

MEMO

TO: Mayor Kesselus & City Council Members

FROM: Michael H. Talbot, City Manager

DATE: January 12, 2015

RE: City Manager's Informational Update Report for the January 12, 2016
City Council Meeting

I. Meetings and Events Attended:

- A. Attended A Special Board Meeting of the Lost Pines Groundwater District on December 21, 2015.
 - B. Attended the Monthly Meeting of the Bastrop Main Street Advisory Board on January 4, 2016
 - C. Attended the Monthly Board Meeting of the Bastrop Art in Public Places on January 6, 2016.
 - D. Attended the Form Based Task Force Meeting on January 7, 2016.
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II. Update on City Projects and Issues:

- A. Discussion and Review of the Water Usage for the Period of December 1, 2015 through January 11, 2016: Attached as "**Exhibit A**," for the City Council's review, are the summaries of the daily water consumption by the citizens and the businesses of the City of Bastrop for the period of December 1, 2015 through January 11, 2016.
- B. Update on the Proposed "Deal Points" for the Construction of Wastewater Treatment Plant #3 [WWTP#3] (to be located west of Colorado River) to include long term contractual service for up to 1200 LUEs to West Bastrop Village MUD [WBV]: Since the December 1, 2015 "Special Workshop" Council meeting, during which I presented to the City Council a preliminary outline of the various components that would be required for the construction of WWTP#3, the City, Developer and staff has continued to hone and work on details related to how the City would assess the WBV MUD its pro-rata share of the plant, infrastructure and easement, etc., cost associated with those elements of the new WWTP#3 attributed to service for the WBV MUD. Attached as **[Exhibit "A"]** is a revised "Preliminary Deal Points" for an agreement between the City and the MUD which now includes the engineering design costs, sizing of the various transmission mains and the cost associated with the transmission. (Easement costs and legal costs are not included, as those are not currently ascertainable.) Of course, the summary deal points also include the preliminary estimate to construct the WWTP#3, which

is now anticipated to be a 1 MGD Plant because of operational constraints posed by the long term/slow growth projected by the WBV MUD Developer (e.g., approx. 36 units each year). Exhibit "A" also includes a map illustrating the various transmission mains (and preliminary assumed/desired locations) associated with this project. The transmission mains shown in yellow are the transmission mains in which BVW MUD will participate by paying a pro-rata cost for reservation of capacity because these transmission mains will be providing wastewater service to BWV MUD. Trunk Main No. 3 and Trunk Main No. 4 have been sized to be able to deliver up to six (6) MDG to the WWTP#3. As the Council may recall, the WWTP#3 site can accommodate up to a six (6) MGD Wastewater Treatment Plant, even the first phase of the wastewater treatment plant is much smaller than six (6) MGD wastewater treatment plant. The rationale to initial size Trunk Mains 3 and 4 (vis-à-vis the ultimate size of the WWTP#3 that will someday be buildout, is that the engineering indicates that the depth of Trunk Mains 3 and 4 may have to be as deep as 22 feet to 24 feet, in some locations. Though the upfront cost will more to size these mains to the full capacity of the ultimate six (6) MGD wastewater treatment plant, (that will be built out eventually at the site as the city continues to grow in the western areas, in the future), it would be much more costly- in the long run – for the City if it doesn't size these lines to accommodate at least a three (3) million MGD plant at this time. Then, in the more distant future, as the City finally expands WWTP#3 from a three (3) MGD wastewater plant to a four (4) five (5) or six (6) MGD wastewater plant, parallel wastewater mains will need to be installed. I clearly realize that at the end of the day it's all a "function of money" and the City may not be able to construct the trunks mains to accommodate wastewater flows of six (6) MGD. I would project, at this time, we'll need to workshop this project with the City Council in the next four (4) to six (6) weeks to ensure that all questions regarding these preliminary Deal Points are approved by the Council, so that a Wastewater Agreement with the Developer can be drafted and executed, which is required by the Consent Agreement between the City and the MUD.

- C. Update on the Gils Branch Drainage Project: As of January 8, 2016 the Gils Branch Fuel reduction project is substantially complete. There is a change order in the process to add additional footage from HWY 71, headed south, until Gils Branch intersects the Colorado River. The City is in the process of working on an agreement with the property owner, in the area where this additional work would be accomplished. The original scope of work for this project is approximately 98% complete.

Photographs of the Final Section of Cleared Gils Branch [Cedar Street to Farm Street]



- D. Update and Discussion of the Annual Planning Retreat scheduled for January 23, 2016: Just a reminder that the City Council's annual "Planning Retreat" is scheduled for January 23, 2016 to start at 9:00 a.m. and ending when the work is done. As previously agreed upon Ms. Katherine Ray, of Ray & Associates, with facilitate this year's retreat. The Retreat will held at the Hyatt Lost Pines Hyatt Spa.

The retreat will be held at Baron's Ball Room, Rooms E&F at the Hyatt. The Retreat is open to the public, subject to available space for attendees in the room.

- E. Update on the Removal of the Sand Bar in Front of the Boat Ramp at Fisherman's Park: On Tuesday January 5, 2016, the City of Bastrop received a letter (December 30, 2015) from the Fort Worth of US Corps of Engineers approving the City's "Action Plan" for the removal [dredging] the sand bar in front of the Boat Ramp at Fisherman's Park. The "Action Plan" will be to install a gel tube, from the northern end of the "Boat Ramp" and extending in an oval shape around the back end of sand bar and connecting the tube to the southern end of the of the boat ramp. [Please refer to **Exhibit "C"**] Our current estimate is that it will take between 600 to 700 "Dump Truck" loads of removal of silt-dirt to fully remove the the "Sand Bar. Based upon the magnitude of the amount of silt-dirt that needs to be removed, the project is scheduled to being between mid-May and June 1st. Commencing the project at the time will mean that the River level should be relatively low and the likelihood of a major rain event is less likely to occur. The current plan indicates that once this project commences, City crews will be working six (6) days a week to get this project completed, as quickly as is possible. Now that the City has the US Corp's approval for its plan, I need develop a budget for this project, because this project was not included in the FY-16 budget. I have previously told the Council that this silt-dirt would be excellence fill materials to place around water and wastewater mains. Though the City will stockpile as much of this silt as possible, indications are that there will be more silt than the City has storage capacity to hold. In the past, when the City has removed silt from the area in front "Boat Ramp," Bastrop County has assisted in the removal of the silt. In exchange for assisting in removal of the silt, the City has let Bastrop County have a portion of the silt. Even if Bastrop County assists in the removal of the silt, because of the huge quantity in place at the sand bar, the City will have to rent dump-trucks with drivers to assist in the removing the silt. Once the City starts this project, it is our plan to have enough trucks to have one continuous operation in place for the removal of the materials. As one dump truck is filled, another dump will be right behind and can move right in and can beginning being filled with silt, etc. The primary focus will be to remove the silt as quickly as possible, once we begin. This is our goal because we hope to get it prior to experiencing a major rain event. If a major rain event occurs during the removal process, this will cause the City to incur additional expenses and additional silt will accumulate for removal, as well.
- F. Update on the Water Filtration Project – Willow Park well Field: Construction on the Willow Plant Filtration project is going well. The City is very satisfied with the pace and quality of the work being performed by the contractor, and the City has had no neighborhood, safety, or security issues, to date. The construction schedule has had some minor delays due to changed conditions (pipe route modification, minor delay in filters arriving on site). Construction is about 70% complete, and scheduled to be substantially complete (filters operating) by mid-February, with final completion by the end of March. All concrete is poured. All filters are now on-site, and being piped into place. The last step will be to 'disinfect' all new components, and then tie them into the water system. This will be done in two steps to minimize disruption of the system. Per Curtis Hancock's good suggestion, we will first tie into Pressure Zone 1, then tie into Pressure Zone 2.

This will provide an added safety factor, in the rare event the City experiences any unforeseen complications during the tie-ins, as Zone 1 can be served by the Zone 2 pumps if necessary. TCEQ has offered to provide some operator training during startup, so that those operators with 'groundwater licenses' can get up to speed on new reporting requirements.

- G. A Summary Report of the Facts Prepared by Mr. Charles Bundren, Esq. Regarding Pending Civil Action No. 124-21 .City of Bastrop, Texas v. Lynn Rhonda and Scottie Vandiver, In the District Court of Bastrop County, Texas. : Attached, for review and discussion with the City Council [as **Exhibit "D"**] is a "Summary of Facts" regarding "The City of Bastrop vs. Lynn Rhonda and Scottie Vandiver" that is provided to the City by attorney Charles Bundren. This summary also provides a chronology of events related to this pending lawsuit.
- H. Update on filling the Vacancy of the Main Street Director: During the month of December 2015, a considerable amount of staff effort by the Human Resource Department, the Main Street Advisory Board and myself went into interviewing candidates for the Main Street Program's Director's position. Overall the candidates interviewed were qualified for the position of Main Street Manager. Yet, after having lengthy discussions with members of the Main Street Advisory Board, and the interim Main Street Manager, the interviewing team were all in agreement that no single candidate seemed to be the person who would best meet the needs of the Bastrop community, for various reasons. Accordingly, I suggested that a wider range of recruiting might be necessary, e.g., similar to the approach the City Council and I took in filling the City Secretary's position. In the case of the City Secretary, I retained Ms. Katherine Ray to assist in the recruitment process. Ms. Ray was extremely helpful in assisting Ms. Franklin, as the City's new City Secretary. I suggested to the Board members that it might be helpful to have Ms. Ray attend their Board meeting on January 4, 2016, to discuss with the full Board the possibility of retaining Ms. Ray to assist in recruiting applicants and/or hiring a new "Main Street Manager". Ms. Ray attended January 4, 2016 Main Street Advisory Board Meeting. The Board and I had a lengthy discussion with Ms. Ray regarding the skills, background, work related experiences that the City was looking for in a new "Main Street Director." At the conclusion of our discussion, the members of the Main Street Advisory Board felt I should retain Ms. Ray and work with her while restarting the advertising process, with a much broader scope. I agreed that because it is vital to find the right person to fill this unique position, that I would go ahead and retain Ms. Ray to provide assistance to the City in the recruitment of new Main Street Director. (Her retention for this work was well within my authorized expenditure limit.) Ms. Ray clearly understands that "time is of the essence" and it is a priority that the City fill this position quickly. So, I am hopeful that we will be interviewing a slate of new, potential candidates by the end of January.
- I. Update on the Texas Department of Transportation "Tahitian Village Overpass Project": Since my last update, Hunter Industries, the contractor responsible for the project, has continued the work that is needed to install the overpass retaining walls and bridge supports. This work involves an extensive amount of excavation, earth-moving, and concrete placement, and will continue to be the major focus of their work on the Project, in the coming weeks. They have also made progress

installing the decorative wall panels. Below are a few pictures taken earlier this week showing their current progress:



LOOKING NORTH (TOWARD BASTROP STATE PARK)



LOOKING NORTH (TOWARD BASTROP STATE PARK)



LOOKING NORTH (TOWARD BASTROP STATE PARK)

Regarding current traffic movements, the contractor is continuing the work necessary to provide free flowing u-turn movements, on both sides of the intersection, which should relieve the thru lanes of vehicles needing to make a u-turn. They have also completed the installation of the proposed illumination improvements within the intersection. We will continue to monitor traffic movements and coordinate any necessary changes with TxDOT. Overall, the project is approximately 65% complete and is currently ahead of schedule. In the coming weeks, the contractor will be continuing their work on the bridge supports, retaining walls, and other roadway improvements intended to enhance traffic flow.

- J. Review and Discussion Regarding the Cost Associated with Certain Repairs to the Rodeo Arena at Mayfest Park: After an agreement was reached between the City and the Homecoming Committee for the City to take-over the operations of the Rodeo Arena, Councilmember McAnally asked that I prepare a budget for improvements and upgrades to the Rodeo Arena for consideration by the City Council. Since mid-2015, when the City took over the operation of the Rodeo Arena, there has been some success, although during the transition period the City met with a few bumps along the road. The City staff and I believe we have seen the community come together on the Rodeo Area vision and we are looking forward to the future of the Rodeo Arena and its continued use in the wider Bastrop and Texas region. The Director of Public works has had some discussion with various parties who have a deep love and admiration for the Rodeo Arena and would like to see improvements that will only make it a better for everyone who enjoys a good rodeo. That being said, the Director of Public Works and I plan to attend the Bastrop Family Rodeo Club meeting on January 13, 2016, where we hope to get the input of our citizens and rodeo patrons, and where we can share the City's views and vision of making the Mayfest Park Rodeo Arena a 'world class'

regional and State recreation facility. Below is a very preliminary rough budget for several items that need the City's attention, on items that have either been brought to the attention of the City by citizens, or that the City staff has identified as needed, since the City took over the maintenance of the Rodeo Arena:

- Covering the stock pens \$ 60,000.00- 5,000 sqft
- Restroom Replacement \$ 150,000.00
- Rodeo mutton busting/ warm-up arena \$ 10,000 – 5,000 square feet
- Change fixtures and repaint existing restroom \$15,000.00 (if it's decided not to completely replaced restroom)
- Cover the bleachers \$120,000 each (to cover 9000 square feet).
- Covering the entire arena including the bleachers, lighting, engineering, and design \$1,800,000.00
- Make water available to Rodeo Stock *at all times* during a rodeo event \$1,500.00.
- Move livestock return to the west side of the arena and swap the stock pens and shootsto the other side. \$100,000.00
- Maintenance budget:
 - Purchase of a Water Truck and new Tractor: \$75,000.00.
 - Projected Range of proposed improvements & the addition of new items is in the range of: \$530,000.00 to \$2,300,000.00

K. Update Regarding the Alley D and BEDC Main Street Projects: The Council requested that I update it as to the status Alley "D" Project and the BEDC Main Street Project. In 2015, the City either completed a number of major projects, or initiated a number of new projects. At this point in time, the City now has some realistic experience and a better understanding of the traffic impact on the City's Central Business District as the result of the Texas Department of Transportation Overpass Projects. Finally, a major obstacle was overcome when the City of Bastrop was able to purchase (and have removed) the *Bastrop Advertiser* Building. So, with all of this accomplished, the time has come to push forward on the Alley D and the BEDC Main Street Projects. Throughout 2015 there were several comments or suggestion that were suggested to be incorporated in these two projects. In my opinion, the City of Bastrop and the Bastrop Economic Development Corporation [BEDC] need to discuss and ensure that they have a consensus on certain elements related to these two projects. The following issues may not be all encompassing, so it's vitally important that the City Council and the BEDC Board of Directors feel free to add any additional issues that either entity or their board members identify as important for these two projects.

- #1: That Alley "D" Project and the BEDC "Main Street Project" be incorporated into a single [one (1)] project for bidding purposes. The main reason to combine these projects is that by doing so, the City and BEDC should see better unit pricing for both of these projects when they go out for bids, resulting in better overall price for the construction of both of these projects. So, there should be costs savings for both the City and the BEDC.

- #2: If it is agreed that both projects should be jointly bid, then the sequencing of constructing the projects should be: first, to construct the Alley D Improvements. The rationale for doing Alley D first is that by improving the parking and accessibility in Alley D we will potentially minimize the impact of reconstructing the south Main Street portion of the Main Street project, when construction starts on Main Street. Main Street will be the second phase.
- #3: Over the past few years, there has been considerable discussion regarding what should be done to the vacant lot at 921 Main Street. At this time I believe that the overall consensus is for the vacant lot at 921 Main Street be converted into "Central Meeting Place" in the Downtown Area. In earlier discussions regarding the Alley D project, the initial consensus was to incorporate a "Common Meeting Place" into the redesign of Alley D parking lot. As time has gone by, the consensus regarding the Alley D project, the focus has been to maximize the parking in Alley "D" and relocate the "The Common Meeting Place" to another location, rather than incorporating this meeting place into the Alley D area that would result in a loss of parking spaces to downtown. Over time, by public practice and use, the vacant lot has come to serve as a "Common Meeting Place" for Downtown Events. I may be wrong in my assumption to make the vacant lot at 921 Main Street the formally approved "Common Meeting Place", since there has been no formal action taken by the City related to what should be done with that lot at 921. However, the time has come to formally decide if the idea of creating a "Common Meeting Place" will be part of the Alley D Project (or is to be located in the Alley D location) and/or another site will be selected for the "Common Meeting Place" in the Downtown; and if the City is going to use another site, is that site going to be the vacant lot at 921 Main Street? If the vacant lot at 921 Main Street is not going to the location, then what is going to be the disposition of the vacant lot at 921 Main Street.

