



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, July 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 6:03 p.m.

II. ESTABLISH A QUORUM.

Directors Steed, Roberts, Moran, Tuerff, and Ward were present. General Manager Deborah Gernes, General Counsel Lauren Kalisek and David Klein, and District Engineers Pat Lackey and Will Pena, Financial Advisor Garry Kimball and District Bond Counsel Carol Polumbo were also present.

III. MANAGER AND COMMITTEE REPORTS.

In addition to the written report, the manager gave the following updates:

- There are 16.5 acres of land available between Hurst Creek pond and the old Randall's shopping center which the District could possibly purchase for use as irrigation land. This land was to be used to build condominiums, but that project has been abandoned. Pat Lackey will research further and report back.
- Update from Conservation Committee regarding the possibility of instituting a recycling program was given. Director Tuerff contacted Ecology Action, and they would be interested in talking more about sharing expenses of such a program. Ms. Gernes also stated that bid documents are also being worked up regarding the construction of a Compost Facility.

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 #12-Final, Excel Construction.
2. 2004 WTP Improvements – Phase Two, Clearwell and High Service Pump Station, Pay Estimate #15, Payton Construction, Inc.
3. Lake Travis High School Pump Station, Pay Estimate #6 and Change Order #3, Hoover Construction Company, 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 #7, J.C. Evans Construction Co.
2. Steiner Ranch River Dance Phase 5A – Water, Wastewater and Drainage Improvements, Pay Estimate #7, Ross Construction Co., Inc.

C. APPROVE PAYMENT OF CURRENT INVOICES.

D. APPROVE MINUTES.

April 2008 minutes pulled for further review.

Motion: Director Moran to approve Consent Agenda with the exception of the April minutes.

Second: Director Tuerff.

Ayes: 5

Noes: 0

Unanimous.

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

Director Steed opened Public Comment at 6:30 p.m. Ken Heroy of Sam Jones Consulting addressed the Board about obtaining approval for Bond Application to reimburse the developer for the Flintrock Golf Course Irrigation System. Since that item was not agenda, Director Steed advised Mr. Heroy that no decision could be made on this matter at this time, but that there was an agenda item regarding the developer contribution rule for this same project which would be discussed in Executive Session.

Motion: Director Moran to close Public Comment

Second: Director Ward.

Ayes: 5

Noes: 0

Unanimous.

Director Steed closed Public Comment at 6:44 p.m.

VI. OLD BUSINESS:

A. DISCUSS/CONSIDER/ACT ON PROPOSED CHANGES TO DISTRICT'S RATES AND FEES SCHEDULE.

1. Proposed Change to Water Rates for Low-Use Retail Customers.

2. Proposed Change to Reclaimed/Raw Water Rates.

It was decided after some discussion, that the Policy Committee should meet as soon as Ms. Gernes returns from vacation to consider if changes for both water rates for low-use retail customers and reclaimed and raw water rates should be made. Their recommendation will be made in time to be included in the 2009 fiscal year budget .

B. DISCUSS/CONSIDER/ACT ON AWARD FOR OUTSTANDING SERVICE TO THE DISTRICT.

Motion: Director Tuerff to approve award to Mickey Decker for outstanding service to the District.

Second: Director Moran.

Ayes: 5

Noes: 0

Unanimous.

C. DISCUSS/ACT ON REQUEST FOR RECONSIDERATION BY FLINTROCK, LTD. REGARDING DEVELOPER CONTRIBUTION RULE.

Attorney Steve Hurst requested on behalf of ClubCorp, that the Board reconsider their usual 70% developer reimbursement policy, and reimburse 100% of the costs due to the unusual circumstances regarding the Flintrock Golf Course development. The Board will go into Executive Session to discuss. No action was taken.

VII. NEW BUSINESS:

A. DISCUSS/CONSIDER/ACT ON AWARD OF CONSTRUCTION CONTRACT FOR THE MURFIN ROAD SUBTERRANEAN WATER PIPELINE PROJECT.

Mr. Will Pena recommended that the contract be awarded to J C Evans Construction who was the low bidder at \$2,074,432.20. He also informed the Board that there could be problems boring under Lake Austin, and in order to limit the District's liability, he has generated a change order to be reviewed by the Board. General Manger Gernes also recommended JC Evans for the contract, which will include the re-paving of Murfin Road.

Motion: Director Moran to approve award of Murfin Road contract to JC Evans Const.

Second: Director Roberts.

Ayes: 5

Noes: 0

Unanimous.

B. DISCUSS/CONSIDER/ACT ON AWARD OF CONSTRUCTION CONTRACT FOR THE HUDSON BEND AREA WATERLINE IMPROVEMENTS PROJECT.

Mr. Will Pena stated that there were eight (8) bids received with M.B. Bemder Co.,Inc. being the lowest bidder at \$1,063,121.10.

Motion: Director Roberts to award contract to M.B. Bender Co., Inc.

Second: Director Moran.

Ayes: 5

Noes: 0

Unanimous.

