

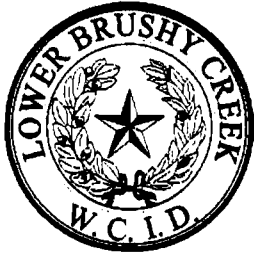
**LOWER BRUSHY CREEK WCID**  
**Regular Called Meeting of the Board of Directors**  
**On Monday October 18, 2021 at 7:30am**

**Edmond S Komandosky, President**  
**Scott Ging, Vice President**  
**Mike Schneider, Treasurer**  
**Monica Masters, Secretary**  
**Allen R David, Director**

Notice is hereby given for a regular called meeting of the Board of Directors of the Lower Brushy Creek WCID to be held on **Monday October 18, 2021 at 7:30 am** at the Greater Taylor Chamber of Commerce, 1519 North Main Street, Taylor, Texas 76574 for the purpose of considering the following agenda items. The Board of Directors will meet, consider, deliberate and may take action on all agenda items.

**BOARD PACKET**

1. Agenda 2 pages
2. Consider approval of meeting minutes
  - a. *Regular called meeting minutes of September 13, 2021* 2 pages
3. Consider approval of financial reports:
  - a. *Account Register for September 2021* 1 page
  - b. *Financial Report for Fourth Quarter of FY 21* 1 page
  - c. *Investment Report for Fourth Quarter of FY 21* 2 pages
4. Consideration and possible action to approve a contract with TerraSol, LLC for FY 22 O&M and related services. 3 pages
5. Consideration and possible action to approve Task Order No. 1 with TerraSol, LLC for fall shredding, reseeding and other related services. 1 page
6. Consideration and possible action to approve Task Order No. 6 for FY 22 Dam Inspection Services to Freese & Nichols, Inc. 2 pages
7. LBCWCID FY 22 meeting schedule 1 page
8. Consideration and possible action to approve Change Order No. 1 for the Lower Brushy Creek Site 18 Upgrade 5 pages
9. General Manger's report 2 pages



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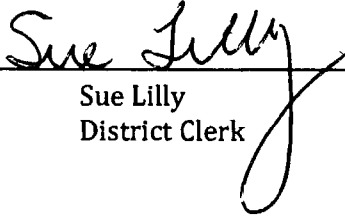
**AGENDA**

1. Welcome, Call to Order, and determination of a Quorum;
2. Citizens Communications - *an opportunity for the public to address the Board on agenda items or concerns not on the agenda (limited to 3 minutes each);*
3. Consider approval of meeting minutes:
  - a. *Regular called meeting of September 13, 2021.*
4. Consider approval of financial reports:
  - a. *Account Register for September 2021,*
  - b. *Financial Report for Fourth Quarter of FY 21, and*
  - c. *Investment Report for Fourth Quarter of FY 21.*
5. Consideration and possible action to approve a contract with TerraSol, LLC for FY 22 Operation, Maintenance and related services in the amount of \$138,050;
6. Consideration and possible action to approve Task Order No. 1 TerraSol, LLC for fall shredding, reseeded and related services to in the amount of \$42,225;
7. Consideration and possible action to approve Task Order No. 6 for FY 22 Dam Inspection Services to Freese & Nichols, Inc. in not to exceed the amount of \$34,000;
8. Consideration and possible action to approve meeting schedule for FY 22;
9. Consideration and possible action to approve Change Order No. 1 for the Lower Brushy Creek Site 18 Upgrade in the amount of \$26,290;
10. Consideration and discussion of the General Manager's report and update;
11. Director's Comments; and
12. Adjournment.

"The Lower Brushy Creek Water Control & Improvement District Board of Directors reserves the right to adjourn into executive session at any time during the meeting to discuss any of the matters listed above, as authorized by Texas Local Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations regarding Real Property), 551.073 (Deliberations regarding Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations regarding Security Devices), and 551.087 (Deliberations regarding Economic Development Negotiations)."

**CERTIFICATION**

I certify that a copy of the October 18, 2021 agenda of items to be considered by the Board of Directors of the Lower Brushy Creek WCID was posted on October 12, 2021.

A handwritten signature in cursive script that reads "Sue Lilly". The signature is written over a horizontal line that extends to the right. The signature itself is positioned to the left of the line, with the "y" tail extending downwards and to the right.

Sue Lilly  
District Clerk

**Minutes of the September 13, 2021  
Meeting of the Board of Directors of the Lower Brushy Creek WCID**

President Ed Komandosky called the Regular Meeting of the Board of Directors of the Lower Brushy Creek WCID to order at 7:35am on Monday September 13, 2021 and announced that a quorum was present. Board Members present included Treasurer Michael Schneider, Secretary Monica Masters and Director Allen David. Others present included Greg Stanton with USGS, General Manager Jim Clarno, PR Representative Richard Stone, and District Clerk Sue Lilly.

There were no citizen's communications

Clarno presented for consideration and approval the Meeting Minutes of August 16, 2021 Regular called meeting of the board of directors, A motion was made by Director Allen David to approve the minutes as presented. The motion was seconded by Treasurer Mike Schneider and approved by a vote of 4-0.

Clarno presented for consideration and approval the Checking Account Register for August 2021. A motion was made by Treasurer Schneider to approve the Checking Account Register for August 2021 as presented. The motion was seconded by Secretary Monica Masters and approved by a vote of 4-0.

Clarno presented for consideration the Proposed Budget for FY 22 and Tax Rate for tax year 2021.

President Komandosky reported on the Public Hearing on the Proposed Budget for FY 22 and Tax Rate for the tax year 2021 that was held on Wednesday, September 8, 2021 . There were no citizen comments or questions during the Public Hearing on the Proposed Budget for FY 22 and Tax Rate for the tax year 2021.

