



TRAVIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT 17

3812 Eck Lane • Austin, Texas 78734
Phone (512) 266-1111 • Fax (512) 266-2790

Notice is hereby given pursuant to V.T.C.A., Government Code § 551, that the Board of Directors of Travis County Water Control and Improvement District No. 17 will hold a regular meeting, open to the public, on Thursday, September 15, 2016, at 6:00 p.m., at the Travis County Water Control and Improvement District offices, at 3812 Eck Lane.

The Consent Agenda allows the Board of Directors to approve all routine, non-controversial items with a single motion, without the need for discussion by the full Board. Any item may be removed from consent and considered individually upon request of a Board member or a member of the public attending the meeting. Any citizen having interest in these matters is invited to attend.


Items on the Agenda

- I. CALL TO ORDER
- II. ESTABLISH A QUORUM
- III. MANAGER AND COMMITTEE REPORTS
 - A. MANAGER'S REPORT: STATUS OF DISTRICT OPERATIONS, FINANCES, DISTRICT CONSTRUCTION PROJECTS, DEVELOPER CONSTRUCTION PROJECTS, DISTRICT ADMINISTRATION AND MANAGEMENT, DISTRICT PLANNING
 - B. COMMITTEE REPORTS
 1. COMMUNICATIONS / PARKS AND CONSERVATION COMMITTEE REPORT
 2. LEGAL COMMITTEE REPORT
 3. PLANNING COMMITTEE REPORT
 4. BUDGET AND FINANCE COMMITTEE REPORT
 5. POLICY COMMITTEE REPORT
 6. IMPACT FEE ADVISORY COMMITTEE
 7. STORMWATER COMMITTEE
- IV. CONSENT AGENDA
 - A. APPROVE PAY ESTIMATES/CHANGE ORDERS FOR VARIOUS CONSTRUCTION PROJECTS IN THE DISTRICT
 1. Eck Lane WTP Backwash Improvements, Pay Estimate #7, and Change Order #2, Prota Construction Inc. and Prota Inc, JV
 2. Flintrock Wastewater Treatment Plant Expansion, Pay Estimate #5, PLW Central Texas
 - B. APPROVE PAYMENT OF CURRENT INVOICES
 - C. APPROVE MINUTES – August 18, 2016 Meeting
- V. PUBLIC COMMENT, 6:30 P.M.
- VI. PUBLIC HEARING, 6:45 P.M.

REGARDING THE PROPOSED 2016 TAX RATES FOR THE DISTRICT-WIDE OPERATIONS AND MAINTENANCE TAX; STEINER RANCH DEFINED AREA DEBT SERVICE TAX; FLINTROCK RANCH ESTATES DEFINED AREA DEBT SERVICE TAX; AND SERENE HILLS DEFINED AREA OPERATIONS AND MAINTENANCE TAX AND DEBT SERVICE TAX
- VII. OLD BUSINESS
 - A. DISCUSS/CONSIDER/TAKE ACTION ON APPROVAL OF CONTRACT TO ACQUIRE WATER RIGHTS OF APPROXIMATELY 40 MILLION GALLONS (122 ACRE FEET) PER YEAR FOR IRRIGATION TO INCLUDE:
 1. APPROVAL OF RESOLUTION RELATING TO BOARD PRESIDENT'S SIGNATURE AUTHORITY FOR AMENDMENT TO CERTIFICATE OF ADJUDICATION NO. 14-5368

VIII. NEW BUSINESS

- A. DISCUSS/CONSIDER/TAKE ACTION ON ITEMS RELATED TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY'S NOTIFICATION OF APPLICATION APPROVAL TO USE \$148,624 IN SURPLUS FUNDS; \$2,550,000 BOND ISSUE APPROVED JANUARY 17, 2013
 - 1. AUTHORIZE DISBURSEMENTS OF THE SURPLUS FUNDS; AND
 - 2. AUTHORIZING OTHER MATTERS RELATED TO THE ISSUANCE OF THE FUNDS
 - B. DISCUSS/CONSIDER/TAKE ACTION ON REQUEST FOR VARIANCE OF ATMOSPHERIC VACUUM BREAKER (AVB) BACKFLOW PREVENTION REQUIREMENTS ON FLEX HOSE TUB AND SHOWER FIXTURES – WAYNE AND LORI MÜLLER
 - C. DISCUSS/CONSIDER/TAKE ACTION ON WATER AND WASTEWATER LINES TO SERVE LOT 3, CARDINAL HILLS, UNIT 7; 1203 SPARROW LANE, AUSTIN, TEXAS 78734
 - 1. REQUEST FOR REDUCTION OF SERVICE FEES DUE TO INSTALLATION COST OF SERVICE LINE EXTENSIONS TO SERVE NEWLY CONSTRUCTED HOME; - RICK SOLIS AND
 - 2. ACCEPTANCE OF UTILITY CONVEYANCE AGREEMENT BETWEEN TRAVIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 17 AND LAKE RIDGE CUSTOM HOMES – LAKE RIDGE CUSTOM HOMES
 - D. DISCUSS/CONSIDER/TAKE ACTION REGARDING UPDATED INFORMATION FOR THE EXPEDITED PRIORITY OF A WATER LINE REPLACEMENT PROJECT FOR THE HUGHES PARK LAKE SUBDIVISION 2 AREA
 - E. DISCUSS/CONSIDER/TAKE ACTION ON POTENTIAL WATER SERVICE TO TRAVIS COUNTY MUNICIPAL UTILITY DISTRICTS 11, 12 AND 13
 - F. DISCUSS/CONSIDER/TAKE ACTION REGARDING ADOPTION OF FISCAL YEAR 2017 GENERAL FUND OPERATING BUDGET INCLUDING PROPOSED CHANGES TO RATES AND FEES
 - G. DISCUSS/CONSIDER/TAKE ACTION ON ADOPTION OF ORDERS SETTING 2016 TAX RATES FOR:
 - 1. THE DISTRICT-WIDE OPERATIONS AND MAINTENANCE TAX;
 - 2. STEINER RANCH DEFINED AREA DEBT SERVICE TAX;
 - 3. FLINTROCK RANCH ESTATES DEFINED AREA DEBT SERVICE TAX; AND
 - 4. SERENE HILLS DEFINED AREA OPERATIONS AND MAINTENANCE TAX AND DEBT SERVICE TAX
 - H. DISCUSS/CONSIDER/TAKE ACTION ON AMENDED DISTRICT INFORMATION FORM
 - I. DISCUSS/CONSIDER/TAKE ACTION REGARDING SEARCH FOR NEW GENERAL MANAGER
- IX. THE BOARD WILL MEET IN EXECUTIVE SESSION TO RECEIVE ADVICE FROM ITS ATTORNEY, IN ACCORDANCE WITH TEXAS GOVERNMENT CODE SECTIONS 551.071 AND 551.072, REGARDING THE APPROVAL OF A CONTRACT TO ACQUIRE WATER RIGHTS FOR IRRIGATION
- X. ADJOURNMENT


Linda R. Sandlin
Administrative Assistant





TRAVIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT 17

3812 Eck Lane • Austin, Texas 78734
Phone (512) 266-1111 • Fax (512) 266-2790

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, August 18, 2016 at 6:00 p.m. This meeting was scheduled and conducted in compliance with the Texas Open Meetings Act.

Items on the Agenda

DRAFT

I. CALL TO ORDER

President Roberts called the meeting to order at 6:05 p.m.

II. ESTABLISH A QUORUM

President Roberts established a quorum of all Directors present; Roberts, Carruthers, Decker, Steed and Ward. General Manager Deborah Gernes, General Counsels Lauren Kalisek and Ashleigh Acevedo, and District Engineer Pat Lackey were also present.

