

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

March 25, 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 March 25, 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 6:05 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; Scott Knussman of Sunscape Landscaping; District residents Hillary Burgess, Linda Fabre, Beth Jones, Julie Potts, and Sarah Teale; and non-residents Barry Hawk and Andrew Hopkins.

Agenda Item 1: Receive Citizens' Communications

- Linda Fabre addressed the Board regarding Beth Jones's letter to the Board to recognize the ACC. She says that the ACC is illegal, and that MUD revenue paid for the association's legal fees. Over 90% of families in the area do not belong to the Association, which she says is now stealing their rights.

Ms. Fabre addressed the Board regarding Agenda Item 12. The Board has incurred over \$160,000 in legal fees to thwart transparency. She says that records she has provided show the malfeasance of an amoral and unscrupulous Board.

Ms. Fabre addressed the Board regarding Agenda Item 15; no list has been published on which deed restrictions are not being enforced. The Board should secure votes before making decisions and explain the reasoning behind any decisions not to enforce.

Ms. Fabre addressed the Board regarding Agenda Item 19 after she investigated salaries and per diems. She says some directors are charging \$150 for meetings they took alone, and that someone is falsifying records.

Ms. Fabre addressed the Board regarding Agenda Item 20a. She has submitted questions regarding the electronic meters and hasn't received information and has thus been forced to do an open records request for the information.

Ms. Fabre addressed the Board regarding Agenda Item 20b. She had requested evidence of complaints against her, including names, dates, and complaints, but Mr. Flickinger said that no such records exist. She says the Directors are lying about this and gaslighting.

- Sarah Teale addressed the Board regarding the ACC.

Ms. Teale addressed the Board regarding Agenda Item 2, also regarding the ACC. She has a legal opinion from an attorney indicating that the ACC is operating illegally.

Ms. Teale addressed the Board regarding Agenda Item 15d. She says there is no documentation of a transfer of power; the Board can accept or deny interpretations of the ACC but it is against the Texas Water Code.

Ms. Teale addressed the Board regarding Agenda Item 15i. Her attorney says that neighborhood events are used to boost memberships, and members are saddled with membership without realizing it. Anyone who has ever paid a fee to the Anderson Mill West Neighborhood Association but does not want to abide by their restrictions should unjoin immediately.

Ms. Teale addressed the Board regarding Agenda Item 15l. She says that because of an illegal ACC, the Board is stealing property rights.

- Dir. Franke addressed District residents, saying that the Board's responsibilities are ensuring residents have access to water and wastewater, maintaining infrastructure, and paying bonds. She asked the District's HOA Boards to continue to be present at virtual meetings. She additionally discussed budget items to cut due to the crisis and that there was a hold on penalty fees and disconnects.
- 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

- Julie Potts, the president of the Hunters Glenn HOA, addressed the Board. She thanked the Board for completing the bridge at Sun Chase Park, saying that it made for a convenient walking path, and said that the fairy gardens were popular with both adults and children. She noted that some neighbors were concerned about the playscape removal at Sun Chase park and hopes the Board will consider having playground equipment in the future as well as a labyrinth.
- No action was taken on this item.

Agenda Item 3: Presentations by former Board President, Barry Hawk

- Barry Hawk, the former president of the WTC MUD #1 Board, addressed the Board. He discussed the ACC's inception and implementation as the District was formed and said that the restrictive covenants are necessary to maintain the District's condition and property values. He stated that builder, Bill Milburn, intended for restrictive covenants to be in place and for the ACC to be active.
- No action was taken on this item.

Agenda Item 15 (I): Request by neighborhood associations and homeowners associations related to deed restriction enforcement (S)

- Beth Jones, the president of the Anderson Mill West Neighborhood Association, addressed the Board. She asked that the Board recognize that the ACC is a legitimate contributor to deed

restriction enforcement, as it has been for many years, and urged them to permit the ACC to continue being a part of the deed restriction process. She mentioned the involvement of Sage Management, who have been instrumental in helping residents understand their deed restrictions.

- Mr. Flickinger will review this information and work with the *ad hoc* committee (Dir. Medrano and Dir. Norton Ramirez) to determine what additional information might be necessary and determine a recommendation on how the Board should address the ACC.
- No action was taken on this item.

