3

AGENDA ITEM REQUEST FORM

Hays County Commissioners Court

Tuesdays at 9:00 AM

Request forms are due in Microsoft Word Format via email by 2:00 p.m. on Wednesday.

AGENDA ITEM

Authorize the county Judge to execute the Order Ratifying the West Travis County Public Utility Agency Regional Water and Wastewater Systems Rates, Fees and Charges for Water and Wastewater Service.

CONSENT	MEETING DATE June 18, 2013	AMOU	NT REQUIRED
LINE ITEM NUMBER			
AUDITOR COMMENTS:	AUDITOR USE ONLY		
PURCHASING GUIDELINES FOLLOWED:	N/A	AUDITOR REVIEW:	N/A
REQUESTED BY		SPONSOR	CO-SPONSOR
WHISENANT		WHISENANT	N/A
SUMMARY The rates, fees and charges are described	d in Attachment A and B.		

COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS

PUBLIC PARTICIPATION/WITNESS FORM



Item #	18
T	

INSTRUCTIONS: TO ADDRESS THE COURT ON AN ISSUE, PLEASE FILL OUT THE THIS FORM COMPLETELY AND GIVE IT TO THE COUNTY CLERK **PRIOR** TO THE PUBLIC COMMENT PERIOD. PLEASE PRINT LEGIBLY AND IF YOU ARE HANDING OUT ANY MATERIAL OR DOCUMENTS TO THE COURT, PLEASE MAKE SURE YOU GIVE THE SAME TO THE CLERK TO PLACE INTO THE RECORD.

PUBLIC COMMENTS ARE LIMITED TO THREE (3) MINUTES I AM APPEARING BEFORE THIS COURT TO SPEAK Officer Grant G

-				COLLUDE	
REGARDING THE FOLLOWING S		TTER:			
AGENDA ITEM #					
☐ PUBLIC COMMENT Re	egarding:				
	- B				
(subject matter)					
NAME (Please Print Legibly):	auren	Kalise	K		
ADDRESS: 8/6 Congres	5 AVC	Suite 18	800	Austin	TX 78;
PHONE: (5/2)322-584	7				
In appearing before this court, I	represent (c	heck both if appli	icable):		
Myself, as a private individu				or business i	s:
May son, as a private marvia	ar, ara rry o	coupution, prote	, ,	or business r	"
					-
AND/OR					- 1
I am authorized to speak on	behalf of the	e following perso	on, firm	, corporation	1,
class, or group: West I ans C	Country	PUA			_
And their contract information i	is: Pho	one: ()			
Address:					

I hereby swear that the above information and statements are true and correct and that I have listed all persons or entities that I have been authorized to represent in reference to the matters on which I am appearing. I further swear or affirm that the testimony I give before this court will be true and accurate.

Signature of Participant/Witness

DATE: 6/18/13



816 Congress Avenue, Suite 1900 Austin, Texas 78701 Telephone: (512) 322-5800 Facsimile: (512) 472-0532

www.lglawfirm.com

MEMORANDUM

TO:

West Travis County PUA Member Entities

FROM:

Lauren Kalisek, General Counsel, West Travis County PUA

CC:

PUA Board Members, Don Rauschuber, Frank Salvato, Patty Akers, Randy

Wilburn, Mark Kennedy

DATE:

June 6, 2013

RE:

Approval of West Travis County PUA Water and Wastewater Rates

Pursuant to the terms and conditions of the Acquisition, Water Supply, Wastewater Treatment and Conditional Purchase Agreement ("Participant Agreement") entered into in 2012 by the City of Bee Cave, Hays County, West Travis County MUD No. 5 (collectively, the "Member Entities") and the West Travis County Public Utility Agency (the "PUA"), the PUA is respectfully requesting the governing bodies of each Member Entity consider and adopt a resolution, ordinance or order, as appropriate, that confirms and ratifies the retail and wholesale water and wastewater rates, fees and charges set by the PUA for customers of the West Travis County Water and Wastewater System (the "System") in the form enclosed with this memorandum. Such approval is required in anticipation of the PUA's upcoming bond issue scheduled to close on August 1 that will include the funds necessary to make the second installment payment to the Lower Colorado River Authority ("LCRA") pursuant to the PUA's purchase agreement with the LCRA. This request is made pursuant to the terms of the Participant Agreement.

In the Fall of 2012, the PUA conducted a cost of service rate study that resulted in a recommended increase to retail wastewater rates from \$4.75/1,000 gallons to \$4.87/1,000 gallons. In addition, the rate study also recommended adjustment to wholesale customer rates because the study determined that the PUA was underrecovering from this class of customers. To minimize the subsidization of service to wholesale customers by retail customers, the PUA Board took action to increase wholesale wastewater rates by 15.5% rather than the 31% recommended by the rate study, and to increase wholesale wastewater rates by 18%. The PUA Board also directed staff to continue to review wholesale rates and attempt to identify a methodology acceptable to wholesale customers that would address the remaining needed increase in wholesale rates. Enclosed with this memorandum is a summary letter from the PUA's rate consultant, Water Resources Management, LLC, providing an overview of the cost of service rate study.

Memorandum to West Travis County PUA Member Entities Page 2 June 6, 2013

Also in the Fall of 2012, the PUA conducted an impact fee study pursuant to Chapter 395 of the Local Government Code which resulted in revised water and wastewater impact fees for the System.

At this time, the PUA plans to move forward with the 2013 Series bond issue based on the retail and wholesale rates, fees, and charges currently in effect and as approved in 2012. (See Attachments A and B to the draft resolution/ordinance/order).

Also enclosed with this memo is an excerpt from the Official Statement of the PUA's Series 2012 Bond Issue that includes more detail on the history of the PUA, the System, and the acquisition of the System by the PUA.

Representatives of the PUA will attend meetings of the Member Entities on June 11, 2013 and look forward to answering any questions.

