

Minutes
Lakeway Municipal Utility District
Board of Directors Meeting
February 10, 2021

On March 13, 2020, Governor Abbott issued a disaster proclamation certifying that the novel coronavirus COVID-19 poses an imminent threat of disaster for all counties in the State of Texas. Governor Abbott also issued Executive Order GA-08 (March 19, 2020), which was extended by Executive Order GA-14 (March 31, 2020), requiring all Texans to take actions to slow the spread of COVID-19 by minimizing social gatherings and in-person contact with people who are not in the same household until April 30, 2020.

INSTRUCTIONS FOR PUBLIC PARTICIPATION

On March 16, 2020, Governor Abbott suspended various provisions of the Open Meetings Act that require government officials and members of the public to be physically present at a specified meeting location. Pursuant to that suspension, the Board will meet via telephone and members of the public will not be allowed to attend this meeting in person.

PURSUANT TO THE STATEMENTS ABOVE PUBLISHED ON THE AGENDA, THIS MEETING WAS HELD VIA TELECONFERENCE.

The Board of Directors met in REGULAR session at 9:30AM at 1097 Lohmans Crossing, Lakeway, Texas, with the following participating by telephone:

Directors Present:	Lawrence Christian Jerry Hietpas Don Goff John Sayre Larry Burmeier
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Staff Present:	Earl Foster Loyd Smith
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QUORUM:

1. Determine Quorum and Call to Order

Meeting was called to order at 9:42 AM.
Hietpas declared a quorum of Directors present.

2. Pledge of Allegiance was led by Hietpas.

CITIZENS

3. None
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AGENDA ITEMS:

4. Discussion and Possible Action on Purchase Agreement between City of Lakeway and Lakeway MUD.
 - Foster noted the Purchase Agreement had been sent to the LMUD attorney, then to City of Lakeway. Since no word has come back from the City yet, Foster recommended pulling this item from the agenda.
 - Hietpas asked if the Board had approved the agreement yet; Foster replied no.
 - The item was pushed to the March meeting.
 - No action was taken.

5. Discussion and possible action on License agreement with City of Lakeway for Canyon Lands Restroom.
 - Foster said we are still waiting on the City of Lakeway, and perhaps this item should be pushed to the March meeting. This is for the License Agreement for the City of Lakeway restroom which sits partially on LMUD property, which would have the City pay back fees of \$5K, and \$1K per year in the future.
 - Golf asked if we could sell the property to the City; Foster replied the City would rather have a license agreement and the City might want to move it in the future.
 - Hietpas stated the License Agreement would relieve LMUD of any Liability.
 - Sayre asked if the \$1K was reasonable; Foster replied that it is typical for this type of agreement.
 - Christian asked if LMUD should just ask the City to move it; Hietpas said it would create less pain and conflict to go with the License Agreement.
 - Christian asked if LMUD would be fully covered for liability; Hietpas replied yes.
 - Burmeier asked how much this transaction would cost LMUD; Foster replied less than \$5K.
 - Christian asked if there should be a provision that the City have it moved off of LMUD property within 5 years.
 - Sayre responded that there was no reason to do this, and LMUD should cooperate with the City if there are no negatives.
 - Burmeier asked why this item was on the agenda if we couldn't take action; Hietpas replied that when it was put on the agenda, it was believed action could be taken.
 - No action was taken.

6. Discussion and possible action on "Eight Amendment to Commercial Contract Unimproved Property" by and between the District and HSD-Holdings, Ltd., pertaining to the sale of land generally situated at 1829 Lohmans Crossing, Lakeway, Texas.

- Foster said there may be no action on this item; that LMUD needs to decide if we want to move forward with a change to the Eighth Amendment that would add 9.015 acres to the contract. HSD will purchase all of the residential property in that area which will be partially in LMUD District. The question is will the Board be in agreement with an addendum to Amendment Eight which will close by March 31, 2021; \$2.195M.
 - Goff asked if this means we will get money earlier; Foster replied yes.
 - Hietpas asked if the price per acre would be the same as the other land; Foster replied yes.
 - Hietpas said this land was higher value, but LMUD will still receive the same total price for the total transaction. Foster replied that is correct, it is just a timing issue in terms of when we get the money.
 - Goff asked when the decision has to be made; Foster replied by the March BOD meeting.
 - Hietpas said he was in favor of the change; Sayre said the land is being used for residential, and Foster was doing the right thing.
 - Hietpas agreed, saying a motion is not needed at this time; Foster agreed.
 - Hietpas said the option is still there to close as previously written.
 - Burmeier said he did not want to have to have a Special Meeting for this.
 - General Board discussion
 - No action was taken.
7. Discussion and possible action to approve Resolution for Real Estate sale to Texas Department of Transportation for Property along Stewart Road and fronting on 620.
- Foster said he would like to pull this item from the Agenda.
 - Hietpas asked if there were any objections; none were heard.
 - No action was taken.
8. Discussion and possible action to approve Hoover Construction Pay App #3 on Project #1 and Pay App #1 for work on Project #2 ODWW project along Lakeway Drive.
- Foster said Project #1 is complete and Hoover gave LMUD a credit for \$2,199.60 for laying less pipe than projected. Project #2 is complete through hole #10, and we are very pleased with the Hoover's work.
 - Sayre moved to approve the Pay App's as presented; Christian seconded.
 - General Board Discussion.
 - Motion passed unanimously.
9. Discussion and possible action to approve Hoover Construction bid to lay pipe along Live Oak Golf Course along hole #11 from Vanguard, installing 6-inch & 3-inch pipe in approximately 4200 feet of trench.
- Foster said LMUD staff will cut the trench, and Hoover will do the bedding and lay the pipes: one for reuse and one for wastewater. He added that this is a very

good price that allows us to use our time and employees to do other things. By mid-March, we should begin installing grinder pumps at homes in Phase 1. Time and manpower are important, as industry is short of workers.

