

# **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., September 16, 2019

## **MINUTES OF REGULAR MEETING**

1. The meeting was called to order by Mr. Lloyd Loya at 6:00 p.m., September 16, 2019, 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  
Mr. Cesar Rodriguez, Jr.  
Mr. Adolfo Arriaga  
Mr. Esequiel Ortiz, Jr.  
Mr. Rogelio Hernández, III  
Mr. Homero Tijerina

**Directors Absent:**

Mr. Ivan Sandoval

A quorum of the members of the Agua SUD being present, the meeting was duly convened. Invocation was presented by Mr. Albert Alonzo.

Public Comment:     None

2. The Board of Directors reviewed and adopted minutes for items a and b as followed:
  - a. The Board of Directors reviewed and adopted minutes of the August 5, 2019 Agua Board Meeting. The motion was made by Mr. Cesar Rodriguez, Jr. and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.
  - b. The Board of Directors reviewed the minutes of the August 19, 2019 Agua Special Board Meeting. The motion was made by Mr. Homero Tijerina and seconded by Mr. Cesar Rodriguez, Jr. and was unanimously approved by the Board.
3. The Board of Directors recognized Mr. Roy Martinez for his 23 years of service to Agua SUD. The Board of Directors recessed the Board Meeting at 6:05 p.m. The motion was made by Mr. Cesar Rodriguez, Jr. and seconded by Mr. Homero Tijerina and was unanimously approved by the Board. The Board of Directors reconvened the Board Meeting at 6:20 p.m. The motion was

made by Mr. Homero Tijerina and seconded by Mr. Rogelio Hernandez, III and was unanimously approved by the Board.

4. The Board of Directors authorized General Manager to advertise for armored car transport services. The motion was made by Mr. Rogelio Hernandez and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.
5. The Board of Directors authorized General Manager to advertise for Agua SUD document shredding services. The motion was made by Mr. Homero Tijerina and seconded by Mr. Rogelio Hernandez, III and was unanimously approved by the Board.
6. The Board of Directors authorized General Manager to advertise for audit services. The motion was made by Mr. Rogelio Hernandez, III and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.
7. The Board of Directors authorized General Manager to advertise competitive bids on waterline and meter maintenance supplies, pipe and fittings. The motion was made by Mr. Homero Tijerina and seconded by Mr. Rogelio Hernandez, III and was unanimously approved by the Board.
8. The Board of Directors rejected all bids and approved to re-bid for credit card services. The motion was made by Mr. Adolfo Arriaga and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.
9. The Board of Directors approved selection of J&J Garza Welding as recommended by Agua SUD Staff to build a Storage Building at the Abram Water Plant. The motion was made by Mr. Homero Tijerina and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.
10. The Board of Directors approved a Non Standard Service Agreement and 30 year letter for water service to be submitted to Mr. Lyonel A. Adame, for the cost related to water service for Capricorn Estates Subdivision. The motion was made by Mr. Homero Tijerina and seconded by Mr. Cesar Rodriguez, Jr. and was unanimously approved by the Board.
11. The Board of Directors approved a Non Standard Service Agreement and 30 year letter for water service to be submitted to Mr. Norberto Salinas, for the cost related to water service for Carrizales Subdivision. The motion was made by Mr. Rogelio Hernandez, III and seconded by Mr. Cesar Rodriguez, Jr. and was unanimously approved by the Board.
12. The Board of Directors approved Change Order No. 9 with MorWil Construction on Palmview Sanitary Sewer Project Phase 4. The motion was made by Mr. Adolfo Arriaga and seconded by Mr. Cesar Rodriguez and was unanimously approved by the Board.
13. The Board of Directors approved Change Order No. 10 with MorWil Construction on Palmview Sanitary Sewer Project Phase 4. 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 approved Change Order No. 11 with MorWil Construction on Palmview Sanitary Sewer Project Phase 4. 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 approved Change Order No. 4 with OG Construction on Palmview Wastewater Collection System Phase I, Group A&G (Project 2). The motion was made by Mr. Rogelio Hernandez, III and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.
16. The Board of Directors approved Change Order No. 1 with JMJ Contractors on Havana WTP Improvements Filters & Blowers. The motion was made by Mr. Adolfo Arriaga and seconded by Mr. Cesar Rodriguez, Jr. and was unanimously approved by the Board.
17. The Board of Directors approved Change Order No. 3 with JMJ Contractors on 492 WTP Improvements Filters & Pumps. The motion was made by Mr. Homero Tijerina and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.
18. The Board of Directors approved to negotiate into maintenance agreement with Cornerstone for Emergency Generator Maintenance Services as recommended by Mr. Alberto Alonzo, Asset Manager. The motion was made by Mr. Adolfo Arriaga and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.
19. The Board of Directors approved to enter into agreement with Denali Water Solution, LLC for removal and disposal of Wastewater Treatment Plant Biosolids as recommended by Mr. Jaime Villarreal, Sewer Supervisor. The motion was made by Mr. Rogelio Hernandez, III and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.
20. The Board of Directors approved to enter into agreement with Denali Water Solution, LLC for removal and disposal of Water Treatment Sludge as recommended by Mr. Aaron Castillo, Water Plant Supervisor. The motion was made by Mr. Rogelio Hernandez, III and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.
21. The Board of Directors approved ratifying the emergency repair of Lift Station "G" for Sullivan Sewer. The motion was made by Mr. Homero Tijerina and seconded by Mr. Cesar Rodriguez, Jr. and was unanimously approved by the Board.
22. The Board of Directors approved to renew the Texas Pollutant Discharge Elimination System Permit (TPDES) Permit No. WQ0014415003 for the Palmview WWTP. The motion was made by Mr. Homero Tijerina and seconded by Mr. Cesar Rodriguez, Jr. and was unanimously approved by the Board.
23. The Board of Directors approved to submit a State Infrastructure Bank Loan application for waterline relocations due to TxDOT improvements. The motion was made by Mr. Homero Tijerina and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.

