

**UPPER BRUSHY CREEK  
WATER CONTROL AND IMPROVEMENT DISTRICT  
1850 ROUND ROCK AVE, ROUND ROCK, TX 78681  
REGULAR BOARD MEETING MINUTES  
MAY 19, 2017**

**CALL TO ORDER:** The Regular meeting was called to order at 3:00 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 (Late Arrival), 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
- Kathy Cook, Citizen
- Randy Lueders, City of Cedar Park
- Scot Stromsness, City of Hutto
- Michael Lafferty, City of Leander
- Jeff Irvin, URS/AECOM (Consultant)
- Cris Parker, HDR (Consultant)
- Ben Gebhardt, Citizen
- Mark Bofferding, Citizen

**CITIZEN COMMUNICATIONS:**

- Tim Hudgeons spoke in favor of the GIS mapping tool online.
- Mark Bofferding spoke in favor of the exemption tax for the disabled and over 65.

**PRESENTATION:**

1. Presentation by Larry Gaddes, Tax Assessor Collector for Williamson County.

Larry Gaddes, Tax Assessor Collector for Williamson County was present and provided a brief presentation on the exemption revenue impacts.

2. Discussion and possible action regarding order approving tax exemption for residential homesteads including additional extensions for elderly and disabled.

The Board requested that the General Manager prepare and distribute calculations to the Board for different exemption amounts to see what the revenue impact would be for multiple exemption scenarios. It was the consensus of the Board to bring this item back for further discussion at the next meeting.

**No action taken.**

**CONSENT AGENDA:**

- \*3. Approval of meeting minutes for:
  - a. April 26, 2017 Regular Meeting

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- \*4. 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 Vice-President Adams, second by Director Williams to accept the consent agenda as presented. Motion carried. (4 – 0) Villarreal Late Arrival**

**ADMINISTRATION:**

5. Discussion and possible action regarding award of Work Authorization #3 for Emergency Action Plan Table Top Exercise to HDR Engineering, Inc.

**Motion by Director Williams, second by Director Freeman authorizing Work Authorization #3 as presented. Motion carried. (4-0) Villarreal Late Arrival**

**DAM MODERNIZATION PROJECTS:**

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

The Project Manager provided a brief report on the status of the Dam #7 Modernization Project and advised work is still underway by ASI and their sub-consultants. Legal Counsel is currently working with PEC to get the \$150,000 released from escrow for the easements. The surety company has provided a list of the contractors to whom payments have been made by the surety. In addition, the surety is working on an agreement with the “new” ASI to complete the project. There may be future negotiations with the surety regarding the project schedule due to delays associated with the sale of ASI. Lastly, a credit is being negotiated with the contractor for the riprap bedding material that is not meeting specifications.

**No action taken.**

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

The Project Manager provided a brief report on the status of the Dam #8 Project – 90% Design. The submittal for the 90% design is being prepared by URS and should be submitted by the middle of June. The Mussel Survey was conducted on May 1<sup>st</sup> and no mussels were found.

**No action taken.**

**CAPITAL IMPROVEMENT PROJECTS:**

8. 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. He advised further discussion on the easement acquisitions will be discussed in executive session.

**No action taken.**

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

The Project Manager provided a brief report on the status of the Dam #102 Project. The Borrow excavation concept has received no input from the property owner. It is recommended by staff to assume the owner is not interested in approving the borrow excavation concept, and move forward with the design.

**No action taken.**

10. Staff report for Dam #22 - Permanent Repairs, Task 3 (Design and Construction Documents).

The Project Manager provided a brief report on the status of the Dam #22 Permanent Repairs, Task 3. He advised the preliminary design is underway. The environmental evaluation and permitting memorandum, and the concurrence letter to the Texas Historic Commission has been submitted and staff is reviewing the deliverables. Staff will begin coordination with the landowner for easements required for the project in a few weeks. The 50% design should be submitted in June.

**No action taken.**

#### **MISCELLANEOUS PROJECTS:**

11. 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. The General Manager is coordinating with the landowner and the District's legal counsel to develop an agreement (covering access, insurance, and indemnification requirements) that is acceptable to both parties. Once the requirements have been agreed to and satisfied, staff will authorize FNI and MWS to proceed with initial work (clearing for access, pipe cleaning and video inspection).

