

GREEN VALLEY SPECIAL UTILITY DISTRICT

January 28, 2021 Minutes

The Green Valley Special Utility District (GVSUD) Board of Directors met in a regular monthly meeting on January 28, 2021 using a video conference system called Zoom and is authorized by Governor Gregg Abbott's temporary suspension of certain aspects of the Texas Open Meetings Act which allows for a Governing Body to hold a "Virtual" Meeting so as to avoid gathering members of the public and/or Board Members in a physical setting that might constitute a public health risk. Directors on the video conference call were Jill Bennett, James Poage, Nick Sherman, Christina Miller, James Harden, David Strauss and Robert Roberson. Staff present were Pat Allen, General Manager, Tracy Rappmund, Pamela Manchack, John Davenport, Kim Zamora and Morgan Goodwin. Also, on the video conference was Shan Rutherford the District Legal Counsel, Kay Vincent with Vincent Communications, Jason Vreeland Consulting Engineers with Trihydro Engineering, Garry Montgomery Consulting Engineer with Utility Engineering Group, Gary Rose Customer of Green Valley SUD, Matt Matthews with Freehold Communities,

The public may view the meeting by going to the Green Valley SUD's website at: www.gvsud.org click on News and Notices, Board Meetings.

A. Establish quorum and Call to Order.

Bennett called the Meeting to Order at 9:02am

B. Public Comment.

Garry Rose read a letter he had written to the Board.

C. Hear Report from Auditor, Belt, Harris, Pechacek, LLP, regarding the Green Valley SUD Fiscal year 2019-2020 Annual Audit, authorize approval and take action as necessary.

Poage made a motion to approve the Audit presented by Belt, Harris, Pechacek, LLP for the Green Valley SUD Fiscal Year 2019-2020 Annual Audit. Strauss seconded the motion. Unanimous vote in favor. Motion passed.

D. Consent Agenda

All items listed below are considered to be routine and non-controversial by the Board and will be approved by one motion. There will be no discussion of these items unless a Board member so requests, in which case the item will be removed from the consent agenda and will be considered as part of the order of business.

Approval of the below items:

1. December 17, 2020 Board Meeting Minutes
2. December 31, 2020 Financial Report until audited
3. December 31, 2020 Cash Investment Report/Statement of Account Balances until audited

Sherman pulled Item D-1. December 17, 2020 Board Meeting Minutes and Item D-3 December 31, 2020 Cash Investment Report/Statement of Account Balances until audited.

Harden made a motion to poll the Board Members regarding their opinion of having the check register removed from the Board Packet. Poage seconded the motion, vote passed 5 – 1.

Poage requested the President to take a Roll Call Vote. Bennett took a roll call vote regarding if the check register should be in the Board Packet.

Poage - No
Miller - No
Strauss - No
Roberson – No
Harden - No
Sherman – Yes

Poage made a motion to end the debate regarding the check register. Strauss seconded the motion.

Strauss made a motion to approve Item D- 2 December 31, 2020 Financial Report until audited. Poage seconded the motion. Unanimous vote in favor, motion passed.

Strauss made a motion to approve Item D-1 December 17, 2020 Board Meeting Minutes and D – 3 December 31, 2020 Cash Investment Report/Statement of Account Balances until audited Roberson seconded the motion. Vote passed 5 - 1.

Bennett excused herself from the meeting at 10:06a.m.
Bennett rejoined the meeting at 10:07a.m.

E. Receive reports and TAKE ACTION AS NECESSARY on the following:

1. Report from Legal Counsel
 - a. Pending or Threatened Litigation

Rutherford reported no new Pending or Threatening Litigation.

- b. Legal Changes Affecting the District

Rutherford reported there were no new legal changes affecting the District.

2. General Managers and Staff Report
 - a. Public Relations – CivicPlus – Website Alert System

Vincent gave an update on Public Relations. Zamora updated the Board of the Water Outages Program.

- b. Human Resource/SGR Update

Allen and Rappmund continue to work with SGR.

- c. CRWA Meeting

Allen reported on the CRWA Meeting

- d. Operations Report

Davenport presented the Operations Report. Zamora presented billing figures and meter sets.

