

# AGUA SPECIAL UTILITY DISTRICT

Regular Meeting of the Board of Directors  
Agua SUD Administration Building  
3120 North Abram Road  
Palmview, Texas

5:30 p.m., November 4, 2019

## MINUTES OF REGULAR MEETING

1. The meeting was called to order by Mr. Lloyd Loya at 5:30 p.m., November 4, 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. Ivan Sandoval  
Mr. Homero Tijerina

Directors Absent:

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

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

Public Comment: None

2. The Board of Directors approved to move the December regular board meeting from December 2<sup>nd</sup> to December 9, 2019. The motion was made by Mr. Homero Tijerina and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board.
3. The Board of Directors took no action on an agreement with La Joya ISD on a Memorandum of Engagement Business and Community Partner.
4. The Board of Directors approved granting easement to AEP for the Palmview Main Lift Station for the Palmview Sewer Project. The motion was made by Mr. Cesar Rodriguez, Jr. and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.
5. The Board of Directors approved granting easement to AEP for the Palmview Main Lift Station "F" for the Palmview Sewer Project. The motion was made by Mr. Cesar Rodriguez, Jr. and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.

6. The Board of Directors approved granting easement to AEP for the Palmview Main Lift Station “G” for the Palmview Sewer Project. The motion was made by Mr. Ivan Sandoval and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.
7. The Board of Directors approved granting easement to AEP for the Palmview Main Lift Station “G7” for the Palmview Sewer Project. The motion was made by Mr. Ivan Sandoval and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.
8. The Board of Directors approved Change Order No. 2A with Mor-Wil for Palmview Wastewater Collection System Phase I, Main Lift Station and Forcemain Conveyance System (Project 4). The motion was made by Mr. Homero Tijerina and seconded by Mr. Cesar Rodriguez, Jr. and was unanimously approved by the Board.
9. The Board of Directors approved Change Order No. 2B with Mor-Wil for Palmview Wastewater Collection System Phase I, Main Lift Station and Forcemain Conveyance System (Project 4). The motion was made by Mr. Ivan Sandoval and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.
10. The Board of Directors moved item ten regarding Change Order No. 12 with Mor-Wil for Palmview Wastewater Collection System Phase 1, Main Lift Station and Forcemain Conveyance System (Project 4) into executive session. The motion was made by Mr. Cesar Rodriguez, Jr. and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.
11. The Board of Directors moved item eleven regarding Change Order No. 13 with Mor-Wil for Palmview Wastewater Collection System Phase 1, Main Lift Station and Forcemain Conveyance System (Project 4) into executive session. The motion was made by Mr. Ivan Sandoval and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.
12. The Board of Directors approved Change Order No. 14 with MorWil Construction on Palmview Wastewater Collection System Phase 1, Main Lift Station and Forcemain Conveyance System (Project 4). The motion was made by Mr. Cesar Rodriguez, Jr. and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.
13. The Board of Directors tabled to reduce the retainage for Jimmy Closner & Sons for Palmview Palmview Wastewater Collection System Phase 1, Lift Station A2, F, G & G7 (Project 3). 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 moved item fourteen regarding Change Order No. 9 with L&G Construction for Palmview Wastewater Collection System Phase 1, Group B&F (Project 1) into executive session. The motion was made by Mr. Ivan Sandoval and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.
15. The Board of Directors moved item fifteen regarding Change Order No. 4b with OG Construction for Palmview Wastewater Collection System Phase 1, Group A&G (Project 2)

into executive session. The motion was made by Mr. Ivan Sandoval and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.

16. The Board of Directors moved item sixteen regarding Change Order No. 5 with OG Construction for Palmview Wastewater Collection System Phase 1, Group A&G (Project 2) into executive session. The motion was made by Mr. Ivan Sandoval and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.
17. The Board of Directors moved item seventeen regarding approval of S&B contract extension of CM Services for Palmview Wastewater Collection System Phase 1, Main Lift Station and Force Main Conveyance System (Project 4) into executive session. The motion was made by Mr. Ivan Sandoval and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.
18. The Board of Directors approved selection of M2 Engineer as Engineer of Record for the Havana Water Treatment Plant Improvement Project and Millenium Engineers Group, Inc. as the Geotechnical Engineer of Record for the Havana Water Treatment Plant Improvement Project as recommended by General Manager and Agua SUD Staff. The motion was made by Mr. Cesar Rodriguez, Jr. and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.
19. The Board of Directors approved a Non Standard Service Agreement and 30 year letter for water service to be submitted to Mr. Carlos Leal, for the cost related to water service for Las Comadres #7 Subdivision. The motion was made by Mr. Ivan Sandoval and seconded by Mr. Cesar Rodriguez, Jr. and was unanimously approved by the Board.
20. The Board of Directors approved a Non Standard Service Agreement and 30 year letter for water service to be submitted to Mr. Angel De La Cerda, for the cost related to water service for AAA Subdivision Apartment Complex. The motion was made by Mr. Cesar Rodriguez, Jr. and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.
21. The Board of Directors approved a Non Standard Service Agreement and 30 year letter for water service to be submitted to Centro Cristiano De Restauracion Familiar-Mission, Texas, a Non-Profit Corporation, LLC, for the cost related to water service for DM Commercial Park Subdivision. The motion was made by Mr. Cesar Rodriguez, Jr. and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.
22. The Board of Directors took no action on the approval of the Interlocal agreement with City of Mission regarding sewer connection for DM Commercial Park Subdivision.
23. The Board of Directors discussed and moved item twenty-three regarding the supplemental insurance coverages for employee benefits as presented by IAM Insurance Agency into executive session. The motion was made by Mr. Cesar Rodriguez, Jr. and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.

