



TRAVIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT 17
3812 Eck Lane • Austin, Texas 78734
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A Regular Meeting of the Board of Directors of Travis County Water Control and Improvement District No. 17 was held at the District office located at 3812 Eck Lane on Thursday, April 17, 2008, at 6:00 p.m. This meeting was scheduled and conducted in compliance with the Texas Open Meetings Act.

I. CALL TO ORDER.

Director Steed called the meeting to order at 6:04 p.m.

II. ESTABLISH A QUORUM.

Directors Steed, Roberts, Decker, and Tuerff were present. Director Moran was not able to attend. General Manager Deborah Gernes, General Counsel Lauren Kalisek and David Klein, and District Engineers Pat Lackey and Will Pena were also present.

III. MANAGER AND COMMITTEE REPORTS.

- The District has received a Community Service Award from Travis County Emergency Services District #6 for its standards and efforts helping the ESD#6 achieve an improved ISO rating. Ms. Gernes also stated that the Mayor of Lakeway had expressed his appreciation for all that the District has done to help with this improved rating. Ms. Gernes had all supervisors present and introduced them to the Board. Those in attendance included Field Supervisor Henry Marley, Assistant Field Supervisors and Construction Inspectors Allen Logan and Gary Bennett, Water Operations Supervisor Thurman Carlisle, Wastewater Operations Supervisor Kevin Sattler, Maintenance Supervisor Gary Wood and Administration Supervisor Leslie Terrell. Director Steed and Director Tuerff both expressed their appreciation for the hard work and excellence the District staff has achieved.
- The Apache Shores POA has approved the purchase of the District's surplus property that is landlocked by property owned by the POA. The attorneys are finalizing the closing documents and the District will receive the funds soon.
- Ms. Gernes stated that she had circulated the link to preview the proposed website improvements and asked for any comments.
- The District has been contacted by the developer of the Commander's Point subdivision to convey over to the District the ownership and operation of the small onsite wastewater treatment plant. There will be a meeting next week with the Developer and District staff to begin the process. The District will receive the plant at no cost to the District.
- Ms. Gernes reminded the Board about the Open House that will be held Saturday, April 19th, from 10:00 am to 1:00 pm.
- Planning for this year's Water Fest event has begun. Ms. Gernes asked for the dates that the Board members would be available in June and July.
- To construct a Compost Facility at the Steiner Ranch Wastewater Plant, the initial cost estimate is from \$500,000 to \$1 million, so she has decided to construct a smaller facility, using the staff to complete most of the work which includes a slab, roof, grinder pumps, etc. She estimates that it would take about \$150,000 to complete. Staff will be visiting a facility in Burnet next week.
- The online Customer Survey is available for customers to complete. There will be paper copies available at the Open House.
- There is new management at LCRA that seem to have different philosophies regarding their water and wastewater facilities from their predecessors. Mr. Lackey stated that rumors are circulating that LCRA may be interested in selling off some of their smaller districts. Director Steed asked the general manager to speak with the appropriate individuals at LCRA to find out if this is the case. He also stated that since the District had successfully taken over defunct water systems such as the Apache Shores and River Ridge systems, the District might consider taking over systems that are contiguous with the District.

IV. CONSENT AGENDA:

A. APPROVE PAY ESTIMATES/CHANGE ORDERS FOR VARIOUS CONSTRUCTION PROJECTS IN THE DISTRICT:

- 1. Steiner Ranch Pump Station Expansion-2006, Pay Estimate #8, Excel Construction Services, LLC.**

2. Highway 71 Elevated Water Storage Tank, Pay Estimate #10, Landmark Structures I, L.P.
3. Big Dave's Standpipe Pump Station and Water Line Improvements, Pay Estimate #8, Excel Construction Services, LLC.
4. 2004 WTP Improvements-Phase Two, Clearwell and High Service Pump Station, Pay Estimate # 12, Payton Construction, Inc.
5. Office Building Additions and Improvements, Change Order #2, MB Home Construction Service, Inc.

B. APPROVE PAY ESTIMATES/CHANGE ORDERS FOR VARIOUS CONSTRUCTION PROJECTS IN THE STEINER RANCH DEFINED AREA:

1. Steiner Ranch River Dance Phase Two, Phase B – Water, Wastewater and Drainage Improvements, Pay Estimate #5, JC Evans Construction Co, LP.
2. Steiner Ranch River Dance Phase 4A – Water, Wastewater and Drainage Improvements, Change Order #1, Ross Construction Co, Inc.
3. Steiner Ranch River Dance Phase 5A – Water, Wastewater and Drainage Improvements, Pay Estimate #5, Ross Construction Co., Inc.
4. Steiner Ranch River Dance Phase 6A– Water, Wastewater and Drainage Improvements, Pay Estimate #11, JC Evans Construction Co, LP.
5. Steiner Ranch River Dance 6B – Water, Wastewater and Drainage Improvements, Pay Estimate #6, JC Evans Construction Co, LP.
6. Steiner Ranch Irrigation Improvements 2007, Pay Estimate #2, Phoenix Irrigation.

