

City of Wimberley

221 Stillwater, P.O. Box 2027, Wimberley, Texas 78676
(512) 847-0025 Fax (512) 847-0422 www.cityofwimberley.com

Susan Jagers, Mayor Gary Barchfeld, Mayor Pro-tem
Council Members – Mike McCullough Craig Fore Allison Davis Patricia Cantu Kelly

February 15, 2019

Texas Water Development Board
Attn: Kristin M. Miller, P.G. - Environmental Reviewer
1700 N. Congress Avenue
Austin, Texas 78701

Re: City of Wimberley Public Hearing Conformance Letter

Ms. Miller,

Pursuant to Clean Water State Revolving Funds Tier III guidance, a public hearing for the proposed changes to the Central Wimberley Wastewater Project was held on January 8, 2019 at the Wimberley Community Center. A copy of the presentation, attendee list, written comments and a verbatim transcript of the proceedings have been provided to the Texas Water Development Board and a copy of each is enclosed with this letter.

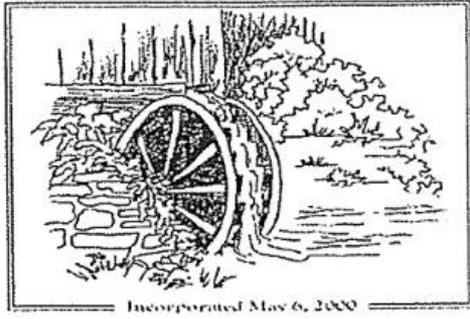
Sincerely,

A handwritten signature in black ink that reads "Susan Jagers". The signature is written in a cursive, flowing style.

Susan Jagers
Mayor

Enclosures:

Public Hearing Presentation
Attendee List
Written Comments
Public Hearing Transcript



City of Wimberley

**Public Hearing
January 8, 2019**

**Proposed Central Wastewater Project
Modifications**

One of the Purposes of this Hearing is to Discuss the Potential Impacts of the Project Changes and Alternatives to it

- Proposed Project Changes
- Potential Environmental Impacts
- Alternatives to Proposed Changes
- Economic Impact on Rate Payers

Why Is Original Plan Being Modified?

In Summary - The Modified Plan Is:

- More **Environmentally Responsible**, including being a true “No Discharge” option into Deer Creek/Blanco River
- More **Financially Responsible** for the initial project cost, but more importantly, lower ongoing annual costs that affect customer rates and City support, as well as long-term financial risks and burdens of the City owning and operating a Plant at Blue Hole Park

Proposed Project Changes

Project Changes are
Summarized in
Engineering Feasibility
Report (EFR)
Amendment No. 2
Prepared by:
Alan Plummer
Associates, Inc.

EFR has been displayed
for this Hearing

**CITY OF WIMBERLEY
CENTRAL WASTEWATER SYSTEM
ENGINEERING FEASIBILITY REPORT
AMENDMENT NO. 2**

December 3, 2018



Stephen Coonan
12/3/18

Proposed Project Changes – Collection System

Collection System

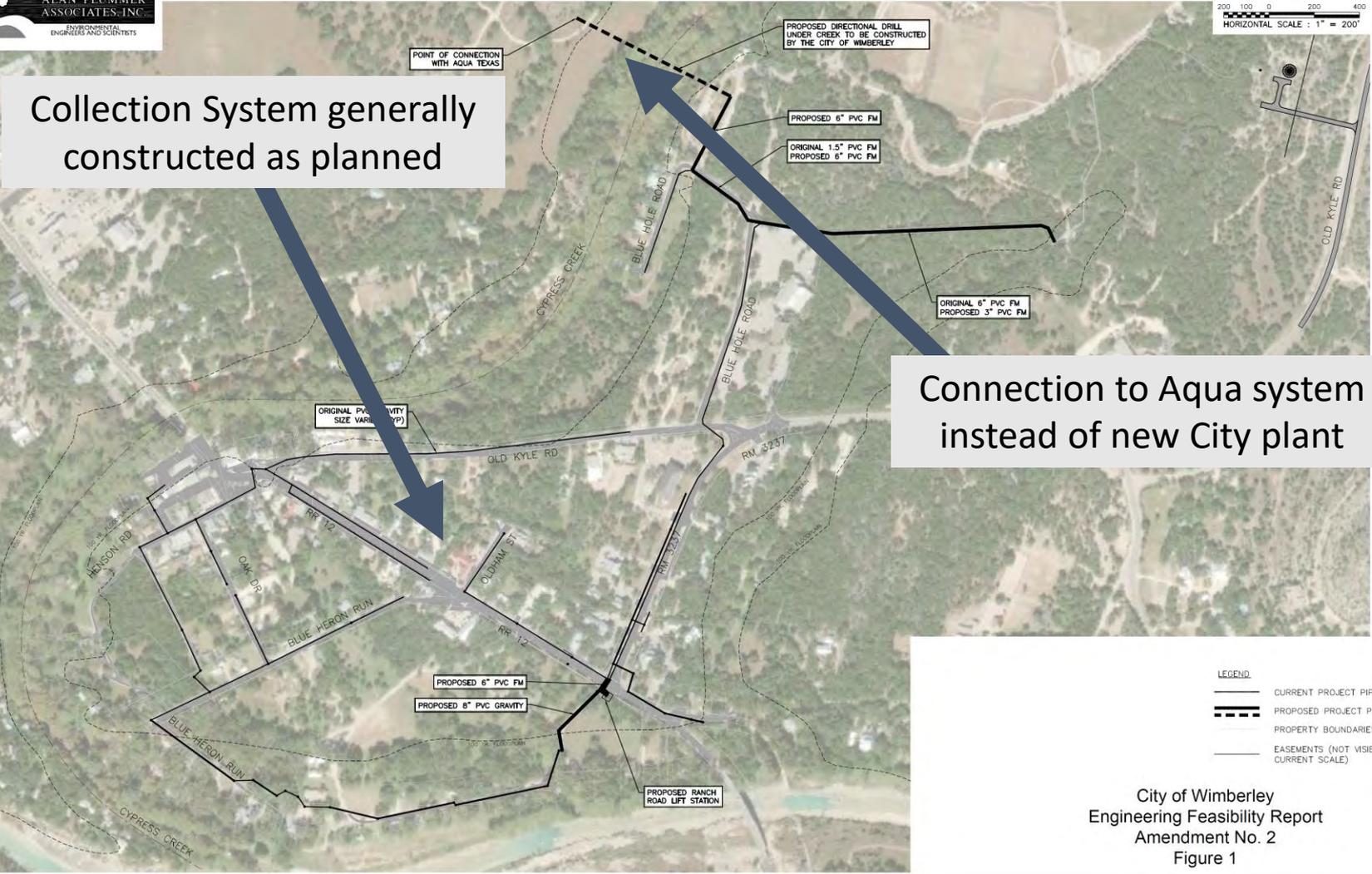
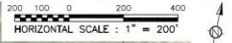
- Generally remains the same as originally planned and being constructed, except it will connect to Aqua's system instead of a new City wastewater treatment plant
- City will still provide sewer service to the Central Wimberley area – initially to serve approximately 100 residences and businesses
- City will still own, maintain and manage the collection system
- City still retains ownership and control of its CCN
- Sewer customers will still be served by the City with City determining customer rates

Proposed Project Changes – Wastewater Treatment

Wastewater Treatment

- \$3.1 million sewer plant planned to be constructed and operated at the northwest corner of Blue Hole Regional Park is eliminated from the project
- City will connect its Collection System to the Aqua Texas System on the west side of Cypress Creek
- Aqua will then transport the wastewater to its existing land application, non-discharge plant for treatment
- City will enter into a long-term agreement with Aqua for treatment of the City's wastewater

Modification - Map



Collection System generally constructed as planned

Connection to Aqua system instead of new City plant



City of Wimberley
Engineering Feasibility Report
Amendment No. 2
Figure 1

Aqua Agreement Terms

- City Retains CCN - No CCN Transfer to Aqua
- Aqua takes City collection system wastewater at west side of Cypress Creek, transports and processes it at their non-discharge wastewater plant
- Aqua will be City wholesale wastewater treatment provider
- Aqua Cost is:
 - Up to 50,000 gpd- \$4,398 per month (\$52,776 per year)
 - 50,000 to 75,000 gpd - \$7,037 per month (\$84,444 per year)
 - Cost is based on tariff rates in effect since 2009
- There will be no increase in rates for five years, and increases thereafter tied to regulated tariffs
- Aqua will upgrade entire plant from Type 2 to Type 1 effluent
- Reclaimed Type 1 effluent will be made available to the City at no cost
- One time capacity buy-in (impact) fee of \$300,000
- Timing of completion of construction consistent with City's plans

Modified Plan - Reclaimed Water

- Under the Aqua agreement, Aqua will upgrade its entire plant from Type 2 to Type 1 treated effluent, benefiting the entire Wimberley Valley
- Type 1 effluent will be made available to the City at no cost for irrigation
- The City would like to utilize reclaimed water to provide irrigation to Blue Hole Park – primarily for the soccer fields
- At this time, sufficient funding is not available for a reclaimed water line back to Blue Hole in this project scope
- Until the City develops a plan for a reclaimed return water line, City will have available Type 1 effluent via truck if needed
- Under the Modified Plan, all effluent will be beneficially used for irrigation – with no discharge into waterways

Project Cost Summary

Project Cost	Original Plan		Modified Plan		Variance
Collection System	\$ 3,566,402	F	\$ 3,566,402	F	\$ -
Collection System Modifications	-		144,380	F	144,380
Treatment Plant	3,068,900	F	345,072	F	(2,723,828)
Treatment Plant - Termination Fee	-		200,000	C	200,000
Total Construction Costs	\$ 6,635,302		\$ 4,255,854		\$ (2,379,448)
Project and Construction Administration	\$ 252,575	C	\$ 252,575	F	\$ -
Engineering Redesign - Modification	-		36,500	F	36,500
Capacity Buy-in	-		300,000	F	300,000
Easements	44,000	C	44,000	C	-
Subtotal	\$ 6,931,877		\$ 4,888,929		\$ (2,042,948)
Bond Reserve, Origination and Other Fees	\$ 334,554	F	\$ 334,554	F	\$ -
Bond Counsel and Financial Advisor	68,950	C	79,450	C	10,500
Construction Interest (2 years)	170,847	C	170,847	F	-
Total Other Costs	\$ 574,351		\$ 584,851		\$ 10,500
Total Project Cost (excludes contingencies)	\$ 7,506,228		\$ 5,473,780		\$ (2,032,448)
Breakdown by Sources of Funds					
Funding Sources - TWDB, EDA, Way Grant	\$ 6,969,856	F	\$ 5,150,330	F	\$ (1,819,526)
City Funds	536,372	C	323,450	C	(212,922)
Total Project Cost - Sources of Funds	\$ 7,506,228		\$ 5,473,780		\$ (2,032,448)

Project Funding vs Cost

Sources of Funds	Original Plan	Modified Plan	Variance
TWDB Loan	\$ 5,255,000	\$ 5,255,000	\$ -
TWDB Loan - Design Loan Remaining	-	31,343	31,343
TWDB Funding Green Project	243,005	-	(243,005)
EDA Grant	1,000,000	-	(1,000,000)
Way Grant (Up to \$1 million)	471,851	-	(471,851)
Other Funding Sources Available	\$ 6,969,856	\$ 5,286,343	\$ (1,683,513)
City Funds	536,372	323,450	(212,922)
Total Sources of Funds Available	\$ 7,506,228	\$ 5,609,793	\$ (1,896,435)
Total Project Cost	\$ 7,506,228	\$ 5,473,780	\$ (2,032,448)
Excess Available Funds vs Cost	\$ -	\$ 136,013	

Notes:

- (1) TWDB Green Funding not available at this time
- (2) EDA Grant originally for both Collection System and Plant construction (including irrigation).
City requested 1st amendment to Grant in January 2018 to exclude Collection System and include Plant only.
City requested 2nd amendment to Grant in July 2018 to re-include Collection System, which was denied.
- (3) Way Grant available for contingency spending. Based on Project Cost Estimates available amount limited to \$471,851 under Original Plan. Grant not available for Modified Plan.

Economic Impact on Rate Payers

Under the Original Plan, Sewer Customers would be obligated to incur the following costs related to connecting to the City System:

- Cost to run lateral sewer lines from the sewer drain location on their property to the connection point with the City System
- Cost to decommission their existing septic tank
- Cost of a grinder pump if necessary
- Pay a one-time capital recovery fee of \$2,500 per Living Unit Equivalent (LUE), with such fee payable in monthly bill over 8 years

The Modified Plan does not change the above obligations

Sewer Customers will be obligated to pay a monthly bill that consists of the following components:

- The capital recovery fee payment described above
- A base rate per LUE
- A volume rate – based on water usage (per thousand gallons)

Under the Modified Plan, the base and/or volume rates are expected to be lower than the Original Plan rates due to lower revenue requirements

Economic Impact on Rate Payers - Revenues

The City must establish rates adequate to pay for:

- Annual Operating Costs of the System (including collection system and wastewater treatment costs)
- Annual Debt Service on the TWDB \$5.3 million revenue bonds

In addition to Sewer Customers, another source of revenues is for the Parks Dept to pay for access to and use of reclaimed water. Under a City agreement required by TWDB, this could be as much as \$200,000 per year, which is substantially greater than the fair market value of the volumes of available reclaimed water. **However, this amount (hereafter referred to as City Subsidy) will be at the sole discretion of the current and future City Councils to determine.**

The City Council will determine Sewer Customer rates based on this criteria – and will factor in the City Subsidy and expected number of sewer customers and their volumes. Individual rates will be determined based on assumptions regarding fixed base rates, capital recovery fees and volumetric rates, all at the discretion of the City Council in order to achieve the required revenues to cover costs.

Economic Impact on Rate Payers – Costs and Revenues

The Modified Plan will result in lower annual operating costs: a City owned Plant vs Aqua Processing Fees - Est \$161,473 per year. The following illustrates Sewer Customer revenue requirements assuming full City Subsidy of \$200,000 per year

	Original Plan	Modified Plan	Variance
Operating Costs	\$ 233,749	\$ 72,276	\$ (161,473)
Debt Service (TWDB Loan)	240,540	240,540	-
Total Revenue Required	\$ 474,289	\$ 312,816	\$ (161,473)
Blue Hole Reclaimed Water (Subsidy)	\$ (200,000)	\$ (200,000)	\$ -
Sewer Customer Revenue Required	\$ 274,289	\$ 112,816	\$ (161,473)

 **2.4X** 

Modified Revenue requirements for Sewer Customers reduced from \$274,89 to \$112,816

Assuming Sewer Customers benefit for entire difference: Original Plan rates are on average 2.4 X Modified Plan rates

Or the City and Customers can share in cost savings

Total Cost Difference over 30 years is over \$4 million

Economic Impact on Rate Payers - Rates

- This is an example of the comparative impact on Sewer Customer rate payers under the Original Plan vs the Modified Plan for one illustrative customer - See more examples on following slide.
- Because the amount of the annual City Subsidy is of such significance to the rates, it shows three scenarios – one at the Fair Market Value of reclaimed water at \$15k, at a premium of \$100k and the maximum under the agreement of \$200k per year.
- It also assumes a base customer rate of \$35 per LUE, a capital recovery fee of \$2,500 per LUE and a volumetric rate required to fulfill the total revenue requirements, as used in the Raftelis rate studies. However, these are individual assumptions that Councils may change that affect individual rates.
- Because of lower operating costs under the Modified Plan, the revenue requirements, and thus customer rates are lower than the Original Plan.

Examples	Typical	LUE's	Mo. Gallons	Original Plan			Modified Plan		
				Reclaimed Water Revenue			Reclaimed Water Revenue		
				At FMV	At \$100k	Max \$200k	At FMV	At \$100k	Max \$200k
Sewer	Residential	1.0	4,000	Monthly Bill \$ 198	Monthly Bill \$ 165	Monthly Bill \$ 126	Monthly Bill \$ 135	Monthly Bill \$ 102	Monthly Bill \$ 63

Source: Based on Raftelis Updated Study on 7-19-18

Economic Impact on Customer Rates

	Original Plan			Modified Plan		
	Reclaimed Water Revenue			Reclaimed Water Revenue		
	At FMV	At \$100k	Max \$200k	At FMV	At \$100k	Max \$200k
Operating Costs & Debt Service - Revenue Requirements						
Operating Costs	\$ 233,749	\$ 233,749	\$ 233,749	\$ 72,276	\$ 72,276	\$ 72,276
Debt Service	240,540	240,540	240,540	240,540	240,540	240,540
Total Costs - Revenue Requirements	\$ 474,289	\$ 474,289	\$ 474,289	\$ 312,816	\$ 312,816	\$ 312,816
Revenues						
Sewer Customers (approx 100 customers)	\$ 458,888	\$ 374,289	\$ 274,289	\$ 297,415	\$ 212,816	\$ 112,816
Blue Hole Reclaimed Water Access (City Subsidy) Rate/000 \$ 1.50	15,401	100,000	200,000	15,401	100,000	200,000
Total Revenues	\$ 474,289	\$ 474,289	\$ 474,289	\$ 312,816	\$ 312,816	\$ 312,816
Volumes						
LUE's - For Base Rates	162	162	162	162	162	162
LUE's - For Capital Recovery Fees	128	128	128	128	128	128
Monthly Volume - gallons	855,622	855,622	855,622	855,622	855,622	855,622
Rates Per Unit						
Base Rate - Per LUE	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00
Volume Rate - Per thousand gallons	\$ 34.17	\$ 25.93	\$ 16.19	\$ 18.44	\$ 10.20	\$ 0.46
Capital Recovery Fee - Per LUE (over 8 yrs - \$26.04/mo)	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500

Examples	Typical	LUE's	Mo. Gallons	Original Plan			Modified Plan		
				Monthly Bill	Monthly Bill	Monthly Bill	Monthly Bill	Monthly Bill	Monthly Bill
Monthly Sewer Bills at Various Volumes (Water Usage)	Small Business	1.0	2,000	\$ 129	\$ 113	\$ 93	\$ 98	\$ 81	\$ 62
	Residential	1.0	4,000	\$ 198	\$ 165	\$ 126	\$ 135	\$ 102	\$ 63
	Small Restaurant	1.0	9,000	\$ 369	\$ 294	\$ 207	\$ 227	\$ 153	\$ 65
	Small Restaurant	1.7	15,000	\$ 614	\$ 491	\$ 345	\$ 378	\$ 255	\$ 109
	Large Restaurant	3.3	30,000	\$ 1,229	\$ 981	\$ 689	\$ 757	\$ 510	\$ 217
	Large Restaurant	5.6	50,000	\$ 2,048	\$ 1,636	\$ 1,149	\$ 1,261	\$ 849	\$ 362
	Deer Creek	33.3	300,000	\$ 11,417	\$ 8,945	\$ 6,024	\$ 6,699	\$ 4,227	\$ 1,306

Source: Based on Raftelis Updated Study on 7-19-18

Note: 300,000 gal customer represents Deer Creek with no capital recovery fee

Environmental Information Document

2014 Environmental
Information Document
(EID) prepared by:

Alan Plummer
Associates, Inc.

TWDB Issued a Finding
of No Significant Impact
(FNSI) Following Their
Review

EID has been displayed
for this Hearing

State Revolving Fund Program
Texas Water Development Board

FINAL
Environmental Information Document

for

THE CITY OF WIMBERLEY

PROPOSED WASTEWATER COLLECTION AND TREATMENT SYSTEM PROJECT

WIMBERLEY, HAYS COUNTY, TEXAS

June 18, 2014

Prepared by:

Alan Plummer Associates, Inc.
1320 S. University Drive, Suite 300
Fort Worth, Texas 76107-5764

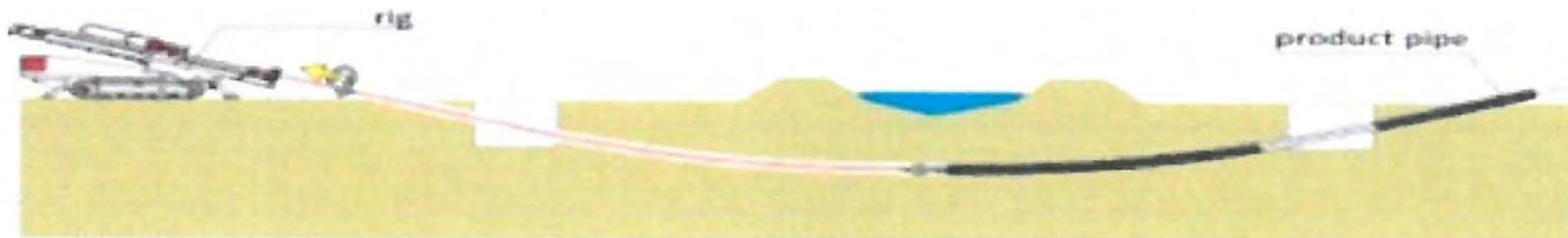
Potential Environmental Impacts

Environmental Issues Include:

- **Modified Plan will result in no City wastewater treatment plant at Blue Hole Park. Therefore no discharge of effluent into Deer Creek/Blanco River will occur. The Original Plan provided for both irrigation at the Park and discharge when irrigation could not occur. Under the current permit issued by the TCEQ for the proposed plant, the City could discharge up to 75,000 gallons of effluent per day**
- **Modified Plan eliminates the risk of sewage spills at the proposed plant site**
- **Modified Plan will result in Aqua upgrading its entire plant to produce Type 1 effluent, with all such effluent beneficially reused for irrigation. No discharge into waterways is allowed under its permit**
- **Modified Plan will require a connecting line installed under Cypress Creek using a directional drill to avoid adversely impacting the creek**

Boring Under Cypress Creek

- Installation will occur using horizontal directional drilling (HDD)
- Drilling equipment utilized will not be in or adjacent to Cypress Creek – it will take place approximately 100-200 feet away
- It is expected that the HDD will be approximately 10 feet below the bottom of the creek
- The pipe used to carry the wastewater would be high density polyethylene pipe (HDPE). This pipe is very durable, has a long life span and has fused joints that do not pull apart or leak
- The following illustrates the drilling process



Alternatives to the Proposed Changes

11 Options were considered in the initial feasibility study. Two options included using Aqua to process wastewater.

The Modified Plan is a version of these options that also includes eliminating the current Deer Creek Plant. Modified Plan became economically preferable due to:

- Original Plan bid costs significantly higher than expected
- Original Plan estimated annual plant operating costs higher than expected
- Annual Aqua fees under Modified Plan reduced significantly
- Modified Plan in compliance with Original Stakeholders' Committee conclusion

City of Wimberley

Wastewater Collection and
Treatment System Feasibility Study

December 2013



SUBMITTED BY:



TBPE Firm Registration No. F-13

Benefits of Modified Plan - Environmental

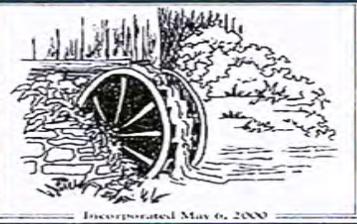
- No discharge of effluent into Deer Creek/Blanco River and resulting environmental impact
- No risk of excess effluent runoff into Cypress Creek due to over irrigation
- No aquifer contamination from discharge into Deer Creek/Blanco River
- No unsightly sewer plant with a 500,000 gallon effluent storage tank at Blue Hole Park
- No potential for raw sewer plant spills in Blue Hole Park or Deer Creek/Blanco River
- No sewer plant odor issues at Blue Hole Park
- Aqua's plant will be upgraded to Type 1, benefiting the entire Wimberley Valley
- Reduces risk of even higher levels of potential discharge in the future due to City growth

Benefits of Modified Plan – Financial

- Initial Project Cost requires less from City Funds/Reserves
- Lower annual costs by not owning/operating a plant - millions over time
- Opportunity to significantly reduce sewer customer rates and/or City subsidy
- Eliminates potential for costly sewer plant spills
- Eliminates costs and risks of maintaining a plant in working order and in environmental compliance for decades
- TCEQ requires expansion plans when plant reaches 75% of capacity - 56,250 gpd
- No need to plan for cost to replace the sewer plant at its end of life - 20-30 years

Objectives of Wastewater System	Original	Modified
Clean up Cypress Creek (to extent caused by failing septics)	✓	✓
Maintain Local Control with City Owned CCN	✓	✓
Provide Infrastructure to Allow for Controlled Growth Downtown as Permitted by the City	✓	✓
Provide Water to Irrigate Blue Hole Park	✓	Half ✓
Protect Our Environment - Blanco River, Cypress Creek, and Aquifers	X	✓
Make Rates Affordable to Sewer Customers	X	✓
Accomplish in a Financially Responsible Manner	X	✓

Thank You

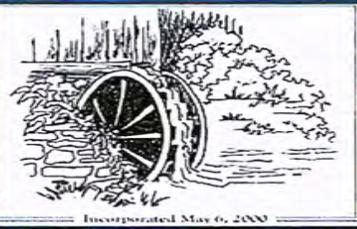


Central Wimberley Wastewater Project Public Hearing

Sign-In

Name		Address/Affiliation	Please Circle one of the Following			Like to Comment*	
1	ANDREW SANSON	MEADOWS CENTER TEXAS STATE 601 U. DRIVE, SAN MARCOS	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
2	STEVE THURBER	400 MADRONE TRAIL, WIMBERLEY	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
3	John Espinoza	239 Blanco Dr. Wimberly	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
2	JOHN URBAN	115 RIVER BEND	<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
3	Louis Parks	820 Red Hawk R	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
6	Pam Mitchell	300 Little Arkansas Wm	<input type="radio"/> Citizen	<input checked="" type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
7	Jenni Marino		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
8	LEEANN BOWER	FLUTE ACRES RESIDENT	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
9	SUSAN NENNEY	820 Red Hawk Rd. 78676	<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
4	Linda WEBB	261 Barber DR	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
11	Barbara HOPSON	46 Ranch View Trail, Wimb.	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
12	Stephanie Nestlerode	650 Jennifer Lane Driftwood	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
13	Jan Green	70, Pebblebrook Lane W.	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
6	Scott Mitchell	300 Little Ark	<input type="radio"/> Citizen	<input checked="" type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
5	Pat Van Corman	160 Oak Ln	<input type="radio"/> Citizen	<input checked="" type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
16	Linda Nichols	6200 Purpington Road San Marcos 78666	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
17	Linda Lang	35 Brookhollow Dr	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
18	Christine Middleton	750 Green Acres Dr (ETJ)	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
19	HEGG SMITH	312 Canyon OAKS DR	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
1	SUSAN ZIMMERMAN	11	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No

*Comments will be limited to 3 minutes.



City of Wimberley
 Central Wimberley Wastewater Project
 Public Hearing

Sign-In

Name	Address/Affiliation	Please Circle one of the Following			Like to Comment*	
		Citizen	Business	Official	Yes	No
14 1 Gail Pigg	Flite Acres 2212	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
2 STEVE KLEPFER	OLD Mill	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
3 Buck Dacus	111 Old Kyle	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
PO Box 14 4 Nancy Stevens	San Marcos / Wimb. resd.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
5 Tommy Tolson		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
6 RR 2 Cindy Rodriguez	Paradise Hills, Wimb	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
7 JEAN SANDER	RIVER MT. RANCH	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
15 8 Al Sander	301 301 Loma Vista	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>
9 Andrew Weber	913 University Rd	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
10 WILLIAM BOWMAN	220 LEACH LANE	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
11 Maridel Martinez	301 112 Wimberley Square	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
NO. 00 12 CAROL WILSON	7 Woodview CRT 78676	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
13 Casey Craig	105 Paloma Trl	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
14 BOB TIMSTMAN	37 DOOLITTLE Dr.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
15 BRUCE P. GRETHAR	251 Climbing Way	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Did not water 16 Phyllis Finmore	300 Mesa DR	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
17 Sheila Safer	17 Cypress Fairway Vlg	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
18 BERT RAY	115 SKY RANCH CIRCLE	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
19 Julie Ray	115 Sky Ranch Circle	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
16 20 Cookie (K) Gammeter	35 (Perrinman) Dr.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

*Comments will be limited to 3 minutes.



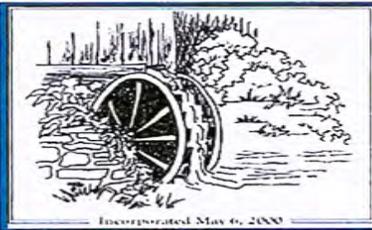
City of Wimberley
Central Wimberley Wastewater Project
Public Hearing

Sign-In

	Name	Address/Affiliation	Please Circle one of the Following			Like to Comment*	
8-1	Dana Dishman	103 Freedom Dr. River Rd	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
2	Tom Danner	Wimberley Hills	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
3	JOHN D. ESTEY, P.E.	219 CYPRESS CREEK LN	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
9-4	Maria Faria	101 Mesa Arnie	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
No Comment 5	Letha Cole	1430 Red Hawk Rd	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
6	Stanley Ashlock	" "	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
7	Scott Jennifer Johnson	SABINO RANCH	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
10-8	Debby Spears	427 Flite Acres Rd	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
9	Beth Mitchell by Debby Spears	428 Flite Acres	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
-10	Sandy Dixon	466 Flite Acres	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
11	Bill Mitchell	2300 FLITE ACRES	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
11-12	RAOUL BELLEAU	291 BRUNSON LANE	<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
13	DAN GAUTHIER	17 CYPRESS FAIRWAY VLG	<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
14	KELLY McFARLAND	171 RHODES LANE	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
15	Jupiter Schmeider	505 RIVER RD	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
No Comment 16	ROBERTA HOLLAND	505 RIVER RD	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
17	CANDY Spitzer	302 Cypress Creek Ln	<input checked="" type="radio"/> Citizen	<input checked="" type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
18	Rayne Boer	501 Woodcreek Ranch Rd	<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
13-19	BOB DOSSLER	210 RIVER BLUFF LN	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
-20	FAM SHAWALTER	501 Woodcreek Ranch Ln	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No

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*Comments will be limited to 3 minutes.

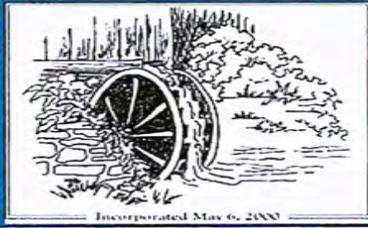


City of Wimberley
 Central Wimberley Wastewater Project
 Public Hearing

Sign-In

No.	Name	Address/Affiliation	Please Circle one of the Following			Like to Comment*	
			Citizen	Business	Official	Yes	No
1	James Lancaster	600 South River	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
2	Sherry LANCASTER	600 South River	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
3	Rebecca Minnick	2235 River Rd	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
4	E.W. Burns	100 Mesh Dr	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
5	JAMIE PETTIT	105 WINN WOOD	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
6	Ywa Karlsson	1902 MONTELL RD	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
7	Alison Harla	111 CR 1492	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
8	Bob Bullen	9 DEERWOOD	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
9	Michelle Crushaw	501 Saddleridge	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
10	Christine Byrne <i>visit to John's steps</i>	205 Hue Hole	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
11	Chris Odgo	700 Water Park	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
12	Mike Bachers	721 Woodcreek Ranch Rd	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
13	Clare Kagan	300 Canyon Oaks	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
14	Ashley GIBSON	300 Mill Race, Wimberley	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
15	Merryl Gibson	310 Mill Race Ln Wm	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
16	Marilee Wood	111 Lazy L Lane Bed	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
17	Lynell Jackson	27 Storehouse Cir	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
18	ANDREW HARDIN	506 DEER CROSSING	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
19	Rodger Mariani	151 Rocky Springs Rd	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
20	Clarette Lowe <i>visit to Robert Truismir 11/21/21 Woodmont</i>	213 Blue Hole Ln	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

*Comments will be limited to 3 minutes.



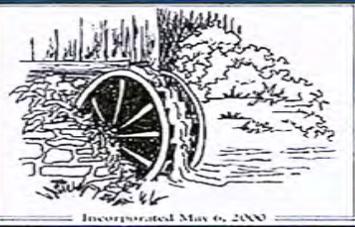
City of Wimberley
Central Wimberley Wastewater Project
Public Hearing

Sign-In

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Name	Address/Affiliation	Please Circle one of the Following			Like to Comment*	
Sue Andrus	PO Box 1733	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
603 MARLA	111 CR 1492	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Linda Hoppes	11 Meridian Dr	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Karen Henderson	505 Skyline Summit Vista	<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Linda Reed	163 Tulley Court Wimb.	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Bob Reed	163 Tulley Court	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
SUSAN Thumber	400 Madonna Tr "	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
Gawith B...on	210 Wynon Valley Wimberley	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Jan Prueck	2020 Hilltop Dr	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Paul "	" "	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Marianne Calvanese	40 Mesquite Tr	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
BOB HAVE	440 WOLF CREEK PASS TRWH	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Ed Pope	2300 Sandy Pt. Rd	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
TRACEY DEAN	631 South River Wimb. 78676	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Randy Renter	13 Westwood Dr. Wim	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
Deborah Nelson	203 Blue Hill Lane	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Helen Boore	4771 FISCHER STORE RD	<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
KENNETH DUGGAN	300 CANYON OAKS 78676	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
ERIK WOLZAN	268 BLANCO DR 78676	<input checked="" type="radio"/> Citizen	<input checked="" type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
STREICA WOLZAN		<input checked="" type="radio"/> Citizen	<input checked="" type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No

*Comments will be limited to 3 minutes.

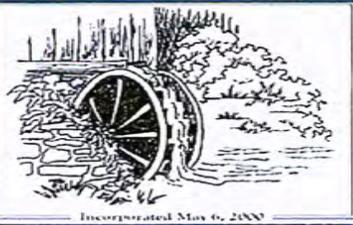


Central Wimberley Wastewater Project Public Hearing

Sign-In

	Name	Address/Affiliation	Please Circle one of the Following			Like to Comment*	
1	Clay Ewing	300 Hidden Oaks	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
2	James Byrne	205 Bice Hole Lane	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
3	Andrew Mahang	2071 Coleman's Canyon	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
4	Dia McEneaney	3500 River Rd	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
5	Luis McEneaney	100 W Spoke Hill	<input checked="" type="radio"/> Citizen	<input checked="" type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
6	Deborah Koock	136 Hedson Road	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
7	Greg/LINDA DOUGLAS	513 Summit Loop	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
8	Clay Ewing	60 Skyway Grove	<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
9	Mary B. O	112 Mill Race	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
10	Jackie Martice	46 Latoya Trail	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
11	Jerry Rayboul	401 Carnegie	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
12	Mitchell D. H.	701 W. W. V. Dr.	<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
13	Nick Bradshaw	605 Deer Lake Rd	<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
14	Buffalo Thunder ^{Frank Toro}	1982 Montell Rd	<input checked="" type="radio"/> Citizen	<input checked="" type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
15	DAVID BAKER	1405 MT. SHARP RD WimbTx	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
16	Rebecca H. Denton	89 Augusta Dr.	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
17	Linda Douglas	5135L Wimb	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
18	William Hamilton	1505 Skyway Dr., Wimb	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
19	Leslie Weeks	202 W Spoke Hill Wimb	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
20	Gary Weeks	" " " "	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No

*Comments will be limited to 3 minutes.

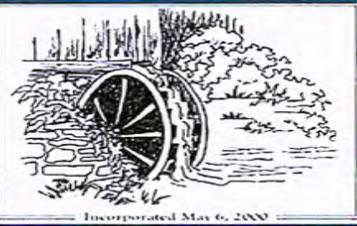


Central Wimberley Wastewater Project Public Hearing

Sign-In

No.	Name	Address/Affiliation	Please Circle one of the Following			Like to Comment*	
			Citizen	Business	Official	Yes	No
1	Kathy Ward	110 Camino Del Rio	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
2	Bill Kilmer	110 Camino Arroyo	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
3	Alex Perkowski	Rep. Erin Zwiener	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
4	Jo Kathryn Quinn	1955 Hilltop Drive Wimberley	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
5	Deb Bradshaw		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
6	Susan Raubuck	401 Carney Ln Wimberley	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
7	Lee Ann Lineart	200 Hoots Hollow, Wimb.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
8	Bryan Burke	220 Saddleridge	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
9	DAVID MCGOWAN	800 S RAINBOW RAVENET	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
10	Ashley Waymouth	6010 Blanco, 78166 / WVWA	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
11	Thomas Wyzmiec	6010 Blanco, 78666 / WVWA	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
12	Claudia Perez	200 Tuscomy Villa Dr.	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
13	Armanelo Perez	" "	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
14	BRIAN FERRAR	303 CR 1492	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
15	Collins, COREEN	1505 Skyline Dr.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
16	Dorothy Knight	219 Blanco Dr	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
17	Scott Paly	228 Blanco Dr. Wm	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
18	NANCY C. RUSSELL	3 Woodcreek Cr	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
19	Heidi (Hony)	500 Turkey Hill	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
20	Chris Sheffield	203 Blanco Dr	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

*Comments will be limited to 3 minutes.



Central Wimberley Wastewater Project Public Hearing

Sign-In

No down
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11 last

Name	Address/Affiliation	Please Circle one of the Following			Like to Comment*	
Lynn Probst	2000 Red Hawk Rd Wm 78078	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Alice Wightman	200 Elm Rd. Wimberley	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Lissette Lopez	Wendy Jones	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
Cliff Raymond	14 Meridian Dr.	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
Ken Raymond	14 Meridian Dr	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
Suzanne White	698 Hill Country Trl, WTX	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Gigi Benno	506 DEERT-LUG WTX	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Mary Gilroy	300 Buffalo Speed Way Driftwood TX 78619	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Sheri Coka	711 Turtle Hill Driftwood TX	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Michael	" " "	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Sally Trapp	316 Mill Race Ln	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Dorothy Knight	219 Blaine Dr	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Larry Culbert	650 Red Hawk	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Linda Culbert	650 Red Hawk	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
PERRY BARNARD	125 W. Spore Hill	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
Linda Kaye Rogor	H-Spring Valley Dr	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
BOB ELKINS	1401 RED HAWK RD WIMBER	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
DAWN LAMOURREUX	444 BLUE HERON RUN	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
PAH LAMOURREUX	" " "	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
SHERYL DAVIS	1525 RED HAWK RD	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No

*Comments will be limited to 3 minutes.



Central Wimberley Wastewater Project Public Hearing

Sign-In

	Name	Address/Affiliation	Please Circle one of the Following			Like to Comment*	
1	Duffanne Redus	33 Creekside Dr	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	Yes	<input checked="" type="radio"/> No
2	Catherine Sifton	715 Ridge Rd. 78676	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	Yes	<input checked="" type="radio"/> No
3	Pam Williams	107 Inwood Tr	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	Yes	<input checked="" type="radio"/> No
4	Pat Williams		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	Yes	<input checked="" type="radio"/> No
5	Heather Carter	191 Hidden Crk	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
6	DAVID BERMAN	1471 Red Hawk Rd	<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	Yes	<input checked="" type="radio"/> No
7	Purge Wilks	105 Circle Dr. 78676	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	Yes	<input checked="" type="radio"/> No
8	Jesse Wilks	105 Circle Dr. 78676	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	Yes	<input checked="" type="radio"/> No
9	SUZANNE McCORN	3633 RIVER RD	<input checked="" type="radio"/> Citizen	<input checked="" type="radio"/> Business	<input type="radio"/> Official	Yes	<input checked="" type="radio"/> No
10	Laura Haygood	609 LAS COLINAS DR	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	Yes	<input checked="" type="radio"/> No
11	Marc Haygood	609 Las Colinas Dr	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	Yes	<input checked="" type="radio"/> No
12	ANDY REISBERG	2225 RIVERROAD	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	Yes	<input checked="" type="radio"/> No
13	Faith Heftler		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	Yes	<input checked="" type="radio"/> No
14	TOM BROWN	361 Wilson Creek	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	Yes	<input checked="" type="radio"/> No
15	John Brown	400 W Summit	<input type="radio"/> Citizen	<input checked="" type="radio"/> Business	<input type="radio"/> Official	Yes	<input checked="" type="radio"/> No
16	Bruce Willis	4550 Days End Rd	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	Yes	<input checked="" type="radio"/> No
17	Dan Cheshire	" "	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	Yes	<input checked="" type="radio"/> No
18	Adia Cheshire	" "	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	Yes	<input checked="" type="radio"/> No
19	Matthew Buchanan	400 Winding Trl	<input type="radio"/> Citizen	<input checked="" type="radio"/> Business	<input type="radio"/> Official	Yes	<input type="radio"/> No
20	RACHOL Buchanan	"	<input type="radio"/> Citizen	<input checked="" type="radio"/> Business	<input type="radio"/> Official	Yes	<input checked="" type="radio"/> No

*Comments will be limited to 3 minutes.

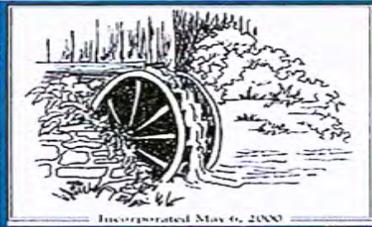


Central Wimberley Wastewater Project Public Hearing

Sign-In

	Name	Address/Affiliation	Please Circle on of the Following			Like to Comment*	
1	Rebecca Reusberg	220 River Rd Wimberley	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
2	Brook Langston	36 Brook Hollow Dr	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	Yes	<input checked="" type="radio"/> No
3	Randa Ryan	St. Downtown	<input checked="" type="radio"/> Citizen	<input checked="" type="radio"/> Business	<input type="radio"/> Official	Yes	<input checked="" type="radio"/> No
4	CYNTHIA MILLONZI	73 SPRUCEWOOD DR	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
5	Cynthia Marion	214 Rim Rd	<input checked="" type="radio"/> Citizen	<input checked="" type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
6	Alexandra Thompson	Hays County	<input type="radio"/> Citizen	<input type="radio"/> Business	<input checked="" type="radio"/> Official	Yes	<input checked="" type="radio"/> No
7	Rick Milliner	100 Madrone Trail	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	Yes	<input checked="" type="radio"/> No
8	Will Target	145 Skyline Ridge Loop	<input checked="" type="radio"/> Citizen	<input checked="" type="radio"/> Business	<input type="radio"/> Official	Yes	<input type="radio"/> No
9	Judith Yost	1459 Skyline Ridge Loop	<input checked="" type="radio"/> Citizen	<input checked="" type="radio"/> Business	<input type="radio"/> Official	Yes	<input checked="" type="radio"/> No
10	JEAN VERIATO	8 LAS FLORES	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	Yes	<input checked="" type="radio"/> No
11	KATHLEEN MOONEY	1000 Green Acres	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	Yes	<input type="radio"/> No
12	Traci Maxwell		<input type="radio"/> Citizen	<input checked="" type="radio"/> Business	<input checked="" type="radio"/> Official	Yes	<input checked="" type="radio"/> No
13	Linda Kay Rogers	HTGCD will provide written comment	<input type="radio"/> Citizen	<input type="radio"/> Business	<input checked="" type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
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19			<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	Yes	<input type="radio"/> No
20			<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	Yes	<input type="radio"/> No

*Comments will be limited to 3 minutes.



Central Wimberley Wastewater Project Public Hearing

Sign-In

1	Name	Address/Affiliation	Please Circle one of the Following			Like to Comment*	
			Citizen	Business	Official	Yes	No
1	Joe Henry Sheffield	203 Blanco Dr	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
2	Lilita Olamo	911 Skyline Ridge Court	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
3	Peter Lingamfelter	4 De Luna Ln	<input checked="" type="radio"/> Citizen	<input checked="" type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
4	Allison Davis		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input checked="" type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
5	Ron & LaNell Taylor	201 Blanco Dr.	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
6	Mindy Webber	102 Cedar Springs	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
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9			<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
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19			<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
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*Comments will be limited to 3 minutes.

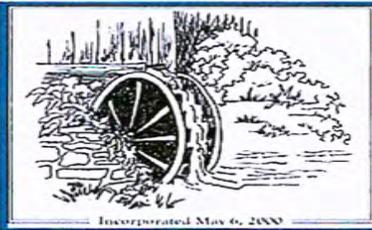


City of Wimberley
Central Wimberley Wastewater Project
Public Hearing

Sign-In

Name		Address/Affiliation	Please Circle one of the Following			Like to Comment*	
1	<i>Thomas Manes</i>	<i>251 Climbing Way</i>	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
2			<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
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4			<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
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10			<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
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*Comments will be limited to 3 minutes.



City of Wimberley
Central Wimberley Wastewater Project
Public Hearing

Sign-In

	Name	Address/Affiliation	Please Circle one of the Following			Like to Comment*	
			Citizen	Business	Official	Yes	No
1	Nick Dornak	The Meadows Center - Texas State	Citizen	Business	Official	Yes	No
2	Progen Navarro	" "	Citizen	Business	Official	Yes	No
3			Citizen	Business	Official	Yes	No
4			Citizen	Business	Official	Yes	No
5			Citizen	Business	Official	Yes	No
6			Citizen	Business	Official	Yes	No
7			Citizen	Business	Official	Yes	No
8			Citizen	Business	Official	Yes	No
9			Citizen	Business	Official	Yes	No
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11			Citizen	Business	Official	Yes	No
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13			Citizen	Business	Official	Yes	No
14			Citizen	Business	Official	Yes	No
15			Citizen	Business	Official	Yes	No
16			Citizen	Business	Official	Yes	No
17			Citizen	Business	Official	Yes	No
18			Citizen	Business	Official	Yes	No
19			Citizen	Business	Official	Yes	No
20			Citizen	Business	Official	Yes	No

*Comments will be limited to 3 minutes.

January 8, 2019

To the City of Wimberley Mayor and City Council:

Re: Wimberley Waste-Water Treatment Plant

First of all – we believe the abrupt and rushed cancelling of the in-process Black Castle construction was not just costly, but absolutely pre-mature and therefore irresponsible. What happens if TWDB does NOT approve the change in scope of the project?

That said, we have one question – WHY IS THIS CHANGE NECESSARY?

WHY did you not admit that this was your agenda all along when you were running for elective office? Many Wimberley citizens voted for you, believing you when you said Aqua Texas was “off the table.”

We were satisfied and convinced – that a city-owned system, approved after years in the planning by all previous councils – and voted in the affirmative by Wimberley citizens – was GOOD WATER POLICY. It included responsible re-use of treated waste water and the protection and maintenance of Wimberley's gem – Blue Hole. And, the plan attracted generous grants (now lost?).

Contrast that with the plan(?) put forth by a water profiteer – Aqua Texas. The most concerning aspect to us is the boring down and running pipe to carry wastes under Cypress Creek. There are too many unknowns, both of costs and of environmental concerns.

And, isn't it time to get our village square brought up to decent standards and to the caliber it deserves? It's not only embarrassing to hear visitors complain about having to use porta-potties when they visit our town and eat at our town square restaurants – we feel sorry for the merchants who struggle to maintain their businesses in that predicament. It is ridiculous! And, it was on the way to being fixed before you brought everything to a halt.

We do not feel that the current Mayor and council (save one) have made themselves readily available to explain your position on this. Where is the “transparency” you ran on? And, again – WHY IS THIS CHANGE SO NECESSARY NOW??

Respectfully,

Bob and Alison Harla
111 County Road 1492
Wimberley

We strongly object to the way in which citizens were allowed to speak. Individuals should have been called in order of sign-up. That is only fair!

1-8-19

Dear Mayor and members of City Council

I come before you to object to a deal with Aqua Texas.

They and their parent corporation are unfortunately known as the worst private utility in the nation. They have a D Minus rating with the BBB. Almost every community that has dealt with them has been lied to, poorly serviced, and in the end, universally disappointed by Aqua Texas. Many towns end up with no recourse but to take costly legal action. Ask Woodcreek. Ask Kyle.

And frankly they falsely promise and even lie, shamelessly. Their President sat in my living room and looked me in the eye and said they had no violations with the State of Texas – while I simultaneously showed him the state web site with the long list of their violations. More violations in fact, than any other utility. As I told this Council previously, they are not just a bad utility, they are the absolute worst utility.

They pray on small towns like ours, promising the world to get in, and then once entrenched, knowing those communities have limited resources to fight them, they proceed to price-gouge and short-change basic maintenance. This is their business model. They are a for-profit private company looking to minimize their costs to maximize their profits.

There is nothing wrong with profitability....until it impacts the environment. And unfortunately, broken pipes and raw sewage spills are a regular occurrence in Aqua Texas-served communities. You may not be able to set your watch by their negligence, but you can come darn close!

And here in pristine Wimberley, Texas, our Slice of Heaven, our waters are the foundation of the community and what makes us special.

Your constituents, your community, the people you serve, will live with this decision long after all of you are no longer serving on this Council, so I beg you, please do not let this bad, bad deal, be your legacy in Wimberley.

Thank you,

Brian Ferrar
CR1492, Wimberley TX 78676

TWDB Public Hearing for City of Wimberley Wastewater Change of Scope
01/08/19

Christine Byrne
205 Blue Hole Lane
Wimberley, TX 78676
512-924-7866
texasbyrnes@yahoo.com

My name is Christine Byrne. I am a resident of Wimberley and live at 205 Blue Hole Lane. My family will be directly affected by the change of scope since our residence lies within the downtown sewer district and directly below the Blue Hole. I am speaking tonight to voice my concern and objection to the proposed change of scope to the city wastewater plan.

As a downstream property owner and advocate for Blue Hole Park, my main concern is the proposed directional drill and raw sewage pipe located just below the Blue Hole swimming area. This area is one of the most pristine riparian areas of the creek. The creek bifurcates in this area and extends out hundreds of feet. At a minimum there should be an extensive environmental and/or geological study done prior to any drilling. Furthermore, the current plan calls for a single pipe with no leak detection sensors. A double pipe with leak detection sensors is imperative. The following questions should be addressed before approval is given to the city to change the scope of the plan:

What are the risks of drilling in areas that are known to have springs and Karst formations?

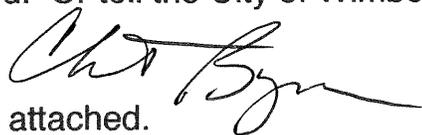
Is there a possibility that this drill could disrupt flow to Cypress Creek?

What is the cost of drilling in this area (through hundreds of feet of limestone bedrock)?

If there is a leak under the creek, how quickly could it be fixed and how would the city's sewage be treated in the interim?

TWDB, please do NOT approve a change of scope to the City of Wimberley's wastewater treatment plan at this time. Further environmental studies need to be conducted. Or tell the City of Wimberley to go back to their original approved plan.

*Pictures attached.



This is the largest project ever undertaken by the City. We have been left in the dark for 7 months. To allow only 90 mins.
disgrace

* The 2 hour TWDB hearing was shortened because the mayor is a spoke for

Proposed pipe to groundwater

City of
Spring

Bifurcation of Blue Hole

Looking from south to north
side of hole in a pipe & hole

Johnson
the old





Down stream

Island

Johnson property pasture

Hurrested creek

Hurrested creek

Pond

Testimony
Texas Water Development Board Public Hearing
Tuesday, January 8, 2019

My name is Christine Middleton.

Since the 2015 Memorial Day flood I have been involved in restoration of the Wimberley Valley's riparian areas. Thus, I'm here tonight to talk about my concerns regarding a pipe under Cypress Creek.

My understanding is the location of the pipe is not settled. But it will be somewhere between the Ranch Road 12 bridge and our beloved Blue Hole swimming area. That area is far from "pasture land" as described by some. Rather the land bordering Cypress Creek on the downtown side consists of the Cypress Creek Nature Preserve and Blue Hole Park. The Nature Preserve was set aside because throughout Wimberley's history it was untouched by development. Chatterbox orchids, a plant that is uncommon in this valley, have been found along that stretch of the creek. And then there is Blue Hole Park whose riparian area was designed by the Lady Bird Johnson Wildflower Center and lovingly restored by a host of hardworking volunteers.

After the flood, one of the first things the experts cautioned us about was the use of heavy equipment in sensitive riparian areas.

So my first question is what procedures will be used during construction to minimize damage to the sensitive riparian area disturbed in the process of laying the pipeline across Cypress Creek and what will be done to restore that area once construction has been completed?

Once the pipeline goes into operation, there is the possibility of raw sewage leaking either within the creek bed itself or somewhere close enough to send polluted runoff into Cypress Creek.

So my second question is what kind of monitoring will be done to detect a leak and once a leak is detected what procedures will be followed to isolate the exact location and quickly fix the leak before damage is done to Cypress Creek's fragile ecosystem?

While I've educated myself over the past several years, I don't profess to be an expert. So, my final question is, once the location of the pipe is known, will there be a Texas Parks and Wildlife assessment?

Better yet, why have a pipe across the creek at all. Recently, many in this valley rejoiced when the Wimberley Independent School District board voted to pursue a One Water solution for the new primary school on Winters Mill Parkway. The original city sewer plan was essentially a path leading to a One Water solution for the Wimberley downtown area. I'm asking the Texas Water Development Board to help us get back on that path.

Thank you.

Statement by:
Christine Middleton, 512-413-0182, chrismid@austin.rr.com

Copy for TWDB

I oppose the change of scope and have concerns about an unmetered pipe carrying raw sewage under Cypress Creek and also about loss of local control over how the system is operated.

Christine Rambo
(City of Wimberley resident)

Christine Rambo

Jan 8, 2018

Wimberley City Council Public Hearing

Submitted for the record.

I Cynthia Millonzi, as resident of Wimberley do NOT support the change in scope for the Waste Water Treatment Project.

It is fiscally irresponsible, environmentally irresponsible and most importantly not wanted by a majority of the people of Wimberley.

The Mayor and select members of the City Council have done everything with their power to withhold pertinent information, present unverifiable data, tried to limit the voice of the people by determining who can speak to the council, and changing rules and regulations to silence any opposing view points.

Sincerely,

Cynthia Millonzi

cynthiamillonzi@gmail.com

512-964-2801

**Cynthia
Millonzi**

Digitally signed by Cynthia
Millonzi

Date: 2019.01.08 16:26:58
-06'00'

TWDB Public Hearing
January 8, 2019
Dan Gauthier
Dan@Earthtribe.com

My name is Dan Gauthier and I am a resident of Woodcreek North, in the Wimberley ETJ. Thank you for this opportunity to speak tonight. I have not had the opportunity to voice my comments or questions at City Council meetings for the past 6 months, although the choices made on the City Wastewater Project will affect my environment, myself and everyone in the Wimberley Valley.

I support the City-Owned/Operated plan that was underway when this Mayor and City Council were installed.

It is my understanding that a requisite easement for the unmonitored raw sewage line designed to transverse under Cypress Creek is no longer available. Without this easement, a new route for the raw sewage pipe is required and additional engineering is required.

This situation raises a few questions:

- How does this change in design impact our bond application to the Texas Water Development Board (TWDB)?
- What is the impact to schedule caused by amending our application to TWDB, based on revised engineering and design?
- Is the current collection system designed and being built to connect to the raw sewage pipe at the location predicated on the easement that is no longer available?
- Will additional cost be incurred--beyond the required reengineering expense--to re-route this raw sewage line?

And finally, I would like to say that operating an unmonitored raw sewage line under Cypress Creek is like operating a locomotive while sitting in the caboose looking backwards. Then, when debris appears behind the train, you deduce that the locomotive must have hit something, so you run to the front of the train in an attempt to mitigate the damage.

Hello. My name is Elizabeth Craig and I live in Driftwood. I would like to thank the TWDB for giving me and my neighbors this opportunity to speak. Since I don't live in the city limits, under this mayor and for the first time, I've not been allowed to speak. Shamefully, disgracefully, my first amendment rights have been squelched by this city. Water doesn't know manmade boundaries. A pipe of raw sewage boring under the creek puts the entire aquifer at risk - that makes every single one of us a stakeholder regardless of city limits. So I appreciate the state recognizing the rights of myself and my friends and neighbors to have a say in the goings on of this valley.

I am equidistant from Wimberley, Dripping Springs and Kyle, but we moved here because of Wimberley. Over 20 years ago we had the chance to buy a beautiful piece of property. It was a good deal and it was only 15 minutes from my favorite swimming hole on the planet, which was Little Arkansas. Not long after, the City of Wimberley made a deal with the devil and sold out our opportunities to swim there probably forever, or at least until Needmore decides they Need Less and deeds a stretch of the river back to the city for public use, a dream that will likely stay a dream.

Nevertheless, Wimberley is my town. My kids go to school here. I do most of my shopping here. My gym is here. So is my doctor and pharmacist. My friends live here. When the flood struck our little town, I was in the river bed with everybody else, helping dig out what was left of homes and memories from the mud and debris deposited by the raging water. So even though I don't live in the valley, I have a vested interest in what goes on here, and I am interested in making sure Wimberley grows in a healthy, sustainable and intelligent way.

What's been going on since last May is none of that. The mayor and several council members lied when they were running for office, saying the waste water treatment plan would continue as planned and that Aqua Texas was off the table. But the minute they got into office, they did just the opposite. Lying to constituents, saying one thing while campaigning, but immediately changing course once in office, going against the clear and vocal wishes of the majority of the citizens, limiting citizen input so as to skew public opinion, taking years of hard work, due diligence and research and tossing that aside for a hurriedly cobbled together, ill-thought out, poorly designed and inefficiently planned option with a company known for its predatory ways is not healthy, sustainable or intelligent. This AT plan is a bad plan for Wimberley. Just ask our neighbors in Kyle, who after years of leaks and lawsuits, finally got out from a contract with Aqua Texas and now have a city owned system.

I implore the TWDB to support the city returning to the original plan: the city owned treatment plant with reuse facilities in place for Blue Hole Park and its future plans. I implore the city to acknowledge the holes in their AT option and toss THAT plan aside. Wimberley has the opportunity to be a beacon of sustainability and good water management. Let's do that.

Thank you.

January 8, 2019

To Whom It May Concern at TWDB:

I am writing you as a concerned citizen of Wimberley. The current Mayor, Susan Jagers, ran for office with the promise of Aqua Texas being off the table, promising to finish the currently underway WWTP and stated she knew that this community wanted it's own WWTP.

Quickly however, within the first few weeks after the election, the current council being led by the Mayor and Councilman Barchfeld, changed scope of the project by halting progress on the plant and did so without transparency and without public input contrary to what their campaign promises were. They systematically removed and replaced every member on advisory committees including HOT, P&Z and Wastewater to be people in their camp and in agreement with halting the WWTP and using Aqua Texas instead, they also fired the city attorney that advised them it was a wrong move to stop progress on the WWTP. Our Mayor also promised a Town Hall meeting before any action was taken with Black Castle and we never got it.

On July 16, 2018 in her Mayor's Corner, Jagger's wrote "FACT: There has been no decision made on which option to pursue. When the analysis is complete, it will be presented to the Council in a workshop session for their review and consideration. The same analysis will also be presented at a Town Hall meeting at the Community Center prior to any direction taken by the Council."

This Mayor and Council have continually misled, withheld information from the public and kept public comment and questions from happening at meetings. Most of the information we have has been requested through FOIA and pieced together because of the lack of transparency of this council. Twice now I have signed up to speak and not been allowed to at council meetings due to the Mayor limiting time for public comment, saying only people residing in the city limits could attend and speak or saying that comment was limited to equal numbers of pro vs. con people, which is absolutely ridiculous. I was one of the 19 people signed up to speak AGAINST the termination of the Black Castle contract and was not allowed to speak because there were only two people signed up to speak FOR the termination.

This conduct in the very least is a misrepresentation of their intentions as elected officials, flagrant misuse of city funds, lack of transparency and a censoring of public outcry. I have never, in 20 years of living here, seen such an abuse of power and irresponsible use of city resources. We are now, against the public majority's wishes, spending even more money to pay Black Castle, what do we have to show for it? - absolutely nothing. The TWDB may be our last hope to impede this current council's agenda. As a community committed to

preserving our creeks, rivers and parks, we are pleading with you to deny funds of any kind that would support this council's agenda of going with Aqua Texas, drilling for pipe carrying raw sewage underneath our beloved Blue Hole at Cypress Creek and cancelling any chance we have as a city to control the unbridled growth and development seen in neighboring towns like us that ended up going with Aqua Texas. Kyle just spent millions getting out of a contract with Aqua Texas and I hope Wimberley doesn't follow that same knowingly irresponsible and destructive path.

My questions for this Council and the Mayor are as follows:

1. For the new members of this council that ran their campaigns on "no discharge" and were quoted saying that "Aqua Texas is off the table", it is shocking to me that you would be OK with Aqua Texas, a proven terrible steward of water resources and environmental quality, running a pipe with raw sewage directly under our pristine Cypress Creek!! What's the plan for handling the raw sewage in the event that there is a rupture of the pipeline that you want to place between Blue Hole and our downtown bridge? Have any studies been done to qualify or quantify the potential economic impact to Wimberley and Blue Hole if there is a leak in this raw sewage pipe??
2. The rapid and irresponsible decision to cancel construction on our city owned WWTP and a settlement to pay off Black Castle 4 days before this meeting tonight smells of bad governance, little to no transparency and gross misuse of our public funds. Without allowing public input or having a town hall like promised, how do you plan on justifying your actions to our community? Without the correct analysis and 30 year rate study that TWBD required of us on the WWTP approval, how do you know that using Aqua Texas is cheaper for our town in the long run? And how can you justify putting our creek, our park, our CCN and downtown businesses at risk for all of these unknowns?
3. I'd like a formal inquiry into the numbers presented by our Mayor in August titled **Raftelis Updated Rate Study** (attached), this chart claims Raftelis Updated their 30 year analysis to these new numbers for a 1 year rate analysis using AT. Through an FOI request we know that there has not been any work invoiced from Raftelis in over a year and we have an email exchange between the Mayor and Raftelis where they said they were no longer under contract with the city and wouldn't do that update for free, can the Mayor explain where she got these numbers?? And did the council base their vote to cancel the city owned WWTP in favor of an Aqua Texas plan based on these numbers??

Thank you for your time and consideration on this matter. I look forward to asking these questions tonight in the meeting that your organization thankfully made mandatory of this council and Mayor.

Sincerely,



Heather Carter
hcartist @ mac.com

Attached is the Mayor's claim from her August presentation:

Raftelis Updated Rate Study

City of Wimberley, Texas
Draft Pro Forma

	Fiscal Year	Capital Recovery Fee Revenue (\$)	Future Impact Fee (\$)	Base Charge Revenue	Volumetric Rate Revenue	City Contribution (\$)	Annual Adjustment (\$)	Annual Revenue (\$)	O&M Expenses (\$)	Current Debt Service (\$)	TWOG Loan (\$)	Total Expenses (\$)	Surplus/Deficit
Case A	2019	40,022		68,040	186,226	200,000	128,492	602,781	233,749	128,492	240,540	602,781	
Case B	2019	40,022		68,040	4,753	200,000	128,492	441,308	72,276	128,492	240,540	441,308	
Case C	2019	40,022		68,040	54,753	150,000	128,492	441,308	72,276	128,492	240,540	441,308	
Case D	2019	40,022		68,040	104,753	100,000	128,492	441,308	72,276	128,492	240,540	441,308	

Base and Volumetric Charge

	Fiscal Year	Base Charge	Volumetric Rate
Case A	2019	35.00	16.19
Case B	2019	35.00	0.46
Case C	2019	35.00	5.33
Case D	2019	35.00	10.20

Note: Above prepared by Raftelis Financial Consultants 7-19-18 to update rate study for volume and operating cost adjustments as described below

Recap of Revenues and Expenses from Above Updated Raftelis Study	Sewer Customers	City Contribution	Total Revenue	O&M Expenses	TWOG Loan	Total Expenses
Case A	274,289	200,000	474,289	233,749	240,540	474,289
Case B	112,816	200,000	312,816	72,276	240,540	312,816
Case C	162,816	150,000	312,816	72,276	240,540	312,816
Case D	212,816	100,000	312,816	72,276	240,540	312,816

Description of Cases	
Case A	City Option - Updated August 3, 2017 to reduce volume - Deer Creek to 305,873 gallons per month and eliminate Rio Bonito due to easement concession - City Collector and Plant costs updated
Case B	City / Aqua Option - Updated August 3, 2017 to reduce volume - Reduce Deer Creek to 305,873 gallons per month and eliminate Rio Bonito due to easement concession - City Collector - Aqua fees
Case C	City / Aqua Option - Reduce City contribution by \$50,000 - Updated August 3, 2017 to reduce volume - Reduce Deer Creek to 305,873 gallons per month and eliminate Rio Bonito due to easement concession - City Collector - Aqua fees
Case D	City / Aqua Option - Reduce City contribution by \$100,000 - Updated August 3, 2017 to reduce volume - Reduce Deer Creek to 305,873 gallons per month and eliminate Rio Bonito due to easement concession - City Collector - Aqua fees

Appendix 5

January 8, 2019

To Texas Water Development Board

Re: City of Wimberley change of Sewer to include Aqua Texas

*Myor's
copy*

My name is Jacqueline Mattice of 46 La Toya Trail, in the City of Wimberley

I am opposed to the the City of Wimberley's change from a City of Wimberley operated sewer to a system run by Aqua Texas.

In my books actions speak louder than words.

I purchased my house in 2002 knowing nothing about the utilities that came with my house. Within a year I came to thank my lucky stars that I had the City of Wimberley Water and NOT Aqua Texas. All I heard was complaints from my friends from Woodcreek about their water/sewer company Aqua Texas. Their bills were much higher and their service was lousy.

Wimberley has known it needed to fix its downtown sewer system and for years, since before I came in 2002. After much discussion and controversy and plan was finally put in place, the financing was secured and we were at last under way.

Then when the current council came in they cancelled the project! We were 20 % along the way--20% (at least) toward completing the City of Wimberley project which already had funded, gone through environmental reviews, received the sanction of all the regulatory agencies.

Not only that, their plan was to have Aqua Texas, a KNOWN poor performer run their system!

What were they thinking?

So, yes, I am OPPOSED because of the

- . money they have have already wasted--had to pay Black Castle 200,000 for cancelling their contract in addition to what was paid of work they performed

- . time they have already wasted stopping a project that was already ongoing, not to mention the untold time it would take to go through the whole regulatory process for any other plan.

TWDB had a 4 paged letter of things necessary for consideration that was due Oct 31st.

WHAT HAS BEEN DONE BY THE CITY TO FULFILL YOUR REQUIREMENTS???

- . because they want to put a pipe under Cypress Creek in a Nature Preserve Area

- . because the new plan would affect the water for Blue Hole Park.

Sincerely,

Jacqueline Mattice

John D. Estepp, P.G.

Groundwater Quality Investigations

Groundwater Quality from Well Logs Training Classes

30+ Years Groundwater Quality Well Log Interpretation Experience

TBPG License # 4191

P.O. Box 1018

Wimberley, TX 78676

512-847-5612

Cell: 512-557-2556

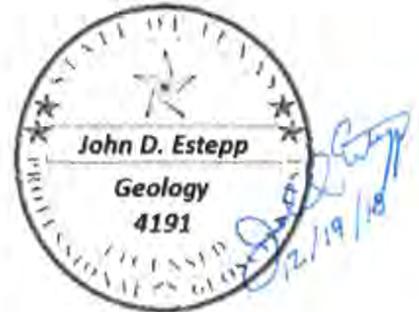
Email: jdestepp@yahoo.com

-TWDB Copy-
gpc

COMMENTS ON
GEOLOGIC & ENVIRONMENTAL CONCERNS
ON THE PROPOSE CITY OF WIMBERLEY
WASTEWATER PROJECT CHANGE OF SCOPE

TWDB PUBLIC HEARING FOR
TWDB PROJECT NO. 73653
WIMBERLEY COMMUNITY CENTER
WIMBERLEY, TEXAS
JANUARY 8, 2019

John D. Estep, P.G.
TBPG# 4191



My Groundwater Credentials (for the TWDB's information):

- A Texas licensed Professional Geoscientist with 30+ years of groundwater protection/subsurface carbonate evaluation experience in Texas.
- I am considered a GWQ determination from well logs technical expert
- I have trained many of the TWDB geologists in interpreting GWQ using electric logs (TWDB BRACS Project, starting in 2010).
- Authored two GWQ evaluation manuals used by the TWDB
- A long-time Wimberley resident (1986) and member of the City of Wimberley Wastewater/Water Advisory Board since January, 2003.

Key Subsurface Geologic Points:

- Several known, SW-NE trending fault zones exist in the Wimberley and Woodcreek region.
- The nearest, Wimberley Fault Zone, crosses downtown Wimberley between the downtown Cypress Creek bridge and Blanco River Bridge on RR12.
- The San Marcos High geologic feature is responsible for the development of associated fractured joints which eventually become subsurface caves, springs, and sink holes from carbonate dissolution by rain and groundwater. Examples:
 - Jacob's Well, located in proximity of the Tom Creek Fault in the Wood Creek area and
 - Wimberley's Blue Hole in proximity of the Wimberley Fault Zone

- Historic water well (WW) data has shown the movement of GW horizontally and vertically along these fault zones as well as interconnected Lower Glen Rose carbonate reefs.
- A prepared geologic, structural well log cross section (using TWDB BRACS online water well log data) demonstrates this relationship:
 - Sabino Ranch WW [March, 2007] (State Well# 57-64-717) on NW and Village of Wimberley Blue Hole Test Well [December, 2006] (State Well# 57-64-806) on the SE (with Blue Hole located between them).
 - An earlier WW [January, 1987] (State Well# 68-08-202), located approximately 350 feet SE of the Village of Wimberley WW, identified a “Crack/Cave” at a depth of 270-280 feet.
 - This “Crack/Cave” zone was identified on the newer Village of Wimberley WW at a depth of 277-280 feet, which is located on the down-thrown side of the Wimberley Fault.
 - Well production testing of the earlier WW resulted in nearby private WWs having severe water level declines. As a result of this test, the subject WW was not used for water production, but became a TWDB monitor well.

Proposed Wastewater Pipeline beneath Cypress Creek Concerns:

- There is no subsurface isolation zone for the pipeline if it develops a leak due to corrosion or mechanical failure over time.
- Close proximity to Wimberley’s Blue Hole could be problematic in this situation (e.g., low-flow creek conditions in a drought).
- Local WWs could also be impacted.

My Recommendation to the TWDB

Due to the above described geologic/environmental concerns, I recommend the proposed City of Wimberley wastewater project change of scope be denied, requiring the currently approved wastewater plant project to continue as originally permitted by the TCEQ and funded by the TWDB.

Respectfully Submitted with an attached geologic cross section,
John D. Estep, P.G.

