

MINUTES OF MEETING OF THE BOARD OF DIRECTORS
OF WILLIAMSON-TRAVIS COUNTIES
MUNICIPAL UTILITY DISTRICT #1

April 15, 2020

STATE OF TEXAS

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COUNTIES OF WILLIAMSON AND TRAVIS

A regular meeting of the Board of Directors of Williamson-Travis Counties Municipal Utility District No. 1 was held at 6:00 p.m. on April 15, 2020 by remote access only in accordance with the March 16, 2020 Order by Governor Abbott temporarily suspending certain requirements of the Texas Open Meetings Act to advance the goal of limiting face-to-face meetings to slow the spread of COVID-19. The meeting was open to the public and notice was given as required by the Texas Open Meetings Act and as modified by the Governor's Order.

The meeting was called to order at 6:04 p.m. and roll was called of the members of the Board, to-wit:

Catherine Franke	-	President
Jana Norton-Ramirez	-	Vice President
Chris Rocco	-	Secretary
Art Medrano	-	Assistant Secretary/Treasurer
Luis Zervigon	-	Assistant Secretary/Treasurer

All Directors were present, thus constituting a quorum. Dir. Norton Ramirez arrived at 8:04 p.m. Also attending the meeting were Kristi Hester, Michael Luft, Makenzi Scales, and Leigh Catlin of Inframark; Bill Flickinger of Willatt & Flickinger; Herb Edmonson of Gray Engineering, Inc.; James and Diana Sagnes of Sage Management; Beth Jones of the Anderson Mill West Neighborhood Association; and District residents Hanoi Avila, Linda Fabre, and Sarah Teale.

Agenda Item 1: Receive Citizens' Communications

- Linda Fabre addressed the Board to ask whether her Community Forum is considered a neighborhood association and wants an explanation of why her association is not considered a valid one. Dir. Zervigon suggested the issue be referred to Mr. Flickinger's office to prepare a written statement.
- Ms. Fabre addressed the Board with a general public comment. She said that Dir. Franke had read a long presentation against her association that was unprofessional, and she will be further investigating the MUD.

Ms. Fabre discussed her personal history as a citizen and resident of the MUD.

- The Board discussed with Mr. Flickinger whether Ms. Fabre's comments constituted as addressing agenda items.
- Ms. Fabre addressed the Board regarding Agenda Item 3. She says the Community Forum is instrumental in the MUD's Covid-19 response and in placing guardrails on the Sun Chase bridge.

Ms. Fabre addressed the Board regarding Agenda Item 7. She has posted hundreds of pages of FOIA requests to the internet and has sent documentation to the MUD Board and local authorities.

Ms. Fabre addressed the Board regarding Agenda Item 10. She has helped neighbors to navigate deed violations.

Ms. Fabre addressed the Board regarding Agenda Item 15. She has conducted surveys and offers advice to voter regarding deed modifications and intends to develop a fund to neighbors access legal counsel.

Ms. Fabre addressed the Board regarding Agenda Item 15b. She discussed Dir. Franke's presentation from a prior meeting.

Ms. Fabre addressed the Board regarding Agenda Item 16.

- Sarah Teale addressed the Board with a general comment to discuss Dir. Franke's presentation from a prior meeting.

Ms. Teale addressed the Board regarding Agenda Item 15b. She discussed items she intends to investigate with the County.

Ms. Teale addressed the Board regarding Agenda Item 10b to discuss the Anderson Mill West Neighborhood Association's ACC and potential illegal oversight.

Ms. Teale addressed the Board regarding Agenda Item 10f. She does not recognize the authority of the ACC to interpret her deed and intends to be well-informed and vote accordingly.

- Dir. Franke closed the public comment portion of the meeting.
- No action was taken on this item.

Agenda Item 2: Presentations by neighborhood associations and homeowners associations within the District

- Beth Jones addressed the Board to discuss Anderson Mill West Neighborhood Association's ACC. She cited examples of events the Neighborhood Association provided to enhance the community like the 4th of July Festival, Easter Egg Hunt, Light Up the Park, and more. She said that open records have been used as a weapon to attack all neighborhoods, and the AMWNA has been forced to spend over \$2,000.00 in attorney fees to determine that the group is not subject to open records requests. Ms. Jones encouraged neighborhood unity to build the best community possible.
- No action was taken on this item.

Agenda Item 22: Public Hearing on Drought Contingency Plan

- Mr. Flickinger reviewed the Drought Contingency Plan from the City of Cedar Park as well as the MUD's. There are very few changes on the redline; they include vegetable gardens becoming exempt from watering restrictions. The Stage 3 goal is to reduce water consumption by 20% rather than 10%.
- Dir. Franke closed the public hearing on the Drought Contingency Plan after there was no public comment.
- No action was taken on this item.