Clarno presented for consideration and possible action to approve the second reading (final) of the Proposed Budget for FY 22. A motion was made by Secretary Masters to approve the second reading (final) of the Proposed Budget for FY 22 as presented. The motion was seconded by Director David and approved by a vote of 4-0.

Clarno presented for consideration and possible action to approve the second reading (final) of *Ordinance #2021-01- An Order Levying Taxes for the Tax Year 2021 for the Maintenance and Operation of the Lower Brushy Creek Water Control and Improvement District*. A motion was made by Treasurer Schneider to approve the *Ordinance #2021-01- An Order Levying Taxes for the Tax Year 2021 for the Maintenance and Operation of the Lower Brushy Creek Water Control and Improvement District* as presented. The motion was seconded by Secretary Masters and approved by a vote of 4-0.

Clarno presented for consideration and possible action to approve a *Joint Funding Agreement* with the U.S. Geological Survey to install, operate and maintain a Lake-Level Gaging Station including a rain-gauge at Upper Brushy Creek Site 25. A motion was made by Director David to approve the *Joint Funding Agreement* with the U.S. Geological Survey to install, operate and maintain a Lake-Level Gaging Station including a rain-gauge at Upper Brushy Creek Site 25 as presented. The motion was seconded by Treasurer Schneider and approved by a vote of 4-0.

Clarno presented for consideration and possible action to enter into Amendment No. 2 to the Professional Services Agreement with Clarno Consulting LLC. A motion was made by Secretary Masters to approve the Amendment No. 2 to the Professional Services Agreement with Clarno Consulting LLC as presented. The motion was seconded by Treasurer Schneider and approved by a vote of 4-0.

Clarno presented the General Manager's report and updates.

There were no other director's comments.

There being no further business, the meeting was adjourned without objection at 8:32 am.

Respectfully submitted:

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Monica P Masters  
Secretary

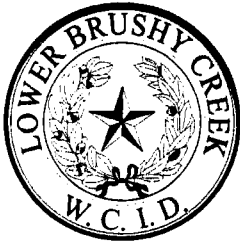
LOWER BRUSHY CREEK WCID  
Account Register  
For September 2021

|  |  |              |                     |
|--|--|--------------|---------------------|
| <b>Balance as of September 1, 2021</b> |  |              |                     |
| TexPool Acct (General Fund)            |  | \$321,696.48 |                     |
| TexPool Acct (Rainy Day Fund)          |  | \$100,011.50 |                     |
| City National Bank                     |  | \$152,382.59 |                     |
|  |  |              | <b>\$574,090.57</b> |
| <b>Total Funds Available</b>           |  |              |                     |
| <b>Income</b>                          |  |              |                     |
| 09/24/21                               | TSSWCB                                 | \$275,616.96 |                     |
| 09/24/21                               | TSSWCB                                 | \$337,610.45 |                     |
| various                                | TexPool (General Fund)                 | \$1,081.30   |                     |
| 09/30/21                               | TexPool (General Fund)                 | \$7.38       |                     |
| 09/30/21                               | TexPool (Rainy Day Fund)               | \$2.30       |                     |
|  |  |              | <b>\$614,318.39</b> |
| <b>Expenses</b>                        |  |              |                     |
| 09/01/21                               | 1781 Taylor Press                      | \$528.00     |                     |
| 09/14/21                               | Taylor Chamber of Commerce             | \$15.00      |                     |
| 09/15/21                               | 1782 Hejl & Schroeder                  | \$1,140.00   |                     |
| 09/16/21                               | Home Depot                             | \$106.32     |                     |
| 09/20/21                               | Heritage Centeus                       | \$12.00      |                     |
| 09/20/21                               | Texas Bay Seafood                      | \$68.11      |                     |
| 09/20/21                               | Kalahari Resort                        | \$145.00     |                     |
| 09/21/21                               | 1785 Heritage Office Suites            | \$750.00     |                     |
| 09/21/21                               | 1788 TerraSol LLC                      | \$3,882.00   |                     |
| 09/22/21                               | 1787 Taylor Office Products            | \$139.00     |                     |
| 09/23/21                               | 1790 Ed Komandosky                     | \$300.00     |                     |
| 09/23/21                               | Lowes                                  | \$97.38      |                     |
| 09/24/21                               | 1789 Clark L Jackson PC                | \$700.00     |                     |
| 09/27/21                               | 1796 TAWS                              | \$500.00     |                     |
| 09/27/21                               | 1798 HWH Industrial                    | \$3,178.42   |                     |
| 09/27/21                               | 1799 HWH Industrial                    | \$56,463.91  |                     |
| 09/28/21                               | 1792 Michael Schneider                 | \$200.00     |                     |
| 09/28/21                               | 1797 Clarno Consulting, LLC            | \$8,176.16   |                     |
| 09/29/21                               | 1793 Allen David                       | \$200.00     |                     |
| 09/29/21                               | 1801 Southern Infrastructure Group LLC | \$272,355.50 |                     |
|  |  |              | <b>\$348,956.80</b> |
| <b>Balance as of 09/30/21</b>          |  |              |                     |
| TexPool Acct (General Fund)            |  | \$322,785.16 |                     |
| TexPool Acct (Rainy Day Fund)          |  | \$100,013.80 |                     |
| City National Bank Acct                |  | \$416,653.20 |                     |
|  |  |              | <b>\$839,452.16</b> |
| <b>Total Funds Available</b>           |  |              |                     |