BEDC "Main Street Project": When the BEDC decided to go forward with the Main Street Project, the original scope of the project encompassed: (1) The "Reconstruction/Replacement of Main Street and Sidewalks in its current alignment. The street reconstruction would be from the Wells Fargo Bank to Farm Street. The sidewalks would be reconstructed from Pine Street to Spring Street. There would be no change in design of either the sidewalks or streets, for this project. The project was basically a replacement/reconstruction project. Over time, however, there have been several alternative suggestions regarding the possible redesign of the Main Street Project. The following alternative suggestions have been made:

Option I:

- The re-construction of the sidewalks and Main Street remain as it currently appears. One suggestion was included in this option as well as the other options: "That some type of

redesign be done to the *isles* that have the Antique Lighting standards in them. If this option becomes an approved option, then it has been suggested that in order to address the isles, the contractors will place an aluminum diamond plating over the space between the sidewalks curbs and the isle's curb for the antique lighting. [I.e., or doing something similar to this proposal to the space between the sidewalks and isle is big concern]

Option II:

- Change the "head-in" parking to the 2 to 1 parallel parking, and widen the existing sidewalks [the sidewalks would not be widened to the width as recommended by the Form Based Code. Yet, the sidewalks would be widened approximately 18 to 24 inches]. I believe this option would still allow for the two eleven foot (11') vehicular traffic lanes. You will recall that the City did a pilot test on the option of using parallel parking on the southside of Main Street for a couple of weeks. The 'feedback' provided after this pilot test on both sides of south side of Main Street was that the customers in the downtown area liked the parallel parking, but many of the merchants didn't particularly like this approach. So, it had a mixed review. Extending the sidewalk to the isle curb is workable, as well. It would close the gap between sidewalk curb and the isle and portion of the isle in front of the antique lighting would be removed and this would still allow for the two eleven foot (11') traffic lanes.

Option III:

- Have one side of Main Street parallel parking and one side head-in parking. We would take the same approach to the isles with antique lighting as I reference in "Option II."

Option IV:

- This is the proposed "Form Based Code" recommendation for the Main Street Project. This approach calls for parallel parking on both sides of the street and making the sidewalks 10 feet wide. Making the sidewalks 10 ft wide will reduce the traffic lane on the south side of Main Street down to only ten feet [10'] in width. I don't believe having ten foot (10') traffic lane is a safe, or reasonably 'workable' approach in the downtown Bastrop. Accordingly, I have not supported this approach.

Once the decision is made as to the design components that the City and BEDC wish to employ for these projects. I will be in a position to put together a timeline for the two overall projects [Alley D project & the Main Street Project]. In the interim, the following working will be undertaken to get us in a ready position to begin:

- Survey Alley D: Commencing either the last week in January or the first week in February, there will be a complete survey of Alley D. The businesses that front on Main Street and back up to Alley D have constant storm water drainage problems, when it rains. Some business owners have complained that when the City experiences a heavy rain, water back flows or runs into their businesses. This drainage problem will need to be taken into account in the overall design of Alley D's construction and drainage.
- Easement: To date, the City has received 25 easement of the 49 easements that will be needed for the Main Street Project. The City is going to begin another 'full court press' for the next sixty (60) days, in an attempt to obtain the remaining easements that are still needed.

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L. Discussion and Review of Legal Costs Incurred by the City in 2015: At the December 8, 2015 concern was expressed regarding the amount the City is paying for Legal Costs. In response to this concern, I have started looking at what other municipalities incur, annually, for their average legal costs. This is a very complex question to evaluate because, to do a fair evaluation, you need to take a number of critical factors into account in doing this type of evaluation. Specifically, you need to look beyond 'just the population count of a city' in evaluating legal costs incurred, because that factor alone doesn't necessarily drive legal costs, and so, it isn't the sole basis for a good and equitable comparison. In fact, there is never going to be a "1 to 1" exact comparison that Bastrop can point to (regardless of the population count in another city) to justify or critique its legal costs, because all cities operate so differently and all experience such a wide variety of different forces that drive such costs. Factors such as the city's economic growth, developmental activity of a city, whether the city is civil service, or oversees numerous special districts, such as PIDS, MUDS, WCIS, etc., all factor into a communities legal needs, not merely how many people reside in the corporate limits. I've made a quick list of unique factors that I believe drive some of the City's legal costs, like the fact that Bastrop has a high number of ORRs each year versus other cities of only 9,000 population. The 2015 year was an extremely busy year for the City and we dealt with an enormous number of very complex and challenging legal matters, as a City. Other factors that drive costs are things such as the fact that though the Home Rule Charter requires that the Council hold only 23 City Council meetings each year, in 2015, the City Council held 38 meetings, and the City Attorney attended them. IN addition, while most communities our size have only 5 or 6 board san commissions, the City of Bastrop has 17 or 18. And the City Attorney assists all of them, as well.

I will continue to work on evaluating our use of legal counsel, and how that may be restructures and done more efficiently and I plan on having a more detailed report at the January 26, 2016 City Council meeting. In the meantime, because our City Attorney only performs work on request by the City, in order to keep costs to an absolute minimum, I also taken the following steps:

1. I have let the Directors know that, prior to Director contacting the City Attorney, they need to get with me briefly, regarding the nature of their request, and let me know about the urgency of their request for legal advice and input. All Directors know if it's an emergency, then they can and should contact the City Attorney immediately.

2. Legal Review: I have coordinated with the City Attorney so that we have Legal Review every other Wednesday. It is at legal review that we can very efficiently go over pending legal matters and reduce travel and discussion time to a minimum. If a Director has items for Legal Review, they type up a "cover sheet" detailing the nature of their request and provide pertinent back-up information. I take all of Director's request and put together a "legal agenda" and give them the date/time we'll be going over their request. I provide the City Attorney with Legal Packet a couple of days in advance, so the City Attorney will have opportunity to review the subject matter to be covered at the scheduled by-monthly Legal Review and this increases efficiency as well. If there are not enough requests to have at least a "half-day" for Legal Review, then, I will cancel that legal review and schedule the pending items first for next legal review.

3. City Attorney Attendance at City Council Meetings: I believe the Council and I should evaluate whether or not the City Attorney needs to attend every City Council, in its entirety. Further, if there is a legal matter that City Attorney needs to review with the Council, we could adjust the agenda to handle these matters up front (including executive session) and then the attorney could leave, thereby reducing time spent and costs incurred.

At the end of the day, the questions that the Council will want to ask [These are the types of questions I will be asking and analyzing as I evaluate this matter] and reflect upon in evaluating our legal representation will include these:

1. Does how we currently operate, "work" well for us?
2. Does the City Attorney provide us with adequate support?
3. Are they responsive and professional? Do they return calls and emails? Are they available to attend meetings when asked? Are they on time with assignments and requests?
4. Is the legal work generated by the attorney satisfactory? Is the advice given 'sound' and in keeping with law?
5. Does the City Attorney also provide support, advice, and counsel beyond merely quoting the law? Is that input helpful to management, staff and Council?
6. Does the Management, staff and Council generally get along well with the City Attorney, or are they constantly at odds?
7. Is the attorney respected in the State's and Central Texas legal community?
8. Is the City experiencing repeated lawsuits from State Agencies, Federal Government, or employees, or developers and companies doing business with

the City? What financial losses has the City experienced in judicial judgements against the City, over the years?

9. Does the City suffer loses and liability, year after year, that the lawyer could have reasonably prevented, if s/he had advised the City differently?
10. Has the City Manager and City Council been able to budget in a way that allows it to afford the attorney?
11. Have there been disputes with the attorney over the billing?
12. Is the lawyer's hourly rate reasonable, and in line when compared with other attorneys with comparable municipal law expertise and years of practice? (30 year attorney/in Central Texas)?
13. Does the City understand from the billing it receives what work is being performed by the attorney on behalf of the City?
14. Is the attorney charging unreasonable amounts for "incidental charges?"
15. Could the City do as well if it employed, as city employees, in-house lawyers?
 - a. An initial analysis of the work done in 2015 alone indicates that the City would likely need 2 lawyers, a paralegal and/or a legal secretary to perform the work, at the level, that the City currently generates/needs. This is because of the level of activity that the City is experiencing in this exciting time of growth and development as a thriving community near

If there are other factors you would like me to consider, feel free to let me know and I'll evaluate those, as well.

As you can see, this is a complicated analysis but I am certainly willing to take the time and spend the effort to carefully assess the situation and provide the assessment and recommendations to the Council. However, pending the outcome of that process, I will implement the changes I note above and continue to do the City's work with the City Attorney, to ensure that we are protecting the legal interests of the citizens and the City as a whole.

M.Status of the XS Ranch: The XS Ranch PID is moving forward. To date the initial appraisal of their property has been completed and a preliminary report has been provided. [This is the valuation that will support the issuance of the PID bonds.] A preliminary "DRAFT Service and Assessment Plan has also been developed and we are in the process of reviewing that with the Developer's legal team, as well. Finally, work has commenced on the documents to issue the PID Bonds.

N.Management/Administrative Activities: Activities included continued review of past year's financials for the water and wastewater system, monitoring water operations, evaluating various alternative water supplies, worked on issues associated with the City's Water Permit, worked on "Planning and Zoning Issues," Human Resources" matters including interviewing various candidates for certain positions in the City's organization.

O. Informational Issue: Not subject to Discussion or Action: As the Council has been made aware, the SOHA Hearing (related to the City's Well Permit pending before the Lost Pines District) that was scheduled to begin on January 6, 2016, has been postponed by a filing in the Bastrop District Court that is going thru the judicial process, at this time. Once that matter is concluded, the Council will be notified and updated.

III. Other City Activities:

A. City of Bastrop's Convention Center:

➤ **Events:**

- Jan 7th - Entire Facility – Farm Street Opry - 200-300
- Jan 8th - Ballroom A and B - Retirement Party - 400
- Jan 9th - Meeting Rooms 1 -4 until noon. - 90 People - Law Enforcement
- Jan 9th - Entire Facility - BCLTR Dinner/Concert 500

➤ **Marketing:**

- The Director continued with marketing and PR efforts for the Center. This included marketing to brides, meeting planners and the January Opry.

➤ **Operations:**

- The staff assisted with walk-in tours and appointments with current clients and potential clients. Layout changes, security requirements, event details and administrative issues were addressed.
- Kathy Danielson met with Kim Britton at the Hyatt Lost Pines to discuss the tourism and hospitality industry and how the Convention Center and Resort can work more closely together in the future to increase meeting business for the Center.
- Kathy Danielson met with a representative from TML to discuss the details of a RFP for a conference in May 2017.
- The staff performed routine/deep cleaning over the holidays.
- The Director and staff are working with Event Pro, our new event software company, on data input and onboarding.

➤ **New Inquiries – (Walk-in included)**

- Wedding – Jan 16, 2016, 100 ppl price given
- Conference – Aug 2016 185 ppl pricing given
- Conference – June 2016
- Other – April 2016 50 ppl pricing given
- Civic – Jan 9th not available
- Civic – Feb 25, 2016

➤ **Booked Events:** (Corporate, Wedding, Trade Show, Civic, Seminar/Conference)

- Conference - August 20, 2016
- **Other:**
 - BCLTR, Jan 9, 2016
 - LEO Conference, Jan 9, 2016
 - **MLK, Jan 18, 2016**
 - TML Budget Workshop, June 2016
- **Upcoming Events:** January 2016/February 2016
 - Farm St. Opry Jan 7, 2016
 - Corporate, Jan 8, 2016
 - Civic Jan 9, 2016
 - Civic Jan 9, 2016
 - Wedding Jan 16, 2016
 - **MLK Jan 18, 2016**
 - Corporate Jan 20,21,2016
 - Civic Jan 22, 2016
 - Civic Jan 30, 2016
 - Farm St. Opry Feb 4, 2016
 - Civic Feb 13, 2016
 - Civic Feb 20, 2016
 - Seminar Feb 23, 2016
 - Trade Show – Feb 27 & 28, 2016

B. City of Bastrop's Main Street Program:

Report period covers 12/9 through 1/8/15

Business Update:

- The building at 928 Main Street (Citizen's Bank Building) has sold. New owners Lowell and Deidra Rothschild have begun restoration and rehabilitation of the property.
- Rhinestone Cowgirl (in Prokop building) has closed
- The Kleinart and Kesselus Buildings (910 and 912 Main Street) have sold. Viejo's Tacos y Tequila has opened in the new space to rave reviews. Veranda (a gift and women's accessory shop) has moved into half of the space as well
- New business in 924 Main Street space is a Nia/Yoga studio which opened January 4.

Committee/Board Updates:

- On Jan 4, the Main Street Advisory Board met. Topics included a profile of skills/expertise needed by a new Director (Katherine Ray is developing the profile). We discussed various committee projects and also discussed plans for the 2016 Planning Workshop scheduled

for January 30 at Piney Creek Chop House from 8:30 to noon (invitations will be sent on Monday, 1/11)

- Committees did not meet in December, however, the sub-committee of the Economic Vitality Committee which is working on the Farmers Market project reviewed documents and had them ready for Legal Review early in December.

Partnerships:

- Interim Director will attend DBA's annual planning workshop on January 17 at Chamber of Commerce meeting room from noon to 5 p.m.

Main Street Program Activities:

- Lost Pines Christmas Swirl for 2015 was a big success as we sold 260 tickets and all attendees enjoyed the evening. The downtown shops noticed an increase in sales as attendees also bought holiday gifts during the evening. The BMSP raised \$4500 for downtown beautification projects in 2016.

C. PLANNING DEPARTMENT:

Inspections Bi-Weekly Construction Report – January 8, 2016

For January 12, 2016 City Council Meeting

- Air Quality is measured from August to November. No additional Air Quality data from McKinney Roughs Monitoring Site is available.
- Public engagement opportunities Comprehensive Plan: - Housing Questions
 - MySidewalk available on the City's website (front page).
- Thursday, January 14th - 6:00 pm - Planning & Zoning Special Meeting
- Funding needs/goal oriented items to be forwarded to CC for use at their workshop meeting scheduled 1/14/16
- Engineering Projects in process:
 - 2014 Water/Wastewater Improvements (Klotz Assoc.) – Contractor has substantially completed the project; currently processing final payment application.
 - SH 71 Improvements (Tahitian Drive) -improvement project approximately 60% complete; CM report update provided separately.
 - Wastewater Master Plan – awaiting update from BEFCO
 - Bastrop West Village (MUD) Final Plat, Phase 1, Section 1 – 42 residential lots – in review

- Bastrop West Village (MUD) Final Plat, Phase 1, Section 2 – 37 residential lots – in review
- Woodrun Preliminary Plat – 62 residential lots in the ETJ – staff comments issued 8/11/15; resubmittal required
- Bastrop West Commercial, Section 3 – Hasler Blvd – 2 commercial lots – comments issued 8/26/15; resubmittal required
- The Colony MUD 1A, Section 1, Preliminary Plat – will go to P&Z 1/28/16; to CC 2/9/16
- Harding Administrative Plat (ETJ) – waiting on Mylar
- Pecan Park - Revised Final Plat and construction plans, Section 4 - 70 residential lots – resubmittal received 12/3/15; comments issued 12/28/15; resubmittal required
- Home Place Subdivision – Lovers Lane -3 residential lots – variance to CC 1/12/16; plat to CC 1/26/16
- Bus Shelter Plan – Metal shelter design approved by City Council; Shelter components have been ordered.
- Capital Improvement Program – preparing cost estimates and draft implementation schedule
- Magnolia Gardens Final Plat – comments issued 11/18/15; resubmittal required
- Allen Subdivision, Administrative Plat – comments issued 12/4/15; resubmittal required
- Washington #2 Final Plat – comments issued 12/4/15; resubmittal required
- Piney Ridge Replat – in review process
- Lost Pines Art Center – site development comments issued; resubmittal required
- Pacific Dental (east of Popeye's) – site development comments issued 1/4/16; resubmittal required

Major Construction Projects in process:

- Goodwill Store – Site being prepared
- Bastrop Retail Station –84% of infrastructure complete; building shell 95% complete
 - Sally's Beauty Supply – permit issued 1/7/16
 - Western Liquor Beverage – permit issued 1/7/16
- Coghlan Group – site work 84% complete; project approximately 83% complete
- Burleson Crossing:
 - Garcia's Restaurant (Burleson Crossing, Building J) – tenant finish out approximately 20% complete

D. YMCA Activities:

Membership

- December Membership 243 Units

Administrative

- Looking forward to a great 2016!

