

**UPPER BRUSHY CREEK  
WATER CONTROL AND IMPROVEMENT DISTRICT  
1850 ROUND ROCK AVE, ROUND ROCK, TX 78681  
REGULAR BOARD MEETING MINUTES  
FEBRUARY, 2017**

**CALL TO ORDER:** The Regular meeting was called to order at 4:00 p.m. by President Jeff Sawyer.

**ROLL CALL:** The roll call was taken by the District Secretary.

**DIRECTORS PRESENT:** Jeff Sawyer, President; Robert Adams, Vice-President; Miguel Villarreal, Secretary/Treasurer; Mike Freeman, Director; and Jeremiah Williams, Director.

**STAFF PRESENT:** Ruth Haberman, General Manager; Lisa Moravitz, District Secretary; Chris Tschirhart, Project Manager; and District Counsel, Charlie Crossfield

**RESIDENTS AND OTHERS PRESENT AT SAID MEETING:**

- Alysha Girard, City of Round Rock
- Tim Hudgeons, Citizen

**CITIZEN COMMUNICATIONS:** Tim Hudgeons asked if the District was aware of a developer possibly building a park for the City of Austin on the back of the Lakeline neighborhood. The General Manager advised there is a permitting process and to date the City of Austin has not submitted any plans.

- \*1. Approval of meeting minutes for:
  - a. January 20, 2017 Regular Meeting
  - b. January 21, 2017 Workshop
- \*2. Discussion and possible action on financial reports, payment of bills, credit card statement, and TexPool Statements:
  - a. Financial reports;
  - b. Payment of bills;
  - c. Credit Card Statement;
  - d. TexPool Statements.

**Motion by Director Williams, second by Vice-President Adams to accept the consent agenda as presented. Motion carried unanimously. (5 – 0)**

**ADMINISTRATION:**

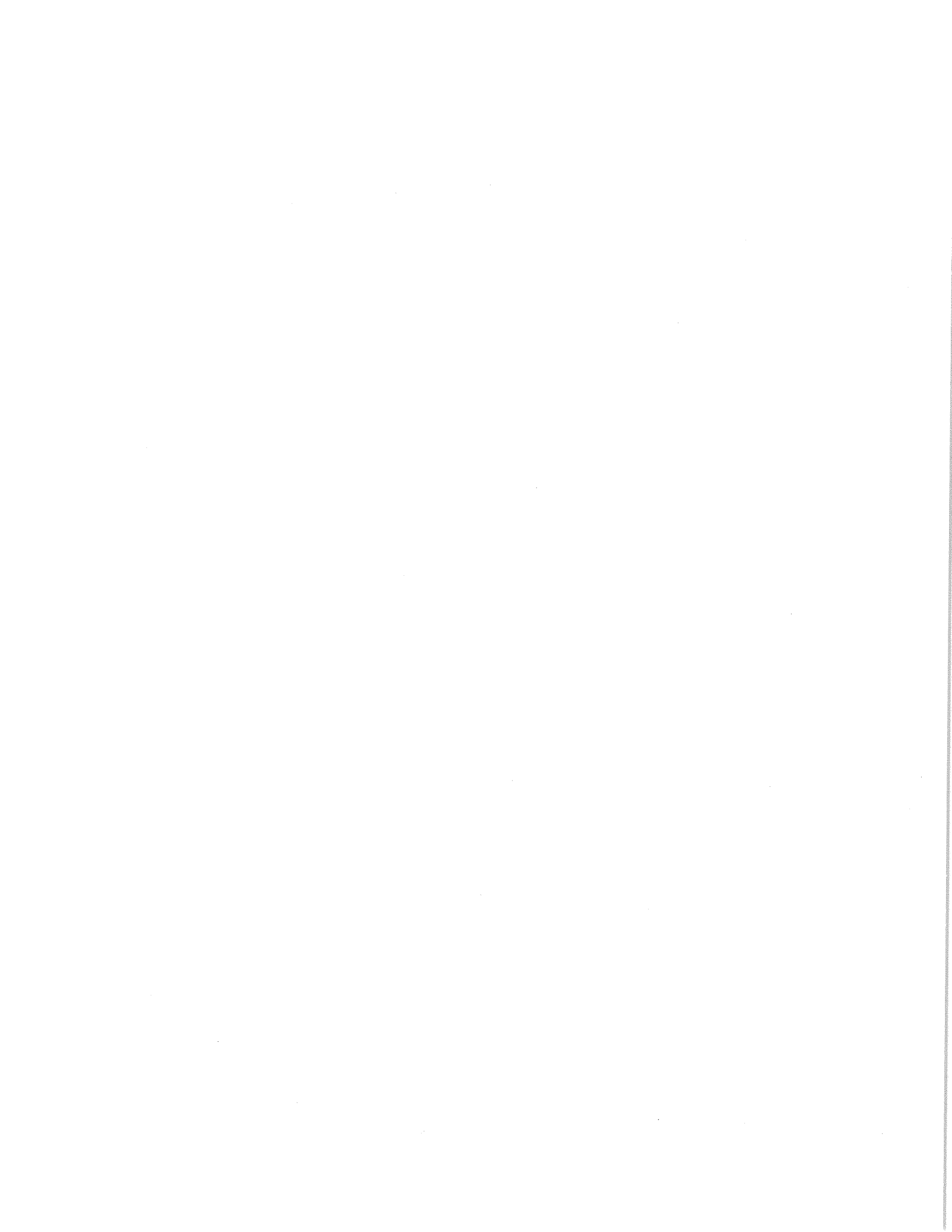
3. Discussion and possible action on Board adoption of the 2016 Annual Report.