Agenda Item 23: Drought Contingency Plan

- Dir. Franke said that the MUD's plan has been revised to match what Cedar Park now has.

- **Motion: Accept the Drought Contingency Plan as written.**

Motion by: Dir. Rocco
Second by: Dir. Norton Ramirez

Aye: Dir. Franke
Dir. Medrano
Dir. Norton Ramirez
Dir. Rocco
Dir. Zervigon

Agenda Item 4: Report from the District's landscape contractor on landscape maintenance and suggested landscape improvements

- No action was taken on this item.

Agenda Item 5: Report on Security Patrols; Increase/Decrease in Hours for Patrols; Contracts with Williamson County for Use of Vehicles by Off-Duty Deputy Constables & Deputy Sheriffs; Employment of Off-Duty Deputy Constables & Deputy Sheriffs

- Dir. Norton Ramirez received an e-mail from Lt. Thomas noting that there had been some unlocked cars that had items stolen from them; this occurred in AMW Sections 1, 2, and 3. He requests that everyone lock their car doors, their front doors and back doors, and leave front and/or back lights on in their house for safety.
- No action was taken on this item.

Agenda Item 6: Report from District Manager and Affected Persons, including Payment of Bills and Invoices and Transfer of Funds.

- Ms. Scales presented the General Manager's report.
- Ms. Scales said that the completed valve and hydrant surveys were under review and is hoping to present the results at the next meeting.
- Ms. Scales noted that the televising reports were also being reviewed and an update would be provided at the next meeting.
- Ms. Scales said that the stone signs at parks (Hatch, London Lane, Anderson Mill) had been pressure washed.
- Ms. Scales had the deck at Aster Pass pressure washed and it will be sealed when the weather is conducive.
- Ms. Scales had caution tape placed on all playscapes in accordance with the closing of the parks and libraries. The lights at the tennis courts have been turned off to prevent people from climbing over the fences to play. The tennis nets have been stored to avoid any damage to them.
- Ms. Scales update the Board on Sunscape's mulching in the parks.
- Ms. Scales noted that the tetherball at Hatch Pond needs to be replaced and will pursue options when the parks open again.

- Ms. Scales has revised janitorial services to once a month at the Lakeline Oaks building and no cleanings at Anderson Mill West.
- Ms. Scales was contacted by a MUD resident requesting a variance for the easement at back side of his property to build a pool; the Infrastructure Committee had deliberated and decided against offering the variance because of the potential future drainage issues, etc. She reached out to Julie Potts with the resident's HOA, who agreed with their concerns. The Infrastructure Committee sought Board approval to deny the variance.
- Dir. Zervigon mentioned a fungus on a tree at Madeline Loop; Sunscape looked at it, and it is a fungus that only grows on damaged tissue and believe it is just growing on a part of tree that was damaged. They will continue monitoring the tree. Additionally, a broken beam on the pergola at Madeline Loop was replaced.

Agenda Item 3: Report from the District's Engineer

- Mr. Edmonson updated the Board on the bond application; he is working through the completed surveys and hopes to have more information soon.
- Mr. Edmonson has received the evaluations of the sanitary sewer system; he will review them with Inframark and together compile a list of action items.
- Mr. Edmonson updated the Board on the Badger meter program: the agreement has been finalized and Inframark is reviewing budget information. This item will move from infrastructure to an operations item in the future.
- Mr. Edmonson discussed the street light mapping: the map has been updated and copies delivered; he asks to be notified of any changes before the map is finalized.
- Mr. Edmonson updated the Board on Sun Chase Park drainage. He also provided an update on the bridge at Sun Chase; he is investigating the possibility of adding rails to the bridge although it is not required.
- Mr. Edmonson noted that the sidewalk maintenance program is temporarily on hold.
- Mr. Edmonson noted that Gray Engineering invoicing had been approved and processed.

Agenda Item 6: Report from District Manager and Affected Persons, including Payment of Bills and Invoices and Transfer of Funds.

