

PORTER SPECIAL UTILITY DISTRICT
MINUTES OF BOARD OF DIRECTORS REGULAR MEETING
January 30, 2023

The Board of Directors (the Board or Directors) of Porter Special Utility District (the District) met in regular session at 7:00 p.m., at 22162 Water Well Road, Porter, Texas 77365, on Monday, January 30, 2023, pursuant to notice of said meeting posted in accordance with Chapter 551 of the Texas Government Code.

1. **Call Meeting to Order** the President, after finding that the notice of the meeting was posted as required by law, called the meeting to order at 7:00 p.m. and declared it open for such business as may come before it.

- a. **Roll Call of the Board of Directors/Declaration of a Quorum**

Doug Pillow	President
Jodi Ruonavar	Vice-President
Caroline Denham	Secretary
Danny Bridges	Treasurer
Johnny Barr	Asst. Secretary-Treasurer
Jason Ashy	Director
Donald Bell	Director

Director Denham took the roll, all Directors were present in the District Board Room, thus constituting a quorum. Also attending for the District were: Jonathan Polley (Attorney) with Radcliffe Bobbitt Adams Polley PLLC, Monica Garza (Attorney) with Radcliffe Bobbitt Adams Polley PLLC, Mike Kelly (Engineer) with Bleyl Engineering, Michael Escabar (Engineer) with Bleyl Engineering, Chris Wright (Operations Manager) and Jonathon Smith (General Manager).

- b. **Director Qualifications and Disclosures**

Mr. Smith stated there were no updates on Director qualifications and disclosures.

c. Invocation

Invocation led by Jonathon Smith.

d. Pledges of Allegiance

Pledges of Allegiance led by Director Ruonavar.

2. Public Comment

The President of MUD 84 in Oakhurst, Chris Pitts wanted to see if we were interested in joining with them in an action against Tachus Fiber Internet. Porter SUD is not having the same issues as MUD 84. He left the meeting at 7:06 pm.

3. Review and Approve Minutes

- a. Minutes from the Regular Board Meeting on December 19, 2022.

Upon motion by Director Ruonavar, seconded by Director Barr after full discussion with all Directors present voting aye, the Minutes of the Regular Board Meeting of December 19, 2022 were approved. Motion carried.

4. Old Business

- a. Technology upgrades for Board Members (Director Bell)

Tabled until the February meeting.

5. New Business

- a. Ratify authorization of Director credit cards with a limit of \$2,000

Upon motion by Director Pillow, seconded by Director Barr after full discussion with all Directors present voting aye, it is authorized to issue Director credit cards with a limit of \$2,000. Motion carried.

b. District Board Committees

Everyone is okay with the Committees as they are.

c. Schedule of Rates, Fees, and Charges

Upon motion by Director Ruonavar, seconded by Director Barr after full discussion with all Directors present voting aye, it was decided to accept the Schedule of Rates, Fees, and Charges. Motion carried.

d. Texas Utility Help financial assistance program

No cost to the District. Could help qualified Texas homeowners and renters with low income. Eligible expenses include electricity, gas, propane, water and wastewater.

Upon motion by Director Ruonavar, seconded by Director Ashy after full discussion with all Directors present voting aye, it was decided to participate in the Texas Utility Help financial assistance program. Motion carried.

e. StarnikPay agreement for online payment system

Starnik is waiving the fee to change to StarnikPay. No increase in cost to District. Director Ruonavar wants to know if they will take payment if you have a credit balance. Mr. Smith to check on this.

Upon motion by Director Ruonavar, seconded by Director Ashy after full discussion with all Directors present voting aye, it was decided to change to StarnikPay after being approved by Mr. Polley. Motion carried.

6. Financial Report

- a. Financial Statements for the period ending October 31, 2022.

Upon motion by Director Ruonavar, seconded by Director Bridges after full discussion with all Directors present voting aye, it was decided to approve the Financial Statements for the period ending October 31, 2022. Motion carried.

- b. Financial Statements for the period ending November 30, 2022.

Upon motion by Director Bridges, seconded by Director Ruonavar after full discussion with all Directors present voting aye, it was decided to approve the Financial Statements for the period ending November 30, 2022. Motion carried.

- c. Financial Statements for the period ending December 31, 2022.

Upon motion by Director Ruonavar, seconded by Director Barr after full discussion with all Directors present voting aye, it was decided to approve the Financial Statements for the period ending December 31, 2022 pending answers to questions by Mr. Smith. Motion carried.

7. Engineering Report by Bleyl Engineering

- a. Update on Development Projects

- i. Royal Pines (MCMUD #24)

Nothing new at this time.

- ii. New Caney ISD Elementary School (Loop 494)

Nothing new at this time.

iii. Hendricks 50-acre Tract, including approving Feasibility Study

50 acres to still be developed. Generic site plan. Estimates 1200/day/connection or 120 equivalent connections. \$250K of impact fees. Don't pay until applies for development permit.

Tabled until next month.

b. Update on General Fund Projects

- i. Sorters Road Waterline Relocation, including approving Change Order for connection at Old Sorters Road, Change Order for connection at school, and Pay Application #11 in the amount of \$124,027.25.

The 8" lines are not on the map. Do a TS&V on the line and reconnect. \$7,375.42 add on. Old Sorters Road done by county plans and jumps sides of road. TS&V \$5,472.21. Recommends approving both change orders. Modifications to Sorters Road.

Upon motion by Director Ashy, seconded by Director Ruonavar after full discussion with all Directors present voting aye, the two Change Orders for \$7,375.42 and \$5,472.21 are approved. Motion carried.

