



Port O' Connor Improvement District

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

Minutes

Thursday, November 21, 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, November 21, 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 and Nathan O'Neill (left @ 3:12pm)

DIRECTORS ABSENT: None

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

ALSO PRESENT BY PHONE: Whitney Higgens (ABHR)

MEMBERS OF THE PUBLIC PRESENT: None

B. PUBLIC COMMENT WELCOME

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

1. 2024 Directors Election, including:

- a. Approve and distribute Certificates of Election; and
- b. Approve Directors' Sworn Statements, Bonds and Oaths of Office.

1. *Elección de Directores de 2024, incluyendo:*

- a. *Aprobar y distribuir Certificados de Elección.*
- b. *Aprobar Declaraciones Juradas, Fianzas y Juramentos al Cargo de los Directores.*

Motion: John Childers

Second: Victor Mozisek

To approve and distribute Certificates of Election; and approve Directors' sworn statements, Bonds and oaths of office.

Motion Approved: 4-0

2. Reorganize Board and elect officers.

Motion: John Childers

Second: Victor Mozisek

To approve elected officers and to keep the same officer positions as they stand.

Motion Approved: 4-0

3. Authorize filing of District Registration Form with Texas Commission on Environmental Quality.

Motion: Victor Mozisek

Second: Mike Clifton

To authorize filing of District Registration Form with Texas Commission on Environmental Quality.

Motion Approved: 4-0

4. Open Meetings Act and Public Information Act Training Requirements.

Discussion, no action.

5. Conflict of interest disclosure required under Chapter 176 of the Texas Local Government Code, including review of disclosure forms adopted by the Texas Ethics Commission and List of Local Government Officers.

Discussion, no action.

6. Undine Contract for treated water supply

Discussion, no action.

7. Republic CPI Increases and Basic service fee

Discussion, no action.

8. Strategic Management Plan

Discussion, no action.

9. Pay Estimate

- a. No. 11 for Friedel in the amount of \$208,062

Motion: Victor Mozisek

Second: Mike Clifton

To approve Pay Request No 11 for Friedel in the amount of \$208,062.

Motion Approved: 4-0

- b. No. 10 for TTE in the amount of \$805,003.45

Motion: Mike Clifton

Second: Nathan O'Neill

To approve Pay Request No. 10 for TTE in the amount of \$805,003.45.

Motion Approved: 4-0

10. Authorize Annual Eminent Domain Filing

Motion: Nathan O'Neill

Second: John Childers

To authorize Annual Eminent Domain Filing

Motion Approved: 4-0

11. New water supply system, including the reverse osmosis system, TCEQ approvals, testing, water wells, water treatment, and pipelines
Discussion, no action.
12. Calhoun County Groundwater Conservation District permits, procedures, and approvals for drilling permits, monitoring wells, and other permit mandated requirements
Discussion, no action.
13. Sewer system improvements, including sumps, force mains, extensions and other improvements
Discussion, no action.
14. Service Agreement with Alpha Water
Motion: John Childers
Second: Victor Mozisek
To accept the Service Agreement with Alpha Water upon District Counsel's review.
Motion Approved: 4-0
15. GST contract, final payment, and subcontractor claims
Discussion, no action.
16. Interlocal Agreement with the City of Seadrift
Motion: Mike Clifton
Second: Nathan O'Neill
To approve Interlocal Agreement with the City of Seadrift upon District Counsel's review.
Motion Approved: 4-0
17. New water connection for Texas Parks and Wildlife
Discussion, no action.
18. Amendment to Rules & Regulation regarding to license plumbers requirements for work within District
Discussion, no action.
19. Review contracts with professional consultants and evaluation of consultant roles & duties
Motion: Mike Clifton
Second: John Childers
To Authorize District Counsel to send a letter to give a 60 day notice to terminate the contract with Superior Water Management of Texas and to invite to serve as a consultant.
Motion Approved: 4-0
20. Authorize BGE to advertise and receive bids for SH 10 Vacuum Sewer Extension Project
Motion: Mike Clifton
Second: John Childers
To authorize BGE to advertise and receive bids for SH 10 Vacuum Sewer Extension Project
Motion Approved: 4-0

21. Authorize BGE to advertise and receive bids for Vacuum Pit Replacement Project
Motion: Mike Clifton
Second: John Childers
To authorize BGE to advertise and receive bids for Vacuum Pit Replacement Project
Motion Approved: 4-0

22. Review GBRA Raw Water & Stored Water Contracts
Discussion, no action.

23. Cunningham Water Line extension
Discussion, no action.

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. October 9, 2024 – Special Board Meeting
- B. October 17, 2024 – Regular Board Meeting

2. APPROVAL OF PAYABLES

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

Motion: Mike Clifton

Second: John Childers

To approve the minutes & all payables on the consent agenda.

Motion Approved: 4-0

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. Development Projects

E. 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.

F. Other Items

Motion: Victor Mozisek

Second: Mike Clifton

To approve a Change Order for Mercer Construction not to exceed \$150,000 to put a bypass for the RO System

Motion Approved: 4-0

G. Report of General Manager, Phillip Givens

Consider & take appropriate action on:

A. Strategic Management Plan

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 went into Executive Session at 3:39pm and resumed back to the regular meeting at 3:54 pm. The meeting adjourned at 3.56 pm.

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 17 day of December, 2024.

These minutes were approved on December 17, 2024.