- e. Community Relations and Communications

Allen reported he continues to participate in discussions with the Utilities Development Advisory Committee (UDAC) in relation to development planning of the San Antonio River Authority's service area.

GVSUD's recent newsletter went out to local Commission Court, Guadalupe County Judge, Representative John Kuempel, Donna Campbell and Judith Zaffirini. Allen also sent information regarding Green Valley SUD to US Representative Henry Cuellar and US Congressman Vicente Gonzalez since they have been supportive of efforts by GVSUD and the USDA loans.

f. January Public Forum

Sherman expressed he thought the Public Forum went well.

g. New Facility Update

Strauss gave an update on the New Facility. The next step will be bidding out the facility.

Poage excused himself from the meeting at 10:42a.m.

Poage rejoined the meeting at 10:43a.m.

3. Report from Engineers and Consultants on activities, meetings and various projects in regard to the GVSUD Water and Sewer System.

Vreeland and Montgomery updated the Board regarding ongoing projects.

Harden excused himself from the meeting at 10:58a.m.

Harden rejoined the meeting at 10:59a.m.

Roberson excused himself from the meeting at 11:00a.m.

Roberson rejoined the meeting at 11:02a.m.

F. Discussion and possible action regarding conducting GVSUD Public Forums on a regular basis, their format, and tentative focus topics.

Sherman made a motion to set a reoccurring Public Forum Meeting at 7:00pm every quarter. Miller seconded the motion. Unanimous vote in favor. Motion passed.

Miller excused herself from the meeting at 11:10a.m.

Miller rejoined the meeting at 11:13a.m.

G. Discussion and possible direction to staff concerning GVSUD website content including but not limited to items such as website content, Board agendas, Board notices, Board minutes, video recordings of Board meetings, special Board meetings, and public forums and take action as necessary.

Harden made a motion to include possible direction concerning GVSUD website contents on a future Agenda. Sherman seconded the motion. Unanimous vote in favor. Motion passed.

Poage made a motion amending the first motion to postpone to possible direction concerning GVSUD website contents Strauss seconded the motion. Motion passed 4 – 2.

H. Presentation and discussion on a Board strategic visioning initiative and take action as necessary.

No action was taken.

Sherman excused himself from the meeting at 12:15p.m.

Sherman rejoined the meeting at 12:16p.m.

Miller excused herself from the meeting at 12:19p.m.

Miller rejoined the meeting at 12:22p.m.

I. Discussion and possible direction to staff with regard to the start time of GVSUD Board Meetings and take action as necessary.

Poage made a motion to continue to hold the GVSUD Board Meetings at 9:00am. Harden seconded the motion. Motion passed 5 – 1.

J. Hear recommendation from the Facility Committee regarding RFQ for the Operations and Service Center and Water System Capital Improvement Projects to be awarded to Bond Counsel, Financial Advisory Service, Professional Engineering Service and take action as necessary.

Strauss made a motion to approve the RFQ for the Operations and Service Center and Water Systems Capital Improvement Project to award to Bond Counsel, Financial Advisory Service, and Professional Engineering Service. Miller seconded the motion. Motion passed 5 – 1.

K. Consideration and Approval of a Resolution Requesting Financial Assistance From the Texas Water Development Board For Constructing Various Public Improvements to the District's Utility System; Authorizing The District's Financial Advisors, Bond Counsel, and Engineers to Coordinate the Submission of the Application to the Texas Water Development Board: And Other Matters in Connection Therewith and take action as necessary.

Strauss made a motion to approve the Resolution Requesting Financial Assistance From the Texas Water Development Board For Constructing Various Public Improvements to the District's Utility System, Authorizing The District's Financial Advisors, Bond Counsel, and Engineers to Coordinate the Submission of the Application to the Texas Water Development Board, And other Matters in Connection Therewith. Harden seconded the motion. Motion passed 5 – 0, Sherman abstained.

L. Hear recommendation on Final Acceptance for CID 01 2020 Bolton Road Gravity Collection System Project and take action as necessary.

