

CLEAR LAKE CITY WATER AUTHORITY

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

November 7, 2011

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 10, 2011 for the following purposes:

1. Approve or correct minutes of the October 13, 2011 Regular Meeting;
2. Approve or correct minutes of the October 31, 2011 Special Meeting;
3. Comments from the floor (5 minute limitation);
4. Discussion regarding the City of Houston Drainage Fee;
5. Ratify October 13, 2011 minutes item #3 regarding a motion made to allow CLCWA Staff and Consultants to work with Clear Dorado Land Association for future development plans, after the annexation fee is received;
6. Consider and act upon a Privilege of Encroachment located at 150 East Medical Center Blvd. for a sign;
7. Receive Tax Assessor/Collector Report ending October 31, 2011;
8. Consider and act upon the Operating Disbursement's Report ending October 31, 2011;
9. Authorize the soliciting of Construction Bids for the Genoa-Red Bluff Water Line Loop from the Clearpoint Crossing Apartments to the SEWPP North Metering Station;
10. Receive bids and award the construction contract for the Interior and Exterior Recoating of Ground Storage Tanks No. 1 & 2 at Water Plant No. 2;
11. Review and approve Pay Application No. 3 for Sanitary Sewer Phase 42 Rehabilitation;
12. Review and approve Pay Application No. 2 for Sanitary Sewer Phase 43 TV Inspection;
13. Review and approve Pay Application No. 1 for Sanitary Sewer Phase 44 Rehabilitation;
14. Review and approve Pay Application No. 1 & Final for Sanitary Sewer Phase 50 Rehabilitation;

15. Review and approve Pay Application No. 2 for the Replacement of the Rotary Lobe Aeration Blowers at the Robert T. Savely Water Reclamation Facility;
16. Receive bids and award the construction contract for the SCADA modifications for the Rotary Lobe Aeration Blowers at the Robert T. Savely Reclamation Facility;
17. Review and approve Pay Application No. 2 for Storm Sewer Phase 19 Rehabilitation;
18. Receive bids and the award construction contract for the El Camino Real Utility Adjustments from 500 feet North of Bay Area Boulevard to 500 feet North of East NASA Parkway
19. Review and act upon the Engineer's Report and any matters pertaining to construction contracts;
20. Consider and act upon approval of the Capital Projects Disbursements;
21. Receive and act upon Attorney's Report;
22. Consider and act upon the Investment Summary ending September 30, 2011;
23. Receive General Managers Report;
24. 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 10, 2011

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 the 10th of November 2011. 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. John Ferguson, Director;

All were present.

Also present were:

James H. Byrd, General Manager;
 Curtis Rodgers, Director of Utilities;
 Bill Rosenbaum, Engineer;
 Bill Schweinle, Attorney;
 Mike Sullivan, City of Houston Councilmember

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

1. Minutes of 10/13/11
 Regular Meeting
 Approved

Reading of the minutes of the October 13, 2011 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 Ferguson the Board voted unanimously to approve the minutes of the October 13, 2011 meeting.

2. Minutes of 10/13/11
 Special Meeting
 Approved

Reading of the minutes of the October 31, 2011 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 Johnson the Board voted unanimously to approve the minutes of the October 31, 2011 meeting.

3. Comments from the
 Floor

None.

4. Discussion Regarding
 the City of Houston
 Drainage Fee

Mr. David Feldman and Mr. Larry Shank with the City of Houston legal department addressed the Board regarding the City of Houston Drainage Fee Agreement. They acknowledged receipt of the shortened version of the Agreement CLCWA signed and presented. Houston was dissatisfied with CLCWA's short agreement and said to be a true agreement it has to state: 1. There is a CLCWA; 2. CLCWA engages in drainage work; 3. CLCWA will continue doing drainage work; 4. CLCWA will attest to the amount spent in drainage work is equivalent to the drainage fee.

President Yoder said she is concerned about the implication the City of Houston will tell CLCWA how much to spend on its drainage system when there are four other cities CLCWA is responsible for providing drainage to.

Mr. Feldman stated he has looked at the preliminary drainage expenditures and was confident there would not be a problem in meeting the target.

Director Johnson voiced his concern that CLCWA could have a major drainage event in one of the other four cities and we potentially could not meet the City of Houston agreement criteria. He said tax money for drainage is spent where it needs to be spent the most.