III. MANAGER AND COMMITTEE REPORTS

A. MANAGER'S REPORT: STATUS OF DISTRICT OPERATIONS, FINANCES, DISTRICT CONSTRUCTION PROJECTS, DEVELOPER CONSTRUCTION PROJECTS, DISTRICT ADMINISTRATION AND MANAGEMENT, DISTRICT PLANNING

Manager Gernes reported that in addition to her written report

- Travis County Commissioner Gerald Daugherty and State Representative Paul Workman held a recent meeting attended by the General Manager on August 15. The Commissioner and Representative expressed their concerns about water utility service to west Travis County. None of the current area utilities treating surface water are capable of serving what is likely to be large developments in that area. The Commissioner and Representative are also concerned that developers will attempt to utilize ground water and possibly deplete the water table in the area. Ms. Gernes said several potential options to serve this area were discussed.
- A representative for West Travis County Municipal Utility Districts 11, 12 and 13 (MUDs) which primarily serve Rough Hollow area met with the General Manager to discuss the possibility of obtaining wholesale water service. The MUDs currently receive service from West Travis County Public Utility Agency. The General Manager said this item would be placed on the September agenda for the Board of Director's consideration.
- A summary of the wholesale wastewater contracts the District has with other entities was distributed, per Budget / Finance Committee request.

- Information regarding the methods used for SCADA security was distributed, per Budget / Finance Committee request.
- President Roberts thanked Manager Gernes for meeting with the representatives and said it reflected well on both her and the District that she would be asked to discuss water issues for the County.

B. COMMITTEE REPORTS

1. COMMUNICATIONS / PARKS AND CONSERVATION COMMITTEE REPORT
2. LEGAL COMMITTEE REPORT
3. PLANNING COMMITTEE REPORT
4. BUDGET AND FINANCE COMMITTEE REPORT (met August 16, 2016)
5. POLICY COMMITTEE REPORT (met August 2 & 12, 2016)
6. IMPACT FEE ADVISORY COMMITTEE
7. STORMWATER COMMITTEE

Manager Gernes announced that the Budget / Finance Committee as well as the Policy Committee had met during August and the notes of the meetings, that had been distributed, would be discussed as part of agenda item VII. F.

IV. CONSENT AGENDA

- A. APPROVE PAY ESTIMATES/CHANGE ORDERS FOR VARIOUS CONSTRUCTION PROJECTS IN THE DISTRICT
 1. Eck Lane WTP Backwash Improvements, Pay Estimate #6, Prota Construction Inc. and Prota Inc., JV
 2. Flintrock Wastewater Treatment Plant Expansion, Pay Estimate #4, PLW Central Texas
- B. APPROVE PAYMENT OF CURRENT INVOICES
- C. APPROVE MINUTES – July 21, 2016 Meeting

Director Roberts asked if there were any questions regarding items of the Consent Agenda.

Motion: Director Decker to approve all items of the Consent Agenda as presented

Second: Director Steed

Ayes: 5

Noes: 0

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

President Roberts opened Public Comment at 6:22 p.m. requesting if any public present wished to address the Board. No public came forward.

President Roberts left Public Comment open for anyone that may wish to address the Board of Directors

Motion: Director Carruthers to close Public Comment

Second: Director Decker and Steed

Ayes: 4, Director Ward was not present at the time of vote

Noes: 0

President Roberts closed Public Comment at 7:25 p.m.

VI. OLD BUSINESS

A. DISCUSS/CONSIDER/TAKE ACTION ON APPROVAL OF CONTRACT TO ACQUIRE WATER RIGHTS OF APPROXIMATELY 40 MILLION GALLONS (122 ACRE FEET) PER YEAR FOR IRRIGATION

Manager Gernes reported that the Letter of Intent (LOI) had been fully executed to acquire water rights of approximately 40 million gallons per year for irrigation. Attorney Kalisek stated that the LOI served as the contract for this transaction. Engineer Lackey explained that a meeting with the Texas Commission on Environmental Quality (TCEQ) had been set to inform and discuss the forthcoming application to add one additional extraction point. Attorney Acevedo explained that the next step would be to set a closing date where a General Warranty Deed would be executed for recordation and that after recordation an application would be filed with the TCEQ. No action necessary.

VII. NEW BUSINESS

A. DISCUSS/CONSIDER/TAKE ACTION ON REQUEST OF KEVIN BROWN REGARDING WATER IMPACT FEES

Mr. Kevin Brown requested the Board allow him to pay the Water Impact Fee that had originally been quoted to him for the three homes he currently has under construction due to the lack of notification of the rate change taking effect June 1, 2016. President Roberts reviewed the timeline of events leading to Mr. Brown's request. Manager Gernes explained that although the quote given to Mr. Brown expired after 30 days, he might have been notified prior to the June 1 date but was not. The General Manager said she was working on a system to notify all current permit holders of rate increases. Ms. Gernes recommended allowance for Mr. Brown to pay the originally quoted fees.

Motion: Director Ward to allow payment of the fees quoted to Mr. Kevin Brown on March 16, 2016 for the three homes as reviewed.

Second: Director Steed

A discussion regarding the potential for other similar requests concluded that the Directors have authority to make this type of decision on a case by case basis. The staff was directed to notify all that have open permits when a fee changes.

Ayes: 3, Decker, Steed and Ward

Noes: 2, Carruthers and Roberts

B. DISCUSS/CONSIDER/TAKE ACTION REGARDING CONTRACT AWARD FOR TRAVIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 17 APACHE SHORES WATERLINE IMPROVEMENTS AS RECOMMENDED BY THE DISTRICT ENGINEERS

Engineer Lackey said that seven bids were received for the Apache Shores waterline improvement projects. He stated that the low bid was submitted by Prota, Inc. (Prota) in an amount of \$333,295 but that during bid tabulation review a mathematical error for Bid Item #20 was corrected still leaving Prota the lowest bidder in an amount of \$333,045. Mr. Lackey recommended award of the Apache Shores Waterline Improvements to Prota, Inc. He further explained that Prota was bidding as one core company, not as a joint-venture as Prota had bid on the Eck Lane backwash improvement project. Mr. Lackey stated that River City Engineering was comfortable with Prota's performance on the current Eck Lane plant improvements and felt they would do a good job on the waterlines.

Motion: Director Carruthers to award the Apache Shores Waterline Improvement contract to Prota, Inc.

Second: Director Steed

Ayes: 5

Noes: 0

C. DISCUSS/CONSIDER/TAKE ACTION ON THE PROPOSED 2016 TAX RATES FOR THE DISTRICT-WIDE TAX, THE STEINER RANCH DEFINED AREA TAX, THE FLINTROCK RANCH ESTATES DEFINED AREA TAX, AND THE SERENE HILLS DEFINED AREA OPERATIONS AND MAINTENANCE TAX; AND SETTING PUBLIC HEARING REGARDING THESE PROPOSED RATES

District Accountant, Leslie Terrell, presented the proposed 2016 tax rates explaining that the rates incorporated the recommendation of Garry Kimball, District Financial Advisor, and was based on the recently received Travis County Appraisal District assessed value (AV), annual debt service and the balance in the Interest and Sinking accounts of each defined area.

Ms. Terrell then reported that a District-Wide tax increase from \$0.0585 in 2015 to \$0.0599 in 2016, (a 2.39 percent increase) was proposed by the Budget and Finance Committee at the August committee meeting. She stated that the Steiner Ranch Defined Area rate would reduce by 15.11 percent; the Flintrock Ranch Estates Defined Area would reduce by 4.10 percent; and the Serene Hills Defined Area proposed tax rate would reduce by 3.84 percent. She explained that the Serene Hills tax assessment of \$0.6250 would continue to be split between debt service (\$0.2500) and operations

and maintenance (\$0.3750.) Attorney Kalisek explained that the proposed rate for Serene Hills Defined Area could be subject to Rollback Tax Rate but that a calculation of the roll back rate would actually be higher than the proposed rate of \$0.6250.

Discussion was held regarding the need to maintain the Operations and Maintenance District-Wide tax rate to ensure reserve for long term debts and projects needed to maintain service levels.

Ms. Terrell proposed that a Public Hearing regarding all four of the District's 2016 tax rates be held simultaneously September 15, 2016 during the regular board meeting, with proper notice placed in the local newspapers.

Motion: Director Decker to authorize publishing notice and setting public hearing for the proposed 2016 Operation and Maintenance tax rate for the District-wide tax rate of \$0.0599 per \$100 of appraised value (AV)

Second: Director Carruthers

Discussion was held regarding the increase of utility tax and fees when tax payer's salaries do not go up by the same percentage. Director Carruthers asked if the District were to cut back on capital projects which ones could be cut and President Roberts expressed that it could not be debt service or the RM 620 line relocations that will be required when Texas Department of Transportation begins the RM 620 roadway improvements project. Director Decker stated that as a tax payer she would rather pay small incremental increases to prepare for the District's impending needs and Manager Gernes pointed out that the District-Wide tax rate had been kept at or below 0.060 for sixteen years. President Roberts called for a vote.

