

**SONTERRA MUNICIPAL UTILITY DISTRICT
MINUTES OF BOARD OF DIRECTORS MEETING**

October 16, 2023

THE STATE OF TEXAS §
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COUNTY OF WILLIAMSON §

A meeting of the Board of Directors of Sonterra Municipal Utility District was held on October 16, 2023 at 113 Limestone Terrace, Jarrell, 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”**.

The meeting was called to order at 6:00 p.m. and the roll of the members of the Board of Directors was called, as follows:

Michael Cosimeno	-	President
John Faske	-	Vice President
Raven Dunbar	-	Secretary
Sherry Roark	-	Assistant Secretary
Jesse Payne	-	Assistant Secretary

and all of the Directors were present, thus constituting a quorum. Also present at the meeting were Jason Jones of Jones-Heroy & Associates, Inc.; Carter Dean of Armbrust & Brown, PLLC; Andy Bilger and Darrell Goldman of Vecindario Management, LLC; Allen Douthitt of Bott & Douthitt, PLLC; Eddie Castro of Landscape Designs & Lawn Care; Dennis Hendrix of Crossroads Utility Services LLC; Blake Reynolds, the District’s Director of Parks and Recreation; and Danielle Mitchell, the District’s previous manager of the District’s pool and clubhouse.

After the Pledges of Allegiance to the United States and Texas flags, Director Cosimeno stated that the Board would receive any Board member remarks and citizens communications. There being none, Director Cosimeno stated that the Board would consider the next item on the agenda. Mr. Bilger thanked Ms. Mitchell for her hard work for the District as the manager of the pool and clubhouse. The Board recognized Ms. Mitchell for her years of service to the District.

Director Cosimeno then stated that the Board would consider the Consent Items on the agenda, including the minutes of the September 11, 2023 Board meeting. Upon motion by Director Faske and second by Director Dunbar, the Board voted unanimously to approve the Consent Items, as presented.

Director Cosimeno then stated that the Board would receive a report from the District’s bookkeeper. Mr. Douthitt reviewed the bookkeeper’s report attached as **Exhibit “B”** and recommended approval of the transfers and the Director and vendor payments as listed in his report. He then reviewed and recommended approval of the Amended and Restated Secretary’s Certificate and Resolutions Regarding Operating Account and Capital Projects Fund Account and the Amended and Restated Secretary’s Certificate and Resolutions Regarding Parks and Pool Deposits Account attached collectively as **Exhibit “C”** (the “*Account Resolutions*”). He concluded his report by advising that he had secured a District credit card and would send the relevant documentation to Mr. Dean, who would include a resolution on the next agenda to approve use of, and set parameters regarding, the credit card. Upon motion by Director Cosimeno and second by Director Dunbar, the Board voted unanimously to approve the transfers and the Director and vendor payments and the Account Resolutions.

Director Cosimeno next stated that the Board would receive a report from the District manager. Mr. Goldman provided a report to the Board. He next presented the following items for approval: (i) the proposals from Construction Managers of Austin for installation of PDK access system and a plumbing fixture change-out at the basketball pavilion attached collectively as **Exhibit "D"**; (ii) proposals from Hitchcock Design Group and Oro Design Group for professional landscape architectural services related to the District's Phase 2 Trails attached collectively as **Exhibit "E"**; (iii) the proposals from KOM for Phase 2 new granite trail construction, bike track repairs and improvements including Soiltac, asphalt pump track repairs, granite trail improvement, and granite trail maintenance attached collectively as **Exhibit "F"**; (iv) three proposals from A&W Roofing, a proposal from Hall Roofing and Construction, and a proposal from Green General Contractors, LLC for roofing repairs at the clubhouse. Board discussion ensued. Director Faske stated that he would like more information regarding the proposals from Construction Managers of Austin for installation of PDK access system and a plumbing fixture change-out at the basketball pavilion. Mr. Goldman stated that he would provide more information to Director Faske after the meeting. Mr. Goldman then recommended that the Board choose Oro Design Group for the professional landscape architectural services related to the District's Phase 2 Trails. Director Faske stated that only \$2,500 worth of the proposal from KOM for bike track repairs and improvements including Soiltac should be approved at this time, as a test to see how it worked. Upon motion by Director Faske and second by Director Cosimeno, the Board voted unanimously to (i) approve the proposals from Construction Managers of Austin for installation of PDK access system and a plumbing fixture change-out at the basketball pavilion, subject to final approval by Director Faske; and (ii) approve the proposals from KOM for bike track repairs and improvements including Soiltac (only \$2,500 worth), asphalt pump track repairs, granite trail improvement, and granite trail maintenance. Mr. Goldman stated that the Phase 2 new granite trail construction project needed to be publicly bid due to its anticipated cost exceeding \$150,000. He then stated that he planned to use BuyBoard to obtain a proposal for the renovation of the pool, which would satisfy procurement requirements. Upon motion by Director Faske and second by Director Payne, the Board voted unanimously to (i) approve the proposal from Oro Design Group for professional landscape architectural services related to the District's Phase 2 Trails; and (ii) authorize the solicitation and approval of a proposal from Progressive Commercial Aquatics for pool renovation through the BuyBoard purchasing platform. Then, upon motion by Director Faske and second by Director Cosimeno, the Board voted unanimously to approve the two of the roofing repair bids from A&W Roofing that were the least expensive.

