

**REGULAR MEETING
TRAVIS COUNTY WATER CONTROL & IMPROVEMENT DISTRICT #10
BOARD OF DIRECTORS
AUGUST 12, 2020**

Members Present:

Paul Barker, President
Jon Luce, Director
Steve Robertson, Director

Members Absent:

Milam Johnson, Vice President
Buster McCall, Director

Others Present:

Carla Orts, General Manager, TCWCID #10
Louise Winder, TCWCID #10
Taylor Kolmodin, Municipal Accounts
Tom Arndt, Dannenbaum Engineering Co.
Randy Wilburn, Gilbert Wilburn, PLLC
Mike Morin, Crossroads Utility Services
Daniel McDowell, Able Restoration Services

1. MEETING CALLED TO ORDER

The Regular Meeting of the Travis County W.C& I.D #10 Board of Directors was called to order at 12:00 pm, with a quorum present.

2. ALL CONSENT AGENDA ITEMS LISTED ARE CONSIDERED TO BE ROUTINE BY THE BOARD OF DIRECTORS AND WILL BE ENACTED BY ONE (1) MOTION. NO SEPARATE DISCUSSION OR ACTION ON ANY OF THE ITEMS IS NECESSARY UNLESS DESIRED BY A BOARD MEMBER (GENERAL MANAGER)

- (A) Approval of Minutes From:
 - (i) Regular Meeting July 8, 2020;
 - (ii) Special Meeting July16, 2020;

- (B) Discuss, Consider, and Take Action Regarding District Bills and Bookkeeper's Report (Municipal Accounts);

- (C) Discuss, Consider, and Take Action as Necessary Regarding Utility Operations Report, Including Possible Action on Account Write-Offs (Crossroads Utility Service):
 - (i) Spiller Lane Pressure Issues;
 - (ii) Leak Detection Survey Status;

- (D) Discuss, Consider, and Take Action as Necessary Regarding Naming the District Boardroom the Harvey L. Ford Boardroom (General Manager);

MOTION WAS MADE by Director Robertson, seconded by Director Luce to approve the consent agenda items. The motion passed unanimously.

3. DISCUSS, CONSIDER, AND TAKE ACTION REGARDING DRAFT BUDGET, WATER RATE, AND TAX REVENUE (GENERAL MANAGER)

Taylor Kolmodin, with Municipal Accounts, presented a draft budget to the Board of Directors for their review. No further action was taken.

4. DISCUSS, CONSIDER, AND TAKE ACTION REGARDING THE PROPOSED TAX RATE AND SCHEDULING OF THE PUBLIC HEARING (GENERAL MANAGER)

General Manager Orts presented the notice to the Board of Directors for their review and discussion, noting that the total tax rate will drop from .0860 to .0840. MOTION WAS MADE by Director Luce, seconded by Director Robertson to authorize General Manager Orts to publish the proposed tax rate and schedule the public hearing for September 9, 2020. The motion passed unanimously.

5. DISCUSS, CONSIDER, AND TAKE ACTION REGARDING MAXWELL LOCKE & RITTER PROPOSAL FOR AUDIT SERVICES (GENERAL MANAGER)

General Manager Orts presented a proposal from Maxwell Locke & Ritter for audit services, noting that fees remain unchanged from the previous year. MOTION WAS MADE by Director Robertson, seconded by Director Luce to approve the proposal as presented. The motion passed unanimously.

6. Election Items - See Supplemental Agenda (General Manager)

General Manager Orts presented Order No. 2020-08-12 calling the Director Election for November 3, 2020. MOTION WAS MADE by Director Robertson, seconded by Director Luce to Adopt the Order Calling Director Election for November 3, 2020, authorize the District's attorney to give notice of the November 3, 2020 Director election, and complete any other matters relating to the election. The motion passed unanimously.

