Meetings Act.

Director Rocco called the roll of the members of the Board:

Chris Rocco	-	President
Robert Kenny	-	Vice President
Linda Garrett	-	Secretary
Brian T. Hardin	-	Treasurer
Luis Zervigon	-	Assistant Secretary/Treasurer

All directors were present with the exception of Director Hardin, thus constituting a quorum. Also attending the meeting were Kristi Hester, Becky Stathos, and Howard Hemberger with Severn Trent Services; Bill Flickinger with Willatt & Flickinger; Jennifer Key and Kristyn Rowney with RealManage; Jim Ray with Ray Associates, Inc.; Chuck Leininger with Cameron General Contractors; and District residents Maxine and Allen Kaplan, Silvia Villarreal, and Beverly Zervigon.

Director Rocco called the meeting to order at 6:11 p.m. and stated that the Board would first consider Agenda Item 1: Citizens Communication. In response to a question from Mrs. Kaplan, Board members said they have not received the report from GMSA.

Director Rocco then called for Agenda Item 2: Report from the District's engineer.

- a. *Volente Fence Project including CMU fence at Lakeline Oaks Park and 1002 Old Mill Road.*
- b. *Interlocal Agreement with Travis County/Easements for Volente Fence.*
- c. *Checklist for Stormwater Management Plan.*
- d. *Additional wood fencing adjacent to Volente Park.*

Director Zervigon said Mr. Bayes was unable to attend the meeting, but that two of the items in his report would be discussed under other agenda items.

Mr. Flickinger reported that his office has received one signed easement out of the four mailed out.

The additional wood fencing adjacent to Volente Park was referred to the Parks Committee.

Director Rocco then called for Agenda Item 25: *Proposal by Annexation Committee to accept proposal from Ray Associates, Inc. for annexation consultant services and to approve additional consultant services in connection with possible annexation to be provided by the District's Engineer and District's Attorneys.*

Director Hardin entered the meeting at this time.

Mr. Ray addressed the Board, sharing his background and detailing the scope of services outlined in his proposal.

Mr. Kaplan said he felt the Board was smart to begin annexation work now.

Following a discussion, Director Zervigon made a motion to enter into a contract with Ray Associates, Inc. for consulting services related to annexation at an amount not to exceed \$8,500, which will be drawn against the \$15,000 budget item. Director Hardin seconded the motion, which passed unanimously.

Director Zervigon then moved to authorize an amount not to exceed \$5,000 to be drawn against the \$15,000 budget item for work to be done by Gray-Jansing and Willatt & Flickinger in support of annexation work, with Gray-Jansing acting as project manager. Director Kenny seconded the motion, which passed unanimously.

Director Rocco then called for Agenda Item 19: *Agreement to build additional CMU fence in Lakeline Oaks at Assisted Living Facility (Lakeline Oaks Retirement, LLC)*. Director Kenny introduced Chuck Leininger, project manager of the Lakeline Oaks Retirement Community, who said the CMU wall is fine with him. Mr. Flickinger reviewed previous discussions and action regarding this agenda item. Director Kenny moved to approve the draft Agreement subject to such changes as the District's attorney and Board president might make, and to authorize the president to sign the Agreement. Director Garrett seconded the motion, which passed unanimously.

Director Rocco appointed an ad hoc committee of himself and Director Kenny to work on this agenda item.

Director Rocco then called for Agenda Item 5: *Report from the DRC and act on restrictive covenant enforcement*. Director Zervigon explained that the DRC would like to eliminate the difference between major and minor violations and combine painting violations with all other violations rather than being a separate violation unto itself.

Director Rocco then called for Agenda Item 6: *Approval of DRC Minutes by Deed Restriction Committee Members*. Committee members approved the minutes from the meeting held December 10, 2008.

Based on the recommendation of the DRC, Director Zervigon moved to ask the District's attorney to notify both the resident and the owner of 2713 Buckeye Trail that the large moving vans being parked at that address are not permitted by the deed restrictions. Director Hardin seconded the motion, which passed unanimously.

Director Rocco then called for Agenda Item 7: *Request by Lakeline Oaks HOA to have the District resume deed restriction enforcement and Architectural Control Committee processes within Lakeline Oaks subdivision.* No action was taken on this agenda item.

Director Rocco then called for Agenda Item 8: *Amendments to Contract with RealManage for deed restriction enforcement services.* This was discussed under Agenda Item 5

Director Rocco then called for Agenda Item 9: *Reports from ACCs.* No action was taken on this agenda item.

Director Rocco then called for Agenda Item 10: *Deed restriction enforcement action against owner of 3306 Blazing Star (bio-fuel nuisance).* This violation has been cleared and should be removed from the agenda.

Director Rocco then called for Agenda Item 11: *Funding for and interaction with homeowners associations within the District to facilitate operation of Architectural Control Committee and other HOA functions.* There was no discussion on this agenda item.

