

# ARMBRUST & BROWN, PLLC

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## MEMORANDUM

TO: Board of Directors -  
Block House Municipal Utility District

FROM: Denise L. Motal  
Legal Assistant

DATE: July 27, 2020

RE: Block House Municipal Utility District -  
July 29, 2020 Special Meeting

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Enclosed please find the agenda and support materials for the **video conference special meeting** of the Board of Directors of Block House Municipal Utility District scheduled for Wednesday, July 29, 2020, at **6:00 p.m.** Personal attendance at the meeting will not be permitted due to the potential health issues created by the Coronavirus/COVID-19 in order to protect the health of the members of the Board of Directors, the District's consultants, and the public.

The video conference meeting will be hosted through Zoom and the link to the Zoom meeting is:

<https://zoom.us/j/99215235932?pwd=cStmaUNvelVPekpJTDBqYVJHd1lrQT09>

The Zoom meeting ID is **992 1523 5932** and the passcode is **118920**. Participants may also join the meeting by dialing **346-248-7799** and the passcode is **118920**. Please follow the instructions provided by the system to access the meeting.

An electronic packet for the meeting is available at the following link:

<https://abaustin.sharefile.com/share/view/sd538f44a2d14aa28/fo095c57-73f7-4955-ba1c-c1ea257bde61>

Please let me know if you cannot attend the telephone meeting so that I can confirm that a quorum will be present. Please do not hesitate to contact me if you have any questions.

Jacquelyn Smith (Crossroads Utility Services, LLC)  
Lisa Torres (Crossroads Utility Services, LLC)  
Andrew Hunt (Crossroads Utility Services, LLC)\*  
Taylor Kolmodin (Municipal Accounts & Consulting, L.P.)  
Autumn Phillips (Municipal Accounts & Consulting, L.P.)\*  
David Gray (Gray Engineering, Inc.)\*  
Cheryl Allen (Public Finance Group LLC)\*  
Carol Pumbo (McCall, Parkhurst & Horton L.L.P.)\*  
Tripp Hamby (Priority Landscapes, LLC)\*  
Tanya Emmons (Pinnacle Texas Management, LLC)\*  
Charles Kelley (Williamson County Sheriff's Dept.)\*

Jay Howard (Texas Disposal Systems, Inc.)\*  
Ja-Mar Prince (Texas Disposal Systems, Inc.)\*  
Barbara Graves (Texas Disposal Systems, Inc.)\*  
Chris Swedlund (McCall Gibson Swedlund Barfoot PLLC)\*  
Brian Toldan (McCall Gibson Swedlund Barfoot PLLC)\*  
Jan Gibson (McCall Gibson Swedlund Barfoot PLLC)\*  
Ashlee Martin (McCall Gibson Swedlund Barfoot PLLC)\*  
Tom Davis (Lifeguard 4 Hire, L.L.C.)\*  
Luanne Miller (BHC Owners Association)\*  
David Johnson (Tidal Waves Swim Team)\*  
Stu McMullen (resident)\*

\*AGENDA ONLY (via email)

{W0991244.1}

**BLOCK HOUSE MUNICIPAL UTILITY DISTRICT**

**July 29, 2020**

TO: THE BOARD OF DIRECTORS OF BLOCK HOUSE MUNICIPAL UTILITY DISTRICT AND ALL OTHER INTERESTED PERSONS:

Notice is hereby given that the Board of Directors of Block House Municipal Utility District will hold a special meeting at **6:00 p.m. on Wednesday, July 29, 2020.**

**THIS MEETING WILL BE HELD VIA VIDEO CONFERENCE CALL PURSUANT TO SECTION 551.127, TEXAS GOVERNMENT CODE, AS MODIFIED TEMPORARILY BY GOVERNOR GREG ABBOTT, AND THE RELATED GUIDANCE FROM THE OFFICE OF THE TEXAS ATTORNEY GENERAL, IN CONNECTION WITH THE GOVERNOR’S COVID-19 DISASTER PROCLAMATION.**

