

UPPER BRUSHY CREEK
WATER CONTROL AND IMPROVEMENT DISTRICT
1850 ROUND ROCK AVE, ROUND ROCK, TX 78681
REGULAR BOARD MEETING MINUTES
FEBRUARY 21, 2019

CALL TO ORDER: The Regular meeting was called to order at 4:00 p.m. by President Mike Freeman and he announced a quorum was present.

DIRECTORS PRESENT: Mike Freeman, President; Jeremiah D. Williams, Vice-President; Miguel Villarreal Secretary/Treasurer (Arrival 4:41 pm); Kathy Cook, Director; Casey Clawson, Director

STAFF PRESENT: Alysha Girard, General Manager; Lisa Moravitz District Clerk; Gregor Forbes, Manager Capital Improvement Programs; Tiffany White, Executive Assistant; and District Counsel, Charlie Crossfield

CITIZEN COMMUNICATIONS: No input received

I. CONSENT AGENDA

1. Consider approval of the Minutes for December 20, 2018 and January 17, 2019.
2. Consider approval of the Monthly Financials for January 2019.
3. Consider approval of the first Quarter Investment Report for FY 2019.
4. Consider approval of Resolution 2019-01 declaring surplus property.

Motion made by Director Clawson, second by Vice-President Williams to approve the consent agenda as presented. Motion carried. Ayes: 4 Nays: 0

II. ACTION ITEMS:

5. Consider approval of Contract with AECOM.

Motion made by Director Cook, second by Director Clawson to approve the contract with AECOM. Motion carried. Ayes: 4 Nays: 0

6. Consider approval of Contract with Freese & Nichols.

Motion made by Vice-President Williams, second by Director Clawson to approve the contract with Freese & Nichols. Motion carried. Ayes: 4 Nays: 0

7. Consider approval of Contract with HER.

Motion made by Director Clawson, second by Director Cook to approve the contract with HDR. Motion carried. Ayes: 4 Nays: 0

8. Consider approval of Contract with K. Friese & Associates.

Motion made by Vice-President Williams, second by Director Cook to approve the contract with K Friese & Associates. Motion carried. Ayes: 4 Nays: 0

III. REPORTS:

9. Consideration and possible action on Capital Improvement Program Report.

Staff presented a Capital Improvement Program Report. A favorable update was provided on the work being performed by Kitchell at the new office building. Other discussion regarding the Kitchell contract will be discussed during executive session. Lastly, Gregor has offered to take the Directors on a tour of the

UPPER BRUSHY CREEK WATER CONTROL AND IMPROVEMENT DISTRICT
REGULAR MEETING MINUTES FEBRUARY 21, 2019

building and coordinate schedules.

10. Consideration and possible action on General Manager's Report.

- Half is finalizing the update to their map application to pull data directly from USGS and then our web page link will be updated. USGS are working to resolve some issues regarding the USGS data.
- The General Manager coordinated with USGS regarding the invoice recently received. They have agreed to credit the District approximately \$10,000 due to the Government shutdown.
- The General Manager is monitoring current legislation filings including those proposing funds for flood mitigation projects. Williamson County recently completed and adopted an FPP for the entire county like the one the District put together for our watershed a few years ago. The plan identifies the most problematic areas in the County including the Lake Creek watershed where Dam 101 will be located. It is understood that the County is considering some future bond funds for drainage related projects, however, they will likely focus on gauges and gating.
- The District received a refund from the Williamson County Elections department in the amount of \$59,496.55 for an overpayment of the 2018 Election.

IV. EXECUTIVE SESSION PURSUANT TO CHAPTER 551, TITLE 5, TEXAS GOVERNMENT CODE. The Board went into executive session at 4:25 p.m.

11. Executive session as authorized by §551.072 (Real Property) related to the deliberation regarding purchase, exchange, lease, or value of real property: Easement acquisition of Dams 8, 22, and 101.

V. RECONVENE TO OPEN SESSION TO TAKE ACTION, IF ANY, ON MATTERS DISCUSSED IN EXECUTIVE SESSION. The Board adjourned out of executive session at 4:56 p.m.

12. Discuss and consider action related to construction, permitting, and/or land owner issues Dams 8, 22, and/or 101.

Motion by President Freeman, second by Director Cook to authorize counsel to send letter to City of Austin and authorize the filing of a declaratory judgement action in Williamson County. Motion carried unanimously.

VI. EXECUTIVE SESSION PURSUANT TO CHAPTER 551, TITLE 5, TEXAS GOVERNMENT CODE. The Board went into executive session at 5:01 p.m.

13. Executive session as authorized by §551.071 (Consultation with Attorney) regarding possible litigation as it relates to: New District Offices Construction Contract

VII. RECONVENE TO OPEN SESSION TO TAKE ACTION, IF ANY, ON MATTERS DISCUSSED IN EXECUTIVE SESSION. The Board adjourned out of executive session at 5:09 p.m.

14. Discuss and consider action related to construction contract with Kitchell Constructors.

Motion by Director Clawson, second by Vice-President Williams to approve change order request for 59 bad weather days equal to \$68,259.40. Motion carried. Ayes: 4 Nays: 1 - Cook

VIII. ADJOURNMENT. There being no further business, the meeting was adjourned at 5:10 p.m.

DATED AT ROUND ROCK, TEXAS ON THIS 21st DAY OF MARCH 2019.

ATTEST:



Lisa Moravitz, District Clerk



Mike Freeman, President