

# CITY OF ROLLINGWOOD UTILITY COMMISSION MEETING AGENDA

Tuesday, September 03, 2024

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 September 03, 2024 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=QmNUbmZBQ1IwUINjNmk5RnJrelRFUT09

**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 <a href="mailto:mrodriguez@rollingwoodtx.gov">mrodriguez@rollingwoodtx.gov</a>. 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.

 Discussion and possible action on the minutes from the June 4, 2024 Utility Commission meeting

#### **REGULAR AGENDA**

- 3. Update regarding the City Council resolution authorizing the Mayor to engage in discussions with various entities regarding the securement of water rights, a contract for wholesale water service, and procure professional services related thereto
- 4. Update regarding the Electronic Meter project
- 5. Discussion and possible action regarding updates to the Utility Bill Appeals policy
- 6. Update regarding the Policy for Reimbursement due to Water Main Line Breaks
- 7. Update regarding Water CIP Bond Program Packages 1-4

#### **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 on Friday, August 30, 2024 at 5:00 p.m.

# Ashley Wayman

Ashley Wayman, City Administrator

#### 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

Tuesday, June 04, 2024

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 Tuesday, June 4, 2024 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 5:40 p.m.

**Present Members:** Jonathan Miller, Chris Kirksey, Walt Roloson, Chris Meakin, and Elizabeth Bray (virtually)

**Also Present:** City Administrator Ashley Wayman, Assistant City Administrator Desiree Adair, and Utility Billing Manager Veronica Hernandez

#### **PUBLIC COMMENTS**

There were no public comments.

#### **CONSENT AGENDA**

Discussion and possible action on the minutes from the April 2, 2024 Utility Commission meeting

Chris Kirksey moved to approve the minutes from the last meeting. Chris Meakin seconded the motion. The motion carried with 5 in favor and 0 against.

#### **REGULAR AGENDA**

3. Discussion regarding AT&T and Verizon results from the cellular service survey

City Administrator Ashley Wayman discussed how the results were split between AT&T and Verizon responses. She stated that the City of West Lake Hills is considering sending the same survey to their residents.

The Utility Commission discussed and analyzed the survey results. They compared the results between the two carriers.

The Utility Commission discussed possibility of cellular micro networks, concern regarding emergency services and cellular service, and further options with leverage including neighboring cities.

4. Discussion and possible action regarding a policy for reimbursement to the City due to water main line breaks

Chair Jonathan Miller discussed that the subcommittee met and came up with some ideas. He stated that the goals included determining a responsible party and estimating water loss for reimbursement.

Assistant City Administrator Desiree Adair stated that this has been discussed with legal and that this would be invoiced separately from the utility bill.

The Utility Commission discussed responsible parties and the call before you dig law.

City Administrator Ashley Wayman discussed call before you dig requirements, types of permits, and contractor responsibility.

Chair Jonathan Miller moved to approve and recommend this policy to the City Council. Chris Meakin seconded the motion. The motion carried with 5 in favor and 0 against.

5. Update on the electronic water meter project

City Administrator Ashley Wayman reported that the project started yesterday and explained that you could expect to see the shipping container storage at the upper park. She stated that this project is expected to last one to two months.

City Administrator Ashley Wayman explained that at some point during the project, the City will plan to educate the public regarding the eye on water app.

Ms. Wayman discussed the policy for changes, breaks, and upgrades in water meters and the future cost of water meters to be discussed at a later date.

Elizabeth Bray asked if everyone in the City would be getting new water meters. City Administrator Ashley Wayman confirmed that everyone will be getting a new meter and that City Council voted that there will be no opting out.

Update on Water CIP Packages 1-4

City Administrator Ashley Wayman discussed that all of the cul de sacs are completed, the new PRV has been installed, and that the City will pick up on the hydrant testing after installation. She stated that the two drainage projects have started and Google Fiber will come in to lay lines in the next few weeks in the section of the City that will be paved in phase 1.

Ms. Wayman stated that the installation of Google Fiber is dependent upon the water project, could extend through 2025 and the availability for service is yet to be determined.

Chris Meakin inquired about a rate study. City Administrator Ashley Wayman stated that after the electronic meters are installed, the City is planning to budget for a water rate study in the next fiscal year.

City Administrator Ashley Wayman offered to bring more information about the water and wastewater funds.

