

WATER SERVICE TRANSFER AGREEMENT

STATE OF TEXAS §

COUNTY OF TRAVIS §

This WATER SERVICE AREA TRANSFER AGREEMENT (this "Agreement") is entered into by and between **Manville Water Supply Corporation**, a Texas nonprofit water supply corporation ("Manville") and the **City of Manor**, a Texas home rule municipality operating a retail public water utility (the "City"). Manville and the City are each referred to herein as a "Party" and are collectively referred to herein as the "Parties".

Recitals

WHEREAS, Manville is the holder of Certificate of Convenience and Necessity No. 11144 (the "Manville CCN"), the boundaries of which are within Travis, Bastrop, Lee, and Williamson Counties, Texas;

WHEREAS, the City is the holder of water CCN No. 10947, the boundaries of which are primarily within Travis County, Texas (the "City CCN");

WHEREAS, Texas Water Code ("TWC") §13.248 authorizes contracts between retail public utilities designating areas and customers to be served by those retail public utilities, when approved by the Public Utility Commission of Texas (the "PUC") after public notice and hearing;

WHEREAS, the Manville CCN and the City CCN boundaries are adjacent to each other in certain locations;

WHEREAS, OWNER LANDMARK AT MANOR PROP HOLDINGS WEST, LLC, a Texas limited liability company ("Owner" or "Landmark") owns approximately 12.8 acres of land, being out of the Greenberry Gates Survey No. 63, Abstract No. 315, City of Manor, Travis County, Texas within the corporate limits of the City and located in the Manville CCN, which is more particularly described and depicted in **Exhibits "A" and "B"** attached hereto (the "Transfer Tract");

WHEREAS, Owner has requested, and Manville has agreed, to authorize the transfer of the Transfer Tract from the Manville CCN to the City CCN;

WHEREAS, no customers or facilities exist on the Transfer Tract, hence none are being transferred as part of this Agreement; and

WHEREAS, the Parties desire to transfer the retail water certification for the Transfer Tract from the Manville CCN to the City CCN in accordance with the terms of this Agreement.

NOW THEREFORE, for and in consideration of the mutual promises and covenants herein contained and other good and valuable consideration, the receipt and sufficiency of which is acknowledged by all Parties, it is agreed as follows:

1. **Purpose.** This Agreement shall be a “contract” designating areas and customers to be served by the Parties in accordance with TWC § 13.248.

2. **Transfer.** Manville transfers to the City, and the City accepts from Manville, the portion of the Manville CCN that overlaps with the Transfer Tract as depicted in the **Exhibit “A”** General Location Map and in the **Exhibit “B”** Detailed Map attached hereto, and the Parties hereby agree to the modifications of the boundaries of their water CCNs accordingly and designate the City as the retail water service provider for the Transfer Tract.

3. **Notice Requirements.** On June 15, 2023, the Manville Board of Directors considered and approved Owner’s request for Manville’s willingness to join with the City in an application to the PUC to transfer the Transfer Tract from its water service area to the City. **Exhibit “C”** hereto contains the Agenda announcing the June 15, 2023, board meeting (see Agenda Item 6.b.), and the Minutes from that meeting demonstrating that the Board approved the transfer of the said approximately 12.8 acres owned by Owner, which includes the Transfer Tract. **Exhibit “D”** is an affidavit from Manville’s General Manager, Erik Prinz, attesting to the fact that the Manville Board did indeed carry out the public notice. Thus, the public notice requirements set forth at 16 TAC 24.253 (c)(2) and (3) have been fulfilled.

4. **Compensation.** By separate agreement, Owner and Manville entered a compensation arrangement for Manville’s agreement to move the Transfer Tract from the Manville CCN to the City CCN. Manville does not require compensation from the City for the subject transfer.

5. List of Exhibits.

Exhibit A: General Location Map

Exhibit B: Detailed Map

Exhibit C: Manville Board Meeting Agenda and Minutes

Exhibit D: Affidavit of Erik Prinz, Manville General Manager

6. **PUC Application.** The Parties agree to cooperate and collaborate in all actions necessary to prepare, file, and advance the application at the PUC necessary to approve the transfer of the Transfer Tract from the Manville CCN to the City CCN (the “Application”). The Parties agree that Owner will take primary responsibility for drafting, filing, and advancing that Application, in collaboration with Manville and the City. The Parties agree to cooperate in a timely manner in advancing the Application. If the PUC denies the Application in whole or in part, or is unwilling to process the Application, then the Parties agree to implement an alternate approach in

a reasonable amount of time that is substantially similar to and accomplishes the purposes of this Agreement.

