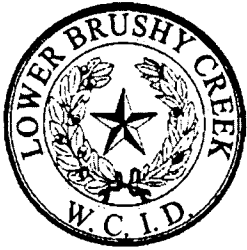


DEC 13 2022



LOWER BRUSHY CREEK WCID
Regular Called Meeting of the Board of Directors

Nancy E. Ruter
 Clerk, Williamson Co., TX

Edmond S Komandosky, President
 Scott Ging, Vice President
 Mike Schneider, Director

Monica P Masters, Secretary/Treasurer
 Allen R David, Director

AD
 12.37

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, December 19, 2022 at 7:30 am** at the **Taylor Public Library, 801 Vance 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.

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 Minutes of October 17, 2022*
4. Consider approval of financial reports:
 - a. *Account Register for October 2022*
 - b. *Account Register for November 2022*
5. Consideration and approval of the General Manager to execute a letter of agreement with Kokel-Oberrender-Wood Appraisal, LTD to appraise nine (9) properties related to the modifications to Lower Brushy Creek Site 18 in the not-to-exceed amount of \$34,000;
6. Consideration and approval of the General manager to execute Task Order 7 - Amendment 1 to Freese & Nichol provide design, survey, bid and construction phase services for Sites 3, 30 and 31 in the not-to-exceed amount of \$45,800;
6. Agency Reports;
7. Consideration and discussion of the General Manager's report and update;
8. Director's Comments; and
9. 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 the above Notice of Regular Called Meeting and Public Hearing to be considered by the Board of Directors of the Lower Brushy Creek WCID was posted on December 13, 2022.

Sue Lilly
 Sue Lilly
 District Clerk

Minutes of the October 17, 2022
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 7:32am on Monday October 17, 2022 and announced that a quorum was present. Board members present included Vice President Scott Ging, Secretary/Treasurer Monica Masters and Director Allen David. Others present included, General Manager Jim Clarno, Communications Consultant Richard Stone, District Clerk Sue Lilly and Board Attorney Ted Hejl.

There were no citizens communications.

General Manager, Jim Clarno, presented for consideration and approval the September 7, 2022 Special Called Meeting Minutes and the September 12, 2022 Regular Called Meeting Minutes. A motion was made by Vice President Scott Ging to approve the meeting minutes as presented. The motion was seconded by Director Allen David and approved by a vote of 4-0.

Clarno presented for consideration and approval of the following Financial Reports: Checking Account Register for September 2022, Fourth Quarter Financial Report for FY 22 and Fourth Quarter Investment Report for FY 22. A motion was made by Secretary/Treasurer Monica Masters to approve the financial reports as presented. The motion was seconded by Director Allen and approved by a vote of 4-0.

Clarno presented for consideration and not to exceed the amount of \$35,688 to execute Task Order with M&E Consultants to perform the FY 23 inspections of sites. A motion was made by Secretary/Treasurer Masters to approve the Task Order as presented. The motion was seconded by Vice President Ging and approved by a vote of 4-0.

Clarno presented the General Manager's Report and update. There were no actions taken.

No executive session was necessary, no action was taken.

There were no other director's comments

There being no further business, the meeting was adjourned without objection at 8:02am.

Respectfully submitted:

Monica P Masters
Secretary

Balance as of 10/01/22					
	TexPool Acct (General Fund)			\$440,887.97	
	TexPool Acct (Rainy Day Fund)			\$201,403.95	
	City National Bank			\$13,830.82	
					\$656,122.74
Total Funds Available					
Income					
10/06/22	Transfer TexPool to Checking			\$30,000.00	
10/11/22	TSSWCB		Site 18 Rehab	\$21,458.12	
10/21/22	Transfer TexPool to Checking			\$30,000.00	
various	TexPool (General Fund)		Tax Revenue- October	\$12,244.04	
10/31/22	TexPool (General Fund)		Interest Posted	\$1,017.87	
10/31/22	TexPool (Rainy Day Fund)		Interest Posted	\$501.79	
			Total Income		\$95,221.82
Expenses					
10/03/22	1959 Freese & Nichols		Refencing	\$5,001.75	
10/03/22	Masfajitas Taylor		Debit Card Purchase- Lunch	\$47.35	
10/06/22	Deposit from TexPool to Checking			\$30,000.00	
10/06/22	1954 Clarno Consulting		General Manager's Fees and Mileage	\$6,500.00	
10/11/22	1967 Clark L Jackson		Accounting Services	\$350.00	
10/12/22	1964 Taylor Press		Tax Notice	\$356.50	
10/12/22	1966 US Geological Survey		FY 22 Payment	\$7,500.00	
10/13/22	1968 Hejl & Schroeder PC		Legal Services	\$450.00	
10/14/22	1965 Heritage Office Suites		Rent- September	\$979.00	
10/17/22	1960 Scott Ging		Directors Fees	\$100.00	
10/18/22	Monument Café		Debit Card Purchase- Lunch	\$78.03	
10/21/22	Deposit from TexPool to Checking			\$30,000.00	
10/31/22	1969 Southern Infrastructure Group LLC		Site 18	\$21,204.20	
			Total Expenses		\$102,566.83
Balance as of 10/31/22					
	TexPool Acct (General Fund)			\$394,149.88	
	TexPool Acct (Rainy Day Fund)			\$201,905.74	
	City National Bank Acct			\$52,722.11	
			Total Funds Available		\$648,777.73

