

January 16, 2019

STATE OF TEXAS §
COUNTIES OF WILLIAMSON AND TRAVIS §
 §

The meeting was called to order at 6:02 p.m. and roll was called of the members of the Board, to-wit:

All Directors were present with the exception of Dir. Rocco, thus constituting a quorum. Also attending the meeting were Patricia Rybachek, Lisa Adkins, and Leigh Catlin of Inframark; Herb Edmonson of Gray Engineering; Jimmy Romell of Maxwell Locke & Ritter, LLP; Bill Flickinger of Willatt & Flickinger; and District residents Karon Bowers, Aidan Cox, Kyra Cox, Martin Cox, Linda Fabre, Rose Green, Bharath Navaneethan, and Sarah Teale.

Aidan Cox presented the Little Free Library that he constructed. Mr. Cox is a seventh grader at Cedar Park Middle School and has been nominated to attend the Lone Star Leadership Academy three times. Mr. Cox raised \$305 through a GoFundMe to purchase the Library and worked with friends over school breaks to put it together. The library will be installed near Sun Chase park near Cedar Park Middle School.

Ms. Green noted that the ACC form on the WTC MUD #1 website still has Real Manage contact information. Ms. Rybachek will procure an updated form from Sage Management.

Dir. Franke closed Citizen Communication to proceed with the financial audit presentation. Jimmy Romell with Maxwell Locke and Ritter presented the District's annual audit.

Dir. Medrano motion to approve the audit and file the annual filing affidavit. Dir. Franke seconded the motion and it passed unanimously.

Dir. Franke asked if TCEQ added the audit to their website; Mr. Flickinger said they should but is not certain; Ms. Adkins also believes that they do.

Agenda Item 3: Engineer and Landscape Contractor Reports

- a. Pond and Park improvements
- b. CMU Wall Repairs

Ms. Rybachek updated the Board on the power washing of the District walls at Anderson Mill; the washing started in the morning and will be completed this week. There will be a surplus in this line item on the budget because a smaller portion of the walls need cleaning than was expected.

Ms. Rybachek updated the Board on the traffic evaluation, which will begin at the listed locations. After a 24-hour trial, the District can begin working with Williamson County to install actual speed signs, or look at stop signs. Ms. Rybachek will update the Board when the study is completed.

Mr. Edmonson presented the Board with two proposals for trimming branches around the District streetlights: Priority Landscapes provided the lowest proposal for around \$3,000, but they will need to update their proposal with specific locations for trimming so the Board can revisit it next month. Mr. Edmonson and Mr. Flickinger discussed overhanging limbs from trees that originate on private property; Mr. Edmonson estimated 20 properties where this occurs. Mr. Flickinger agreed to send a letter to each homeowner with the dates of trimming and what trimming is planned, with a line for the owner's signature to give permission to trim on their property. Inframark will draft a letter and work with Mr. Flickinger's office to finalize it; after Priority Landscapes finalizes their proposal, the letters can be sent to residents

Ms. Rybachek updated the Board on the light sensor replacement on Pole 112; PEC will be contacted to replace the sensor. Dir. Franke asked what the District is responsible for in terms of light maintenance; Mr. Edmonson responded that PEC only takes care of the light head, which includes sensors.

Ms. Rybachek updated the Board on the status of the Badger Electronic Meter program. The pilot meters will be received by the end of January with expectation that they will be installed before mid-February. At that point, Inframark will coordinate a training session with the volunteers and the pilot program will begin. One pilot meter will be the irrigation meter at Lakeline Oaks.

Mr. Edmonson met with Westar to look at the side channel at Sun Chase Park that needed to be cleaned out and graded; Westar can do grading along the drainage way so water will not pond. Westar will additionally fill washouts at the back as well. The bridge at Sun Chase will be a separate, standalone proposal and Westar will provide an update proposal, but the amounts for maintenance will not change. Dir. Zervigon mentioned that this had been an issue for a long time and with the discovery of West Nile in the area, it is important to have this work done.

Dir. Zervigon moved to approve a "Not to Exceed" amount of \$14,250.00 for Westar's estimate for repairs. The motion was seconded by Dir. Medrano and passed unanimously.

Mr. Edmonson updated the Board on the estimates for a bridge installation at Sun Chase Park. He has found a steel bridge for \$42,000; the structure will have to be walked to the back of the park to be placed and potential damage to the concrete or washout areas will need to be addressed. However, the steel bridge still falls \$30,000 below initial estimates. Mr. Edmonson suggesting postponing any action until next month.

Mr. Edmonson updated the Board on the cleaning and reparation of District walls. He has struggled to get proposals, and received one Thursday before the IFC meeting; so no action was suggested for this month. Mr. Edmonson was not prepared to bring a recommendation without thoroughly knowing the proposals. Dir. Franke mentioned that this will be a multi-year project like the sidewalk repairs.

