

MINUTES OF THE MEETING OF THE VILLAGE OF BEAR CREEK COMMISSIONERS April 16, 2024

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.

Al Brushwood asked Kathryn Rosenbluth for an update on the dumped construction debris on the vacant lot at N Madrone entrance. Kathryn said Quincy Despain w/ BCOPOA reached out for the property owners contact information. Quincy said BCOPOA has been getting complaints about the unsightly debris and wanted to contact the property owner and request permission to remove the construction debris. Kathryn hasn't followed up with Quincy but assumed she obtained owner's permission as the pile of debris has decreased somewhat.

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

Table, minutes are not complete.

5) Approval of Minutes from February 20, 2024 Commissioners Meeting.

Commissioner Brushwood makes a motion to approve the February 20, 2024 minutes as submitted. Mayor Bohm seconds. Motion is approved unanimously.

6) Approval of Minutes from March 18, 2024 Commissioners Meeting.

Table, minutes are not complete.

7) Discussion and possible action in regard to reviewing 2023- 2024 budget and actual expenditures.

City Secretary states JL Powers & Associates consulting services expense is under Uncategorized expenses. City Secretary informs council she's working with auditors on the 2022-2023 fiscal review.

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 4/16/2024 VOBC Commissioners meeting in the Annex.

b. Approve payment to JL Powers & Associates LLC \$1,100.00 for April 2024 consulting services. Invoice #10923 dated 3/1/2024.

c. **Approve payment to Knight Law Firm \$165.00 for December 2023 attorney services. Invoice #5715 dated 4/1/2024.**

Mayor Bohm makes a motion to approve the Consent Agenda as read. Commissioner Brushwood seconds. Mayor Bohm asks if the Driftwood Volunteer Firehouse on FM1826 offers space for community meetings now that their renovation is done and we're past Covid-19. City Secretary will reach out to them. Commissioner Brushwood suggests VOBC contribute to Driftwood Volunteer Fire Department for all their work in our community. Mayor Bohm said it's no longer a 'volunteer' firehouse, it's staffed by Hays County fire personnel. Commissioner Brushwood said if meetings move to Driftwood Volunteer Firehouse, we continue to pay \$50.00/month for meeting space. Mayor Bohm agrees. Motion is approved unanimously.

9) **New Business**

a. **Discussion and possible action regarding scheduled TDS/VOBC Trash Collection Day to be held on April 20, 2024.**

City Secretary states she's posted TDS/VOBC Trash Collection Day signage at the entrances and the prohibited items signs at the two collection sites. She's also posted event reminders on the BCO Facebook page. This along with mailing event notices in with BCOPOA 2024 invoices; confident all property owners have been notified about the event. The council has a general discussion about their availability on the day of the event and the event itself.

b. **Discussion and possible action to regarding City Engineer's proposal for a VOBC water runoff study.**

Mayor Bohm reached out to Chad Gilpin, City Engineer about updating the VOBC water run off study done 20+ years ago. There's been several changes including a many more homes thus more runoff. The older study doesn't address culvert sizes for 10-year events verses a 20-year or 100-year event. He asked Gilpin what they use as a base line for culvert sizes. Gilpin said they spot check and see how close current culverts are in meeting a 100-year flood event, if it's way off, we'll have conversation at that point to perhaps the report include base line for 25 or 50-year flood events. Gilpin referred Edge Engineering for this project; Edge Engineering is a highly regarded firm; they've done similar studies for the state and other

counties. Edge Engineering presented a scope of services; six-month project including data collection, field visits, drainage criteria establishment, hydrologic modeling and driveway culvert sizing for a cost not to exceed \$57,860.00. Additional services require written approval from VOBC. Mayor Bohm explained hydrologic modeling will show peak flow rates and where all the water flows. One of the key things they'll do is indicate culvert crossing contributing drainage area, critical choke points and areas where damage may occur. Being that FEMA is working on updating Hays County flood maps; a process that's been ongoing since 2015. Gilpin said Edge Engineering could base the report of Atlas 14 data (rather than FEMA mapping) and reduce the cost to \$45,020.00. Atlas 14 data uses modern data techniques and provides all data except for floodplain modeling. With the Atlas 14 data in the report; on requests to subdivide we'd need to reference the current FEMA Hays County flood maps. City Secretary sees great value in including FEMA Hays County flood maps in the proposed study for \$57,860.00. As a participating community with FEMA it's important we include that data. With FEMA data included; perhaps we can use the CLFRF money to fund the study. The council has a general discussion. Commissioner Brushwood makes a motion to move forward Edge Engineering Village of Bear Creek Drainage Study not to exceed \$57,860.00 as presented. And to examine the viability of charging it against the CLFRF funds Mayor Bohm seconds. Motion is approved unanimously.

c. Discussion and possible action regarding TDS contract renewal and the next steps for putting a competitive bid package together.