Walt Roloson asked about the City's long-term water plan. Chair Jonathan Miller requested that City staff put this on a future agenda.

#### **ADJOURNMENT OF MEETING**

The meeting was adjourned at 6:20 p.m.

**Ashley Wayman, City Administrator** 

Minutes Adopted on the	day of	, 2024.	
ATTEST:		Jonathan Miller, Ch	air

#### **RESOLUTION NO. 2024-08-21-09**

A RESOLUTION OF THE CITY COUNCIL OF ROLLINGWOOD, TEXAS AUTHORIZING THE MAYOR TO ENGAGE IN DISCUSSIONS WITH VARIOUS ENTITIES REGARDING THE SECUREMENT OF WATER RIGHTS, A CONTRACT FOR WHOLESALE WATER SERVICE, AND PROCURE PROFESSIONAL SERVICES RELATED THERETO

WHEREAS, a reliable drinking water supply is critical to the life, well-being, and safety of the residents, human and non-human, of central Texas, and of the City of Rollingwood, Texas; and

WHEREAS, a safe potable water supply is critical to all economic and civic activity in the area, the suppression of fire, the alleviation of extreme heat; and

**WHEREAS**, the City's drinking water comes exclusively through a contract with the City of Austin; and

WHEREAS, the City does not own its own water rights with the Lower Colorado River Authority (LCRA) and the City is expected to ultimately procure the City's own water rights according to the existing contract with the City of Austin; and

**WHEREAS**, the City is projected to require no more than 500 acre-ft/year of water to meet existing water demands and future demand projections; and

WHEREAS, the City intends to submit the required Water Contract Application and General Information Form to LCRA upon collecting the necessary information for inclusion in the application; and

**WHEREAS**, the City wishes to provide notice to LCRA of its intent to secure 500 acreft/year of water.

# NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROLLINGWOOD:

- **Section 1.** That the foregoing recitals are hereby found to be true and correct findings of the City Council of Rollingwood and are fully incorporated into the body of this Resolution.
- **Section 2.** That the City Council of the City of Rollingwood finds and determines that the Mayor is authorized to engage in discussions with LCRA to secure water rights for 500 acreft/year, including preparation of the required LCRA permitting forms and attachments. The LCRA application fee is \$2,000. The annual cost for used firm water is \$155 per acre-ft/year; however, if the City does not use all of the reserved capacity then the cost of the unused water is \$77.50 per acre-ft/year. If the City exceeds their reserved capacity the rate is \$310 per acre-ft/year for every acre-ft above 500 acre-ft/year. If the City uses the full reserved capacity, the annual cost is \$77,500.

Any resulting contract to be brought back for final approval by the City Council.

- **Section 3.** That the City Council of the City of Rollingwood finds and determines that the Mayor is authorized to engage in discussions with the City of Austin to develop a contract for the City's water to be treated and transported by the City of Austin to the City of Rollingwood existing water delivery points. The cost for the City of Austin contract is not known at this time and will be negotiated. Any resulting contract to be brought back for final approval by the City Council.
- **Section 4.** The Mayor is authorized to procure professional engineering and surveying services to prepare the required LCRA permit applications, perform necessary City limits and boundary survey, develop maps and exhibits, and gather all other backup information required by LCRA, in an amount not to exceed \$40,000 to be appropriated from the unexpended balances of the water fund and/or wastewater fund. In total, 10 exhibits are required to be included with the LCRA application.
- **Section 5.** It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.
- **Section 6.** This Resolution shall be in force and effect from and after its passage and it is so resolved.

PASSED, APPROVED AND DULY RESOLVED by the City Council of Rollingwood on this the 21st day of August, 2024.

Gavin Massingill, Mayor

**ATTEST:** 

Ashley Wayman, City Administrator

# AGENDA ITEM SUMMARY SHEET City of Rollingwood

# **Utility Commission Meeting Date: September 3, 2024**

#### **Submitted By:**

Staff

#### Agenda Item:

Update regarding the Electronic Meter project

#### **Description:**

The electronic meter project was completed on Friday, July 26, 2024. All meters within the city have been replaced with electronic meters that can be read and monitored remotely.