Y Activities Report:

Program Monthly Update:

- See Attached 2015 Numbers Served
- Programs opened for registration include:
 - Kid's Cooking
 - Science Explorers
 - Youth Track
 - Exploring Art
 - Camp Y Boot Camp
 - Conversational Spanish
 - CPR
 - Creative Writing
 - Gymnastics
 - Parents Night Out
 - 0 to 10K Training
 - Homeschool PE
- Added New Fitness Programs on the January Schedule
 - Flexible Strength
 - Kickboxing

Inviting input from the City Council related to issues for possible inclusion on future agendas related to issues such as (but not limited to) municipal projects, personnel, public property, development and other City/public business.

EXHIBIT "A"
Water Usage

**WATER WORKS OPERATIONS FOR GROUND WATER SUPPLIES
CITY OF BASTROP, BASTROP COUNTY, TEXAS**

WATER SYSTEM I. D. #: 0110001

Month of:

Dec-15

Date	Raw water from wells										Pumped from high service pumps					Dec-15		
	C	F	C&F	G	D&E	G D&E	H raw	I	total MGD	Zone 1	Zone 2	Zone 3	MGD	Well/Pump	Percent Z1	Z2	Z3	
1	144	436	580	244	112	356	0	0	0.936	228	703	0	0.931	0.005	0.24	0.76	0.00	
2	161	494	655	329	149	478	0	0	1.133	329	819	0	1.148	-0.015	0.29	0.71	0.00	
3	137	428	565	283	130	413	0	0	0.978	348	699	0	1.047	-0.069	0.33	0.67	0.00	
4	142	434	576	288	131	419	0	0	0.995	337	680	0	1.017	-0.022	0.33	0.67	0.00	
5	166	505	671	336	154	490	0	0	1.161	358	825	0	1.183	-0.022	0.30	0.70	0.00	
6	132	404	536	268	116	384	0	0	0.920	334	644	0	0.978	-0.058	0.34	0.66	0.00	
7	159	485	644	321	148	469	0	0	1.113	358	759	0	1.117	-0.004	0.32	0.68	0.00	
8	152	467	619	310	140	450	0	0	1.069	328	747	0	1.075	-0.006	0.31	0.69	0.00	
9	142	433	575	287	132	419	0	0	0.994	343	721	0	1.064	-0.070	0.32	0.68	0.00	
10	158	487	645	311	138	462	0	0	1.097	367	767	0	1.134	-0.227	0.32	0.68	0.00	
11	143	440	583	292	133	425	0	0	1.015	331	725	0	1.056	0.155	0.31	0.69	0.00	
12	145	445	590	292	133	425	0	0	1.015	333	704	0	1.057	-0.042	0.33	0.67	0.00	
13	154	475	629	311	128	411	0	0	1.040	346	737	0	1.083	-0.043	0.32	0.68	0.00	
14	155	468	623	311	135	446	0	0	1.069	370	695	0	1.065	0.004	0.35	0.65	0.00	
15	141	433	574	286	130	416	0	0	0.990	347	691	0	1.038	-0.048	0.33	0.67	0.00	
16	147	449	596	299	130	429	0	0	1.025	354	706	0	1.060	-0.035	0.33	0.67	0.00	
17	147	456	603	308	136	444	0	0	1.047	355	689	0	1.044	0.003	0.34	0.66	0.00	
18	149	449	598	290	123	413	0	0	1.011	352	645	0	0.997	0.014	0.35	0.65	0.00	
19	162	499	661	330	0	330	0	0	0.991	350	715	0	1.065	-0.074	0.33	0.67	0.00	
20	167	506	673	336	0	336	0	0	1.009	266	737	0	1.003	0.006	0.27	0.73	0.00	
21	180	553	733	328	0	328	0	0	1.061	403	642	0	1.045	0.016	0.39	0.61	0.00	
22	169	519	688	344	0	344	0	0	1.032	401	715	0	1.116	-0.084	0.36	0.64	0.00	
23	152	465	617	308	0	308	176	188	1.289	366	467	320	1.153	0.136	0.32	0.41	0.28	
24	116	360	476	239	0	239	178	201	1.094	221	545	336	1.102	-0.008	0.20	0.49	0.30	
25	127	389	516	258	0	258	140	157	1.071	372	335	288	0.995	0.076	0.37	0.34	0.29	
26	106	325	431	215	0	215	133	151	0.930	324	335	256	0.915	0.015	0.35	0.37	0.28	
27	107	328	435	217	0	217	180	199	1.031	209	468	333	1.010	0.021	0.21	0.46	0.33	
28	130	400	530	265	0	265	140	161	1.096	356	379	301	1.036	0.060	0.34	0.37	0.29	
29	97	295	392	187	0	187	166	186	0.931	331	301	289	0.921	0.010	0.36	0.33	0.31	
30	7	455	462	286	0	286	9	10	0.767	266	686	38	0.990	-0.223	0.27	0.69	0.04	
31	109	544	653	344	0	344	16	18	1.031	429	644	26	1.099	-0.068	0.39	0.59	0.02	
Total	4,303	13,826	18,129	9,011	2,398	11,409	1,138	1,271	31,947	10,432	19,925	2,187	32,544	-0.597				
Average	139	446	585	291	77	368	37	41	1.031	337	643	71	1.050	-0.019	0.32	0.61	0.07	
Max/min	180	553	733	495	154	628	180	201	1.289	429	825	336	1.183	0.155	0.39	0.76	0.33	
Min/nit	7	295	392	124	-	187	-	-	0.767	209	301	-	0.915	-0.227	0.20	0.33	-	

WATER WORKS OPERATIONS FOR GROUND WATER SUPPLIES
CITY OF BASTROP, BASTROP COUNTY, TEXAS

WATER SYSTEM I. D. #: 0110001

Month of: Jan-16

Date	Raw water from wells										Pumped from high service pumps					Jan-16		
	C	F	C&F	G	D&E	G	H raw	I	total	Zone 1	Zone 2	Zone 3	MGD	Well/Pump	Percent			
									MGD						Z 1	Z 2	Z 3	
1	118	369	487	234	0	234	138	152	1,011	267	427	249	0.943	0.068	0.28	0.45	0.26	
2	124	385	509	243	0	243	146	166	1,064	271	506	290	1.067	-0.003	0.25	0.47	0.27	
3	103	322	425	198	0	198	163	185	0.971	356	308	314	0.978	-0.007	0.36	0.31	0.32	
4	102	318	420	207	0	207	143	160	0.930	278	318	304	0.900	0.030	0.31	0.35	0.34	
5	127	399	526	254	0	254	167	187	1,134	257	549	323	1,129	0.005	0.23	0.49	0.29	
6	127	396	523	250	0	250	163	182	1,118	389	414	300	1,103	0.015	0.35	0.38	0.27	
7	128	410	538	261	0	261	161	155	1,115	373	443	301	1,117	-0.002	0.33	0.40	0.27	
8	106	328	434	207	0	207	141	135	0.917	299	375	256	0.930	-0.013	0.32	0.40	0.28	
9	122	388	510	239	0	239	163	152	1,064	359	385	288	1,032	0.032	0.35	0.37	0.28	
10	96	302	398	191	0	191	171	162	0.922	341	275	303	0.919	0.003	0.37	0.30	0.33	
11																		
12																		
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29																		
30																		
31																		
Total	1,153	3,617	4,770	2,284	-	2,284	1,556	1,636	10,246	3,190	4,000	2,928	10,118	0.128				
Averq	115	362	477	228	-	228	156	164	1,025	319	400	293	1,012	0.013	0.32	0.39	0.29	
Maxif	128	410	538	261	-	261	171	187	1,134	389	549	323	1,129	0.068	0.37	0.49	0.34	
Minif	96	302	398	191	-	191	138	135	0.917	257	275	249	0.900	-0.013	0.23	0.30	0.26	

EXHIBIT "B"
West Bastrop Village
Deal Points/Preliminary Cost Estimate

PRELIMINARY DRAFT/SUBJECT TO CHANGE

**DEAL POINTS FOR WASTEWATER SERVICE
TO
WEST BASTROP VILLAGE MUD
1.7.16**

I. INITIAL INTERIM SERVICE PHASE

➤ City of Bastrop [City] will allow West Bastrop Village [WBV] an initial point of connection for the WBV Wastewater Transmission Main to obtain temporary and interim wastewater service ("Initial Interim Service") from the City's existing Wastewater System, by constructing the necessary infrastructure to connect at the southwest corner of the Hunters Crossing Subdivision, as illustrated in "Exhibit A".

➤ The total capacity and/or the number of LUE's for the Initial Interim Service that WBV will be allowed to connect and deliver wastewater produced at WBV MUD at the connection point at the southwest corner of the Hunter's Crossing Subdivision will be as follows:

• Year One -2016:	<u>A maximum of 36 LUE's</u>
• Year Two -2017:	<u>A maximum of 36 LUE's</u>
• Year Three - 2018:	<u>A maximum of 36 LUE's</u>
• Year Four – 2019:	<u>A maximum of 36 LUE's</u>
• Year Five – 2020:	<u>A maximum of 36 LUE's</u>
<u>MAXIMUM TOTAL LUE'S</u>	<u>180 LUE'S</u>

➤ For the first five years (2016 – 2020) during the Initial Interim Service, Bastrop will charge WBV only the following, for this wastewater service to the WBV MUD:

A. **Initial Interim Wastewater Treatment Charge:** Each month during the first five (5) years WBV shall pay an "Initial Interim Wastewater Treatment Charge," which payment will cover, for example, the City's expense for operation and maintenance, administration, and the wastewater treatment costs attributable to the wastewater treatment services provided by the City to WBV. For example, the Initial Interim Rate, which is subject to adjustment as per the City's Code, will be: $\text{Rate} = \# \text{ of connections platted in the MUD} \times \text{the City's standard, residential/retail customer wastewater rate} \times 1.2$ (factor for 'out of city service customers') Note: the in City customers do not subsidize out of corporate limits customer service.

- B. Each LUE in the WBV MUD (which will equate to a ¾" meter) will be calculated to equal a flow of "250 gallons per day" and there will be no metering of the wholesale wastewater flows by the City. The WBV may meter its retail service as it desires, in its sole discretion. [WBV – The City discussed and evaluated metering for its service and, again, metering doesn't work for the City for a variety of reasons as a 'non-water' wastewater service provider. Accordingly, the City will hold firm on the concept of billing the MUD "per approved LUE unit", as stated herein.]
- C. Connection to the City's wastewater system at the southwest corner of the Hunters Crossing Subdivision will be at the cost of the Developer. (See Ex. A.)
- D. City will bill the WBV MUD directly for Initial Interim Service. Billing per LUE shall begin 90 days after each final plat is recorded by the City, as per the Code regarding wastewater rates in effect at time of recordation of plat, and adjusted annually or as otherwise stated in the Code.
- E. Any future commercial users in the WBV shall be billed as per AWA LUE conversion standards.

- F. At its cost, the WBV/Developer shall construct the wastewater collector main on Property (and easements) adjacent to the WBV MUD (locally known as 'Bastrop Village East') and water construction, inspection and acceptance, will dedicate this line as an off-site public utility line for ownership and maintenance by the City. If the City desires to participate in any oversizing of this line to serve other city customers in the City's service areas, in the future, it shall notify the Developer of this request on or before _____, 20____, and shall be responsible for reimbursing the Developer/MUD for its proportional share of the lines, as designed and constructed by the WBV/Developer on that property. The City shall reimburse the WBV/Developer for its proportionate share of oversizing by _____ [Let's discuss how and when – e.g., remitting payment, or reducing WBV's amounts owed to the City for its pro-rata participation in the City's lines off site.....?].

II. Estimated Timeline for Construction and Permitting of West WWTP#3:

- Because of operational issues related to the time span for total build out of the West BV MUD, the City now plans to construct WWTP#3 as a 1.0 MGD plant. Based upon the current plan to construct a 1.0 MGD WWTP#3, and the projected 1200 LUE's ultimately required by the MUD, the parties acknowledge that WBV's proportionate share of the WWTP#3 costs are projected to be approximately 30%. However, if during the design or the WWTP#3, the City determines that it is more cost effective to upsize components of the plant to 1.5 MGD (or above), the City will recalculate the Developer's projected percentage of costs (which would be reduced with larger plant structures) and the City will credit the developer for a pro-rata reduction in such infrastructure costs to reflect that change in the plant

design, prior to the Developer making payment to the City for the MUDs share of the required infrastructure.



➤ Estimated timeline for the City's Construction of the New West Wastewater Treatment Plant #3 [**Estimate Only.** Should the timeline vary for any reason, then, the Initial Interim Service phase of service may be extended, beyond the time period noted above, to meet the service needs of WBV MUD, at City's sole discretion and option.]

- October 2015: Receipt of a determination from the Texas Commission on Environmental Quality [TCEQ] as to which regulations TCEQ will require the City of Bastrop to use to Construct the new West Wastewater Treatment Plant [WWTP#3].
- November 2015: City to commence "Rate and Impact Fee Study."
- December 2015/forward: City to identify/finalize the wastewater collection main(s) route(s) from MUD to new West WWTP#3, i.e., to serve WBV MUD.
- December 2015: City to initiate work to obtain easements for wastewater lines from WBV MUD to West WWTP#3. [Evaluate condemnation efforts, as needed.]
- January 1, 2016 +: City to begin final design work on West WWTP#3, including past interim service to WBV MUD, as fully constructed and proposed.
- On or before {Date yet to be determined}, 2016: Developer will be required to post acceptable fiscal assurance (such as a 'letter of credit', 'performance bond', or 'I&I bond', etc.) , in the amount shown by engineering's estimate to cover Developer's pro-rata share of the 'development costs' of WWTP#3 and related infrastructure costs (e.g., design, permitting easement acquisition/development, engineering and legal), which will be utilized by the City in the event that Developer does not proceed with the project. The City and Developer will "true-up" the estimated versus actual costs at various points during the project and if, as a result of the Plant true-up, the costs are less than estimated, will result in a refund to Developer; any additional increased amounts will be included in Developer's posted fiscal assurance within 15 business days of notice of increase. Failure to increase posted fiscal assurance will result in contractually agreed upon penalties associated with redesign, construction costs and consequential damages.
- July 2016: Submit the "Plans and Specifications" for WWTP#3 for TCEQ's review and approval.
- December 2016: Receive final approval from TCEQ for the "Plans & Specifications" to construct the new West Wastewater Treatment Plant.

- On or before May 1, 2017: WBV will provide the City with its fiscal assurance, which must be in a form and amount acceptable to the City and the City's Financial Advisor for MUD's "Pro-Rata Share" of the MUD's share of the new West WWTP#3 and for the MUD associated Wastewater Inceptor from the development to the new West WWTP#3, as per Ex. A and B. Failure to pay fiscal assurance will entitle City to seek fiscal damages related to its reliance on MUD for participation in the project, including design costs and plant costs, and will limit Developer to maximum Initial Interim Service amounts, i.e., 180 LUE, and result in additional costs for continued use of existing facilities, including but not limited to tap and impact fees.
- May 2017: City issues bonds and/or secures other financing for the Construction of the new West WWTP#3. The City will simultaneously commence the bidding process for the construction of the new West WWTP#3 and related infrastructure.
- July 2017: The City of Bastrop will award the bid for the construction of the new West WWTP#3 and related infrastructure, such as the requisite Collection Main(s).
- January 1, 2019: Anticipated time for completion of construction for the new West WWTP#3 and related infrastructure, such as the requisite Collection Main(s)
- March to Sept. 2019: New West WWTP#3 to be put into operation.*

Note: The City acknowledges and agrees that if, for any reason other than MUD Developer's breach or non-performance, the City does not go forward with the construction of WWTP#3, then the City will reimburse to WBV/Developer any funds that have been remitted to the City as fiscal security by same, which have not been utilized for the design and/or construction of the WWTP#3 and related infrastructure, at the time that the Parties recognize and agree that the WWTP#3 project is not going forward.