7. **No Continuing Obligation to Serve.** The Parties agree that, upon PUC approval of the Application, Manville shall have no further obligation to provide retail water service to the Transfer Tract. Owner is currently receiving water services from Manville and authorizes the transfer request.

8. **City Service.** Retail water service by the City to the Transfer Tract will be governed by the City's established service policies.

9. **Term.** This Agreement will terminate on the date that the PUC's decision regarding the Application is final and non-appealable.

10. **Effective Date.** The Effective Date shall be the date on which the last party signs the Agreement.

11. **Applicable Law.** This Agreement shall be governed by, and construed in accordance with, the Constitution and laws of the State of Texas.

12. **Entire Agreement.** This Agreement reflects the entire agreement between the Parties, and supersedes all prior and contemporaneous agreements and understandings, both written and oral, between the Parties with respect to the subject matter hereof.

13. **Notices.** All notices and correspondence pertaining to the Agreement shall be in writing delivered by hand or certified mail, return receipt requested and postage prepaid, or by nationally recognized courier service, and shall be addressed as follows, unless a Party notifies the other in accordance with this Section of a change of address or other information provided herein:

If to Manville:

Manville Water Supply Corporation
Attn: General Manager
PO Box 248
Coupland, Texas 78615
Telephone: (512) 856-2488

With a copy of all notices to:

Law Office of Z.T. Evans, PLLC
Attn: Zachariah Evans
2900 W. Anderson Lane
Bldg. C-200, Suite 354
Austin, Texas 78757
Email: zac@ztevaslaw.com

If to the City:

City of Manor

Attn: City Manager
105 E. Eggleston Street
Manor, Texas, 78653
Telephone: (512) 972-0117

With a copy of all notices to:
The Knight Law Firm, LLP
Attn: Irene Montelongo
223 West Anderson Lane, Suite A-105
Austin, Texas 78752
Email: irene@cityattorneytexas.com

If to the Owner:
Landmark at Manor Prop Holdings West, LLC
Landmark Companies
Attn: Nauman Abbasi
21500 Biscayne Blvd.
4th Floor – Suite 402
Aventura, Florida 33180
Email: nabbasi@landmarkcompanies.us

With a copy of all notices to:
Landmark Companies
Attn: Robinson Zamorano
21500 Biscayne Blvd.
4th Floor – Suite 402
Aventura, Florida 33180
Email: rzamorano@landmarkcompanies.us

and

Jackson Walker LLP
Attn: Pam Madere
100 Congress Ave, Suite 1100
Austin, Texas 78746
Email: pmadere@jw.com

Notice shall be effective only upon receipt by the party being served, except notice shall be deemed delivered and received seventy-two (72) hours after posting by the United States Post Office, by the method described above.

14. **Successors and Assigns.** This Agreement shall bind the Parties and their legal successors but shall not otherwise be assignable by any Party without prior written consent of the other Party, which consent shall not be unreasonably withheld.

15. **Venue.** Venue, whether administrative or judicial, shall be proper and lie exclusively in the state courts of Travis County, Texas.

16. **Recitals.** The above recitals are true and correct and are incorporated into this Agreement for all purposes.

17. **Multiple Originals.** This Agreement may be executed in any number of counterparts, each of which shall be, for all purposes, deemed to be an original, and all such counterparts shall together constitute and be one and the same instrument.

18. **Authority.** The Parties represent that the individuals named below are duly authorized to execute this Agreement on behalf of their respective Party.

19. **Enforceability.** The Parties agree that this Agreement constitutes the legal, valid, and binding obligation of each Party hereto, enforceable in accordance with its terms, and that each Party is entering into this Agreement in reliance upon the enforceability of this Agreement.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement effective as of the date signed by the last of the Parties hereto (the "Effective Date").

