

# ARMBRUST & BROWN, PLLC

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## MEMORANDUM

TO: Board of Directors -  
Block House Municipal Utility District

FROM: Denise L. Motal  
Legal Assistant

DATE: June 11, 2020

RE: Block House Municipal Utility District  
June 17, 2020 Special Meeting

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Enclosed please find the agenda and support materials for the **telephone conference special meeting** of the Board of Directors of Block House Municipal Utility District scheduled for Wednesday, June 17, 2020, at **6:00 p.m.** **The dial-in information for the meeting is included on the meeting agenda.** 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.

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 Polumbo (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)

**BLOCK HOUSE MUNICIPAL UTILITY DISTRICT**

**June 17, 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, June 17, 2020.**

**THIS MEETING WILL BE HELD VIA TELEPHONE CONFERENCE CALL PURSUANT TO SECTION 551.125, 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 TOLL-FREE DIAL IN NUMBER FOR THE MEETING IS 1-888-510-5505, AND THE PARTICIPANT CODE IS 199914. PLEASE FOLLOW THE INSTRUCTIONS PROVIDED BY THE SYSTEM TO ACCESS THE MEETING.**

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

<https://abaustin.sharefile.com/share/view/sd538f44a2d14aa28/fo095c57-73f7-4955-ba1c-cla257bde61>

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

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. Request for temporary waiver of use restrictions contained in Declaration of Covenants, Conditions, and Restrictions for Block House Commercial Areas;	Decision
3. Request from Block House Creek Swim Team (Tidal Waves) for adjustment in fees for the 2020 swim season, including Amendment No. 2 to Pool Use Agreement;	Decision

4.	Report from Park Improvements Steering Committee, including:	Informational
	(a) Recommendation regarding Bond Proposal Package 1 – Parks & Trails;	Informational
	(b) Recommendation regarding Bond Proposal Package 2 – Fence Replacement;	Informational
5.	Review of Meeting Notes;	Informational
6.	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.



# AMERICAN FIREWORKS

1315 Hwy 71 W • P.O. Box 64  
Bastrop, Texas 78602  
Phone 512-321-4416 • Fax 512-321-7272

32326A FM 249  
Pinehurst, Texas 77362  
Phone 281-356-9419 • Fax 281-259-8065



June 4, 2020

Block House MUD  
Board of Directors  
2600 Block House Drive South  
Leander, TX 78646

Re: Block House MUD Fireworks Proposal for 2020

Dear Board Members,

For the last two years, the Board has approved temporary waivers allowing American Fireworks to sell fireworks for a period one year, if American Fireworks provided a fireworks show for the community to be shot across from Tonkawa Park. We agreed that American Fireworks would place no more than three new fireworks stands on the property and those stands would be located on the property during the approved dates, June 20<sup>th</sup>-July 8<sup>th</sup> and December 16<sup>th</sup>-January 5<sup>th</sup>.

Today, we are requesting the Board extend the waiver to allow American Fireworks to sell fireworks through the December 2020 fireworks season and allow us to shoot another \$10,000.00 fireworks show for the community. Tonkawa Park continues to be the ideal location for the fireworks show for the Block House residents. In light of the COVID-19 pandemic, we would like to work with you to insure a safe, healthy and successful event. We are happy to schedule the fireworks show on July 4<sup>th</sup> or we can wait to schedule it for a later date. We will help in any way possible to make sure the residents have a safe and exciting event!

Chester Davis, the owner of American Fireworks and I are happy to visit with you about any ideas that you have to make this a great celebration! In addition to calling us at the office at (512) 321-4416, you are welcome to call us directly on our cell phones. Chester's cell phone number is (512) 569-7689. My cell phone number is (512) 784-3323.

Thank you for helping over the years and thank you for your consideration of our current proposal. We appreciate the opportunity and look forward seeing you soon, virtually or in real life!

Sincerely,

Jeff Coffee

AGENDA ITEM #2

[www.BuyAmericanFireworks.com](http://www.BuyAmericanFireworks.com)

# Bond Proposal Package 1 – Parks & Trails

Parks Planning Steering Committee - Spring 2020

## Parks & Trails Improvements Bond

Since fall of 2019 the committee of neighborhood residents appointed by the MUD Board have been meeting monthly to identify potential projects, establish the benefits to the community, and work with the engineer who will be doing any work to establish the price.

Bond Package 1 from the committee covers several enhancements to the parks and trails in the community. Descriptions of the projects are included below.

