

# **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., December 07, 2020

## **MINUTES OF REGULAR “VIRTUAL” MEETING**

1. The meeting was called to order by Mr. Homero Tijerina at 6:00 p.m., December 07, 2020, at which time Mr. Tijerina acknowledged the presence of the following Elected Members of the Board of the Agua SUD:

**Directors Present:**

Mr. Homero Tijerina  
Mr. Ivan Sandoval  
Mrs. Maribel Diaz (Arrived at 6:08 p.m.)  
Mrs. Esmeralda H. Solis  
Mr. Cesar Rodríguez, Jr.  
Mr. Adolfo Arriaga (Virtually present)  
Mr. Lloyd Loya (Virtually present - arrived at 6:08 p.m.)

**Directors Absent:**

None

A quorum of the members of the Agua SUD being present, the meeting was duly convened.

Public Comment:     None

2. The Board of Directors approved a Non-Standard Service Agreement and 30-year letter for water and wastewater service to be submitted to Mr. Erik Melendez, for the cost related to water and wastewater service for Erik Melendez Subdivision. The motion was made by Mr. Cesar Rodríguez, Jr. and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board.
3. The Board of Directors approved a Non-Standard Service Agreement and 30-year letter for water and wastewater service to be submitted to GarVic Properties, LLC, for the cost related to water and wastewater service for El Pinto Estates Ph II Subdivision. The motion was made by Mr. Ivan Sandoval and seconded by Mr. Cesar Rodríguez, Jr. and was unanimously approved by the Board.

4. The Board of Directors tabled the Non-Standard Service Agreement for water service to be submitted to Mr. Oviedo Garcia, for the cost related to water service for Kalidad Subdivision. The motion was made by Mr. Cesar Rodríguez, Jr. and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board.
5. The Board of Directors tabled a Non-Standard Service Agreement for water and wastewater service to be submitted to Mr. Rodolfo Munoz, for the cost related to water and wastewater service for El Rancho Estates Phase 4 Subdivision. The motion was made by Mr. Ivan Sandoval and seconded by Mr. Cesar Rodríguez, Jr. and was unanimously approved by the Board.
6. The Board of Directors tabled a Non-Standard Service Agreement for water and wastewater service to be submitted to Mr. Rodolfo Munoz, for the cost related to water and wastewater service for El Rancho Estates Phase 5 Subdivision. The motion was made by Mr. Ivan Sandoval and seconded by Mr. Cesar Rodríguez, Jr. and was unanimously approved by the Board.
7. The Board of Directors received a presentation by Mr. David Gonzalez, PFM Financial Advisor on Agua Special Utility District Waterworks and Sewer System Revenue Refunding Bonds, Series 2020.
8. The Board of Directors approved the Executive Committee as the only bank signatures and must have two signatures per check. The motion was made by Mrs. Maribel Diaz and seconded by Mrs. Esmeralda H. Solis and was unanimously approved by the Board.
9. The Board of Directors approved amendment of the Board of Directors Rules of Procedures, Conduct and Decorum to reflect regular meetings to the first Thursday of each month. The motion was made by Mr. Ivan Sandoval and seconded by Mrs. Esmeralda H. Solis and was unanimously approved by the Board.
10. The Board of Directors approved moving the January regular board meeting from January 4, 2021 to January 14, 2021. The motion was made by Mr. Ivan Sandoval and seconded by Mr. Cesar Rodríguez, Jr. and was unanimously approved by the Board.
11. The Board of Directors approved a one-time supplemental pay for Agua SUD employees in the amount of \$500 for fulltime employees and \$250 for part time employees. The motion was made by Mr. Ivan Sandoval and seconded by Mrs. Esmeralda H. Solis and was unanimously approved by the Board.
12. The Board of Directors awarded bid to RDH Site & Concrete, LLC with Low Bid in the amount of \$567,406.00 that includes Base Bid and Alternate No. 3 for the Mile 3 Road Widening Waterline Relocations Project as recommendation by M2 Engineering, PLLC. The motion was made by Mr. Cesar Rodríguez, Jr. and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board.
13. The Board of Directors held a brief discussion about the existing and proposed contracts for professional legal services. Numerous comments were made by Board Directors addressing their concerns. The Board of Directors also received a presentation by Mr. Frank Garza on his

existing professional legal services contract and by Mr. Matthew Beatty regarding his proposed professional legal services contract. Mr. Adolfo Arriaga motioned to stay with Frank Garza legal services and was seconded by Mr. Cesar Rodriguez. Motion failed due to 3 votes in favor and 4 votes against by Homero Tijerina, Esmeralda H. Solis, Maribel Diaz and Ivan Sandoval. The Board of Directors tabled the item regarding existing and proposed contracts for professional legal services. The motion was made by Mr. Cesar Rodriguez, Jr and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.

14. The Board of Directors received a report from the General Manager on operations and finance including:
  - a. October Financials
  - b. 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 summary of hookups on the L&G side, 530 completed lines, 205 connected and have sewer flowing to lift station and 78 decommissioned septic tanks. Status also included an update of Perezville and Tierra Linda.
  - e. COVID-19 Report status update
  - f. Other business included advising the Board of Directors of upcoming Employee Christmas Luncheon and status update on the Mendiola Project.

15. The Board of Directors recessed into an Executive (closed) meeting at 7:36 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. Ivan Sandoval and seconded by Mr. Cesar Rodriguez, Jr. and was unanimously approved by the Board.

ITEM 15. a. TWDB Palmview Sanitary Sewer Improvements Project.

ITEM 15. 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 9:01 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. Cesar Rodriguez, Jr. and was unanimously approved by the Board.

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

ITEM 15.a. The Board of Directors took no action on TWDB Palmview Sanitary Sewer Improvements Project.

ITEM 15.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 9:02 p.m., Mr. Ivan Sandoval moved for adjournment. Motion was seconded by Mr. Cesar Rodriguez, Jr. and was unanimously approved by the Board.

Approved, the 4<sup>th</sup> of February, 2021

  
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Homero Tijerina, President, Agua SUD

Attested by:

  
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Maribel Diaz, Secretary, Agua SUD