[Signature Page follows]

MANVILLE WATER SUPPLY CORPORATION

By: 

Name: Erik Prinz

Title: General Manager

Date: 9-24-25

CITY OF MANOR

By: _____

Name: Scott Moore

Title: City Manager

Date: _____

Exhibit A

General Location Map

13.248 Petition to Amend Manville WSC (CCN No. 11144) and City of Manor (CCN No. 10947) in Travis County



General Location Map

Legend



Requested Area to Transfer from
CCN No. 11144 to CCN No. 10947

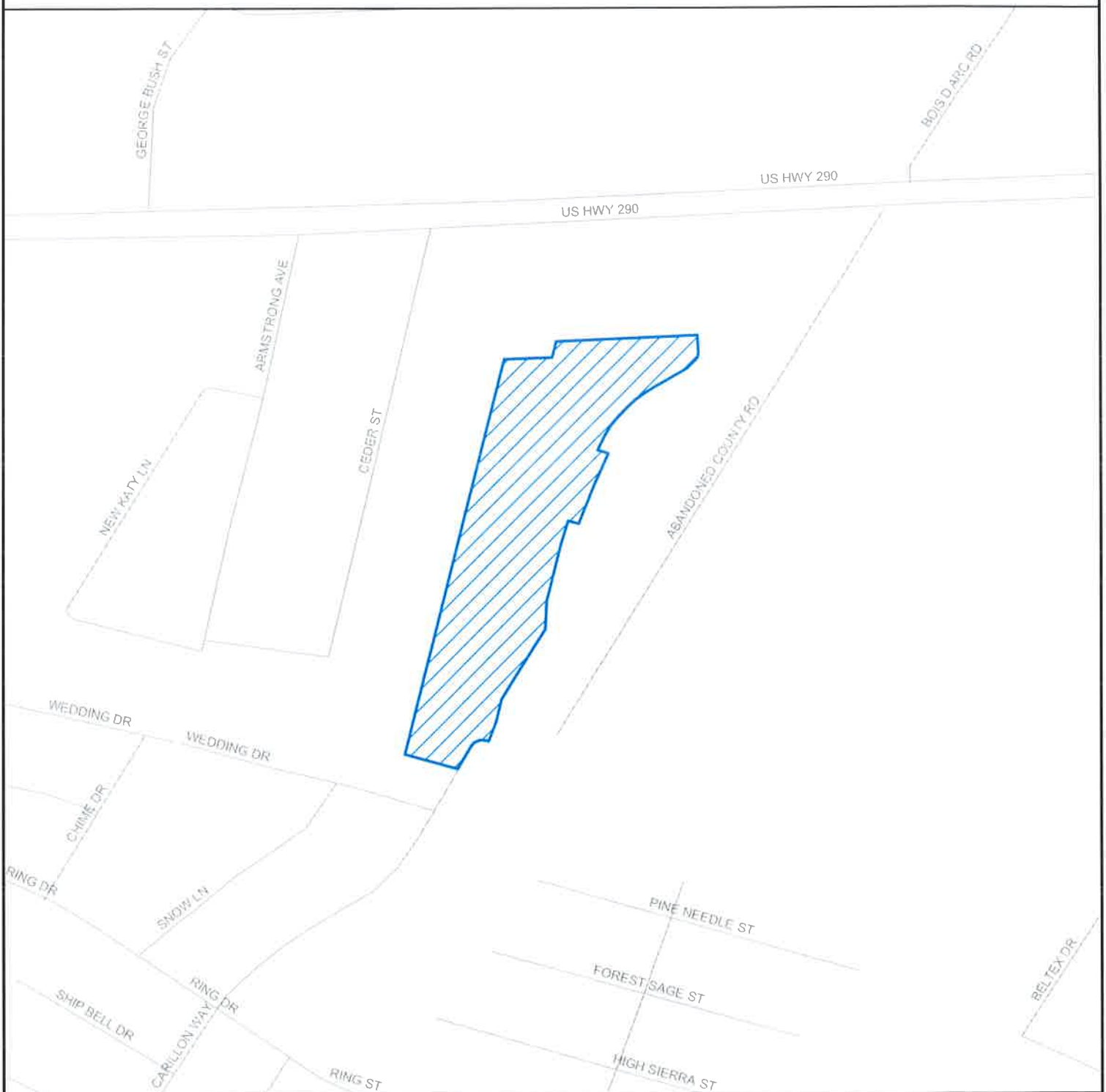


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Exhibit B

Detailed Map

**13.248 Petition to Amend Manville WSC (CCN No. 11144) and
City of Manor (CCN No. 10947) in Travis County**



Detailed Map

Legend

 Requested Area to Transfer from
CCN No. 11144 to CCN No. 10947

Created by: STEGER BIZZELL
Date Created: 09-02-2025



Exhibit C

Manville Board Meeting Agenda and Minutes

MANVILLE WATER SUPPLY CORPORATION

P. O. Box 248
Coupland, TX 78615

Toll Free (1-888) 856-2488 • (512) 856-2488
Fax (1-888) 856-2242 • (512) 856-2029

NOTICE OF PUBLIC MEETING

Notice is hereby given that the Manville Water Supply Corp. Board of Directors will meet for a regular monthly meeting at the Manville Water Supply office at 13805 South SH 95 in Coupland, Texas at 6:00 P.M., on Thursday, June 15, 2023.

1. Call Meeting to Order
2. Approval of Minutes
3. Citizens Communication
4. Manager's Report – Tony Graf / Erik Prinz

Report on:

- Easement Acquisition Update
- New Equipment Building & Office Space
- Monthly System Activities

5. Brief Board on Recent Meetings and Committee Report(s)- No action, report only

6. Discuss and Take Action

- a. Consider Current Suspension of Acceptance of Applications for Feasibility Studies and Water Commitments to New Developments, for Commitments over 2 LUE's
- b. Consider CCN Service Area Transfer Request for Landmark Companies, LLC, 12.57 acres +/- ,13119 East Hwy 290, Manor
- c. Approve Bid and Consider Awarding Contract for Gattis School Road, 6" Water Line Relocation Project (Reimbursable)
- d. Consider Approval of the Gattis School Road, 6" Water Line Relocation Road Project Reimbursement Agreement
- e. Consider Implementing Water Conservation Seasonal Outdoor Watering Restriction Schedule
- f. Consider Amendments to Tariff and Discussions Regarding Capital Recovery Fee
- g. Financial Report – Sharon Kreidel