Ayes: 5

Noes: 0

Motion: Director Carruthers to authorize publishing notice and setting public hearing for the proposed 2016 Debt Service tax rate for the Steiner Ranch Defined Area of \$0.3000 per \$100 of AV

Second: Director Steed

Ayes: 5

Noes: 0

Motion: Director Decker to authorize publishing notice and setting public hearing for the proposed 2016 Debt Service tax rate for the Flintrock Ranch Estates Defined Area of \$0.4320 per \$100 of AV

Second: Director Steed

Ayes: 5

Noes: 0

Motion: Director Steed to authorize publishing notice and setting public hearing for the proposed 2016 Debt Service and Operations and Maintenance tax rate for the Serene Hills Defined Area of \$0.6250 per \$100 AV

Second: Director Decker

Ayes: 5

Noes: 0

President Roberts directed staff to publish notice of Public Hearings to be held September 15, 2016 at 6:45 p.m. regarding all 2016 Tax Rates

D. DISCUSS/CONSIDER/TAKE ACTION TO ADOPT ORDER APPROVING CHANGES TO THE PERSONNEL POLICY OF TRAVIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 17 REGARDING CLARIFICATION OF POLICY 3.1 VACATION

Manager Gernes explained that this proposed change to the vacation policy was for employee clarification. *The current policy reads in terms of days and the proposed change will read in terms of hours.*

Motion: Director Carruthers to adopt an Order approving changes to the Personnel Policy 3.1 as presented

Second: Directors Ward and Steed

Ayes: 5

Noes: 0

E. DISCUSS/CONSIDER/TAKE ACTION ON POTENTIAL SALE OF SURPLUS PROPERTY 0.0086 ACRES ON MARSHALL FORD DRIVE; LOT 1, BLOCK 1, WCID17 SUBDIVISION 2

Manager Gernes reported that the potential purchaser of property that adjoins the 0.0086 acre on Marshall Ford Drive, previously declared as surplus, was interested in

moving forward. She said that \$1,000 had been offered for this less than 400 square foot parcel.

Motion: Director Steed to authorize the sale of Lot 1, Block 1, WCID17 Subdivision 2 for not less than \$1,000 net.

Second: Director Ward

Ayes: 5

Noes: 0

President Roberts called for recess at 7:25 p.m. President Roberts called the meeting back to order at 7:35 p.m.

F. DISCUSS/CONSIDER/TAKE ACTION ON THE PROPOSED FISCAL YEAR 2017 GENERAL FUND OPERATING BUDGET AND EMPLOYEE SALARIES

District Accountant, Leslie Terrell, made a report on the proposed rate increases that had been discussed and recommended by the Budget and Finance Committee. She reviewed the 2014 Rate Study proposals for water rates which were based on assumptions and estimates about future growth and inflation. Ms. Terrell explained that in past years the Board had not been exactly following the rate study recommendations but had chosen to raise rates at smaller but steady increments to ensure funds would be available to cover not only operating costs but also items such as line replacements and fire hydrant installation. The Board concurred with Ms. Terrell's recommendation that rates be set at the 2016 level from the rate study as presented. Under this recommendation, base rates would remain the same, and volumetric rates for residential and commercial accounts would increase as shown on the incorporated handout.

Manger Gernes explained that

- No rate change was being recommended this year for the wastewater rates in the Steiner Ranch, Flintrock or North Lakeway Village wastewater treatment areas.
- A rate increase by the West Travis County Public Utility Agency, to take effect October 1, 2016, would cause an increase to the Falconhead West area customers from a volumetric rate of \$2.85 per 1,000 gallons to \$3.80 per 1,000

gallons. She stated that this volumetric increase would allow leaving the Base Fee for Falconhead West at its current rate of \$35.00 per month.

- Revenue from the Comanche and Commander's Point wastewater treatment facilities is not currently covering these systems expenses and that the Budget Committee recommended a proposed increase of the Comanche and Commander's Point monthly Base Fee to \$27.00 with a volumetric rate increase to \$3.00 per 1,000 gallons.
- The General Manager proposed an increase for the raw water/reclaimed water fee from \$1.25 to \$1.40 per 1,000 gallons. Director Carruthers said that the proposed rate is a fairly high percent increase. She said she understood this was a large percentage increase, however, the water was being charged at a flat fee which is very economical for users and most other entities are charging significantly more and the current fee is not quite covering costs.
- The Apache Shores and River Ridge Out-of-District Fees, based on the new appraised values, are proposed to increase from \$12.00 per month to \$14.00 per month to accumulate reserve funds at a faster rate for waterline improvements to each system.
- Upon recommendation of the Policy Committee, Manager Gernes proposed a two percent salary increase for most employees.
- The health care insurance rerate from United Health Care showed a 7.9 percent increase from current plans offered. Three new plans from UHC will be available to the employees, resulting in an approximate overall 2.69 percent increase to the District's portion of the costs.

Discussion was held on general fund accounts regarding such items as Capital Outlay, Construction and Maintenance.

No action required. Tabled.

G. DISCUSS/CONSIDER/TAKE ACTION ON PROPOSED WASTEWATER RATE INCREASE FOR FALCONHEAD WEST CUSTOMERS BASED ON RECENTLY RECEIVED WHOLESAL WASTEWATER RATE INCREASE FROM WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY

This proposed rate increase for Falconhead West customers was discussed in item VII.F. as Manager Gernes explained that the rate increase by the West Travis County

Public Utility Agency, to take effect October 1, 2016, would cause an increase in base fee to the District from \$15,152 to \$17,493 or 13 percent. The volumetric rate was increased from \$4.90 per 1,000 gallons to \$6.18 per 1,000 gallons or 21 percent. The General Manager recommended recovering these costs by raising the rates for the Falconhead West area customers from a volumetric rate of \$2.85 per 1,000 gallons to \$3.80 per 1,000 gallons; leaving the base fee for Falconhead West at its current rate of \$35.00 per month.

No action taken.

VIII. THE BOARD WILL MEET IN EXECUTIVE SESSION TO RECEIVE ADVICE FROM ITS ATTORNEY AND REGARDING REAL AND PERSONAL PROPERTY, IN ACCORDANCE WITH TEXAS GOVERNMENT CODE SECTIONS 551.071 AND 551.072 REGARDING THE APPROVAL OF A CONTRACT TO ACQUIRE WATER RIGHTS FOR IRRIGATION
Executive Session not held

IX. THE BOARD WILL MEET IN EXECUTIVE SESSION TO RECEIVE ADVICE FROM ITS ATTORNEY IN ACCORDANCE WITH TEXAS GOVERNMENT CODE SECTION 551.071 REGARDING THE REQUEST OF KEVIN BROWN RELATING TO WATER IMPACT FEES
Executive Session not held

X. THE BOARD WILL MEET IN EXECUTIVE SESSION TO DELIBERATE THE POTENTIAL SALE OF SURPLUS PROPERTY 0.0086 ACRES ON MARSHALL FORD DRIVE; LOT 1, BLOCK 1, WCID17 SUBDIVISION 2 AND TO RECEIVE ADVICE FROM ITS ATTORNEY, IN ACCORDANCE WITH TEXAS GOVERNMENT CODE SECTIONS 551.071 AND 551.072
Executive Session not held

XI. THE BOARD WILL MEET IN EXECUTIVE SESSION TO RECEIVE ADVICE FROM ITS ATTORNEY AND REGARDING PERSONNEL MATTERS IN ACCORDANCE WITH TEXAS GOVERNMENT CODE SECTIONS 551.071 AND 551.074 REGARDING THE PROPOSED FISCAL YEAR 2017 GENERAL FUND OPERATING BUDGET AND EMPLOYEE SALARIES
Executive Session not held

XII. ADJOURNMENT
Motion: Director Carruthers to adjourn
Second: Director Ward
Ayes: 5
Noes: 0

President Roberts adjourned the meeting at 9:15 p.m.

Approved this _____ day of _____ 2016, with a motion

by Director _____ and a Second by Director _____.