- Hietpas said the cost is reasonable considering they will be using their labor and equipment.
- Foster added that Hoover had been doing a lot of the trenching they weren't obligated to do.
- Hietpas said we are getting a vital piece of critical path items completed by doing this.
- Sayre asked how this would affect the total cost; Hietpas said we don't know yet, as we don't know how long the hook ups will take until we hit our stride.
- Sayre said we are one crew short and are trying hard to find new guys.
- Hietpas agreed, saying hiring Hoover helps while we are short of workers.
- Burmeier said this will involve considerably more dollars, and we haven't seen total project cost and how far along we are on that.
- Hietpas agreed, saying we are looking to be better than we have been.
- Sayre said there is a cost savings on the open positions we have.
- Hietpas said we need a fresh look at projected costs; Foster said we will do that.
- Hietpas said Hoover might be interested in helping with the grinder pumps.
- Sayre moved to approve the Hoover bid as presented; Goff seconded.
- General Board discussion
- Motion passed unanimously.

10. Discussion and possible action to approve Pay App #10 for Austin Engineering for Out of District Wastewater Force Main, Lift Station, & S-5 WRP Improvements.

- Foster said both he and the LMUD Engineer had approved Pay App #10, and that Austin Engineering should have their portion of the project complete by mid-March. There have been no change orders, although there may be one coming on the bypass at the headworks.
- Goff moved to approve the Pay App as presented; Burmeier seconded.
- General Board Discussion
- Motion passed unanimously.

11. Discussion and possible action on Fuel pump for tanks at Palos Verdes Plant (S-4).

- Foster said the fuel tanks at S-4 have not been used in several years. Fuel shortages alerted us to relook at using them. We would be among the first to receive fuel in an emergency as we are Emergency Responders. LMUD would save about 40 cents per gallon on taxes by buying our fuel bulk. The payback is approximately 8 years. Tanks also need painting. Our drivers would have FOB's that identify who is getting the gas, and an email is sent immediately when any gas is pumped. We will be able to account for every gallon. The equipment automatically notifies the supplier when the tanks need refilling.

- Sayre said this sounds like a necessity in emergencies.
 - Hietpas asked if this could be used for the generators; Foster replied we don't typically call the fuel company to top off generator tanks but handle it ourselves.
 - Hietpas said we rarely use generators, but other equipment such as Backhoe, Trucks, etc. would use the pumps.
 - Hietpas asked if we could fuel generators in emergencies; Foster said yes, and the generators have 24 hours of fuel at full load. They generally run 3-5 days on a tank.
 - Sayre moved to approve both the Fuel Pump Equipment at \$29,457 and the Tank Refurbishing and Painting at \$8,960 for a total of \$38,417; Christian seconded.
 - General Board Discussion.
 - Motion passed unanimously.
12. Discussion and possible action on ABS pump for L-8 lift station at Palos Verdes Plant.
- Foster reviewed the need for the new pump as a spare at a cost of \$15,950.
 - Sayre moved to approve the quote as presented; Goff seconded.
 - General Board discussion.
 - Motion passed unanimously.
13. Discussion and possible action on Financials, Calendar.
- Foster reviewed the Financials and Calendar and stated the District continues to operate in good fiscal shape.
 - General Board Discussion.
 - No action was taken.

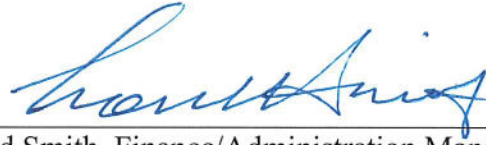
CONSENT AGENDA- The following consent items may be approved by one Board vote. Any Director may pull consent items from the consent agenda for discussion.

Christian moved to approve the consent agenda; Burmeier seconded. Motion passed unanimously.

14. Approve Minutes of Regular meeting January 13, 2021.
15. Approve Minutes of Special meeting January 27, 2021.
16. Approve Expenditures over \$25,000 January 2021

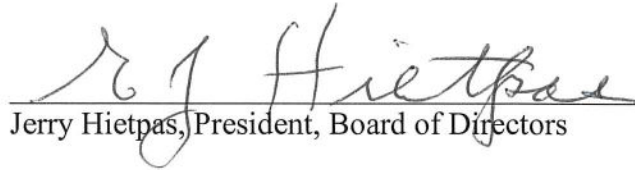
ADJOURNMENT

The meeting was adjourned at 11.01 AM.



Loyd Smith, Finance/Administration Manager

Minutes approved on the 10th day of March 2021.



Jerry Hietpas, President, Board of Directors

ATTEST:



Don Goff, Secretary, Board of Directors