Director Rocco then called for Agenda Item 12: *Rules for enforcement of restrictive covenants that include fines and termination of services.* Based on the recommendation of the DRC, Director Zervigon moved to adopt the proposed Rules changes subject to review and advice of the District's attorney. Director Garrett seconded the motion. Following a discussion, Director Zervigon withdrew his motion and asked that the proposed Rules changes be referred to Mr.

Flickinger for review. Director Garrett seconded withdrawal of the motion, which passed unanimously. Mr. Flickinger will review the proposed changes.

Director Rocco then called for Agenda Item 3: *Report from the District's landscape contractor on landscape maintenance and suggested landscape improvements.*

a. *EcoSystems Landscaping Agreement.*

Director Rocco reported that due to the drop in gas prices, EcoSystems has offered to extend its current contract with the District for three more years with no increase in price. Mr. Flickinger suggested EcoSystems draw up a brief amendment to the contract for review.

Mr. Flickinger will add EcoSystems to the list of those who are sent a copy of agendas.

STS was asked to proceed with the directive to provide a list of qualified landscapers and their references.

Director Rocco then called for Agenda Item 4: *Report from District's Manager and Affected Persons, including payment of bills and invoices and transfer of funds.*

a) *Review and discussion of pending Board directives to Manager, attorneys, Board members and subcommittees*

b) *Committee reports*

c) *Water and wastewater system report*

- d) *Security measures for the water system*
- e) *Review changes made to Standard Operating Procedures (SOP) Manual*
- f) *Detention pond and related issues*
- g) *Preventative maintenance program*
- h) *Billing report*
- i) *Customer and resident complaints*
- j) *Adjustment of delinquent accounts*
- k) *Builder and aged receivables*
- l) *Collection of delinquent property taxes*
- m) *Quarterly investment reports*
- n) *Bill payment report*
- o) *Financials*
- p) *Solid waste collection & disposal service*
- q) *District patrols*
- r) *Manhole cleanout/maintenance*

Ms. Hester introduced Mr. Hemberger, who has been hired as an accountant with STS.

The directives were reviewed and are attached.

On a motion by Director Zervigon, seconded by Director Hardin, STS was directed to add verbiage to the service agreement informing new residents that they are responsible for the cost of water and repairs resulting from any water leaks that occur on their side of the meter. Motion carried unanimously.

Director Zervigon moved that the STS policy for application of payment be explained in the delinquent letter, service agreement, and on the website. STS will send a draft of the explanation to Mr. Flickinger for review. Director Kenny seconded the motion, which passed unanimously.

Once the service agreement has been revised, it should be posted on the website.

STS was asked to provide some FAQ's for the website, including NSF fees.

Items discussed at the Infrastructure Committee meeting were reviewed.

Director Hardin moved to authorize Gray~Jansing to provide a proposal to:

- 1) Repair the sump pump
- 2) Remove vegetation from the two ponds in Volente Hills and the Dagama pond
- 3) Design a solution for remediation of the two ponds in Volente Hills and the Aster Pass/ Blazing Star pond

Director Zervigon seconded the motion, which passed unanimously.

Rehabilitation of manholes was referred to the Infrastructure Committee.

Ms. Hester reported that the County said cleaning storm water inlets is the District's responsibility.

Director Rocco said the Solid Waste Committee met and decided they would like to consider other vendors.

Ms. Hester reported there has been a lot of graffiti in the Little Elm Detention Pond recently. She suggesting clearing out the brush so the vandals would not have a place to hide, and presented a proposal from ECOSystems to clear the brush at a cost of \$1,875. STS was directed to have the graffiti removed. ECOSystems' proposal was referred to the Parks Committee.

Director Rocco then called for Agenda Item 28: *City of Cedar Park Water Contract*. Mr. Flickinger reported that Sam Roberts has agreed to present a letter of understanding from the District to the City Council tomorrow. On a motion by Director Garrett, seconded by Director Kenny, the Board voted unanimously to approve the letter of understanding and authorize Director Rocco to sign it.

ECOSystems has reported that residents are still dumping behind their homes along greenbelts and parks. STS will prepare a blurb for the bottom of bills and send it to Director Rocco for approval. Letters will also be sent to residents.

On a motion by Director Garrett seconded by Director Rocco the Board unanimously approved

payment of invoices totaling \$195,871.81 and ratified bills paid out of the Manager's Account.

Director Rocco then called for Agenda Item 20: *Newsletter and District Website*. There was no discussion on this agenda item.

Director Rocco then called for Agenda Item 21: *District depository, bank accounts*. There was no discussion on this agenda item.

Director Rocco then called for Agenda Item 22: *Audit*. Ms. Hester will e-mail the District's auditor to request a timeline of the draft audit.

Director Rocco then called for Agenda Item 23: *Transfer of surplus bond proceeds from Dain Rauscher accounts (construction accounts)*. On a motion by Director Hardin, seconded by Director Rocco, the Board voted unanimously to approve the transfer subject to Mr. Flickinger's review and to issue a letter to the TCEQ regarding the transfer.