Exhibit A: Is a map showing the West BV MUD connection point for Interim Phase from the City, and showing the preliminary concept for the routes of all Trunk Mains that will be constructed for Long Term Connection to and Service to the West BV MUD from WWTP#3, which form the basis of the initial construction cost estimates provided to the Developer by the City, including engineering costs. (But not including easement acquisition costs or legal costs, which will be determined and assessed to Developer separately, when preliminary estimates and/or actual costs for those items are available to the City.)

** All dates are estimates and subject to various contingencies.*

III. LONG TERM SERVICE FROM WWTP#3 TO WBV MUD:

Construction of Facilities Necessary to Provide Long Term Wastewater Services to WBV:

(a) The following facilities must be designed, constructed and installed in order for the City of Bastrop to provide Wholesale Wastewater Services to WBV (the "Wholesale Wastewater Facilities"):

- **PLANT:** +/-1.0 MGD initial construction of new, western wastewater plant (WWTP#3), located approximately one (1) mile south of Hwy 71 and east of S.H. 304 as shown on Exhibit "A" [Note: If the initial construction of the WWP#3 is larger/smaller than 1.0 MG, then WBV's pro-rata share of the plant costs shall be adjusted accordingly];
- **Trunk Main No. 4:** A minimum of an forty two inch (42") wastewater trunk main in the approximate preliminary location shown on Exhibit A, ;
- **Trunk Main No. 3:** A minimum of an forty two inch (42") wastewater trunk main in the approximate preliminary location shown on Exhibit "A";
- **Trunk Main No. 2:** A minimum of an eighteen inch (18") wastewater trunk main in the approximate preliminary location shown on Exhibit "A".

All of the above-noted Trunk Main locations are preliminary and final locations are subject to change depending on easement acquisition costs and construction factors.

(b) Process for Construction of Wastewater Facilities:

- Bastrop shall design and construct, or cause to be designed and constructed the 1.0 MGD WWTP#3 and the related wastewater collection infrastructure, noted above.
- Bastrop shall use best, reasonable efforts to initiate and complete construction of the Wholesale Wastewater Facilities and once

completed, commence providing long term wholesale wastewater service to WBV within approximately _____ (#) months, after the final execution by all parties of the “Wholesale Wastewater Agreement” between the Parties. Bastrop will notify WBV when the Wholesale Wastewater Facilities have been completed and will identify for WBV the proposed date upon which WBV wastewater flows will begin to be transferred to and treated at the WWTP#3, and the Initial Interim Treatment shall end.

- WBV will be provided an opportunity to have its engineer review the plans and specifications for WWTP#3 and related Wastewater Infrastructure before the City goes out for bid to construct the Wholesale Wastewater Facilities. WBV will have approximately fifteen (15) (business days to review the City’s plans and specifications for same, and provide written comments to the City’s engineer, if it desires to do so. The City will take into consideration any input that WBV engineers may provide to it, related to the plans and specifications for the “Wholesale Wastewater Facilities, but the final decision regarding all WWTP#3 and related infrastructure plans and specifications for the “Wholesale Wastewater Facilities” will rest solely with the City Council.
- The total amount payable by WBV to Bastrop to complete the Wholesale Wastewater Facilities shall be \$_____(see engineering costs estimates)_____. (the ‘Project Amount’). Bastrop will use Project Amount to pay for the pro-rata “reserved capacity” of 1200 LUE’s in the Wholesale Wastewater Facilities, as referenced above. [It is agreed and understood that WBV shall acquire only capacity reservation in the WWTP#3, not partial and/or joint ownership interest in the plant.]
- Bastrop will hold the Project Amount in a segregated account that is separate from any other City fund accounts.
- On or before five (5) business days prior to the City going out for bids for construction of the Wholesale Wastewater Facilities, Bastrop will provide written notification to WBV of the proposed release of the bids packets and the updated engineering cost estimates for the Project.
- Within five (5) business days prior to the City’s proposed date for the Council’s award of the bid for the WWTP#3 Project, WBV shall remit to the City the WBV MUD’s pro-rata share of the total Project construction costs, based upon the updated engineering cost estimate for the Project.
- The Parties agree and acknowledge that if the bids received for the Project (and the bid that is awarded by the City Council for the Project) is within 25% of the previously identified engineer’s

construction cost estimate, the Project shall go forward and both Parties shall be contractually bound and obligated to participate in the Project as set forth in the Wastewater Agreement.

- The Parties agree that they shall true-up the pro rata share of total construction costs due from each, and any reimbursement due to each Party, at the end of construction of the Project.

- Upon completion of constructing the Wholesale Wastewater Facilities and at the time that Bastrop has acted to finally accept the Wholesale Wastewater Facilities as the City's facilities, Bastrop will own, operate, and maintain the Wholesale Wastewater Facilities.
- Upon completion of the Wholesale Facilities, Bastrop and WBV will meet to do a true-up of the construction cost associated with the construction of the Wholesale Wastewater Facilities. If any deposited /escrowed funds remain unused, (i.e., in the WBV's separate account) then, those funds will be returned to WBV. If the escrowed Project amount provided by WBV to the City for its' pro rata share of the Project was not sufficient to cover its proportional share of the total cost of constructing the Wholesale Wastewater Facilities, then WBV will reimburse that amount outstanding to the City, within thirty (30) calendar days of identification of the true up amount due.

(c) Rate for Long Term Service/Capacity Reservation in WWTP#3:

- When Initial Interim Service to WBV ends and wastewater service to the WBV MUD is transitioned to the City's new WWTP#3, then, on or before the first of each month of service by the City, WBV will provide the City with the number of active residential connections served and the number of active commercial and educational (and other) connections served and the estimated number of connections anticipated to be required in the upcoming _____ (year).

- Each month, the City will bill WBV directly based upon a rate, as follows:

Rate = # of connections platted in the MUD X the City's standard, residential/retail customer wastewater rate X 1.2 (factor for 'out of city service customers')

(d) Miscellaneous Provisions:

- Term of the Wastewater Service Agreement [20,30, or 40 years]
- No Impact Fee to be paid by Developers or Builders.
- The City will agree to attempt to negotiate with other developers, who benefit from oversizing paid for by the WBV MUD Developer, to enter into contract to reimburse WBV for their pro rata share of infrastructure.

CITY OF BASTROP

WASTEWATER IMPROVEMENTS (ADS & HOBAS Pipe) w/1.5 MGD WWTP PRELIMINARY OPINION OF CONSTRUCTION COST

Prepared By BEFCO Engineering, Inc.

Date: 1/6/16

Item	Description	Quantity	Units	Unit Price	Total
<u>NIXON LINE</u>					
1	24" ADS SANITITE HP (0'-10' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	2662	LF	\$107.00	\$284,834.00
2	6 FOOT DIAMETER FIBERGLASS MANHOLE (10 FOOT DEEP); INSTALLED ON EXISTING LINE WITH RING AND COVER	1	EA	\$18,900.00	\$18,900.00
3	6 FOOT DIAMETER FIBERGLASS MANHOLE (10 FOOT DEEP), WITH RING AND COVER	3	EA	\$14,900.00	\$44,700.00
4	TRENCH EXCAVATION SAFETY SYSTEM	2662	LF	\$7.00	\$18,634.00
5	NIXON LINE TREE CLEARING (1000 FT X 75 FEET), ASSUME \$2,000 PER STATION	1	LS	\$20,000.00	\$20,000.00
6	EROSION CONTROL (SILT FENCE ASSUMED 1 SIDE OF TRENCH)	2,662	LF	\$3.00	\$7,986.00
7	REVEGETATION (HYDROMULCH 75 FEET WIDE ALONG CONSTRUCTION LENGTH)	22,183	SY	\$1.00	\$22,183.33
8	TRAFFIC CONTROL	1	LS	\$5,000.00	\$5,000.00
SUBTOTAL NIXON LINE					\$422,237.33
10% Contingency:					\$42,223.73
8% Engineering and Surveying Fee:					\$33,778.99
GRAND TOTAL:					\$499,000.00
<u>TRUNK LINE #1</u>					
9	36" HOBAS (10'-15' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	1193	LF	\$225.00	\$268,425.00
10	36" HOBAS (15'-20' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	2006	LF	\$245.00	\$491,470.00
11	6 FOOT DIAMETER FIBERGLASS MANHOLE (10 FOOT DEEP), WITH RING AND COVER	2	EA	\$14,900.00	\$29,800.00
12	6 FOOT DIAMETER FIBERGLASS MANHOLE (15 FOOT DEEP), WITH RING AND COVER	1	EA	\$18,100.00	\$18,100.00
13	6 FOOT DIAMETER FIBERGLASS MANHOLE (20 FOOT DEEP), WITH RING AND COVER	1	EA	\$21,200.00	\$21,200.00
14	BORE AND 48" STEEL ENCASEMENT (FOR 36" WASTEWATER PIPE, FM 304)	130	LF	\$680.00	\$88,400.00
15	TRENCH EXCAVATION SAFETY SYSTEM	3199	LF	\$7.00	\$22,393.00

16	TREE CLEARING (2800 FT X 75 FEET), ASSUME \$2,000 PER STATION	1	LS	\$55,000.00	\$55,000.00
17	EROSION CONTROL (SILT FENCE ASSUMED 1 SIDE OF TRENCH)	3,199	LF	\$3.00	\$9,597.00
18	REVEGETATION (HYDROMULCH 75 FEET WIDE ALONG CONSTRUCTION LENGTH)	26,658	SY	\$1.00	\$26,658.33
19	TRAFFIC CONTROL	1	LS	\$5,000.00	\$5,000.00
				SUBTOTAL TRUNK LINE #1	\$1,036,043.33
				10% Contingency:	\$103,604.33
				8% Engineering and Surveying Fee:	\$82,883.47
				GRAND TOTAL:	\$1,223,000.00

WEST BASTROP VILLAGE TRUNK LINE #2

20	18" ADS SANITITE HP (0'-10' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	2200	LF	\$87.00	\$191,400.00
21	18" ADS SANITITE HP (10'-15' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	1370	LF	\$102.00	\$139,740.00
22	18" ADS SANITITE HP (15'-20' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	360	LF	\$116.00	\$41,760.00
23	4 FOOT DIAMETER FIBERGLASS MANHOLE (10 FOOT DEEP), WITH RING AND COVER	6	EA	\$10,400.00	\$62,400.00
24	4 FOOT DIAMETER FIBERGLASS MANHOLE (15 FOOT DEEP), WITH RING AND COVER	2	EA	\$11,700.00	\$23,400.00
25	4 FOOT DIAMETER FIBERGLASS MANHOLE (20 FOOT DEEP), WITH RING AND COVER	1	EA	\$14,100.00	\$14,100.00
26	BORE AND 30" STEEL ENCASMENT (FOR 18" WASTEWATER PIPE FOR WBV, 2 STREETS WITH CULVERTS)	150	LF	\$450.00	\$67,500.00
27	TRENCH EXCAVATION SAFETY SYSTEM	3930	LF	\$7.00	\$27,510.00
28	EROSION CONTROL (SILT FENCE ASSUMED 1 SIDE OF TRENCH)	3,930	LF	\$3.00	\$11,790.00
29	REVEGETATION (HYDROMULCH 75 FEET WIDE ALONG CONSTRUCTION LENGTH)	32,750	SY	\$1.00	\$32,750.00
30	TRAFFIC CONTROL	1	LS	\$10,000.00	\$10,000.00
				WEST BASTROP VILLAGE TRUNK LINE #2	\$622,350.00
				10% Contingency:	\$62,235.00
				8% Engineering and Surveying Fee:	\$49,788.00
				GRAND TOTAL:	\$735,000.00

FM 304 TRUNK LINE #3

31	42" HOBAS (10'-15' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	1700	LF	\$310.00	\$527,000.00
32	42" HOBAS (15'-20' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	1094	LF	\$355.00	\$388,370.00

33	42" HOBAS (20'-25' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	700	LF	\$380.00	\$266,000.00
34	6 FOOT DIAMETER FIBERGLASS MANHOLE (15 FOOT DEEP), WITH RING AND COVER	4	EA	\$18,100.00	\$72,400.00
35	6 FOOT DIAMETER FIBERGLASS MANHOLE (20 FOOT DEEP), WITH RING AND COVER	1	EA	\$21,200.00	\$21,200.00
36	TRENCH EXCAVATION SAFETY SYSTEM	3494	LF	\$7.00	\$24,458.00
37	FM 304 EASEMENT CLEARING AND DEMOLITION (1000 FT X 75 FEET), ASSUME \$5000 PER STATION	1	LS	\$50,000.00	\$50,000.00
38	HUNTERS CROSSING LIFT STATION DECOMMISSIONING AND RETROFIT	1	LS	\$50,000.00	\$50,000.00
39	FM 304 LOT RESTORATION ALLOWANCE	1	LS	\$100,000.00	\$100,000.00
40	EROSION CONTROL (SILT FENCE ASSUMED 1 SIDE OF TRENCH)	3,494	LF	\$3.00	\$10,482.00
41	REVEGETATION (HYDROMULCH 75 FEET WIDE ALONG CONSTRUCTION LENGTH)	29,117	SY	\$1.00	\$29,116.67
42	TRAFFIC CONTROL	1	LS	\$5,000.00	\$5,000.00

FM 304 TRUNK LINE #3 \$1,544,026.67
10% Contingency: \$154,402.67
8% Engineering and Surveying Fee: \$123,522.13
GRAND TOTAL: \$1,822,000.00

FM 304 & WWTP #3 TRUNK LINE #4

43	42" HOBAS (15'-20' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	1300	LF	\$355.00	\$461,500.00
44	42" HOBAS (20'-25' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	500	LF	\$380.00	\$190,000.00
45	6 FOOT DIAMETER FIBERGLASS MANHOLE (20 FOOT DEEP), WITH RING AND COVER	3	EA	\$21,200.00	\$63,600.00
46	BORE AND 54" STEEL ENCASEMENT (FOR 42" WASTEWATER PIPE, FM 304)	130	LF	\$900.00	\$117,000.00
47	TRENCH EXCAVATION SAFETY SYSTEM	1800	LF	\$7.00	\$12,600.00
48	EROSION CONTROL (SILT FENCE ASSUMED 1 SIDE OF TRENCH)	1,800	LF	\$3.00	\$5,400.00
49	REVEGETATION (HYDROMULCH 75 FEET WIDE ALONG CONSTRUCTION LENGTH)	15,000	SY	\$1.00	\$15,000.00
50	TRAFFIC CONTROL	1	LS	\$5,000.00	\$5,000.00

FM 304 TRUNK LINE #4 \$870,100.00
10% Contingency: \$87,010.00
8% Engineering and Surveying Fee: \$69,608.00
GRAND TOTAL: \$1,027,000.00

OTHER IMPROVEMENTS

51	12" PVC FORCEMAIN	2,200	LF	\$80.00	\$176,000.00
52	WATER, ELECTRIC AND TELEPHONE SERVICE TO NEW PLANT (ALLOWANCE)	1	LS	\$250,000.00	\$250,000.00
53	1.5 MGD WASTEWATER TREATMENT PLANT (WWTP #3)	1	LS	\$8,500,000.00	\$8,500,000.00
OTHER IMPROVEMENTS					\$8,926,000.00
10% Contingency:					\$892,600.00
8% Engineering and Surveying Fee:					\$714,080.00
GRAND TOTAL:					\$10,533,000.00

IMPROVEMENT DESCRIPTION	TOTAL	10% CONTINGENCY	ENGINEERING & SURVEYING	GRAND TOTAL
NIXON LINE	\$422,237.33	\$42,223.73	\$33,778.99	\$499,000.00
TRUNK LINE #1	\$1,036,043.33	\$103,604.33	\$82,883.47	\$1,223,000.00
WEST BASTROP VILLAGE TRUNK LINE #2	\$622,350.00	\$62,235.00	\$49,788.00	\$735,000.00
FM 304 TRUNK LINE #3	\$1,544,026.67	\$154,402.67	\$123,522.13	\$1,822,000.00
FM 304 TRUNK LINE #4	\$870,100.00	\$87,010.00	\$69,608.00	\$1,027,000.00
OTHER IMPROVEMENTS	\$8,926,000.00	\$892,600.00	\$714,080.00	\$10,533,000.00
TOTAL	\$13,420,757.33	\$1,342,075.73	\$1,073,660.59	\$15,839,000.00

1. Estimate based on Exhibit Option in wastewater study and was developed without a survey. Quantities and scope of work subject to change during final design.
2. Estimate assumes all open cut construction except FM 304 Crossings by bore and West Bastrop Village Bores across driveways\culverts.
3. Estimate does not include shallow gravity collection system paralleling trunk lines.
4. Estimate assumes open cut south of Hunters Crossing ammenity pond for the West Bastrop Village wastewater extension.
5. Estimate does not include easement acquisition cost and fees, such as but not limited to attorney fees, survey, payment to landowner, etc.
6. Should east side wastewater flows shift to west side, improvements will be required to central lift station, river lift station, and WWTP #1 & #2.
7. It is assumed AQUA water is available at the the WWTP #3 driveway entrance at FM 304.
8. Engineering and surveying percentage assumes all work done concurrently as two bid packages (treatment plant and lines).
9. Quantities, bids and actual cost may vary significantly from estimated cost shown. Estimated costs reflected are professional opinions based on experience, available data and limited information. BEFCO ENGINEERING, INC. has no control over actual construction cost and makes no guarantee on the accuracy of these estimates.

