



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

Edmond S Komandosky, President
Scott Ging, Vice President
Monica P Masters, Secretary/Treasurer
Allen R David, Director
Laine Holman, 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, November 20, 2023, 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.

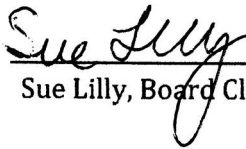
AGENDA

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 Minutes for the: *Regular Called Meeting held on October 16, 2023;*
4. Consider approval of Financial Reports: *Account Register for October 2023;*
5. Consideration and approval of an *Information Form* as required by the Texas Commission on Environmental Quality;
6. Consideration and approval of an update to the *Notice to Purchaser Form* as required by the Texas Commission on Environmental Quality;
7. Consideration and approval of an update to the *Board of Directors Election Guidelines* as required by the Texas Secretary of State;
8. Consideration and approval of an update to the *Financial Policy* as required by the Texas Government and Water Codes on Environmental Quality;
9. Consideration and approval for the General Manager to execute *Task Order #10 for Principal Spillway Conduit Repairs* with Freese & Nichols, Inc. to design principal spillway outlet and plunge pool repairs to Sites 3, 10 and 30 for a not-to-exceed amount of \$86,600;
10. Agency Reports;
11. Consideration and discussion of the General Manager's report and update;
12. Executive Session as authorized by Section 551.072 (Deliberations regarding Real Property) of Chapter 551, Title 5 of the Texas Local Government Code: easements and land values associated with the LBC Site 18 Upgrade Project;
13. Reconvene to open session to take action, if any, on matters discussed in the Executive Session;
14. Directors Comments; and
15. 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 November 20, 2023 agenda of items to be considered by the Board of Directors of the Lower Brushy Creek WCID was posted on November 14, 2023.



Sue Lilly, Board Clerk

Minutes of the October 16, 2023
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 7:31am on Monday October 16, 2023 and announced that a quorum was present. Board Members present included: Vice President Scott Ging and Board Director Laine Holman. Others present included General Manager Jim Clarno, PR Representative Richard Stone, District Attorney Mark Schroeder, District Clerk Sue Lilly and Katherine Ramon-Reiley.

There were no citizen's communications

General Manager, Jim Clarno, presented for consideration and approval of Minutes of the September 11, 2023 Regular Scheduled Meeting of the Board of Directors. A motion was made by Director Laine Holman to approve the meeting minutes as presented. The motion was seconded by Vice President Scott Ging and approved by a vote of 3-0.

Clarno presented for consideration and approval the following financial reports: Checking Account Register for September 2023, Fourth Quarter Financial Report and the Fourth Quarter Investment Report. A motion was made by Director Holman to approve the financial reports as presented. The motion was seconded by Vice President Ging and approved by a vote of 3-0.

Director Allen David joined the meeting.

Clarno presented for consideration and approval of Task Order No 24-01 for fall shredding in the amount of \$20,524.80 and Task Order No 24-02 for spring herbicide, fertilizer and spot straying in the amount of \$82,452.50 both with TerraSol for dam maintenance. A motion was made by Director Holman to approve Task Order No 24-01 and Task Order No 24-02 with TerraSol as presented. The motion was seconded by Vice President Ging and approved by a vote of 4-0.

There were no Agency Reports.

Clarno presented the General Manager's Report and updates.

President Ed Komandosky called the Executive Session of the Board of Directors to order at 8:35am on Monday, October 16, 2023, pursuant to the Open Meetings Law, Section 551.072 (Deliberations regarding Real Property) of Chapter 551, Title 5 of the Texas Local Government Code in order to deliberate the easements and land values at Lower Brushy Creek Site 18 Upgrade Project.

No action was taken during the Executive Session.

The Executive Session was closed at 9:22am and the Board reconvened in open session.

Clarno presented for consideration and approval of "A RESOLUTION AUTHORIZING AMENDMENT OF CERTAIN EXISTING EASEMENTS AND ACQUISITION, BY PURCHASE OF CONDEMNATION, OF PROPERTY RIGHTS ALONG AND AROUND THE LOWER BRUSHY CREEK WATERSHED FLOOD STRUCTURE NO. 18 IN WILLIAMSON COUNTY TEXAS". A motion was made by Director Allen David to approve the Resolution as presented. The motion was seconded by Director Holman and approved by a vote of 4-0.