NW

SE

BLUE HOLE PARK STRUCTURAL CROSS SECTION

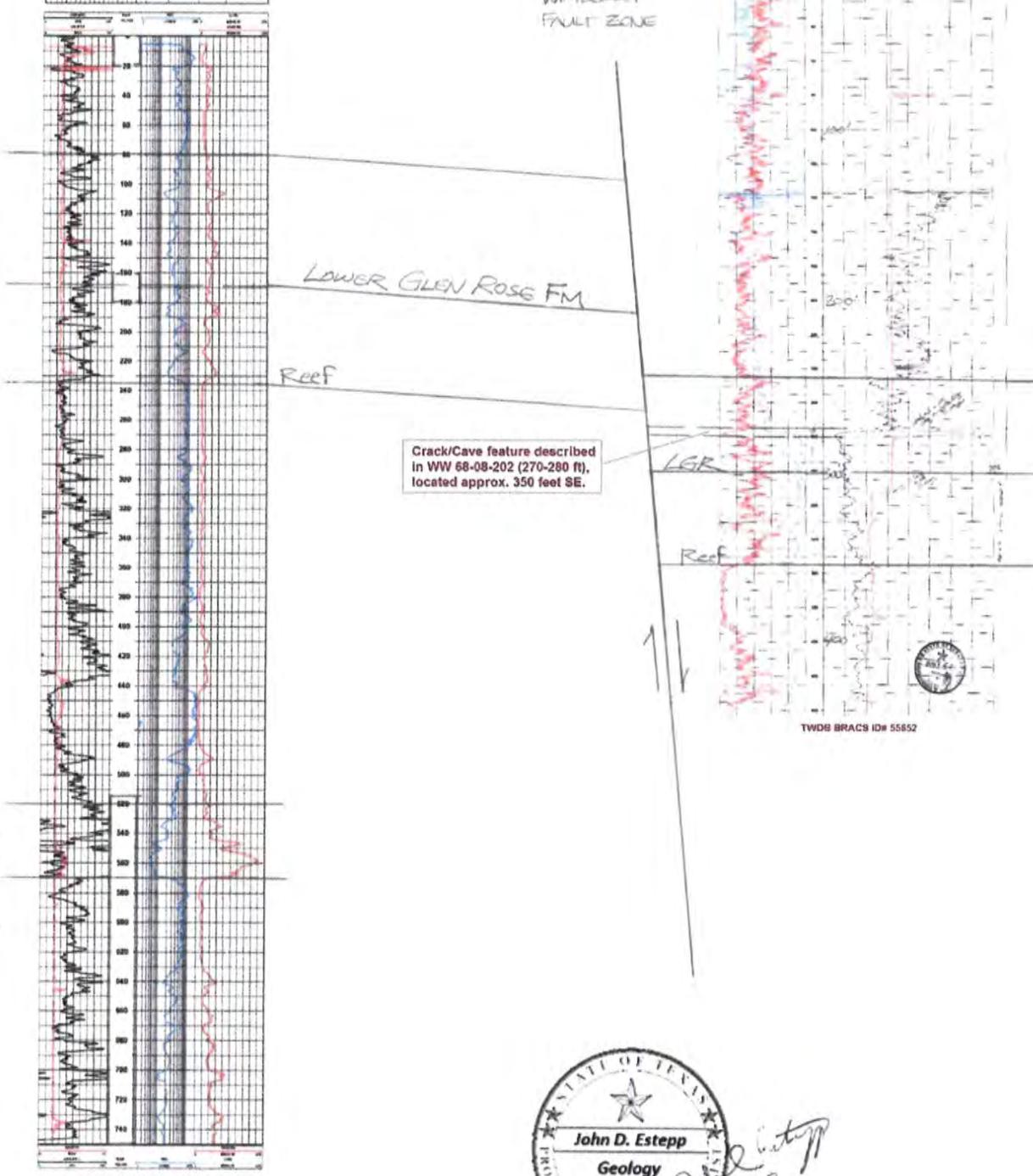
Sabino Ranch WW
State Well# 57-64-717
Elevation 880 ft

Village of Wimberley
Blue Hole Test Well
State Well# 57-64-806
Elevation 917 ft

Blue Hole Park
0.70 miles

Well	State	County	Section	Range	Block	Acres	Depth	Flow	Pressure	Temperature	Production	Injection	Notes
57-64-717	Texas	Hill	10	10	10	10	10	10	10	10	10	10	10

Well	State	County	Section	Range	Block	Acres	Depth	Flow	Pressure	Temperature	Production	Injection	Notes
57-64-806	Texas	Hill	10	10	10	10	10	10	10	10	10	10	10

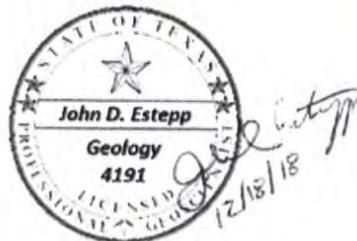


Cement annular seal at 160-180 feet

Cement plug set at 514-760 feet

TWDB BRACS ID# 55617

TWDB BRACS ID# 55652



1) OWNER CITY OF WIMBERLEY Address 2000 WIMBERLEY DRIVE (City) WIMBERLEY (State) TX (Zip) 77894
 2) LOCATION OF WELL: HAYS County 2 miles (in S. direction from WIMBERLEY (Town))

Legal description: Section No. _____ Block No. _____ Township _____
 Abstract No. _____ Survey Name _____
 Distance and direction from two intersecting section or survey lines _____

Driller must complete the legal description to the right with distance and direction from two intersecting section or survey lines, or he must locate and identify the well on an official Quarter- or Half-Scale Texas County General Highway Map and attach the map to this form.

See attached map.

3) TYPE OF WORK (Check):
 New Well Deepening Reconditioning Plugging
 4) PROPOSED USE (Check):
 Domestic Industrial Public Supply Irrigation Test Well Other _____
 5) DRILLING METHOD (Check):
 Mud Rotary Air Hammer Driven Bored Air Rotary Cable Tool Jetted Other _____

6) WELL LOG:
 Date drilled 1/28/87
 DIAMETER OF HOLE
 Dis. (in.) From (ft.) To (ft.)
6" Surface 320

7) BOREHOLE COMPLETION:
 Open Hole Straight Wall Underreamed
 Gravel Packed Other _____
 If Gravel Packed give interval ... from _____ ft. to _____ ft.

From (ft.)	To (ft.)	Description and color of formation material
0-5		CALICHE
5-220		GRAY LIMESTONE
220-240	15 gpm	GRAY WATER SAND
240-270		GRAY LIMESTONE
270-280		CRACK-CAVE
280-290		GRAY WATER SAND
290-320		GRAY LIMESTONE

8) CASING, BLANK PIPE, AND WELL SCREEN DATA:

Dis. (in.)	New or Used	Steel, Plastic, etc. Perf., Slotted, etc. Screen Mgf., if commercial	Setting (ft.)		Gage Casing Screen
			From	To	
		N/A			

WATER AT 270-290 300gpm

9) CEMENTING DATA (Rule 319.44(b))
 Cemented from _____ ft. to _____ ft.
 Method used N/A
 Cemented by _____

10) SURFACE COMPLETION
 Specified Surface Slab Installed [Rule 319.44(c)]
 Pitless Adapter Used [Rule 319.44(d)]
 Approved Alternative Procedure Used [Rule 319.71] N/A

11) WATER LEVEL:
 Static level N/A ft. below land surface Date _____
 Artesian flow _____ gpm. Date _____

12) PACKERS:
 Type _____ Depth _____
N/A

13) TYPE PUMP:
 Turbine Jet Submersible Cylinder
 Other N/A
 Depth to pump bowls, cylinder, jet, etc., _____ ft.

15) WATER QUALITY:
 Did you knowingly penetrate any strata which contained undesirable water? Yes No
 If yes, submit "REPORT OF UNDESIRABLE WATER"
 Type of water? GLEN ROSE Depth of strata 30'
 Was a chemical analysis made? Yes No

14) WELL TESTS:
 Type Test: Pump Bailor Jetted Estimated
 Yield: 300-350 gpm with _____ ft. drawdown after _____ hrs.

I hereby certify that this well was drilled by me (or under my supervision) and that each and all of the statements herein are true to the best of my knowledge and belief. I understand that failure to complete items 1 thru 12 will result in the log(s) being returned for completion and resubmittal.

COMPANY NAME _____

Test Well #7
 Blue Hole property
 WATER ANALYSIS REPORT
 TEXAS DEPARTMENT OF HEALTH
 DIVISION OF WATER HYGIENE
 1100 WEST 49 TH STREET
 AUSTIN, TEXAS 78756

WIMBERLY WATER SUPPLY CORPORATION
 PO BOX 208
 WIMBERLY TX 78676

WATER SUPPLY #: 1050018
 LABORATORY NO: EP702846
 SAMPLE TYPE: RAW SAMPLE

COLLECTOR REMARKS:

SOURCE: WELL #7

DATE COLLECTED 1/28/87 DATE RECEIVED 2/11/87 DATE REPORTED 3/30/87

CONSTITUENT NAME	RESULT	UNITS	+/-
Calcium	505	mg/l	
Chloride	14	mg/l	
Fluoride	4.1	mg/l	
Magnesium	211	mg/l	
Nitrate (as N)	0.01	mg/l	
Sodium	14	mg/l	
Sulfate	1884	mg/l	
Total Hardness/CaCO3	2129	mg/l	
pH	7.9		
Dil. Conduct (umhos/cm)	5208		
Tot. Alka. as CaCO3	226	mg/l	
Bicarbonate	276	mg/l	
Carbonate	0	mg/l	
Dissolved solids	2780	mg/l	
P. Alkalinity /CaCO3	0	mg/l	
Arsenic	< 0.010	mg/l	
Barium	< 0.50	mg/l	
Cadmium	< 0.005	mg/l	
Chromium	< 0.02	mg/l	
Copper	0.02	mg/l	
Iron	0.05	mg/l	
Lead	< 0.02	mg/l	
Manganese	< 0.02	mg/l	
Mercury	< 0.0002	mg/l	
Selenium	< 0.002	mg/l	
Silver	< 0.01	mg/l	
Zinc	< 0.02	mg/l	

68-08-202

Typewrite (Black ribbon) or Print Plainly
(soft pencil or black ink)
Do not use ball point pen

Texas Department of Health Laboratories
1100 West 49th Street
Austin, Texas 78756

TWDB ONLY

Organization No. 422 Lab No. 01

Work No. 6150

CHEMICAL WATER ANALYSIS REPORT

Send Reply To:

Water Availability Data and Studies Section
Texas Water Development Board
Stephen F. Austin Building
1700 Congress Ave.
Austin, Texas 78711

County 105 Hays

State Well No. 68-08-202

WWSL Well No. #7

Date Collected 05-20-87

Attn: Don Mehr Rm. 430E

Owner Wimberly WSC ✓ Send copy to owner Sample No. By Don Mehr

Address PO Box 208 Wimberly TX 78676 Well Location _____

Date Drilled 01/20/87 Depth 320 ft. WB Power Glove Rose Source (type of well) Open Abk Sample

Producing intervals 2-34 Water level 94.21 ft. Sample depth 0280 ft.

Sampled after pumping _____ hrs. Yield _____ GPM 1000 est. Temperature _____ °F _____ °C

Point of collection Flow Station Appearance clear turbid colored other

Use _____ Remarks Silty

(FOR LABORATORY USE ONLY)

CHEMICAL ANALYSIS

Laboratory No. [REDACTED] Date Received JUN 29 '87 Date Reported JUN 29 '87

WATER ANALYSIS

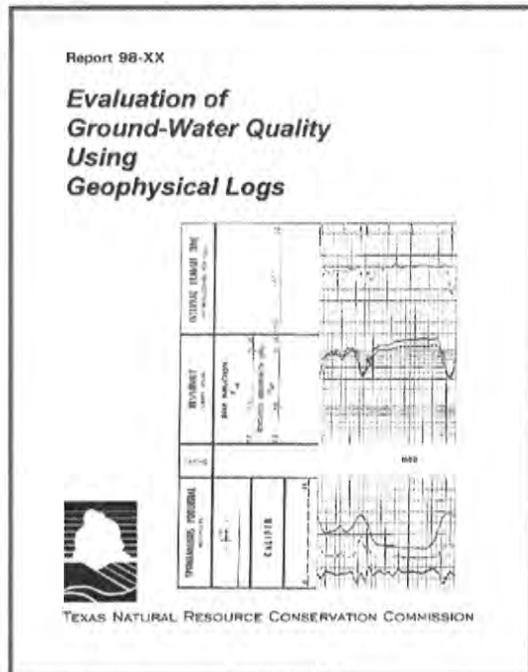
State Well No: <u>68-08-2</u>	Date: <u>061887</u>	Sample No: <u>ER7-1116</u>
Silica:00955: 13 MG/L	ME/L	Carbonate:00445: 0
Calcium:00915: 499	24.96	Bicarbonate:00440: 266
Magnesium:00925: 198	16.30	Sulfate:00946: 1794
Sodium:00930: 16	.70	Chloride:00940: 16
Potassium:00935: 12	.31	Fluoride:00950: 3.8
T. Cations 42.26	Nitrate as NO3:71851: .35	.01
Manganese:01055: _____	T. Anions 42.39	
Boron:01020: _____	pH:00403: 8.0	
Total Iron:01045: _____	TDS(Calc):70301: 2683	
Other _____	P. Alk.:00415: 0	
(Specific Cond.:00095: 2080	T. Alk.:00410: 218	
Diluted Conductance (micromhos/cm3)	T. Hardness:00900: 2063	
<u>Lab error</u>	Ammonia-N:00610: _____	
_____ items will be analyzed if checked.	Nitrite-N:00615: _____	
	Nitrate-N:00620: _____	
	Organic Nitrogen:00605: _____	

68-08-202

GROUNDWATER QUALITY EVALUATION MANUALS

(Authored by John D. Estep, P.G.)

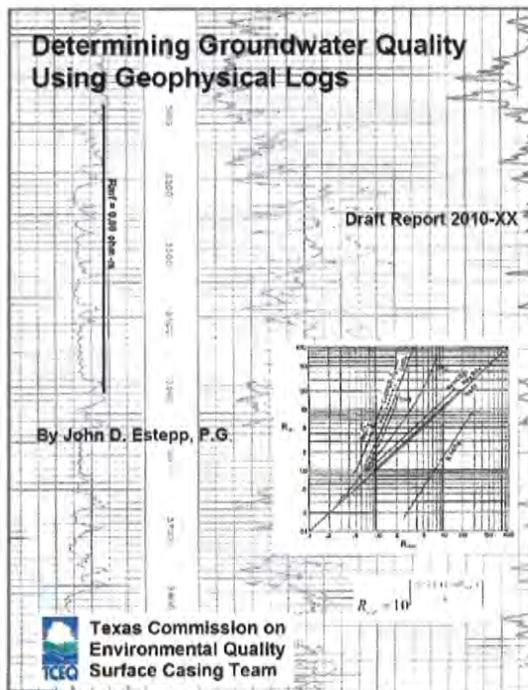
ORIGINAL HARDCOPY GWQ MANUAL (1998)



HYPER-LINKED PDF VERSION (1998)



2010 VERSION USED BY RRC GAU STAFF AND TWDB BRACS PROJECT



HISTORY OF THE 1998 GWQ MANUAL

- Original 1998 GWQ manual was compiled to address the high-bicarbonate problem in the Carrizo-Wilcox Aquifer in South Texas
- Covers more well log evaluation techniques (e.g., porosity, permeability, lithology identification, etc.)
- Hyper-linked PDF version was developed to reduce cost of printing and make the manual available to the public

HISTORY OF THE 2010 GWQ MANUAL

- Focused on GWQ determination methods for use by the TCEQ Surface Casing geologists and training TWDB BRACS geologists for evaluating brackish water aquifers
- Content was primarily extracted from the original 1998 GWQ manual with an additional GWQ case study for the Pecos Alluvium Aquifer

REFERENCE CITING

Original 1998 GWQ Manual:

Estepp, J.D., 1998, *Evaluation of ground-water quality using geophysical logs*, TNRCC Draft Report 98-XX, 516 p.

2010 GWQ Manual:

Estepp, J.D., 2010, *Determining groundwater quality using geophysical logs*, TCEQ Draft Report 2010-XX, 86 p.

Date: 1/8/2019

My name is John Espinoza

I am a property owner in the City of Wimberley, a licensed professional engineer and a certified floodplain manager. I have more than 40 years of experience conducting and managing the planning and design of infrastructure projects. I am here to voice my concerns regarding the wastewater collection and treatment projects.

I previously voiced my concerns (twice) during City Council meetings and in a letter sent to the Texas Water Development Board dated September 19, 2018. A summary of my 4 concerns stated in my TWDB letter included:

1. Since the City had a collection system and treatment plant that was designed and under construction, the plan to connect to Aqua Texas should have been considered as a new project. This new project should have been conducted following procedure as stated in Chapter 252 of the Local Government Code and required by the Texas Board of Professional Engineers in selecting professionals based on qualifications. On-going efforts to connect to Aqua Texas may not have followed these required procedures.
2. Throughout the City's process in promoting to connect to Aqua Texas, there has been a lack in providing back-up documentation used to develop engineering design concepts and financial analysis findings.
3. Managing of infrastructure projects requires professionals that have relevant experience to ensure projects will be designed and constructed within budget. Based on Council actions, I have serious concerns they are mismanaging the project that result in cost overruns.
4. The majority of citizens that were allowed to talk during previous Council meetings were against connecting to the Aqua Texas plant.

Based on information I recently obtained from the City's website, I have the following concerns.

1. In the TWDB Presentation dated September 12, 2018
 - a. Page 7, there is reference that the design change is relatively minor including going under Cypress Creek to connect to Aqua Texas. This action should not be considered as "minor" since there are still many unknowns when boring under Cypress Creek. This could include encountering karst features, endangered species, etc. which will add additional cost and possible permitting requirements.
 - b. Pages 10 & 11, The Revenue Requirement and Customer Rates comparison show connecting to Aqua Texas is the preferred option. However, without seeing the "back-up documentation", it makes it difficult to justify their recommendations
2. The City is proceeding in constructing the collection system including excavation and placing new pipes and manholes, placing of back-fill and repairing disturbed pavement. There appears that no service connections are being constructed at this time. Even though Capital Excavation cost estimate include a cost of \$1,500 to make these service connections, it is more efficient and cost effective that excavations for the main line and service connections be conducted at one time. Since additional excavations will be required for the service connections, I would not be surprised if additional fees will be requested.

TO THE TEXAS WATER DEVELOPMENT BOARD

Please deny the Wimberley City Council's request for a change of scope related to construction of the Wimberley Wastewater System.

The citizens of Wimberley have long planned a city-owned, environmentally responsible System. Dismissal of the treatment plant contractor in favor of Aqua Texas negates many years of effort and denies the clear mandate to protect the aquifer as we irrigate Blue Hole Regional Park.

I urge the Board to hear our voices loud and clear as we say No Aqua Texas.

Respectfully,

A handwritten signature in cursive script, appearing to read "Julie Ray".

Julie Ray
115 Sky Ranch Circle
(property owner 110 Old Kyle Rd)
512-971-4047
Julie.ray@me.com

My name is Larry Calvert and I am a CARD member

I believe the city Sewer system fully meets the waste treatment and environmental needs as designed and should be installed.

I am opposed to the Aqua Texas plan since I believe the revised design is insufficient and Aqua Texas has a very poor record of responsible waste treatment.

In summary, I am opposed to the Aqua Texas option for waste treatment.

Larry Calvert
101 FM 3237, Suite F
Wimberley, TX 78676
512-484-0422
lecalveert@gmail.com

TESTIMONY

Texas Water Development Board Public Hearing

Tuesday, January 8, 2019

Wimberley Community Center

By

Linda Lang

35 Brookhollow Dr.

Woodcreek, Texas 7867

My name is Linda Lang and I live in the City of Woodcreek about five miles north of the City of Wimberley. I speak on behalf of the original city-owned wastewater system and against the possibility of Aqua Texas ruining this valley.

I fully support the city-owned, "One Water" wastewater system which is both an environmentally and economically sound plan. I thank the Texas Water Development Board for recognizing and supporting the original plan early on.

I do NOT support the new plan to replace the plant with Aqua Texas due to many reasons of which I will name a few:

Consequences of this switch will lead to unwanted over-development of the beauty and open spaces of Wimberley Valley. This will cause faster depletion of the Hays Trinity Aquifer that will affect our largest artesian spring, Jacob's Well, the headwaters of Cypress Creek.

As the springs and creeks lose their flow, surely the flow of money into our tourist businesses and home values will occur.

Thank you so much for your serious consideration and voting to NOT allow the present city council to engage Aqua Texas, but to go forward with the original city-owned wastewater plan.

Linda Lang

Testimony

Texas Water Development Board Public Hearing

Tuesday, January 8, 2019

Louis Parks
820 Red Hawk Road
Wimberley, Tx, 78676
512-289-8666
louis.parks@gmail.com

Good evening.

Members of the Texas Water Development Board, please hear us today; this may seem a foolish, wasteful local squabble, but it is vitally important to our future water resources and city prosperity.

I am Louis Parks, chair of Citizens Alliance for Responsible Development, or CARD.

CARD is an all-volunteer organization, funded by \$70 annual dues, which formed in this building in 2008 in opposition to a large development that threatened the recharge zone of the Trinity Aquifer. No one in CARD has any way of profiting from either side in this unfortunate sewer fight, except in the same way most residents do, in the future property values and beauty of our area.

CARD's primary focus is on the quality and quantity of water, the crucial natural resource of which the Wimberley Valley already has far too little.

CARD has campaigned for water conservation, such as rain tanks and water recycling, and against water waste. We have hosted numerous public education and awareness meetings, several in this building, on water concerns.

CARD originally supported the long-overdue sewer system for downtown Wimberley because it was needed to clean up Cypress Creek, and because it would clean and fully reuse downtown wastewater in Blue Hole Park, saving water in the aquifer. It was a win-win situation for the creek, the park, the aquifer and the City, all with no taxes for residents. Thanks to the TWDB's loan, and the help of \$2 million in grants for the plan's environmental qualities, the plan would be paid for over 30 years by the users of the system, the downtown business owners.

After long discussions, CARD came out in support of the Wimberley-operated plan in 2012, again in 2013, and continued to do so after the 2015 Settlement Agreement signed on by groups that originally opposed the plant for concerns about the possibility of discharge.

Our support of the City-managed plant increased when the Aqua Texas threat reared its head. As early as 2008, CARD had commented on AT's high rate of losing clean water – still a concern. The more we researched A. T.'s history, here and across the state and country, the more our concern grew.

The idea of sending downtown water – which could be cleaned to Enhanced Type I and reused for public good – over to Aqua Texas where it does the City no good, is absurd.

Forcing Wimberley to further drain the aquifer – if it ever wants to bring Blue Hole to its planned state – just to help Aqua Texas stockholders, is robbing the future needs of this town and valley. **There's not that much water under there.**

Cleaning Cypress Creek is very important to this City, its economy and its health. But why do it half-way, sending that water to a Type 2 Aqua Texas plant – that for years has promised it will upgrade to Type 1 – and then have it basically discarded on a golf course. There is no such thing as waste water. But there certainly is wasted water.

This unpopular and environmentally unsound change has already lost Wimberley more than \$3 million. Stop throwing away good money, say NO to the Aqua Texas plan. Despite our follies, oh TWDB, please show this town some love and tell this council to get us back on the right path with the right plant.

Mayor

Mayor Jaggers and Councilmembers:

- not a user of the system

My name is Marilee Wood. I have been a property owner and resident of Wimberley since the mid 1990's. I was elected to the City Council in 2003 and served two terms plus an appointed term of 7 months in 2010. Additionally, I served on the Planning & Zoning Commission, the Parks Board and numerous committees including the Committee that reviewed proposals and recommended to Council a design firm for Blue Hole Park. I am a Founding Member of Friends of Blue Hole and recently served a term as President of the Friends Board.

Blue Hole Park, from its acquisition to its development and its establishment as one of the premier parks in the Hill Country, has been the focus of my public service and my private support since 2003. It is with that background of commitment to the park that I urge denial of the City's change of scope request to stop construction of the city-owned treatment plant in order to go to Aqua Texas for wastewater treatment.

There are many environmental concerns associated with the current proposal to pipe raw sewage under Cypress Creek in the Blue Hole Regional Park, and millions of dollars have been given to the City by Hays County and the State of Texas, through Texas Parks & Wildlife, and by foundations too numerous to mention with an understanding that the City would complete the Park under the plan designed by the Lady Bird Johnson Wildflower Center, funded by Friends of Blue Hole and adopted by City Council in 2007 – this plan was designed with a City owned plant designed to water the Park without use of aquifer water. A basic tenet of the design called for the City plan to produce type 1 enhanced effluent. This plan protected the Park by guaranteeing that there would be a reliable source of water for use by the Park. All Wimberley City Councils since 2007 with the notable and reckless exception of the current Council have supported this plan.

The proposed contract with Aqua Texas, which would pipe raw sewage under Cypress Creek at Blue Hole, possibly puts the creek at risk and fails to provide water for the Park. It would put AT in the driver's seat for facilitating unregulated growth and would open the door for a future Wimberley that looks more like an I 35 community than the Hill Country village so many of us have spent so much time and effort trying to protect.

The actions of this Council to prevent a City owned sewer project have endangered not only the future of the Park, which I hold dear, but also the financial condition of the City of Wimberley and have damaged the ability of the town to work together. Years of community cooperation have been ignored. Please listen to the concern of Wimberley citizens. Facilitate the building of the City system. Your actions will help us protect Blue Hole Park, keep the faith with our funding sources, provide sewer facilities for the downtown area, enhance the environment and keep city services in the hands of the people where they belong.

Marilee Wood

mmwood200@gmail.com

Public Hearing for Change of Scope in Wimberley's City Sewer Project

Community Center, 5:30 p.m., Tuesday, January 8, 2019

I strongly oppose the change in scope for the city's sewer project as directed by the current mayor and three council members. This is not the plan that was approved by the previous mayors and councils. My concerns and theirs have been expressed and opposed by many Wimberley citizens for many legitimate reasons. How many times do we have to stand up here and say the same things over and over? We do not want Aqua Texas managing our system and we want water for Blue Hole!

Enough is enough. Thank you.

*Sincerely,
Marika Knies
101 Mesa Verde
Wimberley, TX 78676
512-847-8774*

Raoul Belleau remarks for TWDB Public Hearing on Wimberley Wastewater Project held January 8, 2019

Today I am going to discuss operating cost. A financial comparison from the Mayor's August 14 presentation that is often cited is that the planned city wastewater treatment plant would cost \$160K more to operate than going with Aqua Texas, a difference that would add up to over \$4Million. Albert Einstein is quoted as saying that "Everything should be made as simple as possible, but no simpler." This financial comparison is too simple for 3 reasons.

Reason 1 comes from not scrutinizing the numbers closely. As an example, the cost item for Lift System checks is attributed to the Plant, when indeed this is part of the Collection system and would be a cost under either option. Additionally, the calculations for sludge disposal reveal that Inframark was using a volume rate of around 50 thousand gallons per day in their cost estimates, compared to the City estimate of 28 thousand gallons per day in Year 1, rising to 50 thousand in Year 30. Similarly, Mr. Coonan stated that the \$20 thousand dollars in Capital reserves was to accumulate \$200K to replace all Membranes at Year 10. But with the plant expected to run at less than half capacity from years 1 through 10, wouldn't that be cut in half? Likewise, the electricity rates estimated by Mr. Coonan of \$30,394 with the note that it is "up significantly due to UltraViolet disinfection and additional pumps" is not scaled for a plant that is only running at a third of capacity in Year 1. Adjusting for these cost items brings the plan operating cost in Year 1 down by \$37,757.

Reason 2 that this comparison is inaccurate is that it is comparing apples to oranges. While the City option envisions a future for Blue Hole Regional Park as a green oasis even during years of extreme drought, due to consistent access to 30-50 thousand gallons per day of irrigation water, the Aqua Texas option leaves Blue Hole high and dry, with no costs allocated to providing irrigation. This must be added back in for an apples-to-apples comparison. One option would be to try to truck in Type1 wastewater from Aqua Texas and deliver to a tank in the park, at 5-10 truck loads per day. Since we don't want the soccer kids getting sick, this option would likely mean we need to add back in the \$30,815 quoted in the Mayor's August presentation for lab testing to ensure the Type1 is safe for human contact, with samples taken at the sprinklers. As it turns out, buying water at wholesale rate is most likely cheaper than the trucking and testing regimen. Using the average wholesale water rate for the greater Austin area of \$4.10 per thousand gallons, the equivalent cost of irrigation for Year1 is \$41,902.

Combining the 2 numbers above reveals that the Year1 operating cost difference, rather than \$160K, is actually more like \$80K. Contrast this year1 difference with the \$1.3Million drop in city fund balances during fiscal years 2018 and 2019 to accomplish this change of course.

Reason3 that this comparison is inaccurate is that it ignores the future. There is some question whether the currently quoted Aqua Texas rates for years 1-5 will stand because it defines a wastewater composition that is residential vs. the city customer mix includes large business customers and

restaurants. But even taking this introductory 5-year rate, funded in part by \$300K in cash up front, at face value, Year 6 is an interesting inflection point because this is when Aqua Texas gets to raise rates. In the past few years, Aqua Texas has documented offers to the city to provide wholesale service at rates varying between \$11.72 and \$13.96 per thousand gallons. Even projecting below the range of past offers and using a rate of \$10, the Aqua Texas fees grow dramatically so that the City option is projected to be \$15K cheaper than the Aqua Texas plus wholesale water option. Finally, from Years 6 through 30 the costs will increase under both options but with a modest 1% added to Aqua Texas fee growth to provide profit growth for their shareholders. Based on this projection, the City option would be \$178K cheaper than the Aqua Texas plus Wholesale Water option in Year 30.

In summary, in an apples-to-apples comparison I believe the City Option would have significantly lower annual Operating and Maintenance expenses over 30 years than the Aqua Texas option. Thank you.

Appendix A. Baseline from Mayor's August 14 presentation

Estimated O&M	City Option	City/Aqua Option	Variance
Collection System	19,500	19,500	
Treatment Plant	214,249		
Aqua Treatment Fees		52,776	
Total	233,749	72,276	\$161,473

Appendix B. Updated cost comparisons for Years 1, 6 and 30

Updated Year 1

Estimated O&M	City Option	City/Aqua Option	Variance
Collection System	21,060	21,060	
Treatment Plant	176,492		
Aqua Treatment Fees		52,776	
Blue Hole Irrigation	0	41,902	
Total	197,552	115,738	\$81,814

Updated Year 6

Estimated O&M	City Option	City/Aqua Option	Variance
Collection System	23,252	23,252	
Treatment Plant	195,891		
Aqua Treatment Fees		145,511	
Blue Hole Irrigation	0	65,925	
Total	219,143	234,688	-\$15,545

Updated Year 30

Estimated O&M	City Option	City/Aqua Option	Variance
Collection System	35,947	35,947	
Treatment Plant	299,455		
Aqua Treatment Fees		345,565	
Blue Hole Irrigation	0	132,878	
Total	335,402	514,390	-\$178,988

Appendix C. Baseline Year1 cost details

Total	Plant	Collection system	Comment
30815	30815		New Lab Cost, includes an addition 4 trips per week to the lab
1560	1560		Additional lift system checks, 1 per week @ 30 minutes
10,500		10,500	Approximate 15000 foot sewer line Asset Management, 5 year plan, 20% per year
26,000	26,000		Bi-weekly sludge disposal (26 runs) Bi-weekly liquid haul at 1%, 7000 gallons, \$1K/load
12,480	12,480		52 additional weekends at 2 hours per day (travel and labor)
33,000	33,000		corrective maintenance, supplies, alarms, all Work Orders
60,000	60,000		Existing Cost
174355	163855	10500	Total Inframark
30394	30394	5000	Electricity - Up significantly due to UV disinfection and additional pumps
20000	20000	4000	Capital Reserves - Membranes, pumps, etc
224749	214249	19500	Total

Appendix D. Corrected Year1 and Year 6 Cost details

Corrected Year 1

	Plant	Collection syst	Comment
30815	30815		New Lab Cost, includes an addition 4 trips per week to the lab
1560		1560	Additional lift system checks, 1 per week @ 30 minutes
10,500		10,500	Approximate 15000 foot sewer line Asset Management, 5 year plan, 20% per year
15,000	15,000		Bi-weekly sludge disposal (26 runs) Bi-weekly liquid haul at 1%, 7000 gallons, \$1K/load
12,480	12,480		52 additional weekends at 2 hours per day (travel and labor)
33,000	33,000		corrective maintenance, supplies, alarms, all Work Orders
60,000	60,000		Existing Cost

163355 151295 12060 Total

	15197	5000	Electricity - Up significantly due to UV disinfection and additional pumps
	10,000	4000	Capital Reserves - Membranes, pumps, etc.
	176492	21060	Total

Corrected Year 6

	Plant	Collection syst	Comment
30815	30815		New Lab Cost, includes an addition 4 trips per week to the lab
1560		1560	Additional lift system checks, 1 per week @ 30 minutes
10,500		10,500	Approximate 15000 foot sewer line Asset Management, 5 year plan, 20% per year
26,000	26,000		Bi-weekly sludge disposal (26 runs) Bi-weekly liquid haul at 1%, 7000 gallons, \$1K/load
12,480	12,480		52 additional weekends at 2 hours per day (travel and labor)
33,000	33,000		corrective maintenance, supplies, alarms, all Work Orders
60,000	60,000		Existing Cost

174355 162295 12060 Total

	20262.67	5000	Electricity - Up significantly due to UV disinfection and additional pumps
	13,333	4000	Capital Reserves - Membranes, pumps, etc.
	195891	21060	Total

Appendix E: Projected Aqua Texas Rates

Aqua Texas has documented offers to the city over the past few years to provide wholesale service at rates varying between \$11.72 and \$13.96 per thousand gallons. Estimate \$10 per 1000 gallons wholesale rate in Year 6, which is still well below past offers, growing by 3% annually thereafter

Year 1

\$52,781 cost per year

Year 6

\$10 per 1000 gallons

39866 gallons per day

\$145,511 Cost per year

Year 30

\$19 per 1000 gallons

49413 gallons per day

\$345,565 Cost per year

Appendix F: Projected Irrigation Water costs

Wimberley Water retail rates are significantly higher, but using the average Austin metro area Wholesale rate of \$4.10, growing by 2% annually. Volumes match wastewater volumes in order to provide apples-to-apples cost comparison.

Year1	Year6	Year 30	Column1
28	39.9	50 thousand gallons per day	
\$4.10	\$4.53	\$7.28 volume charge per 1000 gallons	
\$115	\$181	\$364 per day	
\$41,902	\$65,925	\$132,878 per year	

Note that an alternate model for Type1 reuse could be pursued, but it appears at first look to be more expensive. This would involve 5-10 truckloads per day delivered to a tank placed at Blue Hole Park in addition to an estimated \$30,815 annually for testing the type1 effluent to ensure it is safe for human contact.

08 January 2019

Wimberley City Council – TWDB Public Hearing testimony

My name is Richard Duggan. With my family, I reside in the 78676 zip code at 300 Canyon Oaks Drive, but not w/in the City of Wimberley limits. However, as a real estate developer, licensed architect, builder of 2 sewage treatment plants, former member of the Island of Lanai Water Board, and 20-year member of the board of a local non-profit which is in the City limits, I am a stakeholder with standing.

I am speaking tonight to oppose the transfer of the Texas Water Development Board loan from the City of Wimberley to Aqua Texas.

As is widely known, the intent of the proposed (and in fact already commenced) sewage treatment plant is to clean up pollution in Cypress Creek in the downtown area. In addition to accomplishing the primary task, the other benefits of the city-constructed plant include:

- control over how the system is operated and used and how sewer customers are served;
- recycled Type 1 water for Blue Hole Park irrigation;
- a low-interest, \$5.5 million loan from the TWDB;
- \$245,343 in loan forgiveness from TWDB because of the environmental qualities of the original plan;
- two grants of \$1 million each to help pay for the system; and
- no bond or tax as the system is to be primarily paid for by connected users who would repay the loan over 30 years.

By all accounts it is a stream-safe plant despite unfounded alternative truths which have been circulated.

Local, municipal control is a far better outcome instead of a management and fee collection by company named Aqua America, which is in business to satisfy its shareholders and account for a profit and has interests and customers as far reaching as Illinois, Indiana, New Jersey, North Carolina, Ohio, Pennsylvania, and Virginia, in addition to Texas

Further, it seems incomprehensible that the associated assets and monetary benefits of a city-owned facility would be squandered by the City's elected officials. Losing the grants, the loan forgiveness, sunk construction and settlement costs, and the TWDB low-interest loan is perniciously perplexing and should be reconsidered.

The TWDB loan, originally granted for the city-owned, "One Water" wastewater system, should not be used to give our water treatment future to Aqua Texas. It seems a folly beyond imagination.

Thank you

Respectfully
Richard Duggan
300 Canyon Oaks Dr
Wimberley TX 78676

REGARDING THE SUITABILITY OF AQUA TEXAS AS A CORPORATE PARTNER

My name is Robert Tinstman. I am a Woodcreek resident. I was employed by the Texas Commission on Environmental Quality and its predecessor water agencies for 21 years.

My comments and questions tonight have to do with whether Aqua Texas is a suitable partner for the City of Wimberley. The point I want to make is that Aqua Texas, when it comes to obeying the state's pollution control laws, is a repeat and chronic offender, and is not fit company for a place as environmentally—conscious as Wimberley Valley.

Aqua Texas cannot manage the raw sewage of Woodcreek. For at least the past nine years, Woodcreek's collection system has been regularly and illegally discharging thousands of gallons of raw sewage into our neighborhood. They have now been fined twice by TCEQ for these unpermitted raw waste discharges. I'm providing copies of the 2 enforcement orders here tonight. ***Please do not add to that raw waste burden.***

Aqua does not even have its own maintenance crews. They call out their sub-contractors only after a problem arises. They do NO PREVENTIVE MAINTENANCE. This is not the kind of corporate partner that Wimberley wants.

Let me ask you -- Has the City of Wimberley done even the most minimum of 'due diligence'? Have you ever contacted Aqua's other customers to find out their experiences with them?

Have you contacted Spring Hill Estates in Denton County? Or B&W Gathering in Burnet County, or Village Trace in Brazoria County? Or even the Cities of Kyle or Woodcreek here in Hays County? All these wastewater systems are operated by Aqua Utilities and have been the subjects of administrative penalties by TCEQ. Have you ever contacted them to find out if Aqua Texas is a dependable corporate partner? I think we all know the answer to that question.

The City's draft agreement with Aqua has its own pitfalls. Aqua establishes a 50 mg/L limitation on the oil and grease it will accept, and then says that the City's failure to meet those limits would trigger corrective action by the City on its dischargers. 50 mg/L is a level that would be characterized as weak, residential strength wastewater. It is a level that the City's commercial users such as restaurants will surely violate, and then face Aqua's penalties. The City has a pre-treatment program in name only. With influent limitations of 50 mg/L, the City will have to hire staff to enforce its pre-treatment ordinance, an undocumented cost the City is not telling you about.

The agreement with Aqua shows a \$300,000 wholesale service connection fee. Up until the agreement was released, the City described this payment as a necessary fee to be used to expand and upgrade Aqua's plant. Now the agreement says Aqua will pay for the expansion and upgrade "free of charge". Who do they think they are kidding? And why would the City pay this exorbitant amount to convert to Type 1 effluent when the effluent re-use plan to bring the treated water back to the park has been expressly abandoned? This is nothing more than a poorly disguised attempt to take city funds and donate them directly to the bottom line of a private utility.

Please reverse course! Build the city its own treatment plant. Invest in Wimberley's future, not that of a private utility!

Presented by Robert Tinstman, bob_tinstman@yahoo.com, tel. 512.468.4068

January 8, 2019

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
AQUA UTILITIES, INC.
RN102956448

§ BEFORE THE
§
§ TEXAS COMMISSION ON
§
§ ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2012-0858-MWD-E

At its FEB 27 2013 agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Aqua Utilities, Inc. ("Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this agreement to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. The Respondent owns and operates a wastewater treatment facility with an associated collection system ("System") located approximately 1,200 feet south southeast of the intersection of Farm-to-Market Road 2325 and Jacob's Well Road, approximately four miles north of Wimberley in Hays County, Texas (the "Facility").

2. The Respondent has discharged municipal waste into or adjacent to any water in the state under TEX. WATER CODE ch. 26.
3. During an investigation on February 2, 2012, TCEQ staff documented the following unauthorized discharges from the System:

UNAUTHORIZED DISCHARGE TABLE			
Date	Locations	Amount Discharged (gallons)	Description
September 20, 2010	20 Woodcreek Dr.	50	Unauthorized discharge from the wastewater tap.
September 26, 2010	Wimberley High School Lift Station	200	Unauthorized discharge from the lift station and into the parking lot. Float wires on the wirebox corroded and disconnected.
October 24, 2010	30 Champion Circle	50	Unauthorized discharge from a broken tap.
November 21, 2010	2300 block of FM 2323 (Main and Cross Country)	7,500	Unauthorized discharge from a leak in the line.
January 23, 2011	Camp Young Judaea property	7,500	Unauthorized discharge because of a 36 inch split in the six inch force main.
March 13, 2011	unknown	50	Unauthorized discharge because of an eight inch hole in the collection main.
March 13, 2011	Camp Young Judaea property	8,000	Unauthorized discharge because of a split in six inch transfer main.
May 30, 2011	Ranch View Lift Station	300	Unauthorized discharge because of a short in pump 1 & 2 controls and high grease level preventing alarm float from signaling high level.
June 13, 2011	Hole # 10 of the golf course	500	Unauthorized discharge from leak in the line.

UNAUTHORIZED DISCHARGE TABLE cont.			
June 18, 2011	Field near Cypress Point	20,000	Unauthorized discharge from leak in the line.
August 18, 2011	Camp Young Judaea property	3,000	Unauthorized discharge from force main rupture; suspected ground shift as a result of hot, dry weather.
August 23, 2011	Camp Young Judaea property	3,000	Unauthorized discharge from a six inch sewer transfer line that split.
November 27, 2011	Camp Young Judaea property	7,500	Unauthorized discharge from a six inch broken line.
November 28, 2011	312 Shady Bluff	350	Unauthorized discharge from a failure of the lift station pump.
January 8, 2012	Pleasant Valley Lift Station	100	Unauthorized discharge because of a short in the pump control panel.
January 20, 2012	3 cleanouts located at 20 Deer Ridge	50	Unauthorized discharge from a line blockage.

4. During an investigation conducted on February 2, 2012, TCEQ staff documented the following from a review of the effluent reports:

EFFLUENT VIOLATION TABLE				
Months	TSS Daily Average Conc.	TSS Single Grab Conc.	BOD ₅ Daily Avg. Conc.	BOD ₅ Single Grab Conc.
	Limit = 20 mg/L	Limit = 65 mg/L	Limit = 20 mg/L	Limit = 65 mg/L
January 2011	91.25	236	27.25	c
February 2011	55.75	97	33.5	c
March 2011	136.4	387	40.2	89
May 2011	44.5	152	40.4	89
June 2011	49.6	92	74.8	117
July 2011	c	69	42	95

TSS = total suspended solids

mg/L = milligrams per liter

BOD₅ = 5-day biochemical oxygen demand

avg. = average

Conc. = concentration

c = compliant

5. During an investigation conducted on February 2, 2012, TCEQ staff documented that the annual soil samples were not collected and analyzed for the monitoring period due September 2011.
6. The Respondent received notice of the violations on April 4, 2012.

7. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the System:

CORRECTIVE ACTION TABLE		
Date	Locations	Description of Corrective Action
September 20, 2010	20 Woodcreek Dr.	The area was disinfected with calcium hypochlorite ("HTH"). A new tap saddle and brass nipple was installed.
September 26, 2010	Winberley High School Lift Station	Vacuumed standing water in the parking lot. Wires on the wireblock were reconnected.
October 24, 2010	30 Champion Circle	The area was disinfected with HTH. The tap was replaced and the service box was adjusted to take pressure off the line.
November 21, 2010	2300 block of FM 2323 (Main and Cross Country)	The area was sprayed with a bleach solution and the leak was repaired.
January 23, 2011	Camp Young Judaea property	Cleaned-up standing water with vacuum truck and sprayed disinfectant on affected area.
March 13, 2011	unknown	The standing wastewater was treated with HTH and the pipe was repaired.
March 13, 2011	Camp Young Judaea property	Vacuumed the standing water and treated affected area with HTH. Collection line was dug up, repaired, and bedded with sand.
May 30, 2011	Ranch View Lift Station	The affected area was cleaned with HTH. Controls repaired and cleaning frequency of lift station increased to twice a week.
June 13, 2011	Hole # 10 of the golf course	Vacuumed the spilled wastewater, followed by chlorine topical disinfection of the affected area. The leak was repaired.
June 18, 2011	Field near Cypress Point	Vacuumed the spilled wastewater, followed by chlorine topical disinfection of the affected area. The leak was repaired.
August 18, 2011	Camp Young Judaea property	Vacuumed the spilled wastewater, followed by chlorine topical disinfection of the affected area. The leak was repaired.

CORRECTIVE ACTION TABLE cont.		
August 23, 2011	Camp Young Judaea property	HTH was used to disinfect all affected areas. The split section was removed, replaced, and sand bedded.
November 27, 2011	Camp Young Judaea property	Vacuumed the spilled wastewater, followed by chlorine topical disinfection of the affected area. The leak was repaired.
November 28, 2011	312 Shady Bluff	The area was disinfected with granular chlorine and the lift station pump was repaired.
January 8, 2012	Pleasant Valley Lift Station	Vacuumed the spilled wastewater, followed by chlorine topical disinfection of the affected area. The pump was repaired.
January 20, 2012	3 cleanouts located at 20 Deer Ridge	The affected area was disinfected with a solution of bleach and water. The line was jetted and cleaned with a vector truck.

8. The Executive Director recognizes that by February 2, 2012, the Respondent returned to compliance with the permitted effluent limits after making repairs to the clarifier basin.

II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE chs. 7 and 26 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3, the Respondent failed to prevent the unauthorized discharge of wastewater into or adjacent to water in the state, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and TCEQ Permit No. WQ0013989001, Permit Conditions No. 2.g.
3. As evidenced by Findings of Fact No. 4, the Respondent failed to comply with permitted effluent limitations, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and TCEQ Permit No. WQ0013989001, Effluent Limitations and Monitoring Requirements No. IV. A.
4. As evidenced by Findings of Fact No. 5, the Respondent failed to obtain and analyze soil samples from the root zones of the land application site, in violation of 30 TEX. ADMIN. CODE §§ 305.125(1) and 319.5(d) and TCEQ Permit No. WQ0013989001, Monitoring Requirements No. 1 and Special Provisions No. 9.

5. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
6. An administrative penalty in the amount of Twenty-One Thousand Eighty-Nine Dollars (\$21,089) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent has paid the Twenty-One Thousand Eighty-Nine Dollar (\$21,089) administrative penalty.

III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed an administrative penalty in the amount of Twenty-One Thousand Eighty-Nine Dollars (\$21,089) as set forth in Section II, Paragraph 6 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Aqua Utilities, Inc., Docket No. 2012-0858-MWD-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. The Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order, update the Facility's operational guidance and conduct employee training to ensure that monitoring requirements are properly accomplished, including the sampling and analysis of irrigated soil, in accordance with TCEQ Permit No. WQ0013989001, Special Provisions No. 9; and
 - b. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance

with Ordering Provision No. 2.a. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Water Section, Manager
Austin Regional Office
Texas Commission on Environmental Quality
2800 S IH 35, Suite 100
Austin, Texas 78704-5712

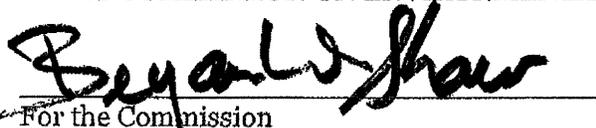
3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director.

The determination of what constitutes good cause rests solely with the Executive Director.

6. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
7. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
8. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
9. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
10. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



For the Commission



For the Executive Director

1/18/13

Date

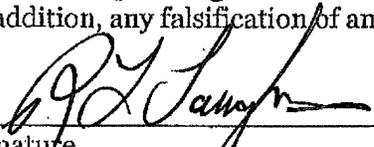
I, the undersigned, have read and understand the attached Agreed Order in the matter of Aqua Utilities, Inc. I am authorized to agree to the attached Agreed Order on behalf of Aqua Utilities, Inc., and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, Aqua Utilities, Inc. waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

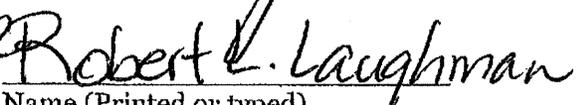
I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.



Signature

JB
Bell 

Name (Printed or typed)
Authorized Representative of
Aqua Utilities, Inc.

8-1-2012

Date

President

Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section III, Paragraph 1 of this Agreed Order.

Bryan W. Shaw, Ph.D., *Chairman*
Carlos Rubinstein, *Commissioner*
Toby Baker, *Commissioner*
Zak Covar, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Protecting Texas by Reducing and Preventing Pollution

March 6, 2013

CERTIFIED MAIL

Robert Laughman, President
Steve Blackhurst, Compliance Manager
Aqua Utilities, Inc.
1106 Clayton Lane, Suite 400W
Austin, Texas 78723-2476

RE: Aqua Utilities, Inc.
TCEQ Docket No. 2012-0858-MWD-E; Permit No. WQ0013989001
Agreed Order Assessing Administrative Penalties and Requiring Certain Action

Enclosed is a copy of an order issued by the Commission.

Questions regarding the order should be directed to the Enforcement Coordinator or the Staff Attorney. If there are questions pertaining to the mailing of the order, then please contact Leslie Gann of the Texas Commission on Environmental Quality's Office of the Chief Clerk (MC 105) at (512) 239-3319.

Sincerely,

A handwritten signature in cursive script that reads "Bridget C. Bohac".

Bridget C. Bohac
Chief Clerk

BCB/lg

Enclosure

cc: JR Cao, Enforcement Coordinator, TCEQ Enforcement Division

2017 ORDER

13 pages of 45 pg. order

Executive Summary – Enforcement Matter – Case No. 52851
Aqua Utilities, Inc.
RN101518926, RN102956448, RN102094240, and RN102674751
Docket No. 2017-0520-MWD-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

MWD

Small Business:

No

Location(s) Where Violation(s) Occurred:

Spring Hill Estates, southeast corner of U. S. Highway 380 and Farm-to-Market ("FM") Road 156, west of Denton, Denton County

B & W Gathering wastewater treatment plant ("WWTP"), north of Higherest Drive between Lakecrest Drive and Moss Downs Drive, Burnet County

Woodcreek WWTP, 2611 FM Road 2325, approximately 1,200 feet south-southeast of the intersection of FM Road 2325 and Jacob's Well Road, approximately four miles north of Wimberley, Hays County

Village Trace, approximately 2,300 feet south of County Road 128 and approximately 2,500 feet east of County Road 143, Alvin, Brazoria County

Type of Operation:

Water treatment facility and wastewater treatment plants

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: The complainant has expressed an interest in this matter but does not wish to speak at Agenda.

Texas Register Publication Date: September 8, 2017

Comments Received: No

Penalty Information

Total Penalty Assessed: \$34,500

Amount Deferred for Expedited Settlement: \$6,899

Total Paid to General Revenue: \$27,601

Total Due to General Revenue: \$0

Payment Plan: N/A

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: April 2014

Executive Summary – Enforcement Matter – Case No. 52851
Aqua Utilities, Inc.
RN101518926, RN102956448, RN102094240, and RN102674751
Docket No. 2017-0520-MWD-E

Investigation Information

Complaint Date(s): July 25, 2016

Complaint Information: Alleged unauthorized discharge occurred at the same location where unauthorized discharges occurred in the past for the Woodcreek WWTP

Date(s) of Investigation: October 27, 2015

Date(s) of NOE(s): June 30, 2016

Violation Information

Spring Hill Estates:

1. Failed to obtain authorization for the discharge of wastewater into or adjacent to any water in the state. Specifically, the Respondent discharged filter backwash water from the Facility into an adjacent ditch without authorization. [TEX. WATER CODE § 26.121(d)].

B & W Gathering WWTP:

2. Failed to comply with permitted effluent limitations. Specifically, the Respondent exceeded the total suspended solids daily average concentration limit of 5 milligrams per liter ("mg/L") for the monitoring periods ending March 31, 2016 and April 30, 2016. The reported values were 8.63 mg/L and 15.0 mg/L, respectively [TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0011332001, Interim Effluent Limitations and Monitoring Requirements No. 1].

Woodcreek WWTP:

3. Failed to prevent the unauthorized discharge of wastewater into or adjacent to any water in the state. Specifically, 12 unauthorized discharges of wastewater occurred since January 30, 2015 [TEX. WATER CODE § 26.121(a)(1) and TPDES Permit No. WQ0013989001, Permit Conditions No. 2.g].

4. Failed to properly operate and maintain the Facility. Specifically, the Supervisory Control and Data Acquisition ("SCADA") system did not function during the July 15, 2016 discharge event and a telemetry system was not in operation at the time of the September 2, 2016 investigation [30 TEX. ADMIN. CODE §§ 305.125(5) and 317.3(e)(5) and TPDES Permit No. WQ0013989001, Operational Requirements No. 1].

Village Trace:

5. Failed to comply with permitted effluent limitations for Ammonia Nitrogen, Flow, and Chlorine [TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and TPDES Permit No. WQ0012822001, Effluent Limitations and Monitoring Requirements Nos. 1 and 2].

**Executive Summary – Enforcement Matter – Case No. 52851
Aqua Utilities, Inc.
RN101518926, RN102956448, RN102094240, and RN102674751
Docket No. 2017-0520-MWD-E**

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures:

- a. By August 12, 2016, installed a new sand separator tank to capture the filter backwash at the Spring Hill Estates water treatment facility.
- b. By October 25, 2016, installed a new SCADA system and activated the telemetry system at the Woodcreek WWTP.
- c. Completed corrective measures, including disinfection and repair or replacement of equipment following the 12 unauthorized discharges from the Woodcreek WWTP:

Technical Requirements:

The Order will require the Respondent to:

- a. Immediately, cease all unauthorized discharges of wastewater from the Woodcreek WWTP.
- b. Within 30 days, develop and improve operations and/or maintenance practices to prevent the recurrence of wastewater discharges from the Woodcreek WWTP facility.
- c. Within 90 days, submit written certification of compliance with the effluent limitations of TPDES Permit Nos. WQ0011332001 and WQ0012822001, including specific corrective actions that were implemented at the Facilities to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations.
- d. Within 120 days, submit written certification to demonstrate compliance with a and b.

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Ronica Rodriguez, Enforcement Division, Enforcement Team 2, MC R-14, (361) 825-3425; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

Respondent: Robert Laughman, President, Aqua Utilities, Inc., 1106 Clayton Lane, Suite 400 W, Austin, Texas 78723

Respondent's Attorney: N/A

Aqua Utilities, Inc.
Unauthorized Discharge Violation Table
Woodcreek WWTP
2017-0520-MWD-E
Case No. 52851

Month/Year Start/End Dates	Gallons discharged	Description
January 30, 2015 January 30, 2015	Unknown amount	Electrical failure at Pro Lane Lift Station
February 11, 2015 February 11, 2015	1,000 gallons	Line break at Ranchview Lift Station
March 31, 2015 March 31, 2015	3,000 gallons	Line break on Doolittle Drive
May 3, 2015 May 3, 2015	200 gallons	Line break at 10 Woodglen
September 4, 2015 September 4, 2015	200 gallons	Pump failure at Brookshire Lift Station
October 30, 2015 October 30, 2015	40,000 gallons	Power outage due to flooding at the Pro Lane Lift Station
November 19, 2015 November 19, 2015	300 gallons	Line break 300 feet east of Farm-to-Market Road 2325
November 22, 2015 November 22, 2015	2,000 gallons	Pump failure at the Pro Lane Lift Station
December 31, 2015 December 31, 2015	3,000 gallons	Line break at Pro Lane Lift Station
January 20, 2016 January 20, 2016	16,000 gallons	Line break at Camp Young Judea property
February 8, 2016 February 8, 2016	1,000 gallons	Pump failure at Emergency Lane Lift Station
July 15, 2016 July 15, 2016	500 gallons	Pump failure at High School Lift Station at Carney Lane and Farm-to-Market Road 2325

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
AQUA UTILITIES, INC.
RN102674751, RN101518926,
RN102956448, AND
RN102094240

§
§
§
§
§
§

BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2017-0520-MWD-E

I. JURISDICTION AND STIPULATIONS

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Aqua Utilities, Inc. (the "Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a water treatment facility located on the southeast corner of United States Highway 380 and Farm-to-Market Road 156, west of Denton, Denton County, Texas (Spring Hill Estates) and three wastewater treatment facilities: B & W Gathering Wastewater Treatment Plant ("WWTP"), located north of Higherest Drive between Lakecrest Drive and Moss Downs Drive in Burnet County, Texas; Woodcreek WWTP, located at 2611 Farm-to-Market Road 2325, approximately 1,200 feet south-southeast of the intersection of Farm-to-Market Road 2325 and Jacob's Well Road, approximately four miles north of Wimberley in Hays County, Texas; and Village Trace, located approximately 2,300 feet south of County Road 128 and approximately 2,500 feet east of County Road 143 in Alvin, Brazoria County, Texas (collectively referred to as the "Facilities").
2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. WATER CODE ch. 26 and the rules of the TCEQ.
3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$34,500 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$27,601 of the penalty and \$6,899 is deferred contingent upon the Respondent's timely

and satisfactory compliance with all terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.

5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
7. This Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Facilities:
 - a. By August 12, 2016, installed a new sand separator tank to capture the filter backwash at the Spring Hill Estates water treatment facility.
 - b. By October 25, 2016, installed a new Supervisory Control and Data Acquisition ("SCADA") system and activated the telemetry system at the Woodcreek WWTP.
 - c. Completed the following corrective measures at the Woodcreek WWTP as described in the following table:

Start/End Date	Gallons discharged	Corrective Action
January 30, 2015 January 30, 2015	Unknown amount at the Pro Lane Lift Station	Removed pooling with vacuum truck and sprayed the damp area with liquid bleach and 65% granulated hypochlorite
February 11, 2015 February 11, 2015	1,000 gallons at the Ranchview Lift Station	Repaired the main line with upgraded parts
March 31, 2015 March 31, 2015	3,000 gallons on Doolittle Drive	Replaced the pipe section and covered the affected area with sand and gravel

May 3, 2015 May 3, 2015	200 gallons at 10 Woodglen	Collection main line repaired and gravel bedding replaced
September 4, 2015 September 4, 2015	200 gallons at the Brookshire Lift Station	Lift pump contactor was replaced and the affected area was treated with granular chlorine
October 30, 2015 October 30, 2015	40,000 gallons at the Pro Lane Lift Station	A wastewater transport service was utilized to pump and haul wastewater during the power outage
November 19, 2015 November 19, 2015	300 gallons 300 feet east of Farm-to-Market Road 2325	Damaged pipe was excavated and repaired with a pipe clamp, rebedded, and covered. The affected area was treated with granular chlorine
November 22, 2015 November 22, 2015	2,000 gallons at the Pro Lane Lift Station	Affected area was treated with hypochlorite. Lift pump 2 set up for repair and wire connectors were replaced on lift pump 1.
December 31, 2015 December 31, 2015	3,000 gallons at the Pro Lane Lift Station	Affected areas were treated with hypochlorite. Split main replaced and bedded with gravel
January 20, 2016 January 20, 2016	16,000 gallons at the Camp Young Judea property	Excavated and repaired the split in the 6" force main, removed the large rock that caused the break, and rebedded the exposed trench line with sand
February 8, 2016 February 8, 2016	1,000 gallons at the Emergency Lane Lift Station	Affected area was sprayed with a bleach and water solution. Lower lift pump was insulated and upgraded lift pumps were ordered
July 15, 2016 July 15, 2016	500 gallons at High School Lift Station at Carney Lane and Farm-to-Market Road 2325	Affected area was vacuumed. HOA switch was returned to auto

II. ALLEGATIONS

1. During a record review of the Spring Hills Estates water treatment facility conducted on June 21, 2016, it was documented that the Respondent failed to obtain authorization for the discharge of wastewater into or adjacent to any water in the state, in violation of TEX. WATER CODE § 26.121(d). Specifically, the Respondent discharged filter backwash water from the Facility into an adjacent ditch without authorization.
2. During a record review of the B & W Gathering WWTP conducted on September 20, 2016, it was documented that the Respondent failed to comply with permitted effluent limitations, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0011332001, Interim Effluent Limitations and Monitoring Requirements No. 1. Specifically, the Respondent exceeded the total suspended solids daily average concentration limit of 5 milligrams per liter ("mg/L") for the monitoring periods ending

March 31, 2016 and April 30, 2016. The reported values were 8.63 mg/L and 15.0 mg/L, respectively.

3. During investigations conducted on August 22, 2016 and September 2, 2016 of the Woodcreek WWTP, an investigator documented that the Respondent:
 - a. Failed to prevent the unauthorized discharge of wastewater into or adjacent to any water in the state, in violation of TEX. WATER CODE § 26.121(a)(1) and TPDES Permit No. WQ0013989001, Permit Conditions No. 2.g. Specifically, 12 unauthorized discharges of wastewater occurred since January 30, 2015, as shown in the table below:

Start/End Date	Gallons discharged	Description
January 30, 2015 January 30, 2015	Unknown amount	Electrical failure at Pro Lane Lift Station
February 11, 2015 February 11, 2015	1,000 gallons	Line break at Ranchview Lift Station
March 31, 2015 March 31, 2015	3,000 gallons	Line break on Doolittle Drive
May 3, 2015 May 3, 2015	200 gallons	Line break at 10 Woodglen
September 4, 2015 September 4, 2015	200 gallons	Pump failure at Brookshire Lift Station
October 30, 2015 October 30, 2015	40,000 gallons	Power outage due to flooding at the Pro Lane Lift Station
November 19, 2015 November 19, 2015	300 gallons	Line break 300 feet east of Farm-to-Market Road 2325
November 22, 2015 November 22, 2015	2,000 gallons	Pump failure at the Pro Lane Lift Station
December 31, 2015 December 31, 2015	3,000 gallons	Line break at Pro Lane Lift Station
January 20, 2016 January 20, 2016	16,000 gallons	Line break at Camp Young Judea property
February 8, 2016 February 8, 2016	1,000 gallons	Pump failure at Emergency Lane Lift Station

July 15, 2016 July 15, 2016	500 gallons	Pump failure at High School Lift Station at Carney Lane and Farm-to-Market Road 2325
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- b. Failed to properly operate and maintain the Facility, in violation of 30 TEX. ADMIN. CODE §§ 305.125(5) and 317.3(c)(5) and TPDES Permit No. WQ0013989001, Operational Requirements No. 1. Specifically, the SCADA system did not function during the July 15, 2016 discharge event and a telemetry system was not in operation at the time of the September 2, 2016 investigation.
4. During a record review of Village Trace conducted on October 28, 2016, it was documented that the Respondent failed to comply with permitted effluent limitations, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and TPDES Permit No. WQ0012822001, Effluent Limitations and Monitoring Requirements Nos. 1 and 2, as shown in the table below.

Effluent Violation Table					
Monitoring Period	Permitted Effluent Limits				
	Ammonia Nitrogen Daily Avg. Limit = 2 mg/L	Ammonia Nitrogen Daily Avg. Limit = 0.58 lbs/day	Ammonia Nitrogen Single Grab Limit = 15 mg/L	Flow Daily Avg. Limit = 0.035 MGD	Minimum Chlorine Residual Limit = ≥ 1.0 mg/L
November 2015	c	c	c	0.0411	c
January 2016	c	c	c	0.0466	c
April 2016	c	c	c	0.0428	c
May 2016	c	c	c	0.0435	c
June 2016	4.22	0.72	17.74	c	0.2
July 2016	5.24	0.65	c	c	c

Avg. = average
mg/L = milligrams per liter

lbs/day = pounds per day
c = compliant
MGD = million gallons per day

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Aqua Utilities, Inc., Docket No. 2017-0520-MWD-E" to:

Financial Administration Division, Revenue Operations Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. The Respondent shall undertake the following technical requirements:
 - a. Immediately upon the effective date of this Order, cease all unauthorized discharges of wastewater from the Woodcreek WWTP.
 - b. Within 30 days after the effective date of this Order, develop and improve operations and/or maintenance practices to prevent the recurrence of wastewater discharges from the Woodcreek WWTP facility.
 - c. Within 90 days after the effective date of this Order, submit written certification of compliance with the effluent limitations of TPDES Permit Nos. WQ0011332001 and WQ0012822001, including specific corrective actions that were implemented at the Facilities to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations.
 - d. Within 120 days after the effective date of this Order, submit written certification to demonstrate compliance with Ordering Provision Nos. 2.a and 2.b.
 - e. The written certifications of compliance required by Ordering Provisions Nos. 2.c and 2.d shall include detailed supporting documentation, including photographs, receipts, and/or other records to demonstrate compliance, shall be signed by the Respondent, and shall include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with copies to:

Water Section Manager
Austin Regional Office
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Water Section Manger
Houston Regional Office
5425 Polk Street, Suite H
Houston, Texas 77023-1452

and:

Water Section Manager
Waco Regional Office
6801 Sanger Avenue, Suite 2500
Waco, Texas 76710-7826

3. All relief not expressly granted in this Order is denied.
4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
5. If the Respondent fails to comply with any of the Ordering Provisions in this Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

6. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Order Compliance Team at the address listed above.
7. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
8. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
9. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date



8/13/18

For the Executive Director

Date

I, the undersigned, have read and understand the attached Order. I am authorized to agree to the attached Order, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this Order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Signature

Date

ROBERT LAUGHMAN

PRESIDENT

Name (Printed or typed)

Title

Authorized Representative of
Aqua Utilities, Inc.

If mailing address has changed, please check this box and provide the new address below:

AB
CG
GS
Dean
BCR
RBR



**Jan 8, 2019 Water Development Board Hearing
Wimberley Community Center**

My name is Stephanie Nestlerode. I live in Rolling Oaks and represent 7th Generation Labs. I worked for state and federal agencies that regulate hospital expenditures for seven years. For eleven years I wrote certificates of need for hospitals to obtain permissions from regulators. Regulators serve the public interest by making sure that public funds are spent wisely. As a taxpayer, I want to thank the Texas Water Development Board for doing your due diligence to determine which scope of work is sustainable enough to repay your loan.

Your 2017 State Water Plan reflects your unique responsibilities. You focus like a laser on 5,500 water management strategies. Your plan states "If strategies are not implemented, approximately one-third of Texas' population would have less than half the municipal water supplies they will require during a drought of record in 2070. If not implemented, you estimate annual economic losses would be about \$73 billion by 2020. Not implementing your water management strategies would deal devastating consequences to The Wimberley Valley.

Let's compare the two scopes of work. The original scope includes water reuse for our beloved Blue Hole, an economic engine for the Valley. The revised scope has no reuse and provides no water to the Blue Hole. The original scope was financially sound, on budget and on schedule when shut down. The new scope needs to be fully vetted financially over a 30 year period by an independent firm.

You approved Wimberley's original scope because City Council and the mayor took your Plan seriously and focused on water reuse. The revised scope does not include any of your water management strategies, it simply puts pressure on the aquifer and opens the door to development in Wimberley's ETJ. If you approve the revised scope, you will be sending a powerful signal to other communities that your water management strategies are only a suggestion, rather than an urgent call to action to preserve our way of life and the economy we depend upon.

Your Plan notes, "an unreliable water supply disrupts activity in homes, schools and government and endangers public health and safety." Aqua Texas has proven itself to be an unreliable water supplier in Woodcreek. For all these reasons, we encourage you to reject the revised scope.

January 8, 2019

Mr. Jeff Walker
Executive Administrator
Texas Water Development Board
P.O. Box 13231
Austin, Texas 78711-3231

Re: City of Wimberley Change of Request for Waste Water Treatment Project

Dear Mr. Walker:

My name is Steve Klepfer. I am a former Mayor, Councilman, and Planning and Zoning Commissioner of the City of Wimberley. I am a board member of Friends of Blue Hole and was the Mayor when Blue Hole Regional Park land was acquired.

My family ancestors have lived in the Wimberley valley for over 125 years. We have owned and operated a Wimberley business for almost forty years.

It is irrational to suggest that the highly vetted treatment plan developed by Wimberley citizens over twenty years and accepted by the TWDB be abandoned to eliminate the very small risk of discharging water into the Blanco River while requesting you approve a raw sewage pipe under the creek. And, contrary to what you have just been shown it is not a cheaper plan.

I want to express three reasons why you should deny the City's change-of-scope request to stop construction of the city-owned treatment plant and why contracting with Aqua Texas for waste water treatment is a bad idea. All three of my concerns are part of stated goals of the TWDB in your public mandate.

First, there are serious environmental concerns and problems to both Cypress Creek and the Trinity Aquifer with the proposed change. The risk posed by boring and then embedding raw sewage pipes under Cypress Creek in Blue Hole Regional Park is serious. Also there is substantial and poorly understood risk to this historic swimming hole by boring at this sensitive geologic location.

Second, water conservation is a prominent part of the current plan. Users have economic incentives to use less water. Aqua Texas has no such incentive. The current plan moves Wimberley toward less aquifer pumping at a time of tremendous population growth.

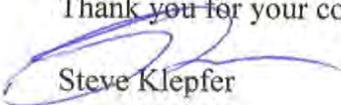
Third, beneficial reuse is one of the most important requirements of the current approved plan. Waste water will be treated to contact recreation levels with one of the highest standards in the State, will reduce aquifer pumping and sustainably operate the park. Mayor Jagger has publically written that there will be no recycled water for the park.

It is unconscionable to suggest a change from the approved plan—that would provide Type 1 enhanced water to the park—to a plan that requires boring under Cypress Creek—with the risks incumbent in that bore—and piping of raw sewage under the creek. I believe if you were to approve such a change, Blue Hole Park's reputation as an environmental and recreational jewel will be irreparably harmed.

In closing I would also add my outrage that the City has rejected \$2.5M in grant funding for the project—especially when the City declined an offer of \$250,000 to pipe the Type 1 enhanced effluent away from the park—if ever needed—insuring there could *never* be a discharge of that reclaimed water.

Please tell the City to accept the grants and move forward with the current approved plan immediately. Deny any change of scope.

