

**LORENA TIRZ #1 EAST
REGULAR MEETING OF THE BOARD OF DIRECTORS
MONDAY, FEBRUARY 5, 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, David Anderton, William Callan, and Kelly Snell. Members Not Present: J Fagner, and John Johnston. 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 – January 8, 2018

The Board reviewed the meeting minutes. Mayor Roper discussed listing the individual increases/decreases/changes from the In-Progress Change Control List and not just the end summary net balance. Consultant Jason Mundo said he would amend the minutes accordingly. Chuck Roper moved to approve the Lorena TIRZ #1 East Meeting Minutes – January 8, 2018 as amended. Kelly Snell 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 third month of construction was completed. Mr. Mundo noted that: the 8” gravity sanitary sewer line through the Mitchell / Tully property was constructed; the Barnes Rd (Braswell) Change Order #1 – 50’ Bore Crossing was constructed; Barnes Rd (Braswell) Change Order #2 – 70’ Line A Extension construction was not yet complete; 1500’ of the total 4,970’ of the 6” diameter force main from Lift Station to across Barnes Rd to Birdie Ln had been constructed. Regarding the lift station: the 8’ diameter x 18’ deep Wet Well had been constructed; and the future 8” gravity line stub-out Change Order #3 had been constructed; and that 25% of the 2” water service line had been constructed; Regarding WMARSS/Waco: the easement authorization agreement had been signed and there is going to be a right-of-entry/pre-construction meeting tomorrow 2/6. Waco had requested the TIRZ provide a third party independent appraiser to appraise

easement value for Waco consideration and TIRZ payment. TIRZ legal counsel had acquired services of an independent appraiser to complete the required appraisal.

Mr. Mundo added that looking ahead to February: Complete construction of the Barnes Rd (Braswell) Change Order #2 70' Line Extension; Complete the 6" diameter force main from the lift station to across Barnes Rd to Birdie Lane; complete the 2" water service line at the lift station; begin electrical work on the lift station; and begin clearing Line B alignment from WMARSS to Southwinds Drive and begin construction of the 18" gravity line.

Consultant Jason Mundo also presented a graphical chart of the construction progress and presented construction photos.

Consultants Jason and Joe Mundo discussed the updated In-Progress Change Control list with the Board. Consultant Jason Mundo noted that the In-Progress Change Control List was updated to show: the Change Order #1 in the amount of \$25,150.75 (funds reimbursed by Braswell) for the construction of the Barnes Rd (Braswell) bore crossing; Change Order #2 in the amount of \$6,877.00 (funds reimbursed by Braswell) for the construction of the Line A Extension through the bore crossing; Change Order #3 in the amount of \$3,354.25 (funds to be reimbursed by Mitchell-Tully Group) for construction of the Lift Station Future 8" Gravity Sanitary Sewer Line Stubout Construction.

2A. Discussion and possible action to approve the Wastewater Line Under Barnes Rd Reimbursement Agreement between Lorena TIRZ #1 East and Braswell Family Enterprises.

The Board discussed the Reimbursement Agreement. Kelly Snell moved to approve the Wastewater Line Under Barnes Rd Reimbursement Agreement between Lorena TIRZ #1 East and Braswell Family Enterprises in the amount of \$8,377.00. Chuck Roper seconded the motion. The motion was unanimously approved.

2B. Discussion and possible action to approve Bruce Flanigan Construction, Inc. Phase I Wastewater Improvements Change Order #2 to include wastewater line under Barnes Road construction.

The Board discussed the proposed Change Order #2. Chuck Roper moved to approve the Bruce Flanigan Construction, Inc. Phase I Wastewater Improvements Change Order #2 to include wastewater line under Barnes Road construction in the amount of \$6,877.00. William Callan seconded the motion. The motion was unanimously approved.

2C. Discussion and possible action to approve Lift Station Future 8” Gravity Sanitary Sewer Line Stubout Reimbursement Agreement between Mitchell/Tully Group and Lorena TIRZ #1 East.

The Board discussed the proposed developer agreement. Kelly Snell moved to approve the Lift Station Future 8” Gravity Sanitary Sewer Line Stubout Reimbursement Agreement between Mitchell/Tully Group and Lorena TIRZ #1 East in the amount of \$3,354.25. David Anderton seconded the motion. The motion was unanimously approved.