There were no Directors comments.

There being no further business, the meeting was adjourned without objection at 9:25 am.

Respectfully submitted:

Monica P Masters
Secretary

Lower Brushy Creek WCID FY 24 Account Register for the period ending October 2023

Balance as of 10/01/23			
	TexPool Acct (General Fund)		\$466,496.78
	TexPool Acct (Rainy Day Fund)		\$210,737.85
	City National Bank		\$11,720.29
		Total Funds Available	\$688,954.92

Income			
10/06/23	Transfer TexPool to Checking		\$50,000.00
10/12/23	Transfer TexPool to Checking		\$40,000.00
various	TexPool (General Fund)	Tax Revenue- October	\$6,965.12
10/31/23	TexPool (General Fund)	Interest Posted	\$1,816.71
10/31/23	TexPool (Rainy Day Fund)	Interest Posted	\$959.13
		Total Income	\$99,740.96

Expenses			
10/04/23	2101 Sue Lilly	District Clerk Services	\$180.00
10/06/23	TexPool Transfer to Checking		\$50,000.00
10/11/23	2107 Clarno Consulting, LLC	General Manager's Fees & Mileage	\$6,500.00
10/11/23	2109 CP&Y Inc	Site 18 Survey of Easements	\$11,580.00
10/11/23	2110 Kotal-Obenshain-Wood Appraisal LTD	Site 18 Appraisals	\$14,400.00
10/11/23	2114 Clark Jackson PC	Accounting Services	\$400.00
10/12/23	2108 Heritage Office Suites	Office Rental & late fee	\$1,079.40
10/12/23	2111 Freese & Nichols	Site 6, 13 & 21	\$2,379.01
10/12/23	TexPool Transfer to Checking		\$40,000.00
10/16/23	Second Street Taylor	Debit Card Purchase	\$41.64
10/16/23	First Watch Georgetown	Debit Card Purchase	\$46.88
10/16/23	2121 Laine Holman	Director's Fees	\$200.00
10/17/23	2113 RTS Connect	Communications & Printing Reimbursement	\$1,243.30
10/19/23	2115 US Geological Survey	Water Gauges Maintenance	\$37,187.50
10/20/23	2116 Williamson County Appraisal Dist.	Annual Fee	\$973.75
10/20/23	2118 Scott Ging	Director's Fees	\$200.00
10/23/23	2120 Allen David	Director's Fees	\$300.00
10/24/23	2123 Clarno Consulting, LLC	General Manager's Fees & Mileage	\$6,500.00
10/27/23	4Imprint	Debit Card Purchase	\$619.23
10/30/23	2125 TML Intergovernmental Risk Pool	Insurance Annual Fee	\$2,366.70
10/30/23	2126 Taylor Press	Public Notice (East Wilco Insider)	\$356.50
10/31/23	2122 Ancira Strategic Partners	Communications	\$1,000.00
10/31/23	2128 Greater Taylor Chamber of Commerce	Annual Dues	\$200.00
		Total Expenses	\$177,753.91

Balance as of 10/31/23			
	TexPool Acct (General Fund)		\$385,278.61
	TexPool Acct (Rainy Day Fund)		\$211,696.98
	City National Bank Acct		\$13,966.38
		Total Funds Available	\$610,941.97

Prepared 11/06/2023

This Information Form supersedes any previous information forms filed in the Official Records of Williamson County Texas.

AFFIRMED AND EXECUTED this 20th day of November 2023.

