

CLEAR LAKE CITY WATER AUTHORITY

900 Bay Area Boulevard • Houston, Texas 77058 • 281/488-1164
• Fax 281/488-3400

November 5, 2012

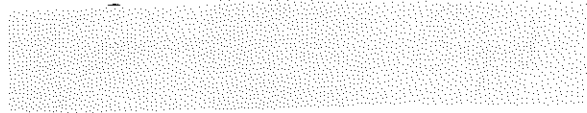
To: All Persons Interested in the Meeting of the Clear Lake City Water Authority Board of Directors:

Notice is hereby given that the Board of the Clear Lake City Water Authority will convene in Regular Session open to the public at 900 Bay Area Boulevard within such Authority at 7:00 p.m. on November 8, 2012 for the following purposes:

1. Approve or correct minutes of the October 11, 2012 Public Hearing and Regular Meeting;
2. Comments from the floor (5 minute limitation);
3. Ratify authorizing advertising for construction bids for Water Plant No. 4 Recoating and Modifications;
4. Consider and act upon service to St. Paul's Anglican Church at 11456 Space Center Blvd.;
5. Consider and act upon Clear Lake Islamic Center proposed detention variance;
6. Consider and act upon presentation from KBR regarding property on Gemini Avenue in Webster;
7. Consider and act upon revision to Policy R&S-120, to increase deposit amount;
8. Consider and act upon revision to Policy DEV-111, Detention Pond Inspections;
9. Consider and act upon adding a TexPool representative;
10. Receive Tax Assessor/Collector Report ending October 31, 2012;
11. Consider and act upon the Operating Disbursement's Report ending October 31, 2012;
12. Review bids and award construction contract for Water System Phase 4 Improvements;
13. Review and approve Pay Application No. 1 for the Sanitary Sewer Phase 52 Rehabilitation;
14. Review and approve Pay Application No. 2 for the Sanitary Sewer Phase 53 TV Inspections;
15. Authorize the advertising for construction bids for the Sanitary sewer Phase 54 Manhole Rehabilitation;
16. Authorize the advertising for construction bids for the Sanitary Sewer Phase 56 TV Inspections;

17. Review and approve Pay Application No. 2 for Lift Stations No. 2, 3, 9 & 14 Rehabilitation;
18. Review and act upon the Engineer's Report and any matters pertaining to construction contracts;
19. Consider and act upon approval of the Capital Projects Disbursements;
20. Receive and act upon Attorney's Report;
21. Consider and act upon the Investment Summary ending September 30, 2012;
22. Receive General Managers Report;
23. Old and New Business

Following the Board's consideration, and action if any, on the above items, the Board will adjourn from Regular Session and reconvene in Closed Session pursuant to §551.071 of the Government Code for the purpose of consulting with its attorney, pursuant to §551.072 of the Government Code to deliberate regarding real property and pursuant to §551.074 of the Government Code to discuss personnel matters.



James H. Byrd
General Manager
Clear Lake City Water Authority

(SEAL)



CLEAR LAKE CITY WATER AUTHORITY

Board of Directors'
Regular Meeting Minutes
November 8, 2012

Regular Meeting

The Board of Directors of the Clear Lake City Water Authority convened in regular session open to the public at the regular meeting place in its office at 7:00 p.m. on November 8, 2012. Roll was called of the members:

Quorum Present

Ms. Gayle I. Yoder, President;
Mr. John Branch, Vice President;
Mr. Robert T. Savely, Secretary;
Mr. Vince Johnson, Director;
Mr. Gordon Johnson, Director.

All were present.

Also present were:

James Byrd, General Manager;
Bill Rosenbaum, Engineer;
Bill Schweinle, Attorney;
Curtis Rodgers, Director of Utilities;
Larry Dunbar, Hydrologist

(See visitor roster attached hereto as part of these minutes and identified as Exhibit A.)

1. Minutes of 10/11/2012
Public Hearing and
Regular Meeting
Approved

Reading of the minutes of the October 11, 2012 meeting was waived due to all Directors having received copies prior to the meeting.

