

HAYS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 2

TO: THE BOARD OF DIRECTORS OF HAYS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 2 AND TO ALL OTHER INTERESTED PERSONS:

Notice is hereby given pursuant to Section 551 of the Texas Government Code that the Board of Directors of Hays County Water Control and Improvement District No. 2 will conduct a Regular Board meeting at 5:45 p.m. on Thursday, December 15, 2022 for the purposes stated herein. Members of the Board and members of the public may attend the meeting in person at the Belterra Centre, 151 Trinity Hills Drive, Austin, Texas.

1. PUBLIC COMMENT: Hear public communications and comments (3 minutes per person; no action may be taken during public comment).
2. MEETING MINUTES: Review and approve Minutes of November 17, 2022 regular meeting.
3. FINANCIAL:
 - a) Accounting Report: Review and approve Accounting Report including the review and approval of the Cash Activity Report, director and vendor payments, fund transfers, tax collections, investment reports, opening and closing of bank accounts, signature authorizations, collateral related authorizations, account related matters and Financial Statements and take necessary actions related to such matters.
 - b) Administrative Items: Consideration and possible action on administrative items, including opening and closing of accounts, approval of new signature cards and such other bookkeeping and financial items as are recommended for approval by the District's accountants, including without limitation application to open new TexPool investment account.
4. LANDSCAPING: Hear report from landscaper with respect to routine landscaping or additional landscaping projects in the District as may be proposed (with any necessary action to be taken under the General Manager's Report).
5. ENGINEERING:
 - a) WWTP Joint Facility Report: Consider and approve District Engineer's WWTP joint facility report and take any action as necessary with respect to matters relating to the on-going projects at the WWTP, including but not limited to upgrades for EQ blowers and air diffusers, recommended actions or any additional authorizations, engineering task orders, pay estimates or change orders on existing contracts, substantial or final completion of projects, and other items included in such report.
 - b) District Report: Presentation of Engineer's Report with regard to general engineering matters relating to existing system operations and design, plat approvals, utility easements, permitting matters and ongoing construction projects; approve the advertisement and taking of bids for additional phases of grading, roads and utilities, contract awards related thereto and approval and ratification of pay estimates and change orders presented to the Board relating to construction of facilities; if timely, approve recommendations for final acceptance of projects, consideration of any matters relating to engineering contracts, task orders or invoice matters, review any updates to irrigation water schedules and such other engineering matters that may come before the Board, and take all necessary actions related to such matters.
 - c) Action Items:
 - i) Consideration and possible action with respect to on-going project for construction of trail extension project.
 - ii) Discussion and possible action with respect to fencing, signs and vegetative screening proposed in connection with ongoing trail extension project.

- iii) Discussion and possible action regarding recommendations with respect to enhancement or replacement of existing reclaimed water irrigation main lines;
- iv) Authorization of recommended expenditures and actions related to improvement, repair, maintenance of District property and facilities and such engineering matters as are recommended for action.

6. MANAGEMENT AND OPERATIONS:

- a) Update from Boy Scout Zach Johnson, if timely, on his proposed Eagle Project and take all necessary action related to such matter.
- b) Manager's Report: Review and approve General Manager's report regarding on-going operations activities, committee matters, parks and trails, landscaping related services, customer care, finance, contractual and joint facilities reports, and receive updates as to operations and resident communications; conduct hearings with respect to violations of District Rules, if any, and discuss and take action on enforcement and remedial measures available to District and take necessary action with respect thereto; approve customer write-offs as necessary; consider and approve adoption of revised system and/or park rules and regulations, if necessary; take any action on needed water conservation and drought contingency measures; review any needed updates or revisions or rate adjustments to existing Service Rate Order, and take any action on these and other operational matters as may be necessary.
- c) Ongoing Projects:
 - i) Update with respect to recent requests received by Customer Care Committee to improve sidewalk and trail access.
 - ii) Discussion and possible action with respect to water quality pond maintenance and scheduling of same.
 - iii) Discussion and possible action with respect to payment processing services to be provided by or through Central Bank as proposed by Inframark, including without limitation approval of related resolutions, agreement and addenda necessary in connection therewith.
- d) Action Items: Authorization of recommended expenditures and actions related to improvement, repair, maintenance of District facilities and property, ongoing projects and such routine management and operational matters as are recommended for action.

7. ADMINISTRATIVE AND LEGAL:

- a) Water Contract Items: Consideration and possible action on matters related to existing agreements for water supply with the Lower Colorado River Authority and water service through the West Travis County Public Utility Agency ("PUA"), water rates and water conservation matters.
- b) Water Conservation and Drought Contingency Plan: Consideration and possible action with respect to additional amendment of Water Conservation and Drought Contingency Plan, and take any other necessary action with respect to such Plan.
- c) Legal Matters:
 - i) Update regarding termination of landscaping contract with Brightview and removal of temporary facilities installed by Brightview under 210 expansion contract, and consideration and possible action with respect to such matters including without limitation settlement with surety. Can we remove this now?
 - ii) Discussion and possible action with respect to amendment of the existing Inframark operations and management agreements to remove irrigation services, add social media services, acknowledge key personnel changes and remove maintenance

account provisions, or replacement of existing agreements with new agreement, pending consideration of Inframark proposals and discussions with alternative contractors.

- iii) Discussion and possible action with respect to consideration of alternative operations and management contractors.
 - iv) Discussion and possible action with respect to resolution regarding joint representation and negotiation of operations and management contracts.
 - v) Discussion and possible action regarding Inframark proposal concerning repair of drip irrigation facilities.
 - vi) Discussion and possible action with respect to Cause No. S22-031J4, Mehmet Savran v. Inframark LLC, Hays County WCID No. 2, et al., pending in the Justice Court of Hays County Precinct No. 4.
- d) Calendaring: Schedule or confirm any proposed additional special board meetings or committee meeting dates.

8. EXECUTIVE SESSION: Adjourn to Executive Session to consult with attorneys regarding pending litigation matters, contemplated litigation matters, and other legal matters related to agenda items in accordance with Texas Government Code § 551.071. If necessary, reopen meeting and take any necessary action with regard to matters discussed in Executive Session.

9. ADJOURNMENT.

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 **generally** will be permitted to present comments at the time the presiding officer calls for public comments in accordance with the meeting notice. Any Person wishing to address the Board with respect to a **specific agenda item** will be permitted to present comments before or during the Board’s consideration of the agenda item, at the discretion of the presiding officer.



EXECUTED this the 9th day of December, 2022.

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Samantha E. Bethke, President