

GREEN VALLEY SPECIAL UTILITY DISTRICT

March 26, 2021 Board Minutes

The Green Valley Special Utility District (GVSUD) Board of Directors met in a regular monthly meeting on March 26, 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 and David Strauss. Robert Roberson was absent from the meeting. Staff present were Pat Allen, General Manager, Tracy Rappmund, Pamela Manchack, Angela Herbelin, John Davenport, Kim Zamora and Morgan Goodwin. Also present was Shan Rutherford the District Legal Counsel Also, on the video conference was, Kay Vincent with Vincent Communications, Jason Vreeland and Nash Mock Consulting Engineers with Trihydro Engineering, Garry Montgomery Consulting Engineer with Utility Engineering Group. Customer of Green Valley on the Zoom meeting were Gary Rose, Judith Parker, Michael Terry, and Dana Bellers.

A. Establish quorum and Call to Order.

Bennett called the meeting to order at 9:06am.

B. Public Comment.

GVSUD welcomes public participation. To actively participate with Public Comment in the meeting, please email GVSUD's public information officer with your name and the topic or agenda item you wish to address at trappmund@gvsud.org by 3:00 p.m. on March 25, 2021. Please remember that Public Comment is limited to 3 minutes per person. Time may not be "shared or ceded" to another citizen. Written comments may also be submitted.

Garry Rose addressed the Board.

C. 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. February 28, 2021 Board Meeting Minutes
2. February 28, 2021 Financial Report until audited
3. February 28, 2021 Cash Investment Report/Statement of Account Balances until audited

Sherman pulled Item C-1 February 28, 2021 Board Meeting Minutes.

Poage made a motion to approve Item C-2 February 28, 2021 Financial Report until audited and Item C-3 February 28, 2021 Cash Investment Report/Statement of Account Balances until audited. Strauss seconded the motion. Unanimous vote in favor. Motion passed.

Harden made a motion to approve Item C-1 February 28, 2021 Board Meeting Minutes. Strauss seconded the motion. Motion passed 5-1.

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

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

Rutherford deferred to Executive Session.

- b. Legal Changes Affecting the District

Rutherford gave an update of Legal changes affecting the District.

2. General Managers and Staff Report
 - a. Human Resource/SGR Update

Allen reported a meeting is scheduled with SGR to define our task and have SGR produce an updated report of their status.

- b. CRWA Meeting

Allen gave an update from the CRWA Meeting.

- c. Community Relations and Communications

Poage and Vincent gave an update on Community Relations and Communications.

- d. Winter Storm Report

Poage gave an update on the Winter Storm Report.

- e. Covid-19

Allen gave an update on COVID-19, he reported we are back to full staff. We are working with Guadalupe County to get our employees registered to receive the vaccination.

- f. Engineer's Update

Vreeland and Montgomery presented the Board with an update regarding ongoing projects.

- g. Operations Report

Manchack, Allen and Zamora update the Board with the Operations Report.

E. Authorize resolution appointing Green Valley SUD representative to the Canyon Regional Water Authority Board of Trustees and take action as necessary.

Strauss made a motion to appoint Jim Poage as the Green Valley SUD representative to the Canyon Regional Water Authority Board of Trustee. Harden seconded the motion. Motion passed 4-1.

F. Authorize resolution appointing Green Valley SUD representative to the Canyon Regional Water Authority Board of Managers and take action as necessary.

Poage made a motion to appoint Pat Allen as the Green Valley SUD representative to the Canyon Regional Water Authority Board of Managers. Harden seconded the motion. Unanimous vote in favor. Motion passed.

- G. Authorize Resolution 2021-3A Rodney A. Spachek: Resolution Authorizing Condemnation to Acquire Certain Property and Authorizing the Directors, Officers and Other Representatives of the District to Take All Actions Necessary, Convenient or Appropriate in Connection Therewith.

Deferred to Executive Session.

- H. Approval of Resolution 2021-3B Tommy S. Johnson and Wife, Julie K. Johnson: Resolution Authorizing Condemnation to Acquire Certain Property and Authorizing the Directors, Officers and Other Representatives of the District to Take All Actions Necessary, Convenient or Appropriate in Connection Therewith.

Deferred to Executive Session.

- I. Review bid tabulations and hear Engineers recommendation, award contracts, including authorizing the General Manager to sign all necessary documents for the construction of the Clearwater Wastewater Treatment Plant and Lift Station and take action as necessary.

Harden made a motion to approve the Engineers Recommendation to award contract to Integrated Water Services, Inc. in the amount of \$4,286,456.96, including authorizing the General Manager to sign all necessary documents for the construction of the Clearwater Wastewater Treatment Plant and Lift Station. Poage seconded the motion. Sherman abstained. Motion passed 4-0.