Agenda Item 7: Temporary Emergency Order Delegating Authority to the Board President to Approve Certain Actions Needed to Continue Functioning of the District During COVID-19 Virus Crisis Including Authorization for the Board Vice President to Act if the Board President is Unavailable or Unable to Act

- Mr. Flickinger discussed an additional provision in the emergency order, Section 7, whereby the Board president would be authorized to take any and all action necessary to comply with the orders issued by federal, state, and local governments. This will replace the previous order.
- **Motion: Add section 7 to the temporary emergency order providing authorization for the Board president to take any all action necessary to comply with orders issued by federal state and local governments.**

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

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

Not Present: Dir. Norton Ramirez

Agenda Item 4: Temporary Moratorium on Disconnection of Water Service During COVID-19 Virus Crisis

- No action was taken on this item.

Agenda Item 5: Payment Plans for District Customers During COVID-19 Virus Crisis

- No action was taken on this item.

Agenda Item 6: Temporary Moratorium on Enforcement of Certain Deed Restrictions During COVID-19 Virus Crisis

- No action was taken on this item.

Agenda Item 8: Report from the District's Engineer

- Mr. Edmonson noted that water accountability for the month was 92%.
- Mr. Edmonson updated the Board on the wastewater valve and fire hydrant surveys. Inframark had completed those surveys and the data are now being reviewed. Any issues can be determined from those inspections so a list of necessary repairs can be compiled. Wastewater Transport completed their work on the sewer systems, and Gray Engineering is reviewing the report to bring more information to the April meeting.

- Inframark completed the District streetlight mapping with GPS data; the Infrastructure Committee will review and comment on any issues.
- The work on the Sun Chase drainage channel and bridge has been completed.
- Sidewalk pricing estimates are being put together and information will be available at the April meeting. Pricing for levelling and removing/replacing sections of sidewalk is also being investigated.
- The committee is coordinating with Williamson County to complete striping for school zones and handicapped-accessible ramps for the Old Mill/Kristen intersection and the Old Mill/Sun Chase intersection. Additionally, they are working with Westar to connect the sidewalk from Sun Chase to Madeline Loop pond.

Agenda Item 9: Report from the District's landscape contractor on landscape maintenance and suggested landscape improvements

- Scott Knussman informed the Board that Sunscape will still be fully operational as they are considered essential.
- Dir. Zervigon asked about applying herbicide to spot treat weeds on the granite trails; Mr. Knussman said that he will re-treat the area. His team has already treated those areas once and will perform another 1-2 applications, and update the Board with photos.
- Dir. Franke asked about treatment for "Velcro" weed; Mr. Knussman responded that the weed killer Round Up is no longer used, but that type of weed dies off in warmer weather so no treatments will probably be necessary anyway.
- No action was taken on this item.

Agenda Item 10: 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. Franke asked if an adjustment to this item needed to be made based on the current pandemic situation.
- Dir. Rocco said that the constables may be increasingly working for the county, but the District would not be left unattended.
- No action was taken on this item.

Agenda Item 11: Report from District Manager and Affected Persons, including Payment of Bills and Invoices and Transfer of Funds.

- Ms. Scales provided an update on the completed valve and hydrant surveys and the completion of the sanitary sewer system televising and inspection.
- Ms. Scales noted that an irrigation leak on Texas Oak had been repaired.
- Ms. Scales said that some electrical issues at the new Sun Chase bridge had been fixed.
- Ms. Scales discussed the Parks Committee plan for owl house installations; two prototypes are at the Lakeline Oaks building. Installation is tentatively scheduled for Sun Chase and Anderson Mill West, but she would like to wait for Dir. Norton Ramirez's input before finalizing any decisions.

