



**Port O'Connor Improvement District
39 Denman Drive
Port O'Connor, Texas 77982**

**MEETING NOTICE AND AGENDA
Regular Meeting of Board of Directors
Thursday, May 17, 2018 at 1:00 p.m.**

NOTICE IS HEREBY GIVEN that the Board of Directors of the Port O'Connor Improvement District will hold a REGULAR meeting on Thursday, May 17, 2018, at 1:00 p.m. at the District Office, 39 Denman Drive, Port O'Connor, Texas. The purpose of the meeting will be to discuss, consider and take necessary action on the following matters:

A. CALL TO ORDER

1. Call to Order and Announce Quorum Present
2. Citizens Welcome

B. PUBLIC COMMENTS. At this time, any person with business before the Board not scheduled on the agenda may speak to the Board. No formal action can be taken on these items at this meeting.

C. 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. Minutes of Regular Meeting April 19, 2018
2. APPROVAL OF PAYABLES
 - a. Port O'Connor Improvement District
 - b. Reimburse LaSalle for credit cards payments
 - c. Defined Area 1.

3. CONSENT AGENDA ITEMS

- a. Authorize the President to sign letter on behalf of POCID for TWIA and flood insurance with TMLIRP
- b. Authorize the President to execute the municipal advisory agreement with Hilltop Securities, Inc. for the change in financial advisors.
- c. Authorize the President to execute an easement for Overlook RV Park.
- d. Declare scrap metal and surplus property and authorize the District Project Manager to dispose of scrap metal and surplus property.

D. ITEMS FOR CONSIDERATION AND TAKE APPROPRIATE ACTION IF NEEDED: *

1. Report of District Project Manager

- a.) District Status
- b.) Work in Progress
- c.) Water Production Report
- d.) Wastewater Treatment Plant Summary
- e.) TCEQ follow up
- f.) Approval of repairs and/or inventory - authorize the District project manager to purchase two (2) desktop computers; authorize District project manager to procure a utility vehicle (UTV); and authorize the District Project Manager to obtain a credit card for purchases, vendor payments not under contract and emergencies.

2. Report of District Engineer

- a.) Wastewater System Status
- b.) TWDB Project 21750 Updates
- c.) TCEQ Bond Amendment
- d.) Outstanding Items – Outstanding water and sewer connections

E. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:

1. Presentation by Jim Sabonis and Andre Ayala, Financial Advisors, Hilltop Securities.
2. Discuss TML Employee Benefits Health Benefit Coverage for POCID Employees and authorizing contributions for adding vision coverage for employees and additional health coverage for family members.
3. Authorize Payment No.10 and No. 11 to Lester Contracting, Inc. for TWDB Project No. 21750. (District Engineer)
4. Review and discuss Matagorda Bay Subdivision Section 1 Water Plans.
5. Discuss easement and land access across Community Center and along W. Harrison Avenue.

6. Discuss Financial Statements for year ending on September 30, 2017, POCID audit, management response, hiring of an auditor and/or establishing an audit committee.
7. Discuss the POCID Code of Ethics, First Amended Code of Ethics and Rural Water Association Model Code of Ethics.
8. Discuss Director O'Neill's compliance with Chapter 171 of the Texas Local Government code and the First Amendment to the Port O'Connor's Rules of Ethics concerning Special Meeting on March 28, 2018 agenda items B. 7 relating to Billy Goode and take appropriate action.
9. Discuss under what authority Director O'Neill had to demand the immediate resignation of Leon Brown and Marshall Bradford.
10. Discuss amending the Rules and Regulations to add a utility line extension policy.
11. Discuss refunding tap fees for customers who paid for a private plumber to connect to the system.
12. Discuss and consider changing the scope of TCEQ Bond No. 2 by reviewing the Engineer report and discussing if any projects need to be removed and the process for removal.
13. Discuss Director O'Neill's actions and/or conversations with TCEQ and the TCEQ investigator on during the TCEQ site visits and what under what authority did Director O'Neill have to represent the Board with his actions and/or conversations with TCEQ or the TCEQ site visits; including under what authority Director O'Neill acted in directing the operations of the District.

F. 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

Consultation with General Counsel pursuant to Texas Government Code Section 551.071, Consultation with Attorney, on pending or contemplated litigation; or a settlement offer; or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Texas Government Code Chapter 551 for the purpose of receiving legal advice concerning status of pending projects, including but not limited to:

1. *USW Utility Group v Port O'Connor Improvement District*: Cause No. 2018-CV-3268-DC, pending in the 24th Judicial District Court, Calhoun County, Texas.

2. POCID Annual Audit and Management Response.
4. Interlocal Agreement with Guadalupe-Blanco River Authority for services relating to the operation of POCID facilities; including operation, maintenance, repair laboratory and testing services
5. Defined Area 1 Agreement for Maintenance and Operation for Port O'Connor Defined Area 1 between Port O'Connor Municipality Utility District and Caracol Community Association dated January 1, 2011 and past due amounts owed.
6. Interlocal Agreement between the Port O'Connor Improvement District and LaSalle Water Control and Improvement District No. 1A for Operations and Maintenance Services dated June 14, 2006, as amended and past due amounts owed to POCID.

G. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION.

1. *USW Utility Group v Port O'Connor Improvement District*: Cause No. 2018-CV-3268-DC, pending in the 24th Judicial District Court, Calhoun County, Texas.
2. POCID Annual Audit and Management Response.
4. Interlocal Agreement with Guadalupe-Blanco River Authority for services relating to the operation of POCID facilities; including operation, maintenance, repair laboratory and testing services.
5. Defined Area 1 Agreement for Maintenance and Operation for Port O'Connor Defined Area 1 between Port O'Connor Municipality Utility District and Caracol Community Association dated January 1, 2011 and past due amounts owed.
6. Interlocal Agreement between the Port O'Connor Improvement District and LaSalle Water Control and Improvement District No. 1A for Operations and Maintenance Services dated June 14, 2006, as amended and past due amounts owed to POCID.

H. ITEMS FROM BOARD MEMBERS (Note: Board members may request specific factual information, recitation of existing policy, or placement of items on the Agenda for discussion at a later meeting.)

I. ADJOURN

* The subject matter of the reports of the District's Utility Manager and the District's Engineer include discussion and deliberation with respect to any rule or regulation or item by the current or next proposed budget of the District, including- without limitations- any water or wastewater facility or improvement any plat, plan, requirement or construction detail; any contractor or employee; and contract; or any real or personal property interest of the District.

** Any item on this agenda may be discussed in executive session if authorized by Texas law, regardless of whether that item is listed under "Executive Session" in this agenda, and regardless of any past or current

practice of the District's board. Executive sessions described generally herein may include consideration of any item otherwise listed on the agenda plus any subject specified in the executive session notice.

Executive sessions may be held at 39 Denman Drive, Port O'Connor, Texas.

CERTIFICATION

I, the undersigned authority, do hereby certify that the Notice of Meeting and Agenda for the Port O'Connor Improvement District Board of Directors Meeting was posted on the bulletin board at the Port O'Connor Improvement District Offices at 39 Denman Drive, Port O'Connor, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on the Districts website on the following date and time: _____, 2018, at _____ a.m./p.m. and remained so posted continuously until meeting was convened. Additionally, the Notice of Meeting and Agenda for the Port O'Connor Improvement District Board of Directors Meeting was posted at the U.S. Post Office Building _____ at _____, for convenience.

Port O'Connor Improvement District