Residents can now view their own water usage in real time by signing up for an EyeOnWater account. Instructions regarding how to sign up for an EyeOnWater account were distributed with the August water bills and we encourage all residents and businesses to make an account to monitor their water usage and set up leak alerts.

For more information on setting up an account, and the features available with EyeOnWater, please visit our city website here: <a href="https://www.rollingwoodtx.gov/cityutilityservices/page/update-electronic-meters-andviewing-your-consumption-eyeonwater">https://www.rollingwoodtx.gov/cityutilityservices/page/update-electronic-meters-andviewing-your-consumption-eyeonwater</a>

#### **Action Requested:**

No action requested.

#### **Attachments:**

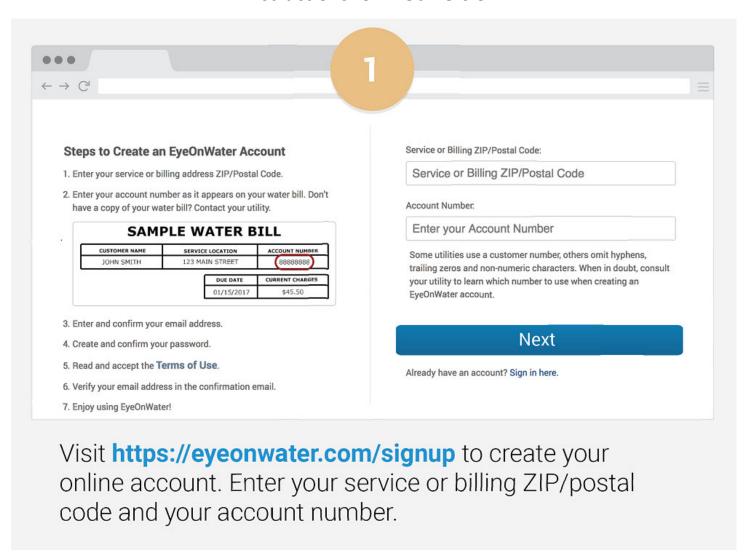
Instructions for creating and EyeOnWater account



# **Creating an EyeOnWater Account**

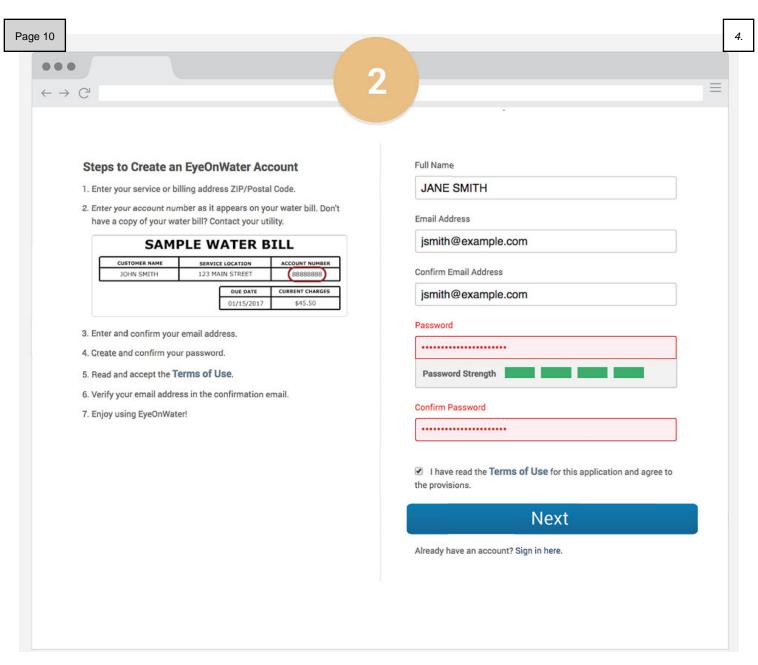
Rollingwood water utility customers now have an electronic water meters installed and have the ability to monitor their home or business water usage online. To start monitoring your usage, you will need to visit <a href="https://eyeonwater.com/signup">https://eyeonwater.com/signup</a> on your computer using a web browser or download the EyeOnWater App from the App Store (Available for iPhone or Android) by searching "EyeOnWater."