- Ms. Scales updated the Board on the trash can replacement at Lakeline Oaks; both cans have been installed.
- Ms. Scales updated the Board on new tree planting by Sunscape; they have finished planting the new trees. Sunscape is still determining which trees at Anderson Mill West are still viable and which are not.
- Ms. Scales discussed the tennis light replacement at Anderson Mill West; this item can be postponed for now given current circumstances. The lights were last replaced in 2012 and a lift is necessary to install them. She suggested a not-to-exceed amount of \$3,000.00.
- Ms. Scales said that the Infrastructure Committee had reviewed and revised the sewer back-up.
- Ms. Scales discussed the Information Committee's investigation of use of the Google Drive and access to it via notebooks. The Committee will meet to discuss the issue further before bringing anything to the Board for approval.
- Ms. Scales has submitted an insurance claim for the disconnect switch vandalism at Anderson Mill West. Inframark's maintenance lead is considering how to secure the switch while keeping the repairs under budget and will give an update once more information is available.
- Ms. Scales noted that the ceiling fans in the Lakeline Oaks building had been replaced.
- Dir. Franke asked how long it would take to repair the tennis lights, and, since the courts are closed, if cards could be deactivated to limit access. Ms. Catlin said that they could be deactivated for the time being.
- Ms. Scales presented the District manager's report. She reported only four disconnects had taken place earlier this month and no one remained disconnected.
- Ms. Scales noted that Sage Management had reported a water leak on Texas Oak Way. The District's maintenance technician not only assisted with the irrigation leak issue at that residence but also informed a neighbor of a gas leak from a lightning strike.
- Ms. Scales reported that graffiti at Sun Chase park had been covered over prior to the bridge opening event.
- Michael Luft presented the District financial report.
- **Motion: Approve payment of bills and invoices totaling \$323,414.09.**

Motion by: Dir. Zervigon
Second by: Franke

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

Not Present: Dir. Norton Ramirez

- Ms. Hester said that the Bills and Invoices Committee had reviewed and signed the checks; she asked that the Directors to submit their per diems early for the packet and will send a reminder at the beginning of the month.

- Ms. Hester looked at some the YTD budget numbers and highlighted some items she thinks may be impacted by the covid-19 crisis. The impact overall should be rather small, but she is looking at some budget items that can be pushed back to later in the year.
- Ms. Hester discussed a letter received from Waste Management regarding their service under current circumstances; she has Texas Disposal Systems on call for the District should collection issues arise.

Agenda Item 12: Prior and pending Open Records Requests; costs incurred by the District and allowable costs to be charged to requestors

- Mr. Flickinger discussed the impact of the coronavirus pandemic on open records requests as provided by the Attorney General. If an administrative office is closed or has a minimal crew, business days for a response will not be counted during the duration of the event. The MUD's e-mail address will have an auto-reply to inform people of the change and will include a link to the Attorney General's site. The requests will still be processed but the deadline will cease to run.
- Dir. Franke said that there is currently a \$62,741 direct cost for open records requests, plus indirect costs over \$10,000. Over \$73,000 has been spent so far in 5 months into the fiscal year on open records requests.
- No action was taken on this item.

Agenda Item 13: District Rate Order; Fire Protection Fee Increase

- Mr. Flickinger discussed the fire protection increase from the City of Cedar Park: the amount increased by \$0.83, from \$24.14 to \$24.97. The rate order redline shows this change.
- **Motion: Accept the rate order change as discussed by Mr. Flickinger.**

Motion by: Dir. Zervigon
Second by: Rocco

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

Not Present: Dir. Norton Ramirez

- Ms. Hester will need to receive a clean copy with signatures to provide to Inframark's billing department.

Agenda Item 14: Report from the Parks Subcommittee

- Dir. Norton Ramirez arrived at 8:04pm.
- Dir. Norton Ramirez and Ms. Scales discussed the owl houses. Ms. Scales said pricing for small owl houses was \$40.00 and the committee was anticipating purchasing 6-7 for a total of about \$280.00. Three would be placed at Sun Chase park, 2-3 at Anderson Mill West, and one at Hatch Pond. The maintenance staff can install the houses, which will not damage the trees. The houses will be further discussed at next month's meeting.
- Dir. Franke and Dir. Norton Ramirez will review the parks budget at the next committee meeting.
- No action was taken on this item.

Agenda Item 15: Report from the Deed Restriction Committee

- Diana Sagnes presented the Deed Restriction report.
- The Board and Sage Management discussed issues with trash pick-up, yard waste bags not being removed, and lag time in receiving replacement trash/recycling carts.
- **Motion: Refer issues with a home on Tierra Blanco to legal.**

Motion by: Dir. Zervigon

Second by: Dir. Franke

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

Abstain: Dir. Norton Ramirez

- The Board discussed a situation in Volente Hills for which the HOA requested assistance from Sage Management. A neighbor has had a fence problem that the HOA has not been able to resolve. There is an additional issue of flashing; Mr. Flickinger suggested that neighbors report instances of this to law enforcement.
- **Motion: Refer issues with the residence in Volente Hills to legal.**