LOWER BRUSHY CREEK WCID
FY 23 Account Register
For the period ending November 30, 2022

Balance as of 11/01/22					
	TexPool Acct (General Fund)			\$394,149.88	
	TexPool Acct (Rainy Day Fund)			\$201,905.74	
	City National Bank			<u>\$52,722.11</u>	\$648,777.73
		Total Funds Available			
Income					
11/18/22	Transfer TexPool to Checking			\$30,000.00	
11/29/22	Transfer TexPool to Checking			\$35,000.00	
various	TexPool (General Fund)		Tax Revenue- November	\$37,273.91	
11/30/22	TexPool (General Fund)		Interest Posted	\$1,181.87	
11/30/22	TexPool (Rainy Day Fund)		Interest Posted	<u>\$599.22</u>	
			Total Income		\$104,055.00
Expenses					
11/01/22	1972 RTS Connect		Communications Services for Oct	\$1,200.00	
11/01/22	1973 TML Intergovernment Risk Pool		Insurance	\$1,330.84	
11/07/22	1970 Freese & Nichols		Services for Fencing and 2 EAPs	\$17,308.47	
11/07/22	1974 Clarno Consulting		General Managers Fees and Mileage	\$6,500.00	
11/08/22	Dos Salsas Georgetown		Debit Card Purchase	\$33.95	
11/15/22	1975 Hejl & Schroeder PC		Legal Services	\$300.00	
11/15/22	1978 Heritage Office Suites		Rent	\$979.00	
11/15/22	1981 Larry Gaddes, CTA		Annual Fees	\$5,525.37	
11/16/22	1977 Taylor Press		Quarterly Advertising	\$2,700.00	
11/16/22	1980 Clark L Jackson PC		Accounting Services	\$400.00	
11/18/22	Deposit from TexPool to Checking			\$30,000.00	
11/25/22	1979 RTS Connect		Communications Services for Nov	\$1,200.00	
11/29/22	Deposit from TexPool to Checking			\$35,000.00	
11/29/22	1982 Clarno Consulting		General Managers Fees and Mileage	\$6,500.00	
11/30/22	1985 Greater Taylor Chamber of Commerce		Annual Dues	<u>\$200.00</u>	
			Total Expenses		\$109,177.63
Balance as of 11/30/22					
	TexPool Acct (General Fund)			\$367,605.66	
	TexPool Acct (Rainy Day Fund)			\$202,504.96	
	City National Bank Acct			<u>\$73,544.48</u>	
		Total Funds Available			\$643,655.10

Prepared 12/07/2022

KOKEL-OBERRENDER-WOOD APPRAISAL, LTD.

Larry D. Kokel, ARA, MAI
David W. Oberrender, MAI
Wendell C. Wood, ARA, MAI
Michael D. Mays, ARA, MAI

Real Estate Appraisers & Consultants
404 West 9th Street, Suite 201
Georgetown, Texas 78626

Georgetown (512) 863-6428
Austin (512) 930-3499

FAX (512) 943-4539
e-mail: realestate@k-o-wappraisal.com
website: www.k-o-wappraisal.com

November 7, 2022

Lower Brushy Creek WCID
c/o Mr. James R. Clarno, P.E.
General Manager
601 Quail Valley Drive
Georgetown, Texas 78626
Via E-mail: jclarno.pe@att.net

Re: Fee and time quote to appraise nine (9) parcels related to proposed modification of Structure No. 18, located south of Thrall in Williamson County, Texas.

