

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

February 19, 2020

STATE OF TEXAS

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COUNTIES OF WILLIAMSON AND TRAVIS

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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 February 19, 2020 at the District office at The Park at Lakeline Oaks, 1000 Old Mill Road, Cedar Park, Texas 78613. The meeting was open to the public and notice was given as required by the Texas Open Meetings Act.

The meeting was called to order at 6:08 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. Also attending the meeting were Lisa Adkins, Kristi Hester, Makenzi Scales, and Leigh Catlin of Inframark; Herb Edmonson and Joey Gallegos of Gray Engineering; Bill Flickinger of Willatt & Flickinger; James and Diana Sagnes of Sage Management; Roosevelt Stinson and Robert Tijerina of the Williamson County Constable's Office; and District residents Megan Dudo, Linda Fabre, David Flores, Beth Jones, and Sarah Teale.

- Dir. Franke acknowledged that the meeting was being recorded by the MUD and that the recording and agenda with links would be made available on the MUD's website at www.wtcmud1.org. Any questions or comments should be directed to the official website.

Agenda Item 1: Receive Citizens' Communications

- Sarah Teale addressed the Board to apologize for inappropriate behavior and will limit her comments to her own livestream.

Ms. Teale addressed the Board regarding Agenda Item 7. She says the Board believes they have the right to order people ejected from meetings and the constable's office will be investigating an incident in which she was removed and two others she brought to the office's attention.

Ms. Teale addressed the Board regarding Agenda Item 9, saying that direct and indirect costs for open records requests are imagined because open records requests are written into the Inframark contract.

Ms. Teale addressed the Board regarding Agenda Item 12d regarding the Grow Green program in Texas. She says that Sunscape is not on the list of companies although Eco, the former landscaper, is listed.

Ms. Teale addressed the Board regarding Agenda Item 12e; she says that no one looking at the survivability of native plants and wants greater oversight over the landscaping company.

Ms. Teale addressed the Board regarding Agenda Item 12f, saying that the fairy garden contest was put into place before a Board decision was made and it is not acceptable to make decisions in closed meetings.

Ms. Teale addressed the Board regarding Agenda Item 13f, a \$1,400.00 reimbursement to the Anderson Mill West Neighborhood Association for legal fees.

Ms. Teale addressed the Board regarding Agenda Item 13h, saying that Mr. Flickinger's office has investigated the District's contract with Sage Management to determine what items are being fulfilled, but her open records request for a redline is being challenged.

Ms. Teale addressed the Board regarding Agenda Item 18a, saying that no questions she has asked are being answered during meetings. She wants to know if the District bid for sewer televising, and who was at the DRC committee meeting at Frieda's.

Ms. Teale addressed the Board regarding Agenda Item 19, asking why there was a delay in posting meetings up on webpage. She says it is an extremely long wait that diminishes usefulness.

Ms. Teale addressed the Board regarding Agenda Item 20, speaking about District transparency.

Ms. Teale addressed the Board regarding Agenda Item 21a, saying that the District website still indicated that the ACC was valid; updates to information are occurring, but it is as the Board directs.

Ms. Teale addressed the Board regarding Agenda Item 25c; she will be posting all historic minutes on her website.

Ms. Teale addressed the Board regarding Agenda Item 28; Dir. Norton Ramirez reported that she did not attend the DRC meeting at Frieda's, and when Ms. Teale tried to present documentation to the contrary, she was ejected. Ms. Teale read aloud the receipt and additional paperwork.

Ms. Teale addressed the Board regarding Agenda Item 30, saying that the item had never been publicly discussed and she does not understand why this is happening.

- Dir. Franke closed the public comment session.
- No action was taken on this item.

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

- No action was taken on this item.

Agenda Item 3: Report from the District's Engineer

- Ms. Hester noted that water accountability is at 96.9%, and the repairs to the master meter at Aster Pass appear to have resolved the issue. Dir. Zervigon added that a mechanical issue rather than a water loss issue had always been suspected.
- Ms. Hester updated the Board on the meter replacement program, and Dir. Zervigon noted that the AMI meters were replacing meters that would have needed replacement due to age and usage anyway.
- Ms. Hester updated the Board on the MS4 program; the annual report is due in March and all items are up to date.

