



**Agua Special Utility District**  
P. O. Box 4379 | Mission, Texas | 78573-0075  
(956) 585-2459 | FAX (956) 585-1516

**Board of Directors**  
Homero Tijerina, President  
Ivan Sandoval, Vice-President  
Maribel Diaz, Secretary  
Esmeralda H. Solis, Treasurer  
Lloyd Loya, Director  
Cesar Rodriguez, Jr., Director  
Adolfo Arriaga, Director

**Regular Meeting of the Board of Directors  
(Virtual Meeting)**

Agua S.U.D. Administration Building  
3120 North Abram Road  
Palmview, Texas

February 4, 2021  
6:00 PM  
AGENDA

A MEETING OF THE AGUA SPECIAL UTILITY DISTRICT'S BOARD OF DIRECTORS WILL BE HELD BY VIDEOCONFERENCE ON THURSDAY, FEBRUARY 4, 2021 AT 6:00 P.M. AND SHALL BE IN ATTENDANCE VIA A COMPUTER, TABLET OR SMARTPHONE AT THE LINK SHOWN <https://global.gotomeeting.com/join/180712589> OR VIA DIAL IN USING YOUR PHONE AT 1 (312) 757-3121 AND ACCESS CODE: 180-712-589.

THIS AGUA SUD MEETING WILL BE HELD USING VIDEO CONFERENCE SYSTEM AND IS AUTHORIZED BY GOVERNOR GREG 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, AND STAFF IN A PHYSICAL SETTING THAT MIGHT CONSTITUTE A PUBLIC HEALTH RISK. THERE WILL BE NO PHYSICAL PUBLIC ACCESS TO THIS MEETING, HOWEVER, THERE WILL BE REAL TIME VIRTUAL ACCESS. PLEASE SEE OPEN MEETING LAWS SUBJECT TO TEMPORARY SUSPENSION.

PUBLIC COMMENTS WILL ONLY BE ACCEPTED IN WRITING NO LATER THAN THIRTY (30) MINUTES IN ADVANCE OF THE MEETING BY SENDING THEM TO CYNTHIA VILLARREAL AT [cynthiav@aguasud.com](mailto:cynthiav@aguasud.com). IN THE BODY OF THE EMAIL PLEASE INCLUDE DATE, NAME, ADDRESS, PHONE NUMBER, AGENDA ITEM # IF APPLICABLE OR SUBJECT OF DISCUSSION, AND COMMENTS.

DISCUSSION AND POSSIBLE ACTION ON THE FOLLOWING MATTERS:

1. Call to Order
  - a. Roll Call
  - b. Public Comments (*Refer to paragraph above regarding public comments; email method*)
2. Minutes
  - a. Approval of minutes for the November 9, 2020 Agua Board Meeting
  - b. Approval of minutes for the December 7, 2020 Agua Board Meeting

3. Presentation by Performance Services, Inc. on Agua SUD Smart Meter program.
4. Presentation by Capex Consulting Group on Agua SUD Water Rights, Rates and Planning.
5. Discussion and possible action regarding FM 492 Water Recovery and Waste Process Improvement Project (Water Saver).
6. Discussion and possible action on approval of a Resolution allowing M2 Engineering to submit a SFY 2022 Drinking Water State Revolving Fund (DWSRF) Intended Use Plan to Texas Water Development Board for FM 492 Water Recovery and Waste Process Improvement Project (Water Saver).
7. Discussion and possible action on approval of a Resolution accepting all project infrastructure and officially closing construction project with Jimmy Closner & Sons Construction Co. Inc for Agua SUD's Palmview Wastewater Collection System Phase 3, Lift Stations A2, F, G & G7.
8. Discussion and possible action on KM International LLC service contract.
9. Discussion, consideration and possible action regarding proposed contract for professional legal services.
10. General Manager's Report:
  - a. 4<sup>th</sup> Quarter Investment Report
  - b. TWDB Palmview Sanitary Sewer Improvements
  - c. NAD Bank Technical Assistance Agreement (Sewer Hook-ups)

11. EXECUTIVE SESSION:

Pursuant to Texas Open Meetings Act and Texas Gov. Code Section 551.001 Consultation with Attorney, 551.072 Regarding Real Property, 551.073 Prospective Gift, 551.074 Personnel Matters and 551.076 Security.

- a. TWDB Palmview Sanitary Sewer Improvements Project
  - b. Discussion regarding Cause No. C-3353-20-I; S&B Infrastructure vs. Agua Special Utility District; In the District Court of Hidalgo County, Texas, 398<sup>th</sup> Judicial District.
  - c. Discussion regarding previously terminated contract for professional legal services.
  - d. Discussion regarding KM International LLC service contract.
  - e. Discussion regarding iPay service contract.
  - f. Mendiola Water Storage Tank Project
12. Discussion and possible action regarding item(s) discussed in Executive Session.
13. Adjournment.

Notice of Regular Meeting of the  
Agua Special Utility District Board of Directors

Notice is hereby given that on the 4<sup>th</sup> day of February, 2021 the Board of Directors of Agua Special Utility District will hold a regular meeting at 6:00 p.m. at the Agua Administration Building, 3120 North Abram Rd., Mission, Texas 78572. The subjects to be discussed are listed on the agenda, which is attached to and made part of this notice.

If, during the course of the meeting covered by this Notice, the Board of Directors should determine that a closed or executive meeting or session of the Board is required, then such closed or executive meeting or session as authorized by the Texas Open Meetings Act, Texas Government Code Section 551.001 et seq., will be held by the Board at the date, hour and place given in this Notice or as soon after the commencement of the meeting covered by this Notice as the Board may conveniently meet in such closed or executive meeting or session concerning any and all purposes permitted by the Act, including, but not limited to the following sections and purposes.

Texas Government Code Section:

- 551.071 Consultation with Attorney.
- 551.072 Deliberation regarding real property.
- 551.073 Deliberation regarding prospective gifts.
- 551.074 Personnel Matters.
- 551.076 Deliberation regarding security devices or security audits.
- 551.0785 Deliberation involving medical or psychiatric records of individuals.
- 551.084 Investigation; exclusion of witness from hearing.
- 551.087 Deliberation regarding economic development negotiation.
- 551.088 Deliberation regarding test item.

Should any final action, final decision, or final vote be required in the opinion of the Board of Directors with regard to any matter considered in such closed or executive meeting or session, then the final action, final decision, or final vote shall be either:

- (a) in the open meeting covered by the Notice upon the reconvening of the public meeting; or
- (b) at a subsequent public meeting of the Board of Directors upon notice thereof; as the Board shall determine.

On this the 1<sup>st</sup> day of February, 2021 was posted on the Agua SUD official website and in a place convenient to the public in the bulletin board at Agua Special Utility District, 3120 North Abram Rd. Palmview, Texas 78572 at 5:00 p.m. on said date.

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/s/  
Cynthia Villarreal, Executive Assistant