**LOWER BRUSHY CREEK WCID**  
**Financial Statement**  
**Fourth Quarter of FY 21**

| Description                                   | 1st Quarter         | 2nd Quarter         | 3rd Quarter           | 4th Quarter           | Total to Date         | FY 21 Budget (Approved) | % of budget    |
|---|---------------------|---------------------|-----------------------|-----------------------|-----------------------|-------------------------|----------------|
| <b>INCOME</b>                                 |                     |                     |                       |                       |                       |                         |                |
| Tax Income                                    | \$270,110.87        | \$199,950.54        | \$10,670.01           | \$5,193.08            | \$485,924.50          | \$462,000.00            | 105.18%        |
| <b>TSSWCB Grants</b>                          |                     |                     |                       |                       |                       |                         |                |
| Maintenance Grants                            | \$0.00              | \$7,140.00          | \$161,931.16          | \$161,931.16          | \$331,002.32          | \$226,800.00            | 145.94%        |
| Repair Grants                                 | \$0.00              | \$0.00              | \$533,253.17          | \$533,253.17          | \$1,066,506.34        | \$1,169,500.00          | 91.19%         |
| Rehabilitation Grants                         | \$343,598.51        | \$174,587.04        | \$621,448.92          | \$337,610.45          | \$1,477,244.92        | \$817,600.00            | 180.68%        |
| <b>Total TSSWCB Grant Income</b>              | <b>\$343,598.51</b> | <b>\$181,727.04</b> | <b>\$1,316,633.25</b> | <b>\$1,032,794.78</b> | <b>\$2,874,753.58</b> | <b>\$2,213,900.00</b>   | <b>129.85%</b> |
| <b>Other Income</b>                           |                     |                     |                       |                       |                       |                         |                |
| Williamson County                             | \$0.00              | \$0.00              |                       |                       | \$0.00                | \$0.00                  | 0.00%          |
| Permits, fees and interest                    | \$90.78             | \$64.40             | \$49.78               | \$24.59               | \$229.55              | \$1,800.00              | 12.75%         |
| <b>Total Other Income</b>                     | <b>\$90.78</b>      | <b>\$64.40</b>      | <b>\$49.78</b>        | <b>\$24.59</b>        | <b>\$229.55</b>       | <b>\$1,800.00</b>       | <b>12.75%</b>  |
| <b>TOTAL INCOME</b>                           | <b>\$613,800.16</b> | <b>\$381,741.98</b> | <b>\$1,332,546.12</b> | <b>\$1,038,012.45</b> | <b>\$3,366,100.71</b> | <b>\$2,677,700.00</b>   | <b>125.71%</b> |
| <b>EXPENSES</b>                               |                     |                     |                       |                       |                       |                         |                |
| <b>Administrative Expenses</b>                |                     |                     |                       |                       |                       |                         |                |
| General Manager                               | \$12,000.00         | \$6,000.00          | \$26,176.16           | \$14,176.16           | \$58,352.32           | \$36,000.00             | 162.09%        |
| District Clerk                                | \$414.00            | \$428.00            | \$940.00              | \$300.00              | \$2,082.00            | \$15,000.00             | 13.88%         |
| Directors Fees                                | \$700.00            | \$700.00            | \$3,100.00            | \$1,300.00            | \$5,800.00            | \$7,500.00              | 77.33%         |
| Professional Services - Accounting            | \$1,050.00          | \$1,050.00          | \$2,100.00            | \$1,050.00            | \$5,250.00            | \$4,800.00              | 109.38%        |
| Professional Services - Auditing              | \$0.00              | \$9,000.00          | \$0.00                | \$0.00                | \$9,000.00            | \$14,000.00             | 64.29%         |
| Professional Services - Communications        | \$2,000.00          | \$3,000.00          | \$4,500.00            | \$1,500.00            | \$11,000.00           | \$18,000.00             | 61.11%         |
| Professional Services - Engineering/Surveying | \$0.00              | \$0.00              | \$22,031.54           | \$9,564.38            | \$31,595.92           | \$2,000.00              | 1579.80%       |
| Professional Services - Legal                 | \$2,440.00          | \$400.00            | \$2,280.00            | \$2,280.00            | \$7,400.00            | \$10,000.00             | 74.00%         |
| Professional Services - USGS                  | \$0.00              | \$0.00              | \$0.00                | \$0.00                | \$0.00                | \$25,500.00             | 0.00%          |
| Advertising/Legal Notices                     | \$1,909.50          | \$231.00            | \$528.00              | \$528.00              | \$3,196.50            | \$4,000.00              | 79.91%         |
| Bonds/Insurance                               | \$963.64            | \$0.00              | \$0.00                | \$0.00                | \$963.64              | \$1,800.00              | 53.54%         |
| Dues/Subscriptions/Prof Development           | \$200.00            | \$0.00              | \$500.00              | \$500.00              | \$1,200.00            | \$2,500.00              | 48.00%         |
| Meals/Entertainment                           | \$0.00              | \$79.83             | \$228.11              | \$228.11              | \$536.05              | \$500.00                | 107.21%        |
| Office - rental/deposit                       | \$0.00              | \$0.00              | \$3,244.35            | \$2,494.35            | \$5,738.70            | \$6,500.00              | 88.29%         |
| Office - furniture/equipment                  | \$0.00              | \$0.00              | \$215.70              | \$215.70              | \$431.40              | \$2,000.00              | 21.57%         |
| Office - Supplies                             | \$208.13            | \$452.66            | \$2,394.47            | \$139.00              | \$3,194.26            | \$800.00                | 399.28%        |
| Postage/Delivery Charges                      | \$0.00              | \$0.00              | \$166.00              | \$0.00                | \$166.00              | \$400.00                | 41.50%         |
| Travel/Mileage                                | \$1,000.00          | \$500.00            | \$1,543.58            | \$500.00              | \$3,543.58            | \$3,500.00              | 101.25%        |
| Website                                       | \$0.00              | \$0.00              | \$487.92              | \$0.00                | \$487.92              | \$2,400.00              | 20.33%         |
| Williamson Central Appraisal District         | \$1,365.00          | \$711.00            | \$711.00              | \$711.00              | \$3,498.00            | \$4,000.00              | 87.45%         |
| Williamson County - Election Office           | \$0.00              | \$0.00              | \$0.00                | \$0.00                | \$0.00                | \$0.00                  | 0.00%          |
| Williamson County - Tax Collector/Assessor    | \$4,266.08          | \$0.00              | \$0.00                | \$0.00                | \$4,266.08            | \$4,800.00              | 88.88%         |
| Misc. (5% contingency)                        | \$0.00              | \$50.00             | \$2,058.24            | \$0.00                | \$2,108.24            | \$8,300.00              | 25.40%         |
| <b>Total Administrative Expenses</b>          | <b>\$28,516.35</b>  | <b>\$22,602.49</b>  | <b>\$73,205.07</b>    | <b>\$35,486.70</b>    | <b>\$159,810.61</b>   | <b>\$174,300.00</b>     | <b>91.69%</b>  |
| <b>Project Expenses</b>                       |                     |                     |                       |                       |                       |                         |                |
| Dam Maintenance                               | \$0.00              | \$33,642.00         | \$136,402.00          | \$48,007.00           | \$218,051.00          | \$264,000.00            | 82.60%         |
| Dam Repairs                                   | \$108.24            | \$0.00              | \$479,393.29          | \$257,636.21          | \$737,137.74          | \$1,172,315.00          | 62.88%         |
| Dam Rehabilitation                            | \$343,077.31        | \$155,940.22        | \$401,992.41          | \$397,396.08          | \$1,298,406.02        | \$830,000.00            | 156.43%        |
| Other Projects                                | \$19,908.11         | \$57,723.45         | \$17,622.01           | \$0.00                | \$95,253.57           | \$180,000.00            | 52.92%         |
| <b>Total Project Expenses</b>                 | <b>\$363,093.66</b> | <b>\$247,305.67</b> | <b>\$1,035,409.71</b> | <b>\$703,039.29</b>   | <b>\$2,348,848.33</b> | <b>\$2,446,315.00</b>   | <b>96.02%</b>  |
| <b>TOTAL EXPENSES</b>                         | <b>\$391,610.01</b> | <b>\$269,908.16</b> | <b>\$1,108,614.78</b> | <b>\$738,525.99</b>   | <b>\$2,508,658.94</b> | <b>\$2,620,615.00</b>   | <b>95.73%</b>  |