C. APPROVE PAYMENT OF CURRENT INVOICES.

D. APPROVE MINUTES.

Director Steed asked that approval of the Minutes for the February and March meetings be tabled to allow him further time for review.

Motion: Director Decker to approve the Consent Agenda, excluding the Minutes.

Second: Director Roberts.

Ayes: 4

Noes: 0

Unanimous.

V. PUBLIC COMMENT, 6:30P.M.

Director Steed opened Public Comment at 6:40 p.m. and held it open should anyone arrive and wish to address the Board.

Motion: Director Tuerff to close Public Comment.

Second: Director Roberts.

Ayes: 4

Noes: 0

Director Steed closed Public Comment at 8:02p.m.

VI. OLD BUSINESS:

A. DISCUSS/ACT ON A REPORT ADDRESSING THE USE OF UNDERGROUND INJECTION WELLS IN THE DISTRICT'S SERVICE AREA FOR THE DISCHARGE OF TREATED EFFLUENT.

Ms. Gernes stated that the District has been evaluating different ways to provide wastewater service to the Hudson Bend Area. This could also include wastewater service for neighbors located adjacent to the Hudson Bend peninsula. One of the possibilities being considered is deep well injection.

Mr. Kevin Spencer of RW Harden & Associates, Inc., presented the report to the Board. His company is a ground water specialty firm that has been in business since 1972. The preliminary evaluation shows that it is feasible to inject treated wastewater down into the ground instead of having to dispose of it through irrigation or direct release into the lake. However, there is very little geographical data below the Edwards and Trinity Aquifer in the area that the District is considering for deep well injection. A test well would need to be drilled, approximately 1300 to 2800 feet deep, to test the sands to see if it is acceptable for receiving water. This well would be located below the Trinity Aquifer and would not compromise any water tables currently used as a drinking water source. The estimated cost for the test well is

\$900,000. If the well test result is good, then it can be reused as a disposal site. If the test result is not favorable, then the District would need to consider another alternative for disposal of treated wastewater. The Highland Lakes Ordinance does not currently allow any direct release into the lake of treated effluent.

Mr. Lackey stated that the City of El Paso currently has a Class V permit that allows for deep well injection of treated wastewater effluent into their drinking water aquifer. The wastewater is further filtered through the sands as it returns into the water source, where it is then pumped back up and treated for drinking water. He stated that there was also a Class V permit in the South Padre area.

The next step would be for the general manager and consultants to talk with TCEQ about the permitting process, Class I versus Class V, and to talk with TWDB about grant assistance for this project.

Will Pena stated that the deep well injection would be used as a back up to other disposal methods on the high peak days. As a comparison, Will Pena stated that it would cost the District about \$24 million to install a drip irrigation system that would handle all of the disposal needs versus \$7 million to install a deep well injection system. These costs do not include a collection and treatment system. The major difference in the cost would be for the purchase of enough land for the irrigation needs.

The Board authorized the general manager and consultants to proceed with discussions with both the TCEQ and TWDB.

B. DISCUSS/ACT ON AMENDMENT TO THE AGREEMENT FOR WHOLESALE WASTEWATER UTILITY SERVICE FOR THE COMANCHE CANYON RANCH EXTRATERRITORIAL JURISDICTION PLANNED UNIT DEVELOPMENT AND THE EMERGENCY WATER CONTRACT, BOTH WITH THE CITY OF AUSTIN.

Motion: Director Roberts to approve and authorize execution of the City of Austin contract and hold delivery until the District has received the Austin lakebed easement.

Second: Director Decker.

Ayes: 4

Noes: 0

Unanimous.

C. DISCUSS/ACT ON COUNTER-OFFER REGARDING THE PURCHASE OF LOT 6, THE SUMMIT ON ECK LANE, ACCORDING TO THE MAP OR PLAT OF RECORD AS DOCUMENT NO. 200000009, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

There was no action taken on this item.

VII. NEW BUSINESS:

A. DISCUSS/ACT ON AMENDMENT TO AGREEMENT CONCERNING WASTEWATER DISPOSAL WITH HURST CREEK MUNICIPAL UTILITY DISTRICT, LYNN ACRES, LLC, AND TRAVIS COUNTY WCID NO. 17.