Thereupon, by motion duly made by Director Branch and seconded by Director V. Johnson, the Board voted unanimously to approve the minutes for the October 11, 2012 meeting.

2. Comments from the
Floor

None.

3. Ratify item from
October 11, 2012
meeting Authorizing
Advertising for
Construction Bids for
Water Plant No. 4
Recoating and
Modifications
Approved

Ratify from the October 11, 2012 meeting to authorizing advertising for construction bids for Water Plant No. 4 Recoating and Modifications.

By motion duly made by Director Branch and seconded by Director G. Johnson, the Board voted unanimously to approve the ratification authorizing advertising for construction bids for Water Plant No. 4 Recoating and Modifications.

4. Water, Sewer, and Drainage Service to the St. Paul's Anglican Church at 11456 Space Center Blvd.
Approved

A request for water, sewer, and drainage service for development of St. Paul's Anglican Church located at 11456 Space Center Blvd. was presented to the Board for review and approval. (Copy attached hereto as part of these minutes and identified as Exhibit B.)

By motion duly made by Director Savely and seconded by Director G. Johnson, the Board voted unanimously to approve the water, sewer, and drainage service to the St. Paul's Anglican Church.

5. Clear Lake Islamic Center Proposed Detention Variance Deferred

Mr. Curtis Rodgers explained to the Board that Mr. Larry Dunbar has been working with the Clear Lake Islamic Center and its engineers for several months on reviewing their plan to expand the Center's parking lot. The Clear Lake Islamic Center purchased part of the former HL&P cooling canal, which amounts to about 2.9 acres, to use for the site's detention.

Mr. Saib Saour spoke for the Clear Lake Islamic Center and explained the situation further and introduced their hydrologist engineer Burton Johnson. The most recent modeling analysis/design they submitted for review to Mr. Dunbar has been represented to Mr. Dunbar and the Board as showing not to have any adverse impact.

Mr. Dunbar stated this project has been made complicated because of the proposed use of the old water canal for the site's detention, since part of the canal currently holds water like a retention pond, detains water, and also serves as a drainage channel. However, in order to comply with CLCWA's detention policy, any modifications to it and the site must not have any adverse impact.

The Board is concerned with the cost for Mr. Dunbar's services which CLCWA is bearing because of the multiple design submissions that Mr. Dunbar has had to review, and asked the Clear Lake Islamic Center to share the cost.

A verbal agreement between the Clear Lake Islamic Center representatives and the CLCWA Board was made to have CLCWA pay the current \$7,500 due to Mr. Dunbar for his review services on this project, and any additional costs incurred for Mr. Dunbar's review of this project will be paid by the Clear Lake Islamic Center.

The detention variance request was deferred until Mr. Dunbar can recommend approval.

6. Presentation and Request for a MSD from KBR Regarding 900-910 Gemini Ave.

Mr. Frank Clark, an Environmental Engineer retained by KBR addressed the Board regarding 900-910 Gemini Avenue and presented a Municipal Setting Designation (MSD) requesting approval from the Board. In the 1990's the site was a laboratory and discovered to be contaminated in 1993. The chlorinated solvents need more time to degrade in order to meet approved clean-up levels. By approving the MSD it would restrict ground water usage at that site. The contamination zone is not anticipated to expand.

The contamination zone is from 0-40 feet deep, with the majority of it around 20 feet. The entire 900 Gemini site is contaminated and there is some contamination at 910 Gemini. All surrounding sites drinking water is at 400 feet. Only 900 and 910 Gemini would be restricted from ground water use, drinking water, or future well drilling.

The City of Webster has approved the MSD and approximately 8 other public retail water systems within 5 miles will be contacted to request approval. The TCEQ is the final approval.

The Board requested the MSD restrict any water use including potable, irrigation and well water at any depth at 900 and 910 Gemini Avenue.

Director Branch asked to have this item deferred and for Director V. Johnson, staff, and consultants to further review and have this item on the next regular board meeting agenda for reconsideration.