- Ms. Hester said that the valve and fire hydrant surveys began on February 12.
- Ms. Hester updated the Board of the televising and inspection of the sanitary sewer system; it will take about 6-8 weeks to survey the entire District and 4-6 weeks to have the report ready.
- Mr. Edmonson addressed the Sun Chase park drainage channel maintenance; the bulk of the work has been completed but the grading/reseating on the side channel was delayed because of rain.
- Mr. Edmonson noted that the footbridge at Sun Chase park had some electrical issues that are being worked out between Westar and Inframark.
- **Motion: Authorize payment of \$48,700.00 to Westar Construction for footbridge installation, side-channel grading, and silt removal pending approval of Gray Engineering that the work has been completed.**

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

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

- The Infrastructure Committee requested that Westar provide an estimate to extend the decomposed granite trail at Sun Chase to connect the loop.
- **Motion: Approve invoice totaling \$3,800.00 from Westar Construction to complete the Sun Chase park trail loop.**

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

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

- Mr. Edmonson and Mr. Gallegos met with Travis County officials at Cashell Wood to complete the permits. Additionally, they met with an architect and contractor regarding the Phase Three pond improvements and that work is now also complete.
- **Motion: Approve payment to Westar Construction in the amount of \$14,000.00 for completion of piers, TNR permit, and engineering of the deck design.**

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

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

- Mr. Edmonson suggested adding a section to the MUD website where residents can submit sidewalk repair locations. Repairs will begin at Lakeline Oaks moving toward Hunters Glenn; he will determine how many repairs can be done within that scope and see if additional items can also be taken care of while staying within budget.
- Mr. Edmonson noted that the bond issue was still underway with valve and wastewater programs in progress.

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*

- 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. Hester said the that the Infrastructure Committee recommended having a street light pole available in the District inventory since it can take 3-6 months to obtain. This pole can be stored at the lift station.
- **Motion: Authorize payment of \$2,500.00 to M&C Electric to supply an extra light pole for District inventory.**

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

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

Dir. Franke asked if the pole would be to be replaced each time a repair was made; Ms. Hester said that it would be.

- Ms. Hester discussed a quote from Fun Abounds quote to replace two trash cans at Lakeline Oaks park; the original cans are rusted through. Dir. Franke asked if it would be possible to order the trash cans in blue instead of green.
- **Motion: Approve quote from Fun Abounds for \$1,114.00 to replace two trash cans at Lakeline Oaks.**

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

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

- Ms. Scales updated the Board on the electrical box at Anderson Mill West that had been vandalized; the disconnect switch was torn off. Everything that goes into the box will need to be replaced, and a crane truck will also be necessary. An insurance claim will be filed. Ms. Hester will have the Parks Committee review the Wi-Fi issues at Anderson Mill West and obtain security camera proposals.
- **Motion: Approve not-to-exceed amount of \$7,500.00 to repair the electrical box vandalism at Anderson Mill West.**

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

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

The Board discussed if the switch could be made more difficult to access or if it could be caged; Ms. Scales will investigate.

- Ms. Hester discussed a sewer backup on Piney Creek and reviewed the SOP for sewer backups in the District.
- Ms. Scales said that the light pole and mail kiosk surveys had been completed and data was being compiled for Mr. Edmonson so map plats could be updated.
- Ms. Scales noted that Sunscape had begun the tree planting in the parks.
- Ms. Scales updated the Board on the broken snail toy at Anderson Mill West; she is looking into a spring loader toy that may be able to hold more weight.
- Ms. Scales noted that the punching bag toy has been repaired and is back in place at Anderson Mill West.
- Ms. Scales discussed the distressed trees at Anderson Mill West; Sunscape is working with an arborist who does not believe the trees are being impacted by disease or wilt, but possibly something that happened earlier. They are trying to determine which trees can recover and which will need to be taken down.
- Ms. Scales updated the Board on the irrigation system for the trees at Volente Hills park; installing a system is not possible because District water lines are not close enough. Vitex trees, though, will cover a large area and are very hardy.
- Ms. Scales is coordinating with Sunscape to repair the damaged wall at London Lane.
- Ms. Scales is working with Sunscape on a proposal to add more crushed granite to the Garden of the Wild Things.
- Ms. Scales noted that Sunscape will treat the "velcro" weeds and trim encroaching vines at Sun Chase park.
- Ms. Hester presented the manager's report.
- Ms. Adkins presented the District's financial report.

