

**Chisholm Trail Special Utility District  
Of Williamson, Bell, and Burnet Counties, Texas  
Minutes of Meeting of the Board of Directors  
April 17, 2014**

The Board of Directors of Chisholm Trail Special Utility District of Williamson, Bell, and Burnet Counties, Texas convened in a meeting at the administrative office and meeting place for the District, 851 FM 970, Florence, Williamson County, Texas beginning at 5:30 p.m. on the 17<sup>th</sup> day of April, 2014. Notices of the time, place, and subject of the meeting were posted at the places and for the time required by law.

The meeting was called to order at 5:30 p.m.

President Delton Robinson led those present in the Pledge of Allegiance to the American flag.

Roll was called:

Delton Robinson	President
Ed Pastor	Vice President
Mike Sweeney	Secretary
James Pletcher	Treasurer
Gary Goodman	Director
Pat Gower	Director
Bob Johnson	Director

Four Board members were present, with Bob Johnson, Pat Gower and James Pletcher absent, thus constituting a quorum. Also present were Jim Briggs, Keith Walker, Linda White, Leonard Dougal, Noah Shaffer, Glenn Dishong, Wesley Wright, Michael Hallmark, and those listed on the sign-in sheets.

**Public Comments**

None.

**General Manager's Report**

- A. Operations Report – Jim Briggs presented to the Board graphs indicating the meter counts, gallons of water used and sold. Mr. Briggs reported topics of interest from the recently held Texas AWWA Conference in Dallas concerned conservation, use of water, resource development, environment and development with regards to endangered species studies.
  
- B. Project Status Reports – Wesley Wright updated the Board on the Braun EST Rehabilitation and the SH 138 12-inch Waterline projects. The Braun EST Rehabilitation is complete and in service without any complications. The SH 138 12-inch Waterline lacks 800 feet in order to be complete. \$12,500.00 contingency budget was not used.

- C. Update on Consent to Assignments – Jim Briggs stated the only Consent to Assignment received since the March Board meeting has been from the City of Florence.
- D. Update on TCEQ status and review/approval of pending STM application. April 24<sup>th</sup> is deadline for anyone to respond to TCEQ any protest on the pending STM application.

#### Consent Agenda

- A. Approve minutes from the March 20, 2014 Board of Directors meeting and April 3, 2014 Board Workshop. Gary Goodman moved to approve the minutes from the March 20, 2014 and April 3, 2014 Board of Directors meetings. Mike Sweeney seconded the motion, which the Board approved unanimously.
- B. Approve Quarterly Investment Report (January, February, March) for the period ending March 31, 2014. Mike Sweeney moved to approve the Quarterly Investment Report for the period ending March 31, 2014. Ed Pastor seconded the motion, which the Board approved unanimously.

NOTE: James Pletcher arrived at 5:50 p.m., making for a total of five Board members present.

#### Legislative Regular Agenda

- A. Consideration and possible action to execute Non-Standard Service Agreement for Dipprey Tract. Wesley Wright explained that the development is planned for approximately 2,000 single-family residences and commercial frontage along the north side of Hwy 29, just east of Ronald Reagan. The developer is requesting an agreement for water allocation for 350 LUEs for the first phase of development. The developer will be responsible for an 18" water line loop (Kaufman Loop) connecting the system from Ronald Reagan to Hwy 29. The terms of the agreement reflect recent direction from the Board regarding Water Acquisition Fees, 350 gallons per connection per day, conservation/landscaping standards, and development performance requirements (10% every year after year 2). The development will be served by a MUD, with impact fees due upon final plat. Gary Goodman moved to approve to execute Non-Standard Service Agreement for Dipprey Tract. Ed Pastor seconded the motion, which the Board approved unanimously.
- B. Consideration and possible action to execute Rancho Sienna Collateral Assignment. Wesley Wright explained that the ownership of Rancho Sienna has recently changed. The owner has requested that the District consent to assignment of the LUEs contained within the existing agreement to new owner and their lender. There are no additional LUEs being requested and no modification to the existing Non-Standard Service Agreement terms is being proposed. Ed Pastor moved to approve to execute Rancho Sienna Collateral Assignment. James Pletcher seconded the motion, which the Board approved unanimously.
- C. Consideration and possible action to execute a 4<sup>th</sup> Amendment to the Cimarron Hills Non-Standard Water Service Agreement, including an assignment. Wesley Wright explained the developer of Cimarron Hills has requested the inclusion of additional property

