



Port O' Connor Improvement District

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

Minutes

Thursday, July 20, 2023 1:00 pm

Regular Board Meeting

The Board of Directors of the Port O' Connor Improvement District held a Regular Board Meeting on **Thursday, July 20, 2023 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 and Nathan O'Neill

DIRECTORS ABSENT: Mike Clifton

ALSO PRESENT: Oscar Pena, Kim Stafford, Donald Goldman (District Bookkeeper), Cole Guthrie (GH&N), Bill Kotlan (District Engineer), Mike Burrett (BG&E), Phillip Givens (District General Manager), Whitney Higgins (Special Counsel), Julie Peak (District Financial Advisor)

ALSO PRESENT BY PHONE: None

MEMBERS OF THE PUBLIC PRESENT: Kevin Sprague, Daniel Castillo, John DeLeon, Mike Raby, Jackie Kastl, Robyn Castillo, Kenneth Friedel, Cole Friedel, Mike Thornhill, Eddie Krist (Kirst Engineering) and Chip Miles (Kirst Engineering).

B. PUBLIC COMMENT WELCOME

None

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

1. Budget for fiscal year ending Sept 30, 2024

Motion: Nathan O'Neill

Second: Victor Mozisek

To approve the Amended Budget 2022/2023

Motion Approved: 3-0

2. Waive Out of District Fees for Texas Parks & Wildlife

Motion: Victor Mozisek

Second: Nathan O'Neill

To approve to waive the Out of District Fees for the Texas Parks & Wildlife.

Motion Approved: 3-0

3. Undine Water Supply Contract

Discussion, no action.

4 GBRA Raw Water & Treated Water contracts

Discussion, no action.

5. Series 2023 Unlimited Tax Bonds

- a. Review bids & award sale of the District's \$15,280,000 Unlimited Tax Bonds
- b. Adopt Resolution Authorizing the Issuance of the District's \$15,280,000 Unlimited Tax Bonds, Series 2023
- c. Approve Paying Agent/Registrar agreement
- d. Approve Official Statement
- e. Execution of Certificate Regarding Provision of Financial Advice
- f. Authorize the Board of Directors to sign all documents relating to the bond sale & authorize attorney & financial advisor to take all necessary action to deliver bonds to the purchaser
- g. Approve payment to Attorney General relating to bond issue transcript review
- h. Execution of Amendment to Information Form
- i. Update from District Engineer on Texas Commission on Environmental Quality inspection of facilities

Motion: Victor Mozisek

Second: Nathan O'Neill

To award the sale of the District's Series 2023 Bonds to the low bidder, Robert W. Baird & Co., Inc. ("Baird") at a net effective interest rate of 4.567864%. To adopt a Resolution Authorizing the Issuance of the District's Series 2023 Bonds, and direct that the Resolution be filed appropriately and retained in the District's official records. To approve proposed Paying Agent/Registrar Agreement with The Bank of New York Mellon by which the Paying Agent/Registrar will handle registration, transfer, and payment of the District's Series 2023 Bonds. To approve the Preliminary Official Statement for the District's Series 2023 Bonds will be updated to reflect the terms of the sale, including the purchaser, interest rates, and debt service requirements. To approve the presented and reviewed with the Board a Certificate Regarding Provision of Financial Advice. To approve signatures required for documents relating to the sale of the District's Series 2023 Bonds and actions required to be taken by the District's attorney and financial advisor to deliver the District's Series 2023 Bonds to Huntington Securities, Inc. To approve ABHR to submit a transcript of the Series 2023 Bonds to the Attorney General of Texas for approval. To approve Amendment to Information Form reflecting the sale of the District's Series 2023 Bonds for filing with the Calhoun County Clerk's Office, and the Texas Commission on Environmental Quality ("TCEQ").

Motion Approved: 3-0

6. VEC Easement

Motion: John Childers

Second: Victor Mozisek

To approve easements for Water Well 4 and 7 along with expenditures for Water Wells #4, 5 and 7.

Motion Approved: 3-0

7. Investment Report

Discussion, no action.

8. Revised Proposal for Sanctuary Ground Storage Tank & Hydrotank Bypass
Motion: Victor Mozisek
Second: Nathan O'Neill
To approve the revised proposal for the Sanctuary ground Storage Tank & Hydrotank Bypass in the amount of \$38,900.
Motion Approved: 3-0
9. Status updates on Engineering Projects, including the wells, RO system, distribution, and discharge lines and Vacuum stations
Discussion, no action.
10. Contracts for Pest Control
Motion: John Childers
Second: Nathan O'Neill
To approve to cancel the pest control contract with National Bugmobiles, Inc since they will not do the termite protection on the new building. To approve a contract with Bugman, Inc for quarterly pest control and annual termite protection on the new building.
Motion Approved: 3-0
11. District Manager Evaluation
Motion: John Childers
Second: Nathan O'Neill
To approve the District Manager's annual raise to \$102,500 annually.
Motion Approved: 3-0
12. Discuss legislative matters
Discussion, no action.
13. Authorize attendance at winter conference
Motion: John Childers
Second: Victor Mozisek
To approve attendance for directors to attend any conference till January 2024.
Motion Approved: 3-0
14. Investment Rating
Discussion, no action.
15. Authorization for District's Engineer, BGE, to prepare plans for modifying water disinfection System
Motion: John Childers
Second: Victor Mozisek
To approve BGE to prepare plans for modifying water disinfection system.
Motion Approved: 3-0
16. Proposal by Mercer Controls to provide a bypass system for the Sanctuary Water Plant
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. June 9, 2023 - Special Board Meeting
- B. June 15, 2023 – Regular Board Meeting
- C. Approval of Amended District Minutes

2. APPROVAL OF PAYABLES

- A. Port O'Connor Improvement District – Payables
- B. Defined Area – Payables

Motion: John Childers

Second: Victor Mozisek

To approve all minutes & payables on the consent agenda.

Motion Approved: 3-0

E. Goldman, Hunt & Notz, Donald Goldman

- A. Financial Reports
- B. Prosperity Bank Investment Report
- C. CCAD Ad Valorem Tax Report
- D. Defined Area Financial Report
- E. Due from/Due to Report

F. Report from BGE, Bill Kotlan

Consider & take appropriate action on:

- A. 2018 Bond Projects
- B. 2022 Bond Projects
- C. Air Vacuum St #1B
- D. Air Vacuum St #2B
- E. Bond Issue #3-2022
- F. LaSalle Water Plant Tank Rehab
- G. Undine Agreement

G. Report of General Manager, Phillip Givens

Consider & take appropriate action on:

- A. TCEQ EPP
- B. Cash Flow Forecast
- C. Budget to Actual 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. Administrative
- E. Purchases

The meeting adjourned into executive session at 3:08 pm and returned to regular session at 3:21pm.

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:

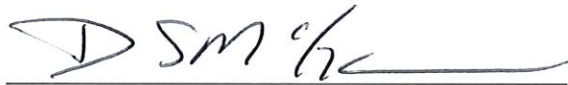
Texas Government Code Ann. § 551.071: Consultation with Attorney

Texas Government Code Ann. § 551.072: Real Property


Texas Government Code Ann. § 551.074: Personnel Matters

The meeting adjourned at 3:31 p.m.

Respectfully submitted,



Danny McGuire, President



Nathan O'Neill, Secretary

John Childers, Asst. Secretary

Signed this 17 day of August, 2023.

These minutes were approved on August 17, 2023