

**UPPER BRUSHY CREEK  
WATER CONTROL AND IMPROVEMENT DISTRICT  
1850 ROUND ROCK AVE, ROUND ROCK, TX 78681  
REGULAR BOARD MEETING MINUTES  
July 19, 2018**

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

**ROLL CALL:** The roll call was taken by Lisa Moravitz, District Secretary.

**DIRECTORS PRESENT:** Mike Freeman, President; Miguel Villarreal, Secretary/Treasurer; Kathy Cook, Director; and Casey Clawson, Director

**DIRECTORS ABSENT:** Jeremiah Williams, Vice-President

**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
- David Zwernemann, Williamson County
- Randy Lueders, City of Cedar Park
- Karen Wind, Citizen
- Jim Clarno, Lower Brushy Creek WCID
- Tim Hudgeons, Citizen
- Jeff Irvin, URS/AECOM (Consultant)
- Paul Morales, Halff Associates (Consultant)
- Chad Cormack, K. Friese & Associates (Consultant)
- Brian Binkowski, Halff Associates (Consultant)
- Sam Roberts, Assistant City Manager (City of Cedar Park)
- Arron Cooper, Halff Associates (Consultant)
- Mike Devito, City of Cedar Park
- Curt Randa, City of Cedar Park
- Kimberly Reese, City of Cedar Park
- Tina Stanard, FNI (Consultant)
- Deborah Childress, Citizen
- Karl McArthur, City of Austin

**PRESENTATIONS:**

Presentation by the City of Cedar Park regarding the proposed Lakeline Park at Dam 6.

A presentation was given by Sam Roberts, Assistant City Manager of the City of Cedar Park and by Halff Associates regarding the preliminary concept plan of the Lakeline Park Project at Dam 6. They will be requesting an action item next month authorizing the construction of a Regional Trail to be constructed on the top of the dam.

**CITIZEN COMMUNICATIONS:**

Cedar Park residents Tim Hudgeons, Deborah Childress, and Karen Wind were all present to support the

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Regional Trail proposal on the top of Dam 6.

**CONSENT AGENDA:**

All items listed with an asterisk (\*) are considered to be routine by the District and will be enacted by one motion. There will be no separate discussion of these items unless requested by a Board member, in which event the item will be removed from the consent agenda and considered during this meeting.

- \*1. Approval of Meeting Minutes:
  - a. June 9, 2018 Special Meeting
  - b. June 21, 2018 Regular Meeting

***It was noted to include the following under the Dam 7 discussion: Secretary/Treasurer Villarreal advised the consultant should not be paid if they are not performing any work during the project. This should be the practice for all consultants on all projects."***

- \*2. Discussion and possible action on financial reports, credit card statement, and TexPool Quarterly Report:
  - a. Financial Reports;
  - b. Credit Card Statement;
  - c. TexPool Quarterly Report.

**Motion by Director Cook, second by Director Clawson to approve the consent agenda as presented, with the exception of the correction to the June 21, 2018 meeting minutes. Motion carried unanimously.**

**ADMINISTRATION:**

- 3. Discussion and possible action on payment of bills.

*Secretary/Treasurer Villarreal requested the Performance Plus invoices have more description to reflect the work being performed. It was agreed that staff will attached emails with detail to invoices.*

**Motion by District/Secretary Villarreal, second by Director Cook to approve the payment of bills as presented. Motion carried unanimously.**

- 4. Discussion on the Draft FY 2019 Budget.

The Senior Project Manager provided some input on the FY 2019 Budget as follows:

Operation and Maintenance Expenses - The draft FY 2019 budget is based on discussion with the Board in June. The O&M budget reflects several new positions, an increase in the FMS budget (USGS contract), an increase in the routine dam maintenance budget (MWS), and expenses associated with the new office building.

New Dam Modernization Projects - Dam 10A – This dam is now classified as a high-hazard dam and must be modernized (like the other district dams). The proposed budget is to fund the engineering (H&H) analysis and develop alternatives to modernize the dam.

New Capital Improvement Projects - Dam 12 Principal Spillway Rehabilitation – The CCTV inspection of the principal spillway conduit shows a large sag at a pipe joint (which ponds water). The sag appears to be indicative of settlement at this location. The proposed budget is to fund an engineering investigation and develop alternatives for a future rehabilitation project on the conduit.

Miscellaneous Projects - New District Facility – The budget has been increased by \$200,000 to cover anticipated change orders (e.g. removal of AC pipe, landscaping and screening of the ponds) and equipment not included

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in the approved budget (e.g. A/V system required for boardroom and executive conference room). **Secretary/Treasurer advised there should be no recording equipment in the executive conference room.**

Watershed Flood Mitigation Projects - The \$500,000 budget could fund future Interlocal Agreements with communities to resolve flooding issues, and fund buyout of structures located within the 100-year floodplains and inundation easements (e.g. Riviera Springs at Dam 6). **Secretary/Treasurer Villarreal advised this money is to be used as a percentage and the other entity has to have matching funds.**

5. Discussion and possible action authorizing the Board President to execute the agreement with the U.S. Department of the Interior U.S. Geological Survey Joint Funding Agreement for Water Resource Investigations.