**No action taken.**

12. Staff report on Design-Build of a new District Facility.

The General Manager provided a brief report on the status of the new District Facility. The City of Round Rock provided meeting minutes from the pre-development meeting which included the requirements for the site plan. Other discussion included the developed site plan being planned so a portion could be sold in the future. In addition, a drainage easement will be designated for detention which should allow added runoff from Texas Avenue to be detained. A wall will be required to satisfy the 100' buffer required between an industrial/commercial development and a residential neighborhood. The City has agreed to provide stormwater treatment capacity for the entire fully developed 2.5-acre tract.

The General Manager advised the RFQ is still under internal review and she is working with MODE Design Group to finalize for publication. Once statements of qualifications are received, staff and MODE will review and recommend three or four candidates to provide proposals. The Property Committee (Freeman/Williams) and staff will review the proposals, possibly interview the candidates, and make a recommendation to the Board for contract award.

**No action taken.**

13. Staff report on Dam Assessments Phase 1.

The General Manager provided a brief report on the Dam Assessment Phase I project: tasks, deliverables, schedule, communication, and reporting. She recommended the Board designate a technical committee to this project. It was the consensus of the Board to designate Robert Adams and Miguel Villarreal to serve on the committee. The first workshop is scheduled for June 6, from 1:00 p.m. to 4:00 p.m. to discuss Risk Methodology and Communication. A pilot Potential Failure Mode Analysis Workshop will be scheduled in July to investigate one selected dam. All consultants, contractors, and regulators with specific knowledge about the dam will be invited to participate.

**No action taken.**

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**CLOSING ITEMS:**

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

The General Manager provided a brief report on the Development Permits. She met onsite with the engineer for Edgewater Condominiums – Dam #4, and the access drive to the auxiliary spillway should be completed in the near future. Chasco Construction has established vegetation at the staging area at Dam #12, so the District will release the \$10,000 Maintenance Bond and consider the project terminated. The General Manager is working with the City of Round Rock to formally define the District's structure and access easement (replacing the blanket easement) on City property at Dam #12 and fence the perimeter of the dam and spillway to restrict vehicular traffic. Lastly, the General Manager introduced the entity liaisons from the cities of Hutto, Leander, Round Rock, and Cedar Park.

**No action taken.**

15. General Manager's report.

- The General Manager provided five technical dam inspection reports prepared by Halff Associates, Inc. and the District's response to the recommended actions to the Board for consideration. With no objection from the Board, she plans to submit the reports and responses to TCEQ.
- Draft reports for two of the four inspections conducted by M&E have been submitted for review.
- The General Manager and the Project Manager would like to attend the ASDSO 2017 Dam Safety Conference in San Antonio September 11 – 14, 2017. Additional Board members may wish to attend.

**No action taken.**

16. Discussion and possible action on items to be added to the agenda for the next meeting.

Director Williams would like to discuss future meeting dates and times at the next regular meeting.

**No action taken.**

**EXECUTIVE SESSION PURSUANT TO CHAPTER 551, TITLE 5, TEXAS GOVERNMENT CODE.  
The Board went into executive session at 5:12 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.

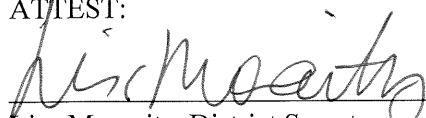
**RECONVENE TO OPEN SESSION TO TAKE ACTION, IF ANY, ON MATTERS DISCUSSED IN EXECUTIVE SESSION. ADJOURNMENT. The Board adjourned out of executive session at 5:48 pm.**

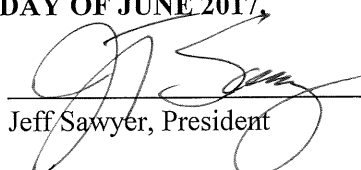
**No action taken.**

**ADJOURNMENT. President Jeff Sawyer adjourned the meeting at 5:50 p.m.**

**DATED AT ROUND ROCK, TEXAS ON THIS 16<sup>th</sup> DAY OF JUNE 2017,**

ATTEST:

  
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Lisa Moravitz, District Secretary

  
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Jeff Sawyer, President