

**LORENA TIRZ #1 EAST
REGULAR MEETING OF THE BOARD OF DIRECTORS
MONDAY, JANUARY 8, 2018, AT 6:30 P.M.
LORENA CITY HALL
107-A S. Frontage Rd.
Lorena, Texas 76655**

MINUTES

Call to Order and Verification of Agenda Posting

The meeting was called to order at 6:33 pm and Chairman Coleman noted that the meeting was posted in accordance with the requirements of the Texas Open Meetings Act and a quorum was present. Members Present: Bill Coleman, Chuck Roper, J Fagner, Kelly Snell. Members Not Present: David Anderton, John Johnston, and William Callan. Also Present: Joseph Pace (City Manager), Kevin Neal (Public Works Director), Jason Mundo and Joe Mundo of Mundo and Associates, Inc. (TIRZ Administration and Program Management Consultants), Ginger Tolbert of KPA, and TIRZ land owner/developer Robert Braswell.

1. Discussion and possible action to approve Lorena TIRZ #1 East Meeting Minutes – December 4, 2017

The Board reviewed the meeting minutes. Chuck Roper moved to approve the Lorena TIRZ #1 East Meeting Minutes – December 4, 2017. J Fagner seconded the motion. The motion was unanimously approved.

2. Update on Lorena TIRZ #1 East sanitary sewer trunk line project including Path Forward and Contract In-Progress Change Control.

Consultant Jason Mundo updated the Board that the second month of construction was completed with approximately 18% of the overall construction completed. Mr. Mundo noted that approximately 81% (2,000 feet) of the 8” gravity sanitary sewer line through the Mitchell / Tully property was constructed and that 5 of the 9 4-foot diameter manholes had been constructed on that line. Mr. Mundo added that crossing borings at Barnes, Birdie Lane, and Southwinds were 100% complete. Mr. Mundo added that looking ahead to January that the remaining 600’ of 8” diameter gravity line through the Mitchell Tully area would be completed; that construction of the 6” diameter Force Main from the Lift Station to across Barnes Road to Birdie Lane would begin; that construction of the Lift Station 8’ diameter x 18’ deep Wet Well excavation and installation would begin, and that clearing of the alignment from WMARSS to Southwinds Drive would begin.

Consultants Jason and Joe Mundo discussed the updated In-Progress Change Control list with the Board that consist of in-progress increases/decreases/changes as the project progresses. Increases listed are Substitute Item #45a: 4x16’ Bull Gates at \$360 each for

\$1,440 increase; Substitute Item #45b: 8 x Tuf-Mac Heavy Duty Green H Braces at \$312.50 each for \$2500.00 increase; Revised FM Alignment at Atmos Pipeline Crossing #2: add 4 fittings at \$374 each and add approximately 10' of 6" pipe at \$23.50 per foot for \$1,731.00 increase; Revised 15" Gravity Sewer Alignment at Atmos Pipeline Crossing #3: add 20' of 15" pipe at \$61.70 per foot and add 1 x 4 ft. manhole with concrete collar at \$4,028 each for \$5,262.00 increase. Decreases listed are: delete "Wrapitseal" from concrete collars at 17 x \$459.39 each for \$7,809.63 savings; bid item #44: delete 4 HS20-CG-20-8 Cattle Guards at \$6,518 each for \$26,072.00 savings; and bid item #45: delete double 10' Livestock Gates at \$1,278 each for \$5,112.00 savings. Total project increases/decreases to date result in a net project savings of \$28,060.63. The Board expressed a concern of project cost increases.

2A. Discussion and possible action to approve the Barnes Road Bore-Crossing Reimbursement Agreement between Lorena TIRZ #1 East and Braswell Family Enterprises.

2B. Discussion and possible action to approve the KPA Phase 1 Wastewater Improvements Engineering Construction Administration & On-Site Representation Agreement – Amendment #1 to add McLennan County Barnes Road bore-crossing design, permit preparation, and processing.

2C. Discussion and possible action to approve Bruce Flanigan Construction Inc. Phase 1 Wastewater Improvements Change Order #1 to include Barnes Road Bore-Crossing Construction.

The Board discussed the proposed developer agreement between Lorena TIRZ #1 East and Braswell Family Enterprises, Ltd. Where TIRZ land owner / developer Robert Braswell would reimburse the TIRZ for estimated costs of Improvements in the amount of \$26,770.75 for the design, permit preparation and processing, and construction of an additional bore crossing under Barnes Road. It was discussed to facilitate the design and construction of the crossing, it would require that the contracts of KPA and Flanigan construction be amended. Thus, the Board also discussed the proposed KPA Phase 1 Wastewater Improvements Engineering Construction Administration & On-Site Representation Agreement – Amendment #1 to add McLennan County Barnes Road bore-crossing design, permit preparation, and processing; and the Board discussed the Bruce Flanigan Construction Inc. Phase 1 Wastewater Improvements Change Order #1 to include Barnes Road Bore-Crossing Construction.