Revised 10/12/21



## LOWER BRUSHY CREEK WCID

PO Box 467, Georgetown, Texas 78627  
601 Quail Valley Drive, Georgetown, Texas 78626  
[LowerBrushyCreekWCID@gmail.com](mailto:LowerBrushyCreekWCID@gmail.com)

### Board of Directors

*Edmond Komandosky*  
President

*Scott Ging*  
Vice President

*Monica P. Masters*  
Secretary

*Mike Schneider*  
Treasurer and  
Investment Officer

*Allen R. David*  
Director

### General Manager

*James R. Clarno, P.E.*  
108 Trinity Lane  
Georgetown, TX 78633  
Cell: 512.517.7596  
Email: [jclarno.pe@att.net](mailto:jclarno.pe@att.net)

### Board Attorney

*Ted W. Hejl*  
Hejl & Schroeder, PC  
P.O. Box 192  
311 Talbot Street  
Taylor, Texas 76574  
Office: 512.365.6348  
FAX: 512.365.2226

**TO:** President and Member of the Board of Directors  
**FROM:** Mike Schneider, Treasurer and Investment Officer  
**DATE:** October 4, 2021  
**SUBJECT:** Investment Report  
Fourth Quarter of FY 21

Following please find the Fourth Quarter Investment Report for FY 21 as required by the *Public Fund Investment Act* (Chapter 2459 of the Texas Government Code, as amended by Chapter 2256) and the *Investment Policy* adopted by the Board of Directors of the Lower Brushy Creek WCID on June 10, 2019:

| <b>Fund</b>                | <b>General</b> | <b>Rainy Day</b> |
|----------------------------|----------------|------------------|
| Starting Book/Market Value | \$347,573.25   | \$100,008.04     |
| Total Deposits             | \$5,193.08     | \$0.00           |
| Total Withdrawn            | \$30,000.00    | \$0.00           |
| Interest Earned            | \$18.83        | \$2.30           |
| Ending Book/Market Value   | \$322,785.16   | \$100,013.80     |
| Trade Date                 | n/a            | n/a              |
| Maturity Date              | n/a            | n/a              |

If you have any questions, please contact Jim Clarno or myself.

