

**MINUTES OF MEETING  
HURST CREEK MUNICIPAL UTILITY DISTRICT  
AUGUST 21, 2023**

## THE STATE OF TEXAS

## COUNTY OF TRAVIS

The Board of Directors of Hurst Creek Municipal Utility District (the "District") met this date at 9:00 a.m. in Regular session, open to the public in the District's offices at 102 Trophy Drive, The Hills, Texas 78738, and the roll was called of the duly constituted officers and members of the Board to wit:

### Present:

William A. Coskey	President
James M. Wingard	Vice-President
Mike Maroney	Secretary
Tom Stiles	Treasurer
John Almond	Assistant Secretary

thus, constituting a quorum.

Also present were Earl Wood, Kurt Pendleton, Stacey Johnson, Beth Caccamisi, and Sonja De La Fuente of Hurst Creek MUD, and Councilmember Sarah Carroll of the Village of The Hills.

1. Consider, discuss, and take any necessary action regarding granting an easement to WCID 17.

Earl Wood provided the report for this item. He explained that WCID 17 currently pumps water manually into the Hurst Creek MUD pond and is requesting this easement so they may install a line that would allow them to automatically pump 100,000 gallons per day into the pond and also have the ability to work on the line as needed. Director Stiles asked if this would disturb the trees and Earl confirmed that it would not disturb the trees, as they are outside of the fence. Director Coskey recommended confirmation that Hurst Creek MUD is indemnified should anything happen to their workers. Earl will confirm with the District's Attorney but believes that if they have an easement the District is held harmless.

Director Wingard moved to grant an easement to WCID 17 subject to confirmation that Hurst Creek MUD is indemnified should anything happen to their workers while working in the easement; Director Almond seconded the motion which carried 5-0.

2. Consider, discuss, and take any necessary action regarding the District Engineer's Evaluation Report for servicing a proposed development of golf course property by Legacy Performance Capital.

Director Coskey and Earl Wood provided the report for this item. Earl explained that the District's biggest concerns were whether or not the District has the capacity to service 24 homes and

removing six acres from the District's waste disposal area for the wastewater treatment effluent. He informed the Board that he believes the District has the water utility capacity to serve the development and after a conference call with the TCEQ it seems the amendment to the permit would be minor, but there is no guarantee TCEQ will grant it. It is not expected that removing six out of 181 acres will cause an issue. Earl pointed out that even if Hurst Creek MUD approves the development, the Village of The Hills and The Hills Property Owners Association still have a say in the matter. Earl reviewed the plat scans of Phase 1 of The Hills master planned development. He explained that the golf course does not fall under the POA as it is currently. However, any new construction falls under the POA's Architectural Review Committee. According to the plat notes, golf course and common area lots cannot be re-subdivided without the consent of all property owners. Discussion was held among the Board and staff.

*Director Stiles moved to 1) authorize service to the proposed development of 24 homes subject to approval from TCEQ, Village of The Hills, and The Hills POA; 2) require the developer to pay all expenses related to connecting water/wastewater services to the homes; and 3) release the District Engineer's Report to the developer; Director Almond seconded the motion which carried 5-0.*

**3. Consider, discuss, and take any necessary action the LCRA Notice of 900,000 Acre-Foot Trigger and amending the District's Drought Contingency Plan.**

Earl provided the report for this item. He informed the Board that the District received notification last Monday that the lake level has dropped below 900,000 acre-feet and a 15-20% reduction in water use is required. Earl advised that he is waiting to hear back from the LCRA regarding whether that reduction is based on 2011 or 2022. There was discussion regarding amending the Drought Contingency Plan and Earl recommended waiting to amend it until after he hears back from the LCRA. Director Stiles suggested the District do its part and ask the golf course to do their part.

*There was a consensus of the Board to move to a one day per week irrigation schedule between the hours of 7pm and 10am only and move up to the next step of enforcement and consider amending the Drought Contingency plan later.*

**4. Consider, discuss, and take any necessary action regarding setting the budget year 2023-2024 debt tax rate.**

Earl Wood provided the report for this item. He reviewed the proposed tax rate with the Board.

*Director Almond moved to approve the proposed tax rate; Director Wingard seconded the motion which carried 5-0.*

**5. Consider, discuss, and take any necessary action regarding the Budget for Fiscal Year 2023-2024 and 2023 Tax Rate, set date for public hearing on the Tax Rate and authorize publication of the Notice of Public Hearing on the Tax Rate.**

Earl provided the report for this item. He reviewed year end actuals and the proposed budget for fiscal year 2023-2024 and proposed tax rate for 2023. Discussion was held among the Board regarding various line items. Director Almond commended Earl and staff on data gathering and reporting.