Thank you for your consideration,



Steve Klepfer

PO Box 708
Wimberley, TX 78676
512-970-9464
oldmillstore@austin.rr.com

Comments to the City of Wimberley, Public Hearing on Proposed Central Wastewater Project Modifications, January 8, 2019

Mayor and Members of Council. Thank you for holding this public hearing on the proposed modifications to the central wastewater project. My name is Steve Thurber and I reside at 400 Madrone Trail, Wimberley, TX.

I am opposed to the proposed change of scope on several grounds, including financial, environmental and contracting with Aqua Texas, or any other private wastewater provider.

The citizens of Wimberley were told the reasons for the proposed change of scope were financial issues and effluent discharge issues.

First, I would like to address the discharge issue. I was the mayor during the city's permitting process with the Texas Commission on Environmental Quality (TCEQ). As part of that process, several groups protested the city's permit application on the grounds of discharge and water quality. A settlement was achieved after a tough and thoughtful mediation process whereby, in part, the city agreed to implement several measures to reduce the chance of a discharge to almost none. (It is important to remember that any discharge would be of water of the quality that exceeds TCEQ's type 1, safe for human contact, standards along with other restrictions on discharge.) I have attached a copy of an op ed I wrote for the Wimberley View in March 2017 titled "Let's Talk Discharge" for inclusion into the record. Due to time constraints I will not read it here.

The newly elected council has told us they do not want the risks associated with **ANY** potential discharge of effluent into Deer Creek but are willing to accept the risks associated with boring under Cypress Creek and installing a pipeline carrying **RAW SEWAGE** under the creek. Think about that. Boring the creek to carry raw sewage to the other side is unconscionable and sets a terrible precedent. What do you think the response would be if the same idea was proposed to bore under Barton Springs, Comal Springs, the San Marcos River? You are right, there would be outrage. So, I ask why does this newly elected council feel it is okay to bore under **OUR** creek?

Now let's talk about the finances. We have been told the proposed change of scope is less expensive than continuing with the original plan. As we have all seen, that is not the case. In addition, the proposed plan loses the Economic Development Administration grant of \$1M, The Way Family Foundation grant of \$1M, and the Texas Water Development Board green debt forgiveness grant of \$245K. In addition, the mayor and mayor pro tempore declined out of hand an offer by Friends of Blue Hole to fundraise an additional \$250K to fund alternatives to assure a no discharge solution. That's a total of about \$2.5M in grants (free money) given up under this change of scope.

As I have said many times in the past, the city has TCEQ's gold standard permit in hand. It has a completely engineered, funded, affordable, environmentally responsible plan approved by many city councils, TWDB, TCEQ, professional bond counsel, professional financial analysts, professional rate analysts, the city engineer and many stakeholder groups. I say again, let's stop this change of scope and move forward together. Remember, even the mayor acknowledges most of our citizens do not want this Aqua Texas option.

Steve Thurber 
thurbercpa@sthurber.com
1/8/2019

LET'S TALK DISCHARGE

As you all know, city council is considering multiple options for the processing and disposal of effluent from the proposed wastewater plant. One of those options is the city owned option which provides that the city own, operate and dispose of the effluent produced by the plant. Other options provide for privatizing the operations.

According to several city council members, the biggest problem with the city owned option is the permit allows for the discharge of type 1 (non-toxic, safe for human contact) effluent, up to a maximum of 75,000 gallons per day into Deer Creek which eventually flows into the Blanco River. The permit also allows for the reuse of the effluent to irrigate Blue Hole Regional Park and return to the downtown area for irrigation and other non-potable uses. Through the efforts of several city councils, downstream property owners, and other stakeholder groups, a legally enforceable agreement has been reached whereby the city among other things 1) can only discharge as a last resort, i.e. when the park is too wet to accept additional water and the storage tank (500,000 gal) is full, 2) provide a 500,000 gallon storage tank (approximately 14 days production at plant start-up) and, 3) provide installation of plumbing to allow for hauling of excess effluent by truck. In other words, **discharge is very very unlikely.**

Another argument by these council members is while this council and previous councils would not authorize a discharge, there is no guarantee that future councils would feel the same. Think about that. One, if any council chooses to discharge when not a "last resort," it would be in violation of the agreement which would subject the city to legal action. Two, I dare say if anyone wishing to discharge decided to run for office in Wimberley, the chance of them getting more than a handful of votes is nil.

There is not much talk about the fact that raw sewage going into the Aqua Texas treatment plant is **DISCHARGED** as type 2 effluent (toxic and not suitable for human contact) onto golf courses where it re-enters the aquifer upstream from Jacobs Well, Cypress Creek, Blue Hole Park and Wimberley. We should not add to that contamination

One last thought. City engineers, using historical rainfall data, have estimated that discharge due to wet conditions would be less than 5 times a year when plant is at full capacity. Yes, that's 5 times too many which is why there is the provision to haul the excess to prevent the discharge. But, just say it happens. Under those conditions, the volume of run-off going into the river would 1) dilute the discharge to such a degree that it would be negligible and 2) the quality of the discharge would be much better than the quality of the run-off that the discharge would actually be improving the water quality.

So when someone tells you the city plans to discharge, remember the above. They are not only being disingenuous but are also using it to scare you.

Steve Thurber
3/22/2017

TESTIMONY

TEXAS WATER DEVELOPMENT BOARD PUBLIC HEARING

TUESDAY, JANUARY 8, 2019 5:30

Susan Nenney
Executive Director, Friends of Blue Hole
P.O. Box 1601
Wimberley, TX 78676
512.289.8166
snenney@gmail.com
info@friendsofbluehole.org

Good evening. My comments are directed to the Texas Water Development Board and address environmental concerns.

Mayor and City Council,

My name is Susan Nenney. I am the Executive Director of Friends of Blue Hole. This nonprofit organization was founded in 2005 at the request of the City of Wimberley to be a partner in the development, restoration and preservation of Blue Hole Regional Park. We continue in that mission.

Our #1 concern is water for the park! The City's amended plan eliminates recycled Type I water for Blue Hole Park, on which decades of planning has been based. Use of aquifer water is unacceptable here. In our view, any sewage system scheme that fails to provide recycled water dooms the park to an incomplete master plan and ultimately will degrade this award-winning local treasure.

Our second concern: The City's amended project runs a raw sewage pipe line under Cypress Creek within the park. Fortunately, the Water Development Board required the City to submit a Wildlife Habitat Review Request (PWD 1059) to Texas Parks and Wildlife.

Steve Coonan of Alan Plummer Associates submitted the completed form to TPWD on behalf of the City. (Completed form attached.)

The city's comments to TPWD are thus:

"Pastureland." "Pasture". "Maintained grassland and cultivated pasture." That's the repeated answer to numerous questions about a drilling location and its impact. Although the exact location for the drill remains uncertain, it appears to be in a near-creek, erosion control, minimal disturbance zone.

When asked about endangered species, Mr. Coonan failed to mention the documented nearby presence of the rare chatterbox orchid and the endangered Golden Cheeked Warbler.

He also says, "**directional drilling will eliminate surface disruption.**" No mention of the hundreds of feet of pipe that will run below the braided creek, disrupting its soft, saturated soils. No mention of the fragile springs, karst features and possible fault areas below ground.

We have heard no acknowledgement of the additional pipeline trenching through the upper forest that will create irreparable damage.

Blue Hole Park has been under active restoration for almost 9 years with the guidance of the Lady Bird Johnson Wildflower Center and the park's master plan.

The City's comments are inaccurate and minimize the risks to the park. They are disrespectful of the mission of both Texas Parks and Wildlife and the Texas Water Development Board. They demonstrate little in-depth understanding and no regard for the park's natural habitat, the thousands of volunteer hours devoted to its planning and restoration, or the love the community feels for this Texas icon that is the heart of Wimberley.

The park needs recycled water and protection of its fragile habitat. At the minimum, a full environmental review is in order.

More to the point, we ask that you help us return to our original plan.

Thank you.

Attachments - Completed Habitat Review Form TPWD, Photograph of Cypress Creek braided stream, possible location for bored line.



WILDLIFE HABITAT ASSESSMENT PROGRAM Review Requests

(Including Threatened and Endangered Species)

Name: Steve Coonan Date: 11/29/18

Your Company: Alan Plummer Associates, Inc. Phone: (512) 452-9905

Your Company Address: 6300 La Calma, Suite 400 Fax: (512) 452-2325

City, State, Zip: Austin TX 78752 E-mail: scoonan@apalenv.com

Project Title, Number and Site Location: Wimberley Wastewater System, Wimberley County(ies): Hays

1. Scope of Project:
(a) What regulations will this review help you to comply with? OR, if not regulatory, why is the review being requested? Who is the project sponsor?
TWDB requested follow-up consultation due to changes in a previously reviewed and approved project

(b) What and where is the project site? What activities will be conducted at the site? (Especially activity types, extent, boundaries, length & width, waterways, vegetation disturbance, and total acreage of site and acreage of the site that will be disturbed)
Modification to project will require a directional drill under Cypress Creek in Wimberley, TX

(c) If this request is for a site investigation or risk assessment, why is the site being investigated? If applicable, what contaminant pathways are being evaluated?
NIA

(d) Schedule of activities - Approximately when (which calendar months, how many years) will the project be active on the site?
The project is currently under construction. The modification is being sought as an amendment to a TWDB issued FONSI.

2. Vegetation: Species, dominant plants, structure and composition, vegetation layers, height of layers, natural vegetation community types.
Vegetation at the entry and exit pits is limited to maintained grassland and cultivated pasture.

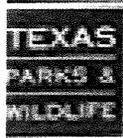
3. Other Natural Resources/Physical Features:
(a) Soils, geology, watercourses, aquifers, flood zones, etc.
Rerouting a line under Cypress Creek using directional drilling to eliminate surface disruption

(b) Habitat, animals, animal assemblages, other sensitive features, etc.
Pastureland

4. Existing Site Development: Extent of pavement, gravel, shell, or other cover; buildings, landscaped, xeriscaped, drainage system, etc.
Pastureland

5. Historic Use/Function of Site: Pasture, forest, urban, row crops, rangeland, wetland, etc. If the request is for a risk assessment, when was, or for how long, has the site been active, inactive? Are cultural resources present on the site or will the project cross or impact state or federal lands, local parklands?
Pasture

6. Has a threatened and endangered species survey or assessment, wetland delineation, or other biological assessment already been performed? (In general, TPWD recommends an on-site habitat assessment be performed.) Yes No
(a) If yes, provide surveyor name, qualifications, methods or protocols, acreage surveyed, level of effort, weather conditions, time of day, and dates the survey was performed.



WILDLIFE HABITAT ASSESSMENT PROGRAM

Review Requests (Continued)

(Including Threatened and Endangered Species)

6. (b) If yes, please provide results and copy of survey/assessment report.

7. Could current on-site or adjacent habitat support rare species? Yes No
Specifically, explain why or why not.

Area to be disturbed is already disturbed

8. Provide a description of potential negative direct and indirect impacts from proposed project activities or former and current site activities, such as types of habitat and acreage to be degraded or lost, temporarily and permanently. Also, describe cumulative effects that could be anticipated from the project on the natural environment.

Only disruption not already planned and approved will be at the entry and exit pits.

9. Provide a description of planned beneficial mitigation and enhancements or restoration efforts. Be sure to note the avoidance, minimization, and compensatory mitigation measures planned to address the threat of negative impacts (e.g. which erosion control measures will be used, what will site restoration activities encompass, etc.).

Minimizing impacts by using directional drilling construction method.

10. Include copies of coordination with other agencies relevant to impacts or enhancements of natural resources for this project, or agency & contact name.

11. Clearly delineate exact location of site and its boundaries using an applicable USGS quad (most preferable) as the base layer or best map available. The topographic map citation should include the USGS quad name. The map must contain identifiable features and a scale that allows us to find your site and accurately pinpoint your site boundaries. When using internet maps, provide both a location map (zoomed out for highway reference) and a layout map (zoomed in for site features, boundaries, and neighboring street reference)

12. Originals or color-copy photographs of site and surrounding area with captions or narratives.

13. Aerial photographs with pertinent features labeled. Aerials should show the year photograph was taken.

Send completed form to:

Texas Parks and Wildlife Department
Wildlife Division
Wildlife Habitat Assessment Program
4200 Smith School Road
Austin, Texas 78744-3291
(512) 389-4571 (Phone) (512) 389-4599 (Fax)

Texas Parks and Wildlife Department maintains the information collected through this form. With few exceptions, you are entitled to be informed about the information we collect. Under Sections 552.021 and 552.023 of the Texas Government Code, you are also entitled to receive and review the information. Under Section 559.004, you are also entitled to have this information corrected.

Cypress Creek braided streams, south of Blue Hole swimming area. Possible proposed pipeline crossing.



January 8, 2019

Mayor, City Council, thank you for this chance to speak.

My name is Susan Zimmerman.

My comments relate to the proposed project changes. When I refer to the council, I mean the 4 council members who support the Change of Scope to switch from the city-owned wastewater system to giving the wastewater contract to Aqua Texas.

At the Thursday, January 3rd City Council meeting – just 5 days before this hearing – the council voted 4-1 for two agenda items related to this Change of Scope.

On one item, council voted to pay \$200,000 to end its contract with Black Castle.

On the other, council voted to accept a letter telling the TCEQ the City would not renew the permit for the original wastewater treatment plant. This plant was part of the plan for which the TWDB loaned the city \$5.5 million.

The city got the loan in part because it planned to reuse water at Blue Hole Park, which fit with part of TWDB's environmental mission. The water for Blue Hole is gone from the Change of Scope.

I believe these votes were premature and I question the timing, only 5 days before this TWDB-required Public Hearing.

The City has been negotiating with Black Castle to end the contract since August 2018. Why settle just 5 days before this Public Hearing?

The second vote really got me wondering what this council is doing.

It has until July 2019 to tell TCEQ whether it will renew the permit. The council member who wrote the letter said the reason for voting on it now was, "...to get the letter written and have it ready to go whenever we're ready to send it... whether we send it tomorrow or in July makes no difference, we still want to have the letter ready to go..."

And, "We intend to go with Aqua Texas, have them treat our effluent and once that's all approved we won't need this permit anymore."

Another council member asked if the letter could be held until "if and when" the Aqua Texas plan is finalized. The council member who wrote the letter answered, "I'm not sure I'm in favor of that because I'm not sure when that's going to happen."

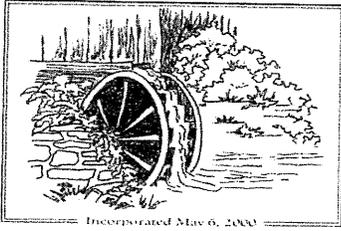
Why rush to finalize the letter if you're not sure when that's going to happen?

I hope TWDB will ask the council the following questions:

1. Do they have a plan to do something that somehow makes the TWDB loan unnecessary?
2. Or, do they think that with these votes, they have done away with any alternative to the Aqua Texas plan, and that will force the TWDB to approve the Change of Scope?

And please do not let the city use your loan to give the contract to Aqua Texas.

Susan Zimmerman
312 Canyon Oaks Dr.
Wimberley, TX
512-847-2006
susanz@moonmountaingroup.com



City of Wimberley

221 Stillwater, P.O. Box 2027, Wimberley, Texas 78676

REGULAR CITY COUNCIL MEETING
WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER, WIMBERLEY, TEXAS 78676
THURSDAY, JANUARY 3, 2019 – 5:30 P.M.

AGENDA

1. **CALL TO ORDER** January 3, 2019 at 5:30 p.m.

2. **CALL OF ROLL** City Secretary

3. **INVOCATION**

4. **PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG**

5. **CITIZENS COMMUNICATIONS**

The City Council welcomes comments from citizens who have a direct stake in the business of the city, such as a landowner, resident, vendor or business owner on issues and items of concern, not on this agenda. Those wishing to speak must sign-in before the meeting begins and observe a three-minute time limit when addressing Council. Speakers will have one opportunity to speak during the time period. Speakers desiring to speak on an agenda item will be allowed to speak when the agenda item is called. Inquiries about matters not listed on the agenda will either be directed to staff or placed on a future agenda for Council consideration. Comments from speakers should not be directed towards any specific member of City Council or City staff. Comments should not be accusatory, derogatory or threatening in nature.

6. **EXECUTIVE SESSION**

In accordance with Texas Government Code, Chapter 551, Subchapter D, the City Council may convene in a closed session. After the Executive Session, discussion on any of the following items, any final action or vote taken will be in public.

Executive Session pursuant to Texas Government Code, Section 551.071 (Consultation with Attorney) regarding the Black Castle contract.

7. **OPEN SESSION**

Discussion and possible action resulting from Executive Session.

8. **CONSENT AGENDA**

The following item/s may be acted upon in one motion. No separate discussion or action is necessary unless requested by a Council member or citizen, in which event those items will be pulled from the consent agenda for separate consideration.

- A. Approval of minutes from the Regular City Council Meeting held December 6, 2018.
- B. Approval of September 2018 Financial Statements for the City of Wimberley.
- C. Approval of Resolution No. 01-2019, authorizing the acceptance of an easement agreement for utilities to be located at 13301 Ranch Road 12, Wimberley, Hays County, Texas, on a property owned by Mystic Hill, LLC.

9. CITY ADMINISTRATOR REPORT

Update regarding the status of the Central Wimberley Wastewater Project and other City projects

10. DISCUSSION AND POSSIBLE ACTION

- A. Discuss and consider possible action to amend the City of Wimberley Governance Policy and Rules of Procedure. *(Place Three Council Member Allison Davis)*
- B. Discuss and consider possible action to approve Ordinance No. 2019-01, amending Division 2, City Administrator, of Article 2.05, City Officers, of Chapter 2, Administration and Personnel of the City of Wimberley Code of Ordinances. *(Place Two Council Member Craig Fore)*
- C. Discuss and consider possible action to update the Texas Commission on Environmental Quality (TCEQ) on the City's desire to not renew TPDES Permit No. WQ0013321001. *(Place Two Council Member Craig Fore)*
- D. Discuss and consider possible action to approve the establishment of a Comprehensive Review Plan Committee. *(Place Four Council Member Gary Barchfeld)*
- E. Discuss and consider possible action to amend the City of Wimberley Purchasing Policy. *(Place Four Council Member Gary Barchfeld)*
- F. Discuss and consider possible action regarding the procedure to receive an update from the Wastewater Ad Hoc Advisory Committee. *(Place Four Council Member Gary Barchfeld)*
- G. Discuss and consider possible action to accept the resignation of Patricia Cantu Kelly from Place Five on the Wimberley City Council.
- H. Discuss and consider possible action to fill a vacancy for Place Five on the Wimberley City Council either by appointment or by special election until the next General Election in May 2019.

11. CITY COUNCIL REPORTS

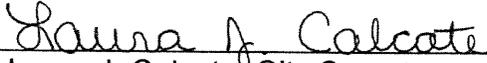
- A. Announcements
- B. Future agenda items

12. ADJOURNMENT

The City Council may retire into Executive Session at any time between the meeting's opening and adjournment for the purpose of discussing any matters listed on the agenda as authorized by the Texas Government Code including, but not limited to, homeland security pursuant to Chapter 418.183 of the Texas Government Code; consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion about real estate acquisition pursuant to Chapter 551.072 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code; deliberations about gifts and donations pursuant to Chapter 551.076 of the Texas Government Code; discussion of economic development pursuant to Chapter 551.087 of the Texas Government Code; action, if any, will be taken in open session.

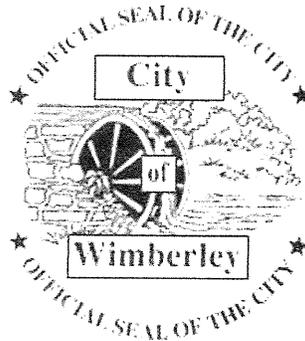
CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the bulletin board at Wimberley City Hall, a place convenient and readily accessible to the general public at all times, and to the City's website, www.cityofwimberley.com, in compliance with Chapter 551, Texas Government Code, on Monday, December 31, 2018, by 5:30 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.



Laura J. Calcote, City Secretary

The City of Wimberley is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please contact City Secretary Laura Calcote at (512) 847-0025 two business days in advance of the meeting for appropriate arrangements.



ATTACHMENT(S)

- Draft TCEQ Letter



AGENDA ITEM: TCEQ Notification
SUBMITTED BY: Craig Fore, Council Member Place 2
DATE SUBMITTED: December 28, 2018
MEETING DATE: January 3, 2019

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

The City of Wimberley currently holds TPDES Permit No. WQ0013321001 from the Texas Commission on Environmental Quality (TCEQ). This permit currently allows the City to operate and maintain the Blue Hole Wastewater Treatment Facility. The original permit was amended to allow for the discharge of effluent (treated wastewater) into Deer Creek, once the proposed Wastewater Treatment Plant was completed. The permit is set to expire on February 20, 2020. To renew this permit, the City will need to submit a Renewal Application 180 days before the permit expires (by the end of July 2019).

With the amendments to the Central Wimberley Wastewater Project which will have wastewater treated by a third party, and not the City, there will be no need to renew the permit. For consideration is a draft letter to inform the TCEQ that the City does not intend to renew TPDES Permit No. WQ0013321001. IF approved this letter would not have to be provided until July 2019.

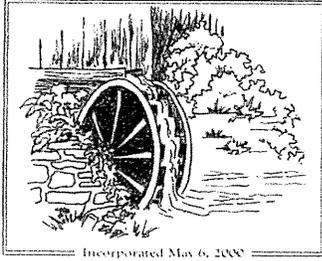
REQUESTED ACTION

- Motion
- Discussion
- Ordinance
- Resolution
- Other

FINANCIAL

- | | | | |
|-------------------|-------------------------------------|---------------------------|----|
| Budgeted Item | <input type="checkbox"/> | Original Estimate/Budget: | \$ |
| Non-budgeted Item | <input type="checkbox"/> | Current Estimate: | \$ |
| Not Applicable | <input checked="" type="checkbox"/> | Amount Under/Over Budget: | \$ |

STAFF RECOMMENDATION



City of Wimberley

221 Stillwater, P.O. Box 2027, Wimberley, Texas 78676
(512) 847-0025 Fax (512) 847-0422 www.cityofwimberley.com

Susan Jagers, Mayor Gary Barchfeld, Mayor Pro-tem
Council Members – Mike McCullough Craig Fore Allison Davis Patricia Cantu Kelly

2019

Texas Commission on Environmental Quality
Attn:
P.O. Box 13087
Austin, TX 78711-3087

Re: TPDES PERMIT NO. WQ0013321001

The City of Wimberley holds TPDES Permit No. WQ0013321001, which authorized the City to treat and discharge wastes from our Blue Hole Wastewater Treatment facility, once the proposed new 75,000 GDP treatment plant was completed. Currently the City operates a 15,000 GDP treatment plant under TPDES Permit No. WQ0013321001 and utilizes a separate 210 permit to use the effluent produced for irrigation.

The City no longer plans to build the proposed new plant, but instead intends to utilize a third-party to treat its wastewater. Once our current project is completed, the existing treatment plant will no longer be needed, and TPDES Permit No. WQ0013321001, which allows for discharge, will no longer be required. The City does intend to utilize Type I Treated effluent to irrigate the Blue Hole Regional Park. We will be requesting a separate 210 authorization which will be tied to a permit held by the third party we are contracting with to treat our wastewater.

The permit is set to expire on February 2, 2020. Please let this letter serve as notification that the City does not intend to renew TPDES Permit No. WQ0013321001. Please let me know if there is any additional information the City needs to provide.

Sincerely,

Shawn Cox
City Administrator

Cc: TWDB

698 Hill Country Trail
Wimberley, TX 78676
January 8, 2019
512-842-2222
Suzanne.white@utexas.edu.

To the Texas Water Development Board,

I've been a Wimberley citizen since July 1994 - 24 1/2 years.

I am strongly opposed to the project changes and believe the original plan was much more advantageous to both the Wimberley citizens and the environment.

I do NOT want the proposed changes. I do NOT want the notorious Aqueduct to provide service. I do not want sewage piped under Cypress Creek. But I do want reused, recycled water for the park by Blue Hole as the original plan provided.

Once again, I am strongly opposed to the revisions proposed & believe the original plan was EVERSO MUCH BETTER.

Most sincerely yours,
Augustine White,
Suzanne White.

My name is William Bowman. I worked as a Project Manager/Project Engineer for a Major Oil Company for 39 years with the last 20+ years in Major Projects-Construction. My job responsibilities included cost and schedule management on projects ranging from several million to over 100 million dollars.

After the June 2018, Town Hall meeting, I met with the Mayor to discuss **potential consequences if they failed to complete all "due diligence" prior to making the decision to cancel the Black Castle contract.** Sound project principles dictate that you do not make project scope changes, especially this late in a project, unless it is discovered that **"the project will not work as designed."** Making a scope change of this magnitude almost guarantees significant unintended consequences. For information: **If Black Castle had not been placed "on-hold" in late May, the Treatment Plant construction would now be complete.**

The Mayor cited **Project Cost Savings** to justify this scope change. Now that we are experiencing the unintended consequences, what have been the cost impacts?

At the August 14 Project Cost Workshop, the project cost for the City/AT option was presented as \$6.20 million dollars (Chart 1). The project cost for the City-Only option was presented as \$8.02 million dollars. This cost did not credit the \$2.243 million dollars in Grant Funds which made the actual cost of the project (debt to the City) at \$5.772 million dollars (Chart 2). So instead of there being a \$1.8 million dollar, cost comparison savings, there was a **\$430,000** higher cost for the City/AT option and that **did not** include any estimated funds to cover the Black Castle contract termination costs.

At the August 28 Special Council meeting, a vote was taken that approved contract termination negotiations with Black Castle. Realizing the project cost comparison logic error from the August 14th workshop, a Revised Project Cost Comparison chart was shown justifying their decision. The City/AT option project cost was now shown as \$5.21 million dollars with a project cost comparison savings of \$805,000 dollars (Chart 2). To get this \$1.0 million dollar, project cost estimate reduction, the Reclaimed Water Line to Blue Hole Park, (a primary justification for the project), was removed from the project scope (\$750,000) and \$207,000 dollars arbitrarily removed from the Contingency Fund. An estimate for Black Castle costs was still not included. Removing the Reclaimed Water Line resulted in the loss of the \$243,000 "Green Project" Loan Forgiveness Grant.

The Black Castle contract termination cost has now been settled for approximately \$550,000. This does not include significant other costs for plant site remediation, pipeline easement, additional legal fees, and additional engineering design. So, where does the project cost comparison stand today? Adding the Black Castle cost, the City/AT option, **with no Reclaimed Water,** is now higher (estimate \$100,000 to \$250,000 dollars) than the City-Only option and will increase due to the several items not yet resolved:

1. As of December 13th, there was **No approved** easement to route the raw sewage line to the AT connection point. Major engineering and schedule impact costs will result.
2. An Environmental Assessment has been required and to date not approved. This will add to project costs and schedule delays and may even eliminate the option to go under Cypress Creek.
3. Currently at risk of losing TWDB funding. Loss will increase the 30-year project interest cost by \$4,000,000 (possibly more) depending on interest rate obtained from new sources.

In summary, the funding surplus of \$363,886, originally presented at the Aug 14 workshop (Chart 4), will now be a funding deficit approaching **\$1 million dollars.** Most, if not all, of this deficit will have to be absorbed by the City's General Fund and combined with the City's \$640,000 Deficit Spending Budget, has placed the City in a serious cash-flow risk position. The deficit for the City-Only plan was **\$517,000.** Sound project principles have been replaced with "What ifs, assumptions, hand waving, and scrambling for answers." The citizens of Wimberley deserved much better than what we have received from this Mayor and City Council.

William Bowman
1/8/2019

(1/8/2019)

WWTP - Cost Comparison of City versus City/AT Options

	Available TWDB Funding	Project Cost (Debt to City)	Black Castle Termination	Reclaimed Water to Blue Hole Park	Equated Estimated Project Cost	Shortfall w/o Reclaimed Water Line	Funding Shortfall with Reclaimed Water Line
City	\$5,255,000 (1)	\$5,772,000 (3)	Not Applicable	Included	\$5,772,000	Not Applicable	(\$517,000)
City/AT	\$5,255,000 (2)	\$5,210,000 (4)	\$550,000 (5)	\$750,000	\$6,510,000 (6)	(\$505,000.00)	(\$1,255,000)

Notes:

- (1) Amount shown does not include "Green" Loan Relief Grant.
- (2) Amount shown reflects loss of EDA, Way and the "Green" Loan Forgiveness Grants - (\$2,243,005).
- (3) Amount shown is the project cost estimate (\$8.015 million minus EDA, Way, and "Green" Loan Relief Grants).
- (4) Amount shown does not include Reclaimed Water Line to Blue Hole Park or the cost for Black Castle contract termination.
- (5) Amount shown is direct cost only to terminate the Black Castle contract. Indirect costs such as continuing legal fees, environmental assessment, additional engineering, pipeline easement, site remediation, required for the scope change are not yet defined and associated costs estimated.
- (6) Amount shown may increase significantly as scope change details are finalized.
- (7) The City/AT option is \$738,000 more expensive (on an equated basis) than the City option and increasing.

\$738,000.00 (7)

William Bowman

City/Aqua - Project Cost

Collection System Treatment Plant	\$	3,616,230
Terminate Treatment Plant Contract Modifications to Collection System Engineering Design		TBD
Aqua Impact Fee (one time)		146,592
Reclaimed Water Line, Storage Tank and Irrigation for Blue Hole		60,000
		300,000
		750,000
Total Construction Costs	\$	4,872,822
Contingency Funds		479,521
Bond Reserve and Origination Fee		333,354
Subtotal	\$	5,685,697
Bond Counsel and Financial Advisor		68,950
Project Administration		175,000
Construction Administration		77,575
EDA Administration		25,000
Construction Interest (2 years)		170,847
Total Other	\$	517,372
Total Project Cost	\$	6,203,069

Source of Const. Cost - Contract, Engineer's Estimates, Aqua Offer. See Appx. 4 & 7

Project Cost Comparisons

	City Option	City / Aqua Option	Variance
Collection System Treatment Plant	\$ 3,616,230	\$ 3,616,230	
Terminate Treatment Plant Contract	3,068,900	TBD	TBD
Modifications to Collection System Engineering Design		146,592	
Aqua Impact Fee (one time)		60,000	
Reclaimed Water Line, Storage Tank and Irrigation for Blue Hole		300,000	
		750,000	
Total Construction Costs	\$ 6,685,130	\$ 4,872,822	\$ (1,812,308)
Contingency Funds	479,521	479,521	-
Bond Reserve and Origination Fee	333,354	333,354	-
Subtotal	\$ 7,498,005	\$ 5,685,697	\$ (1,812,308)
Bond Counsel and Financial Advisor	68,950	68,950	
Project Administration	175,000	175,000	
Construction Administration	77,575	77,575	
EDA Administration	25,000	25,000	
Construction Interest (2 years)	170,847	170,847	
Total Other	\$ 517,372	\$ 517,372	\$ -
Total Project Cost	\$ 8,015,377	\$ 6,203,069	\$ (1,812,308)
GRANT FUNDS	\$ 2,243,005	0	
PROJECT COST (DEBT) TO CITY	\$ 5,772,372	\$ 6,203,069	\$ 430,697
BLACK CASTLE SETTLEMENT	0	\$ 550,000	550,000
ACTUAL VARIANCE	-	-	\$ 980,097

City of Wimberley
Cost Comparison of Options

	City Option	City / Aqua Option	Variance
Collection System Treatment Plant	\$ 3,616,230	\$ 3,616,230	
Terminate Treatment Plant Contract Modifications to Collection System Engineering Design	3,068,900	TBD 146,592 25,000 300,000	(TBD)
Aqua Impact Fee (one time)			
Reclaimed Water Line, Storage Tank and Irrigation for Blue Hole			
Total Construction Costs	\$ 6,685,130	\$ 4,087,822	\$ (2,597,308)
Contingency Funds	7.2% 479,521	271,699	(207,822)
Bond Reserve and Origination Fee	333,354	333,354	-
Subtotal	\$ 7,498,005	\$ 4,692,875	\$ (2,805,130)
Bond Counsel and Financial Advisor	68,950	68,950	
Project Administration	175,000	175,000	
Construction Administration	77,575	77,575	
EDA Administration	25,000	25,000	
Construction Interest (2 years)	170,847	170,847	
Total Other	\$ 517,372	\$ 517,372	\$ -
Total Project Cost	\$ 8,015,377	\$ 5,210,247	\$ (2,805,130)
TWDB	\$ 5,498,005	\$ 5,498,005	
EDA	1,000,000	-	
Way Grant (needs amending)	1,000,000	-	
Subtotal - Loan and Grants	\$ 7,498,005	\$ 5,498,005	
Excess Funds (Additional Funding Needed)	\$ (517,372)	\$ 287,758	\$ 805,130

Note - Contingencies use same % of total construction costs, excluding Impact Fee and Termination Costs

ADDED CONTINGENCIES BACK-IN

LOSS OF "GREEN FOREGIVENESS" GRANT

INCLUDES RECLAIMED WATER LINE

ADD RECLAIMED WATER LINE

750,000

(1,463,069)

* 713,069

CONTINGENCY VARIANCE ABOVE

1463,069

- 207,822

\$ 1,255,247

* 713,069

- 207,822

\$ 505,247

City/Aqua Option Funding

	Sources	Comments	
Texas Water Development Board (TWDB) Revenue Bond	\$ 5,255,000 \$ 5,498,005	Loss of Loan Forgiveness Loan Funded October 2017 Final Approval for Change Pending	✓-
Economic Development Agency (EDA) Grant	\$ 0 1,000,000	Final Approval for Change Pending	✓-
Way Family Foundation Grant	- 5,255,000 6,498,005	Assumed Not Available	X
Subtotal			
City's Operating Reserves	68,950	Costs Being Paid from City's Operating Reserves	✓
Total Sources of Funds	\$ 6,566,955	\$ 5,323,950	
Total Project Cost	\$ 6,203,069		
Excess Sources of Funds	\$ 363,886	(879,119)	

Notes:

1. TWDB Funding reduced to \$525,000 due to loss of "Green Project" Loan Forgiveness
2. EDA Funding denied due to project Scope Change
3. Way Funding denied due to project Scope Change
4. Funding balance deficit of \$880,000

I first want to thank the Texas Water Development Board for giving Wimberley citizens the opportunity to comment on this sewer project. I have witnessed and been subjected to this mayor and some members of council's attempts to minimize or outright stifle public comment on this issue. Again, thank you TWDB.

Per the City of Wimberley "Sufficiency of Funds Letter", the City plans to use TWDB loan funds to pay \$300K in up front CIAC fees (or "Capacity Buy-In") to Aqua Texas, a for-profit corporation. Additionally, it shows \$345,072 of the amount paid to Black Castle is also to be part of the TWDB loan. My question is: Do City Attorneys believe that these 2 payments are a legal use of TWDB loan funds? If so, do TWDB attorneys agree?

A Comparison Based on Approved TCEQ Permits

Parameters from Approved TCEQ Permit	City of Wimberley	AquaTexas
Type of Permit	Permit to discharge into the water of the State	No discharge of pollutants in the water of the State is permitted
Permitted Average Daily Flow	75,000 gallons per day	250,000 gallons per day (PH1)
Available Storage	500,000 gallons	20,000,000 gallons
Available Days of Storage = Available Storage/ Permitted Average Daily Flow	6.67 days	80 days
Acres Designated for Irrigation in Existing Approved Permit	6 acres (Soccer Field)	143 acres
Additional Acres Available	Promise additional 18 via Settlement Agreement . Has not been identified	Total of 175 plus 200 additional available if needed. Has been identified
Is Soil regulated by TCEQ permit	No requirement for soil or testing soil – Soil not part of permit	Yes bi-annual soil testing required by permit

From: [Emily Carter](#)
To: [Dain Larsen](#); [Jeff Walker](#); [Kristin Miller](#)
Cc: [Laura Calcote](#); [Shawn Cox](#)
Subject: "Wimberley testimony"
Date: Monday, January 14, 2019 2:09:43 AM

Dear Sirs/Madams,

Thank you for the financial support that was offered to Wimberley on behalf of waterworks and sewer upgrades.

It horrifies me that our current city administration has abandoned the original plan and unfortunately, while I live in the zip code, I cannot vote for them. Perhaps my take as an impacted citizen will hold water (so to speak) with you?

I am retired from Texas Parks & Wildlife, from a career in environmental and historical preservation for which I am deeply grateful. It allowed me to serve the needs of Texans for healthy waterways, prairies, forests and coastal beaches – not to mention the white-tailed deer!

But in the beginning of my career, I worked for many federal, state and local agencies on a contract basis. Aside from actual field surveys and observations, my work included organizing public meetings for citizen input – one such was my part in a national effort. I worked with a team in ten Midwestern states to assess the public willingness to accept renewable forms of energy production: solar, wind, thermal, etc. That occurred 40-years ago, meaning I have one foot in the grave now!

As a Wimberley resident who pays AquaTexas for water/wastewater services, I am not impressed with the company. They are expensive as a start. My average monthly bill for a 1300 sq. ft., one person residence is \$140.

Given that Texas surface water originates from rivers within the state's boundaries (excepting the Red and Rio Grande), it is my opinion that Texans should manage the resource rather than pay an out-of-state corporation like AquaTexas to do it.

I do not trust AquaTexas to responsibly manage the water resource. In my neighborhood, upstream of Blue Hole Park, there is an ephemeral spring that pops up after a spell of prolonged rain has filled the underground cracks and spaces – it is burbling forth right now. Regardless of sophisticated technology for pipelines, Mother Nature has a way of throwing kinks in the mix. Do we know with certainty what kinds of voids and pools lie in the rock beneath Cypress Creek? Do we know how drilling a pipeline under the creek will impact ground water?

As for the current Mayor's management of public input, I find it amazingly inept.

Her handling of the Jan. 8th public meeting was so egregious, I believe the public meeting needs to be reopened with perhaps a professional meeting manager to supervise the proceedings.

The mayor's personal domination of the stage used time that could have been allocated for citizen

input. Further, it was not a true public meeting with all sides represented – rather than taking the speakers in order of their arrival – there was a selective choosing of who could speak.

The National Environmental Policy Act of 1970 made public input a matter of national policy. It was the first time in written history – yes since cuneiform writings more than 4000 years ago – that government agencies were required to hear directly from impacted publics about plans and decisions that would be paid with communal money (Carter, 1977, *The National Environmental Policy Act: a Review of Methods and Cases*). While it seems lost now as a major turning point in our democratic form of government, it was monumental and has served as a world leadership concept that has now been adopted by other governments around the globe.

Hearing from citizens in an orderly public meeting has become standard operating procedures for jurisdictions large and small. For a town like Wimberley one would hope citizen input on government decisions could be easy. However, when it is not easy, agencies like The Texas Water Development Board have regulatory powers to enable a kind of ‘straightening-out.’

Please do what you can to help us achieve actual, valid, reliable, citizen input on our water/wastewater plans.

Kind regards,

EMILY CARTER, Storyist

Wimberley Writers Werkshops | [Linked In](#) | 512-847-6008

8 Country Place Dr., Wimberley, TX 78676

Crafting language for the literary & dramatic arts

From: [Susan Myers](#)
To: [Shawn Cox](#)
Cc: dain.Larsen@twdb.texas.gov; clay.Schultz@twdb.texas.gov
Subject: Aqua Texas" land application
Date: Tuesday, January 15, 2019 4:48:05 PM

January 15, 2019

Dear Mr. Cox, Mr. Schultz and Mr. Larsen,

I am in agreement with the changes proposed by current City Council changing the plan for waste water to incorporate Aqua Texas' land application permit which does not allow any discharge of effluent into our creeks and rivers. Please keep our creeks and rivers clean for all of us to enjoy now and later.

Thank you,

Susan G. Myers
331 South River
Wimberley, Texas 78676

From: [Edward Foster](#)
To: [Shawn Cox](#)
Subject: aquatexas
Date: Friday, January 18, 2019 8:40:29 PM

Why do business with a company known for financial rape and for their damaged and antiquated infrastructure ?

Thanks

Ed Foster
Prying Eyes

From: [Juna Brown](#)
To: [Shawn Cox](#)
Subject: City Sewer
Date: Tuesday, January 15, 2019 5:40:52 PM

Dear Shawn Cox,

I am a 41 year citizen of Wimberley and I live within the city limits.

I wanted to express my support of the current change of scope for the City of Wimberley to send their sewage to Aqua Texas for processing. Sewage is their business and I do not support a city owned sewage system that would allow any effluent to be discharged into our waterways. This is the right thing to do for the whole Wimberley Valley and for the future of our community.

Thank you,
Juna Brown
631 Southriver

From: [Gary Callon](#)
To: [Shawn Cox](#)
Subject: City wastewater project
Date: Monday, January 7, 2019 10:45:46 AM

Shawn Cox,

I would like to thank you on your hard work on the wastewater project. I believe we are on the right path to providing wastewater removal at the most efficient and environmentally safe way. The Mayor and the City Council are working hard to that end. With the staff and your help we should succeed.

Thanks again,

Gary Callon

Sent from my iPad

From: [Suzanne Davis](#)
To: lay.Schultz@twdb.texas.gov; dain.Larsen@twdb.texas.gov
Cc: [Shawn Cox](#)
Subject: comments for Texas Water Development Board hearing
Date: Tuesday, January 8, 2019 8:45:27 AM

January 8, 2018

Dear Texas Water Development Board

We regret we cannot attend the Texas Water Development Board meeting tonight. We are currently out of town and unable to present our views in person. Please consider the following comments as you make your decisions regarding wastewater plans for the town of Wimberley.

There are a few points that we feel are especially important regarding the issue of the wastewater plan. We believe it has been shown this last year, by the current council, that the original wastewater plan was ill conceived, and not well thought out regarding finances or environmental impact long term for our town. These two factors alone are reasons for supporting the current council's request to change the plan to be more fiscally responsible for our town and just as importantly addresses the issues of discharge into the Blanco.

On the financial front, it is apparent that there are insufficient number of users to pay for the system as originally designed. Both the initial cost of construction as well as the operating costs are too high for the limited number of users. The revised plan is much more affordable as well as more environmentally friendly.

We are homeowners just down river from the proposed discharge point should our town be forced to install a plant and on a personal level, the thought of having effluent discharged into the river is very disturbing. We realize the effluent is not the effluent of years gone by and will be cleaned to a higher level. We are not experts but we believe, based on readings, that no matter how clean the effluent is, it does not match the chemistry of the river it will be discharged into and can cause unforeseen issues in the future. It could take a few years before the problems would begin to show up. We understand that small amounts of effluent could possibly be absorbed into the river without issue but our belief, from experiences currently being played out all around the hill country, is that small amounts of discharge are temporary and more discharge is needed over time. The city of Blanco is an excellent example. It just seems to be the way it works in towns where the path of least resistance and least amount of creativity has been applied to solve its wastewater issues.

We do not believe this is the healthiest way forward for our the community of Wimberley, either financially or environmentally. New technology is needed to deal with human waste that does not have the potential to impact communities in a negative way.

I hope you will join us in having as your top priority keeping our rivers and streams running clean and also the priority of helping us be fiscally responsible to all the members of our community. We are asking the Texas Water Development Board to support creative solutions that does not tie the town of Wimberley to a solution that will bind us for the life of a plant. Allowing Wimberley to not get into a situation where we are tied to a sewage plant would allow for innovation as it comes available in the years to come. The alternative, allowing Aqua Texas to do for downtown what it is already doing for the city of Wimberley north of the creek leaves the city some freedom to explore other options as the technology becomes available.

We appreciate very much your time as you work toward helping us reach the best solution for our community

Sincerely

Suzanne & Edward Davis
3000 Flite Acres, Wimberley, Texas

From: [Andrew Hardin](#)
To: [Shawn Cox](#)
Subject: Comments on Wimberley Wastewater plan
Date: Wednesday, January 16, 2019 2:42:48 PM

Dear Texas Water Development Board-

I want to register my opposition to the “change of scope” of the Wimberley Wastewater project. I am opposed to pumping raw sewage under Cypress Creek to the city of Woodcreek to be processed by Aqua Texas. At the public hearing last Tuesday, January 8th, 5:30pm, 202 people attended, 95 people signed up to speak, but only 27 people got to speak. And the people that were allowed to speak were cherry-picked by City Council member Gary Barchfeld, who is an advocate of the Aqua Texas proposal. The public in attendance responded to pro-City Owned Plan with thunderous ovations, while comments from pro-Aqua Texas people received only a smattering of applause. The Mayor, Susan Jagggers took up 45 minutes of the allotted time with her own presentation, and that was largely indecipherable because of hard to see and difficult to hear information that was not previously available to be scrutinized by the public. The mayor also cut off the hearing at 7:40 to be followed by a so-called “Town Hall Meeting,” her first ever, and this only 5 days after cancelling the contract with Black Castle for the construction of the City-Owned wastewater system, with a \$200,000 penalty not including legal fees and the loss of several substantial grants. Previously, City Council meetings have been characterized by lack of public input and transparency, and also rule changing to facilitate her own agenda. There have been numerous “executive sessions,” many of which have been concerned with attempts to fire the City Administrator, who is apparently doing a fine job other than at times opposing the mayor on questionable actions. In fact, firing the City Administrator is on the agenda again tomorrow, Thursday, January 17th. I oppose the Aqua Texas plan because I think the City-Owned plan is better for the environment and it supports the Blue Hole Park, AND is supported by the majority of the community. I also oppose the way the hearing was handled and I oppose the way that the mayor and City Council have gone about cancelling the City-Owned wastewater treatment plan.

Thank you for your attention to this matter.

Andrew Hardin
Wimberley resident

From: [Randa Ryan](#)
To: jeff.walker@twdb.texas.gov
Cc: [Shawn Cox](#)
Subject: Concerns Regarding the City of Wimberley's
Date: Sunday, January 13, 2019 7:31:34 PM

Dear Mr. Walker,

I am writing to express my disappointment and frustration regarding the meeting held by the City of Wimberley to hear public commentary about the potential change of scope for the Wimberley Sewer system. I attended this meeting to hear the reflections and feedback of my fellow citizens.

Unfortunately this did not happen. It was a poorly run meeting that did not meet the criteria outlined in your guidelines for citizen feedback regarding these matters.

- The mayor took almost a full hour of the meeting talking and showing over 20 slides that most people could not read, and that were not released in a timely manner before the meeting for citizens to read and study. She also did not speak clearly or loudly enough for most of the audience to hear.
- Many citizens signed up to speak and arrived early to be sure there was time for their input. This did not happen. Instead of going in order the speakers were hand-picked by the Mayor ProTem, Gary Barchfeld.
- I understand there were over 95 people signed up to speak with only 27 actually getting the opportunity to do so.

As a longtime Wimberley resident and owner of several businesses on the Wimberley Square for almost forty years, I am against the change in scope for the Wimberley Sewer System for the following reasons:

- The previously approved plan was created over a twenty year period involving many experts, citizens, and previous councilmembers and mayors. It is a well vetted plan that is the best fit for our city, and it has already been approved by the Water Development Board.
- Contrary to what the mayor continues to says, an objective look at the currently approved city plan versus the confusing change of scope idea clearly shows that the change of scope plan is significantly more expensive.
- It is inconceivable to even be talking about boring a hole through a large fragile geological area and laying a raw sewage pipe under our beloved Blue Hole Park and adding insult to injury by not providing water to the park, both outcomes of the new plan.

Please know that the majority of the citizens of Wimberley have been grossly misled by the current city council members and mayor. We do not support this change of scope and are completely exhausted with this ridiculous attempt to destroy years of work, planning and support to protect our waterways and maintain our environmentally sensitive area.

Thank you for your support,

Randa Ryan, Ph.D.

From: dlunow@aol.com
To: jeff.walker@TWDB.texas.gov; Dain.Larsen@twdb.texas.gov; Kristin.miller@twdb.texas.gov; [Shawn Cox](#); [Mayor](#); [Place1](#); [Place2](#); [Place3](#); [Place4](#); [Place5](#)
Subject: conditions in Wimberley
Date: Tuesday, January 15, 2019 8:52:02 AM

We are not natives. However, we got to Wimberley as soon as we could.

We are now horrified by the whole MESS with the sewer and the waste water treatment plant!

We know you are new in your job. But, we would like to tell you how we feel about this "MESS"

We were at the meeting on January 8 and appalled that people who had signed up to speak were just cut off. Especially since the Mayor went over her time. The mayors speech (using the microphone) was mostly impossible to understand and hear. Individuals could have, and should have, been called to speak in order of sign up! Not selected by the Council Member Barchfeld and Mayor Jagers.

My husband and I want the TWDB to know our concerns and we want you as City Administrator to be aware of our concerns.

First, we believe that abrupt and rushed canceling of the in-process Black Castle construction was not just costly but absolutely premature and therefore irresponsible. We were satisfied with the city-owned system, approved after years in the planning by all previous councils - and voted in the affirmative by Wimberley citizens was a good water system!

It included responsible reuse of treated water that had been treated to the highest standards with protection and maintenance of Wimberley's Blue Hole. AND NOW WIMBELRY has lost the generous grants that were offered!

Our major concern is that the waste water will NOT be to the highest standard thus is not usable! WE MUST HELP the environment!

WE DO NOT WANT AQUA -TEX in our solution to our Waste problem! They have a very bad record and will not treat to the highest quality. When they are able to do that, they have an open check as to what to charge their customers.

They will have us over a barrel like they now do Kyle and Woodcreek.

We do not think that the current mayor and council have made themselves readily available to explain their position on this.

You and the council need to be aware that the population of WIMBELREY and US expect full transparency!

This change is very expensive and VERY UNNECESSARY!

Diane & Jerry Lunow
585 County Road 1492
Wimberley, TX

From: [Stephanie Nestlerode](#)
To: [Shawn Cox](#)
Subject: copy of my Jan. 8 comments
Date: Sunday, January 13, 2019 8:34:01 PM
Attachments: [board copy speech.docx](#)

THANKS!

Stephanie Nestlerode, MSW

Chief Synthesizer
7th Generation Labs
Creating the Space to Learn what Matters
www.7thgenerationlabs.com
512.925.1360



www.7thgenerationlabs.com
512.925.1360

**Jan 8, 2019 Water Development Board Hearing
Wimberley Community Center**

My name is Stephanie Nestlerode. I live in Rolling Oaks and represent 7th Generation Labs. I worked for state and federal agencies that regulate hospital expenditures for seven years. For eleven years I wrote certificates of need for hospitals to obtain permissions from regulators. Regulators serve the public interest by making sure that public funds are spent wisely. As a taxpayer, I want to thank the Texas Water Development Board for doing your due diligence to determine which scope of work is sustainable enough to repay your loan.

Your 2017 State Water Plan reflects your unique responsibilities. You focus like a laser on 5,500 water management strategies. Your plan states "If strategies are not implemented, approximately one-third of Texas' population would have less than half the municipal water supplies they will require during a drought of record in 2070. If not implemented, you estimate annual economic losses would be about \$73 billion by 2020. Not implementing your water management strategies would deal devastating consequences to The Wimberley Valley.

Let's compare the two scopes of work. The original scope includes water reuse for our beloved Blue Hole, an economic engine for the Valley. The revised scope has no reuse and provides no water to the Blue Hole. The original scope was financially sound, on budget and on schedule when shut down. The new scope needs to be fully vetted financially over a 30 year period by an independent firm.

You approved Wimberley's original scope because City Council and the mayor took your Plan seriously and focused on water reuse. The revised scope does not include any of your water management strategies, it simply puts pressure on the aquifer and opens the door to development in Wimberley's ETJ. If you approve the revised scope, you will be sending a powerful signal to other communities that your water management strategies are only a suggestion, rather than an urgent call to action to preserve our way of life and the economy we depend upon.

Your Plan notes, "an unreliable water supply disrupts activity in homes, schools and government and endangers public health and safety." Aqua Texas has proven itself to be an unreliable water supplier in Woodcreek. For all these reasons, we encourage you to reject the revised scope.

From: [Dean, Dylan](#)
To: [Shawn Cox](#)
Subject: Dylan Dean Approval of City Council Changes to Aqua Texas
Date: Tuesday, January 15, 2019 8:49:27 PM

Good Evening, Shawn Cox

As a resident and active voter of Wimberley Texas, I Dylan Dean agree with the current proposed Aqua Texas land application permit change set by Wimberley City Council. Change specifically stating, "Does **NOT** allow any discharge of effluent into drainage basin leading into our creeks and rivers." Please register my standing on this issue.

Correspondent,

Dylan A. Dean

20249 Hilltop Drive, Wimberley, TX 78676

Undergraduate Electrical Engineering

Texas State - San Marcos

Dean_6@txstate.edu

Wimberley Resident for 23 years

Registered to Vote 2 years

From: [Place4](#)
To: [Shawn Cox](#)
Cc: tom.wenneson@mitel.com
Subject: FW: My Comments for last night
Date: Thursday, January 10, 2019 4:35:48 PM

Shawn,

Will you please see that Mr. Wanneson's comments listed below, get forwarded to the Texas Water Development Board as part of the Public Hearing.

Gary Barchfeld

From: Tom Wenneson <tom.wenneson@mitel.com>
Sent: Wednesday, January 09, 2019 5:14 AM
To: Place4 <Place4@cityofwimberley.com>
Subject: My Comments for last night

Gary,

Due to the size of the audience and the selection method used to choose speakers, I did not get a chance to make my statement.

Can you get my comments forwarded to whomever was collecting them for TWDB? If not, can you find out who I should be communicating with?

They are below.

Thank you,
Tom
**

Members of the board and the extended Wimberley Community, thank you for the chance to speak today.

My name is Tom Wenneson and I live at 275 Wimberley Hills, within the city limits, but not serviced by the proposed sewer.

In this ongoing debate, I support any decision that delivers a cost effective solution to the city and does not allow, even under extreme situations, discharge into Cypress Creek or the Blanco.

Based on information presented to date, I support the proposed changes to the city's plans.

I oppose any decision that benefits only a few residents while potentially saddling the city with long term costs, any decision that could end up raising utility rates to those downtown residents to such a level that they end up going out of business, or any decision that could lead to an increase in

property taxes in order to allow the city to meet its obligations to all residents in addition to a sewage plant.

Once built, you cannot unbuild a city owned plant. You can, however, construct a service contract with a company such as Aqua Texas that allows for the concerns others have expressed and allows the city an exit for poor performance.

The loss of grants and extra funds bothers me not at all. In my experience, if you need huge incentives to buy something you cannot afford, you probably cannot afford whatever it is.

I have no issue with for profit businesses. 99% of those attending here tonight who own a 401K or IRA rely on such businesses to generate investment returns. Those returns are not created by magic.

I care not at all about extra water for Blue Hole. We live in a hot dry part of the country. Native vegetation here does not require a lot of water. We should not be fighting about how to get extra water to the park.

The park's hydration, the loans and grants, the for-profit business complaints – these are all just a tail wagging the dog.

Thank you.

TOM WENNESON
Sales Enablement Systems Integration Manager
Tom.Wenneson@Mitel.com
+1 (408) 962-2539 Tel/Fax

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From: [Robert Tinstman](#)
To: [Shawn Cox](#)
Subject: Fw: request for supplemental hearing - City of Wimberley
Date: Friday, January 11, 2019 8:14:14 AM

For your records. I meant to copy you initially. Thanks Shawn

----- Forwarded Message -----

From: Robert Tinstman <bob_tinstman@yahoo.com>
To: Dain Larsen <dain.larsen@twdb.texas.gov>
Sent: Thursday, January 10, 2019, 4:05:27 PM CST
Subject: request for supplemental hearing - City of Wimberley

Dear Mr. Larsen,

I was one of twenty-seven speakers at last night's hearing in Wimberley. You will be receiving my written comments shortly I presume.

I'm writing to protest the adequacy of the hearing. Ninety-five (95) people signed up to speak but only 27 we allowed to. That's a 28% satisfaction of our need to express ourselves to you and the Council.

We respectfully request a 'do-over' at which time Wimberley's citizens can give proper voice to their legitimate anger and disagreement with the Council's plan for no treatment plant.

Thank you for your attention to this matter.

Respectfully,

Robert Tinstman

From: [Rick Duggan](#)
To: [Shawn Cox](#)
Subject: FW: WIMBERLEY - TWDB HEARING
Date: Friday, January 11, 2019 9:48:10 AM
Attachments: [TWDB LETTER - 2019.01.10.docx](#)
[WIMBERLEY - TWDB TESTIMONY - 2019.01.08.docx](#)

Shawn –

For the record, below and attached are what was sent to TWDB

Rick Duggan

R.W. Duggan III
Director of Design & Construction
Schlosser Development
405 N. Lamar Blvd.
Suite 200
Austin TX 78703
512.474.7774 – office
512.461.6358 - cell

From: Rick Duggan <rwduggan@sdcaustin.com>
Sent: Thursday, January 10, 2019 4:14 PM
To: 'dain.larsen@twdb.texas.gov' <dain.larsen@twdb.texas.gov>; 'Jeff.walker@twdb.texas.gov' <Jeff.walker@twdb.texas.gov>
Subject: RE: WIMBERLEY - TWDB HEARING

Dain -

Attached is a follow-up letter to my written testimony.

Thanks for your attention.

Rick Duggan

R.W. Duggan III
Director of Design & Construction
Schlosser Development
405 N. Lamar Blvd.
Suite 200
Austin TX 78703
512.474.7774 – office
512.461.6358 - cell

From: Rick Duggan <rwuggan@sdcaustin.com>

Sent: Tuesday, January 8, 2019 4:14 PM

To: 'dain.larsen@twdb.texas.gov' <dain.larsen@twdb.texas.gov>; 'Jeff.walker@twdb.texas.gov' <Jeff.walker@twdb.texas.gov>

Subject: WIMBERLEY - TWDB HEARING

Attached is the testimony I intend to present this evening at the Public Hearing in Wimberley.

Please advise if you have any questions.

Thanks

R.W. Duggan III
Director of Design & Construction
Schlosser Development
405 N. Lamar Blvd.
Suite 200
Austin TX 78703
512.474.7774 – office
512.461.6358 - cell

10 January 2019

Dain –

As a follow-up to my previous email to you, I wanted to report what I perceived happened at the TWDB public hearing regarding the sewage treatment issue on Tuesday night in Wimberley. My observations and comments:

- As noted in my written testimony (attached), I am a real estate developer and have appeared in front of numerous boards, commissions, and councils in approx. 7 states across the country. The method in which the public hearing was conducted on 01/08/19 did not comport with the rules on any of the hearings at which I've spoken nor with what I understand were your instructions to Shawn Cox of the City of Wimberley:
 - From Shawn Cox on 12/03/2018: In the past, commenters have been limited. For example in the past **we have limited comments to be equal among pros & cons** and stopped comments once the balance was exhausted
 - From you on 12/03/2018 – The public hearing needs to be sufficient for executive administrator to determine that **any public controversy has been adequately addressed**. Your team reached out to us for suggestions on the advertisement notice, which is suggestive of a good faith effort. I reviewed it along with several other staff members. We added a few sentences that makes explicit why the hearing is required and what documents, at minimum, should be provided to inform the public about the recent proposal.
 - From you on 12/04/2018 – **Speakers should not be limited to a set number of pro and con opinions**. One way to manage the public response is to set time limits for each speaker. In order to encourage public participation, you may want to hold more than one meeting if more speakers are anticipated than one hearing could reasonably accommodate.
- Despite the City's statement/request and your very clear response, the speakers were severely limited and apparently hand-picked under the guise of randomly being selected. Per the attached sign-in sheets, the speakers were not selected according to a clear pattern. Of note is that the former Mayor, Steve Thurber (page 1, #2) was not selected as a speaker until someone much further down the selected list gave their time to him. This speaker selection method did not comply with your written directions.
- Of the 202 people who signed in, 95 people circled "YES" to speak and only 27 were allowed. Generally, the split seemed to be about 2 against for every 1 in favor of the Modified Plan. More than 70% of the speakers who wished to present were denied the opportunity. When a second hearing was requested, the Mayor stated that all those who did not get an opportunity to speak could submit their testimony in writing. (Note that I was speaker number 18 on page 5.) The "balanced" limitation and sufficiency of time to allow the public voice to be heard were both contrary to your instructions.

- Almost laughably, the Mayor allowed 2 additional people to speak after her imposed deadline, because there was so much clapping and applause following those who spoke against the Modified Plan. It was abundantly clear to all at the hearing that the number of people against the Modified Plan far out-weighed those who were in favor of it.
- The Mayor presented a 24-page power point which took at least 45 minutes to wade through and was not available until minutes before the hearing. It is singularly one-sided in its presentation of the facts and figures:
 - https://www.cityofwimberley.com/vertical/Sites/%7B140989A8-309D-4E90-A37A-F257BF123B26%7D/uploads/Public_Hearing_Presentation_-_Final.pdf
 - It was inaccurate in its estimation of City maintenance costs, the Way Grant, the anticipated rate structure, the safety and frequency of discharges, the possibility of routing discharges to an Aqua Texas line, and other elements.

Considering the circumstances surrounding this hearing, the public comment which you requested and required was lacking and deficient. It seems not only fair, but also prudent to require at least one additional hearing to be conducted for the TWDB to get distinct, unprejudiced, and straightforward public input.

Please direct the City of Wimberley to proceed accordingly.

Respectfully

Richard Duggan
300 Canyon Oaks Dr
Wimberley TX 78676

08 January 2019

Wimberley City Council – TWDB Public Hearing testimony

My name is Richard Duggan. With my family, I reside in the 78676 zip code at 300 Canyon Oaks Drive, but not w/in the City of Wimberley limits. However, as a real estate developer, licensed architect, builder of 2 sewage treatment plants, former member of the Island of Lanai Water Board, and 20-year member of the board of a local non-profit which is in the City limits, I am a stakeholder with standing.

I am speaking tonight to oppose the transfer of the Texas Water Development Board loan from the City of Wimberley to Aqua Texas.

As is widely known, the intent of the proposed (and in fact already commenced) sewage treatment plant is to clean up pollution in Cypress Creek in the downtown area. In addition to accomplishing the primary task, the other benefits of the city-constructed plant include:

- control over how the system is operated and used and how sewer customers are served;
- recycled Type 1 water for Blue Hole Park irrigation;
- a low-interest, \$5.5 million loan from the TWDB;
- \$245,343 in loan forgiveness from TWDB because of the environmental qualities of the original plan;
- two grants of \$1 million each to help pay for the system; and
- no bond or tax as the system is to be primarily paid for by connected users who would repay the loan over 30 years.

By all accounts it is a stream-safe plant despite unfounded alternative truths which have been circulated.

Local, municipal control is a far better outcome instead of a management and fee collection by company named Aqua America, which is in business to satisfy its shareholders and account for a profit and has interests and customers as far reaching as Illinois, Indiana, New Jersey, North Carolina, Ohio, Pennsylvania, and Virginia, in addition to Texas

Further, it seems incomprehensible that the associated assets and monetary benefits of a city-owned facility would be squandered by the City's elected officials. Losing the grants, the loan forgiveness, sunk construction and settlement costs, and the TWDB low-interest loan is perniciously perplexing and should be reconsidered.

The TWDB loan, originally granted for the city-owned, "One Water" wastewater system, should not be used to give our water treatment future to Aqua Texas. It seems a folly beyond imagination.

Thank you

Respectfully
Richard Duggan
300 Canyon Oaks Dr
Wimberley TX 78676

From: [Laura Calcote](#)
To: [Shawn Cox](#)
Subject: FW: Wimberley testimony
Date: Friday, January 25, 2019 5:43:04 PM

This one was not sent to you.

Laura Calcote, MPA, TRMC
City Secretary
City of Wimberley
221 Stillwater
P.O. Box 2027 (Mailing Address)
Wimberley, TX 78676
Office: (512) 847-0025
Fax: (512) 847-0422
Website: cityofwimberley.com

Please consider the environment before printing this e-mail.

-----Original Message-----

From: Nicholas J Marinos <3gfeathers@gmail.com>
Sent: Friday, January 18, 2019 11:14 PM
To: jeff.walker@twdb.texas.gov
Cc: Laura Calcote <lcalcote@cityofwimberley.com>
Subject: Wimberley testimony

Dear Mr. Walker,

I have lived in the Wimberley valley since 1976 and have seen many changes over the years. Some were good and some were bad. Aqua Texas ranks second only to Electro Purification on the list of evils to enter the valley.

Currently, I live in Woodcreek North and Aqua Texas is our sewer and water provider. I don't know how they obtained the service contract but they seem to be locked in for perpetuity and their service is horrible with chronic outages due to broken mains and a history of sewage leaks. Our water bill averages \$150/mo for a family of four and it's not the water that is the primary expense. It's everything else in the bill. For example, we took a ten day vacation and our bill was reduced by five dollars. Twenty five percent less water and sewer usage resulted in a three percent reduction in cost. Profit driven corporate greed is what Wimberley can expect from Aqua Texas; just on a much larger scale.

The Wimberley Valley is too great a treasure to all who live here to succumb to the unregulated growth that Aqua Texas promotes. Blue Hole will suffer without the irrigation from a city owned water treatment plant and the risk of negative environmental impacts from Aqua Texas and their penchant for sewage leaks is too high...just ask Kyle, TX.

The newly elected mayor and council members campaigned on promises to maintain the agreed upon original city plan for sewage and I don't understand their decision to change to Aqua Texas but I am totally against their decision.

Please do not provide the loan to fund the plan for Aqua Texas.

Sincerely,

Nicholas J. Marinos

12 Arrow Point Cir

Wimberley, TX 78676

From: [Laura Calcote](#)
To: [Shawn Cox](#)
Subject: FW: Wimberley Testimony
Date: Friday, January 25, 2019 5:39:23 PM
Attachments: [image003.png](#)

Or this one.

Laura Calcote, MPA, TRMC
City Secretary
City of Wimberley
221 Stillwater
P.O. Box 2027 (Mailing Address)
Wimberley, TX 78676
Office: (512) 847-0025
Fax: (512) 847-0422
Website: cityofwimberley.com



 Please consider the environment before printing this e-mail.

From: Bruce Grether <bgrether@austin.rr.com>
Sent: Monday, January 14, 2019 5:22 PM
To: jeff.walker@twdb.texas.gov; Dain.Larsen@twdb.texas.gov
Cc: Shawn Cox <Scox@cityofwimberley.com>; Laura Calcote <lcalcote@cityofwimberley.com>; communication@oag.texas.gov
Subject: Wimberley Testimony

January 14, 2019

To the Texas Water Development Board,
Attn. Executive Administrator Jeff Walker,
and Team 5 Manager Dain Larsen:

Many people consider our small City of Wimberley to be the last unspoiled gem of the Texas Hill Country. Most of us who live here cherish the beautiful natural setting and our pristine waterways. Our old downtown has antique septic systems which have been leaking into nearby Cypress Creek. But for many years we carefully researched and designed, vetted, got permits and full funding for construction of our own locally-controlled wastewater recycling

plant.

About a year ago this project was finally underway, construction started and if all had gone as planned the plant would probably be finished and in operation now. However, last May, a new Mayor named Susan Jagers was elected and a group of her allies took seats on the City Council after they stated during the campaign that they would not interfere with construction of Wimberley's Wastewater Treatment Plant. They knew that the option to put Aqua Texas in charge of this situation was highly unpopular. In the previous election cycle two candidates who openly promoted the AT option were soundly defeated.

Mayor Jagers herself has stated that the majority of local citizens prefer to construct our own plant, and yet since her election she has constantly promoted the interests of the AT corporation. She and her allies finally cancelled the City's contract with a construction company that had already created a bare soil base for the plant, which has now cost Wimberley at least \$½ million. The project was 20% completed. Her moves towards AT also deprived Wimberley of \$2 million in grants from the EDA and the local Way Family Foundation.

Now the Mayor and her allies have put forth a plan to drill a pipeline 10 feet under Cypress Creek, near our famous Blue Hole Swimming Hole, through the fragile and unpredictable limestone karst bedrock in order to connect with existing Aqua Texas services on the other side of the creek. Raw sewage would be pumped through the pipe at high pressure, and within moments, any leak would prove disastrous. The Mayor's determination to push the interests of this outside corporation, Aqua Texas, which has a terrible environmental and service record state-wide, thwarts the will of our citizens and also appears to be bankrupting our City government. If this proceeds, everyone will lose except for AT.

It is a complicated situation, but put as simply as possible, I ask you NOT to consider re-directing the TWDB's loan of \$5 million+ granted to the City for our WWTP to pay for the questionable, unpopular option of going with Aqua Texas.

Most of us here in Wimberley hope we can still reapply for the loans, re-negotiate the grants and proceed with construction of our own WWTP. If our civic government can survive the disastrous and unpopular maneuverings of the

Mayor and her allies, that win-win situation may still be possible.

When the Mayor asked the TWDB to change the scope of the project and fund it anyway, the TWDB wisely asked that citizens be allowed to comment. During the two hours allowed for citizen comment, the Mayor usurped the first 45 minutes for a Power Point presentation of her own. Only 17 of the 95 people who signed up to speak were allowed to speak. Also, a councilman clearly cherry-picked names from the list to increase the number of pro-AT speakers allowed to speak, and to increase the illusion of support for this change of scope.

Please turn down the Mayor's request for a change of scope, and help Wimberley get back on track to local control of our precious water resources.

My original statement for that meeting on January 8th, which I was not allowed to deliver at the meeting, is included below.

Sincerely,
Bruce P. Grether
Wimberley resident for 23 years

Cc: Shawn Cox, City Administrator, City Secretary Laura Calcote, and Ken Paxton, Attorney General of Texas

* * *

REMARKS TO TWDB MEETING, WIMBERLEY COMMUNITY CENTER,
JANUARY 8TH2019

Let me thank the Texas Water Development Board for insisting that citizen voices be heard at this time.

In Wimberley we face a crucial turning point. A distinct majority of citizens who participate in recent local events is strongly opposed to the City's plan to shift to Aqua Texas as provider for wastewater treatment for our old downtown.

If the many years of hard work, careful planning, vetting, and fully-funded plans for a City owned water treatment and recycling plant had not been cancelled by officials elected last May, most likely our brand-new plant would be finished today and be ready to begin operations now. That plan is the most environmentally responsible and advanced such plant ever approved in Texas. It would irrigate playing fields at Blue Hole Park and recycle water for flushing toilets downtown.

For somewhat mysterious reasons, that plan was recently cancelled in favor of the highly unpopular outside corporation Aqua Texas, a shift not only beset with problems to implement, but highly unpopular with local citizens.

For many local citizens, to protect the purity of our waterways is extremely important. Due to a proposed shift of direction on this issue from the City government, Cypress Creek near the Ranch Road 12 Bridge downtown continues to be polluted from leaky old septic systems into the indefinite future, and frankly, the water stinks.

