



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

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

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

July 1, 2021
6:00 PM
AGENDA

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

A MEETING OF THE AGUA SPECIAL UTILITY DISTRICT'S BOARD OF DIRECTORS WILL BE HELD BY VIDEOCONFERENCE ON THURSDAY, JULY 1, 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/470704637> OR VIA DIAL IN USING YOUR PHONE AT 1 (224) 501-3412 AND ACCESS CODE: 470-704-637.

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. 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 April 1, 2021 Agua Board Meeting

3. Discussion and possible action on a on a Non-Standard Service Agreement for water service to be submitted to Mr. Eden & Maria Ramirez, for the cost related to water service for Triple E Subdivision.
4. Presentation, discussion and possible action to select contractor for waterline relocation at FM2221 (7 Mile Line) for labor and equipment only, due to TxDOT improvements.
5. Discussion and possible action on appointment of Advisory Committee pursuant to Tex. Local Gov't Code §395.058 as required to review, evaluate and update Impact Fees charged by District.
6. Presentation, discussion and possible action on recommendations by committee to amend fee schedule set forth in District Rules Article 9.
7. Presentation, discussion and possible action on implementing year 3 of the proposed water rate increase as approved on April 1, 2019.
8. Discussion and possible action to approve vendors for auto mechanic services for District vehicles.
9. Discussion and possible action to approve vendors for tire maintenance and repairs for District vehicles.
10. Discussion and possible action to approve vendors for oil changes and preventive maintenance for District vehicles.
11. Discussion and possible action to approve vendors for repairs and preventive maintenance to District emergency generators.
12. Discussion and possible action to authorize General Manager and Capex Consulting to negotiate acquisition of raw water rights for District.
13. Discussion and possible action regarding interlocal agreement with City of Penitas to maintain and service fire hydrants within city limits.
14. Discussion and possible action authorizing General Manager to solicit Request for Qualifications for engineering services (Civil, Mechanical, Structural, Electrical and Geotechnical).
15. Discussion and possible action regarding Change Order No. 2 with Mor-Wil, LLC for the NADBank Palmview Yard Line Project (Hook-Up Project).
16. General Manager's Report:
 - a. May Financials
 - b. TWDB Palmview Sanitary Sewer Improvements
 - c. NAD Bank Technical Assistance Agreement (Sewer Hook-ups)

- d. Update regarding potential wholesale potable water supply interlocal agreements.
- e. District newsletter
- f. Website Update
- g. 3 Mile Road Waterline Relocation Improvement Update

17. 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. Prospective Gift, 551.074 Personnel Matters and 551.076 Security.

- a. TWDB Palmview Sanitary Sewer Improvements Project
- b. 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
- c. Cause No. C-3856-20-D; Marvin Lee Terveen vs. Agua Special Utility District, Mor-Wil, LLC, S&B Infrastructure, LTD; In the District Court of Hidalgo County, Texas, 206th Judicial District
- d. Jimmy Closner & Sons Liquidated Damages for Palmview Wastewater Collection System Phase 1, Lift Stations A2, F, G, & G7. (Project 3).
- e. Mor-Wil, LLC Liquidated Damages for Palmview Wastewater Collection System, Main Lift Station and Force Main. (Project 4).
- f. Salida del sol tank certification
- g. Performance Services, Inc. smart meter program guarantee
- h. Energy provider contract status and review.
- i. Raw water rights acquisition update.
- j. Mendiola project.

18. Discussion and possible action regarding item(s) discussed in Executive Session.

19. Adjournment.

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

Notice is hereby given that on the 1st day of July, 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 28th day of June, 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.

/s/
Pamela S. Perez, Project Manager