

**CYPRESS RANCH WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1**  
**Minutes of April 19, 2018**

A regular meeting of the Board of Directors of Cypress Ranch Water Control and Improvement District No. 1, open to the public, was held inside the boundaries of the District, at the West Cypress Hills Elementary School cafeteria, 6112 Cypress Ranch Blvd., Spicewood, Texas 78669, at 6:30 p.m. on April 19, 2018.

The roll was called of the members of the Board of Directors, to-wit:

Gene Darling	Ronald den Hoed	Joe Peeler
Joanne Molinyawe	Tony Salinas	

All of said Directors were present thus constituting a quorum. Consultants in attendance included Jeff Monzingo, of Montoya & Monzingo, LLP; Justin Lange, of Texas Engineering Solutions, LLC; Hal Lanham, Brett Lanham, Kathy Lanham, and Mike Bahmer, of AWR Services, Inc.; Dominic Valerio, of Landscape and Business Services, LLC, and Richard Hamala and Jonathan Cochran, of Tiemann, Shahady & Hamala, P.C. Others in attendance included approximately twenty residents from within the District.

1. Consider and take action regarding the minutes of the previous Board meeting.

After review, Director den Hoed made a motion to approve the March 15, 2018 minutes; the motion was seconded by Director Salinas, and unanimously carried by the Board.

2. Discussion regarding District responsibilities.

Mr. Hamala addressed the responsibilities of the District. Some of the District's primary responsibilities, Mr. Hamala continued, are to provide water and wastewater services to residents; to establish rates for water and sewer service; and to operate and maintain the District's facilities, equipment, treatment plants, water wells, irrigation fields, and lift stations, among other responsibilities.

3. Receive public comments.

The Board received many public comments from residents throughout the meeting. Please see the specific agenda item for the related public comments on a particular issue.

4. Consider and take action regarding a policy and rules for resident access for clearing and maintenance of green space on District-owned property.

While there is no specific requirement for any resident to clear and maintain green spaces in West Cypress Hills, residents are encouraged to clear and maintain neighborhood green spaces according to the proposed Policy. One resident proclaimed that a discretionary policy leaves the door open for tension with neighbors as to what the green spaces should look like. Another resident advised the Board that the green spaces are too dangerous for residents to clear and cited hidden cliffs and veiled snakes in the brush, etc., and further inquired as to what the District would do if someone were injured on District-owned property. Mr. Hamala stated that the District has governmental immunity and beyond that, carries insurance. Another resident asserted that the District—not the residents, take action to maintain the green spaces, no matter the cost.

up to 1 million

Director Darling indicated that if the District were to assume the endeavor the cost to residents would likely be severe. Director Molinyawe agreed. Director Peeler mentioned that for residents, Texas Disposal Systems will pick up bulk green waste two times a year. Director Molinyawe added that residents can use the regular trash pick-up, too, little by little. A resident then declared that no matter who clears the green spaces (residents or the District) the District needs to impress upon people the possibility of wildfire and the importance of wildfire mitigation. Another resident implored the Board in that whatever the Board decides about who (or what entity) will clear green spaces, to please let residents know, as there's all sorts of erroneous claims on the neighborhood Facebook page about clearing green spaces that have not been validated. Another resident suggested a neighborhood wide effort to chip brush and tree trimmings such that residents can take brush and tree trimmings to a central location within the neighborhood. Director Darling said that unless the resident has or has access to a pick-up truck, it really wouldn't be feasible. From a show of hands, the majority of residents in attendance at the meeting would rather clear green spaces themselves according to the District policy, than have the District take on the responsibility and have their bills increase. In response to the vote, a resident inquired as to how the District plans to enforce the policy. Director Darling posited the 80/20 rule applies in that 80% of residents will follow the policy; 20% will deviate to some degree. Director Salinas offered that the District is merely providing guidelines with the Policy and does not intend to go around policing residents; everyone has to work together, as a community. Director Salinas further suggested that the finalized policy be included with the next bill, to heed the resident request for accurate information on a final decision. Director Molinyawe made a motion to approve the Policy for Resident Access for Clearing District-Owned Green Space; the motion was seconded by Director Salinas, and unanimously carried by the Board.

5. Receive report, consider, and take action regarding the District's landscaping contract.

Mr. Valerio of LBS addressed the Board on this item. Resident questions ensued promptly. One resident inquired as to if LBS mows behind the school. Mr. Valerio said no. Another resident asked, since LBS's contract formation in September, has everything been cut under the contract? Mr. Valerio said they are trying their best to cut everything they think they need to cut. Director Molinyawe added that the District is paying LBS \$120,000.00 a year as it is. (Director Molinyawe requested an LBS calendar; Mr. Valerio said he will provide one). Another resident requested a mowing map of all the areas that are trimmed and not trimmed. Mr. Lanham added that there isn't an exact delineated line on a map to show where LBS should be cutting. Mr. Bahmer added that they will see what they can do as far as defining metes and bounds. A resident asked who determines what is being cut and what is not. Director Darling said the priority is all irrigation fields, retention ponds, around the District wells, around the sewer plant, and around the trails. Director Darling continued that the contract has been expanded to include interior areas and some of the boulevard. Another resident said there's underbrush and dead trees behind her house at the corner of Cypress Ranch and Texas Blue Bell. Mr. Lanham reiterated that the LBS contract has already been expanded; the more we add, the more expensive, and if there are areas of concern, to let us know. Director Darling added that last month the Board approved the necessary expenditure to remove silt fence and brush piles, a cost in excess of \$10,000. Mr. Lange added that the contractor will finish that work next week (the week of Monday, April 23). Another resident living near the propane tanks attested that near her house overgrowth is encroaching on her property from the empty lots across the cul-de-sac. Mr. Lange attested that area has not yet been accepted by the District (the Developer owns it). Mr. Lange and Mr. Bahmer assuaged her concern by assuring that they will look at the specific area the resident described to substantiate who owns the land and what may be done about the overgrowth.