Director Ferguson said CLCWA residents are already taxed for the roads, why should they pay anything else for something City of Houston doesn't manage?

It was agreed between CLCWA Directors and Mr. Feldman and Mr. Shank that the CLCWA will appoint a committee to work with Houston on the agreement that would be revised again with the intent to simplify and shorten it and clearly state a purpose. Director Branch and Director Johnson agreed to being appointed to the Drainage Fee Committee.

- 5. Ratify October 13, 2011 minutes #3 Regarding Clear Dorado Land Association
Approved

A motion was presented at the October 13, 2011 meeting to approve allowing CLCWA Staff and Consultants to work with Clear Dorado Land Association for future development plans, after the annexation fee is received.

Thereupon, by motion duly made by Director Savely and seconded by Director Branch, the Board voted unanimously to approve the ratification of Item #3 of the minutes of the October 13, 2011 meeting.

- 6. Privilege of Encroachment for a sign at 150 East Medical Center Blvd.
Approved

A request for a Privilege of Encroachment for the Nassau Bay Pediatrics at 150 East Medical Center Boulevard for a sign 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 Ferguson the Board voted unanimously to approve the Privilege of Encroachment.

- 7. Tax Collector Report

Ms. Cumming presented a report of taxes collected and taxes outstanding as of October 31, 2011 for the Board's review. (Copy attached hereto as part of these minutes and identified as Exhibit C.)

- 8. Operating Disbursements Report
Approved

The Operating Disbursements Report ending October 31, 2011 was presented for the Board's approval. (Copy attached hereto as part of these minutes and identified as Exhibit D.)

Thereupon, by motion duly made by Director Branch and seconded by Director Johnson the Board voted unanimously to approve the Operating Disbursements Report ending October 31, 2011.

- 9. Authorize Soliciting Construction Bids for Genoa-Red Bluff Water Line Loop in the Clear Point Crossing and North Metering Station Area
Approved

The Engineer requested Board approval to solicit bids for the Genoa-Red Bluff Water Line Loop in the Clear Point Crossing and North Metering Station Area. Thereupon, by motion duly made by Director Branch and seconded by Director Johnson, the Board voted unanimously to approve soliciting bids for Genoa-Red Bluff Water Line Loop in the Clear Point Crossing and North Metering Station Area. The expected value for this project is under \$50,000 so advertising for bids is not required.

- 10. Award Construction Contract for Interior and Exterior Recoating of Ground Storage Tanks

Mr. Rosenbaum presented the bids received for Storm Interior and Exterior Recoating of Ground Storage Tanks No. 1 & 2 at Water Plant No. 2 for the Board's review and approval. (Copy attached hereto as part of these minutes and identified as Exhibit E.)

No. 1 & 2 at Water
Plant No. 2
Approved

Thereupon, by motion duly made by Director Ferguson and seconded by Director Savely the Board voted unanimously to award the contract to the recommended low bidder, M.K. Painting with a bid of \$211,800.00 and 120 calendar days.

11. Pay Application No. 3
for Sanitary Sewer
Phase 42 Rehabilitation
Approved

Mr. Rosenbaum presented Pay Application No. 3 for Sanitary Sewer Phase 42 Rehabilitation for the Board's review and approval. (Copy attached hereto as part of these minutes and identified as Exhibit F.)

Thereupon, by motion duly made by Director Branch and seconded by Director Ferguson the Board voted unanimously to approve Pay Application No. 3 for Huff & Mitchell, Inc. for \$45,598.05. It is noted that this contract has a liquidated damage clause that can be initiated for lack of timely progress.

12. Pay Application No. 2
for Sanitary Sewer
Phase 43 TV Inspection
Approved

Mr. Rosenbaum presented Pay Application No. 2 for Sanitary Sewer Phase 43 TV Inspection for the Board's review and approval. (Copy attached hereto as part of these minutes and identified as Exhibit G.)

Thereupon, by motion duly made by Director Ferguson and seconded by Director Savely the Board voted unanimously to approve Pay Application No. 2 for Quality Pipe Services for \$3,201.75. It is noted that this contract has a liquidated damage clause that can be initiated for lack of timely progress.