 - Approve Balance Sheet and Income Statement
 - Discuss LUE and Committed Funds Report
- h. Manville W.S.C. – Water Report, Rolling 12 Month Efficiency Report, Meters Set Report and Delinquent Accounts – Rexanne Pilkenton

7. Engineer's Report – Jerry Fontaine

- a. Report on Construction Projects
- b. Report on 36" Water Line Project

8. Next Board Meeting – Thursday, July 20, 2023

9. Adjourn

The Board of Directors is authorized by Chapter 551, Texas Government Code (the "Open Meetings Act"), to convene in closed or executive session for certain purposes. These purposes include, among others, receiving legal advice from its attorney (Section 551.071); discussing real property matters (Section 551.072); discussing gifts and donations (Section 551.073); and discussing personnel matters (Section 551.074). If the Board of Directors determines to go into executive session for any item on this agenda, the Presiding Officer will announce that executive session will be held and will identify the item to be discussed and provision of the Open Meetings Act that authorizes the closed or executive session.

Tony Graf, General Manager, June 12, 2023

MWSC is an equal opportunity provider and employer.

MANVILLE WATER SUPPLY CORPORATION

P. O. Box 248
Coupland, TX 78615

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A meeting of the Manville Water Supply Corporation Board of Directors was held on June 15, 2023, at Manville's office in Coupland.

Meeting Minutes

Board of Directors present:

Jack Atterstrom, President
George Tolleson, Vice President
Tracy Spellings, Treasurer
Larry Hodde, Secretary
Joe Coffey

Not Present

Sam Jones
Larry Bradley

Manville Representatives and Staff present:

Tony Graf, General Manager
Rexanne Pilkenton, Assistant GM
Erik Prinz, Assistant GM
Sharon Kreidel, Finance Specialist
Zachariah Evan, Attorney
Jerry Fontaine - Engineer

Visitors: Tim Martin, Manhard Construction, Roberto Lopez, Garza EMC, Ryan LaMarre, Quiddity, Zach Johnston, Fairfield Residential, Mike Dallas, Mike Dallas Properties, Charles Cochran, Alliance Residential, Adam Link, Landmark Properties, Julie Nemec & Matt Candelis, landowners, Jill Rogers Red Adventure Texas, Pam Madere, Jackson Walker

1. Call Meeting to Order

Jack Atterstrom, President, called the meeting to order at 6:05 p.m.

