

**LORENA TIRZ #1 EAST
GROUNDBREAKING AND
REGULAR MEETING OF THE BOARD OF DIRECTORS
MONDAY, JULY 17, 2018, AT 6:30 P.M.**

**MEETING WILL BEGIN AT 6:30 PM WITH LORENA TIRZ #1 EAST PHASE II
WASTEWATER IMPROVEMENTS CONSTRUCTION GROUNDBREAKING EVENT
AT LOERA PROPERTY, ROSENTHAL PKWY, JUST WEST OF BIRDIE LANE.**

Meeting was called to order at 6:30 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, Kelly Snell, J Fagner, and William Callan. Members Not Present: John Johnston;

Also Present: Jennifer Grimm (Lorena City Council), Jeff Linnstaedter (Lorena City Council), Chad Hanson (Lorena EDC), Dr. Joe Kucera (Lorena ISD), Joseph Pace (Lorena City Manager), Kevin Neal (Lorena Public Works Director), Jose Loera and Family (Developer and TIRZ Land Owner), Robert Braswell (TIRZ Land Owner), Jason Mundo and Joe Mundo (TIRZ Administration and Program Management Consultants), Ginger Tolbert of KPA, Jonathan Perez and Edgar Villegas of Bell Contractors Inc.;

Chairman Coleman discussed the TIRZ and the groundbreaking of the Phase II Wastewater Improvements project consisting of sanitary sewer force main and lift station to be constructed over a 6-month period. The Chairman thanked those in attendance and the groundbreaking concluded with a ceremonial shoveling of dirt to kick-off the construction phase of the project.

AFTER GROUNDBREAKING CEREMONY ENDS AT 6:45 PM, TIRZ MEETING WILL RECONVENE TO COMPLETE THE REGULAR MEETING AGENDA AT:

**LORENA CITY HALL
107-A S. Frontage Rd.
Lorena, Texas 76655**

The Groundbreaking portion of the meeting ended at 7:00 pm. The TIRZ Board members drove back to City Hall to reconvene and complete the meeting.

MINUTES

Call to Order and Verification of Agenda Posting

The meeting was reconvened at 7:14 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, William Callan, and Kelly Snell. Members Not Present: 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,

1. Discussion and possible action to approve Lorena TIRZ #1 East Meeting Minutes – June 11, 2018

The Board reviewed the meeting minutes. J Fagner moved to approve the Lorena TIRZ #1 East Meeting Minutes – June 11, 2018. 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.

Consultant Jason Mundo updated the Board that the eighth month of construction and ninth month of the project was completed and that this discussion would cover the period 6/11 – 7/17. Mr. Mundo noted that there was a new 11% of project construction completed in June and now 77% of overall construction was completed by the end of June.

In the final 75% phase of the Lift Station, progress continued on civil and electrical work. ONCOR electrical service work to the Lift Station was pending. ONCOR confirmed completion by 8/17/18.

Regarding the 18" Gravity Line B – Waco / WMARSS Connection & Metering Manhole and Line to Southwinds Drive (length 3,000 ft), construction is approximately 83% complete. And continuing line and manhole construction on the Waco / WMARSS easement (length 1,600 ft.), only 500 ft of construction remains.

ONCOR electric service work to Metering Manhole is pending. ONCOR confirmed completion date of 8/3/18.

Mr. Mundo added info looking ahead to Month 10 (7/17 to 8/6): Contract Completion = 8/22/18 (300 days) + 19 Change Order days = completion date 9/10/18.

Regarding Final 75% Phase of the Lift Station. Progress continues on civil and electrical work. Begin ONCOR electric service work. ONCOR confirmed completion by 8/17/18.

Regarding 18" Gravity Line, Waco/WMARSS Connection & Metering Manhole and line to Southwinds Drive (3,000 ft length): Complete the remaining 500 LF of line and manhole construction on the Waco/WMARSS easement. Complete ONCOR electric service work to Metering Manhole. ONCOR confirmed completion by 8/3/18. Then, Begin Testing, Start-up, Clean-up.

3A. Update on Lorena TIRZ #1 East Phase II Wastewater Improvements and Path Forward.

