

MINUTES OF MEETING  
OF THE  
BOARD OF DIRECTORS

THE STATE OF TEXAS §  
COUNTY OF HAYS §  
HAYS COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 1 §

The Board of Directors (the "Board") of Hays County Water Control and Improvement District No. 1 (sometimes referred to herein as the "District") met in special session, open to the public, at Belterra Centre, 151 Trinity Hills Drive, Austin, Texas, the District's office within the District, for the purposes stated herein, on September 6, 2023 at 4:30 p.m. The roll was called of the members of the Board of Directors, (herein referred to as the "Board") to-wit:

|                   |                           |
|-------------------|---------------------------|
| Douglas L. Botts  | President                 |
| Paul Kelly        | Vice President            |
| Daniel B. Robison | Secretary                 |
| Bill Dally        | Treasurer/Asst. Secretary |
| Rick Lucas        | Assistant Secretary       |

All members of the Board participated in the meeting and were present at the commencement of the meeting. Also present at the meeting were, Chris Sanchez of Municipal Operations and Consulting, LLC ("MOC") and Lauren Barzilla of Burgess & Niple, the District's engineers. In addition, Matt Kutac of the Law Offices of Matthew B. Kutac, PLLC attended via telephone conference. Ms. Samantha Bethke attended as a member of the public.

1. Public Comment: The President called for public communications and comments. Hearing none, the Public Comment session was closed and the Board proceeded to the next item of business.
2. Drought Contingency Plan: Director Botts gave a summary of the reason for considering an amendment to the District's Water Conservation and Drought Contingency Plan. He noted that the current Plan does not cover commercial customers because the vast majority of them irrigate with reclaimed water, and there is no reclaimed irrigation water schedule because reclaimed irrigation is required to dispose of treated effluent from the District's wastewater plant. However, he explained that there are four commercial customers with potable water irrigation systems, and they are using them for landscape irrigation several times per week.

Beth Wright with MOC has approached them and requested that they reduce irrigation frequency to one time per week. Director Botts stated that three of the customers (Hat Creek, IHOP and Chick-Fil-A) had made adjustments to irrigation schedules, but that one customer (Chase Bank) stated that adjustments could not be made until its property manager had been consulted.

Director Botts stated that he thought it was important to establish a watering schedule for those customers with potable water irrigation systems in order to be able to enforce watering restrictions uniformly.

Lauren Barzilla presented a revised watering schedule exhibit for the Drought Contingency Plan, which incorporates the commercial customers into the twice-per-week watering schedule (Wednesday and Saturday) and the once-per-week watering schedule (Saturday).

Director Lucas asked whether any of the affected commercial customers would like to switch their irrigation systems to reclaimed irrigation. Ms. Barzilla said that she needed to examine engineering plans and review the location of reclaimed water lines to determine whether switching those customers to reclaimed service would be feasible. Director Lucas asked about the parks in the District that are irrigated with potable water (the Views, Dorsett and Oxford), and whether they needed to be added to the watering schedule map. Mr. Kutac stated that parks and recreational areas are already addressed by the text of the Drought Contingency Plan, and do not need to be added to the map. He advised that MOC confirm that park irrigation is occurring in accordance with the Drought Contingency Plan.

3. Public Hearing on Drought Contingency Matters: Director Botts opened the public hearing concerning adoption of an amended Water Conservation and Drought Contingency Plan and called for members of the public to address the Board. There were no members of the public present, so Director Botts closed the public hearing.
4. Adoption of Amended Water Conservation and Drought Contingency Plan: Upon motion by Director Botts, seconded by Director Robison and unanimously carried, the Board approved and adopted an order amending the District's Water Conservation and Drought Contingency to include a landscape irrigation schedule for the District's commercial customers.
5. Hays Trinity Groundwater Conservation District operating permit: Mr. Kutac provided background for this item. He reminded the Board that the District owns and operates a well that is permitted to be used for pond makeup water, and that the well is permitted by the Hays Trinity Groundwater Conservation District. He noted that the District's operating permit must be renewed annually each fall, and Ms. Barzilla has handled the permit renewal applications in recent years.

He then explained that Rooster Springs Elementary School, which is located within the District, has experienced a shortage of water supply for a vegetable garden that has been located on the school campus for years. The garden is used by elementary school students to plant and grow vegetables for educational purposes. The students ordinarily use stored rainwater from a cistern located on the school campus, but due to the lack of rainfall and high temperatures, the cistern is now empty for the first time in memory.

He noted that a number of supplemental sources have been explored, including use of reclaimed water. It was noted that reclaimed water use was not a viable option for this application, and given the upcoming renewal of the well operating permit, one option would be to amend the permit to allow use of groundwater for this purpose. It was also noted that a water truck would be used to transport water to fill the cistern, and that no direct connection to the cistern would be established. Samantha Bethke of Hays County WCID No. 2, who is also involved in the


school's gardening program, reiterated that the groundwater was only proposed to be used on the rare occasions when the cistern is empty.

After further discussion, upon motion by Director Lucas, seconded by Director Robison and unanimously carried, the Board directed Ms. Barzilla to submit the application for renewal of the District's well operating permit and an application for amendment to include irrigation use.

6. Executive Session: No Executive Session was required.
7. Drought Contingency Plan: Prior to adjournment, the Board briefly returned to its discussion of the District's Water Conservation and Drought Contingency Plan and enforcement in commercial areas of the District. In response to a question from the Board, Mr. Kutac advised notifying commercial customers of adoption of the landscape irrigation schedule for the commercial customers, but also stated that enforcement of the schedule may begin immediately.
8. Adjournment: There being no further business to conduct, upon motion by Director Botts, seconded by Director Kelly and unanimously carried, the Board adjourned until further call.

APPROVED AND ADOPTED on the 14<sup>th</sup> day of September 2023.



  
Daniel B. Robison, Secretary