Kuts and Kleans completed all detention pond work at the Travis County ponds. Inspectors came Monday to review the completion of maintenance. SunScapes needs to mow Cashell Wood and Vestavia ponds, and then the County should be ready to release them to the District. Ms. Adkins received an invoice today from Kuts and Kleans for \$7,960.00 plus \$161.29. Dir. Medrano motioned to approve payment of \$7,960.00 plus \$161.29 to Kuts and Kleans. Dir. Zervigon seconded and the motion passed unanimously.

Mr. Edmonson addressed the Board on the TNR Development Permit. He has submitted the necessary documents but is waiting for a response (Travis County has 30 days to respond).

Mr. Edmonson updated the Board on the Phase III pond improvements; ECO Systems has backfilled the open pier holes due to safety concerns. No further work can be done until the Travis County permit is released.

Mr. Flickinger showed the Board draft letters to three commercial properties regarding maintenance and cleaning of the CMU Wall and landscaping; letters will be mailed tomorrow requesting to clean mold from the wall and to repair the wall. If the commercial properties are unable to complete in the cleaning and repair in 30 days, they will need to submit a timeline for completion.

Agenda Item 3: Report from the District's landscape contractor on landscape maintenance and suggested landscape improvements

CONSTABLE AND MANAGER REPORTS

Agenda Item 4: 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

Agenda Item 5: Report from District Manager and Affected Persons, including Payment of Bills and Invoices and Transfer of Funds:

Ms. Adkins presented the financial report for month of December 2018. Tax collections were 68.84% compared to 71-72% at the same time last year. The investment activity worksheet shows nothing maturing until March; Ms. Adkins will contact the Investment Committee if something changes. The cash balance forecast shows an expectation of about \$1.8 million; current numbers are \$1.79 million, but there are expenses that haven't been processed yet. The

check register has a supplement to show an added check (#3304 for \$161.29). Dir. Medrano motioned to pay invoices and bills totaling 217,556.28; Dir. Zervigon seconded. The motion passed unanimously.

Ms. Adkins discussed amending budget changes to commercial rates in the rate order; she can coordinate with the Budget Committee before the next Board Meeting.

Ms. Rybachek mentioned other beneficial items that were in place for an amended rate order, e.g. leak adjustments. Mr. Flickinger said that the wording for the new rate order had been approved and can be discussed at the next meeting.

Ms. Rybachek presented the managers' report. Because water accountability was 86%, the Infrastructure Committee asked that Ms. Rybachek contact the vendor from the District's last water loss survey; she has already provided him with spreadsheets and he is going to look into the issue.

Ms. Rybachek updated the Board on Parks Committee projects. The sun shades at Lakeline Oaks Park; permits for the City of Cedar Park are still needed but the vendor will handle them and hopes to have everything installed by mid-summer. Ms. Rybachek and the Parks Committee are still working to update the park rules and hopes for a draft by the next Parks Committee meeting. All lights have been replaced at the Lakeline Oaks pavilion. Fence repairs will be necessary at Anderson Mill West Park because the gate to the tennis courts will no longer close; Inframark is still collecting quotes. Additionally, the fabric at the Anderson Mill West tennis courts needs to be stretched and reattached, as well as additional fencing work at the Lakeline Oaks tennis court, London Lane, and the backstop at Hatch Pond. The timer at Sun Chase park has been reset; the timing changes as the sun rises and sets, and will turn off 30 minutes after sunrise and on 30 minutes prior to sunset. Mr. Baumgart was not in attendance to comment on whether the new timing has made a difference.

Ms. Rybachek updates the Board on Anderson Mill West park equipment repairs. Damage to the center slide due to vandalism will cost \$3,454.94 with sales tax and \$3,191.63 without; Ms. Rybachek will coordinate with the vendor to have the sales tax removed. Dir. Franke motioned to approve to a quote of \$3,191.63 to replace the broken slide; Dir. Norton seconded the motion and it passed unanimously.

Ms. Rybachek presented the proposal for tree trimming at Anderson Mill park. Dir. Norton-Ramirez moved to approve a payment of \$945.00 to Texas Tree Service to trim trees at the park; Dir. Franke seconded the motion, which passed unanimously.

Drs. Franke and Medrano reviewed the Inframark invoice. Dir. Franke asked about a repair at 2019 Lobelia Drive. Ms. Rybachek replied that there had been a sewer backup over the weekend that was extremely deep; it took three repairmen and a runner to bring them to supplies. The meter was located between the curb and the sidewalk, and having to remove the pieces of the sidewalk was an added complication.

Dir. Franke asked about the replacement of a lift station pump that had been constantly running; Ms. Rybachek confirmed that it had been replaced. Dir. Franke asked about lab fee invoicing; Ms. Adkins confirmed that those invoices are processed by corporate office but will be associate with the proper month in the financial reports.

Mr. Flickinger updated the Board on the DRC violations at 2311 Robby Lane. Because of continued reports of violations, the Board authorized Mr. Flickinger to send a letter and file a lawsuit if the property owners were not in compliance by a January 15 deadline. Sage Management will keep the Board apprised of any new reports; if any arise, Mr. Flickinger will proceed as directed by the Board that a lawsuit can be filed if further complaints emerge. Mr. Flickinger recommended that the Board not take any action yet.