CITY OF BASTROP

WASTEWATER IMPROVEMENTS (ADS & HOBAS Pipe) w/1.5 MGD WWTP PRELIMINARY OPINION OF CONSTRUCTION COST

Prepared By BEFCO Engineering, Inc.

Date: 1/6/16

Item	Description	Quantity	Units	Unit Price	Total
<u>NIXON LINE</u>					
1	24" ADS SANITITE HP (0'-10' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	2662	LF	\$107.00	\$284,834.00
2	6 FOOT DIAMETER FIBERGLASS MANHOLE (10 FOOT DEEP); INSTALLED ON EXISTING LINE WITH RING AND COVER	1	EA	\$18,900.00	\$18,900.00
3	6 FOOT DIAMETER FIBERGLASS MANHOLE (10 FOOT DEEP), WITH RING AND COVER	3	EA	\$14,900.00	\$44,700.00
4	TRENCH EXCAVATION SAFETY SYSTEM	2662	LF	\$7.00	\$18,634.00
5	NIXON LINE TREE CLEARING (1000 FT X 75 FEET), ASSUME \$2,000 PER STATION	1	LS	\$20,000.00	\$20,000.00
6	EROSION CONTROL (SILT FENCE ASSUMED 1 SIDE OF TRENCH)	2,662	LF	\$3.00	\$7,986.00
7	REVEGETATION (HYDROMULCH 75 FEET WIDE ALONG CONSTRUCTION LENGTH)	22,183	SY	\$1.00	\$22,183.33
8	TRAFFIC CONTROL	1	LS	\$5,000.00	\$5,000.00
SUBTOTAL NIXON LINE					\$422,237.33
10% Contingency:					\$42,223.73
8% Engineering and Surveying Fee:					\$33,778.99
GRAND TOTAL:					\$499,000.00
<u>TRUNK LINE #1</u>					
9	36" HOBAS (10'-15' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	1193	LF	\$225.00	\$268,425.00
10	36" HOBAS (15'-20' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	2006	LF	\$245.00	\$491,470.00
11	6 FOOT DIAMETER FIBERGLASS MANHOLE (10 FOOT DEEP), WITH RING AND COVER	2	EA	\$14,900.00	\$29,800.00
12	6 FOOT DIAMETER FIBERGLASS MANHOLE (15 FOOT DEEP), WITH RING AND COVER	1	EA	\$18,100.00	\$18,100.00
13	6 FOOT DIAMETER FIBERGLASS MANHOLE (20 FOOT DEEP), WITH RING AND COVER	1	EA	\$21,200.00	\$21,200.00
14	BORE AND 48" STEEL ENCASEMENT (FOR 36" WASTEWATER PIPE, FM 304)	130	LF	\$680.00	\$88,400.00
15	TRENCH EXCAVATION SAFETY SYSTEM	3199	LF	\$7.00	\$22,393.00

16	TREE CLEARING (2800 FT X 75 FEET), ASSUME \$2,000 PER STATION	1	LS	\$55,000.00	\$55,000.00
17	EROSION CONTROL (SILT FENCE ASSUMED 1 SIDE OF TRENCH)	3,199	LF	\$3.00	\$9,597.00
18	REVEGETATION (HYDROMULCH 75 FEET WIDE ALONG CONSTRUCTION LENGTH)	26,658	SY	\$1.00	\$26,658.33
19	TRAFFIC CONTROL	1	LS	\$5,000.00	\$5,000.00
				SUBTOTAL TRUNK LINE #1	\$1,036,043.33
				10% Contingency:	\$103,604.33
				8% Engineering and Surveying Fee:	\$82,883.47
				GRAND TOTAL:	\$1,223,000.00

WEST BASTROP VILLAGE TRUNK LINE #2

20	18" ADS SANITITE HP (0'-10' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	2200	LF	\$87.00	\$191,400.00
21	18" ADS SANITITE HP (10'-15' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	1370	LF	\$102.00	\$139,740.00
22	18" ADS SANITITE HP (15'-20' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	360	LF	\$116.00	\$41,760.00
23	4 FOOT DIAMETER FIBERGLASS MANHOLE (10 FOOT DEEP), WITH RING AND COVER	6	EA	\$10,400.00	\$62,400.00
24	4 FOOT DIAMETER FIBERGLASS MANHOLE (15 FOOT DEEP), WITH RING AND COVER	2	EA	\$11,700.00	\$23,400.00
25	4 FOOT DIAMETER FIBERGLASS MANHOLE (20 FOOT DEEP), WITH RING AND COVER	1	EA	\$14,100.00	\$14,100.00
26	BORE AND 30" STEEL ENCASEMENT (FOR 18" WASTEWATER PIPE FOR WBV, 2 STREETS WITH CULVERTS)	150	LF	\$450.00	\$67,500.00
27	TRENCH EXCAVATION SAFETY SYSTEM	3930	LF	\$7.00	\$27,510.00
28	EROSION CONTROL (SILT FENCE ASSUMED 1 SIDE OF TRENCH)	3,930	LF	\$3.00	\$11,790.00
29	REVEGETATION (HYDROMULCH 75 FEET WIDE ALONG CONSTRUCTION LENGTH)	32,750	SY	\$1.00	\$32,750.00
30	TRAFFIC CONTROL	1	LS	\$10,000.00	\$10,000.00
				WEST BASTROP VILLAGE TRUNK LINE #2	\$622,350.00
				10% Contingency:	\$62,235.00
				8% Engineering and Surveying Fee:	\$49,788.00
				GRAND TOTAL:	\$735,000.00

FM 304 TRUNK LINE #3

31	42" HOBAS (10'-15' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	1700	LF	\$310.00	\$527,000.00
32	42" HOBAS (15'-20' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	1094	LF	\$355.00	\$388,370.00

33	42" HOBAS (20'-25' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	700	LF	\$380.00	\$266,000.00
34	6 FOOT DIAMETER FIBERGLASS MANHOLE (15 FOOT DEEP), WITH RING AND COVER	4	EA	\$18,100.00	\$72,400.00
35	6 FOOT DIAMETER FIBERGLASS MANHOLE (20 FOOT DEEP), WITH RING AND COVER	1	EA	\$21,200.00	\$21,200.00
36	TRENCH EXCAVATION SAFETY SYSTEM	3494	LF	\$7.00	\$24,458.00
37	FM 304 EASEMENT CLEARING AND DEMOLITION (1000 FT X 75 FEET), ASSUME \$5000 PER STATION	1	LS	\$50,000.00	\$50,000.00
38	HUNTERS CROSSING LIFT STATION DECOMMISSIONING AND RETROFIT	1	LS	\$50,000.00	\$50,000.00
39	FM 304 LOT RESTORATION ALLOWANCE	1	LS	\$100,000.00	\$100,000.00
40	EROSION CONTROL (SILT FENCE ASSUMED 1 SIDE OF TRENCH)	3,494	LF	\$3.00	\$10,482.00
41	REVEGETATION (HYDROMULCH 75 FEET WIDE ALONG CONSTRUCTION LENGTH)	29,117	SY	\$1.00	\$29,116.67
42	TRAFFIC CONTROL	1	LS	\$5,000.00	\$5,000.00
				FM 304 TRUNK LINE #3	\$1,544,026.67
				10% Contingency:	\$154,402.67
				8% Engineering and Surveying Fee:	\$123,522.13
				GRAND TOTAL:	\$1,822,000.00

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47	TRENCH EXCAVATION SAFETY SYSTEM	1800	LF	\$7.00	\$12,600.00
48	EROSION CONTROL (SILT FENCE ASSUMED 1 SIDE OF TRENCH)	1,800	LF	\$3.00	\$5,400.00
49	REVEGETATION (HYDROMULCH 75 FEET WIDE ALONG CONSTRUCTION LENGTH)	15,000	SY	\$1.00	\$15,000.00
50	TRAFFIC CONTROL	1	LS	\$5,000.00	\$5,000.00
				FM 304 TRUNK LINE #4	\$870,100.00
				10% Contingency:	\$87,010.00
				8% Engineering and Surveying Fee:	\$69,608.00
				GRAND TOTAL:	\$1,027,000.00

OTHER IMPROVEMENTS

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IMPROVEMENT DESCRIPTION	TOTAL	10% CONTINGENCY	ENGINEERING & SURVEYING	GRAND TOTAL
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TOTAL	\$13,420,757.33	\$1,342,075.73	\$1,073,660.59	\$15,839,000.00

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CITY OF BASTROP

WASTEWATER IMPROVEMENTS (ADS & HOBAS Pipe) w/1.0 MGD WWTP PRELIMINARY OPINION OF CONSTRUCTION COST

Prepared By BEFCO Engineering, Inc.
Date: 1/6/16

Item	Description	Quantity	Units	Unit Price	Total
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4	TRENCH EXCAVATION SAFETY SYSTEM	2662	LF	\$7.00	\$18,634.00
5	NIXON LINE TREE CLEARING (1000 FT X 75 FEET), ASSUME \$2,000 PER STATION	1	LS	\$20,000.00	\$20,000.00
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7	REVEGETATION (HYDROMULCH 75 FEET WIDE ALONG CONSTRUCTION LENGTH)	22,183	SY	\$1.00	\$22,183.33
8	TRAFFIC CONTROL	1	LS	\$5,000.00	\$5,000.00
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GRAND TOTAL:					\$499,000.00
<u>TRUNK LINE #1</u>					
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13	6 FOOT DIAMETER FIBERGLASS MANHOLE (20 FOOT DEEP), WITH RING AND COVER	1	EA	\$21,200.00	\$21,200.00
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15	TRENCH EXCAVATION SAFETY SYSTEM	3199	LF	\$7.00	\$22,393.00

16	TREE CLEARING (2800 FT X 75 FEET), ASSUME \$2,000 PER STATION	1	LS	\$55,000.00	\$55,000.00
17	EROSION CONTROL (SILT FENCE ASSUMED 1 SIDE OF TRENCH)	3,199	LF	\$3.00	\$9,597.00
18	REVEGETATION (HYDROMULCH 75 FEET WIDE ALONG CONSTRUCTION LENGTH)	26,658	SY	\$1.00	\$26,658.33
19	TRAFFIC CONTROL	1	LS	\$5,000.00	\$5,000.00
				SUBTOTAL TRUNK LINE #1	\$1,036,043.33
				10% Contingency:	\$103,604.33
				8% Engineering and Surveying Fee:	\$82,883.47
				GRAND TOTAL:	\$1,223,000.00

WEST BASTROP VILLAGE TRUNK LINE #2

20	18" ADS SANITITE HP (0'-10' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	2200	LF	\$87.00	\$191,400.00
21	18" ADS SANITITE HP (10'-15' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	1370	LF	\$102.00	\$139,740.00
22	18" ADS SANITITE HP (15'-20' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	360	LF	\$116.00	\$41,760.00
23	4 FOOT DIAMETER FIBERGLASS MANHOLE (10 FOOT DEEP), WITH RING AND COVER	6	EA	\$10,400.00	\$62,400.00
24	4 FOOT DIAMETER FIBERGLASS MANHOLE (15 FOOT DEEP), WITH RING AND COVER	2	EA	\$11,700.00	\$23,400.00
25	4 FOOT DIAMETER FIBERGLASS MANHOLE (20 FOOT DEEP), WITH RING AND COVER	1	EA	\$14,100.00	\$14,100.00
26	BORE AND 30" STEEL ENCASEMENT (FOR 18" WASTEWATER PIPE FOR WBV, 2 STREETS WITH CULVERTS)	150	LF	\$450.00	\$67,500.00
27	TRENCH EXCAVATION SAFETY SYSTEM	3930	LF	\$7.00	\$27,510.00
28	EROSION CONTROL (SILT FENCE ASSUMED 1 SIDE OF TRENCH)	3,930	LF	\$3.00	\$11,790.00
29	REVEGETATION (HYDROMULCH 75 FEET WIDE ALONG CONSTRUCTION LENGTH)	32,750	SY	\$1.00	\$32,750.00
30	TRAFFIC CONTROL	1	LS	\$10,000.00	\$10,000.00
				WEST BASTROP VILLAGE TRUNK LINE #2	\$622,350.00
				10% Contingency:	\$62,235.00
				8% Engineering and Surveying Fee:	\$49,788.00
				GRAND TOTAL:	\$735,000.00

FM 304 TRUNK LINE #3

31	42" HOBAS (10'-15' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	1700	LF	\$310.00	\$527,000.00
32	42" HOBAS (15'-20' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	1094	LF	\$355.00	\$388,370.00

33	42" HOBAS (20'-25' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	700	LF	\$380.00	\$266,000.00
34	6 FOOT DIAMETER FIBERGLASS MANHOLE (15 FOOT DEEP), WITH RING AND COVER	4	EA	\$18,100.00	\$72,400.00
35	6 FOOT DIAMETER FIBERGLASS MANHOLE (20 FOOT DEEP), WITH RING AND COVER	1	EA	\$21,200.00	\$21,200.00
36	TRENCH EXCAVATION SAFETY SYSTEM	3494	LF	\$7.00	\$24,458.00
37	FM 304 EASEMENT CLEARING AND DEMOLITION (1000 FT X 75 FEET), ASSUME \$5000 PER STATION	1	LS	\$50,000.00	\$50,000.00
38	HUNTERS CROSSING LIFT STATION DECOMMISSIONING AND RETROFIT	1	LS	\$50,000.00	\$50,000.00
39	FM 304 LOT RESTORATION ALLOWANCE	1	LS	\$100,000.00	\$100,000.00
40	EROSION CONTROL (SILT FENCE ASSUMED 1 SIDE OF TRENCH)	3,494	LF	\$3.00	\$10,482.00
41	REVEGETATION (HYDROMULCH 75 FEET WIDE ALONG CONSTRUCTION LENGTH)	29,117	SY	\$1.00	\$29,116.67
42	TRAFFIC CONTROL	1	LS	\$5,000.00	\$5,000.00

FM 304 TRUNK LINE #3 **\$1,544,026.67**
10% Contingency: **\$154,402.67**
8% Engineering and Surveying Fee: **\$123,522.13**
GRAND TOTAL: **\$1,822,000.00**