Director Cosimeno next stated that the Board would receive a report from the District's Director of Parks and Recreation. Mr. Reynolds provided a verbal report to the Board, and stated that the "Dog Days" event at the pool and the pumpkin patch had gone well; that he had created a parks and recreation Facebook page for the District, which already had over 300 followers; that he had met with Jarrell ISD staff regarding setting up a basketball league in the high school gym and was waiting to hear back; that he had toured the parks and recreational facilities of a few other MUDs for ideas for the District; that he was looking into winterizing the splash pads; that he was attempting to obtain a corporate sponsorship from HEB to bring in additional funds; that he was currently interviewing for the position of Parks and Recreation Supervisor; that he would attend the TRAPS conference in February; that the fall bulk cleanup would take place in the pool and clubhouse parking lot soon; and that registration for the breakfast with Santa event would open up soon, which he expected would sell out. Mr. Reynolds then presented the following for approval by the Board: (i) the proposal from Progressive Commercial Aquatics for Accutab/Acidrite conversion of the District's pool attached as **Exhibit "G"**; (ii) the proposal from CivicPlus for the CivicRec parks and recreation management software attached as **Exhibit "H"**; (iii) the proposal from My Jarrell Monthly to advertise the District's parks and recreation facilities attached as **Exhibit "I"**; and (iv) the proposal for the creation of a parks and recreation "Community Lifestyle" video and photos from ATX Fly Media attached as **Exhibit "J"**. Mr. Reynolds noted that the proposal from Progressive Commercial

Aquatics for Accutab/Acidrite conversion of the District's pool was the only one received in response to requesting proposals from three vendors. Upon motion by Director Faske and second by Director Roark, the Board voted unanimously to approve the proposal from Progressive Commercial Aquatics for Accutab/Acidrite conversion of the District's pool. Then, upon motion by Director Faske and second by Director Cosimeno, the Board voted unanimously to approve the proposal from CivicPlus for the CivicRec parks and recreation management software. Mr. Reynolds then reviewed the proposed parks and recreation logos attached as **Exhibit "K"** with the Board. Upon motion by Director Faske and second by Director Cosimeno, the Board voted 4-0-1 to approve the finalization of the logo, with Director Payne abstaining. Upon motion by Director Faske and second by Director Cosimeno, the Board voted 4-0-1 to approve the proposal from My Jarrell Monthly with the selection of the option for four full page ads, eight half page ads, and one cover and feature story, with Director Payne abstaining. Mr. Dean informed the Board that since Director Payne's parents owned Fidelis Publishing, which owned My Jarrell Monthly, and Director Payne worked at My Jarrell Monthly, he was prohibited from participating in discussion and voting on items concerning Fidelis Publishing and My Jarrell Monthly. The Board generally agreed that obtaining services from Fidelis Publishing and My Jarrell Monthly was necessary, and generally approved doing business with the entities despite the conflict of interest, so long as Director Payne abstained from all related discussion and voting. Director Roark then made a motion to approve the proposal for the creation of a parks and recreation "Community Lifestyle" video and photos from ATX Fly Media. Director Faske seconded the motion, which passed unanimously. Director Reynolds then stated that the District should have a strategic plan for parks and recreation. Upon motion by Director Cosimeno and second by Director Faske, the Board voted unanimously to authorize Directors Payne and Dunbar to work with Mr. Reynolds to create a strategic plan. Mr. Reynolds then stated that he would like the District to hold a children's camp with Nerdy Cooks and one with Play-Well. Upon motion by Director Cosimeno and second by Director Dunbar, the Board voted unanimously to approve the camps and authorize negotiation and execution of any related Vendor Agreement for Partnerships with Nerdy Cooks attached as **Exhibit "L"**.

Director Cosimeno then stated that the Board would consider items related to District security. He stated that he would contact Deputy Kidwell to discuss whether the number of patrol hours needed to be adjusted. Mr. Dean stated that he would contact the prospective new deputy regarding execution of a security patrol agreement.