ORDER RATIFYING THE WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY REGIONAL WATER AND WASTEWATER SYSTEMS RATES, FEES AND CHARGES FOR WATER AND WASTEWATER SERVICE

THE STATE OF TEXAS	§
	§
COUNTY OF HAYS	§

WHEREAS, West Travis County Public Utility Agency (the "Agency") is a public utility agency created by concurrent ordinance of Hays County (the "County"), the City of Bee Cave (the "City") and West Travis County Municipal Utility District No. 5 (the "District") (collectively referred to as the "Participating Entities" or individually as a "Participating Entity"); and

WHEREAS, the governing bodies of the Participating Entities authorized and approved the creation of the Agency as a separate agency and political subdivision of the State of Texas to accomplish the specific public purpose of planning, financing, acquiring, constructing, owning, operating or maintaining facilities necessary for the collection, transportation, treatment, and disposal of sewage and the conservation, storage, transportation, treatment, and distribution of water for the Participating Entities pursuant to Chapter 572 of the Local Government Code; and

WHEREAS, the Agency adopted the West Travis County Public Utility Agency Regional Water and Wastewater Systems Schedule for Rates, Fees, Charges and Terms and Conditions of Retail Treated Water and Wastewater Services as amended (the "Agency Rate Tariff") and has also adopted rates for effluent, raw water, wholesale water and wholesale wastewater services; and

WHEREAS, the governing bodies of the Participating Entities have previously authorized and approved the Acquisition, Water Supply, Wastewater Treatment and Conditional Purchase Agreement (the "Participant Agreement") with the Agency; and

WHEREAS, in accordance with Section 7.03(b) of the Participant Agreement, the County, a political subdivision of the State of Texas, as a Participating Entity, desires to approve and ratify the rates, fees and charges adopted by the Agency.

NOW THEREFORE, it is ordered by the Hays County Commissioners Court of Hays County, Texas as follows:

Section 1: The above recitals are true and correct and are incorporated into this Order for all purposes.

Section 2: The rates, fees and charges adopted by the Agency as shown in Attachment A, and the rates for wholesale water, wholesale wastewater, effluent irrigation and raw water irrigation customers adopted by the Agency as shown in Attachment B are hereby ratified and approved by the Commissioners Court of Hays County, Texas in accordance with Section 7.03(b) of the Participant Agreement.

West Travis County Public Utility Agency Water Impact Fees and Rates by Rate District

(a)Water Impact Fee (per LUE):

Effective Water I	mpact Fee	Effective as	of Nov	ember 1, 20	12*):		
	Wate	hway 71 er System ice Arca	Wate	iway 290 er System ice Area			
Fee per LUE	\$	5,992	\$	8,809			
Historical Water	Impact Fee	2					
	Bee Ca	ve District		ave South	Mead	estead/ low Fox strict	290/HPR District
Fee per LUE	\$	4,120	\$	5,180	\$	4,120	\$ 5,180

The impact fee listed above is per LUE, in accordance with the provisions of Section 3.0.

(b) Minimum Monthly Charge:

(1) Residential (Excluding Multi-Unit Residential):

			Вс	e Cave South	Homestead/ Meadow Fox			200/UND Division
Meter Size	Bee C	Cave District		District		District		290/HPR District
5/8"	\$	31.65	\$	31.65	\$	57.50	\$	57.50
3/4"	\$	47.50	\$	47.50	\$	57.50	\$	57.50
1"	\$	79.15	\$	79.15	\$	86.25	\$	86.25
1 1/2"	\$	158.25	\$	158.25	\$	143.75	\$	143.75
2"	\$	253.20	\$	253.20	\$	287.50	\$	287.50
3"	\$	506.40	\$	506.40	\$	506.40	\$	506.40
4"	\$	791.25	\$	791.25	\$	791.25	\$	791.25
6"	\$	1,582.50	\$	1,582.50	\$	1,582.50	\$	1,582.50
8"	\$	2,532.00	\$	2,532.00	\$	2,532.00	\$	2,532.00
12"	\$	3,639.75	\$	3,639.75	\$	3,639.75	\$	3,639.75

(2) Non-residential with 5/8" and 3/4" Meters (excluding Multiple Use Facilities):

Meter Size	Bee C	ave District	Bee	Cave South	Homestead/ Meadow Fox District			290/HPR District
5/8"	\$	31.65	\$	31.65	\$	57.50	\$	57.50
3/4"	\$	47.50	\$	47.50	\$	57.50	\$	57.50

^{*} See Tariff Section 3.03(h) for instances where the Historical Water Impact Fee is still applicable.

West Travis County Public Utility Agency Water Impact Fees and Rates by Rate District

(3) Non-Residential with 1" and Greater Meters (Excluding Multiple Use Facilities):

Meter Size	Bee Ca	ive District	District	District		290/HPR District
1"	\$	100.75	\$ 100.75	\$ 108.25	\$	108.25
1 1/2"	\$	198.00	\$ 198.00	\$ 207.00	\$	207.00
2"	\$	264.00	\$ 264.00	\$ 273.00	\$	273.00
3"	\$	633.60	\$ 633.60	\$ 642.60	\$	642.60
4"	\$	999.00	\$ 999.00	\$ 1,008.00	\$	1,008.00

(4) Multi-unit Residential and Multiple Use Facilities

Meter Size	Bee (Cave District	Be	e Cave South District	Homestead/ Meadow Fox District			290/HPR District
5/8"	\$	31.65	\$	31.65	\$	57.50	\$	57.50
3/4"	\$	47.50	\$	47.50	\$	57.50	\$	57.50
1"	\$	79.15	\$	79.15	\$	86.25	\$	86.25
1 1/2"	\$	158.25	\$	158.25	\$	143.75	\$	143.75
2"	\$	253.20	\$	253.20	\$	287.50	\$	287.50
3"	\$	506.40	\$	506.40	\$	506.40	\$	506.40
4"	\$	791.25	\$	791.25	\$	791.25	\$	791.25
6"	\$	1,582.50	\$	1,582.50	\$	1,582.50	\$	1,582.50
8"	\$	2,532.00	\$	2,532.00	\$	2,532.00	\$	2,532.00
12"	\$	3,639.75	\$	3,639.75	\$	3,639.75	\$	3,639.75

(5) Irrigation

Meter Size	Bee Cave District			e Cave South District	Homestead/ Meadow Fox District			290/HPR District	
5/8"	\$	31.65	\$	31.65	\$	57.50	\$	57.50	
3/4"	\$	47.50	\$	47.50	\$	57.50	\$	57.50	
1"	\$	79.15	\$	79.15	\$	86.25	\$	86.25	
1 1/2"	\$	158.25	\$	158.25	\$	143.75	\$	143.75	
2"	\$	253.20	\$	253.20	\$	287.50	\$	287.50	
3"	\$	506.40	\$	506.40	\$	506.40	\$	506.40	
4"	\$	791.25	\$	791.25	\$	791.25	\$	791.25	
6"	\$	1,582.50	\$	1,582.50	\$	1,582.50	\$	1,582.50	
8"	\$	2,532.00	\$	2,532.00	\$	2,532.00	\$	2,532.00	
12"	\$	3,639.75	\$	3,639.75	\$	3,639.75	\$	3,639.75	

West Travis County Public Utility Agency Water Impact Fees and Rates by Rate District

