

# **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., June 3, 2019

## **MINUTES OF REGULAR MEETING**

1. The meeting was called to order by Mr. Cesar Rodriguez, Jr. at 6:00 p.m., June 3, 2019, at which time Mr. Rodriguez acknowledged the presence of the following Elected Members of the Board of the Agua SUD:

### Directors Present:

Mr. Cesar Rodriguez, Jr.  
Mr. Adolfo Arriaga  
Mr. Lloyd Loya  
Mr. Homero Tijerina

### Directors Absent

Mr. Esequiel Ortiz, Jr.  
Mr. Rogelio Hernández, III  
Mr. Ivan Sandoval

A quorum of the members of the Agua SUD being present, the meeting was duly convened. Invocation was presented by Ms. Pamela Perez.

2. The Board of Directors reviewed and adopted minutes a, b and c of the April 30, 2019 Agua Special Board Meeting, the May 6, 2019 Agua Board Meeting and the May 14, 2019 Agua Board Meeting. The motion was made by Mr. Lloyd Loya and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.
3. The Board of Directors approved to move the July regular board meeting from July 1, 2019 to July 15, 2019 at 6:00pm. The motion was made by Mr. Lloyd Loya and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.
4. The Board of Directors approved recommended quote in selecting Absolute Holdings Group in the amount of \$7,820.00 for the printing and mailing of the CCR to Agua SUD's customers as required by Texas Commission on Environmental Quality (TCEQ). The motion was made by Mr. Lloyd Loya and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.

5. The Board of Directors approved the participation agreement and approved to allow Los Cuartos SNF Investments, LLC, Developer, to escrow the cost of the onsite improvements in the amount of \$95,900 for the proposed Penitas Nursing Home Facilities. The motion was made by Mr. Lloyd Loya and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.
6. The Board of Directors approved selecting Saenz Brothers Construction for the US83 Relief Route Utility Relocation Project (Phase 2). The motion was made by Mr. Lloyd Loya and seconded by Mr. Adolfo Arriaga and was approved 2-1, with a nay by Mr. Homero Tijerina.
7. The Board of Directors took no action on Change Order No. 4 with OG Construction for Palmview Wastewater Collection System Phase 1, Group A&G (Project 2).
8. The Board of Directors approved Change Order No. 3 with Mor-Mil for Palmview Wastewater Collection System Phase I, Main Lift Stations and Forcemain Conveyance System (Project 4). The motion was made by Mr. Lloyd Loya and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.
9. The Board of Directors approved Change Order No. 4 with Mor-Mil for Palmview Wastewater Collection System Phase I, Main Lift Stations and Forcemain Conveyance System (Project 4). The motion was made by Mr. Lloyd Loya and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.
10. The Board of Directors approved Change Order No. 5 with Mor-Mil for Palmview Wastewater Collection System Phase I, Main Lift Stations and Forcemain Conveyance System (Project 4). The motion was made by Mr. Homero Tijerina and seconded by Mr. Lloyd Loya and was unanimously approved by the Board.
11. The Board of Directors discussed Change Order No. 6 with Mor-Mil and S&B Infrastructure for Palmview Wastewater Collection System Phase I, Main Lift Stations and Forcemain Conveyance System (Project 4). The Board of Directors approved Change Order No. 6 with Mor-Wil for the original amount of \$14,903.19 based on delays of the days. The motion was made by Mr. Lloyd Loya and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.
12. The Board of Directors approved Change Order No. 7 with Mor-Mil for Palmview Wastewater Collection System Phase I, Main Lift Stations and Forcemain Conveyance System (Project 4) based on the rental cost for two months of equipment in the amount of \$12,000.00. The motion was made by Mr. Lloyd Loya and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.
13. The Board of Directors approved Supplemental #8 to Work Authorization #12 to extend an additional two months to the contract for the Palmview Wastewater Collection System with S&B Infrastructure. The motion was made by Mr. Lloyd Loya and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.
14. The Board of Directors approved the preliminary plan of finance to refund the Agua SUD Texas Water Development Board Waterworks & Sewer Revenue Bonds, Series 2009. The

motion was made by Mr. Homero Tijerina and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.

15. The Board of Directors authorized General Manager to negotiate the Water Supply Contract and the Water Delivery Contract between Agua SUD and Hidalgo County Irrigation No. 6. The motion was made by Mr. Homero Tijerina and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.

16. The Board of Directors authorized General Manager to negotiate the Water Supply Contract and the Water Delivery Contract between Agua SUD and Hidalgo County Irrigation No. 16. The motion was made by Mr. Adolfo Arriaga and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.

17. The Board of Directors received a report from the General Manager on operations and finance including:

- a. TWDB Palmview Sanitary Sewer Improvements.
- b. NadBank Technical Assistance Agreement
- c. July Budget Workshop
- d. Palmview Lawsuit
- e. Other Business

18. The Board of Directors recessed into an Executive (closed) meeting at 6:59 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. Lloyd Loya and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.

- a. TWDB Palmview Sanitary Sewer Improvements

At 7:27 p.m., The Board moved to reconvene in open session and no action was taken in executive session. The motion was made by Mr. Homero Tijerina and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.

19. The Board of Directors took action in open session regarding item(s) discussed in executive session for the following:

Item 18.a. The Board of Directors moved to proceed as discussed in executive session regarding TWDB Palmview Sanitary Sewer Improvements. The motion was made by Mr. Lloyd Loya and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.

20. Public Comments: NONE

At 7:28 p.m., Mr. Lloyd Loya moved for adjournment. Motion was seconded by Mr. Homeroo Tijerina and was unanimously approved by the Board.

Approved, the 15<sup>th</sup> of July, 2019



Esequiel Ortiz, Jr., President, Agua SUD

Attested by:



Adolfo Arriaga, Secretary, Agua SUD