7. Amend Policy R&S-120
Deposit Amount
Increase
Approved

An amended policy R&S-120 setting service deposit amounts was presented to the Board to request an increase of the deposit to cover average water bills. Director Savely requested a language change in the amended policy adding back in payment of deposit interest accrual on grandfathered accounts, like the previous policy addressed. The Board agreed.

Thereupon, by motion duly made by Director Savely and seconded by Director Branch, the Board voted unanimously to amended policy R&S-120, contingent upon the deposit interest accrual language being added back in. (Copy attached hereto as part of these minutes and identified as Exhibit C.)
8. Amend Policy DEV-111
Detention Pond
Inspections
Deferred

An amended policy DEV-111 for detention pond inspections was presented to the Board. After much discussion, changes were made by the Board, Mr. Rosenbaum, and Mr. Dunbar. This item was deferred and the staff will revise for the next regular Board meeting. (Copy attached hereto as part of these minutes and identified as Exhibit D.)
9. Add a Texpool
Representative
Approved

The Board was presented with a request from the Staff to add Nikki Jacks as an authorized Texpool representative. (Copy attached hereto as part of these minutes and identified as Exhibit E.)

By motion duly made by Director Branch and seconded by Director G. Johnson the Board voted unanimously to approve adding Nikki Jacks as an authorized Texpool representative.
10. Tax Collector Report
Received

Ms. Cumming presented a report of taxes collected and taxes outstanding as of October 31, 2012 for the Board's review. (Copy attached hereto as part of these minutes and identified as Exhibit F.)

Ms. Cumming additionally reported that the two properties with delinquent taxes were sold at the public auction.

731 Voyager was appraised at \$110,000 and auctioned for \$48,000.

The Bio-fuel Equipment (Business Personal Property for Hunt Global) that was abandoned at 4700 New West was auctioned for \$30,000. This will not cover delinquent expenses due so funds will be pro-rated.
11. Operating
Disbursements Report
Approved

The Operating Disbursements Report ending October 31, 2012 was presented for the Board's approval. (Copy attached hereto as part of these minutes and identified as Exhibit G.)

Thereupon, by motion duly made by Director Savely and seconded by Director G. Johnson, the Board voted unanimously to approve the Operating Disbursements Report ending October 31, 2012.
12. Award Construction
Contract for Water
System Phase 4
Improvements
Approved

Mr. Rosenbaum presented the bids received for Water System Phase 4 Improvements for the Board's review and approval. (Copy attached hereto as part of these minutes and identified as Exhibit H.)

Thereupon, by motion duly made by Director Branch and seconded by Director V. Johnson the Board voted unanimously to approve awarding the contract to the low bidder pursuant to the Engineer's recommendation, Blastco Texas, Inc., with a bid of \$474,600.00 and 120 calendar days.

13. Pay Application No. 1 for Sanitary Sewer Phase 52 Rehabilitation
Approved

Mr. Rosenbaum presented Pay Application No. 1 for Sanitary Sewer Phase 52 Rehabilitation for the Board's review and approval. (Copy attached hereto as part of these minutes and identified as Exhibit I.)

Thereupon, by motion duly made by Director Savely and seconded by Director Branch, the Board voted unanimously to approve Pay Application No. 1 to PM Construction & Rehab., LP. for \$85,124.81.

14. Pay Application No. 2 for the Sanitary Sewer Phase 53 TV Inspections
Approved

Mr. Rosenbaum presented Pay Application No. 2 for the Sanitary Sewer Phase 53 TV Inspections for the Board's review and approval. (Copy attached hereto as part of these minutes and identified as Exhibit J.)

Thereupon, by motion duly made by Director Savely and seconded by G. Johnson, the Board voted unanimously to approve Pay Application No. 2 to AAA Flexible Pipe Cleaning Co., Inc. for \$21,037.10.

15. Authorize Advertising for Construction Bids for Sanitary Sewer Phase 54 Manhole Rehabilitation
Approved

Mr. Rosenbaum requested Board approval to authorize advertising construction bids for Sanitary Sewer Phase 54 Manhole Rehabilitation to be funded through Bond Issue #31.

Thereupon, by motion duly made by Director Savely and seconded by Director Branch, the Board voted unanimously to approve advertising construction bids for Sanitary Sewer Phase 54 Manhole Rehabilitation.

