

Jonah Water Special Utility District  
Board of Directors Minutes

January 9, 2025

The Jonah Water Special Utility District Board of Directors meet at 4050 FM 1660, Hutto, Texas, on Thursday, January 9, 2025, for its monthly meeting. Directors in attendance were Derek Shires, Betty Zimmerhanzel, William “Black” Wehling, Jeff Maurice, Jim Stuewe, Carol Fox, Douglas Gattis, Efrain Lopez and Pete Correa. Staff members Bill Brown, Scott Pike, Erica Guerrero, Remi Alonso, Gary Bopp, Adam Konarek, and Ryan Koenig attended. The District’s Attorney, John Carlton, and the District’s Engineer, Miles Whitney, were also in attendance.

**Item 1-** Pledge of Allegiance – President Derek Shires called the meeting to order at 12:00 p.m.

**Item 2-** Public Comments – None.

**Item 3-** Public Comments on Agenda Items – None.

**Item 4- Consent Agenda -**

- a) Approval of December 5, 2024, Regular Minutes
- b) Approval of December 2024 Financial Reports
- c) Resolution 01092025-01 Expressing Official Intent to Reimburse Cost of Capital Improvement Projects from Proceeds of Tax-Exempt Obligations related to the FM3349 well site and related improvements.
- d) Resolution 01092025-02 Authorizing the General Manager to negotiate and enter into a Non-Standard Service Agreement with Vantage Austin, LLC (Weir 395).
- e) Resolution 01092025-03 Authorizing the General Manager to amend the Non-Standard Service Agreement for LTL Peterson, LLC (Firefly Pointe).

After discussion, Pete Correa moved to approve the consent agenda, including the December 5, 2024, regular meeting minutes; the December Financial Reports; Resolution 01092025-01 Expressing Official Intent to Reimburse Cost of Capital Improvement Projects from Proceeds of Tax-Exempt Obligations related to the FM3349 well site and related improvements; Resolution 010292025-02 Authorizing General Manager to negotiate and enter into a Non-Standard Service Agreement with Vantage Austin, LLC (Weir 395); and Resolution 01092025-03 Authorizing the General Manager to amend the Non-Standard Service Agreement for LTL Peterson, LLC (Firefly Pointe). Doug Gattis seconded the motion, which was passed unanimously.

### **Regular Agenda**

**Item 5-** Order No. 01092025-01 Authorizing Sale of Surplus Property for Surplus Vehicles (Service Truck No. 99, Service Truck No. 100, Service Truck No. 115, and Branson 5220ch Tractor).

After discussion, Doug Gattis moved to adopt Order No. 01092025-01 Authorizing Sale of Surplus Property for Surplus Vehicles (Service Truck No. 99, Service Truck No. 100, Service Truck No. 115, and Branson 5220ch Tractor). Pete Correa seconded the motion, which was passed unanimously.

**Item 6-** Order No. 01092025-02 Authorizing the Issuance of Revenue Bonds, Series 2025.

After discussion, Jeff Maurice moved to adopt Order No. 01092025-02 Authorizing the Issuance of Revenue Bonds, Series 2025, awarding \$14,690,000 to Robert W. Baird & Co., Inc. Black Wehling seconded the motion, which was passed unanimously.

**Item 7-** Resolution 01092025-04 Authorizing the General Manager to execute a Construction Agreement relating to the Chandler Road Pump Station, C.I.P. No. 8 project, and related improvements.

After the discussion, Jeff Maurice moved to authorize the General Manager to execute a Construction Agreement relating to the Chandler Road Pump Station, C.I.P. No. 8 project, and related improvements. Pete Correa seconded the motion, which was passed unanimously.

**Item 8-** Authorize the General Manager to purchase parts for Plant No. 1 Ground Storage Tank.

After the discussion, Betty Zimmerhanel moved to authorize the General Manager to purchase parts for Plant No. 1 Ground Storage tank, with a maximum purchase amount of \$45,000. Efrain Lopez seconded the motion, which was passed unanimously.

**Item 9-** Authorizing the General Manager to award a contract for valves associated with the C.I.P No. 3 project.

After the discussion, Jeff Maurice moved to authorize the General Manager to award a contract to Core and Main for valves associated with the C.I.P No. 3 project, not exceeding \$484,432.49. Black Wehling seconded the motion, which was passed unanimously.

