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MINUTES OF THE MEETING OF  
THE BOARD OF DIRECTORS OF  
WELLS BRANCH MUNICIPAL UTILITY DISTRICT

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November 21, 2006

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A regular meeting of the Board of Directors was held November 21, 2006, at the Wells Branch Community Center, 2106 Klattenhoff, Austin, Texas. The meeting was open to the public and notice was given as required by the Texas Open Meetings Act. A copy of the Certificate of Posting of the Notice is attached as Exhibit "A".

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Members of the Board as it was called to order are:

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|--------------------|---------------------------------|
| Charles R. Walters | -President                      |
| Donna Howe         | -Vice President                 |
| Janet Maxey        | - Secretary                     |
| Joy Smith          | - Treasurer                     |
| Tom Cheshire       | - Assistant Secretary-Treasurer |

and all of the Directors were present, except Director Howe, who arrived later, thus constituting a quorum. Also present during the course of the meeting were Don H. Williams, District general manager; Margret Wingrove of ECO Resources, the District's utility firm; John Bartram of Armbrust & Brown, LLP, the District's law firm; Robert Ferguson, P.E., of Murfee Engineering, the District's engineering firm; Richard Fadal of TexaScapes, Inc., the District's landscaping firm; Pam Wachholz, a resident of the District; and Cliff Avery of Gilleland Creek Press.

Director Walters called the meeting to order at 6:00 p.m. and recognized Ms. Wingrove for a financial report, attached as Exhibit "B," and utility manager's report, attached as Exhibit "C."

Director Howe arrived at 6:01 p.m.

Ms. Wingrove noted a healthy rate of interest on the District's investments in TexPool. She reported that at the end of the previous fiscal year, with greater-than-anticipated revenues and less-than-anticipated expenses, the District recorded a positive outcome of about \$1.4 million compared to the budget. She pointed out that there would be some adjustments as the books were completed.

On utility matters, Ms. Wingrove reported that the District showed a gain in its water usage (in which the District sold more water than it purchased from the City of Austin, its sole wholesaler). Ms. Wingrove noted that this was the fifth month of gains and reported that ECO Resources believed that the City's master meter on Merriltown Drive was malfunctioning. She reported that the City dismissed suggestions of a problem. Ms. Wingrove explained that ECO had taken the meter off line and would monitor resulting usage to see where the problem was located.

1 The Board discussed the recent fire at the Hampton Apartments and noted that  
2 when firefighters had attempted to hook into an internal hydrant, they were  
3 confronted with a lack of pressure. Director Walters noted that the District is not  
4 responsible for the hydrant. The Board discussed problems that the fire apparatus  
5 had in maneuvering in the apartment complex and the apparent lack of sprinklers in  
6 the Hampton apartments. Mr. Williams suggested the District contact the  
7 Pflugerville Fire Department to ascertain whether the complex was in compliance  
8 with appropriate fire codes.

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10 Continuing with her report, Ms. Wingrove discussed recent videography of the  
11 District's wastewater lines. Director Maxey expressed concern about an apparent  
12 hole in a street that could indicate a problem with a utility line, *and Ms. Wingrove*  
13 *said she would investigate.* Ms. Wingrove further reported that the winter averaging  
14 period for the District had begun and would continue until February 15.

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16 There being no citizens present that wished to provide input to the Board, Director  
17 Walters recognized Mr. Williams for a report from the District's manager, including  
18 reports on the Community Gardens; solid waste/recycling services; facilities;  
19 landscape; restrictive covenant enforcement; customer service; recreation; and  
20 aquatics, attached as Exhibits "D" through "K." Mr. Williams reported that IESI's  
21 performance of its waste-hauling contract seemed to be improving. He noted that  
22 the resurfacing of the tennis courts was nearing completion and explained the  
23 procedures to allow a resident to access the courts. He noted that recent winds  
24 seemed to have damaged fences, and that the District was experiencing a high  
25 number of restrictive covenant violations because of fences in disrepair. He noted  
26 that the Thanksgiving Feast enjoyed a record attendance. The Board discussed  
27 whether the District should allow participants to take out food *and referred the*  
28 *issue to the Recreation Committee.*

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30 Director Walters then recognized Mr. Bartram for a report from the District's  
31 attorney. Mr. Bartram stated that he would provide input on other agenda items.

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33 Director Walters then recognized Mr. Ferguson for a report from the District's  
34 engineer, attached as Exhibit "L."

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36 Director Walters announced that the Board would consider items on its consent  
37 agenda:

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39 **Agenda Item No. 6**

40 Approve minutes of the October 17, 2006  
41 and November 6, 2006 regular meetings;  
42 and

43 **Agenda Item No. 7**

44 Approve Finance Committee  
45 recommendations regarding payment of  
46 bills and invoices and write-offs,  
47 attached as Exhibits "M" and "N",  
48 respectively.

49 **Director Maxey moved, seconded by Director Smith, approval of the**

1 **Consent Agenda as presented, and the motion passed unanimously.**

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3 Director Walters then announced that the Board would receive reports from  
4 Committees:

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6 **ADMINISTRATIVE COMMITTEE:** No report.

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8 **FACILITIES COMMITTEE:** Director Smith directed the Board's attention to  
9 documents related to the extension of out-of-District service to Technopolis  
10 Business Center on FM 1325, 600 feet north of Merriltown Drive. Mr. Bartram  
11 noted that the Board may wish to weigh the type of security required to assure any  
12 future expansion of District facilities required as a result of the out-of-District  
13 service. He suggested that the Finance Committee meet with the developer and that  
14 the Board authorize the Committee to negotiate and conclude an agreement, asking  
15 the Developer to execute the agreement, then present the agreement to the Board for  
16 approval. **Director Maxey so moved, and Director Cheshire seconded. The**  
17 **motion passed unanimously.**

18  
19 Director Smith then announced that the Facilities Committee had performed its  
20 evaluation of TexaScapes, Inc. and praised the company and Mr. Fadal for its  
21 performance. Mr. Fadal thanked her for the comments.

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23 **FINANCE COMMITTEE:** No report.

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25 **PUBLIC SAFETY COMMITTEE:** No report.

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27 **RECREATION COMMITTEE:** No report.

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29 Director Walters then recognized Ms. Wachholz who presented a plaque to the  
30 District in recognition of its support of the Girl Scouts. Director Walters thanked her  
31 on behalf of the Board.

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33 There being no further business to come before the Board, the meeting was  
34 adjourned.

35  
36 Respectfully submitted:

37  
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39  
40 December 5, 2006

41 Date

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42 Janet Maxey, Secretary

43 Board of Directors

44 Wells Branch Municipal Utility District

45 (SEAL)