FM 304 & WWTP #3 TRUNK LINE #4

43	42" HOBAS (15'-20' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	1300	LF	\$355.00	\$461,500.00
44	42" HOBAS (20'-25' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	500	LF	\$380.00	\$190,000.00
45	6 FOOT DIAMETER FIBERGLASS MANHOLE (20 FOOT DEEP), WITH RING AND COVER	3	EA	\$21,200.00	\$63,600.00
46	BORE AND 54" STEEL ENCASEMENT (FOR 42" WASTEWATER PIPE, FM 304)	130	LF	\$900.00	\$117,000.00
47	TRENCH EXCAVATION SAFETY SYSTEM	1800	LF	\$7.00	\$12,600.00
48	EROSION CONTROL (SILT FENCE ASSUMED 1 SIDE OF TRENCH)	1,800	LF	\$3.00	\$5,400.00
49	REVEGETATION (HYDROMULCH 75 FEET WIDE ALONG CONSTRUCTION LENGTH)	15,000	SY	\$1.00	\$15,000.00
50	TRAFFIC CONTROL	1	LS	\$5,000.00	\$5,000.00

FM 304 TRUNK LINE #4 **\$870,100.00**
10% Contingency: **\$87,010.00**
8% Engineering and Surveying Fee: **\$69,608.00**
GRAND TOTAL: **\$1,027,000.00**

OTHER IMPROVEMENTS

51	12" PVC FORCEMAIN	2,200	LF	\$80.00	\$176,000.00
52	WATER, ELECTRIC AND TELEPHONE SERVICE TO NEW PLANT (ALLOWANCE)	1	LS	\$250,000.00	\$250,000.00
53	1.0 MGD WASTEWATER TREATMENT PLANT (WWTP #3)	1	LS	\$7,000,000.00	\$7,000,000.00
OTHER IMPROVEMENTS					\$7,426,000.00
10% Contingency:					\$742,600.00
8% Engineering and Surveying Fee:					\$594,080.00
GRAND TOTAL:					\$8,763,000.00

IMPROVEMENT DESCRIPTION	TOTAL	10% CONTINGENCY	ENGINEERING & SURVEYING	GRAND TOTAL
NIXON LINE	\$422,237.33	\$42,223.73	\$33,778.99	\$499,000.00
TRUNK LINE #1	\$1,036,043.33	\$103,604.33	\$82,883.47	\$1,223,000.00
WEST BASTROP VILLAGE TRUNK LINE #2	\$622,350.00	\$62,235.00	\$49,788.00	\$735,000.00
FM 304 TRUNK LINE #3	\$1,544,026.67	\$154,402.67	\$123,522.13	\$1,822,000.00
FM 304 TRUNK LINE #4	\$870,100.00	\$87,010.00	\$69,608.00	\$1,027,000.00
OTHER IMPROVEMENTS	\$7,426,000.00	\$742,600.00	\$594,080.00	\$8,763,000.00
TOTAL	\$11,920,757.33	\$1,192,075.73	\$953,660.59	\$14,069,000.00

1. Estimate based on Exhibit Option in wastewater study and was developed without a survey. Quantities and scope of work subject to change during final design.
2. Estimate assumes all open cut construction except FM 304 Crossings by bore and West Bastrop Village Bores across driveways/culverts.
3. Estimate does not include shallow gravity collection system paralleling trunk lines.
4. Estimate assumes open cut south of Hunters Crossing amenity pond for the West Bastrop Village wastewater extension.
5. Estimate does not include easement acquisition cost and fees, such as but not limited to attorney fees, survey, payment to landowner, etc.
6. Should east side wastewater flows shift to west side, improvements will be required to central lift station, river lift station, and WWTP #1 & #2.
7. It is assumed AQUA water is available at the the WWTP #3 driveway entrance at FM 304.
8. Engineering and surveying percentage assumes all work done concurrently as two bid packages (treatment plant and lines).
9. Quantities, bids and actual cost may vary significantly from estimated cost shown. Estimated costs reflected are professional opinions based on experience, available data and limited information. BEFCO ENGINEERING, INC. has no control over actual construction cost and makes no guarantee on the accuracy of these estimates.

CITY OF BASTROP

WASTEWATER IMPROVEMENTS (ALL ADS Pipe) w/1.0 MGD WWTP PRELIMINARY OPINION OF CONSTRUCTION COST

Prepared By BEFCO Engineering, Inc.
Date: 1/6/16

Item	Description	Quantity	Units	Unit Price	Total
<u>NIXON LINE</u>					
1	24" ADS SANITITE HP (0'-10' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	2662	LF	\$107.00	\$284,834.00
2	6 FOOT DIAMETER FIBERGLASS MANHOLE (10 FOOT DEEP); INSTALLED ON EXISTING LINE WITH RING AND COVER	1	EA	\$18,900.00	\$18,900.00
3	6 FOOT DIAMETER FIBERGLASS MANHOLE (10 FOOT DEEP), WITH RING AND COVER	3	EA	\$14,900.00	\$44,700.00
4	TRENCH EXCAVATION SAFETY SYSTEM	2662	LF	\$7.00	\$18,634.00
5	NIXON LINE TREE CLEARING (1000 FT X 75 FEET), ASSUME \$2,000 PER STATION	1	LS	\$20,000.00	\$20,000.00
6	EROSION CONTROL (SILT FENCE ASSUMED 1 SIDE OF TRENCH)	2,662	LF	\$3.00	\$7,986.00
7	REVEGETATION (HYDROMULCH 75 FEET WIDE ALONG CONSTRUCTION LENGTH)	22,183	SY	\$1.00	\$22,183.33
8	TRAFFIC CONTROL	1	LS	\$5,000.00	\$5,000.00
SUBTOTAL NIXON LINE					\$422,237.33
10% Contingency:					\$42,223.73
8% Engineering and Surveying Fee:					\$33,778.99
GRAND TOTAL:					\$499,000.00
<u>TRUNK LINE #1</u>					
9	36" ADS SANITITE (10'-15' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	1193	LF	\$153.00	\$182,529.00
10	36" ADS SANITITE (15'-20' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	2006	LF	\$173.00	\$347,038.00
11	6 FOOT DIAMETER FIBERGLASS MANHOLE (10 FOOT DEEP), WITH RING AND COVER	2	EA	\$14,900.00	\$29,800.00
12	6 FOOT DIAMETER FIBERGLASS MANHOLE (15 FOOT DEEP), WITH RING AND COVER	1	EA	\$18,100.00	\$18,100.00
13	6 FOOT DIAMETER FIBERGLASS MANHOLE (20 FOOT DEEP), WITH RING AND COVER	1	EA	\$21,200.00	\$21,200.00
14	BORE AND 48" STEEL ENCASEMENT (FOR 36" WASTEWATER PIPE, FM 304)	130	LF	\$680.00	\$88,400.00
15	TRENCH EXCAVATION SAFETY SYSTEM	3199	LF	\$7.00	\$22,393.00

16	TREE CLEARING (2800 FT X 75 FEET), ASSUME \$2,000 PER STATION	1	LS	\$55,000.00	\$55,000.00
17	EROSION CONTROL (SILT FENCE ASSUMED 1 SIDE OF TRENCH)	3,199	LF	\$3.00	\$9,597.00
18	REVEGETATION (HYDROMULCH 75 FEET WIDE ALONG CONSTRUCTION LENGTH)	26,658	SY	\$1.00	\$26,658.33
19	TRAFFIC CONTROL	1	LS	\$5,000.00	\$5,000.00
				SUBTOTAL TRUNK LINE #1	\$805,715.33
				10% Contingency:	\$80,571.53
				8% Engineering and Surveying Fee:	\$64,457.23
				GRAND TOTAL:	\$951,000.00

WEST BASTROP VILLAGE TRUNK LINE #2

20	18" ADS SANITITE HP (0'-10' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	2200	LF	\$87.00	\$191,400.00
21	18" ADS SANITITE HP (10'-15' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	1370	LF	\$102.00	\$139,740.00
22	18" ADS SANITITE HP (15'-20' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	360	LF	\$116.00	\$41,760.00
23	4 FOOT DIAMETER FIBERGLASS MANHOLE (10 FOOT DEEP), WITH RING AND COVER	6	EA	\$10,400.00	\$62,400.00
24	4 FOOT DIAMETER FIBERGLASS MANHOLE (15 FOOT DEEP), WITH RING AND COVER	2	EA	\$11,700.00	\$23,400.00
25	4 FOOT DIAMETER FIBERGLASS MANHOLE (20 FOOT DEEP), WITH RING AND COVER	1	EA	\$14,100.00	\$14,100.00
26	BORE AND 30" STEEL ENCASEMENT (FOR 18" WASTEWATER PIPE FOR WBV, 2 STREETS WITH CULVERTS)	150	LF	\$450.00	\$67,500.00
27	TRENCH EXCAVATION SAFETY SYSTEM	3930	LF	\$7.00	\$27,510.00
28	EROSION CONTROL (SILT FENCE ASSUMED 1 SIDE OF TRENCH)	3,930	LF	\$3.00	\$11,790.00
29	REVEGETATION (HYDROMULCH 75 FEET WIDE ALONG CONSTRUCTION LENGTH)	32,750	SY	\$1.00	\$32,750.00
30	TRAFFIC CONTROL	1	LS	\$10,000.00	\$10,000.00
				WEST BASTROP VILLAGE TRUNK LINE #2	\$622,350.00
				10% Contingency:	\$62,235.00
				8% Engineering and Surveying Fee:	\$49,788.00
				GRAND TOTAL:	\$735,000.00

FM 304 TRUNK LINE #3

31	42" ADS SANITITE (10'-15' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	1700	LF	\$225.00	\$382,500.00
32	42" ADS SANITITE (15'-20' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	1094	LF	\$270.00	\$295,380.00

33	42" ADS SANITITE (20'-25' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	700	LF	\$295.00	\$206,500.00
34	6 FOOT DIAMETER FIBERGLASS MANHOLE (15 FOOT DEEP), WITH RING AND COVER	4	EA	\$18,100.00	\$72,400.00
35	6 FOOT DIAMETER FIBERGLASS MANHOLE (20 FOOT DEEP), WITH RING AND COVER	1	EA	\$21,200.00	\$21,200.00
36	TRENCH EXCAVATION SAFETY SYSTEM	3494	LF	\$7.00	\$24,458.00
37	FM 304 EASEMENT CLEARING AND DEMOLITION (1000 FT X 75 FEET), ASSUME \$5000 PER STATION	1	LS	\$50,000.00	\$50,000.00
38	HUNTERS CROSSING LIFT STATION DECOMMISSIONING AND RETROFIT	1	LS	\$50,000.00	\$50,000.00
39	FM 304 LOT RESTORATION ALLOWANCE	1	LS	\$100,000.00	\$100,000.00
40	EROSION CONTROL (SILT FENCE ASSUMED 1 SIDE OF TRENCH)	3,494	LF	\$3.00	\$10,482.00
41	REVEGETATION (HYDROMULCH 75 FEET WIDE ALONG CONSTRUCTION LENGTH)	29,117	SY	\$1.00	\$29,116.67
42	TRAFFIC CONTROL	1	LS	\$5,000.00	\$5,000.00

FM 304 TRUNK LINE #3 \$1,247,036.67
10% Contingency: \$124,703.67
8% Engineering and Surveying Fee: \$99,762.93
GRAND TOTAL: \$1,472,000.00

FM 304 & WWTP #3 TRUNK LINE #4

43	42" ADS SANITITE (15'-20' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	1300	LF	\$270.00	\$351,000.00
44	42" ADS SANITITE (20'-25' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	500	LF	\$295.00	\$147,500.00
45	6 FOOT DIAMETER FIBERGLASS MANHOLE (20 FOOT DEEP), WITH RING AND COVER	3	EA	\$21,200.00	\$63,600.00
46	BORE AND 54" STEEL ENCASEMENT (FOR 42" WASTEWATER PIPE, FM 304)	130	LF	\$900.00	\$117,000.00
47	TRENCH EXCAVATION SAFETY SYSTEM	1800	LF	\$7.00	\$12,600.00
48	EROSION CONTROL (SILT FENCE ASSUMED 1 SIDE OF TRENCH)	1,800	LF	\$3.00	\$5,400.00
49	REVEGETATION (HYDROMULCH 75 FEET WIDE ALONG CONSTRUCTION LENGTH)	15,000	SY	\$1.00	\$15,000.00
50	TRAFFIC CONTROL	1	LS	\$5,000.00	\$5,000.00

FM 304 TRUNK LINE #4 \$717,100.00
10% Contingency: \$71,710.00
8% Engineering and Surveying Fee: \$57,368.00
GRAND TOTAL: \$847,000.00

OTHER IMPROVEMENTS

51	12" PVC FORCEMAIN	2,200	LF	\$80.00	\$176,000.00
52	WATER, ELECTRIC AND TELEPHONE SERVICE TO NEW PLANT (ALLOWANCE)	1	LS	\$250,000.00	\$250,000.00
53	1.0 MGD WASTEWATER TREATMENT PLANT (WWTP #3)	1	LS	\$7,000,000.00	\$7,000,000.00
				OTHER IMPROVEMENTS	\$7,426,000.00
				10% Contingency:	\$742,600.00
				8% Engineering and Surveying Fee:	\$594,080.00
				GRAND TOTAL:	\$8,763,000.00

IMPROVEMENT DESCRIPTION	TOTAL	10% CONTINGENCY	ENGINEERING & SURVEYING	GRAND TOTAL
NIXON LINE	\$422,237.33	\$42,223.73	\$33,778.99	\$499,000.00
TRUNK LINE #1	\$805,715.33	\$80,571.53	\$64,457.23	\$951,000.00
WEST BASTROP VILLAGE TRUNK LINE #2	\$622,350.00	\$62,235.00	\$49,788.00	\$735,000.00
FM 304 TRUNK LINE #3	\$1,247,036.67	\$124,703.67	\$99,762.93	\$1,472,000.00
FM 304 TRUNK LINE #4	\$717,100.00	\$71,710.00	\$57,368.00	\$847,000.00
OTHER IMPROVEMENTS	\$7,426,000.00	\$742,600.00	\$594,080.00	\$8,763,000.00
TOTAL	\$11,240,439.33	\$1,124,043.93	\$899,235.15	\$13,267,000.00

1. Estimate based on Exhibit Option in wastewater study and was developed without a survey. Quantities and scope of work subject to change during final design.
2. Estimate assumes all open cut construction except FM 304 Crossings by bore and West Bastrop Village Bores across driveways\culverts.
3. Estimate does not include shallow gravity collection system paralleling trunk lines.
4. Estimate assumes open cut south of Hunters Crossing amenity pond for the West Bastrop Village wastewater extension.
5. Estimate does not include easement acquisition cost and fees, such as but not limited to attorney fees, survey, payment to landowner, etc.
6. Should east side wastewater flows shift to west side, improvements will be required to central lift station, river lift station, and WWTP #1 & #2.
7. It is assumed AQUA water is available at the the WWTP #3 driveway entrance at FM 304.
8. Engineering and surveying percentage assumes all work done concurrently as two bid packages (treatment plant and lines).
9. Quantities, bids and actual cost may vary significantly from estimated cost shown. Estimated costs reflected are professional opinions based on experience, available data and limited information. BEFCO ENGINEERING, INC. has no control over actual construction cost and makes no guarantee on the accuracy of these estimates.

