

MINUTES
Regular Meeting
Laguna Madre Water District Board of Directors
December 13, 2017
5:30 PM -7:46 PM
Board Room

The **REGULAR MEETING** of the **LAGUNA MADRE WATER DISTRICT** was held at the Administration Office of the District at 105 Port Road, Port Isabel, Texas on the **13TH day of December 2017**, at the hour of **5:30 P.M.**, pursuant to written notice as prescribed by law.

ITEM #1 **QUORUM**

The **CHAIRMAN** called the meeting to order and determined the Notice of the Meeting had been duly posted in accordance with the law, and the following present constituted a quorum:

PRESENT: Chairman, Scott D. Friedman
 Vice Chairman, Rick A. Wells
 Secretary, Doyle Wells
 Director, Herb Houston
 Director, Alex Avalos

ADMINISTRATIVE STAFF: General Manager, Carlos J. Galvan, Jr.
 Director of Operations, Robert Gomez
 District Engineer, Charles Ortiz
 Purchasing Agent, Enrique Samaniego
 Attorney, Eddie Lucio, III

ITEM #2 **INVOCATION AND PLEDGE ALLEGIANCE**

The meeting began with the Pledge Allegiance and an Opening Prayer.

ITEM #3 **INVITATION TO THE AUDIENCE FOR PUBLIC COMMENTS**

Guest, Robert Vela recounted a concern regarding the same statements made on September 27, 2017, and October 11, 2017, Regular Meetings, regarding TCEQ requirements at the Water Plant.

ITEM #4 **CONSIDER AND APPROVE MINUTES OF REGULAR MEETING ON NOVEMBER 8, 2017.**
(C. GALVAN)

The **BOARD** agreed to approve the minutes of November 8, 2017.

H. HOUSTON made a motion to approve, seconded by **D. WELLS**. **R. WELLS** abstained. **MOTION CARRIED UNANIMOUSLY.**

ITEM #5 **GENERAL MANAGER'S REPORT**

- **BILLING OF GARBAGE FEES**

At the meeting of November 8, 2017, the Board agreed for staff to meet with both cities to discuss the billing of garbage collection fees for the City of Port Isabel and the City of Laguna Vista. **C. GALVAN** noted, the Agreement will be with between LMWD and the Garbage Company, discussion ensued.

The following points were given:

- Get a cost analysis
- Letter from auditors – professional opinion
- Review contract from Port Isabel and Laguna Vista
- Call east Rio Hondo
- Gather more information
- Address legal questions

Present at the meeting for questions and answers, City Manager, Jared Hockema.

The Board agreed to move forward on gathering more information.

This item was for discussion only, no action taken.

ITEM #6 **DISTRICT ENGINEER'S REPORT**

- **STATUS OF CONSTRUCTION AT PORT ISABEL WASTEWATER TREATMENT PLANT**
- **TEXAS WATER DEVELOPMENT BOARD AVAILABLE FINANCIAL ASSISTANCE**
- **WATER DISTRIBUTION SYSTEM HYDRAULIC MODE**
 - **LOW PRESSURE ON SOUTH PADRE ISLAND**
 - **TASTE AND ODOR CONTROL**

- **C. ORTIZ** gave an update on the construction at Port Isabel Wastewater Treatment Plant.
- Texas Water Development Board still on track for the Financial Assistance. Board requested to prepare a list of the prioritization of Capital Projects that was discussed at the Workshop.
- Water Distribution System Hydraulic Model:
 - To meet the pressure requirements at South Padre Island, need both Water Plants 1 & 2 running, discussion and questions ensued.
 - Taste and Odor Control

ITEM #7 **DIRECTOR OF OPERATION'S REPORT**

• **TCEQ TRAINING**

R. GOMEZ reported the following:

- Telephoned Chris Caudle, TCEQ Environmental Investigator, requesting training and about using a "D" license operator at the water plant during shift work. TCEQ does not go out to do training. Referenced, "Texas Administrative Code 290", the District is ok.
- Confirmation that a "D" License operator could work solo (during the time in question). Referenced, Code (F), Each plant must have at least one Class "C" or higher operator on duty at the plant when it is in operation or the plant must be provided with continuous turbidity and disinfectant residual monitors with automatic plant shutdown and alarm to summon operators so as to ensure that the water produced continues to meet the commission's drinking water standards during periods when the plant is not staffed.
- Mr. Caudle is available for contact.
- Tracy Herring, a trainer with Texas Environmental Consulting, interested in hosting a basic class water operator training, 2 ½ day class, if interested.

