



Minutes of Regular Meeting
Simonton City Hall, 35011 FM 1093, Simonton Texas 77476
Tuesday, November 23, 2010 at 6:00 p.m.

Incorporated May 2008

City of Weston Lakes

PO Box 1082 ★ Fulshear, Texas 77441
(281) 533-0907

1. Call to Order. The regular meeting of the Weston Lakes City Council was called to order at 6:00 p.m. on the 23th day of November 2010 by Mayor Mary Rose Zdunkewicz. A quorum was present.

Council Members Present:

Mayor Mary Rose Zdunkewicz	Alderman Trent Thomas
Mayor Pro Tem Clifton Aldrich	Alderman Gary Owens
Alderman Denis DeLuca	Alderman Ted Case

City of Weston Lakes Staff Present:

City Secretary Kathy Nida	City Attorney David Olson
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Members Absent: None

Aqua Texas Representatives Present:

Kurt Scheibelhut	Troy Bolin	Lonnie Foley
Rick Kabala		

Public Present:

Glen Mikeska	Ron LaLonde	Steven Pustejousky
Linda Harnest	Connie Kozma	Shannon Purcell
Candy Russell	Richard Kozma	Jeremiah Purcell
Marilyn Wardenberg	Ronald Biggstaff	Mike Roller
Gerald Russell	Lynn Biggstaff	Melvin Nash
Vernon Flowers	Bill Ragle	Larry Engel
Carol Flowers	Rhea Ragle	Russell Beusting
Fran Aldrich	Murial Meyers	Cheryl Engel

2. Invocation and Pledge of Allegiance. Alderman Thomas led the Council in the Invocation and the Pledge of Allegiance.

3. Swearing in of Newly Elected Officials.

City Secretary Nida swore in Aldermen Trent Thomas, Denis DeLuca and Ted Case.

4. The Statement of Rules regarding Public Comments was read into the minutes by City Secretary Nida. Secretary Nida stated the following to any and all citizens who wish to address Council during Public Comments: "Each individual desiring to make public comments must make their desires known before the Call to Order. A sign-up sheet will be available at the entrance to the meeting and the individual requesting to speak will be required to identify the subject matter of his or her comment. Each individual will be allotted three minutes for his or her comment. City Council is prohibited from responding to the comment except to

state or correct a fact or to state that Council will consider the matter in a future meeting after being properly placed on the agenda.”

- 5. Public Hearing on Aqua Texas rate increase. Conduct a Public Hearing to determine if the proposed rate increase for the Aqua Texas Southeast Region ratepayers located within the affected areas of the City is reasonable. Background information: The City of Weston Lakes received protests to the proposed increase from ten percent of the ratepayers located within the effected area the City and are, therefore, required to conduct this public hearing.**

City Attorney Olson stated all members of the public would be allowed to speak and representatives of Aqua Texas would be allowed to make a statement and afterwards a determination will be made to accept or deny or do nothing concerning the proposed rate hike. The only formal action would be to deny the rate hike. If denied, the decision would go to TCEQ (Texas Commission on Environmental Quality) where it already has jurisdiction of this matter and are reviewing the rate increase.

Kurt Scheibelhut, Comptroller for Aqua Texas, stated the rate increase, the first one in six years, was filed in August of 2010 due to additional expenses. The proposed rate hike would raise base fees by \$14.

Troy Bolin, also of Aqua Texas, stated that a current surcharge of \$9.90 will drop off residents' bills in January 2011 making a realized increase to water users of about \$1.50. The surcharges were to recoup expenses incurred by the company for Hurricane Rita and Hurricane Ike.

City Attorney Olson said that the surcharge was a pass through expense for a previous rate challenge. Olson asked representatives of Aqua Texas about specific action the company had taken within the City of Weston Lakes.

Troy Bolin stated Aqua Texas had just completed installation of emergency quick disconnects throughout the city of Houston and surrounding areas.

Lonnie Foley, field supervisor for Aqua Texas, stated not much has been done in the City of Weston Lakes because the water system and waste water system are new, and there are no reasons to make upgrades to the plant.

City Attorney requested the citizens speak.

Vernon Flowers, resident at 4022 Weston Drive, stated Aqua Texas provides the worst service he has ever had after living in seven different states. During a power outage, he called and wrote letters and never heard back from Aqua Texas about a boil water order for residents during the power outage. Flowers complained about low water pressure and outages. He inquired about MUD 81's offer to install an emergency interconnect where one system might supply water to the other. Flowers said in Aqua Texas service does not warrant an increase and that it is overpriced now.

Steve Pustijovsky, resident at 3715 Westerdale Drive, resident for four years, had to replace the grinder pump in his system two times in the last 22 months.

Melvin Nash, resident of Weston Lakes, opposed the rate increase. Nash stated the one well system is not satisfactory and he agrees with an interconnect agreement between MUD 81 and Aqua Texas. Nash complained that Aqua Texas has not provided back up generation for the water plant. Lack of water pressure was Nash's final complaint.

Ron Veristack, resident at 4002 Weston Drive, complained that water bill was high and lack of infrastructure could lead to a sewage backing up into homes.

Troy Bolin, Aqua Texas representative, offered residents service orders and float tests to check for problems with individual systems. Aqua Texas is in the process of providing lap top computers to its field employees for service orders so that complaints are more rapidly accessed, and Bolin assured residents that a work order should go out within minutes of contacting Aqua Texas' call center. Individual meters can also be pulled, sent to an independent company that is certified to calibrate meters, and tested.

Two residents immediately requested for their meters to be checked.

Lonnie Foley, Aqua Texas field superintendent, stated he and Rick Kabala were the newest members to this team, and they are making adjustments. Foley stated he was working to have a generator on site.