(6) Fire Hydrant Meters

Meter Size	Bee Cave District			e Cave South District	Homestead/ Meadow Fox District			290/HPR District
5/8"	\$	31.65	\$	31.65	\$	57.50	\$	57.50
3/4"	\$	47.50	\$	47.50	\$	57.50	\$	57.50
1"	\$	79.15	\$	79.15	\$	86.25	\$	86.25
1 1/2"	\$	158.25	\$	158.25	\$	143.75	\$	143.75
2"	\$	253.20	\$	253.20	\$	287.50	\$	287.50
3"	\$	506.40	\$	506.40	\$	506.40	\$	506.40
4"	\$	791.25	\$	791.25	\$	791.25	\$	791.25
6"	\$	1,582.50	\$	1,582.50	\$	1,582.50	\$	1,582.50
8"	\$	2,532.00	\$	2,532.00	\$	2,532.00	\$	2,532.00
12"	\$	3,639.75	\$	3,639.75	\$	3,639.75	\$	3,639.75

(c) Volumetric Charge (per thousand gallons used):

(1) Residential (Excluding Multi-Unit Residential):

Gallons	Bee C:	ave District	Be	e Cave South District	Homestead/ Meadow Fox District			290/HPR District	
0-10,000	\$	3.80	\$	3.80	\$	3.80	\$	3.80	
10.001-20,000	\$	5.00	\$	5.00	\$	5.00	\$	5.00	
20,001-25,000	\$	6.00	\$	6.00	\$	6.00	\$	6.00	
25,001-50,000	\$	8.10	\$	8.10	\$	8.10	\$	8,10	
50,001 and above	\$	10.20	\$	10.20	\$	10.20	\$	10.20	

(2) Non-residential with 5/8" and 3/4" Meters (excluding Multiple Use Facilities):

Gallons	Bee C	ave District	Be	e Cave South District	omestead/ eadow Fox District	290/HPR District
0-10,000	\$	3.80	\$	3.80	\$ 3.80	\$ 3.80
10.001-20,000	\$	5.00	\$	5.00	\$ 5.00	\$ 5.00
20,001-25,000	\$	6.00	\$	6.00	\$ 6.00	\$ 6.00
25,001-50,000	\$	8.10	\$	8.10	\$ 8.10	\$ 8.10
50,001 and above	\$	10.20	\$	10.20	\$ 10.20	\$ 10.20

West Travis County Public Utility Agency Water Impact Fees and Rates by Rate District

(3) Non-Residential with 1" and Greater Meters (Excluding Multiple Use Facilities):

	Gallons	Bee Ca	ve District	Cave South District	Me	omestead/ adow Fox District	290/HPR District
	0-55,000	\$	4.25	\$ 4.25	\$	4.25	\$ 4.25
Ξ.	55,001 and above	\$	8.10	\$ 8.10	\$	8.10	\$ 8.10
/2"	0-75,000	\$	4.25	\$ 4.25	\$	4.25	\$ 4.25
11/	75,001 and above	\$	8.10	\$ 8.10	\$	8.10	\$ 8.10
4	0-100,000	\$	4.25	\$ 4.25	\$	4.25	\$ 4.25
2" 3"	100,001 and above	\$	8.10	\$ 8.10	\$	8.10	\$ 8.10

(4) Multi-unit Residential and Multiple Use Facilities

						Homestead/	
			Be	e Cave South	N	Meadow Fox	
Gallons	Bee Ca	we District		District		District	290/HPR District
1 and above	\$	7.50	\$	7.50	\$	7.50	\$ 7.50

(5) Irrigation

Gallons	Bee Ca	ive District	Be	e Cave South District	lomestead/ leadow Fox District	290/HPR District
0-10,000	\$	3.80	\$	3.80	\$ 3.80	\$ 3.80
10.001-20,000	\$	5.00	\$	5.00	\$ 5.00	\$ 5.00
20,001-25,000	\$	6.00	\$	6.00	\$ 6.00	\$ 6.00
25,001-50,000	\$	8.10	\$	8.10	\$ 8.10	\$ 8.10
50,001 and above	\$	10.20	\$	10.20	\$ 10.20	\$ 10.20

(6) Fire Hydrant Meter

Gallons	we District	Be	e Cave South District	Homestead/ leadow Fox District	290/HPR District
0-10,000	\$ 3.80	\$	3.80	\$ 3.80	\$ 3.80
10.001-20,000	\$ 5.00	\$	5.00	\$ 5.00	\$ 5.00
20,001-25,000	\$ 6.00	\$	6.00	\$ 6.00	\$ 6.00
25,001-50,000	\$ 8.10	\$	8.10	\$ 8.10	\$ 8.10
50,001 and above	\$ 10.20	\$	10.20	\$ 10.20	\$ 10.20

West Travis County Public Utility Agency Water Impact Fees and Rates by Rate District

(d) Remittance Fees

- (1) City of Bee Cave: Upon the adoption of a resolution by the City of Bee Cave City Council, each customer within the corporate limits of the City of Bee Cave (as depicted in Appendix A) shall be charged a sum equivalent of up to five percent (5%) of the charges in Subsection (b) (1)-(5) above and any amounts collected under the Water Conservation and Drought Contingency Surcharges. WTCPUA shall remit amounts collected under this Subsection (c) (1) to the City of Bee Cave on a quarterly basis.
- (2) Hays County: In accordance with the agreement between PUA and Hays County for use of country rights-of-ways, each Customer to who PUA provides retail water service in the Bee Cave south District (as depicted in Appendix A) shall be charged a sum equivalent to six percent (6%) of the charges in Subsections (b) and (c) above, as applicable.

(e) Subsequent User Fees (in addition to impact fees)

(1) South Madrone Trail Water: \$15,500 Per LUE

(2) Tanglewood West Water: \$5,250 Per LUE

(f) Pro Rata Fee (in addition to impact fees, per LUE)

			Homestead/	
		Bee Cave South	Meadow Fox	
Fee	Bee Cave District	District	District	290/HPR District
per LUE	N/A	N/A	\$ 6,500.00	N/A

West Travis County Public Utility Agency Wastewater Impact Fees and Rates by Rate District

(a) Wastewater Impact Fee (per LUE):

Effective Wastewater Impact Fee (Effective as of November 1, 2012*):

	System-wide	
Fee per LUE	\$	11,500

Historical Wastewater Impact Fee:

Sys	tem-wide

The impact fee listed above is per LUE, calculated in accordance with the provisions of Section 3.0.