6. General Manager's report.
7. Consider and take action regarding facility operations and maintenance, utility service, billing, and collections.

Mr. Lanham delivered the general manager's report. As requested by the District's attorney, the draft Green Space Clearing Policy has been placed on the District website; subsequent versions have been uploaded as changes have been made. AWR is coordinating with the POA and District attorneys regarding greenbelt use issues near 5412 Coral Bean Cove. The resident has been notified to stop clearing activities in the greenbelt until further notice from the District. AWR is coordinating with District engineers to complete Board approved repairs and upgrades to District wells, including the installation of new corrosion resistant titanium transducers, plus additional testing of wells 5 and 11. In April the water treatment plant control system for the GST failed and overflowed; AWR is working with contractors and District engineer to make improvements and correct the issue. MPC Inc. has provided a quote for programming modifications to the existing control panel. MPC proposes to add flow totalizers for the Verbena and Amenity center cisterns. These flows will be totalized based on the call to fill signal for each of the two cisterns. The system should be run in full automatic to have the most accurate flow readings. There is no way to account for the difference in flow totals if there is a valve that is opened manually on a separate cistern. In this case, all flow will be totalized for the cistern that is calling for water in automatic mode. MPC's proposal includes only the items listed above. No equipment will be provided. The total price for the above items is \$2,640.00. Director den Hoed made a motion to accept the MPC proposal above, at a total price of \$2,640.00; the motion was seconded by Director Salinas, and unanimously carried by the Board.

In regard to the wastewater treatment plant, due to an infection of an inexhaustible type of Filament Bacteria coupled with issues with the air injection and diffuser system, the plant was unable to meet full permit parameters for multiple months. In regard to the chlorine injection line, AWR replaced approximately 75 feet of chlorine feed line due to a line failure between the pump station and the top of the contact basin. In regard to the clarifier basin, AWR plans to schedule an inspection of the floor as part of improvement analysis. The inspection will require a pump down of the wastewater treatment plant. In regard to drip fields some areas were noted for additional repair by TCEQ. AWR made repairs in fields 5,6,7, and 9. AWR will notify TCEQ when all repairs are complete. Mr. Bahmer addressed the lift station pumps at Coral Bean and asked the Board for authorization to add a third pump if necessary. Director Peeler made a motion to approve up to \$15,000 for a new Coral Bean lift station pump (a third pump) if necessary; the motion was seconded by Director den Hoed, and unanimously carried by the Board.

#### 8. Engineer's report.

Mr. Lange delivered the Engineer's Report. In regard to District well 5, camera tests show severe scale buildup over the slots, which is greatly inhibiting the production of the well. A preliminary proposed workplan for District well 5 has been prepared by Joe Vickers, with an objective to restore well capacity. Mr. Vickers says the plan is designed to remove scale and improve aquifer capacity by mechanical and chemical methods. The estimated cost from Centex is \$22,800.00 to perform the necessary maintenance. Mr. Lange says we are expected an updated cost estimate of this work based on additional site considerations that should be reduced. Director Molinyawe made a motion to approve the District well 5 remediation work by Centex for up to \$22,800.00; the motion was seconded by Director den Hoed, and unanimously carried by the Board. District well 15, on the other hand, had the new pump installed and is performing excellent: the well has been producing approximately 50 gpm (up from 23 gpm). TRC is in

the design phase of the required maintenance items for the WWTP. We should receive a draft of the design documents by the end of May.

- 9. Receive report regarding remedial work in response to the LCRA annual maintenance inspections for West Cypress Hills.

Mr. Lange informed the Board that LBS has completed the remedial work requested by the LCRA.

- 10. Consider and take action as necessary to accept facilities for operation and maintenance, and to authorize permit applications, and trail, drainage, and facility maintenance and construction projects as recommended by the District's Engineer.

None.

- 11. Consider and take action to ratify and/or approve pay estimates and change orders for construction projects as recommended by the District's Engineer.

Director den Hoed made a motion to approve Pay Application 8, in the amount of \$20,810.25; the motion was seconded by Director Molinyawe, and unanimously carried by the Board.

Contractor: Central Road and Utility, Ltd. (CRU)		
West Cypress Hills Phase 1 Sections 5 & 6 W, WW & D	Pay App 8	\$20,810.25

- 12. Receive a report from the District's accountant and consider and act on approval of bills and invoices, ratification of payments, and funding of Manager's account.

Mr. Monzingo presented the financial report, bills, and invoices. After review by the Board, Director Salinas made a motion to approve bills, invoices, and the funding of the manager's account; the motion was seconded by Director den Hoed, and unanimously carried by the Board.

- 13. Adjournment.

APPROVED May 17, 2018.



Joanne Molinyawe, Secretary