



CITY OF ROLLINGWOOD UTILITY COMMISSION AGENDA

Tuesday, December 05, 2023

Notice is hereby given that the Utility Commission of the City of Rollingwood, Texas will hold a meeting, open to the public, in the Municipal Building at 403 Nixon Drive in Rollingwood, Texas on December 05, 2023 at 5:30 PM. Members of the public and the Utility Commission may participate in the meeting virtually, as long as a quorum of the Utility Commission and the presiding officer are physically present at the Municipal Building, in accordance with the Texas Open Meetings Act. The public may watch this meeting live and have the opportunity to comment via audio devices at the link below. The public may also participate in this meeting by dialing one of the toll-free numbers below and entering the meeting ID and Passcode.

Link: <https://us02web.zoom.us/j/5307372193?pwd=QmNUbmZBQ1lwUjNjNmM5RnJreIRFUT09>

Toll-Free Numbers: (833) 548-0276 or (833) 548-0282

Meeting ID: 530 737 2193

Password: 9fryms

The public will be permitted to offer public comments via their audio devices when logged in to the meeting or telephonically by calling in as provided by the agenda and as permitted by the presiding officer during the meeting. If a member of the public is having difficulties accessing the public meeting, they can contact the city at dadair@rollingwoodtx.gov. Written questions or comments may be submitted up to two hours before the meeting. A video recording of the meeting will be made and will be posted to the City's website and available to the public in accordance with the Texas Public Information Act upon written request.

CALL UTILITY COMMISSION MEETING TO ORDER

1. Roll Call

PUBLIC COMMENTS

Citizens wishing to address the Utility Commission for items not on the agenda will be received at this time. Please limit comments to 3 minutes. In accordance with the Open Meetings Act, the Utility Commission is restricted from discussing or taking action on items not listed on the agenda.

Citizens who wish to address the Utility Commission with regard to matters on the agenda will be received at the time the item is considered.

CONSENT AGENDA

All Consent Agenda items listed are considered to be routine by the Utility Commission and may be enacted by one (1) motion. There will be no separate discussion of Consent Agenda items unless a Board Member has requested that the item be discussed, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Regular Agenda.

- 2. Discussion and possible action on the November 6, 2023 Utility Commission meeting

REGULAR AGENDA

- 3. Discussion and possible action on a proposed amendment to the appeals process
- 4. Discussion and possible action regarding the timing of the distribution of the cell phone survey
- 5. Discussion regarding financial reports for Water and Wastewater funds through September 2023
- 6. Discussion regarding future meeting dates

ADJOURNMENT OF MEETING

CERTIFICATION OF POSTING

I hereby certify that the above Notice of Meeting was posted on the bulletin board at the Rollingwood Municipal Building, in Rollingwood, Texas and to the City website at www.rollingwoodtx.gov at **5:00 PM on December 1, 2023.**

Desiree Adair
Desiree Adair, City Secretary

NOTICE -

The City of Rollingwood is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please contact the City Secretary, at (512) 327-1838 for information. Hearing-impaired or speech-disabled persons equipped with telecommunication devices for the deaf may call (512) 272-9116 or may utilize the stateside Relay Texas Program at 1-800-735-2988.

The Utility Commission will announce that it will go into executive session, if necessary, to deliberate any matter listed on this agenda for which an exception to open meetings requirements permits such closed deliberation, including but not limited to consultation with the city's attorney(s) pursuant to Texas Government Code section 551.071, as announced at the time of the closed session.

Consultation with legal counsel pursuant to section 551.071 of the Texas Government Code;
discussion of personnel matters pursuant to section 551.074 of the Texas Government Code;
real estate acquisition pursuant to section 551.072 of the Texas Government Code;
prospective gifts pursuant to section 551.073 of the Texas Government Code;
security personnel and device pursuant to section 551.076 of the Texas Government Code;
and/or economic development pursuant to section 551.087 of the Texas Government Code.
Action, if any, will be taken in open session.



CITY OF ROLLINGWOOD UTILITY COMMISSION MINUTES

Monday, November 06, 2023

The Utility Commission of the City of Rollingwood, Texas held a meeting, open to the public, in the Municipal Building at 403 Nixon Drive in Rollingwood, Texas on Monday, November 6, 2023 at 5:30 PM. Members of the public and the Utility Commission were able to participate in the meeting virtually, as long as quorum of the Utility Commission and the presiding officer were physically present at the Municipal Building, in accordance with the Texas Open Meetings Act. A video recording of the meeting was made and will be posted to the City's website and available to the public in accordance with the Texas Public Information Act upon written request.

