

**UPPER BRUSHY CREEK
WATER CONTROL AND IMPROVEMENT DISTRICT
1850 ROUND ROCK AVE, ROUND ROCK, TX 78681
REGULAR BOARD MEETING MINUTES
MARCH 22, 2018**

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 Lisa Moravitz, District Secretary.

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

STAFF PRESENT: Lisa Moravitz District Secretary; Chris Tschirhart, Senior Project Manager; and District Counsel, Charlie Crossfield

RESIDENTS AND OTHERS PRESENT AT SAID MEETING:

- Alysha Girard, City of Round Rock
- Tina Stanard, FNI (Consultant)
- David Zwernemann, Williamson County
- Kathy Cook, Citizen
- Clint Kimball, AECOM/URS (Consultant)

CITIZEN COMMUNICATIONS:

Kathy Cook was present to advise she was is in Langley, Oklahoma and shared a book that included the dams built in that area governed by Grand River Dam Authority.

CONSENT AGENDA:

1. Approval of Meeting Minutes:
 - a. March 22, 2018 Regular Meeting

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 approve the consent agenda as presented. Motion carried unanimously. (5-0).

ADMINISTRATION:

3. Discussion and possible action on Investment Strategies (TexPool).

It was the consensus of the Board directing staff to prepare a Resolution for the April meeting to open a TexPool Prime Account in the amount of \$3 million dollars.

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Motion by Secretary/Treasurer Villarreal, second by Director Freeman, authorizing staff to coordinate with TexPool to prepare a Resolution to be approved at the April meeting to open a TexPool Prime Account in the amount of \$3 million dollars. Motion carried unanimously.

DAM MODERNIZATION PROJECTS:

4. Staff report on the Dam 7 Modernization Project – Construction; discussion and possible action on ASI Change Order No. 3; and discussion and possible action on FNI Contract 2, Work Authorization No. 3, Amendment No. 1.

The Senior Project Manager advised the Ribbon Cutting Ceremony dates are being coordinated with Williamson County. Tentative dates are April 18th, April 20th, April 26th or April 27th. A Work Authorization has been executed with FNI to perform services for the ribbon cutting for a not to exceed amount of \$7,000. A proof of the dedication plaque was presented. The maintenance of the landscaping will not be maintained by Williamson County. All plantings are intended to be native and will have a one-year warranty. Lastly, an article will be published in the Community Impact regarding the Regional Trail, therefore temporary fencing will need to be installed until the construction is complete.

Motion by Director Williams, second by Director Freeman, approving ASI Change Order No. 3 in an amount not to exceed \$18,214.91, and add 10 calendar days to the contract time; approving FNI Contract 2, Work Authorization No. 3, Amendment No. 1 in an amount not to exceed \$119,000. Motion carried unanimously.

5. Staff report on the Dam 8 Modernization Project – Final Design.

The Senior Project Manager advised the Landowner coordination has been completed. They are satisfied with the project plans and specifications, and the District can now begin the permitting process and move the project forward. He advised he has executed Work Authorization No. 4 in an amount not to exceed \$19,648 for Moir Watershed Services to begin the Temporary Access Road construction in mid-April. NRCS will be here tomorrow to run the CCTV camera at the dam, however the flow throughout the conduit is too high, therefore they will need to use an alternate method. Easement Acquisitions will be discussed in executive session.

No action taken.

CAPITAL IMPROVEMENT PROJECTS:

6. Staff report on the District/City of Round Rock Dam 101 Project.

The Senior Project Manager advised the City of Round Rock interim work items regarding the various tasks, amounts, budget spent and percent complete were discussed briefly. The Interlocal Agreement will be discussed in executive session.

No action taken.

7. Staff report on the Dam 102 Project – 30% Design.

The Senior Project Manager advised he has provided comments on the Preliminary 30% Design to the consultant.

No action taken.

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8. Staff report on the Dam 22 Permanent Repairs Project, Task 3 (Design and Construction Documents).

The Senior Project Manager advised the NRCS Assessment report identified a number of additional cost items that would be required to rehabilitate the dam to meet current performance and safety standards (including current NRCS design criteria), extend the service of life of Dam 22 for a minimum of 50-years, and be eligible for federal grant funding. Some of these cost items include: 1) ensuring a minimum of 50-years of sediment storage capacity, 2) removal of the parapet wall, 3) raising the dam and increasing the capacity of the auxiliary spillway to safely pass the design storm, 4) possible additional environmental studies and NEPA documentation, 5) possible USACE permitting, and 6) additional property acquisition costs that may be required by an increase of the inundation area. NOTE: The existing inundation easement elevation is 611.7 and the existing top of dam (parapet wall) is 625.6. In addition, the left auxiliary spillway dike was not raised when the parapet wall was constructed in the 2011 Modernization Project, therefore flow may spill over this area. On March 5th, staff authorized FNI to reallocate the remaining budget in the Conduit Evaluation phase (\$3,469) and NTE \$1,500 from Owner-authorized Contingency to prepare high-level estimates of the "other costs" listed above; the memo is due by March 27th.

The Senior Project Manager reported on the possible decommissioning of Dam 22: HDR Decommissioning Study – The Board authorized the Decommissioning Study in February and staff issued a Notice to Proceed on the same day. Accordingly, the Study should be delivered to the District in March. The purpose of the Decommissioning Study is to provide a high-level analysis to the District to help in making a decision to either continue the current path to repair the dam to gain an additional 50 – years of service life or to decommission the dam. The scope of services focuses on the floodplain management issues. The study will summarize the other major items listed above in the TCEQ Guidelines and provide planning level estimated cost ranges to provide the additional services for the major items should the District be interested in pursuing the decommissioning option.