**Item 10-** ATX Legacy Park Hutto LLC Petition for Streamlined Expedited Release, PUC Docket 57412, including retaining special counsel and authorizing necessary action, including filing petitions in the appropriate courts to protect Jonah's federal debt to the USDA and its federally protected service territory under 7 USC 1926(b).

After the discussion, Jeff Maurice moved to authorize the General Manager and District Attorney to retain special counsel and take necessary action, including filing petitions in the appropriate courts, to

protect Jonah's federal debt to the USDA and its federally protected service territory under 7 USC 1926(b) regarding the ATX Legacy Park Hutto LLC Petition for Streamlined Expedited Release, PUC Docket 57412. Carol Fox seconded the motion, which was passed unanimously.

At this time, the Board went into the Executive Session to receive legal advice under Texas Government Code Section 551.071. The Executive Session convened at 12:33 p.m. and ended at 12:53 p.m., at which point the regular meeting was re-convened. No action was taken during the Executive Session.

**Item 11-** Proposed Water CCN Service Area Transfer Agreement with the City of Taylor.

After discussion, Jeff Maurice moved to reject the Proposed Water CCN Service Area Transfer Agreement with the City of Taylor. Black Wehling seconded the motion, which was passed unanimously.

**Item 12-** Termination of the Water Service Agreement between Jonah and the City of Taylor, dated April 24, 2000.

After discussion, Black Wehling moved to approve the termination of the Water Service Agreement between Jonah and the City of Taylor, dated April 24, 2000. Pete Correa seconded the motion, which was passed unanimously.

**Item 13-** Receive monthly report from the District's Engineer regarding the status of the district's construction projects and utility system design and planning issues and take any necessary action, including the following pending projects:

The District's Engineer, Miles Whitney, provided a written report to the Board for their review and did not have anything further to report.

**Item 14-** Receive monthly report from the District's Attorney regarding contract negotiations, pending litigation, Legislative issues, and TCEQ regulatory issues, including the following ongoing matters:

- a) Permits pending with TCEQ and status of protests.
- b) Litigation Update, Case No. 1:23-cv-534; *Heritage Broadband, LLC v. Jonah Water Special Utility District*; United States District Court, Western District of Texas, Austin Division.
- c) Litigation Update, Cause No. 15-24-00132-CV; *AIRW 2017-7, L.P., 600 Westinghouse Investments, LLC, and 800 Westinghouse Investments, LLC v. City of Georgetown, Texas and Texas Commission on Environmental Quality*; In the Fifteenth Court of Appeals.
- d) CCN Amendment for the Foster Weir, PUC Docket No. 55699.

The District's Attorney, John Carlton, updated the Board regarding contract negotiations, pending litigation, Legislative issues, and TCEQ regulatory issues.

John stated there is still no final resolution for the Heritage Broadband proceeding.

John then stated that he continues to work on wastewater permit protests.

Regarding the AIRW permit, the decision by the District Court to overturn the TCEQ denial has been appealed.

John stated that the CCN amendment for Foster Weir is complete and will be coming off his report.

Finally, John stated that there is a CCN issue; Taylor Meadows has requested removal from Manville's CCN and requested a water and wastewater Non-Standard Service Agreement from Jonah.

**Item 15-** Receive monthly reports from the General Manager regarding financial matters, service area issues, utility operations, system maintenance, service requests, customer issues, water supply status, management activities, and personnel.

The General Manager, Bill Brown, updated the Board regarding financial matters, service area issues, utility operations, system maintenance, service requests, customer issues, water supply status, management activities, and personnel.

Bill stated that he continues to meet with several developers.

Bill stated that the Board has already discussed the sealed bids.

Bill then stated that he has already discussed his meeting with Mr. Prinz, the General Manager of Manville.

Bill also stated that he has already discussed Plant No. 1 Ground Storage.

Finally, Bill stated that once the bonds are executed and received, he will contact John Carlton to discuss a list for reimbursement.

There being no further business, President Shires adjourned the meeting at 1:14 p.m.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Jeff Maurice", is written over a horizontal line.

Jeff Maurice, Secretary-Treasurer