

**UPPER BRUSHY CREEK**  
**WATER CONTROL AND IMPROVEMENT DISTRICT**  
**460 TEXAS AVENUE, ROUND ROCK, TX 78664#**  
**REGULAR BOARD MEETING MINUTES**  
**MAY 20, 2021**

*#Pursuant to the March 16, 2020 proclamation issued by Governor Abbott, this meeting was held by videoconference in order to advance the public health goal of limiting face-to-face meetings to slow the spread of COVID-19. The Board of Directors attended the meeting via video conference.*

*This meeting was able to be viewed live via Zoom. Members of the public that wished to speak during citizen communication were able to register ahead of time via the link provided on the meeting agenda.*

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

**DIRECTORS PRESENT:** Mike Freeman, President (*participating via cell phone*), Casey Clawson, Vice President (*Chaired the meeting*); Jeremiah D. Williams, Secretary; and Greg Brill, Vice Treasurer

**DIRECTORS ABSENT:** Kathy Cook, Vice Treasurer

**STAFF PRESENT:** Alysha Girard, General Manager; Lisa Moravitz District Clerk; Gregor Forbes, Manager Capital Improvement Programs; District Counsel, Stephanie Sandre, District Counsel

**CITIZEN COMMUNICATIONS:** No public input received.

*At 4:03, the Vice President moved the agenda order to item E.1.*

*At 4:06, the Vice President moved back to the regular agenda order.*

**CONSENT AGENDA:**

C.1 Consider approval of the Minutes for April 15, 2021 Regular Meeting.

C.2 Consider approval of the Monthly Financial Statement for April 2021.

**Motion by President Freeman, second by Vice Treasurer Brill to accept the Consent agenda as presented. Motion carried unanimously.**

**D. ACTION ITEMS:**

D.1 Consider approval of Resolution 2021-05 expressing official intent to reimburse certain expenditures as set out in the 2020 Bond Application Report.

**Motion by Vice Treasurer Brill, second by President Freeman adopting Resolution 2021-05 expressing official intent to reimburse certain expenditures as set out in the 2020 Bond Application Report. Motion carried unanimously.**

Consider authorizing the Board President to execute an Engineering Services Contract with PM Construction & Rehab Contract for Dam 9.

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**Motion by Secretary Williams, second by Vice Treasurer Brill authorizing the Board President to execute a contract with PM Construction & Rehab in an amount not to exceed \$105,000. Motion carried unanimously.**

D.2 Consider the election of Board Officers.

**Motion by Secretary Williams, second by Vice President Clawson to keep the officer roles the same until May 2022. Motion carried unanimously.**

**PRESENTATIONS AND REPORTS:**

E.1 Mercury Public Affairs' report regarding coordination with State and Local officials. *This item was moved at 4:03 pm to the beginning of the meeting.*

Parker McCollough, Senior Vice President of Mercury, was present to provide an update on the status of HB1606.

E.3 General Manager's Report providing updates on various O&M and CIP activities. A review of the Capital Improvements Report and the Permit Status Report was provided.

**F. EXECUTIVE SESSION PURSUANT TO CHAPTER 551, TITLE 5, TEXAS GOVERNMENT CODE.** The board retired into executive session at 4:21 pm.

F.1 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 and 101.

F.2 Executive session as authorized by §551.071 (Consultation with Attorney) regarding possible litigation as it relates to: Construction, Permitting and/or Landowner issues Dams 3, 8, and/or 101.

**G. RECONVENE TO OPEN SESSION TO TAKE ACTION, IF ANY, ON MATTERS DISCUSSED IN EXECUTIVE SESSION.** The Board reconvened at 4:48 pm.

G.1 Discuss and consider action related to items listed under F above.

**ADJOURNMENT.** There being no further business, the meeting was adjourned at 4:49 p.m.

**DATED AT ROUND ROCK, TEXAS ON THIS 20<sup>th</sup> DAY OF JUNE 2021.**

ATTEST:

  
Mike Freeman, President

  
Lisa Moravitz, District Clerk