No action taken.

REHABILITATION PROJECTS:

9. Staff report on the Dam 10B Outlet Remediation Project.

The Senior Project Manager advised staff and FNI will be meeting with the landowner in April to discuss the feasibility of open-cutting the conveyor road.

No action taken.

10. Staff report on Dam 21 Downstream Embankment Repair, Phase 2 (Design, Construction Oversight, and Monitoring); discussion and possible action on selection of contracting method; and discussion and possible action on URS Work Authorization 10, Amendment 1.

Motion by Director Williams, second by Vice-President Williams to select the Competitive Sealed Proposal Method for the Dam 21 Phase 2 Repair Project and approve the Protest Procedures. Motion carried unanimously.

Motion by Director Williams, second by Vice-President Williams to approve the URS Dam 21 Downstream Embankment Repair Addendum for Additional Services in an amount not to exceed \$29,989.92 (WA 10, Amendment 1). Motion carried unanimously.

MISCELLANEOUS PROJECTS:

11. Staff report on a New District Facility.

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The Senior Project Manager reported the City of Round Rock has completed the 100% design plans for the Texas Avenue Extension project, and the water quality permit has been approved by TCEQ. The project award is scheduled for March 22nd, and the city plans to have the water quality pond substantially completed by July 31st.

Kitchell has submitted the Site Development Permit Application and the Building Permit Application to the City of Round Rock for review. Staff anticipates receiving the permits in the next 2-3 weeks. The schedule submitted with the Design-Build Amendment dated December 11, 2017 states the Building Permit milestone was to occur by February 28, 2018. The contractor may be able to make up this time, depending on the weather over the next few months. Kitchell wrote a check to the city for all the permit fees; some of these fees are to be paid by the District, therefore Kitchell will prepare a change order to recover payment of fees. Additionally, the Fire Marshal is requiring the parking lot be built and paved prior to the new building being built. The current lease for the District has been extended our lease through November 2018.

12. Staff report on the Dam Assessment and Prioritization Project - Phase 2.

The Senior Project Manager advised the Potential Failure Modes Analysis (PFMA) Workshops are scheduled for March 27th and March 28th. The three dams to be analyzed at those workshops are Dams 12, 13A, and 19. Additionally, staff is coordinating with NRCS, Todd Marek to schedule the next round of CCTV inspections.

13. Staff report on Minor Dam Repairs – Dams 18 and 20

The Senior Project Manager reported M&E completed the tree survey and topographic survey and is now working on the outlet channel design at Dam 20. Once the plan is approved by the City, the project can be implemented.

The Senior Project Manager reported M&E will perform a topographic survey for Dam 18 outlet channel grading and primary access relocation in the near future. Once the survey is complete, M&E will prepare a grading plan and a primary access road construction plan. Staff will then coordinate with the Dam 18 property owner for approval of the primary access relocation, and the with the property owner to the south for approval of the grading plan.

No action taken.

CLOSING ITEMS:

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

The Senior Project Manager advised he is proposing to amend KFA Work Authorization to allow for additional work in preparing the monthly spreadsheet that reflects current development and to request they attend all meetings with developers and perform as directed inspections of development projects. The Board did not object to this plan of action.

No action taken.

15. General Manager's report.

- Quarterly Inspections will be performed by FNI in March 2018.
- Staff is coordinating with NRCS, Todd Marek to schedule CCTV inspections of the primary spillway conduits.
- Staff met onsite with Texas Wildlife Services at Dams 15 and 13A on March 2, 2018. At this time,

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animal intrusions are not a concern at Dam 15. On the other hand, the landowner reported that a family of nutria has a den in the upstream embankment of Dam 13A. Wildlife Services proposed to conduct another site visit during nighttime to determine if nutria are present, and if so to remove them from the property.

- The Senior Project Manager advised the following have been extended for an additional year:
 1. Work Authorization 10, Amendment 1 with Halff Associates for On-Call Surveying.
 2. Contract 1, Supplemental Contract 1, with Surveying and Mapping, LLC for On-Call Surveying.
 3. Contract 1, Supplemental Contract 1, with Inland Geodetics, LLC for On-Call Surveying.
16. Discussion and possible action on items to be added to the agenda for the next meeting.
- General Manager Update
 - Replacing iPads

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

The Board went into executive session at 5:05 p.m.

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. Easement acquisition: Dams 8, 22, 101, and 102.

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

18. Executive session as authorized by Sec. 551.074 (Personnel Matters).
- a. Chris Tschirhart, Senior Project Manager

RECONVENE TO OPEN SESSION TO TAKE ACTION, IF ANY, ON MATTERS DISCUSSED IN EXECUTIVE SESSION.

The Board adjourned out of executive session at 5:40 p.m.

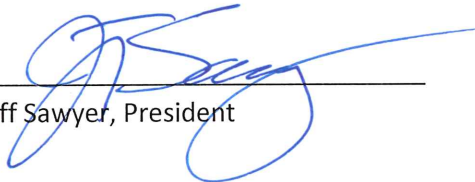
ADJOURNMENT.

DATED AT ROUND ROCK, TEXAS ON THIS 19TH DAY OF APRIL 2018.

ATTEST:



Lisa Moravitz, District Secretary



Jeff Sawyer, President