CITY OF BASTROP

WASTEWATER IMPROVEMENTS (ALL ADS Pipe) w/1.5 MGD WWTP PRELIMINARY OPINION OF CONSTRUCTION COST

Prepared By BEFCO Engineering, Inc.
Date: 1/6/16

Item	Description	Quantity	Units	Unit Price	Total
<u>NIXON LINE</u>					
1	24" ADS SANITITE HP (0'-10' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	2662	LF	\$107.00	\$284,834.00
2	6 FOOT DIAMETER FIBERGLASS MANHOLE (10 FOOT DEEP); INSTALLED ON EXISTING LINE WITH RING AND COVER	1	EA	\$18,900.00	\$18,900.00
3	6 FOOT DIAMETER FIBERGLASS MANHOLE (10 FOOT DEEP), WITH RING AND COVER	3	EA	\$14,900.00	\$44,700.00
4	TRENCH EXCAVATION SAFETY SYSTEM	2662	LF	\$7.00	\$18,634.00
5	NIXON LINE TREE CLEARING (1000 FT X 75 FEET), ASSUME \$2,000 PER STATION	1	LS	\$20,000.00	\$20,000.00
6	EROSION CONTROL (SILT FENCE ASSUMED 1 SIDE OF TRENCH)	2,662	LF	\$3.00	\$7,986.00
7	REVEGETATION (HYDROMULCH 75 FEET WIDE ALONG CONSTRUCTION LENGTH)	22,183	SY	\$1.00	\$22,183.33
8	TRAFFIC CONTROL	1	LS	\$5,000.00	\$5,000.00
SUBTOTAL NIXON LINE					\$422,237.33
10% Contingency:					\$42,223.73
8% Engineering and Surveying Fee:					\$33,778.99
GRAND TOTAL:					\$499,000.00
<u>TRUNK LINE #1</u>					
9	36" ADS SANITITE (10'-15' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	1193	LF	\$153.00	\$182,529.00
10	36" ADS SANITITE (15'-20' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	2006	LF	\$173.00	\$347,038.00
11	6 FOOT DIAMETER FIBERGLASS MANHOLE (10 FOOT DEEP), WITH RING AND COVER	2	EA	\$14,900.00	\$29,800.00
12	6 FOOT DIAMETER FIBERGLASS MANHOLE (15 FOOT DEEP), WITH RING AND COVER	1	EA	\$18,100.00	\$18,100.00
13	6 FOOT DIAMETER FIBERGLASS MANHOLE (20 FOOT DEEP), WITH RING AND COVER	1	EA	\$21,200.00	\$21,200.00
14	BORE AND 48" STEEL ENCASMENT (FOR 36" WASTEWATER PIPE, FM 304)	130	LF	\$680.00	\$88,400.00
15	TRENCH EXCAVATION SAFETY SYSTEM	3199	LF	\$7.00	\$22,393.00

16	TREE CLEARING (2800 FT X 75 FEET), ASSUME \$2,000 PER STATION	1	LS	\$55,000.00	\$55,000.00
17	EROSION CONTROL (SILT FENCE ASSUMED 1 SIDE OF TRENCH)	3,199	LF	\$3.00	\$9,597.00
18	REVEGETATION (HYDROMULCH 75 FEET WIDE ALONG CONSTRUCTION LENGTH)	26,658	SY	\$1.00	\$26,658.33
19	TRAFFIC CONTROL	1	LS	\$5,000.00	\$5,000.00
				SUBTOTAL TRUNK LINE #1	\$805,715.33
				10% Contingency:	\$80,571.53
				8% Engineering and Surveying Fee:	\$64,457.23
				GRAND TOTAL:	\$951,000.00

WEST BASTROP VILLAGE TRUNK LINE #2

20	18" ADS SANITITE HP (0'-10' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	2200	LF	\$87.00	\$191,400.00
21	18" ADS SANITITE HP (10'-15' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	1370	LF	\$102.00	\$139,740.00
22	18" ADS SANITITE HP (15'-20' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	360	LF	\$116.00	\$41,760.00
23	4 FOOT DIAMETER FIBERGLASS MANHOLE (10 FOOT DEEP), WITH RING AND COVER	6	EA	\$10,400.00	\$62,400.00
24	4 FOOT DIAMETER FIBERGLASS MANHOLE (15 FOOT DEEP), WITH RING AND COVER	2	EA	\$11,700.00	\$23,400.00
25	4 FOOT DIAMETER FIBERGLASS MANHOLE (20 FOOT DEEP), WITH RING AND COVER	1	EA	\$14,100.00	\$14,100.00
26	BORE AND 30" STEEL ENCASEMENT (FOR 18" WASTEWATER PIPE FOR WBV, 2 STREETS WITH CULVERTS)	150	LF	\$450.00	\$67,500.00
27	TRENCH EXCAVATION SAFETY SYSTEM	3930	LF	\$7.00	\$27,510.00
28	EROSION CONTROL (SILT FENCE ASSUMED 1 SIDE OF TRENCH)	3,930	LF	\$3.00	\$11,790.00
29	REVEGETATION (HYDROMULCH 75 FEET WIDE ALONG CONSTRUCTION LENGTH)	32,750	SY	\$1.00	\$32,750.00
30	TRAFFIC CONTROL	1	LS	\$10,000.00	\$10,000.00
				WEST BASTROP VILLAGE TRUNK LINE #2	\$622,350.00
				10% Contingency:	\$62,235.00
				8% Engineering and Surveying Fee:	\$49,788.00
				GRAND TOTAL:	\$735,000.00

FM 304 TRUNK LINE #3

31	42" ADS SANITITE (10'-15' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	1700	LF	\$225.00	\$382,500.00
32	42" ADS SANITITE (15'-20' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	1094	LF	\$270.00	\$295,380.00

33	42" ADS SANITITE (20'-25' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	700	LF	\$295.00	\$206,500.00
34	6 FOOT DIAMETER FIBERGLASS MANHOLE (15 FOOT DEEP), WITH RING AND COVER	4	EA	\$18,100.00	\$72,400.00
35	6 FOOT DIAMETER FIBERGLASS MANHOLE (20 FOOT DEEP), WITH RING AND COVER	1	EA	\$21,200.00	\$21,200.00
36	TRENCH EXCAVATION SAFETY SYSTEM	3494	LF	\$7.00	\$24,458.00
37	FM 304 EASEMENT CLEARING AND DEMOLITION (1000 FT X 75 FEET), ASSUME \$5000 PER STATION	1	LS	\$50,000.00	\$50,000.00
38	HUNTERS CROSSING LIFT STATION DECOMMISSIONING AND RETROFIT	1	LS	\$50,000.00	\$50,000.00
39	FM 304 LOT RESTORATION ALLOWANCE	1	LS	\$100,000.00	\$100,000.00
40	EROSION CONTROL (SILT FENCE ASSUMED 1 SIDE OF TRENCH)	3,494	LF	\$3.00	\$10,482.00
41	REVEGETATION (HYDROMULCH 75 FEET WIDE ALONG CONSTRUCTION LENGTH)	29,117	SY	\$1.00	\$29,116.67
42	TRAFFIC CONTROL	1	LS	\$5,000.00	\$5,000.00

FM 304 TRUNK LINE #3 \$1,247,036.67
10% Contingency: \$124,703.67
8% Engineering and Surveying Fee: \$99,762.93
GRAND TOTAL: \$1,472,000.00

FM 304 & WWTP #3 TRUNK LINE #4

43	42" ADS SANITITE (15'-20' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	1300	LF	\$270.00	\$351,000.00
44	42" ADS SANITITE (20'-25' CUT) INCLUDING ALL TRENCHING, EXCAVATION, EMBEDMENT, BACKFILL AND TESTING	500	LF	\$295.00	\$147,500.00
45	6 FOOT DIAMETER FIBERGLASS MANHOLE (20 FOOT DEEP), WITH RING AND COVER	3	EA	\$21,200.00	\$63,600.00
46	BORE AND 54" STEEL ENCASEMENT (FOR 42" WASTEWATER PIPE, FM 304)	130	LF	\$900.00	\$117,000.00
47	TRENCH EXCAVATION SAFETY SYSTEM	1800	LF	\$7.00	\$12,600.00
48	EROSION CONTROL (SILT FENCE ASSUMED 1 SIDE OF TRENCH)	1,800	LF	\$3.00	\$5,400.00
49	REVEGETATION (HYDROMULCH 75 FEET WIDE ALONG CONSTRUCTION LENGTH)	15,000	SY	\$1.00	\$15,000.00
50	TRAFFIC CONTROL	1	LS	\$5,000.00	\$5,000.00

FM 304 TRUNK LINE #4 \$717,100.00
10% Contingency: \$71,710.00
8% Engineering and Surveying Fee: \$57,368.00
GRAND TOTAL: \$847,000.00

OTHER IMPROVEMENTS

51	12" PVC FORCEMAIN	2,200	LF	\$80.00	\$176,000.00	
52	WATER, ELECTRIC AND TELEPHONE SERVICE TO NEW PLANT (ALLOWANCE)	1	LS	\$250,000.00	\$250,000.00	
53	1.5 MGD WASTEWATER TREATMENT PLANT (WWTP #3)	1	LS	\$8,500,000.00	\$8,500,000.00	
					OTHER IMPROVEMENTS	\$8,926,000.00
					10% Contingency:	\$892,600.00
					8% Engineering and Surveying Fee:	\$714,080.00
					GRAND TOTAL:	\$10,533,000.00

IMPROVEMENT DESCRIPTION	TOTAL	10% CONTINGENCY	ENGINEERING & SURVEYING	GRAND TOTAL
NIXON LINE	\$422,237.33	\$42,223.73	\$33,778.99	\$499,000.00
TRUNK LINE #1	\$805,715.33	\$80,571.53	\$64,457.23	\$951,000.00
WEST BASTROP VILLAGE TRUNK LINE #2	\$622,350.00	\$62,235.00	\$49,788.00	\$735,000.00
FM 304 TRUNK LINE #3	\$1,247,036.67	\$124,703.67	\$99,762.93	\$1,472,000.00
FM 304 TRUNK LINE #4	\$717,100.00	\$71,710.00	\$57,368.00	\$847,000.00
OTHER IMPROVEMENTS	\$8,926,000.00	\$892,600.00	\$714,080.00	\$10,533,000.00
TOTAL	\$12,740,439.33	\$1,274,043.93	\$1,019,235.15	\$15,037,000.00

1. Estimate based on Exhibit Option in wastewater study and was developed without a survey. Quantities and scope of work subject to change during final design.
2. Estimate assumes all open cut construction except FM 304 Crossings by bore and West Bastrop Village Bores across driveways/culverts.
3. Estimate does not include shallow gravity collection system paralleling trunk lines.
4. Estimate assumes open cut south of Hunters Crossing amenity pond for the West Bastrop Village wastewater extension.
5. Estimate does not include easement acquisition cost and fees, such as but not limited to attorney fees, survey, payment to landowner, etc.
6. Should east side wastewater flows shift to west side, improvements will be required to central lift station, river lift station, and WWTP #1 & #2.
7. It is assumed AQUA water is available at the the WWTP #3 driveway entrance at FM 304.
8. Engineering and surveying percentage assumes all work done concurrently as two bid packages (treatment plant and lines).
9. Quantities, bids and actual cost may vary significantly from estimated cost shown. Estimated costs reflected are professional opinions based on experience, available data and limited information. BEFCO ENGINEERING, INC. has no control over actual construction cost and makes no guarantee on the accuracy of these estimates.

West Bastrop Village
Pro Rata Share of Infrastructure Improvements w/1.0 MGD WWTP
 Hobas Option [Both P: pro]

Item	Description ⁽¹⁾	Total Peak Flow(gpm) ⁽²⁾	WBV Flow (gpm) ⁽²⁾	WBV Pro Rata Share (%)	Total Cost ⁽³⁾	WBV Pro Rata Share (\$)
1	Trunk Line No. 2 - Bastrop Village East to Hunters Crossing	3,347	729	21.8%	\$735,000	\$160,230
2	Trunk Line No. 3 - Hunters Crossing to Shiloh Road	12,027	729	6.1%	\$1,822,000	\$111,142
3	Trunk Line No. 4 - Shiloh Road to WWTP No. 3	16,127	729	4.5%	\$1,027,000	\$46,215
4	Water, Electric, Telephone Services to WWTP No. 3 ⁽⁴⁾	-	729	30.0%	\$295,000	\$88,500
5	1.0 MGD WWTP No. 3 ⁽⁴⁾	-	729	30.0%	\$8,260,000	\$2,478,000
Total Pro Rata Share of Proposed Infrastructure=						\$2,884,087

West Bastrop Village
Pro Rata Share of Infrastructure Improvements w/1.0 MGD WWTP
 All ADS Option

Item	Description ⁽¹⁾	Total Peak Flow(gpm) ⁽²⁾	WBV Flow (gpm) ⁽²⁾	WBV Pro Rata Share (%)	Total Cost ⁽³⁾	WBV Pro Rata Share (\$)
1	Trunk Line No. 2 - Bastrop Village East to Hunters Crossing	3,347	729	21.8%	\$735,000	\$160,230
2	Trunk Line No. 3 - Hunters Crossing to Shiloh Road	12,027	729	6.1%	\$1,472,000	\$89,792
3	Trunk Line No. 4 - Shiloh Road to WWTP No. 3	16,127	729	4.5%	\$847,000	\$38,115
4	Water, Electric, Telephone Services to WWTP No. 3 ⁽⁴⁾	-	729	30.0%	\$295,000	\$88,500
5	1.0 MGD WWTP No. 3 ⁽⁴⁾	-	729	30.0%	\$8,260,000	\$2,478,000
Total Pro Rata Share of Proposed Infrastructure=						\$2,854,637

⁽¹⁾ Reference Trunk Line Schematic for location and limits of each trunk line.

⁽²⁾ Reference "Trunk Line Flow Determination" spreadsheet for breakdown of existing, proposed, and future flows.

⁽³⁾ Reference "Wastewater Improvements" cost estimate for a breakdown of the preliminary opinion of construction costs.

⁽⁴⁾ Items 4 and 5 have a 10% increase for contingency and 8% for engineering and surveying since they were taken from the cost estimate as line times instead of total costs.

West Bastrop Village

Pro Rata Share of Infrastructure Improvements w/1.5 MGD WWTP

Hobas Option *Both Pipes*

Item	Description ⁽¹⁾	Total Peak Flow(gpm) ⁽²⁾	WBV Flow (gpm) ⁽²⁾	WBV Pro Rata Share (%)	Total Cost ⁽³⁾	WBV Pro Rata Share (\$)
1	Trunk Line No. 2 - Bastrop Village East to Hunters Crossing	3,347	729	21.8%	\$735,000	\$160,230
2	Trunk Line No. 3 - Hunters Crossing to Shiloh Road	12,027	729	6.1%	\$1,822,000	\$111,142
3	Trunk Line No. 4 - Shiloh Road to WWTP No. 3	16,127	729	4.5%	\$1,027,000	\$46,215
4	Water, Electric, Telephone Services to WWTP No. 3 ⁽⁴⁾	-	729	20.0%	\$295,000	\$59,000
5	1.5 MGD WWTP No. 3 ⁽⁴⁾	-	729	20.0%	\$10,030,000	\$2,006,000
Total Pro Rata Share of Proposed Infrastructure=					\$2,382,587	