CALL UTILITY COMMISSION MEETING TO ORDER

1. Roll Call

Chair Jonathan Miller called the meeting to order at 5:30 p.m.

Present Members: Chris Kirksey, Clark Wilson, Chair Jonathan Miller, Walt Roloson, Elizabeth Bray, and Christopher Meakin

Also Present: City Administrator Ashley Wayman, City Secretary Desiree Adair, Utility Billing Manager Veronica Hernandez, and Assistant to the City Administrator Makayla Rodriguez

PUBLIC COMMENTS

There were no public comments.

CONSENT AGENDA

2. Discussion and possible action on the minutes from the September 18, 2023 Utility Commission meeting

Clark Wilson moved to accept the minutes. Chris Meakin seconded the motion. The motion carried with 6 in favor and 0 against.

REGULAR AGENDA

3. Discussion regarding the 2022 City of Rollingwood Water Quality Report

Andrew Hunt, of Crossroads, presented the 2022 Water Quality Report. He stated that all of Rollingwood water meets or exceeds the State and Federal standards. He discussed contaminants, residuals, byproducts and metals. He explained that the public notice at the

end of the report that was a filing error on their part. They have corrected this internally so that this will not happen again.

Elizabeth Bray asked questions regarding sampling, nitrates, and changes in water sampling sites. She would like a comparison before and after the City’s water system infrastructure improvements, and a comparison of City of Austin water testing versus local water testing. She asked questions regarding specific contaminants.

Mr. Hunt will send information to the City about PFOAs. A member of the public and Mr. Hunt discussed boil water notices.

4. Discussion and possible action on utility appeal for 4828 Timberline Drive

Taylor Jobe, 4828 Timberline Drive, discussed the high water bill he received from June 2023.

The Utility Commission reviewed adjustments allowed by the code, asked questions of the resident, reviewed historical consumption for the address, and discussed potential solutions.

Chair Jonathan Miller moved to table this to allow the homeowner to provide the documentation and one more month of usage and the documentation of the repair and then we will readdress the situation. Clark Wilson seconded the motion. The motion carried with 6 in favor and 0 against.

5. Discussion and possible action on utility appeal for 4830 Timberline Drive

Ryan Ford, 4830 Timberline Drive, discussed his home usage and the testing of the autofill recommended at the last meeting.

The Utility Commission discussed the consumption history for the home, meter testing, and the possibility of undetected leaks.

City Administrator Ashley Wayman stated that the City would send the meters for testing.

Chair Jonathan Miller recommended a subcommittee to consider circumstances or optionality for a path forward for a situation where there is a spike in usage but there is not an explanation for the usage.

Chair Jonathan Miller moved to create a subcommittee to discuss and address unusual water usage and come up with some ideas of how we can address those things which then may in turn be applied to these particular issues and appeals.

Chair Jonathan Miller restated his motion to create a subcommittee to discuss potential solutions or addressing water usage that doesn’t meet the existing criteria. Walt Roloson seconded the motion. The motion carried with 6 in favor and 0 against.

The Commission and resident discussed payment of the bill.

6. Discussion and possible action on utility appeal for 4824 Rollingwood Drive

Julie Shah, 4824 Rollingwood Drive, provided a handout to the Commission.

Chair Jonathan Miller started with the irrigation timeline and asked questions regarding the timeline of the water usage.

Ms. Shah stated that she is working with the City on permitting of a new pool.

The Utility Commission discussed the pool leak and repairs as well as the water consumption history.

The City can provide 2020 historical water consumption for this address.

City Secretary Desiree Adair explained the permitting status for the new pool. The Commission asked about the timeline of the engineering process and clearing of comments.

Chair Jonathan Miller would like to discuss flexibility regarding extraordinary situations. He mentioned that the account is current and that the subcommittee will look into this address as well.

The Utility Commission asked for a letter from Ms. Shah’s engineer stating that the draining of the pool would put her foundation at risk.

This situation will also be considered as part of the subcommittee discussions.

7. Discussion of intent to continue to serve on the Utility Commission

City Administrator Ashley Wayman discussed the names of the Utility Commission members whose terms end in December 2023. Clark Wilson, Elizabeth Bray, Jonathan Miller, and Chris Meakin all indicated that they intend to continue to serve.

The subcommittee will include Chair Jonathan Miller, Chris Meakin, and Chris Kirksey.

The cell phone survey will be on the next Utility Commission meeting agenda.

