

**CYPRESS RANCH WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1**  
**Minutes of November 19, 2020**

A regular meeting of the Board of Directors of Cypress Ranch Water Control and Improvement District No. 1, open to the public, was held outside the boundaries of the District, at the offices of Tiemann, Shahady & Hamala, PC, 102 N. Railroad Ave., Pflugerville, Texas 78660, at 1:00 p.m. on November 19, 2020, via video conference call and telephone conference call. The roll was called of the members of the Board of Directors, to-wit:

Ronald den Hoed  
Rick Shute  
Joanne Molinyawe  
Tony Salinas  
Richard Kenyon

All of said Directors were present, except Director Salinas, thus constituting a quorum. Others in attendance included Jeff Monzingo, of Montoya & Monzingo, LLP; Hank Smith and Xavier Garza, of Atwell, LLC; Hal Lanham and Tammy Hargett of AWR Services, Inc.; Richard Hamala and Jonathan Cochran, of Tiemann, Shahady & Hamala, P.C; and Todd Narter, of LBS. Members of the public included Brett Lanham.

1. Consider and take action regarding the minutes of the previous Board meeting.

Director Molinyawe requested that the word “District’s” be changed “Districts” under item five. Director Molinyawe made a motion to approve the minutes, as amended, from the previous Board meeting; the motion was seconded by Director Shute, and unanimously carried by the Board.

2. Receive public comments; receive Director comments for future agenda items.

Mr. (Brett) Lanham addressed the Board. It’s been brought to his attention that Mr. Hal Lanham and AWR have responded in an “untruthful nature” to his public statement. Mr. Hal Lanham refuted any such untruthfulness, and added that AWR has all the necessary records to support AWR’s diligence in regard to employee time cards and operation of the District.

Mr. Brett Lanham then said he and Ms. Amanda Rodriguez were assaulted in the AWR offices by the head of the Human Resources department on April 2, 2020. Mr. Hal Lanham added that the accusations were verbal in nature, not physical, and were from Mr. Brett Lanham’s mother, Kathy Lanham.

Mr. Hamala addressed the Board. There was one other public comment received in writing from Mr. Brad Sullivan, a resident of Sola Vista. Mr. Sullivan would like to request the Board consider changing the high-water user consumption threshold from 20,000 to 30,000 gallons a month and modify the price increase that goes along with that, in consideration of the new wells coming online. Mr. Sullivan would like this request to be included as an item on a future agenda. The Board agreed to place this item on the January 2021 agenda.

3. Receive report and take action as necessary regarding District mowing, greenbelt and landscape maintenance.

Mr. Narter addressed the Board. The mowing is on schedule and without issues. Director Molinyawe and Director Shute confirmed that previous issues with inconsistent mowing and weed eating had been addressed and those areas now look as they should. Mr. Narter said the winter rye grass has been seeded.

In regard to abandoned furniture near the water storage tank, Mr. Narter inquired as to if the Board would like LBS to haul it away. This is actually developer land for which the District has an easement. After discussion, the Board decided not to take any action on the abandoned furniture, since it is not on District land. Lastly, Mr. Narter asked if the Board is happy with the current mowing schedule. The Board expressed that they were happy with the current schedule.

4. General Manager's report.

Mr. Lanham addressed the Board. In regard to the District's water system, lead and copper sampling tests were conducted and test results were normal. In regard to the new WWTP Plant, AWR excavated several trenches, then met with geotechnical excavation contractors for the new plant, and took soil samples with the District's engineer. In regard to customer calls for service, AWR responded to a grinder pump call after hours. Upon arrival AWR found the tank in high alarm and pumped it down for the evening and then cleaned out grease buildup. The system is now functioning properly.

In regard to treated effluent disposal and drip fields, the wastewater effluent disposal master control valve has been installed. In regard to electronic meters, twenty-two (22) customer locations were converted from mechanical to electronic meters. All customers have been provided the letter with instructions on how to log on and use EyeOnWater. In regard to winter rye seeding, LBS provided a quote for the annual winter rye seeding (\$2,956), and AWR approved the work to be done due to timing.

5. Review and take possible action regarding the District's Water Leak Adjustment Policy.

Mr. Cochran addressed the Board and discussed the District's Water Leak Adjustment Policy and when it comes into effect. The District's General Manager is authorized to implement the Policy in the event a customer experiences a substantial increase in water use due to a leak and requests a billing adjustment. The Policy considers general guidelines for approval of the adjustment and the calculations for making the leak adjustment to the bill. AWR is authorized to issue credits up to \$1,500. If the leak adjustment exceeds \$1,500 it will come before the Board on a case-by-case basis. No action was taken regarding the District's Water Leak Adjustment Policy.

6. Consider and take action regarding facility operation and maintenance, utility service, billing, and collections.

Mr. Lanham addressed the Board. In regard to billing and collections, 518 customers were billed during October 2020; 23 residents, and the HOA Amenities Center were considered “High Water Users” and were mailed notice per the District’s policy.

