

MINUTES
TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 10

April 7, 2020

The Board of Directors (the "Board") of Travis County Municipal Utility District No. 10 (the "District") met on the 7th day of April, 2020, in regular session by teleconference, with access by telephone available to the public, pursuant to Texas Government Code Section 551.125 and Governor Greg Abbott's emergency disaster declaration dated March 13, 2020, and the roll was called of the members of the Board being present by telephone:

Harvey Reiter	President
Ray Archer	Vice President
Vance Taylor	Secretary
Robert Ernst	Assistant Vice President
Dan Eckermann	Assistant Secretary

and all of the above were present, thus constituting a quorum.

Also attending the teleconference were Scott Herman, Don Roche, Andrew Fawthrop, Andrea Tasset and Kevin Monteith, residents of the District; Cathy Mitchell and Jason Baze of Jones & Carter, Inc. ("J&C"); Brett Lanham and Amanda Rodriguez of AWR Services, Inc.; Brittany Keeswood of Assessments of the Southwest, Inc.; and Kathryn Garner and Janet Swartz of Allen Boone Humphries Robinson LLP ("ABHR").

Ms. Garner reviewed certain recommended protocols for conducting the District's meeting via teleconference. She announced that the meeting was being recorded and that consultant reports presented at the meeting were posted online and available to the public in the form of an "agenda packet" prior to the start of the meeting at <https://www.districtdirectory.org/agendapackets/tcmud10>.

DECLARE EMERGENCY

Ms. Garner reported on Governor Abbott's disaster declaration dated March 13, 2020, authorizing political subdivisions of the State of Texas to use all available resources to facilitate and expedite the use and deployment of District resources to enhance preparedness and response to the novel coronavirus (COVID-19). She stated in response to the Governor's declaration, an emergency may be declared within the District for the duration of this declared disaster and for the limited purposes authorized by Governor Abbott. After discussion, Director Reiter moved to declare an emergency within the District for the duration of this declared emergency/disaster and for the limited purposes authorized by the Governor as a result of the COVID-19. Director Archer seconded the motion, which passed by unanimous vote.

CONSIDER OPERATIONS AND SERVICE REQUIREMENTS RELATING TO COVID-19 EPIDEMIC; MEMORANDUM REGARDING PREPARATION FOR POTENTIAL EFFECTS OF COVID-19 (“MEMORANDUM”); ADOPT RESOLUTION REGARDING DELEGATION OF AUTHORITY DUE TO AN EMERGENCY

The Board discussed the necessity of continuing District operations and services during the state of disaster and the likely inability of a majority of the Board to convene and sign checks to pay District expenses relating to District services and District contracts during the declared disaster. Ms. Garner reviewed the Memorandum and a Resolution Regarding Delegation of Authority Due to an Emergency (the “Resolution”). A copy of the Memorandum is attached. She reported that the State Order deems services provided by local governments needed to ensure their continuing operation to provide for the health, safety and welfare of the public, as an Essential Government Function. The Board considered authorizing ABHR or any other consultant of the District to issue essential business travel letters to employees of any service or construction contractors doing work in and for the District.

Following review and discussion, Director Taylor moved to (1) adopt the Resolution and direct it be filed appropriately and retained in the District’s official records; and (2) authorize ABHR or any other consultants of the District to issue essential business travel letters to employees of any service or construction contractors doing work in the District. The motion was seconded by Director Reiter, which passed by unanimous vote.

RESOLUTION DESIGNATING DIRECTOR AS TREASURER DURING COVID 19 DECLARED DISASTER AND AUTHORIZING DISBURSEMENTS

Ms. Garner presented and reviewed a Resolution Designating Director as Treasurer During COVID 19 Declared Disaster and Authorizing Disbursements reflecting the designation of a certain Board member as the Treasurer to sign approved, authorized checks from the District’s tax account in accordance with Section 49.151 of the Texas Water Code. Following review and discussion, Director Taylor moved to adopt the Resolution Designating Director as Treasurer During COVID 19 Declared Disaster and Authorizing Disbursements reflecting the designation of Director Reiter as Treasurer for the purposes stated therein. Director Reiter seconded the motion, which passed by unanimous vote.

ORDER ADOPTING SECTION 49.2731 ELECTRONIC BIDDING RULES AND ORDER ADOPTING ELECTRONIC SIGNATURE RULES FOR CONSTRUCTION CONTRACTS

There was no action on the agenda items stated above.

APPROVE MINUTES

The Board considered approving the minutes of the March 3, 2020, regular meeting. After review and discussion, Director Ernst moved to approve the minutes of

the March 3, 2020, regular meeting. Director Taylor seconded the motion, which passed by unanimous vote.

FINANCIAL AND BOOKKEEPING MATTERS

The Board reviewed the bookkeeper's report, a copy of which is attached. After review and discussion, Director Taylor moved to approve the bookkeeper's report and the checks listed on the report. Director Archer seconded the motion, which passed by unanimous vote.

OPERATION OF DISTRICT FACILITIES

Mr. Lanham reviewed the operator's report, a copy of which is attached. He stated that 166 customers were billed during the month of February. Mr. Lanham reported on Combined Highland Lake Storage Levels.