Director Rocco then called for Agenda Item 24: *Proposal for Strategic planning services and Annexation of District by City of Cedar Park*. This was discussed under Agenda Item 25.

Director Rocco then called for Agenda Item 26: *Rate Order*. Following a discussion, Director Zervigon moved to amend the Rate Order to allow new customers to pay their deposit as a part of their first month's bill effective upon approval of the Rate Order. Director Hardin seconded the motion which was approved unanimously.

Director Rocco then called for Agenda Item 27: *Amend Budget*. Ms. Hester will review proposed changes with the Budget Committee including detention pond remediation.

Director Rocco then called for Agenda Item 29: *City of Cedar Park's proposed rezoning of tract adjacent northeast of the Lakeline Park.* There was no discussion on this agenda item.

Director Rocco then called for Agenda Item 30: *City of Cedar Park's proposed rezoning of 40.578 acres of land at southeast corner of Cypress Creek Road and Sunchase Boulevard.* There was no discussion on this agenda item.

Director Rocco then called for Agenda Item 31: *Current Electronic Check Payment Processing Agreement with Official Payments Corporation* and Agenda Item 32: *Proposed Lock Box and Electronic Payment Service Agreement with Texas State Bank.* There was no discussion on this agenda item.

Director Rocco then called for Agenda Item 33: *Request by homeowners of 2000 Lakeline Oaks Drive for a means to close the access way between the day care center at the corner of Lakeline Blvd. and Lakeline Oaks Drive and their property. This pathway is being used as a shortcut to and from the adjacent apartment complex.* This item should be removed from the agenda.

Director Rocco called for Agenda Item 34: *Proposed storage center by Pohl Brown at Lakeline Blvd. and Old Mill Road.* This item should be removed from the agenda.

Director Rocco called for Agenda Item 35: *Request for information by Austin Area Research Organization for Regional Water Conservation Study.* Director Hardin will contact the person requesting the information.

Director Rocco called for Agenda Item 36: *Minutes from the November 8, 2008 special meeting, November 17, 2008 special meeting, and the November 12, 2008 regular meeting.* Director Zervigon noted that the RealManage contract amendment attachment to the minutes from the November 12, 2008 meeting was numbered as Page 1 and should be Page 3.

On a motion by Director Garrett, seconded by Director Rocco, the Board unanimously approved the minutes from the November 12, 2008 regular meeting, as corrected, and the November 8, 2008, and November 17, 2008 special meetings.

Director Rocco then called for Agenda Item 13: *Report from the Park Subcommittee regarding park improvements*. Director Rocco suggested burying two rows of railroad timbers side by side around the Anderson Mill West pavilion to prevent continued erosion.

Director Rocco then called for Agenda Item 14: *All matters related to the District's parks, fields, and office building*. There was no discussion on this agenda item.

Director Rocco then called for Agenda Item 15: *Use of tennis courts for business purposes and time limits; Tennis Court Rules*. Ms. Hester reported that the electrical is being run for electronic access to the tennis courts. A notice should be posted on the window of the building, both courts, and the website explaining the conversion to electronic access. Director Hardin moved to approve the fee for key fobs of \$35/year for residents and \$75/year for non-residents, and to give the Parks Committee the ability to set a fee structure for commercial use of the courts. Director Zervigon seconded the motion. The motion carried with Director Kenny voting "No".

Director Rocco then called for Agenda Item 16: *Sherry Rhoden's request to the Board at last month's meeting that it consider her usage of the LLO tennis courts for tennis lessons as permissible*. Director Rocco will inform Ms. Rhoden of the new tennis court fees.

Director Rocco then called for Agenda Item 17: *Proposal for swimming pool facility in the District – Community Outreach Program*. Director Garrett will contact GMSA for results of survey.

A special joint meeting of the Customer Care, Parks, and Website Committees will be held at the District office in Lakeline Oaks on Monday, December 29 at 10:00 a.m. to discuss a compilation

of swimming pool data for posting on the website.

To move the process along, the Customer Care Committee will undertake the following:

- 1) Have Mr. Maxwell post the feasibility study and tax impact study on the website together with FAQ's and invite comments to the Parks Committee;
- 2) Solicit opinions of property owners and residents in support of or against the swimming pool; and
- 3) Documentation of information for Board use.

Director Rocco then called for Agenda Item 18: *Construction of additional fencing in Volente Hills*. This item should be removed from the Agenda.

Director Rocco then called for Agenda Item 37: *Reconsideration of Minutes previously approved with oral revisions*. There were no additional corrections to the Minutes from the November 19, 2008 regular meeting.

Director Rocco then called for Agenda Item 38: *Adjournment*. The meeting was adjourned at 11:15 p.m.

Linda Garrett, Secretary
Board of Directors

Date: _____

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