**MEMBERS OF THE PUBLIC ARE ENTITLED TO PARTICIPATE IN AND TO ADDRESS THE BOARD OF DIRECTORS DURING THE MEETING. THE VIDEO COFERENCE MEETING WILL BE HOSTED THROUGH ZOOM VIDEO COMMUNICATIONS, INC. (“ZOOM”). THE LINK TO THE ZOOM MEETING IS:**

<https://zoom.us/j/99215235932?pwd=cStmaUNvelVPekpJTBqYVJHd1lrQT09>

**THE ZOOM MEETING ID IS 992 1523 5932 AND THE PASSCODE IS 118920. PARTICIPANTS MAY ALSO JOIN THE MEETING BY DIALING 346-248-7799. PLEASE FOLLOW THE INSTRUCTIONS PROVIDED BY THE SYSTEM TO ACCESS THE MEETING. MEETING INFORMATION IS ALSO ATTACHED AT THE END OF THIS AGENDA.**

**AN ELECTRONIC AGENDA PACKET FOR THE MEETING IS AVAILABLE AT THE FOLLOWING LINK:**

<https://abaustin.sharefile.com/share/view/sd538f44a2d14aa28/fo095c57-73f7-4955-ba1c-c1ea257bde61>

**THIS MEETING WILL BE RECORDED AND, FOLLOWING THE MEETING, THE RECORDING WILL BE MADE AVAILABLE AT THE SAME LINK SPECIFIED ABOVE.**

**ANYONE SPEAKING DURING THE MEETING SHOULD IDENTIFY THEMSELVES CLEARLY PRIOR TO SPEAKING.**

The following matters may be considered and acted upon at the meeting:

*Note: Matters on which Board action is anticipated are noted as “Decision”. Matters on which Board action is not anticipated are noted as “Informational”. Such notations are intended as a guide to facilitate the conduct of the meeting based on information available at the time that this agenda was finalized and are not binding. The Board reserves the right to take action on any of the following matters.*

<u>AGENDA</u>	<u>ANTICIPATED ACTION</u>
<b>GENERAL</b>	
1. Citizens’ communications;	Informational

<b>DISCUSSION / ACTION ITEMS</b>	
2. Amendment No. 1 to Pool Services Agreement with Lifeguard 4 Hire, L.L.C.;	Decision
3. Town Hall meeting on Disc golf;	Informational
4. Review of Meeting Notes;	Informational
5. Future Board meetings/agenda items.	Informational

The Board of Directors is authorized by the Texas Open Meetings Act, Chapter 551, Texas Government Code, to convene in closed or executive session for certain purposes, including receiving legal advice from the District's attorney (Section 551.071); discussing real property matters (Section 551.072); discussing gifts and donations (Section 551.073); discussing personnel matters (Section 551.074); discussing security personnel or devices (Section 551.076); and discussing information technology security practices (Section 551.089). If the Board of Directors determines to go into executive session to discuss any item on this agenda, the presiding officer will announce that an executive session will be held and will identify the item to be discussed and the provision of the Open Meetings Act that authorizes the closed or executive session.




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Attorney for the District

(SEAL)



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Block House Municipal Utility District is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please call Armbrust & Brown, PLLC at (512) 435-2300 for additional information. Hearing impaired or speech disabled persons equipped with telecommunications devices for the deaf may utilize the statewide Relay Texas program at (800) 735-2988.

Sean Abbott is inviting you to a scheduled Zoom meeting.