Sincerely,

Mike Schneider,  
Investment Officer





**LOWER BRUSHY CREEK WCID**  
**FY 22 ANNUAL OPERATION, MAINTENANCE AND RELATED SERVICES**  
**Bids Received October 12, 2021**

| Item No          | Work or Material   | Quantity | Units       | WCID Estimate   |                     | TerraSol LLC<br>1905 Sloan Street<br>Taylor, TX 76754 |                     | Heartland Construction Services, LLC<br>4451 CR 302<br>Bartlett, TX 76511 |                     | Double C Dirt Work, LLC<br>1144 CR 417<br>Stephenville, TX 76401 |                     | C&C Site Services<br>8063 CR 466<br>Thomdale, TX 76577 |                     |
|------------------|--|----------|-------------|-----------------|---------------------|---|---------------------|---|---------------------|--|---------------------|--|---------------------|
|                  |  |          |             | Unit Price      | Total               | Unit Price  | Total               | Unit Price  | Total               | Unit Price   | Total               | Unit Price   | Total               |
| 01-01            | TSSWCB Code 1.01C - Removal of undesirable vegetation (mowing or shredding)                      | 600      | Acres       | \$70.00         | \$42,000.00         | \$58.00   | \$34,800.00         | \$54.00   | \$32,400.00         | \$107.66   | \$64,596.00         | \$65.80  | \$39,480.00         |
| 01-02            | TSSWCB Code 1.01B - Removal of large woody brush or other undesirable vegetation (mechanical)    | 20       | Acres       | \$1,200.00      | \$24,000.00         | \$200.00  | \$4,000.00          | \$235.00  | \$4,700.00          | \$1,000.00   | \$20,000.00         | \$1,125.00   | \$22,500.00         |
| 01-03            | TSSWCB Code 1.01A - Removal of small woody brush or other undesirable vegetation (spot spraying) | 50       | Acres       | \$175.00        | \$8,750.00          | \$40.00   | \$2,000.00          | \$95.00   | \$4,750.00          | \$200.00   | \$10,000.00         | \$164.50   | \$8,225.00          |
| 01-04            | TSSWCB Code 1.05 - Herbicide and fertilizer application to establish desirable vegetative cover  | 300      | Acres       | \$300.00        | \$90,000.00         | \$210.00  | \$63,000.00         | \$311.00  | \$93,300.00         | \$208.33   | \$62,499.00         | \$293.00   | \$87,900.00         |
| 01-05            | TSSWCB Code 1.05 - No-till seeding to establish desirable vegetative cover                       | 50       | Acres       | \$250.00        | \$12,500.00         | \$85.00   | \$4,250.00          | \$115.00  | \$5,750.00          | \$250.00   | \$12,500.00         | \$235.00   | \$11,750.00         |
| 01-06            | Removal of debris on front slopes, repair soil erosion and other required work (allowance)       | Various  | As directed | Time & Material | \$30,000.00         | Time & Material                                       | \$30,000.00         | Time & Material   | \$30,000.00         | Time & Material  | \$30,000.00         | Time & Material  | \$30,000.00         |
| <b>Total Bid</b> |  |          |             |                 | <b>\$207,250.00</b> |   | <b>\$138,050.00</b> |   | <b>\$170,900.00</b> |  | <b>\$199,595.00</b> |  | <b>\$199,855.00</b> |

**LOWER BRUSHY CREEK WCID**  
**FY 22 ANNUAL OPERATION, MAINTENANCE AND RELATED SERVICES**  
**CONTRACT AGREEMENT**

**THIS AGREEMENT**, made the 18th day of October, 2021, by and between the Lower Brushy Creek Water Control & Improvement District (hereinafter called **OWNER**) and TerraSol LLC (hereinafter called **CONTRACTOR**).

**WITNESSETH:**

**THAT WHEREAS:** in accordance with law, Owner has Contract Documents to be prepared and an Invitation to Bid to be published, for and in connection with the **FY 22 ANNUAL OPERATION, MAINTENANCE AND RELATED SERVICES** (the Work); and

**WHEREAS**, Contractor, in response to the Invitation for Bid, has submitted to Owner, in the manner and at the time specified, a sealed bid in accordance with Instructions to Bidders; and

**WHEREAS**, Owner, in the manner prescribed by law, has publicly opened, examined, and canvassed the bids submitted, and has determined Contractor to be the lowest responsible Bidder for the Work and duly awarded to Contractor a contract therefor, for the sum or sums named in Contractor's Bid.

**NOW, THEREFORE**, in consideration of the compensation to be paid to Contractor and of the mutual agreements herein contained, the parties to these presents have agreed and hereby agree, Owner for itself and its successors and assigns, and its, his, or their executors and administrators, as follows:

**ARTICLE I.** Contractor shall perform all work, including the assumption of all obligations, duties and responsibilities necessary to the successful completion of the contract and the furnishing of all materials and equipment required to be incorporated in and form a permanent part of the work; tools, equipment, supplies, transportation, facilities, labor, superintendence and services required to perform the work; and bonds, insurance and submittals; all as indicated or specified in the contract documents to be performed or furnished by Contractor for the work included in and covered by Owner's official award of this contract to Contractor, such award being based on the acceptance by Owner of Contractor's bid.

**ARTICLE II.** Owner shall pay to Contractor for performance of the work embraced in this contract, and Contractor shall accept as full compensation therefor, the sum (subject to adjustment as provided in the contract documents) of One Hundred Thirty Eight Thousand and Fifty Dollars (\$138,050.00) for all work covered by and included in the contract award and designated in the foregoing Article I; payment thereof to be made in current funds in the manner provided in the contract documents.

**ARTICLE III.** Owner will issue Task Orders for work to be performed. The Contractor shall complete all work in each Task Order within 75 calendar days.

**ARTICLE IV.** The contract documents that comprise the Contract between Owner and Contractor, attached hereto and made a part hereof, consist of the following:

- (1) This Contract Agreement,
- (2) Contractor’s Bid: Exhibits A through F,
- (3) Invitations for Bids (IFB) Addendum Number 1,
- (4) Notice to Proceed,
- (5) Any modifications (change orders) duly delivered or supplemental agreements duly entered into after execution of this Contract Agreement, and
- (6) Notices of Final Completion and Acceptance.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.