Wimberley's economy relies on visitors drawn to our quaint, relaxed community, the pristine waterways, cypress trees and forests. Our Blue Hole Regional Park is a Texan gem that is in reality priceless, and also a major part of our economic engine. Now, with the City's cancellation of the Black Castle contract to construct our own plant, at least ½ a million dollars of our money has been spent to construct a huge, bare dirt pad without root systems, a landscape scar susceptible to erosion near the highway on the edge of Blue Hole Park. Plus, there's no guarantee of irrigation for the Park.

Current City officials have discouraged citizen input by limiting time for comments, and once insisted on an equal number of pro and con statements, which resulted in 17 people not being able to complain about the shift to Aqua Texas. This administration operates largely in secret. We've had to make numerous Open Records Requests to find out what they are saying and doing.

I ask the TWDB Board *notto* approve a "change of scope" to accommodate the shift to Aqua Texas, so we can proceed with construction of our own plant.

We proud citizens of Wimberley wish to regain control of our City and its future.

Thank you for your attention.

Bruce P. Grether

Wimberley resident for 23 years

From: [Michael or Christine Rambo](#)
To: [Shawn Cox](#)
Subject: Fw: Wimberley testimony
Date: Thursday, January 10, 2019 1:26:45 PM

----- Forwarded Message -----

From: Michael or Christine Rambo <mcrambo2@yahoo.com>
To: "jeff.walker@twdb.texas.gov" <jeff.walker@twdb.texas.gov>; "dain.larsen@twdb.texas.gov" <dain.larsen@twdb.texas.gov>
Sent: Thursday, January 10, 2019 1:21 PM
Subject: Wimberley testimony

Wimberley TWDB Public Hearing 01/08/2019

Dain Larsen
Jeff Walker

I have attended many of the City Council Meetings and Town Hall Meetings since the election of our present city government. The Public Hearing in Wimberley concerning the change in scope was another appalling example of how the majority of council members and mayor are attempting to show they have support for a change in plan. The Mayor and council has stopped a project in progress. The Mayor's reason for stopping the project is because she personally knows more and has better decision making abilities than environmental scientist, financial institutions, water specialist, city planners and the many individuals who have dedicated a lot of time and expertise in implementing the city owned plan and she made this claim several times during her presentation at the Public Meeting. In reviewing the handout given at the beginning of the meeting, it became apparent that there is no basis to claim that the new plan would be more environmentally friendly or less expensive. The cost appears similar for both plans when you consider the funding lost when the plan changed. The thought that the changed plan would be more environmentally sensitive seems to be something the council made up themselves without consulting any reputable experts or providing any documentation to prove this to be the case.

Before approval of the loan, please have the Mayor provide the citizens of Wimberley an unbiased financial accounting of both plans. I would also like city council to show documentation that the change of scope is a better environmental option.

The present Mayor and certain City Council members have stopped a project that was widely supported in Wimberley, and are rushing to get their new plan implemented. The majority of the people in Wimberley have been shut out of any involvement in how the new plan was conceived. I do not think that the change in scope is beneficial to anyone but Aqua Texas.

Michael Rambo

From: [Place2](#)
To: [Shawn Cox](#)
Subject: Fwd: Comments submitted for Special City Council Meeting 1/8/2019
Date: Thursday, January 10, 2019 2:27:07 PM
Attachments: [Debby Spears.doc](#)
[ATT00001.htm](#)
[Beth Mitchell.doc](#)
[ATT00002.htm](#)
[Bill Mitchell Doc.doc](#)
[ATT00003.htm](#)

See attached. Thanks

Craig Fore,
Wimberley City Council Place 2

Begin forwarded message:

From: Debby S <dahspears@gmail.com>
Date: January 10, 2019 at 1:14:16 PM CST
To: Mayor <mayor@cityofwimberley.com>, "place1@cityofwimberley.com"
<place1@cityofwimberley.com>, "place2@cityofwimberley.com"
<place2@cityofwimberley.com>, "place3@cityofwimberley.com"
<place3@cityofwimberley.com>, "place4@cityofwimberley.com"
<place4@cityofwimberley.com>, "place5@cityofwimberley.com"
<place5@cityofwimberley.com>
Subject: Comments submitted for Special City Council Meeting 1/8/2019

SPECIAL CITY COUNCIL MEETING Comments
WIMBERLEY COMMUNITY CENTER – JOHNSON HALL
14068 RANCH ROAD 12, WIMBERLEY, TEXAS 78676
TUESDAY, JANUARY 8, 2019 – 5:30 P.M.

I am submitting my comments and two neighbor comments that were given to me via email for they are out of town and not able to submit.

Respectfully, Debra Hill Spears, a Wimberley City Resident and voter
428 Flite Acres Rd, Wimberley, TX 78676

Debby Spears, 428 Flite Acres Rd, Wimberley, TX 78676

January 8, 2019

My name is Debby Spears. I live inside the City of Wimberley and am a property owner who resides full time at 428 Flite Acres Road on the Blanco River which is located less than a mile downstream of the proposed Wastewater Treatment Plant in Blue Hole Park. **I wholly support the City of Wimberley's proposed change to have the wastewater treated by AquaTexas under a wholesale agreement and eliminate the expensive treatment plant in Blue Hole Park.** This proposed change is both financially and environmentally superior to the existing plan.

On the financial side the rates based on wholesale treatment by AquaTexas will be significantly reduced. **The yearly operation and maintenance** of a treatment plant at Blue Hole would also be very expensive. This is a bad investment for the City of Wimberley and residents and I do not think we can afford to get into the wastewater treatment business for only 100 plus customers.

Environmentally AquaTexas has a land application type permit which is unlike the plant in Blue Hole that allows discharge into the Blanco River. I oppose the discharge permit and have seen what happens to hill country rivers and streams located downstream of a discharge permit when the water is impacted by nutrient pollution and becomes filled with algae. I want to continue to enjoy the exceptional water quality which is the reason I purchased my property.

Lastly, as many, I want an end to the divisiveness over the wastewater project in the Wimberley Valley. Please vote for the changed plan and let's get this done and over with once and for all. The last thing we need now is to end up with a collection system that goes nowhere.

I do want to thank each of the City Council members and Mayor for your public service and for your consideration of this request.

Debby Spears

Beth Mitchell

January 8, 2019

RE: City of Wimberley Proposed Change in Wastewater Project

My name is Beth Mitchell. I am the co-owner of the Wimberley Wine Shoppe which will be served by this project. My husband and I are property owners who reside full time at 2300 Flite Acres Road on the Blanco River which is located approximately 2 miles downstream of proposed Wastewater Treatment Plant in Blue Hole Park.

We wholly support the City of Wimberley's proposed change to have the wastewater treated by AquaTexas under a wholesale agreement and eliminate the expensive treatment plant in Blue Hole Park. This proposed change is both financially and environmentally superior to the existing plan.

Financially this option reduces the proposed rates that my business will pay. The yearly operation and maintenance of a treatment plant at Blue Hole would also be very expensive and it is my understanding that the design life of this plant is only 20-30 years. This is a bad investment and we cannot afford to get into the wastewater treatment business for 100 plus customers.

Environmentally AquaTexas has a land application type permit and unlike the plant in Blue Hole cannot discharge into the Blanco River. We opposed the discharge permit and have seen what has happens to hill country rivers and streams located downstream of a discharge permit when the water is impacted by nutrient pollution and becomes filled with algae. We want to continue to enjoy the exceptional water quality which is the reason we purchased our property. It is wise to eliminate the plant we cannot afford and not to create an unnecessary demand for treated effluent in our pristine Blue Hole Park.

Lastly I want an end to the divisiveness over the wastewater project in the Wimberley Valley. Please vote for the changed plan and let's get this done and over with once and for all. The last thing we need now is to end up with a collection system that goes nowhere.

Thank you for your public service and for your consideration of this request.

Sincerely,

Beth Mitchell

2300 Flite Acres Road

Wimberley, Texas 78676

Done

Aqua Utilities.doc



William H. (Bill) Mitchell
2300 Flite Acres Rd.
Wimberley, Texas 78676

January 8, 2019

To: Texas Water Development Board
City of Wimberley

Subject: Aqua Utilities Inc. Service

To whom it may concern,

As a Wimberley resident & river front property owner I urge the city to move forward with the current Aqua Utilities Inc. sewer option based upon the following:

- City of Wimberley cannot afford to be in the sewer treatment business
- Aqua Utilities Inc. is an established, experienced sewage treatment provider
- Provides for zero discharge into Cypress Creek & the Blanco River, anything less is unacceptable
- Results in no tax to City of Wimberley residents (I recall the promises of no tax made at the time of Wimberly incorporation)
- Gets the eyesore of a restroom trailer off the square
- Offers the advantage of Type 1 reclaimed effluent

Sincerely

Bill Mitchell

From: [Merle L. Moden](#)
To: [Shawn Cox](#)
Cc: [Laura Calcote](#)
Subject: Fwd: January 8, 2019 Wimberley City Council Public Hearing Regarding Its Wastewater Project
Date: Saturday, January 12, 2019 5:41:51 PM

FYI

----- Forwarded Message -----

Subject: January 8, 2019 Wimberley City Council Public Hearing Regarding Its Wastewater Project

Date: Fri, 11 Jan 2019 14:24:32 -0600

From: Merle L. Moden <merle1960jj@gmail.com>

To: kristin.miller@twdb.com

CC: dain.larsen@twdb.com

Ms. Miller:

I am not a resident of the City of Wimberley, as I live in the Wimberley Valley a few miles from this city. I have owned land here for over 33 years and have been a resident for over 21 years. I write to protest the actions of the Wimberley City Council in the above-referenced public hearing. I did not attend this public hearing.

I sat in the galleries of both the Senate and House of Representatives of the Texas Legislature when both the Texas Open Meetings Act and Texas Open Records Act (now Public Information Act) were debated and passed into law. I have an abiding interest in assuring that governmental bodies abide by these laws and the principles under which they were adopted. In the instant case it is apparent that the Wimberley City Council did not conduct a fair public hearing in accordance with the spirit and language of the Texas Open Meetings Act.

Based upon knowledge and belief, the Wimberley City Council violated the Open Meetings Act in posting a false agenda and conducting the public hearing in an unfair manner. First, the Wimberley Mayor used over 1/3 of the time posted (45 minutes/120 minutes = 37.5%) for the public hearing to advance her position regarding the wastewater project. This violates clearly an agenda posting that specifies a two-hour public hearing, that is, two hours to hear from the public -- not to hear the Wimberley Mayor repeat her well-known position on the matter. Second, the Wimberley Mayor presented 23 slides of information that were used to support the Wimberley Mayor's position on the wastewater project -- information that was not released to the citizens previous to this public hearing, nor provided to attendees in written form at the public hearing. Were the opponents of the Wimberley Mayor's position given an opportunity to present their slides of information? Third, 202 individuals signed-in at the public hearing of which 95 chose to speak. The time allotted for this public hearing was woefully inadequate, as only 27 individuals were allowed to speak -- less than 1/3 of those who wanted to speak (27/95 = 28.4%). Lastly, based upon anecdotal information, it appears that the 27 individuals allowed to speak, out of the 95 individuals who wanted to speak, were not chosen in a fair and even-handed manner.

The remedy for the Wimberley City Council's failure to conduct a fair hearing regarding its

wastewater project is another public hearing where sufficient time is allotted for all citizens who chose to speak are allowed to do so.

Thank you for your consideration.

--

Merle L. Moden/ 1111 Thompson Ranch Road/ Wimberley, TX 78676/ 512 847-1335

From: [Sandy Dunn](#)
To: [Shawn Cox](#)
Subject: Fwd: Letter in regard to special council meeting Tuesday January 8, 2019
Date: Friday, January 11, 2019 7:58:23 AM
Attachments: [Our comments to city council meeting on Aqua Texas 1-8-19.docx](#)

Begin forwarded message:

From: Sandy Dunn <sandydunn21@gmail.com>
Subject: Letter in regard to special council meeting Tuesday January 8, 2019
Date: January 10, 2019 at 6:23:43 PM CST
To: Mayor <mayor@cityofwimberley.com>, "place1@cityofwimberley.com"
<place1@cityofwimberley.com>, "place2@cityofwimberley.com"
<place2@cityofwimberley.com>, "place3@cityofwimberley.com"
<place3@cityofwimberley.com>, "place4@cityofwimberley.com"
<place4@cityofwimberley.com>, "place5@cityofwimberley.com"
<place5@cityofwimberley.com>

We are submitting our letter in favor of Aqua Texas as residents and voters in the city of Wimberley. Please see attached.

Respectfully,
John and Sandy Dunn
466 Flite Acres Road
Wimberley, Texas 78332

This letter is from Sandy and John Dunn. We live on the Blanco River about ¼ mile below the Ranch Road 12 bridge, and our love of the river was what led us to purchase this property some 15 years ago. It is also what brings us to give our stamp of approval to using Aqua Texas for our wastewater system.

As you can imagine, we have followed with great concern the debate in our community over the last several years concerning the proposed Blue Hole sewage treatment facility. We have tried to keep an open mind to both sides of the debate, and have reached our own personal conclusions based on the relative merits of each solution.

After studying both alternatives, for us it turned out to be a pretty simple decision to support Aqua Texas. Here's why:

First, no matter what else you may hear to the contrary, the Blue Hole Plant permit **does allows for a discharge of effluent** into our beautiful Blanco River under certain conditions, and the Aqua Texas solution does **not** allow for this action. This is the fundamental difference between the two choices, and it made our decision to support Aqua Texas pretty simple.

Second, the presence of an **expanded** Sewage Treatment Plant in our beautiful Blue Hole Park seems wrong in many ways, and again we believe that this argues strongly in favor of the Aqua Texas alternative.

I could also mention our concerns about the inherent inefficiencies of a small community like Wimberley getting into the sewage treatment business, and the potential for huge cost overruns as reasons for our support of Aqua Texas, and I believe these are very legitimate objections to the Blue Hole Plant.

But for us, keeping treated effluent out of the Blanco River, and preventing the placement of a large sewage plant in the middle of Blue Hole Park are compelling reasons to oppose the Blue Hole solution.

We respectfully request that the Council strongly support the proposed Aqua Texas solution as the proper direction for our Community. Thank you.

From: [Marty Dean](#)
To: [Shawn Cox](#); clay.Schultz@twdb.texas.gov; dain.Larsen@twdb.texas.gov
Subject: In agreement with Aqua Texas change in Wimberley
Date: Tuesday, January 15, 2019 2:29:16 PM

Gentlemen, I am in agreement with the proposed changes put forth in the recent workshop by the current City Council changing the plan for our waste water solution to incorporate Aqua Texas' land application. I am opposed to any permit or effort that would potentially allow any discharge of effluent into our creeks or rivers.

I am a Wimberley resident and I am eligible to vote in Wimberley elections. I own property on the river and am a potential Ad Valorem taxpayer.

Martha Dean, 20249 Hilltop, Wimberley, TX 78676

From: [Tracey Dean](#)
To: [Shawn Cox](#); clay.Schultz@twdb.texas.gov; dain.Larsen@twdb.texas.gov
Subject: In favor of proposed changes to include Aqua Texas
Date: Tuesday, January 15, 2019 1:26:45 PM

I am sending this email/letter to let you know I am in agreement with the proposed changes proposed by current City Council changing the plan for our waste water solution to incorporate Aqua Texas with their land application permit which does not allow any discharge of effluent into our creeks and rivers. I am adamantly opposed to any *potential* that would eventually allow any discharge into our creeks and rivers for any reason.

I live at 631 Southriver, Wimberley, TX 78676 and am eligible to vote in City elections. I own several properties on the Blanco River.

Thank you!

Tracey Dean

From: [Phillip Van Ostrand](#)
To: [Dain Larsen](#); [Clay Schultz](#)
Cc: [Shawn Cox](#)
Subject: In Re: City of Wimberley Clean Water State Revolving Fund Project 73653 Downtown Wastewater System
Date: Friday, January 11, 2019 3:43:27 PM

Please add these written comments to the record in addition to my brief remarks documented at the recent public meeting in Wimberley.

I support the revised scope for a number of simple reasons: It supports the environmental concerns of the downstream folks and is affordable and technically feasible. It does not please everyone - I know I don't like the financial impact - but it meets the original mission statement of getting wastewater off the square. The sewer isn't going to clean up Cypress Creek, but it will take a step toward better land use in the downtown area. At the present, it's not going to water the park, but it's not going to bleed the downtown property owners as well as the rest of the city's taxpayers dry.

The Wimberley project has been the subject of a great deal of discussion throughout its history, and in retrospect, the loan the water board loan probably should not have been closed. The public record shows a substantial amount of well-documented analysis that it was a fiscal disaster in the making that would have created a system that would not generate sufficient revenue to service the debt much less pay for operations and maintenance over the life of the system.

A large, well capitalize regional processor that already serviced a significant part of the City of Wimberley was available and willing to take on the fewer than 120 potential users in the downtown area. Now that the city has officially terminated its agreement to build a processing plant that processor has negotiated a wholesale arrangement to process the wastewater from the Wimberley Square and downtown areas it is time to move forward.

The scope change brings the project capital requirement down to a manageable level and controls the continuing O&M costs is not perfect by any stretch, but, as I stated earlier it does protect the downstream interests, is technically feasible and provides service as a cost that minimizes the financial impact on the users as well as diminishes the potential tax consequences for the rest of the community.

As a final point aligning the city's program with Aqua Texas provides a substantial capital cushion against future EPA and TCEQ tightening of wastewater rules.

The scope change is a step in the right direction and should be approved without delay.

If I may be of further service please contact me.

Regards,

Phil Van Ostrand
Van Ostrand & Associates

From: [Rebecca Minnick](#)
To: [Shawn Cox](#); dain.larsen@twdb.texas.gov
Cc: [Laura Calcote](#); kristin.miller@twdb.texas.gov
Subject: Jan. 8 Testimony for Wimberley Public Hearing
Date: Saturday, January 12, 2019 6:11:50 PM
Attachments: [Public Hearing Statement_RM.docx](#)
[Central Wimberley Wastewater Project Public Hearing Sign-In Sheet 01-09-19 \(redacted\).pdf](#)

Dear Mr. Cox and Mr. Larsen,

Attached are the comments I had planned to make at Wimberley's Public Hearing on the Waste Water Treatment Project this past Tuesday evening. I was not called on, despite having signed up to speak. I was a little unclear on how to submit these written comments - not sure if it was to the city administrator, or directly to the Texas Water Development Board. I am attempting to cover all bases with the distribution of this email.

My attached comments are all the more ironic, because I was planning to express gratitude that this mayor and council had finally agreed to a proper public hearing that included a Q&A component. There were over 200 attendees: 95 signed up to speak/ask questions/be heard and just 27 were allowed to. That left over 65 (me included) who didn't get to have their concerns addressed or even just expressed publicly on the record. In addition, rather than simply call on the list of commenters in their signup order, the mayor and her mayor pro-tem developed an elaborate "order" that looked rigged, whether it was or not.

I'm also attaching a copy of the sign-in sheet for the public hearing, annotated by Council Member Gary Barchfeld for your review. This is a public document.

The mayor has consistently found ways to subvert any real discussion on her change of scope and Tuesday night was no exception. Her posted agenda showed her "presentation," was going to be 15 minutes. It was 45 minutes of material we had all heard before that was already the source of numerous questions that have never directly been answered by her or this council. The lack of respect for the citizens of this community and the dismissive tone created by the mayor and the majority of this council continues.

The mayor knew that there would be many more questions that would be asked in the finite time she had scheduled. A public hearing is for citizens to voice their concerns and get some kind of response real-time and in the moment. To simply tell citizens to write it down and send it in is insulting and disingenuous. If written comments were fine, why even have the public hearing?

It's frustrating to Wimberley residents. This experience has certainly damaged - if not destroyed - our trust in this mayor and council. If the TWDB wants a clear picture of how the citizens of Wimberley feel about the mayor's plan, this public hearing doesn't check the box. I feel quite sure that the "cons" would outweigh the pros even more than this results of this show.

Respectfully,

Rebecca Minnick

2235 River Road
Wimberley, TX 78676
minnickreb4@gmail.com
281/923-7698

January 8, 2019.

Wimberley Mayor & Council-

My name is Rebecca Minnick and I live at 2235 River Road, inside the city limits. I also own additional property inside the city limits that will be on the proposed sewer system. I have served on the Wimberley Board of Adjustments and currently serve on the city's Planning & Zoning Commission.

Thank you for hosting this public hearing. I am looking forward to finally getting some answers from this council about my serious concerns on what the change of scope to the sewer system will mean to the city financially. I have several questions.

First, did the \$200,000 that was paid last Friday (Jan. 4) as a settlement to Black Castle Contractors for the council's cancellation of the city-owned plant come out of the city's fund balance or, was it paid from funds that the Texas Water Development Board has already dispersed to pay the contractor?

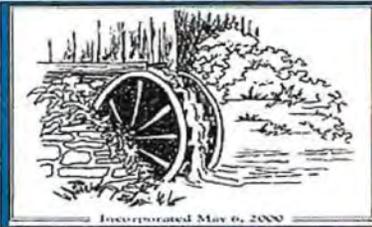
These funds, plus the money already paid to Black Castle (\$345,000+), total over half a million dollars. These are expenditures that provide nothing in return to the citizens of Wimberley. Additional costs to get out of this contract will include legal fees that have already been expended to negotiate the settlement and physical mitigation of the plant site.

Second, am I correct in assuming that the TWDB will want this money back? How will this be repaid? Will these additional funds continue to come from the TWDB loan to be paid over time? Or out of the city's fund balance? If not, how will they be paid?

On April 30, 2018, the city's fund balance was \$1.5 million. The amount paid to cancel the Black Castle Contract represents over one-third of the city's reserve funds – that's if the fund balance is still \$1.5 million. What is the fund balance now? If the reserve balance will be tapped to pay these cancellation fees, how does this council plan to replace those funds? How long will it take? What needed projects and services will be sacrificed?

These serious budget impact questions have not been discussed by council in an open, PUBLIC setting. The settlement agreement was quickly reached and voted on and the Black Castle check has already been disbursed. TWDB's decision on approving the change of scope on the existing loan has not been made. Why did you finalize this settlement before the financing question was answered? (This is apart from significant unresolved engineering issues like where exactly the pipe will run). As I said previously, I have serious concerns about the financial wisdom of proceeding before these questions are resolved. What if the TWDB does not approve the change in scope? Will this council go back to the previously approved plan? Or will you insist on the Aqua Texas option? And if you do, where will the city get the funds to pay back money already spent? Do you feel that you have thoroughly examined the consequences of spending over half a million dollars with zero to show for it? Have you proceeded in a fiscally conservative and responsible way?

Again, thank you for finally listening and directly responding to all voices in this community in a public setting. We all appreciate that and feel that it's a critical step in getting the full story of this change of scope. This is an important start to unifying this community and moving toward completing badly needed infrastructure improvements.

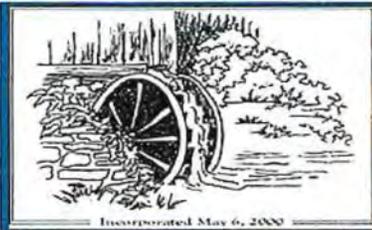


City of Wimberley
 Central Wimberley Wastewater Project
 Public Hearing

Sign-In

	Name	Address/Affiliation	Please Circle one of the Following			Like to Comment*	
1	ANDREW SANSON		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
2	STEVE THURBER		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
3	John Espinoza		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
2	JOHN URBAN		<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
3	Louis Parks		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
6	Pam Mitchell		<input type="radio"/> Citizen	<input checked="" type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
7	Jenni Marino		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
8	LEEAN BOWER		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
9	SUSAN NENNEY		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
4	Linda WEBB		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
11	Barbara HOPSON		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
12	Stephanie Nestlerode		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
13	Jan Green		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
6	Scott Mitchell		<input type="radio"/> Citizen	<input checked="" type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
5	THE VAN ORMAN		<input type="radio"/> Citizen	<input checked="" type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
16	Linda Nichols		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input checked="" type="radio"/> No
17	Linda Lang		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
18	Christine Middleton		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
19	HEG SMITH		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
1	SUSAN ZIMMERMAN		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No

*Comments will be limited to 3 minutes.



City of Wimberley
 Central Wimberley Wastewater Project
 Public Hearing

Sign-In

Name	Address/Affiliation	Please Circle one of the Following			Like to Comment*	
14 1 Soil Pigs		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
2 STEVE KLEPFER		<input checked="" type="radio"/> Citizen	<input checked="" type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
3 Buck Backs		<input type="radio"/> Citizen	<input checked="" type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
DO NOT 14 Nancy Stevens		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
5 Tommy Tolson		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
6 RR & Cindy Rodriguez		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
7 JEAN SANDER		<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
15 8 Al Sander		<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input checked="" type="radio"/> No
9 Andrew Weber		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
10 William Bowman		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
11 Maridel Martinez		<input checked="" type="radio"/> Citizen	<input checked="" type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
NO DO NOT 12 CARROLL WILSON		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
13 Casey Craig		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
14 BOB TIMSTMAN		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
15 BRUCE P. GRETHEK		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Did not 16 Phyllis Finmore		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
17 Sheila Safer		<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
18 BERT RAY		<input type="radio"/> Citizen	<input checked="" type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
19 Julie Ray		<input type="radio"/> Citizen	<input checked="" type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
16 20 Cookie [unclear]		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No

*Comments will be limited to 3 minutes.



City of Wimberley
Central Wimberley Wastewater Project
 Public Hearing

Sign-In

		Name	Address/Affiliation	Please Circle one of the Following			Like to Comment*	
8	1	Sarah Dishman		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
	2	Tom Wanner		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
	3	JOHN D. ESTEP, P.E.		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
9	4	Marla Fries		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
No comment	5	Letta Cole		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
	6	Stanley Ashlock		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
	7	Scott Jennifer Johnson		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
10	8	Debby Spears		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
	9	Beth Mitchell by Debby		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
-10		Sandy Dixon		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
	11	Bill Mitchell		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
11	12	RAOUL BELLEAU		<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
	13	DAN GAUTHIER		<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
	14	KELLY McFARLAND		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
12	15	Jupiter Schmeider		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
No comment	16	ROBERTA HOLLAND		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
	17	CANDY Spitzer		<input checked="" type="radio"/> Citizen	<input checked="" type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
	18	Rayne Beer		<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
13	19	BOB DOSSLER		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
-20		HAM SHAWALTER		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No

PAGE 3

*Comments will be limited to 3 minutes.



City of Wimberley
 Central Wimberley Wastewater Project
 Public Hearing

Sign-In

No.	Name	Address/Affiliation	Please Circle one of the Following			Like to Comment*	
			Citizen	Business	Official	Yes	No
1	James Lancaster		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
2	Sherry Lancaster		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
3	Rebecca Minnick		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
4	E.W. Byrns		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
5	JAMIE PETTIT		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
6	Ywa Karlsson		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
7	Alison Harla		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
8	Bob Bullard		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
9	Michelle Cushman		<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
10	Christine Byrne <i>vide to John Kestepf</i>		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
11	Chris Odde		<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
12	Mike Bachers		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
13	Clare Kagan		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
14	Ashley Gibson		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
15	Merryl Gibson		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
16	Marilee Wood		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
17	Lynell Jackson		<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
18	ANDREW HARSH		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
19	Rodger Mariani		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
20	Clarette Lowe <i>vide to Robert Tribisani</i>		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

*Comments will be limited to 3 minutes.



City of Wimberley
 Central Wimberley Wastewater Project
 Public Hearing

Sign-In

11/18/20
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Name	Address/Affiliation	Please Circle one of the Following			Like to Comment*	
Sue Anders		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
BOB MARINA		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Linda Hoppes		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Kay Anderson		<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Linda Reed		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Bob Reed		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
SUSAN Thunberg		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
Ganette B...low		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Jan Prueck		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Paul "		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Marianne Calvanese		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
BOB HAVE		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Ed Pope		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
TRACEY DEAN		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Randy Renter		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
Deborah Nelson		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Helen Bobie		<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
KENNETH DUGGAN		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
ERIK WOLZAM		<input checked="" type="radio"/> Citizen	<input checked="" type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
SHEILA WOLZAM		<input checked="" type="radio"/> Citizen	<input checked="" type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No

*Comments will be limited to 3 minutes.



City of Wimberley
 Central Wimberley Wastewater Project
 Public Hearing

Sign-In

No.	Name	Address/Affiliation	Please Circle one of the Following			Like to Comment*	
			Citizen	Business	Official	Yes	No
1	Clay Ewing		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Yes	<input checked="" type="radio"/>
2	James Byrne		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Yes	<input checked="" type="radio"/>
3	Andrew Mahang		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Yes	<input checked="" type="radio"/>
4	Dia McCall		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	No
5	Lois Mahoney		<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	No
6	Deborah Koock		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	No
7	Greg/LINDA DOUGLAS		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	No
8	Clay Ewing		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	No
9	May B. O.		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	No
10	Jackie Martice		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	No
11	Jerry Rayboul		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Yes	<input checked="" type="radio"/>
12	Mark O. H.		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Yes	<input checked="" type="radio"/>
13	Nick Bradshaw		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Yes	No
14	Buffalo Thunder ^{Frank} Del Toro		<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	No
15	DAVID BAKER		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	No
16	Rebecca H. Denton		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Yes	No
17	Linda Douglas		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Yes	<input checked="" type="radio"/>
18	William Hamilton		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Yes	<input checked="" type="radio"/>
19	Leslie Weeks		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Yes	<input checked="" type="radio"/>
20	Karen Weeks		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Yes	No

*Comments will be limited to 3 minutes.

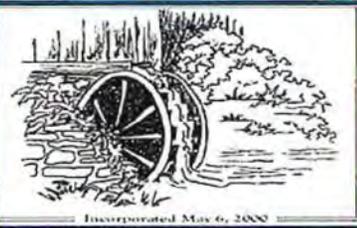


City of Wimberley
 Central Wimberley Wastewater Project
 Public Hearing

Sign-In

Name	Address/Affiliation	Please Circle one of the Following			Like to Comment*	
		Citizen	Business	Official	Yes	No
1 Kathy Ward		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
2 Bill Kilmer		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
3 Alex Perkowski		<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
4 Jo Kathryn Quinn		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
5 Deb Bradshaw		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
6 Susan Raubrock		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
7 Lee Ann Lincoln		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
8 Bryan Burke		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
9 David McGowan		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
10 Ashley Waymouth		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
11 Thomas Wyzmiec		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
12 Claudia Perez		<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
13 Armandelo Perez		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
14 BRIAN FERRAR		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
15 COLLINS, CORSEY		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
16 Dorothy Knight		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
17 Scott Pugh		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
18 Nancy C. Russell		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
19 Hailo (Hano)		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
20 Chris Sheffield		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

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City of Wimberley
 Central Wimberley Wastewater Project
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Sign-In

		Name	Address/Affiliation	Please Circle one of the Following			Like to Comment*	
No down	1	Lloyd Probst		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
26	2	Alice Wightman		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
	3	Kisselle Lopez		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
	4	Cliff Raymond		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
	5	Ken Raymond		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
27 last	6	Suzanne White		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
	7	Gigi Benno		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
	8	Mary Gilroy		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
	9	Sherril Coker		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
	10	Michael "		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
	11	Sally Trapp		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
28	12	Dorothy Knight		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
	13	Larry Culvert		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
	14	Linda Culvert		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
	15	PERRY BARNARD		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
	16	Linda Kaye Rogor		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
	17	BOB ELKINS		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
	18	DAWN LAMOURREUX		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
	19	FAY LAMOURREUX		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
	20	SHERYL DAVIS		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No

*Comments will be limited to 3 minutes.



City of Wimberley
Central Wimberley Wastewater Project
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Sign-In

Name	Address/Affiliation	Please Circle one of the Following			Like to Comment*	
		Citizen	Business	Official	Yes	No
1 Duffne Kedus		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Yes	<input checked="" type="radio"/>
2 Catherine Sifton		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Yes	<input checked="" type="radio"/>
3 Paul Williams		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Yes	<input checked="" type="radio"/>
4 Sha Williams		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Yes	<input checked="" type="radio"/>
5 Heather Carter		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	No
6 DAVID BOEMAN		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Yes	<input checked="" type="radio"/>
7 Paige Wilks		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Yes	<input checked="" type="radio"/>
8 Jesse Wilks		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Yes	<input checked="" type="radio"/>
9 SUZANNE McCORD		<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	Yes	<input checked="" type="radio"/>
10 Laura Haygood		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Yes	<input checked="" type="radio"/>
11 Marc Haygood		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Yes	<input checked="" type="radio"/>
12 AWAY REISBERG		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Yes	<input checked="" type="radio"/>
13 Faith Hefter		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Yes	<input checked="" type="radio"/>
14 TOM BROWN		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Yes	<input checked="" type="radio"/>
15 John Brown		<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	Yes	<input checked="" type="radio"/>
16 Brianne Willis		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Yes	<input checked="" type="radio"/>
17 Dan Cheshire		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Yes	<input checked="" type="radio"/>
18 Adia Cheshire		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Yes	<input checked="" type="radio"/>
19 Matthew Buchanan		<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	Yes	No
20 RACHAEL Buchanan		<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	Yes	<input checked="" type="radio"/>

*Comments will be limited to 3 minutes.



Central Wimberley Wastewater Project Public Hearing

Sign-In

Name		Address/Affiliation	Please Circle on of the Following			Like to Comment*	
1	Rebecca Reusberg		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
2	Brook Langston		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
3	Randa Ryan		<input checked="" type="radio"/> Citizen	<input checked="" type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
4	CYNTHIA MILLONZI		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
5	Cynthia Marion		<input checked="" type="radio"/> Citizen	<input checked="" type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
6	Alexandra Thompson		<input type="radio"/> Citizen	<input type="radio"/> Business	<input checked="" type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
7	Rick Milliner		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
8	Will Tager		<input checked="" type="radio"/> Citizen	<input checked="" type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
9	Judith Yost		<input checked="" type="radio"/> Citizen	<input checked="" type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
10	JEAN VERIATO		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
11	KATHLEEN MOONEY		<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
12	Traci Maxwell		<input type="radio"/> Citizen	<input checked="" type="radio"/> Business	<input checked="" type="radio"/> Official	<input type="radio"/> Yes	<input checked="" type="radio"/> No
13	Linda Kaye Rogers		<input type="radio"/> Citizen	<input type="radio"/> Business	<input checked="" type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
14			<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
15			<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
16			<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
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19			<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
20			<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No

*Comments will be limited to 3 minutes.

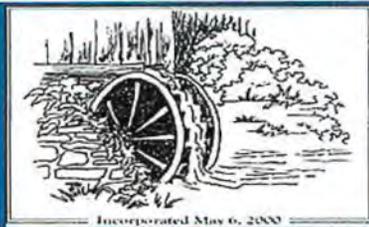


City of Wimberley
Central Wimberley Wastewater Project
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Sign-In

1	Name	Address/Affiliation	Please Circle one of the Following			Like to Comment*	
			Citizen	Business	Official	Yes	No
1	Joe Lang Sheffield		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2	Lilita Olamo		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
3	Peter Lingamfelter		<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
4	Allison Davis		<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
5	Kon & LaNell Taylor		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6	Mindy Webber		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
7			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
8			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
9			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
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11			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
12			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
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*Comments will be limited to 3 minutes.



City of Wimberley
Central Wimberley Wastewater Project
Public Hearing

Sign-In

Name		Address/Affiliation	Please Circle one of the Following			Like to Comment*	
1	<i>Thomas Manes</i>	[REDACTED]	<input checked="" type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input checked="" type="radio"/> Yes	<input type="radio"/> No
2		[REDACTED]	<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
3			<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
4			<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
5			<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
6			<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
7			<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
8			<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
9			<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
10			<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
11			<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
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14			<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
15			<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
16			<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
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19			<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No
20			<input type="radio"/> Citizen	<input type="radio"/> Business	<input type="radio"/> Official	<input type="radio"/> Yes	<input type="radio"/> No

*Comments will be limited to 3 minutes.



City of Wimberley
Central Wimberley Wastewater Project
Public Hearing

Sign-In

	Name	Address/Affiliation	Please Circle one of the Following			Like to Comment*	
			Citizen	Business	Official	Yes	No
1	Nick Dornak	[REDACTED]	Citizen	Business	Official	Yes	No
2	Progen Navarro	[REDACTED]	Citizen	Business	Official	Yes	No
3			Citizen	Business	Official	Yes	No
4			Citizen	Business	Official	Yes	No
5			Citizen	Business	Official	Yes	No
6			Citizen	Business	Official	Yes	No
7			Citizen	Business	Official	Yes	No
8			Citizen	Business	Official	Yes	No
9			Citizen	Business	Official	Yes	No
10			Citizen	Business	Official	Yes	No
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12			Citizen	Business	Official	Yes	No
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18			Citizen	Business	Official	Yes	No
19			Citizen	Business	Official	Yes	No
20			Citizen	Business	Official	Yes	No

*Comments will be limited to 3 minutes.

From: [Raylene Bell](#)
To: jeff.walker@twdb.texas.gov; dain.larsen@twdb.texas.gov
Cc: [Shawn Cox](#); [Laura Calcote](#)
Subject: January 8 Wimberley Testimony re: proposed Change of Scope
Date: Thursday, January 17, 2019 6:09:52 PM

Dear Mr Walker and Mr. Larsen,

I am a businesswoman and have lived in Wimberley since 1996.

Like many other citizens, I attended the January 8 public hearing required by TWDB regarding the current City Council's proposed Change of Scope for Wimberley's wastewater treatment project (WWTP). The hearing was very well attended (I estimate about 350 people, given the room's maximum capacity) but poorly run. From the outset of the hearing, it was abundantly clear the majority of Wimberley's citizens are angry with current Council's (with the exception of Dr. Davis) efforts to dismantle the well vetted and approved project TWDB helped to fund.

My only goal with this email is to register my opinion with your Board. I absolutely do *not* support the change of scope and strongly urge TWDB to avoid any action that would create an avenue for Aqua Texas to become Wimberley's wastewater provider.

Respectfully,

Raylene Bell

From: [Pam Showalter](mailto:Pam.Showalter@twdb.texas.gov)
To: jeff.walker@twdb.texas.gov; Dain.Larsen@twdb.texas.gov
Cc: [Shawn Cox](mailto:Shawn.Cox@twdb.texas.gov); [Laura Calcote](mailto:Laura.Calcote@twdb.texas.gov)
Subject: January 8 Wimberley Testimony regarding Wastewater Treatment Plant proposed Change of Scope
Date: Thursday, January 17, 2019 6:04:19 PM

Dear Mr. Walker and Mr. Larsen --

I am a retired Associate Professor of Geography at Texas State University where I taught Satellite Image Analysis and Natural Hazards, have lived in Wimberley since 1997, and have served the City as a member of the City's first Planning and Zoning Commission, on the Comprehensive Plan Committee, on the Board of Adjustment (as an Alternate), and as an elected Council Member. I vehemently oppose any action on the part of TWDB that would alter the current design, construction, and/or implementation of the fully vetted and approved Wimberley Wastewater Treatment Plant (WWTP).

I understand that the purpose of the August 8 public hearing was to help you determine whether or not to reauthorize the 2014 "no FOSI" for the WWTP, however, I must begin my remarks with three observations regarding the manner by which the public hearing was conducted.

- 1) After claiming at the outset that she'd only speak for 15 minutes, Susan Jagers spoke for about 47 minutes, cutting into time allocated for citizen input.
- 2) On the hearing's sign-up sheet, citizens could circle "Yes" or "No" regarding whether or not they wished to speak. When Council Member Gary Barchfeld started calling on citizens, Council Member Dr. Allison Davis protested that the names were not being called sequentially, a procedure normally followed to be fair to those who came earliest to sign up first. Barchfeld claimed he was using some sort of formula regarding whom he chose, but that claim subsequently proved false after citizens obtained copies of the sign-up sheets and determined the order of speakers appeared to have been manipulated to create the impression there were an equal number of citizens for and against the "change of scope" -- in reality, the preponderance of our citizens are against the change.
- 3) I circled "No" on the sign-up sheet regarding speaking, so was surprised to hear my name called to come to the microphone. When I went to the speaker's line I commented about this odd circumstance to the man in front of me who responded, "I circled 'No', too." Which forced me to ponder, how many other citizens who circled, "No" were invited to speak while those who circled, "Yes" and had prepared statements were ignored?

Doubtless, your Board has received numerous letters containing compelling data and arguments against placing Aqua Texas (AT) in charge of Wimberley's wastewater by your Board reauthorizing the 2014 "no FOSI" for the WWTP. My remarks will draw, instead, on my earlier experience working as a Financial Analyst for a Fortune 500 company. Rest assured AT's parent company, Aqua America, has been and is watching the "Wimberley problem" very closely. If your decision delivers Wimberley into AT's hands, your Board's "Wimberley problem" will not end with that decision, but instead will multiply. If I were AT, I'd work tirelessly to ensure you felt you had no choice but to place my company in charge of Wimberley's wastewater. Subsequently, my success in Wimberley would become a strategic template I'd use throughout the State, always presenting AT as your only viable, final option.

Such a situation will undermine your Board's efforts to help rural communities resolve their wastewater problems* and will open a Pandora's Box the State may find impossible to close. Please don't allow such a takeover to happen on your watch.

* For proof that AT/Aqua America wants to control not only Wimberley's future but the future of all Texas' rural towns, visit their website and examine their business model, which clearly states their intent.

Sincerely,

Dr. Pamela S. Showalter

From: [Jim Chiles](#)
To: Dain.larsen@twdb.texas.gov; Kristin.miller@twdb.texas.gov
Cc: [Shawn Cox](#); [Laura Calcote](#)
Subject: January 8, 2019 - Wimberley Public Hearing
Date: Friday, January 18, 2019 12:14:22 PM

Dear Ms. Miller and Mr. Larsen,

I attended the public hearing on January 8, 2019 for the Wimberley Wastewater Project. From my understanding, this hearing was required by the TWDB so the board could hear comments both pro and con from Wimberley area residents concerning the direction the current city council is proceeding with for the downtown wastewater project.

Below is what I observed during this meeting:

- The meeting was well attended and based on what I heard over 200 people signed in. In fact, the number of attendees was higher than that because not everyone signed in including me.
- The mayor spoke for at least 45 minutes of the two hours allotted for the public hearing.
- A total of 95 people signed up to speak (some as early as 5:00pm) indicating that they wished to express their opinions on the subject.
- Only 27 in attendance were able to speak, after the mayor's extended presentation, and they were chosen selectively (not in the order they signed up) by a strong supporter of the Aqua Texas Plan.

The TWDB is now accepting written comments for 10 days following this meeting but why was there a public meeting in the first place if written comments are adequate? The TWDB needs to require the City of Wimberley to hold another public hearing, so that everyone who wished to speak on January 8th can.

In my opinion, the City of Wimberley is making a terrible mistake in canceling the city owned plan. If the Aqua Texas Plan is used, it will be more expensive in the long run and most likely lead to more discharge into the waterways from a pipe leaking under Cypress Creek or run off from the Quick Sand Golf Course watering.

Please do not approve their request to change course on this project.

Jim Chiles
Email : jtchiles@gmail.com
Cell: 281.216.3709

From: [Cookie Hagemeier](#)
To: [Shawn Cox](#)
Cc: [Laura Calcote](#); cookiemon1@gmail.com
Subject: January 8.docxTWDB Public Hearing.docx
Date: Tuesday, January 15, 2019 11:53:57 AM
Attachments: [January 8.docxTWDB Public Hearing.docx](#)

Attached are my remarks spoken at the January 8, 2019, Public Hearing

January 8, 2019 ... Required Public Hearing/Texas Water Development Board

Hello, my name is Cookie Hagemeyer and I live in the Wimberley Valley. I speak in favor of the City-owned wastewater treatment plan and against the sell-out of this plan to Aqua Texas.

Years of research and planning has gone into the development of the best possible wastewater treatment solution for the Wimberley Valley. Citizen input was a very large part of the planning. Millions of dollars in funding was secured that included generous grants and loan forgiveness.

A newly elected city council has decided to forfeit these dollars in favor of giving a contract to Aqua Texas. The transaction already has cost the city hundreds of thousands in settlement charges for stopping the work in progress, as well as forfeiting the grants. Control of the plant by Aqua Texas would spell disaster for Wimberley in so many undesirable ways. Those of us who have experienced Aqua Texas in personal ways understand those difficulties on a small scale. The city would be the big loser if Aqua Texas is given control of this project.

I attended a meeting early on with the current council to learn that they have no plan to benefit the Wimberley Valley by turning over the sewer treatment plant to Aqua Texas. Their goal from the beginning, contrary to what they spoke before being elected, has been to delete the years of planning in favor of Aqua Texas.

A major benefit of the city-owned plan is to use the highest quality of recycled water on the sports fields at Blue Hole Park. The Aqua Texas plan would instead cross Cypress Creek with untreated sewage, putting the creek at risk for major disaster, thereby the Blanco River as well. The wastewater then, treated to a lesser degree, would be used for the benefit of watering a privately owned golf course.

I would ask the TWDB not to go forward with the loan that was secured for the city-owned wastewater development plan, if in fact, the city council does go forward with Aqua Texas. The Wimberley Valley did not vote for this council. The city of Wimberley electorate is a small number within the whole of the Wimberley Valley. Were the truth told before the election, the city of Wimberley would not have the current leadership of the city government. Thank you.

Cookie Hagemeyer 35 Persimmon Dr. Wimberley, TX 78676

From: [Claire Sharp](#)
To: [Shawn Cox](#)
Cc: [Mayor](#); Clay.Schultz@twdb.texas.gov; dain.Larsen@twdb.texas.gov; [Place1](#); [Place2](#); [Place3](#); [Place4](#); [Place5](#)
Subject: Letter of Support for the Wimberley Wastewater Project and Aqua Texas
Date: Tuesday, January 15, 2019 2:15:06 PM

Good afternoon.

It is our understanding that letters of support are still being accepted concerning the Wimberley Wastewater Project and Aqua Texas. We are property owners on the Blanco River and within the Wimberley City Limits located at 402 CR 1492. We have owned the property for 20 years, but just recently completed construction of our home here. As such we would also be Ad Valorem Taxpayers should a tax be instituted.

Although we only recently moved to our residence, we have nonetheless been watching the politics and issues revolving around the wastewater project for over 2 decades. Of most concern to us is the fact that this project was never going to be funded by the actual users of the system (which appears to be roughly 100 households or businesses within the downtown area), and that it was underfunded from the beginning with the intent of making citizens ultimately pay for it through ad valorem taxes. The former Mayors and City Council members who were business owners in the downtown area clearly had an agenda to benefit themselves and their own interests, and not the interest of the citizens of Wimberley. As a small community, we did not have the expertise or funds to build or run a Wastewater plant, and yet the former City officials committed us to this anyway.

We applaud the efforts of the current City Council and Mayor to gain control over this wayward project, and to become more fiscally responsible relative to completing it. We believe that the Aqua Texas solution is the best option available to our city as they are experts relative to the running of wastewater plants, as well as having to meet stiffer state requirements relative to discharge into our waterways. Additionally, with their desire to work with our City officials, Wimberley citizens are assured that our overall interests will be considered, and that we will not be unduly taxed for a system that most of us will receive no benefit from. Lastly, Aqua Texas already has a track record of working with Woodcreek and the northern half of Wimberley, and currently services several large users including HEB, Ace Hardware, our Library and Community Center, and the Wimberley ISD schools. This should be an incentive to utilize them as they are already in our area.

Our concerns are many...lack of funds for a Wastewater project to be run by our City for only 100 users, the need for fiscal responsibility within our City, the potential of Ad Valorem taxes for which we receive no benefit, and the potential of discharge into our creeks and the Blanco River with a City-run plant. We believe that a partnership between the City of Wimberley and Aqua Texas provides an affordable non-discharge solution to the downtown sewage problem, and we support the change in direction proposed by our current City Council and Mayor.

We ask that the “powers that be” within the Texas Water Development Board and our City continue to move in this direction, and approve any measures needed to proceed.

Respectfully submitted,

Claire and Chris Sharp
402 County Road 1492, Wimberley, TX 78676

vcrsharp@gmail.com

From: judythompson@austin.rr.com
To: [Mayor](#); [Shawn Cox](#); Clay.Schultz@twdb.texas.gov; dain.Larsen@twdb.texas.gov
Cc: [Place1](#); [Place2](#); [Place3](#); [Place4](#); [Place4](#); [Place5](#); deborah.Koeck@concordia.edu; casey@caseycraig.com; inoz@verizon.net
Subject: Letter of Support
Date: Sunday, January 6, 2019 9:47:49 PM

Good Evening,

I am Judy Thompson and have been involved for many years with the Wimberley Wastewater Project. My husband and I lived within the downtown District, have since sold that house but still live within the City Boundaries, and will be an Ad Valorem Taxpayer at 831 South River located on the Blanco River.

We also have a condo in downtown Austin with many pipes and utilities strapped under bridges, safe common practice.

Having lived on Blue Heron, on Cypress Creek I have a good understanding of this underfunded project since inception with it's many twists and turns, by former Mayors and City Councilmen with a certain agenda in mind. For many years I have expressed my Opinion, at City Council meetings of the shortfall of funds, mainly the circular \$200,000 payment from the Blue Hole Park that we Taxpayers own? I have expressed for many years for TRUE Identification of the actual USERS (many of my personal friends), the small group that have never been told the real truth of what they would be paying.

I am sincerely grateful to this Current City Council and Mayor for finally financially being honest that we never have had the money to complete the Black Castle Plant (grants may have started it) and certainly never would have the money to operate and manage such a facility for years to come. We are only a Community of 2626 people (approximately 1589 taxpayers). Like many small communities certainly have no knowledge or funds to be in the Wastewater business.

Therefore - I think we are fortunate to have Aqua Texas nearby, that does service small communities. Aqua Texas certainly provides good service to most of our source of Sales Tax - Ace, HEB, plus our Schools, Community Center, Library etc. Although not perfect, saves us worry of discharge into our waterways and affords us a reasonable fee to possibly complete the Project that was started prematurely "certainly not shovel ready" by the previous City Council.

The Thompsons
512.557.3425

From: [Candace Bowman](mailto:Candace.Bowman@twdb.texas.gov)
To: [Shawn Cox](mailto:Shawn.Cox@twdb.texas.gov); [Dain Larsen@twdb.texas.gov](mailto:Dain.Larsen@twdb.texas.gov); [Laura Calcote](mailto:Laura.Calcote@twdb.texas.gov); jeff.walker@twdb.texas.gov
Subject: Letter to the Texas Water Development Board - Wimberley Testimony
Date: Wednesday, January 16, 2019 5:06:18 PM

Texas Water Development Board
Wimberley Mayor and City Council
Shawn Cox, Wimberley City Administrator

Dear Sirs and Madams,

I am a former teacher who has been attending the Wimberley City Council meetings with the hope of seeing the current sad situation with the sewer solved. The City of Wimberley needs a good sewer system, but having water to help sustain our beautiful Blue Hole Park is also a very important need. In the months since the last election in May of 2018, the citizens of Wimberley have watched the new Mayor and Council call a halt to a project which was already in progress with Black Castle, one which would have provided the City with the opportunity to keep its CCN, take care of its own sewer system, and provide all the water ever needed for the soccer fields and landscaping of Blue Hole. Instead, the Mayor and Council have wasted hundreds of thousands of dollars by cancelling the system chosen by the citizens, and lost 2 million dollars in grants by putting into effect a plan which places the City of Wimberley in the grip of Aqua Texas, a company with a terrible reputation for environmental problems, including spills of raw sewage.

Having never spoken at a City Council meeting, I decided that I needed to do so 2 months ago. In my allotted 3 minutes, I stressed the request that they would please "Turn Around and Don't Drown" in the situation concerning the City's cancellation of a perfectly good plan. They were changing a plan which would meet all of our needs with one which is now going to cost millions of dollars because of lost grants, take away our water to be dumped on the golf course in Wood Creek, and would bind us to a company that is an anathema to most of the citizens of Wimberley.

Despite the pleas of many of us here in Wimberley, the Mayor and Council have proceeded with their plan with no concern for the will of the people of the town. We are now faced with a plan which carries raw sewage across Cypress Creek at a lovely spot in Blue Hole where the river bifurcates. The place where they were going to send it belongs to the Johnson family, who are now maintaining that they don't want it to go there, so there is really no defined place for it to go. They plan to use a single pipe for the crossing with no way to measure possible leaks or spillage. On top of that, they are planning to pay Aqua Texas \$300,000 to upgrade their plant to produce level 1 effluent, with no way to bring it back to use for the City of Wimberley or for Blue Hole Park. The document with Aqua Texas is a 25 year contract, so the City will be tied to them for many years ahead.

This is a terrible plan, and makes no sense to most of us. I am in favor of returning to the previous plan, and am in hopes that if we can turn this around, we can still obtain the funds from the TWDB for Wimberley. However, I do not think it is in our best interest for TWDB to support a connection of the sewer system to the Aqua Texas company, with their plan that will now put Blue Hole at risk. Thank you for your consideration of my letter and of all of those from the citizens of Wimberley. We appreciate the help you have offered us, and want it to be used in the ways that will best help the environment and the City of Wimberley.

Sincerely yours,
Candace Bowman

281-360-6620
220 Leach Lane, Wimberley, TX 78676

From: [Place1](#)
To: [Shawn Cox](#)
Cc: [Mayor](#); [Place4](#); [Place2](#)
Subject: Letter to TWDB
Date: Friday, January 18, 2019 4:05:39 PM
Attachments: [TWDB statement 1-18-2019.docx](#)

Shawn - Please place this in the compilation of letters to TWDB.

Thanks,
MCMc

To: Mr. Dan Larson

Mr. Clay Shultz

Texas Water Development Board

RE: **Wimberley Wastewater Project Change of Scope**

I am a sitting councilman, legal resident of Wimberley, and live on Blanco Riverfront property. I am totally in favor of the change of scope in the current under construction wastewater project. I was appointed to City Council in May, 2018. I had some reservations before entering office but began my term with an open mind. My goal was to search for the truthful facts and make a determination on that basis. I am a retired Petroleum Engineer and am well qualified to evaluate the issues before us. Following are my observations of the facts to date.

Environmental –

First of all, whoever decided it was wise to place a **75,000 gallon per day plant (GPD)** (with plans to expand it to **300,000 GPD**) in our pristine Regional Blue Hole Park needs to hang their head in shame. I am adamantly opposed to discharge of any sewer effluent into the creeks and rivers in our valley, and any chance of a plant upset which could cause raw sewerage spills in the park. Note that the proposed plant was to be **100 feet from the hike and bike path!!** The previously planned WWTP was awarded a discharge permit for excess effluent of 75,000 GPD. Proponents have argued that we would only discharge as a last resort. As I sit in my home on another wet and rainy day I can only wonder how saturated the soil on the **6 Acre soccer field complex** is at this time.

I looked back at the rainfall from Sept 1 to Dec 31, 2018. Wimberley had a total of 38.7 inches of rain over that 122 day period. Assuming a recommended max of 2" of irrigation per week, and an effluent volume of 30,000 GPD, the formerly proposed plant would have discharged over 2,000,000 gal after filling the 500,000 gal storage tank. What would happen if the plant volume increased to capacity of 75,000 GPD? We would have no outlet other than the Blanco River to discharge effluent. The change of scope

Financial –

Spending \$7.5 Million (Original Plan) on a wastewater system to service less than 100 connections makes no financial sense. The debt service and operating cost of this system would place a **monthly burden** on a typical residence (4,000 gal per month) of **\$198** if not subsidized by the city of Wimberley by Sales Tax revenue. The change of scope to deliver wastewater to Aqua Texas reduces capital cost and operating cost significantly for the residential customer. The Mayor's Economic Impact table shows the detailed results of these calculations. It makes no sense to operate a plant and collection system for **\$161,473 over** the cost of the Original Plan.

Public Support –

When you review the video and transcript of the Public Hearing conducted January 8th, please be aware that of the approximately **200** people in attendance, **99** are **not actual residents or business owners** inside the City Limits of Wimberley. These people are not exposed to any future financial burden should the original plan cause implementation of an Ad Valorem Tax to fund the other needs of the city

(administration, Roads, Parks, Public Safety, etc.). They simply do not like Aqua Texas. Be aware that a significant number of Wimberley citizens are in favor of this change of scope. For the most part they do not attend public meetings to yell, clap and cry out – they trust the judgement and decisions made by the current Mayor and City Council

Please look at the **FACTS** and make the logical decision to **approve** the change of scope for the betterment of the **citizens** and City of Wimberley and the pristine quality of the Blanco River and Blue Hole Park.

Sincerely,

Michael McCullough –*Wimberley City Councilman Place 1*

821 Southriver

Wimberley, TX 78676

From: [Michael Perdue](#)
To: jeff.walker@twdb.texas.gov; dain.larsen@twdb.texas.gov; kristin.miller@twdb.texas.gov
Cc: [Shawn Cox](#); [Laura Calcote](#); publicrecords@oag.texas.gov
Subject: No AquaTexas involvement in Wimberley Waste Water project.
Date: Wednesday, January 16, 2019 9:22:06 AM

Dear Texas Water Development Board Members,

My name is Michael Perdue and I am a citizen of Wimberley living at 300 Mesa Dr. inside the city limits.

I am writing to ask that you not fund any wastewater project other than the one which has been carefully and professionally developed by the previous city councils over the past several years. This plan has been fully vetted by professionals in all the relevant disciplines. The City's plan has acquired the necessary right of ways and the necessary permits required to design, build and implement an environmentally and fiscally responsible treatment and disposal system.

Four members of the current city council after campaigning publicly to continue to develop the City owned plan, reneged on their campaign promises. Certainly, many citizens voted for those four people based on their commitment to the City's plan. This belies their contention that they were elected to find an alternative to the City's plan.

This new council ignored the years of planning to move straight to working on a deal with AquaTexas. The new mayor has presented a "plan" to move to AquaTexas which she contends will save the City money and be more environment friendly. Only a cursory review of that plan will show that it is filled with unfounded assumptions such as commitments from AquaTexas and the TWDB continuing to fund their loan (I don't believe that you have made that commitment). In addition, there are no provisions for purchasing new permits , new right of ways or paying for new environmental studies. I can't imagine how one can discard decades of planning and in a few months propose a reasonable plan that ignores most of that earlier planning.

Finally, their main "goal" is to prevent any discharge of waste water. Of course, AquaTexas is known for having system failures that result in leaking of raw sewage. The City plan acknowledges that in a few decades, the currently proposed holding tanks may not hold all the waste water in special cases, so the plan calls for this overflow to be trucked to alternative sites. This waste water probably could be sold for irrigation purposes since it is planned to be Type 1.

This council has not acted in an honorable fashion nor in the best interests of our City. Therefore, I'm requesting that you direct the council to reinstate the original City plan as a condition of any further funding. Most of my neighbors and I look to you for leadership in directing this council to act in the best interests of the City.

Thank you for your time and consideration of this very important matter.

Cc: Shawn Cox, Laura Calcote, Ken Paxton

Michael Perdue
300 Mesa Dr.
Wimberley, TX 78676
512-658-5386
driftwoodcamera@gmail.com

From: [Ben Kiowski](#)
To: [Shawn Cox](#); clay.Shultz@twdb.texas.gov; dain.Larsen@twdb.texas.gov
Subject: No Effluent Support!
Date: Tuesday, January 15, 2019 7:38:31 PM

Greetings,

I am a long time Wimberley resident asking TWDB to support a no discharge plan for Wimberley. I am advocating for the change in scope allowing the City to route their sewage to Aqua Texas for processing. I affirm the effort of all Wimberley officials and residents supporting the goal of no discharge of effluent of any kind into our waterways. It is reasonable to bore under Cypress Creek as it is a common practice proven to work well in environmentally sensitive areas. Thank you for supporting this change.

Regards,

Ben Kiowski
512.557.8968

From: texashomesandland@yahoo.com
To: kristin.miller@twdb.texas.gov; jeff.walker@twdb.texas.gov; dain.larsen@twdb.texas.gov
Cc: [Place1](#); [Place2](#); [Place3](#); [Place4](#); [Place5](#); [Mayor](#); [Shawn Cox](#)
Subject: OPPOSED - Wimberley Wastewater Change-of-Scope
Date: Friday, January 11, 2019 6:07:23 PM

Texas Water Development Board
Wimberley Mayor & City Council
Shawn Cox, Wimberley City Administrator

Dear Sirs/Madams:

It was my understanding, the TWDB required the City of Wimberley to hold a public hearing “to determine that any public controversy has been adequately addressed” (reference email dated 12/3/2018, Dain Larson to Shawn Cox). Such meeting was scheduled/held on January 8, 2019, 5:30pm, at the Wimberley Community Center.

However, on January 3, 2019 (five days prior), the Wimberley City Council voted to terminate the contract with Black Castle (the contractor for the City’s wastewater treatment plant). I’m quite confused as to the actual importance of the January 8th Public Meeting since the contract to construct the wastewater plant had already been cancelled. Such premature actions continue to fully show the Mayor and her majority council’s blatant disregard of public input and opinion into the proposed change-of-scope for the Wimberley Wastewater Project.

The presentation information for the public meeting of January 8th was only made available to the public via the City website about 1-hr prior to the meeting. Over 200 people were present with only 60 hardcopy handouts. Due to the inferior video/audio at the Community Center, it was very difficult to grasp the information being presented. Again, the purpose of the meeting was to provide open/transparent info to the public. Out of respect and consideration of the audience, the presentation material should have been made available at least 48-hrs in advance. If the goal was honest, public conversation and beneficial/pointed Q&A, I’m sure it would have been.

The Mayor’s public deception began with her campaign ie, “Simple Unbiased Facts – Aqua Texas Is Not Part of the Production”. And, the Mayor continues to be dismissive of public opinion to this day.

Council has changed the scope of our engineered, vetted, permitted, and funded wastewater plant with no executed contract from the alternate provider (Aqua Texas). They have cancelled the contract to construct the treatment plant with no assurance TWDB funding will be approved for the project change-of-scope. The Mayor and majority of Council continue their financial recklessness and disregard for public process and public opinion.

The new scope transports *raw sewage* to Aqua Texas by putting a pipe directly under the Cypress Creek near Blue Hole. The majority of Wimberley citizens are vehemently opposed to this new plan.

I urge you to reconsider your funding to any Wimberley wastewater plan that includes Aqua Texas as

a treatment solution. Aqua Texas is not a desired partner in the wastewater plan that the majority of Wimberley citizens want, need, or deserve!!

Thank you in advance for your consideration and assistance.

Linda Webb
Wimberley City Resident



The image shows a screenshot of a campaign website for Susan Jaggers for Mayor. The header features the text "Susan Jaggers for Mayor" in a white serif font over a background of a waving American flag. Below the header is a dark blue navigation bar with social media icons for Facebook, Instagram, and Twitter. The navigation menu includes "About Me", "SIMPLE UNBIASED FACTS", "Platform", and "Donations". The main content area is titled "Simple Unbiased Facts!" and lists five points:

1. Our Wimberley Council passed a majority vote (3 to 2) to install a sewage collection system and to own and operate a water treatment facility.
2. Ground breaking for the plant has begun.
3. Logistics for the collection system is unfolding.
4. Aqua Texas is not part of the production.
5. As your Mayor I will always support the Council's decision and will not impede the progress to meet our agreed upon objective while at the same time minimizing the disruption and costs to our community.

From: [Matthew Buchanan](#)
To: kristin.miller@twdb.com; dain.larsen@twdb.com; [Shawn Cox](#)
Subject: Please deny Wimberley Change of Scope Request
Date: Friday, January 11, 2019 8:58:24 AM

Dear Ms. Miller and Mr. Larsen,

I am writing to ask that you reject the change of scope requested by Mayor Susan Jagers and Mayor Pro Tem Gary Barchfeld of Wimberley. As you have no doubt witnessed, the vast majority of the citizens of Wimberley are not in favor of a move to Aqua Texas but would rather return course to the previously vetted city-owned waste water treatment plant. Aqua Texas has proven time and again to be a poor partner across our state both in terms of environmental record as well as general business practice.

It is also unfortunate that Mayor Jagers and Mayor Pro Tem Barchfeld continued their behavior of bad governance at the TWDB required town hall earlier this week. The mayor filibustered the first 45 minutes of what was supposed to be an open, public Q&A and then Mr. Barchfeld continued the disenfranchisement of citizens by arbitrarily selecting speakers. At the time he claimed, in front of the entire audience, that he was selecting speakers numbered 1-5-10-15 but when one looks at the official sign-in sheets you can see that was not at all the case. In fact, one could easily make the case that he was selecting "pro-AT" speakers at a grossly disproportionate rate making it appear that somehow the town is more evenly divided. The abundance of mistruths and dishonesty that have come from Mayor Jagers and Mr. Barchfeld make it hard to trust any of the numbers or data that they put forth in support of their change of scope request, therefore I as that you wholly reject their plan and ask that they return course to the city option.

Other points of contention that I have both with the meeting as well as the requested change in scope:

Mayor Jagers claimed to have an updated rate study done by the professionals at Rafellis, meanwhile they have not billed the city for any work since 2017.

The mayor presented 23 slides of information that was not released in time for any sort of professional or citizen review.

Written comments are still being accepted for 10 days, but if written comments were all that were required, why have the hearing?

Since a large percentage of people who wanted to speak but were not allowed to, I would like to formally request another public hearing to be conducted in a proper way, following the guidelines TWDB laid out.

The change of scope does not provide reclaimed water to Blue Hole Regional Park which was an extremely important factor in the TWDB granting the funds to the city in the first place.

Boring under or near the springs of Blue Hole brings great risk to a vital economic engine of our town. Drilling through those karst formations could bring unknown changes to flow rates in one of the most important natural springs in our region.

In closing, there is too much "fuzzy math" put forth to justify this change of scope and the overwhelming majority of Wimberley citizens are passionate about returning to the previously funded, vetted and approved city-owned WWTP. Please do not approve this reckless and hasty change to Aqua Texas.

Sincerely,

Matthew Buchanan
Owner - The Leaning Pear
Wimberley, TX

From: [Donn Lamoureux](#)
To: [Shawn Cox](#)
Cc: [Place1](#); [Place2](#); [Place3](#); [Place4](#); [Place5](#); [Laura Calcote](#); [Dain.Larsen@twdb.texas.gov](#); [jeff.walker@twdb.texas.gov](#)
Subject: PLEASE FORWARD TO TWDB
Date: Friday, January 11, 2019 7:16:03 AM

To: Mr. Jeff Walker
Via: City of Wimberley

Dear Mr. Walker,

My name is Donn Lamoureux, I am a 30 year citizen of Wimberley and a 19 year resident of the City. My residence is within the impacted area of the waste water system, 444 Blue Heron Run. This is my second email directed to TWDB and is being forwarded to you via City of Wimberley. I am copying multiple parties to ensure its inclusion in the package of emails collected by the City.

My wife and I have been involved in Waste Water discussions since the very beginning. Our house is located on Cypress Creek at the convergence with the Blanco River. Every molecule of pollution that enters Cypress Creek flows by our house every day. It was a great relief when the City signed off on the City owned waste water system last year. Clean water at last! It was equally shocking when the current city council negated the contracts and committed themselves to Aqua Texas, regardless of resident sentiment or consequences. Are you aware that several years ago, we, the impacted residents, were offered several options regarding waste water solutions? We literally voted in favor of a City owned system. That vote obviously means nothing to this council and mayor.

Current council betrayed their voters when they conspired in secret to support an AT system, while denying it during their campaign. The campaigned on transparency, fiscal responsibility, and clean water. The obviously lied about their commitment to transparency, just look at their record. They lied about fiscal responsibility, look at what they have done to our City reserves and misleading schedule of waste water revenues. They lied about clean water, they are now supporting running raw sewerage under our creek every day vs. treating our waste and using it productively to water Blue Hole.

The manner in which they conducted the public hearing is evidence that this council and mayor are duplicitous and "opaque". The mayor's hijacking of our time to speak combined with Barchfield's selective assignment of speakers speaks to the legitimacy and objectivity of this council's actions. Their so called plan is half baked, unverified, un-vetted, un-engineered, has no financing, deprives Blue Hole of precious water, does not recycle our water, and serves their thirst for power, and not the people of Wimberley. I seriously wonder if this council and Mayor would be so cavalier with out future if they were required to connect to an AT system. No, none of them live in the impacted area.

For the reasons stated above, I request that a second hearing be required, that the hearing be observed first hand by a representative of TWDB, and that TWDB deny the City's alternative waste water option. Additionally I request that, since this council's actions have already delayed implementation of our waste water system, that TWDB delay any final decision regarding financing until we elect our new council in May. The chaos created by this council and mayor will surely be rectified in our next election, and any subsequent process would be professional, efficient, and serve the people.

Sincerely and gratefully,

Donn Lamoureux

444 Blue Heron Run
Wimberley, TX 78676

From: [Leslie Howe](mailto:Leslie.Howe@twdb.texas.gov)
To: jeff.walker@twdb.texas.gov; Dain.Larsen@twdb.texas.gov
Cc: [Shawn Cox](mailto:Shawn.Cox@twdb.texas.gov); [Laura Calcote](mailto:Laura.Calcote@twdb.texas.gov)
Subject: PLEASE GIVE WIMBERLEY THEIR PREVIOUSLY PROPOSED WASTEWATER TREATMENT PLANT THAT WILL PROTECT OUR RESOURCES INCLUDING BLUE HOLE, A NATIONAL TREASURE!!
Date: Wednesday, January 16, 2019 10:05:37 PM

I oppose putting Aqua Texas in charge of our downtown wastewater situation, and favor construction of our City-owned system as long planned. The current City Council has used unscrupulous tactics including but not limited to violations of protocol at City Council meetings to distort the issues, squash legitimate public comment in support of anything other than the Aqua Texas plan, and most likely has acted covertly and illegally - one can only assume that they have some undisclosed economic interest in having Aqua Texas 'win'. In contrast, the City-owned system was planned and created with open public comment and input, and is undoubtedly the 'high road' and better overall for our town, our parks, our waterways, and our economy. Why would we, as citizens of this beautiful small town that we live in and love, want to turn over the fate of our waterways and our City to an out-of-state, for-profit company which obviously does NOT have 'our' best interests as their agenda, only their own!!! Please help us save our cherished little part of Texas. Sincerely, Leslie M. Howe

--

[Leslie M. Howe, Attorney](mailto:Leslie.Howe@twdb.texas.gov)
[PO Box 1568](mailto:Leslie.Howe@twdb.texas.gov)
[Wimberley TX 78676](mailto:Leslie.Howe@twdb.texas.gov)
[\(512\) 847-9361/ cell \(512\) 422-2706](mailto:Leslie.Howe@twdb.texas.gov)
[fax 847-5780](mailto:Leslie.Howe@twdb.texas.gov)

Legally Green: Please consider the environment before printing this email.