C. DISCUSS/CONSIDER/ACT ON AWARD OF CONSTRUCTION CONTRACT FOR STEINER RANCH RIVER DANCE PHASE 7A, PHASE 1, WATER, WASTEWATER AND DRAINAGE IMPROVEMENTS.

Mr. Robert Long stated that Schroeder Construction was the low bidder for this project at and recommended that they be awarded the contract.

Motion: Director Moran to award the contract to Schroeder Construction.

Second: Director Roberts.

Ayes: 5

Noes: 0

Unanimous.

D. DISCUSS/CONSIDER/ACT ON FIRST AMENDMENT TO PUBLIC UTILITY EASEMENT WITH TAYLOR WOODROW COMMUNITIES/STEINER RANCH, LTD., DATED JUNE 8, 2006.

Mr. Robert Long recommends approval of first amendment to correct old joint-use driveway and easement.

Motion: Director Tuerff to approve first amendment

Second: Director Roberts.

Ayes: 5

Noes: 0

Unanimous.

E. DISCUSS/CONSIDER/ACT ON 2008 UPDATES TO THE DISTRICT'S RULES AND POLICIES.

General Manager Gernes recommends approval of policy updates. Updates consist of previously approved policies integrated into current District Rules and Policies.

Motion: Director Roberts to approve 2008 Updates to Rules and Policies.

Second: Director Moran.

Ayes: 5

Noes: 0

Unanimous.

F. DISCUSS/CONSIDER/ACT ON PETITIONS FOR ADDITIONS OF LAND AND ORDERS ADDING LAND FOR THE FOLLOWING PROPERTIES:

1. Lot 4 of the Hidden Valley Subdivision, Section No. 2, Mary Ann Baker, owner.
2. Lot 3, Block A of the Fox Creek Estates, Mollison Homes, Ltd.
3. Lot 1, Block A of the Lake County Estates, Sam J. Fatigato and Sally A. Fatigato, owners.
4. Lot 40 of the Majestic Hills Ranchettes, Richard Zetterlund and Janis Zetterlund owners.
5. Lot 2B of the Flintrock Hills Subdivision, Alexander C. Eschweiler, owner.
6. Lot 11 of the Majestic Hills Ranchettes, Weldon E. Boehl and Sharon M. Boehl, owners.

Motion: Director Moran to Approve Petitions for Additions and Orders Adding Land as presented.

Second: Director Ward.

Ayes: 5

Noes: 0

Unanimous.

G. DISCUSS/CONSIDER/ACT ON RESOLUTION REGARDING FINAL REDEMPTION OF COMANCHE TRAIL DEFINED AREA UNLIMITED TAX BONDS, SERIES 1995.

Mr. Garry Kimball recommends redemption of CTDA Series 1995 Bonds to avoid paying any further interest. Money is available from simple property taxes and receipt of subsequent use fees from Beau Theriot. The bonds will be retired September 2008. The CTDA tax rate was set at zero for the 2007 taxes since all necessary money to pay off the bonds had been previously collected.

Motion: Director Roberts to redeem CTDA Tax Bonds Series 1995

Second: Director Moran.

Ayes: 5

Noes: 0

Unanimous.

H. DISCUSS/CONSIDER/ACT ON AUTHORIZATION FOR STAFF AND CONSULTANTS TO NEGOTIATE CONTRACTS WITH PALL CORPORATION AND PAYTON CONSTRUCTION, INC., FOR THE 2009 WATER TREATMENT PLANT EXPANSION PROJECT FOR THE PROCUREMENT AND INSTALLATION OF TWO ADDITIONAL RACKS OF MEMBRANE MODULES (96).

Since this a sole-source contract and not bid, General Manger Gernes recommends Board approval to insure peak levels can be met.

Motion: Director Moran to approve authorization for staff and consultants to negotiate contracts with Pall Corp and Payton Construction for the next expansion phase.

Second: Director Steed.

Ayes: 5

Noes: 0

Unanimous.

I. DISCUSS/CONSIDER/ACT ON RESOLUTION ACCEPTANCE OF PROJECT AND REQUEST FOR RELEASE OF FINAL PAYMENT.

The upgrade of the pumps to larger capacity is completed at the Steiner Ranch Pump Station. General Manager Gernes recommends approval to release final payment.

Motion: Director Moran to release final payment.

Second: Director Roberts.

Ayes: 5

Noes: 0

Unanimous.

VIII. THE BOARD WILL MEET IN EXECUTIVE SESSION TO SEEK ADVICE FROM ITS ATTORNEY REGARDING THE FLINTROCK RANCH ESTATES DEFINED AREA BOND ISSUES, IN ACCORDANCE WITH TEXAS GOVERNMENT CODE SECTION 551.071.

The Board met in Executive Session from 7:30 p.m. to 8:31 p.m. No action was taken.

IX. ADJOURNMENT.

Motion: Director Ward to adjourn the meeting.

Second: Director Moran.

Ayes: 5

Noes: 0

Unanimous.

Director Steed adjourned the meeting at 9:25 p.m.

Approved this _____ day of _____ 2008, with a motion

by Director _____ and a Second by Director _____.

Ayes _____ Noes _____ Abstained _____

Presiding Officer

Secretary