



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

**MEETING NOTICE AND AGENDA  
Special Meeting of Board of Directors  
Thursday, October 11, 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 SPECIAL meeting on Thursday, October 11, 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. 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 the September 20, 2018
  - b. Minutes of the Special Meeting on October 2, 2018
2. APPROVAL OF PAYABLES
  - a. Port O'Connor Improvement District
  - b. Defined Area 1
3. CONSENT AGENDA ITEMS
  - a. Approval of Preliminary and the Final Plat for the Pointe at Caracol.

- b. Authorize President Brown to execute an agreement after review by General Counsel with Orrick, Herrington & Sutcliffe LLP for bond counsel services for the POCID.
- c. Authorize President Brown to send a letter to Allen, Boone, Humphries and Robinson LLP to notify of the change in bond counsel and request for transition and return of all electronic and paper files to General Counsel and/or Bond Counsel.
- d. Authorize President Brown to execute an agreement after review by General Counsel with McCall, Parkhurst and Horton LLP for disclosure counsel services.
- e. Authorize the President to execute an agreement after review by General Counsel with Alan Plummer Associates, Inc. for Robert Macias to provide water and wastewater operator service on an as needed basis.
- f. Reconsider and authorize change of regular meeting from second Tuesday of the month at 1 p.m. and to second Thursday of the month at 1 p.m.

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

- 1. Report of District Operator
  - a.) District Status
  - b.) Work in Progress
  - c.) Water Production Report
  - d.) Wastewater Treatment Plant Summary
  - e.) Approval of repairs, inventory or expenditures –Authorize District Operator to obtain proposals for bids to bring Vacuum Station Two up to grade with the road base; authorize agreement with All American Waste Service for the rental of temporary portable sanitation devices.
- 2. Report of District Engineer
  - a.) Wastewater System Status
  - b.) TWDB Project 21750 Updates and Schedules
  - c.) TCEQ Bond Amendment
  - d.) Outstanding Items – Outstanding water and sewer connections
  - e.) Water Tap Connections for Port O’Connor.
  - f.) Status of Standard Details on the assembly of standard details and drawings for the District. (Follow up report form last meeting on AirVac and FloVac assessment)
  - g.) Status of Technical Memorandum

D. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:

- 1. Discuss TCEQ Letter of August 24, 2018 approving POCID project change of scope for \$6,000,000.00 bond offering and direction to general counsel, financial advisor, bond counsel, and other consultants to work on preparation of bond offering documents
- 2. Authorize President Brown to execute the Master Services Agreement with HydoPro Solutions for advanced metering infrastructure, including the Master Meter agreement with Harmony for End User Licenses and the Allegro Network Infrastructure

maintenance agreement after review by General Counsel and subject to funding with TCEQ Bond proceeds.

3. Notice of enforcement by POCID for failure to have a back flow prevention device or maintain the back flow prevention device.
4. Water Well application submitted by Carl Skelly for Lot 11, Block 2 in the Port O'Connor Improvement District.
5. Authorize the President to sign the Agreement for Maintenance and Operation for the Port O'Connor Defined Area No. 1 Facilities between Port O'Connor Improvement District and Caracol Community Association, Inc. and authorize payment for insurance for bulkhead and navigation facilities from Defined Area 1 funds.

E. 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
- Texas Government Code Ann § 551.076 Security Personnel, Devices or Audit

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. 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.
3. 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.

F. 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. 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.
3. 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, on the following date and time:

\_\_\_\_\_, 2018, at \_\_\_\_\_ a.m. /p.m. and said Notice was posted on the District's website 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 for convenience.

---

Port O'Connor Improvement District