Consultant Jason Mundo updated the Board on the progress during Month 1 (6/11/18 – 7/17/18). KPA's Engineering Construction Administration & On-Site Representation Services Agreement was approved by the Board on 6/11/18. Mundo's Construction Phase Program Management Services Agreement was approved by the Board on 6/11/18. Notice of Award was issued to the Contractor on 6/12/18. The "Diana Callan Braswell Trust" easement was signed on 6/21/18. The Pre-Construction Conference was held on 6/21/18. The Notice to Proceed issued effective 6/25/18. The Construction duration = 6 months with a completion date of 12/22/18. The Required Completion Date per Loera/City/TIRZ Development Agreement is 12/31/18.

Bell Contractors Inc. is processing equipment submittals and ordering long-lead items- pumps, generator, wetwell, electrical switch gear and control panel. Field mobilization is scheduled for 7/16/18. Groundbreaking Event is scheduled for 7/17/18 at 6:30 pm.

Loera requested an Alignment/Easement Change on 7/9/18. Loera Home Builders requested City Force Main Easement Alignment Change and City approved request, at full cost paid by Loera to TIRZ, on 7/9/18. The Alignment Change increases the overall force main length by approximately 100 LF (from 7,450 LF to 7,550 LF approx.). Cost estimated at \$5,000 to \$10,000, and includes: Payment agreement to TIRZ and easement document legal preparation by Bovey Law; includes Easement description and plat preparation by All County Surveys / KPA; includes Force main realignment field survey by All County Surveys / KPA; includes Force Main redesign, construction plans, quantities, and estimated construction cost by KPA; includes Contractor Change Order #1 preparation by KPA/Mundo; includes force main realignment construction stakeout by All County Surveys / KPA; includes Changed easement recording fees by Mundo.

Mr. Mundo added the following look ahead to Month 2 (7/17/18 – 8/6/18). Loera Home Builders signs Cost Payment Agreement with TIRZ. Bovey Law, KPA, and Mundo prepare and process easement change and Contractor Change Order. Bell Contractors Inc. continue Field Mobilization, Erosion Control Installation, and Install 8 in. diameter Force Main, approximately 2500 LF of the total 7,550 LF.

3B. Discussion and possible action on Loera requested alignment and easement change where receipt of confirmation from Loera Home Builders Company agreeing to pay the full costs of their requested change, the Board authorizes the following actions:

1. Approve Bovey Law performing:
 - Change Scope Item #1: Prepare Payment Agreement, new City Easement Document, and "release of filed Easement" in the estimated amount of \$500.00, to be invoiced to TIRZ through monthly billings.

2. Approve Amendment to KPA Engineering Services #17 12 04 (Phase II Design) to add the following:
 - Change Scope Item #2: City Easement change – description and plat prepared by KPA/All County Surveying in the amount of \$600.00
 - Change Scope Item #4: Force Main re-design area field survey prepared by KPA/All County Surveying in the amount of \$840.00
 - Change Scope Item # 5: Force Main re-design, plans, quantities prepared by KPA in the estimated amount of \$2,680.00
 - o Estimated KPA ES #17 12 04 Amendment Total = \$4,120.00
3. Approve Amendment to KPA Construction Engineering Services #18 05 14 (Phase II Construction) to add the following:
 - Change Scope Item #6: Force Main Contractor Change Order preparation by KPA in the estimated amount of \$640.00
 - Change Scope Item #8: Force Main revised alignment field stake-out prepared by KPA/All County Surveying in the amount of \$ 612.00
 - o Estimated KPA ES #18 05 14 Amendment Total = \$1,252.00
4. Approve Change Scope Item #7: Change Order with Bell Contractors, Inc. in the estimated amount of \$5,100.00
5. Approve MUNDO performing:
 - Change Scope Item #3: McLennan County Easement Documents Recording by MUNDO in the estimated amount of \$120.00, to be invoiced to TIRZ as a reimbursable expense.

The Board reviewed and discussed the Loera requested easement change. Chuck Roper moved to approve the Loera requested easement change as well as items 1 – 5 listed below.