2D. Discussion and possible action to approve Bruce Flanigan Construction, Inc. Phase I Wastewater Improvements Change Order #3 to include Lift Station Future 8” Gravity Sanitary Sewer Line Stubout Construction.

The Board discussed Change Order #3. William Callan moved to approve Phase I Wastewater Improvements Change Order #3 to include Lift Station Future 8” Gravity Sanitary Sewer Line Stubout Construction in the amount of \$3,354.25. David Anderton seconded the motion.

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

Mr. Mundo noted that detailed design of the Phase II had begun and was ongoing in its second month including: Phase I Environmental Investigation, Archaeological/Cultural resources Survey, Preliminary Waters of US Delineation, Threatened /Endangered Species Habitat research/investigation. Waters of the US field work was complete and draft report was under review; Cultural Resources Survey permit application was prepared; Finalizing of Lift Station location and Force Main alignment corridor for completion of Environmental Investigations including coordination with Loera Home Builders and their engineer in Basin G and coordination with Braswell Family Enterprises and their engineer in Basin C as well as coordination with the City; Field Design surveys and Geotechnical Investigations: Geotechnical Field Work is complete; “one call” utility field location has been requested; field design surveys are underway. Lift Station, Force Main Design, and ONCOR Coordination is underway.

Looking Ahead to February: Continue Phase I Environmental Investigation, Archaeological/Cultural resources Survey, Preliminary Waters of US Delineation, Threatened /Endangered Species Habitat research/investigation; Complete Field Design Surveys, Existing Utility Locations, and Geotechnical Investigation Report; Continue Lift Station and Force Main Design and ONCOR coordination; Begin Nationwide Permit Pre-Construction Notification Review; Begin Easement Descriptions.

4. Discussion and possible action(s) to approve the following Financial Reports and Invoices: the following: A) Lorena TIRZ #1 East Financial Report January 2018 and Cash Flow Report January 2018; B) Mundo and Associates invoice representing Administration services January 2018. C) Bovey Law invoice for TIRZ legal services January 2018; D) KPA invoice for Phase 1 Wastewater Improvements Engineering Construction Administration and On-Site Representation Services January 2018. E) Mundo invoice for Phase 1 Wastewater Improvements Construction Phase Program Management Services January 2018. F) Bruce Flanigan Construction Inc. invoice for Phase I Wastewater Improvements Construction Services January 2018; G) KPA invoice for Phase II Wastewater Improvements services January 2018; H) Mundo invoice for Phase II Wastewater Improvements Program Management Services January 2018. I) Lorena TIRZ #1 East February 2018 Certificates of Obligation Payment.

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; the Mundo invoice for Phase II Wastewater Improvements Program Management Services all occurring in January 2018; reviewed information on the TIRZ February 2018 Certificates of Obligation Payment, and the updated phone log.

Kelly Snell moved to approve A) Lorena TIRZ #1 East Financial Report January 2018 and Cash Flow Report January 2018; B) Mundo and Associates invoice representing Administration services January 2018 in the amount of \$4,200. C) Bovey Law invoice for TIRZ legal services January 2018 in the amount of \$1,464.50; D) KPA invoice for Phase 1 Wastewater Improvements Engineering Construction Administration and On-Site Representation Services January 2018 in the amount of \$13,601.98. E) Mundo invoice for Phase 1 Wastewater Improvements Construction Phase Program Management Services January 2018 in the amount of \$1,800.00. F) Bruce Flanigan Construction Inc. invoice for Phase I Wastewater Improvements Construction Services January 2018 in the amount of \$160,099.31; G) KPA invoice for Phase II Wastewater Improvements services January 2018 in the amount of \$19,247.76; H) Mundo invoice for Phase II Wastewater Improvements Program Management Services January 2018 in the amount of \$2,500.00; I) February 2018 Certificates of Obligation payment in the amount of \$48,035.00. David Anderton seconded the motion. The motion was unanimously approved.

5. Adjournment

The meeting was adjourned at 7:43 pm

***Lorena TIRZ #1 East
Minutes of Regular Meeting of the Board of Directors
Monday, February 5, 2018***

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