Dear Mr. Clarno:

We have reviewed the maps and information you provided in our meeting on October 17 regarding the above referenced project. It is our understanding you seek a current market value appraisal on the following nine parcels for estimating compensation for the acquisition of additional inundation area as the result of modifying the existing dam on Structure No. 18. The parcels are identified as:

Owner	WCAD Parcel ID
Pierce, Ethel & 10X Properties	R325175
T.W. Ford, LP	R005734
Schneider, Charles W. & Stacey	R307962 & R005741
Sciarretta, Jeffrey	R503054
League, Stacy & Carl	R005755
Hrncir Farm, LLC	R005735 & R005736
Landes, Joyce M.	R005767 & R005768
Pavlicek, Rita Kaye	R450800, R005770, R005732
Rod, Marven Joseph and Rita Kaye	R005764

Our fee to appraise the above listed parcels is \$34,000. We can complete the assignment within ninety (90) days from receipt of authorization to proceed. The appraisals will be prepared in conformance with the *Uniform Standards of Professional Appraisal Practice*.


If additional time for litigation support and/or testimony is required, our time will be billed by the attached fee schedule.

If you wish to authorize Kokel-Oberrender-Wood Appraisal, Ltd. to proceed, please execute a copy of this letter and return via fax or e-mail. If you have any questions, please feel free to contact me.

Respectfully,

AUTHORIZATION TO PROCEED THIS
_____ DAY OF _____, 2022

Kokel-Oberrender-Wood Appraisal, Ltd.
By Kokel-Oberrender-Wood Appraisal Management, L.C.


David W. Oberrender, MAI
State Certified
TX-1321141-G

Attached Fee Schedule

FEE SCHEDULE

Larry D. Kokel, ARA, MAI	\$300.00/hr
David W. Oberrender, MAI	\$250.00/hr
Wendell C. Wood, ARA, MAI	\$250.00/hr
Michael D. Mays, ARA, MAI	\$250.00/hr
Taylor Orsag, Appraiser Trainee	\$150.00/hr
Administrative Support and Mapping	\$100.00/hr
Mileage	\$0.56/mile
Exhibits and Misc.	Actual

Lower Brushy Creek WCID
c/o USDA – Natural Resources Conservation Service
505 West University Avenue, Suite C
Georgetown, Texas 78626

DATE: 12/7/2022
FNI Project BK122614

Project Name: Task Order #7 – Refencing; Amendment #1

Description of Services: The purpose of this amendment is to add Sites 3, 30 and 31 to the bid documents for the refencing of Sites 6, 13, and 21 for the Lower Brushy Creek WCID. FNI will perform the following tasks as part of this Task Order:

1. **Layout:** Provide alignment figures showing the existing fenceline and proposed fence line to the WCID for review and confirmation. Planned alignment will either be existing, approximately 20-foot offset from the toe of the dam, or to align with a property line close to the 20-foot offset.
2. **Survey:** Perform survey of the existing fence lines and gates at Sites 3, 30 and 31.
3. **Construction Documents:**
 - a. Develop draft construction documents (drawings, technical specifications, and front-end documents), as well as an opinion of probable construction cost (OPCC). Submit draft to Lower Brushy Creek WCID for review and comment. **Prepare two bid packages:**
 - i. Site 3 (combined with previously approved Site 6); and,
 - ii. Sites 30 and 31.
 - b. Address comments and prepare “Issued for Bid” construction documents (drawings, technical specifications, and front-end documents), as well as a revised OPCC, for both bid packages.
4. **Bid Phases:** Assist with bidding the two packages on CivCast, notifying potential bidders, answering bidders’ questions, facilitating pre-bid meetings, issuing addenda if needed, reviewing Contractor’s bid packages, and preparing bid tabulations. The method of procurement will be low bid.
5. **Construction Phases:**
 - a. Pre-construction meetings: Facilitate pre-construction meetings prior to commencement of construction.
 - b. Inspections: Perform a site visit to each site during fence installation to confirm compliance with the construction contract documents. Perform a site visit to each site upon completion of fence installation and provide completion documentation.
 - c. Record drawings: Revise the construction drawings in accordance with the information furnished by construction contractor(s) reflecting changes in the project made during construction.

Deliverables and Schedule:

1. FNI will provide the documents per the updated overall project schedule attached.

Compensation:

Compensation Type:	Not to Exceed Fee in accordance with Attachment CO
Current Contract Amount:	\$45,600
Amount of this Amendment:	\$45,800
Revised Total Amount Authorized:	\$91,400

The services described above shall proceed as amended upon execution of this Amendment. All other provisions, terms, and conditions of the Master Professional Services Agreement which are not expressly amended shall remain in full force and effect.