This e-mail and any files transmitted with it may contain confidential information, be protected by applicable laws, which may be legally privileged, or constitute non-public information. It is intended to be conveyed only to the designated recipient(s). If you are not the intended recipient you must not copy, distribute, disclose or use this e-mail or the information contained in it for any purpose other than to notify us. If you have received this message in error, please notify the sender immediately, and delete this e-mail from your system.

From: [Rob Campbell](#)
To: [Shawn Cox](#); clay.schultz@twdb.texas.gov; dain.larsen@twdb.texas.gov
Subject: Protect Wimberley's Clean Water
Date: Wednesday, January 16, 2019 8:33:36 AM

Dear Sirs~

As a Wimberley citizen of nearly 31 years I am writing regarding the long and ongoing issues of the Wimberley sewer.

I look to TWDB to support a no discharge plan for Wimberley. I am aware and accept the change in scope for the City of Wimberley to route their sewage to Aqua Texas for processing.

Not only is this plan more affordable and equitable than the previous City-owned plant plan, it recognizes Wimberley's goal to be a City where there is no-discharge of effluent of any kind into our waterways. This plan benefits our neighbors in the Wimberley Valley with Aqua Texas upgrading their system to Type I and providing Type I reuse to entities within the area.

I recognize that a bore under Cypress Creek would be necessary to achieve this goal and know that we can achieve a system that has environmental protections in place. Thank you for being long standing partners with Wimberley and supporting this change to achieve the reasonable and futuristic goals for our town.

Rob Campbell

From: [ANDY REISBERG](#)
To: kristin.miller@twdb.com
Cc: dain.larsen@twdb.com; [Shawn Cox](#)
Subject: Public Hearing - Jan 8th - Wimberley
Date: Tuesday, January 15, 2019 10:59:49 AM
Attachments: [Hearing_protest.pdf](#)

RE: Jan 8th Wimberley Public Hearing – Waste Water Treatment Plan

Dear Ms. Miller,

I urge you to require the City to have at least one more public hearing on the sewer plan before making a final decision about funding the change of scope. The hearing held on January 8th was inadequate due to several issues:

1. There was not enough time allotted for citizen comments. 95 people signed up to speak for the two-hour hearing. Only a small percentage of citizens (27 of 95 who signed to speak) were allowed to speak because of the time constraints the Mayor imposed on the agenda.
2. Those 27 citizens who actually took the microphone were hand-picked by the Mayor pro tem, Gary Barchfeld. I believe this resulted in an inequitable mix of speakers; those in favor of the proposed change of scope versus the proponents of the original city-owned sewer plan.
3. Mayor Jaggars spent 45 minutes of the two-hour hearing with her pro Aqua Texas power point presentation. The Mayor's presentation contained detailed budgetary information that was only made available to the public, online, one hour before the hearing. There was no time to analyze the numbers that she presented on screen. Furthermore, her presentation was not legible if you were sitting in the back of the auditorium.

In less than six months since taking office Mayor Jaggars has undermined 15+ years of research and vetting by multiple former Mayors and City Councils who crafted the original, "official" sewer plan. She has turned her back on the experience of engineers, hydrologists, geologists, environmental proponents and prominent Wimberley business leaders who are in favor of the original plan. I am worried that her proposal for an Aqua Texas partnership is still incomplete (after five months of ramrodding her agenda) with budgetary omissions, unidentified costs, and no apparent contingency plan if your original loan is disallowed for a modified contract with Aqua Texas.

I join the many citizens of Wimberley in opposition to a partnership with Aqua Texas and urge you to deny the entire loan unless we return to the original plan. Our original plan was a Green Initiative; processing Type 1 *Enhanced* water designed for reuse by our Blue Hole Park, and minimal risk to our natural resources. As you have gathered by now Aqua Texas is unpopular here. It is evident in the numerous lawsuits and complaints from other Texas communities that they are negligent in their day to day operations and not good stewards of the environment by discharging Type 2 water.

Finally, I urge the Board to conduct thorough research on the impact of drilling under Cypress Creek as proposed by Aqua Texas. We do not have a complete understanding of the risks involved with geological events out of our control, and we have no confidence that the Mayor and Council will pursue such research.

Respectfully,

Andy Reisberg, resident

2225 River Road

Wimberley, Texas

cc: Dain Larsen, TWDB, Shawn Cox, City Administrator

Dear Ms. Miller,

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Respectfully,
Andy Reisberg, resident
2225 River Road
Wimberley, Texas

cc: Dain Larsen, TWDB, Shawn Cox, City Administrator

From: [Mary and Chuck Gilroy](#)
To: [Shawn Cox](#); [Laura Calcote](#); jeff.walker@twdb.texas.gov; Dain.Larsen@twdb.texas.gov; kristin.miller@twdb.texas.gov
Subject: Public Hearing on Change of Scope for Wimberley wastewater project
Date: Friday, January 18, 2019 5:55:03 PM

To whom it may concern,

My name is Mary Gilroy. My husband and I live at 300 Buffalo Speedway, Driftwood, TX 78619, a neighborhood in the Wimberley Valley known as Rolling Oaks. I have lived in the Wimberley area since 1977.

I worked as an environmental scientist at the LCRA and City of Austin for over 20 years, and am well versed in the need for protection of our fragile aquatic resources, including Cypress Creek and the Blanco River. Because of this, **I am completely opposed to the Wimberley City Council's change in scope** from a City-owned and operated utility to one that pipes the untreated effluent to the Aqua Texas (AT) plant miles away.

Aqua Texas has a frightening record of violations with other wastewater plants they have operated, including the one in Woodcreek Phase II near Jacob's Well. This shows either a complete lack of concern for environmental protection, or a high level of incompetence in operating a wastewater plant.

Additionally, the drilling under Cypress Creek in Blue Hole Park required to connect to AT's system is of grave concern, as no one supporting the proposal indicated any grasp of potential risks to the aquifer either during construction (what would be done if a void was encountered?) or during operation. The original plan had a higher quality of effluent that would be re-used on site. Also, accepting a lower quality effluent that would be trucked back to Blue Hole from AT's plant makes no sense, either environmentally or financially.

I ask that you deny the Change of Scope, and encourage the Council to re-consider its rash decision to ignore the high level of environmental protection built into the original plan.

I also ask that you **request that the Council hold an additional public hearing on this subject.**

As a public servant, I was on the 'receiving end' of many public hearings, and often stayed late into the night to complete the process. **I have never seen one that was held with such a blatant disregard for protocol and disrespect for speakers.** Beginning at 6 pm, the mayor spoke for over 45 minutes, and then said there would only be 45 minutes for speakers. Only 26 people were given time to talk, out of 95 who signed up. Sadly, the mayor then used much of that limited time to respond and rebut many of the speakers' comments. I have never been at a public hearing with such a limited time for public comments, or one where rebuttal by officials occurred.

More egregious was the order in which speakers were called. Individuals signed up as they arrived at the meeting, but then were called seemingly in random order- or possibly to provide the appearance of 'balance' in the speakers' messages. I know of two specific examples: one person was second on the list of speakers, but was not ever called to speak, and only got the opportunity (as speaker 24) after someone else ceded their time to him. Another person was on the first page of speakers, but was never called to speak.

I truly appreciate what the Texas Water Development Board has done in the past to assist the City with its wastewater challenges, and hope you take our concerns into consideration as you make your decision on the proposed Change of Scope.

Thank you so much for your time,

Mary Gilroy

cmgilroy@gmail.com

512-422-9648

From: [Bert Ray](#)
To: jeff.walker@twdb.texas.gov
Cc: [Shawn Cox](#); [Laura Calcote](#)
Subject: Public Hearing
Date: Thursday, January 10, 2019 12:20:01 PM
Attachments: [PUBLIC HEARING JAN 8, 2019 version 2.docx](#)

Mr. Walker

You're probably getting a million complaints about Tuesday's Public Hearing on our wastewater issues, so I won't bore you by repeating the specifics. I'll just ask you to include my wife and me in your list of attendees who were very dismayed by the way the Mayor and Council conducted it.

Neither of us were chosen to speak, so I'm attaching a copy of what I intended to say.

Please require the original plan to be implemented.

Many thanks for your patience,

Bert Ray
Property owner in the sewer district

TO THE TEXAS WATER DEVELOPMENT BOARD
January 8, 2019

The city of Wimberley has a treasure. It's called a Comprehensive Plan. It was drafted in 2002, when the City was first incorporated, and there have been two updates since then. All were written or revised by citizen committees, using input from public meetings, and detailed public surveys by Texas State University.

All three of those plans said that the City should own and operate its own sewer treatment facility, using the highest-quality treatment techniques, and utilizing the reclaimed water to protect the aquifer and the environment.

Also, in 2005, a 26-member committee of local residents worked with planners from The Lady Bird Johnson Wildflower Center to develop a master plan for Blue Hole Park. That plan, clearly shows a wastewater treatment plant located in the park, to provide environment-friendly irrigation, no longer depleting the aquifer.

So, as you can see, the people of Wimberley have long desired and supported a city-owned wastewater treatment plant which would honor Nature and the environment. Recently, such a plant was designed, financed and bid, and construction was underway last spring.

Suddenly however, the City Council halted its construction--- declaring that the City should send its sewage to Aqua Texas. That means that Blue Hole will continue to be irrigated with water from the aquiferSo

Is there any way we can use Aqua and still honor the original desires of our citizens? What would it take to get Blue Hole back to exactly the same environmental responsibility that the abandoned plan would have provided?

Aqua says it will (someday) provide highly treated wastewater free to the City (but available only at their plant, which is 4 miles from Blue Hole). However, their contract with the City contains no dates or guarantees for this plant upgrade, and based on Aqua's past history, that day is a long way off, if ever.

Even if that day comes, in order to irrigate the 12 acres of Blue Hole soccer fields, playfields, and landscaping per the original plan, we'd need to either pay for five 6,000 gallon tank truck deliveries every day, or install a \$2,000,000 pipe from Aqua's plant to Blue Hole.

Also, since the cancelled treatment plant included the spray lines for Blue Hole's irrigation, we'd have to include another \$300,000 for that installation.

Also, we should not forget:

- We've given up over 2 million dollars in grants and loan forgiveness.
- We'd be spending half a million dollars in piping and fees just to send our sewage to Aqua.
- We've already thrown over half a million dollars out the window by cancelling the planned treatment plant.

Respectfully, I urge the Texas Water Development Board to honor our citizen's wishes and tell our City Council to go back to the original plan.

Thank you for your patience,

Bert Ray
Property owner in the sewer district
115 Sky Ranch Circle
Wimberley TX 78676
512-847-6167
bertray@verizon.net

From: lilamccall@aol.com
To: todd.chenoweth@twdb.texas.gov; dain.larsen@twdb.texas.gov; clay.schultz@twdb.texas.gov; alexis.lorich@twdb.texas.gov; jeff.walker@twdb.texas.gov
Cc: ashley.piel@twdb.texas.gov; jennifer.white@twdb.texas.gov; steven.schar@tceq.texas.gov; Mayor; [Place3](#); [Place4](#); [Place1](#); [Place2](#); [Shawn Cox](#)
Subject: Public meeting held for TWDB 1-8-19 Wimberley Texas
Date: Thursday, January 10, 2019 9:59:43 PM

-----**To members of TWDB,**

I attended the Jan.8, 2019, Public Hearing on Proposed Central Wimberley Wastewater Project Modifications and strongly SUPPORT the modifications that were approved by the City Council vote over 4 months ago. First the NO DISCHARGED option prevents sewer plant discharge or leakage into Cypress Creek and Blanco River lowering potential environmental impacts. Second the modifications significantly REDUCES ECONOMIC IMPACT BURDENS on small business and shop owners by significantly lowering sewer plant operating costs and eliminating City liability for sewer plant spills and smells that would appear in our tourist areas.

I left the meeting before my time to speak therefore facts I wanted for the record could not be entered. AS Todd Chenoweth knows I have fought this loan (called the circle of deception)from the beginning. Common sense tells any thinking person that 100 users cannot afford a loan of \$5 million-to-\$8 million. Reason for the deception was to clear up pollution in Cypress Creek. Nice idea but impossible as I tried to tell Dain and group.....Wimberley has Bats under Cypress Creek bridge, Buzzards roosting in trees over Creek and the greatest pollution of all is caused by TEXDOT. As soon as they widen #12 they put in the storm sewers. There is an outlet on each side of the Cypress Creek bridge and have been there for 2 years. If TWDB were experienced (staff,field personal)with their new program and good stewards of taxpayer money TWDB would take TEXDOT and their activities into consideration. Wimberley is NOT an isolated case. And the same should be done for a community when TWDB goes to "review" and give the "go-ahead" for the project to begin. TWDB did come and give our past mayor and council the go-ahead....however had anyone cared to look the collection site had PEC wires going above. Common sense should have told every one that this was not a "shovel ready project." The City has spent the last 8 and 1/2 months purchasing a new site and still the interest keeps piling up which puts the City's financial's at risk. Additionally TWDB is put in the position of being most wasteful of time and money and being accused of dragging their feet on proposed solutions. Same with the Black Castle contract.....I had an engineer (ret)check their work. At no time was I told Black Castle had done \$300,000.00 worth of work.

I should say something of my background. (Todd Chenoweth knows)In my past life I was President of a Development Co.(private)that partnered with another Development Co. (public) We developed approximately 3,000 acres.....including having 3 MUD's to service the development. We master planned around many pipelines...some abandon, most active. I understand now we have some 26 pipelines in the area. Some on the developed property also crossings next door etc. In the area is Greens Bayou....several cross over the Bayou. If there are any lines with a "sleeve" i am not aware of them. There are alert systems all over. All this new technology has made that possible. It would be the same with Wimberley boring under Cypress Creekyou could have an alert system without a sleeve....as well as alert on a sleeve. I guess you could have an alert system on as many sleeves as money could buy.

As Ben Franklin said "we are all born ignorant but we must work hard to remain stupid". I am always amazed how my community refuses to listen and learn but then they set themselves up as a welfare state early in their existence. The City has little to be proud of. Their tract record speaks to "NO TAXES" there is no road fund, or flood fund etc. The best things about our community are from the private sector. The private sector has experience to accomplish many things and TWDB could certainly use their help....if nothing else help staff members gain experience. We understands since TWDB has awarded Blanco City \$5 million for their plant we can expect discharge in the Blanco River to head for Wimberley. Amazing!!!! And still TWDB delays a

decision as to Wimberley's request for change in scope. At approximately \$700.00 a day I ask TWDB take a look at what is being done by continuing to postpone the decision. Financially crippling Wimberley and making them your first failure of the program (fiscally) will keep TWDB in the public eye. A small loss by TWDB standards but significantly important to Wimberely. Again I ask you to stop your delay and support Wimberleys request for change in scope.

*Lila McCall
2500 River Road
Wimberley Texas*

From: bluewillow@austin.rr.com
To: [Shawn Cox](#)
Cc: [Mayor](#); [Place1](#); [Place2](#); [Place3](#); [Place4](#); [Place5](#)
Subject: Ratepayer Wastewater System Opinion From Blue Willow
Date: Tuesday, January 8, 2019 3:22:43 PM

Shawn,

We would like to take a moment to send our opinion on the issue that the city is currently facing with the wastewater system and the option for using Aqua Texas to process the wastewater being collected via the new collection system just completed in the downtown district. At this time, it is our opinion that the city has significantly suffered through a wastewater battle that was needlessly imposed on it by various leaders over the years. It is now time to get this put to bed and stop the constant turmoil over this half completed project with a current collection system leading to nowhere. There are some new business owners that have either purchased or are under lease commitments that are hinging their business openings on this wastewater system being completed. In these situations, every day that passes is money lost for these business owners while they are kept in unnecessary limbo. While we are not looking forward to the added expense all of this will create on all of us to connect to the system and the addition of monthly wastewater bills, we ask that the burden of the limbo be lifted from all of us in the affected area and follow a solution that will be in the best interest of the city, the businesses and citizens in the affected area and the citizens of Wimberley as a whole. We ask that the city pay close attention to its fiduciary responsibility to the people (citizens and businesses) it is beholden to. We ask for the current and future financial status of the city be factored into this decision and not put the city into a debt that it will struggle or fail to repay. We ask the city consider all risks of liability that will come with regards to the processing and effluent discharge of the collected wastewater and whether it is best to retain this liability or allow Aqua Texas to assume the responsibility from any liability beyond the city owned collection system. We ask that the environmental impact possibilities be carefully weighed for any possibilities for processing and discharge. We ask for careful consideration to be paid to the affect the cost for processing will have financially on those who will be within the rate district. Those in the affected area will already be bearing a great financial imposition as it is with the cost to connect to collection system, further exorbitant monthly rates will have a tremendous impact on top of the collection connection burden.

There is no perfect answer to this dilemma, but we feel there is one option that is better than the other when looking at all of the criteria we have listed above that we have asked for the city to consider when making this decision. We believe moving forward with connecting to the Aqua Texas system and allowing them to process the waste for a minimum of 5 years with a fair rate (per the information provided in past council meetings by the mayor) would be the most beneficial based on time frame for everyone, reduction of immediate costs, reduction of legal liability for the city, and environmental impact in regards to discharge. There is no decision that will be appealing to all, but we eagerly await a final decision, as well as completion of this project, and pray for an end to what has become a nightmare for this small town that will be in the best interest for the town as a whole.

Thank you,

Angie &
Kita Nettles
Blue Willow
Wimberley, Texas
512.847.0001

From: [Nick Bradshaw](#)
To: [Deb Bradshaw](#)
Cc: dain.larsen@twdb.texas.gov; jeff.walker@twdb.texas.gov; [Laura Calcote](#); [Shawn Cox](#)
Subject: Re: We support the properly analyzed city-owned sewage system.
Date: Friday, January 18, 2019 7:43:40 AM

TWDB,

Please count us among the majority of Wimberley residents who oppose the Council's plan to give control of our water resources to Aqua Texas.

We support the policy recommendations of CARD (Citizens Alliance for Responsible Development) and believe the city-owned sewer system offers the best plan to serve the people of Wimberley, protect the aquifer and to provide irrigation for the Blue Hole.

Please do not support the Aqua Texas plan.

Deborah Bradshaw

Nick Bradshaw

[605 Deer Lake Road, Wimberley](#)

This message will be send from both of our email accounts.

Sent from my iPhone

--

Nick

From: lilamccall@aol.com
To: jpkirkland68@gmail.com; [Shawn Cox](mailto:Shawn.Cox); clay.Schultz@twdb.texas.gov; Dain.Larsen@twdb.texas.gov
Subject: Re: Wimberley Wastewater Change of Scope Hearing to be held January 8, 2019
Date: Monday, January 7, 2019 11:16:40 AM

-----Pam, This is wonderful! Please consider putting in the paper. AS you know we intended to try and "help" TWDB thru the legislature with some of its policies as they are not yet experienced enough (with this new program) to help a customer..... thereby unnecessarily costing the taxpayer time and money.

Have a wonderful New Year.
Lila M.

-----Original Message-----

From: The Kirklands <jpkirkland68@gmail.com>
To: scox <scox@cityofwimberley.com>; clay.Schultz <clay.Schultz@twdb.texas.gov>; Dain.Larsen <Dain.Larsen@twdb.texas.gov>
Sent: Sun, Jan 6, 2019 9:24 pm
Subject: Wimberley Wastewater Change of Scope Hearing to be held January 8, 2019

Administrator Cox, Mr. Schultz and Mr. Larsen of the TWDB,

We are writing in support of the "change in scope" of the Wimberley Wastewater Project. As members of the Paradise Hills/Paradise Valley "residents only" river park we have always objected to ANY permit allowing discharge into the Blanco River immediately upriver of our beautiful river park or at any place into the pristine Blanco. We are also city residents who would pay any eventual Ad Valorem tax if our city coffers are drained by sewer costs preventing the city from funding roads and other city services. Indirectly, we would be paying for a wastewater system we would have zero benefit from.

In the past we have written to express our grave concerns regarding the project funding, the actual number of users providing revenue to pay the loan, and the city subsidy using city funds funneled through Blue Hole Park to be returned as revenue in order to help pay for the loan. We also have great concern regarding actions taken by the former council outside of public view and with questionable self serving purpose.

We do not believe our city can afford the \$200,000 annual loan subsidy AND the annual proposed plant maintenance/operation cost of \$214,249.

Aqua Texas is offering to provide Wimberley wholesale wastewater service at a reasonable cost to users, allowing us to keep the city's CCN, thereby allowing the city to be in control of our future through comprehensive plan regulation along with planning and zoning. The idea that we would give this power to Aqua Texas by being their wholesale customer is absurd. Using Aqua Texas also protects the Blanco River by cancelling the discharge permit and, furthermore, the effluent created will be treated to Type 1 and be available to the city.

The current elected City Council has researched the effects of the city owned wastewater system as planned and determined a previously available option using Aqua Texas as a wholesale provider was infinitely more financially feasible. The Council then took the difficult actions necessary to protect the financial future of Wimberley, as well as Wimberley's creeks and rivers, and its residents. We support their efforts to cancel the Black Castle contract. We support the CHANGE IN SCOPE and ask that you vote in favor of granting Wimberley the necessary permissions to move forward without further delay. Thank you.

Jim and Pam Kirkland
Paradise Hills, Wimberley

From: [Carl and Brooke](#)
To: [Shawn Cox](#)
Subject: Re: Wimberley Wastewater Project
Date: Tuesday, January 8, 2019 2:52:17 PM

As good stewards of our environment, we support our council's goal of no discharge into the Blanco River and no sewer plant at Blue Hole Park!

From: Carl and Brooke
Sent: Tuesday, January 8, 2019 2:11 PM
To: scox@cityofwimberley.com
Subject: Wimberley Wastewater Project

Dear Mr. Cox,

We are tax paying full time residents, property owners and small business owners in the City of Wimberley. We appreciate the hard work you are doing for our community and wanted to let you know where we stand on the Wimberley Wastewater Project.

We are 100% in support of the Aqua Texas sewer system plan versus the Blue Hole city sewer plan for too many reasons to list them all here.

After years of exhaustive diligent research without any biased affiliations, the facts are clearly indisputable from all angles. When considering the significant impact both short and long term for future generations, Aqua Texas is by far the most ethical, financial and environmental direction to go.

We truly 'dodged a bullet' and it's time to do the right thing once and for all without anymore delays for our community, neighbors and business owners by going with Aqua Texas.

Sincerely Yours,

Carl & Brooke Lamb
660 Las Colinas Dr.
Wimberley, TX 78676

From: [Travis Brown](#)
To: [Shawn Cox](#); clay.schultz@twdb.texas.gov; dain.Larsen@twdb.texas.gov
Subject: Support for Change of Scope
Date: Tuesday, January 15, 2019 3:16:01 PM

To whom it may concern,

As a Wimberley citizen of 29 years I am writing regarding the long and ongoing issues of the Wimberley sewer effected by what the outcome my be. I look to TWDB to support a no discharge plan for Wimberley. I am aware of the totality of curcumstace and accept the change in scope for the City of Wimberley to route their sewage to Aqua Texas for processing. Not only is this plan more affordable and equitable than the previous City-owned plant plan, it recognizes Wimberley's goal to be a City where there is no-discharge of effluent of any kind into our waterways. It will also benefit our neighbors in the Wimberley Valley with Aqua Texas upgrading their system to Type I and providing Type I reuse to entities within the area. I recognize that a bore under Cypress Creek would be necessary to achieve this goal and know that we can achieve a system that has environmental protections in place. Thank you for being long standing partners with Wimberley and supporting this change to achieve long term planning goals for our town.

Travis Brown
250 Cesar Hollow
Wimberley, TX 78676

512-912-6164

From: [Jen Zinkgraf](#)
To: [Shawn Cox](#); Clay.Schultz@twdb.texas.gov; Dain.Larsen@twdb.texas.gov
Subject: Support the current Wimberley City Council
Date: Wednesday, January 16, 2019 11:22:46 AM

To Whom it May Concern,

We are 10+ year property owners at 306 Summit Loop in Wimberley, Texas. We are and have been permanent Wimberley residents and eligible voters since 2008 when we moved "back home" to raise our children.

We are in support of the changes being proposed by the current Wimberley City Council for a waste water solution that includes Aqua Texas. We believe the Aqua Texas plan, that does not allow for any discharge of effluent into our creeks and rivers, is not only the most environmentally friendly plan, but also the most economical for Wimberley.

Thank you,
Bill and Jennifer Zinkgraf

From: [Gary Barchfeld](#)
To: [Shawn Cox](#)
Cc: clay.Schultz@twdb.texas.gov; dain.Larsen@twdb.texas.gov
Subject: Support Wimberley's Change of Direction to Aqua Texas
Date: Friday, January 18, 2019 9:48:34 PM

Greetings,

I am a resident of the City of Wimberley, a Wimberley City Councilman and a property owner on the Blanco River. My property is just a few hundred yards from the City's old proposed wastewater discharge point.

I am in favor of the Change in Scope for the Wimberley Sewer System to go to with the Regional Provider Aqua Texas. The change to Aqua Texas is fiscally and environmentally more sound than the Previous City Discharge Plan. With the new Change in Scope, the City maintains its control by retaining its CCN. The City will save about \$161,000 per year and will not have to be in the sewage processing business. The City will be an Aqua Texas wholesale customer paying \$52,776 per year. That makes the cost to the users and the city much less than the previously proposed City Discharge Plan. Aqua Texas will take the City's downtown wastewater and processes it at an existing no-discharge wastewater plant. Aqua Texas will then return the City's processed type 1 reclaimed water to the City for reuse. The City and the whole valley benefit by Aqua Texas upgrading their facility to produce type 1 reuse water. Aqua Texas has a true land application No Discharge Permit.

The City of Wimberley is not a wealthy City. It has no property tax but relies on Sales Tax, Franchise Tax and Fees to produce the City's Revenue. The City cannot afford to be in the sewer business and to subsidize the former City Discharge Plan with \$200,000, of public funds, annually. Not without imposing an Ad Valorem Property Tax on all Wimberley property owners to subsidize a sewer project for less than 100 users.

I support Wimberley's City Council's Change of Scope to go with Aqua Texas and an Affordable, No Discharge Solution to the downtown sewer problem.

Best regards,

Gary Barchfeld
550 Flite Acres Rd.
Wimberley, TX 78676

From: [Jenny Marino](#)
To: [Shawn Cox](#); clay.Shultz@twdb.gov; Dain.Larsen@twdb.texas.gov
Subject: Texas Water Development Board
Date: Monday, January 7, 2019 1:32:52 PM
Attachments: [TWDB.docx](#)

Sirs, please see attached letter in support of scope of work for the Wastewater Treatment project. Sincerely, Jenni & Vic Marino



Virus-free. www.avast.com

Mr. Shawn Cox, Mr. Shultz, Mr. Larson of TWBD

Gentlemen,

As Wimberley residents and downstream property owners we would like to offer our support of the change in scope of the Wastewater project.

We have always felt that the City could not afford such an expensive project for such few users and the endeavor would not be funded by user fees causing a shift in the city budget to the detriment of other necessary services.

Our other very real fear was the permit to dump treated to level 1 effluent into the river. As you know we have extreme highs and lows in the flow of our river which makes it highly sensitive to the effects of effluent regardless of the level of type being introduced. In 2019 you would think that no one would want to dump in a river when there are other available options. It is irresponsible to send our treated waste into the river for our downstream neighbors to deal with. Some of the same people that have publically stated that they are for a City run plant that would dump effluent into the Blanco have travelled to Blanco (town) to protest the dumping of their effluent into the same Blanco river. We still have not figured how it is the "only" way forward for Wimberley to dump and terrible for Blanco to do the same.

So, for those environmental and financial reasons we support the city of Wimberley's change in scope to the use of Aqua Texas. This option will minimize the financial burden and eliminate the environmental hazard to the Blanco River and its downstream neighbors.

Jenni and Vic Marino

2908 & 2904 Flite Acres Rd

Wimberley, Texas

From: [Tom Keyser](#)
To: [Shawn Cox](#); [TWDB](#); [Mayor](#); [Place1](#); [Place2](#); [Place3](#); [Place4](#)
Subject: TWDB comments
Date: Monday, January 7, 2019 9:06:41 PM

January 5, 2019

To whom it may concern:

My name is Tom Keyser. I am an 18 year resident in the Wimberley Valley and have owned two businesses during this time, both located within the Wimberley city limits. For the past 16 years I have owned Ino'z restaurant in the downtown square area and at present water volume usage, Ino'z would be one of the top five users of the new Wimberley sewer system.

Let me first state I am a big proponent of having a wastewater processing system vs the septic I have utilized and maintained for these past 16 years, which is not cheap or easy to do while operating a very high volume restaurant located directly adjacent to Cypress Creek.

While personally desiring the ability to access professional sewage processing, I have in the past, and remain today concerned about the construction/operating costs responsibilities end users will bear due to system expense vs actual users serviced. Even when previous city mayors and councils assured users and residents construction expense of only \$5.4M, I felt city was not financially able to contribute the promised \$200,000 annual subsidy as proposed, and stated so prior to the TWDB awarding the initial 30 year loan. Once bids revealed a projected cost 47% higher than bid estimates, my concern for financial viability was even more heightened.

The TWDB approved the initial loan with knowledge of the above repayment concerns.

To their credit, the new city mayor and council, elected last May, realized post election these same financial concerns and set about immediately looking for remedies to financial shortfall issues not of their making. Due to elevated construction cost and ongoing treatment plant O&M expenses, I fully supported alteration of the city sewer system utilizing a city owned/operated treatment plant to treatment by a proven industry provider already operating within the area, while saving over \$150,000 annually in treatment costs. And this is without even considering the savings realized by not building a city owned plant from scratch.

I feel the TWDB, by approving the original loan of the city planned project, bears responsibility as much as previous city planners for the initiation of construction, and must now approve change of scope of the loan to cover the expenses of construction which have been reduced in an effort to keep the annual sewer service debt as low as possible.

Hopefully, the TWDB understands the necessity of plan changes and appreciates the city's effort to keep financial viability a top priority now and into the future.

The TWDB must approve loan use to fund these planned changes.

Respectfully,

Tom Keyser
Owner/Operator Ino'z Restaurant

Having a Tomtastic Day!

From: [Jackie Mattice](#)
To: kristin.miller@twdb.com; dain.larsen@twdb.com; [Shawn Cox](#)
Subject: TWDB meeting Jan. 8th Wimberley
Date: Thursday, January 10, 2019 8:22:20 PM

I attended the public hearing Jan 8th in Wimberley regarding the change of scope for the sewer system. I am opposed to any change and want the City Sewer Plan as it was originally designed, vetted and was in progress before the current council decided to cancel it for Aqua Texas, a known poor company.

I was disappointed that a public hearing that lasted two hours was occupied for 45 minutes by the mayor! The mayor and council were supposed to be listening to the public. Also, data was presented at the meeting that the public had no opportunity to see before the meeting, we couldn't even hear the mayor, much less see the numbers on the screen.

I was able to speak, although only 1/3rd of the people who signed up were allowed to speak. If the mayor had listened instead of droning on, more people would have been able to speak.

Any way, here is the talk I wrote out (when I gave it I shortened it and spoke without my notes.)
January 8, 2019

To Texas Water Development Board

Re: City of Wimberley change of Sewer to include Aqua Texas

My name is Jacqueline Mattice of 46 La Toya Trail, in the City of Wimberley

I am opposed to the the City of Wimberley's change from a City of Wimberley operated sewer to a system run by Aqua Texas.

In my books actions speak louder than words.

I purchased my house in 2002 knowing nothing about the utilities that came with my house. Within a year I came to thank my lucky stars that I had the City of Wimberley Water and NOT Aqua Texas. All I heard was complaints from my friends from Woodcreek about their water/sewer company Aqua Texas. Their bills were much higher and their service was lousy.

Wimberley has known it needed to fix its downtown sewer system for years, since before I came in 2002. After much discussion and controversy a plan was finally put in place, the financing was secured and we were at last under way.

Then when the current council came in they cancelled the project! We were 20 % along the way--20% (at least) toward completing the City of Wimberley project which already had funded, gone through environmental reviews, received the sanction of all the regulatory agencies.

Not only that, their plan was to have Aqua Texas, a KNOWN poor performer run their system!

What were they thinking?

So, yes, I am OPPOSED because of the

- . money they have have already wasted--had to pay Black Castle 200,000 for cancelling their contract in addition to what was paid of work they performed
- . time they have already wasted stopping a project that was already ongoing, not to mention the untold time it would take to go through the whole regulatory process for any other plan.

TWDB had a 4 paged letter of things necessary for consideration that was due Oct 31st.

WHAT HAS BEEN DONE BY THE CITY TO FULFILL YOUR REQUIREMENTS???

- . because they want to put a pipe under Cypress Creek in a Nature Preserve Area
- . because the new plan would affect the water for Blue Hole Park.

Sincerely,

Jacqueline Mattice

From: [Linda Lang](#)
To: [Shawn Cox](#)
Subject: TWDB Testimony..No AT.docx
Date: Wednesday, January 16, 2019 10:21:45 AM
Attachments: [TWDB Testimony.. No AT.docx](#)

Thanks, Shawn, for all that you do.

LL

TESTIMONY

Texas Water Development Board Public Hearing

Tuesday, January 8, 2019

Wimberley Community Center

By

Linda Lang

35 Brookhollow Dr.

Woodcreek, Texas 7867

My name is Linda Lang and I live in the City of Woodcreek about five miles north of the City of Wimberley. I speak on behalf of the original city-owned wastewater system and against the possibility of Aqua Texas ruining this valley.

I fully support the city-owned, "One Water" wastewater system which is both an environmentally and economically sound plan. I thank the Texas Water Development Board for recognizing and supporting the original plan early on.

I do NOT support the new plan to replace the plant with Aqua Texas due to many reasons of which I will name a few:

Consequences of this switch will lead to unwanted over-development of the beauty and open spaces of Wimberley Valley. This will cause faster depletion of the Hays Trinity Aquifer that will affect our largest artesian spring, Jacob's Well, the headwaters of Cypress Creek.

As the springs and creeks lose their flow, surely the flow of money into our tourist businesses and home values will occur.

Thank you so much for your serious consideration and voting to NOT allow the present city council to engage Aqua Texas, but to go forward with the original city-owned wastewater plan.

Linda Lang

From: cfore2@austin.rr.com
To: [Shawn Cox](mailto:Shawn.Cox@twdb.texas.gov); ["clay.Schultz@twdb.texas.gov"](mailto:clay.Schultz@twdb.texas.gov); ["Dain.Larsen@twdb.texas.gov"](mailto:Dain.Larsen@twdb.texas.gov)
Cc: [Mayor](#); [Place1](#); [Place2](#); [Place4](#); [Place5](#)
Subject: TWDB Wimberley Wastewater Project
Date: Monday, January 14, 2019 4:57:22 PM

Dear Mr. Schultz and Mr. Larson,

I am writing to voice my support of the change in scope of the Wimberley Wastewater Project, specifically a change to use Aqua Texas as the city's wholesale wastewater treatment provider. I believe the change from a city owned plant in Blue Hole Park to Aqua Texas is both fiscally and environmentally responsible. After studying the city budget for the past three years, I believe the City of Wimberley simply cannot afford to own a wastewater plant, and it is not equitable that all of the citizens should subsidize a project that benefits around one hundred customers (mostly businesses). Also, I am adamantly opposed to any wastewater plan that allows for any type of effluent discharge into the Blanco River especially when there is another option. A plant in the park will have a discharge permit while a change to Aqua Texas eliminates that possibility altogether.

In addition to my support in the change of scope, I would like to express my concerns about the Public Hearing per the TWDB that was held by the City of Wimberley on January 8, 2019. The city has since posted the list of individuals signed

up to speak at that meeting. I looked at each name on the list of over 200 people and determined that at least 46 were names of people who do not live in the City of Wimberley. Many of the individuals who spoke that night do not reside within the city limits, yet, they indicated that they were citizens by circling the word *Citizen* on the sign-in sheet. Consequently, many who do reside within the city limits were not given an opportunity to speak.

The citizens of Wimberley have endured the Wastewater Treatment dilemma for far too long. The current council has a sound plan to provide a solution that awaits your approval. I respectfully ask that you grant it without delay.

Respectfully,

Candace Fore
311 La Buena Vista Dr.
Wimberley, TX 78676
512.393.9083

From: [Bob Dussler](#)
To: kristin.miller@twdb.com; dain.larsen@twdb.com; [Shawn Cox](#)
Cc: [Bob Dussler](#)
Subject: TWDB-City of Wimberley Public Hearing January 8, 2019
Date: Friday, January 11, 2019 12:11:25 PM

Dear Ms. Miller and Mr. Larsen—

I attended the TWDB-City of Wimberley Public Hearing on January 8 and was appalled at the way the meeting was conducted. It was my understanding that the Mayor would make a brief 15 minute presentation, followed by hearing from those eligible speakers that had signed up to speak. The 15 minute presentation lasted more than 45 minutes and included 23 slides with many financial slides. Regrettably, the meeting material was not available to the attendees until they walked into the meeting room. Thus it was impossible for the copies of the slides to be read, comprehended, commented upon and understood prior to the meeting. In my opinion, the Mayor deliberately prolonged the presentation, thereby reducing the amount of time for public speakers to comment. The strategy worked, as 95 citizens signed up to speak, although only 27 citizens were allowed to speak. This means that 72% of the prospective speakers were denied the opportunity to speak, including myself. This really defeats the purpose and objective of a Public Hearing. Councilman Barchfeld selected the speakers. He started with a random system of selecting every fifth name on the sign up sheet. This then deteriorated into cherry picking various speakers. The Councilman is well aware of the names in the audience and who is in favor of Aqua Texas and who is opposed. My sense was that the overwhelming majority of the 202 people that attended were opposed to Aqua Texas. This was a disgraceful way to run a meeting, and I would like to urge TWDB to insist that the City of Wimberley hold another Public Hearing, in which every person that signs up will be allowed to speak in the order in which they signed up. This is the sense of fairness that was not present on January 8.

In that I was denied the opportunity to speak, I would like to include my comments.

I am Bob Dussler, former City Councilman for Wimberley, serving from May 2015 to May 2017.

I have been strongly in favor of a city owned city operated waste water treatment facility since my campaign in 2015. I have also been strongly opposed to engaging Aqua Texas to be any part of this project, due to their reputation for very poor customer service, leaking pipes, and leaking raw sewage at many of their projects. Their business model is to take over small municipal water and waste water systems and begin raising prices on a frequent and regular basis. This is beneficial if you are a shareholder, but not so much if you are a customer.

TWDB has asked the City of Wimberley to hold a public hearing so that the citizens of Wimberley can express their thoughts on changing the scope of the project from city owned and city operated to engaging Aqua Texas to process the waste water at its facility near Wood Creek. I see two prospective disasters if the city is allowed to change the scope of the project—economic and environmental.

The economic disaster is underway. The current city owned city operated facility has been fully vetted, fully funded and under construction. By changing the scope to Aqua Texas, the city has now lost two \$1 million grants, one from Economic Development Administration and one from the Peter Way family. In addition, the city has paid Black Castle Construction \$550,000 as payment for work completed and cancellation fees. The city will also lose its loan forgiveness amount of \$245,000 by not continuing with the current project. This nearly \$3 million is capital that you cannot get back. There are other financial implications, which will deepen the hole of lost capital.

The environmental disaster is equally troubling. In order for the waste water to be processed at the Aqua Texas facility near Wood Creek, it will be necessary to install a raw sewage (not treated effluent) under our pristine Cypress Creek. This will be a pipeline that is unsleeved and unmetered, so we will not know that it is leaking until it shows up in our water. Worse, the location for the pipeline is very close to a fault line. Hopefully TWDB will require an environmental impact study. Finally, Blue Hole Park will be denied the highly treated effluent to irrigate the soccer fields and to support the final phase of landscaping. This was a key consideration in the city owned city operated plant and was an environmental feature that made our project a model for other municipalities.

I am hopeful that TWDB will reject the change of scope application, in order that we can move forward with the city owned city operated waste water treatment plant.

Thank you.

From: [Mary Krouse](#)
To: [Shawn Cox](#)
Cc: clay.Schultz@twdb.texas.gov; dain.Larsen@twdb.texas.gov
Subject: Waste Water and our Little Bit of Heaven
Date: Wednesday, January 16, 2019 9:06:16 AM

City Administrator,

I have resided in Wimberley for the last 35 years along with coming to Wimberley, to visit, since 1964 because my Aunt and Uncle had a place on the Blanco River down Flite Acres Road. As a little girl I even remember visiting the grocery store on the square now known as Wimberley Café. I pay my share of taxes in this community. Obviously I have seen many changes in our “Little Bit of Heaven” we call Wimberley.

Over the years, as our “Little Bit of Heaven” grew, we have had things we have had to overcome and I won’t go into those issues at this time.

This one, pretty much tops them all. Knowing that there are people in this community who actually think allowing affluent to be dumped in our beautiful GOD given waters makes me sick to my stomach. When you hear of such a thing there is always an underlying reason and the only one I can think of is greed and money.

I applaud the current Mayor of Wimberley for keeping the citizens of Wimberley abreast of the waste water situation through The Wimberley View. I am in agreement with the changes proposed by the City Council which changes the plan for waste water to incorporate Aqua Texas’ Land Application Permit which does not allow any discharge of effluent into our creeks and rivers. Not to mention this plan is also more affordable. I believe.....(1) This is the truth.....(2) It is fair to all concerned.....(3) It is beneficial to all concerned.....(4) It will build goodwill and better friendships! By the way this is Rotary Club’s Four Way Test!!!!!!!

All I can say is shame on the one’s that want to do harm to our “Little Bit of Heaven”! By not standing firm on what is the right thing to do our “Little Bit of Heaven” could turn into consequences of a “Bit of Hell”. It is past time for the good to rise up and voice their opinions. Thank you for your time.

Respectfully,

Mary M. Krouse
2500 FM 3237
Wimberley, Texas 78676
Lot 1, Arrow Lake Acres

From: Roccaforte@hillcountryplans.com
To: [Shawn Cox](#)
Cc: clay.schultz@twdb.texas.gov
Subject: Waste water
Date: Tuesday, January 15, 2019 6:09:47 PM

We are Charles and Patricia Roccaforte and we are Wimberley residents,voters,tax payers and we support the proposed changes proposed by the current city council changing the plan for waste water solution to incorporate Aqua Texas land application permit which does not allow any discharge of effluent into creeks and rivers.

Sent from my iPhone

From: neveleigh@austin.rr.com
To: [Shawn Cox](#)
Subject: Water meeting
Date: Wednesday, January 9, 2019 9:33:58 AM

To whom it may concern,

I was not happy with any of this water stuff going on in Wimberley. The last Mayor choose greed over the good of the community and the livelihood of those of us who have to work our tails off in order to live in Wimberley and enjoy the beauty of it. I am with the only other option we have at this point which is Aqua Texas. People here love the river and the blue hole I can't believe this was even allowed to happen with the last mayor. I moved here to get away from greed and corruption. I moved here for the people and the scenery. I love Wimberley and do not want to see it destroyed with politics, greed, and water.

I live by the river 135 Campfire circle for almost 13 years now. Please stop letting big corporations and greedy people get their way in Texas.

Thank you.

Nicole Eveleigh

From: [Greg Douglas](#)
To: Clay.Shultze@twdb.texas.gov
Cc: [Shawn Cox](#); [Linda](#)
Subject: We fully support the change of scope proposed by Wimberley City Council
Date: Wednesday, January 9, 2019 2:53:42 PM

My name is Greg Douglas. I am a citizen of Wimberley and own property at 513 Summit Loop. Purchased in 2003.

Please be advised that my wife Linda and I WHOLEHEARTEDLY SUPPORT the proposed changes in the sewer project.

Regards

Greg and Linda Douglas
956 778 3636

From: [Deb Bradshaw](#)
To: jeff.walker@twdb.texas.gov; dain.larsen@twdb.texas.gov
Cc: [Shawn Cox](#); [Laura Calcote](#)
Subject: We support the properly analyzed city-owned sewage system.
Date: Friday, January 18, 2019 7:41:30 AM

TWDB,

Please count us among the majority of Wimberley residents who oppose the Council's plan to give control of our water resources to Aqua Texas.

We support the policy recommendations of CARD (Citizens Alliance for Responsible Development) and believe the city-owned sewer system offers the best plan to serve the people of Wimberley, protect the aquifer and to provide irrigation for the Blue Hole.

Please do not support the Aqua Texas plan.

Deborah Bradshaw

Nick Bradshaw

605 Deer Lake Road, Wimberley

This message will be send from both of our email accounts.

Sent from my iPhone

From: [george mitchell](#)
To: [Shawn Cox](#)
Subject: Wimberley Alternative Treatment (not sure about the first transmission)
Date: Tuesday, January 8, 2019 1:22:23 PM
Attachments: [Wimberley Alternative Treatment.docx](#)

Please find attachment below.

To Shawn Cox
Wimberley City Administrator
scox@cityofwimberley.com

January 8, 2019

Fr Scott and Brenda Mitchell
300 Little Arkansas Rd
Wimberley, TX 78676

RE We are property owners of Montesino Ranch, 300 Little Arkansas Rd, toward the end of Flite Acres Rd, on the Blanco River. Our property is about 2 ½ miles downstream of the original Blue Hole Treatment Site proposal.

We have had serious concerns about the proposed Blue Hole Treatment Site since its first inception. Apparently, it has never been feasible at that site to install a land application system. It is our opinion that discharge permits of any kind, in any location in the Texas Hill Country should *never* be allowed. The recent saturated ground condition throughout our area over the past five months is a perfect example of when the proposed Blue Hole system would be discharging into the Blanco River.

TCEQ does not discern between pre-existing grades of water quality prior to approving a discharge permit. The hill country waters are among the most pristine waters in the nation. It simply *should not* be easy to obtain a discharge permit here in Wimberley. Any water quality scientist would predict algae bloom as a consequence, thus the degradation of the clarity of the Blanco River.

Those of us that have protested the City of Wimberley Treatment permit have never been against a treatment solution. We have simply wanted it to be done right and that *discharge* is not the answer.

Our wish is that everyone with concerns will ultimately agree that this alternative solution is the most practical and beneficial resolution to our discourse over this issue. Thank you for the opportunity to express our beliefs.

Most Sincerely,

Scott and Brenda Mitchell

From: [NZ Bogues](#)
To: jeff.walker@twdb.texas.gov; dain.larsen@twdb.texas.gov; kristin.miller@twdb.texas.gov
Cc: [Shawn Cox](#); [Laura Calcote](#)
Subject: Wimberley Public Hearing 1/8/2019
Date: Friday, January 18, 2019 10:38:26 AM

Hello,

My family has been a part of the Wimberley community since 1962. Five generations have enjoyed the pristine waters of Cypress Creek and I would like to know future generations to come will have that opportunity.

That why I am writing, to let you know I OBJECT to the mayor's change of scope to Aqua Texas. I do NOT want Aqua Texas to get the contract to handle the city's waste water. They do NOT have a good environmental track record. And wanting to drill under Cypress Creek to carry an unmonitored singular raw sewage pipe is not worth the risk with the fault line, karst topography, and many springs on the creek in that area. A raw sewage leak would be disastrous environmentally for years!

I fully support the the city-owned plan and think with the growth in our area we need to be responsible stewards and use the treated waste water for watering native plants and the soccer field at our beautiful treasured Blue Hole Park. The city-owned plan was researched over several years with environmental studies done by knowledgeable professionals. Then this mayor comes in and over a few days in office stops years of work! What a waste of time and loss of money including two 2 million dollar grants!

Also, I was not able to attend the public hearing on 8th January, but listened to most of it on the radio that night. I could not believe how poorly the hearing was executed and that not everyone that wanted to speak was able to do so. A lot of that was due to the mayor taking up about 45 minutes for a slide presentation that not many could see or understand what she was trying to say. Peoples questions were not answered! I think another hearing should be scheduled so that all that want to speak can do so, hopefully get answers to their questions, and it would be nice to have a TWDB representative attend.

Respectfully,
Nancy Zesch Bogues
207 Blue Hole Lane
Wimberley Texas
78676

From: [Andrew Weber](#)
To: [Dain Larsen](#)
Cc: [Shawn Cox](#)
Subject: Wimberley Public Hearing Jan. 8, 2019
Date: Thursday, January 17, 2019 10:10:34 AM
Attachments: [AW Remarks.pdf](#)

Dain and Shawn, pls accept for the record the attached remarks I was unable to provide orally at the above-referenced hearing. For the reasons stated, the City should have, and TWDB should require the City to have an additional hearing—given that approximately 2/3 of those who signed up to speak were not allowed to do so under the City’s unilateral and arbitrary 2-hour time limit, especially when 1) the mayor commandeered the first 45 minutes of the meeting and 2) what followed the meeting was approximately 45 minutes of dead time before a so-called town hall meeting.

Additionally, and for the record, one additional point.

First, it is my belief that of all the transparency, financial and environmental issues regarding the requested change in scope, the matter causing the most public controversy and concern is the proposed boring and running a raw sewer pipe under Cypress Creek. While the risk of a sewage leak may be small, the boring itself is not without risk. As with the risk of a pipe leak or the risk of discharge under the original plan, the risk of the bore itself causing a problem may be low. BUT if the bore causes a problem, the problem could be significant, even irreparable. Disrupting the spring(s) or causing a fracture in the stream bed that would allow the pool to drain—either would destroy this iconic Wimberley feature and heartbeat of the park.

Thank you for your consideration. I look forward to a second public hearing and, ultimately, your agency’s public hearing on this matter.

Andrew Weber
Partner in Charge, Austin Office
Chair, Public Law Section

KELLY  HART
303 Colorado St., Suite 2000
Austin, Texas 78701
(512) 495-6451 (phone)
(512) 495-6930 (fax)
andrew.weber@kellyhart.com www.kellyhart.com

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Your notice for this meeting stated:

The public hearing is provided to discuss the proposed project changes, potential environmental impacts, alternatives to the proposed changes, and the economic impact on rate payers. A description of the proposed changes, maps and aerial photographs showing the proposed changes and original project, a copy of the 2014 Environmental Information Document, and the second amendment to the Engineering Feasibility Report will be displayed at the locations described below *for thirty days* before the Public Hearing and will be available at the hearing. (emphasis added).

I want to speak to and ask a couple of questions about the process. I want to reiterate tonight what you know I've told the TWDB—this hearing is illegitimate and untimely, and should be postponed.

As you know, I've informed the TWDB that I believe this hearing should have been postponed so you could comply with your own 30-day time frame. While the files initially provided at 3 locations seemed to be fine, we know you later supplemented those files with a second copy of the Second Amendment to the Engineer's Report. The supplement, though still titled and dated Dec. 3, 2018, was added to the files on Dec. 17—*less than 30 days before this hearing*. Why does that matter? In addition to being out of time, and the confusion created by having two documents with the same name and cover page, the latter version contained one of the most critical documents related to the proposed change in scope—the Aqua

Texas Contract (draft). And it is not inconsequential that the AT contract draft shows a different location for the raw sewage pipe under Cypress Creek than your engineer shows in his drawings. The files you provided to the public, on which the public is supposed to base its comments tonight, are confusing and irrevocably corrupted.

And that leads to my second point. We know based on public information documents, that as of Dec. 13, you knew from your attorneys that you have no easement across the Johnson property to connect the raw sewage pipe to an AT line. In other words, your proposed pipe under the creek can get the raw sewage out of the park, but can't get it to AT's line.

On what bases did you believe you had an easement from the Johnsons—when you repeatedly told us in July and August and throughout the Fall that you did, in fact, have that easement. You stated unequivocally that the Johnson's had agreed to provide that easement for free! Did you misunderstand that commitment? When did you know you didn't have that commitment? More importantly, what is your solution to the problem of a collection pipe to nowhere? Have the Johnson's changed their mind(s)? Will you trade the easement they don't want for the disannexation they do want? Most importantly, how are people tonight supposed to make helpful, informed comments about environmental consequences when no one knows where your raw sewage pipe will cross the creek? Do you know?

Thank you.

From: [Bill Mitchell](#)
To: [Shawn Cox](#); dain.Larsen@twdb.texas.gov; clay.Schultz@twdb.texas.gov
Subject: Wimberley Public Hearing
Date: Tuesday, January 8, 2019 9:51:01 AM
Attachments: [Aqua Utilities.doc](#)

**William H. (Bill) Mitchell
2300 Flite Acres Rd.
Wimberley, Texas 78676**

January 8, 2019

To: Texas Water Development Board
City of Wimberley

Subject: Aqua Utilities Inc. Service

To whom it may concern,

As a Wimberley resident & river front property owner I urge the city to move forward with the current Aqua Utilities Inc. sewer option based upon the following:

- City of Wimberley cannot afford to be in the sewer treatment business
- Aqua Utilities Inc. is an established, experienced sewage treatment provider
- Provides for zero discharge into Cypress Creek & the Blanco River, anything less is unacceptable
- Results in no tax to City of Wimberley residents (I recall the promises of no tax made at the time of Wimberly incorporation)
- Gets the eyesore of a restroom trailer off the square
- Offers the advantage of Type 1 reclaimed effluent

Sincerely

Bill Mitchell

From: [Nancy Stevens](#)
To: [Shawn Cox](#); [Laura Calcote](#); jeff.walker@twdb.texas.gov; Dain.Larsen@twdb.texas.gov; kristin.miller@twdb.texas.gov
Subject: Wimberley Public Hearing
Date: Friday, January 18, 2019 4:49:56 PM

Dear sir or madam,

I am writing today regarding the wastewater project for Wimberley, TX.

After much deliberation, the City of Wimberley decided to do their own sewer system. All of the current city council and mayor ran on a platform that Aqua Texas was off the table. Low and behold, a week after they were voted into office, AT was suddenly an option. I feel that they would not have been elected if they had run on an honest platform.

The mayor acknowledges that the majority of the citizens of Wimberley are not on board with the Aqua Texas plan. The council, especially the mayor, has not been transparent at all regarding her negotiations with AT. She limits who and when can speak at city council meetings and even has meetings in small rooms knowing that there will be a large group in attendance.

The required public hearing that occurred was a disaster. The mayor read her power point for 45 minutes. There were copies for people to read, but only 60 were printed. Around 300 people were in attendance. If they had been provided, she would not have had to waste our time talking and let more people speak.

Not many people were allowed to speak because of time constraints due to the mayor talking and talking. The speakers were chosen by one particular councilman in random order, not going by who signed up to speak first. He was shown in up close video going through all of the sign in sheets before he picks up who is allowed to speak.

To make a long story short, going to AT is not the will of the citizens of Wimberley. The voters were conned into believing that their representatives would continue with a city owned plan. This was not the case. There as been a consistent lack of transparency and a lot of "executive sessions" where decisions are made without knowledge of the citizens. When citizens have asked questions, they have been ignored, talked down to and even lied to. The "We know what is best for you more than you do," has run rampant.

I could write a novel about this. However, to keep this letter to a minimum, I support the city owned plan and not the one of Aqua Texas.

Please note that I do not live in Wimberley at this time. (I have been a long-time resident of Wimberley in the past.) Since this was a PUBLIC hearing, my opinions should carry just as much weight as others.

Thank you for you time.

Nancy Stevens
4114 Hamilton Hollow
San Marcos, TX 78666
512-560-7236

From: [Candy Spitzer](#)
To: [Shawn Cox](#)
Cc: [Laura Calcote](#)
Subject: Wimberley Public Meeting for TWDB
Date: Thursday, January 10, 2019 6:07:41 PM

Hi,

My name is Candy Spitzer and I am a long time Wimberley Valley resident. I have lived in the Wimberley Valley since 1996. My home is on FM 2325. I have owned a real estate brokerage company and worked in the City of Wimberley since 1999.

I signed up early to speak at the Public Meeting required by the TWDB as both a home and business owner in my beloved Wimberley Valley. I was not chosen to speak, which concerned me because of the way Council Member Barchfield was randomly picking people to speak. I have attended many public meetings in my career as I also own a Right of Way company. I am aware that at a public meeting it is important to let the public speak. The way that the wastewater meeting was conducted was downright embarrassing and bordered on being blatantly one sided.

It is inappropriate for the Mayor to spring new financial, environmental, and frankly propaganda material at the Public Meeting without allowing the public to know in advance. Then to have her speak in rude, dictatorial fashion that has become the "norm" for how she runs meetings is disrespectful for the citizens, the democratic process, the requirements of a public meeting, and the Texas Water Development Board.

I am against giving control to the City's utility to any privately owned water/wastewater company and in particular AquaTexas. I have first-hand knowledge of the organization of AquaTexas and I can assure you that this firm's business model is to make money first and foremost. It will not be invested in maintaining the highest level of environmental protection. The reason that AquaTexas is interested in providing this service to the City of Wimberley is to grow it's system at the City's expense. AquaTexas is in this for the long term, and is not interested in the first 5 – 10 year return on investment.

Another reason I am against this project is that there are missing elements of the plan, besides the glaring misrepresentation of costs, both current and future. Where is the missing easement and what will be done to provide that? Why oh why is it a good idea to bore under Cypress Creek? Boring is never a good idea. We have karst features and springs that will be impacted. And only 10 feet below the creekbed? This is a bad solution to a problem that doesn't exist.

Please return to the City of Wimberley's wastewater plan.

Thank you for the opportunity to write to you, even though I wasn't afforded the right of a citizen to speak at the Public Meeting.

Sincerely,

Candy Spitzer

Candy Spitzer
Spitzer & Associates, Inc.
302 Cypress Creek Lane
Wimberley, Tx 78676
512.633.7349
www.spitzerassociates.com

From: [Kimball Madonna](#)
To: Clay.Schultz@twdb.texas.gov; Dain.Larsen@twdb.texas.gov
Cc: [Shawn Cox](#)
Subject: Wimberley Sewer System
Date: Friday, January 11, 2019 5:26:37 PM

My name is Madonna Kimball, my husband and I have lived in the city of Wimberley for 29 years.

A central sewer system has been needed to help downtown merchants for many years. Previous councils have never been able to agree on how to get it done. Thousands of dollars have been spent and lost as a result of a “shovel ready” project that was far from shovel ready. The City of Wimberley is not in a position either with experience or financially able to build and maintain a city owned central sewer system that will only service approximately 100 users.

There is finally a plan to hook up to an existing sewer system which will eliminate a huge holding tank in the pristine Blue Hole park as well as eliminate discharge into Cypress Creek, eventually flowing to the Blanco River. This system has also serviced the North side of Cypress Creek including the city owned Community Center, HEB, Wimberley ACE, Brookshire Brothers, etc, for many years without a negative impact or incident.

I'm asking you to please approve the change of scope loan request and help Wimberley finally get this project completed WITHOUT risking discharge into our creek and river.

thank you,
Kimball Madonna
madonnakimball@gmail.com
512-847-5162

From: [greg](#)
To: [Shawn Cox](#); clay.schultz@twdb.texas.gov; dain.larsen@twdb.texas.gov
Subject: Wimberley sewer
Date: Wednesday, January 16, 2019 1:58:34 PM

I am a long time resident (30 plus years) having lived in the city limits of Wimberley since it was incorporated(18 years). I also own a 10,000 square foot commercial building inside wimberley city limits. This building is one of the properties that will be serviced by the new sewer system being installed now. Its address is 13501 ranch road 12 and the name of the building is the VINYARD.

I have seen this sewer project develop over the years and I do not want to see a treatment plan built anywhere especially at the blue hole state park. This is a bad idea for a lot of reasons and I want to go on record supporting Aqua Texas as the company that treats wastewater after it leaves my building.

There is a lot of noise coming from a very small group of people that are hell bent on building a wastewater treatment plant here in Wimberley. It's a bad idea and I support the direction our current mayor is leading us. Thank you for your involvement and if you have any questions my cell number is below.

Greg Myers
331 south river
Wimberley texas 78676
512-423-8700

From: [James Byrne](#)
To: jeff.walker@twdb.texas.gov; dain.larsen@twdb.texas.gov
Cc: [Shawn Cox](#)
Subject: Wimberley TBDB Public Hearing
Date: Friday, January 18, 2019 12:25:05 PM

Dear TWDB,

I am a Wimberley resident who will be directly affected by the change of scope to the Wimberley wastewater project. I live at 205 Blue Hole Lane, just below the Blue Hole Regional Park. I am opposed to the change of scope for both financial and environmental reasons. There are too many financial unknowns with the change to Aqua Texas. The mayor has NOT solidified the easement for the creek crossing. We have no idea how much this will add to the cost of the project. Furthermore, it is my understanding that the city will not be able to use TWDB funds for the Black Castle contract obligations or for the \$300,000 CIAC fee assessed by Aqua Texas. Environmentally, the proposed location of the directional drill is located in one of the widest and most pristine riparian areas of the creek. At the bare minimum there should be an in depth environmental impact study done for this location. This area lies on a fault line with many springs and karst formations and I am very concerned about how this drill may impact spring flows. Furthermore, this area is a nesting site for the Golden Cheeked Warbler. At the minimum, work should be postponed until after the nesting season (after September).

The public hearing was not run appropriately. The mayor took up 45 minutes of the 2 hour allotted time. Residents were not called on in the order that they signed in. The mayor continues to claim that the only people who should have any say are the ones who will be paying for this. **I WILL BE A RATE PAYER AND SUPPORT THE CITY PLAN OVER THE AQUA TEXAS PLAN.** Please deny the City of Wimberley's request to change the scope of the wastewater project.

Sincerely,

James Byrne, LTC(R)-US Army
205 Blue Hole Lane
Wimberley, TX 78676

From: [Shiila Safer](#)
To: jeff.walker@twdb.texas.gov
Subject: Wimberley Testimony - Jan 8th Public Hearing and Change of Scope
Date: Monday, January 14, 2019 9:23:39 PM

Texas Water Development Board

Wimberley Mayor & City Council

Shawn Cox, Wimberley City Administrator

RE: Wimberley Public Hearing Jan 8th and Wimberley Wastewater Treatment Plant Change of Scope

Dear Sirs/Madams:

I am a homeowner in Woodcreek North, which is in the Wimberley ETJ, but not in the city limits. I have not had the opportunity to voice my comments or questions at the City Council meetings for the past 6 months (the Mayor restricted comments to city residents), although the choices made on the Wimberley Wastewater Treatment Plant will affect my environment, myself and everyone in the Wimberley Valley. At the Public Hearing on January 8th, I arrived early and signed up to speak, with the understanding that EVERYBODY would have the opportunity to voice their concerns or support for the change of scope in the Wimberley Wastewater Project “to determine that any public controversy has been adequately addressed” (reference email dated 12/3/2018, Dain Larson to Shawn Cox).

Only 27 out of 95 people were given the opportunity to speak. It was a farce. The Mayor took up 45 minutes of the meeting (15 people could have spoken in that time), and then Council chose randomly who would speak, cherry-picking those who supported the change in scope. The public controversy has NOT been adequately addressed!

At least one more hearing needs to be scheduled, with proper notice and conducted in the proper way so that ALL voices will be heard.

I DO NOT SUPPORT THE CHANGE IN SCOPE FOR THESE MAIN REASONS:

- I do NOT want Aqua Texas to get the contract, as is currently planned, to handle the city's wastewater. They do NOT have a good environmental track record, as is evidenced by the major raw sewage leaks in Kyle. In 2010, 100,000 gallons of sewage was spilled at the plant, and another 117,000 gallons of untreated sewage spilled into the creek in 2016. Kyle first contracted with Aqua Operations in 1999 to build and operate the city's wastewater treatment plant. Aqua Texas maintains and operates the facility today.
- Beneficial reuse of water for irrigation at Blue Hole State Park has been taken out of the

plan.

- An unmonitored raw sewage line is designed to run under Cypress Creek next to Blue Hole State Park, which could poison our creeks and rivers for years to come.
- Directional drilling under Cypress Creek may have serious repercussions due to the fault line and karst topography in that area of Wimberley.

I ask the TWDB to require a full Environmental Study before the change of scope is approved.

Thank you for your attention to this important matter.

Respectfully,

Shiila Safer

17 Cypress Fairway Village

Wimberley, TX 78676

Shiila@CreativityinNature.com

From: [Mike D. Bachers](mailto:Mike.D.Bachers)
To: boardmembers@twdb.texas.gov
Cc: [Shawn Cox](#); [Laura Calcote](#)
Subject: Wimberley testimony
Date: Monday, January 14, 2019 1:48:06 PM

To the esteemed members of the Texas Water Development Board -

I'm Mike Bachers, property owner at 280 Old Kyle Rd in the downtown service area. I'm also a proud Wimberley resident with a young family and I strongly oppose this proposed change in scope toward AquaTexas and the impact it will have on the future of the Wimberley Valley. Like many others, I showed up at the public hearing expecting to be able to speak and to hear others speak. The public hearing was, in my opinion, not at all an accurate representation of the citizens' opinions on the issue. The mayor rambled incoherently for 45 minutes about numbers that most of us were seeing for the first time — numbers she says justify the change in scope, and numbers that failed to inspire any confidence at all in what the mayor and a majority of the council have been up to since the election. To the untrained eye, Councilmember Gary Barchfeld sat at the front of the room randomly choosing names of those who would speak. To anyone who has followed this issue for years, as many of us have, this was clearly a strategy to portray the community as evenly divided by cherry picking speakers. The issue is polarizing, but the majority of the community has remained very firmly on the side of the city-owned WWTP. This was a political bait-and-switch scheme of the worst possible kind, and it's unfortunately the mayor and council members Barchfeld and Fore appear to support a 'scorched earth' approach to the problem. They have expended precious city resources not just on pursuing this deal with AquaTexas, but also on sabotaging the only plan citizens have ever approved. The logic behind this approach escapes residents on both sides of the issue and is likely to complicate matters even further for Wimberley, but of course this won't become apparent to their base of supporters until their proposed plan is shown to be an unequivocal failure.

I'd ask you to take a careful look at the numbers Mayor Jagers proposed at the public hearing. She didn't discuss any contingency plans or possible shortcomings of the AT plan at all — only the potential upside. On the other hand, she presented the city-owned WWTP (and every previous council, for that matter) as flawed and/or corrupt at every level and didn't mention a single good thing about the decades of work and citizen-led vetting that have gone into that plan. These alone should be red flags as so much non-partisan expertise has gone into the city-owned design, but the numbers in her spreadsheet show she took extreme liberties wherever she could, apparently hoping most of us don't know the difference between an apple and an orange.

The idea that this mayor and majority council members would use city resources to sabotage the city-owned WWTP is beyond reprehensible, and I urge you not to approve this change in scope to the TWDB loan. The AquaTexas plan — even as presented in the mayor's presentation with what are blatantly doctored numbers and other misleading information — is not in the same class as the city-owned WWTP and should not be given the same consideration. While I do believe the wastewater problem in downtown Wimberley needs to be addressed, the economic and environmental impact of a partnership with AquaTexas would bring far more harm than good to this area. AquaTexas has demonstrated itself to be a below average corporate citizen with little private competition, but most importantly, it has proven it will ignore its role as a steward of the environment and specifically of water unless held over flames by state agencies. This is an absolute waste of taxpayer money on every level, and I

applaud the TWDB for fostering innovative solutions for towns like ours. Water and wastewater will be a critical resource in the decades to come, and the focus must be on reuse and next generation water treatment.

I'd also like to point out that the mayor's plan has not been just to consider AquaTexas as an option. As you've seen, she and the council members who support her have actively tried to destroy the fully vetted WWTP plan the citizens had overwhelmingly approved in two prior elections. We're now saddled with governance issues and a near total collapse in trust of local government, and anyone who has observed this council since the last election would understand why. What really strikes me as offensive is that the mayor's presentation — again, full of suspicious data not made generally available before this week's meeting — only shows a savings of approximately \$2M USD. If we are to believe that the mayor's math is sound and we accept the further saturation of the Woodcreek golf course with Type 2 effluent as a viable option, wouldn't one expect the savings to be far more over the course of the loan? Put another way, if these numbers were properly presented to the citizens of the Wimberley Valley, \$2M USD would start to look like the very short end of a stick in a very short time. The mayor very much wanted her numbers to work. She very much wanted to prove that previous administrations were ignorant and had relied on bad data. We now know the mayor's grand plan was not a plan at all. It was a tactic to re-introduce AquaTexas and to sidetrack the city-owned WWTP, and it has only made it clear that proceeding with AquaTexas would be bad for business, bad for government, and bad for the environment.

Thank you for your time and all the work you do on behalf of TWDB.

Kind regards,
Mike D. Bachers

From: [Dan Williams](#)
To: [Jeff Walker](#); [Darin](#)
Cc: [Shawn Cox](#); [Dan Williams](#)
Subject: Wimberley Testimony
Date: Saturday, January 12, 2019 12:27:54 PM

From:
Daniel Williams
107 Indian Trail
Wimberley 78676
817-917-4755

Dear Board members,

My name is Daniel Williams. I live in the Wimberley Valley. I believe the proposed "change of scope" plan proposed by the current City Council to send Wimberley's wastewater to Aqua Texas will be detrimental to the water situation in Wimberley Valley. I ask that you do not support the change by allowing the loan from TWDB to be used. We need to return to our previous plan.

I attended the Townhall meeting last Tuesday evening, Jan 8. I do not believe the meeting was conducted in the spirit in which you had directed. The notice sent prior to the meeting stated that the mayor would speak 15 minutes and then the citizens impacted by this change would be able to speak. This did not happen. The mayor spoke of for over 40 minutes, which cut 30 minutes off the time citizens could voice their opinions. Then, when it was time for citizen input, the Council specifically chose speakers they wished to speak, instead of using the sign-up sheet we were are to sign in order to speak. In my opinion, this was just another attempt by the present Council to ramrod through their Aqua Texas plan against the will of the citizens!

Bottom line: I do **not** agree with the decision to go forward with Aqua Texas. There are too many questions unanswered and insufficient reasoning. Also I am disappointed with the manner in which the Townhall meeting was conducted. It was not in the spirit in which TWDB directed.

Respectfully submitted,
Daniel Williams

From: [Pam Williams](#)
To: [Jeff Walker](#); [Darin](#)
Cc: [Laura Calcote](#); [Shawn Cox](#); [Home](#)
Subject: Wimberley Testimony
Date: Saturday, January 12, 2019 11:58:01 AM

From:
Pam Williams
107 Indian Trail
Pamwilliamsassoc@gmail.com
[214-454-5544](tel:214-454-5544)

Dear Board members,

My name is Pam Williams. I live in the Wimberley Valley, where water and the preservation of water is a vital issue.