2. Approval of Minutes

George Tolleson made a motion to approve the minutes as submitted to the Directors. Joe Coffey seconded the motion; motion carried.

3. Citizens Communication

Matt Candelis, landowner on CR 452, discussed that the cost of a new meter was very high and wanted to know why the cost had increased significantly since he inquired about service a couple of months ago. Jack stated that due to the high growth within Manville's service area a capital improvement study was conducted to determine necessary improvements through-out the system. The capital recovery fee was based on recoverable costs on projects needed and all new service must pay their portion of these projects for new service.

4. Manager's Report – Tony Graf / Erik Prinz

Report on:

- Easement Acquisition Update

There was no report received from the attorney on condemnation progress. 4 new easements have been obtained by EAS.

- New Equipment Building & Office Space

Erik presented a layout of the new equipment building and office space. He noted that the building costs will be substantially higher than projected due to construction cost increases, earth work and drainage. This building will have additional office space for our production operators, Scada system as well as storage for the new portable generators, fuel trailers, vac machine and heavy equipment.

- Monthly System Activities

Tony reported that there was another leak on the 24" water line east of Coupland. He noted that Manville received low pressure calls in the Pflugerville area and Erik discovered a large leak on the 6" water line next to Hawaiian Falls water park that was isolated, and now repaired. Manville implemented Stage 2 outdoor water restrictions due to extremely high demands on the system.

5. Brief Board on Recent Meetings and Committee Report(s)- No action, report only

The staff and Jack had a meeting with developer John Lloyd and his engineer to discuss their concerns with the new CR fees and when the acceptance of applications for additional LUE's for Eastwood and Carmel East developments would be available. The pending electric easement was discussed for both the booster station/interconnect.

Manville staff and Sean Mason met with the City of Manor about creating a map overlaying both entities infrastructure to determine the areas that each entity is better suited to serve, if agreed upon, within Manville's service area for future growth. The city is also interested in possibly providing retail service to the developments Manville is the currently the wholesale provider in Manor.

Jack added that it appears that the GateHouse wholesale water proposed terms is financially the best option for Manville, with very little take or pay water and GateHouse will be permitted for 18,500-acre feet of water. He spoke with Ross Cummings about the risk concerns that Manville has with such a large capital investment with no collateral. To consider contracting with GateHouse, Manville would want to be named on both the groundwater leases with the landowners and permits with Lost Pines.

Jack spoke with Michael Irlbeck with Epcor about contracting additional temporary water, .5 MGD to 1 MGD, as a separate contract from the 3 MGD Manville currently holds. Michael stated that Epcor could provide an additional .5 MGD in August 2023 however the terms, once presented, included adding surcharges on any water taken over the "take or pay" amount on the new or original contract (currently 2 MGD) and other terms that are not acceptable. Jack stated they are still negotiating the details.

Erik, Rexanne and Sean Conner meet with Aqua Water, Lee County WSC, City of Elgin and others to discuss the new proposed rules that Lost Pines is adopting on June 21st. Primarily the meeting was to discuss all issues each entity has with the new rules and how they affect water providers within the district. Aqua proposed sending a statement to the Lost Pines board, prior to adopting the rules, with all entities signature on the document. Aqua attorneys are drafting the document for each water provider to review for signature.

6. Discuss and Take Action

- a. Consider Current Suspension of Acceptance of Applications for Feasibility Studies and Water Commitments to New Developments, for Commitments over 2 LUE's

George Tolleson made a motion to Table Considering Current Suspension of Acceptance of Applications for Feasibility Studies and Water Commitments to New Developments, for Commitments over 2 LUE's until next month. Larry Hodde seconded the motion; motion carried.

- b. Consider CCN Service Area Transfer Request for Landmark Companies, LLC, 12.57 acres +/- ,13119 East Hwy 290, Manor

Joe Coffey made a motion to Approve Landmark Companies, LLC, 12.57 acres +/- ,13119 East Hwy 290, Manor Decertification Request for the 62.84 Acre Tract with Applicants Responsible for CCN Decertification with the PUC and compensation to be determined by Manville Staff and Attorney. George Tolleson seconded the motion; motion carried.