Ms. Kalisek reviewed the history of the different agreements in place. The ownership of the property, now JH Tuscan Village, LP, and the land use has changed once again. The District is included as a party only to the extent of the District's obligation to provide retail water and wastewater service. This amendment clarifies the building restrictions on the property located coterminous with the platted lots of Hills of Lakeway, Phase Eight. Ms. Kalisek stated that Hurst Creek MUD has already approved the agreement and recommended approval of the agreement. Ms. Gernes concurred.

Motion: Director Roberts to approve the Amendment to Agreement Concerning Wastewater Disposal with Hurst Creek Municipal Utility District, Lynn Acres, LLC, and Travis County WCID No. 17 as presented.

Second: Director Decker.

Ayes: 4

Noes: 0

Unanimous.

B. DISCUSS/ACT ON REQUEST BY BILL AYDAM OF VINTAGE BUILDERS TO NOT PAY A REPAIR INVOICE FOR A FIRE HYDRANT VALVE AT 19 BORELLO DRIVE, VILLAS AT FLINTROCK FALLS.

Ms. Gernes stated that Mr. Aydam had contacted her about payment of the \$2830 in fees charged for a fire hydrant repair. He disputed the fees, stating that they were not his

responsibility and requested that the Board waive the fees. Mr. Aydam was not present at the meeting. Ms. Gernes explained to the Board the reason for the repairs and why she felt Mr. Aydam, the home builder at this address, was responsible for paying the fees. The Board concurred with her decision to require Mr. Aydam to pay these fees.

Motion: Director Decker to authorize the General Manager to withhold any plan approvals, work orders, permits issued, etc., until this bill is paid.

Second: Director Roberts.

Ayes: 4

Noes: 0

Unanimous.

C. DISCUSS/ACT ON DISTRICT SPONSORSHIP OF ALLIANCE FOR WATER EFFICIENCY (AWE).

Ms. Gernes stated that Director Tuerff had requested that the District join in this organization. Director Tuerff stated this was a new national organization that acts as an Energy Star program for water. It would be like a subscription to get information by joining into the program. However, the time had expired to join as a charter-member, which was what Director Tuerff wanted to achieve. Director Tuerff encouraged the other directors to visit the AWE website and if interested, could join the program. No further action was taken.

D. DISCUSS/ACT ON RESOLUTION REGARDING ACCEPTANCE OF PROJECT AND REQUEST FOR RELEASE OF FINAL PAYMENT FOR THE OFFICE BUILDING ADDITIONS AND IMPROVEMENTS PROJECT, MB HOME CONSTRUCTION SERVICE, INC.

Ms. Gernes recommended approval of the Resolution and final payment to the contractor, with \$6,000 to be held until the final punch-list items were completed.

Motion: Director Decker to authorize the execution of the Resolution as presented and to authorize release of final payment, retaining \$6,000 as requested, for the completion of the punch-list items. The General Manager is further authorized to release those funds once those items have met with her satisfaction.

Second: Director Tuerff.

Ayes: 4

Noes: 0

Unanimous.

VIII. THE BOARD WILL MEET IN EXECUTIVE SESSION TO SEEK ADVICE FROM ITS ATTORNEY REGARDING THE AMENDMENT TO THE AGREEMENT FOR WHOLESAL WASTEWATER UTILITY SERVICE FOR THE COMANCHE CANYON RANCH EXTRATERRITORIAL JURISDICTION PLANNED UNIT DEVELOPMENT AND THE EMERGENCY WATER CONTRACT, BOTH WITH THE CITY OF AUSTIN, IN ACCORDANCE WITH TEXAS GOVERNMENT CODE SECTION 551.071.

Director Steed entered into Executive Session at 8:15 p.m. It was closed at 8: 23 p.m.

IX. THE BOARD WILL MEET IN EXECUTIVE SESSION TO DELIBERATE THE COUNTER-OFFER REGARDING THE PURCHASE OF LOT 6, THE SUMMIT ON ECK LANE, ACCORDING TO THE MAP OR PLAT OF RECORD AS DOCUMENT NO. 200000009, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND TO RECEIVE ADVICE FROM ITS ATTORNEY REGARDING SUCH PURCHASE, IN ACCORDANCE WITH TEXAS GOVERNMENT CODE SECTIONS 551.071 AND 551.072.

Director Steed entered into Executive Session at 8:03 p.m. It was closed at 8:15 p.m. There was no action taken.

X. ADJOURNMENT.

Motion: Director Tuerff to adjourn the meeting.

Second: Director Decker.

Ayes: 4

Noes: 0

Unanimous.

Director Steed adjourned the meeting at 8:25 p.m.

Approved this _____ day of _____ 2008, with a motion

By Director _____ **and a Second by**

Director _____.

Ayes _____ **Noes** _____ **Abstained** _____

Presiding Officer

Secretary