Discussion ensued about the Regular Meeting of October 11, 2017, on a discussion relating to TCEQ requirements at the Water Plant. A concern raised at the Regular Meeting on September 27, 2017, that the Water Plant is being operated by "D" License Operators on shifts of scheduled rotations by themselves. On October 11, 2017, Regular Meeting, the Board discussed the Texas Administrative Codes, and the Water Plant Manager ensured confirmation via email from TCEQ permitting "D" license Water Plant Operators to operate the Plants without direct supervision (as long as the Water Plant Manager is in contact 24/7-at all times). The Board then requested a TCEQ presentation/ training.

It was determined acceptable (for now) providing that TCEQ has been consulted and advised of the questions, and the District is compliant based on the warning given to the Board by a concerned citizen on September 27, 2017.

ITEM #8 **CONSIDER AND DISCUSS OVERTIME REPORT FOR 2017 WITH POSSIBLE ACTION, IF NECESSARY (C. GALVAN)**

There were discussion and questions regarding the 2017 Overtime Report. The Board agreed on no action necessary at this time.

No action was taken.

ITEM #9 **CONSIDER AND DISCUSS FOR POSSIBLE APPROVAL AN AGREEMENT WITH VERIZON WIRELESS FOR THE ANTENNA AT ANDY BOWIE (C. GALVAN)**

C. GALVAN noted Verizon Wireless agreed a 3% increase, discussion ensued, and the following points were made:

- Define Tower space
- Exhibit A & B not shown
- No firm commencement date
- Questioning Page 2 bottom paragraph
- Insurance

R. WELLS made a motion to approve the Draft Agreement, seconded by **H. HOUSTON**. **MOTION CARRIED UNANIMOUSLY.**

ITEM #10 **CONSIDER AND APPROVE A RESOLUTION AMENDING THE DISTRICT'S POLICY GOVERNING THE ANNEXATION OF LAND TO THE LAGUNA MADRE WATER DISTRICT AND THE FURNISHING OF WATER AND SEWER SERVICE TO ANNEXED LAND (RESOLUTION NO. 155-12-17) (C. ORTIZ)**

C ORTIZ met with the annexation committee (H. Houston and R. Wells) regarding the Annexation Fees schedule and proposing to adjust the fees by lowering the buying water treatment and sewer treatment, amending to adjust the water supply capacity to match the current market rate for water and sewer. Discussion and questions ensued. The resolution got approved, with corrections on Exhibit "A" (to adjust fees accordingly for water and sewer).

D. WELLS made a motion to approve with corrections, seconded by **R. WELLS**. **MOTION CARRIED UNANIMOUSLY.**

ITEM #11 **CONSIDER AND AWARD CONSTRUCTION OF PADRE BLVD GRAVITY SEWER CROSSING AT LA QUINTA (BID # WW-17-11-04) (C. ORTIZ).**

C. ORTIZ noted, lowest bid from G & T Paving Company for a total amount \$89,175.00, discussion ensued.

H. HOUSTON made a motion to approve, seconded by A. AVALOS. MOTION CARRIED UNANIMOUSLY.

ITEM #12 CONSIDER AND APPROVE RESOLUTION ADOPTING A BUDGET AMENDMENT TO CAPITAL PROJECTS FOR FISCAL YEAR 2017-2018 OF THE LAGUNA MADRE WATER DISTRICT (RESOLUTION NO. 156-12-17) (C. ORTIZ).

There were discussion and questions regarding the budget changes. The Budget amendment got approved by a Resolution.

