

MINUTES OF THE MEETING OF THE VILLAGE OF BEAR CREEK COMMISSIONERS June 20, 2023

1) Call to Order

The meeting was called to order at 7:02 PM

2) Roll Call

Mayor Bohm, Commissioner Brushwood are present. Commissioner Brackenridge is absent.

3) Citizens Comments will be taken from the audience on Non-Agenda related topics. No action may be taken by the City during Citizens Comments.

Frankie Bates, TDS Representative, asks if residents would be interested in an individual bulk pick up. TDS will pick up three cubic yards of waste for an average fee of \$55.00. Customers call and schedule the pickup. All items to be placed at the street for pick up. Frankie spoke to the value of the TDS "Waste Wizard" phone app; a guide to waste solutions and collection calendar for trash, recycling etc

4) Approval of Minutes from April 19, 2021 Commissioners Meeting.

Commissioner Brushwood makes a motion to approve the April 19, 2021 minutes as submitted.

Mayor Bohm seconds. Motion approved unanimously.

5) Approval of Minutes from April 19, 2022 Commissioners Meeting.

Table, minutes are not complete.

6) Approval of Minutes from May 16, 2023 Commissioners Meeting.

Commissioner Brushwood makes a motion to approve the May 16, 2023 minutes as submitted. Mayor Bohm seconds. Motion approved unanimously.

7) Discussion and possible action in regard to reviewing 2022- 2023 budget and actual expenditures.

Table. No action required.

8) Consent Agenda- the following may be acted upon in one motion. A

Commissioner, Mayor or a Citizen may request items be pulled for separate discussion and/or action.

- a. **Approve payment to Friendship Creekside Fellowship \$50.00 for 6/20/2023 VOBC Commissioners meeting in the Annex.**
- b. **Approve payment to Hays Central Appraisal District \$115.38 for 2023 3rd Quarter. Invoice date 6/1/2023.**
- c. **Approve payment to Garcia's Tree Trimming \$13,680.00 for Winter Storm Mara Right of Way clean up. Invoice #6255 dated 5/30/2023.**

- d. Approve payment to Knight Law Firm \$270.00 for attorney services May 2023. Invoice #5066 dated 6/1/2023.**
- e. Approve payment to ULINE \$76.50 for storage boxes. Order #2074472 dated 6/10/2023.**
- f. Approve payment to Jeffrey Raffaele \$1,450.00 for Right-of-Way mowing and edging. Invoice dated 6/14/2023.**

Commissioner Brushwood pulls #f for further discussion and makes a motion to approve Consent Agenda items A thru E as presented. Mayor Bohm seconds. Motion is approved unanimously. Mayor Bohm opens Consent Agenda #F for discussion. Commissioner Brushwood says it looks like the mowing was only one swipe along with Right of Way; when it should be mowed six feet of Right of Way. Mayor Bohm noted in many areas it looked like he did mow six feet. Some areas may be less; mostly where is pretty rugged or where the ditches are close to the road. Going forward suggests we stipulate Right of Way cutting needs to occur for six feet. Whether it's with a trimmer or mower. Commissioner Brushwood agrees and makes a motion to approve Consent Agenda # F. Mayor Bohm seconds. Motion approved unanimously.

Mayor Bohm moves to open Old Business # 10.E

10) Old Business

- E) Discussion and possible action regarding improving traffic safety at the two VOBC intersections FM1826 at N Madrone Trl and Bear Creek Dr and FM1826 and 45 W. Including but not limited to 1826 Neighborhood Coalition.
(Commissioner Brushwood)**

Commissioner Brushwood has nothing to report from the 1826 Neighborhood Coalition. Council has general discussion regarding the increased traffic on FM1826, and the effect that has on our ability to access FM 1826, TX Dot road improvements over the past few years and our ongoing discussions with TxDot. At present our traffic & accident count doesn't justify TxDot improvements or changes to N Madrone Trl nor Bear Creek Dr intersections with FM1826. We've suggested additional signage at each entrance and/or additional speed monitoring on FM1826. TxDot has an action item to review and get report back to us with their recommendations.

Mayor Bohm resumes the meeting in Agenda order #9) New Business #A.

9) New Business

- A) Discussion and possible action regarding certified letter received by Mayor Bohm on Wednesday, May 31, 2023 from David K Sergi, Managing Partner of David K Sergi & Associates in conjunction with James Bellevue, Attorney making a formal request for VOBC to provide a certification regarding compliance for the Final Plat to subdivide 9000 N Madrone Trl, Austin, TX 78737, previously denied on May 20, 2020. Property owner Elena Lipkowski. (Mayor Bohm)**

Mayor Bohm states we received a six-page letter from Attorney David K Sergi in conjunction with attorney James Bellevue representing Elena Lipkowski regarding 5/20/2020 VOBC denial of Final Plat to subdivide 9000 N Madrone Trl. The letter was immediately forward to City Legal Counsel. All communication thus point forward will be between legal counsel and Attorney David Sergi.

