



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

**MEETING NOTICE AND AGENDA  
Regular Meeting of Board of Directors  
Thursday, August 16, 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, August 16, 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 July 19, 2018
- b. Minutes of Special Meeting August 6, 2018
- c. Minutes of Special Meeting August 9, 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. Approval of Preliminary and Final Plat for Villa Pesca Subdivision.
- b. Approval of Final Plat for Caracol Resubdivision No. 3 Lot 26R (
- c. Order for Establishing Authorized Users for Frist National Bank Credit Card; Rescinding Order of July 19, 2018
- d. Acceptance of Calhoun County Certified Tax Rolls and authorize the worksheets to be sent to the Calhoun County Appraisal District.
- e. Authorize the District to renew the December 20, 2013 “Special Provisions for TxDOT – Yoakum District Utility Permits” for the TWDB Project 21750.
- f. Authorize the President to review TML Rerate with the Texas Municipal League Intergovernmental Risk Pool.
- g. Authorize a RFQ for Bond Counsel

**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, inventory or expenditures –Authorization for the District Operator to bring back bids for mowing the district office; to implement a weed and grass control program to protect our new paved parking lot and drives; to bring back bids for removal of old .wooden fence; to purchase locking file cabinet(s) and to notify Issuer for Fuel Credit Card to replace District Project Manager with District Operator.
- 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. (District Engineer)
  - f.) Status of Generator sizing
  - g.) 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)
  - h.) Status of Technical Memorandum

**E. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:**

1. Review RFQ for District Engineer submitted by John D. Mercer & Associates, Edna, Texas, and discussion and consideration of recommendation of submittal and authorize President Brown, with assistance from General Counsel, to prepare an Agreement for District Engineer Services and TWDB Project 21750 by John D. Mercer, Mercer & Associates, Edna, Texas and place on a subsequent Agenda.
2. Review and approve TWDB Project 21750 Change Order No. 14
3. Review Electrical Quotes for District Facilities (Handouts) (District Engineer)
4. Review Engineer's Assessment (Handouts) (District Engineer)
5. Review TCEQ Bond Amendment Updates (Handouts) (District Engineer)
6. Discuss and consider TWDB Project 21750 Community for easement acquisition services and easements and land access along W. Harrison Avenue (General Counsel)
7. Resolution Authorizing the District Operator to approve certain expenditures, providing for the disbursement of district funds, and containing other matters relating to the safekeeping of the District Funds, (Board policy for purchasing and emergency repairs - General Counsel).
8. Authorize the waiver of fees for the Victoria Advocate Public Information Act request of August 6, 2018.
9. Discuss Rules and Regulations Section 1.3 – Penalties for Violations and Section 4.3 – Discontinuation of Service.
10. Review POCID Personnel Policies; consider amendments; including overtime provisions and provide for supervision by the District Operator.
11. Discuss FY 2018-2019 Budget planning calendar and budget process and set meetings.
12. 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.

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
- 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.
4. TCEQ Notices of Alleged Violations and POCID legal remedies
5. CP&Y, Inc. District Engineer Contract, Letter of June 20, 2018 and POCID legal remedies
6. Security Devices –ADT Agreement

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. 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.
4. TCEQ Notices of Alleged Violations and POCID legal remedies
5. CP&Y, Inc. District Engineer Contract, Letter of June 20, 2018 and POCID legal remedies
6. Security Devices –ADT Agreement

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.

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### 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.

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Port O'Connor Improvement District