Mr. Lanham reported on operation of the water treatment plant. He discussed the proposal for (1) blower replacement; (2) modification of the air pipe; and (3) replacement of switches, totaling approximately \$21,000. Mr. Lanham added the Board tabled action on the proposal for these projects at the last meeting.

Mr. Lanham updated the Board on AWR's coordination with the District's engineer on plans for inspection of the water treatment plant hydrotank currently in use.

Mr. Lanham updated the Board on the repair of the raw water line to the water treatment plant.

Mr. Lanham stated he is coordinating with the manufacturer of the plant for certified technicians to conduct a multi-point inspection of the plant components, provide an analysis and recommendations, and review the current clarifier repair.

Mr. Lanham reported on the operation of the wastewater treatment plant ("WWTP") and lift stations. He reported on repairs to the two-inch irrigation meter at the WWTP.

Mr. Lanham stated AWR responded to multiple alarms for high levels at Lift Station No. 1 due to grease and solids.

Mr. Lanham reported on AWR's response to a customer call and the replacement of a sewer tap.

Mr. Lanham reported on AWR's responses to calls about grinder pumps in the District.

Mr. Lanham reported on AWR's response to a call regarding a grinder pump on Kingfisher and subsequent repair to the pump. He added that AWR will send the

customer an invoice for the repair due to substandard access to the pump caused by the customer.

Mr. Lanham discussed AWR's COVID-19 Response Plan as outlined in the operator's report.

Mr. Lanham stated that the District's Identity Theft Prevention Program (the "Program") requires AWR to provide an annual written report addressing the effectiveness of the Program, significant instances of identity theft detection, and any recommendations regarding changes to the Program. Mr. Lanham discussed the Program and an Annual Red Flag Compliance Report on the Program. He reported no significant incidents of identity theft and recommended no changes to the Program. The Board agreed that it was not necessary to adopt a Program amendment. Following review and discussion, Director Taylor moved to accept the annual report on the Program and direct that the report be filed appropriately and retained in the District's official records. Director Reiter seconded the motion, which passed by unanimous vote.

After review and discussion, Director Taylor moved to accept the operator's report. Director Reiter seconded the motion, which passed by unanimous vote.

APPROVE ANNUAL REPORT ON IMPLEMENTATION OF WATER CONSERVATION PLAN

Mr. Lanham stated AWR will prepare the annual report on implementation of the District's Water Conservation Plan. The Board tabled approval of the annual report on implementation of the Water Conservation Plan.

HEARING ON TERMINATION OF WATER AND SEWER SERVICE TO DELINQUENT CUSTOMERS AND AUTHORIZE TERMINATION OF SERVICE

Mr. Lanham stated there were no delinquent accounts for termination.

Mr. Lanham discussed the suspension of the imposition of late fees and service terminations for the duration of the COVID-19 public health emergency.

Following review and discussion, Director Taylor moved to suspend termination of water and sewer service to delinquent customers and waive late fees and penalties until further notice during the state of disaster and appoint the President of the Board and attorney as a point of contact on payment of water bills to handle matters on a case-by-case basis. The motion was seconded by Director Reiter, which passed by unanimous vote.

TAX ASSESSMENT AND COLLECTION MATTERS

The Board reviewed the tax assessor/collector's report, including the delinquent tax roll, a copy of which is attached. After review and discussion, Director Taylor

moved to approve the tax assessor/collector's report. Director Archer seconded the motion, which passed by unanimous vote.

Director Reiter stated the District received a letter from Robert Chen and Shujin Wang, property owners in the District, reflecting a request for the waiver of penalty and interest in the amount of \$35.90 on delinquent taxes because they received their tax statement late. Director Reiter stated the District will not waive the penalty and interest in the amount of \$35.90 because no error was made by the District in connection with the account.

WATER AND SEWER RATES; AMENDED RATE ORDER

Director Taylor stated that the Board previously discussed reviewing the District's Rate Order to determine if tap fees cover the District's cost for the purchase and installation of electronic meters. Mr. Lanham stated AWR will review the Rate Order and report on the matter at the next meeting.

MOWING AND MAINTENANCE OF GREENBELT IN WATERFORD, SECTION 3, INCLUDING MAINTENANCE AGREEMENT WITH WATERFORD PROPERTY OWNERS ASSOCIATION

Mr. Don Roche announced that he and Scott Herman were participating in the telephonic meeting of the District as representatives of the Waterford Property Owners Association for Section 3 ("POA") to discuss the POA's request that the District provide funding in connection with mowing the greenbelt property owned by the District and located in Waterford Section 3C04, Lot 1, Block B (the "Greenbelt"). Mr. Roche added that the POA is planning monthly maintenance, including mowing, of the greenbelt. Director Reiter questioned whether the greenbelt required mowing in months other than the growing season, March through October, and stated that mowing should only be done on an "as needed basis" from November through February. Director Reiter stated that the Board had previously agreed to contribute an amount of \$500 monthly for mowing if other terms of the District were met. Director Reiter requested that the POA provide the District with (1) the Master Declaration of the POA; (2) documentation regarding the transfer of rights from the developer to the POA; (3) competitive bids for the mowing of the greenbelt procured by the POA; and (4) a letter from the POA confirming its understanding that the District's ultimate plan and design for the Greenbelt is to use it as an effluent disposal field. He added that once these items are received by the District, ABHR should work with Director Eckermann to proceed with preparing a maintenance agreement between the District and the POA setting forth the terms under which the District will provide funding for the maintenance of the Greenbelt. Mr. Roche agreed to provide the documents requested. Director Eckermann confirmed that he will work with the POA and ABHR regarding this matter and finalizing a maintenance agreement.