(b) Minimum Monthly Charge:

(1) Residential (Excluding Multi-Unit Residential):

	Bee Cave District
Monthly Fee	\$ 40.00

(2) Non-residential (excluding Multiple Use Facilities) (Per LUE):

Meter Size	Bee Cave District
Monthly Fee	\$ 65.0

(3) Multi-unit Residential and Multiple Use Facilities (Per LUE)

Meter Size	Bee Cave District	
Monthly Fee	\$	60.00

(c) Volumetric Charge (per thousand gallons used):

(1) Residential (Excluding Multi-Unit Residential):

Gallons	Bee Cave District
1 and above	\$ 4.8

(2) Non-residential (excluding Multiple Use Facilities):

^{*} See Tariff Section 4.02(g) for instances where the Historical Wastewater Impact Fee is still applicable.

West Travis County Public Utility Agency Wastewater Impact Fees and Rates by Rate District

Gallons	Bee Cave District
1 and above	\$ 6.25

(3) Multi-unit Residential and Multiple Use Facilities

West Travis County Public Utility Agency Wastewater Impact Fees and Rates by Rate District

Gallons	Bee Cave District
1 and above	\$ 6.25

WTCPUA will calculate residential wastewater flow for each customer based on the calculated average of monthly potable water metered and billed to the Customer during the previous December, January and February. If a residential Customer does not have an acceptable history of water usage during the preceding December, January and February, the Customer's monthly wastewater bill shall be calculated upon: (1) the Customer's current monthly water usage; or (2) on the basis of 10,000 gallons water usage per month, whichever is less.

WTCPUA will calculate commercial wastewater flow for each Non-residential, Multi-unit Residential and Multiple Use Facility based on actual potable water consumption.

(d) Remittance Fees

(1) City of Bee Cave: Upon the adoption of a resolution by the City of Bee Cave City Council, each customer within the corporate limits of the City of Bee Cave (as depicted in Appendix A) shall be charged a sum equivalent of up to five percent (5%) of the charges in Subsection (b) (1)-(5) above and any amounts collected under the Water Conservation and Drought Contingency Surcharges. WTCPUA shall remit amounts collected under this Subsection (c) (1) to the City of Bee Cave on a quarterly basis.

(e) Grinder Pump Surcharge (per Month)

(1) \$25.00 per month applicable to a Customer who has not executed a Grinder Pump Service Agreement by which the Customer assumes the responsibility for maintenance of the Grinder Pump.

(f) Wastewater Strength Surcharge

(1) Customer shall pay a surchage calculated from the formula provided in the Schedule for discharges into the PUA's System that exceed the Requisite Levels as provided in that Section. The unit charge for BOD (factor A) shall be set at \$0.49 per pound, and the unit charge for TSS (factor B) shall be \$0.1049 per pound.

West Travis County Public Utility Agency Miscellaneous Fees and Charges

(a) Failure to Trim or Remove Landscaping as described in Section 2.07 - Right of Access

Actual cost to the WTCPUA as invoiced by the WTCPUA's contractor.

(b) Violation of Terms of Tariff as described in Section 2.14 - Penalties

First Offense Second Offence \$1,000 or actual cost, whichever is greater \$1,500 or actual cost, whichever is greater

(c) Deposits as described in Section 3.01 and 3.03

Fire Hydrant Meter	\$2,000.00
5/8" or 3/4" meter	\$100,00
1" meter	\$200.00
1-1/2" meter	\$375.00
2" moter	\$600.00
3" meter	\$1,200.00
4" meter	\$1,800.00
6" meter	\$2,400.00
8" meter	\$3,600.00
12" meter	\$8,000.00

(d) Application Fee as described in Sections 3.03 and 4.02

Non-Refundable Application Fee	\$	50.00	
(e) Tap Fees as described in Section 3.03 and 4.02			
Standard Connection, Short Tap, per LUE 6-Month Extension Fee, per LUE Meter Drop-in Fee, per LUE	\$ \$	75.00	plus cost of bore or actual cost, whichever is greater
(f) Late Fees as described in Section 5.02			
10% of oustanding amount			
(g) Returned Check Fee as described in Section 5.03	\$	50 00	
(h) Meter Testing Fees as described in Section 5.04			
Meter Testing Fee Meter Re-read Fee	\$ \$	100.00 50.00	or actual cost, whichever is greater
(i) Subtractive Meter Reading Fee as described in Section 5.05	\$	25.00	
(j) Equipment Damage Fee as described in Section 5.06	\$	50.00	or actual cost, whichever is greater
(k) Reconnection Fee as described in Section 5.07			
Reconnection Fee, during regular hours Reconnection Fee, after hours	\$ \$	50.00 150.00	
(I) Transfer Fee as described in Section 5.08	\$	30 00	
(m) Disconnection Fee as described in Section 5.09	\$	100.00	For 5/8" or 3/4" meters
(n) Same day service surcharge as described in Section 5.10	\$	50.00	
(o) After hour service surcharge as described in Section 5.10	\$	150.00	
(p) Drought Contingency or Conservation Plan violation fees as described in S	ection 5.11		
Second Violation Third Violation Reconnection Charge after Fourth Violation Additional Deposit Following Fourth Violation	\$ \$ \$	200.00 700.00 500.00 500.00	

West Travis County Public Utility Agency Miscellaneous Fees and Charges

(q) Wastewater	quality	testing	fee as	described	in	Section	5.12
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Actual cost for testing

(r) Project administration, review and inspection fees as described in Section 5.13

Engineer's Estimate of Total Cost of Construction Project	Percentage of Co	ost				
\$0-\$4,000.00 Minimum Fee	\$ 300.0	00 oractu	al cost, whichev	er is greater		
\$4,001 - \$200,000.00	7.00%					
\$200,000.01 - \$250,000.00	6.75%					
\$250,000.01 - \$300,000.00	6.50%					
\$300,000.01 - \$350,000.00	6.25%					
\$350,000.01 - \$400,000.00	6.00%					
\$400,000.01 - \$450,000.00	5.75%					
\$450,000.01 - \$550,000.00	5.50%					
\$550,000.01 - \$650,000.00	5.25%					
\$650,000.01 - \$750,000.00	5.00%					
\$750,000.01 - \$1,000,000.00	4.75%					
\$1,000,000.01 - \$1,250,000.00	4.50%					
\$1,250,000.01 - \$1,500,000.00	4.25%					
\$1,500,000.01 - \$2,000,000.00	4.00%					
\$2,000,000.01 - \$2,500,000.00	3.75%					
\$2,500,000.01 - \$3,000,000.00	3.50%					
\$3,000,000.01 - \$5,000,000.00	3.25%					
MORE THAN - \$5,000,000.01	3.00%					
(s) Engineering review fees as described in Section 5.14		\$	500.00	or actual cos	st, whichever is g	reater
(t) Legal review deposit as described in Section 5.15		\$	5,000.00	or actual cos	st, whichever is g	reater
(u) Service availablity review fees as described in Section 5.16		\$	40.00	or actual cos	st, whichever is g	reater
(v) Environmental compliance review fees as described in Section		he reimbu	rsed to applican	t Additional		

Actual cost to WTCPUA with initial deposit of \$1,500. Any unused funds to be reimbursed to applicant. Additional deposit may be required depending on time and scope of work.