Ayes _____ Noes _____ Abstained _____

Presiding Officer

Secretary

WCID #17 Proposed Tax Rates - 2016



Jurisdiction	2016 Tax Rate	2015 Tax Rate	Difference	% Rate Difference	Tax Paid Difference	% Paid Difference	Certified Total AV	Avg Taxable Residence	Tax Levy
District Wide	\$ 0.0599	\$ 0.0585	\$ 0.0014	2.39%	\$ 20.46	7.94%	\$ 5,084,231,456	\$ 528,080	\$ 3,336,356
Steiner DA	\$ 0.3000	\$ 0.3751	\$ (0.0751)	-20.02%	\$ (268.98)	-15.11%	\$ 2,076,935,249	\$ 503,400	\$ 7,790,584
Flintrock DA	\$ 0.4320	\$ 0.4505	\$ (0.0185)	-4.10%	\$ (64.45)	-2.02%	\$ 281,409,202	\$ 722,091	\$ 1,267,748
Serene DA	\$ 0.6250	\$ 0.6500	\$ (0.0250)	-3.84%	\$ 372.13	8.42%	\$ 57,268,992	\$ 766,511	\$ 372,248

Rate Change Scenerio

Proposed changes reflected in "red"

- Water Rates continue to include a Conservation Credit of \$5 for customers using 3,000 gallons or less per month.

Base Rate: Residential or Commerical

<u>Meter Size</u>	<u>Rate</u>	- Base Fee is adjusted if use 3,000 gals or less (Conservation Credit-\$5)
5/8"	\$ 17.00	
3/4"	\$ 20.00	
1"	\$ 22.00	
1 1/2"	\$ 33.00	
2"	\$ 50.00	
3"	\$ 75.00	

Volume Rate: Residential, per 1000 gals - Rate Increase, per 2014 Rate Study directive - modified

	<u>Current:</u>	<u>Proposed:</u>	<u>\$ Inc.</u>	<u>% Inc.</u>
0-10,000	\$ 1.90	\$ 1.94	\$ 0.04	2.11%
10,001 -15,000	\$ 2.78	\$ 2.91	\$ 0.13	4.68%
15,001 -30,000	\$ 4.12	\$ 4.37	\$ 0.25	6.07%
30,001- 50,000	\$ 6.24	\$ 6.56	\$ 0.32	5.13%
50,001 - 100,000	\$ 9.00	\$ 9.83	\$ 0.83	9.22%
100,001 and up	\$ 13.20	\$ 14.75	\$ 1.55	11.74%

Volume Rate: Commercial, per 1000 gals - Rate Increase, per 2014 Rate Study directive - modified

	<u>Current:</u>	<u>Proposed:</u>	<u>\$ Inc.</u>	<u>% Inc.</u>
0-50,000	\$ 2.65	\$ 2.65	\$ -	0.00%
50,001 - 100,000	\$ 3.70	\$ 3.75	\$ 0.05	1.35%
100,001 and up	\$ 6.25	\$ 6.56	\$ 0.31	4.96%

A RESOLUTION OF THE BOARD OF DIRECTORS OF
TRAVIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 17
AUTHORIZING AMENDMENT TO WATER RIGHT APPLICATION

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

WHEREAS, the Travis County Water Control and Improvement District No. 17 (the "District") has executed a Letter of Intent for the Purchase and Sale of Certificate of Adjudication No. 14-5368 (the "Right"), as amended, from Taylor Woodrow Communities/Steiner Ranch Ltd. on August 8, 2016;

WHEREAS, the District intends to file an application to amend the Certificate of Adjudication No. 14-5368 (the "Amendment Application") to amend the reach from which water may be diverted pursuant to the Right;

WHEREAS, the District's consultants are preparing the Amendment Application for submission to the Texas Commission on Environmental Quality;

WHEREAS, the Amendment Application requires proof of the authority of the signatory to execute the Amendment Application;

WHEREAS, the Board President of the District should have the authority to prepare, file, and execute the Amendment Application.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE TRAVIS COUNTY WATER CONTROL AND IMPROVEMENT NO. 17, THAT:

1. The above recitals are true and correct and are incorporated into this Resolution for all purposes.
2. The Board of Directors of the District hereby authorizes and directs the Board President to have prepared and to execute the Amendment Application to be filed at the Texas Commission on Environmental Quality ("TCEQ") so that the District can extend the reach from which water may be diverted from Lake Austin pursuant to the Right; and
3. The Board of the District hereby authorizes and directs River City Engineering and Lloyd Gosselink Rochelle & Townsend, P.C. to prepare and file the Amendment Application consistent with the goals of this resolution, to appear and arrange for the appearances of persons representing the District at the hearings and other proceedings on the Amendment Application before the TCEQ and other governmental entities, and to prosecute the Amendment Application on behalf of the District.

4. The Board of the District hereby authorizes the Board President and General Manager to take any additional actions necessary that are related to the preparation, filing, and prosecution of the Amendment Application.

PASSED, ADOPTED AND APPROVED this 15th day of September, 2016.

Jeff Roberts, President
Board of Directors

ATTEST:

Jerri Lynn Ward, Secretary
Board of Directors

(SEAL)

Bryan W. Shaw, Ph.D., P.E., *Chairman*
 Toby Baker, *Commissioner*
 Jon Niermann, *Commissioner*
 Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 26, 2016



Mr. Jeffrey Roberts, President
 Travis County WCID No. 17
 4811 Eck Lane
 Austin, Texas 78734-1222

Re: Travis County Water Control and Improvement District No. 17; Application for Approval to Use \$148,624 in Surplus Funds; \$2,550,000 Bond Issue Approved January 17, 2013. TCEQ Internal Control No. D-04202016-034 (TC/FA)
 CN: 600669048 RN: 101428761

Dear Mr. Roberts:

The Texas Commission on Environmental Quality (TCEQ) received an application from Travis County Water Control and Improvement District No. 17 (District) requesting TCEQ approval for the use of \$148,624 in surplus funds plus accrued interest associated with unused contingency funds and engineering fees from the above bond issue to reimburse the District's general fund; and the developer for a portion of unpaid engineering fees and developer interest related to the construction of facilities in the Steiner Ranch Defined Area (Projects).

The District has provided a justification and explanation of the projects, and a detailed cost summary.

A detailed summary of the costs of the projects is as follows:

<u>Description</u>	<u>Total Cost</u>	<u>District's Share</u>	<u>Eligible Amount</u>
General Fund		\$1,949	\$1,949 ⁽¹⁾
Engineering Fees			
1. Lift Station & Force Main Project	\$74,203	\$25,126	\$25,126 ⁽²⁾
2. Force Main Phase 1A and Mixed Use 11 ⁽³⁾	\$145,500 ⁽⁴⁾	\$42,282	\$42,282
Developer Interest ⁽⁵⁾		\$79,267	\$79,267 ⁽⁶⁾
Total		\$148,624	\$148,624

Notes:

1. Represents shortage of funds for bond issuance expenses associated with 2014 Bond Series.
2. Excludes \$22,261 for the developer's share of the engineering fees as deducted in application material. In Bond Series 2014, the District requested to only fund \$26,816 due to funding limitation.

Mr. Jeffrey Roberts, President
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August 26, 2016

3. No engineering fees were included in Bond Series 2014 due to funding limitation.
4. Total estimated District share is \$101,850 that equates to 70% of \$145,500 (\$57,500 for Force Main Phase 1A and \$88,000 for Mixed Use #11). Excludes \$43,650 for the developer's share of engineering fees as deducted in application material.
5. No developer interest was included in Bond Series 2014 due to funding limitation.
6. Estimated at 3.423949% with a proposed funding date of 3/19/15.

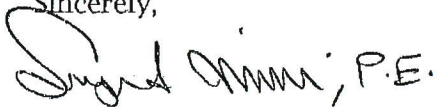
A letter from the District's bookkeeper indicates that the District had surplus funds totaling \$148,624 associated with unused contingency funds and engineering fees from Bond Series 2013 as of August 24, 2016.

Approval

The application and supporting documents have been reviewed and appear to be in order. Therefore, on behalf of the Executive Director of the TCEQ, the District's request for approval to use \$148,624 in surplus funds plus accrued interest associated with unused contingency funds and engineering fees from the above bond issue to reimburse the District's general fund; and the developer for a portion of unpaid engineering fees and developer interest related to the construction of facilities in the Steiner Ranch Defined Area is hereby approved in the amount of \$148,624 as shown in the Eligible Amount column of the above summary of costs table.

