



Port O' Connor Improvement District

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

Minutes

Thursday, November 16, 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, November 16, 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, Mike Clifton and Nathan O'Neill

DIRECTORS ABSENT: None

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

ALSO PRESENT BY PHONE: Whitney Higgins (Special Counsel)

MEMBERS OF THE PUBLIC PRESENT: Kenneth Friedel and Ryan Redd

B. PUBLIC COMMENT WELCOME

None

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

1. Status updates on Engineering Projects, including the wells, RO system, distribution, and discharge lines and Vacuum stations

Discussion, no action.

2. GBRA Raw Water & Treated Water contracts; termination of GBRA Raw Water Contract

Motion: John Childers

Second: Victor Mozisek

To terminate GBRA Raw Water Contract since new contract is now in place.

Motion Approved: 4-0

- 3 Investment Report

Discussion, no action.

4. Obtaining Park Powers
Discussion, no action.
5. Review delinquent Tax Report and take any necessary action.
Discussion, no action.
6. Appoint Director to review delinquent Tax Collection Contract
Table.
7. December Meeting Date changed
Discussion, Changed December Regular Board Meeting to December 18, 2023.
8. Authorize 2024 Calendar
Discussion, December Meeting will be on Monday, December 18, 2023.
9. Policy Update
Discussion, no action.
10. Adoption of amended Capitalization Policy
Motion: Victor Mozisek
Second: Nathan O'Neill
To approve the amended Capitalization Policy
Motion Approved: 4-0
11. Ipads/Tablets
Discussion, no action.
12. District Reimbursement – Martin Midstream sale
Table.
13. Award of Water Plant No. 1 Reverse Osmosis System contingent on approval by Texas Water Development Board.
Motion: John Childers
Second: Mike Clifton
To reject the bid from Associated Construction Partners in the amount of \$8,987,360.00 and send project out for rebid.
Motion Approved: 4-0
14. Sanctuary Water Plant Rehabilitation: Change Order No. 1 for Viking Industrial Coatings in the amount of \$7410.00.
Motion: Nathan O'Neill
Second: John Childers
To accept Change Order No 1 for Viking Industrial Coatings in the amount of \$7410.00 for the Sanctuary Water Plant Rehabilitation.
Motion Approved: 4-0
15. VCS updates and take any appropriate action including but not limited to purchases and contracts on communication improvements
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. September 21, 2023 - Regular Board Meeting

2. APPROVAL OF PAYABLES

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

Motion: John Childers

Second: Nathan O'Neill

To approve all minutes & 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. 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.

Motion: John Childers

Second: Nathan O'Neill

To approve Pay Request for the Raw Water Storage for Paso Robles in the amount of \$119,295, Vacuum Station 1B for Reddico in the amount of \$76,500 and the Sanctuary Water Plant for Viking Painting in the amount of \$44,010.

Motion Approved: 4-0

G. Report of General Manager, Phillip Givens

Consider & take appropriate action on:

- A. Operating Policy Review
- B. TWDB AMPSS Program Grant Application
- C. TCEQ EPP

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 adjourned at 2:39 p.m.

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 18 day of December, 2023.

These minutes were approved on December 18, 2023