(w) Clearing fees as described in Section 5.18

25.00 or actual cost, whichever is greater

(x) Drought Surcharge as described in Section 5.21

Stage 1 Drought Stage - Gallonage Charges Will Remain Unchanged.

Stage 2 Drought Stage - All Gallonage Charges for Each Water Use Tier and for all Retail Rate Districts and Customer Classes, Including Wholesale Customers, may increase up to 20.0 Percent Over Posted Tariff Rates

Stage 3 Drought Stage - All Gallonage Charges for Each Water Use Tier and for all Retail Rate Districts and Customer Classes, Including Wholesale Customers, may increase up to 35.0 Percent Over Posted Tariff Rates.

Stage 4 Drought Stage - All Gallonage Charges for Each Water Use Tier and for all Retail Rate Districts and Customer Classes, Including Wholesale Customers, may increase up to 50.0 Percent Over Posted Tariff Rates

(y) Annual Water Capacity Reservation Fee as described in Section 3.04

SH 71 Water System	\$ 489.39
U.S. Highway 290 Water System	\$ 569.12
(z) Annual WasteWater Capacity Reservation Fee as described in Section 4.03	\$ 512.00

West Travis County Public Utility Agency

Wholesale Water Minimum Charge	Current
CRYSTAL MOUNTAIN HOA, INC.	\$756.53
DEER CREEK RANCH WATER CO., LLC	\$2,887.50
DRIPPING SPRINGS WSC	\$5,252.94
EANES ISD	\$202.13
HAYS COUNTY WCID #1	\$8,604.75
REUNION RANCH WCID	\$3,684.45
SENNA HILLS MUD #1	\$4,308.15
BARTON CREEK WEST WSC	\$2,502.89
HAYS COUNTY WCID #2	\$7,524.83
CITY OF DRIPPING SPRINGS	\$8,085.00
LAZY NINE MUD #1A	\$11,781.00
TRAVIS COUNTY MUD #12	\$10,891.65

Wholesale Water Volumetric Rate	Current
Customers With Own Raw Water	\$2.77
Customers Using PUA Raw Water	\$3.30

Wholesale Wastewater	Current
Minimum Charge	\$2,500.00
Volumetric Charge	\$3.25

Effluent	Current
Volumetric Charge	\$3.14



Water Resources Management, LLC

October 12, 2012

Mr. Larry Fox President West Travis County Public Utility Agency 12117 Bee Cave Road, Building 3, Suite 120 Bee Cave, Texas 78738

Mr. Fox,

Water Resources Management, LLC (WRM) is pleased to have the opportunity to perform a cost of service and rate design study for the West Travis County Public Utility Agency (WTC PUA). This letter is intended to summarize the results of that analysis. WRM has also provided the Agency with a detailed report of the findings under a separate cover which provides a summary of the methodology utilized, assumptions made, and the findings.

Report Goals and Objectives

- 1) Isolate revenue requirements for the water and wastewater utility;
- 2) Functionalize costs;
- 3) Allocate costs to retail and wholesale customers;
- 4) Design wholesale rates that recover wholesale cost of service.

Project Work Plan

- 1) Determine Agency current and future revenue requirements for five-year study period;
- 2) Isolate retail only costs of service and remove from analysis;
- 3) Functionalize costs to cost categories (base costs, extra-capacity costs, and customer costs) based on the function related to that particular cost category;
- 4) Allocate those costs to customer classifications based on the customers' historical usage patterns;
- 5) Project customer growth, and billing units into the five-year study period;
- 6) Design rates that fully recover the Agency's costs associated with providing service.

Findings

- 1) Base year total revenue requirement for the water and wastewater utility was \$13,935,691;
- 2) Total Agency water revenue requirement was determined to be \$10,962,457;
- 3) Total Agency wastewater revenue requirement was determined to be \$2,973,235;
- 4) Revenue requirement for water wholesale customers (before raw water) was determined to be \$3,340,366;
- 5) Agency projected wholesale water revenues at current rates are \$2,549,898;
- 6) Agency is projected to under-recover from wholesale water customers by 31% at current wholesale water rates (-\$790,468);



- 7) In order to achieve full cost recovery from wholesale water customers, a 31% increase to both the minimum charge and volumetric charge is recommended;
- 8) Revenue requirement for wastewater wholesale customers was determined to be \$100,518;
- 9) Agency projected wholesale wastewater revenues at current rates are \$82,741;
- 10) Agency is projected to under-recover from wholesale wastewater customers by 18% at current wholesale wastewater rates (\$17,777);
- 11) In order to achieve full cost recovery from wholesale wastewater customers, an 18% increase to the volumetric charge is recommended.

It has been a pleasure working with the Agency. Your staff has been very efficient in answering our questions and filling data requests. Please feel free to contact our office with any questions or comments regarding this report at (512) 420-9841.

Sincerely,

Nelisa Heddin VP Business & Financial Services

OFFICIAL STATEMENT

\$46,875,000 WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY REVENUE BONDS, SERIES 2012

INTRODUCTION

This Official Statement, which includes the Appendices hereto, provides certain information regarding the issuance of \$46,875,000 West Travis County Public Utility Agency Revenue Bonds, Series 2012 (the "Bonds"). The offering of the Bonds is being made hereby. Potential investors in the Bonds are urged to carefully read this Official Statement for the purpose of assessing an investment in the Bonds. Capitalized terms used in this Official Statement not otherwise defined herein have the same meanings assigned to such terms in the Resolution (defined herein), except as otherwise indicated herein. See "APPENDIX G – BOND RESOLUTION."

There follows in this Official Statement descriptions of the Bonds and certain information regarding the West Travis County Public Utility Agency (the "PUA") and its finances. All descriptions of documents contained herein are only summaries and are qualified in their entirety by reference to each such document. Copies of such documents may be obtained from the PUA's Financial Advisor, Specialized Public Finance Inc., Austin, Texas.