24. 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 (Sewer Hook-ups)
  - c. No other business was discussed
25. The Board of Directors recessed into an Executive (closed) meeting at 6:23 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. Homero Tijerina and was unanimously approved by the Board.

- ITEM 25. a. TWDB Palmview Sanitary Sewer Improvements Project/Claims.
  - b. Discussion and possible action on approval of S&B contract extension of CM Services for Palmview Wastewater Collection System, Main Lift and Force Main.
  - c. Discussion on possible litigation with S&B Infrastructure for claims regarding TWDB Palmview Sanitary Sewer Improvements Project.
- ITEM 10. Discussion and possible action on Change Order No. 12 with Mor-Wil for Palmview Wastewater Collection System Phase 1, Main Lift Station and Forcemain Conveyance System (Project 4).
- ITEM 11. Discussion and possible action on Change Order No. 13 with Mor-Wil for Palmview Wastewater Collection System Phase 1, Main Lift Station and Forcemain Conveyance System (Project 4).
- ITEM 14. Discussion and possible action on Change Order No. 9 with L&G Construction for Palmview Wastewater Collection System Phase I, Group B&F (Project 1).
- ITEM 15. Discussion and possible action on Change Order No. 4b with OG Construction for Palmview Wastewater Collection System Phase 1, Group A&G (Project 2).
- ITEM 16. Discussion and possible action on Change Order No. 5 with OG Construction for Palmview Wastewater Collection System Phase 1, Group A&G (Project 2).
- ITEM 17. Discussion and possible action on approval of S&B contract extension of CM Services for Palmview Wastewater Collection System Phase 1, Main Lift Station and Force Main Conveyance System (Project 4).
- ITEM 23. Discussion and possible action on supplemental insurance coverages for employee benefits as presented by IAM Insurance Agency.

At 7:16 p.m., The Board moved to reconvene in open session and no action was taken in executive session. The motion was made by Mr. Cesar Rodriguez, Jr. and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.

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

- ITEM 10. The Board of Directors approved to proceed as discussed in executive session regarding Change Order No. 12 with Mor-Wil for Palmview Wastewater Collection System Phase 1, Main Lift Station and Forcemain Conveyance System (Project 4). The motion was made by Mr. Cesar Rodriguez, Jr. and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.
- ITEM 11. The Board of Directors approved to proceed as discussed in executive session regarding Discussion and possible action on Change Order No. 13 with Mor-Wil for Palmview Wastewater Collection System Phase 1, Main Lift Station and Forcemain Conveyance System (Project 4). The motion was made by Mr. Cesar Rodriguez, Jr. and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.
- ITEM 14. The Board of Directors tabled Change Order No. 9 with L&G Construction for Palmview Wastewater Collection System Phase I, Group B&F (Project 1). The motion was made by Mr. Adolfo Arriaga and seconded by Mr. Cesar Rodriguez, Jr. and was unanimously approved by the Board.
- ITEM 15. The Board of Directors tabled Change Order No. 4b with OG Construction for Palmview Wastewater Collection System Phase 1, Group A&G (Project 2). The motion was made by Mr. Adolfo Arriaga and seconded by Mr. Cesar Rodriguez, Jr. and was unanimously approved by the Board.
- ITEM 16. The Board of Directors tabled Change Order No. 5 with OG Construction for Palmview Wastewater Collection System Phase 1, Group A&G (Project 2). The motion was made by Mr. Adolfo Arriaga and seconded by Mr. Cesar Rodriguez, Jr. and was unanimously approved by the Board.
- ITEM 17. The Board of Directors to proceed as discussed in executive session and approved S&B contract extension of CM Services for Palmview Wastewater Collection System Phase 1, Main Lift Station and Force Main Conveyance System (Project 4). The motion was made by Mr. Cesar Rodriguez, Jr. and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.
- ITEM 23. The Board of Directors approved recommendation by IAM Insurance Agency as follows: Gap plan with APL, Life and AD&D with BCBS and Dental with BCBS, and STD/LTD with Sunlife until January. The motion was made by Mr. Cesar Rodriguez, Jr. and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.
- ITEM 25. a. The Board of Directors approved to proceed as discussed in executive session on Palmview Sanitary Sewer Improvements Projects. The motion was made by Mr. Cesar Rodriguez, Jr. and seconded by Mr. Adolfo Arriaga and was unanimously approved by the Board.

ITEM 25. b. The Board of Directors took no action on S&B contract extension of CM Services for Palmview Wastewater Collection System, Main Lift and Force Main due to approving item seventeen.

ITEM 25. c. The Board of Directors approved to proceed as discussed in executive session on litigation with S&B Infrastructure for claims regarding TWDB Palmview Sanitary Sewer Improvements Project. The motion was made by Mr. Adolfo Arriaga and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.


At 7:21 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 13<sup>th</sup> of January, 2020



Lloyd Loya, President, Agua SUD

Attested by:



Adolfo Arriaga, Secretary, Agua SUD