ADJOURNMENT OF MEETING

The meeting was adjourned at 6:54 p.m.

Minutes Adopted on the _____ day of _____, 2023.

Jonathan Miller, Chair

ATTEST:

Desiree Adair, City Secretary



Rollingwood Utility Customer Appeals Process Summary

Rollingwood Utility customers may appeal to have their water and related wastewater bill reduced. ~~City Ordinance 2012-11-07 Sections 34-69 and 22-30 of the City's Code of Ordinances~~ governs the appeals process. This ordinance also specifies the process for termination of service for delinquent accounts. Customers appealing their utility bill must pay an amount equal to the most recent uncontested bill for each month that is being appealed. During the appeals process, that portion of the bill under appeal is not considered delinquent, however, aAll uncontested portions of the account must be paid and kept current.

Customers should be aware that the City is responsible for equipment malfunctions up to the point where the water meter is attached to the customer's supply line. The customer is responsible for leaks in plumbing and other equipment beyond this point. However, City Utility Staff may be able to assist customers in determining whether or not high water consumption is due to a leak. Customers are advised to consult with City Staff prior to a formal appeal, if a leak is suspected.

Appeals Process

The City Council designates the City of Rollingwood Utility Commission as the Hearing Officer for the purposes of Utility Appeals.

Appeals should be filed as soon as possible, but no later than six (6) months after issuance of the first contested utility bill. Adjustments of bills for periods exceeding three (3) months will not be considered except in extraordinary circumstances, as determined at the sole discretion of the City, with the exception of appeals under item 5 below, the "no confirmed leak" category. Reasonable causes for appeals include:

1. Errors in meter reading
2. Water meter inaccuracy or other malfunctions (such as a leak within the meter, or a leak at the point where the meter attaches to the customer's line)
3. Errors in calculation of the bill
4. Excessive water use due to confirmed leaks in the customer's plumbing and other equipment. Appeals for partial reduction of the bill may be considered by City Staff, providing that the customer provides reasonable evidence that the leak has been repaired. Volume charges for excess water usage may be reduced to the actual per-gallon costs to the City, plus an administrative fee, not to exceed 10%. A reduction in wastewater charges may also be allowed, if inaccuracies occur during the winter averaging months.

4.5. A bill that exceeds the highest volume use during the preceding 12

months by 40% with no leaks confirmed

Excess water usage is typically estimated by determining the average water usage over the past three, two, or one year(s) for the same month(s), depending on the number of years' history available. The excess water usage is the difference between this average and the contested water usage. If there are fewer than 12 months' history available, City Staff is authorized to use another method, such as averaging the history that is available, hold on determining the average water usage until a year of historical usage is available to provide information to make the determination as provided above. determine average water usage. A customer is not eligible for an appeal or leak adjustment if they have been given a credit in connection with an appeal or leak adjustment in the preceding 12 months.

An appeal under the "no confirmed leak" category can be for no longer than a two-month period. In such situations, the charges may be reduced for up to the two-month period to the next highest volumetric use in the most recent 12-months of usage plus the per gallon cost to the city plus an administrative fee not to exceed 10% for the amount over the highest use in the preceding months. A customer is not eligible for an appeal under the "no confirmed leak" category if they have been awarded an appeal of this type in the preceding 24 months.

If informal discussion with City Staff does not resolve an issue, then the appeals process as outlined in the ordinance is the following: A written appeal is prepared by the customer and submitted to the City Secretary. The appeal is formally addressed to the City Council, but will be considered in the following steps:

1. The Utilities Director will evaluate the appeal and may recommend reducing the bill as requested, reducing it partially, or rejecting the appeal. The customer may choose to end the process at this point.
2. A customer not satisfied with the decision of the Utilities Director, may request further consideration and, if so, the appeal will be referred to the Utility Commission, who will act as Hearing Officer for rendition of a final decision. The Commission will conduct a hearing at its first meeting following the referral, for which adequate notice can be provided as required by the code.

Fiscal Year 2022-2023 Year End (Unaudited)

Water Fund (200) Projected Unexpended Balance	\$ 663,836
Less: Water Fund 6 Months Reserve	<u>\$ (544,068)</u>
Discretionary Spending for Decision: Water Fund	\$ 119,768
Wastewater Fund (800) Projected Unexpended Balance	\$ 671,638
Less: Wastewater Fund 6 Months Reserve	<u>\$ (473,406)</u>
Discretionary Spending for Decision: Wastewater Fund	\$ 198,232