West Bastrop Village

Pro Rata Share of Infrastructure Improvements w/1.5 MGD WWTP

All ADS Option

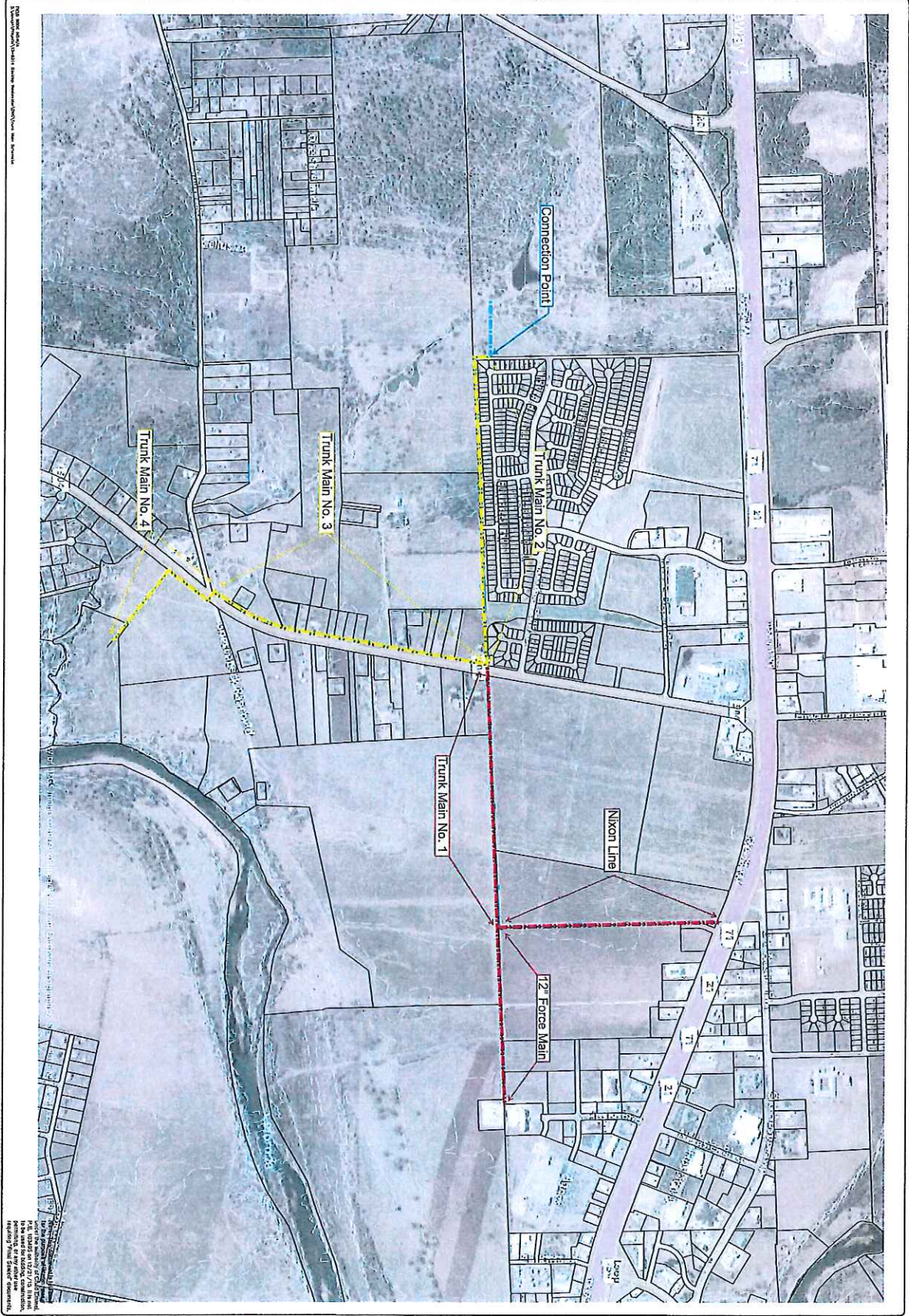
Item	Description ⁽¹⁾	Total Peak Flow(gpm) ⁽²⁾	WBV Flow (gpm) ⁽²⁾	WBV Pro Rata Share (%)	Total Cost ⁽³⁾	WBV Pro Rata Share (\$)
1	Trunk Line No. 2 - Bastrop Village East to Hunters Crossing	3,347	729	21.8%	\$735,000	\$160,230
2	Trunk Line No: 3 - Hunters Crossing to Shiloh Road	12,027	729	6.1%	\$1,472,000	\$89,792
3	Trunk Line No. 4 - Shiloh Road to WWTP No. 3	16,127	729	4.5%	\$847,000	\$38,115
4	Water, Electric, Telephone Services to WWTP No. 3 ⁽⁴⁾	-	729	20.0%	\$295,000	\$59,000
5	1.5 MGD WWTP No. 3 ⁽⁴⁾	-	729	20.0%	\$10,030,000	\$2,006,000
Total Pro Rata Share of Proposed Infrastructure=					\$2,353,137	

⁽¹⁾ Reference Trunk Line Schematic for location and limits of each trunk line.

⁽²⁾ Reference "Trunk Line Flow Determination" spreadsheet for breakdown of existing, proposed, and future flows.

⁽³⁾ Reference "Wastewater Improvements" cost estimate for a breakdown of the preliminary opinion of construction costs.

⁽⁴⁾ Items 4 and 5 have a 10% increase for contingency and 8% for engineering and surveying since they were taken from the cost estimate as line times instead of total costs.



DATE: 12/21/13
 SHEET: 1
 TRUNK MAIN SCHEMATIC

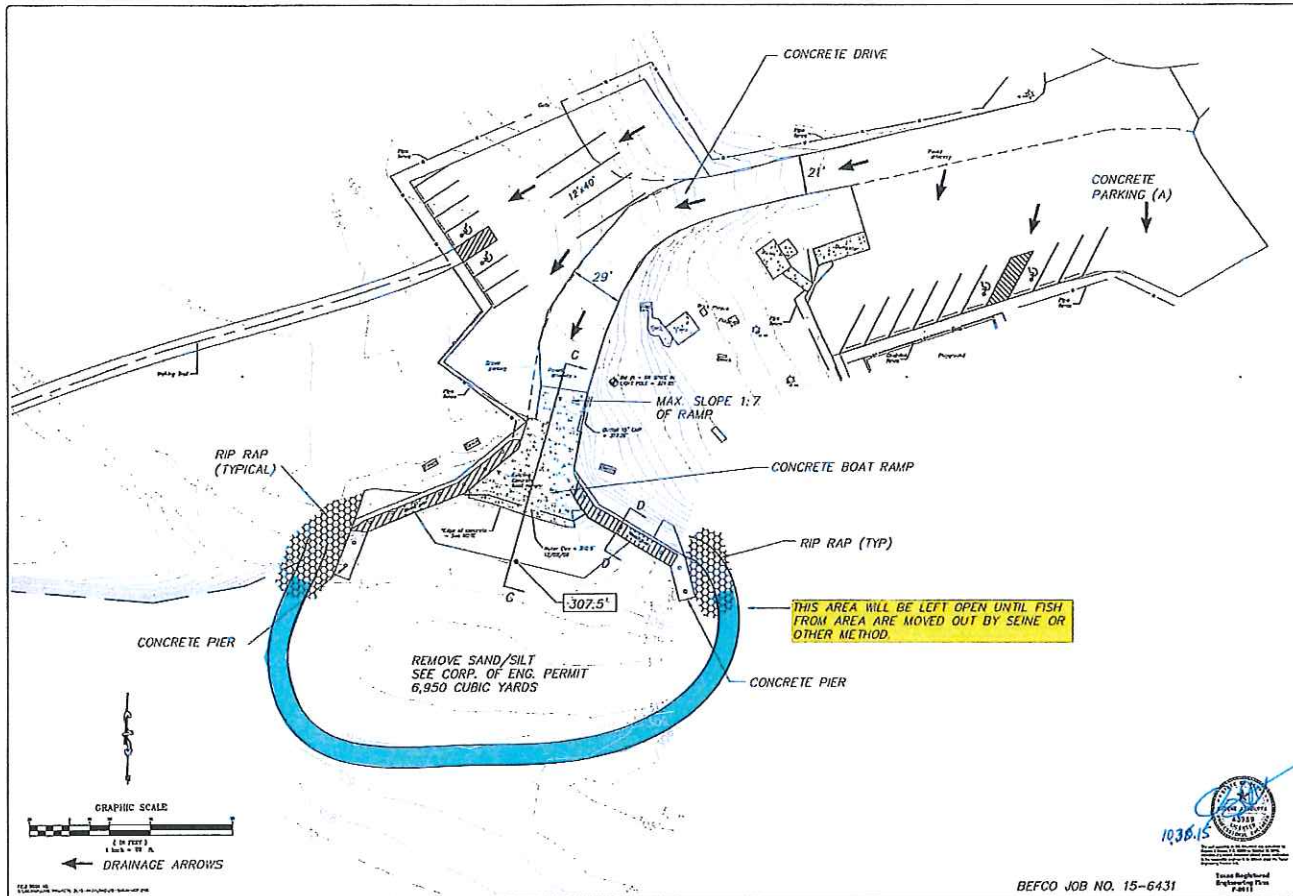
DESIGNED BY: CE
 CHECKED BY: JMC
 DATE: 12/21/13
 PROJECT NO: 13-0414
 SCALE: 1" = 100'

CITY OF BASTROP
 BASTROP WASTEWATER STUDY
 BASTROP, TX



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EXHIBIT "C"
Removal of Sand Bar
Fisherman's Park



**CITY OF BASTROP
BOAT RAMP PROJECT
AT FISHERMAN'S PARK**

BEFCO ENGINEERING, INC.
1075 N. STATE ST.
BASTROP, LA 71222
(504) 833-1111

REVISIONS:

DESIGN BY: JF
CHECKED BY: JF
DATE: 10/30/15
PLAT SCALE: 1" = 10'

PROJECT TITLE:
PLAN

10/30/15

BEFCO JOB NO. 15-6431

SWF-2009-00013 - City of Bastrop Fisherman's Park Boat Ramp Dredging Project - November 20, 2015, Sheet 2 of 3

EXHIBIT "D"
Summary of Facts Report
From
Mr. Charles Bundren

December 30, 2015

Re: Civil Action No. 124-21
City of Bastrop, Texas v. Lynn Rhonda and Scottie Vandiver.
IN THE DISTRICT COURT OF BASTROP COUNTY TEXAS

City Manager, Mike Talbot,

In accordance with your request, I am providing you with the following public status report regarding the above referenced civil action pending in the District Court of Bastrop County, Texas.

The City filed suit in Bastrop County District Court to enforce its zoning, building and other ordinances, laws and regulations against Lynn Rhonda and Scottie Vandiver (the "Vandivers") for refusing to comply, despite multiple written and oral notices, with municipal laws and regulations. The Vandivers began construction of structures on property zoned single family residential without obtaining a building permit and in violation of the City's laws and regulations. The actions of the Vandivers have created serious safety issues within the City and the neighborhood where the property is located.

The City seeks declaratory relief from the Bastrop County District Court that the Vandivers are in violation of multiple zoning, building and other ordinances, laws and regulations adopted by the City. The City also seeks an injunction to compel and force the Vandivers to comply with zoning, building and other ordinances, laws and regulations adopted by the City and to compel the Vandivers to remove structures on the property that do not comply with zoning, building and other ordinances, laws and regulations adopted by the City, and a permanent injunction to forbid the Vandivers from erecting or building any new or remodeled structures on the property that do not comply with zoning, building and other ordinances, laws and regulations adopted by the City.

The various zoning, building and other ordinances, laws and regulations adopted by the City contain, *inter alia*, requirements for structures to set back from public streets and right-of-way distances necessary for the public safety. The zoning, building and other ordinances, laws and regulations adopted by the City contain, *inter alia*, requirements for driveways, garages, ingress and egress to public streets,

accessory buildings, and other regulations. The Vandivers did not comply with the City's requirement to obtain a building permit.

In March of 2013, the Vandivers applied to the City's Zoning Board of Adjustments for variances with respect to the property located at 911 Farm Street, (the "Property"). The Vandivers requested a variance for the setback requirements for an existing single-family residence which faces Farm Street. On March 6, 2013, the BOA granted a setback variance; *but, only for the existing single-family residence structure on the corner of Farm and Jefferson Street.* The action of the BOA specifically stated that the Vandivers will need to meet the setback requirements of the City regulations on any additional proposed lots and that the *setback variance does not apply to any additional proposed lots or any additional structures or buildings.* Only the existing single-family residence structure facing Farm Street was granted a setback variance because it existed and was built before the setback regulation was adopted.

On or about September 17, 2013, the Vandivers submitted a building permit application to the City. The September 2013 building permit application *only applied to the existing single-family residence on the corner of Farm and Jefferson Street, and facing Farm Street.* The Vandivers did not submit plans, drawings or any other materials to the City regarding any other structures or buildings except for the *existing single-family residence facing Farm Street.* As was noted in the City's building permit application approval on October 2, 2013, the application and permit did not apply to the "garage" as shown on the Vandiver's building permit application. The September 2013 building permit application was *only to remodel the existing single-family residence and to add a master bedroom suite to the right side of the existing single-family residence facing Farm Street.*

Unbeknownst to the City, however, the Vandivers began construction of an accessory building with living quarters separate and apart from the existing single-family residence structure facing Farm Street. The new structure was along the side of the lot facing Jefferson Street. The existing single-family residence structure faces Farm Street. The Vandivers' new accessory building structure faces along Jefferson Street and is inside of the setback requirements of the City's regulations for Jefferson Street. The new accessory building was not included in the Vandivers' building permit application in 2013 and no building permit application was granted by the City for such structure or building.

As a result of the Vandivers' unauthorized and unlawful construction activities, on or about July 3, 2014, the City issued a "stop work order". The stop work order was issued because, *inter alia*, the Vandivers were engaged in construction of a three car garage with living quarters in the garage without a permit, not in compliance with the approved site or building plans, and the new buildings exceeded 50 percent of the lot area in violation of City regulations. The "stop work order" also noted, *inter alia*, that the garage entry did not meet the setback requirements for a setback on Jefferson Street, and the garage, residence, and accessory building was larger in square feet than allowed by the City regulations. The Vandivers complied with the stop work order and ceased working; however, the Vandivers had already constructed a roof and exterior walls on the new structure -- all without a building permit from the City.

After the stop work order was issued and served on the Vandivers, the Vandivers falsely complained to the City that the original September 2013 variance granted by the BOA was not limited to the single-family residence structure existing in September 2013; but, rather also included the new accessory building, garage and residence built in 2014. The City disagrees. To resolve the differences between the City and the Vandivers regarding the scope of the variance granted in September 2013 by the BOA, the City requested the BOA to clarify the variance that was granted in September 2013.

On or about September 3, 2014, the BOA ruled that the prior variance granted to the Vandivers in September 2013 *did not apply to any new structures or the new lot layout that the Vandivers elected to use* and that, therefore, the accessory building, garage and residence which did not exist in September 2013 and which they Vandivers began to construct in 2014 (and which faces Jefferson Street), *inter alia*, encroaches on the Jefferson Street setback and was in violation of the City codes and regulations. The BOA confirmed that the BOA variance granted in September 2013 *only applied to the existing single-family residence that existed on the corner of Farm and Jefferson Street prior to September 2013*. The variance did not apply to any other buildings or structures on the property and specifically did not apply to the garage and combined residential living quarters facing Jefferson Street. The new structure being built by the Vandivers in 2014 was not included in any variance granted by the BOA in September 2013.

On or about July 16, 2015, the Vandivers filed a building permit application with the City requesting approval for the construction of an addition of a "sunroom"

to connect the existing house (as of September 2013) to the unlawful and nonconforming garage and living quarters built at the rear of the lot and facing Jefferson Street. The City reviewed and rejected the July 2015 building permit application. The proposed sunroom, garage and living quarters in the July 2015 building permit application do not comply with the zoning, codes, laws and regulations of the City and, therefore, the building permit application was denied.

The nonconforming garage and living quarters structure is partially completed -- without approval from the City -- and is within the setback requirements on Jefferson Street. This partially completed structure creates a serious safety concern because it sets within the setback requirements of Jefferson Street which were adopted to address safety concerns. Not only is the structure not approved for construction by the City; but, the structure presently creates a serious safety concern in its present condition and location within the setback requirements from Jefferson Street.

On August 13, 2015, the Vandivers appealed the denial of their July 2015 building permit application to the BOA. The BOA has already twice ruled that the only setback variance that will be allowed is for the existing single-family structure which existed on the lot on the corner of Farm Street and Jefferson Street in September of 2013. The BOA, in its second ruling, specifically found that *the variance did not apply and no variance would be granted for new structures on the lot*. The purpose of variances is to avoid hardships created by existing structures which no longer conform to existing law. The BOA *did not extend the setback variances except for the existing single-family residence which was previously constructed and existing in September 2013*. In September 2015, the BOA denied the Vandivers application for a variance. The Vandivers have filed papers to join the BOA in the lawsuit; but, have failed to serve the BOA with the lawsuit papers.

The case is not set for trial at this time. The City and the Vandivers are currently involved in exchanging discovery under the Texas Rules of Civil Procedure. There are no pending motions with the district court at this time. The Vandivers contend that they have "vested rights" based on a plat. The City disagrees. The City anticipates having this case resolved by the summer of 2016.

Please let me know if you have any questions concerning the status report.

Thank you.