The City of Bee Cave, Texas ("Bee Cave"), Hays County, Texas ("Hays County") and West Travis County Municipal Utility District No. 5 ("MUD 5"), (together, the "Participants") created the West Travis County Public Utility Agency (the "PUA") in December 2011 pursuant to Chapter 572, Texas Local Government Code, as amended (the "PUA Act"), as their constituted authority, instrumentality and agent to plan, finance, acquire, construct, own, operate, or maintain facilities necessary for the collection, transportation, treatment, and disposal of sewage and the conservation, storage, transportation, treatment, and distribution of water for the Participants. In January 2012, the PUA executed a Utilities Installment Purchase Agreement (the "Purchase Contract") pursuant to which the PUA agreed to purchase from the Lower Colorado River Authority ("LCRA") certain water supply and distribution and sanitary sewer collection and wastewater treatment facilities (the "System"). The PUA and the Participants have entered into that certain Acquisition, Water Supply, Wastewater Treatment and Conditional Purchase Agreement dated as of March 19, 2012 (the "Participant Agreement") pursuant to which the PUA agreed, among other things, to pay to the PUA all payments due by the PUA to LCRA pursuant to the Purchase Contract, all Operation and Maintenance Expenses of the System, and all debt service payment obligations and funding requirements in respect of the Bonds and any other indebtedness issued or incurred by the PUA in accordance with the Participant Agreement. See "THE PUA," "THE SYSTEM" and "SUMMARY OF THE PARTICIPANT AGREEMENT."

PLAN OF FINANCE

The Purchase Contract provides that the purchase price for the System will be approximately \$137,909,441, subject to certain adjustments described in the Purchase Contract (the "Purchase Price"), to be paid to LCRA by the PUA in installments. The Purchase Price was derived from and is based on LCRA's outstanding debt service obligations relating to the System (the "Outstanding System Debt"). Such Outstanding System Debt is subject to optional redemption on certain dates in years beginning in 2012 and ending in 2019, and the installment payments due under the Purchase Contract are structured to permit the LCRA to apply proceeds of the Purchase Price to redeem its Outstanding System Debt as such debt becomes subject to optional redemption. The Purchase Price consists of two components: (1) semiannual payments in amounts necessary to permit the LCRA to pay periodic debt service on the Outstanding System Debt, and (2) four equity payments in amounts sufficient to permit LCRA to defease and redeem portions of the Outstanding System Debt as such debt becomes subject to optional redemption. As the equity payments are paid by the PUA, the amount of the subsequent semiannual payments owed by the PUA will be reduced by amounts corresponding to the Outstanding System Debt attributable to each such equity payment.

The first equity payment in the amount of not less than \$23,588,485 will be paid with a portion of the proceeds of the Bonds. Subsequent equity payments are due in May 2013 (or May 2014, if a certain rating threshold cannot be achieved in time to issue bonds to pay such payment by May 2013), May 2015 and May 2019. The PUA expects to issue Additional Senior Lien Obligations to finance each equity payment. In the event that the PUA is unable to finance the equity payments when due, the PUA will revert to a wholesale customer of the LCRA and continue making the semiannual payments.

See "SUMMARY OF CERTAIN PROVISIONS OF THE PURCHASE CONTRACT" and "APPENDIX D — UTILITIES INSTALLMENT PURCHASE AGREEMENT" for a more complete summary of the terms of the Purchase Contract. Also, see "DEBT INFORMATION — TABLE 6 — DEBT SERVICE REQUIREMENTS."

THE PUA

The PUA was created on December 21, 2011, by concurrent ordinance or order of the Participants, and reaffirmed by concurrent ordinance of the City of Bee Cave adopted on March 27, 2012, and order of the West Travis County Municipal Utility District No. 5 on March 28, 2012 pursuant to Chapter 572, Texas Local Government Code, as amended, as the Participant's constituted authority, instrumentality and agent to plan, finance, acquire, construct, own, operate, or maintain facilities necessary for the collection, transportation, treatment, and disposal of sewage and the conservation, storage, transportation, treatment, and distribution of water for the Participants. In January 2012, the PUA executed the Purchase Contract pursuant to which it agreed to purchase from the LCRA certain water supply and distribution and staribution and wastewater treatment facilities (the "System"). The PUA has agreed to make periodic installment payments to the LCRA to purchase the System, beginning in 2012 and ending in 2019 (unless prepaid at the exclusive option of the PUA), for a total purchase price of approximately \$137,909,441, net of anticipated transferred cash reserve balances held by the LCRA. See "APPENDIX E — UTILITIES INSTALLMENT PURCHASE AGREEMENT."

To provide for on-going operation and maintenance of the System, and to secure financing, including financing of the installment payments to the LCRA, the PUA has entered into the Participant Agreement, which obligates the Participants to make contract payments to the PUA in amounts sufficient to: (i) discharge the PUA's installment purchase obligation to the LCRA; (ii) pay debt service and related costs on any bonds issued by the PUA, including the Bonds, and (iii) pay all costs of water treatment and distribution services and wastewater collection, treatment and disposal services related to the operation of the System. The payments due by the Participants to the PUA pursuant to the Participant Agreement constitute operating and maintenance expenses of each Participant's utility system and are payable solely from revenues of such systems, which consist of the distribution and collection components of the System located in each Participant's service area and which the Participants have agreed in the Participant Agreement to conditionally purchase from the PUA. The payment obligations of the Participants do not constitute general obligations of the Participants and are not payable from any source other than revenues of each Participant's system. See "APPENDIX F – Acquisition, Water Supply, Wastewater Treatment and Conditional Purchase Agreement".

Based on information provided by LCRA, the water treatment, transmission, storage and distribution facilities of the System have an original construction cost of approximately \$129 million (current book value: \$103,432,759) and currently serve an estimated population in excess of 27,000 (or approximately 9,000 LUEs).

Based on information provided by LCRA, the wastewater collection, treatment and disposal facilities of the System have an original cost of over \$40 million (current book value: \$30,711,007) and currently serve an estimated population of over 8,000 people (or approximately 2,750 LUEs).

RAW WATER COMMITMENT

Pursuant to separate Raw Water Purchase Agreements for municipal uses and recreational/irrigation uses dated as of April 30, 2012 (collectively, the "RWPAs"), the PUA is entitled to receive 9,450 acre feet (AF), equivalent to 8.4 million gallons per day (MGD), of raw water annually from the Lower Colorado River Authority (LCRA) at the LCRA's uniform raw water system rate for such uses. The RWPA for municipal raw water entitles the PUA to 9,000 acre-feet per year for a period of not less than 40 years and the RWPA for recreational/irrigation raw water entitles the PUA to 450 acre-feet per year for a period of not less than 10 years.