**OWNER**

**CONTRACTOR**

**LOWER BRUSHY CREEK WCID**

**TerraSol LLC**

By: \_\_\_\_\_  
Edmond S. Komandosky, President  
Lower Brushy Creek WCID

By:  \_\_\_\_\_  
Title: Ken Hall, Owner

Attest: \_\_\_\_\_  
Monica P. Masters, Secretary

Address for giving notices:  
James R. Clarno, P.E. General Manager  
Lower Brushy Creek WCID  
PO Box 267  
Georgetown, TX 78627  
601 Quail Valley Drive  
Georgetown, TX 78626

Address for giving notices:  
1305 Sloan Street  
  
Taylor, TX 76574

This action was authorized at an official meeting of the Lower Brushy Creek WCID on October 18, 2021 in Taylor, Texas.

**LOWER BRUSHY CREEK WCID  
FY 22 OPERATIONS MAINTENANCE AND RELATED SERVICES  
TASK ORDER No. 1**

**DESCRIPTION OF TASK ORDER No. 1**

The **CONTRACTOR** is authorized to perform the following tasks pursuant to the terms and conditions of the **CONTRACT AGREEMENT**:

|                |  |                           |                 |
|----------------|--|---------------------------|-----------------|
| Bid Item 01-01 | Shred all sites (except Sites 18 and 23)           | 300 acres at \$58.00/acre | \$17,400        |
| Bid Item 01-05 | No-till seeding (dams at Sites 12, 22, 20, and 32) | 45 acres at \$85.00/acre  | \$20,825        |
| Bid Item 01-06 | Allowance – as directed by General Manager         |                           | \$ 4,000        |
|                | <b>Total</b>                                       |                           | <b>\$42,225</b> |

The **CONTRACTOR** may also consider this as it's **Notice to Proceed** with the work.

**APPROVAL OF TASK ORDER No. 1**

**LOWER BRUSHY CREEK WCID (Owner)**

\_\_\_\_\_  
James R. Clamo, P.E.  
General Manager

\_\_\_\_\_  
Date

Lower Brushy Creek WCID  
P.O. Box 467  
Georgetown, Texas 78627

DATE: 10/4/2021

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**Project Name:** Task Order #6 – Annual Dam Maintenance Inspections

**Description of Services:** The purpose of this task is to observe and document the existing conditions of the Lower Brushy Creek WCID's dams and identify maintenance and repair needs at each site. FNI will perform the following tasks as part of this Task Order:

1. **Preparation:** FNI will prepare for the inspections and review the original as-built plans and any subsequent modifications to the dams. FNI will utilize the condition worksheets developed for the January 2021 inspections to perform the inspections.
2. **Inspections:** FNI staff with background in dam safety will participate in inspections of the WCID's 23 flood control structures with representatives from the WCID (and NRCS or others). The effort on each site will include visual inspection of each component as outlined in the condition worksheet. No inspection of the interior of the principal spillway conduits will be performed. During the inspections, FNI will document observations and take photographs (of the overall dam from consistent locations and of noteworthy areas). The inspection team will discuss **maintenance needs** (mowing, brush and tree removal, herbicide, debris removal, pest removal, fence repair, grass treatment, etc.) and **repair needs** (erosion and slide repair, regrading, spillway deterioration, etc.), and scoring for the dam components. It is assumed inspections will be performed over a total of up to four days in the field.
3. **Documentation and Presentation:** Following the inspections, FNI will fill out the condition worksheet for each site with the field notes, scoring, recommended maintenance, and recommended repairs, and add photos (6-9 per site). Note that this effort will not include review of storage capacity, previous TCEQ inspections, hydrologic and hydraulic analyses, operation and maintenance plan, Emergency Action Plan, or potential failure modes. FNI will submit the draft worksheets to the WCID for review and comment. FNI will prepare a high-level presentation with key observations and photos of each site and present to the Board of Directors.

**Deliverables:** FNI will provide the condition worksheet (including photos) for each site as well as an overall summary of deferred maintenance work and repair work at all of the dams. The initial deliverables will be draft for review and comment in electronic (PDF) format. Comments will be incorporated, and final versions of the worksheets will be delivered in electronic (PDF and original Excel) format. The inspection photos will also be provided in native format with the final submittal.

**Schedule:** Inspections will be performed in December 2021 or January 2022. Draft deliverables will be submitted within 4 weeks of the inspection.

**Compensation shall be:** A not to exceed amount of *Thirty-four Thousand Dollars* (\$34,000.00) in accordance with the Master Professional Services Agreement.

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***All other provisions, terms and conditions of the Professional Services Agreement which are not expressly amended shall remain in full force and effect.***

**FRESE AND NICHOLS, INC.**

**LOWER BRUSHY CREEK WCID**

BY: Tina McMartin

BY: \_\_\_\_\_

Tina McMartin, PE  
*Print Name*

\_\_\_\_\_  
*Print Name*

TITLE: Associate

TITLE: \_\_\_\_\_

DATE: October 4, 2021

DATE: \_\_\_\_\_

**LOWER BRUSHY CREEK WCID**  
**Schedule of Board Meetings and Election Calendar**  
**Fiscal Year 2022**

**Schedule of Regular and Special Board Meetings \***

|                               |                 |   |
|-------------------------------|-----------------|---|
| Monday, October 18, 2021      | Regular meeting | Maintenance bids                            |
| Monday, November 15, 2021     | Regular meeting |   |
| Monday, December 13, 2021 **  | Regular meeting |   |
| Monday, January 17, 2022      | Regular meeting |   |
| Monday, February 18, 2022     | Regular meeting | Cancel election or draw for ballot position |
| Monday, March 21, 2022        | Regular meeting |   |
| Monday, April 18, 2022        | Regular meeting |   |
| Monday, May 23, 2022          | Regular meeting |   |
| Monday, June 20, 2022         | Regular meeting |   |
| Monday, July 18, 2022         | Regular meeting | Appoint an auditor for FY 22                |
| Monday, August 22, 2022       | Regular meeting | Preliminary vote on tax rate and budget     |
| Wednesday, September 7, 2022  | Special meeting | Tax Rate Public Hearing                     |
| Monday, September 12, 2022 ** | Regular meeting | Final vote on tax rate and budget           |