13. Pay Application No. 1
for Sanitary Sewer
Phase 44 Rehabilitation
Approved

Mr. Rosenbaum presented Pay Application No. 1 for Sanitary Sewer Phase 44 Rehabilitation 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 Savely and seconded by Director Johnson the Board voted unanimously to approve Pay Application No. 1 for Standard Cement Materials for \$22,387.50.

14. Pay Application No. 1 &
Final for Sanitary
Sewer Phase 50
Rehabilitation
Approved

Mr. Rosenbaum presented Pay Application No. 1 & Final for Sanitary Sewer Phase 50 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 Branch and seconded by Director Ferguson the Board voted unanimously to approve Pay Application No. 1 & Final for R.L. Utilities for \$7,500.00

15. Pay Application No. 2
for Replacement of the
Rotary Lobe Aeration
Blowers at the Robert
T. Savely Water
Reclamation Facility
Approved

Mr. Rosenbaum presented Pay Application No. 2 for the Replacement of the Rotary Lobe Aeration Blowers at the Robert T. Savely Water Reclamation Facility 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 Johnson and seconded by Director Savely the Board voted unanimously to approve Pay Application No. 2 for R&B Group, Inc. for \$109,641.51.

16. Award Construction
Contract for SCADA
Modifications for the
Rotary Lobe Aeration
Blowers at the Robert
T. Savely Reclamation
Facility
Approved

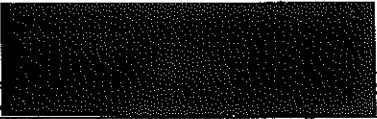
Mr. Rosenbaum presented the bids received for SCADA Modifications for the Rotary Lobe Aeration Blowers at the Robert T. Savely Reclamation Facility for the Board's review and approval. (Copy attached hereto as part of these minutes and identified as Exhibit K.)

Thereupon, by motion duly made by Director Savely and seconded by Director Branch the Board voted unanimously to award the contract to the recommended low bidder, Prime Controls with a bid of \$12,200.00.


17. Pay Application No. 2 for Storm Sewer Phase 19 Rehabilitation Approved
- Mr. Rosenbaum presented Pay Application No. 2 for Storm Sewer Phase 19 Rehabilitation for the Board's review and approval. (Copy attached hereto as part of these minutes and identified as Exhibit L.)
- Thereupon, by motion duly made by Director Savely and seconded by Director Branch the Board voted unanimously to approve Pay Application No. 2 for R. L Utilities for \$152,514.00.
18. Award Construction Contract for El Camino Real Utility Adjustments from 500 Ft. North of Bay Area Blvd. to 500 Ft. North of East NASA Parkway Approved
- Mr. Rosenbaum presented the bids received for El Camino Real Utility Adjustments from 500 Ft. North of Bay Area Blvd. to 500 Ft. North of East NASA Parkway for the Board's review and 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 award the contract to the recommended low bidder, CDC Unlimited, LLC with a bid of \$45,800.00.
19. 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 N.)
20. 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 O.)
- 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 \$434,196.16.
21. Attorney's Report
- Mr. Schweinle reported he has not received any information back from the Supreme Court on the Kirby Lake case.
- Mr. Schweinle requested executive session to report on potential and existing litigation and for attorney consultation.
22. Investment Summary Approved
- The Investment Summary ending September 30, 2011 was presented for the Board's approval. (Copy attached hereto as part of these minutes and identified as Exhibit P.)
- Thereupon, by motion duly made by Director Johnson and seconded by Director Branch the Board voted unanimously to approve the Investment Summary ending September 30, 2011.
23. General Manager's Report
- Mr. Byrd reported NRG contract was signed today.
- Mr. Byrd reported the water leaks are caught up. The concrete work is still behind but we are looking for a third concrete contractor.
- Mr. Byrd reported customer service has received a few calls from residents saying people representing themselves as Entex employees and telling the resident their water is contaminated and they need to come in to the house and check it. Customer Service advised them this is false and our employees do not enter the residence. A notice will be posted on our website and the community associations with email lists will be contacted to get the information out.
- Mr. Byrd invited the Board to the annual Christmas Luncheon on Friday, December 23, 2011 at 12:00 p.m.

24. Old and New Business None.

25. Meeting Adjourned President Yoder declared the meeting adjourned at 8:43 p.m.


Secretary, Board of Directors
CLEAR LAKE CITY WATER AUTHORITY

(SEAL)


President, Board of Directors
CLEAR LAKE CITY WATER AUTHORITY