

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., November 09, 2020

MINUTES OF REGULAR “VIRTUAL” MEETING

1. The meeting was called to order by Mr. Lloyd Loya at 6:00 p.m., November 09, 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. Cesar Rodríguez, Jr. (Virtually present)

Mr. Adolfo Arriaga (Virtually present)

Mr. Franco López (Virtually present)

Mr. Homero Tijerina (Virtually present)

Mr. Ivan Sandoval (Virtually present - arrived at 6:07 p.m.)

Directors Absent:

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 a, b and c of the July 20, 2020 Agua Special Board Meeting, the August 10, 2020 Agua Board Meeting and the August 28, 2020 Agua Special Board Meeting. The motion was made by Mr. Cesar Rodriguez, Jr. and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board. The Board of Directors took no action on d. minutes for the September 14, 2020 Agua SUD Board Meeting.
3. The Board of Directors approved amending the Non-Standard Service Agreement for water service to be submitted to Liberty Landing Opportunity Zone Fund, LLC, for the cost related to water service for Liberty Landing Subdivision subject to legal review. The motion was made by Mr. Adolfo Arriaga and seconded by Mr. Franco Lopez and was unanimously approved by the Board.

4. The Board of Directors approved a 30-year letter for wastewater service to be submitted to El Polako Investments, LLC for the cost related to wastewater service for Salinas Estates Phase 1 Subdivision. The motion was made by Mr. Homero Tijerina and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.
5. The Board of Directors authorized General Manager to advertise for competitive bids on waterline and meter maintenance supplies, pipe and fittings. The motion was made by Mr. Adolfo Arriaga and seconded by Mr. Franco Lopez and was unanimously approved by the Board.
6. The Board of Directors authorized General Manager to advertise a request for proposals for Janitorial Services for Agua SUD offices and buildings. The motion was made by Mr. Adolfo Arriaga and seconded by Mr. Cesar Rodriguez, Jr. and was unanimously approved by the Board.
7. The Board of Directors authorized General Manager to advertise a request for proposals for proposals for bank depository services for the District's public funds. The motion was made by Mr. Homero Tijerina and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.
8. The Board of Directors approved Change Order No. 1 with Maguire Iron, Inc. for Penitas Elevated Tower Project. The motion was made by Mr. Cesar Rodriguez, Jr. and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.
9. The Board of Directors approved agreement with M2 Engineering for Agua SUD's Palmview Wastewater Collection System Project subject to legal review and sending to TWDB. The motion was made by Mr. Homero Tijerina and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board.
10. The Board of Directors approved employee health insurance plan and all voluntary ancillary products as recommendation by IAM Insurance Agency and Agua SUD Insurance Committee as follows: Medical, Dental, Vision, Life, ADD, STD and LTD with Blue Cross Blue Shield of Texas and Gap insurance with APL. The motion was made by Mr. Homero Tijerina and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board.
11. The Board of Directors approved the use of the Competitive Sealed Proposal method of contracting, as authorized by Subchapter D, Chapter 2269 of the Texas Government Code, as the project delivery method that provides the best value to the Agua SUD for the Annual Unit Price Contract; authorized the issuance of the Request for Competitive Sealed Proposals for the Annual Unit Price Contract; authorized the selection committee to evaluate and score the received proposals according to the selection criteria in the Request for Competitive Sealed Proposals for recommendation to the Agua SUD Board. The motion was made by Mr. Adolfo Arriaga and seconded by Mr. Cesar Rodriguez, Jr. and was unanimously approved by the Board.
12. The Board of Directors received a report from the General Manager on operations and finance including:
 - a. September Financials

- b. 3rd Quarter Investment Report
- c. TWDB Palmview Sanitary Sewer Improvements
- d. NAD Bank Technical Assistance Agreement (Sewer Hook-ups) status update was presented by Project Engineer, Milo Salinas, M2 Engineering. The status included contractors working on L&G side that includes Tierra Linda and Perez Road. The contractor completed 467 lines, 115 of the connections have sewer flowing to lift station and decommissioned 39 septic tanks. Complaints are received and addressed by contractor. Overall, contractors are about 40% complete with the L&G side of the project and have approximately 3 to 4 months to complete, currently with 5 crews installing lines and 2 crews decommissioning.
- e. No other business was discussed

13. The Board of Directors recessed into an Executive (closed) meeting at 6:36 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. Homero Tijerina and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board.

ITEM 13. a. TWDB Palmview Sanitary Sewer Improvements Project.

ITEM 13. 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, 398th Judicial District.

At 7:00 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.

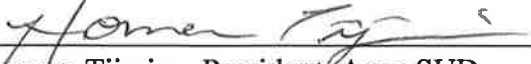
14. The Board of Directors took no action in open session regarding item(s) discussed in executive session for the following:

ITEM 13.a. The Board of Directors took no action on TWDB Palmview Sanitary Sewer Improvements Project.

ITEM 13.b. The Board of Directors took no action on Cause No. C-3353-20-I; S&B Infrastructure vs. Agua Special Utility District; In the District Court of Hidalgo County, Texas, 398th Judicial District.


At 7:01 p.m., Mr. Ivan Sandoval moved for adjournment. Motion was seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.

Approved, the 4th of February, 2021



Homero Tijerina, President, Agua SUD

Attested by:



Maribel Diaz, Secretary, Agua SUD