Motion by: Dir. Zervigon

Second by: Dir. Medrano

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

- The Board discussed an issue with a yard in Hunters Glenn 1. Dir. Franke indicated that there would be no disconnection of service for not paying fines, and fines will be in abeyance until the issue is resolved between the resident, Julie Potts, and the HOA. Legal action can still be continued.
- Dir. Franke said that a separate DRC Board meeting would take place remotely next month instead of combining it with the regular Board meeting. There will additionally be a virtual subcommittee meeting.
- The Board discussed the issue of a trailer on Black Cherry where the resident has accrued nine fines; the trailer is now gone as well as the open storage.
- The Board discussed a new overnight violation for a home on London Lane. Mr. Flickinger said that a lawsuit was filed on March 11. The violations will continue to be tracked.
- The Board discussed an unregistered vehicle on Pepper Grass that is now gone; the residents paid their fines and did not ask for a waiver. Dir. Zervigon said that they could ask for a waiver of the fees and would likely receive it since the violation has been cleared.
- The Board discussed a residence on Old Mill Road with fines in abeyance. The residents were issued a third fine for a trailer and a first fine for an unregistered vehicle, but two fines had been waived in December 2019 and they were given until March 1 to clear the violations.

- **Motion: Refer issues with the residence on Old Mill Road to legal.**

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

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

- **Motion: Waive fine for resolved trash can violation on Dayflower Trace.**

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

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

- **Motion: Waive fines for resolved violations on Rathlin Drive.**

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

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

No Vote: Dir. Rocco

- **Motion: Approve minutes of the February 17, 2020 DRC Meeting.**

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

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

Abstain: Dir. Norton Ramirez

Agenda Item 16: Report from the Investment Committee

- No action was taken on this item.

Agenda Item 17: Report from the Audit Committee

- Mr. Flickinger does not yet have the arbitrage report.
- No action was taken on this item.

Agenda Item 18: Report from the Bills & Invoices Committee

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- Mr. Flickinger will have the committee review the code of ethics.
 - No action was taken on this item.

Agenda Item 19: Report from the Budget Committee

- No action was taken on this item.

Agenda Item 20: Report from the Customer Care Committee

- No action was taken on this item.

Agenda Item 21: Video recording of Board meetings by the District

- Mr. Flickinger said that under the Governor's order, virtual meetings must be recorded; meetings are being submitted to Touchstone for timestamping. The links for the March special meeting had been received and posted on the website.
- No action was taken on this item.

Agenda Item 22: Report from the Information Management Committee

- Mr. Flickinger said that posting the agenda and agenda packages on the website are currently the only additional requirements at this time.
- Ms. Hester noted that the committee had set up a separate tab on the website to address covid-19 concerns.
- No action was taken on this item.

Agenda Item 23: Report from the Infrastructure Committee

- Dir. Zervigon noted that he and Dir. Medrano had agreed to suspend the work on District sidewalks.
- Ms. Hester told the Board that the regular meter replacement program was in progress, so several AMI meters have now been installed. When the contract with Badger is approved, the endpoints can be installed, and residents will have access to the Eye on Water app and website.
- **Motion: Accept the agreement from Beacon as negotiated by the MUD attorney.**

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

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

Agenda Item 24: Report from the Management Committee

- No action was taken on this item.

Agenda Item 25: Report from the Solid Waste Committee

- No action was taken on this item.

Agenda Item 26: Report from the Records Modernization Committee

- Dir. Norton Ramirez and Dir. Rocco met and are still working through their items. Ms. Hester will schedule a remote meeting to solidify some details.
- No action was taken on this item.

Agenda Item 27: Service provider/vendor evaluations

- Ms. Hester and Ms. Scales are working on this item and hope to have information for the April meeting.
- No action was taken on this item.

Agenda Item 28: Traffic hazards in District; Request to County to Restrict through-truck traffic

- 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 says that the license agreement should be finalized with Travis County; he will check. Dir. Norton Ramirez expressed concern about the crosswalk at Anderson Mill Road and Alexandra.
- No action was taken on this item.

Agenda Item 30: Minutes from prior regular and special meetings; Reconsideration of Minutes previously approved with oral revisions

- Ms. Catlin said that minutes from the February 19, 2020 meeting were not yet ready for approval.
- No action was taken on this item.

Agenda Item 31: Adjournment

- **Motion: Adjournment of meeting at 9:23 p.m.**

Motion by: Dir. Norton Ramirez

Second by: Dir. Medrano

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



Board of Directors

5/8/2020

Date