Edmond S Komandosky, President
Board of Directors

Scott Ging, Vice-President
Board of Directors

Monica P Master, Secretary/Treasurer
Board of Directors

Laine Holman, Director
Board of Directors

Allen R David, Director
Board of Directors

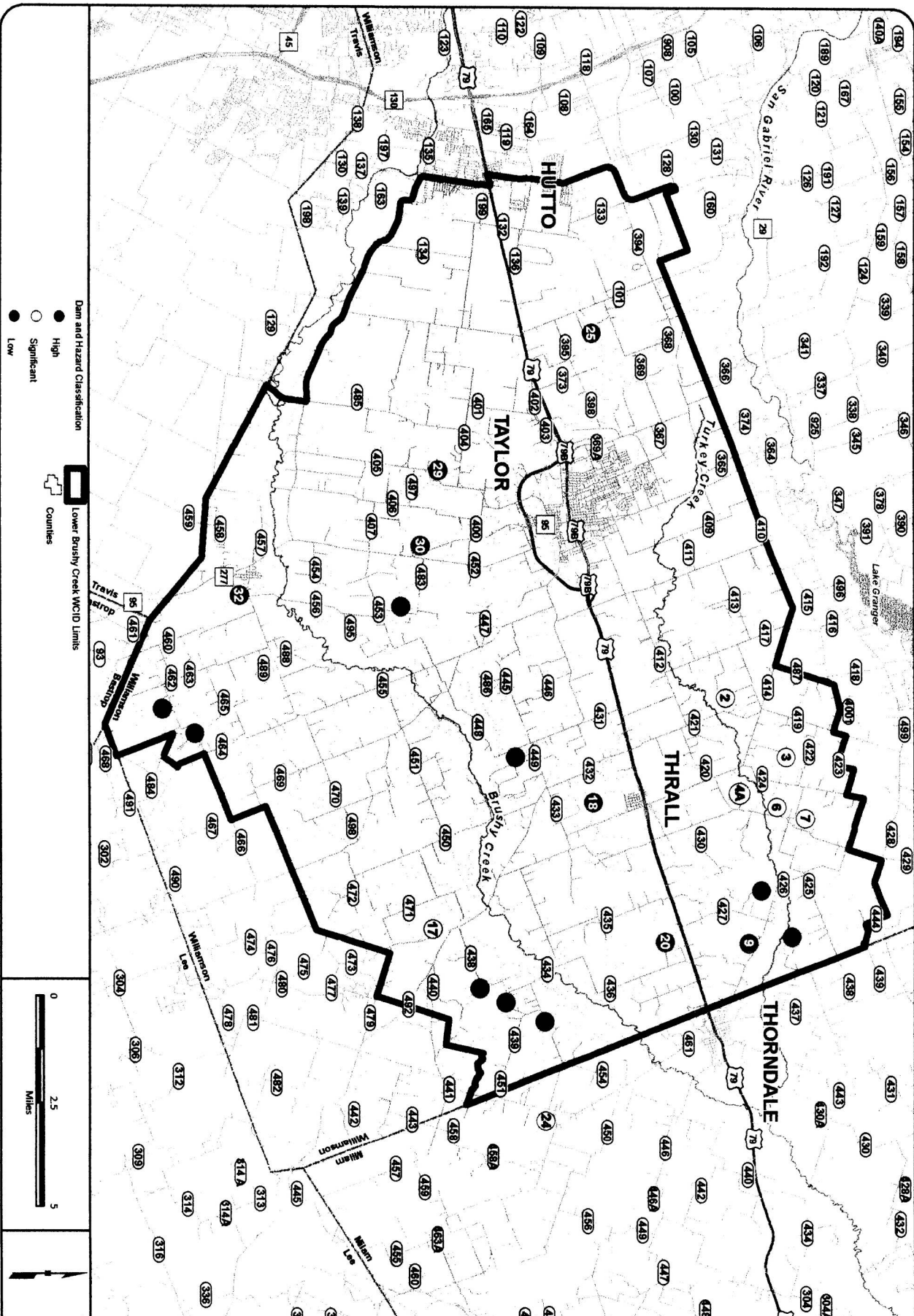
ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF WILLIAMSON §

This instrument was acknowledged before me on _____ 2023
by EDMOND S KOMANDOSKY, SCOTT GING, MONICA P MASTERS, LAINE HOLMAN AND ALLEN R
DAVID as Directors of the Lower Brushy Creek Water Control and Improvement District.

(SEAL)

Sue Lilly
Notary Public, State of Texas



Dam and Hazard Classification

- High
- Significant
- Low

Lower Brushy Creek WCID Limits

Counties

0 2.5 5 Miles

FIGURE 1

FRESE AND NICHOLS, INC.
 10481 MONADO CIRCLE
 SUITE 900
 AUSTIN, TX 78759
 PHONE: 512.647.3100

LOWER BRUSHY CREEK WATER CONTROL AND IMPROVEMENT DISTRICT

District Map

PROJECT NO.	85492744
DATE CREATED	02/18/2021
DATUM & COORDINATE SYSTEM	NAD83 / UTM Zone 18N
FILE NAME	Document\Name_Curves_Maps\Fig_1_20210218.mxd
PREPARED BY	SAF

NOTICE TO PURCHASER OF SPECIAL TAXING OR ASSESSMENT DISTRICT

The real property that you are about to purchase is located in the **Lower Brushy Creek Water Control and Improvement District** and may be subject to district taxes or assessments.