#### **Instructions for Web Version**

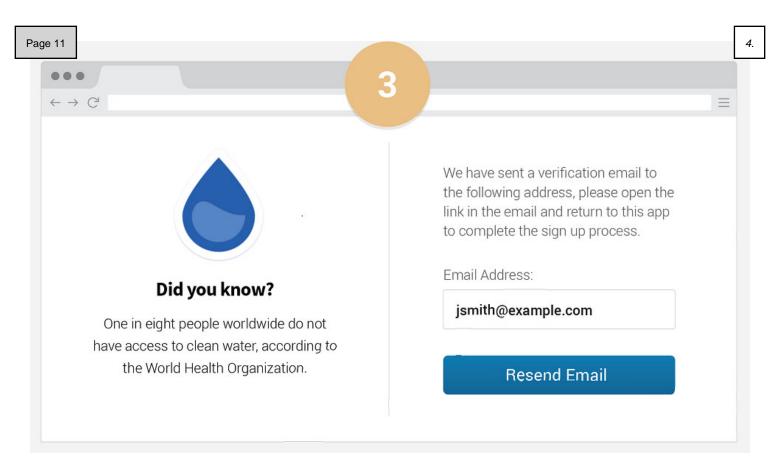


Enter your service address **zip code** and your **account number** (found on your utility bill) with all dashes included (Ex: 01-12345-01).

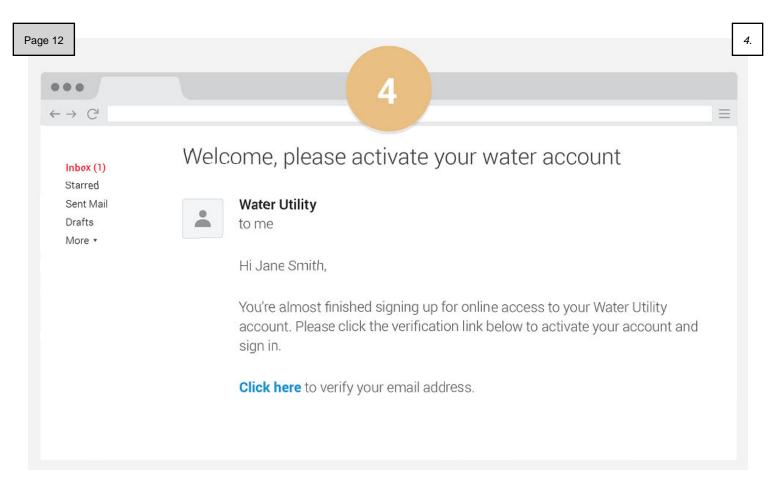
Click "Next."



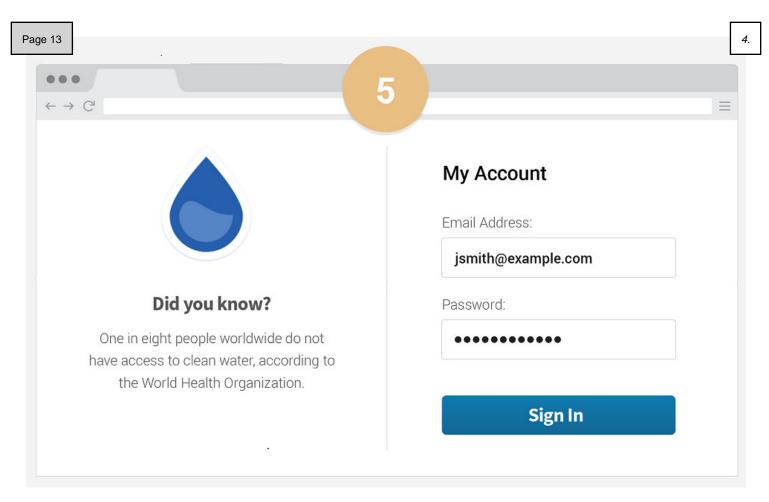
Enter your full name, email address and create a password. Click "Next."