Topic: Block House MUD disc golf

Time: Jul 29, 2020 06:00 PM Central Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/99215235932?pwd=cStmaUNvelVPekpJTDBqYVJHd1lrQT09>

Meeting ID: 992 1523 5932

Passcode: 118920

One tap mobile

+16699006833,,99215235932#,,,,,0#,,118920# US (San Jose)

+12532158782,,99215235932#,,,,,0#,,118920# US (Tacoma)

Dial by your location

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Germantown)

Meeting ID: 992 1523 5932

Passcode: 118920

Find your local number: <https://zoom.us/u/acDei9xTTv>

**AMENDMENT NO. 1 TO POOL SERVICES AGREEMENT**

This Amendment No. 1 to Pool Services Agreement (this "Amendment") has been executed on the date or dates indicated on the signature pages hereto, effective as of July 29, 2020 (the "Effective Date"), by **BLOCK HOUSE MUNICIPAL UTILITY DISTRICT**, a political subdivision of the State of Texas (the "District"), and **LIFEGUARD 4 HIRE, L.L.C.**, a Texas limited liability company (the "Contractor"). The District and the Contractor are referred to collectively as "Parties" in this Amendment.

**RECITALS:**

WHEREAS, the Parties have entered into the Pool Services Agreement (the "Agreement" or "Contract"), effective as of October 1, 2019, which establishes the terms and conditions under which the Contractor will provide pool management, operations, and maintenance services for the District's swimming pools; and

WHEREAS, the Parties desire to adopt this Amendment to provide for terms and conditions relating to extended hours for the Pools beyond what the Parties agreed upon in the Agreement, including provisions relating to compensation and total time expended by the Contractor, and to amend the Agreement as described herein.

**NOW, THEREFORE**, for and in consideration of the mutual promises, covenants, obligations, and benefits hereunder set forth, and set forth in the Agreement, the Parties agree as follows:

- 1. Recitals.** The recitations set forth above are declared true and correct and are hereby incorporated as part of this Amendment.
- 2. Definitions.** Capitalized terms in this Amendment shall have the same meaning as set forth in the Agreement unless otherwise specified herein.
- 3. Extended Pool Hours in 2020; Compensation.** The Contractor agrees to manage, operate, and maintain the District's swimming pools, pursuant to the terms and conditions in the Agreement and in accordance with the District's Pool Rules and Regulations, including the Policies and Procedures Relating to Pool Operations During the Coronavirus Epidemic, through August 12, 2020. The Parties agree that the Contractor will provide an additional 357 hours of lifeguarding services to accommodate the extended pool hours and the District agrees to compensate the Contractor \$7,854 for the additional services provided for herein. Contractor shall promptly invoice the District after providing the additional services and the District agrees to compensate the Contractor for such services within 30 days of receiving the invoice.
- 4. Term.** This Amendment shall continue in force and effect for so long as the Agreement is in force and effect. This Amendment shall not be amended or modified in any respect without the written consent of the Parties.
- 5. Conflicts of Agreements.** All terms and provisions of the Agreement shall remain in full force and effect, except as modified hereby, and shall apply to this Amendment. In the event of a conflict between the terms of this Amendment and the Agreement, the terms of the Agreement shall control.

**6. Authority.** Each Party warrants and represents to the others that they have the authority to sign this Amendment in the capacities and for the purposes stated herein.

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment in multiple counterparts, each of which shall be deemed to be an original, effective as of the date and year first written above.

*[EXECUTION PAGES FOLLOW]*

**DISTRICT:**

**BLOCK HOUSE MUNICIPAL UTILITY  
DISTRICT**

By: \_\_\_\_\_  
Cecilia Roberts, President  
Board of Directors

Date: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
Rayan Horak, Secretary  
Board of Directors

**CONTRACTOR:**

**LIFEGUARD 4 HIRE, L.L.C.**, a Texas limited liability company

By: \_\_\_\_\_  
Tom Davis, Director of Operations

Date: \_\_\_\_\_



# BLOCK HOUSE CREEK- PROPOSED DISC GOLF RE-LOCATION MAP



## LEGEND

- 1 TUMLINSON PARK - Original DG location
- 2 COMMANCHE PARK - Original DG location
- 3 TONKAWA PARK - Reviewed as possible new location for DG
- 4 HUTTON LANE - Reviewed as possible new location for DG
- 5 JUMANO PARK- Reviewed as possible new location for DG

