

HAYS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1

TO: THE BOARD OF DIRECTORS OF HAYS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 AND TO ALL OTHER INTERESTED PERSONS:

Notice is hereby given pursuant to Section 551 of the Texas Government Code, and the March 16, 2020 action of the Office of the Attorney General suspending certain requirements of Section 551, that the Board of Directors of Hays County Water Control and Improvement District No 1 will conduct a Workshop meeting at 4:00 p.m., followed by a Regular Board meeting at 5:00 p.m. on Thursday, May 14, 2020 at Belterra Centre, 151 Trinity Hills Drive, Austin, Texas, for the purposes stated herein.

In an effort to mitigate the spread of COVID-19 and pursuant to the Proclamation dated March 13, 2020 by Governor Greg Abbott (declaring Texas to be in a State of Disaster) and associated Press Release dated March 16, 2020 from the Texas Attorney General's office (suspending certain requirements of the Texas Open Meetings Act), together with subsequent proclamations and orders, the District will permit participation in these meetings by telephonic conference, and members of the public will be able to join by telephonic conference. **Members of the public may participate in this meeting toll-free by calling 1-888-594-6783 and entering passcode 512 370 2939#.** An electronic copy of the agenda packet will be provided on the District's website before the meetings are conducted. Please visit www.hayswcid.org and click on "Meeting Reports" under the "About Us" tab.

IF THE GOVERNOR'S MARCH 16, 2020 DECLARATION OF DISASTER EXPIRES OR TERMINATES PRIOR TO THE MEETINGS, OR IF THE MARCH 16, 2020 ACTION OF THE ATTORNEY GENERAL'S OFFICE SUSPENDING CERTAIN REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT EXPIRES OR TERMINATES PRIOR TO THE MEETINGS, MEMBERS OF THE PUBLIC WILL BE PERMITTED TO ATTEND IN PERSON OR JOIN BY TELEPHONIC CONFERENCE. FOR ALL ATTENDING THE MEETINGS IN PERSON, SOCIAL DISTANCING PRACTICES WILL BE REQUIRED AT THE MEETING LOCATION AND USE OF FACE MASKS IS ENCOURAGED.

Board Workshop Session Agenda

(4:00 PM)

The Board will conduct a workshop session to review and discuss the following reports. No action will be taken during the Workshop Session, which shall be open to the public at all times and adjourned at or before 5:00 PM.

1. Management and Operations Report.
2. Joint Facilities Report.
3. General Engineering Report.
4. Financial Report.
5. Landscaping Report.
6. Committee Reports, Recommendations and Assignments.

Regular Board Meeting Agenda

(5:00 PM)

1. Public Comment. Hear public communications and comments (3 minutes per person; no action may be taken during public comment).
2. Consent Items. The following items considered to be self-explanatory and may be approved by a single motion. There will be no separate discussion of these items unless a Board member requests that an item be removed and considered separately.
 - (a) Approval of the following sets of minutes:
 - Minutes of March 26, 2020 Special Meeting.
 - Minutes of April 9, 2020 Regular Meeting.
 - (b) Approval of Financial Report and related disbursements, including without limitation:
 - Monthly Financials, Investment Report Activity and Quarterly Investment Report;
 - Monthly Tax Collection Report;
 - Joint Facilities Billing Report;
 - Check Register and wires;
 - Bond Reporting (including payments and reports on surplus funds); and
 - Budgets and other financial reporting.
3. Reports. If necessary, review and discussion of reports not completed during Board Workshop Session.
4. Engineering and Development Items: Consideration and possible action with respect to the following items:
 - (a) Requests and updates from developers within the District.
 - (b) Approval of Public Utility Easement for Lot 1E-2 Block A – North Belterra Commercial.
 - (c) Approval of Partial Assignment and Assumption of Non-Standard Retail Water and Wastewater Services Agreement for Lot 3F-1.

- (d) Approval of CMA Task Order 56, Amendment 1.
- (e) Approval of CMA Task Order 63 for Water Schedule Exhibit.
- (f) Approval of CMA Task Order 64 for surplus funds application related to developer reimbursement.
- (g) Acceptance of general engineering report and joint facilities engineering report.

5. Financial Items. Consideration and possible action with respect to the following items:

- (a) Receive the Financial Advisor's report on bids received and bid awarded in connection with the sale of \$1,925,000 Unlimited Tax Utility Refunding Bonds, Series 2020 ("Refunding Bonds"); and consider the authorization of any and all actions relating to such Refunding Bonds, including the execution of bond documents, the submittal of the Transcript of Proceedings to the Attorney General's Office, and all items or actions needed to complete the closing and funding of such Refunding Bonds.
- (b) Approval of new accounts, new signature cards with regard to the Refunding Bonds and other administrative bookkeeping items.
- (c) Update on the filing of the District's Ninth Bond Application, processing of same, and take any further action as relates to the pending sale of the District's proposed Series 2020 Unlimited Tax Bonds ("Series 2020 Bonds") including updates and any action with respect to a proposed private placement of such bond issue.
- (d) Current and proposed contracts for District bookkeeping services, including without limitation possible selection of new firm for bookkeeping services and removal of such services from the scope of the existing operations and management agreement between the District and Inframark, LLC.