If you have any questions, please contact Joy Hernandez at (512) 239-4734 or by e-mail at <Joy.Hernandez@tceq.texas.gov>.

Sincerely,



Seyed Miri, P.E.
Districts Section
Water Supply Division
Texas Commission on Environmental Quality

SM/jh

cc: Ms. Lauren Kalisek - Lloyd Gosselink Rochelle & Townsend, PC. (via e-mail)
Mr. Ken Schroeder, P.E. - Schroeder Engineering Company (via e-mail)
Mr. Garry Kimball - Specialized Public Finance, Inc. (via e-mail)

From: Lori Müller
Sent: Wednesday, August 17, 2016 4:10 PM
To: From: Debbie Gernes
Cc: Cc: Henry Marley; jroberts@wcid17.org; board@wcid17.org; mdecker@wcid17.org; dsteed@wcid17.org; rcarruthers@wcid17.org; davidbernard@reagan.com; jward@wcid17.org; Mary Ann Cramer; To: Wayne Mueller
Subject: Fwd: AVB requirement for residential fixtures
Attachments: Sharp Copier_20160817_114736.pdf

Hello Ms. Gernes,

I would like to send you my perspective, as a customer, and some context for you to consider when evaluating this heightened requirement.

This all started because I have a pretty new master bathroom with fancy bronze fixtures (which, my poor husband can attest, took me forever to pick out). I searched everywhere for a bronze AVB to comply with the inspector's request. It wasn't until I couldn't find them easily in anything but chrome, which wouldn't match my fixtures, that I began to question the requirement. If the plumbing code, or TCEQ required this of every household with a flexible shower head, I should find these AVBs readily available in a plethora of matching fixture colors. The expense to buy and install the one needed for the tub, and drill a second hole in my granite tub surround was a bit much for me to take without question. I called several plumbers in Texas seeking alternative solutions and none of them had heard of this requirement. They all told me that the fixture alone should be fine if the fixture was marked with the appropriate stamp approved by the plumbing code. The TCEQ representative said the same thing. Through some cursory searching over the internet, I wasn't able to locate any other State or code that is applying this heightened requirement to normal residences. If flexible showerheads and handheld showers are such a high hazard risk, why isn't it addressed directly in the plumbing codes? Why aren't manufacturers integrating these in fixtures?

Even IF the plumbing codes and TCEQ allow the district to put whatever restrictions they like on customers, (Initially the inspector said it was a non-health hazard, so I'm still a bit confused by the heightened requirement), I would like to ask WCID17 to consider whether adopting this requirement is the right thing to do. Anyone can go buy and change out showerheads and I suspect, especially with the aging population, many do. (Perhaps even some of you have flexible shower heads and hand held showers in your homes?).

If this requirement is, in fact, necessary to protect the public water supply, then my guess is more than half of your customers are in violation, and will not be happy to learn they have to go through the expense and trouble of changing out fixtures, which may not match, to meet this extra stringent requirement that even TCEQ doesn't stand behind and is not required in either of their approved plumbing codes.

If this is a requirement that WCID17 finds necessary, WCID17 needs to send out a massive public communication to licensed plumbers (perhaps also the plumbing board) and their public, who can change out their own showerheads without a licensed plumber and may not be aware they are out of compliance and at risk of having their water cut-off for non-compliance. I can only imagine the difficulty WCID17 will have trying to enforce this requirement and, before putting this burden on your customers, I hope you will really assess the risk being addressed against the sufficiency of the plumbing code requirements and make a determination according to the spirit of the requirement, not just the letter.

Thank you for your time and consideration,

Lori Mueller
512-940-0777

From: Debbie Gernes <dgernes@wcid17.org>
Date: August 17, 2016 at 11:46:33 AM CDT
To: Wayne Mueller <wayne.alan.mueller@gmail.com>
Cc: Henry Marley <hmarley@wcid17.org>, Mary Ann Cramer <macramer@wcid17.org>, davidbernard@reagan.com
Subject: RE: RE: AVB requirement for residential fixtures

Mr. Mueller,

I have reviewed your request and read all the applicable references and e-mails. As we discussed, there are several basic issues here. The first is TECQ requirements. As Mr. Fuentes stated, TCEQ's own chart has AVB as the required assembly. Even though Mr. Fuentes said that he felt the double check was okay, he also indicated, as Mr. Marley stated, that the local authority, District 17 in this case, may have more stringent rules, and we do. The local authority takes precedence when the rule is more stringent.

The second issue is, does the plumbing code address this issue, and it does. I have attached the pertinent sections addressing the AVB installation requirement. No local amendments would be required here.

The third issue is, does District 17 apply this rule in all cases such as yours, and we do. The AVBs will be required to be installed in this case unless you can shorten the shower hoses so that the heads have no possibility of falling into the pan. The tub, of course, will require one.

Deborah Gernes

General Manager

Travis County Water District No.17

3812 Eck Lane

Austin, Texas 78734

(512) 266-1111 Ext. 113

dgernes@wcid17.org

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From: Wayne Mueller [<mailto:wayne.alan.mueller@gmail.com>]
Sent: Wednesday, August 17, 2016 9:08 AM

To: dgernes@wcid17.org

Subject: Fwd: RE: AVB requirement for residential fixtures

Ms. Gernes,

Thank you for discussing this matter with me earlier by phone. In this thread you can see the comments by TCEQ staff and from Mr. Marley.

My contention is this:

- A double check valve assembly (DCVA) is the minimum required backflow prevention level per the UPC for handheld fixtures. My three handheld shower fixtures have this;

- WCID17 is indicating that they want a higher backflow prevention level beyond the DCVA, which would be an atmospheric vacuum breaker (AVB). This was the basis for our failing the final inspection the week before last. In the first conversation with Mr. Marley, the indication is that this is a "TCEQ requirement." But regulatory guidance and statement by TCEQ staff indicates otherwise. Which puts it back to WCID17 deciding that a higher standard is wanted;

- But if WCID17 wants to mandate a higher standard than the UPC requires, then that would be an addition to the UPC, and would need to be adopted by the WCID17 board. As of now, I have not been provided any information showing that this higher standard was adopted.

If you need any specific information about the fixtures or any other information on this item, just let me know.

Thank you,

Wayne Müller
Austin, TX
512-963-3376

----- Forwarded message -----

From: **Lori Müller** <lori.lee.mueller@gmail.com>
Date: Tue, Aug 16, 2016 at 7:38 PM
Subject: Fwd: RE: AVB requirement for residential fixtures
To: Wayne Mueller <wayne.alan.mueller@gmail.com>

----- Forwarded message -----

From: "Henry Marley" <hmarley@wcid17.org>
Date: Aug 16, 2016 9:54 AM
Subject: RE: AVB requirement for residential fixtures
To: "Lori Müller" <lori.lee.mueller@gmail.com>
Cc:

Lori,

The TCEQ makes the recommendations and they are the minimum. Mr. Fuentes also mentions that the shower head should not be submerged. Contaminants in the tub (in our opinion could make a person ill) therefore it will be considered a higher hazard. We as the Administrative Authority makes this determination and requires an AVB (at a minimum) be installed to protect our water supply and the water that your family will using in the residence. If you chose to install an RP or PVB, be aware that they are subject to spilling the water out of the unit when backflow occurs and are usually subjected to back pressure.

Henry Marley

*Field Supervisor
Travis County WC& ID 17
3812 Eck Ln.
Austin, TX 78734
512-748-2868*

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From: Lori Müller [<mailto:lori.lee.mueller@gmail.com>]
Sent: Monday, August 15, 2016 7:27 PM
To: Henry Marley
Subject: Fwd: AVB requirement for residential fixtures

Hi Henry,

My husband called TCEQ and spoke to Mr. Fuentes who indicated the double check valve was sufficient for a private residence. He recognized the appendix did not list the double check valve as an option, but said they have always relied on installation according to manufacturer specifications and the approval stamp indicating sufficient protection for the potable water supply. Can we rely on TCEQ guidance and Mr. Fuentes statement as sufficient? Perhaps you could talk to Mr. Fuentes if we need further clarification? Please see Mr. Fuentes' written response below.

Thank you for your time to review this.