**Motion by Director Clawson, second by Director Cook authorizing the Board President to execute the Joint Funding Agreement for Water Resource Investigations with the U.S. Department of the Interior U.S. Geological Survey. Motion carried unanimously.**

**DAM MODERNIZATION PROJECTS:**

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

ASI has requested a time extension for final completion. The additional time is needed to meet the revegetation requirements and to irrigate the landscape plantings.

The construction team is negotiating Change Order 4. Project closeout is underway. Secretary/Treasurer Villarreal and Director Clawson have requested to meet as the Technical Committee to approve Change Order 4 as presented by ASI. Staff will be submitting the information to the Technical Committee within the next two weeks for review and approval.

The Dam 7 Modernization project was awarded a Texas Chapter of the American Public Works Association Project of the Year Award. The award was presented to the District at a banquet June 28 during the Association's annual meeting in Fort Worth. Director Cook was present to receive the award on behalf of the District.

**No action taken.**

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

No updated information reported.

**No action taken.**

**CAPITAL IMPROVEMENT PROJECTS:**

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

No updated information reported.

**No action taken.**

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

No updated information reported.

**No action taken.**

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

The Senior Project Manager advised following Board approval at the June meeting, Freese & Nichols has been authorized to proceed with the work and the final design modifications are underway.

Additionally, Freese & Nichols is preparing exhibits to facilitate communications with the landowners concerning the revised scope of work, access requirements for the required topographic and bathymetric surveys, and possible revisions to the proposed structure easement and temporary construction easement.

**REHABILITATION PROJECTS:**

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

No updated information reported.

**No action taken.**

12. Staff report on Dam 21 Downstream Embankment Repair, Phase 2 (Design, Construction Oversight, and Monitoring).

Proposals are due on July 24 for the bid opening. URS/AECOM will review, rank, and the best value proposal will be recommended at the August meeting.

Staff has negotiated a new access agreement with the landowners that will expire on July 31, 2019.

**No action taken.**

**MISCELLANEOUS PROJECTS:**

13. Staff report on a New District Facility.

The Senior Project Manager advised a new schedule has been submitted by Kitchell. The projected move in date is January 2019.

The property has an abandoned asbestos line that the City of Round Rock is requiring that it be removed. The Senior Project Manager requested approval to abate and remove the line in the amount of \$13,500. It was the consensus of the Board to approve the request.

**No action taken.**

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

HDR has provided the Senior Project Manager with draft minutes of the Risk Communication workshop held in June. The next round of PFMA workshops is scheduled for Tuesday, August 14 and Wednesday, August 15. A calendar invite will be sent to the Directors that are interested in attending.

Staff is coordinating with NRCS to schedule CCTV inspections. Coordination with Moir Watershed Services will be conducted ahead of time to temporarily reduce flows through the spillway conduits and pump out the impact basins, as needed.

**No action taken.**

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

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No updated information reported.

**No action taken.**

**CLOSING ITEMS:**

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

The Developer's Engineer Big Red Dog for the project at Scottsdale Crossing East (Dam 3) has requested a permit extension for six months. It was the consensus of the Board to deny the extension, therefore it will be up to the developer to resubmit a permit application and pay the applicable fees associated with the application.

17. General Manager's report.

Discussion was held regarding the Moir Watershed Services summer maintenance. Secretary/Treasurer Villarreal requested the work be inspected following the maintenance being completed. It was the consensus of the Board that a photo of the work submitted by Moir Watershed Services will be acceptable going forward as verification of work performed.

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

The Election Order of Candidates and Notice of Purchasers will be added to the August agenda.

**EXECUTIVE SESSION PURSUANT TO CHAPTER 551, TITLE 5, TEXAS GOVERNMENT CODE. The Board went into executive session at 5:50 p.m.**

19. 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.
20. Executive session as authorized by Sec. 551.074 (Personnel Matters).
  - a. Discuss and Consider hiring General Manager.

**RECONVENE TO OPEN SESSION TO TAKE ACTION, IF ANY, ON MATTERS DISCUSSED IN EXECUTIVE SESSION. The Board adjourned out of executive session at 6:30 pm. No action taken.**

**ADJOURNMENT.**

**DATED AT ROUND ROCK, TEXAS ON THIS 16<sup>th</sup> DAY OF August 2018.**

ATTEST:



Lisa Moravitz, District Secretary

  
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Mike Freeman, President