6. Management and Operations Items. Consideration and possible action with respect to the following items:

- (a) HB 3834 regarding cybersecurity training due to be taken by Board members on or before June 14, 2020 (and annual thereafter) and recommended course details.
- (b) Renewal of District intergovernmental risk pool coverage through Texas Municipal League.
- (c) Proposed replacement and addition of EQ Basin/Clarifier handrail, valve and DO meter and related sandblasting and painting at an estimated cost of \$25,000.00.
- (d) Relocation and painting of bio filter unit cover at an estimated cost of \$3,000.00.
- (e) Repairs to irrigation facilities near Mendocino area at an estimated cost of \$8,151.25 210.
- (f) Recommendation from Parks Committee regarding designation of new wildflower areas.
- (g) Recommendation from Parks Committee regarding proposed trail repairs.
- (h) Recommendation from Facility Committee regarding cost allocation proposal.
- (i) Recommendation from Customer Care Committee regarding pool construction access for 251 Torrington.
- (j) Recommendation from Infrastructure Committee regarding proposed revisions to District watering schedule and authorize inclusion of revised watering schedule in District Water Conservation and Drought Contingency Plan.
- (k) Approval of Annual Water Consumer Confidence Report.
- (l) Proposed addendum to TDS contract for dumpster at WWTP site.
- (m) Authorization to modify or repair of pump and wet well located in commercial water quality pond pending notice to contractor to repair under warranty and expiration of contractual notice period.

Standing items:

- (n) Customer requests, billing matters and adjustments, and proposed write-offs.
- (o) Requests for use of Belterra Centre, other District buildings or park facilities and update on use of Belterra Centre for Tuesday, July 14, 2020 run-off election.
- (p) Reported violations of District rules and regulations, requested hearings on reported violations, and proposed enforcement actions.
- (q) Recommendations related to non-compliance with customer service agreements, reclaimed water agreements and other contracts to which the District is a party.
- (r) Coordination of customer communications, including social media posts, customer newsletters and special notices.
- (s) Authorization of recommended expenditures and actions related to improvement, repair, maintenance, operation and use of District facilities, and such routine management and operational matters as are recommended for action.
- (t) Acceptance of general management and operations reports.

7. Rules, Policies, Agreements and Compliance Requirements. Consideration and possible action with respect to the following items:

- (a) Update with respect to anticipated timing of reconciliation payment to the District by Hays County WCID No. 2 pursuant to existing Sixth Amended and Restated Joint Facilities Agreement.

- (b) Recommendations from ad hoc committee regarding existing reimbursement agreements between the District and developers within the District and proposed timing and methods of reimbursement.
 - (c) Requested District consent to proposed Partial Assignment and Release of Tier 4 Reimbursement Rights between ERG Belterra, Ltd. and LH Belterra LLC, developers within the District.
 - (d) Proposed Acknowledgment of Receipt of Payment and Full and Final Waiver and Release of Liability for Tier 4 Reimbursement Rights concerning LH Belterra LLC Tier 4 reimbursement rights.
 - (e) Proposed Resolution Requesting Use of Surplus Operations and Maintenance Tax Funds and Contribution for Facilities Cost Sharing in connection with use of such funds for reimbursement of LH Belterra LLC and authorize filing of such application.
 - (f) Proposed Resolution Directing Payment of Agreed Reimbursement Amount to LH Belterra LLC.
 - (g) Interlocal Cooperative Agreement for Law Enforcement Services between the District, Hays County WCID No. 2, Hays County and Hays County Constable for Precinct 4, including authorization of Board president to execute such agreement on terms as approved by the Board.
 - (h) Proposed renewal of existing Inframark lease for use of Belterra Centre as customer service and administrative office location.
 - (i) Proposed renewal of existing Inframark lease for use of a portion of the wastewater treatment plant site as a storage area.
 - (j) Proposed consulting agreement with Touchstone District Services regarding communication consulting services.
 - (k) Proposed Order Adopting Electronic Bidding Rules under Texas Water Code 49.2731.
 - (l) Consultation with attorneys regarding recently initiated review of potentially questionable bookkeeping transactions.
 - (m) Proposed common representation letter related to recently initiated review of potentially questionable bookkeeping transactions.
8. Water Supply Agreements. Consideration and possible action with respect to existing agreements for water supply with the Lower Colorado River Authority and water service through the West Travis County Public Utility Agency, water use under such agreements, water rates and fees charged to the District under such agreements, and other matters related to District water supply and conservation.
9. District Calendar and Schedule. Confirm dates for upcoming regular and special meetings, confirm dates for proposed committee meetings, discussion of upcoming events significant to District and/or Belterra community, and discussion of conferences, meetings and educational opportunities Directors desire to attend.
10. Executive Session. The Board may recess into Executive Session at any time to consult with its attorneys regarding any posted matter for which the Board may seek the advice of its attorneys under Government Code 551.071 (including without limitation contemplated or potential litigation matters, and other legal matters related to agenda items) or for any action on the agenda for which a closed session is permitted by law, and will reconvene in open session for any appropriate action on any matter considered in Executive Session.
11. If necessary, reconvene in Open Session and take any necessary action with regard to matters discussed in Executive Session.
12. Adjournment of Regular Board Meeting.

Note on Executive Session: The Board of Directors will go into Executive Session, if necessary and appropriate, pursuant to the applicable section of subchapter D, Chapter 551, Texas Government Code Annotated, the Texas Open Meetings Act, on any matter that may come before the Board. No action, decision or vote on any subject or matter may be taken unless specifically listed on the agenda for this meeting.

Note on Public Comment: Any Person wishing to address the Board will be permitted to present comments at the time the presiding officer calls for public comments in accordance with the meeting notice.

EXECUTED this the 7th day of May, 2020.

HAYS COUNTY WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1


Douglas L. Botts, President