Best regards,

Lori Mueller

512-940-0777

----- Forwarded message -----

From: **Wayne Mueller** <wayne.alan.mueller@gmail.com>

Date: Mon, Aug 15, 2016 at 4:05 PM

Subject: Fwd: AVB requirement for residential fixtures

To: Lori Mueller <Lori.Lee.Mueller@gmail.com>

Wayne Müller

Austin, TX

512-963-3376

----- Forwarded message -----

From: **Alfonso Fuentes** <alfonso.fuentes@tceq.texas.gov>

Date: Mon, Aug 15, 2016 at 2:48 PM

Subject: RE: AVB requirement for residential fixtures

To: Wayne Mueller <wayne.alan.mueller@gmail.com>

Mr. Muller,

Thank you for your email. It is important to realize that RG-478 only provides guidance on the rules. The language in RG-478 does not serve the purpose as "rules."

When considering backflow requirements on fixtures in a typical residence, the TCEQ has relied on their proper installation and the appropriate approval stamp on the fixture to protect the potable water supply. This should also apply in your case. The flexible shower head should be used such that it does

not become submerged. In the event of backflow, whatever fluid the flexible shower head is submerged in will contaminate your potable water supply.

Double check valve assemblies are allowed to be used in a non-health hazard application.

Also, TCEQ regulations are considered minimum standards and local jurisdictions may have more stringent requirements. The locally adopted plumbing code should also be consulted.

If this does not address your concern, please feel free to contact me.

Thank you,

Al Fuentes

Technical Review & Oversight Team

Water Supply Division

(512) 239-1407

Alfonso.Fuentes@tceq.texas.gov

From: Wayne Mueller [mailto:wayne.alan.mueller@gmail.com]

Sent: Friday, August 12, 2016 4:10 PM

To: Alfonso Fuentes <alfonso.fuentes@tceq.texas.gov>

Subject: AVB requirement for residential fixtures

Mr. Fuentes,

Per our phone conversation, I am seeking TCEQ guidance in relation to plumbing fixture requirements at our residence.

We have built an addition to our house which includes two new showers and one garden tub (see attachments). At each location, we have a handheld fixture. During final inspection, the inspector for our water district has indicated a requirement for an AVB for each handheld, citing them as a non-health hazard per TCEQ's Appendix F.

However, TCEQ Manual RG-478 (pg. 5) states "For protection from a non-health hazard, any of the previously mentioned assemblies [RPBA, PVB AVB] may be used or a double check-valve backflow-prevention assembly may be used."

Further, each of the fixtures we installed are as manufactured, and per the manufacturer, indicate compliance with ASME A112.18.1, i.e., has built in double check valve assembly.

Can you provide guidance as to whether TCEQ's rules on backflow prevention require such additional protection, such as AVB, in typical residential tub and shower fixture situations?

Thank you,

Wayne Müller
Austin, TX
512-963-3376

installed in accordance with the requirements for that type of device or assembly as set forth in this chapter.

603.4.6 Protection from Lawn Sprinklers and Irrigation Systems.

603.4.6.1 Potable water supplies to systems having no pumps or connections for pumping equipment, and no chemical injection or provisions for chemical injection, shall be protected from backflow by one of the following devices:

- (1) Atmospheric vacuum breaker
- (2) Pressure vacuum breaker
- (3) Spill-resistant pressure vacuum breaker
- (4) Reduced-pressure backflow preventer

See Figure 6-19.

603.4.6.2 Where sprinkler and irrigation systems have pumps, connections for pumping equipment, or auxiliary air tanks, or are otherwise capable of creating back-pressure, the potable water supply shall be protected by the following type of device if the backflow device is located upstream from the source of back-pressure:

- (1) Reduced-pressure backflow preventer

603.4.6.3 Where systems have a backflow device installed downstream from a potable water supply pump or a potable water supply pump connection, the device shall be one of the following:

- (1) Atmospheric vacuum breaker
- (2) Pressure vacuum breaker
- (3) Spill-resistant pressure vacuum breaker
- (4) Reduced-pressure backflow preventer

603.4.6.4 Where systems include a chemical injector or any provisions for chemical injection, the potable water supply shall be protected by the following:

- (1) ~~Reduced-pressure backflow preventer~~

603.4.7 Potable water outlets with hose attachments, other than water heater drains, boiler drains, and clothes washer connections, shall be

protected by a nonremovable hose-bib-type backflow preventer, a nonremovable hose bib-type vacuum breaker, or by an atmospheric vacuum breaker installed not less than six (6) inches (152 mm) above the highest point of usage located on the discharge side of the last valve. In climates where freezing temperatures occur, a listed self-draining frost-proof hose bib with an integral backflow preventer or vacuum breaker shall be used.

603.4.8 Water-cooled compressors, degreasers, or any other water-cooled equipment shall be protected by a backflow preventer installed in accordance with the requirements of this chapter.

Note: Water-cooled equipment that produces back-pressure shall be equipped with the appropriate protection.

603.4.9 Water inlets to water-supplied aspirators shall be equipped with a vacuum breaker installed in accordance with its listing requirements and this chapter. The discharge shall drain through an airgap. When the tailpiece of a fixture to receive the discharge of an aspirator is used, the airgap shall be located above the flood-level rim of the fixture.

603.4.10 Potable water makeup connections to steam or hot water boilers shall be provided with a listed backflow protection assembly.

603.4.11 Nonpotable Water Piping. In cases where it is impractical to correct individual cross-connections on the domestic waterline, the line supplying such outlets shall be considered a nonpotable water line. No drinking or domestic water outlets shall be connected to the nonpotable waterline. Whenever possible, portions of the nonpotable waterline shall be exposed, and exposed portions shall be properly identified in a manner satisfactory to the Authority Having Jurisdiction. Each outlet on the nonpotable waterline that is permitted to be used for drinking or domestic purposes shall be posted: "Caution: Nonpotable water, do not drink."


This reference to a nonpotable water line refers to the piping downstream of the backflow prevention device. The possibility of backflow occurring in the line from the device causes the line to be designated as nonpotable. In many installations a water line is installed leading to fixture or appliance connections. In order to save costs only one backflow device is installed and the fixture or appliances are connected to this line. The entire line from the backflow device is nonpotable.

noted that there may even be certain chapters of this code that are not adopted by some jurisdictions and that those chapters will also not be a part of the legal code document.

101.5 Application to Existing Plumbing System.

101.5.1 Additions, Alterations, or Repairs. Additions, alterations, or repairs may be made to any plumbing system without requiring the existing plumbing system to comply with all the requirements of this code, provided the addition, alteration, or repair conforms to that required for a new plumbing system. Additions, alterations, or repairs shall not cause an existing system to become unsafe, insanitary, or overloaded.

When plumbing is repaired, altered or added to, the new work must be according to the current edition of the code in force at the time the work is done. The remaining existing system does not have to be brought up to the requirements of the current code. However, if the repairs or alterations overload the existing system or cause it to otherwise become unsafe or insanitary, then the overloaded portion or the unsafe section would have to be made acceptable and brought into compliance with the current code.



101.5.2 Health and Safety. Whenever compliance with all the provisions of this code fails to eliminate or alleviate a nuisance, or any other dangerous or insanitary condition that may involve health or safety hazards, the owner or the owner's agent shall install such additional plumbing and drainage facilities or shall make such repairs or alterations as may be ordered by the Authority Having Jurisdiction.

Even if all the requirements of the UPC are followed, there may still be instances where a plumbing system or part of a system may remain unsafe or insanitary. If this were to happen, the AHJ may order the owner to correct the problem using methods prescribed by the AHJ.

101.5.3 Existing Installation. Plumbing systems lawfully in existence at the time of the adoption of this code may have their use, maintenance, or repair continued if the use, maintenance, or repair is in accordance with the original design and location and no hazard to life, health, or property has been created by such plumbing system.

Existing plumbing systems that have been properly installed per the code adopted when the original work took place do not have to comply with a later edition of the code unless and whenever the system creates a "hazard to life, health, or property."

101.5.4 Changes in Building Occupancy. Plumbing systems that are a part of any building or structure undergoing a change in use or occupancy, as defined in the Building Code, shall comply to all requirements of this code that may be applicable to the new use or occupancy.

A change in building occupancy refers to a building being used for a different purpose than originally intended or designed. A single-family residence converted into a restaurant or a store changed into a doctor's office are examples of a change in building occupancy or use. Whenever this happens, the plumbing systems must be suitable for the new use as defined in the building code adopted by the jurisdiction and the current plumbing code. This could involve separate or increased facilities for men and women, different types of fixtures, increase in pipe sizes, etc.