The district may, subject to voter approval, impose taxes or issue bonds. The district may impose an unlimited rate of tax in payment of such bonds. The current rate of the district property tax is \$0.016265 on each \$100 of assessed valuation.

The total amount of bonds payable wholly or partly from property taxes, excluding refunding bonds that are separately approved by the voters, is \$0.00 for regional flood control facilities. The aggregate initial principal amount of all such bonds issued is \$0.00 for regional flood control facilities.

The district is located wholly or partly within the corporate boundaries and/or extraterritorial jurisdictions of the Cities of Coupland, Hutto, Taylor, Thorndale and Thrall. These municipalities' corporate boundaries may overlap the district, but they may not provide duplicate services or improvements. Property located in the corporate boundaries of municipalities and the district are subject to taxation by both the municipality and the district.

The purpose of the district is to provide regional flood control facilities and services across the Lower Brushy Creek watershed. The cost of district facilities is not included in the purchase price of your property.

PURCHASER IS ADVISED THAT THE INFORMATION SHOWN ON THIS FORM IS SUBJECT TO CHANGE BY THE DISTRICT AT ANY TIME. THE DISTRICT ANNUALLY ESTABLISHES TAX RATES. PURCHASER IS ADVISED TO CONTACT THE DISTRICT TO DETERMINE THE STATUS OF ANY CURRENT OR PROPOSED CHANGES TO THE INFORMATION SHOWN ON THIS FORM.

The undersigned purchaser hereby acknowledges receipt of the foregoing notice at or before the execution of a binding contract for the purchase of the real property or at closing of purchase of the real property.

Date

Seller

Date

Purchaser

ACKNOWLEDGEMENT

STATE OF TEXAS §

§

COUNTY OF WILLIAMSON §

This instrument was acknowledged before me on _____, 2023 by

(SEAL)

Notary Public, State of Texas

AFTER RECORDING RETURN TO:

Purchaser
Address

Lower Brushy Creek WCID Board of Directors Election Guidelines

The Lower Brushy Creek Water Control & Improvement District is governed by residents who are elected to a five-member Board of Directors. They are elected at-large and serve four-year, staggered terms. District elections occur every even-numbered year on the first Saturday in May.

The Board generally meets at 7:30 a.m. on the third Monday of each month in the Board Room of the Greater Taylor Chamber of Commerce, 1519 North Main Street, Taylor, Texas 76574. The public is always invited and encouraged to attend. Meeting agendas are posted at the District's office in Georgetown, on the district's website and at the Williamson County Clerk's office in Georgetown. Monthly meetings may occasionally change from the typical third Monday to the second or fourth Monday due to conflicts or holidays so check website for up-to-date information.

CURRENT BOARD OF DIRECTORS

Edmond S Komandosky, President

Term of Office: 06/2020 – 05/2024

Scott A Ging, Vice-President

Term of Office: 06/2022 – 05/2026

Monica P Masters, Secretary/Treasurer

Term of Office: 06/2020 – 05/2024

~~Michael Schneider, Treasurer~~

~~Term of Office: 06/2022 – 05/2026~~

Laine Holman, Director

Term of Office: 02/2023 – 05/2026

Allan R David, Director

Term of Office: 06/2022 – 05/2026

Email for all Directors

LowerBrushyCreekWCID@gmail.com

BOARD OF DIRECTORS ELECTIONS

House Bill 305 Election Disclosure: The following information related to the District's elections for members of the Board of Directors is being posted by the District pursuant to Section 2051.152 of the Texas Government Code (enacted by House Bill 305 during the 2019 Texas Legislative Session):

1. The date and location of the next election for members of the Board of Directors of the District:

Elections for directors of the District are conducted on the May uniform election date in even-numbered years. Accordingly, the next election for members of the Board of Directors of the District shall be conducted on the first Saturday in May 2024, which is May 4, 2024.