7. DISCUSS, CONSIDER, AND TAKE ACTION REGARDING RESIDENTIAL FIRE FLOW REQUIREMENT ORDER (GENERAL MANAGER)

No movement, as the Board Attorney is still reviewing.

8. DISCUSS, CONSIDER, AND TAKE ACTION AS NECESSARY REGARDING THE DISTRICT'S CAPITAL PROJECTS, INCLUDING POSSIBLE ACTION ON PAY APPLICATIONS, CHANGE ORDERS, CONTRACTS, AMENDMENTS, AND PROGRESS UPDATES FOR THE FOLLOWING PROJECTS (DANNENBAUM ENGINEERING COMPANY)

(A) DRUMMOND PUMP STATION –Dannenbaum Engineering presented Pay Application No. 2 in the amount of \$749,598.32 to Prota Construction, Inc. MOTION

WAS MADE by Director Luce, seconded by Director Robertson to approve Pay Application No. 2 as presented. The motion passed unanimously. The Board was notified that the Blackacre HOA was requesting that the culdesac on Sprague be included in the repaving of the project, the culdesac is not within the project limits. The District's attorney advised the Board that as a political subdivision of the state, the District cannot expend its funds for the private purpose of paving the remainder of the streets requested. MOTION WAS MADE by Director Robertson, seconded by Director Luce to deny the request for additional paving. The motion passed unanimously. It was also brought to the Board's attention that the contractor would like to pay for the paving to ensure the residents are happy with their work. The Board stated that if the contractor opted to cover this cost and proceed, they will be responsible for permits and any arising issues on their own.

(B) WILD CAT HOLLOW - Phase one is complete and they are waiting on the as-builts. Dannenbaum Engineering presented Pay Application No. 9 in the amount of \$16,437.00 to Prota Construction, Inc. MOTION WAS MADE by Director Robertson, seconded by Director Luce to approve Pay Application No. 9 as presented. The motion passed unanimously.

(C) ROB ROY PUMP STATION & HEDGE LANE – Dannenbaum Engineering has received the topographical survey and they are working on getting conduit for electricity.

(D) MCCONNELL PUMP STATION & STANDBY GENERATOR – The pre-construction meeting scheduled for August 17, 2020.

9. CUSTOMER SERVICE COMPLAINTS (GENERAL MANAGER)

No action taken.

10. DISCUSS, CONSIDER, AND TAKE ACTION AS NECESSARY REGARDING CITY OF AUSTIN CONTRACT RENEWAL (RANDY WILBURN)

Mr. Wilburn informed the Board that he has received a draft contract from the City of Austin and is preparing a response.

11. DISCUSS, CONSIDER, AND TAKE ACTION AS NECESSARY REGARDING EMPLOYEE EVALUATIONS (PRESIDENT BARKER)

(A) SALARIES - The Board carried out employee evaluations regarding salaries and will instruct Municipal Accounts to implement the changes effective October 1, 2020.

(B) PERFORMANCE BONUSES - No action taken.

(C) 457 PLANS - The Board carried out employee evaluations regarding retirement contributions and will instruct Municipal Accounts to implement the changes effective October 1, 2020. *457 plan will need to be corrected to state "Retirement Plan" in the future as the District moved from a 457 plan to a Simple IRA plan last year.

12. DISCUSS, CONSIDER, AND TAKE ACTION AS NECESSARY REGARDING ITEMS DISCUSSED DURING EXECUTIVE SESSION

No action taken.

13. ADJOURNMENT

There being no further business brought before the regular meeting of the Board of Directors, the meeting was adjourned at 12:54 pm.

PASSED, APPROVED, AND ADOPTED this _____ day of _____ 2020.