Mr. Flickinger updated the Board on the lawsuit associated with 1204 Boerne; the defendant has retained a new counsel who contacted Mr. Flickinger this week. He will update the DRC Committee once a meeting can be set up.

Agenda Item 6: Delinquent accounts at 3201-B El Salido Parkway and 3301-C El Salido Parkway; Termination of water service and possible litigation against customer

Ms. Rybachek confirmed that the delinquent accounts at the above addresses had been paid and any issues regarding termination of service or litigation resolved.

Agenda Item 7: District Records Retention Program

Agenda Item 8: Prior and pending Open Records Request; Costs incurred by the District & allowable costs to be charged to requestors

Mr. Flickinger reported to the Board that there are two current requests. One is related to a complaint to the Attorney General on costs that were requested to be reimbursed and is still under review. The second request that requires letters to be sent to the Attorney General about information that should remain confidential, so disclosure has been suspended.

Agenda Item 9: Resolution establishing policy regarding production of public information and setting reasonable monthly and yearly limits on time spend producing same under Section 552.275, Government Code

Mr. Flickinger discussed a resolution that the Board could adopt regarding open records requests. The resolution would need to be adopted, with allowable hours varying by employee. Mr. Flickinger noted that a tracking system would need to be implemented to track and prepare statements for all open records requests. Dir. Zervigon moved to adopt the policy that is supplement to Agenda Item 9 that established a reasonable limit on the amount of time personnel of the district are required to spend producing public information for inspection or duplication to a requestor, and/or providing copies of public information to a requestor and establishing costs to be paid by the public for requests that exceed the reasonable limit. Dir. Franke seconded the motion, which passed unanimously. Dir. Franke indicated that this time tracker would become part of the management report, and Inframark would use a tracking system to track the time spent on records requests.

Agenda Item 10: District Rate Order

Agenda Item 11: Violations of District Rules and Regulations; Appeals of Fines

Agenda Item 12: Review all committees and subcommittees and appoint members as needed

Agenda Item 13: Report from the Parks Subcommittee

- a. Park Improvements; Disc golf course sponsorships

- b. Park Rules; Amendment to Park Rules
- c. All matters related to the District's parks, fields and office building
- d. Contract with Water Consultant; Xeriscape and drought tolerant plant demonstration and installation
- e. Parks & pond improvements/tree & plant replacements; plantings at street corners & right of way

Dirs. Franke and Norton-Ramirez had nothing new to report at this time.

Agenda Item 14: Report from the Deed Restriction Committee

- a. District's Rules Governing Violations of Deed Restrictions and the procedures and tasks associated with enforcement of those rules; billing and collection of fines (Standing Item)
- b. Approval of Minutes from prior DRC meetings (Standing Item)
- c. Report from DRC and act on restrictive covenant enforcement; Possible settlement of pending lawsuit against owner
- d. Funding for and interaction with homeowners associations within the District to facilitate operation of Architectural Control Committee and other HOA functions (Standing Item)

Dirs. Franke and Norton-Ramirez had nothing new to report; pertinent items had been addressed prior to this item.

Agenda Item 15: Report from the Investment Committee

- a. District Investments; Investment Policy and Procedures (Standing Item)

Agenda Item 17: Report from the Bills & Invoices Committee

- b. Review of payments on current not to exceed expenditures authorized by Board.

Agenda Item 18: Report from the Budget Committee

Agenda Item 19: Report from the Customer Care Committee

Agenda Item 20: Report from the Information Management Committee

- a. District Website (Standing Item)

Dir. Norton-Ramirez noted there were currently no issues with website besides updating Board member photographs. Inframark will coordinate with Sage Management to update any outdated ACC forms.

Agenda Item 21: Report from the Infrastructure Committee

- a. Pond and Park Improvements
- b. Sidewalk Maintenance
- c. MS4 Permit Requirements
- d. Water Conservation Measures

Agenda Item 22: Report from the Management Committee

GENERAL

Agenda Item 23: *Interlocal Agreement with Williamson County for installation of solar speed signs*

Agenda Item 24: *Sale of District surplus office furniture*

Ms. Rybachek said that no one has showed interest in purchasing the office furniture yet, but she will continue trying to sell it online.

Agenda Item 25: *Traffic hazards in District; Request to County to Restrict through truck traffic on Petunia; Traffic and noise from concrete plant and businesses on Anderson Mill Road*

Agenda Item 26: *Service Plan Updates in Connection with Possible Annexation of District by City of Cedar Park*

Agenda Item 27: *Strategic Planning and Annexation of District by City of Cedar Park*

Agenda Item 28: *Minutes from prior regular and special meetings*

Dir. Zervigon asked about a potential typo on Page 2 of the previous minutes regarding management of the WTC MUD #1 website; Ms. Catlin confirmed that the language used was not a typo. Dir. Zervigon motioned to approve the minutes from December 2018 with Dir. Norton-Ramirez seconding. The motion was unanimously approved.

Agenda Item 29: *Reconsideration of Minutes previously approved with oral revisions*

Agenda Item 30: *Adjournment*

The meeting was adjourned at 7:53 p.m.



Board of Directors

2-20-19

Date