Poage made a motion to approve the Final Acceptance for CID 01 2020 Bolton Road Gravity Collection System Project. Miller seconded the motion. Motion passed 5 – 0, Sherman abstained.

M. Discussion of Feasibility Studies, Service Applications, Non-Standard Water Service Agreements and/or Easements and take action as necessary.

1. Long Creek North Water Feasibility Study

Poage made a motion to approve the Long Creek North Water Feasibility Study. Roberson seconded the motion. Unanimous vote in favor. Motion passed.

2. Long Creek East Water Feasibility Study

Poage made a motion to approve the Long Creek East Water Feasibility Study. Harden seconded the motion. Unanimous vote in favor. Motion passed.

3. Park Place West Water Feasibility Study

Poage made a motion to approve the Park Place West Water Feasibility Study. Strauss seconded the motion. Unanimous vote in favor. Motion passed.

4. Abbott Place 2/Real Non-Standard Service Agreement Water and Wastewater

Harden made a motion to approve the Abbott Place 2/Real Non-Standard Service Agreement for Wastewater. Roberson seconded the motion. Motion passed 5- 0, Sherman abstained.

Sherman made a motion to approve the Abbott Place 2/Real Non-Standard Service Agreement for Water. Roberson seconded the motion. Unanimous vote in favor. Motion passed.

- N. Authorize General Manager to prepare appropriate documents to abandon easement and pipeline with the proposed Mesa Western Development and take action as necessary.

Sherman made a motion to authorize the General Manager to prepare appropriate document to abandon easement and pipeline with the proposed Mesa Western Development. Roberson seconded the motion. Unanimous vote in favor. Motion passed.

- O. Consider the purchase and sale agreement between City of Marion and Green Valley SUD regarding Edwards Water Purchase Contract Agreement and take action as necessary.

No Action was taken deferred to Executive Session.

- P. Discussion possible action regarding sewer service options for properties generally located along FM 1044 and Weil Road within the GVSUD Sewer Service Area adjacent to GBRA Sewer Service Area and take action necessary.

No Action was taken deferred to Executive Session.

- Q. Hear Request from Homestead Developer regarding GVSUD Fees and take action as necessary.

No Action was taken deferred to Executive Session.

- R. Hear Report from District Counsel on Litigation Regarding GVSUD Texas Pollutant Discharge Elimination Systems (TPDES) and take action as necessary.

No Action was taken deferred to Executive Session.

S. Hear Report and from District Counsel on Litigation Regarding GVSUD Waste-Water CCN and take action as necessary.

No Action was taken deferred to Executive Session.

The Board took at break at 1:21p.m.

The Board went into Executive Session at 1:27p.m.

At 2:08p.m. Sherman was excused from Executive Session.

At 2:29p.m. the Board came out of Executive Session.

At 2:34p.m. the Board went back into Open Session.

There was no action taken in Executive Session.

Executive Session:

1. Section 551.071 and 551.072 consultation with Attorney regarding Pending and/or Threatening-Litigation and/or Purchase/Sale of Real Estate
 - a. City of Marion and GVSUD Edwards Water Purchase (Item O.)
 - b. GVSUD and GBRA Sewer Service Area (Item P.)
 - c. Homestead Development Regarding GVSUD Fees (Item Q.)
 - d. Green Valley SUD TPDES Permit (Item R.)
 - e. Green Valley SUD Wastewater CCN (Item S.)

T. Consideration of Items Discussed in Executive Session and take action as necessary.

There was no action taken in Executive Session.

Item Q.

Poage made a motion it is not the Board Policy to waive GVSUD Water Acquisition Fees. Harden seconded the motion. Unanimous vote in favor. Motion passed.

U. Discussion of Items to be included on Next Month's Agenda.

November Board Minutes to consider an addition to the minutes adding Architecture notes for the new facility. Item O. deadline to turn in topics for the Public Forum February 11, 2021.

V. Adjournment.

Sherman made a motion to adjourn at 2:41pm. Roberson seconded the motion. Unanimous vote in favor. Motion passed.

Jill Bennett – President

Christina Miller – Secretary - Treasurer