In addition, over 80 percent of the wholesale water customers served by the System have contracted with LCRA for their own contract raw water rights. As such, the PUA is not responsible to purchase or reserve raw water rights for these wholesale water customers. In addition, pursuant to policy of the PUA's Board of Directors, any new-future wholesale water customers must secure their own raw water supply and provide such raw water to the PUA as a condition of wholesale treated water services.

For the 12 months ended March 19, 2012 (which preceded the PUA's assumption of operational control of the System), LCRA supplied approximately 5.0 MGD of potable water to retail and wholesale customers, at a maximum-day peak rate of 13.4 mgd, through the System's water supply facilities (including water supplied under the aforementioned separate wholesale water customer contracts).

Based on current projections of retail water demand, the PUA's management and consultants expect the 9,000 AF per year of raw water reserved for municipal purposes to be sufficient to supply the potable water demand of PUA retail customers during the next thirty to forty years depending on customer growth and the final water service area development density.

OPERATOR OF THE SYSTEM

The PUA has contracted with Severn Trent Environmental Services, Inc. ("Severn Trent") to provide operations, maintenance and customer services for the System. Severn Trent provides products and services concentrated around water including contract operating services, disinfection, instrumentation, filtration technologies and analytical services. Severn Trent has provided contract operations in the U.S. continuously for over 35 years and maintains a comprehensive portfolio of products to analyze, treat, measure, deliver and protect water resources. Severn Trent is the fourth largest water and wastewater treatment utility in the world, operating nearly 2,500 facilities and serving more than 20 million customers worldwide.

Severn Trent provides an operations staff to meet the requirements of the PUA's facilities for both water and wastewater. Severn Trent staff perform monthly reviews of the reporting process to ensure that reporting is handled properly. In addition to operations, they also are responsible for maintenance of the collection and distribution systems, including installation of all residential and commercial water taps, meter reading, billing and collections. Severn Trent analyzes equipment trends and manufacturers' suggested maintenance requirements to establish a predictive maintenance procedure, which ensures reliable operations of facility equipment.

THE SYSTEM

WATER . . . The water treatment, transmission, storage and distribution facilities of the System have an original construction cost of approximately \$129 million (current book value: \$103,432,759) and currently serve an estimated population in excess of 27,000 (or approximately 9,000 living unit equivalents or "LUEs"). The System includes a raw water intake on Lake Austin that pumps raw water to the water treatment plant located off Bee Cave Road (FM 2244) near the intersection with State Highway 71. The System includes 13 major storage tanks (elevated and ground storage) and 6 main pump stations. Combined ground and elevated storage capacity amounts to approximately 7,400,000 gallons of water. The transmission and distribution facilities include approximately 200 miles of pipe (4, 6, 8, 12, 16, 20 and 24 inch diameter). The raw water intake was recently expanded to a capacity of 22 million gallons per day (MGD) which provides 20 MGD to the water treatment plant and 2 MGD for raw water irrigation. The water treatment plant is rated for 20 MGD and current average production from the water treatment plant is approximately 5.0 MGD. Maximum day production from the water treatment plant has totaled 13.4 MGD.

At the current capacity, the existing water facilities of the System are expected to serve a total population of approximately 40,000 (or 13,500 LUEs).

Ultimately, the System is expected to serve a population of 70,000 (23,800 LUEs). This will require system improvements and additional treatment and intake capacities.

WASTEWATER . . . The wastewater collection, treatment and disposal facilities of the System have an original cost of over \$40 million (current book value: \$30,711,007) and currently serve an estimated population of over 8,000 people (or approximately 2,750 LUEs). The wastewater plant operates under Permit No. WQ0013594-001 issued by the TCEQ providing for wastewater treatment and land disposal of up to 1.0 MGD of produced effluent (no-discharge) via irrigation in its final phase. The wastewater facilities include a 0.675 MGD treatment plant, a 77 acre foot effluent storage pond and 350 permitted acres of effluent irrigation area. The wastewater treatment plant is currently rated for 0.675 MGD average daily flow as per the Interim Phase II in the permit. Current average flows at the wastewater treatment plant are 0.565 MGD. The wastewater collection facilities include 20 lift stations and approximately 48.8 miles of force mains and collection lines.

The existing TCEQ permit expires December 1, 2014 and can accommodate approximately 4,880 wastewater LUEs. The PUA is reviewing the projected wastewater demands for its service area and is presently designing a second wastewater treatment plant permitted for up to 0.325 MGD and a 100 acre foot effluent storage pond. This expansion is under the existing permit.

At full build-out of the PUA's wastewater service area, the System (assuming expansion of the System's facilities, as described above) could have a total population as high as 21,600 or 7,200 LUEs (assuming 3 persons per LUE).

TABLE 1 - MAJOR PUA WATER CUSTOMERS (AS OF JUNE 30, 2011)(1)

				% of
	Gallons			Total
Name of Taxpayer	Used (000s)	1	Revenue	Revenue
Highpointe Community Association	23,369,400	\$	241,099	3%
H.E. Butt Grocery Company	9,648,000		79,574	1%
Columbia Grey star Bee Caves	7,825,160		79,199	1%
Home Depot	7,218,700		74,434	1%
Spanish Oaks Owners Association	6,320,320		67,019	1%
Falconhead Apartments	7,852,950		66,592	1%
Hill Country Apartments	5,900,200		61,848	1%
Hill Country Apartments	5,489,000		53,321	1%
Spanish Oaks Owners Association	6,299,580		51,525	1%
Reit Management & Research	3,626,300		48,846	1%
	83,549,610	\$	823,457	10%

⁽¹⁾ Prior to March 19, 2012, the PUA System was operated as a component unit of the LCRA. See "THE PUA." Unaudited. Based on information provided by LCRA.

SUMMARY OF THE PARTICIPANT AGREEMENT

The following summary is qualified in its entirety by the discussion immediately below and by reference to the full text of the Participant Agreement, a copy of which is attached hereto as "APPENDIX F – ACQUISITION, WATER SUPPLY, WASTEWATER TREATMENT AND CONDITIONAL PURCHASE AGREEMENT."

Pursuant to the Participant Agreement, each of the Participants have agreed, on a several and not joint basis, to make Annual Payments to the PUA sufficient to satisfy all installment payments due by the PUA to the LCRA pursuant to the Purchase Contract, to pay all debt service on and fund all required reserves and payment obligations in connection with the Bonds and other Senior Lien Obligations issued in accordance with the Participant Agreement, and to pay all Operation and Maintenance Expenses of the System. Each Participant's obligation to make its Proportionate Share of the Annual Payment constitutes an operating and maintenance expense of such Participant's utility system and is payable solely from revenues of such Participant's system. Each Participant's system consists of the distribution and collection components of the System located within such Participant's service area, each of which the Participants have agreed to conditionally purchase from the PUA pursuant to the Participant Agreement. The payment obligations of the Participant's system.