- c. Approve Bid and Consider Awarding Contract for Gattis School Road, 6" Water Line Relocation Project (Reimbursable)

Joe Coffey made a motion to Approve the Bid and Award the Contract for the Gattis School Road, 6" Water Line Relocation Project (Reimbursable) to the low bidder, SCG, LLC, for \$169,905.70. Larry Hodde seconded the motion; motion carried.

- d. Consider Approval of the Gattis School Road, 6" Water Line Relocation Road Project Reimbursement Agreement

George Tolleson made a motion to Approve Authorizing the Staff and Attorney to Approve the Gattis School Road, 6" Water Line Relocation Road Project Reimbursement and Joint Use Agreement. Larry Hodde seconded the motion; motion carried.

- e. Consider Implementing Water Conservation Seasonal Outdoor Watering Restriction Schedule

Joe Coffey made a motion to Approve Implementing a Water Conservation Seasonal Outdoor Watering Restriction Schedule effective May 1st through September 30th yearly. Tracy Spellings seconded the motion; motion carried.

- f. Consider Amendments to Tariff and Discussions Regarding Capital Recovery Fee

Jack Atterstrom, President stated that the Board of Directors is authorized by Chapter 551, Texas Government Code (the "Open Meetings Act"), to convene in closed or executive session for certain purposes. These purposes include, among others, receiving legal advice from its attorney (Section 551.071) and declared a closed session for item 7f".

The Board of Directors and staff went into closed session at 7:45 p.m. to receive legal advice from its attorney. The Board returned to open session at 8:12 p.m.

Larry Hodde made a motion to Reduce the current Capital Recovery fee from 100% of recoverable costs, \$16,094, to 75% of the recoverable costs, \$12,071, effective immediately. Tracy Spellings seconded the motion; motion carried.

g. Financial Report – Sharon Kreidel

- Approve Balance Sheet and Income Statement
- Discuss LUE and Committed Funds Report

Sharon presented the above noted reports which were distributed to the Board.

Larry Hodde made a motion to accept the Financial Reports as presented. Tracy Spellings seconded the motion; motion carried.

h. Manville W.S.C. – Water Report, Rolling 12 Month Efficiency Report, Meters Set Report and Delinquent Accounts – Rexanne Pilkenton

Rexanne presented the above noted reports which were distributed to the Board.

7. Engineer's Report – Jerry Fontaine

a. Report on Construction Projects

Jerry reported that the SWWC interconnect is 99% complete and Eastwood Booster Station is 95% complete. The electrical is being installed for the pending can pumps and Scada is forthcoming. The Bluebonnet electric service for both projects is still pending an easement being granted. He added the Type improvement project, that includes installing the piping for the tank and demoing the existing tank, is being performed. Erik added the tank would not be demoed until August. Jerry noted that the Geotech is being performed for the Gregg-Manor, 2 MG tank and the contract is being prepared for the Gilbert, 1.5 MG tank.

b. Report on 36" Water Line Project

The 36" transmission line basic plan and profile has been submitted to American pipe and Garney construction for review. Manville has signed a contract with Garney Construction to complete the design to build of the 36" water line project. The 20 MGD Blue treatment plant layout and concept plan has been submitted to Steve Kanetzky, electrical engineer, for electrical design. The preliminary design of the Blue transfer station is being prepared.

8. Next Board Meeting – Thursday, July 20, 2023

9. Adjourn

Larry Hodde made a motion the meeting adjourn. George Tolleson seconded the motion, meeting adjourned.

Exhibit D

Affidavit of Erik Prinz

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

BEFORE ME, the undersigned authority, on this day personally appeared Erik Prinz, who,
after being by me duly sworn on his oath stated as follows:

