

UPPER BRUSHY CREEK
WATER CONTROL AND IMPROVEMENT DISTRICT
~~460 TEXAS AVENUE, ROUND ROCK, TX 78664~~[#]
REGULAR BOARD MEETING MINUTES
JULY 16, 2020

#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 President Mike Freeman and he announced a quorum was present.

DIRECTORS PRESENT: Mike Freeman, President; Casey Clawson, Vice President; Miguel Villarreal Treasurer; Kathy Cook, Vice Treasurer; and Jeremiah D. Williams, Secretary (Late Arrival)

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

CITIZEN COMMUNICATIONS: No public input received.

CONSENT AGENDA:

- C.1 Consider approval of the Minutes for June 18, 2020 Special and Regular Meetings.
- C.2 Consider approval of the Monthly Financial Statements for June 2020.
- C.3 Consider approval of the 3rd Quarter Investment Report.
- C.4 Consider authorizing the Board President to execute Supplemental Agreement #3 for the AECOM 2020 Engineering Services Contract.
- C.5 Consider authorizing the Board President to execute Supplemental Agreement #1 for the FNI 2020 Engineering Services Contract.
- C.6 Consider authorizing the Board President to execute Supplemental Agreement #1 for the Halff 2020 Engineering Services Contract.
- C.7 Consider authorizing the Board President to execute Supplemental Agreement #2 for the HDR 2020 Engineering Services Contract. *This item was pulled for discussion by Treasurer Villarreal.*
- C.8 Consider authorizing the Board President to execute Supplemental Agreement #2 for the K. Friese 2020 Engineering Services Contract.
- C.9 Consider authorizing the Board President to execute Supplemental Agreement #1 for the Performance Plus Dam Maintenance Services Contract.

UPPER BRUSHY CREEK
WATER CONTROL AND IMPROVEMENT DISTRICT
REGULAR MEETING MINUTES JULY 16, 2020

C.10 Consider authorizing the Board President to execute Supplement Agreement #1 for the Unity Dam Maintenance Services Contract. *This item was pulled for discussion by Secretary Williams prior to the meeting.*

Motion by Vice President Clawson, seconded by Vice Treasurer Cook to approve the consent agenda as presented, excluding items C.7 and C.10 being pulled from the consent agenda. Motion carried. Ayes: 4 Motion carried unanimously.

Treasurer Villarreal requested items C.7 Supplemental Agreement with HDR to be pulled for further discussion. He has asked for more information and the backup content to be attached to the supplemental agreements in the future.

Motion by Treasurer Villarreal, second by Vice Treasurer Cook to approve C.7 on the consent agenda. Ayes: 4 Nays: 0 Motion carried unanimously.

Secretary Williams requested additional detail on what will be included in the \$200,000 increase being requested on item C.10 Supplemental Agreement with Unity. He has reservations on spending this much on dam maintenance. The General Manager advised due to the condition the dams were in it was necessary to put in a lot of extra work in the initial term with Unity as a new contractor. Going forward with continued maintenance, staff does not anticipate the cost being as high.

Motion by Secretary Williams, second by Vice Treasurer Cook to approve C.10 on the consent agenda. Motion carried unanimously.

ACTION ITEMS:

D.1 Consider authorizing the Board President to execute the Agreement for Auditing Services with Maxwell, Locke & Ritter.

Motion by Vice President Clawson, second by Vice Treasurer Cook approving the agreement with Maxwell, Locke & Ritter for Auditing Services. Motion carried unanimously.

D.2 Consider authorizing the Board President to execute the Agreement for Professional Services with Mercury Public Affairs. *Vice Treasurer Cook requested an update to be provided monthly at each regular meeting of the board.*

Motion by Secretary Williams, second by Vice President Clawson approving the agreement with Mercury Public Affairs for Professional Services. Ayes: 4 Nays – 1 Villarreal

D.3 Consider authorizing the Board President to execute the Contract for Engineering Services with M&E Consultants.

Motion by Secretary Williams, second by President Freeman approving the agreement with M&E Consultants for Engineering Services. Motion carried unanimously.

D.4 Consider authorizing the Board President to execute the Agreement for Legal Services with Sheets and Crossfield.

Motion by Secretary Williams, second by Vice Treasurer Cook approving the agreement with Sheets & Crossfield for Legal Services. Motion carried unanimously.

UPPER BRUSHY CREEK
WATER CONTROL AND IMPROVEMENT DISTRICT
REGULAR MEETING MINUTES JULY 16, 2020

D.5 Consider authorizing the Board President to execute the Joint Funding Agreement with USGS for FY2021 for Gage Operation and Maintenance Services.

Motion by Vice President Clawson, second by Vice Treasurer Cook approving the agreement with USGS for Gage Operation and Maintenance Services for FY2021. Motion carried unanimously.

PRESENTATIONS AND REPORTS:

E.1 Discussion regarding the draft 2021 Budget. The General Manager presented the draft Fiscal Year Budget and answered Board questions about the draft budget. She advised she will submit the budget again in September and requested any input from the board.

E.2 Discussion regarding potential future bond projects. The General Manager presented and answered questions about the rough project list, potential bond maximum, cash flow and explained the likely new tax rate minimum of 1.15 cents if \$85Million bond issuance.

E.3 Discussion regarding January 2020 Administrative Committee meeting. Vice Treasurer Cook explained why she requested this item to be placed on the agenda. After some discussion, there was a consensus by the Board that the policies require additional discussion and should be brought back after the meetings are no longer being held virtually. The Board asked Legal Counsel to review the policies again to determine which ones conflict with the GM contract and thus were voided by the Board approval of the contract.

E.1 General Manager's Report.

- The August regular meeting has been moved up a week to August 13 to accommodate the election calendar.
- An agenda calendar for future meetings was provided.
- A review of the Capital Improvements Report and the Permit Status Report was provided.
- The General Manager advised she reviews city council and county agendas to make sure we are proactively reaching out to them regarding any of their projects that need to be permitted with the district.


ADJOURNMENT. There being no further business, the meeting was adjourned at 5.37 p.m.

DATED AT ROUND ROCK, TEXAS ON THIS 13th DAY OF AUGUST 2020.

ATTEST:



Lisa Moravitz, District Clerk



Mike Freeman, President