D. WELLS made a motion to approve, seconded by A. AVALOS. MOTION CARRIED UNANIMOUSLY.

ITEM #13 CONSIDER AND APPROVE THE PURCHASE OF THREE (3) 2018 MODEL YEAR, ½ TON, 4X2 WHEEL DRIVE – EXTENDED CAB TRUCK LONG BED. (E. SAMANIEGO)

There were discussion and questions regarding the purchase of 2018 models, and recommendation to look into other models(2017). The Item got tabled and deferred to the next regularly scheduled meeting.

H. HOUSTON made a motion to table, seconded by D. WELLS. MOTION CARRIED UNANIMOUSLY. ITEM TABLED.

ITEM #14 CONSIDER AND APPROVE THE PURCHASE OF FOUR (4) INDUSTRIAL SELF CONTAINED BREATHING APPARATUS (ISCBA) WITH FACEPIECE. (E. SAMANIEGO)

There were discussion and questions regarding the purchase; the Board agreed to approve.

D. WELLS made a motion to approve, seconded by A. AVALOS. MOTION CARRIED UNANIMOUSLY.

ITEM #15 CONSIDER AND APPROVE REVENUE AND EXPENSE REPORTS FOR SEPTEMBER 2017 AND OCTOBER 2017. (R. GOMEZ)

R GOMEZ reported the following:

September 2017 Summary: Total Revenue \$9, 745,144.31, Under Budget \$389,824.69
Total Expenditures \$9,695,592.46, Under Budget \$439,377.54
Revenue over expenditures \$49,551.85

October 2017 Summary (year is not closed yet): Total Revenue \$697,871.84
Total Expenditures \$489,174.81
Revenue over expenditure \$208,797.03

The Revenue and Expense reports got approve as presented.

H. HOUSTON made a motion to approve as presented, seconded by D. WELLS. MOTION CARRIED UNANIMOUSLY.

ITEM #16 CONSIDER AND REVIEW EXPENDITURES FOR NOVEMBER 1-30, 2017. (C. GALVAN)

The Board approved the expenditures for the month November 2017 as presented.

H. HOUSTON made a motion to approve as presented, seconded by D. WELLS. MOTION CARRIED UNANIMOUSLY.

ITEM #17 EXECUTIVE SESSION PERMITTED BY THE OPEN MEETING ACT, V.T.C.A., GOVERNMENT CODE SECTION 551.001 ET. SEQ., UNDER SECTION 551.071, CONSULTATION WITH ATTORNEY; SECTION 551.074 (A) (1), AUTHORIZING CERTAIN DELIBERATIONS ABOUT OFFICERS AND EMPLOYEES OF THE DISTRICT TO BE HELD IN EXECUTIVE SESSION.

- A. DISCUSSION ON LEGAL MATTERS WITH COUNSEL CONCERNING 6900 PADRE BLVD./7200 PADRE BLVD.
- B. TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF DISTRICT EMPLOYEES TO WIT: DISTRICT ENGINEER
- C. TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF DISTRICT EMPLOYEES TO WIT: DIRECTOR OF FINANCE

R. WELLS made a motion for the BOARD to go into executive session at 7:03 PM, seconded by D. WELLS.
MOTION CARRIED UNANIMOUSLY.

The BOARD took a short recess before going into Executive Session.

A. AVALOS made a motion for the BOARD to come out of executive session at 7:45 PM, seconded by H. HOUSTON. MOTION CARRIED UNANIMOUSLY.

ITEM #17 CONSIDERATION AND ACTION ON EXECUTIVE SESSION ITEM, IF NECESSARY.

- A. The CHAIRMAN noted, to proceed as directed.
- B. The CHAIRMAN noted, to proceed as directed with the General Manager.
- C. The CHAIRMAN noted, no action.

ITEM #18 ADJOURNMENT

The CHAIRMAN adjourned the meeting at 7:46 PM.

SCOTT FRIEDMAN, CHAIRMAN

DOYLE WELLS, SECRETARY

MINUTES APPROVED THIS 10th DAY OF JANUARY 2018.