Caroyln Flowers, resident at 4022 Weston Drive, suggested that no one answered calls at Aqua Texas.

Keith Wardenberg, resident at 3135 Wellspring Lake Drive, stated poor and erratic service offered by Aqua Texas makes him contemplate drilling his own well even though it is expensive.

Glen Mikeska, resident at 4323 Woodbine, asked for documentation showing Aqua Texas was losing money.

Marilyn Wardenberg, resident at 3115 Wellspring Lake Drive, stated that one well was not enough to service the residents.

One of the Aqua Texas representatives explained a new well is required to be drilled when capacity reaches 85 percent.

Marilyn Wardenberg, resident at 3115 Wellspring Lake Drive, asked what capacity the system was at now.

Lonnie Foley stated he did not have the exact numbers, but that the number was nowhere near 85percent.

City Attorney Olson suggested Wardenberg and any resident who wished to voice his or her displeasure to write to TCEQ, Water Supply Division, Utilities and Districts MC 153, P.O. Box 13087, Austin, Texas, 78771-3087.

Mayor Pro Tem Aldrich stated that Barbara Sullivan of TCEQ has never received a citizen complaint from Weston Lakes.

Marilyn Wardenberg asked if the City Council could pass on to TCEQ the displeasure of the citizens.

Mayor Pro Tem Aldrich stated governmental entities' complaints do not carry the same weight as individual customer complaints.

Marilyn Wardenberg asked if the City Council could pass on to TCEQ the residents' complaint emails received by Weston Lakes City Office.

Mike Roller, resident at 5426 Windrush, asked why customers of MUD 81 pay less than customers of Aqua Texas.

Melvin Nash, resident of Weston Lakes, stated that MUD 81 is subsidized with Ad Valorem tax.

Vern Flowers stated that another storage tank would fix the problem with the water pressure.

Mayor Zdunkewicz officially closed the Public Hearing on Aqua Texas proposed rate hike at 6:43 p.m.

6. Consideration and possible action to accept or deny the proposed rate increase by Aqua Texas Southeast Region Water as it pertains to the ratepayers located within the affected areas of the City of Weston Lakes.

City Attorney Olson stated that the City has original jurisdiction and can deny any rate increase, and Aqua Texas will appeal the denial of the rate hike to TCEQ where those issues are being addressed. If the City chooses to do this, representatives of the City would have to attend a hearing at TCEQ. An expert in the field would also need to be in attendance at the hearing to argue on the side of Weston Lakes. It would require the expenditure of funds. The best way is for citizens to complain about Aqua Texas service directly to TCEQ.

Trent Thomas asked about the surcharge to pay for the last appeal.

City Attorney Olson explained that as a pass through fee.

Mayor Pro Tem Aldrich moved to take no action on the rate hike and to authorize the Mayor to forward all residents' complaints to TCEQ and further encourage the citizens to forward their complaints to the appropriate party. Alderman Thomas seconded. **MOTION PASSED.**

Ayes: Mayor Pro Tem Aldrich, Aldermen, Owens, Thomas, DeLuca, and Case.

Noes: None

Mayor Zdunkewicz adjourned the City Council meeting for a three minute recess at 7:03 p.m.

Mayor Zdunkewicz ended the recess, and the City Council meeting resumed.

7. Public Comments

There were no Public Comments on this agenda.

8. Mayor's Comments

- a. A pre legislative conference will be held in Bastrop, Texas, December 1 through 3.
- b. Adopt – A– Highway

Alderman DeLuca stated this event will occur on December 4 at 8:30 a.m. at the sales center. Twenty volunteers have already signed up.

9. Approval of Minutes of the Regular City Council Meeting of November 26, 2010.

Mayor Pro Tem Aldrich moved to approve the Regular City Council Meeting Minutes of October 26, 2010. Second by Alderman DeLuca. **MOTION PASSES.**

Ayes: Mayor Pro Tem Aldrich, Aldermen, Owens, Thomas, DeLuca, and Case.

Noes: None

10. Finance.

a. Approval of October 2010 Treasurer's Report

Alderman Thomas moved to accept Treasurer's Report for November 2010. Second by Alderman Case.

MOTION PASSES.

Ayes: Mayor Pro Tem Aldrich, Aldermen, Owens, Thomas, DeLuca, and Case.

Noes: None

11. Open Generator Bids and Recommend Generator Source Selection Committee.

Mayor Pro Tem Aldrich stated the City invited four bidders and received three bids for the generator.

Mayor called a Selection Committee to review bids for the generator purchase to be made up of Mayor Pro Tem Aldrich, Alderman Thomas and City Secretary Nida and to make recommendations at the December Regular City Council Meeting.

Alderman DeLuca moved to accept generator selection committee. Seconded by Alderman Owens.

MOTION PASSES.

Ayes: Mayor Pro Tem Aldrich, Aldermen, Owens, Thomas, DeLuca, and Case.

Noes: None

12. Consider and take action on recommendation of New City Secretary.

Current City Secretary Nida will be moving to Singapore.

Alderman DeLuca moved to approve Shannon Purcell as new City Secretary.

Alderman Owen seconded. **MOTION PASSES.**

Ayes: Mayor Pro Tem Aldrich, Aldermen, Owens, Thomas, DeLuca, and Case.

Noes: None

13. Adjournment.

Alderman Thomas moved for adjournment. Seconded by Alderman Case. **MOTION PASSES.**

Ayes: Mayor Pro Tem Aldrich, Aldermen, Owens, Thomas, DeLuca, and Case.

Meeting adjourned at 7:12 p.m.

Attest:

Mary Rose Zdunkewicz
Mayor, City of Weston Lakes

Kathy Nida
City Secretary