



Agua Special Utility District
P. O. Box 4379 | Mission, Texas | 78573-0075
(956) 585-2459 | FAX (956) 585-1516

**Regular Meeting of the Board of Directors
(Virtual Meeting)**

Agua S.U.D. Administration Building
3120 North Abram Road
Palmview, Texas

September 2, 2021
6:00 PM
AGENDA

Board of Directors
Homero Tijerina, President
Ivan Sandoval, Vice-President
Maribel Diaz, Secretary
Esmeralda H. Solis, Treasurer
Lloyd Loya, Director
Cesar Rodriguez, Jr., Director
Adolfo Arriaga, Director

A MEETING OF THE AGUA SPECIAL UTILITY DISTRICT'S BOARD OF DIRECTORS WILL BE HELD AT THE DISTRICT'S ADMINISTRATION BUILDING, 3120 NORTH ABRAM ROAD, PALMVIEW, TEXAS, ON THURSDAY, SEPTEMBER 2, 2021 AT 6:00 PM. THE MEETING MAY ALSO BE ATTENDED BY VIDEOCONFERENCE VIA A COMPUTER, TABLET OR SMARTPHONE AT THE LINK SHOWN <https://global.gotomeeting.com/join/238613317> OR VIA DIAL IN USING YOUR PHONE AT 1 (872) 240-3212 AND ACCESS CODE: 238-613-317.

PUBLIC COMMENTS VIA VIDEOCONFERENCE WILL NEED TO BE SUBMITTED IN WRITING NO LATER THAN THIRTY (30) MINUTES IN ADVANCE OF THE MEETING BY SENDING THEM TO CYNTHIA VILLARREAL AT cynthiav@aguasud.com. IN THE BODY OF THE EMAIL PLEASE INCLUDE DATE, NAME, ADDRESS, PHONE NUMBER, AGENDA ITEM # IF APPLICABLE OR SUBJECT OF DISCUSSION, AND COMMENTS.

DISCUSSION AND POSSIBLE ACTION ON THE FOLLOWING MATTERS:

1. Call to Order
 - a. Roll Call
 - b. Public Comments (*Refer to paragraph above regarding public comments; email method*)
2. Minutes
 - a. Approval of corrected minutes for the May 6, 2021 Agua Board Meeting
 - b. Approval of minutes of the May 24, 2021 Agua Special Board Meeting

3. Discussion and possible action on selection of engineer(s) for engineering services (Civil, Mechanical, Structural, Electrical and Geotechnical).
4. Discussion and possible action on resolution accepting all project infrastructure and officially closing construction project with L&G Concrete Construction, Inc., for Agua SUD's Palmview Wastewater Collection System Phase 1, Group B&F.
5. Discussion and possible action on resolution amending the Agua SUD employee policy handbook.
6. Discussion and possible action regarding proposal by Aypa Power for lease of district property for power backup facility.
7. Discussion and possible action on resolution setting public hearing to consider amendments to land use assumptions, capital improvement plan and impact fees.
8. Discussion and possible action regarding electrical power contract with Direct Energy Business LLC dated on or about November 27, 2019.
9. Discussion and possible action regarding Energy Services Agreement between District and Valiant Energy Sources LLC.
10. Discussion and possible action establishing process for consideration and interview for General Manager position.
11. Discussion and possible action regarding escrow agreement with City of Sullivan City pertaining to materials for water line to city library.
12. Presentation, discussion and possible action on recommendations by committee to amend fee schedule set forth in District Rules Article 9.
13. General Manager's Report:
 - a. July Financials
 - b. TWDB Palmview Sanitary Sewer Improvements
 - c. NAD Bank Technical Assistance Agreement (Sewer Hook-ups)
 - d. Agua SUD's Mobile Application

14. EXECUTIVE SESSION:

Pursuant to Texas Open Meetings Act and Texas Gov. Code Section 551.071 Consultation with Attorney, 551.072 Regarding Real Property, 551.073 Prospective Gift, 551.074 Personnel Matters and 551.076 Security.

- a. TWDB Palmview Sanitary Sewer Improvements Project.
- b. 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. 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, 206th Judicial District.
- d. Salida del sol tank certification.
- e. Performance Services, Inc. smart meter program guarantee.
- f. Mendiola project.
- g. Energy consulting contract between District and Valiant Energy Sources LLC.
- h. Energy contract between District and Direct Energy Business LLC.

15. Discussion and possible action regarding item(s) discussed in Executive Session.

16. Adjournment.

Notice of Regular Meeting of the
Agua Special Utility District Board of Directors

Notice is hereby given that on the 2nd day of September, 2021 the Board of Directors of Agua Special Utility District will hold a regular meeting at 6:00 p.m. at the Agua Administration Building, 3120 North Abram Rd., Mission, Texas 78572. The subjects to be discussed are listed on the agenda, which is attached to and made part of this notice.

If, during the course of the meeting covered by this Notice, the Board of Directors should determine that a closed or executive meeting or session of the Board is required, then such closed or executive meeting or session as authorized by the Texas Open Meetings Act, Texas Government Code Section 551.001 et seq., will be held by the Board at the date, hour and place given in this Notice or as soon after the commencement of the meeting covered by this Notice as the Board may conveniently meet in such closed or executive meeting or session concerning any and all purposes permitted by the Act, including, but not limited to the following sections and purposes.

Texas Government Code Section:

551.071	Consultation with Attorney.
551.072	Deliberation regarding real property.
551.073	Deliberation regarding prospective gifts.
551.074	Personnel Matters.
551.076	Deliberation regarding security devices or security audits.
551.0785	Deliberation involving medical or psychiatric records of individuals.
551.084	Investigation; exclusion of witness from hearing.
551.087	Deliberation regarding economic development negotiation.
551.088	Deliberation regarding test item.

Should any final action, final decision, or final vote be required in the opinion of the Board of Directors with regard to any matter considered in such closed or executive meeting or session, then the final action, final decision, or final vote shall be either:

- (a) in the open meeting covered by the Notice upon the reconvening of the public meeting; or
- (b) at a subsequent public meeting of the Board of Directors upon notice thereof; as the Board shall determine.

On this the 30th day of August, 2021 was posted on the Agua SUD official website and in a place convenient to the public in the bulletin board at Agua Special Utility District, 3120 North Abram Rd. Palmview, Texas 78572 at 4:30 p.m. on said date.

/s/
Pamela S. Perez, Project Manager