**Motion by President Sawyer, second by Director Williams to adopt the 2016 Annual Report as presented. Motion carried unanimously. (5 – 0)**

4. Discussion and possible action on Board adoption of the 2017 District Action Plan.

**Motion by Director Freeman, second by Director Williams to adopt the 2017 District Action Plan as presented. Motion carried unanimously. (5-0)**

5. Discussion and possible action regarding approval of Supplemental Contracts - rate adjustments:
  - a. Freese & Nichols, Inc. (FNI), Contract #1, Supplemental Contract #3;
  - b. FNI, Contract #2, Supplemental Contract #2;
  - c. Half Associates, Inc. (HALFF), Supplemental Contract #2;



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- d. URS Corporation (URS), Contract #4, Supplemental Contract #3.

**Motion by Director Williams, second by Vice-President Adams approving all supplemental contracts as recommended by the Finance Committee. Motion carried unanimously. (5-0)**

6. Discussion and possible action regarding award of new Contracts for Professional Services:
- Contract for General Engineering Services to HDR Engineering, Inc. (HDR);
  - Contract for General Engineering Services to K Friese & Associates, Inc. (KFA);
  - Contract for General Engineering Services to M&E Consultants (M&E);
  - Contract for Architectural and Engineering Services to MODE Design Company (MODE);
  - Up to three (3) contracts for On-Call Surveying Services – TBD

**Motion by Secretary/Treasurer Villarreal, second by Director Williams approving all Professional Service contracts and up to three (3) contracts for On-Call Surveying Services (to be brought to the Board in March) as recommended by the General Manager. Motion carried unanimously. (5-0)**

7. Discussion and possible action regarding award of Work Authorizations (WA):
- WA#8 for Regular Dam Inspections to FNI,
  - WA#9 for On-Call Services to FNI,
  - WA#9 for On-Call Services to HALFF,
  - WA#1 for On-Call Services to KFA,
  - WA#1 for Technical Dam Inspections to M&E,
  - WA#2 for On Call Services to M&E,
  - WA#1 for Design/Build Owner's Representation to MODE Design Company.
  - WA#12 for Emergency Action Support to URS

**Motion by Director Williams, second by Director Freeman adopting the work authorization as presented and recommended by the General Manager. Motion carried unanimously. (5-0)**

**DAM MODERNIZATION PROJECTS:**

8. Staff report on Dam #7 Modernization Project – Construction.

The Project Manager provided a brief report on the status of the Dam #7 Modernization Project. **No action taken.**

9. Staff report on Dam #8 Modernization Project – 90% Design.

The Project Manager provided a brief report on the status of the Dam #8 Modernization Project. **No action taken.**

**CAPITAL IMPROVEMENT PROJECTS:**

10. Staff report on City of Round Rock/District Dam #101 Project – 30% Design.

The Project Manager provided a brief report on the status of the Dam #101 Project – 30% Design. **No action taken.**

11. Staff report on Dam #102 Project – 30% Design.

The Project Manager provided a brief report on the status of the Dam #102 Project - 30% Design. **No action taken.**

12. Discussion and possible action on Dam #22 - Permanent Repairs, Task 2 – Alternatives Evaluation.

**Motion by Director Williams, second by Secretary/Treasurer Villarreal approving Dam #22 Permanent Repair Alternative 2B as recommended by the Technical Committee (Adams/Villarreal); and authorizing staff to begin property acquisition negotiations. Motion carried unanimously. (5-0)**



**MISCELLANEOUS PROJECTS:**

13. Staff report on the Dam #10B Outlet Remediation Project.

The Project Manager provided a brief report on the status of the Dam #10B Outlet Remediation Project.