I believe the proposed "change of scope" plan to send Wimberley's wastewater to Aqua Texas will be detrimental to the water situation in Wimberley Valley.

I ask that you do not support the change by allowing the loan from TWDB to be used. We need to return to our previous plan.

I attended the Townhall meeting last Tuesday evening, Jan 8. I do not believe the meeting was conducted in the spirit in which you had directed. The notice sent prior to the meeting stated that the mayor would speak 15 minutes and then the citizens impacted by this change would be able to speak.

This did not happen. The mayor spoke of for 45 minutes, which cut 30 minutes off the time citizens could voice their opinions.

During the 45 minutes, the mayor presented a PowerPoint Deck with font less than 18pts. which prevents legibility for an audience our size. This information was not distributed previous to the presentation, nor were there enough hardcopies distributed so that everyone could follow along. I was one of those individuals who did not have a hardcopy and I am visually impaired so I could not see the slides. I believe the mayor mentioned laptops or phones to see the presentation (I am a person who takes a phone to a meeting.)

Along with the illegible visuals, the sound system was inaudible. Several people several times spoke out to say they could not understand what was said. I was also one of those people who could not hear.

I would also like to say that not everyone was allowed to speak. There was an unfamiliar process for which the Citizen speakers were selected. My hunch is several people will write you about this, so I do not feel the need to go into detail. If you are interested in more detail, I'll be glad to discuss it with you.

Bottom line: I do **not** agree with the decision to go forward with Aqua Texas. There are too many questions unanswered and insufficient reasoning. Also I am disappointed with the manner in which the Townhall meeting was conducted. It was not in the spirit in which TWDB directed.

Sincerely,
Pam Williams
[214-454-5544](tel:214-454-5544)
Sent from my iPhone

Pam Williams
214-454-5544
Sent from my iPhone

From: [chrys.grummert](#)
To: [Shawn Cox](#); [Laura Calcote](#); jeff.walker@twdb.texas.gov; dain.larsen@twdb.texas.gov
Subject: Wimberley testimony for TWDB Public Hearing
Date: Thursday, January 10, 2019 12:38:54 PM
Attachments: [Public hearing comment.docx](#)

I was planning on using my time to speak at the Public Hearing to voice my concerns over how this mayor has limited participation from us, to speak to the issue of this AT Option at all meetings that related to the topic.

So it is painfully ironic, that I was not allowed, once again, to speak to the topic at the Public Hearing.

Attached you will find my notes, from which I was going to speak from. Please send this whole email to the TWDB as a part of my testimony.

I oppose the proposed "change of scope" for many reasons, which would be far to lengthy and detailed to fit into this email.

So I will leave this email to remain focused on my topic of not being allowed, by this mayor, to have any voice in the proposed changes to the city waste water project.

I sincerely hope the TWDB finds that how the many people who wished to speak, and weren't allowed to, would require a Second Public Hearing, where the names of who gets to speak and in what order, are chosen randomly and not by an interested political candidate, but a neutral third party. And that everyone who wishes to speak to the issue, is accommodated.

Thank you,

Chrys Grummert

I would like to take this moment to address an aspect of the Waster water project, that has concerned me. That aspect is the limiting of the input by the public, by this mayor, at meetings discussing the Waste water plan. The mayor decided that those that live outside of the city limits had no right to speak to the project or it's changes.

I consider this wonderous place called Wimberley, my home. I place Wimberley, TX as my address on my mail. I make a conscious choice to spend my money in Wimberley first, which by the way, 1% of those funds I spend, goes towards the City of Wimberley's general fund. The only source of taxation that Wimberley has. I am therefore a tax payer of Wimberley.

I live in the suburb called Woodcreek, mere minutes from the Wimberley town Square. Which is the only town center we have in the Valley. I think many who live in the Valley consider Wimberley as their home.

I was one of the many people left outside in the Texas Summer Heat, not able to get into the small venue, nor able to speak, when this mayor and council took a vote to move to an Aqua Texas option. That day, the mayor limited the speakers to alternative speakers for and against the change of scope. Which ended up creating a false equivilancy between those opposed to this change to Aqua and those who supported the change. Since only three people were there to speak in support of the change of scope that day, only three people were allowed to speak their opposition to it. Leaving many dozens of people not allowed to speak in opposition to the project change. And then add to that, only those within the city limits were allowed to speak, once you factored that in, you could add a significant number of more voices who would have spoken against such a move away from the city-owned plant.

Like I've said, I live in Woodcreek. The city Aqua option being considered is to send it's city waste water to the very system we in Woodcreek use to service our Waste water. That plant is just Northwest of me. Has the Mayor or council of Wimberley reached out to the Woodcreek mayor or council regarding this possibility? If so, what was their reply? I can tell you now, that many in Woodcreek are very dis-satisfied with Aqua's record there. Wimberley is proposing to ADD to that by sending their waste to be processed there. Why have I, and others, not been allowed to voice our concerns on this issue?

We have real concerns and questions on how sending Wimberley's Waste water to Woodcreek might affect us. Is it going to over tax and stress the system? Are our rates going to go up to deal with this extra rate of flow to the system? Given Aqua's dealings in Woodcreek regarding spills of raw sewage, will adding more waste to the system, make the possibility of the next spill being even worse? Are there plans to have on site workers to monitor issues at the plant, before problems get out of hand? These are just a few of the many questions I have.

The proposed change of scope pipeline is crossing out of the city limits, and yet the mayor has not allowed any discussions coming from outside the city limits.

It's as though Wimberley is throwing their poop over the fence, and then telling me it is none of my business what Wimberley does with their poop.

That is not very neighborly of you.

But perhaps you have limited people of the valley from speaking to this issue, because you know very well that the vast majority of us are opposed to this "change of scope".

From: [Christine Middleton](#)
To: [Shawn Cox](#); [Laura Calcote](#)
Cc: dain.larsen@twdb.texas.gov; jeff.walker@twdb.texas.gov
Subject: Wimberley Testimony I Was Not Able To Present Last Night
Date: Wednesday, January 9, 2019 1:51:21 PM

I went to last night's TWDB Hearing prepared to speak and arrived just before 5PM. My name was on the first page of the sign-up sheet and I clearly indicated my desire to speak. But after the mayor took up about 45 minutes of the precious two hours allotted for citizen comment and the public was finally allowed to speak, to my dismay, my name was passed over. I wasn't the only one, but was glad when some who did get the opportunity gave their time to experts whose opinions needed to be heard. Alas there were still key people who did not get the opportunity to speak to whom I would have gladly conceded my time if I had been presented with the opportunity. I'm not sure how many people did not get to speak, but I'd love to see a list released that includes both those who spoke and those who signed up to speak but were unable to before the meeting was abruptly closed.

Overall, the way the meeting was conducted made it appear to me as an attempt to squelch public comment especially if it did not fit with the current city direction. To say I was disappointed would be an understatement. I believe as one member of the audience suggested, there needs to be a second hearing where those of us who were denied the opportunity could say their piece, get their questions out on the table, and hopefully hear some truthful answers.

The main thrust of my comments/questions shown below concern the pipe under the creek. While the mayor presented a bit more information about that part of their plan (information that should have been in the meeting packet 30 days ago), I don't feel my concerns were adequately addressed. The final paragraph of my testimony expresses a wider concern regarding the opportunity missed that will impact the entire Wimberley Valley long into the future.

**Testimony
Texas Water Development Board Public Hearing
Tuesday, January 8, 2019**

My name is Christine Middleton and I live in the Wimberley ETJ.

Since the 2015 Memorial Day flood I have been involved in restoration of the Wimberley Valley's riparian areas. Thus, I'm here tonight to talk about my concerns regarding a pipe under Cypress Creek.

My understanding is the location of the pipe is not settled. But it will be somewhere between the Ranch Road 12 bridge and our beloved Blue Hole swimming area. That area is far from "pasture land" as described by some. Rather the land bordering Cypress Creek on the

downtown side consists of the Cypress Creek Nature Preserve and Blue Hole Park. The Nature Preserve was set aside because throughout Wimberley's history it was untouched by development. Chatterbox orchids, a plant that is uncommon in this valley, have been found along that stretch of the creek. And then there is Blue Hole Park whose riparian area was designed by the Lady Bird Johnson Wildflower Center and lovingly restored by a host of hardworking volunteers.

After the flood, one of the first things the experts cautioned us about was the use of heavy equipment in sensitive riparian areas. So my first question is what procedures will be used during construction to minimize damage to the sensitive riparian area disturbed in the process of laying the pipeline across Cypress Creek and what will be done to restore that area once construction has been completed?

Once the pipeline goes into operation, there is the possibility of raw sewage leaking either within the creek bed itself or somewhere close enough to send polluted runoff into Cypress Creek. So my second question is what kind of monitoring will be done to detect a leak and once a leak is detected what procedures will be followed to isolate the exact location and quickly fix the leak before damage is done to Cypress Creek's fragile ecosystem?

While I've educated myself over the past several years, I don't profess to be an expert. So, my final question is, once the location of the pipe is known, will there be a Texas Parks and Wildlife assessment?

Better yet, why have a pipe across the creek at all. Recently, many in this valley rejoiced when the Wimberley Independent School District board voted to pursue a One Water solution for the new primary school on Winters Mill Parkway. The original city sewer plan was essentially a path leading to a One Water solution for the Wimberley downtown area. I'm asking the Texas Water Development Board to help us get back on that path.

Thank you.

Statement by:

Christine Middleton, 512-413-0182, chrismid@austin.rr.com

Christine Middleton
chrismid@austin.rr.com
512-413-0182

"Nature does not hurry, yet everything is accomplished."

- Lao Tzu

From: [david.veyman](mailto:david.veyman@twdb.texas.gov)
To: [Shawn Cox](mailto:Shawn.Cox@twdb.texas.gov); [Laura Calcote](mailto:Laura.Calcote@twdb.texas.gov); dain.larsen@twdb.texas.gov; jeff.walker@twdb.texas.gov; kristin.miller@twdb.texas.gov
Subject: Wimberley Testimony re: TWDB Hearing
Date: Wednesday, January 16, 2019 1:01:49 PM

January 16, 2018

Dear TWDB,

I believe the change of scope in the Wimberley Wastewater Project is wrong. We should not be going to Aqua Texas over our own wastewater treatment plant without an intensive Environmental Assessment. The description of the area of Blue Hole Park that will be drilled for the raw sewage pipe in order to connect to Aqua Texas' system is described as "pasture" in an email to Texas Parks & Wildlife from City Engineer Coonan; that is not true. The area to the south of Cypress Creek, in Blue Hole Park, is more of a riparian zone with juniper and oak trees, and it is also an area where the endangered golden-cheeked warbler has been seen. Therefore, I want to ask for the Texas Park and Wildlife Department to perform an on-site habitat assessment before drilling commences.

My wife Jamie Pettit asked a question during the hearing about the proposed raw sewage pipe, and Mr. Coonan's answer was that the pipe was highly not probable to break or leak because it was seamless. I have follow up questions and concerns about the single pipe that the city of Wimberley will be responsible for:

1.
If the single pipe does leak, how will anyone know it is leaking?
2.
How many days, weeks, etc. could the leak go undetected, potentially leaking raw sewage into our aquifer, Cypress Creek, and the Blanco River?
3.
How does such a leak get fixed and what is the city of Wimberley's plan for fixing a potential leak?
4.
Will any geological studies be done prior to the drilling? This is a known underground karst area with fault lines; if holes or caves are present in the drilling area, won't that cause the single pipe to shift or possibly crack?

Thank you for allowing written testimony and questions from citizens regarding this issue.

Sincerely,

David Weyman

105 Winn Wood Rd
Wimberley, TX 78676

--

David Weyman

From: [Larry Calvert](#)
To: jeff.walker@twdb.texas.gov; Dain.Larsen@twdb.texas.gov; [Shawn Cox](#); [Laura Calcote](#)
Subject: Wimberley Testimony that was
Date: Wednesday, January 16, 2019 8:58:34 AM
Attachments: [TWDB statement 1-8-19.docx](#)

Attached are the remarks I planned to present at the 1/8/19 TWDB public commentary meeting. You will see I intended to be brief to allow many to comment, but clear in my position. I was unable to present my comments because the Mayor used 45 minutes of the designated 2 hours for public comment and then selectively called on primarily supporters. The mayor permitted public comments for an additional 15 minutes but was unwilling to schedule any additional time or date for public comments. Of the 90 plus registered to make public comments only 25 or so were given the opportunity. I hope you will not approved the City Modified Plan to contract with Aqua Texas for waste treatment.

Larry Calvert
101 FM 3237, Suite F
Wimberley, TX 78676
512-484-0422

My name is Larry Calvert and I am a CARD member

I believe the city Sewer system fully meets the waste treatment and environmental needs as designed and should be installed.

I am opposed to the Aqua Texas plan since I believe the revised design is insufficient and Aqua Texas has a very poor record of responsible waste treatment.

In summary, I am opposed to the Aqua Texas option for waste treatment.

Larry Calvert
101 FM 3237, Suite F
Wimberley, TX 78676
512-484-0422
lecalveert@gmail.com

From: [Ashley Waymouth](#)
To: jeff.walker@twdb.texas.gov; [David Baker](#)
Cc: dain.larsen@twdb.texas.gov; [Shawn Cox](#); [Laura Calcote](#)
Subject: Wimberley Testimony to TWDB
Date: Friday, January 18, 2019 11:19:21 AM
Attachments: [WVWA- TWDB WWTP 1.18.19.pdf](#)

Dear Mr. Walker,

Please find the attached testimony on behalf of David Baker, Executive Director of the Wimberley Valley Watershed Association in regards to the City of Wimberley's change of scope to the wastewater treatment plant.

Please let me know if you have any questions. Thank you for your time and attention to this matter.

Sincerely,

Ashley Waymouth

--

Ashley Waymouth, MS
Managing Director
Wimberley Valley Watershed Association
(512) 722-3390
www.wimberleywatershed.org



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David Baker, Executive Director
Malcolm Harris, President
Vanessa Puig-Williams, Treasurer
Jason Pinchback, Secretary
Dorothy Knight
Scott Price
Pokey Rehmet
Parc Smith

Mr. Jeff Walker via electronic mail: jeff.walker@twdb.texas.gov
Executive Administrator
Texas Water Development Board
P.O. Box 13231
Austin, TX 78711-3231

Re: City of Wimberley Change of Scope Request for Wastewater Treatment Project

Dear Mr. Walker,

As the Executive Director for the Wimberley Valley Watershed Association (WVWA), I would like to share with you several concerns that our organization has over the change of scope for the Wimberley Wastewater Treatment Plant. WVWA has been in the Wimberley Valley for the last 23 years and one of our primary directives is to keep Cypress Creek clean, clear, and flowing for generations to come.

The Wimberley WWTP has been an ongoing discussion for the last two decades in this City. Previous City Councils did a tremendous amount of work to design, review, permit and ensure that the plan they put forth for community approval and state funding would not negatively impact Cypress Creek or the Blanco River. The original TCEQ permitted plan also provided beneficial reuse irrigation water for the award winning Blue Hole Regional Park and the change in scope would not provide reuse water for the Park and would instead disperse effluent in the upper watershed on a golf course, depriving Blue Hole of the water necessary for the health and sustainability of the Park.

The WVWA believes that the proposed change in scope to the original plan is not in the best interest of the City and the environment and will pose serious risks to Cypress Creek. The requested change of scope will require that a pipeline is bored beneath the springfed creek and will transmit pressurized raw sewage to a private investor-owned utility corporation, Aqua Texas. This pipeline is proposed to cut through a sensitive karst fault zone and will not be encased. In the event of a leak via corrosion or a broken pipe, this raw sewage will threaten our aquifer and public and private water supply wells along the Wimberley Fault Zone. Additionally, the water quality in Cypress Creek, Blue Hole Park, and the Blanco River would be adversely impacted by a raw sewage spill in this very sensitive area. This risk is too high for the City to undertake at this juncture. Cypress Creek is the economic engine of our Valley and drives tourism to this region; Blue Hole Park hosts thousands of swimmers each summer; both of these could be severely impacted if this change in scope is funded by TWDB.

Wimberley Valley Watershed Association
P.O. Box 2534, Wimberley, TX 78676
www.wimberleywatershed.org | admin@wimberleywatershed.org
Phone: 512-722-3390



David Baker, Executive Director
Malcolm Harris, President
Vanessa Puig-Williams, Treasurer
Jason Pinchback, Secretary
Dorothy Knight
Scott Price
Pokey Rehmet
Parc Smith

We urge the TWDB to require the City of Wimberley to conduct a full environmental impact assessment on this proposed change of scope, specifically highlighting the risks of pumping raw sewage beneath Cypress Creek and to not move forward with any changes until a thorough EIS and hydrogeologic and geomorphological study has been completed and peer reviewed.

WVWA urges the TWDB to not fund the City of Wimberley's change of scope for the wastewater treatment project, as this change is primarily for the benefit of a private investor-owned utility corporation and not in the best interest of the City or the Wimberley Valley. We support the original plan for a City owned treatment plant that will meet the needs of our citizens and our ecosystems while providing beneficial reuse water for the future sustainability of Blue Hole Regional Park.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Baker". The signature is fluid and cursive, with the first name "Dain" and last name "Baker" clearly distinguishable.

David Baker
Executive Director

cc: Dain Larsen, Team Manager, TWDB: dain.larsen@twdb.texas.gov
Shawn Cox, City Administrator, City of Wimberley: scox@cityofwimberley.com
Laura Calcote, City Secretary, City of Wimberley: lcalcote@cityofwimberley.com

From: [Shiila Safer](#)
To: Dain.Larsen@twdb.texas.gov
Subject: Wimberley Testimony, Wimberley Public Hearing Jan 8th and Change of Scope
Date: Tuesday, January 15, 2019 4:40:03 PM

Texas Water Development Board

Wimberley Mayor & City Council

Shawn Cox, Wimberley City Administrator

RE: Wimberley Public Hearing Jan 8th and Wimberley Wastewater Treatment Plant Change of Scope

Dear Sirs/Madams:

I am a homeowner in Woodcreek North, which is in the Wimberley ETJ, but not in the city limits. I have not had the opportunity to voice my comments or questions at the City Council meetings for the past 6 months (the Mayor restricted comments to city residents), although the choices made on the Wimberley Wastewater Treatment Plant will affect my environment, myself and everyone in the Wimberley Valley. At the Public Hearing on January 8th, I arrived early and signed up to speak, with the understanding that EVERYBODY would have the opportunity to voice their concerns or support for the change of scope in the Wimberley Wastewater Project “to determine that any public controversy has been adequately addressed” (reference email dated 12/3/2018, Dain Larson to Shawn Cox).

Only 27 out of 95 people were given the opportunity to speak. It was a farce. The Mayor took up 45 minutes of the meeting (15 people could have spoken in that time), and then Council chose randomly who would speak, cherry-picking those who supported the Aqua Texas plan and the change in scope. The public controversy has NOT been adequately addressed! **At least one more hearing needs to be scheduled, with proper notice and conducted in the proper way so that ALL voices will be heard.**

I DO NOT SUPPORT THE CHANGE IN SCOPE FOR THESE MAIN REASONS:

- I do NOT want Aqua Texas to get the contract, as is currently planned, to handle the city's wastewater. They do NOT have a good environmental track record, as is evidenced by the major raw sewage leaks in Kyle. In 2010, 100,000 gallons of sewage was spilled at the plant, and another 117,000 gallons of untreated sewage spilled into the creek in 2016. Kyle first contracted with Aqua Operations in 1999 to build and operate the city's wastewater treatment plant. Aqua Texas maintains and operates the facility today.
- Beneficial reuse of water for irrigation at Blue Hole State Park has been taken out of the plan.

An unmonitored raw sewage line is designed to run under Cypress Creek next to Blue Hole State Park, which could poison our creeks and rivers for years to come.

- Directional drilling under Cypress Creek may have serious repercussions due to the fault line and karst topography in that area of Wimberley.

I ask the TWDB to require a full Environmental Study before the change of scope is approved.

Thank you for your attention to this important matter.

Respectfully,

Shiila Safer

17 Cypress Fairway Village

Wimberley, TX 78676

Shiila@CreativityinNature.com

From: cwernli@austin.rr.com
To: [Shawn Cox](#)
Subject: Wimberley Testimony
Date: Tuesday, January 15, 2019 2:07:11 PM

For years people who live and love Wimberley worked together to come up with a viable plan to build Blue Hole Regional Park intended for recreation to serve the entire region. This happened with help from citizens, especially those who served on the city council, GRANTS from many government sources and many hard-working individuals.

To provide a water source for this park, the city council developed a water treatment plan which would clean up Cypress Creek and provide water to support the irrigation needs of Blue Hole Park.

Somehow a new council was elected that was more interested in development of Wimberley to become part of the 1% group of billionaires that have moved into this beautiful valley in recent years. Some of these people from big cities came to sell old family lands for development and then move their families back into the cities they came from.

Only the Wimberley city residents were allowed to vote on the new council members that presented the Aqua Texas Plan. The council's new Aqua Texas plan WILL NOT PROVIDE irrigation WATER TO THE BLUE HOLE REGIONAL PARK.

PLEASE CONSIDER THIS INFORMATION AND HELP US TO PRESERVE OUR BEAUTIFUL WIMBERLEY VALLEY FOR EVERYONE THAT LIVES IN THIS VALLEY AND THE REST OF THE REGION.

From: [Herb Smith](#)
To: jeff.walker@twdb.texas.gov; Dain.Larsen@twdb.texas.gov; [Shawn Cox](#)
Cc: [Laura Calcote](#)
Subject: Wimberley Testimony
Date: Sunday, January 13, 2019 3:40:18 PM

Hello,

When you consider the proposed change in scope for the Wimberley wastewater system, please keep the following information in mind.

I arrived early at the January 8, 2019 TWDB hearing in Wimberley early, and signed up on the first page of the signup list to present the statement below in favor of the original city-owned Wimberley wastewater system. Unfortunately, Mayor Susan Jagggers took up about 45 minutes of the two hour meeting with a Powerpoint presentation of very questionable information in favor of the Aqua Texas proposal. Then, rather than hearing citizens on a first come, first up basis, Councilman Barchfeld used an arbitrary system to select speakers in a way that appeared to favor speakers who were in favor of the Aqua Texas proposal. I did not get to speak, nor did many of the most informed Wimberley citizens who turned out for the hearing. Now, I've heard that the pro Aqua Texas contingent is conducting an aggressive email campaign to influence your decision.

It was very obvious during the hearing that a strong majority of Wimberley citizens favor a city-owned system, and are adamantly opposed to Aqua Texas. Unfortunately, there has been a campaign of misinformation intended to influence the TWDB decision about our system. Please keep this in mind during your considerations.

The statement I prepared for the January 8, 2019 TWDB Hearing in Wimberley:

I first came to Wimberley in June, 1974, and promptly fell in love with the natural beauty of the river, and with the small town atmosphere. I started coming here as often as I could, camping at Little Arkansas campground until in 1978, when I bought property on the river in the River Oaks subdivision. I continued visiting as often as possible with the intent to eventually build a house and retire here. Those intentions paid off and, in 2003, our environmentally friendly home was completed, and we have lived here full-time since.

During all these years, I made a conscious effort to spend my money in the restaurants, and grocery and hardware stores in Wimberley. I became a certified Texas Master Naturalist, served on the advisory board of the Hill Country Alliance, and was active in other environment-related organizations, including the steering committee of Citizens Alliance for Responsible Development.

Early on, I subscribed to the Wimberley View, and followed the town's efforts to develop Blue Hole Regional Park, and to establish a city-owned wastewater treatment plant. I was very impressed by the careful planning and vetting that the city did in pursuing these efforts. During the same period, I was appalled by reports that I heard from friends living in Woodcreek, about Aqua Texas, and their leaking water pipes and poor maintenance.

When the current city council so quickly claimed that the careful work of past city councils was flawed, and that they were going to turn the treatment of the city's wastewater over to Aqua Texas, I was very concerned, and could not understand what motivated them to do this.

My concern increased when I learned that, with the new plan, Blue Hole Park would be deprived of needed water and that raw sewage would be piped under Cypress Creek. I hope that the TWDB will delve into what has occurred, and will not support the plan to go with Aqua Texas. As an environmentally concerned resident of the Wimberley Valley, I am adamantly opposed to the plan to use Aqua Texas for Wimberley's wastewater treatment.

Respectfully submitted,

Herb Smith
312 Canyon Oaks Drive
Wimberley, TX 78676
512-847-2006
herb@moonmountaingroup.com

From: [V. Kathy Waid](#)
To: [Shawn Cox](#)
Cc: [Laura Calcote](#)
Subject: Wimberley testimony
Date: Friday, January 11, 2019 11:06:26 AM

I attended the January 8th meeting at the community center and was appalled at the mayor's attempt to railroad the meeting both with her dominating the first 45 or so minutes of the meeting with questionable information then not allowing speakers in order of sign up but hand picking speakers favoring her plan. It was apparent at this time meeting and others I have attended that she has no intention of considering what the overwhelming majority of Wimberley citizens (both in city and within the area) want...which is the city owned system that had been researched for years, approved by all governing bodies, and was already in progress. WE DO NOT WANT AQUA TEXAS!!!

Sincerely
Kathy Waid
110 Camino Derecho
Wimberley

Sent from my iPad

From: [Candy Spitzer](#)
To: jeff.walker@ywdb.gov; Dain.Larsen@ywdb.texas.gov
Cc: [Shawn Cox](#)
Subject: Wimberley Testimony
Date: Thursday, January 10, 2019 8:52:27 PM

Hi,

My name is Candy Spitzer and I am a long time Wimberley Valley resident. I have lived in the Wimberley Valley since 1996. My home is on FM 2325. I have owned a real estate brokerage company and worked in the City of Wimberley since 1999.

I am OPPOSED to the Susan Jagers partnership with AquaTexas to control the City of Wimberley's utility.

I signed up early to speak at the Public Meeting required by the TWDB as both a home and business owner in my beloved Wimberley Valley. I was not chosen to speak, which concerned me because of the way Council Member Barchfield was randomly picking people to speak. I have attended many public meetings in my career as I also own a Right of Way company. I am aware that at a public meeting it is important to let the public speak. The way that the wastewater public meeting was conducted was downright embarrassing and bordered on being blatantly one sided.

It is inappropriate for the Mayor to spring her new math regarding the financial, environmental, and frankly propaganda material at the Public Meeting without allowing the public to know in advance. As become customary for her, she commandeered the public meeting as a forum to present her ideas and admonish everyone if they questioned her big plans. She spent almost 50 minutes showing a PowerPoint presentation that was not in big enough print for anyone in the audience to see. But perhaps this is part of her bullying style. She then proceeded to speak in a rude, dictatorial fashion that has become the "norm" for how she runs meetings. This is disrespectful for the citizens, the democratic process, the requirements of a public meeting, and the Texas Water Development Board.

I am against giving control to the City's utility to any privately owned water/wastewater company and in particular AquaTexas. I have first-hand knowledge of the organization of AquaTexas and I can assure you that this firm's business model is to make money first and foremost. It will not be invested in maintaining the highest level of environmental protection. The reason that AquaTexas is interested in providing this service to the City of Wimberley is to grow it's system at the City's expense. AquaTexas is in this for the long term, and is not interested in the first 5 – 10 year return on investment. Also AquaTexas has a dismal reputation in other small cities close to our

beautiful little slice of heaven known as Wimberley. As a real estate broker in Wimberley, I can sadly report that the first thing people ask me about is whether Wimberley is going to sell it's soul to AquaTexas and become another uncontrolled growth city with short term vision. To date I have been able to say that No, we have a history of providing great leadership through our City government, our amazing volunteer community, and a genuine caring of our natural resources. One of the favorite jewels of Wimberley is Blue Hole Park. We must do everything to preserve our natural resources, our pristine waterways, and our unique way of loving our town. This includes staying with the highest level of protection for our wastewater needs- the City's original plan which includes Type 1A treatment and irrigation to Blue Hole Park.

Another reason I am against this project is that there are missing elements of the plan, besides the glaring misrepresentation of costs, both current and future. Where is the missing easement and what will be done to provide that? Why oh why is it a good idea to bore under Cypress Creek? Boring is never a good idea. We have karst features and springs that will be impacted. And only 10 feet below the creekbed? This is a bad solution to a problem that doesn't exist.

Please return to the City of Wimberley's wastewater plan. Please do not fund the change of scope as presented by this City Council that actually lied to all the citizens when running for office by promising not to partner with AquaTexas. I wonder what deal was struck to get these newly elected officials to do an about face?

Again, please do not fund this half cooked plan to change the scope. I would rather wait until the next election to move forward with a wastewater plant than to go down a road that will ruin what we all love about our piece of paradise,

Thank you for the opportunity to write to you, even though I wasn't afforded the right of a citizen to speak at the Public Meeting.

Sincerely,

Candy Spitzer

Candy Spitzer
Spitzer & Associates, Inc.
302 Cypress Creek Lane
Wimberley, Tx 78676
512.633.7349
www.spitzerassociates.com

From: [Will Taegel](#)
To: [Shawn Cox](#)
Cc: lcalcote@cityofwimberley.com
Subject: Wimberley Testimony
Date: Thursday, January 10, 2019 4:49:57 PM

To TWDB:

I am for the locally managed wastewater system in Wimberley.
I oppose the Aqua Texas/Pipeline plan.

Two of my qualifications:

~I have been a resident of Wimberley for 26 years.

~My Ph.D. is in ecological studies, and I co-teach a class in sustainability with V. Lopes, Ph.D., at Texas State University.

Dr. Lopes, our graduate students, and I have studied this situation carefully from its inception. The Aqua Texas/Pipeline plan does not meet the rigorous standards that we require for a sustainable and healthy environment. The science presented by current Wimberley Mayor, Susan Jagger, lacks substance and accuracy.

Thank you for your attention to this important hydrological matter.

Will Taegel, Ph.D.
1459 Skyline Ridge Lookout
Wimberley, Texas 78676

From: [Carroll Wilson](#)
To: [Shawn Cox](#); [Laura Calcote](#); dain.larsen@twdb.texas.gov; jeff.walker@twdb.texas.gov
Subject: Wimberley testimony
Date: Thursday, January 10, 2019 8:57:45 AM

My name is Carroll Wilson and I live at 7 Woodview Ct, Woodcreek, TX 78676. I have lived here since 2011.

I attended the TWDB hearing in Wimberley this week, but the sound was so bad I left before the hearing had been completed. I hope to use this email, then, to tell you that I oppose the city of Wimberley plan to join with Aqua Texas for any city-related purpose. There is an old saying that is applicable here: It is a poor bird that fouls its own nest. Woodcreek certainly fouled its nest when it gave over its water system to Aqua Texas; I know because it's where I live. I would not have moved to Woodcreek had I realized in advance that Aqua Texas, a for-profit, publicly traded company, was the supplier of my most precious commodity. I believe Wimberley will be fouling its own nest if you persist in lending it money to do so for its ill-conceived Aqua Texas project. City functions belong in the hands of city residents and taxpayers not in the hands of for-profit, publicly traded corporations that are expected to make quarter-over-quarter, year-over-year income increases regardless of who gets hurt in the process.

My bottom line message: Say no to Wimberley's plan for an Aqua Texas partnership. It is a bad deal that will only get worse over time.

Carroll Wilson
512-842-3054

From: [Susan Zimmerman](mailto:susan.zimmerman@moonmountaingroup.com)
To: jeff.walker@twdb.texas.gov; dain.larsen@twdb.texas.gov
Cc: [Shawn Cox](mailto:Shawn.Cox@twdb.texas.gov); [Laura Calcote](mailto:Laura.Calcote@twdb.texas.gov)
Subject: Wimberley testimony
Date: Wednesday, January 16, 2019 6:51:55 PM
Attachments: [TWDB Hearing comment & agenda items.pdf](#)

Dear Mr. Walker and Mr. Larsen,

Below please find my statement that I was able to read at the January 8, 2019 TWDB Public Hearing held at the Wimberley Community Center. I included this statement in the attachment, which also includes the agenda and agenda items for the January 3, 2019 Wimberley City Council meeting that I reference in my statement.

I was one of the "lucky" 27 persons who were able to speak, of the 95 total who signed up. Council member Gary Barchfeld said he was choosing names on lines 1, 5, 10, 15, and 20 from each page of the sign-in sheets (for some inexplicable reason). When I reviewed the sheets that were made available, however, it appeared that he chose individuals who he knew would speak in favor of the Change in Scope to Aqua Texas. I believe he did this to "balance out" the speakers who he knew would overwhelmingly be opposed to Aqua Texas.

In spite of Mr. Barchfeld's efforts, two-thirds of the 27 speakers voiced our opposition to the Change in Scope. Think of what the outcome might have been had Mayor Jaggars not stopped the meeting (so she could begin her Town Hall) and the remaining 68 individuals been given the chance to speak.

I hope that the TWDB will require the city to hold another Public Hearing.

Thank you,
Susan Zimmerman
312 Canyon Oaks Drive
512-847-2006, h
512-585-2744, m
susanz@moonmountaingroup.com

+ + + + +

January 8, 2019

Mayor, City Council, thank you for this chance to speak.

My name is Susan Zimmerman. I live in a subdivision outside the city.

My comments relate to the proposed project changes. When I refer to the council, I mean the 4 council members who support the Change of Scope to switch from the city-owned wastewater system to giving the wastewater contract to Aqua Texas.

At the Thursday, January 3rd City Council meeting – just 5 days before this hearing – the council voted 4-1 for two agenda items related to this Change of Scope.

On one item, council voted to pay \$200,000 to end its contract with Black Castle.

On the other, council voted to accept a letter telling the TCEQ the City would not renew the permit for the original wastewater treatment plant. This plant was part of the plan for which the TWDB loaned the city \$5.5 million.

The city got the loan in part because it planned to reuse water at Blue Hole Park, which fit with part of TWDB's environmental mission. The water for Blue Hole is gone from the Change of Scope.

I believe these votes were premature and I question the timing, only 5 days before this TWDB-required Public Hearing.

The City has been negotiating with Black Castle to end the contract since August 2018. Why settle just 5 days

before this Public Hearing?

The second vote really got me wondering what this council is doing.

It has until July 2019 to tell TCEQ whether it will renew the permit. The council member who wrote the letter said the reason for voting on it now was, "...to get the letter written and have it ready to go whenever we're ready to send it... whether we send it tomorrow or in July makes no difference, we still want to have the letter ready to go..."

And, "We intend to go with Aqua Texas, have them treat our effluent and once that's all approved we won't need this permit anymore."

Another council member asked if the letter could be held until "if and when" the Aqua Texas plan is finalized. The council member who wrote the letter answered, "I'm not sure I'm in favor of that because I'm not sure when that's going to happen."

Why rush to finalize the letter if you're not sure when that's going to happen?

I hope TWDB will ask the council the following questions:

1. Do they have a plan to do something that somehow makes the TWDB loan unnecessary?
2. Or, do they think that with these votes, they have done away with any alternative to the Aqua Texas plan, and that will force the TWDB to approve the Change of Scope?

And please do not let the city use your loan to give the contract to Aqua Texas.

Susan Zimmerman

312 Canyon Oaks Dr.

Wimberley, TX

512-847-2006

susanz@moonmountaingroup.com

~~City of Dallas~~
Scan + email to TWDB

January 8, 2019

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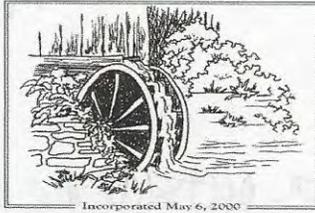
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And please do not let the city use your loan to give the contract to Aqua Texas.

Susan Zimmerman
312 Canyon Oaks Dr.
Wimberley, TX
512-847-2006
susanz@moonmountaingroup.com



City of Wimberley

221 Stillwater, P.O. Box 2027, Wimberley, Texas 78676

REGULAR CITY COUNCIL MEETING
WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER, WIMBERLEY, TEXAS 78676
THURSDAY, JANUARY 3, 2019 – 5:30 P.M.

AGENDA

1. **CALL TO ORDER** January 3, 2019 at 5:30 p.m.

2. **CALL OF ROLL** City Secretary

3. **INVOCATION**

4. **PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG**

5. **CITIZENS COMMUNICATIONS**

The City Council welcomes comments from citizens who have a direct stake in the business of the city, such as a landowner, resident, vendor or business owner on issues and items of concern, not on this agenda. Those wishing to speak must sign-in before the meeting begins and observe a three-minute time limit when addressing Council. Speakers will have one opportunity to speak during the time period. Speakers desiring to speak on an agenda item will be allowed to speak when the agenda item is called. Inquiries about matters not listed on the agenda will either be directed to staff or placed on a future agenda for Council consideration. Comments from speakers should not be directed towards any specific member of City Council or City staff. Comments should not be accusatory, derogatory or threatening in nature.

6. **EXECUTIVE SESSION**

In accordance with Texas Government Code, Chapter 551, Subchapter D, the City Council may convene in a closed session. After the Executive Session, discussion on any of the following items, any final action or vote taken will be in public.

Executive Session pursuant to Texas Government Code, Section 551.071 (Consultation with Attorney) regarding the Black Castle contract.

7. **OPEN SESSION**

Discussion and possible action resulting from Executive Session.

8. **CONSENT AGENDA**

The following item/s may be acted upon in one motion. No separate discussion or action is necessary unless requested by a Council member or citizen, in which event those items will be pulled from the consent agenda for separate consideration.

- A. Approval of minutes from the Regular City Council Meeting held December 6, 2018.
- B. Approval of September 2018 Financial Statements for the City of Wimberley.
- C. Approval of Resolution No. 01-2019, authorizing the acceptance of an easement agreement for utilities to be located at 13301 Ranch Road 12, Wimberley, Hays County, Texas, on a property owned by Mystic Hill, LLC.

9. CITY ADMINISTRATOR REPORT

Update regarding the status of the Central Wimberley Wastewater Project and other City projects

10. DISCUSSION AND POSSIBLE ACTION

- A. Discuss and consider possible action to amend the City of Wimberley Governance Policy and Rules of Procedure. *(Place Three Council Member Allison Davis)*
- B. Discuss and consider possible action to approve Ordinance No. 2019-01, amending Division 2, City Administrator, of Article 2.05, City Officers, of Chapter 2, Administration and Personnel of the City of Wimberley Code of Ordinances. *(Place Two Council Member Craig Fore)*
- C. Discuss and consider possible action to update the Texas Commission on Environmental Quality (TCEQ) on the City's desire to not renew TPDES Permit No. WQ0013321001. *(Place Two Council Member Craig Fore)*
- D. Discuss and consider possible action to approve the establishment of a Comprehensive Review Plan Committee. *(Place Four Council Member Gary Barchfeld)*
- E. Discuss and consider possible action to amend the City of Wimberley Purchasing Policy. *(Place Four Council Member Gary Barchfeld)*
- F. Discuss and consider possible action regarding the procedure to receive an update from the Wastewater Ad Hoc Advisory Committee. *(Place Four Council Member Gary Barchfeld)*
- G. Discuss and consider possible action to accept the resignation of Patricia Cantu Kelly from Place Five on the Wimberley City Council.
- H. Discuss and consider possible action to fill a vacancy for Place Five on the Wimberley City Council either by appointment or by special election until the next General Election in May 2019.

11. CITY COUNCIL REPORTS

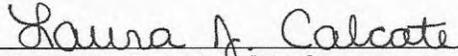
- A. Announcements
- B. Future agenda items

12. ADJOURNMENT

The City Council may retire into Executive Session at any time between the meeting's opening and adjournment for the purpose of discussing any matters listed on the agenda as authorized by the Texas Government Code including, but not limited to, homeland security pursuant to Chapter 418.183 of the Texas Government Code; consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion about real estate acquisition pursuant to Chapter 551.072 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code; deliberations about gifts and donations pursuant to Chapter 551.076 of the Texas Government Code; discussion of economic development pursuant to Chapter 551.087 of the Texas Government Code; action, if any, will be taken in open session.

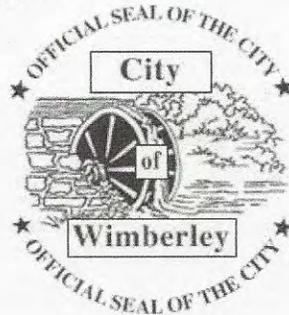
CERTIFICATION

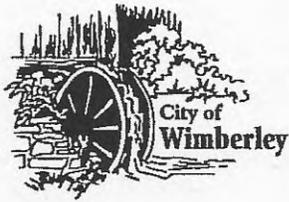
I hereby certify the above Notice of Meeting was posted on the bulletin board at Wimberley City Hall, a place convenient and readily accessible to the general public at all times, and to the City's website, www.cityofwimberley.com, in compliance with Chapter 551, Texas Government Code, on Monday, December 31, 2018, by 5:30 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.



Laura J. Calcote, City Secretary

The City of Wimberley is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please contact City Secretary Laura Calcote at (512) 847-0025 two business days in advance of the meeting for appropriate arrangements.





AGENDA ITEM: TCEQ Notification
SUBMITTED BY: Craig Fore, Council Member Place 2
DATE SUBMITTED: December 28, 2018
MEETING DATE: January 3, 2019

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

The City of Wimberley currently holds TPDES Permit No. WQ0013321001 from the Texas Commission on Environmental Quality (TCEQ). This permit currently allows the City to operate and maintain the Blue Hole Wastewater Treatment Facility. The original permit was amended to allow for the discharge of effluent (treated wastewater) into Deer Creek, once the proposed Wastewater Treatment Plant was completed. The permit is set to expire on February 20, 2020. To renew this permit, the City will need to submit a Renewal Application 180 days before the permit expires (by the end of July 2019).

With the amendments to the Central Wimberley Wastewater Project which will have wastewater treated by a third party, and not the City, there will be no need to renew the permit. For consideration is a draft letter to inform the TCEQ that the City does not intend to renew TPDES Permit No. WQ0013321001. IF approved this letter would not have to be provided until July 2019.

REQUESTED ACTION

- Motion
- Discussion
- Ordinance
- Resolution
- Other

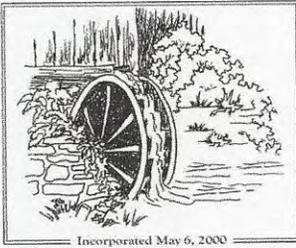
FINANCIAL

- | | | | |
|-------------------|-------------------------------------|---------------------------|----|
| Budgeted Item | <input type="checkbox"/> | Original Estimate/Budget: | \$ |
| Non-budgeted Item | <input type="checkbox"/> | Current Estimate: | \$ |
| Not Applicable | <input checked="" type="checkbox"/> | Amount Under/Over Budget: | \$ |

STAFF RECOMMENDATION

ATTACHMENT(S)

- Draft TCEQ Letter



City of Wimberley

221 Stillwater, P.O. Box 2027, Wimberley, Texas 78676
(512) 847-0025 Fax (512) 847-0422 www.cityofwimberley.com

Susan Jagers, Mayor Gary Barchfeld, Mayor Pro-tem
Council Members – Mike McCullough Craig Fore Allison Davis Patricia Cantu Kelly

2019

Texas Commission on Environmental Quality
Attn:
P.O. Box 13087
Austin, TX 78711-3087

Re: TPDES PERMIT NO. WQ0013321001

The City of Wimberley holds TPDES Permit No. WQ0013321001, which authorized the City to treat and discharge wastes from our Blue Hole Wastewater Treatment facility, once the proposed new 75,000 GDP treatment plant was completed. Currently the City operates a 15,000 GDP treatment plant under TPDES Permit No. WQ0013321001 and utilizes a separate 210 permit to use the effluent produced for irrigation.

The City no longer plans to build the proposed new plant, but instead intends to utilize a third-party to treat its wastewater. Once our current project is completed, the existing treatment plant will no longer be needed, and TPDES Permit No. WQ0013321001, which allows for discharge, will no longer be required. The City does intend to utilize Type I Treated effluent to irrigate the Blue Hole Regional Park. We will be requesting a separate 210 authorization which will be tied to a permit held by the third party we are contracting with to treat our wastewater.

The permit is set to expire on February 2, 2020. Please let this letter serve as notification that the City does not intend to renew TPDES Permit No. WQ0013321001. Please let me know if there is any additional information the City needs to provide.

Sincerely,

Shawn Cox
City Administrator

Cc: TWDB

From: [Paul Prasek](#)
To: [Shawn Cox](#)
Cc: [Laura Calcote](#)
Subject: Wimberley Testimony
Date: Wednesday, January 16, 2019 8:00:25 PM

Dear Mr. Cox,

We have lived and been active in Wimberley since 1992 and have kept informed of our city government since we incorporated in 2000. We are totally against Aqua Texas being involved in our city waste water system in any degree. We object to our current city council overturning, in two months, all the work our previous councils did for years on a system that would be owned by the city, which was full approved by the citizens.

Thank you for doing all in your power to not allow this to happen.

Sincerely,
Jan and Paul Prasek
2020 Hilltop Dr.
Wimberley

From: [Brian Ferrar](#)
To: [Shawn Cox](#); calcote@cityofwimberley.com; jeff.walker@twdb.texas.gov; Dain.Larsen@twdb.texas.gov
Subject: Wimberley Testimony
Date: Monday, January 14, 2019 9:39:09 AM

TO: City of Wimberley

Shawn Cox, City Administrator (scox@cityofwimberley.com)

Laura Calcote, Secretary (lcalcote@cityofwimberley.com)

CC: Texas Water Development Board.

Jeff Walker, Executive Administrator (jeff.walker@twdb.texas.gov)

Dain Larsen, Team 5 Manager (Dain.Larsen@twdb.texas.gov)

Mr. City Administrator,

Please enter this testimony from the Public Town Hall meeting last week, into the record:

Dear Mayor and members of City Council,

I come before you to object to your deal with Aqua Texas.

They and their parent corporation are unfortunately known as the worst private utility in the nation. They have a D Minus rating with the BBB. Almost every community that has dealt with them has been lied to, poorly serviced, and in the end, universally disappointed by Aqua Texas. Many towns end up with no recourse but to take costly legal action. Ask Woodcreek. Ask Kyle.

And frankly they falsely promise and even shamelessly lie. Their

President. Mr. Robert Laughman, visited our community discussion group several months ago. Mr. Laughman sat in my living room and looked me in the eye and said they had no violations with the State of Texas – while I simultaneously showed him the state web site with the list of their violations. More violations in fact, than any other utility.

Mr. Laughman also told us that no matter what you hear, we will **NEVER** (his emphasis) upgrade our facility for Level 1 effluent because it is not profitable to do so. (I sent the minutes of our meeting to the Wimberley View for publication.) Now he says that's on the table? In light of this convenient flip-flop, how can we know which AT position is true?

If you read Aqua America's web site (Aqua Texas' parent corp), their business model is clear. They prey on small towns like ours, promising the world to get in, and then once entrenched, knowing those communities have limited resources to fight them, they proceed to price gouge and short-change basic maintenance. This is their business model. They are a for-profit private company looking to minimize their costs to maximize their profits. They will not – *cannot* - change this model or their obligation to deliver profits from small towns like ours to their Wall Street shareholders.

There is nothing wrong with profitability....until it impacts the environment. And unfortunately, raw sewage spills are a regular occurrence in Aqua Texas-served communities. Kyle just had to settle their suit over AT spilling 100,000 gallons of raw sewage! You may not be able to set your watch by their predictable negligence, but you can come darn close!

And here in pristine Wimberley, Texas, our Slice of Heaven, our waters are the foundation of the community and what makes us special.

We will live with this decision long after all of you are no longer serving on this Council, so I beg you, please do not let this bad, bad deal, be your legacy in Wimberley.

Thank you,

Brian Ferrar

CR1492, Wimberley TX 78676

512-658-0588

ferrar.brian@gmail.com

From: [Cindy Rodriguez](#)
To: jeff.walker@twdb.texas.gov; Dain.Larsen@twdb.texas.gov
Cc: [Shawn Cox](#); [Laura Calcote](#)
Subject: Wimberley Testimony
Date: Monday, January 14, 2019 11:20:13 AM

I am opposed to the change in scope of the Wimberley central wastewater project .

The loan was approved for a city owned plant and the wastewater plan had been scrutinized over a period of years by many experts. The change in scope has been hastily developed and continues to change on a seemingly daily basis. It is hard to quantify risks and costs with a moving target. As I understand the plan now is to drill under Cypress Creek and pipe raw sewage in a single-walled pipe, without leak monitoring, to a yet to be determined point north of the creek, where it can be tied into Aqua Texas infrastructure.

I do not believe we should consider a plan that allows raw sewage to be transported through such a sensitive area. A sewage leak, even a small one, will do significant harm to a very sensitive area with both private wells and wells that serve the Wimberley Water Supply Corporation which is my water provider.

I do not support contracting with a company with as poor a record as Aqua Texas.

Finally, I object to the format of the public hearing. The council took 45 minutes of the 120 minutes allotted for public input to justify their plan, then allowed only selected speakers of their choosing instead of calling speakers in the order in which they signed up . This council has established a history of suppressing public input and willfully ignoring the opinion of the majority of Wimberley citizens.

I request the scope change NOT be granted.

Cindy Rodriguez
1980 Hilltop Dr
Wimberley, Texas 78676
512-557-6556

From: [A.L. Wightman](#)
To: [Jeff Walker](#)
Cc: [Dain Larsen](#); [Shawn Cox](#); [Laura Calcote](#)
Subject: Wimberley Testimony
Date: Friday, January 18, 2019 5:01:36 PM

Dear Mr. Walker:

As a downstream property owner below the outfall of the proposed Wimberley wastewater plant, I am writing to express my support for the project's change of scope for the following reasons:

1. It is the policy of the Texas Commission on Environmental Quality to encourage regionalization to limit the proliferation of package plants and their impact on the state's water quality. Half of the City of Wimberley is already served by Aqua Texas, a regional water and wastewater provider. This is a good example where that state policy makes the most sense geographically, financially and environmentally.
2. Public input from the first town hall meetings on the wastewater issue specifically called for "no discharge" and the lowest-cost option. The Aqua Texas plant disposes of effluent in a more environmentally sound manner for the Hill Country than discharge into a waterway. It has the capacity to easily handle downtown Wimberley's needs without degrading the Blanco River.
3. No one gave the City of Wimberley a blank check to develop its city-owned wastewater plant. A stakeholders' committee recommendation was conditional with limits on cost and environmental impacts. The estimated cost of the plant already has exceeded the limits set by that committee by 25 percent, and the final costs are expected to be greater than \$7.5 million.

Thank you for the opportunity to comment on this important issue.

Alice Wightman, owner
200 Rim Road
Wimberley, TX 78676

Residence: 3210 Oak Hollow Drive
New Braunfels, TX 78132

From: [Sheryl Davis](#)
To: jeff.walker@twdb.texas.gov; dain.larsen@twdb.texas.gov
Cc: [Shawn Cox](mailto:Shawn.Cox@cityofwimberley.com); lcolcott@cityofwimberley.com
Subject: Wimberley Testimony
Date: Monday, January 14, 2019 8:40:38 AM

Dear Mr. Walker and Mr. Larsen;

I am a citizen of the Wimberley Valley and attended the Public Hearing held at the Wimberley Community Center on January 8th to allow public comment regarding the change in scope to the proposed wastewater system.

Be advised that I am in complete disagreement with this change in scope which assumes Aqua Texas will now provide collection, transportation and storage of waste water for the City of Wimberley.

This system has been a long time coming to our little city. The initial proposal was vetted by numerous professionals, funded and ready to go two years prior to our current city administration's taking office. The year prior to the current mayor's/council's election the entire proposal was vetted again with positive results and ample funds assured. The last year has been a disaster not only the wastewater system, but to the entire city, due to the political infighting.

The revised proposal does not compare equitably with the initial proposal since water for Blue Hole Regional Park has been eliminated and it has cost the city wasted money for attorneys and buy out of the Black Castle contract.

I believe there is need for another hearing in order to assure that the Texas Water Development Board fully understands Wimberley's public outrage. The mayor spoke for 45 minutes taking up valuable time which was supposed to be for citizens' comments. Additionally, the manner in which the speakers were selected was somewhat suspect as instead of allowing speakers in the numerical order of signup, he indicated he was selecting them in another order of 1,5,10, etc. We could not tell at the time of the meeting if indeed the selection was occurring in this manner.

In short, I do urge the board to require another open meeting.

Sheryl Davis

1525 Red Hawk Road
Wimberley 78676

650.269.0849 *Sheryl*

From: [Thomas Mader](#)
To: jeff.walker@twdb.texas.gov; Dain.Larsen@twdb.texas.gov
Cc: [Shawn Cox](#); [Laura Calcote](#)
Subject: Wimberley Testimony
Date: Saturday, January 12, 2019 2:38:45 PM

Although I was unable to attend the TWDB meeting due to work, I wish to comment. My family lived in Woodcreek North and had Aqua Texas for sewer and water. We had several problems with the sewer system and had to ask for service several times before they came and repaired it.

The cost for using Aqua was extremely high and since we moved to a private community, the cost for us is now less than half of what Aqua Texas was charging (using the same amount of water).

I also am really disappointed at the antics of the Mayor and the council for the way they handled the meeting last Tuesday and have had numerous comments by folks that were there against how the town handled the whole presentation.

Thomas Mader
tpmader@aol.com

From: [MARTHA BARCHFELD](#)
To: [Shawn Cox](#); clay.schultz@twdb.texas.gov; dain.Larsen@twdb.texas.gov
Subject: Wimberley Texas Sewer Project
Date: Friday, January 18, 2019 9:03:06 PM

Dear Sirs:

I am a Wimberley resident and property owner residing at 550 Flite Acres Road which is on the Blanco River less than one-half mile downstream of the proposed discharge point. I formally disputed the change in permitting from land based discharge to allow discharge into the Blanco River. I am writing in support of the change in scope of the Wimberley Wastewater Project to use Aqua Texas as the city's wholesale wastewater treatment provider.

There is no scientific data that concludes there will not be negative effects if any grade of effluent is discharged into our spring fed river. There are multiple real life examples of the NEGATIVE effects of discharging into our Texas spring fed rivers.

There is no logical or economical basis to support the City of Wimberley operating a sewer plant. The current plant operates at a loss with expenses of approximately \$140,000. Why would anyone think borrowing \$3.5 million to build a new and larger plant would be less expensive? The projected maintenance and operation cost is approximately \$214,000. The budget for the City of Wimberley is \$1.4 million. There is no mathematical equation that allows for payback of a loan for a \$3.5M sewer plant and a \$3.6 million collection system without an adding an ad valorem tax.

In addition, it makes both logical, economical and environmental good sense to take advantage of Aqua Texas' existing sewer facility which aerates treated effluent in a pond AND has a land application permit. They are proven in our area since they provide sewer service for businesses, Wimberley ISD schools, Wimberley's Community Center and residents north of Cypress Creek. The businesses that will be served by the new sewer are on the banks of Cypress Creek - less than 1,000 feet from those who are served by Aqua Texas.

Much of the opposition to going with Aqua Texas has been from non-city residents who are currently served by Aqua Texas and fear that their rates will increase. Business decisions should not be based on fear but on facts. Organizations were promised things by previous councils that just aren't affordable - things like free grey water to water their landscaping, etc. What other city do you know who has lobbied for a sewer treatment plant in their park which is also on a spring fed waterway such as Blue Hole on Cypress Creek?

I am retired from ExxonMobil. I am aware that the state of Texas has multiple pipelines for multiple products running under our streams and rivers. In addition, the city's engineer, Steve Coonan, confirms that the proposed pipe design for sewage is secure.

Hays County taxes are extremely high. The majority of Wimberley's citizens are over 55. If Wimberley is forced to add an ad valorem tax to pay for an unaffordable sewer plant, it is not an invalid statement to say a percentage of our retired citizens who have called Wimberley home for decades will no longer be able to afford to live in their homes.

The City of Wimberley has been looking for a sewer solution for over 20 years. It is time to put in an affordable sewer system with an existing provider in an economically feasible and environmentally sound manner. I respectfully request your approval to do approve the change in scope to send our wastewater to the regional provider Aqua Texas. Not only is this change

in scope fiscally sound, it would ensure there is no discharge of any kind into our pristine Blanco River.

Respectfully,

Martha Barchfeld
550 Flite Acres Rd.
Wimberley, TX 78676

From: [Jamie Pettit \(via Google Docs\)](#)
To: [Shawn Cox](#)
Cc: kristen.miller@twdb.texas.gov; [Laura Calcote](#); dain.larsen@twdb.texas.gov; jeff.walker@twdb.texas.gov
Subject: Wimberley TWDB Hearing
Date: Friday, January 11, 2019 12:36:12 PM

Jamie Pettit has shared a link to the following document:

 [Wimberley TWDB Hearing](#)

 Wimberley Testimony for January 8th TWDB Hearing

[Open in Docs](#)

Google Docs: Create and edit documents online.

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

You have received this email because someone shared a document with you from Google Docs.



January 11, 2018

Dear Texas Water Development Board, City Council and Mayor,

Mayor Jagers did not handle the hearing as directed. She should not have spent 45 minutes on a presentation during the hearing time: this could have been handled at the Town Hall citizens have been asking for since August, and should have been presented BEFORE the TWDB hearing with ample time for citizens to review the numbers. I can only surmise that this was done deliberately so we could not see the numbers before hand, and to quiet public comments, as was done at the August Council Meeting when many citizens, including myself, were not allowed to speak about the cancelling of the BlackCastle contract.

202 people signed in at the TWDB Hearing, 107 people circled no to comment, and 95 people circled yes to comment. Only 26 people were allowed to comment, and the way Council Member Barchfeld handled the picking of speakers was highly suspect. Other statements at the meeting were not truthful, including the statement that Mayor Jagers has spoken to Woodcreek Council Members about AquaTexas services as part of her vetting of the new project; Woodcreek Mayor and Council members have said they were never contacted by anyone in Wimberley government regarding Aqua Texas.

I was allowed to speak, and I do not support this change of scope primarily because of the raw sewage pipe proposed to be drilled under Cypress Creek and because of the lack of reclaimed water going back to our regional Blue Hole Park. I feel a full Environmental Assessment needs to be completed concerning the drilling of a pipe due to fault lines present in that area, the safety concern for the Aquifer and the water quality of Cypress Creek and the Blanco River. **I also feel that the 2014 Finding of No Significant Impact is null and void considering the change of scope and added underground sewage pipe under Blue Hole Regional Park, which is a huge economical and cultural centerpiece of Wimberley.**

Below is my written comment made during the TWDB Hearing, and the email I made reference to during my comment.

Thank you.

Jamie Pettit

Wimberley resident and voter residing within the city limits.

January 8, 2019

Wimberley Community Center

Texas Water Development Board Hearing

Wimberley, Texas

Statement by Jamie Pettit, resident in the city limits of Wimberley, Texas:

The City-owned Wastewater Treatment Plant project did not have a raw sewage pipe crossing under Cypress Creek. On June 7th when

Mayor Jagers first introduced parts of the AquaTexas Plan to citizens, she said that the pipe crossing under Cypress Creek to connect to Aqua Texas' system would be a double-pipe with leak detectors to ensure that no raw sewage would leak into Cypress Creek or underground. Just to be clear, this pipe will be carrying RAW sewage, not treated effluent! With the current plan, if there is a leak in the single pipe, raw sewage will potentially leak into our aquifer, Cypress Creek, and the Blanco River. Why does this current plan being reviewed not have this extremely important safety feature of a double pipe to protect our waterways?

Another point, just to quote the words of Mayor Susan Jagers, in a 2018 email to Dain Larsen on the Texas Water Development Board: "For the record, most of the community wants to own and operate their own plant." Yes, we do, Mayor Jagers, and you have done your best to prevent the city-owned wastewater treatment plant from being built, against the wishes of the majority of our community.

From: Mayor [mailto:mayor@cityofwimberley.com]
Sent: Monday, July 2, 2018 4:05 PM
To: Dain Larsen <Dain.Larsen@twdb.texas.gov>

Subject: RE: City of Wimberley Revenue Bonds

Thanks Dain,

Yes the pro-forma has been updated with a best case financial analysis of the current conditions. I will be bringing it to the meeting.

Our new Legal Advisors are with the Denton, Navarro, Rocha, Bernal & Zech law firm. One of their lawyers will be joining us.

I'll also be bringing the current proposal from Aqua Texas to

accommodate our sewage treatment until we build our own plant. The contracted engineer, Mr. Coonan, with Plummer Engineering has addressed any engineering issues and will be presenting his analysis. What additional would you require, if anything, from the TCEQ with regards to boring under the Cypress Creek to connect with Aqua Texas? By the way, the proposed scope change does not require any additional permits or easements. There is minimal re-engineering with little to no turnaround time.

We have temporarily suspended work with the plant contractor, BlackCastle, until you have blessed off on the changes.

For the record, most of the community wants to own and operate their own plant. However, in light of the fact that until there is a justifiable user base, the lack of sufficient revenue will probably force this city to raise the Ad Valorem tax, which is currently at 0%. As you know an Ad Valorem tax should not and can not be used to repay Revenue Bonds. Worst case

Respectfully,

Susan Jagers

Mayor

City of Wimberley

221 Stillwater

P.O. Box 2027 (Mailing Address)

Wimberley, TX 78676

Cell: (512) 648-1632 best option

Office: (512) 847-0025

Fax: (512) 847-0422

Website: cityofwimberley.com

P Please consider the environment before printing this e-mail.

From

From: [Heather Carter](mailto:Heather.Carter@twdb.com)
To: dain.larsen@twdb.com; [Shawn Cox](mailto:Shawn.Cox@twdb.com); [Laura Calcote](mailto:Laura.Calcote@twdb.com); kristin.miller@twdb.com
Subject: Wimberley- TWDB Jan 8th meeting - Letter of Concern
Date: Thursday, January 10, 2019 8:14:19 PM

Dear Ms. Miller and Mr. Larsen,

I hope you're hearing from many of us in Wimberley that are outraged by the events that took place at the City's Public Meeting on the Change of Scope for our WWTP. I am attaching my letter and questions that I had hoped to ask Tuesday night. This marks the third time I have signed up to speak at a City Council Meeting regarding the WWTP and have not been allowed to. My understanding was that all of those that would like to speak and ask questions would be allowed to do so and if there were too many people for this meeting to be able to be heard in 2 hours, then another meeting would be called.

Out of the 205 people that were there Tuesday night, 95 signed up to speak but only 27 were allowed to. The Mayor took up 45 minutes of our two hours with her own misinformation before we could get started. We did not get our full two hours and we are requesting another meeting. More importantly and as if that wasn't unfair enough, Mayor Pro-Tem Barchfeld announced he was disregarding calling speakers in the order in which they'd signed up; rather, he said, because he could already see that there were way too many speakers for the time allotted (by then, reduced by the mayor's 45 minutes), he was going in this order: 1, 5, 10, 15, etc. What is completely crazy about that is not every single person circled YES they wanted to speak, so what happens when he gets to 5 and there is someone there that doesn't want to speak?? Does he skip to 10 or go to 6?

However, there is proof that Mr. Barchfeld did not even follow his own crazy rules. You can see by looking at the sign in lists, that Mr. Barchfeld changed to calling speakers in a way that resulted in a disproportionate number of speakers friendly to the requested change (his and the mayor's position). The latter violates your express instructions. The Mayor and Barchfeld have cherry picked speakers that are for their position before. One time they said they would only allow 30 total minutes of comments so all the others signed up to speak left without being heard, once said they would only hear from those that lived in the city limits and another time they decided to only hear equal remarks from each "side", since there were only 2 people there that agreed with the Mayor's stance, only 2 of the 19 of us were allowed to comment. This pattern and what happened on Tuesday are enough to warrant another hearing.

While post-hearing submission of written comments is now allowed for 10 days, if written comments were sufficient, there would have been no need for, or purpose, in having the public hearing you required. If only a small handful of speakers were denied, perhaps you might say no meaningful harm. But when the mayor gives her pro-change side the first 45 minutes, and then only 27 of those 95 signed up get to speak, and when Mr. Barchfeld further unilaterally and secretly decides who gets to speak, the public comment you required is inadequate and incomplete. For your board to get the clear, unbiased, unvarnished public input you required via a public hearing, at least one more hearing is required. Please inform the City of that need and their responsibility. Unfortunately, we are counting on you to show our Mayor what governance is and how to acknowledge the importance of public input and support.

Sincerely,
Heather Carter
191 Hidden Creek
Wimberley, TX 78676

January 8, 2019

To Whom It May Concern at TWDB:

I am writing you as a concerned citizen of Wimberley. The current Mayor, Susan Jagers, ran for office with the promise of Aqua Texas being off the table, promising to finish the currently underway WWTP and stated she knew that this community wanted it's own WWTP.

Quickly however, within the first few weeks after the election, the current council being led by the Mayor and Councilman Barchfeld, changed scope of the project by halting progress on the plant and did so without transparency and without public input contrary to what their campaign promises were. They systematically removed and replaced every member on advisory committees including HOT, P&Z and Wastewater to be people in their camp and in agreement with halting the WWTP and using Aqua Texas instead, they also fired the city attorney that advised them it was a wrong move to stop progress on the WWTP. Our Mayor also promised a Town Hall meeting before any action was taken with Black Castle and we never got it.

On July 16, 2018 in her Mayor's Corner, Jagger's wrote "FACT: There has been no decision made on which option to pursue. When the analysis is complete, it will be presented to the Council in a workshop session for their review and consideration. The same analysis will also be presented at a Town Hall meeting at the Community Center prior to any direction taken by the Council."

This Mayor and Council have continually misled, withheld information from the public and kept public comment and questions from happening at meetings. Most of the information we have has been requested through FOIA and pieced together because of the lack of transparency of this council. Twice now I have signed up to speak and not been allowed to at council meetings due to the Mayor limiting time for public comment, saying only people residing in the city limits could attend and speak or saying that comment was limited to equal numbers of pro vs. con people, which is absolutely ridiculous. I was one of the 19 people signed up to speak AGAINST the termination of the Black Castle contract and was not allowed to speak because there were only two people signed up to speak FOR the termination.

This conduct in the very least is a misrepresentation of their intentions as elected officials, flagrant misuse of city funds, lack of transparency and a censoring of public outcry. I have never, in 20 years of living here, seen such an abuse of power and irresponsible use of city resources. We are now, against the public majority's wishes, spending even more money to pay Black Castle, what do we have to show for it? - absolutely nothing. The TWDB may be our last hope to impede this current council's agenda. As a community committed to preserving our creeks, rivers and parks, we are pleading with you to deny funds of any kind

that would support this council's agenda of going with Aqua Texas, drilling for pipe carrying raw sewage underneath our beloved Blue Hole at Cypress Creek and cancelling any chance we have as a city to control the unbridled growth and development seen in neighboring towns like us that ended up going with Aqua Texas. Kyle just spent millions getting out of a contract with Aqua Texas and I hope Wimberley doesn't follow that same knowingly irresponsible and destructive path.

My questions for this Council and the Mayor are as follows:

1. For the new members of this council that ran their campaigns on "no discharge" and were quoted saying that "Aqua Texas is off the table", it is shocking to me that you would be OK with Aqua Texas, a proven terrible steward of water resources and environmental quality, running a pipe with raw sewage directly under our pristine Cypress Creek!! What's the plan for handling the raw sewage in the event that there is a rupture of the pipeline that you want to place between Blue Hole and our downtown bridge? Have any studies been done to qualify or quantify the potential economic impact to Wimberley and Blue Hole if there is a leak in this raw sewage pipe??
2. The rapid and irresponsible decision to cancel construction on our city owned WWTP and a settlement to pay off Black Castle 4 days before this meeting tonight smells of bad governance, little to no transparency and gross misuse of our public funds. Without allowing public input or having a town hall like promised, how do you plan on justifying your actions to our community? Without the correct analysis and 30 year rate study that TWBD required of us on the WWTP approval, how do you know that using Aqua Texas is cheaper for our town in the long run? And how can you justify putting our creek, our park, our CCN and downtown businesses at risk for all of these unknowns?
3. I'd like a formal inquiry into the numbers presented by our Mayor in August titled **Raftelis Updated Rate Study** (attached), this chart claims Raftelis Updated their 30 year analysis to these new numbers for a 1 year rate analysis using AT. Through an FOI request we know that there has not been any work invoiced from Raftelis in over a year and we have an email exchange between the Mayor and Raftelis where they said they were no longer under contract with the city and wouldn't do that update for free, can the Mayor explain where she got these numbers?? And did the council base their vote to cancel the city owned WWTP in favor of an Aqua Texas plan based on these numbers??

Thank you for your time and consideration on this matter. I look forward to asking these questions tonight in the meeting that your organization thankfully made mandatory of this council and Mayor.

Sincerely,

Heather Carter
hcartist @ [mac.com](mailto:hcartist@mac.com)

Attached is the Mayor's claim from her August presentation:

From: [Josie Sturdivant](#)
To: [Shawn Cox](#)
Cc: clay.Schultz@twdb.texas.gov; dain.Larsen@twdb.texas.gov
Subject: Wimberley Waste Water Projrct-change scope
Date: Tuesday, January 8, 2019 8:35:17 AM

Administrator Cox, Mr. Schultz and Mr. Larsen of the TWDB,

We are writing in support of the "change in scope" of the Wimberley Wastewater Project. As members of the Paradise Hills/Paradise Valley "residents only" river park we have always objected to ANY permit allowing discharge into the Blanco River immediately upriver of our beautiful river park or at any place into the pristine Blanco. We are also city residents who would pay any eventual Ad Valorem tax if our city coffers are drained by sewer costs preventing the city from funding roads and other city services. Indirectly, we would be paying for a wastewater system we would have zero benefit from.

In the past we have written to express our grave concerns regarding the project funding, the actual number of users providing revenue to pay the loan, and the city subsidy using city funds funneled through Blue Hole Park to be returned as revenue in order to help pay for the loan. We also have great concern regarding actions taken by the former council outside of public view and with questionable self serving purpose.

We do not believe our city can afford the \$200,000 annual loan subsidy AND the annual proposed plant maintenance/operation cost of \$214,249. Aqua Texas is offering to provide Wimberley wholesale wastewater

service at a reasonable cost to users, allowing us to keep the city's CCN, thereby allowing the city to be in control of our future through comprehensive plan regulation along with planning and zoning. The idea that we would give this power to Aqua Texas by being their wholesale customer is absurd. Using Aqua Texas also protects the Blanco River by cancelling the discharge permit and, furthermore, the effluent created will be treated to Type 1 and be available to the city.