### Project Descriptions:

1. **Tonkawa Park Restroom Facility:**  
Construct a restroom facility in Tonkawa Park. This would be a new community feature.
2. **Jumano Park Community Building Renovation:**
  - a. Either significantly enhance or rebuild the community building to provide a better space for meetings and events. This would be an enhancement to a current feature.
  - b. **Jumano Access Road:** Widen and enhance the access road, including bridge, from Block House Dr. to the Jumano Community building. This would be an enhancement to a current feature.
3. **Trail Improvements:**
  - a. **Linking Parks via Trail Enhancements:** Upgrade/Add trails throughout the neighborhood to connect the parks where possible, enabling residents to use trails to get to any neighborhood facility. This is largely a new feature, though some paths do exist between some facilities.
  - b. **Signage/Waypoints/Trail Markers:** Add signage throughout the trail system to enhance the usability and experience of trails. This would be a new feature.
  - c. **Low Water Crossings:** Enable access to both sides of the creek and continue trail connections. Some areas have been identified but a full list would need to be created. This is an enhancement to a current feature.
4. **Dog Park Facility:** Identify location and construct a fenced dog park for resident use. This would be a new community feature.

Park/Trail Improvements		
Construction Costs		Amount
1.	Tonkawa Park Restroom Facility	\$ 230,000
2.	Jumano Park Community Building Renovation	\$ 850,000
3.	Trail Improvements	\$ 856,000
	3a. Linking Parks	\$ 626,000
	3b. Signage/Waypoints/Trail Markers	\$ 80,000
	3c. Jumano Access Road	\$ 100,000
	3d. Low Water Crossings	\$ 50,000
4.	Dog Park Improvements	\$ 80,000
	Engineering Fees, Permits, etc.	\$ 241,919
	Contingencies	\$ 302,400
<b>Construction Cost Total</b>		<b>\$2,560,319</b>

\*Fees and Contingencies based on proportional estimate from Engineer

Non-Construction Costs	Amount
Legal Fees (2.5%)	\$ 78,348
Financial Advisor Fee (2.5%)	\$ 78,348
Bond Discount (3%)	\$ 94,017
Capitalized Interest (2 years @ 4%)	\$ 250,714
Cost of Issuance	\$ 14,200
TCEQ Review Fee (.25%)	\$ 7,834
Attorney General's Review Fee (0.1%)	\$ 3,133
Bond Application Report (1.5%)	\$ 47,008
<b>Non-Construction Cost Total</b>	<b>\$ 573,602</b>
<b>Park/Trail Improvement Total Cost</b>	<b>\$3,133,921</b>

**AGENDA ITEM #4(a)**

# Bond Proposal Package 2 – Fence Replacement

Parks Planning Steering Committee - Spring 2020

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## Fence Replacement Bond 2

Since fall of 2019 the committee of neighborhood residents appointed by the MUD Board have been meeting monthly to identify potential projects, establish the benefits to the community, and work with the engineer who will be doing any work to establish the price.

The bond recommendation from the committee covers a replacement of the approximately 6 miles of wooden fence on both sides of the roughly oval loop formed by Block House Dr and Creek Run. This would also include the portion of Block House Dr. that extends past Creek Run towards the HEB Center. This committee would also recommend to fence off Jumano Park along 183-A as a cost sharing project with CTRMA.

### Project Descriptions:

This project would be an enhancement of a current feature. The existing wood fence would be removed and a new, stronger fence in its place to save on the cost of repairs and replacements to sections of the fence, including aesthetic upkeep such as cleaning and painting. The new fence would not require painting and would require far less in terms of regular maintenance than the current wooden fence. The proposed fence will be a split-faced wall with flagstone columns.

Fence Improvements		
	Fence Improvement Construction Costs	Amount
1.	Fencing Around Perimeter	\$ 2,905,112
	Engineering Fees, Permits, etc.	\$ 348,614
	Contingencies	\$ 435,767
<b>Construction Cost Total</b>		<b>\$ 3,689,493</b>

\*Fees and Contingencies based on proportional estimate from Engineer

Non-Construction Costs	Amount
Legal Fees (2.5%)	\$ 112,902
Financial Advisor Fee (2.5%)	\$ 112,902
Bond Discount (3%)	\$ 135,483
Capitalized Interest (2 years @ 4%)	\$ 361,286
Cost of Issuance	\$ 20,463
TCEQ Review Fee (.25%)	\$ 11,291
Attorney General's Review Fee (0.1%)	\$ 4,517
Bond Application Report (1.5%)	\$ 67,742
<b>Non-Construction Cost Total</b>	<b>\$ 826,586</b>
<b>Fence Improvement Total Cost</b>	<b>\$ 4,516,079</b>

AGENDA ITEM #4(b)