FREESE AND NICHOLS, INC.

LOWER BRUSHY CREEK WCID

BY: Tina McMartin

BY: _____

Tina McMartin, P.E.
Print Name

Print Name

TITLE: Associate

TITLE: _____

DATE: 12/7/2022

DATE: _____

Refrencing 6 Sites - Project Schedule

ID	Task Name	Duration	Start	Finish	Nov	Dec	Qtr 1, 2023	Jan	Feb	Mar	Qtr 2, 2023	Apr	May	Jun	Qtr 3, 2023	Jul
0	Lower Brushy Creek WCID - Refrencing 6 Sits	45.6 wks	Mon 8/22/22	Tue 7/11/23												Lower Bru
1	Survey Sites 6, 13, 21	2 wks	Mon 8/22/22	Fri 9/2/22												
2	Layout prep	5 wks	Tue 9/6/22	Mon 10/10/22												
3	WCID Review and Review Meeting	4 wks	Tue 10/11/22	Mon 11/7/22												
4	Sites 13 & 21	18.3 wks	Tue 11/8/22	Thu 3/16/23												
5	Draft Documents	4.5 wks	Tue 11/8/22	Fri 12/9/22												
6	WCID Review	1 wk	Fri 12/9/22	Fri 12/16/22												
7	Issued for Bid Documents	3 days	Mon 12/19/22	Thu 12/22/22												
8	Ready to Advertise	0 wks	Thu 12/22/22	Thu 12/22/22												
9	Advertise	3 wks	Thu 12/22/22	Thu 1/12/23												
10	Open Bids and award @ Mtg. 1/16	1 wk	Thu 1/12/23	Thu 1/19/23												
11	Constiuction	8 wks	Thu 1/19/23	Thu 3/16/23												
12	Amendment NTP (estimated)	0 wks	Mon 12/12/22	Mon 12/12/22												
13	Survey Sites 3, 30, 31	5 wks	Mon 12/12/22	Fri 1/13/23												
14	Sites 3 & 6	21 wks	Mon 1/16/23	Mon 6/12/23												
15	Prepare Layout for review	2 wks	Mon 1/16/23	Fri 1/27/23												
16	WCID Review	2 wks	Mon 1/30/23	Fri 2/10/23												
17	Prepare Draft Documents	2 wks	Mon 2/13/23	Fri 2/24/23												
18	WCID Review	1 wk	Mon 2/27/23	Fri 3/9/23												
19	Issued for Bid Documents	1 wk	Mon 3/6/23	Fri 3/10/23												
20	Ready to Advertise	0 wks	Fri 3/10/23	Fri 3/10/23												
21	Advertise	4 wks	Mon 3/13/23	Fri 4/7/23												
22	Open Bids and award @ Mtg. 4/17/23	1 wk	Mon 4/10/23	Fri 4/14/23												
23	Constiuction	8 wks	Mon 4/17/23	Mon 6/12/23												
24	Sites 30 & 31	21 wks	Mon 2/13/23	Tue 7/11/23												
25	Prepare Layout for review	2 wks	Mon 2/13/23	Fri 2/24/23												
26	WCID Review	2 wks	Mon 2/27/23	Fri 3/10/23												
27	Prepare Draft Documents	2 wks	Mon 3/13/23	Fri 3/24/23												
28	WCID Review	1 wk	Mon 3/27/23	Fri 3/31/23												
29	Issued for Bid Documents	1 wk	Mon 4/3/23	Fri 4/7/23												
30	Ready to Advertise	0 wks	Fri 4/7/23	Fri 4/7/23												
31	Advertise	4 wks	Mon 4/10/23	Fri 5/5/23												
32	Open Bids and Award @ Mtg. 5/15	1 wk	Mon 5/8/23	Fri 5/12/23												
33	Constiuction	8 wks	Mon 5/15/23	Tue 7/11/23												
34	Project Complete / Spend \$\$ by 7/31/23	0 wks	Tue 7/11/23	Tue 7/11/23												

COMPENSATION

Compensation to FNI for Basic Services in Attachment SC shall be computed on the basis of the following Schedule of Charges.

If FNI sees the Scope of Services changing so that Additional Services are needed, including but not limited to those services described as Additional Services in Attachment SC, FNI will notify OWNER for OWNER's approval before proceeding. Additional Services shall be computed based on the following Schedule of Charges.

