

# AGUA SPECIAL UTILITY DISTRICT

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

6:00 p.m., December 17, 2020

## MINUTES OF SPECIAL "VIRTUAL" MEETING

1. The meeting was called to order by Mr. Homero Tijerina at 6:01 p.m., December 17, 2020, 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  
Mrs. Esmeralda H. Solis  
Mr. Cesar Rodriguez, Jr.  
Mr. Adolfo Arriaga (Virtually present)

Directors Absent:

Mr. Lloyd Loya

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

Public Comment: None

2. The Board of Directors opened a public hearing at 6:02 p.m. concerning the proposed 2021 Operating and Capital Improvements Budget for Agua SUD. The motion was made by Mr. Ivan Sandoval and seconded by Mrs. Maribel Diaz and was unanimously approved by the Board. There were no public comments; therefore, the Board closed the public hearing at 6:04 p.m. The motion was made by Mr. Ivan Sandoval and seconded by Mrs. Esmeralda H. Solis and was unanimously approved by the Board.
3. For consideration was the 2021 Operating and Capital Improvement Budget, the Staff and General Manager recommended approval. Questions were asked by Director Cesar Rodriguez, Jr. and Director Adolfo Arriaga about legal reviewing budget and if budget met legal requirements. General Manager, Jose E. Saenz, noted that budget had always been prepared

by the Finance Department and Administration and that the Finance Director made sure that budget was in compliance. The Board of Directors approved Resolution adopting the 2021 Operating and Capital Improvement Budget. The motion was made by Mr. Ivan Sandoval and seconded by Mrs. Maribel Diaz and was unanimously approved by the Board.

4. The Board of Directors approved a Non-Standard Service Agreement for water and wastewater service to be submitted to Mr. Rodolfo Munoz, for the cost related to water and wastewater service for El Rancho Phase 4 Subdivision subject to engineering and final legal review. The motion was made by Mr. Ivan Sandoval and seconded by Mrs. Maribel Diaz and was unanimously approved by the Board.
5. The Board of Directors approved a Non-Standard Service Agreement for water and wastewater service to be submitted to Mr. Rodolfo Munoz, for the cost related to water and wastewater service for El Rancho Phase 5 Subdivision subject to engineering and final legal review. The motion was made by Mr. Ivan Sandoval and seconded by Mrs. Maribel Diaz and was unanimously approved by the Board.
6. The Board of Directors approved proposal submitted for Property/Casualty and Workers Compensation policies by IAM Insurance. The motion was made by Mr. Ivan Sandoval and seconded by Mrs. Esmeralda H. Solis and was unanimously approved by the Board.
7. For consideration was the proposed contract for professional legal services. Questions and concerns were asked by Director Cesar Rodriguez, Jr. and Director Adolfo Arriaga about the proposed contract. The Board of Directors approved the proposal with Beatty Navarre Strama P.C. for professional legal services. The motion was made by Mrs. Esmeralda H. Solis and seconded by Mrs. Maribel Diaz and was approved 4-2 with Director Cesar Rodriguez, Jr. and Director Adolfo Arriaga voting against.
8. The Board of Directors recessed into an Executive (closed) meeting at 6:24 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.
  - a. TWDB Palmview Sanitary Sewer Improvements Project
  - 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, 398th Judicial District.
  - c. Deliberation on continuation or termination of existing Agreement for Professional Legal Services.
  - d. Deliberation on recently received legal invoices from current legal counsel


At 7:34 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.

9. The Board of Directors took no action in open session regarding item(s) discussed in executive session for the following:

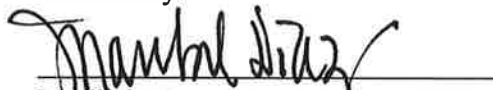
- a. The Board of Directors took no action on TWDB Palmview Sanitary Sewer Improvements Project.
- b. The Board of Directors took no action on Cause No. C-3353-20-I; S&B Infrastructure vs. Agua Special Utility District; In the District Court of Hidalgo County, Texas, 398th Judicial District.
- c. The Board of Directors terminated existing Agreement for Professional Legal Services with Mr. Frank Garza effective December 17, 2020. The motion was made by Mrs. Maribel Diaz and seconded by Mrs. Esmeralda H. Solis and was approved 4-2 with Director Cesar Rodriguez, Jr. and Director Adolfo Arriaga voting against.
- d. The Board of Directors took no action on the deliberation of recently received legal invoices from current legal counsel.

At 7:36 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 4<sup>th</sup> of March, 2021

  
Homero Tijerina, President, Agua SUD

Attested by:

  
Maribel Diaz, Secretary, Agua SUD