(DISTRICT SEAL)

**ORDER CALLING DIRECTOR ELECTION
TRAVIS COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 10
ORDER NO. 2020-08-12**

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

TRAVIS COUNTY WCID NO. 10 §

In accordance with the order of the Office of the Governor issued March 16, 2020, the Board of Directors of Travis County Water Control & Improvement District No. 10 met via a videoconference meeting to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19). The regular meeting, open to the public, was held on August 12, 2020, at noon, virtually on zoom.com Meeting ID: 5123272230 Password: water; whereupon the roll was called of the members of the Board of Directors, to wit:

Paul Barker	President
Jon Luce	Secretary
Buster McCall	Assistant Secretary
Steve Robertson	Assistant Secretary

All of the members were present except Director Buster McCall.

WHEREUPON, among other business conducted by the Board, Director Robertson introduced the order set out below and moved for its adoption, which motion was seconded by Director Luce, and after full discussion and the question being put to the Board of Directors, said motion carried by the following vote:

“Aye” 3; “Nay” 0.

The Order thus adopted as follows:

WHEREAS, the District is a political subdivision of the State of Texas, operating under Chapters 49 and 51, Texas Water Code; and

WHEREAS, a regular meeting of the Board of Directors of the District was held on August 12, 2020;

WHEREAS, notices of said regular meeting were properly posted;

WHEREAS, a quorum of the Board of Directors of the District was present at the regular meeting;

WHEREAS, at the regular meeting, the Board of Directors considered adoption of an order calling for the election of director;

WHEREAS, the District previously held its director elections on the uniform election date in May of even-numbered years, as provided in Section 49.103(b) of the Texas Water Code; and

WHEREAS, on November 16, 2011, the Board of Directors of the District (the “Board”) adopted Resolution No. 11-18-2011, a Resolution Changing Date of Director Elections to the November Uniform Election Date in Even-Numbered Years and Adjusting Terms of Office to Conform to New Election Date, as permitted by Senate Bill 100 (the “November Director Election Resolution”); and

WHEREAS, in accordance with Section 49.103 of the Texas Water Code, as amended and the November Director Election Resolution, the District’s director elections will now be held in November of even-numbered years; and

WHEREAS, Section 49.103 of the Texas Water Code provides that the directors of the District may assign a position number to each director’s office, in which case directors shall thereafter be elected by position and not at large;

WHEREAS, on July 16, 2020, the Board adopted Order No. 2020-07-16 assigning a position number to each director’s office, in which case directors shall thereafter be elected by position and not at large; and

WEHERAS, Order No. 2020-07-16 assigned Place 1 to Paul Barker, Place 2 to Milam Johnson, Place 3 to Jon Luce, Place 4 to Emmett “Buster” McCall, and Place 5 to James S. Robertson; and

WHEREAS, the District held an election for director on November 8, 2016, at which time Paul Barker, Hollis Boehme, and Harvey Ford were elected for four-year terms;

WHEREAS, on June 5, 2018, the Board of Directors appointed Jon Luce to fill the unexpired term of Hollis Boehme upon Mr. Boehme's resignation from the Board;

WHEREAS, on June 29, 2020, the Board of Directors appointed E.P. “Buster” McCall to fill the unexpired term of Harvey Ford upon Mr. Ford's resignation from the Board;

WHEREAS, the Board accordingly desires to proceed to order an election to be held on November 3, 2020 for the election of three directors, each of whom will serve a four-year term;

WHEREAS, pursuant to Chapter 31, Subchapter D, Chapter 123, and Chapter 271 of the Texas Election Code and Chapter 791 of the Texas Government Code, Travis County and the District have entered into an agreement for the Travis County Clerk, as the County's Election Officer, to conduct the District's elections, including runoffs, and for the District's use of the County's current or future-acquired election equipment for any voting system that the County adopts, as authorized under Title 8 of the Election Code, for all District elections; and

WHEREAS, a motion was made and seconded to adopt an order calling for election of members of the Board of Directors in accordance with the provisions of the Texas Election Code and the Texas Water Code;

NOW THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF TRAVIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 10 THAT:

Section 1. The matters and facts set out in the preamble of this order are found and declared to be true and correct.