The election shall be conducted at the polling places established by Williamson County to serve the county's regular election precincts within the District, as required by Sections 42.0621 and 43.004 of the Texas Election Code. Similar to its most recent prior election, the District anticipates that Williamson County will authorize voters to vote at any of the voting locations established by Williamson County, and voters will not be limited to voting in the precinct where they are registered to vote.

2. The requirements and deadline for filing for candidacy of each elected office of the District:

In order to be qualified to serve as a director of a water control and improvement district, Section 51.072 of the Texas Water Code requires that a person be (1) be a resident of the state; (2) own land subject to taxation in the District or be a qualified voter in the District; and (3) be at least 18 years of age.

A person that desires to be a candidate for the director election must timely complete and submit a notarized application for a place on the ballot for the election. *Application for a Place on the Ballot for the General Election* (Form No 2-26 dated 09/2021) may be downloaded and printed from the Texas Secretary of State's website:

(<https://www.sos.state.tx.us/elections/forms/index.shtml>).

For the May 4, 2024 director election, the first day to file an application for a place on the ballot is Wednesday, January 17, 2024, the last day to file an application for a place on the ballot is Friday, February 16, 2024 and the deadline for write-in candidates is Tuesday, February 20, 2024.

Completed applications for a place on the ballot may be filed by mail to the District at the following address:

Lower Brushy Creek WCID, PO Box 467, Georgetown, Texas 78627

or emailed to:

LowerBrushyCreekWCID@gmail.com

Adopted this 25th day of July, 2022

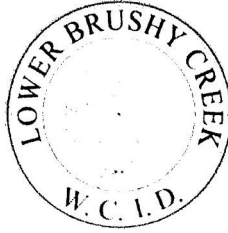
Updated and adopted this 20th day of November 2023.

**LOWER BRUSHY CREEK WATER
CONTROL & IMPROVEMENT DISTRICT**

By: _____
Edmond S. Komandosky, President

ATTEST:

By: _____
Monica P Masters, Secretary



LOWER BRUSHY CREEK WCID BOARD APPROVED POLICY

FINANCIAL INVESTMENT POLICY

The purpose of this document is to adopt a Financial Investment Policy pursuant to the Texas Government and Water Codes. This policy included that adoption of an Investment Policy and Investment Strategies; designation of qualified brokers authorized to engage in investment transactions with the District, and designates an Investment Officer to be responsible for the investment of District funds.

Investment Policy:

Scope – This Policy applies to all transactions involving the investment assets of the District.

Policy – District funds will be invested in compliance with applicable legal requirements, the guidelines stated in this Policy, each District's Investment Strategy, and the restrictions, contained in the District's bond resolutions. Effective cash management is recognized as a foundation of this Policy. Notwithstanding the foregoing investment of District funds is limited to the types of investments set forth below.

Allowable Maturities – Unless otherwise stated in **Authorized Investments**, the maximum allowable stated maturity of any individual investment may not exceed two years, and the maximum dollar-weighted average maturity for pooled fund groups based on the stated maturity dated for the portfolio may not exceed 60 days. Settlement of all transactions, other than investment pool funds and mutual funds, must be consummated on a delivery versus payment basis.

Investment Objectives – The District's investment portfolio will be planned and managed to take advantage of the investment interest as a source of income from all operating and capital funds. In addition, the portfolio will be managed in accordance with the covenants of the District's bond resolutions, including covenants with respect to the arbitrage regulations under the U.S. Internal Revenue Code. Consideration will be given to the following objectives:

- **Safety of capital:** The primary objective of the District is to ensure the preservation and safety of principal.
- **Liquidity:** The District will maintain sufficient liquidity to ensure the availability of funds necessary to pay obligations as they become due.
- **Return on investment:** The District will seek to optimize return on investments within the constraints of safety and liquidity.

- **Standard of Care:** The District will seek to ensure that all persons involved in the investment process act responsibly in the preservation of District capital. District investments will be made with the exercise of judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

Investment Officer and Quarterly Report – Purchases and sales of District Investments may only be initiated by an Investment Officer appointed by resolution of the Board. The District’s Investment Officer will be required to attend training, in compliance with the Public Funds Investment Act, from an independent source approved by the Board that includes education in investment controls, security risks, strategy risks, market risks, and compliance with the Public Funds Investment Act. With Board approval, an Investment Officer may invest and reinvest funds of the District in accordance with the Policy. The Investment Officer must submit a written report to the Board, on at least a quarterly basis, which sets forth all investment transactions during the previous quarter, and which complies with the requirements of the Public Funds Investment Act.