- J. Review bid tabulations and hear Engineers recommendation, award contracts, including authorizing the General Manager to sign all necessary documents for the construction of the CID #4 Wastewater Treatment Plant Lab, Office and Front Entrance and take action as necessary.

Strauss made a motion to approve the Engineers Recommendation to award contract to The Struthoff Company, Inc. in the amount of \$1,502,800.00, including authorizing the General Manager to sign all necessary documents for the construction of the CID #4 Wastewater Treatment Plant Lab, Office and Front Entrance. Harden seconded the motion. Sherman abstained. Motion passed 4-0.

Harden excused himself from the meeting at 10:09a.m.

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

- K. Discussion of Non-Standard Water Feasibility Studies and/or Service Agreements and take action as necessary.

1. Marion Oaks
2. Palm Field
3. King Dominion
4. Youngsford Road
5. Long Creek South
6. Long Creek North
7. Lennar-Hilltop
8. Highland Ridge
9. Southpoint

Deferred to Executive Session.

- L. Discussion of Non-Standard Wastewater Feasibility Studies and/or Service Agreements, and take action as necessary.

- 1. Marion Oaks

Deferred to Executive Session.

- M. Review bid tabulations and hear Engineers recommendation, award contracts, including authorizing the General Manager to sign all necessary documents for the construction of the FM 1103 Waterline Relocation Project, Part 2 and take action as necessary.

Sherman made a motion to approve the Engineers recommendation, award contracts to Nelson Lewis, Inc. with a bid amount of \$1,109,297.00 including authorizing the General Manager to sign all necessary documents for the construction of the FM 1103 Waterline Relocation Project, Part 2. Strauss seconded the motion. Unanimous vote in favor. Motion passed.

- N. Review bid tabulations and hear Engineers recommendation, award contracts, including authorizing the General Manager to sign all necessary documents for the construction of the Plant 2 Improvements Project and take action as necessary.

Sherman made a motion to approve the Engineers recommendation, award contract to QroMex Construction Company including authorizing the General Manager to sign all necessary documents for the construction of the Plant 2 Improvements Project. Poage seconded the motion. Unanimous vote in favor. Motion passed.

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

Deferred to Executive Session.

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

Deferred to Executive Session.

- Q. General Consultation with District Counsel on Pending Contracts and take action as necessary.

Deferred to Executive Session.

- R. Hear Report from General Manager on the status of hiring the Assistant General Manager and take action as necessary.

Deferred to Executive Session.

The Board took a break at 10:23a.m.

The Board went into Executive Session at 10:30a.m.

Sherman excused himself from Executive Session at 11:16a.m.

The Board came out of Executive Session at 12:00p.m.

There was no action taken in Executive Session.

The Board went back into Open Session at 12:09p.m.

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. Real Property Acquisition (Item G. and Item H.)
 - b. Non-Standard Water Service Agreements (Item K.).
 - c. Non-Standard Wastewater Service Agreements (Item L.).
 - d. Green Valley SUD TPDES Permit (Item O.)
 - e. Green Valley SUD Wastewater CCN (Item P.)
 - f. Consultation with District Counsel on Pending Contracts (Item Q.)
2. Section 551.074-
 - a. Personnel Matters – Assistant General Manager (Item R.)

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

Item G.

Strauss made a motion to Approve the Resolution 2021-3A for Rodney A. Spachek: Resolution Authorizing Condemnation to Acquire Certain Property and Authorizing the Directors, Officers and Other Representatives of the District to Take All Actions Necessary, Convenient or Appropriate in Connection Therewith. Harden seconded the motion. Sherman abstained. Motion passed 4-0.

Item H.

Strauss made a motion to Approve the Resolution 2021-3B for Tommy S. Johnson and Wife, Julie K. Johnson: Resolution Authorizing Condemnation to Acquire Certain Property and Authorizing the Directors, Officers and Other Representatives of the District to Take All Actions Necessary, Convenient or Appropriate in Connection Therewith. Harden seconded the motion. Sherman abstained. Motion passed 4-0.

Item K.

Poage made motion to approve the Non-Standard Water Feasibility Study and or/Service Agreement for Item K-1 Marion Oaks, K-2 Palm Field, K-3 King Dominion, K-4 Youngsford Road, K-5 Long Creek South, K-6 Long Creek North, K-8 Highland Ridge, K-9 Southpoint. Strauss seconded the motion. Unanimous vote in favor. Motion passed.

Item. L.

Poage made a motion to approve the Non-Standard Wastewater Feasibility Studies and/or Service Agreements for Marion Oaks. Strauss seconded the motion. Sherman abstained. Motion Passed 4-0.

T. Discussion of Items to be included on Next Month's Agenda.

Finance Committee Meeting, Facility Update, Public Forum, and Annual Report.

U. Adjournment.

Sherman made a motion to adjourn at 12:25p.m. Strauss seconded the motion. Unanimous vote in favor. Motion passed.

*****Approved April 22, 2021 Board Minutes*****