**No action taken.**

**CLOSING ITEMS:**

14. Staff report on active Development Permits and other activity within District easements.

The General Manager provided a brief report on the active development permits and other activity within District easements.

- a) The City of Round Rock Parks and Recreation Department is interested in placing an archery range directly upstream of Dam #13A, in City owned property. The range would be built at grade, mostly gravel with one concrete accessible parking space. The proposed use would not impede the District's use of the dam, but would be within the structure, access, and inundation easements. The General Manager recommended that the Board provide authorization for her to process a development permit, with a \$1,200 permit application fee. The consensus of the Board was that the General Manager could process a development permit with the recommended fee. They cautioned the General Manager to ensure that the entrance for the archery range would never be in conflict with District access to the dam. The General Manager will request the City modify the driveway and gate to improve access and security at the site.
- b) Enterprise Pipeline requested to construct a pipeline under Dam #16, co-located in an existing easement with the Seminole pipeline. The General Manager has recommended going around the dam adjacent to the City of Round Rock's McNutt Wastewater Line easement. It will be up to Enterprise Pipeline to seek and easement from the property owner.
- c) The Global Village (Dam #3) development permit 6 month extension expired, and they will need to submit a new permit application when the City of Leander approves their plans.

15. General Manager's report.

- a) The representative for the District from USGS has been deployed for active military duty, so the new representative has been in contact with the District to be on standby for the next year.
- b) The General Manager met with the City of Round Rock at Dam #17 regarding proposed repair at the Ryan's Crossing drainage outfall on the downstream embankment.
- c) The General Manager prepared letters to each of the communities within the District seeking a single point of contact and representation at Board meetings. The Board authorized the General Manager to send out those letters.
- d) The City of Round Rock is working on the design of the waterline relocation for the Texas Avenue property for the proposed location of the District Office. Contract negotiations are still underway with the City.
- e) The General Manager advised the quarterly dam inspections and monitoring with Freese & Nichols, Inc. and Moir Watershed Services went well, and all 23 dams were inspected in two days.
- f) The General Manager reviewed the staff training schedule. She will be assigning Chris Tschirhart as the Emergency Action Plan Designated Alternate, in the event of an emergency while she is out of town February 21-26.

**No action taken.**

16. Discussion and possible action on items to be added to the agenda for the next meeting. **No action taken.**



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**EXECUTIVE SESSION PURSUANT TO CHAPTER 551, TITLE 5, TEXAS GOVERNMENT CODE.**

**The Board went into executive session at 6:05 pm.**

17. Executive session as authorized by Sec. 551.072 (Real Property) related to the deliberation regarding purchase, exchange, lease, or value of real property.
- a) Acquisition of real property for future office building.
  - b) Easement acquisition: Dams #7, #8, #101, and #102.

**RECONVENE TO OPEN SESSION TO TAKE ACTION, IF ANY, ON MATTERS DISCUSSED IN EXECUTIVE SESSION. ADJOURNMENT. The Board adjourned out of executive session at 6:24 pm.**

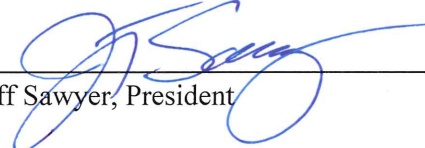
**Motion by Director Williams, second by Director Freeman authorizing legal counsel to move forward with acquisition of easements for the Dam #8 Modernization project and begin easement acquisition negotiations for Dams #101 and #102. Motion carried unanimously. (5 – 0)**

**ADJOURNMENT. President Jeff Sawyer adjourned the meeting at 6:30 p.m.**

**DATED AT ROUND ROCK, TEXAS ON THIS 24<sup>th</sup> DAY OF MARCH 2017.**

ATTEST:

  
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Lisa Moravitz, District Secretary

  
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Jeff Sawyer, President