101.5.5 Maintenance. Plumbing systems, materials, and appurtenances, both existing and new, and all parts thereof shall be

Internal Protection: Description of Cross Connection	Assessment of Hazard	Required Assembly
Aspirators	Nonhealth†	AVB
Aspirator (medical)	Health	AVB or PVB
Autoclaves	Health	RPBA
Autopsy and mortuary equipment	Health	AVB or PVB
Bedpan washers	Health	AVB or PVB
Connection to industrial fluid systems	Health	RPBA
Connection to plating tanks	Health	RPBA
Connection to salt-water cooling systems	Health	RPBA
Connection to sewer pipe	Health	AG
Cooling towers with chemical additives	Health	AG
Cuspidors	Health	AVB or PVB
Degreasing equipment	Nonhealth†	DCVA
Domestic space-heating boiler	Nonhealth†	RPBA
Dye vats or machines	Health	RPBA
Fire-fighting system (toxic liquid foam concentrates)	Health	RPBA
Flexible shower heads	Nonhealth†	AVB or PVB
Heating equipment		
Commercial	Nonhealth†	RPBA
Domestic	Nonhealth†	DCVA
Hose bibbs	Nonhealth†	AVB
Irrigation systems		
with chemical additives	Health	RPBA
without chemical additives	Nonhealth†	DCVA, AVB, or PVB
Kitchen equipment—Commercial	Nonhealth†	AVB
Lab bench equipment	Health or Nonhealth†	AVB or PVB
Ornamental fountains	Health	AVB or PVB
Swimming pools		
Private	Nonhealth†	PVB or AG
Public	Nonhealth†	RPBA or AG
Sewage pump	Health	AG
Sewage ejectors	Health	AG
Shampoo basins	Nonhealth†	AVB
Specimen tanks	Health	AVB or PVB
Steam generators	Nonhealth†	RPBA
Steam tables	Nonhealth†	AVB
Sterilizers	Health	RPBA
Tank vats or other vessels containing toxic substances	Health	RPBA
Trap primers	Health	AG
Vending machines	Nonhealth†	RPBA or PVB
Watering troughs	Health	AG or PVB

NOTE: AG = air gap; AVB = atmospheric vacuum breaker; DCVA = double check valve backflow prevention assembly; PVB = pressure vacuum breaker; RPBA = reduced-pressure principle backflow prevention assembly

- AVBs and PVBs may be used to isolate health hazards under certain conditions, that is, backsiphonage situations. Additional area of premises isolation may be required.

† Where a greater hazard exists (due to toxicity or other potential health impact) additional area protection with RPBA is required.

**UTILITY CONVEYANCE AGREEMENT BETWEEN
TRAVIS COUNTY WCID NO. 17 AND LAKE RIDGE CUSTOM HOMES**

This Agreement is made and entered into by and between **Travis County Water Control and Improvement District No. 17**, a water control & improvement district operating pursuant to Chapter 49 and 51, Texas Water Code (herein the “District”), and **Lake Ridge Custom Homes** (herein the “Seller”).

RECITALS

1. The District furnishes retail water service to the land within its boundaries, and particularly, Cardinal Hills, Unit 7, Preserve at Lakeway. Seller is presently developing land within the District, and, in connection therewith, Seller has acquired or caused to be constructed certain water and wastewater facilities (“Facilities”).

2. Seller wishes to convey and District wishes to take title to such Facilities so that the District can provide water and wastewater service to Lot 13, Cardinal Hills, Unit 7, Preserve at Lakeway.

AGREEMENT

For and in consideration of the premises and of the mutual obligations, covenants, and benefits hereinafter set forth, District and Seller contract and agree as follows:

1. **Definitions.**

- (a) **Construction Contracts:** Contracts pursuant to which the Facilities (defined below) were installed by the contractor.
- (b) **Facilities:** All public/external water and wastewater Facilities constructed to serve *Lot 13, Cardinal Hills, Unit 7, Preserve at Lakeway*, a property located in Travis County, Texas and recorded as Deed #2013091043TR of the Plat Records of Travis County, Texas and constructed pursuant to an

agreement with Seto Vargas Utilities, Inc. dated August 4, 2016 including but not limited to public water and wastewater infrastructure to wit: 241 feet of 8-inch waterline and 143 feet of 2-inch wastewater force main located in Sparrow Lane.

2. Sale and Purchase. Seller hereby sells, conveys, transfers, and delivers to District all of the Facilities free and clear of all liens, claims, encumbrances, options, charges, assessments, reservations, or restrictions. The Facilities being conveyed hereby are more completely described in the plans and specifications described in Section 5 herein, which are incorporated herein by reference.

3. Assignment. Seller hereby assigns all of its rights under the Construction Contracts to District and agrees to make provision for the transfer of any performance and payment bonds, and guarantees and warranties executed by the contractor and all other rights of Seller pursuant to the provisions of the Construction Contracts.

4. Representations by Seller. Seller represents to District that:

(a) Title. All the Facilities of Seller covered by this Agreement are hereby conveyed to District, free and clear of all liens, claims, encumbrances, options, charges, assessments, reservations, and restrictions.

(b) Rights-of-Way, Easements, etc. Seller represents warrants and guarantees that the Facilities are located in public utility easements or road rights-of-way as shown on recorded plats. Seller represents that said plats provide easements and rights-of-way which are adequate and sufficient to permit District to operate the Facilities, and any easements and rights-of-way held by Seller in connection therewith are hereby transferred to District whether or not expressly described herein.

(c) Possession. Seller is in possession of the Facilities and no objection to the location or use of the Facilities or adverse claims of title to the lands, easements, rights-of-way, licenses, permits, or leases on which the Facilities are situated is presently being asserted by any person or persons.

(d) Legal Proceedings. There are no actions, suits, or proceedings pending or, to the knowledge of Seller, threatened or affecting the properties to be sold hereunder and there are no pending condemnation proceedings of which Seller is aware connected with the Facilities or other properties to be conveyed hereunder.

(e) Known Defects. Seller represents and warrants that the Facilities, including any easements or rights-of-way or other properties to be conveyed hereunder are free of known defects, either legal or technical, that would prohibit District's use of the Facilities or other properties to be conveyed hereunder.

(f) Authorization. This Agreement, the transactions contemplated herein, and the execution and delivery of this Agreement have been duly authorized by Seller.

(g) No Violation of Other Contracts. This Agreement, and the warranties, representations, and covenants contained herein, and the consummation of the transactions contemplated herein will not violate or constitute a breach of any contract or other agreement to which Seller is a party.

(h) "Record" or "As-Built" Drawings and Engineer's Certificate. Contemporaneously herewith Seller has provided District with a complete set of "record or as-built" drawings, together with a certificate by a registered professional engineer that the Facilities were constructed as indicated on the drawings.

5. Plans and Specifications. Seller warrants and represents that the Facilities are constructed in accordance with the plans and specifications previously approved by the District.

6. Expenses. Except as specifically set forth herein, each party shall pay its own expenses incident to carrying this Agreement into effect and consummating all transactions contemplated hereby. All ad valorem or property taxes applicable to the Facilities to the date of closing, including, without limitation, all taxes for 2016 and any "rollback" taxes assessed due to a change in land usage, shall be the obligation of Seller.

7. Further Assurances. Seller agrees that from time to time and upon the request of District, Seller will execute and deliver such other instruments of conveyance and transfer and

take such other action as may be reasonably required to more effectively convey, transfer to, and vest in District and to put District in possession of all of the Facilities conveyed, transferred, and delivered hereunder, and, in the case of contracts and rights, if any, which cannot be transferred effectively without the consent of other parties, to obtain such consents and take such other action as may be reasonably necessary to assure to District the rights and benefits thereof.

8. Representations Survive Conveyance. The agreements and representations made by the parties to this Agreement shall survive the conveyance of the Facilities.

9. Indemnification. SELLER HEREBY INDEMNIFIES AND HOLDS HARMLESS DISTRICT FROM AND AGAINST ANY AND ALL LIENS, CLAIMS, DEBTS, CHARGES, INDEMNITIES, LOSSES, PENALTIES, ATTORNEY FEES AND ANY OTHER KIND OF EXPENSES THAT MAY BE INCURRED BY OR ASSERTED AGAINST DISTRICT BY REASON OF CONSTRUCTION OF THE FACILITIES.