Director Cosimeno then stated that the Board would receive a report from Landscape Designs & Lawn Care. Mr. Castro reviewed his report with the Board. He then presented the proposal for mulch installation and the proposal for erosion control of a detention pond attached collectively as **Exhibit "M"** to the Board. Upon motion by Director Faske and second by Director Payne, the Board voted unanimously to approve the proposals.

Director Cosimeno then stated that the Board would receive the operations report. Mr. Hendrix reviewed the operations report attached as **Exhibit "N"** with the Board. He stated that Well No. 4 was under repair and would resume service this week. He next stated that the integration of billing into the AMI system would cost an additional \$250 per month from HydroPro, which would require Board approval. Upon motion by Director Faske and second by Director Cosimeno, the Board voted unanimously to approve the integration and the associated additional payment of \$250 per month. Mr. Hendrix then presented the Merchant Processing Application and Agreement with Bluefin Payment Systems, LLC and the Service Agreement with T Tech, LLC attached collectively as **Exhibit "O"** to the Board. He explained that the agreements would modify the credit/debit card and electronic utility bill payments processing services provided to the District for the District to absorb the credit/debit card fees for bill payment. Upon motion by Director Faske and second by Director Cosimeno, the Board voted unanimously to approve both agreements.

Director Cosimeno then recognized Mr. Jones for the purpose of receiving the engineer's report. Mr. Jones reviewed his report with the Board, attached as **Exhibit "P"**. He first stated that the Brazos River Authority denied the District's request to increase the District's estimated "take or pay" water volume for the year. He then stated that the high service pump station was up and running well. He next presented the proposal from Hitchcock Design Group attached as **Exhibit "Q"** to conduct appraisal services with respect to certain parks and recreation facilities in connection with the District's prospective application to the TCEQ to issue bonds to purchase the facilities. He explained that this was necessary for some of the facilities due to a lack of backup documentation and receipts from construction. Upon motion by Director Faske and second by Director Cosimeno, the Board voted unanimously to approve the proposal. He then presented Pay Application No. 22 from TTE, LLC for work on the Water Treatment Plant No. 1 High Service Pump Station attached as **Exhibit "R"** and recommended approval. Upon motion by Director Faske and second by Director Cosimeno, the Board voted unanimously to approve Pay Application No. 22 from TTE, LLC.

Director Cosimeno stated that the Board would receive a report from the District's attorney. Mr. Dean stated that he understood that the so-called "empty room", which was currently used by the Jarrell Community Library, was needed to for an additional office. He advised that under the District's lease agreement with the Library, the District reserved the right to direct the Library to vacate the room in the event the District needed it as an employee office. Upon motion by Director Faske and second by Director Dunbar, the Board voted unanimously to direct the Library to vacate the room for the District's use. Mr. Goldman stated that he would inform the Library. Mr. Dean next reviewed the notices of proposed class action settlements and court approval hearings with the Board, which he advised did not require District action and, absent contamination of District water with PFAs, was irrelevant to the District. Mr. Dean then reviewed the Out-of-District Services Agreement [Cornhill Business Park] and the First Amendment to Interlocal Agreement for Pass-Through Wastewater Services and Fire Flow Water Capacity [Cornhill Business Park] attached collectively as **Exhibit "S"** with the Board. Upon motion by Director Faske and second by Director Dunbar, the Board voted unanimously to approve the Out-of-District Services Agreement [Cornhill Business Park] and the First Amendment to Interlocal Agreement for Pass-Through Wastewater Services and Fire Flow Water Capacity [Cornhill Business Park]. Mr. Dean then presented the proposal attached as **Exhibit "T"** from Expergy to conduct a rate study to determine whether the District needed to modify its water and wastewater rates, which had not changed in a few years. Upon motion by Director Cosimeno and second by Director Dunbar, the Board voted unanimously to approve the proposal. Mr. Dean concluded his report by reviewing the Interlocal Agreement Regarding Relocation of Water System Improvements CR 332 Roadway Construction Project attached as **Exhibit "U"** with the Board. He stated that the agreement would divide certain costs of the relocation of the District's water line located in the CR 332 right-of-way in connection with the County's CR 332 roadway expansion project. Upon motion by Director Dunbar and second by Director Faske, the Board voted unanimously to approve the agreement.

Director Faske stated that the Board would consider its future meeting schedule and agenda items. The Board generally agreed that it would hold its next meeting as regularly scheduled.

There being no further business to come before the Board, the meeting was adjourned at 8:14 p.m.



Raven Dunbar
Secretary, Board of Directors

Date: November 20, 2023