**JUMANO PARK** 

## NOTES

- 1. THE EXISTING COURSE WAS EVALUATED BY A RECOGNIZED PROFESSIONAL IN THE DISC GOLF INDUSTRY (ATTACHED). THE SUMMARY OF THE REPORT RESULTED IN THE ACTION TO CLOSE THE COURSE FOR SAFETY ISSUES.
- 2. THE MUD BOARD HAS TAKEN ACTION REGARDING THE DISC GOLF AMMENITY RECENTLY CLOSED AND REMOVED FROM SERVICE BY APPOINTING A SUBCOMMITTEE TO REVIEW POSSIBLE ALTERNATE LOCATIONS FOR DISC GOLF.
- 3 THESE PROPOSED AREAS REPRESENT THE AVAILABLE AREAS WITH SHORT COMMENTS REGARDING ISSUES ASSOCIATED WITH THE AREA, DISCUSSION OPEN.
- 4 WHEN/IF A LOCATION IS DEEMED DESIRABLE BY THE BOARD AND GOLFERS THE LOCAL RESIDENTS WILL BE POLLED FOR FURTHER DISCUSSION AND OPINION PRIOR TO ANY FINAL DECISION.



**NOTES:**

LOOKED AT POSSIBLY PUTTING A SHORT DG COURSE ALONG THE RR TRACKS IN PARK.

THERE ARE SOME OBSTACLES, COULD ADD SOME.

WOULD REQUIRE MOVING TRAIL INWARD TOWARD ESTABLISHED MULTIUSE AREAS.

THIS WOULD BE A VERY SMALL- SHORT COURSE (1000FT L X 80 FT W) AND MAY INTERFERE W/ USERS ON MULTIUSE AREAS.

EVEN IF YOU TAKE PART OF THE MULTIUSE FIELDS- NOT MANY OBSTACLES OR CHALLENGES.

**WE CURRENTLY ARE NOT INTERESTED IN PURSUING THIS OPTION**



## HUTTON LANE AREA

### NOTES:

LOOKED AT POSSIBLY PUTTING A DG COURSE THIS AREA.

THIS IS VERY VERY CLOSE TO HOMES SIMILAR TO COMMANCHE PARK AREA.

THERES NO PARKING AREAS AVAILABLE AND MINIMAL ACCESS - WE COULD MAKE ACCESS ALONG CREEK RUN, BUT CHALLENGING.

WOULD REQUIRE HEAVY BRUSH REMOVAL AND REALLY NOT MANY OBSTACLES.

THIS WOULD BE A VERY SMALL- SHORT COURSE (1007FT L X 45 FT W) AND WOULD MOST LIKELY INTERFERE W/ ADJACENT HOMEOWNERS.

**WE CURRENTLY ARE NOT INTERESTED IN PURSUING THIS OPTION.**

## JUMANO PARK - PROPOSED DISC GOLF LOCATION



### LEGEND

- Existing dry creek / pathway
- - - - - Possible NEW crossover to be cleared
- ● ● ● Possible NEW hiking trail

### Notes:

All of Jumano park on south side of BH Creek has well established utilized trails, plus roadway traffic. Proposed location for new disc golf would be on the opposite side of Jumano away from established areas. There are some established trails on proposed location that would need evaluation and trail relocations considered in proposed course. APPX 10 ACRES AVAILABLE THIS DISPLAY AREA

## JUMANO PARK- PROPOSED DISC GOLF ACCESS



**Main access area**

### Notes:

- No Tee's or baskets would be installed in view from parking area on Cabernet way.
- Avoid baskets /tees on course visible from Chardonnay Crossing
- Locate trash receptacles at start/end of course - lockable
- Hours of operation will need to be established due to residents proximity.
- Trail work can be done via volunteers per CDC current ruling

# Block House Creek Disc Golf Course Review



**HouckDesign.com**

P O BOX 163373, Austin, Texas 78716

Email: [Contact@HouckDesign.com](mailto:Contact@HouckDesign.com) Phone: 512-970-9001 or 512-426-7722

## REVIEW SUMMARY

HouckDesign is a disc golf course design firm that was asked to review the Block House Creek disc golf course located at 2600 S Block House Drive, Leander, TX 78641.