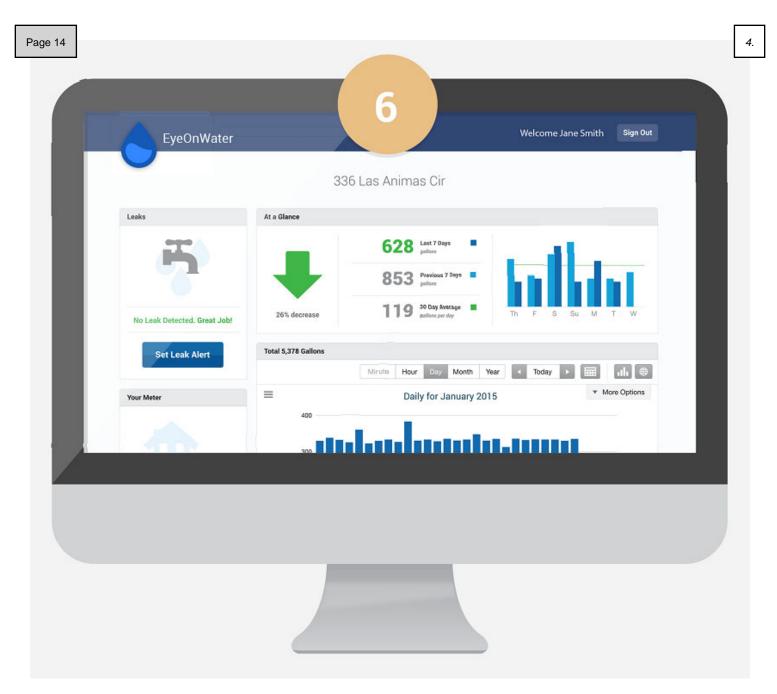
Check your email for a verification message.



Click the **link** in the email to **verify** your email address.



After clicking the link in your email, enter your email and password to sign in.



Once you are logged in, you'll be able to view your water consumption and set leak alerts. Please note that consumption data from before the electronic meter was installed (June or July) will not be available for viewing in EyeOnWater.

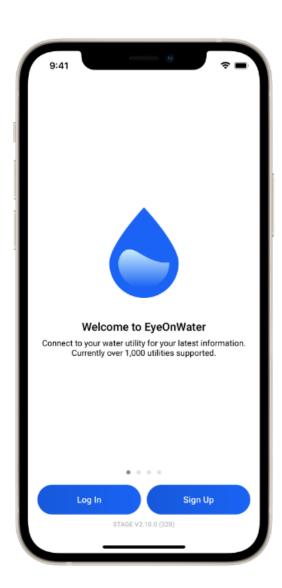
For more information about customizing your EyeOnWater Experience, please watch the following video: <a href="https://www.youtube.com/watch?v=RSW5FcB1nM0">https://www.youtube.com/watch?v=RSW5FcB1nM0</a>

If you have any questions about your EyeOnWater account, please contact Rollingwood City Hall at (512) 327-1838.

### **Instructions for the Mobile App**

Download the EyeOnWater app from the App store. The app will look like this:





The Welcome screen greets you the first time you open the app. From this screen you can:

- Log In to an existing account
- Sign Up for a new account

Tap **Sign Up** to begin creating a new EyeOnWater account.

Enter your water account number.

Enter the **ZIP or Postal Code** of the location where your utility delivers water.

Your account will populate. If the information is correct, click "Yes, that's me"

Enter your **full name**, **email address** and create a **password**.

Agree to the Terms of Use.

Select "Submit"

Follow the on-screen instructions to send a verification email.

After opening the verify link in the email, return to the EyeOnWater app and, if prompted, tap **I've Verified My Email**, or login from the **Welcome** screen.



#### Rollingwood Utility Customer Appeals Process Summary

Rollingwood Utility customers may appeal to have their water and related wastewater bill reduced. Sections 34-69 and 22-30 of the City's Code of Ordinances govern 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. All 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**

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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" provision. 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.
- 5. A bill that exceeds the highest monthly 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, to determine average water usage.

An appeal under the "no confirmed leak" provision can be for no longer than two consecutive months. 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 two months usage were appealed and granted under this provision, the first appealed bill will serve as the determining month for purposes of determining whether a customer is eligible to make an appeal under this provision.

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:

- 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.





#### Policy for Reimbursement to the City Due to Water Main Line Breaks

#### **Purpose**

The purpose of this policy is to describe the reimbursement policy for expenses incurred by the City due to accidental water line breaks. This policy aims to safeguard the integrity of our water infrastructure, protect public health and safety, and minimize the environmental and financial impacts of such incidents.

Anyone wanting to dig must contact 8-1-1, wait the two business days for the utilities to mark the work area and confirm that there has been a response prior to digging.