1. "My name is Erik Prinz. I am the General Manager of Manville Water Supply Corporation ('Manville'). I am over the age of 18 years, of sound mind, and am capable of making this Affidavit. The facts stated in this Affidavit are within my personal knowledge and are true and correct.
2. Effective 9/24/2025 Manville Water Supply Corporation ('Manville') and the City of Manor ('City') entered into a 'Water Service Area Transfer Agreement' pursuant to Texas Water Code § 13.248 and 16 Texas Administrative Code § 24.253 (the 'Service Area Contract') designating water customers to be served by Manville and the City and transferring certain lands (the 'Transfer Area') from Manville's water CCN No. 11144 to the City's water CCN No. 10947.
3. On June 15, 2023, the Board of Directors of Manville held a regular meeting at which it discussed the proposed release by Manville and transfer to the City of certain lands within the certificated water service territory of Manville, and the terms of an agreement regarding the transfer, in response to the request of LANDMARK AT MANOR PROP HOLDINGS WEST, LLC. The lands discussed at the meetings were the same lands that are the subject of the Petition to the Public Utility Commission of Texas to which this Affidavit is attached as an exhibit. Notice of the meetings was given by posting in accordance with the requirements of the Open Meetings Act of Texas. True and correct copies of the meeting notice, agenda, and meeting minutes are attached to **Exhibit 'D-1'**.
4. The Transfer Area is located within water CCN No. 11144 held by Manville and consists of the same lands that are the subject of the 'Petition of Manville Water Supply Corporation and City of Manor for Approval of a Service Area Contract under Texas Water Code § 13.248 and to Amend Certificates of Convenience and Necessity in Travis County' to the Texas Public Utility Commission of which this Affidavit is part ('Petition').
5. Manville does not provide retail water service as to any customers within the Transfer Area. Therefore, no customers of Manville will be transferred from Manville to the City by transfer of the Transfer Area from Manville to the City.

6. Manville supports the Petition.

Further Affiant sayeth not.”



ERIK PRINZ
GENERAL MANAGER
MANVILLE WATER SUPPLY CORPORATION

SUBSCRIBED AND SWORN TO BEFORE ME by Erik Prinz, General Manager of Manville Water Supply Corporation, a Texas nonprofit water supply corporation, on this the 24 day of September, 2025.



Notary Public, State of Texas

Exhibit D-1

Manville Board Meeting Agenda and Minutes

MANVILLE WATER SUPPLY CORPORATION

P. O. Box 248
Coupland, TX 78615

Toll Free (1-888) 856-2488 • (512) 856-2488
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Tony Graf, General Manager, June 12, 2023

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Meeting Minutes

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Larry Hodde, Secretary
Joe Coffey

Not Present

Sam Jones
Larry Bradley

Manville Representatives and Staff present:

Tony Graf, General Manager
Rexanne Pilkenton, Assistant GM
Erik Prinz, Assistant GM
Sharon Kreidel, Finance Specialist
Zachariah Evan, Attorney
Jerry Fontaine - Engineer

Visitors: Tim Martin, Manhard Construction, Roberto Lopez, Garza EMC, Ryan LaMarre, Quiddity, Zach Johnston, Fairfield Residential, Mike Dallas, Mike Dallas Properties, Charles Cochran, Alliance Residential, Adam Link, Landmark Properties, Julie Nemec & Matt Candelis, landowners, Jill Rogers Red Adventure Texas, Pam Madere, Jackson Walker

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Jack added that it appears that the GateHouse wholesale water proposed terms is financially the best option for Manville, with very little take or pay water and GateHouse will be permitted for 18,500-acre feet of water. He spoke with Ross Cummings about the risk concerns that Manville has with such a large capital investment with no collateral. To consider contracting with GateHouse, Manville would want to be named on both the groundwater leases with the landowners and permits with Lost Pines.

Jack spoke with Michael Irlbeck with Epcor about contracting additional temporary water, .5 MGD to 1 MGD, as a separate contract from the 3 MGD Manville currently holds. Michael stated that Epcor could provide an additional .5 MGD in August 2023 however the terms, once presented, included adding surcharges on any water taken over the "take or pay" amount on the new or original contract (currently 2 MGD) and other terms that are not acceptable. Jack stated they are still negotiating the details.

Erik, Rexanne and Sean Conner meet with Aqua Water, Lee County WSC, City of Elgin and others to discuss the new proposed rules that Lost Pines is adopting on June 21st. Primarily the meeting was to discuss all issues each entity has with the new rules and how they affect water providers within the district. Aqua proposed sending a statement to the Lost Pines board, prior to adopting the rules, with all entities signature on the document. Aqua attorneys are drafting the document for each water provider to review for signature.