The current elected City Council has researched the effects of the city owned wastewater system as planned and determined a previously available option using Aqua Texas as a wholesale provider was infinitely more financially feasible. The Council then took the difficult actions necessary to protect the financial future of Wimberley, as well as Wimberley's creeks and rivers, and its residents. We support their efforts to cancel the Black Castle contract. We support the CHANGE IN SCOPE and ask that you vote in favor of granting Wimberley the necessary permissions to move forward without further delay. Thank you.

Dan and Josie Sturdivant
Paradise Hills, Wimberley

From: bharla@sbcglobal.net
To: jeff.walker@twdb.texas.gov; Dain.Larsen@twdb.texas.gov; kristin.miller@twdb.texas.gov; [Shawn Cox](#)
Cc: [Mayor](#); [Place1](#); [Place2](#); [Place3](#); [Place4](#); [Place5](#); [Laura Calcote](#)
Subject: Wimberley Waste Water Treatment Plant and Town Hall Meeting of January 8, 2019
Date: Saturday, January 12, 2019 3:07:07 PM

Our concerns are addressed to the TWDB and City of Wimberley Administration.

We are adamantly opposed (more now than ever following the January 8 “Town Hall Meeting”) to a change in scope of the city’s waste water treatment plan. We urge the TWDB – please do NOT approve the current council’s actions to change the original, approved city-owned plan to Aqua Texas.

We attended that meeting on January 8 and one of us (Alison) signed up, in good faith, to speak. The mayor’s presentation went well over time and was poorly presented. The power-point COULD have been made available to all prior to the meeting, or at least printed copies made readily available upon entry. (We did see some folks had printed copies, but we were not offered, nor did we see, such copies being handed out.) The projection on screen for the rest of us was hard (at times impossible) to decipher. The mayor’s speech by microphone was distorted and difficult (at times impossible) to understand. Several citizens spoke up at various times asking for the mayor to adjust so that we could see or hear more clearly.

When it came time (finally) for the citizens to speak, a different microphone at the side of the room seemed to work fine. Then, individuals were called to speak, not in the order of sign-in, but by obvious “selection” by Council Member Barchfeld (with consultations with Mayor Jaggars). It was obvious that they were trying to “balance” the comments, but not by the numbers of people signed up to speak pro or con. We can assure you, the crowd was not evenly divided as it may appear by the transcripts of the meeting.

Alison (signed up to speak for the both of us) was not called to comment, nor were the MAJORITY of people who had signed up to speak. We left, and when we did, we dropped off a printed copy of the remarks we had prepared at the table where we had signed in. We had added hand-written comments at the bottom of the copy indicating our objections to how the meeting had been conducted. Whether or not our copy and comments made it into the hands of Shawn Cox or the TWDB is unknown.

We want the TWDB to know our concerns. We want Shawn Cox to be aware of our concerns. We want this current Mayor and City Council to know how we feel on this issue.

Following are the remarks we had prepared to present at the meeting:

To: The City of Wimberley Mayor and City Council
Re: Wimberley Waste Water Treatment Plant

First of all – we believe the abrupt and rushed cancelling of the in-process Black Castle construction was not just costly, but absolutely premature and therefore irresponsible. What happens if TWDB does NOT approve the change in scope of the project?

That said, we have one question – WHY IS THIS CHANGE NECESSARY?

WHY did you not admit that this was your agenda all along when you were running for elective office? Many Wimberley citizens voted for you, believing you when you said Aqua Texas was “off the table.”

We were satisfied and convinced that a city-owned system, approved after years in the planning by all previous councils – and voted in the affirmative by Wimberley citizens – was GOOD WATER POLICY. It included responsible re-use of treated (to the highest standards) waste water and the protection and maintenance of Wimberley’s gem – Blue Hole. And, the plan attracted generous grants (now lost?).

Contrast that with the plan(?) put forth by a water profiteer – Aqua Texas. The most concerning aspect to us is the boring down and running pipe to carry wastes under Cypress Creek. There are too many unknowns, both of costs and of environmental concerns.

And, isn’t it time to get our village square brought up to decent standards and to the caliber it deserves? It’s not only embarrassing to hear visitors complain about having to use porta-potties when they visit our town and eat at our town square restaurants – we feel sorry for the merchants who struggle to maintain their businesses under the existing (and deteriorating) conditions. It is ridiculous! And, it was on the way to being fixed before you brought everything to a halt.

We do not feel that the current mayor and council (save one) have made themselves readily available to explain your position on this. Where is the “transparency” you ran on? And, again – WHY IS THIS CHANGE SO NECESSARY NOW??

Respectfully,
Bob and Alison Harla
111 County Road 1492
Wimberley
bharla@sbcglobal.net

From: [Pamela Mitchell](#)
To: [Shawn Cox](#); clay.schultz@twdb.texas.gov; dain.larsen@twdb.texas.gov
Subject: Wimberley Waster Project
Date: Monday, January 7, 2019 3:07:10 PM

I am Lincoln Gayler and I manage a touring business in the Wimberley Valley and live along the shore of the Blanco River. I am asking for the consideration of changing the wastewater project to be a more financially and environmentally sound project. Wimberley Valley already has a Regional Wastewater Provider and to not use resources already available would not be a sound business decision. Aqua Texas has agreed to upgrade to Type 1 which would benefit the whole Valley. Aqua Texas already uses purple reuse pipe to water the golf course in Woodcreek which is a much more environmentally sound use of effluent rather than sending it down our pristine waterways. The City of Wimberley was already running into financial difficulties with the previous project much less in the future trying to pay for maintenance and replacement parts before the loan is even paid back with so few connections to pay for the huge out lay of funds. Citizens Alliance for Responsible Development and Wimberley Valley Water Association have made it very clear at the Blanco Wastewater meeting with your board that any discharge into the Hill Country waterways is not a good plan and land application would always be the way to go. We have a financially viable alternative and environmentally sound alternative, please help us move forward with this project and not bankrupt Wimberley.

Thank you

Lincoln Gayler
6851 Fulton Ranch Road
Wimberley, Texas 78676

From: [The Kirklands](#)
To: [Shawn Cox; clay.Schultz@twdb.texas.gov](mailto:clay.Schultz@twdb.texas.gov); Dain.Larsen@twdb.texas.gov
Subject: Wimberley Wastewater Change of Scope Hearing to be held January 8, 2019
Date: Sunday, January 6, 2019 9:25:01 PM

Administrator Cox, Mr. Schultz and Mr. Larsen of the TWDB,

We are writing in support of the "change in scope" of the Wimberley Wastewater Project. As members of the Paradise Hills/Paradise Valley "residents only" river park we have always objected to ANY permit allowing discharge into the Blanco River immediately upriver of our beautiful river park or at any place into the pristine Blanco. We are also city residents who would pay any eventual Ad Valorem tax if our city coffers are drained by sewer costs preventing the city from funding roads and other city services. Indirectly, we would be paying for a wastewater system we would have zero benefit from.

In the past we have written to express our grave concerns regarding the project funding, the actual number of users providing revenue to pay the loan, and the city subsidy using city funds funneled through Blue Hole Park to be returned as revenue in order to help pay for the loan. We also have great concern regarding actions taken by the former council outside of public view and with questionable self serving purpose.

We do not believe our city can afford the \$200,000 annual loan subsidy AND the annual proposed plant maintenance/operation cost of \$214,249. Aqua Texas is offering to provide Wimberley wholesale wastewater service at a reasonable cost to users, allowing us to keep the city's CCN, thereby allowing the city to be in control of our future through comprehensive plan regulation along with planning and zoning. The idea that we would give this power to Aqua Texas by being their wholesale customer is absurd. Using Aqua Texas also protects the Blanco River by cancelling the discharge permit and, furthermore, the effluent created will be treated to Type 1 and be available to the city.

The current elected City Council has researched the effects of the city owned wastewater system as planned and determined a previously available option using Aqua Texas as a wholesale provider was infinitely more financially feasible. The Council then took the difficult actions necessary to protect the financial future of Wimberley, as well as

Wimberley's creeks and rivers, and its residents. We support their efforts to cancel the Black Castle contract. We support the CHANGE IN SCOPE and ask that you vote in favor of granting Wimberley the necessary permissions to move forward without further delay. Thank you.

Jim and Pam Kirkland
Paradise Hills, Wimberley

From: [Clay Byrne](#)
To: [Shawn Cox](#); clay.Schultz@twdb.texas.gov; dain.Larsen@twdb.texas.gov
Cc: [Clay Byrne](#)
Subject: Wimberley Wastewater Project ~ Change of Scope ~ Support
Date: Wednesday, January 9, 2019 1:59:19 PM

This may be a day late.

TO:

Shawn Cox, Wimberley City Administrator: scox@cityofwimberley.com

Clay Schultz, Director, Regional Water Project Development, Texas Water Development Board:
clay.Schultz@twdb.texas.gov

Dain Larsen, Central Texas Team Manager, Texas Water Development Board:
dain.Larsen@twdb.texas.gov

I write this letter of support for Wimberley's change of scope for the wastewater project as a son of Joan Johnson Byrne – owner of the land adjacent to Blue Hole Regional Park on its northern upstream boundary - which is a directly affected party.

Our family, and extended family, have owned the land adjacent to and across the creek from Blue Hole Regional Park for many generations. Our family has lived there on and off in the past, and now we enjoy the natural beauty of the land, creek and wildlife almost on a weekly basis. Our time there is treasured by multiple generations and our friends. But for a few trespassers and some overzealous officials or city staff, we've enjoyed our relationship with the Wimberley community over the years. We will not miss the current issues we have with the waste water plant (odor and seepage into Deer Creek on our property). I support this plan of all that we've seen as it affordable and more forward thinking in preserving the rich beauty in the valley.

Your support of this revised plan will compliment the hard work of the Wimberley City Council and the many volunteer citizen hours that have developed this project.

Sincerely,

Clay Byrne

O: (512) 942-7880

C: (512) 769-2251

From: [Joan Byrne](#)
To: [Shawn Cox](#)
Cc: clay.Schultz@twdb.texas.gov
Subject: Wimberley Wastewater Project
Date: Monday, January 7, 2019 8:29:35 PM

To Shawn Cox, Wimberley City Administrator
Clay Schultz, Director of Regional Water Project Development, Texas Water Development Board
Dain Larsen, Central Texas Team Manager, Texas Water Development Board

This communication is in support of the change of scope of the wastewater treatment project.

I own the property adjoining the Blue Hole Regional Park to the North and along the eastern boundary of Cypress Creek. This treasured property has been in my family since the 1920s.

As a directly affected party, I support this revised plan that does not require a wastewater discharge permit into the Blanco River.

I greatly appreciate your consideration.

Sincerely,

Joan Johnson Byrne

Sent from my iPad

From: [Larry](#)
To: [Shawn Cox](#)
Subject: Wimberley Wastewater Project
Date: Wednesday, January 16, 2019 8:06:33 PM

Shawn Cox

Wimberley City Administrator

My name is Larry Coker. I am a resident and owner of a home located within the city limits of Wimberley at 701 Spoke Hollow Rd. This is my notice of my beliefs regarding the Wimberley Wastewater Project.

I was and continue to be against the original plans of this project. It is financially irresponsible for the City of Wimberley to build a sewer treatment system for such a small number of customers. It is even more irresponsible to build a sewer treatment plant at a location in Blue Hole Park. I am strongly against a discharge permit. This is a disaster waiting to happen. Discharging into Deer Creek to the Blanco River and ultimately which feeds our aquifer is unacceptable.

Unfortunately, we are committed to a sewer system in Wimberley. I think that the change to contract the processing of the sewer effluent to Aqua Texas is the only reasonable solution at this point. It will prevent a financial disaster for our city. It will be more affordable to the users of the systems and hopefully will not become a financial burden for those of us that will never use it. I am aware that the collection line would need to be installed under Cypress Creek to be connected to Aqua Texas facilities. While nothing is risk free, I feel this poses the least risk to our natural resources. This plan will also benefit the whole Wimberley Valley with the Aqua Texas upgrade from Type 2 to type 1 effluent and land application distribution of the effluent. No discharge into our waterways is a big win. It is for those reasons that I support this change.

Lastly, I feel that all residents and property owners within the city limits of Wimberley should have a say in this issue. CARD and the major opponents of this change in plans do not fit in this category. They will not hold the responsibility of paying the bills after this issue is settled. I urge you to listen to those who will hold that responsibility and stop catering to outside loud mouths who want to be in charge of what doesn't belong to them.

Thank You,

Larry Coker

From: [Carl and Brooke](#)
To: [Shawn Cox](#)
Subject: Wimberley Wastewater Project
Date: Tuesday, January 8, 2019 2:11:43 PM

Dear Mr. Cox,

We are tax paying full time residents, property owners and small business owners in the City of Wimberley. We appreciate the hard work you are doing for our community and wanted to let you know where we stand on the Wimberley Wastewater Project.

We are 100% in support of the Aqua Texas sewer system plan versus the Blue Hole city sewer plan for too many reasons to list them all here.

After years of exhaustive diligent research without any biased affiliations, the facts are clearly indisputable from all angles. When considering the significant impact both short and long term for future generations, Aqua Texas is by far the most ethical, financial and environmental direction to go.

We truly 'dodged a bullet' and it's time to do the right thing once and for all without anymore delays for our community, neighbors and business owners by going with Aqua Texas.

Sincerely Yours,

Carl & Brooke Lamb
660 Las Colinas Dr.
Wimberley, TX 78676

From: [Chris Byrne](#)
To: [Shawn Cox](#); clay.Schultz@twdb.texas.gov; dain.Larsen@twdb.texas.gov
Subject: Wimberley wastewater project
Date: Tuesday, January 8, 2019 2:05:36 AM

TO:

Shawn Cox, Wimberley City Administrator: scox@cityofwimberley.com

Clay Schultz, Director, Regional Water Project Development, Texas Water Development Board: clay.Schultz@twdb.texas.gov

Dain Larsen, Central Texas Team Manager, Texas Water Development Board:
dain.Larsen@twdb.texas.gov

I write this letter of support for Wimberley's change of scope for the wastewater project as an heir of the directly affected owner adjacent to Blue Hole Regional Park to the north.

I strongly support the change of scope for a myriad of reasons, but most importantly now see that Wimberley's City Council has a plan that is affordable to all citizens of Wimberley, does not incorporate a wastewater discharge permit into the Blanco River and reflects the desire of our voting community through our newly elected City Council.

Your support of this revised plan will compliment the hard work of the Wimberley City Council and the many volunteer citizen hours that have developed this project.

Sincerely,

Chris Byrne

From: [Haidar Khazen](#)
To: [Shawn Cox](#); clay.Schultz@twdb.texas.gov; dain.Larsen@twdb.texas.gov
Subject: Wimberley Wastewater Public Hearing
Date: Monday, January 7, 2019 9:34:34 PM

Dear Sirs,

I am writing in support of changing the scope of the Wimberley Wastewater project. Unfortunately, I will not be able to attend the hearing on January 8th, so please accept this as my testimony. I am a Wimberley resident and property owner at 310 Mill Race Lane. I am located directly on Cypress Creek below Blue Hole, but on the North side of the Creek where service will not be provided. I am in the area subject to an ad valorem tax should it ever be levied to pay for the excessive cost of the system. As I mentioned previously, my property will not be in the proposed service area. To force the entire City population to help pay for an overly expensive system that will only be usable by a fraction of taxpayers cannot be justified, especially when a significantly less expensive solution is readily available in the form of Aqua Texas.. Our street has just been added to Aqua Texas's collection system at our own expense and we will be paying 100% of the monthly fees to treat our sewage. We did not ask anyone else to pay to treat our sewage, .

I am and have always been in favor of Aqua Texas treating the Wimberley Square's wastewater. This is a significantly more pragmatic, cost saving, and environmentally responsible solution to the Wimberley Square sewage problem than to build and maintain an entire very expensive sewage treatment plant. It is well known that the 100 or so users in the Wimberley Square area cannot afford such an expensive system. If they were able to afford it, there would have been no need in the old plan to set up a scheme whereby the City of Wimberley subsidizes the system with \$200,000 per year of Wimberley general funds. This amounts to \$6 Million of Wimberley general funds over the 30 years of the TWDB loan that will not go to roads, safety, city employees, parks and other city services. This "shell game" has the City paying \$200,000 of City funds to Blue Hole Park. Blue Hole then turns around and pays the money back to the City as a "user" in exchange for effluent for irrigation. It was set up this way to comply with the terms of the Texas Water Development Board loan which disallows using tax money to pay for usage fees. Without this \$200,000 per year subsidy, the rates would be completely unaffordable for the actual 100 users. Cost overruns on the project (of which we have already experienced a few) will likely drive the cost even higher, and I do not believe that operating and maintenance expenses have been properly budgeted. All this, along with the \$200,000 per year drain off the top of Wimberley's finances will likely result in the imposition of an ad valorem tax on the entire population of Wimberley, 99% of whom will not be able to use the service. This is fundamentally wrong and I hope you will allow the change in scope to avoid a new tax. The obvious solution is to use Aqua Texas who can provide the service at a fraction of the cost.

The other major issue for me, being downstream of the proposed plant on Cypress Creek, is the potential discharge into the creek from sewage spills at the plant and runoff from effluent irrigation. The other major issue is the TCEQ permit that allows the plant to discharge up to 75,000 gallons per day of effluent directly into the pristine Blanco River. I would like to see this permit canceled and direct all the plant's sewage to Aqua Texas which has a Land Discharge permit which will never allow effluent into our waterways. We have heard that the irrigation at Blue Hole and a 500,000 gallon holding tank will prevent any chance of discharge ever. This has proven false as we have seen recent extended rain events that would

have prevented water to be used for irrigation, and would have caused the holding tank to reach full to capacity. This is the exact confluence of events that will result in direct discharge of effluent into the Blanco which must be avoided at all costs. The Blanco is one of the few pristine waterways left in our State, I hope you will decide to allow Aqua Texas to handle the sewage since that solution will never allow discharge into our waterways.

Another objection we have heard is that to send the sewage from the Square to Aqua Texas would require pipes to be run under Cypress Creek and that this could leak raw sewage into the Creek. Yes, a borehole would need to be drilled under the creek to run a pipe. The proposed method would involve a double pipe within a pipe system with sensors that would detect if one pipe or another becomes damaged. In the very rare case that a pipe should break, Sewage would be shut off and the pipes repaired before any leak could occur. This method of crossing waterways has been extensively studied and successfully implemented across Texas, the US and the World,

One of the most absurd aspects of the previous plan is that it entailed a sewage treatment plant built inside Blue Hole Regional Park which is universally considered "The Jewel of Wimberley". This makes no sense whatsoever.

In closing, I respectfully ask you to please allow the City to move forward with its new plan which sends all sewage to Aqua Texas. Aqua Texas has an existing plant which can offer services at a much lower cost due to their economies of scale, and they have a land application permit which will never allow discharge into our waterways. This is the fiscally responsible, environmentally responsible, and generally responsible solution we need for Wimberley to move into the future.

Thank you,
Haidar Khazen
310 Mill Race Lane
Wimberley, TX 78676
(512)619-8148

From: [Kelly McFarland](#)
To: jeff.walker@twdb.texas.gov; dain.larsen@twdb.texas.gov; kristin.miller@twdb.texas.gov
Cc: [Shawn Cox](#); [Laura Calcote](#)
Subject: Wimberley Wastewater Public Hearing
Date: Friday, January 18, 2019 1:57:13 PM

Boy, I bet y'all are really tired of hearing from us here in Wimberley. Well, believe me, we're tired of living it. I've lived here 27 years, and it is beyond belief that we are still writing to you about our wastewater system when we were so close, in fact had already broken ground on the city-owned plant when those pesky May 2018 elections happened.

Y'all are all aware I'm sure of the assertions the current council, including the Mayor were elected after running false and deceitful campaigns that Aqua Texas was off the table and the city-owned plant would go forward and that's how we got into this mess in the first place. I'm sure you are all also aware of the claims the Mayor is dictatorial, disingenuous and dismissive of public opinion, and that this council (save Councilwoman Davis) is ill-informed, uneducated on topic and reckless at best. But none of this is what you're tasked with.

You're tasked with whether or not to approve this new change of scope, which I am adamantly against by the way. I am confident that upon review you will see how utterly ridiculous it is to put a pipe under our beloved Cypress Creek carrying raw sewage to partner with Aqua Texas, an organization which has one of the worst records in the country, not to mention this option will provide no reuse water for Blue Hole Park and be more expensive for the city in the long run. I'm also confident that once you view the video and read the transcript of the public hearing held January 10, you will see the majority of Wimberley's citizens are passionately against this change of scope. And speaking of the public hearing, I was one of those citizens who arrived early to sign up to speak, but was not called upon due to Councilman Barchfield's "randomly" chosen speakers.

This all must seem silly and petty to you all, but in reality your decision here will affect our town for decades. We are depending on you to set aside all the noise, and decide based on fact whether or not this change of scope is well planned, vetted, and economically and environmentally sound.

Thank you for your time,

Kelly McFarland
171 Rhodes Lane
Wimberley, TX 78676
512-644-5860

From: [phillipFoster](#)
To: [Shawn Cox](#)
Cc: [Phillip Foster](#)
Subject: Wimberley Wastewater System...
Date: Friday, January 18, 2019 12:29:46 PM

Dear Wimberley City Administrator (Shawn Cox):

I am strongly opposed to Aqua Texas managing our wastewater system. "City owned treatment plant" implies "city controlled treatment plant", and "having control" is in our city's best interest.

Thank you for your consideration.

Phillip Foster
500 Rocky Springs Rd.
Wimberley TX 78676

From: [Donna Richards](#)
To: [Shawn Cox](#)
Cc: [Laura Calcote](#)
Subject: Wimberley Wastewater Testimony
Date: Thursday, January 10, 2019 4:09:10 PM

Dear Mr.Cox,

My name is Donna Richards. I reside at and own my home at 1920 Flite Acres Rd, Wimberley, TX 78676. I moved to Wimberley in 1992.

I am against any plan that has a permit to ever discharge into the Blanco River.

I am for the following.

- City Retains CCN and local control
- Aqua takes downtown wastewater and processes it at their non-discharge wastewater plant
- City will be an Aqua wholesale customer
- Aqua Cost is \$4,398 per month (\$52,776 per year) - Cost is based on PUC tariff rates in effect since 2009 - No increase in rates for five years
- Estimated annual operating cost for the City owned plant, from Inframark the City's current plant operator, would be \$214,24
- Aqua will upgrade entire plant from Type 2 to Type 1
- Reclaimed Type 1 effluent will be made available to Blue Hole for irrigation at no cost
- One-time impact fee of \$300,000Timing of completion of their construction consistent with City's plan
- Aqua Texas has a Land Application permit which does not allow discharge into our streams, rivers, and waterways.
- Please understand that there are existing utilities and pipelines crossing streams and rivers across the great state of Texas

Thank you for your time and consideration.

Sincerely,

Donna Richards

Wimberley Resident and Property Owner

From: [Thomas Manes](#)
To: jeff.walker@twdb.texas.gov; Dain.Larsen@twdb.texas.gov; [Shawn.Cox](mailto:Shawn.Cox@twdb.texas.gov); wview.editor@gmail.com;
communication@oag.texas.gov; publicrecords@oag.texas.gov
Cc: [Laura Calcote](#)
Subject: Wimberley wastewater treatment
Date: Monday, January 14, 2019 10:48:51 PM

January 8, 2019

Texas Water Development Board, The City of Wimberley, The Wimberley View, The Office of the Texas Attorney General

To whom it may concern:

The Texas Water Development Board should absolutely not cooperate with the current City of Wimberley administration in its plan to turn over our wastewater treatment south of Cypress Creek to Aqua Texas Corporation.

My own opinion is that the best solution to handle human waste in the Wimberley town square area is with communal and completely self contained composting toilets now available and in use in nearby areas, such as the Clivus Multrum (one example at Wild Basin in Travis County) or the Eloo (examples at Canyon Gorge in Comal County). These require virtually no water, other than for washing of hands.

Nevertheless, given the apparent general preference for flush toilets, and given the fact that so many in our community have worked long and hard for many years in the development of a plan for a city owned and operated wastewater treatment plant, the now aborted plant seems the best and long overdue solution to our water pollution issues. If the current mayor and her colleagues on the council are successful in their apparent attempts to cripple the city government, then at some point in the future those previous options for handling waste may have some appeal.

Rather than to restructure the city government into a tyrannical model and shutting out citizen involvement, as has been the case recently on many levels, the time of the current City of Wimberley government could be better spent. One example would be improving plans for the previously designed wastewater treatment plant with new technologies that remove pharmaceuticals, such as are being developed in Europe with the use of biofiltration, activated carbon, and ozonization (<https://www.kwrwater.nl/en/projecten/pharmaceuticals-from-effluent/>). Coordinating with the City of Blanco, who's effluent will enter the Blanco upstream from Wimberley, would be a constructive endeavor if creative options such as this were explored.

In my view, the current woes of our city are very much a reflection of the failing national political scene, and a virtual corporate takeover of our city's future is the last thing we need. The flagrant dishonesty and wasteful use of our city's resources by those now in office is abundantly obvious to anyone who cares to look. The sovereignty of the people and the financial integrity of our community is being systematically destroyed by the moneyed interests of a few taking over control of public policy by deception and by suppression of the people. This city government does not have our best interests at heart. The general good will, respect for legal procedure, and commitment to good manners has up to this point left the

many decent citizens in this community at somewhat of a loss and in a state of disbelief. Any support at the level of state government for the oppression we are now under here in Wimberley, which denies scientific and financial facts and all educated and informed input, should be withheld.

Thank you,

Thomas E. Manes, landscape architect (Wimberley citizen since 1993)
251 Climbing Way
Wimberley, TX 78676

Addendum, January 8, 2019:

Tonight the public meeting between city officials and the town's citizens was held, as required by the Texas Water Development Board regarding changes to the City of Wimberley's wastewater treatment. The meeting was cut short by the mayor before most of the citizen's who signed up to speak were allowed to do so. Speakers were selected at random (supposedly), rather than in the order that they signed up to speak, prompting disgust from those who arrived early so they could get a chance to speak and then leave or make other commitments on schedule. It seemed obvious to many there that the mayor and her council supporters cherry-picked from the list of speakers to give time to their few supporters among the crowd. Much of the supposed 2 hours of citizen input was taken up by the mayor's own presentation (45 minutes). Opposition to the mayor's new plan for wastewater treatment was in the definite, and sometimes outraged, majority. The one who calls herself mayor was rude and disrespectful to citizens. The mayor and her council allies were called out repeatedly for their lies, deceit, and obstructionism. Notably, their campaign positions that Aqua Texas was "off the table" were abruptly reversed after they were elected. Overall, this mayor and her allies show complete disregard for citizens and for the opinions and advice of highly qualified experts and professionals who's views counter their own. It is truly a reckless joke of a government, a ship of fools, obviously corrupt, and totally amateur and incompetent. Appalling and shocking to witness in person.

Personally, I don't believe in a representative form of government, as so often citizens are betrayed by their officials. There are alternatives, a couple of which are tyranny and direct democracy. The City of Wimberley's mayor, with the consent of council, has chosen the former, actively seeking to change city policies to give herself more power and she has purposefully limited public comment. She has said in her own words that the majority of Wimberley's citizens do not want an expansion of Aqua Texas in the Wimberley valley, yet she continues to push for this. She is promoting the insane idea of drilling under Cypress Creek for a raw sewage line, in a fault zone and in porous karst geology, immediately downstream from the swimming hole in our beloved Blue Hole Regional Park, ignoring all concern for the lack of wisdom in such a project. The mayor does not have a plan B, should her wishes not come to pass.

Changes required in our political system must fundamentally spring from the bottom, as the top rots away. Given our current situation, I say direct democracy, as apparently also thinks Switzerland, is definitely worth a try. But at the very least, the City of Wimberley needs to remove the tyranny of corporate influence from city politics as much as possible. Campaign signs littering our roadsides for months out of the year need to be banned. Come on people,

those with the most and biggest signs deserve to win? How stupid is that? Instead of such signs, we need verifiable information, public forums, and open debates. Citizens of voting age who live here should be required to vote, and if they don't they should be fined.

Make no deals with these people, TWDB. If you do, those living here that wish the best for our wonderful community will forever hold you accountable. Given the legal standing of our form of city government, I'm told we cannot rid ourselves of these bozos - which is really unbelievable to me. There must be a way.

This is a rogue government forcing public policy which does not reflect the will of the people. They are determined to push through their agenda regardless of what the public wants, and it appears they may be actually trying to destroy the city government so that their backers (most likely developers and those wanting to sell land to developers) can have free rein. Perhaps these people are just useful idiots chasing financial rewards for their despicable behavior, but they need to be called out for what they are. We need help!

From: [Elissa Beach](#)
To: eff.walker@twdb.texas.gov; Dain.Larsen@twdb.texas.gov
Cc: [Shawn Cox](#); [Laura Calcote](#)
Subject: Wimberley Wastewater
Date: Thursday, January 17, 2019 6:02:51 PM

I am appalled that there are folks in Wimberley who have hijacked the Wimberley Wastewater Treatment Plant. I do NOT want to have Aqua Texas in charge of anything in Wimberley.

I am for the well thought out, long planned, Wimberley owned Wastewater Treatment Plant.
Thank you,
Elissa Beach

--

Elissa Beach

San Marcos / Wimberley, TX

From: [Heiko Stang](#)
To: kristin.miller@twdb.com
Cc: dain.larsen@twdb.com; [Shawn Cox](#)
Subject: Wimberly Public Hearing in Wimberley Community Center on January 8, 2019
Date: Monday, January 14, 2019 8:45:58 PM

Dear Ms. Miller,

I attended the public hearing last Tuesday, January 8 at the Wimberley Community Center expecting a formal hearing according to TWDB rules. However, although 95 had signed up to speak, a great majority, 68, were not allowed to speak. Instead a third of the time of the hearing was used by Mayor Jagers for a power point presentation with information not released until shortly before the meeting.

Moreover, while many who wished to speak had arrived ahead of time to sign up, council member Gary Barchfeld was chosen by the mayor to select speakers as he wished. This turned out to be a process not representing the citizens present.

While written comments can be submitted, they are no adequate substitute to give public input in person at a hearing. In my opinion, another hearing needs to be scheduled that will follow rules, give proper notice and timely access to relevant information and is overseen by an impartial mediator not connected to the mayor's agenda.

Kind regards,

Heiko Stang

*Heiko Stang
380 Turkey Hollow Road
Wimberley, TX, 78676*

From: [David Glenn](#)
To: [Shawn Cox](#)
Cc: [Susan Jagers](#)
Subject: WRITTEN COMMENTS WIMBERLEY PUBLIC HEARING JANUARY 8, 2019
Date: Monday, January 21, 2019 1:43:18 PM

-----City Administrator, Mr. Shawn Cox,

My name is David Glenn and I live at 500 Outback Trail in the Rancho Madrone Subdivision within Wimberley's city limits. I served eleven years on Wimberley's Planning and Zoning Commission, was one of six City Council appointed members to the 2016 Citizens Ad Hoc Committee / Wimberley Downtown Wastewater System, founder of the Hays County Trinity Aquifer Volunteer Advisory Group, and PG 5255.

I attended the January 8, 2019, Public Hearing and STRONGLY SUPPORT the Proposed Central Wimberley Wastewater Project Modifications.

First the NO DISCHARGE permit option eliminates sewer plant discharge or leakage into Deer Creek and Cypress Creek ultimately reducing potential adverse environmental impacts on the Blanco River. This option will also increase the area of Type 1 effluent reuse benefits from a limited number of localized users in central Wimberley to an aerial larger population throughout the Wimberley Valley.

Second the project modifications REDUCE ECONOMIC IMPACT of unbearably high sewer bills on small business and shop owners by eliminating estimated high sewer plant operating costs. They also eliminate City "public nuisance" liability for sewer plant spills and smells in our prime tourist attraction, Blue Hole Park.

A new Mayor and City Council majority, elected in May 2018, inherited a project underway that turned out to be "not so shovel ready". They spent three months of extraordinary work and effort reviewing and evaluating options that were feasible and better serve Wimberley's citizens, both within and without the limited project area. Coordinating with the TWDB, the modifications were approved by the Council in August 2018. Wimberley is a small town with only a sales tax basis for financial support. Wimberley's economic engine, a vibrant tourist industry, depends on clean, clear, flowing water. A new sewer project is needed to support clean, clear, flowing water. We need TWDB's timely support and approval to keep this project moving.

-----David Glenn

CITY OF WIMBERLEY PUBLIC HEARING - January 08, 2019

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CITY OF WIMBERLEY
PUBLIC HEARING
Tuesday, January 8, 2019
at 5:30 P.M.
City of Wimberley Community Center
14068 Ranch Road (RR) 12
Wimberley, TX 78676

CITY OF WIMBERLEY PUBLIC HEARING - January 08, 2019

PUBLIC HEARING

TUESDAY, JANUARY 8, 2019

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MAYOR JAGGERS: Okay. It is now 5:30 on the 8th. We're going to call together a formal public hearing.

05:38

The public hearing is gonna conform to the following format: We will state the purpose of the hearing. We'll take considerations, and it'll be taking into account under the law and regulations a brief description of the proposed project, its cost, including the estimated monthly bill to a typical residential household, and any connection fee and any estimate in the private services cost.

05:38

We'll have a question-and-answer period, and those answers will be directed to the appropriate person. Maybe it'll be Mr. Coonan, who's our engineer, or one of the council members, or myself. And maybe even an expert in the audience, if it comes to that.

05:38

We'll have the list of witnesses. In other words, anyone who has signed up, because there's a lot of folks -- way more folks that have signed up, before the two hours are up that will be able to talk, you can provide a written testimony that will be included in the report to the Water Board.

05:39

05:39

CITY OF WIMBERLEY PUBLIC HEARING - January 08, 2019

1 Remember, this is a request from the Water Board
2 so that they have a good understanding that the public
3 has had an opportunity to weigh in on this, for them to
4 continue to be willing to give us the funds to do our
5 project.

6 I'd like to thank all parties who have
7 participated in this project over the years. I know
8 that there was a lot of hard work and sweat that went
9 into this, and there was a lot of decisions that had to
10 be weighed, you know, should we go with this data or
11 should we just guess what might be? Or, you know, I
12 know that it was tough, and I know that decisions
13 probably at the time were made with the best information
14 they had.

15 I think we can all agree on the objectives of
16 this sewer system: We needed a sewer system for --
17 primarily for the environment that it was being affected
18 by. We had huge tanks downtown and we had seepage into
19 the creek, that we wanted to make sure it wasn't
20 stopped -- or was no longer gonna continue to be
21 troublesome. We also wanted to be able to afford growth
22 to our citizens -- I mean, to our businesses. They are
23 landlocked, they cannot expand because they have to have
24 that drainage area for their sewage system. But without
25 that, they wouldn't be able to expand.

CITY OF WIMBERLEY PUBLIC HEARING - January 08, 2019

1 But we also want to keep in mind that we need to
2 make this property equitable -- this project equitable
3 for everyone because it's not just the users that will
4 be paying for this. Hopefully, eventually it will be
5 just the users. But there's gonna be a period where
6 it's gonna be all the citizens in Wimberley one way or
7 another will be paying for this.

8 Okay. Let's begin with my PowerPoint. This is
9 fresh off the press, and I was working on it still this
10 afternoon.

11 This is the public hearing, like I said, it's
12 January 8th. It's beginning just a few minutes late.
13 It's 15:35 -- or 17:35 -- 5:35, sorry. Military time.
14 One of the purposes of this hearing is to discuss the
15 potential impacts of the project changes and
16 alternatives to it.

17 Now, forgive me if I read off the slide, but I
18 know some of you won't be able to see what the slide
19 says, and those of you who are listening from home will
20 wonder, what's on the slide; I don't know, I can't see
21 it. I'm gonna try to go slow but not agonizingly slow.

22 The four points that we're gonna cover are the
23 proposed project changes, the potential environmental
24 impact with those changes, the alternatives to proposed
25 changes, and the economic impact on the rate payers.

CITY OF WIMBERLEY PUBLIC HEARING - January 08, 2019

1 I think I went too fast. Sorry.

2 Okay. So why is the original plan being
3 modified? Okay. In summary, the modified plan is: We
4 believe -- or I believe--and I've been spearheading this
5 from the very minute I took on the mayorship--is that
6 this proposed change is more environmentally
7 responsible, including being a true no-discharge option
8 into Deer Creek and the Blanco River. No discharge.
9 Number-one objective is stop the pollution -- or the
10 potential continued pollution in the river and the
11 creeks. I also feel it is more financially responsible
12 for the initial project cost, but more importantly,
13 lower ongoing annual costs that affect customer rates
14 and city support, as well as long-term financial risks
15 and burdens of the city owning and operating a plant in
16 the Blue Hole Park. The financial costs need to be
17 considered in this.

18 In the proposed project changes listed in an
19 engineering feasibility report that Mr. Coonan here
20 updated December 3rd, 2018, and it was sent to the
21 Wastewater Treatment Board. We're gonna hold questions
22 for Mr. Coonan until later, unless you'd like to talk on
23 it briefly now.

24 STEVE COONAN: No.

25 MAYOR JAGGERS: Okay. This is also online. And

CITY OF WIMBERLEY PUBLIC HEARING - January 08, 2019

1 you need to open it up--if you haven't done so
2 already--it is there for you to open it and see what
3 kind of changes from the original EFR that was put out.
4 This is an amendment to it.

5 Talk about the proposed project changes for the
6 collection system. Okay. The collection system
7 generally remains the same as originally planned and
8 being constructed, except the proposal is to connect to
9 Aqua's system instead of a new city wastewater treatment
10 plant.

11 Also, the city will still provide sewer services
12 to the Wimberley area. Initially we estimate it's only
13 gonna serve approximately a hundred residences and
14 businesses. A hundred. The city will still own,
15 maintain and manage the collection system. The city
16 still retains ownership and control of the CCN. CCN is
17 your convenience of -- certificate of convenience and
18 necessity. It is the -- under the ownership of that,
19 the responsibility to provide the service to who is in
20 their area, but it also gives them the right to have the
21 exclusive rights to do it. It's a responsibility and a
22 right.

23 And the last point: The sewer customers will
24 still be served by the city with the city determining
25 the rates. The city will determine the rates.

CITY OF WIMBERLEY PUBLIC HEARING - January 08, 2019

1 Under the proposed project changes with regards
2 to the wastewater treatment. The \$3.1 million sewer
3 plant that was to be constructed and operated at the
4 northwest corner of Blue Hole Regional Park, we've
5 cancelled that contract. And we can discuss that
6 further, but why? But that plant contract is not in
7 effect now.

05:46

8 Number two, the city will connect its collection
9 system to the Aqua Texas System proposal on the west
10 side of Cypress Creek, which is on this side of the
11 creek. The side we're on currently.

05:46

12 Aqua will then transport -- has agreed to
13 transport the wastewater to its existing land
14 application, which is a non-discharge plant, for
15 treatment.

05:46

16 For those of you, there are two types of
17 permits. You can get a TLAP, which is a Texas Land
18 Application, or you can get a discharge, which means if
19 you don't have enough acreage to spread your treated
20 wastewater on, then you're gonna upset the balance, and
21 you're gonna saturate the ground. You're gonna have to
22 have another alternate plant where you can discharge it.
23 It just can't stay in an overflow storage tank.

05:46

24 And the last point is the city would be entering
25 into a long-term agreement with Aqua Texas for treatment

05:47

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1 of the city's wastewater.

2 Let's take a look at where that looks. Okay.
3 This area here is the original. Nothing's changed on
4 this collection system except for this will be where the
5 main lift station is. We did not have a hard and fast
6 lift station prior to the project starting. The
7 proposal was gonna be over in this area, but those folks
8 that -- declined to have us put it on their property,
9 and it was their right to do that, so we had to look for
10 alternate stations.

11 Fortunately, Ms. Burrows entered into an
12 easement agreement, and she's allowing us to put our
13 main lift station for this whole system there on her
14 property.

15 And that is right where 3237 and Highway 12 --
16 right there at that light, that will be where the lift
17 station is. And it will have a stone wall surrounding
18 it. It'll be more of a decorative nature, so you won't
19 really know as you're coming into town that that is a
20 sewage utility station; it's gonna be camouflaged.

21 Right now the proposal is to cross it here.
22 We're still working on those -- some of those issues
23 with that. It's pretty close to wrapping up with that,
24 though.

25 Aqua treatment terms. We'll talk a little bit

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1 about that.

2 Again, the city will retain the CCN. We will
3 not be transferring that to Aqua. We have the right to
4 do that because we're gonna own the collection system.
5 At any point we can take our effluent on that collection
6 system to service it ourself. But for now my proposal
7 is we're going to send it their way, and we have to have
8 a contract to do that. Aqua will take the city
9 collection system wastewater at the west side of Cypress
10 Creek, transport and process it to their non-discharge
11 wastewater plant. Aqua will be the city's wholesale
12 wastewater treatment provider.

13 Now, they currently service -- their CCN is this
14 area that we're in currently. And they currently
15 service several businesses on this side. It's their
16 CCN.

17 Aqua's cost to do this for us is -- it's a rate
18 cost. It's based on the tariff rates that have been in
19 effect since 2009. What is it now? It's 2019. So for
20 the past 10 years their rates have remained the same for
21 the wholesalers. And for us it will be up to 50,000
22 gallons per day. They will charge a little under \$4500,
23 or approximately a little over 52,000 a year. And if we
24 exceed that quantity and if we go up to 75- gallons per
25 day, you know, the rate is gonna go a little higher

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1 because there's gonna be a lot more effort to handle
2 that.

3 There will be no increase in rates for five
4 years, from the point of this continuing. And an
5 increase thereafter are tied to regulated tariffs. It's
6 not that they're gonna all of the sudden bump it up
7 20 percent. No, it has to go through the regulated
8 tariffs. Aqua will upgrade -- has agreed to upgrade at
9 our request the entire plan from Type 2 to Type 1
10 effluent. It currently -- and Type 2 is not as nice as
11 Type 1. You cannot put Type 1 on areas where children
12 are playing. You can put Type 2 on golf courses like
13 they do up in Woodcreek, but they're not rolling around
14 in it on the ground. That's a -- you know, there's more
15 to it than that, but that's the simple solution: Type 1
16 is better than Type 2.

17 Okay. The reclaimed Type 1 effluent will be
18 made available to the city at no cost. Which means,
19 it's there when we wanna get it. We can truck it down
20 here if we need to or we can find a way to build
21 transportation with the pipeline. We'll talk more about
22 that.

23 The one-time capacity buy-in is considered an
24 impact fee. This is the standard-type fee that all new
25 businesses pay when you join a utility. If you want to

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1 know more about it, the Texas Local Government Code
2 Chapter 395 will give you all the details of how -- the
3 justification for the capital recovery, or the impact
4 fee, is governed.

5 And so when you hear "impact fee," it's the same
6 as a capital recovery fee. 05:51

7 Or some folks might think, well, is that the
8 CIAC fee? And the CIAC is actually -- the council that
9 puts together the capital investment -- a committee.
10 They put together what the rates need to be or the
11 justification for a CIAC fee. 05:52

12 Okay. Reclaimed water. I know there's a lot of
13 interest in that. We do need to be able to utilize
14 that. I would love to see that -- every gallon of it
15 coming right back here to water our area. 05:52

16 Under the Aqua agreement, Aqua will upgrade the
17 plant, again, from Type 2 to Type 1 so that we can use
18 that where we want to in our parks. Type 1 effluent
19 will be made available to us at no cost. In other
20 words, there isn't much of a fair market value for Type
21 1 effluent--mostly golf courses buy it and soccer fields
22 and stuff--but the cost is in the transportation of it,
23 the pipeline to get it back to us. 05:52

24 The city would like to utilize the reclaimed
25 water to provide irrigation to the Blue Hole Park, yes. 05:53

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1 And primarily for the soccer fields, yes. And at this
2 time sufficient funding, though, is not available under
3 this change. And for the reclaimed waterline back to
4 Blue Hole with the scope change, at this time it's not.
5 We can talk more about that. I know some folks are
6 saying, well, it was before. But let's talk about it.

7 Last -- another point is under the city's --
8 until the city develops a plan for a reclaim return
9 waterline, the city will have Type 1 effluent, if need
10 be, trucked from their station to our areas for
11 watering.

12 And under the modified plan all effluent will be
13 beneficially used for irrigation with no discharge into
14 the waterways.

15 Now, until -- what are they gonna do with it?
16 Well, they currently use their effluent to water
17 Woodcreek's golf course. And they also have a pond up
18 there that they put the overflow in. It's gonna go from
19 a Type 2 to Type 1, and this will benefit the entire
20 Wimberley Valley. Whoever wants to get the water from
21 them. Not just us. But when we want the water, we get
22 the water that we put into it back clean.

23 Okay. This next slide. Let's talk about the
24 cost. Project cost summary. This is a -- one of those
25 death by PowerPoint slides.

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1 UNIDENTIFIED SPEAKER: (Inaudible.)

2 MAYOR JAGGERS: I know. I'm sorry about that.
3 I cannot blow it up just because it's a PowerPoint. I
4 tried to do the control up to expand it, and it doesn't
5 receive it. So if you have a tablet or phone and can
6 log in, you can bring it up on your phone and go to
7 Slide No. 10, and you'll be able to see that.

8 Okay. Let's go over a little bit about the
9 slide. And you'll notice I have the arrows here, and
10 those are the significant points.

11 Under the original plan with a plant and the
12 collection system and the engineering and the easements
13 and all the bond reserve, the counsel, financial
14 planning, plus the two years of the construction
15 interest, that was coming in at 7.5 million dollars.

16 That should be a familiar number for a lot of
17 folks here. And actually wanted something -- well, it's
18 really 8.1. They're considering the 600,000 that was
19 taken out to actually do the whole study on this and the
20 engineering to get this project going. That was a
21 separate loan. Of that we have \$36,000 left of it that
22 was loaned to us.

23 If we go to the modified plan, the collection
24 system remains the same. There's no change to that.
25 We're not putting in new lines everywhere. In fact,

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1 we've taken out a few lines, one is where that new
2 easement is gonna be. We don't have it there, so we
3 saved some money there. But it's staying the same as
4 before, the same collection system except, we do have
5 the funds, the park, the funds to connect to Aqua Texas.

6 The treatment plant --

7 UNIDENTIFIED SPEAKER: (Inaudible.)

8 MAYOR JAGGERS: Yes, we've already paid Black
9 Castle -- yes?

10 UNIDENTIFIED SPEAKER: We can't hear you.

11 MAYOR JAGGERS: Oh, because I'm mumbling or I'm
12 holding it too close? Okay. All right, so -- thank
13 you. Is this better if I come out here where if I -- if
14 I don't, like, eat the mic? Is it a little better?
15 Okay. How about if I hold it here? Is that better?

16 UNIDENTIFIED SPEAKER: (Inaudible.)

17 MAYOR JAGGERS: Okay. I'll try a little better.
18 Sorry.

19 Okay. So -- yes, some of ya'll are saying,
20 well, why is there an amount in the plant if we're not
21 having a plant? We all know we started the project with
22 Black Castle.

23 And when -- as soon as I took office, the third
24 invoice came in, and with my logistics background, I
25 said, "Okay, well, I have to sign this check; I want to

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1 verify the contract; I wanna make sure it's legitimate."
2 And when I verified the contract, I said, "Well, where
3 is the substantiation? It's not here. I can't sign
4 this till I have substantiation."

5 One of the goals that you've all elected me to
6 is make sure that I am prudent of the city's funds. So
7 I said, "I'm not signing it." And then other questions
8 came up. And Black Castle refused to provide the
9 paperwork to justify, per their contract, for their
10 reimbursements. And they were front-loading their
11 billings. We have what we call scheduled values. They
12 were asking for 100 percent of the payment upfront on
13 things, like, you know, this doesn't really work.

14 All right, the 200,000. Yes, we do not have the
15 fear of litigation, of being sued by them; they have
16 signed a release. They have agreed to settle with the
17 original 200,000, which I was very reluctant to give.
18 And the way the -- when I say "I," I with the support of
19 council. You know that I can't do anything without the
20 council's approval. Okay?

21 So the council has agreed that, let's settle it,
22 let's wrap this up. We may be able to fight over
23 pennies but we're gonna spend dollars and quarters to do
24 it. So let's just get it done. They were not the best
25 choice. Some of you might think they were, but -- they

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1 were the lowest, the next lowest, but they were not the
2 best choice.

3 So that is accounting for the Black Castle
4 settlement. So with that in mind, without a plant, the
5 cost of this project is 5.5, roughly. It'll be a little
6 bit less than that. That's a 2 million dollar savings. 05:59
7 But the most important thing here is that, look, we can
8 have in our reserve funds -- we don't have to drain them
9 down to the -- a very scary amount. We can have an
10 additional 200,000 in our reserves for contingencies. 05:59

11 UNIDENTIFIED SPEAKER: (Inaudible.)

12 MAYOR JAGGERS: We're gonna hold questions till
13 the end, ma'am.

14 UNIDENTIFIED SPEAKER: (Inaudible.)

15 MAYOR JAGGERS: Oh, read the line? I'm sorry. 05:59

16 Okay. Which line is it?

17 UNIDENTIFIED SPEAKER: The funding sources.

18 MAYOR JAGGERS: Okay. The funding sources on --

19 UNIDENTIFIED SPEAKER: The bottom line.

20 MAYOR JAGGERS: Bottom line. Okay. Sorry. 05:59

21 UNIDENTIFIED SPEAKER: No, not the bottom line.

22 Third from the bottom.

23 MAYOR JAGGERS: Okay, this one.

24 UNIDENTIFIED SPEAKER: Third from the bottom.

25 MAYOR JAGGERS: Okay, this one. Okay. The 05:59

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1 funding sources. Under the original plan, we have the
2 Texas Water Development Board bonds. We had an EDA
3 grant of a million dollars. We had Mr. Way's
4 contribution to go up to a million dollars, if
5 necessary. It wasn't an automatic million dollars,
6 here, use it as you will. It was a very generous
7 amount, but it was capped at a million. That together
8 comes to 7.5. Sorry. 7.5. That's the funding for the
9 old project.

10 The new project doesn't have the EDA. It
11 doesn't have the Way grant. It has some city funds,
12 yes, we have to come out of our own pocket for this.
13 And it's a little under 5.5. That's the funding.

14 UNIDENTIFIED SPEAKER: (Inaudible.)

15 MAYOR JAGGERS: Pardon me? That is a difference
16 of \$2 million.

17 Let's look at the funding versus the cost. We
18 have less funding in this new project but we have less
19 requirements too. And we don't have a plant to fund, so
20 that's less cost.

21 I have some notes here I want to (inaudible.)

22 Okay. So there is a question about the -- the
23 funding for the green project, the Texas Water
24 Development Board, \$243,000 that was basically granted
25 back to us through the Water Board because we were doing

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1 a green project. We are still doing a green project.

2 The part that wanted us to do the green project
3 was to purple line back to the city. That was
4 eliminated from this project before this was signed, and
5 it still remains this award for 243,000.

6 We are arguing within this point over why is it
7 any different? We're still recycling this water, we're
8 making it pure. We are not measuring right now --
9 putting it in our park, but we are putting in all 3,000.
10 So that's still up for debate.

11 EDA grant originally for both collection system
12 and plant construction, including irrigation, we paid.
13 What happened to that EDA grant? My first question was
14 economic development agency. And so how is our
15 economics needing a million dollars? I mean, I'd love a
16 million dollars. But I went through the application,
17 I'm looking at the justification of how we got this,
18 this grant, a million dollars. I went through it, and
19 I'm going, "We didn't qualify for this."

20 If you go through it and do it yourself, you'll
21 be able to backtrack the rates and so for us to be an
22 economically poor -- sorry. You know, we -- someone was
23 just pointing out I'm talking too much, so let me just
24 keep going with the slides. All right. We can debate
25 that one later. All right. Let's keep going.

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1 Economic impact on the rate payers. Okay. This
2 one should be a big important one because that was part
3 of the objectives to have this sewer system but have it
4 economically fair or -- okay.

5 So under the original plan, the sewer customers
6 would be obligated to incur the following costs related
7 to connecting to the city system. The cost to run
8 lateral sewer lines from the sewer drain location on
9 their property to the connection point with the city
10 system.

11 We don't know what that is per each individual.
12 It depends on how your -- where your hookup is on your
13 building or under your building or wherever.

14 The cost to decommission their existing septic
15 tank. These were all spelled out in an ordinance that
16 was done a few years back just to get this project
17 going. The ordinance is very clear.

18 The cost if you need a grinder pump. A grinder
19 pump -- it's because it's a gravity system. If you're
20 below gravity, you have to grind and push it up to go
21 into the drain. You know, those pumps are expensive.
22 Some properties will have to have that.

23 You're gonna have to pay a one-time capital
24 recovery fee. Same kind of impact fee that we have to
25 pay to join Aqua Texas system, ya'll are gonna have to

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1 join for the city system.

2 Right now they have estimated that it's 2500 per
3 what they call an LUE, Living Unit Equivalent, which is
4 basically if you're using about 9000 gallons a month,
5 that's about one living unit. So when I say "about,"
6 because it can -- it's a moving target.

7 The modified plan doesn't change any of those
8 obligations. You're still gonna have that with the
9 modified plan -- you're still gonna have those costs.
10 However, sewer customers will be obligated to pay a
11 monthly bill that consists of the following components
12 under the modified plan: The capital recovery fee
13 payment described above, yes. You're also gonna have a
14 base rate, and that's gonna be based on your LUEs.
15 You're gonna have a volume rate that's gonna be based on
16 exactly how many gallons that you are receiving to your
17 home from the water company.

18 So Wimberley Water has a meter. They're gonna
19 give us the readings and show, oh, this customer is
20 using 9000 gallons, so that's what we're gonna use for
21 your -- charge for your rate.

22 Under the modified plan, the base and the volume
23 rates are expected to be much lower than the original
24 plan due to lower revenue requirements.

25 I'm continuing on. Okay. The city must

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1 establish adequate rates to pay for -- we have to pay
2 for our annual operating costs of the system, which
3 includes the collection system and the treatment of the
4 wastewater. Whether we're having someone else treat it
5 or whether we treat it, those are the operating costs.
6 We have to pay the annual debt service on those bonds.
7 The bonds are a loan, it's a very low interest, but we
8 still have to pay it all back. Okay?

9 Now, in addition to sewer customers, another
10 source of revenue is for the Parks Department to pay for
11 access to and use of the reclaimed water. Okay, there
12 is an inner-agency agreement that previous councils had
13 put together to make sure that the Water Board
14 understood that we had sufficient revenue to repay these
15 revenue bonds. So we got to sell that water back to
16 ourselves and call it revenue.

17 Under the city agreement required by the Water
18 Board, this could be as much as half of the total
19 expenses, or 200,000 a year, which is substantially
20 greater than the fair market value of volumes of
21 available reclaimed water.

22 If we had to go out and buy that water, the same
23 amount, it would be a lot less than 200,000 a year. The
24 city council is the -- are the ones that will determine,
25 with the Wastewater Adhoc Committee, the sewer customer

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1 rates based on the criteria and will factor in the city
2 subsidy and expected number of sewer customers and their
3 volumes.

4 Again, it's not all gonna happen overnight.
5 You're gonna have time for these people to hook in. And
6 we're gonna grow from it too, but it's gonna be a while.

7 Individual rates will be determined based on
8 assumptions regarding fixed base rates, capital recovery
9 fees, and volumetric rates, all at the discretion of the
10 city council in order to achieve the required revenue to
11 cover the cost.

12 Slide No. 14. And, again, there's only 23
13 slides. Well, the last one just is a --

14 UNIDENTIFIED SPEAKER: (Inaudible.)

15 MAYOR JAGGERS: All right. I promise we will
16 give at least 90 minutes for the questions at the end.

17 Okay. Economic impact on rate payers, costs and
18 revenues. The modified plan will result in lower annual
19 operating costs. A city-owned plant versus an Aqua
20 processing fees is estimated to be at almost a
21 hundred -- a little over \$161,000 a year, the difference
22 between the two.

23 The following illustrates sewer customers
24 revenue requirements assuming a full city subsidy of
25 \$200,000 a year.

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1 Okay. Operating costs. With the original plan
2 233,749. Yes, that is higher than what was done a
3 couple years ago, but there's more information that we
4 have now. We have a better number. We were speculating
5 then. This is a moving target. But it's getting more
6 information, you get more clear numbers. We know this
7 is a fixed number; that's what could be in the contract.
8 No doubt about that. Except part of that is also
9 servicing the connection lines. We have to maintain
10 those.

11 But the variance that's right off the top is
12 about \$161,000. And whether -- we still have to pay
13 back the whole bond money, so that doesn't change. But
14 the difference is we have 161-, which if you look at it,
15 that's almost two and a half times. That's a lot.

16 The economic impact for sewer customers reduced
17 from 274- to 112-, assuming sewer customers benefit for
18 the entire difference. In other words, we lock in what
19 the city is gonna pay, 200,000 a year, and we pass all
20 the savings onto the customers who are actually hooked
21 into this.

22 If that's the case, then the total cost
23 difference over the 30 years is about \$4 million. This
24 plant may not last 30 years. If we had to.

25 Economic impact on rate payers and their rates.

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1 It's literally -- the important part of the slide, it's
2 down here. This is for a typical residence that's using
3 4000 gallons a month. So if you know your water bill
4 downtown, okay, I got 4000 dollars -- 4000 gallons
5 coming into my house, this is what your sewer is gonna
6 cost you right now. That could be changing. This is
7 not hard and fast. This is based on the best
8 information that we have now.

9 So FMV is the fair market value with no subsidy.
10 This is with the city paying a hundred or the city
11 paying up to the max of what we said we would, which is
12 200,000. You're gonna pay \$63 versus \$126 if we had a
13 plant. Best case scenario.

14 This is -- so another slide. I won't go into
15 details on this, but you can print this off online.

16 Basically it also shows other types of volume.
17 In other words, Deer Creek, they estimated 300,000
18 gallons a month. That's a lot. They already have a
19 plant, so they don't have to pay impact fees to join a
20 new plant. That's against the rules per the local
21 government code. But they still have to pay the base
22 fee and the usage fees.

23 Deer Creek currently, I believe, pays about
24 10,000 a month for their sewer. If they were with the
25 original plan, it would go up. With Aqua they're gonna

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1 get a reduction of 6700. That's Deer Creek. That's one
2 of the largest customers.

3 Okay. Environmental Information Document, EID.
4 This EID was originally done in 2014. It went to the
5 Water Board before this project got approved for
6 funding, and it was evaluated by all the environmental
7 agencies of interest. And it came back with an FNSI,
8 which is a Finding of No Significant Impact, with having
9 a sewer plant on our property.

10 We've done an updated EID--we're in the
11 process--and it should still have a finding of no
12 significant impact because we won't be discharging.
13 That was the part that was of concern.

14 And this EID is -- the historical EID is on our
15 Website.

16 You want to talk there, Mr. Coonan? Did you
17 want to chime in on that?

18 STEVE COONAN: Sure. So we're not actually
19 redoing the EID. The Water Development Board asked us
20 to coordinate with several agencies, the Corps of
21 Engineers, and so that's what we're doing. Not actually
22 redoing the EID.

23 MAYOR JAGGERS: We can answer more of those
24 questions at the follow-up.

25 The potential environmental impacts. The

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1 environmental issues included -- or includes: The
2 modified plan will result in no city wastewater
3 treatment plant at Blue Hole. It will not result in it.
4 No discharge or effluent into Deer Creek, cause there's
5 no plant to discharge. The original plan provided for
6 both irrigation at the park and discharge when
7 irrigation could not occurred. Which I believe that
8 would be this week you wouldn't be able to do a
9 discharge.

10 Under the current permit issued by the TCEQ for
11 the proposed plant, the city could discharge up to
12 75,000 gallons of effluent per day under the current
13 permit. The modified plan eliminates the risk of sewage
14 spills at the proposed plant site. Modified plan will
15 result in Aqua upgrading its entire plant to produce
16 Type 1 effluent, with all such effluent beneficially
17 reused for irrigation. No discharge into waterways is
18 allowed under this permit. The modified plan will
19 require a connecting line installed under Cypress Creek
20 using a directional drill to avoid adversely impacting
21 the creek. Now, directional drill; what is that?

22 Well, Steve, you're gonna have to take on this
23 one. Boring under the Cypress Creek.

24 STEVE COONAN: So the proposal is to use
25 high-density polyethylene pipe which is fused together

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1 so that there are no joints. And there would be a
2 drilling rig on one side of the Cypress Creek, and it
3 would -- basically one continuous drill under the
4 Cypress Creek about 10 feet below the flow line. And
5 they would pull that back and remount that hole and then
6 they would pull that pipe through. So you would have
7 one continuous piece of pipe going through there with no
8 joints.

9 UNIDENTIFIED SPEAKER: (Inaudible.)

10 MAYOR JAGGERS: Okay. (Inaudible.)

11 UNIDENTIFIED SPEAKER: Slow down.

12 MAYOR JAGGERS: Sorry. Okay. I have a
13 request--and this is more important than going fast--by
14 our stenographer, who is recording this verbatim,
15 because everything tonight is gonna be verbatim. When
16 you stand up to speak, choose your words.

17 The following illustrates the drilling process.
18 And that was this down here, this picture.

19 And I know it's hard to see back there, but go
20 online and print it off, you'll be able to see it.

21 Alternatives is one of the things we need to
22 discuss. There were 11 options were considered in the
23 initial feasibility study. Two options included using
24 Aqua to process the wastewater.

25 The modified plan is a version of these options

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1 that also includes eliminating the current Deer Creek
2 Plant. The modified plan became economically preferable
3 due to the original plan bid costs were significantly
4 higher than expected.

5 Expected was from what the engineers--sorry,
6 Steve--came in at. They came in, well, it should cost
7 this. When the bids came in, it was much higher. Our
8 funding was based on the engineers.

9 The original plan estimated -- the original plan
10 operating costs. And the modified plan had more
11 realistic of what those costs are, and they're a lot
12 higher. The annual Aqua fees under the modified plan
13 reduced significantly. The modified plan in compliance
14 with the original stakeholders' committee, and that's
15 the important part.

16 You'll have committees. The committees are very
17 important. It's just not just the councils doing the
18 work. The committees bring in the facts and the figures
19 to the council. The stakeholders' committee recommended
20 if this got out of proportion on the cost, go to other
21 options, and this is one of the other options: The
22 stakeholders.

23 All right. Benefits of modified plan, the
24 environmental. Again, there will be no discharge. No
25 risk of excess effluent runoff. No aquifer

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1 contamination from the discharge. No unsightly sewer
2 plant and no odorous plant in the park. And if that
3 plant had any kind of incident, breakage, that sewage,
4 treated or not, is gonna go into the park. And we were
5 gonna have to deal with it just like other waste
6 treatment plants deal with their leakages.

7 No -- no sewer plant odor. Aqua's plant will be
8 upgraded to Type 1, benefiting the entire Wimberley
9 Valley. And reduces the risk of even higher levels of
10 potential discharge in the future due to city growth.

11 I've got two slides left.

12 Benefits of the modified plan, the financial
13 benefits. Okay. I went with the Raftelis study. Ya'll
14 have mentioned -- some folks have started talking about
15 that, well, how do we know that those usage rates are
16 what they are? We had a study that did it.

17 UNIDENTIFIED SPEAKER: (Inaudible.)

18 MAYOR JAGGERS: Well, yes. And I contacted the
19 persons that did that study. Now, having served as an
20 actual analyst for years, looking at the study was not
21 rocket science. We had better information. We had
22 lower usage expected because Deer Creek had a leak and
23 they were not putting -- requiring as much water as they
24 did under this study. We also had another -- Rio Bonito
25 opted out, and they were gonna be a big user, which

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1 means less users that are high-volume users means that
2 the rest of the users have to pay the difference with
3 higher rates.

4 So I contacted Raftelis. I spoke with Rodney
5 Cralley, who was the original designer of this study,
6 and he brought in Angie Flores, who was also part of the
7 team. And I gave him some of the figures from the
8 actual usage rates from Water Wimberley, the water
9 company, and said, "Look, what do you think? We have
10 less usage," and they said, yeah, it's gonna be more.
11 And they ran the study four different ways.

12 And by the way, their contract originally agreed
13 to do another update and study when we got closer to
14 turning the key. There was no charge for this.

15 Anyway, they ran those cases in four different
16 ways. And I'll be glad to share that with you. I think
17 I also put the Raftelis study online, but I'm not sure.
18 If you can't understand those, call me.

19 Lower annual operating cost based on the study
20 that our original -- that we relied on with our original
21 contractors, with Raftelis. They went back and they
22 updated it. I initiated it, but they took it over and
23 they said, yes, you're right, this is what it's gonna
24 be, with four different scenarios.

25 We had the opportunity to significantly reduce

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1 customer rates by this -- by putting the subsidy in.
2 And, again, we will have to do the subsidy until we get
3 enough usage going through this plant. Or through the
4 project, whether there's a plant or not, we have to
5 subsidize it.

6 Eliminates the potential for costly sewer plant
7 incidents or spills. And they can be very costly. Not
8 to mention the TCEQ findings that you get from them.

9 It eliminates costs and risks of maintaining a
10 plant in working order and in environment compliance for
11 decades.

12 TCEQ requires expansion plans when the plant
13 reaches 75 percent of capacity, which is only 56,000 --
14 a little over 56,000 gallons. We would be really close
15 to that once those winter people got hooked in. We
16 would immediately have to start plans for upgrading this
17 plant, more cost.

18 And if you don't think we would be able to grow,
19 just look at what's going on in Blanco. They're now at
20 1.6. They started at about -- well, I won't speculate.
21 Just take a look at what's happening there.

22 Last slide. Last slide. The original goal:
23 Clean up the Cypress Creek; both plans do it. Maintain
24 local control; both plans do it. Provide an
25 infrastructure to allow for controlled growth as

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1 permitted by the city.

2 Now, our growth is not based on whether they
3 have sewer. It's based on our planning and zoning.
4 They have nothing -- Aqua has nothing do with our
5 planning and zoning.

6 Provide water to irrigate Blue Hole Park.
7 Original, yes. Under the modified, we have to find the
8 return line -- we have to get money for the return line.
9 Protect our environment, yes. Under the original plan,
10 no. Under the modified, yes. There's no guarantee
11 under the original plan. There is on the modified plan.
12 The rates are more affordable under the modified and may
13 accomplish a financial responsibility.

14 Okay. We're gonna open it up for questions now.
15 I have put some --

16 Have the sheets all come forward, Gary?

17 COUNCILMAN BARCHFELD: Is this on?

18 MAYOR JAGGERS: I think so.

19 COUNCILMAN BARCHFELD: I have the sheets, ma'am.

20 MAYOR JAGGERS: Okay. So we have quite a few
21 people--I think there's probably 80 or 90, maybe
22 more--that had signed up, and again, we're gonna, out of
23 fairness, go through those as fast as we can. But
24 you're gonna get at least three minutes to talk. If you
25 can wrap up in less, that gives the next person time.

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1 If you haven't had a chance at all to say
2 anything, please submit your testimony in writing, and
3 that will be included in the report.

4 Who's the first person, Gary?

5 COUNCILMAN BARCHFELD: How long will this
6 process be? 06:21

7 MAYOR JAGGERS: So I did go a little over,
8 however, the public hearing was advertised to go from
9 5:30 to 7:30. We will at 7:30 stop the transcript with
10 the reporter, take a break, and then continue on with 06:21
11 the public hearing for at least -- you can continue to
12 make the statements and get answers to your questions.
13 Okay?

14 COUNCILMAN BARCHFELD: In fairness, I'm going
15 to -- 06:22

16 UNIDENTIFIED SPEAKER: (Inaudible.)

17 MAYOR JAGGERS: Oh, five-minute break right now?
18 Okay. So we'll just take a five-minute break, then.

19 UNIDENTIFIED SPEAKERS: (Inaudible.)

20 MAYOR JAGGERS: Okay. Wait a minute. All in 06:22
21 favor of a break, raise your hand.

22 Okay. Never mind, then; there's only two people
23 that raised their hand.

24 UNIDENTIFIED SPEAKER: (Inaudible.)

25 MAYOR JAGGERS: I appreciate your concern there, 06:22

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1 but I did run this past Ms. Zuba with the Water Board,
2 and she blessed off with this criteria. If you have
3 questions with that, the Water Board will accept our
4 findings with what we are gonna do within the two hours.
5 And please don't speak out of turn.

6 UNIDENTIFIED SPEAKER: (Inaudible.)

7 MAYOR JAGGERS: Okay. Very good. Please be
8 seated.

9 Okay. Gary, who is our first person?

10 UNIDENTIFIED SPEAKER: Let people talk.

11 UNIDENTIFIED SPEAKER: We can't understand what
12 you're saying.

13 MAYOR JAGGERS: Okay. Folks, please.

14 Gary, would you like to call the first person?

15 COUNCILMAN BARCHFELD: So here's what we're
16 gonna do. We've got a number of --

17 UNIDENTIFIED SPEAKER: We can't hear you.

18 COUNCILMAN BARCHFELD: We have a number of
19 people stating that --

20 UNIDENTIFIED SPEAKER: Stand up and talk.

21 MAYOR JAGGERS: That is rude. Please do not
22 yell from the audience.

23 UNIDENTIFIED SPEAKER: Stand up and talk.

24 MAYOR JAGGERS: Okay, please do not yell from
25 the audience. If there is that kind of behavior in the

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1 audience, one of the councils will invite you to step
2 outside and discuss the behavior.

3 COUNCILMAN BARCHFELD: So we've got a number of
4 people that are going to speak. Everyone's comments are
5 important. I don't think we will have enough time for
6 everyone to speak. Please submit -- if you do not have
7 a chance to speak, or even if you do, please submit in
8 writing your comments so that we can send this whole
9 document onto the appropriate agencies.

10 What I'm going to do is I'm gonna call three
11 people. I'd like the first person to speak and have the
12 other two que'd up over there. If you're okay with
13 that, the first person to speak is Andrew Sansom.

14 Andrew, are you in here?

15 Second person, John Urban. Louis Parks, you're
16 up third.

17 MAYOR JAGGERS: And, Shawn, do you have
18 the timer ready to go?

19 SHAWN COX: I would like everyone to declare
20 whether they're a resident or --

21 MAYOR JAGGERS: All right.

22 SHAWN COX: -- a previous owner.

23 MAYOR JAGGERS: So please declare for the
24 stenographer -- or for the record, your name, whether
25 you are a potential sewer customer, in other words, if

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1 you have a business that would be hooking up to it or
2 whether you are a citizen within the City of Wimberley.