24. The Board of Directors approved to be a co-applicant with City of Palmview for a LRGVDC grant application. The motion was made by Mr. Rogelio Hernandez, III and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.
25. The Board of Directors approved S&B Infrastructure contract extension of CM Services for Palmview Wastewater Collection System, Phases I, II and III. The motion was made by Mr. Homero Tijerina and seconded by Mr. Cesar Rodriguez, Jr. and was unanimously approved by the Board.
26. The Board of Directors moved item twenty-six regarding S&B contract extension of CM Services for Palmview Wastewater Collection System, Main Lift and Force Main into executive session. The motion was made by Mr. Adolfo Arriaga and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.
27. The Board of Directors received a report from the General Manager on operations and finance including:
  - a. July and August Financials
  - b. TWDB Palmview Sanitary Sewer Improvements
  - c. NadBank Technical Assistance Agreement (Sewer Hook-ups)
  - d. No other business was discussed
28. 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. Adolfo Arriaga and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.

- ITEM 28. a. TWDB Palmview Sanitary Sewer Improvements Project/Claims
- b. Discussion regarding PUC Docket No. 48497; Application of Agua Special Utility District for Section 13.252 Cease and Desist Order.
- c. Palmview Petition on CCN Application.
- d. Discussion regarding C-0667-18-H, City of Palmview vs. Agua Special Utility District; In the District Court of Hidalgo County, Texas, 398th District Court.
- ITEM 26. Discussion and possible action on approval of S&B contract extension of CM Services for Palmview Wastewater Collection System, Main Lift and Force Main.

At 8:08 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. Rogelio Hernandez, III and was unanimously approved by the Board.

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

- ITEM 26. The Board of Directors approved to proceed as discussed in executive session regarding S&B contract extension of CM Services for Palmview Wastewater Collection System, Main Lift and Force Main. The motion was made by Mr. Adolfo Arriaga and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.
- ITEM 28. a. The Board of Directors approved to proceed as directed in executive session on Palmview Sanitary Sewer Improvements Projects/Claims. The motion was made by Mr. Adolfo Arriaga and seconded by Mr. Homero Tijerina and was unanimously approved by the Board. The Board approved to hire Chapman Law Firm as Special Counsel for Palmview Sanitary Sewer Improvements Projects. The motion was made by Mr. Adolfo Arriaga and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.
- ITEM 28. b. The Board of Directors approved to proceed as directed in executive session on PUC Docket No. 48497; Application of Agua Special Utility District for Section 13.252 Cease and Desist Order. The motion was made by Mr. Cesar Rodriguez, Jr. and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.
- ITEM 28 c. The Board of Directors took no action on Palmview Petition on CCN Application.
- ITEM 28 d. The Board of Directors took no action on C-0667-18-H, City of Palmview vs. Agua Special Utility District; In the District Court of Hidalgo County, Texas, 398th District Court.

At 8:11 p.m., Mr. Cesar Rodriguez, Jr. moved for adjournment. Motion was seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.

Approved, the 7<sup>th</sup> of October, 2019

  
Lloyd Loya, President, Agua SUD

Attested by:

  
Adolfo Arriaga, Secretary, Agua SUD