J Fagner moved to approve Barnes Road Bore-Crossing Reimbursement Developer Agreement between Lorena TIRZ #1 East and Braswell Family Enterprises for reimbursement of costs estimated in the amount of \$26,770.75; and moved to approve the KPA Phase 1 Wastewater Improvements Engineering Construction Administration & On-Site Representation Agreement – Amendment #1 to add McLennan County Barnes Road bore-crossing design, permit preparation, and processing in the amount not-to-exceed \$1,620; and moved to approve the Bruce Flanigan Construction Inc. Phase 1 Wastewater Improvements

Change Order #1 to include Barnes Road Bore-Crossing Construction in the amount of \$25,150.75. Kelly Snell seconded the motion. The motion was unanimously approved.

3. Update on Lorena TIRZ #1 East Phase II Wastewater Improvements, including design of force main and lift station, in Basin G.

Consultant Jason Mundo updated the Board that City Council approved the TIRZ Basin G Expansion economic development agreement (County agreement) between the TIRZ, City and County as well as the TIRZ Basin G Expansion Program Project Agreement (381 Agreement) between the City and County at their December 12 meeting. Mr. Mundo added that the County also approved both agreements at the December 19 County Commissioners meeting. Mr. Mundo also informed the Board that the City annexed the Loera properties in Basin G at their December 12 meeting. In, addition Mr. Mundo noted that detailed design of the Phase II had begun and was underway including: Phase I Environmental Investigation, Archaeological/Cultural resources Survey, Preliminary Waters of US Delineation, Threatened /Endangered Species Habitat research/investigation. Further, onsite field overview was conducted on 12/18 and 12/19. And that Finalizing of Lift Station location and Force Main alignment corridor for completion of Environmental Investigations, Field Design surveys and Geotechnical Investigations was underway. No action was taken.

4. Discussion and possible action(s) to approve the following Financial Reports and Invoices: the following: A) Lorena TIRZ #1 East Financial Report December 2017 and Cash Flow Report December 2017; B) Mundo and Associates invoice representing Administration services December 2017. C) Bovey Law invoice for TIRZ legal services December 2017; D) KPA invoice for Phase 1 Wastewater Improvements Engineering Construction Administration and On-Site Representation Services December 2017. E) Mundo invoice for Phase 1 Wastewater Improvements Construction Phase Program Management Services December 2017. F) Bruce Flanigan Construction Inc. invoice for Phase I Wastewater Improvements Construction Services December 2017; G) KPA invoice for Phase II Wastewater Improvements services December 2017; H) Mundo invoice for Phase II Wastewater Improvements Program Management Services December 2017.

The Board reviewed and discussed the Financial Report and Cash Flow Report prepared by Mundo and Associates; the Administration invoice from Mundo and Associates; the invoice from TIRZ legal counsel Bovey Law for legal services; the KPA invoice for Phase 1 Wastewater Improvements Engineering Construction Administration and and On-Site Representation Services; the Mundo invoice for Phase 1 Wastewater Improvements Construction Phase Program Management Services; the Bruce Flanigan Construction invoice for Phase I Wastewater Improvements Construction; the KPA invoice for Phase II Wastewater Improvements services; and the Mundo invoice for Phase II Wastewater Improvements Program Management Services all occurring in December 2017, and the updated phone log.

Kelly Snell moved to approve A) Lorena TIRZ #1 East Financial Report December 2017 and Cash Flow Report December 2017; B) Mundo and Associates invoice representing Administration services December 2017 in the amount of \$4,200. C) Bovey Law invoice for TIRZ legal services December 2017 in the amount of \$2,392.50; D) KPA invoice for Phase I Wastewater Improvements Engineering Construction Administration and On-Site Representation Services December 2017 in the amount of \$13,358.70. E) Mundo invoice for Phase I Wastewater Improvements Construction Phase Program Management Services December 2017 in the amount of \$1,800.00. F) Bruce Flanigan Construction Inc. invoice for Phase I Wastewater Improvements Construction Services December 2017 in the amount of \$153,198.27; G) KPA invoice for Phase II Wastewater Improvements services December 2017 in the amount of \$3,180.60; H) Mundo invoice for Phase II Wastewater Improvements Program Management Services December 2017 in the amount of \$2,500.00. J Fagner seconded the motion. The motion was unanimously approved.

5. Adjournment

The meeting was adjourned at 7:22 pm

If, during the course of the meeting, discussion of any item on the agenda should be held in a closed meeting, the Board will conduct a closed meeting in accordance with the Texas Open Meetings Act, Government Code, Chapter 551, Subchapters D and E. Before any closed meeting is convened, the presiding officer will publicly identify the section or sections of the Act authorizing the closed meeting. All final votes, actions, or decisions will be taken in open meeting.

Bill Coleman, Board Chairman, Date

Chuck Roper, Board Secretary, Date