3 ANDREW SANSOM: Thank you, Your Honor, Members
4 of City Council for allowing me to speak to you tonight.

5 UNIDENTIFIED SPEAKERS: (Inaudible.)

6 MAYOR JAGGERS: Get closer.

7 ANDREW SANSOM: Thank you, Your Honor, and
8 Members of City Council for allowing me to speak to you
9 tonight.

10 I am Andrew Sansom. I work at the Meadows
11 Center for Water and the Environment at Texas State
12 University. I am speaking for myself tonight.

13 For 17 years the Meadows Center has had the
14 privilege of working in the Wimberley Valley on issues
15 relating to water and the environment. We helped
16 facilitate the state grants to create the Blue Hole
17 Park. I serve on the board of the Friends of Blue Hole.
18 We've done extensive research of Jacob's Well and along
19 the Blanco River. We are currently underway with a
20 major study of ground water, surface water interaction
21 on the Blanco. But most importantly, we help citizens
22 and elected officials throughout the valley create a
23 watershed management plan for Cypress Creek. This plan
24 was the very first watershed management plan funded by
25 the Environmental Protection Agency in the United States

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1 that considered groundwater as a part of its
2 deliberations.

3 The wastewater treatment plan was originally
4 approved by the city was scrutinized and vetted very
5 thoroughly in the context of that watershed management
6 plan. And I urge you that if you end up deciding to
7 accept the modified plan that it be subjected to the
8 same level of environmental scrutiny as the original
9 plan.

10 Thank you very much for allowing me to speak.

11 MAYOR JAGGERS: We're not sure if there's a
12 question there, so thank you for your statement. Go
13 ahead.

14 JOHN URBAN: I really don't have any questions.
15 I was just gonna make a statement, and then I got to go
16 to my wife's birthday party. So I'm gonna try to be
17 here as quickly as I can and get out of here.

18 Thank you for the opportunity --

19 UNIDENTIFIED SPEAKER: (Inaudible.)

20 JOHN URBAN: Can you hear me? I don't know if I
21 can speak any louder because my voice is about gone, but
22 thank you for this opportunity to speak. My name is
23 John Urban. I live at 115 River Bend. I'm not a
24 customer of this system that you're putting in.

25 UNIDENTIFIED SPEAKER: Louder, please.

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1 JOHN URBAN: A few months ago -- a few months
2 ago, a neighbor asked me if I would -- would I ever
3 leave Wimberley. I said if I did, it would be for the
4 same reason that I came here. When I got that
5 dear-in-the-headlight look from him, I didn't explain to
6 him why I made that statement because of what happened
7 where I came from.

8 Where I came from, our taxes were out of
9 control. What my neighbors and I were paying was
10 completely out of the balance of the benefits we were
11 receiving. Local government had lost -- had lost --
12 thank you. Local government had lost touch with us.
13 Their decisions had been based on consensus and
14 circ- -- and compromise, but that had gone to -- stopped
15 to an end. And then they forgot the obligation to
16 protect the environment. Finally, the town I once loved
17 became overcrowded. Sound familiar? Lacking
18 infrastructure and supported growth.

19 So having seen a city lose its way before, I'm
20 naturally skeptical of what you guys are doing.
21 With that in mind, I'd like to share my impression of
22 the scope changes you're proposing.

23 As I see it--and I'm not sure I've got all the
24 details--your approach is the most economical solution
25 to our wastewater problem downtown economically.

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1 It ensures that the environment will be protected. It
2 seems to place most of the burden of the construction
3 and the ongoing costs to those that are gonna benefit
4 the most of it. So it seems to be pretty fair. At
5 least from a long-term standpoint. Maybe not initially
6 with the subsidy. But long-term growth, I can see that
7 being real possible.

8 And as near as I can tell, it won't increase my
9 taxes or the taxes in general. So assuming all that's
10 correct, I really have no reason to oppose what you're
11 proposing.

12 However, I do want to issue a word of caution
13 because I've been told that the final decision rests
14 with the Texas Water Development Board. I'm sure there
15 are wonderful people that work there, but I've seen
16 government agents like that take advantage of the fact
17 that there's little public -- because there's little
18 public oversight, by making decisions that are not in
19 the public best interest, and either side of the aisle,
20 either side of the issue it may be on.

21 Agencies like that seem to take -- seem to care
22 more about what the lobbyists say than that that an
23 everyday citizen would have to say. So be cautious
24 because the lobbyists and I'd have to say even the
25 elites are accustomed to getting their way.

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1 And in my opinion, really, that just may be --
2 that just may actually be what may happen here at the
3 end of this thing.

4 So thank you and everyone who has served or will
5 serve on this council for your civic service, and God
6 bless Wimberley and God bless Texas.

7 MAYOR JAGGERS: Thank you, Mr. Urban.

8 JOHN URBAN: Thank you.

9 MAYOR JAGGERS: Do you have something that you
10 want to contribute to the verbal testimony?

11 COUNCILMAN BARCHFELD: Parks, Louis starting.
12 Linda Webb will be the next speaker.

13 UNIDENTIFIED SPEAKER: We can't hear you.

14 MAYOR JAGGERS: Ms. Webb will be the next
15 speaker.

16 COUNCILMAN BARCHFELD: Linda Webb will be the
17 next speaker.

18 MAYOR JAGGERS: Linda Webb.

19 COUNCILMAN BARCHFELD: Scott Mitchell, Phil Van
20 Ostrand, and Susan Zimmerman.

21 UNIDENTIFIED SPEAKER: Why are you taking --

22 MAYOR JAGGERS: Okay, go ahead.

23 LOUIS PARKS: Good evening. Members of the
24 Texas Water Development Board, please hear us today.
25 This may seem a foolish, wasteful local squabble, but it

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1 is vitally important to our future water resources and
2 city prosperity.

3 I'm Louis Parks, chair of Citizens Alliance for
4 Responsible Development, or CARD.

5 CARD is an all-volunteer organization, funded by
6 \$70 annual dues, which formed in this building in 2008
7 in opposition to a large development that threatened the
8 recharge zone of the Trinity Aquifer. No one in CARD
9 has in any way -- any way of profiting from either side
10 of this unfortunate sewer fight, except in the same way
11 most of the residents do, in the future property values
12 and beauty of our area.

13 CARD's primary focus is on the quality and
14 quantity of water, the crucial and natural resources
15 which Wimberley Valley already has far too little.

16 CARD has campaigned for water conservation such
17 as rain tanks, water recycling, and against water waste.
18 We have hosted numerous public education and awareness
19 meetings--several in this building--on the water
20 concerns.

21 CARD originally supported the long-overdue sewer
22 system for downtown Wimberley because it was needed to
23 clean up Cypress Creek and because it would clean and
24 fully reuse downtown wastewater in Blue Hole Park,
25 saving water in the aquifer. It was a win-win situation

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1 for the creek, the park, the aquifer, and the city, all
2 with no taxes for residents.

3 Thanks to the TWDB's loan and the help of \$2
4 million in grant for the plan's environmental qualities,
5 the plan would be paid for over 30 years by the users of
6 the system by downtown business owners. 06:32

7 After long discussions, CARD came out in support
8 of the Wimberley-operated plan in 2012, again in 2013,
9 and continued to do so after the 2015 settlement
10 agreement signed on by groups that originally opposed
11 the joint -- the plant for concerns about possible
12 discharge. 06:33

13 Our support of the city-managed plant increased
14 when the Aqua Texas threat reared its head. As early as
15 2008, CARD commented on AT's high rate of losing water;
16 still a concern. The more we researched AT's history,
17 here and across the state and country, the more our
18 concern grew. 06:33

19 The idea of sending downtown water, which could
20 be cleaned to enhanced Type 1 and reused for public
21 good, over to Aqua Texas where it does the city no good,
22 is absurd. 06:33

23 Forcing Wimberley to further drain the aquifer,
24 if it ever wants to bring Blue Hole to its planned
25 state, just to help Aqua Texas stockholders, is robbing 06:33

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1 the future needs of this town and valley. There's not
2 that much water under there.

3 Cleaning Cypress Creek is very important to this
4 city, its economy, and its health. But why do it
5 halfway, sending the water to a Type 2 Aqua Texas plant
6 that for years has promised to upgrade to Type 1 or will
7 charge us a lot of money to do it, and then have it
8 basically discarded on a golf course? There's no such
9 thing as wastewater, but there certainly is wasted
10 water.

11 This unpopular and environmentally unsound
12 change has already lost Wimberley more than \$3 million.
13 Stop throwing away good money; say no to the Aqua Texas
14 plan.

15 Despite our follies, Oh Texas Water Development
16 Board, please show this town some love and tell this
17 council to get us back on the right path with the right
18 plant. Thank you.

19 MAYOR JAGGERS: So I think -- was there a
20 question that you'd like answered?

21 Okay. Who's next?

22 UNIDENTIFIED SPEAKER: (Inaudible.)

23 MAYOR JAGGERS: Oh, yes. Mr. Parks, where do
24 you live, please?

25 LOUIS PARKS: I live on 820 Red Hawk Road in

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1 Wimberley Valley (inaudible.)

2 UNIDENTIFIED SPEAKER: We can't hear.

3 MAYOR JAGGERS: Okay. So you live at 820 --

4 Our stenographer is trying to get this
5 information down, so don't -- she has to be able to hear
6 this. She's not even from Wimberley, and she's trying
7 as hard as she can.

8 Did you get the address and where he's --

9 COURT REPORTER: I got 820 --

10 MAYOR JAGGERS: 820 what?

11 UNIDENTIFIED SPEAKER: (Inaudible.)

12 MAYOR JAGGERS: Okay. We can probably verify
13 that with the sign-up sheet. Who is next?

14 Oh good, there we go. Thank you. Red Hawk
15 Road.

16 LINDA WEBB: My name is Linda Webb. I'm a
17 resident here inside the City of Wimberley. I will not
18 be serviced by the wastewater system; however, I have a
19 direct question that I'm gonna have to divert from
20 for -- right at this moment because there's so much math
21 in here that with some courtesy and some respect to the
22 citizens that you were speaking to tonight, if this
23 information could have been made public prior to walking
24 in and picking it up off of a table, it would have been
25 so much easier to read through it, make a better

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1 understanding out of it, better prepared questions, and
2 even be able to see the slides versus what we're looking
3 at now.

4 MAYOR JAGGERS: Actually, this was put out to
5 public. It was on our website. It just wasn't with
6 this PowerPoint. There was another PowerPoint.

7 LINDA WEBB: I don't know that that was ever
8 really made public. But nonetheless, I'll get back to
9 sort of a modified version of my question. And I think
10 that's on Slide No. 11.

11 MAYOR JAGGERS: Okay.

12 LINDA WEBB: And it does pertain to the Way
13 Grant, which I understand you corrected it to say that
14 that was up to \$1 million. And you have 471,851. And
15 I'm just -- I guess my question veered in a different
16 direction -- my original question veered in a different
17 direction.

18 MAYOR JAGGERS: You want to know why --

19 LINDA WEBB: Exactly how that number came to be.

20 MAYOR JAGGERS: Okay. So under the income
21 thing, the agreement with Mr. Way, he would fund the
22 contingencies that went over the plant or the
23 collection. Not all the other things. So unless they
24 came in over at the -- what we have under the original
25 plan, he would only be obligated for 471-. He's not

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1 obligated for anything under the modified plan.

2 Okay. Phil?

3 PHIL VAN OSTRAND: Mayor, Council, I'm Phil Van
4 Ostrand. I'm both a tax -- both a property owner in the
5 City of Wimberley and a potential user because I have a
6 property on the square. 06:37

7 I would like to take this minute to say thank
8 you very much for all the hard work that's gone into
9 both the previous plan, development of it, and the
10 plan -- the revised plan that's currently under it. 06:38

11 I have come to see and endorse the revised plan
12 because it accomplishes several things. First of all,
13 as John Urban mentioned, it addresses the environmental
14 issues of getting a malodorous wastewater processing
15 plant and a large water tank out at Blue Hole Park. 06:38

16 But more importantly to me as a stakeholder is
17 it addresses the bad economics of the previous plan. It
18 allows us, from an environmental standpoint, to
19 eliminate pump and haul in the square. Most directors
20 in the square pump and haul, but that's a dangerous
21 process. It's actually illegal; yet, we just continue
22 to go on with it. 06:38

23 The other thing that I wanna talk about for just
24 a second is that this change offers us some flexibility
25 for the future. As all of us know--and I'm sure 06:38

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1 Mr. Barchfeld would agree--EPA, DCEQ and other agencies
2 are gonna continue to tighten up standards on
3 wastewater. By partnering, aligning ourselves with a
4 large, well capitalized regional processor, it gives us
5 in the city the flexibility to be standard to the thing
6 you roll out, and it minimizes the potential adverse
7 rate effect on each of us. And I think all of us as tax
8 payers and all of us as property owners in the square or
9 elsewhere in the city this has become an issue, need to
10 be aware that that is a big association that has not
11 gotten a lot of conversation up to now, and I hope it's
12 one that the Water Board continues to be aware of
13 because they will change, DCEQ will change, EPA will
14 change, and now we can be in the forefront of those
15 changes without additional burden on the city.

16 So once again, Mayor, Council, thank you very
17 much.

18 MAYOR JAGGERS: Who's next, Gary?

19 COUNCILMAN BARCHFELD: Scott Mitchell.

20 MAYOR JAGGERS: Oh. We have a council member
21 that would like to comment.

22 UNIDENTIFIED SPEAKER: I just wanted to register
23 my complaint that we're going out of order. People came
24 here early to sign up to make sure that --

25 UNIDENTIFIED SPEAKER: -- they could be heard.

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1 We're going back and forth. I'd just like the officers
2 to change to (Inaudible.)

3 UNIDENTIFIED SPEAKER: (Inaudible.)

4 COUNCILMAN BARCHFELD: I have over a hundred
5 names here. I'm going 1, 5, 10, 15. Everyone came here
6 to be able to speak.

7 I would prefer to continue at that rate, Mayor.

8 UNIDENTIFIED SPEAKERS: (Inaudible.)

9 MAYOR JAGGERS: Okay. We don't need to be going
10 to that level of booing and stuff. Listen, it sounds
11 reasonable to me. And as an officer of this city, I'll
12 allow it. Okay, and if you don't like it, noted. Go
13 ahead and submit your objection in writing, and we'll
14 include that to the board.

15 Sir, would you like to go next?

16 SCOTT MITCHELL: I'll go --

17 MAYOR JAGGERS: Please don't talk over the --
18 give the man the courtesy of being able to have
19 uninterrupted three minutes.

20 SCOTT MITCHELL: I'm Scott Mitchell. My wife
21 and I own the ranch -- Montesino Ranch at 300 Little
22 Arkansas Road, towards the end of Five Acres Road on the
23 Blanco River.

24 Thank you, Mayor, and Texas Water Development
25 Board for allowing me to speak my opinion.

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1 You know, all along there are quite a few of us
2 that did have grave concerns about the original permit
3 granted by the TCU, and, frankly, our concern was that
4 there wasn't really critical analysis. There wasn't
5 really strong scrutiny in the first place with the City
6 of Wimberley accepting the original permit. And as many
7 of us that didn't really have problems with it, the city
8 on their own accord upgraded quite a bit of that
9 particular -- the particulars of that permit and
10 upgraded the projected quality of the effluent, which is
11 much appreciated. So a lot of us that protested felt
12 like we won quite a few battles but we lost the war
13 because the issue really is discharge versus land
14 application, and most any water quality scientist that
15 understands chemistry of water affected by potential
16 treated effluent will tell you that these pristine
17 waters of ours coming out of the Hill Country is a
18 really fragile balance.

19 For one thing, it's just among some of the most
20 pure waters in the United States. And it doesn't take
21 much to upset the chemistry of that water which leads
22 to, you know, algae buildup and discoloration, another
23 degradation of the clarity of the Blanco River that we
24 all love.

25 So for my vote, I really welcome this

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1 alternative, which is an opportunity for land
2 application, is much more protective of the environment
3 with an entity that has plenty of land to accommodate
4 the system.

5 So thank you for the effort, and I really agree
6 with the alternative. I appreciate it.

7 MAYOR JAGGERS: Thank you, sir.

8 Gary?

9 COUNCILMAN BARCHFELD: We have Susan Zimmerman
10 next. If I may get Sara Dishman to speak after that.
11 Martha Knies, Debby Spears, Raoul Belleau --

12 UNIDENTIFIED SPEAKER: We can't hear you.

13 COUNCILMAN BARCHFELD: Sara Dishman, Martha
14 Knies, Debby Spears, Raoul Belleau, Juniper Schneider,
15 Pam Showalter.

16 SUSAN ZIMMERMAN: Mayor, and City Council, thank
17 you for this chance to speak. My name is Susan
18 Zimmerman --

19 UNIDENTIFIED SPEAKER: Louder, please.

20 SUSAN ZIMMERMAN: My name is Susan Zimmerman. I
21 live outside the city limits. My comments relate to the
22 proposed project changes. And when I refer to "the
23 council," I mean the four council members who support
24 the change in scope to switch from the city-owned
25 wastewater system to giving the wastewater contract to

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1 Aqua Texas.

2 At the Thursday, June 3rd city council meeting,
3 just five days before this hearing, the council voted
4 four to one for two agenda items related to this change
5 of scope. On one item council voted to pay \$200,000 to
6 end its contract with Black Castle. On the other,
7 council voted to accept a letter telling the TCEQ the
8 city would not renew the permit for the original
9 wastewater treatment plant. This plant was part of the
10 plan for which the TWDB loaned the city five and a half
11 million dollars. The city got the loan in part because
12 the plan to reuse water at Blue Hole Park, which fit
13 with part of TWDB's environmental mission, the water for
14 Blue Hole is gone from the change of scope.

15 I believe these votes were premature, and I
16 question the timing, only five days before this TWDB
17 required public hearing.

18 The city has been negotiating with Black Castle
19 to end the contract since August 2018. Why settle just
20 five days before this public hearing?

21 The second vote really got me wondering what
22 this council is doing. It has until July 2019 to tell
23 TCEQ whether it will renew the permit. The council
24 member who wrote the letter said the reason for voting
25 on this now was, quote, to get the letter written and

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1 have it ready to go whenever we're ready to send it.
2 Whether we send it tomorrow or in July makes no
3 difference. We still want to have the letter ready to
4 go. Later I believe the quote was, we intend to go with
5 Aqua Texas, have them treat our effluent, and once
6 that's all approved, we won't need this permit any more.

7 Another council member asked if the letter could
8 be held until if and when the Aqua Texas plan is
9 finalized. The council member who wrote the letter
10 answered, I'm not sure I'm in favor of that because I'm
11 not sure when that's going to happen. Why rush to
12 finalize the letter if you're not sure when that's going
13 to happen? I hope TWDB will ask the council the
14 following question: Do they have a plan to do something
15 that somehow makes the TWDB loan unnecessary? Or do
16 they think that with these votes they have done away
17 with any alternative to the Aqua Texas plan and that
18 will force the TWDB to approve the change of scope?

19 And lastly, please do not let the city use your
20 loan to give the contract to Aqua Texas. Thank you.

21 SARA DISHMAN: My name is Sara Kirkpatrick
22 Dishman. I'm a decades-long tax-paying citizen, and I
23 own two properties within the Wimberley City limits.
24 I'm a fifth generation Wimberley resident.

25 I, along with everyone else in this community,

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1 we're exhausted and distraught with the drama, the
2 fining, the back and forth that's played out with this
3 ordeal, the accusations, the lies, the misleading
4 propaganda and the division that it's created within
5 this community for the past two decades.

6 Yes, we want the problem solved. We all want
7 the problem solved. But under two conditions: No
8 discharge ever, and not with an ad valorem tax built
9 down the road to pay for the problem all for good
10 citizens who wants to flip their property and pocket
11 those profits for sale later, simply. Please, and thank
12 you.

13 MAYOR JAGGERS: Thank you.

14 Who's next? Ms. Knies?

15 MARTHA KNIES: I'm Martha Knies, and I'm a
16 resident of Wimberley, not affected by the sewer, but my
17 complaint is simple. I strongly oppose the change in
18 scope for the city sewer project as directed by the
19 current mayor and three council members.

20 This is not the plan that was approved by the
21 previous mayors and councils. My concerns, and there
22 have been many expressed and opposed by many Wimberley
23 citizens for many legitimate reasons: How many times do
24 we have to stand up here and say the same things over
25 and over? We do not want Aqua Texas managing our system

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1 and we want water for Blue Hole. Thank you very much.
2 Enough is enough.

3 MAYOR JAGGERS: Okay. Next, please.

4 DEBBY SPEARS: My name is Debby Spears. I live
5 inside the City of Wimberley and am a property owner who
6 resides full time at 420 Ex Nine Acres Road on the
7 Blanco River, which is located less than a mile
8 downstream of the proposed wastewater treatment plant in
9 the Blue Hole Park.

10 I wholly support the City of Wimberley's
11 proposed change to have the wastewater treated by Aqua
12 Texas under a wholesale agreement and eliminate the
13 expensive treatment plant in Blue Hole Park. This
14 proposed change -- this proposed change is both
15 financially and environmentally superior to the existing
16 plan.

17 On the financial side of rates based on
18 potential plant treatment by Aqua Texas will be
19 significantly reduced when compared to the Blue Hole
20 alternative. The yearly operation and maintenance of
21 the treatment plant at Blue Hole will be very expensive.
22 This is a bad investment for the City of Wimberley, and
23 I do not think we can afford to get into the wastewater
24 treatment business for only one-hundred-plus customers.
25 Environmentally, Aqua Texas uses only a land application

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1 permit for its treatment of effluent, unlike the
2 proposed Blue Hole plant which allows for the discharge
3 of effluent into the Blanco River. I oppose the Blue
4 Hole Plant for this reason and have seen what happens to
5 low country rivers and streams located downstream of an
6 effluent discharge. They are poisoned by nutrient
7 solutions and become filled with algae. I want to
8 continue to enjoy the exceptional water quality and
9 beauty of our Blanco River, which is the reason I
10 purchased my property.

11 Lastly, as many, I want an end to the diverse --
12 of the division --

13 UNIDENTIFIED SPEAKER: Divisiveness.

14 DEBBY SPEARS: -- divisiveness -- thank you --
15 over the wastewater project in the Wimberley Valley.
16 Please vote for the change plan and let's get this done
17 and over with once and for all. The last thing we need
18 now is to end up with a collection system that goes no
19 where.

20 I want to thank each of you of the city council
21 members and the mayor for your public service and for
22 your consideration of this request.

23 MAYOR JAGGERS: Thank you.

24 RAOUL BELLEAU: Hello. My name is Raoul
25 Belleau. I live at 291 Brunson Lane out by the VFW.

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1 And I'm here to talk about --

2 UNIDENTIFIED SPEAKER: Louder, please.

3 MAYOR JAGGERS: Pull it closer.

4 UNIDENTIFIED SPEAKER: There you go.

5 RAOUL BELLEAU: Okay. My name is Raoul Belleau,
6 and I live out by the VFW, and I'm here to talk about
7 operating costs today.

8 The financial comparison that was made back in
9 the August 14th presentation and then repeated here is
10 that the city-owned plant would have cost \$160,000 more
11 to operate every year than going with Aqua Texas, and
12 that would add up to over 4 million dollars over 30
13 years. Or more.

14 Albert Einstein is quoted as saying that
15 "Everything should be made as simple as possible, but no
16 simpler." This financial comparison is too simple for
17 three reasons.

18 Reason 1 comes from just not scrutinizing
19 numbers very closely. As an example, the cost item
20 that's in there for checking on the lift system is
21 attributed to the plant even though checking on the lift
22 system is actually something you would do as maintaining
23 the collection system, and it would affect both the Aqua
24 Texas option as well as the city option.

25 Additionally, the calculations and estimates for

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1 sludge disposal, for capital reserves, for electricity,
2 for the ultraviolet disinfection and additional pumps
3 assume 50K gallons per day or more versus the 20,000
4 gallons per day that we would be expecting in year one.
5 Adjusting for these costs items brings the plan
6 operating cost in year one down by about 38K.

7 Reason 2 this comparison is inaccurate is
8 because it's comparing apples and oranges. While the
9 city option envisions a future for Blue Hole Regional
10 Park as a green oasis even during times of extreme
11 draught, due to a consistent access of 30 to 50 thousand
12 gallons per day of irrigation water, the Aqua Texas
13 option leaves no money in there for Blue Hole Park. It
14 leaves it high and dry, with no costs allocated for
15 providing irrigation. This must be added back in for an
16 apples-to-apples comparison. One option that was
17 discussed here is you can truck it in, right? You can
18 take five to ten trucks every day and bring it in, put
19 it in a tank, you can test it, which costs about \$30,000
20 a year according to the estimates that were provided by
21 the city to make sure the soccer kids don't get sick
22 from it. Or, as it turns out, buying water at a
23 wholesale rate is probably cheaper. If you just went
24 with that, you're looking at about \$41,000 a year,
25 bringing an equivalent amount of irrigation to the park.

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1 Combining these two adjustments reveals that the
2 year one operating cost difference is not --

3 THE REPORTER: I'm sorry, sir. Could you start
4 that over and please slow down.

5 RAOUL BELLEAU: Okay. Sorry.

6 Combining these two adjustments reveals that the
7 year one operating cost difference, rather than 160K, is
8 actually closer to 80K. The Reason 3 that this
9 comparison is inaccurate is it just ignores the future.

10 Year six is a really interesting inflection
11 point because that's when Aqua Texas gets to raise their
12 rates. In the past few years, Aqua Texas has documented
13 offers to the city and several different offers over the
14 last few years anywhere from 11.72 to 13.96 per thousand
15 gallons. Even if you dropped it down to a \$10,000 per
16 gallon rate, year six, the city option is projected to
17 be cheaper.

18 And then if you send that out, in essence of
19 profit, by the time you get out to year 30, the city
20 option is actually much better, 178K cheaper.

21 In summary, in an apples-to-apples comparison, I
22 believe the city option would have significantly lower
23 annual operating and maintenance expenses over a 30-year
24 period than the Aqua Texas option. Thank you.

25 MAYOR JAGGERS: Thank you, sir.

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1 JUNE SCHNEIDER: Am I next?

2 MAYOR JAGGERS: You are.

3 JUNE SCHNEIDER: I'm Juniper Schneider, 505
4 River Road. I do live in Wimberley.

5 Ten months ago, in this room, the League of
6 Women Voters had a roundtable or a round robin--or
7 whatever it was called--and all the candidates went
8 around to the various tables. When they came to my
9 table, I asked the mayor, Mr. Barchfeld, Mr. Fore, and
10 Ms. Kelly one simple question: Are you trying to get
11 Aqua Texas into Wimberley? Not a complicated question.
12 Not an engineering question. Not a bioengineering
13 question. A very simple, direct question.

14 All four of them said to me, Aqua Texas is a
15 dead issue; we're not going there.

16 JUNIPER SCHNEIDER: The only thing that they
17 wanted to discuss was the pond, which seems to have
18 disappeared. All I want to say is, 30 days later after
19 the election, what did we hear about? Aqua Texas. Now,
20 if they lied about that, how can we trust that that's
21 not happening here?

22 MAYOR JAGGERS: Just one moment, please.

23 Sir, I believe I remember that question that you
24 asked, and my response was that I didn't have enough of
25 the facts to support that decision.

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1 UNIDENTIFIED SPEAKERS: (Inaudible.)

2 MAYOR JAGGERS: Okay. Will the next lady,
3 please.

4 UNIDENTIFIED SPEAKER: It's not your turn.

5 MAYOR JAGGERS: Okay. Can we go to the next
6 lady, please.

7 PAM SHOWALTER: My name is Pam Showalter. I am
8 a resident of Wimberley. I've been here since 1997. I
9 live at 501 Woodcreek Ranch Road. And I have served on
10 the Planning Commission, the Comprehensive Planning
11 Committee. I've served as a member of council and many
12 other activities here in town. And when I served on
13 council, I was humbled because this wastewater system
14 had been worked on by the citizens of this community for
15 so long, and hundreds of you took part in it. Many
16 arguments, lots of butting heads, and finally we came to
17 a point where we seemed to be in agreement and the
18 construction began.

19 To see this council turn away from that system
20 in the, I believe, misguided thinking that somehow you
21 can grasp the enormity of the data and the criteria that
22 had to be met in such a short period of time to me, I
23 have to say is tantamount to malfeasance. I am very
24 disappointed in you, and I urge you to think about
25 honoring your oath of office, which was to carry out the

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1 will of the majority and act as a representative of the
2 people. Thank you.

3 MAYOR JAGGERS: All right.

4 COUNCILMAN BARCHFELD: Next speakers, please.
5 Gail Pigg, Al Sanders, Phyllis Finnemore, and Cookie
6 Hagemeyer. Is that correct?

7 GAIL PIGG: My name is Gail Pigg, and I live at
8 2212 Flite Acres Road.

9 UNIDENTIFIED SPEAKERS: (Inaudible.)

10 GAIL PIGG: And I'm speaking tonight as a
11 citizen of Wimberley.

12 I'm also a civil engineer--I wanted to add
13 that--and I've tried to look at this --

14 UNIDENTIFIED SPEAKER: We cannot hear you.

15 GAIL PIGG: -- objectively as possible. There
16 have been serious and widespread objections to
17 wastewater discharge permits throughout the Hill
18 Country. And Liberty Hill on the San Gabriel River and
19 Dripping Springs on Onion Creek, upstream of Blanco in
20 the Blanco River, in Spring Branch on Honey Creek, in
21 Bulverde, on Cibolo Creek, in Del Terrace in Sabear
22 Creek and in Wimberley in the Blanco River, in all of
23 these situations, the environmental community--and I was
24 one of them--opposed these permits and asked what did we
25 ask for? We asked for a no-discharge permit. We asked

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1 for no discharge. The experts in the industry agree
2 that no discharge is more protective of the environment.

3 So I looked at the permits. I compared the Aqua
4 Texas permit and the City of Wimberley permit, and I
5 have -- (hands out paper.)

6 So on the type of permit, one allows direct
7 discharge and one of them does not. On the total
8 storage, one of them has 50,000 gallons of storage --
9 500,000 gallons of storage, one has 20 million gallons
10 of storage. On the days of storage available, one has
11 6.67 days of storage and the other has 80 days of
12 storage. On the acres designated in the permit for
13 irrigation, one has 6 acres, which is the soccer fields,
14 and the other has 143 acres. The additional acres, one
15 is promised 18 additional acres only after a discharge
16 occurs in the driest of weather--and it has to be bone
17 dry--and the other one has a total of 175 acres, plus
18 200 additional if required.

19 Because Aqua Tex has a land-application-type
20 permit, which is what everybody asks for when they
21 contest these permits, the soil is part of the permit,
22 the soil thickness is identified in the permit and the
23 permit requires it to be tested annually, biannually.
24 The city permit does not regulate the soil. It doesn't
25 require minimum thickness or it has no requirement to

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1 test it annually.

2 So based on my logical premise, which is that no
3 discharge is more protective of the environment--and I
4 strongly oppose direct discharging in the creek and
5 river over the contributing zone of the Edwards
6 Aquifer--I have to be in support of these proposed
7 changes because I have to be consistent. I can't want
8 no discharge everywhere else and then be presented with
9 a change that gives us no discharge and not support it.
10 It would be illogical to do so.

11 So the ultimate goal here is to support
12 legislation, and I'm asking the council to do that in a
13 separate item. I would like for legislation to be
14 supported that would mandate no discharge of the
15 contributing zone of the Edwards Aquifer.

16 Why am I not asking for it for the Edwards
17 Aquifer? Well, because the TCQ already does not allow
18 direct discharge over the Edwards Aquifer or five miles
19 within the Edwards Aquifer.

20 How far is the Wimberley Plant from the Edwards
21 Aquifer? It's nine miles. So if we were just four
22 miles closer, we wouldn't be talking about this. There
23 would be no-discharge permit even allowed at the park,
24 so that's what I had to say. Thank you for your
25 service.

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1 MAYOR JAGGERS: Next, please.

2 AL SANDERS: My name is Al Sanders, and I've had
3 property in Wimberley since 1967 on Cypress Creek. I
4 also own three commercial properties here in town, and I
5 have since I have residence on Cypress Creek, which is
6 polluted probably three to four months out of the year,
7 so we cannot use it.

8 My concern really is more with Aqua Texas. It
9 takes a very simple computer search with Google to find
10 that Aqua Texas has been sued all over the United States
11 for not taking care of their own facilities. We have
12 seen over the years -- since '67 I have watched the
13 overflow of effluent into Cypress Creek at the bridge up
14 by Jacob's Well. I just do not think they're a good
15 partner for us to go with to take care of the sewages
16 produced here in town.

17 So I'm very much opposed to Aqua Texas as a
18 long-term partner, and I am opposed to their contract.
19 And if you look at their corporate brochure, their
20 plea -- or their address to their stockholders is the
21 way we're gonna guarantee you the return on your money
22 is because our objective is to go to small towns where
23 they don't have a storage system, we go in and we buy it
24 and then we have all the rights, we can raise the rates
25 to anything we want.

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1 So you can be guaranteed your investment in Aqua
2 Texas -- or Aqua America is what it's called -- is gonna
3 generate revenue for 'em because the way we have the
4 ability to bill the customers. Thank you.

5 MAYOR JAGGERS: Next, please. I believe Phyllis
6 Finnemore is next?

7 COOKIE HAGEMEIR: No. Phyllis Finnemore is
8 next, but I don't see her. She is here tonight.

9 MAYOR JAGGERS: Oh, okay. Then go for it, then.

10 UNIDENTIFIED SPEAKER: (I did not intend to sign
11 up tonight to speak.)

12 MAYOR JAGGERS: Oh, okay.

13 UNIDENTIFIED SPEAKER: (I did not intend to sign
14 up to --)

15 MAYOR JAGGERS: Oh, okay. So go for it.

16 COOKIE HAGEMEIER: My statement is really quite
17 simple. We have all of the facts and figures. Through
18 the years, that has been provided to us. Very
19 believable facts based on lots of research and study.

20 So my name is Cookie Hagemeier, and I live in
21 the Wimberley Valley. I speak in favor of the
22 city-owned wastewater treatment plan and against the
23 sell-out of this to Aqua Texas.

24 Years of research and planning has gone into the
25 development of the best possible wastewater treatment

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1 solution for the Wimberley Valley. Citizen input was a
2 very large part of the planning. Millions of dollars in
3 funding was secured that included generous grants and
4 loan forgiveness.

5 A newly-elected city council has decided to
6 forfeit these dollars in favor of giving a contract to
7 Aqua Texas. The transaction already has cost the city
8 hundreds of thousands in settlement charges for stopping
9 the work in progress, as well as for forfeiting the
10 grants. Control of the plant by Aqua Texas would spell
11 disaster for Wimberley in so many undesirable ways.
12 Those of us who have experienced Aqua Texas in personal
13 ways understand those difficulties on a small scale.
14 The city would be the big loser if Aqua Texas is given
15 control of this project.

16 I attended a meeting early on with the current
17 council to learn that they have no plan to benefit the
18 Wimberley Valley by turning over the sewer treatment
19 plant to Aqua Texas. Their goal from the beginning,
20 contrary to what they spoke before being elected, has
21 been to delete the years of planning in favor of Aqua
22 Texas.

23 A major benefit of the city-owned plan is to use
24 the highest quality of recycled water on the sports
25 fields at Blue Hole Park. The Aqua Texas plan would

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1 instead cross Cypress Creek with untreated sewage,
2 putting the creek at risk for major disaster, thereby
3 the Blanco River as well. The wastewater then, treated
4 to a lesser degree, would be used for the benefit of
5 watering a privately owned golf course.

6 I would ask that the TWDB not go forward with
7 the loan that was secured for the city-owned wastewater
8 development plan, if, in fact, the city council does go
9 forward with Aqua Texas. The Wimberley Valley did not
10 vote for this council. The City of Wimberley electorate
11 is a small number within the whole of the Wimberley
12 Valley. Were the truth told before the election, the
13 City of Wimberley would not have the current leadership
14 of the city government. Thank you.

15 MAYOR JAGGERS: Mr. Barchfeld, who's next?

16 COUNCILMAN BARCHFELD: Next speaker, Sue Ann
17 Iles, followed by Paul Prasek, Sheila Wollam, Tracy
18 Dean.

19 UNIDENTIFIED SPEAKER: Is it possible to ask a
20 question? (Inaudible.)

21 MAYOR JAGGERS: We've already gone through all
22 of that and moved on.

23 Who was next, Gary?

24 Sue Ann, would you like to come forward? Sue
25 Ann is not coming forward. Is there another -- who's

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1 next?

2 COUNCILMAN BARCHFELD: Paul Prasek.

3 MAYOR JAGGERS: Mr. Prasek? Paul, would you
4 like -- no, Paul's declining. Paul has declined. Who
5 else?

6 COUNCILMAN BARCHFELD: Sheila Wollam.

7 MAYOR JAGGERS: Sheila, are you here?

8 All right, Gary, thank you. Please step
9 forward.

10 UNIDENTIFIED SPEAKER: She's at the office
11 still.

12 MAYOR JAGGERS: Okay. We'll pass with Sheila.
13 I guess going on to who?

14 COUNCILMAN BARCHFELD: Tracey Dean.

15 MAYOR JAGGERS: Mr. Dean, come on forward.
16 You're up next.

17 UNIDENTIFIED SPEAKER: Did you hear Sue Ann
18 Iles?

19 COUNCILMAN BARCHFELD: I thought she did not
20 want to speak.

21 MAYOR JAGGERS: Sue Ann, why don't you scoot up,
22 please. You can speak after Mr. Dean.

23 Go ahead, Mr. Dean.

24 TRACEY DEAN: All right. Thank you very much.
25 I just wanna thank the council for getting up every day

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1 and doing what's right because it's right.

2 Mark Twain once said that politicians and
3 diapers need to be changed often for the same reason,
4 and this is our change right here from the last one.
5 And we'll have another change after this one at some
6 point. Hopefully we as Wimberley will get through this.
7 But I am in agreement with the changes.

8 My grandfather wasn't Albert Einstein, but he
9 did say that if it looks too good to be true, it
10 probably is. And the deal that was here before this one
11 just looked too good to be true. I mean, you got a
12 hundred people that are gonna -- we're gonna spend 7 and
13 a half million dollars to pump to, to take care of. I
14 mean, come on, that doesn't make any sense. Something
15 is not adding up. If it was up to me, I'd scrap the
16 whole thing. You know what I'm saying? I'd like to go
17 back to where we didn't have crowded streets, all of
18 these people coming down here --

19 UNIDENTIFIED SPEAKER: (Inaudible.)

20 MAYOR JAGGERS: It's hard enough to talk without
21 all the --

22 TRACEY DEAN: Do you see how ridiculous all of
23 this is? Any way, thank you very much for stepping up
24 to the plate, doing what you think is right. If
25 politicians don't do that, statesmen do, and I

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1 appreciate what you do.

2 MAYOR JAGGERS: Thank you, Mr. Dean.

3 Really? The groaning and heckling is
4 inappropriate.

5 So who's next to speak?

6 COUNCILMAN BARCHFELD: Is Sue Ann Iles speaking
7 or not?

8 MAYOR JAGGERS: Sue Ann, would you like to
9 speak?

10 SUE ANN ILES: Not really.

11 MAYOR JAGGERS: Okay, well --

12 SUE ANN ILES: My name is Sue Ann Iles. I do
13 not live in Wimberley. I live in the ETJ. You will
14 probably never come up where I live. But some day other
15 things around me will be developed. And I am not for
16 Aqua Tex to come in and take over. But I -- that's
17 basically what I feel. And I feel like that I need to
18 be supporting my community and let them know how I feel
19 about this. So that's basically it.

20 SUE ANN ILES: I don't want them here. Also, I
21 wasn't supposed to be speaking. I was supposed to turn
22 it over to Steve Thurber and let him talk because he
23 lives right over the --

24 MAYOR JAGGERS: I'm sure he signed up to speak
25 like everyone else. Who was next?

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1 COUNCILMAN BARCHFELD: Sue Ann, I apologize to
2 you. It did mark that you did not want to comment, so
3 you have my apologies moving forward.

4 James Lancaster, Jamie Pettit, Christine Byrne,
5 Merry Gibson, Claudette Lowe.

6 Once again, James Lancaster, Jamie Pettit,
7 Christine Byrne, Merry Gibson, Claudette Lowe.

8 MAYOR JAGGERS: James, are you here?

9 COUNCILMAN BARCHFELD: Lancaster.

10 MAYOR JAGGERS: Mr. Lancaster? Who was next
11 after that? We'll come back to him.

12 COUNCILMAN BARCHFELD: Jamie Pettit.

13 MAYOR JAGGERS: Ms. Pettit, the mic, please.

14 JAMIE PETTIT: My name is Jamie Pettit. I'm a
15 citizen in Wimberley City limits.

16 UNIDENTIFIED SPEAKER: Louder.

17 JAMIE PETTIT: The city of wastewater treatment
18 plant project does not have a raw sewage pipe crossing
19 under Cypress Creek.

20 On June 7th, when Mayor Jaggars first introduced
21 parts of the Aqua Texas plan to citizens, she said that
22 the pipe crossing through Cypress Creek to connect to
23 Aqua Texas's system would be a double pipe with leak
24 detectors to ensure that no raw sewage would leak into
25 Cypress Creek or underground.

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1 Just to be clear, this pipe will be carrying raw
2 sewage, not treated effluent.

3 With the current plan, if there is a leak in the
4 single pipe, raw sewage would potentially leak into our
5 aquifer, Cypress Creek, and possibly the Blanco River.

6 Why does this current plan being reviewed not
7 have an extremely important safety feature of a double
8 pipe to protect our water waste?

9 I would also like the Texas Water Development
10 Board to remember this quote from Mayor Susan Jagggers,
11 in a 2018 email to Dain Larsen, who is on TWDB, quote,
12 for the record, most of the community wants to own and
13 operate their own plant, end quote.

14 Yes, we do, Mayor Jagggers.

15 JAMIE PETTIT: And you have done your best to
16 prevent the city-owned wastewater treatment plant from
17 being built against the wishes of the majority of our
18 community.

19 MAYOR JAGGERS: Thank you. I think I need to
20 respond to that one.

21 If you would like me to respond, you'll have to
22 listen. Okay.

23 UNIDENTIFIED SPEAKER: (Inaudible.)

24 MAYOR JAGGERS: All right. Well, you know, if
25 you want --

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1 I would love to have a plant if we had enough
2 land to put the effluent on, but we don't. And if we
3 had enough resource to be able to justify it, but we
4 don't. So let's go on and talk about the loan first and
5 let's listen to the reason -- address the pipe was
6 double -- or the direction of --

7 STEVE COONAN: So I guess the question -- or the
8 comment is on the safety of the single pipe under the
9 creek. I think that is the -- if you have a leak in
10 your system, that is the place where it is the least
11 likely to occur, that the pipe -- that that is -- there
12 are no joints. The rest of your system, the collection
13 system is all a single pipe; there's no need to have a
14 double pipe in that location.

15 MAYOR JAGGERS: Okay. You're next.

16 CHRISTINE BYRNE: Christine Byrne. I would like
17 to yield my time to John Esteppe.

18 JOHN ESTEPPE: Good evening. My comments today
19 are to the Texas Water Development Board. I'm a
20 licensed professional geoscientist with 30 years of
21 groundwater protection/subsurface carbonate experience
22 in the State of Texas -- for the State of Texas. I'm
23 considered a groundwater expert, and I've trained many
24 of the staff at the Texas Water Development Board in
25 their BRACS study, the study of ground water

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1 availability.

2 I'm a long-time Wimberley resident, living on
3 the north side of Wimberley, since 1986, member of the
4 City of Wimberley Wastewater Advisory Board since
5 January of 2003.

6 I'm gonna address and meet the environmental
7 side here. And we know several known,
8 southwest-northeast trending fault zones that exist in
9 the Wimberley area. The nearest one, of course, going
10 down through downtown called the Wimberley Fault Zone.
11 And it crosses downtown Wimberley between the downtown
12 Cypress Creek bridge and on the Blanco River bridge on
13 Ranch Road 12. A geological (inaudible) called the San
14 Marcos High is responsible for the development of
15 associated fractures, joints that helped develop some of
16 these caves and springs like Blue Hole and up toward
17 Woodcreek, Jacob's Well, which is in proximity of the
18 Tom Creek fault.

19 Now, given a number of historic water wells that
20 has shown the movement of ground water horizontally,
21 vertically along these fault zones, and I have prepared
22 a cross section that is being presented to the Texas
23 Water Development Board demonstrating this. One of the
24 wells to the northwest in the Sabino Ranch and then the
25 second well southeast of the Deer Creek Nursing Home

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1 where they have record of a fault crack at 270 to
2 280 feet of depth. Now, this is down-thrown side of the
3 Wimberley Fault Zone and in connection with the aquifer.
4 And when some of these wells were tested back then, they
5 had to cut in some wells because it was causing a
6 drastic drawdown, so one of these wells was actually
7 abandoned because of that reason, and it became the
8 observation well.

9 On the proposed wastewater pipeline beneath the
10 creek, there's no isolation zone should pipe develop a
11 leak due to mechanical failure. Close proximity of the
12 Blue Hole could be problematic in a draught condition,
13 in case some of it would fail and local water costs be
14 impacted.

15 I would recommend to the board that they
16 change -- the change of scope be denied regarding the
17 current approved wastewater plant project, to continue
18 as which was permitted by TCEQ and funded by the Texas
19 Water Development Board.

20 Functionally submitted by -- with attached
21 geologic cross -- excuse me -- cross section, John D.
22 Esteppe, professional geoscientist. Thank you.

23 MAYOR JAGGERS: Thank you. Mr. Coonan --

24 STEVE COONAN: So, again, I would just repeat my
25 earlier comment that there is no fool-proof system, but

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1 this pipe under the creek is the least likely to leak.

2 MAYOR JAGGERS: Merry, it's your turn.

3 MERRY GIBSON: Okay. Good evening. My name is
4 Merry Gibson, and I'm a 25-year resident of Wimberley.
5 My home is located at 310 Mill Race Lane, the frontage
6 of Cypress Creek, downstream of Blue Hole Park.

7 I'm an affected landowner, and I spoke at the
8 Texas Water Development Board's hearing here in 2014 and
9 at their hearing in Austin in 2016. Both times I
10 opposed the city-owned wastewater project as too
11 expensive for our small town and environmentally
12 damaging to both the Blanco River and Cypress Creek.

13 I want to thank the Mayor of Wimberley, Susan
14 Jaggars, the members of the city council, and the Texas
15 Water Development Board for the opportunity to voice my
16 support for the change of scope to the wastewater
17 project.

18 The change supports three major benefits to
19 users and all residents of the Wimberley Valley. Number
20 one, the change in scope from installing a sewer
21 treatment plant and the nationally-recognized Blue Hole
22 Park to sewage processing by Aqua Texas allows Wimberley
23 users very affordable rates that are in place and billed
24 to residences and businesses on the north side of
25 Cypress Creek.

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1 Number two, this scope change will be a
2 no-discharge option, and the land application Aqua Texas
3 offers will afford no environmental damage to either the
4 Blanco River or Cypress Creek.

5 And number three, Aqua Texas is very generous to
6 offer to upgrade their treatment plant to Type 1
7 effluent. It's a benefit that can't be measured. The
8 Type 1 reduced water will be available to the city but
9 will also be used by Aqua's existing customers such as
10 the golf course and the creek.

11 I want to thank the mayor and council for having
12 the courage to make this positive change that benefits
13 so many people. I urge the Texas Water Development
14 Board to approve the scope change to the wastewater
15 project. Thank you.

16 MAYOR JAGGERS: Next, please.

17 CLAUDETTE LOWE: My name is Claudette Lowe, and
18 I'm gonna give my time to Robert Tinstman.

19 MAYOR JAGGERS: Okay.

20 ROBERT TINSTMAN: My name is Robert Tinstman,
21 and I'm a Woodcreek resident. I was employed by the
22 Texas Commission on Environmental Quality and the
23 predecessor water agencies for 21 years.

24 My comments and questions tonight have to do
25 with whether Aqua Texas is a suitable partner for the

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1 City of Wimberley.

2 The point I want to make is that Aqua Texas,
3 when it comes to obeying the state's pollution control
4 laws, is a repeat and chronic offender, and is not fit
5 company for a place as environmentally conscious as the
6 Wimberley Valley. 07:27

7 Aqua Texas cannot manage the raw sewage that it
8 has from Woodcreek. For at least the past nine years,
9 Woodcreek's collection system has been regularly and
10 illegally discharging thousands of gallons of raw sewage 07:27
11 into our neighborhood. They have now been fined twice
12 by TCEQ for these unpermitted raw waste discharges. And
13 I'm providing copies to you tonight of the two
14 enforcement orders.

15 Aqua does not even have its own maintenance 07:28
16 crews. They called out their subcontractors only after
17 a problem arises. They do no preventive maintenance.
18 This is not the kind of corporate partner that Wimberley
19 wants.

20 Let me ask you something: Has the City of 07:28
21 Wimberley done even the most minimum of due diligence?
22 Have you ever contacted Aqua's other customers to find
23 out their experiences with them? Have you ever
24 contacted Spring Hill Estates in Denton County, or B&W
25 Gathering in Burnet County, or Village Trace in Brazoria 07:28

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1 County? Or have you even contacted the cities of Kyle
2 or Woodcreek here in Hays County?

3 All of these systems are operated or were
4 operated by Aqua Utilities and have been the subjects of
5 enforcement and administrative penalties by TCEQ. Have
6 you ever contacted them to find out if Aqua Texas is a
7 dependable corporate partner? I think we all know the
8 answer to that question.

9 The city's draft agreement with Aqua has its own
10 pitfalls. Aqua establishes a 50 milligram per liter
11 limitation on the oil and grease it will accept and then
12 says that the city's failure to meet those limits would
13 trigger corrective action by the city on its
14 dischargers.

15 50 milligrams per liter is a level that would be
16 characterized as weak, residential strength wastewater.
17 It's a level that the city's commercial users, such as
18 restaurants, will surely violate and then face Aqua's
19 penalties.

20 The city has a pretreatment program in name
21 only. With influent limitations of 50 milligrams per
22 liter, the city will have to hire staff to enforce its
23 pretreatment ordinance, an undocumented cost that you
24 are not telling us about.

25 The agreement with Aqua also shows a \$300,000

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1 wholesale service connection fee. Up until the
2 agreement was released, the city described this payment
3 as a necessary fee to be used to expand and upgrade
4 Aqua's plant. Now the agreement says that Aqua will pay
5 for the expansion and upgrade free of charge. We're not
6 quite sure who you think you're kidding.

7 Why would the city pay this exorbitant amount to
8 convert to Type 1 effluent when the effluent re-use plan
9 to bring the treated water back to the park has been
10 expressly abandoned? This is nothing more than a poorly
11 disguised attempt to take city funds and donate them
12 directly to the bottom line of a private utility.

13 Please reverse the course that you're on.
14 Please build the city its own treatment plant. Invest
15 in Wimberley's future, not that of a private utility.

16 MAYOR JAGGERS: The more clapping, the more time
17 goes by that we won't be able to talk. Keep that in
18 mind.

19 Thank you. In answer to your due diligence and
20 most of your other questions, the answer is yes, yes,
21 yes, we've done that.

22 Who's next?

23 COUNCILMAN BARCHFELD: Lois Mahoney, Jackie
24 Matice, David Baker, Jo Kathryn Quinn, and Dorothy
25 Knight, then.

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1 MAYOR JAGGERS: Okay.

2 LOIS MAHONEY: I'm Lois Mahoney. I'm a citizen
3 of Wimberley and also a business owner of Wimberley. I
4 just want to thank the council for all the work that
5 they've done on this modified plan and express my
6 support for them. Thank you. 07:32

7 MAYOR JAGGERS: Next, please.

8 JACKIE MATICE: My name is Jackie Matice. Can
9 ya'll hear me?

10 UNIDENTIFIED SPEAKERS: No. 07:32

11 MAYOR JAGGERS: You're welcome to lower the mic.

12 JACKIE MATICE: Okay. My name is Jackie Matice,
13 and I live in Wimberley at 46 La Toya Trail. And I'm
14 here to oppose the plan that the city council is hoping
15 to change the plan that was already put in place in
16 previous -- by previous councils. 07:32

17 When I moved to Wimberley--I purchased a house
18 in 2002--I didn't know diddly about the water system. I
19 was from Ohio. And I looked at the bills of the house
20 that I was about to buy, and they looked reasonable. I
21 didn't question it any further. 07:33

22 It didn't take long for me to learn how blessed
23 I was to have the water in my house come from the City
24 of Wimberley as opposed to Aqua Texas.

25 Ya'll have friends that live right next door in 07:33

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1 the community of Woodcreek. You have heard -- for years
2 you have heard of the higher bills and the poor service
3 and the irresponsible actions of that company. Why
4 would we want them to treat our water? And not only
5 that, okay, 2002, I saw many of the discussions and the
6 proposals of -- we all knew we needed to take care of
7 the sewage. There was no question about that that we
8 needed a sewer system. But as it was pointed out
9 earlier, there was a lot of debate and controversy and
10 studies and so forth, and finally -- finally they all
11 got together and they got the financing and --

12 UNIDENTIFIED SPEAKER: We can't hear you.

13 JACKIE MATICE: Okay, I'm sorry.

14 They got the financing, they got -- they went
15 through all the regulatory hoops, and we had a system,
16 until the next council took over. We were 20 percent
17 down the road. That plan was already in place. We were
18 at least 20 percent. Did you all hear that? 20 percent
19 down the road of the plan that had already been approved
20 and put in place.

21 And I, therefore, object to the money that has
22 been wasted, the time that has been wasted --

23 MAYOR JAGGERS: Ms. Matice, I'm sorry, but I
24 think --

25 Shawn, your indication is she's gone way over?

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1 Okay. You've got a second, you got to -- please
2 continue.

3 JACKIE MATICE: The time that has been wasted
4 because the work was stopped. And still nothing --
5 that's been at least six months. Any way, thank you for
6 allowing me to express myself. 07:36

7 MAYOR JAGGERS: Thank you.

8 DAVID BAKER: Mayor, Council, my name is David
9 Baker. I'm Executive Director of Wimberley Valley
10 Watershed Association. I live at 1405 Mt. Sharp Road 07:36
11 for the past 31 years. I was the first chairman of the
12 Water and Sewer Committee for Wimberley when it
13 incorporated, served on the Hays Trinity Ground Water
14 Conservation District.

15 I want to request that the Water Development 07:36
16 Board do a full environmental impact study on the boring
17 under Cypress Street. Not just for the risk of
18 pollution but also the risk of disrupting our system--as
19 John was talking about--that fault there. That fault
20 runs down, and that's -- the Wimberley water supply 07:37
21 wells are situated along that fault. I think that's an
22 area that we really need to do more research before we
23 go digging.

24 I also really question the wisdom of using
25 public dollars to benefit this private company or 07:37

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1 building infrastructure that's gonna allow a corporate
2 entity to continue to export dollars out of our
3 community.

4 As a fiscally responsible commission, we
5 estimate the 1800 users now were exporting about
6 \$2.8 million in revenue to Wall Street out of our
7 community through Wall -- through Aqua Texas.

8 If we allow them to put their pipes on the north
9 side of the creek, that number is gonna continue to go
10 up. I do not believe privatization of a water system at
11 any level is gonna benefit the environment or benefit
12 any of the users. In five years they will certainly
13 raise those rates and maybe even double those rates.

14 I fought Aqua Texas with the Water Association
15 in the late '90s. The minute they bought this system,
16 they applied for extreme discharge in Cypress Creek.

17 And I would ask that the council--if they choose
18 to proceed with this path--have an agreement that Aqua
19 will never ask for extreme discharge because my
20 suspicion is when they go to Type 1, there's no
21 impediment for them -- because once we stop them from
22 that first discharge in Cypress, they apply for it in
23 Wilson Creek, and they were gonna discharge into Blanco.
24 So those folks that are really worried about what's
25 gonna happen with Blanco River, watch that.

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1 The other thing that was really disturbing to me
2 earlier this year, there was an item on the agenda that
3 there was a proposal to actually put a distant effluent
4 line through the creek that when the plant got to its
5 capacity where we couldn't irrigate, that effluent could
6 have gone through that line into Aqua's system. They
7 were willing to do it. For some reason, the council
8 didn't bring that up for discussion. To me that was the
9 solution for no discharge was to have that outlet where
10 we could put that effluent into their system.

11 Long term, that system needs to be publically
12 owned. We need to have the control of our water locally
13 and not have a corporate Wall Street company running
14 our -- our water system.

15 So I urge the Water Development Board to move
16 forward with a full study, and really I would say deny
17 the entire grant on this proposal unless we go back to
18 the city plan.

19 MAYOR JAGGERS: Okay. Ms. Knight is next.

20 DOROTHY KNIGHT: My name is Dorothy Knight, and
21 I am conceding my time to the former mayor, Steve
22 Thurber.

23 STEVE THURBER: Thank you, Dorothy. I
24 appreciate that.

25 My name is Steve Thurber. I live at 400 Madrone

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1 Trail in the City of Wimberley.

2 And I would like to start by issuing my protest
3 in the way the city has arbitrarily decided to change
4 the rules and randomly select folks to speak as opposed
5 to in the order in which they signed up.

6 MAYOR JAGGERS: Mr. Thurber, we'll start your
7 clock over. Just to be clear, it is up to the presiding
8 officer to determine the list, and there are no rules on
9 how it should be run.

10 STEVE THURBER: Thank you.

11 UNIDENTIFIED SPEAKERS: (Inaudible.)

12 MAYOR JAGGERS: And we will include everyone's
13 testimony in writing, and verbally, and it will go to
14 the board.

15 STEVE THURBER: Thank you.

16 MAYOR JAGGERS: Everyone will have a chance to
17 be heard.

18 STEVE THURBER: I'm opposed to the proposed
19 change of scope on several grounds, including financial,
20 environmental and contracting with Aqua Texas, or any
21 other private wastewater provider.

22 The City of Wimberley -- the citizens of
23 Wimberley were told the reasons for the proposed change
24 of scope were financial issues and effluent discharge
25 issues.

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1 First, I'd like to address the discharge issue.
2 I was the mayor during the city's permitting process
3 with Texas Environmental -- Commission on Environmental
4 Quality.

5 As part of that process, several groups
6 protested the city's permit application on the grounds
7 of discharge and water quality. A settlement was
8 achieved after a tough and thoughtful mediation process
9 whereby, in part, the city agreed to implement several
10 measures to reduce the chance of discharge to almost
11 none.

12 It is important to remember that any discharge
13 would be of water of the quality that exceeds TCEQ's
14 Type 1, safe for human context, standards along with
15 other restrictions on discharge.

16 I have attached a copy of an op-ed I wrote for
17 the Wimberley View in 2017 titled "Let's Talk Discharge"
18 for inclusion into the record. I will hand that to you
19 in a moment. Due to time constraints, I will not read
20 it here.

21 The newly-elected council is telling us they do
22 not want risks associated with any potential discharge
23 of effluent into Deer Creek but are willing to accept
24 the risks associated with boring under Cypress Creek and
25 installing a pipeline carrying raw sewage under the

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1 creek. Think about that. Boring the creek and carrying
2 raw sewage to the other side is unconscionable and sets
3 a terrible precedent.

4 What do you think the response would be if the
5 idea was proposed to bore under Barton Springs, Comal
6 Springs, or the San Marcos River? You're right, there
7 would be outrage. So I ask why does this newly-elected
8 council feel it is okay to bore under our creek?

9 Now let's talk about the finances. We have been
10 told the proposed change of scope is less expensive than
11 continuing with the original plan. As we have all seen,
12 that is not the case. In addition, the proposed plan
13 loses the Economic Development Administration grant of
14 1 million dollars, the Way Family Foundation grant of a
15 million dollars, and the Texas Water Development Board
16 green debt forgiveness grant of 245,000.

17 In addition, the mayor and mayor pro tempore
18 declined out of hand an offer by Friends of Blue Hole to
19 fundraise an additional \$250,000 to fund alternatives to
20 a no-discharge solution, which was alluded to by David
21 Baker, previous speaker.

22 That's a total of two and a half million dollars
23 in grants, free money, given up under this change of
24 scope.

25 As I've said many times in the past, the city

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1 has TCEQ's gold standard permit in hand, and it has a
2 completely engineered, funded, affordable, and
3 environmentally responsible plan approved by many city
4 councils, the Water Development Board, TCEQ,
5 professional financial bond counsel, professional
6 financial analysts, professional rate analysts, and city
7 engineer and many stakeholder groups.

8 I say, again, let's stop this change of scope
9 and move forward together. Remember, even the mayor
10 acknowledges most of our citizens do not want this Aqua
11 Texas option.

12 UNIDENTIFIED SPEAKER: That's right.

13 STEVE THURBER: And our Blue Hole is not for
14 sale to the lowest builder -- bidder.

15 MAYOR JAGGERS: Mr. Thurber, was there a
16 question there? Otherwise, we'll go to -- we will only
17 have time for a couple more people before I close.
18 (Inaudible.) Who are the last two? Two more people.
19 That's it.

20 JO KATHRYN QUINN: I'm Jo Kathryn Quinn, and I
21 am a resident of -- who resides in Paradise Hills, and I
22 have so since 2000.

23 And I would like to go on record opposing the
24 change of scope for the wastewater treatment plant. And
25 I would like to also register my outrage at the way this

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1 public hearing has been conducted. It is an affront to
2 the citizens of Wimberley as well as the abrupt
3 about-face that the council took after the election.

4 You have not acted in good faith, and it has
5 caused lots of distrust in this community. And so this
6 proposed change that you have presented tonight is very
7 hard for any of us to believe anything about the
8 presentation because it has not been presented with
9 trust. The citizens of Wimberley deserve better.

10 Under the guise of the election and many
11 statements that have been made that the majority elected
12 the current city council, I would just like to remind
13 everyone on the record that the people who were elected
14 to council in the last cycle were elected under a false
15 pretense because many of the current city council
16 members and the mayor stated in many different settings
17 that they would not put Aqua Texas on the table, which
18 is exactly what you did. I'm opposed to this change of
19 scope.

20 MAYOR JAGGERS: All right, folks, because we've
21 been delaying with all the clapping, we're gonna extend
22 it past the two hours a little bit. And we'll go to the
23 next two people.

24 COUNCILMAN BARCHFELD: Alice Wightmen.

25 MAYOR JAGGERS: Alice Wightmen. Ms. Wightmen?

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1 COUNCILMAN BARCHFELD: And Suzanne White?

2 MAYOR JAGGERS: Suzanne White?

3 COUNCILMAN BARCHFELD: Or While.

4 MAYOR JAGGERS: While. Be ready. We need
5 Suzanne --

6 ALICE WIGHTMEN: My name is Alice Wightmen. Can
7 you all hear me?

8 I've lived in Wimberley for 10 years, until the
9 flood in May of 2015. I attended every single hearing,
10 meeting--it didn't matter what it was, the (inaudible)
11 report meeting--on the wastewater treatment plant
12 because I lived on the river. And I still own property
13 within the city limits on the river, some 200 feet front
14 on the river. So I was very concerned about what would
15 happen should there be any discharge. And there's some
16 things that really I think we need reminding of.

17 And one of them is we had three huge town hall
18 meetings with Don Ferguson presiding. And all the
19 comments that were there -- though I didn't monitor the
20 legislature, so I -- I've attended hundreds of hearings.

21 When I heard the comments of people who spoke at
22 those three large town hall meetings, the overwhelming
23 response was "no discharge." Nobody said, yes,
24 discharge into the river. There might have been some
25 suggestion that, you know, if you have to do it, you

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1 have to do it. But pretty much the public comments
2 were, no discharge into the river and use the cheap- --
3 use the least expensive option, you know, if you go
4 forward on this.

5 There was another point that came up later, and
6 that is that the central waste -- central Wimberley
7 Wastewater Stakeholders' Committee made recommendations
8 November 20th of 2013. And for all of you who say, why
9 are we going with Aqua Texas? Well, this stakeholders'
10 committee reviewed multiple options, including
11 discharge, no discharge, Aqua Texas, and one of their
12 recommendations was as follows: In the event the
13 construction costs for city treatment and these systems
14 exceed the engineer's estimate, including contingency
15 relocation of plant within the Blue Hole and Winter's
16 Mill reuses line, by more than 10 percent, and the
17 existing costs right now are well above 10 percent. And
18 it may even be as much as a hundred percent. I haven't
19 been following it as closely since the flood.

20 But it says, if in the event these costs are
21 more than 50 percent of the estimate, then the city
22 shall negotiate with Aqua Texas to send the plan to have
23 the effluent for wholesale treatment.

24 So for all of you who say, why are we dealing
25 with Aqua Texas, this was the recommendation of the

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1 stakeholders' committee that was created specifically to
2 look at this and to look at all the options. And so
3 it's their recommendation.

4 The fact that the cost has gone up well beyond
5 what anybody could have imagined--and nobody imagined it
6 being this much--then I think we have an obligation to
7 consider what they had -- what they had to say about
8 this because they were involved in it, they listened to
9 it I don't know how many months if not years.

10 So that's -- that's why Aqua Texas is still on
11 the table and ought to be on the table.

12 The other thing is that in all of this, we
13 have -- there's considerable environmental degradation
14 that would come with discharge. First of all, nobody
15 really wanted the discharge. They proceeded with the
16 discharge, and now when we're faced with it, we have to
17 see that the water quality parameters for the proposed
18 city-owned wastewater treatment plant, well, those water
19 quality parameters are much poorer than the existing
20 quality of the Blanco River.

21 So even though they were negotiated and even
22 though they were approved, they still degrade the
23 quality of the Blanco River. And there are
24 possibilities, very real possibilities that discharge in
25 the river will contaminate wells that are not next to

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1 the river because of all the fractures and the geology
2 of this area. So --

3 MAYOR JAGGERS: Ma'am, I'm sorry, but your time
4 is up.

5 ALICE WIGHTMAN: Thank you very much for --

6 MAYOR JAGGERS: Thank you.

7 ALICE WIGHTMAN: -- for -- I just want to
8 support the change in scope. Thank you.

9 MAYOR JAGGERS: Thank you. Ms. White?

10 SUZANNE WHITE: Good evening, and thank you for
11 the opportunity to speak tonight. My name is Suzanne
12 White. I've been a Wimberley citizen since July of
13 1994. That's 24 and a half years. Most of those years,
14 when I was still employed, I worked in Austin, part of
15 which was at the -- what is now the TCEQ. Is that it?

16 It was -- I was part of a team that merged the
17 Water Commission with the Air Control Board back in the
18 early '90s to consolidate into this train wreck, into
19 TNRCC.

20 And I've got to say, I worked with some of the
21 most professional environmentalists and some of the best
22 people ever in my career, working with those folks. I
23 would never disparage their professionalism in what they
24 do.

25 In addition to that, I started the Alternative

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1 Ed Program here in Wimberley at the Wimberley High
2 School, worked there for a year, and I also helped start
3 the Katherine Anne Porter School. That's -- I've had a
4 very varied career.

5 With that being said, I've got to say, I am
6 strongly opposed to the project changes and agree the
7 original plan was much more advantageous to both the
8 Wimberley system and the environment.

9 I do not want the proposed changes. I do not
10 want the notorious Aqua Texas to provide service. I do
11 not want sewage pipe under Cypress Creek, but I do want
12 treated, recycled water available for the park by the
13 Blue Hole as the original plan provided.

14 Once again, I am strongly opposed to the
15 revisions proposed and believe the original plan was
16 ever so much more better and well researched and
17 collaborated upon over many years, not just sort of
18 arbitrarily changed. Thank you and good night.

19 MAYOR JAGGERS: Thank you, ma'am.

20 The public meeting is gonna be coming to a
21 close, but a couple of things still to be said.

22 We've talked about the environmental
23 responsibility and how we -- the new plan is a moving --
24 okay, the plan as in general as a whole from the very
25 beginning, it was a moving target. We worked and made

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1 solutions with the best information we had at the time.
2 And as more information became available, it should have
3 been disclosed without biasness to the citizens.

4 More information is coming at this point. The
5 plan, if we had one, would be much a lot more expensive
6 to operate. We would be charging the users and the city
7 more subsidy to operate these plants.

8 The environment, we would always have a
9 potential for discharge possibility with the plant and
10 especially as it grows. We don't have the land for
11 disbursement and engagement.

12 All your comments are noted. If you have a
13 continuum, you will have ten days from today to submit
14 your other written information, and we will forward that
15 on with the report, and the report as a whole will be
16 available online.

17 UNIDENTIFIED SPEAKER: The (inaudible) board
18 says that if we need to have a second public hearing so
19 that we can hear all of us.

20 MAYOR JAGGERS: Actually, they did not say that.
21 And this is for the Water Board.

22 UNIDENTIFIED SPEAKER: (Inaudible.) And I sent
23 you an email --

24 MAYOR JAGGERS: Yes.

25 UNIDENTIFIED SPEAKER: -- that says it --

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1 MAYOR JAGGERS: No.

2 UNIDENTIFIED SPEAKER: -- to let us speak. That
3 all members should be allowed to speak to which --

4 MAYOR JAGGERS: They said that your contribution
5 can be either verbal or in writing.

6 UNIDENTIFIED SPEAKER: No, that's your --

7 MAYOR JAGGERS: No. Okay, so we're gonna end
8 this part of the public hearing. It has gone over 20
9 minutes. And we're gonna take a 30-minute break. And
10 at 8:15 we will continue on with the town hall part.

11 (Public Hearing adjourned)

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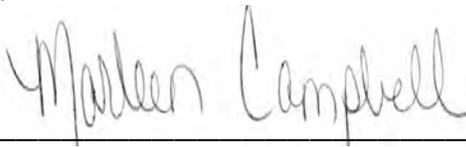
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CITY OF WIMBERLEY PUBLIC HEARING - January 08, 2019

1 CERTIFICATE

2
3 I, Marleen Campbell, a Certified Shorthand Reporter,
4 do hereby certify that the above and foregoing contains
5 a true and correct transcription of all portions of the
6 above-referenced Public Hearing to be included in the
7 transcript of said Public Hearing, and were reported by
8 me to the best of my ability.

9 IN WITNESS HEREOF, I have hereunto set my
10 hand this 23rd day of January, 2019.

11 
12 _____

13 Marleen Campbell, CSR
14 Julie A. Jordan & Company
15 7800 North MoPac Expressway,
16 Suite 120
17 Austin, Texas 78759
18 512-451-8243
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