



Port O' Connor Improvement District

P.O. Box 375 * Port O' Connor, Texas 77982

Minutes

Thursday, February 15, 2024 1:00 pm

Regular Board Meeting

The Board of Directors of the Port O' Connor Improvement District held a Regular Board Meeting on **Thursday, February 15, 2024 at 1:00 p.m.** at the District Office, 39 Denman Drive, Port O' Connor, Texas.

A. CALL TO ORDER

President Danny McGuire called the meeting to order at 1:00 p.m. and established that a quorum was present and welcomed everyone.

DIRECTORS PRESENT: Danny McGuire, John Childers, Victor Mozisek, Mike Clifton (left @ 2:16pm), and Nathan O'Neill

DIRECTORS ABSENT: None

ALSO PRESENT: Oscar Pena, Kim Stafford, Misty Richter, Donald Goldman (District Bookkeeper), Phillip Givens (General Manager), Bill Kotlan (BG&E), Mike Barette (BG&E) and Donna Grafe-Tucker (District Counsel)

ALSO PRESENT BY PHONE: Whitney Higgins (Special Counsel)

MEMBERS OF THE PUBLIC PRESENT: Eddie Krist (Krist Engineering) & Eric Saeger (Thornhill)

B. PUBLIC COMMENT WELCOME

C. ITEMS FOR CONSIDERATION AND TAKE APPROPRIATE ACTION IF NEEDED:

1. Status updates on Engineering Projects, including the wells, RO system, distribution, and discharge lines and Vacuum stations

Discussion, no action.

2. VCS updates and take any appropriate action including but not limited to purchases and contracts on communication improvements

Discussion, no action.

3. Approve Annual Report and authorize filing of same in accordance with the District's Continuing Disclosure of Information Agreement and as required by SEC Rule 15c-12
Motion: Nathan O'Neill
Second: Victor Mozisek
To approve the Annual Report and authorize filing of same in accordance with the District's Continuing Disclosure of Information Agreement and as required by SEC Rule 15c-12 subject to Bond Counsel approval.
Motion Approved: 4-0
4. Investment Report
Discussion, no action.
5. Contract for DataProse
Motion: Nathan O'Neill
Second: Victor Mozisek
To authorize Kim Stafford to sign the contract with USPS.
Motion Approved: 4-0
6. Obtaining Park Powers
Discussion, no action.
7. District Reimbursement – Martin Midstream sale
Table.
8. TML Insurance Premiums and consideration of other insurance options
Motion: John Childers
Second: Victor Mozisek
To authorize Kim Stafford to sign TML Insurance Renewal option 1 without any changes from the previous year and create a committee to review and present other insurance options to the Board.
Motion Approved: 4-0
9. Annual Cybersecurity training requirement
Discussion, no action.
10. Vanguard contract performance enforcement
Motion: Nathan O'Neill
Second: Victor Mozisek
To authorize District Counsel to send a demand letter to Vanguard for contract compliance.
Motion Approved: 4-0
11. Road and drainage powers of municipal utility district, options for utilizing within District
Discussion, no action.
12. Discuss Association of Water Board Directors winter conference, approve reimbursement of eligible expenses, and authorize attendance at summer conference.
Motion: Victor Mozisek
Second: John Childers
To approve any Director expenses incurred for the AWBD Winter Conference in Fort Worth on June 13 – 15, including registration fees, travel expenses, hotels and meals.
Motion Approved: 3-0

13. Adopt Resolution Concerning Exemptions from Taxation
Motion: John Childers
Second: Victor Mozisek
To adopt Resolution for 2024 Exemptions from Taxation with the same exemptions as last year.
Motion Approved: 4-0
14. Report regarding Post-Issuance Compliance Policy
Discussion, no action.
15. Annual Review of Procedures for Continuing Disclosure Compliance
Discussion, no action.
16. Policy updates, including but not limited to the Director's Role in Employee Discipline and the Map Maintenance Policy
Motion: Nathan O'Neill
Second: Victor Mozisek
To adopt the Director's Role in Employee Discipline with the changes suggested by District Counsel and to leave the Map Maintenance Policy as is.
Motion Approved: 3-0
17. New Money Bond Sale
 - A. Authorization of Bond Application/Preparation of Bond Application
 - a. Authorize engineer to prepare bond application no. 4
 - b. Update Bond application no. 4**Motion: Victor Mozisek**
Second: Nathan O'Neill
To authorize District Engineer to incur fees on an amount not to exceed \$40,000 to prepare bond application No 4.
Motion Approved: 4-0
18. Change Order No. 1 for Paso Robles for \$6,842.50
Motion: John Childers
Second: Victor Mozisek
To approve Change Order No. 1 for Paso Robles for \$6,842.50.
Motion Approved: 4-0
19. Pay request No 4 for Lester Construction for \$48,572.10
Motion: John Childers
Second: Victor Mozisek
To approve Pay request No 4 for Lester Construction for \$48,572.10.
Motion Approved: 4-0
20. Pay request No 5 for Reddico Construction for \$817,4007.
Motion: Victor Mozisek
Second: John Childers
To approve Pay request No 5 for Reddico Construction for \$817,4007.
Motion Approved: 4-0