- Ms. Adkins noted additions to the check register: Check 3908 provided for annual audit fees and Check 3933 reimbursed the Anderson Mill West Neighborhood Association for legal fees.
- Dir. Franke discussed legal fee reimbursement with Beth Jones, the president of the Anderson Mill West Neighborhood Association. Ms. Jones said that the Neighborhood Association has no more funding available for neighborhood events; Dir. Zervigon noted that legal expenses have exceeded what the Neighborhood Association would spend in one year for activities. Dir. Rocco additionally noted that it is the Board's responsibility to maintain property values for the District and the Neighborhood Association's event add to this; any attacks on the organization serve to lower values.
- **Motion: Approve reimbursement of \$1,401.00 to Anderson Mill West Neighborhood Association for legal fees.**

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

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

- **Motion: Approve payment of bills and invoices totaling \$384,421.91.**

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

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

- Ms. Adkins continued with the financial report, discussing open record costs. She indicated that indirect costs were included in last year's and this year's amounts and are cumulative for the fiscal year.
- **Motion: Approval of District investment report.**

Motion by: Dir. Zervigon
Second by: Dir. Rocco

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

Dir. Zervigon noted that the District has earned \$11,171.93 through investments.

Agenda Item 7: *Legal action against persons who disrupt Board meetings or threaten Board Members or District consultants*

- No action was taken on this item.

Agenda Item 8: *District Records Retention Program*

- Dir. Franke requested that this item be removed from the agenda in the future.
- No action was taken on this item.

Agenda Item 11: Prior and pending Open Records Requests; costs incurred by the District and allowable costs to be charged to requestors

- Mr. Flickinger said that there had been about 62 open records requests since January 2018, with 11 outstanding currently. He presented spreadsheet detailing the requests and their coding. Some documents could be subject to exemptions and have been sent to the Attorney General for review.
- Dir. Franke discussed the DRC Committee meeting at Frieda's. She said that Ms. Fabre obtained incomplete physical documents from her open records request and would have received necessary clarification and correct information regarding the receipts with review of additional documents: for example, a receipt where Dir. Rocco wrote that the meeting was with Dir. Franke and Sage Management while a second record had Dir. Norton Ramirez incorrectly listed.
- Dir. Franke suggested that the Inframark office half-door be kept closed with chairs in the waiting area so it is known that the office is not a public space.
- Dir. Franke suggested that any future visual inspections will need to take place at Mr. Flickinger's office; Dir. Zervigon added that a resolution and procedures could be written and posted. Mr. Flickinger said that the District already has a designated e-mail address for requests, and that can be built on for future procedures.
- No action was taken on this item.

Agenda Item 12: Report from the Parks Subcommittee, (f) Contest proposed by residents for fairy gardens in the parks and (g) Welcome celebration of the new bridge at Sun Chase

- Megan Dudo addressed the Board to ask for permission to temporarily install fairy gardens in Sun Chase park. Dir. Rocco pointed out that it was not an "installation" as the gardens are temporary; Dir. Franke approved the gardens at the meeting on Monday.
- Dir. Franke discussed the welcome celebration for Sun Chase bridge in coordination with the Fairy Garden contest. The Parks Committee recommended allocating \$250.00 to fund the event.
- **Motion: Allocate \$250.00 to fund the Sun Chase bridge grand opening event on March 7, 2020.**

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

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

Dir. Franke directed Ms. Catlin to coordinate with Dir. Norton Ramirez regarding advertising for the events.

Agenda Item 10: District Rate Order [S]

- No action was taken on this item.

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

- No action was taken on this item.

Agenda Item 12: Report from the Parks, Items a-e

- Ms. Hester said that the Sun Chase playscape will be donated to a nearby elementary school and is set to be taken away on Saturday.
- **Motion: Declare the playscape at Sun Chase park as surplus property.**

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

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

Dir. Franke noted that the playscape is damaged and it would be costly and difficult to repair. Mr. Flickinger said that the equipment is being offered as-is to the elementary school.

- **Motion: Donate the playscape at Sun Chase park to Buck Holtz Elementary School as-is with no warranty.**

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

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

- Mr. Flickinger asked if the disc golf item and item 12d could be removed from the agenda; Dir. Franke agreed that they could be.

Agenda Item 13: Report from the Deed Restriction Committee

- No action was taken on this item.

Agenda Item 14: Report from the Investment Committee

- No action was taken on this item.

Agenda Item 15: Report from the Audit Committee

- Mr. Flickinger presented three outstanding bond issues, noting that it is possible the District may owe monies to the IRS.
- **Motion: Contract with Arbitrage Compliance Specialist for the three proposals for calculating arbitrage for Series 2003, 2005, and 2011.**

Motion by: Dir. Zervigon
Second by: Dir. Rocco

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

Dir. Rocco
Dir. Zervigon

Dir. Franke asked if all MUDs engaged in this type of review, and Mr. Flickinger confirmed that most do.