The Participants' Proportionate Shares of the Annual Payment are allocated in the Participant Agreement as follows:

City of Bee Cave	27.3%
Hays County	35.1%
West Travis County MUD No. 5	37.6%

The term of the Participant Agreement runs while the Bonds and all other Senior Lien Obligations issued in accordance with the Participant Agreement are Outstanding.

SUMMARY OF CERTAIN PROVISIONS OF THE PURCHASE CONTRACT

Following is a composite summary of certain material provisions of the Purchase Contract. Reference is hereby made to the full and complete Purchase Contract, for further information, a copy of which is attached hereto as "APPENDIX E – UTILITIES INSTALLMENT PURCHASE AGREEMENT".

Pursuant to the Purchase Contract, the PUA will purchase the System in installment payments between 2012-2019 (unless earlier prepaid at the option of the PUA) totaling approximately \$137,909,441, net of certain cash balances held by the LCRA which will be transferred to the PUA. Generally, and subject to certain specific conditions relating to the bond rating(s) assigned to bonds issued by the PUA, the installment payments are due as follows:

At least \$23,588,485 by July 2, 2012; At least \$93,245,068 by May 1, 2013

Additional amounts, totaling approximately \$21,075,888, are due between May 1, 2014-2019 sufficient to discharge all outstanding indebtedness of the LCRA relating to the System, as more fully described in Schedule A to the Purchase Contract. In the event that the PUA is unable to satisfy its installment payment obligations to the LCRA, beginning with the 2013/2014 installment payments, the PUA would cede operational control of the central water and wastewater treatment facilities back to the LCRA and become a wholesale customer of the LCRA, with full credit allowed for the 2012 installment payment. The PUA would, in this event, remain the exclusive retail provider of water and wastewater service within the existing West Travis Regional service territory. The PUA would remain responsible for maintaining rates sufficient to provide for the remaining LCRA debt service obligations and for paying debt service on the Bonds

In connection with the execution of the Purchase Contract, the LCRA has received final approval from the TCEQ transferring LCRA's Certificate of Convenience and Necessity for the System to the PUA.

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Filed in The District Court of Travis County, Texas

LM MAY 2 4 2013

Cause No. D-1-GN-13-000336

At M. Amalia Rodriguez-Mendoza, Clerk

§	IN THE DISTRICT COURT
§	
§	
§	
§	TRAVIS COUNTY, TEXAS
§	
§	
§	
§	
§	419 TH JUDICIAL DISTRICT
	(C)

AGREED ORDER OF DISMISSAL

ON THIS DAY in the above-entitled and numbered cause came to be considered upon the motion of Plaintiffs, 156 DHS, LTD., 194 Bush LTD. and 290 East Bush, Inc., for dismissal with prejudice of their claims against Defendant in the above-styled and numbered cause. The Court, after consideration of same, and noting the agreement of all parties as reflected by the signatures of their respective counsel to the Agreed Order of Dismissal, finds this motion should be granted.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that all claims asserted by Plaintiffs against Defendant in this cause be, and the same hereby are, dismissed with prejudice to the re-filing of same or any part thereof, with each party to bear its own costs of court.

SIGNED this? 4 day of May, 2013.

JUDGE PRÉSIDING

APPROVED AS TO FORM AND CONTENT:

Armbrust & Brown, PLLC

100 Congress Avenue, Suite 1300

Austin, TX 78701 (512) 435-2300

(512) 435\2360-FAX

By:

J. Bruce Scrafford

State/Bar No. 17931100

bscrafford@abaustin.com

ATTORNEYS FOR PLAINTIFFS 156 DHS, LTD., 194 BUSH LTD. and 290 EAST

BUSH, INC.

Lloyd, Gosselink, Rochelle & Townsend, P.C.

816 Congress

Suite 1900

Austin, TX 78701 (512) 322,5847

Lauren J. Kalisek

State Bar No. 00794063

lkalisek@lglaw.com

ATTORNEY FOR WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY

2

Filed in The District Court of Travis County, Texas

LM MAY 2 4 2013

Cause No. D-1-GN-13-000337

At M. Amalia Rodriguez-Mendoza, Clerk

STUART SHAW FAMILY PARTNERSHIP, LTD.,	§ §	IN THE DISTRICT COURT
Plaintiff,	§ §	TRAVIS COUNTY, TEXAS
v.	8	TRAVIS COURT I, IEM IS
WEST TRAVIS COUNTY PUBLIC	§	
UTILITY AGENCY, Defendant.	§	53 RD JUDICIAL DISTRICT

AGREED ORDER OF DISMISSAL

ON THIS DAY in the above-entitled and numbered cause came to be considered upon the motion of Plaintiff, STUART SHAW FAMILY PARTNERSHIP, LTD., for dismissal with prejudice of its claims against Defendant in the above-styled and numbered cause. The Court, after consideration of same, and noting the agreement of all parties as reflected by the signatures of their respective counsel to the Agreed Order of Dismissal, finds this motion should be granted.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that all claims asserted by Plaintiff against Defendant in this cause be, and the same hereby are, dismissed with prejudice to the re-filing of same or any part thereof, with each party to bear its own costs of court.

SIGNED this Alday of May, 2013.

JUDGĚ PRESIDING

APPROVED AS TO FORM AND CONTENT:

Graves, Dougherty, Hearon & Moody A Professional Corporation 401 Congress Avenue, Suite 2200 Austin, TX 78767-0098 (512) 480-5645 (512) 480-5845 FAX

John J. McKetta, III State Bar No. 13711500 mmcketta@gdhm.com Eric G. Behrens State Bar No. 02050700 ebehrens@gdhm.com

ATTORNEYS FOR STUART SHAW FAMILY PARTNERSHIP, LTD.

Lloyd, Gosselink, Rochelle & Townsend, P.C. 816 Congress

Suite 1900

Austin, TX 78701 (512) 322-5847

Lauren J. Kalisek State Bar No. 00794063 lkalisek@lglaw.com

ATTORNEY FOR WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY

THIS ORDER RATIFYING THE WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY REGIONAL WATER AND WASTEWATER SYSTEMS RATES, FEES AND CHARGES FOR WATER AND WASTEWATER SERVICE PASSED AND APPROVED THIS ___ DAY OF JUNE 2013

	HAYS COUNTY
	Dr. Bert Cobb, M.D. Hays County Judge
	Date:
ATTEST:	
Liz Q. Gonzalez, Hays County Clerk	