- B) Discussion and possible action to confirm Summer/Fall 2023 dates for VOBC Commissioner Meetings. Update the VOBC Subdivision Application Calendar accordingly.**

Council has a general discussion regarding summer and fall meeting date. Council takes action to move the July 2023 meeting to Monday July 17, 2023. City Secretary to confirm the meeting space can accommodate the date change. Changing the meeting by 1 day from Tuesday July 18 to Monday July 17, requires no update to the VOBC Subdivision Application Calendar. No further action needed.

10) Old Business

- A) Discussion and possible action regarding, and not limited to, the sale and development of Lang Family Ranches properties: Lot 5, Section 3, Bear Creek Oaks (5.06 acres) and the adjoining Lot 8, Silver Spur Ranchettes (39.13 acres) aka Mission Oaks Condominiums both in Hays County.**

Mayor Bohm reports that Hays County Commissioners Court approved the Mission Oaks

Condominiums development agreement. Hays County Commissioners Court pointed out Lot 5, Section 2, Bear Creek Oaks (5.06 acre) tract is not a part of the Mission Oaks Condominium development; thus not included in the development agreement. Mayor Bohm spoke to some of the neighbors involved in the pushback. They're not terribly excited Hays County Commissioners Court approval; but feel their concerns were addressed and pulled into the agreement. No further action and request item be pulled from the agenda.

B) Discussion and possible action regarding the Coronavirus Local Fiscal Recovery Fund (CLFRF) program and VOBC use of allocated funds. (Including but not limited to Broadband and Water)

Mayor Bohm has no update. In August he'll be required to update VOBC SAM's credentials. Commissioner Brackenridge isn't in attendance to comment on the status of viability of Broadband.

C) Discussion and possible action regarding West Travis County Public Utility Agency (WTCPUA) water expansion model/study for VOBC, including but not limited to discussion of VOBC City Engineer cost estimates for implementation as well as various possible approaches to fund the project.

Mayor Bohm recaps our City Engineer estimates the cost to bring water line from FM1826 down Madrone Trail and complete the loop to S Madrone Trail at \$3,000,0000. City Attorney suggested creating MUDs for each section of Madrone Trail. As previously discussed each MUD requires voter approval; once approved each MUD is operated 3 residents in that district and not members of VOBC council. He reached out to a couple of residents he thought would be interested; so far found no interest.

D) Discussion and possible action regarding Village of Bear Creek roads and Right of Way.

Council agrees no repair items we need to jump on. Mayor Bohm is planning on talking with our City Engineer to get his summary of their road study.

E) Discussion and possible action regarding improving traffic safety at the two VOBC intersections FM1826 at N Madrone Trl and Bear Creek Dr and FM1826 and 45 W.

Including but not limited to 1826 Neighborhood Coalition. (Commissioner Brushwood)

Discussed earlier in the meeting.

F) Discussion and possible action Presidential Declaration #4705 for Winter Storm Mara in Texas Counties, including Hays County.

City Secretary reports that she didn't make the 6/20/2023 deadline to register for grant consideration. She applied for portal access, followed up and no response prior to today's deadline. Maybe they'll extend the deadline?.

G) Discussion and possible action regarding Hays County Multi-Jurisdictional Hazard Mitigation Plan. (Commissioner Brushwood)

Table

H) Discussion and possible action regarding Covid-19 Hays County Disaster Order, the Governors Orders and VOBC.

No update. Table.

I) Discussion and possible action regarding VOBC records and fire recovery. (Mayor Bohm)

Mayor Bohm reports purchasing the specific storage boxes required for the State Library Commission. He and the City Secretary opened roughly half of the fire reclaimed boxes, small progress on identifying salvaged documents. He's reached out to different municipalities requesting their record disposition ordinances, with the hopes we can piggy back on their procedures and ordinance. that. Several cities say they have a plan in place, when he follows up they say they're still looking into it.

J) Discussion and possible action regarding Village of Bear Creek web site maintenance.

City Secretary spoke to Rowland Williams about utilizing the web site to as a phone number data base. Rowland said Word Press isn't secure enough platform to handle that. Mayor Bohm asked if anyone is familiar with a government program thru FEMA called ready.gov . It provides severe weather updates; we could make this link available on our web site.

Commissioner Brushwood recommends we add the TDS link to Wizard App and the ERCOT app.

11) Announcements

**A) Next VOBC Commissioners Meeting is Monday, July 17, 2023 7:00 PM at
Friendship Creekside Fellowship, 14455 FM 1826, Austin, TX 78737.**

12) Adjournment

The meeting adjourned at 8:11 PM

Submitted on August 13, 2023 by Kathryn Rosenbluth

Approved on ___ 8/15/2023 _____

By *Kathryn Rosenbluth*

Kathryn Rosenbluth, City Secretary