Agenda Item 16: *Report from the Bills & Invoices Committee*

- Dir. Zervigon discussed the Deed Restriction Committee meeting at Frieda's, an annual meeting attended by Dir. Rocco, Dir. Franke, and James and Diana Sagnes. Dir. Franke provided a cash payment to cover the cost of an alcoholic beverage while the Sagneses submitted cash for their portion to Dir. Rocco. They can recover these funds from Dir. Rocco. Dir. Zervigon proposed a rule for the future that only personal expenses for meals can be submitted for reimbursement at a meeting other than conferences. Ms. Adkins will not accept reimbursement requests except for individual expenses; Dir. Zervigon will work with Mr. Flickinger to have an item on the agenda for next meeting.
- Mr. Flickinger noted that the District already has rules in place regarding reimbursement of expenses. All expense reimbursements are subject to Board approval and should be examined closely. Each director should make their own request for reimbursement and not for others' expenses. He also discussed mileage reimbursement protocols.
- No action was taken on this item.

Agenda Item 17: *Report from the Budget Committee*

- No action was taken on this item.

Agenda Item 18: *Report from the Customer Care Committee*

- No action was taken on this item.

Agenda Item 19: *Video recording of Board meetings by the District*

- Dir. Zervigon noted that the video recording system had been experiencing some glitches, and Touchstone is working on fixing those issues.
- No action was taken on this item.

Agenda Item 20: *Amended Resolution Adopting Rules Regarding Public's Right to Address the Board of Directors*

- Mr. Flickinger received a suggestion from Dir. Franke regarding holding executive sessions at the beginning of Board meetings so residents can attend the meeting later. He noted that an open meeting must first be called to order before entering closed session. He can add a standing item, but a certain amount of time will need to be added to the agenda for every meeting regardless of whether there is an executive session.
- No action was taken on this item.

Agenda Item 21: *Report from the Information Management Committee*

- Dir. Norton Ramirez and Dir. Zervigon will meet next week to discuss website updates. There are events being planned and some other housekeeping items to update on the website.
- No action was taken on this item.

Agenda Item 22: Report from the Infrastructure Committee

- No action was taken on this item.

Agenda Item 23: Report from the Management Committee

- No action was taken on this item.

Agenda Item 24: Report from the Solid Waste Committee

- No action was taken on this item.

Agenda Item 25: Report from the Records Modernization Committee

- Ms. Hester said that the committee will meet tomorrow and have a report prepared for the next Board meeting in March.
- No action was taken on this item.

Agenda Item 26: Service provider/vendor evaluations

- Ms. Hester noted that this can be discussed at the Records Modernization meeting tomorrow as well.
- No action was taken on this item.

Agenda Item 27: Traffic hazards in District; Request to County to Restrict through-truck traffic

- No action was taken on this item.

Agenda Item 28: Corrections of clarifications to misstatement or inaccurate information disseminated by others on social media

- No action was taken on this item.

Agenda Item 29: 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 indicated that Williamson County would not allow the solar speed signs; there were two issues with Travis County, but the license would be completed soon. He was also investigating a separate sign for Anderson Mill and Cashell Wood because only a certain type of signage could be approved.
- No action was taken on this item.

Agenda Item 30: Declaring Sunchase playscape equipment as surplus property; authorization to sell Sunchase playscape equipment

- No action was taken on this item.

Agenda Item 31: Minutes from prior regular and special meetings; Reconsideration of Minutes previously approved with oral revisions

- **Motion: Approval of minutes from the January 15, 2020 meeting and the February 5, 2020 special meeting.**

Motion by: Dir. Rocco

Second by: Dir. Medrano

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

- Dir. Franke announced that the Board of Directors will go into closed session for consultation with the District's attorney pursuant to Section 551.071 of the Texas Government Code regarding matters related to Agenda Item No. 21b. The Board went into closed session at 9:30 p.m.
- At 9:52 p.m., Dir. Franke announced that the Board of Directors has concluded its closed session and is returning to open meeting, and that no action was taken during the closed session.

Agenda Item 32: Adjournment

- **Motion: Adjournment of meeting at 9:52 p.m.**

Motion by: Dir. Zervigon
Second by: Dir. Rocco

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



Board of Directors



Date