Section 2. An election will be held within the District on November 3, 2020, between the hours of 7:00 a.m. and 7:00 p.m., at the Travis County precinct polling place locations that serve the District, at which there will be submitted the question of the election of three directors to positions designated as positions 1, 3, and 4, each of whom will serve a four-year term.

Section 3. Early voting in the election by personal appearance will begin on Tuesday, October 13, 2020, and end on Friday, October 30, 2020. The regular early voting clerk is Dana DeBeauvoir. Early voting by personal appearance will be conducted at the times, dates, and polling places established by Travis County for early voting, as set forth on **Exhibit "A."** The regular early voting clerks official mailing address to which request for application for early voting ballots to be voted by mail may be sent is 5324 Bee Cave Road, Austin Texas.

Section 4. Voting in the election will be by the use of electronic or paper ballots printed in both English and Spanish and conforming to the requirements of the Texas Election Code. Oral bilingual assistance will be available during the election and may be obtained by contacting the presiding judge or the alternative presiding judge. The ballots used in the election will have printed on them the names of all candidates for the office of director who filed application to have their names printed on the ballot at least 78 days before the election, and one blank space for write-in candidacy at least 74 days before the election. Each voter may vote for none, one, or tow person for director by placing an "X" in the square beside the person's name or persons' names or by writing the name or names of a person or persons in the blank space(s) provided.

Section 5. The District is divided into approximately four (4) election precincts as established by Travis County. The polling places for such election precincts will be the polling places established by Travis County for such election precincts in Travis County.

Section 6. The presiding judges, alternative presiding judges, and clerk for the election selected and appointed by Travis County in compliance with the requirements of State law are hereby designated and appointed election officers for the holding of this election. The presiding judges, alternative presiding judges, and clerks will perform the functions and duties of their respective positions that are provided by State law.


Section 7. The election will be held and conducted and returns made to the Board in accordance with the Texas Election Code, as modified by Chapter 49 of the Texas Water Code.

Section 8. All qualified resident electors of the District will be entitled to vote in the election.

Section 9. The Secretary of the Board and the attorney for the District are directed to cause notice of this election to be published or posted in both English and Spanish in accordance with the requirements of the Texas Election Code. The notice will be substantially in the form attached as **Exhibit "B."**

PASSED AND APPROVED this 12th day of August 2020.

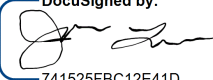
TRAVIS COUNTY WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 10

DocuSigned by:

74FA88B2E981450

Paul Barker, President

(SEAL)

ATTEST:

DocuSigned by:

741525FBC12E41D...

Jon Luce, Secretary

EXHIBIT "A"
(EXHIBEN "A")

Is not available from Travis County Elections Administrator as of the date of this packet

EXHIBIT “B”
(EXHIBGEN “B”)

(Exhibit follows)

NOTICE OF DIRECTOR ELECTION

Notice is hereby given that Travis County Water Control and Improvement District No. 10 (the "District") will hold an election on November 3, 2020, between the hour of 7:00 a.m. and 7:00 p.m., at the polling place for each election precinct established by Travis County, Texas for the purpose of electing two directors, each of whom will serve a four-year term.

The ballots used in the election will have printed on them the names of all candidates for the office of director who have filed applications to have their names printed on the ballot at least 78 days before the election, and one blank space for write-in votes for any candidate for the office of director who has filed a declaration of write-in candidacy at least 74 days before the election.

The presiding judges, alternate presiding judges, and clerks for the election selected and appointed by Travis County in compliance with the requirements of State law are designated and appointed as election officers for the holding of the election. The presiding judges, alternate judges, and clerks will perform the functions and duties of their respective positions that are provided by State law.