**Election Calendar \*\*\***

|                             |   |
|-----------------------------|---|
| Monday, December 20, 2021   | Post Notice of Candidate Filing Deadline    |
| Wednesday, January 18, 2022 | First Day to File                           |
| Friday, February 18, 2022   | Last Day to File, Last Day to Call Election |
| Saturday, May 7, 2022       | General Election                            |

**Notes:**

- \* Board meeting are generally held on the 3<sup>rd</sup> Monday of each month
- \*\* indicated the meeting will be the 2<sup>nd</sup> Monday of each month
- \*\*\* Election calendar established by the Texas Secretary of State





# Change Order No. 01

Page 2 of 2

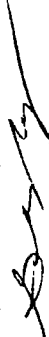

Summary: It is agreed to modify the Contract referred to above as follows:

|   |  |
|---|--|
| Contract Price prior to this Change Order | Contract Time prior to this Change Order         |
| <b>\$3,869,869.00</b>                     | <b>365 days to Final Completion (08/12/2022)</b> |

|  |  |
|--|--|
| Net Increase (decrease) of this Change Order | Net Increase (decrease) of this Change Order |
| <b>\$26,290.00</b>                           | <b>0 days</b>                                |

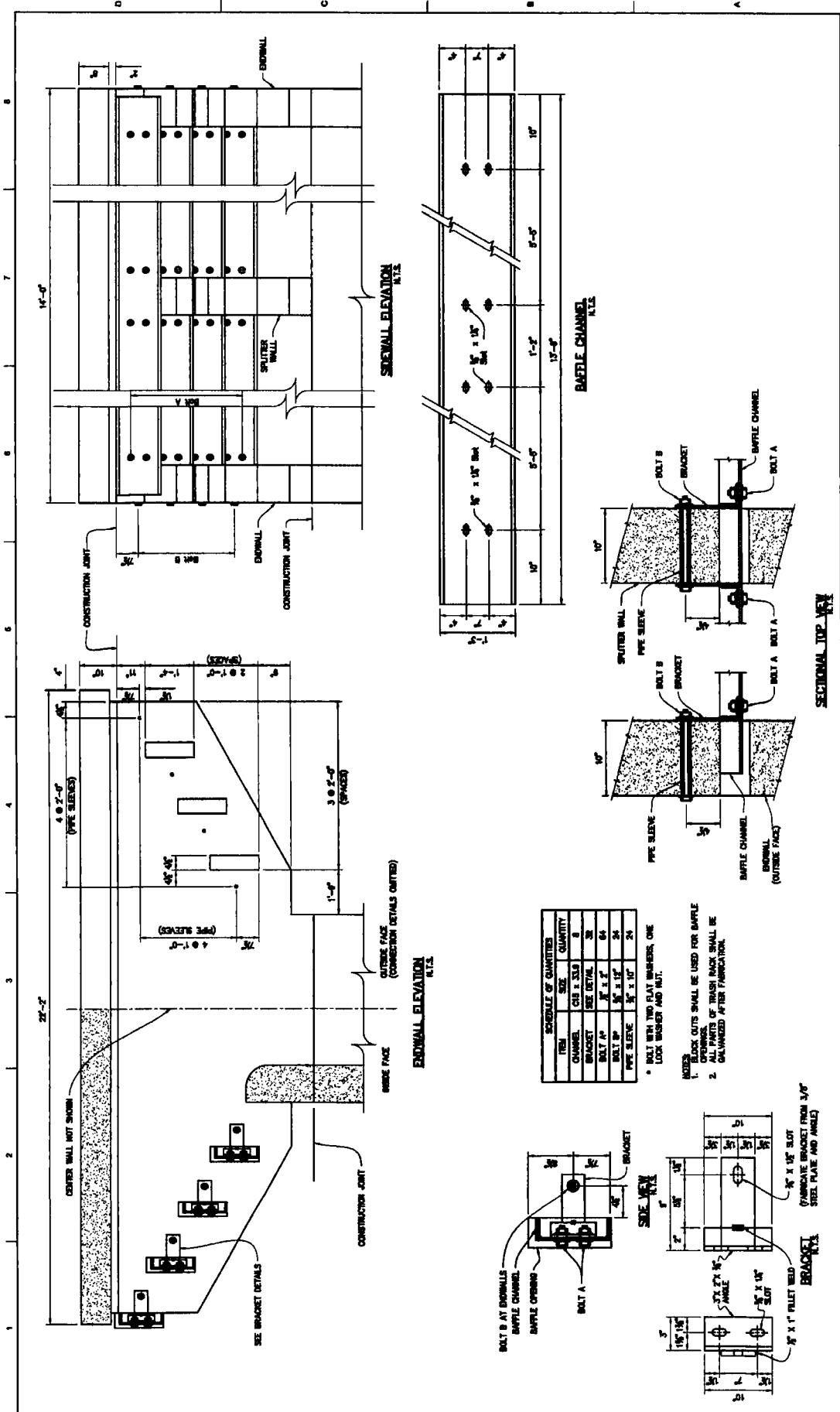
|  |   |
|--|---|
| Revised Contract Price with all approved Change Orders | Revised Contract Time with all approved Change Orders |
| <b>\$3,896,159.00</b>                                  | <b>365 days to Final Completion (08/12/2022)</b>      |

