

# **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., March 4, 2021

## **MINUTES OF REGULAR "VIRTUAL" MEETING**

1. The meeting was called to order by Mr. Homero Tijerina at 6:01 p.m., March 4, 2021, 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 @ 6:02 p.m.)  
Mrs. Esmeralda H. Solis  
Mr. Lloyd Loya

**Directors Absent:**

Mr. Cesar Rodriguez, Jr.  
Mr. Adolfo Arriaga

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

Public Comment: None

2. The Board of Directors reviewed and adopted minutes of the November 12, 2020 Agua Special Board Meeting. The motion was made by Mr. Ivan Sandoval and seconded by Mrs. Esmeralda H. Solis and was unanimously approved by the Board. The Board of Directors reviewed and adopted minutes of the December 17, 2020 Agua Special Board Meeting. The motion was made by Mr. Ivan Sandoval and seconded by Mrs. Esmeralda H. Solis and was unanimously approved by the Board. The Board of Directors reviewed and adopted minutes of the February 4, 2021 Agua Board Meeting. The motion was made by Mr. Ivan Sandoval and seconded by Mrs. Esmeralda H. Solis and was unanimously approved by the Board.
3. The Board of Directors received presentation by Performance Services, Inc. on Agua SUD's Smart Meter program. Questions were asked by Directors and a brief discussion was held and a report with location and number of meter sizes that were tested this year was requested by Performance Services, Inc.

4. The Board of Directors postponed presentation by Mr. Jeff Snowden, Capex Consulting Group on Agua SUD Water Rights, Rates and Planning.
5. The Board of Directors received a status presentation by M2 Engineering on Capital Improvement Plan.
6. The Board of Directors tabled the Interlocal Agreement with Hidalgo County Municipal Utility District No. 1 (MUD No. 1) regarding temporary sewage transportation and treatment services. The motion was made by Mr. Lloyd Loya and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board.
7. The Board of Directors held a brief discussion with Mr. Luis Cantu property owner for Lots 2, Citraland Farms Subdivision, Hidalgo County, Texas regarding the request to release easement (Doc. #2482082, H.C.O.R.) for Palmview Sanitary Sewer Project. The Board of Directors moved item seven into executive session regarding approval to release easement (Doc. #2482082, H.C.O.R.) for Palmview Sanitary Sewer Project as requested by property owner for Lots 2, Citraland Farms Subdivision, Hidalgo County, Texas. The motion was made by Mr. Lloyd Loya and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board.
8. The Board of Directors authorized General Manager to implement policy equalizing individual customers water bills that were affected because of water leaks due to the impact of February 2021 weather events. The motion was made by Mr. Lloyd Loya and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board.
9. The Board of Directors held discussion regarding appointment of Board and Staff Committee(s) to review and make recommendations regarding Agua SUD by-laws, rules, and policies. The Board of Directors took no action based on Legal recommendation that Board President may establish and designate board member for advisory committees and appoint chairman for policy recommendation to the board.
10. The Board of Directors received a report from the General Manager on operations and finance including:
  - a. January Financials
  - b. TWDB Palmview Sanitary Sewer Improvements
  - c. 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, 687 service connections, 397 connected, 290 septic tanks pumped out and hauled out, and 215 fully decommissioned.
  - d. Status update regarding KM International contract termination.
11. The Board of Directors recessed into an Executive (closed) meeting at 7:40 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 Mrs. Esmeralda H. Solis and was unanimously approved by the Board.

- ITEM 11. a. TWDB Palmview Sanitary Sewer Improvements Project
- ITEM 11. 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.
- ITEM 11. c. Discussion regarding 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, 206<sup>th</sup> Judicial District
- ITEM 11. d. Discussion regarding iPay service contract.
- ITEM 11. e. Discussion regarding previously terminated contract for professional legal services.
- ITEM 11. f. Mendiola Water Storage Tank Project
- ITEM 7. Discussion and possible action on approval to release easement (Doc. #2482082, H.C.O.R.) for Palmview Sanitary Sewer Project as requested by property owner for Lots 2, Citriland Farms Subdivision, Hidalgo County, Texas.

At 9:00 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 Mrs. Esmeralda H. Solis 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 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, 398<sup>th</sup> Judicial District.
- ITEM 11.c. The Board of Directors took no action on 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, 206<sup>th</sup> Judicial District.
- ITEM 11.d. The Board of Directors took no action on iPay service contract.
- ITEM 11.e. The Board of Directors took no action on regarding previously terminated contract for professional legal services.
- ITEM 11 f. The Board of Directors took no action on Mendiola Water Storage Tank Project.
- ITEM 7. Director Mr. Lloyd Loya motioned to return to item seven and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board. The Board

of Director approved amount of \$250 as a fair price to be paid by property owner for Lots 2, Citraland Farms Subdivision, Hidalgo County, Texas and also incur the cost for the release of easement (Doc. #2482082, H.C.O.R.) by abandoning the sewer line for Palmview Sanitary Sewer Project. The motion was made by Mr. Lloyd Loya and seconded by Mrs. Maribel Diaz and was unanimously approved by the Board.

At 9:03 p.m., Mr. Ivan Sandoval moved for adjournment. Motion was seconded by Mrs. Esmeralda H. Solis and was unanimously approved by the Board.

Approved, the 6<sup>th</sup> of May, 2020

  
Homero Tijerina, President, Agua SUD

Attested by:

  
Maribel Diaz, Secretary, Agua SUD