The election day polling place will be the polling place designated by Travis County for the election and is as follows:

Early voting in the election by personal appearance will begin on October 13, 2020 and continue through October 30, 2020. The regular early voting clerk is Dan DeBeauvoir, Travis County Elections Administrator. Early voting by personal appearance will be conducted at the times, dates, and polling places established by Travis County for early voting, as set forth on **Exhibit "A."** The regular early voting clerk's official mailing address to which requests for application for early voting ballots to be voted by mail may be sent is Travis County Elections Administrator, 5501 Airport Boulevard, Austin, Texas 78751-1410.

Main Early Voting Polling Place: _____ . Hours: _____ ,
on _____ .

Any voter who is entitled to vote an early ballot by personal appearance may do so at the Main Early Voting Polling Place listed above or any temporary branch site.

An application for early voting ballot by mail should be mailed to:

Dana DeBeauvoir, County Elections Administrator
5501 Airport Blvd.
Pflugerville, Texas 78751-1410

Applications for early voting ballots by mail must be received by the close of business on Friday, October 23, 2020. Early voting ballots by mail must be received not later than 7:00 p.m. on Tuesday, November 3, 2020.

The election is being held pursuant to an order adopted by the Board of Directors of the District on August 12, 2020.

AVISO DE ELLECCIÓN DE DIRECTOR

Se notifica por el presente que el Distrito No. 10 de Control Y Mejoras del Agua del Condado de Travis (el "Distrito") va a tener una elección el día 3 de noviembre 2020, entre las horas de 7:00 a.m. y 7:00 p.m., en los lugares de votación establecidos por el Condado de Travis para el propósito de elegir a tres directores, cada uno de los cuales tundra un mandato de cuatro años.

Las boletas que se utilizarán en la elección tendrán los nombres de los candidatos posulados para en el puesto de director que han registrado aplicaciones para tener sus nombres impresos en las boletas no menos de 78 días antes de la elección, y un espacio en blanco para votos por escrito para el puesto de director para cualquier candidato que ha archivado una declaración de candidato por escrito por los menos 74 días antes de la elección.

Lose jueces presidentes, jueces presidentes alternos, y los oficiales para la elección seleccionados y designados por el Condado de Travis en conformidad con los requisitos de la ley del estado por este medio son los oficiales designados para la elección. Los jueces presidentes, jueces presidentes alternos, y los oficiales para la elección realizarán las funciones y los deberes de sus posiciones respectivas en la maner prevista por la ley estatal.

El lugar de votación para el día de la elección sera el lugar de votación designao por el Condado de Travis para la elección como sigue:

Precinto	Ubicación	Dirección
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La votación temprana en la elección en persona comenzará el día 13 de octubre de 2018 y continuará hasta el día 30 de octubre de 2018. La secretaria regular de votación temprana es Dana DeBeauvoir, administradora de votación del Condado de Travis. La votación temprana en persona se llevará a cabo en los horarios, fechas y lugares de votación establecidos por el Condado de Travis para la votación temprana, como sigue en el Anexo "A". La dirección de la secretaria regular de votación temprana, a la cual se le pide la solicitud para boletas de votación temprana para votar por correo, es administradora de votación del Condado de Travis, 5501 Airport Boulevard, Austin, Texas 78751-1410.

Lugar principal de votación temprana: _____ Horario:
_____ hasta las _____ Dias: _____.

Cualquier votante con derecho a votar durante la votación temprana en persona puede hacerlo en la localidad principal de votación temprana mencionada anteriormente o en cualquier sucursal provisional.

Una solicitud de boleta de votación temprana para voar por correo debe ser enviada a:

Administradora de votación del Condado de Travis
Dana DeBeauvoir

5501 Airport Blvd.
Austin, Texas 78751-1410

Las solicitudes para las boletas de votación temprana por correo deben ser recibidas antes del cierre del día laboral viernes, 23 de octubre de 2020. Las boletas de votación temprana por correo deben ser recibidas antes de las 7:00 p.m. martes, 3 de noviembre 2020.

La elección se lleva a cabo en cumplimiento de una orden adoptada por las Junta Directiva del Distrito el día 12 de Agosto 2020.