21. Work Authorization for BGE for Wastewater Treatment Plant Preliminary Engineering for \$30,000.
Motion: John Childers
Second: Victor Mozisek
To approve work authorization for BGE for Wastewater Treatment Plant preliminary engineering for an amount not to exceed \$30,000.
Motion Approved: 4-0

22. Resolution for Bond Issue No. 4 to Reimburse Operating Expenses
Table.

23. Change Order No. 2 for Viking Construction for \$14,576.00
Motion: Victor Mozisek
Second: John Childers
To approve Change Order No 2 for Viking Construction for \$14,576.
Motion Approved: 4-0

24. Proposal for Geotechnical Material Testing for Reverse Osmosis Project by TSI Laboratories, Inc. for \$22,855.00.
Motion: Victor Mozisek
Second: John Childers
To approve Proposal for Geotechnical Material Testing for Reverse Osmosis Project by TSI Laboratories, Inc for \$22,855.
Motion Approved: 4-0

D. CONSENT AGENDA: *The following items are anticipated to require little or no individualized discussion due to their nature being clerical, ministerial, mundane or routine. In an effort to enhance the efficiency of POCID Board meetings, it is intended that these items will be acted upon by the POCID Board with a single motion because no public hearing or determination is necessary. However, a POCID Board Member or citizen may request separate deliberation for a specific item, in which event those items will be removed from the consent agenda prior to the POCID Board voting on the consent agenda as a collective, singular item. Prior to voting on the consent agenda, the POCID Board may add additional items that are listed elsewhere on the same agenda.*

1. APPROVAL OF MINUTES

- A. January 11, 2024 - Special Board Meeting
- B. January 18, 2024 – Regular Board Meeting

2. APPROVAL OF PAYABLES

- A. Port O'Connor Improvement District – Payables
- B. Defined Area – Payables
- C. Capital Improvements Projects

Motion: John Childers

Second: Nathan O'Neill

To approve all minutes & payables on the consent agenda.

Motion Approved: 3-0

E. Goldman, Hunt & Notz, Donald Goldman

- A. Account Balances
- B. Cadence Investment Fund Statement
- C. Actual vs Budget Monthly Breakdown
- D. Actual vs Budget Comparison

- E. Accountant's Compilation Report
- F. Financial Statements
- G. Cost Comparisons

F. Report from BGE, Bill Kotlan

Consider & take appropriate action on:

- A. 2022 TWDB Projects
- B. Bond Issue No 3 Projects
- C. General Fund Maintenance Projects
- D. Engineering matters, including preparation and approval of plans and specifications, advertisement for bids, bid review, contract award, pay estimates, and change orders, acceptance of projects, deeds, related environmental proposals, easements, encroachment agreements, right of entry agreements, conflicts waivers, and request for service or utility Commitments.

Motion: Mike Clifton

Second: Victor Mozisek

To approve Pay Estimate for TTE, LLC in the amount of \$86,0462.

Motion Approved: 4-0

G. Report of General Manager, Phillip Givens

Consider & take appropriate action on:

- A. Operating Policy Review

H. Report of District Manager, Oscar Pena

Consider & take appropriate action on:

- A. District Status
- B. Work in Progress
- C. Water Production Report
- D. Water Quality
- E. Wastewater Treatment
- F. Administrative

The meeting adjourned at 2:51 p.m.

I. **EXECUTIVE SESSION******

The Port O'Connor Improvement District may consider in Executive Session any of the identified items posted on the agenda pursuant to the following exceptions:

- Texas Government Code Ann. § 551.071: Consultation with Attorney
- Texas Government Code Ann. § 551.072: Real Property
- Texas Government Code Ann. § 551.074: Personnel Matters

Respectfully submitted,



Danny McGuire, President



Nathan O'Neill, Secretary

Signed this 21 day of March, 2024.

These minutes were approved on March 21, 2024.