(approximately 155 acres – Jensen Tract) into the existing Non-Standard Service Agreement. Additionally, the developer has requested 552 LUEs be allowed to be assigned to this new area. No additional LUEs are being requested and the developer has agreed to include a consent agreement regarding the proposed CTSUD and Georgetown consolidation. **Gary Goodman moved to approve to execute a 4<sup>th</sup> Amendment to the Cimarron Hills Non-Standard Water Service Agreement, including an assignment. James Pletcher seconded the motion, which the Board approved unanimously.** Discussion occurred to amend the approved motion in order to include Exhibit C-Water Conservation Deed Restriction Requirements to the existing Non-Standard Service Agreement which would apply beginning with the requested 552 LUEs to the new area of development. **Ed Pastor moved to amend the motion and moved to approve incorporating Exhibit C – Water Conservation Deed Restriction Requirements to the existing Non-Standard Service Agreement for Cimarron Hills, with implementation to begin with the new area of development which incorporates the 552 LUEs . Mike Sweeney seconded the motion, which the Board approved unanimously.**

- D. Consideration and action approving standard language for, and authorizing the General Manager to execute, certain Non-Standard Service Agreements, including the adoption of:
1. a water acquisition fee, and
  2. fees or charges to be paid for failure to connect customers to the water system per agreed schedule of subdivision build-out

Wesley Wright explained at the April 3, 2014 Board Workshop, modification to District policy were presented in the form of revisions to Non-Standard Service Agreements (NSSA). The changes will be incorporated into NSSAs going forward and include the following: 1) LUE to be defined as 350 gallons per connection per day; 2) water guaranteed at Final Plat; 3) Water Reservation Fee eliminated; 4) Impact Fees will be assessed on a case by case basis – typically paid at permit, MUDs will pay at final plat, up-front payment may be necessary to fund improvements; 4) developers must show good-faith effort to obtain offsite easements; and 5) updated Water Conservation Deed Restrictions w/Plant List.

Additionally, the District routinely receives requests for NSSAs for relatively small developments. Staff recommends that the Board authorize the General Manager to execute NSSAs for developments that meet the following criteria: 1) non-MUD; 2) 50 lots or less; and 3) no District participation in improvements.

**Gary Goodman moved to approve the base document on which future NSSAs will be drafted, as well as, the Board authorize the General Manager to execute NSSAs for developments that meet the criteria noted above. Ed Pastor seconded the motion, which the Board approved unanimously.**

- E. Consideration and action approving Resolution 14-0417-01 amending the Water Conservation Plan. Kathy Ragsdale, Conservation Services Manager, City of Georgetown, stated the District updated its Water Conservation Plan in April 2012, and even though

plans are updated once every five years, because of the need to incorporate some new provisions, it was determined to amend the current Water Conservation Plan. The purpose of the update is to more effectively maintain an adequate potable water supply now and through the build out of the District's water system service area, as well as to ensure the most efficient use of the District's water resources. The proposed amendments will include provisions for landscaping and irrigation procedures to more effectively manage the District's water resources and maintain compliance with Texas Administrative Code Title 30, Chapter 288. The plan itself must be adopted by Resolution and submitted to both the TCEQ and the TWDB on or before May 1, 2014. The proposed amendments reflect new TCEQ requirements that went into effect on January 1, 2013, after the current water conservation plan was submitted. As proposed, these requirements are mandatory for new construction, but are voluntary for existing houses and provide only guidelines for more efficient water use. Discussion of the proposed amendments to the current Water Conservation Plan occurred with a few requested revisions to be made. Ed Pastor moved to approve Resolution 14-0417-01 amending the Water Conservation Plan with requested revisions. Gary Goodman seconded the motion, which the Board approved unanimously.

#### Recess

The Board recessed the meeting at 6:30 p.m., for a short break.

#### Reconvened

The Board reconvened at 6:42 p.m. with five Board members present.

#### Executive Session

At 6:44 p.m., President Delton Robinson announced to the public that the Board of Directors would convene in Executive Session to seek legal advice from the District's legal counsel as authorized by Section 551.071, Texas Government Code, and/or discuss the purchase, exchange, lease or value of real property in Williamson, Bell and Burnet Counties, pursuant to Section 551.072, Texas Government Code.

#### Adjourn Executive Session

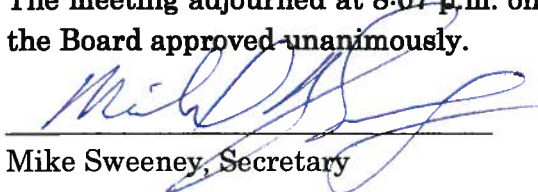
At 8:06 p.m., the Board of Directors adjourned the Executive Session on a motion made by Ed Pastor, seconded by Gary Goodman, which the Board approved unanimously.

#### Reconvene into Public Session

Delton Robinson announced that no final action, decision, or vote was taken on any matter in Executive Session.

#### Adjournment

The meeting adjourned at 8:07 p.m. on a motion by Ed Pastor, seconded by Gary Goodman, which the Board approved unanimously.

  
Mike Sweeney, Secretary