*There was a consensus of the board to approve the proposed budget for Fiscal Year 2023-2024 and set a public hearing on the 2023 Tax Rate for September 18, 2023 at 9:00 A.M.*

**6. Consider, discuss, and take any necessary action regarding the District water rates.**

Earl provided the report for this item. He advised that if adjustments are needed, he will bring forward a recommendation next year.

**7. Consider, discuss, and take any necessary action on Drainage and MS4.**

Kurt Pendleton provided the report for this item. He informed the Board that there is a small drainage project at 20 Lost Meadow. There is nothing new to report regarding MS4. The next Household Hazardous Waste Event will be on September 27<sup>th</sup> and sign-ups will be required. A notification will go out to the community once sign-ups are open.

**8. Consider, discuss, and take any necessary action to approve the Minutes of the July 24, 2023, Special Board meeting.**

*Director Almond moved to approve the Minutes of the July 24, 2023, Special Board Meeting; Director Stiles seconded the motion which carried 5-0.*

**9. Consider, discuss, and take any necessary action to approve the July 2023 Bookkeeper's Report and approve paid invoices.**

Beth Caccamisi reviewed the written report showing \$1.2 million in the General Fund and \$233,000 in the Debt Service Fund. More than 98% of the property taxes have been collected. She reported that TexPool is currently earning 5.3% interest. Revenues exceed budget by \$2,900 for the month and by \$124,000 for the year. This is mainly due to bank interest earned and water sales. Expenses are \$5,200 over for the month and \$65,000 under for the year.

*Director Maroney moved to approve the July 2023 Bookkeeper's Report and paid invoices; Director Almond seconded the motion which carried 5-0.*

**10. Consider, discuss, and take any necessary action to approve the July 2023 Manager's Operating Report.**

Earl Wood reviewed the written report and highlighted the following:

- The Lakeway Church of Christ is not on the list of new connections, but they will be moving forward with their project soon. The property is next to Lakeway Elementary. Lakeway MUD and the school are both OK with Hurst Creek MUD providing service to the Church of Christ. Hurst Creek MUD will only provide service to non-profit entities outside of the District.
- The Debt Service Fund looks good. No noted that October's payment will be made in September. The balance was \$233,000 at the end of July.
- There was only .02 inches of rain in July.

- The Wastewater Treatment Plant is doing well. The District will begin the renewal process for the next 10-year permit.
- The Effluent Pond is currently at about 7 million gallons. The lowest recorded level is 4.5 million gallons.
- The retention pond at the Villas of Flintrock cannot be filled with effluent water, and Hurst Creek MUD could be held liable if not reported to TCEQ.

*Director Stiles moved to approve the July 2023 Manager's Operating Report; Director Almond seconded the motion, which carried 5-0.*

The Board recessed the open meeting at 11:10 A.M. and convened to Executive Session at 11:10 A.M.

**11. *The Board may go into Executive Session pursuant to Texas Government Code Sections §551.071 – Consultation With Attorney; §551.072 – Deliberation Regarding Real Property; §551.073 – Deliberation Regarding Prospective Gift; §551.074 – Personnel Matters; and/or §551.076 - Deliberation Regarding Security Devices or Security Audits.***

The Board reconvened the open meeting at 11:41 A.M. There was no reportable action.

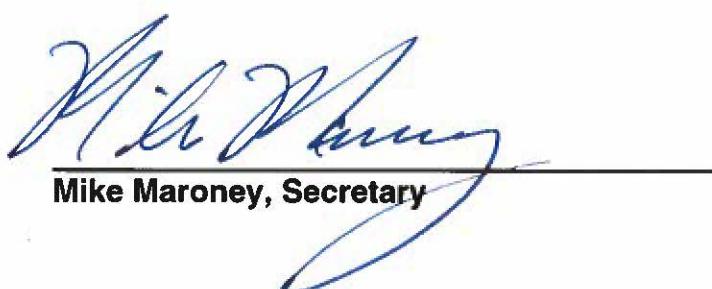
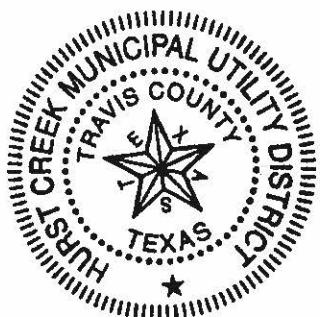
**12. Consider, discuss, and take any necessary action regarding the Interlocal Agreement between Hurst Creek MUD and the Village of The Hills.**

This item was not discussed.

*Director Maroney moved to adjourn the meeting at 11:41 A.M.; Director Almond seconded the motion, which carried 5-0.*

Signed this 18<sup>th</sup> day of September 2023.

(seal)



Mike Maroney, Secretary