6. Discuss and Take Action

- a. Consider Current Suspension of Acceptance of Applications for Feasibility Studies and Water Commitments to New Developments, for Commitments over 2 LUE's

George Tolleson made a motion to Table Considering Current Suspension of Acceptance of Applications for Feasibility Studies and Water Commitments to New Developments, for Commitments over 2 LUE's until next month. Larry Hodde seconded the motion; motion carried.

- b. Consider CCN Service Area Transfer Request for Landmark Companies, LLC, 12.57 acres +/- ,13119 East Hwy 290, Manor

Joe Coffey made a motion to Approve Landmark Companies, LLC, 12.57 acres +/- ,13119 East Hwy 290, Manor Decertification Request for the 62.84 Acre Tract with Applicants Responsible for CCN Decertification with the PUC and compensation to be determined by Manville Staff and Attorney. George Tolleson seconded the motion; motion carried.

- c. Approve Bid and Consider Awarding Contract for Gattis School Road, 6" Water Line Relocation Project (Reimbursable)

Joe Coffey made a motion to Approve the Bid and Award the Contract for the Gattis School Road, 6" Water Line Relocation Project (Reimbursable) to the low bidder, SCG, LLC, for \$169,905.70. Larry Hodde seconded the motion; motion carried.

- d. Consider Approval of the Gattis School Road, 6" Water Line Relocation Road Project Reimbursement Agreement

George Tolleson made a motion to Approve Authorizing the Staff and Attorney to Approve the Gattis School Road, 6" Water Line Relocation Road Project Reimbursement and Joint Use Agreement. Larry Hodde seconded the motion; motion carried.

- e. Consider Implementing Water Conservation Seasonal Outdoor Watering Restriction Schedule

Joe Coffey made a motion to Approve Implementing a Water Conservation Seasonal Outdoor Watering Restriction Schedule effective May 1st through September 30th yearly. Tracy Spellings seconded the motion; motion carried.

- f. Consider Amendments to Tariff and Discussions Regarding Capital Recovery Fee

Jack Atterstrom, President stated that the Board of Directors is authorized by Chapter 551, Texas Government Code (the "Open Meetings Act"), to convene in closed or executive session for certain purposes. These purposes include, among others, receiving legal advice from its attorney (Section 551.071) and declared a closed session for item 7f".

The Board of Directors and staff went into closed session at 7:45 p.m. to receive legal advice from its attorney. The Board returned to open session at 8:12 p.m.

Larry Hodde made a motion to Reduce the current Capital Recovery fee from 100% of recoverable costs, \$16,094, to 75% of the recoverable costs, \$12,071, effective immediately. Tracy Spellings seconded the motion; motion carried.

g. Financial Report – Sharon Kreidel

- Approve Balance Sheet and Income Statement
- Discuss LUE and Committed Funds Report

Sharon presented the above noted reports which were distributed to the Board.

Larry Hodde made a motion to accept the Financial Reports as presented. Tracy Spellings seconded the motion; motion carried.

h. Manville W.S.C. – Water Report, Rolling 12 Month Efficiency Report, Meters Set Report and Delinquent Accounts – Rexanne Pilkenton

Rexanne presented the above noted reports which were distributed to the Board.

7. Engineer's Report – Jerry Fontaine

a. Report on Construction Projects

Jerry reported that the SWWC interconnect is 99% complete and Eastwood Booster Station is 95% complete. The electrical is being installed for the pending can pumps and Scada is forthcoming. The Bluebonnet electric service for both projects is still pending an easement being granted. He added the Type improvement project, that includes installing the piping for the tank and demoing the existing tank, is being performed. Erik added the tank would not be demoed until August. Jerry noted that the Geotech is being performed for the Gregg-Manor, 2 MG tank and the contract is being prepared for the Gilbert, 1.5 MG tank.

b. Report on 36" Water Line Project

The 36" transmission line basic plan and profile has been submitted to American pipe and Garney construction for review. Manville has signed a contract with Garney Construction to complete the design to build of the 36" water line project. The 20 MGD Blue treatment plant layout and concept plan has been submitted to Steve Kanetzky, electrical engineer, for electrical design. The preliminary design of the Blue transfer station is being prepared.

8. Next Board Meeting – Thursday, July 20, 2023

9. Adjourn

Larry Hodde made a motion the meeting adjourn. George Tolleson seconded the motion, meeting adjourned.