The Investment Officer shall monitor the credit rating on all authorized investments in the District’s portfolio based on independent information from a nationally recognized rating agency. If any security falls below the minimum rating required by this Policy, the Investment Officer shall immediately solicit bids for and sell the security, if possible, regardless of a loss of principal.

Acknowledgment Required – Any business that desires to sell investments to the District or otherwise engage in an investment transaction with the District must be given a copy of this policy, and a qualified representative of the Business Entity must execute a written instrument, in substantively the form attached as Exhibit “A” stating that he or she:

- Has received and thoroughly reviewed this Policy; and
- Acknowledges that his or her organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the District and his or her organization that are not authorized by this Policy, except to the extent that such authorization is dependent on analysis of the makeup of the District’s entire portfolio or requires an interpretation of subjective investment standards.

Collateralization – Funds held at a bank or trust company that are not invested must be collateralized by collateral security set forth in the Public Funds Collateral Act, to the extent not insured by the Federal Deposit Insurance Corporation (FDIC), the Federal Savings and Loan Insurance Corporation (FSLIC), their successors, or any other instrumentality of the United States. Any bank or trust company that is required to secure a deposit of District funds under this Policy or the Public Funds Collateral Act must enter into an agreement regarding the collateral securities in a form approved by the District.

Review – This Policy and investment performance and security will be reviewed and evaluated at least annually by the Board, or more frequently upon the request of any Director. Following its annual review, the Board will adopt a written resolution confirming its review of the Policy and the investment strategies contained in this Policy.

Authorized Investments:

1. The following obligations of governmental entities and obligations guaranteed by the governmental entities are allowed:
 - a) Obligations of the United States or its agencies and instrumentalities;

- b) Direct obligations of the State of Texas or its agencies and instrumentalities;
 - c) With prior approval of the Board, collateralized mortgage obligations directly issued by the federal government, the underlying security for which is guaranteed by the United States with certain exceptions set forth in the Public Funds Investment Act;
 - d) Other obligations backed by the full faith and credit of the United States; and
 - e) With prior approval of the Board, obligations of states, agencies, counties, cities, and other political subdivisions having not less than "A" rating from nationally recognized investment rating firm.
2. Certificates of deposit issued by a bank doing business in Texas guaranteed by the Federal Deposit Insurance Corporation or the obligations set for above.
 3. With prior approval of the Board, repurchase agreements with a defined termination date; secured by obligations set for above and placed through a primary government securities dealer or financial institution doing business in Texas.
 4. With prior approval of the Board, bankers' acceptance with stated maturity of 270 days or less that will be liquidated in full at maturity and meet other credit requirements established by the Board.
 5. With prior approval of the Board, commercial paper with a stated maturity of 270 days or less and meeting other credit requirements established by the Board.
 6. With prior approval of the Board, money market mutual funds that are no-load and
 - a) Are regulated by the Securities and Exchange Commission (SEC);
 - b) Have provided the District with prospectus and other information required by the Securities Exchange Act of 1934 and the Investment Company Act of 1940;
 - c) Have an average weighted maturity of 90 days or fewer; and
 - d) Have an investment objective of maintaining a stable net asset value of \$1 per share.
 7. Other types of mutual funds which are no-load and
 - a) Are registered with the SEC;
 - b) Have an average weighted maturity of less than 2 years;
 - c) Are invested exclusively in obligations approved by this Act;
 - d) Have a "AAA", or its equivalent rating; and
 - e) Meet certain requirements of investment pools, as set forth in the Public Funds Investment Act.
 8. Public funds investment pool which meets the criteria as set forth in the Public Funds Investment Act, maintains a "AAA" rating and has an investment objective of maintaining a stable net asset value of \$1 per share.

Investment Strategies in order of priority:

A. Investment requirements by fund.

1. Operating Funds. The District will maintain funds in the operating checking account at its depository, TexPool or any qualified money market fund to cover monthly operational expenses. The remaining operating funds will be invested in acceptable investments to

meet the operating requirements of the District, as determined by the annual operating budget adopted by the Board, not to exceed a maximum maturity of two years.