<u>Position</u>	<u>Hourly Rate</u>
Professional 1	\$119
Professional 2	\$144
Professional 3	\$164
Professional 4	\$187
Professional 5	\$219
Professional 6	\$252
Construction Manager 1	\$103
Construction Manager 2	\$128
Construction Manager 3	\$138
Construction Manager 4	\$173
Construction Manager 5	\$209
Construction Manager 6	\$240
Construction Representative 1	\$92
Construction Representative 2	\$103
Construction Representative 3	\$128
Construction Representative 4	\$138
CAD Technician/Designer 1	\$101
CAD Technician/Designer 2	\$132
CAD Technician/Designer 3	\$161
Corporate Project Support 1	\$97
Corporate Project Support 2	\$117
Corporate Project Support 3	\$155
Intern / Coop	\$60
Senior Advisor	\$175

RATES FOR IN-HOUSE SERVICES AND EQUIPMENT:

<u>Mileage</u>	<u>Bulk Printing and Reproduction</u>			<u>Equipment</u>	
Standard IRS Rates		<u>B&W</u>	<u>Color</u>	Valve Crew Vehicle (hour)	\$75
	Small Format (per copy)	\$0.10	\$0.25	Pressure Data Logger (each)	\$100
	Large Format (per sq. ft.)			Water Quality Meter (per day)	\$100
<u>Technology Charge</u>	Bond	\$0.25	\$0.75	Microscope (each)	\$150
\$8.50 per hour	Glossy / Mylar	\$0.75	\$1.25	Pressure Recorder (per day)	\$200
	Vinyl / Adhesive	\$1.50	\$2.00	Ultrasonic Thickness Guage (per day)	\$275
				Coating Inspection Kit (per day)	\$275
	Mounting (per sq. ft.)	\$2.00		Flushing / Cfactor (each)	\$500
	Binding (per binding)	\$0.25		Backpack Electrofisher (each)	\$1,000
				<u>Survey Grade</u>	<u>Standard</u>
				Drone (per day)	\$200 \$100
				GPS (per day)	\$150 \$50

OTHER DIRECT EXPENSES:

Other direct expenses are reimbursed at actual cost times a multiplier of 1.15. They include outside printing and reproduction expense, communication expense, travel, transportation and subsistence away from the FNI office. For other miscellaneous expenses directly related to the work, including costs of laboratory analysis, test, and other work required to be done by independent persons other than staff members, these services will be billed at a cost times a multiplier of 1.15. For Resident Representative services performed by non-FNI employees and CAD services performed In-house by non-FNI employees where FNI provides workspace and equipment to perform such services, these services will be billed at cost times a multiplier of 2.0. This markup approximates the cost to FNI if an FNI employee was performing the same or similar services.

These rates are subject to change annually in February.



LOWER BRUSHY CREEK WCID

PO Box 467, Georgetown, Texas 78627
601 Quail Valley Drive, Georgetown, Texas 78626
LowerBrushyCreekWCID@gmail.com

TO: President and Members of the Board
FROM: Jim Clarno, General Manager
DATE: December 12, 2022
SUBJECT: General Manager's Report

Administration

- Meeting with new NRCS District Conservationist
- Flood gauge coordination meeting with Upper Brushy Creek WCID and USGS

Engineering

- Initial O&M inspections with M&E Consulting
- Site 25 Rehab – public information meeting
- Various other project meetings regarding Site 25 Rehab: Project Kickoff, on-site inspections regarding soil borings and bathymetric survey and with City of Hutto about future development and stormwater flows in the watershed

Dam Operation and Maintenance

- TerraSol completed fall shredding
- Met with Ken and Ryan Hall about spring work plan

Capital Improvements

- Site 18 Upgrade - met with Ted Hejl, Larry Kokel and David Oberrender about performing appraisals of the properties impacted by the upgrade
- Site 25 and 29 – delivered executed grant applications to NRCS and TSSWCB. Note that new regulations will require that the WCID provide metes and bounds surveys of easements prior to release of funding for construction.

Other

- Meetings with Halff Associates (overall engineer) who is preparing the *Atlas 14 Report* and with Wilco Flood Plain Coordinator
- Continued coordination with Upper Brushy Creek WCID, Wilco GIS, Wilco Emergency Management and others about the county's plan for hosting a flood information web site.
- Jon Fischer of Donohue Creek WCID about NRCS and TSSWCB processes