- Mr. Luft presented the financial report.
- Dir. Norton Ramirez asked for details on why the parks budget was over; Mr. Luft will investigate. He believes that it largely due to regular upkeep, but he noticed some maintenance-related items as well. He noted that the Lakeline Oaks building itself was over \$6,000.00 itself because of work that had to be done there.
- **Motion: Pay bills and invoices totaling \$295,044.66.**

Motion by: Dir. Medrano
Second by: Dir. Norton Ramirez

Aye: Dir. Franke
Dir. Medrano
Dir. Norton Ramirez

Dir. Rocco
Dir. Zervigon

- **Motion: Approve quarterly investment report.**

Motion by: Dir. Franke
Second by: Dir. Zervigon

Aye: Dir. Franke
Dir. Medrano
Dir. Norton Ramirez
Dir. Rocco
Dir. Zervigon

- Ms. Hester presented the remainder of the manager's report, noting average consumption, receivables, and collections reports. There were no disconnects this month. Water accountability is 90% and she will continue investigating that.
- Ms. Hester presented the drinking water quality report, which can be posted to the website.

Agenda Item 7: Prior and pending Open Records Requests; costs incurred by the District and allowable costs to be charged to requestors

- Mr. Flickinger said that on April 13th, there were 8 pending requests, but two new ones had been received for a total of ten pending today.
- No action was taken on this item.

Agenda Item 8: District Rate Order

- No action was taken on this item.

Agenda Item 9: Report from the Parks Subcommittee

- Dir. Norton Ramirez closed the little free libraries temporarily. A resident offered to add food and pantry items in the libraries, but it was decided it was not a good idea to share food items because of potential contamination. Once things settle down, the libraries can be properly sanitized for safety.
- No action was taken on this item.

Agenda Item 10: Report from the Deed Restriction Committee

- Dir. Franke said that in addition to not disconnecting water during the pandemic, no additional fees or fines will be assessed.
- Mr. Flickinger discussed the Pandemic Protocol for Deed Enforcement. He suggested adding a point that the policy will not affect litigation regarding deed restriction violations.
- **Motion: Approve the Pandemic Protocol for Deed Enforcement with the addition of the point Mr. Flickinger suggested.**

Motion by: Dir. Zervigon
Second by: Dir. Franke

Aye: Dir. Franke
Dir. Medrano
Dir. Norton Ramirez

Dir. Rocco
Dir. Zervigon

- Ms. Sagnes discussed a resident on Granger Lane who had asked for the Board to waive their DRC fine; it was a vehicle issue that has been resolved. The resident has not asked for a waiver before.
- **Motion: Waive all fines for the resident on Granger Lane.**

Motion by: Dir. Zervigon
Second by: Dir. Franke

Aye: Dir. Franke
Dir. Medrano
Dir. Norton Ramirez
Dir. Rocco
Dir. Zervigon

Dir. Zervigon wants the resident to be aware that if the vehicle comes back, the fines will be reinstated.

- Ms. Sagnes discussed with the Board an unregistered vehicle and trailer at a residence on Old Mill.
- **Motion: Refer issue on Old Mill to attorney.**

Motion by: Dir. Zervigon
Second by: Dir. Franke

Aye: Dir. Franke
Dir. Medrano
Dir. Norton Ramirez
Dir. Rocco
Dir. Zervigon

Dir. Rocco asked if Mr. Sagnes has spoken with the resident; Mr. Sagnes responded that he had not, because the resident requested Sage not enter onto his property.

- Mr. Flickinger discussed an issue with a residence on Tierra Blanco; Dir. Franke asked to move this issue to legal to deal with the astroturf and trailer problems.
- **Motion: Authorize attorney to take legal action regarding the residence at **** Tierra Blanco Trail.**

Motion by: Dir. Franke
Second by: Dir. Zervigon

Aye: Dir. Franke
Dir. Medrano
Dir. Norton Ramirez
Dir. Rocco
Dir. Zervigon

Agenda Item 11: Report from the Investment Committee

- No action was taken on this item.

Agenda Item 12: Report from the Audit Committee

- Mr. Flickinger said that the amount of interest earned may have exceeded the rate allowed by the IRS; the reports should be ready soon, and next month he should have paperwork prepared to present a payment to the IRS with a letter and adoption of procedures going forward. The additional costs will likely not exceed \$1,500.00.
- **Motion: Approve NTE amount of \$1,500.00 to resolve arbitrage issues.**

Motion by: Dir. Franke
Second by: Dir. Zervigon

Aye: Dir. Franke
Dir. Medrano
Dir. Norton Ramirez
Dir. Rocco
Dir. Zervigon

Dir. Franke asked if the amount was what was needed prepare documents and procedures and wanted to know what would be owed to the IRS. Mr. Flickinger thinks the amount should be \$10,000.00 or less.

Agenda Item 13: Report from the Bills & Invoices Committee

- Dir. Norton Ramirez said that there are some documents that still require another signature.
- Mr. Luft said that there were two transfers from last month that lacked a third signature but that are included in the packet.
- No action was taken on this item.

