



Control Number: 48891



Item Number: 11

Addendum StartPage: 0

DOCKET NO. 48891

RECEIVED

APPLICATION OF THE CITY OF §
CELINA AND MARILEE SPECIAL §
UTILITY DISTRICT FOR APPROVAL §
OF A SERVICE AREA CONTRACT §
UNDER TEXAS WATER CODE §
§ 13.248 AND TO AMEND §
CERTIFICATES OF CONVENIENCE §
AND NECESSITY IN COLLIN §
COUNTY §

PUBLIC UTILITY COMMISSION

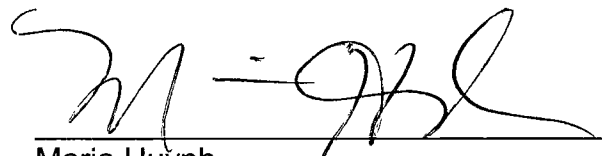
OF TEXAS

RECEIVED
FEBRUARY 20 AM 9:39
PUBLIC UTILITY COMMISSION
FILING CLERK

SUPPLEMENTAL INFORMATION TO THE APPLICATION

COMES NOW, Marilee Special Utility District ("Applicant") and files this Supplemental Information pursuant to Order No. 2, Item 6 of this Docket, filed by the Administrative Law Judge (ALJ) of the Public Utility Commission of Texas. In addition to the supplemental information filed in Items 9 and 10 in this Docket, Applicant provides the minutes of the meeting held by Board of Directors of Marilee Special Utility District on February 18, 2019 (the "Minutes"), attached hereto as Exhibit A, approved by the Board of Directors as indicated by the signature therein. Agenda item no. 9 of the Minutes show the Board of Directors approved the Fifth Addendum to the Full and Final Settlement Agreement and Release between the Applicant and the City of Celina.

Respectfully submitted,



Maria Huynh
State Bar No. 24086968
James W. Wilson and Associates, PLLC
103 W. Main Street
Allen, Texas 75013
Tel: (972) 727-9904
Fax: (972) 755-0904
mhuynh@jww-law.com
Attorney for Applicant,
Marilee Special Utility District

11

CERTIFICATE OF SERVICE

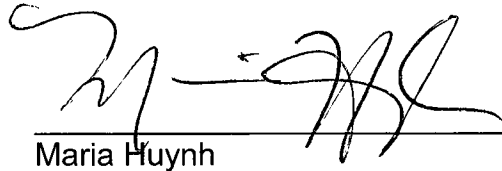
I certify that a true and correct copy of this document will be served on the following parties of record on March 19, 2019, in accordance with 16 TAC § 22.74.

via electronic mail: richard.nemer@puc.texas.gov

Richard Nemer
Public Utility Commission of Texas
Legal Division
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

via electronic mail: JThomas@trcsolutions.com

City of Celina, Texas
c/o TRC Engineers, Inc.
Attn: Justin Thomas, P.E.
700 Highlander Boulevard, Suite 210
Arlington, Texas 76015



Maria Huynh

Marilee Special Utility District
P O Box 1017, Celina, TX 75009
District Office: 230 West Pecan St., Celina, TX 75009