Mayor Bohm received an email from Frankie Bates, TDS Representative, a few weeks ago, stating they forgot to include VOBC franchise fee in the 1-year VOBC/TDS contract. Adding the VOBC franchise fee, a pass through to property owners, results in 39.16% bill increase. At contract renewal we thought the VOBC franchise fee was included, at a 12.14% bill increase. 39.16% increase is excessive, Mayor Bohm recommends we suspend collecting franchise fee for the remaining term of the 1-year contract. The Council has an open discussion. Mayor Bohm makes a motion for the VOBC to suspend the trash franchise fee for the duration of the current contract. Commissioner Brushwood seconds. Motion

approved unanimously. We'll proceed in the steps of putting a competitive bid package together. Meanwhile, if residents complain of the increase in TDS trash/recycling services we can tell them VOBC settled on a temporary one-year agreement that was higher than we wanted. For some financial relief VOBC has waived the franchise fee for the remainder of the contract.

10) Old Business

A) Discussion and possible action regarding an update from JL Powers & Associates.

Table. Nothing to report. City Secretary reminds Council, JL Powers & Associates expenditure approved for three months or not to exceed \$6,000.00. Next month, May 2024 is the third month. .

B) Discussion and possible action regarding Pedernales Electric Cooperative's power line upgrade and vegetation maintenance.

Commissioner Brushwood shares PEC came through and trimmed vegetation from the street to transformer. The Council has general discussion and determine that was regular powerline maintenance and not upgrade work.

C) 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)

City Secretary is aware the Annual Report is due 4/30/2024; and she'll have it completed by the deadline.

D) 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.

Table.

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

Commissioner Brushwood spoke to Johnny, Texas Road Repair Inc. He said his trucks are

repaid and anticipates beginning work this Friday; cost \$2,000.00 per load. Council previously approved expenditure up \$14,000.00 (7 loads) for edge of road repair. Commissioner Brackenridge placed white markings on roadways to identify repair areas. Beatsy Nolan, 8200 Cedar Cove, reached out requesting edge of road repair on Cedar Cove cul-de-sac and asphaltting up to her front gage. Cul-de-sac damage largely caused by delivery vehicles (Amazon, Fed-X, US Mail). The Council has a general discussion of repairing the cul-de-sac but not asphaltting up to her front gate. Commissioner Brushwood will review the site and follow up Beatsy Nolen.

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 FM1826 from HWY 290 to FM 150 and the 1826 Neighborhood Coalition. (Commissioner Brushwood)

Commissioner Brushwood reports no activity from the 1826 Neighborhood Coalition. Supposedly in June will be the public review of TX DOT expansion plan for FM 1826 from 150 to Travis County line. City Secretary shared that there is a petition going around opposing TX DOT FM 1826 expansion plan from 290 to Travis County line.

F) Discussion and possible action regarding VOBC records and fire recovery.

Table.

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

City Secretary shares Rowland Williams identified and fixed the issue prohibiting uploading of documents and the visibility of documents on VOBC web site. The VOBC Subdivision Checklist is uploaded to VOBC web site and the 2023 VOBC Subdivision Calendar was deleted from VOBC web site.

11) Announcements

A) Next VOBC Commissioners Meeting is Tuesday, May 21, 2024 7:00 PM at Friendship Creekside Fellowship, 14455 FM 1826, Austin, TX 78737.

12) Adjournment

The meeting adjourned at 8:23 PM

Submitted on May 19, 2024 by Kathryn Rosenbluth

Approved on 5/21/2024

By *Kathryn Rosenbluth*
Kathryn Rosenbluth, City Secretary

