

Minutes  
Lakeway Municipal Utility District  
Board of Directors Meeting  
December 13, 2022

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

Directors Present:                    Lawrence Christian  
  
   Frank Cooley  
   Don Goff  
   Phil Lanier

Directors Absent :                    Larry Burmeier

Staff Present:                         Earl Foster  
   Loyd Smith

Attorneys Present:                   Anne Stanford (via teleconference)  
   Emily Kirby

QUORUM:

1.     Determine Quorum and Call to Order  
       Meeting was called to order at 9:30 AM.  
       Christian declared a quorum of Directors present.
2.     Pledge of Allegiance was led by Christian.

CITIZENS

3.     None

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AGENDA ITEMS:

4.     Discussion and possible action to approve quote for B-4 Water Pump Repair
  - Foster said the repairs needed total \$36,607 and LMUD's portion of that will be \$21,598.15. He added there will be more expense to install the pump after repairs are complete.
  - Cooley asked why the pump was pulled; Foster replied because it was not performing correctly.

- Goff asked if we had backup replacement; Foster replied we have 3 more pumps on the Barge.
  - Lanier asked if we need all of them in the Summer; Foster replied we have one backup during the Summer in case one fails.
  - Lanier asked about warranty on the pumps; Foster said usually a new pump is one year, and repairs are 60 days.
  - Goff asked if the Board had to approve this amount; Foster replied that LMUD's part is under \$25K, but since the total quote is over that it feels better to have Board approval.
  - Lanier moved to approve the Elite Pumps quote as presented; Goff seconded.
  - General Board discussion.
  - Motion passed unanimously.
5. Discussion and possible action to approve bids for Generator concrete pads and duct work for electrical.
- Foster said we had 2 bids but could not wait on B-4 and approved \$23K+ for the concrete pad as we needed it in place when the generator arrives to avoid having to pay for two cranes. There is still more work to be done. At B-4, we work with PEC and B-2 we work with Austin Energy. There is no disconnect at B-2, so we will need to add that and work with Austin Energy on the timing. We want to have the concrete pad ready when the generator is delivered. He added that JH Miller was the low bidder.
  - Goff asked if the Board needs to approve the whole contract; Foster replied yes.
  - Lanier said the total contract is about \$60K; Foster replied yes.
  - Goff moved to approve the JH Miller contract as presented; Lanier seconded.
  - General Board Discussion.
  - Motion passed unanimously.
6. Discussion and possible action to approve quote, Electrical Services for Generator backup at Raw Water Intake for B-4.
- Foster said the quote from Merrigan Electric is \$68,335, and LMUD's portion is 59%. He said that it is very difficult to get Electricians to bid on a job this small, and Merrigan has done extensive work for LMUD.
  - Cooley asked if there was any way to validate that this is a fair price; Foster said no, but the material cost is a significant portion of the quote, and Merrigan rarely comes back with a change order on any jobs they do for us.
  - Goff asked if this was a shared cost with other Barge owners; Foster replied yes, that LMUD's portion is 59%.
  - Christian asked if the other Barge owners pay their share; Foster said yes, and that we have a "cushion" fund in the Barge account as insurance.
  - Cooley moved to approve the Merrigan quote in the amount of \$68,335 as presented; Goff seconded.

- General Board discussion.
  - Motion passed unanimously.
7. Discussion and possible action to approve Construction Access Grading Easement Agreement.
- Foster explained that there is a 10 foot hill on the LMUD property by our E-5 Water Tank, and that this grading access will not impede anything we need.
  - Bill Hayes of Legend Communities said this is needed to bring the land down to street level, and that the land is better off with the hill leveled.
  - Stanford said she doesn't see any issues subject to attorney approval on final wording which needs to include insurance coverage in case of accident.
  - Lanier said he couldn't understand Stanford (due to teleconference); Foster clarified that our legal would verify insurance and work with Legend's attorneys to get the wording right.
  - Cooley said this is granting access to LMUD property; Hayes said yes allowing Legend to level.
  - Foster added that this would benefit LMUD in directing runoff away from our tank.
  - Cooley asked about replacing trees; Foster said yes.
  - Hayes said we will beautify it.
  - Cooley moved to approve the Agreement as presented subject to our Attorney approval; Lanier seconded.
  - General Board Discussion
  - Motion passed unanimously.
8. Discussion and possible action on new LMUD Water Smart Portal.
- Foster said the new Portal is up and running, and notification has been sent to all customers that directs them to the LMUD website where there are videos that show them how to log in and use the system. There are 666 currently registered where they can see consumption and tiered consumption. When we discover a leak, we can push the customer to register for Water Smart. The information in Water Smart comes from Harmony.
  - Christian said there is an amazing amount of information in Water Smart.
  - Foster added that there have been 11,760 messages generated to date.
  - General Board discussion.
  - No action was taken.

**Christian said that Items 9 & 10 will be held in Executive Session Under Texas Government Code, Section 551.072.**

**The Board went into Executive Session at 10:04AM.**

**The Board returned from Executive Session at 10:27AM.**

**Christian called the meeting back to order.**

9. Discussion and possible action on instrument approval of Boundary conveyed land on Commercial Contract-Unimproved Property 39.145 acres and Lot 1 Lakeway MUD E5 Tank Subdivision.
  - Christian said he would entertain a motion.
  - Foster asked if anyone had any more questions of Hayes; there were none.
  - Golf moved to approve the instrument as presented subject to final attorney revision; Cooley seconded.
  - General Board discussion.
  - Motion passed unanimously.
  
10. Discussion and possible action on purchase of Land from City of Lakeway, off of Highlands Boulevard and Trophy Drive.
  - Christian said he would entertain a motion at this time.
  - Foster said this motion is for the purchase of land from the City of Lakeway.
  - Christian added that the attorneys on each side should come to a conclusion, and this would come back to the Board for final approval.
  - Lanier moved that we approve the purchase of the land from the City of Lakeway off of Highlands Boulevard and Trophy Drive subject to approval of respective attorneys; Cooley seconded.
  - General Board discussion.
  - Motion passed unanimously.
  
11. Discussion and possible action on Financials, Calendar.
  - Foster reviewed revenue and expenses for October, the first month of Fiscal Year 2023.
  - Foster said the FY2022 audit would be presented to the Finance Committee on January 10, 2023, and to the Board at the Regular Meeting on January 11, 2023.
  - 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.

**Cooley moved to approve the consent agenda; Goff seconded. Motion passed unanimously.**

12. Approve Minutes from Regular Board meeting November 9, 2022.

**ADJOURNMENT**

The meeting was adjourned at 10:34 AM.

  
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Loyd Smith, Finance/Administration Manager

Minutes approved on the 11th day of January 2023.

  
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President, Board of Directors

ATTEST:

  
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Secretary, Board of Directors