Minutes of the February 18, 2019 Regular Board Meeting

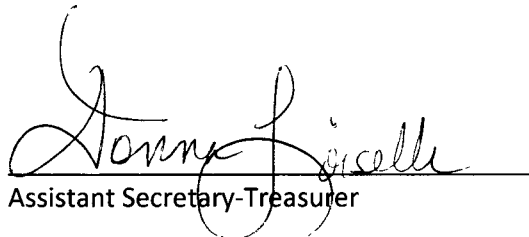
1. **Call to order.** Pres. Brackeen called the meeting to order at 5:00 PM with a quorum present. The directors present: Jerry Henderson, Denny Brackeen, Jim Yeary, George Woodroof, Gary Savanyu, Matt Sullivan, Gabe Johnson. Also, in attendance: Gen Mgr. Donna Loiselle, Assist. Gen. Mgr. Mike Garrison, legal counsel Maria Huynh and consulting engineer for the district Eddy Daniel.
2. **Welcome and recognize visitors and guests.** Visitor Andy Scott came at 5:03 pm.
3. **Public Comment---limit three minutes each and one speaker per issue.** None.
4. **Accept the consent items consisting of the minutes of the January 21, 2019 regular board meeting and the financials for the month of January 2019.** After review of the consent items, motion was made by Dir. Woodroof, to approve the minutes of the January 21, 2019 regular board meeting and accept the January 2019 financials as presented. Dir. Henderson seconded and the motion passed unanimously.
5. **Discuss and take appropriate action to authorize the District's engineer to work with the engineer for the City of Sherman on a jointly owned waterline from The District's meter vault on Farmington Road to Sherman surface water treatment plant on Shepperd Road for the purpose of utilizing the District's water storage on Lake Texoma.** Upon discussing the variables as it relates to this project, motion was made by Dir. Woodroof to have the District's engineer to proceed with the project and negotiations with Sherman's engineer and provide a progress report to the board at next month's regular meeting. Dir. Yeary seconded and the motion passed unanimously.
6. **Discuss and take appropriate action to seek Grayson County Commissioners Court permission to place the 12-waterline within the public ROW in certain sections of Block Road where private easements were not obtained.** Upon discussion, motion was made by Dir. Savanyu to have District's engineer to prepare documents and permits and pursue Grayson County Commissioners Court for permission to install the proposed 12-inch waterline within the public right-of-way along certain sections on the east side of Block Road where it's not feasible or obtainable to install within private easement. Dir. Johnson seconded and the motion passed unanimously.
(At this time item #14a was discussed so engineer could leave.)
- 14a. **Well Failures at Pump Station #3 and #4. (Discussion Only)** The engineer briefed the board on the mechanical failures of Well #4 and Well #3 this past month. One was a mechanical failure, the other was struck by lightning. And an insurance claim will be filed on each occurrence.
7. **Discuss and take action retaining Petruska & Associates PLLC as bond counsel, in connection with The District's USDA-RUS loan request to finance water system improvements, and approval of related contract for services.** After discussion, motion was made by Dir Henderson to approve and accept the proposal from Petruska & Associates PLLC for legal representation in conjunction with the proposed United States Department of Agriculture Rural Development Loan for a fee to not exceed \$25,000. Dir. Savanyu seconded and the motion passed unanimously.
8. **Discuss and take action authorizing the District's officers and directors to execute documents required by the USDA in connection with the requested loan, including but not limited to the documents mentions in the USDA's Letter of Conditions to the District.** After discussion, motion was made by Dir. Savanyu to authorize District officers to execute and sign the USDA's

letter of conditions as it relates to the USDA-RUS loan, and ratify and reaffirm any signatures signed for the related documents. Dir. Henderson seconded and motion passed unanimously.

9. **Discuss and take action to approve Resolution 2019-002 repealing Resolution 2019-001 regarding the Fifth Addendum to the Full and Final Settlement Agreement and Release between the District and the City of Celina, approving the revised Fifth Addendum in the attached Exhibit A and authorizing its execution by the President of the District; providing for conflicts and savings, severability, and an effective date.** After discussion, motion was made by Dir. Woodroof to repeal Resolution 2019-001 and approve Resolution 2019-002 as presented, to reflect the corrected amount of acreage within the Dynavest tract and extend the payment date for the transfer of the Celina Estates tract to December 31, 2019. Dir. Savanyu seconded and motion passed unanimously.
10. **Discuss and take action to approve Resolution 2019-003 designating Lamar National Bank as an authorized or secondary depository for District funds, investments, and related services; designating authorized signatories, authority of the bank, providing for certifications; and providing for conflicts and savings, severability, and an effective date.** After discussion, motion was made by Dir. Yearly to approve Resolution 2019-003 as presented. Dir. Johnson seconded and motion passed unanimously.
11. **Discuss and take appropriate action on Non-Standard Contract by and between Marilee Special Utility District and Sandra M. Baker, Franklin Thomas Baker, and Cynthia Renee Baker (Blackthorn Meadow Phase II, consisting of 11 lots).** After discussion, motion made by Dir. Woodroof to approve the non-standard contract as presented. Dir. Henderson seconded and the motion passed unanimously.
12. **Discuss and appropriate action on Non-Standard Contract by and between Marilee Special Utility District and Sandra M. Baker, Franklin Thomas Baker, and Cynthia Renee Baker (Blackthorn Meadow Phase III, consisting of 6 lots).** After discussion, motion was made by Dir. Yearly to approve the non-standard contract as presented. Dir. Henderson seconded and the motion passed unanimously.
13. **Recess into Executive Session pursuant to Tex. Gov't Code §551.071 -Private consultation with attorney.** The board recessed Open Session at 6:19 pm and entered Executive Session.
 - a. **Reconvene into Open Session.** The board recessed Executive Session and entered into Open Session at 6:20 pm
 - b. **Discuss and appropriate action on Cary Carroll vs. Marilee Special Utility District.**
No action taken.
14. **Discussion Items Only:**
 - a. Item was discussed after Item 6.; see notes following Item 6. above.
 - b. Notice to drill the new water well on CR# 128 was issued February 1, 2019.
 - c. Texas Rural Water Association's conference is scheduled for March 27th through the 29th.
 - d. The certificate of deposit was renewed at 2.25% with Texas Star Bank.
15. **Adjourn.** Meeting adjourned at 6:25 pm.

APPROVED by the Board of Directors of Marilee Special Utility District on the 18th day of March 2019.




Assistant Secretary-Treasurer