

AGUA SPECIAL UTILITY DISTRICT

Regular Meeting of the Board of Directors
Agua SUD Administration Building
3120 North Abram Road
Palmview, Texas

6:00 p.m., August 10, 2020

MINUTES OF REGULAR “VIRTUAL” MEETING

1. The meeting was called to order by Mr. Lloyd Loya at 6:04 p.m., August 10, 2020, at which time Mr. Loya acknowledged the presence of the following Elected Members of the Board of the Agua SUD:

Directors Present:

Mr. Lloyd Loya (Virtually present)
Mr. Adolfo Arriaga
Mr. Ivan Sandoval (Virtually present)
Mr. Franco López (Virtually present)
Mr. Homero Tijerina (Virtually present – joined at 6:13 p.m.)

Directors Absent:

Mr. Cesar Rodríguez, Jr.
Mr. Esequiel Ortiz, Jr.

A quorum of the members of the Agua SUD being present, the meeting was duly convened. Invocation was presented by Mr. Lloyd Loya, Board President.

Public Comment: None

2. The Board of Directors reviewed and adopted minutes of the May 18, 2020 Agua Special Board Meeting. The motion was made by Mr. Ivan Sandoval and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.
3. The Board of Directors approved to move the September regular board meetings from September 7, 2020 to September 14, 2020. The motion was made by Mr. Ivan Sandoval and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.
4. The Board of Directors amended the Non-Standard Service Agreement and 30-year letter for water service to be submitted to Palmview Spur, LP, for the cost related to water service for Palmview Spur Addition Subdivision. The motion was made by Mr. Adolfo Arriaga and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board.

5. The Board of Directors took no action on the Non-Standard Service Agreement and 30-year letter for water service to be submitted to Liberty Landing Opportunity Zone Fund, LLC, for the cost related to water service for Liberty Landing Subdivision.
6. The Board of Directors rescinded Board action of March 13, 2020, approving Change Order No. 15 with Mor-Wil for Palmview Wastewater Collection System Phase 1, Main Lift Station and Forcemain Conveyance System (Project 4). The motion was made by Mr. Adolfo Arriaga and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board.
7. The Board of Directors approved Change Order No. 15A with Mor-Wil for Palmview Wastewater Collection System Phase 1, Main Lift Station and Forcemain Conveyance System (Project 4). The motion was made by Mr. Ivan Sandoval and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.
8. The Board of Directors took no action reducing the retainage for Mor-Wil for Palmview Wastewater Collection System Phase 1, Main Lift Station and Forcemain Conveyance System (Project 4) subject to Texas Water Development Board approval.
9. The Board of Directors approved amending Order for Agua SUD's November 3, 2020 General Election to include: polling locations, dates, and times for early voting and Election Day. The motion was made by Mr. Ivan Sandoval and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.
10. The Board of Directors received a report from the General Manager on operations and finance including:
 - a. June Financials
 - b. 2nd Quarter Investment Report
 - c. TWDB Palmview Sanitary Sewer Improvements
 - d. NAD Bank Technical Assistance Agreement (Sewer Hook-ups).
 - e. Other business included advising the Board of Directors of minor incidents caused by the Hurricane.
11. The Board of Directors recessed into an Executive (closed) meeting at 6:20 p.m. under 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. The motion was made by Mr. Ivan Sandoval and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.

ITEM 11. a. TWDB Palmview Sanitary Sewer Improvements Project.

ITEM 11. b. Discussion regarding Civil Action No. 7:20-cv-00086, United States of America vs. 1.2215 Acres of Land, More or Less, et al., pending in the U. S. District Court Southern District of Texas McAllen Division.

At 7:12 p.m., The Board moved to reconvene in open session and no action was taken in executive session. The motion was made by Mr. Ivan Sandoval and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.

12. The Board of Directors took no action in open session regarding item(s) discussed in executive session for the following:

ITEM 11.a. The Board of Directors took no action on TWDB Palmview Sanitary Sewer Improvements Project.


ITEM 11.b. The Board of Directors approved to proceed as discussed in executive session regarding Civil Action No. 7:20-cv-00086, United States of America vs. 1.2215 Acres of Land, More or Less, et al., pending in the U. S. District Court Southern District of Texas McAllen Division. The motion was made by Mr. Adolfo Arriaga and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.

At 7:13 p.m., Mr. Ivan Sandoval moved for adjournment. Motion was seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.

Approved, the 9th of November, 2020


Lloyd Loya, President, Agua SUD

Attested by:


Adolfo Arriaga, Secretary, Agua SUD