2. **Tax Collections.** Tax collections will be deposited into the District's TexPool account. The balance will be checked monthly.
 3. **Rainy Day Funds.** The District may maintain funds in a reserve account at its depository or TexPool, or those funds may be invested in acceptable investments not to exceed a maximum maturity of two years, to cover emergency expenses caused by storm, flood, drought, or other unforeseen occurrence.
- B. Suitability.** The District's Investment Officer(s) must understand the District's financial requirements. Appropriate investments will be made to meet the needs of the District. TexPool, Reserve Account, and future capital expenditures, or a qualified money market fund will be considered acceptable investments if approved by the District's Investment Officer in accordance with these strategies.
- C. Preservation of Capital.** A safe investment will allow the District to recover every dollar invested.
- D. Liquidity.** The District's Investment Officer(s) must invest in securities that are easily and rapidly converted into cash without substantial loss of value.
- E. Investment Marketability Requirements.** All investments must be "marketable" in case the need arises to liquidate an investment before maturity.
- F. Maximum Maturities.** To the extent possible, the District will match its investments with anticipated cash flow requirements. As required by the Public Funds Investment Act and the District's Financial Investment Policy, certain investments will have maturity limitations.
- G. Diversification.** There will be no defined level of investment diversification as long as all funds of the District are invested in accordance with these strategies.
- H. Yield.** District funds must be invested to obtain the maximum yield for each time frame taking into consideration the priority of preservation and safety of the principal and liquidity of the investment.

List of Authorized Brokers:

The following brokers may make investments for the District:

- City National Bank of Taylor
- Citizens National Bank
- ~~BankcorpSouth~~
- Frontier Bank of Texas
- Cadence Bank
- PNC Bank

Annual Financial Audit:

Annual, the District Auditor shall audit for compliance of this policy. Written result of that audit shall be presented to the full Board.

~~APPROVED AND ADOPTED this _____ day of _____, 2019~~

UPDATED AND ADOPTED this _____ day of _____ 2023.

By: _____

Edmond S. Komandosky, President

ATTEST:

By: _____

Monica P. Masters, Secretary

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

DATE: 8/31/2023

Project Name: Task Order #10 – Principal Spillway Conduit Repairs

Description of Services: The purpose of this task is to design and develop construction documents for the repairs of the principal spillway conduit outlets at sites 3, 10, and 30. FNI will perform the following tasks as part of this Task Order:

1. **Design:** Develop design for repair, to include excavation, reinstallation or replacement of the last pipe segment, new pipe support, filter diaphragm, and backfill. Incorporate plunge pool improvements with rock riprap liner to the design. Perform a site visit during design to discuss with WCID prior to preparing construction documents. No conduit inspection will be performed as part of the project. Filter design will utilize existing geotechnical data.
2. **Survey:** Perform survey of the existing principal spillway conduit and surrounding topography.
3. **Construction Documents:**
 - a. Develop draft “90% Review” 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. Submit draft to TCEQ Dam Safety program for review and comment.
 - b. Address comments and prepare “Issued for Bid” construction documents (drawings, technical specifications, and front-end documents), as well as an OPCC. Submit final to TCEQ Dam Safety program for final review and approval.
4. **Bid Phase:** Assist with bidding the project on CivCast, notifying potential bidders, answering bidders’ questions, facilitating a pre-bid meeting, issuing addenda if needed, reviewing Contractor’s bid packages, and preparing bid tabulation. The method of procurement will be low bid.
5. **Construction Phase:**
 - a. **Pre-construction meeting:** Facilitate a pre-construction meeting prior to commencement of construction.
 - b. **Submittal Review:** Review Contractor’s submittals for erosion control, care of water, conduit shop drawings, and any RFIs’s.
 - c. **Inspection:** Perform site visit(s) during and upon completion of the principal spillway conduit repairs to confirm compliance with the construction contract documents. It is assumed up to 9 site visits total.
 - d. **Reporting:** Provide updates to TCEQ Dam Safety program.
 - e. **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 draft construction documents within 12 weeks.
2. FNI will submit the Issued for Bid construction documents within 3 weeks of receipt of comments from Lower Brushy Creek WCID.

Compensation shall be: A not to exceed amount of \$86,600 in accordance with the Master Professional Services Agreement and Attachment CO.

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

FREESE AND NICHOLS, INC.

