

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., May 6, 2021

CORRECTED MINUTES OF REGULAR “VIRTUAL” MEETING

1. The meeting was called to order by Mr. Homero Tijerina at 6:05 p.m., May 6, 2021, 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
Ms. Maribel Diaz
Mrs. Esmeralda H. Solis
Mr. Lloyd Loya
Mr. Cesar Rodriguez, Jr.

Directors Absent:

Mr. Adolfo Arriaga

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

Public Comment: None

2. The Board of Directors reviewed and adopted minutes of the March 4, 2021 Agua Board Meeting. The motion was made by Mr. Ivan Sandoval and seconded by Mrs. Esmeralda H. Solis and was unanimously approved by the Board.
3. The Board of Directors tabled the presentation by Capex Consulting Group on Agua SUD Water Rights, Rates and Planning. The motion was made by Mr. Lloyd Loya and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board.
4. The Board of Directors received a presentation by PFM on the proposed Waterworks and Sewer System Revenue Refunding Bonds, Series 2021. The Board of Directors approved a resolution authorizing the issuance of Agua Special Utility District Waterworks and Sewer System Revenue Refunding Bonds, Series 2021; authorized a pricing officer to approve the amount, the interest rates, price, redemption provisions and terms thereof and certain other procedures and provisions related thereto approving additional agreements; and approved other

matters in connection therewith. The motion was made by Mr. Lloyd Loya and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board.

5. The Board of Directors approved a Non-Standard Service Agreement for water service to be submitted to Los Vientos Subdivision, LLC for the cost related to water service for East Acres Subdivision. The motion was made by Mr. Ivan Sandoval and seconded by Mr. Lloyd Loya and was unanimously approved by the Board.
6. The Board of Directors approved an Interlocal Agreement with Hidalgo County Municipal Utility District No. 1 (MUD No. 1) regarding temporary sewage transportation and treatment services subject to legal review regarding the conditions of the agreement. The motion was made by Mrs. Esmeralda Solis and seconded by Ms. Maribel Diaz and was unanimously approved by the Board.
7. The Board of Directors approved to increase solid waste (trash) collection fees as requested by City of Palmview subject to reasonable notice sent to Palmview customers. The motion was made by Mrs. Esmeralda H. Solis and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board.
8. The Board of Directors received presentation by iPay Solutions regarding proposed amendments to professional services contract. Questions were asked by District Attorney and a brief discussion was held with iPay Solutions.
9. The Board of Directors moved item nine into executive session regarding iPay Solutions professional services contract. The motion was made by Mr. Lloyd Loya and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board.
10. The Board of Directors moved item ten into executive session regarding Salida del sol tank certification. The motion was made by Mrs. Esmeralda H. Solis and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board.
11. The Board of Directors received a report from the General Manager on operations and finance including:
 - a. March Financials
 - b. 1st Quarter Investment Report
 - c. NAD Bank Technical Assistance Agreement (Sewer Hook-ups)
12. The Board of Directors recessed into an Executive (closed) meeting at 7:19 p.m. under 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. The motion was made by Mr. Ivan Sandoval and seconded by Ms. Maribel Diaz and was unanimously approved by the Board.

ITEM 12. a. TWDB Palmview Sanitary Sewer Improvements Project

ITEM 16. 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.

- ITEM 16. c. Discussion regarding 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
- ITEM 16. d. Alana Properties & Inv. LLC outstanding invoice
- ITEM 12. e. Discussion regarding iPay service contract.
- ITEM 12. f. Discussion regarding previously terminated contract for professional legal services.
- ITEM 12. g. Mendiola Water Storage Tank Project
- ITEM 12. h. Salida del sol tank certification
- ITEM 12. i. Performance Services, Inc. smart meter program guarantee
- ITEM 9. Discussion and possible action regarding iPay Solutions professional services contract.
- ITEM 10. Discussion and possible action regarding Salida del sol tank certification.

At 8:36 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.

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

- ITEM 12.a. The Board of Directors took no action on TWDB Palmview Sanitary Sewer Improvements Project.
- ITEM 12.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.
- ITEM 12.c. The Board of Directors took no action on 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.
- ITEM 12. d. The Board of Directors took no action on Alana Properties & Inv. LLC outstanding invoice.
- ITEM 12.e. The Board of Directors took no action on iPay service contract.
- ITEM 12.f. The Board of Directors took no action on regarding previously terminated contract for professional legal services.
- ITEM 12.g. The Board of Directors took no action on Mendiola Water Storage Tank Project.
- ITEM 12. h. The Board of Directors took no action on Salida del sol tank certification.

- ITEM 12.i. The Board of Directors took no action on Performance Services, Inc. smart meter program guarantee.
- ITEM 12.h. The Board of Directors took no action on M2 Engineering service contract.
- ITEM 9. Director Mrs. Esmeralda H. Solis motioned to return to item nine and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board. The Board of Director terminated contract for professional legal services. The motion was made by Mrs. Esmeralda H. Solis and seconded by Ms. Maribel Diaz and was unanimously approved by the Board.
- ITEM 10. Director Ms. Maribel Diaz motioned to return to item ten and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board. The Board of Director took no action on Salida del sol tank certification.

At 8:40 p.m., Mr. Ivan Sandoval moved for adjournment. Motion was seconded by Mr. Lloyd Loya and was unanimously approved by the Board.

Approved, the 1st of November, 2021


Homero Tijerina, President, Agua SUD

Attested by:

Maribel Diaz, Secretary, Agua SUD