The Board then discussed that the Greenbelt had previously been used by Highland Lakes Realty Company to house its sales team during the development of the

District and had moved a sales trailer onto the Greenbelt and installed the required utilities for the sales trailer. The Board directed ABHR to contact Lori Clark and ask that she contact the realty company and ask that they take responsibility for removal of the utility lines and other equipment that serviced the sales trailer and that remains on the Greenbelt. The Board directed AWR to proceed with removal of the utility lines and other equipment if the realty company refused.

GARBAGE COLLECTION AND RECYCLING, INCLUDING CONSIDERATION OF TEMPORARY DUMPSTERS FOR YARD TRIMMINGS AND BULK ITEMS

Director Reiter discussed the possibility of Waste Connections providing temporary dumpsters in the District or extra carts for residents to dispose of garbage that would normally be left in bags by the carts. He added the extra cart would be provided only to residents who request the cart. Ms. Garner stated she would contact Waste Connections to determine if extra carts or dumpsters are available for the District's use. Director Reiter asked AWR to send out a notice regarding garbage collection once Waste Connections determines whether dumpsters or extra carts will be provided in the District.

ENGINEERING MATTERS

Ms. Mitchell reviewed the engineer's report, a copy of which is attached.

CAPITAL IMPROVEMENT PLAN ("CIP")

Ms. Mitchell stated she had no changes to the CIP.

INSPECTIONS AND REPAIRS, INCLUDING THE BARGE

Ms. Mitchell stated she is working with AWR to schedule the next water treatment plant inspection. She added the barge inspection is due in June.

ZEBRA MUSSEL REMOVAL AND PREVENTION

Ms. Mitchell had no additional report on zebra mussel removal and prevention.

OTHER ENGINEERING MATTERS

Ms. Mitchell stated the new WWTP permit was approved for a ten-year term. After review and discussion, Director Archer moved to accept the engineer's report. Director Taylor seconded the motion, which passed by unanimous vote.

REPORT REGARDING DEVELOPMENT

There was no discussion on this agenda item.

UPDATE ON DISTRICT WEBSITE

There was no discussion on this agenda item.

DISTRICT NEWSLETTER

There was no discussion on this agenda item.

CYBERSECURITY TRAINING REQUIREMENTS

Ms. Garner requested a memorandum to the Board regarding legislation enacted by the Texas Legislature regarding annual cybersecurity training requirements for certain local government employees and elected officials, beginning in 2020, a copy of which is attached. She stated that Board members must select a training program that is certified by the Texas Department of Information Resources.

NEXT MEETING DATE AND LOCATION

Following discussion, the Board agreed to hold the next meeting on May 5, 2020, at 10:30 a.m. by teleconference, with access by telephone available to the public, pursuant to the Texas Government Code Section 551.125 and Governor Greg Abbott's emergency disaster declaration dated March 13, 2020.

PUBLIC COMMENTS

Director Reiter offered any members of the public attending the meeting by telephone the opportunity to make public comment.

Director Vance discussed Contingency Planning in the District. He stated he is preparing a list of projects in relation to the condition of District's facilities and a risk analysis.

Mr. Monteith requested the Board consider contributing funds to landscaping the common area in Waterford Sections 1 and 2. Director Reiter stated the District does not own land in Waterford Sections 1 and 2 and therefore will not consider the request. Mr. Monteith requested AWR investigate a sewer odor at Osprey and Kingfisher. He requested information on the 11% water loss rate in the District. Mr. Lanham discussed the 11% water loss rate and stated the rate had been inconsistent in the past due to the clarifier repair at the WWTP. He added AWR has the master meters calibrated annually in January.

Mr. Monteith requested information on the possible refunding of the District's outstanding bonds. Director Reiter stated he checked with the District's financial advisor who monitors the outstanding bonds and there is not currently a refunding opportunity for the District.

Mr. Reiter thanked Director Archer and Director Ernst for serving on the Board. He added he is coordinating with ABHR to send information on the District to the two new directors, Andrew Fawthrop and Andrea Tasset.

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

/s/ Vance Taylor

Secretary, Board of Directors

(SEAL)



ATTACHMENTS TO THE MINUTES

	<u>Page</u>
COVID-19 Memorandum	2
Bookkeeper's report.....	3
Operator's report.....	3
Tax assessor/collector's report	4
Engineering report.....	6
Memorandum to the Board regarding cybersecurity training requirements	7