The changes included in this Change Order are to be accomplished in accordance with the terms, stipulations and conditions of the original Contract as though included therein.

|  |            |
|--|------------|
| Accepted for Contractor by:  | Date:      |
|                     | 10/6/21    |
| Recommended for Approval by (HDR Engineering, Inc.):   | Date:      |
|  Bryan Martin, P.E. | 10/06/2021 |
| Approved for Owner by:   | Date:      |
|  |            |

Distribution:     Owner     Contractor     Office     Field     Other





PRINCIPAL SPILLWAY INLET  
TRASH RACK DETAILS

SCALE: 1/8" = 1'-0"

DATE: 01/10/10

DESIGNED BY: [Signature]

CHECKED BY: [Signature]

PROJECT NUMBER: 10100007

810

FLOODWATER RETARDING  
STRUCTURE NO. 16  
UPDATE



SECTIONAL TOP VIEW

PROJECT MANAGER: B. MARTIN, P.E.  
 ENGINEER: B. MARTIN, P.E.  
 CHECKED BY: J. WHEATON  
 CHECKED BY: C. PARSONS, P.E.  
 DATE: 01/10/10

| NO. | REVISION | DATE | BY |
|-----|----------|------|----|
|     |          |      |    |
|     |          |      |    |
|     |          |      |    |

TEXAS STATE  
Soil & Water  
CONSERVATION BOARD

**HR**



# Request for Information No. 5

|                |                                      |             |  |
|----------------|--------------------------------------|-------------|--|
| Project Name:  | LBC Dam 18                           | Date:       | August 19, 2021                                    |
| Project Owner: | Lower Brushy Creek WCID              | Contractor: | Southern Infrastructure Group, LLC                 |
| Address:       | P.O. Box 467<br>Georgetown, TX 78627 | Address:    | 11816 Inwood Road, Suite 70292<br>Dallas, TX 75244 |

Interpretation and/or direction concerning the issue(s) described below is hereby requested:  
 Description (attach sketches or other documentation as required):

Plan Sheet S1 contains the note "TRASH-RACK BAFFLES. FOR DETAIL SEE SHEET S-4." Sheet S9 does not appear to include any details for the referenced baffles. Please confirm those baffles are outside the scope of this project or provide a detail.

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|                                    |  |
|------------------------------------|--|
| Gregory Bouton                     | Southern Infrastructure Group, LLC                           |
| Digitally signed by Gregory Bouton | Initiated By: <input checked="" type="checkbox"/> Contractor |
| Date: 2021.08.19 12:08:04 -07'00'  | ____ HDR Engineering, Inc.                                   |
|                                    | Date   |

Response (attach sketches or other documentation as required):

The baffles are within the scope of the project. Attached is the principal spillway inlet trash rack detail.

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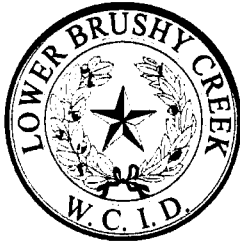
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|  |   |
|--|---|
|  | Bryan Martin, P.E.  |
|  | Response By: <input checked="" type="checkbox"/> Contractor |
|  | ____ HDR Engineering, Inc.                                  |
|  | Date  |
|  | September 22, 2021  |





## **LOWER BRUSHY CREEK WCID**

PO Box 467, Georgetown, Texas 78627  
601 Quail Valley Drive, Georgetown, Texas 78626  
[LowerBrushyCreekWCID@gmail.com](mailto:LowerBrushyCreekWCID@gmail.com)

**TO:** President and Members of the Board  
**FROM:** Jim Clarno, General Manager  
**DATE:** October 12, 2021  
**SUBJECT:** General Manager's Report

### **Administration**

- Completed required Tax Public Hearing in September, approved Tax Rate at a regular Board meeting and submitted final Order to the Williamson County Tax Appraiser/Collector's office.
- Approved FY 22 budget.
- Submitting schedule for FY 22 meetings and election to the Board for approval.
- Participated in the Taylor EXPO on September and provided information sheets and rain gauges.
- Provided a four-page layout for inclusion in the 78564 magazine and will be sending out the same material to residents in the Coupland and Thrall zip codes.

### **Engineering**

- Received approval of Emergency Action Plan template from TCEQ.
- Received proposal from Freese & Nichols for FY 22 dam inspections.
- Received breach analysis for Turkey Creek dams from M&E Consultants.

### **Dam Operation and Maintenance**

- Completed all planned maintenance work for FY 21
- Additional work completed in August included:
  - Shredding at Sites 12, 20 and 32
  - Minor fencing and road repairs at Site 22
- Grant for fall maintenance approved by TSSWCB
- Received bids for FY 22-23 maintenance

### **Capital Improvements**

- Site 20 Rehabilitation
  - Project completed, final inspection made, Change Order 4 (final) approved, Pay Estimate 21 processed and project accepted from contractor
- Sites 12/22 Repairs
  - Project completed, final inspection made, Change Order 5 (final) approved and Pay Estimate 4 processed.
- Site 18 Upgrade
  - Board approved construction contract in July
  - Attended pre-construction conference, issued Notice to Proceed and attended 2 monthly construction meetings
  - Change Order No 1 on Board agenda for approval.
  - Working with contractor and TCEQ about a temporary water rights permit

### **Other**

- Texas Assn of Watershed Sponsors held it annual meeting at Kalahari Resort. Ed Komandosky and Allen David attended. Jim Clarno was elected to a second 2-year term as president.