Upon motion by Director Ashy, seconded by Director Ruonavar after full discussion with all Directors present voting aye, the Pay Application #11 in the amount of \$124,027.25 is approved. Motion carried.

- ii. Copeland EST, including awarding clearing and grubbing contract.

Four bids received. Randy Roan Construction was low bidder at \$29,075.00. Bleyl recommends clearing the site (1.8 acres). Could just get a geotechnical company in to bore. Bleyl has worked with Randy Roan before.

Upon motion by Director Ruonavar, seconded by Director Bridges after full discussion with all Directors present voting aye, Randy Roan Construction is hereby awarded the contract to clear the site at Copeland for an amount of \$29,075.00 and to achieve Substantial Completion of the Work within 30 calendar days after the date of the written Notice to Proceed. Motion carried.

- iii. Ford Road Waterline Relocation, including awarding contract to Blazey Construction Services, LLC in the amount of \$3,689,472.45

Blazey was the lowest bidder and came in lower than our estimate. Bleyl recommends Blazey Construction.

Upon motion by Director Ashy, seconded by Director Bridges after full discussion with all Directors present voting aye, Blazey Construction, LLC is hereby awarded the contract for the Ford Road Waterline Relocation project for an amount of \$3,689,472.45. Motion carried.

c. Update on Impact Fee Capital Improvement Projects

- i. Valley Ranch Parkway Waterline Extension

Change Order waiting to do bore (under 1314), but due to weather, unable to do it.

Tabled until next month.

Break at 8:21 pm

Back at 8:30 pm

8. General Counsel's Report

- a. Water Facilities Development and Service Agreement with New Caney ISD Elementary School (Loop 494)

No action taken.

- b. Arbitrage Rebate Calculations for the 10th Year Computation Period November 28, 2012 to November 28, 2022 for Series 2012 Bonds

Upon motion by Director Ruonavar, seconded by Director Barr after full discussion with all Directors present voting aye, Arbitrage Rebate Calculations for the 10th Year Computation Period of November 28, 2012 to November 28, 2022 for Series 2012 Bonds was approved. Motion carried.

- c. Annual Review of Consultant Contracts

Done annually for Auditor

Upon motion by Director Ruonavar, seconded by Director Bridges after full discussion with all Directors present voting aye, the Annual Review of Consultant Contracts has been done. Motion carried.

- d. Filing of financial and tax-related information with Texas Comptroller pursuant to Texas Local Government Code, Sections 203.062 and 403.0241, for the Special Purpose District Public Information Database

Done on an annual basis.

Upon motion by Director Ashy, seconded by Director Ruonavar after full discussion with all Directors present voting aye, the filing of financial and tax-related information will be done with the Texas Comptroller. Motion carried.

- e. Acceptance of waterline easement from 1314 Crossing (20125 FM 1314)

SM Realty .035 acres

Upon motion by Director Ruonavar, seconded by Director Bridges after full discussion with all Directors present voting aye, the waterline easement from 1314 Crossing is accepted. Motion carried.

Mike Kelly and Michael Escobar left the meeting.

9. **General Manager's Report**

- a. District Property, facilities, infrastructure, vehicles, equipment, projects, developments, compliance, reporting and personnel matters.

Still some tie-ins on Sorters Road. Smith and Valley Ranch Roads still need ditches cleaned up. Director Ruonavar asked about putting bollards around some of the fire hydrants that are close to the road. Director Ruonavar told Mr. Smith that he did a good job at the Chamber meeting presentation. The water loss report runs concurrent with the billing system. On the vehicle report, did we note mileage when we put in the new transmission? Does Christian (#110) go on call? He is a meter reader in district with Toby. Christian installs at Maple Heights as well.

- b. Cross-Connection Control Program

It is a living document. We have a good start on it. Mr. Wright is the Program Administrator. It defines reasons for having a back flow preventer. Operations Manager/Program Director took out redundancies. External inspections. Make fees less on residential than on commercial customers. Define what is an internal device. Low-income program to help with those that cannot afford. Pools and irrigations systems are examples. Director Bell wants it more defined. When property is sold or when renters change, new construction, backflow to owner and inspection to renter. Renter and owner jointly and severably liable going forward. Work on verbiage. Transitional period in order to enforce this. Mr. Polley has language. We need in place to be able to enforce.

Upon motion by Director Ruonavar, seconded by Director Barr after full discussion with all Directors present voting aye, the Cross-Connection Control Program is accepted. Motion carried.

- c. New Administration Building

Design proposal from architects. When approved get new drawings, then meeting of committee.

Upon motion by Director Bridges, seconded by Director Ashy after full discussion with all Directors present voting aye, the Proposal from the Architects was approved. Motion carried.

Went into Executive Session at 9:14 pm
Out of Executive Session at 10:11 pm

Upon motion by Director Ashy, seconded by Director Bridges after full discussion with all Directors present voting aye, except for Director Bell that abstained and Directors Barr and Ruonavar voting nay, the topic of discussion in Executive Session was approved. Motion carried.

10. **Director Comments**

Directors Bell, Ruonavar and Denham spoke about the AWBD Mid-Winter Conference.

11. **Next Regular Board Meeting – February 27, 2023 at 7:00 p.m.**

12. **Adjournment**

There being no further business to come before the Board, upon motion by Director Ashy, seconded by Director Barr after full discussion and all Directors present voting aye, the meeting was adjourned at 10:18 p.m.

PASSED and APPROVED this the 27th day of February 2023.





President, Board of Directors



Secretary, Board of Directors