- 1 Approve Bovey Law performing:**
 - *Change Scope Item #1: Prepare Payment Agreement, new City Easement Document, and “release of filed Easement” in the estimated amount of \$500.00, to be invoiced to TIRZ through monthly billings.*
- 2 Approve Amendment to KPA Engineering Services #17 12 04 (Phase II Design) to add the following:**
 - *Change Scope Item #2: City Easement change – description and plat prepared by KPA/All County Surveying in the amount of \$600.00*
 - *Change Scope Item #4: Force Main re-design area field survey prepared by KPA/All County Surveying in the amount of \$840.00*
 - *Change Scope Item # 5: Force Main re-design, plans, quantities prepared by KPA in the estimated amount of \$2,680.00*
 - o *Estimated KPA ES #17 12 04 Amendment Total = \$4,120.00*

- 3 Approve Amendment to KPA Construction Engineering Services #18 05 14 (Phase II Construction) to add the following:**
 - Change Scope Item #6: Force Main Contractor Change Order preparation by KPA in the estimated amount of \$640.00**
 - Change Scope Item #8: Force Main revised alignment field stake-out prepared by KPA/All County Surveying in the amount of \$ 612.00**
 - Estimated KPA ES #18 05 14 Amendment Total = \$1,252.00**
- 4 Approve Change Scope Item #7: Change Order with Bell Contractors, Inc. in the estimated amount of \$5,100.00**
- 5 Approve MUNDO performing:**
 - Change Scope Item #3: McLennan County Easement Documents Recording by MUNDO in the estimated amount of \$120.00, to be invoiced to TIRZ as a reimbursable expense.**

J Fagner seconded the motion. The motion was unanimously approved.

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

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- I) KPA invoice for Phase II Wastewater Improvements Engineering Construction Administration and On-Site Representation services June 2018.
- J) Mundo invoice for Phase II Wastewater Improvements Construction Phase Program Management services June 2018.

The Board reviewed and discussed:

- A) the Financial Report and Cash Flow Report prepared by Mundo and Associates;***
- B) the Administration invoice from Mundo and Associates;***
- C) the invoice from TIRZ legal counsel Bovey Law for legal services;***
- D) the KPA invoice for Phase 1 Wastewater Improvements Engineering Construction Administration and On-Site Representation Services;***
- E) the Mundo invoice for Phase 1 Wastewater Improvements Construction Phase Program Management Services;***
- F) the Bruce Flanigan Construction invoice for Phase I Wastewater Improvements Construction;***
- G) the KPA invoice for Phase II Wastewater Improvements services;***
- H) the Mundo invoice for Phase II Wastewater Improvements Program Management Services.***
- I) The KPA invoice for Phase II Wastewater Improvements Engineering Construction Administration and On-Site Representation services June 2018.***
- J) The Mundo invoice for Phase II Wastewater Improvements Construction Phase Program Management services June 2018.***

J Fagner moved to approve items A through J listed below:

- A) Lorena TIRZ #1 East Financial Report and Cash Flow Report;***
- B) Mundo and Associates invoice representing Administration services June 2018 in the amount of \$4,200.***
- C) Bovey Law invoice for TIRZ legal services June 2018 in the amount of \$1,725.50;***

D) KPA invoice for Phase 1 Wastewater Improvements Engineering Construction Administration and On-Site Representation Services June 2018 in the amount of \$12,661.62.

E) Mundo invoice for Phase 1 Wastewater Improvements Construction Phase Program Management Services June 2018 in the amount of \$1,800.00.

F) Bruce Flanigan Construction Inc. invoice for Phase I Wastewater Improvements Construction Services June 2018 in the amount of \$255,437.12;

G) KPA invoice for Phase II Wastewater Improvements design services June 2018 in the amount of \$2,000.00.

H) Mundo invoice for Phase II Wastewater Improvements design Program Management services June 2018 in the amount of \$0.00.

I) KPA invoice for Phase II Wastewater Improvements Engineering Construction Administration and On-Site Representation services June 2018 in the amount of \$3164.85;

J) Mundo invoice for Phase II Wastewater Improvements Construction Phase Program Management Services June 2018 in the amount of \$1,000.00;

Kelly Snell seconded the motion. The motion was unanimously approved.

5. Discussion and possible action on Lorena TIRZ #1 East Budget FY2018-2019.

Consultant Jason Mundo presented the proposed FY2018-2019 Budget to the Board. The Board reviewed and discussed the end of fiscal year finances and the proposed budget. Kelly Snell moved to approve the Lorena TIRZ #1 East Budget FY2018-2019. William Callan seconded the motion. The motion was unanimously approved.

6. Discussion and possible action on setting August and September meeting date of Lorena TIRZ #1 East.

The Board reviewed options for the August and September meeting dates. J Fagner moved to set the next meeting date and time to September 18 at 6:30 pm and authorized Chairman Coleman in mid-August to review the financial reports and invoices for July services and authorize payment of those invoices. Chuck Roper seconded the motion. The motion was unanimously approved.

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7. Adjournment

The meeting was adjourned at 8:15 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