Agenda Item 14: Report from the Budget Committee

- No action was taken on this item.

Agenda Item 15: Report from the Customer Care Committee

- No action was taken on this item.

Agenda Item 16: Video recording of Board meetings by the District

- No action was taken on this item.

Agenda Item 17: Report from the Information Management Committee

- Dir. Norton Ramirez had investigated food bank options for residents and has had this information posted to the MUD website. Dir. Zervigon said that residents could visit the home page and click on the Covid-19 link to find those resources.
- Dir. Zervigon had investigated proposals from Touchstone District Services to set up a Facebook page for the MUD and to complete an audit of the MUD website, which is reaching its limit of functionality with Wix.
- **Motion: Approve proposal of \$1,500.00 from Touchstone District Services to complete a website content audit.**

Motion by: Dir. Zervigon
Second by: Dir. Norton Ramirez

Aye: Dir. Franke
Dir. Medrano
Dir. Norton Ramirez
Dir. Rocco
Dir. Zervigon

Dir. Zervigon mentioned the unique legal issues that needed to be addressed; Dir. Rocco asked if this company had been referred from other entities. Dir. Zervigon responded that Ms. Hester has worked with Touchstone in other Districts and Dir. Norton Ramirez mentioned other locations in Houston that used Touchstone's services.

- Dir. Zervigon then discussed the proposal from Touchstone District Services to create and maintain a Facebook page for the District; the cost is \$600.00 for initial set up and \$135.00 per hour to manage the platform. Touchstone would manage the Facebook website.
- **Motion: Accept proposal from Touchstone District Services to set up a Facebook social media account at a rate of \$600.00 for initial set-up and \$135.00 per hour for management, NTE \$2,000.00.**

Motion by: Dir. Zervigon
Second by: Dir. Norton Ramirez

Aye: Dir. Franke
Dir. Medrano
Dir. Norton Ramirez
Dir. Rocco
Dir. Zervigon

- Mr. Luft noted that there is a \$25,000.00 line item under the communications budget that these proposals fall under.

Agenda Item 18: Report from the Infrastructure Committee

- No action was taken on this item.

Agenda Item 19: Report from the Management Committee

- No action was taken on this item.

Agenda Item 20: Report from the Solid Waste Committee

- Dir. Rocco and Ms. Catlin discussed Waste Management's performance and determined that they are performing to their contract.
- Mr. Flickinger presented the CPI increase from Waste Management and said that the Board should consider that for an update to the rate order.
- Mr. Luft discussed some typos that he had found in the CPI increase document from Waste Management.
- No action was taken on this item.

Agenda Item 21: Report from the Records Modernization Committee

- Ms. Hester said that a committee meeting had been scheduled for next Tuesday.
- No action was taken on this item.

Agenda Item 24: Service provider/vendor evaluations

- Ms. Hester said this item is still being worked on.
- No action was taken on this item.

Agenda Item 25: Traffic hazards in District; Request to County to Restrict through-truck traffic

- Dir. Norton Ramirez has received complaints about speeders on Aster Pass, Dies Ranch, and Old Mill Road. She also noted that the school zone signage was still blinking and that residents wondered if they still applied.
- No action was taken on this item.

Agenda Item 26: License Agreements with Williamson and Travis Counties for solar speed signs; Traffic study by Williamson County; Stop sign installation at intersection of Alexandra Lane and Old Mill Road

- Mr. Flickinger is working with Travis County on the license agreements.
- No action was taken on this item.

Agenda Item 27: Minutes from prior regular and special meetings; Reconsideration of Minutes previously approved with oral revisions

- **Motion: Approve minutes from the February 19, 2020 regular meeting, the March 20, 2020 special meeting, and the March 25, 2020 regular meeting.**

Motion by: Dir. Norton Ramirez
Second by: Dir. Zervigon

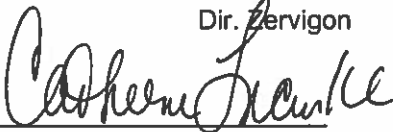
Aye: Dir. Franke
Dir. Medrano
Dir. Norton Ramirez
Dir. Rocco
Dir. Zervigon

Agenda Item 28: Adjournment

- **Motion: Adjournment of meeting at 8:46 p.m.**

Motion by: Dir. Medrano
Second by: Dir. Zervigon

Aye: Dir. Franke
Dir. Medrano
Dir. Norton Ramirez
Dir. Rocco
Dir. Zervigon



Board of Directors

5/21/2020

Date