16. Authorize Advertising for Construction Bids for Sanitary Sewer Phase 56 TV Inspections
Approved

Mr. Rosenbaum requested Board approval to authorize advertising construction bids for Sanitary Sewer Phase 56 TV Inspections to be funded through Bond Issue #33.

Thereupon, by motion duly made by Director Savely and seconded by Director G. Johnson, the Board voted unanimously to approve advertising construction bids for Sanitary Sewer Phase 56 TV Inspections.

17. Pay Application No. 2 for Lift Stations No. 2, 3, 9 & 14 Rehabilitation
Approved

Mr. Rosenbaum presented Pay Application No. 2 for Lift Stations No. 2, 3, 9 & 14 Rehabilitation for the Board's review and approval. (Copy attached hereto as part of these minutes and identified as Exhibit K.)

Thereupon, by motion duly made by Director Savely and seconded by Director G. Johnson, the Board voted unanimously to approve Pay Application No. 2 to T&C Construction, LTD. for \$103,671.00.

18. Engineer's Report

Mr. Rosenbaum presented a written status of projects for the Board's review and discussion. (Copy attached hereto as part of these minutes and identified as Exhibit L.)

19. Capital Projects Disbursements
Approved

The Capital Projects Disbursements Report was presented for the Board's approval. (Copy attached hereto as part of these minutes and identified as Exhibit M.)

Thereupon, by motion duly made by Director Savely and seconded by Director Branch, the Board voted unanimously to approve the Capital Projects Report in the amount of \$384,417.75.

20. Attorney's Report

Mr. Schweinle reported there is a meeting set with Kaneka and Neil Thomas on November 14, 2012 to discuss their service request.

Mr. Schweinle reported there is a meeting set with Fidelis on November 14, 2012 to discuss annexation documents.

Mr. Schweinle updated the Board that there has been no progress with the City of Houston to resolve the Drainage Fee Agreement issues. Mr. Schweinle, Director Branch and Director V. Johnson agreed to meet for a Houston City Council meeting with pictures of specific issues and a copy of the Agreement, and also invite the residents directly affected by City of Houston's failure to make necessary repairs.

21. Investment Summary Approved

The Investment Summary ending September 30, 2012 was presented for the Board's approval. (Copy attached hereto as part of these minutes and identified as Exhibit N.)

Thereupon, by motion duly made by Director Savely and seconded by Director Branch the Board voted unanimously to approve the Investment Summary ending September 30, 2012.

22. General Manager's Report

Mr. Byrd reported to the Board that CLCWA repaired for a resident a collapsed storm sewer inlet at their driveway due to the hazardous situation it created.

Water Superintendent Eloy Balboa and Wastewater Superintendent Eloy Mendoza investigated a fish kill reported in Ditch J. They traced it to the other side of Highway 3 and found the City of Houston Environmental Department and Texas Parks and Wildlife at the originating location. No initial traces of pollutants were found but the City of Houston environmental investigator and Texas Parks and Wildlife would follow up with final result reports.

A letter from EGI Exploration Geophysics, Inc. was received requesting approval to do seismic testing at the Water Plant #4 site. Because of the major infrastructure there, Mr. Byrd recommends not approving. The Board agreed.

Mr. Byrd reported that the Unitarian Church on Beacon Road is complaining about the concrete dust being created from dumping old concrete at the Water Barn. Mr. Byrd recommended we move this operation to the Wastewater Treatment Plant. The Unitarian Church also wants the road repaired. CLCWA is the managing partner for the road ownership and will get quotes for repairs. Director Savely would like escrow funds from all entities involved before starting repairs.

23. Old and New Business

President Yoder reported that she and James Byrd attended the Public Funds Investment Seminar.

There was no other old and new business.

24. Meeting Adjourned

President Yoder declared the regular meeting adjourned at 9:59 p.m.

[Redacted signature area]

Secretary, Board of Directors
CLEAR LAKE CITY WATER AUTHORITY

President, Board of Directors
CLEAR LAKE CITY WATER AUTHORITY

(SEAL)