To achieve the objective of this proposal, designer had to go on site, walk in some accessible areas, take photos, and also examine the property by visiting different points with access.

Based on the findings of the site visit, each fairway has undesirable risk for trail users and some fairways have an undesirable risk for street traffic.

Below is the hole-by-hole assessment by John Houck, HouckDesign.

### HOLE #1. Photos below.



The tee is right next to the trail, so that the trail is vulnerable to discs flying and landing there, and backyards 100' away are vulnerable to discs flying there. The trail is in the middle of the fairway, **which creates safety risk**. The basket is surrounded on 3 sides by trail, and there isn't enough distance to safety land the disc as the trail is too close.

### HOLE #2. Photos below.



The tee sign is not visible from the tee box for players. The trail is too close to the tee, so there is not enough landing area. Drives can cross the trail twice and create safety risk. Backyards are also too close, and discs can fly or land there. The basket is too close to the trail, and discs can fly or land on the trail, **creating safety concerns** for trail users.

**HOLE # 3. Photos below.**



Trail is vulnerable from the tee as discs can fly over the trail. Sidewalk and street are partially protected but are still vulnerable to flying discs for cars, pedestrians, or bicycles. Again, on the second shot, the sidewalk and street are vulnerable to discs flying over them or landing on them, therefore creating a risk to sidewalk users and street traffic. Basket is about 12' from trail – **there isn't enough distance to safety land the disc**, as the trail is too close.

**HOLE #4. Photos below.**



Fairway is parallel to and too close to the trail, sidewalk, and street, making them all are vulnerable to flying discs landing on the trail or flying across it. **Creates risk for trail and sidewalk users. Creates risk for street traffic.** Basket is within 15' of trail – **there isn't enough distance to safety land the disc**, as the trail is too close.



**HOLE #5. Photos above.** This is the first hole with the trail fairly well protected in the tee area. Discs can land in the street and create risk for street traffic. Basket is too close to the trail – discs can still fly over the trail or land on the trail creating risk for trail users.



**HOLE #6. Photos below.**



Unable to find a tee sign for this hole. If the course map is accurate, the tee is too close to the trail and throws parallel to the trail and the street, creating undesirable risk to trail users and street traffic. **Not enough buffer zone.** The basket is still too close to the trail, and the next tee sign is too close to the basket.

**HOLE #7. Photos below.**



This tee is father from the trail than most on the course, **but trail users are still vulnerable to the risk of discs flying over or across the trail.** **The basket is too close to the next tee sign.**

**Hole #8. Photos below.**



The tee pad is parallel to and too close to the trail, and discs can cross or land on the trail, creating risk to trail users. The trail crosses the fairway, which adds even greater risk on the hole to trail users from flying discs. The basket is located too close to the trail on two sides, creating additional risk.

## HOLE #9. Photos below.



The tee sign is not visible from the tee box. The drive throws over the trail and parallel to the trail, which is in the fairway. This hole has risk for trail users on each side of the fairway and also near the basket, which is too close to the trail.

### Redesign Options:

1. If no additional adjacent area is available, HouckDesign can create a family-friendly, skill development, beginner type course through Micro Disc Golf Courses.
2. **If additional land is available**, it is possible to redesign this course to a par 3 recreational course which would minimize risks to trails, streets and other users. By relocating all fairways within the same area and sufficient additional area, the new course would serve the community in a more safe and sustainable way. It would also be more fun and more challenging.