LOWER BRUSHY CREEK WCID

BY: 

BY: _____

Victor M. Vasquez, P.E.
Print Name

Print Name

TITLE: Principal

TITLE: _____

DATE: 9-1-2023

DATE: _____

Victor M. Vasquez V.
Digitally signed by Victor M. Vasquez V.
Location: Austin, TX
Contact Info: vmv@freese.com
Date: 2023.09.01 09:46:01-05'00'

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	134
Professional 2	163
Professional 3	185
Professional 4	211
Professional 5	247
Professional 6	285
Construction Manager 1	116
Construction Manager 2	145
Construction Manager 3	156
Construction Manager 4	195
Construction Manager 5	236
Construction Manager 6	271
Construction Representative 1	104
Construction Representative 2	116
Construction Representative 3	145
Construction Representative 4	156
CAD Technician/Designer 1	114
CAD Technician/Designer 2	149
CAD Technician/Designer 3	182
Corporate Project Support 1	110
Corporate Project Support 2	132
Corporate Project Support 3	175
Intern / Coop	68
Senior Advisor	175

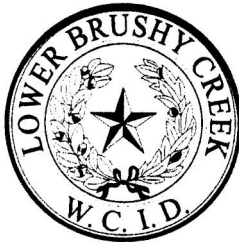
Rates for In-House Services and Equipment

<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) \$200
<u>Technology Charge</u>	Large Format (per sq. ft.)			Water Quality Meter (per day) \$100
\$8.50 per hour	Bond	\$0.25	\$0.75	Microscope (each) \$150
	Glossy / Mylar	\$0.75	\$1.25	Pressure Recorder (per day) \$100
	Vinyl / Adhesive	\$1.50	\$2.00	Ultrasonic Thickness Guage (per day) \$275
	Mounting (per sq. ft.)	\$2.00		Coating Inspection Kit (per day) \$275
	Binding (per binding)	\$0.25		Flushing / Cfactor (each) \$500
				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 ranges and/or rates will be adjusted annually in February. Last updated 2023.



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: November 13, 2023
SUBJECT: General Manager's Report

Administration

- Prepared and submitted 2 grant additional applications to TSSWCB for O&M – awaiting approval for the total amount of \$29,524.80 for maintenance and \$1,476.24 for project administration.
- Various calls and meetings.

Operation & Maintenance

- Met with Carolina Lara of K Friese to begin work on Operation and Maintenance Manual and Manual of Encroachments
- TerraSol began fall shredding. They will next work at Site 2 to remove the “island” around the principal spillway and at Site 18 to cover the top of the sheet piling.

Engineering

- Site 18 easements
 - Offer letters were mailed Certified Mail on or about October 30th
- Site 25 – excavation within silt storage
 - Met with the TCEQ Manager of Dam Safety section to discuss the removal of silt – it is not in violation of their rules or regulations.
 - Video conference with NRCS and Freese & Nichols about the potential impact of the removal of 90,000 to 140,000 cubic yards of silt might have on the proposed rehabilitation project.
 - Will schedule a meeting with NRCS, Freese & Nichols and landowner, Robert Prasatik, in early December.

Other

- Texas Assn of Watershed Sponsors
 - Laine Holman and Sue Lilly attended the workshop on *Sponsor Land Rights* will be held on November 9, 2023 at the Waxahachie Civic Center.

**LOWER BRUSHY CREEK WCID
2024 Meeting Schedule**

Board meetings are generally held on the third Monday of each month at 7:30 a.m. Unless otherwise noted, meetings are held in the conference room at the Greater Taylor Chamber of Commerce. You can find an archive of all previous meeting agendas and board packets, which includes a link to the most recent agenda and packet {hotlink}

Monday, January 15, 2024	Regular Meeting
Monday, February 19, 2024	Regular Meeting
Monday, March 18, 2024	Regular Meeting
Monday, April 15, 2024	Regular Meeting
Monday, June 3, 2024*	Regular Meeting
Monday, August 5, 2024*	Regular Meeting
Wednesday, September 4, 2024	Tax Hearing
Monday, September 9, 2024*	Regular Meeting
Monday, October 21, 2024	Regular Meeting
Monday, November 18, 2024	Regular Meeting
Monday, December 16, 2024	Regular Meeting

Note: * indicated meeting not on the third Monday