In regard to operation and maintenance, at the District’s WWTP, a massive amount of baby wipes stopped up the system, which then had to be hydro-jetted to remove the wipes, for a cost of several thousand dollars. A letter to residents has been drafted by AWR. The Board then authorized AWR to send the letter to residents, encouraging them to throw the baby wipes in the trash, rather than flush them. The letter will also be published on the District website.

7. Engineer’s report.

Mr. Smith addressed the Board. In regard to the Southwestern Travis County Groundwater Conservation District, the deadline to submit applications to register/permit existing wells is 12/31/2020. The applications have been started and Atwell will submit the applications prior to the deadline.

In regard to West Cypress Hills Phase 2 Section 4, construction is ongoing with closeout anticipated later this month. In regard to West Cypress Hills Phase 2 Section 5, the design is ongoing for lift station improvements.

In regard to the Lake Travis ISD road easements, all the easements have been recorded and LCRA has approved the plans. Construction Plans for the emergency access roads are under review with Travis County and coordination is ongoing with LTISD. The gates will be operated by the emergency services personnel during any sort of emergency and could be used for emergency vehicle ingress and egress, or could be used as a route to evacuate the residents and school; it depends on the situation and demands of the emergency. Once LTISD develops the new schools they will likely convert these emergency access routes to permanent driveways that can be used by everyone.

8. Consider and take action to designate authorized agents for permitting.

Mr. Hamala addressed the Board. We have drafted three letters authorizing the District engineers and James Miertschin (WWTP engineer) to submit permitting documents to Travis County, the groundwater conservation district, and LCRA, on the District’s behalf. Director Molinyawe made a motion to approve the designation of District engineers and James Miertschin as authorized agents for permitting; the motion was seconded by Director Shute, and unanimously carried by the Board.

9. Receive update regarding status of new District wells.

Mr. Smith addressed the Board. In regard to well connection work, the utility work complete and all wells are connected. A punch list has been provided to the contractor to close out the project and bacterial & radionuclide testing has been performed, except for two wells. Bacterial test results for #16, #17, and #20 are clean. The wells awaiting the radionuclide testing have a 2-month wait

time, so it will be a little while before the wells are delivering water. Atwell will submit all three TCEQ applications once radionuclide test results for #17 and #20 are available.

Change Order no. 2, in the amount of \$2,131.50, is for a 0.825” titanium transducer for a District well. The original plans did not specify a transducer size and the contractor had ordered a 1.25” stainless-steel transducer, which turned out to be too big for the well head. As we already needed to re-order, we received recommendations from AWR, Joe Vickers, and SKE to go ahead and order a titanium option as these will last much longer. In the older wells, the stainless-steel transducers had to be replaced with titanium alternatives within a few years. Since the supplier would not accept returns, the contractor agreed to split the cost 50- 50 with us. The original change order was for \$4,263.00. This item was approved under item 11, below.

10. Consider and take action regarding improvements for wastewater facilities.

Mr. Smith addressed the Board. In regard to the proposed BioDAF WWTP, TCEQ has approved the application. Atwell is working with James Miertschin to prepare development applications for LCRA & Travis County. Mr. Smith then referred to visual aids of the site plan and engaged in a discussion with the Board about the new WWTP.

11. Consider and take action as necessary to ratify/and or approve pay estimates and change orders for construction projects and to authorize permit applications, and trail, drainage, and facility maintenance and construction projects as recommended by the District’s Engineer.

Mr. Smith addressed the Board and discussed the pay applications and change orders for consideration of Board approval. In regard to District water wells #16, #17, & #20, we have pay application no. 7 from Liberty Civil Construction for \$42,660.00 for well work and change order no. 2 for \$2,131.50 for the titanium transducer. In regard to West Cypress Hills Phase 2 Section 4, we have pay application no. 6 from JKB Construction for \$291,484.90. This will be paid for now by the developer and paid back later from the District in bond reimbursements.

Director Kenyon made a motion to approve pay application no. 7 from Liberty Civil Construction for \$42,660.00; change order no. 2 from Liberty Construction for \$2,131.50, and pay application no. 6 from JKB Construction for \$291,484.90; the motion was seconded by Director Molinyawe, and unanimously carried by the Board.

12. Receive a report from the District’s Accountant and consider and act on approval of bills and invoices, ratification of payments, and funding of Manager’s account.

Mr. Monzongo addressed the Board and discussed the bills, invoices, and accounts. Director Shute made a motion to approve bills and invoices, ratification of payments, and funding of Manager’s account; the motion was seconded by Director Molinyawe, and unanimously carried by the Board.


13. Consider and take action regarding future meeting dates, and such other matters as may come before the Board.

The next meeting will be on December 17, 2020.

14. Adjournment.

The meeting was adjourned at 2:22 p.m.

APPROVED December 17, 2020

  
\_\_\_\_\_  
Joanne Molinyawe, Secretary