10. Miscellaneous. This Agreement shall be governed by, and construed in accordance with, the laws of the State of Texas and can be changed or terminated only by an agreement in writing signed by the parties hereto. This Agreement embodies the entire understanding between the parties and there are no prior effective representations, warranties, or agreements between the parties.

[THE REMAINDER OF THIS PAGE IS LEFT BLANK INTENTIONALLY.]

WITNESS the execution of this Agreement in multiple counterparts, each of equal dignity, as of the ____ day of _____, 2016.

LAKE RIDGE CUSTOM HOMES

By: _____
Tom Crider, Operations Manager

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the ____ day of _____, 2016,
by Tom Crider, Operations Manager of Lake Ridge Custom Homes.

Notary Public Signature
Printed Name: _____
My Commission Expires: _____

(Seal)

ACCEPTED:

**TRAVIS COUNTY WATER CONTROL
AND IMPROVEMENT DISTRICT NO. 17**

By: _____
Jeff Roberts, President
Board of Directors

ATTEST:

Secretary, Board of Directors

[DISTRICT SEAL]

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the ____ day of _____, 2016,
by Jeff Roberts, President of the Board of Directors of Travis County WCID No. 17, on behalf of
said District.

Notary Public Signature
Printed Name: _____
My Commission Expires: _____

(Seal)



Gernes, Debbie <dgernes@wcid17.org>

Water Lines

8 messages

Roger Millar VHI Management <rmillarvalencia@aol.com> Sat, Jul 30, 2016 at 2:39 PM

To: cibutler1982@gmail.com, craigcouch@me.com, tdavies3@austin.rr.com, JDavis46@austin.rr.com, c4sourcing@gmail.com, Gambini1212@hotmail.com, carlageorge@austin.rr.com, sgart99@gmail.com, Lizann2008@gmail.com, rick.hatheway512@gmail.com, sj.tax09@gmail.com, Rmillarvalencia@aol.com, gatorsusie@yahoo.com, peteong@hotmail.com, anita.rellermeyer@hotmail.com, sherry@austintowndance.com, Julier@tfrinc.com, GMSCROTA@aol.com, snjtarrant@austin.rr.com, dupdegraff@austin.rr.com, dwatson006@austin.rr.com, jbcB@pobox.com, mikechang1508@gmail.com, anitad42@gmail.com, Tdemangambini@gmail.com, davidig2009@hotmail.com, gbh2008@gmail.com, marylynn450@gmail.com, bob.wisdomtree@gmail.com, nkosirog@aol.com, tbui24@hotmail.com, kevreyo@prodigy.net, julie@austin.rr.com, johnwirvin@tx.rr.com, sherry249@prodigy.net, jenny@eswealth.com, cj.2244@yahoo.com
Cc: dgernes@wcid17.org, graeme@albaenergy.com

Dear Neighbors,

I recently was in contact with Debbie Gernes the GM of Water District 17 checking on the planned installation of new water lines to our neighborhood. She indicated to me that the project is planned for next year and the budget should be approved in September.

She also asked me if I would find out if any of you would be interested in the installation of water district sewage lines. I should point out that that if that is done it would cost each home owner \$9,000 plus to get it to the street outside your home and there would have to be sufficient interest for them to do it. You would then be responsible for the cost of connection to your home.

Please let me know if you would be interested so I can give her numbers.

We are also planning a get together in late September hosted by Alba Energy with more HOA updates and some information on Solar installations as a number of us have already had them installed and will be able to give some first hand information. I will be sending invitations to this as soon as we have set dates

I will keep you updated

Roger Millar
President Hughes HOA

Roger Millar
Austin, Texas,

Donald Watson <dwatson006@austin.rr.com> Mon, Aug 1, 2016 at 4:29 PM

To: Roger Millar VHI Management <rmillarvalencia@aol.com>, cibutler1982@gmail.com, craigcouch@me.com, tdavies3@austin.rr.com, JDavis46@austin.rr.com, c4sourcing@gmail.com, Gambini1212@hotmail.com, carlageorge@austin.rr.com, sgart99@gmail.com, Lizann2008@gmail.com, rick.hatheway512@gmail.com, sj.tax09@gmail.com, gatorsusie@yahoo.com, peteong@hotmail.com, anita.rellermeyer@hotmail.com, sherry@austintowndance.com, Julier@tfrinc.com, GMSCROTA@aol.com, snjtarrant@austin.rr.com, dupdegraff@austin.rr.com, jbcB@pobox.com, mikechang1508@gmail.com, anitad42@gmail.com, Tdemangambini@gmail.com, davidig2009@hotmail.com, gbh2008@gmail.com, marylynn450@gmail.com, bob.wisdomtree@gmail.com, nkosirog@aol.com, tbui24@hotmail.com, kevreyo@prodigy.net, julie@austin.rr.com, johnwirvin@tx.rr.com, sherry249@prodigy.net, jenny@eswealth.com, cj.2244@yahoo.com
Cc: dgernes@wcid17.org, graeme@albaenergy.com

Monday, August 01, 2016

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Mary Lynn Johnson <marylynn@marylynn.com>

Thu, Aug 4, 2016 at 7:38 PM

To: Don & Jan Watson <dwatson006@austin.rr.com>

Cc: bob.wisdomtree@gmail.com, craigcouch@me.com, rick.hatheway512@gmail.com, sgart99@gmail.com, graeme@albaenergy.com, Lizann2008@gmail.com, tbui24@hotmail.com, Gambini1212@hotmail.com, c4sourcing@gmail.com, JDavis46@austin.rr.com, George Hainsworth <gbh2008@gmail.com>, Roger Millar VHI Management <rmillarvalencia@aol.com>, anitad42@gmail.com, mikechang1508@gmail.com, jbcbox@pobox.com, snjtarrant@austin.rr.com, peteong@hotmail.com, Julier@tfrinc.com, johnwirvin@tx.rr.com, jenny@eswealth.com, Tdemangambini@gmail.com, sherry249@prodigy.net, nkosirog@aol.com, carlageorge@austin.rr.com, davidig2009@hotmail.com, kevreyno@prodigy.net, gatorsusie@yahoo.com, julie@austin.rr.com, dgermes@wcid17.org, sherry@austintowndance.com, tdavies3@austin.rr.com, cj.2244@yahoo.com, anita.rellermeyer@hotmail.com, dupdegraff@austin.rr.com, GMSCROTA@aol.com, sj.tax09@gmail.com, cebutler1982@gmail.com

I think we've already responded, but maybe not to everyone. We are great with better waterlines. These are at least 35 to 40 years old and not really equipped to handle all the growth on our hill. We are not in favor of septic lines. Our septic is fine and once they provide that, the next step is annexation and higher taxes.

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Debbie Gernes <dgermes@wcid17.org>

Fri, Aug 19, 2016 at 11:29 AM

To: Roger Millar VHI Management <rmillarvalencia@aol.com>

Mr. Millar,

It doesn't look as though we have the interest in the wastewater lines (as I didn't think we would at the price). We are getting ready to do the detailed design of the installation of the Cedar St/Hughes Street waterlines. As we previously discussed, would the HOA be willing to handle the repaving of the street in connection with this project since the roads are private?

Deborah Gernes

General Manager

Travis County Water District No.17

3812 Eck Lane

Austin, Texas 78734

(512) 266-1111 Ext. 113

dgermes@wcid17.org

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Roger Millar <rmillarvalencia@aol.com>
To: Debbie Gemes <dgermes@wcid17.org>

Fri, Aug 19, 2016 at 11:33 PM

Debbie

Thanks for your email and unfortunately you are right there were very few people interested in the wastewater as the expense is rather a lot, plus after that they would have the cost of connection and monthly bills.
With regard to the road repaving some of the residents paid a lot of money to pave the roads in the past only to find out that it is not a private road but a county road and we have no jurisdiction over it.
When we ask our neighbors to contribute, many do not , so it would be just a portion paying for all. As it is a county road and all the property owners pay taxes I believe it is not our responsibility to repave the road but rather the County's

I am sure you understand the situation and I thank you for what you are doing by installing the water lines and making our subdivision safer

Regards
Roger Millar

Sent from my iPad
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