Property owners or occupants who are responsible for water line breaks are charged for estimated water loss (described below) at the wholesale rate plus a 10% administrative fee, as they would for excess water due to recognized leaks. In addition, they will reimburse the city for repair expenses of city water lines.

Non-owners, such as contractors or subcontractors are subject to additional policies outlined below.

#### **Notification Requirement and Mitigation Measures**

Anyone who causes a water main line leak or break must notify the city immediately by calling (512) 328-1900. Additionally, they are required to call 8-1-1 for "Emergency Locates."

They should then remain at the scene, mitigating the break to any extent possible and securing the area to allow for city vehicles and equipment to access the property and line break. They will be required to provide contact information to city employees or their representatives when requested.

#### Reimbursement of Expenses Incurred by the City

A non-owner who causes a water main line leak or break will be responsible for the costs the city incurs in responding to and repairing the pipe. If there is an active construction permit for the site, the responsible party will be responsible to reimburse the City for these expenses. If the non-owner does not pay within 90 days of billing, the landowner of record or their beneficiaries becomes responsible for the expenses. Costs that will be charged to the non-owner for reimbursement include:

- Employee/Third-Part Labor (Including Overtime)
- Materials

- Equipment Charges
- Estimated Water Loss

Estimated water loss will be calculated using reasonable available calculations including but not limited to processes utilized by neighboring municipalities. Non-owners will be charged for the water loss at the city wholesale rate plus a 10% administrative fee.

The initial invoice will go out to (1) the responsible party, (2) the permit holder/applicant, and (3) the landowner of record or their beneficiaries.

#### **Policy Updates**

City staff will review this document periodically to ensure that it contains up-to-date information and is consistent with the City's Code of Ordinances. Any potential changes or updates that materially alter this document will be brought to City Council for approval.

#### ORDINANCE NO. 2024-08-21-17

AN ORDINANCE AMENDING CHAPTER 2, OF THE CITY'S CODE OF ORDINANCES; ADDING ARTICLE VIII WATER LINKE BREAKAGE POLICY; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

**WHEREAS**, the City of Rollingwood City Council recognizes that water line infrastructure is a vital component of the city's utility network. Breakages of city water lines result in significant repair costs, operational disruptions, and potential damage to other infrastructure and private property. The financial burden of these repairs falls disproportionately on the city's taxpayers and utility ratepayers; and

**WHEREAS**, ensuring accountability for damages caused by third parties is essential for maintaining the integrity and sustainability of the city's water system. Currently, there is a lack of clear policy regarding financial responsibility for breakages of city water lines, leading to potential disputes and inconsistent recovery of repair costs; and

**WHEREAS**, water line breakages can pose serious risks to public health and safety, including interruptions in water service, potential contamination, and hazards to the general public; and

**WHEREAS**, implementing a policy that requires payment for damages caused by third parties is anticipated to serve as a deterrent against negligence and accidental breakages. Increased awareness of the financial implications of causing damage is expected to encourage responsible behavior among individuals and organizations that interact with city infrastructure; and

**WHEREAS**, the proposed policy aims to create a system where those who cause damage to city water lines are held financially responsible, rather than the cost being absorbed by the broader community; and

**WHEREAS**, establishing a clear policy and process for charging individuals or entities responsible for breaking city water lines will streamline administrative procedures, reduce disputes, and facilitate more efficient recovery of repair costs. This will also provide a standardized framework for enforcement and compliance

# NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLINGWOOD, TEXAS, THAT:

**SECTION 1.** All the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

#### **SECTION 2.** Code Amendment.

Chapter 2 of the City's Code of Ordinances is hereby amended to add Article VIII as follows:

#### Article VIII

#### Section 2-800 Water Line Breakage

City Council shall adopt a policy dictating financial responsibility and payment for water line breaks. Such a policy to include, but not be limited to, responsibility for cost of repairs and reimbursement for water loss.

**SECTION 3**. All provisions of the ordinances of the City of Rollingwood in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and all other provisions of the ordinances of the City of Rollingwood not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 4.** Should any sentence, paragraph, sub-article, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

**SECTION 5**. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

**APPROVED, PASSED AND ADOPTED** by the City Council of the City of Rollingwood, Texas, on the 21st day of August, 2024

	Gavin Massingill, Mayor
TEST:	