

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., March 19, 2018

MINUTES OF SPECIAL MEETING

1. The meeting was called to order by Mr. Roger Hernández, III at 6:00 p.m., March 19, 2018, at which time Mr. Hernandez acknowledged the presence of the following Elected Members of the Board constituting a quorum of the Agua SUD:

Directors Present:

Mr. Rogelio Hernández, III
Mr. Lloyd Loya
Mr. Esequiel Ortiz, Jr.
Mr. Homer Tijerina
Mr. Cesar Rodriguez, Jr.
Mr. Ivan Sandoval

Directors Absent:

Mr. Ricardo Ochoa

A quorum of the members of the Agua SUD being present, the meeting was duly convened. Invocation was presented by Pastor Eleazar Cortez with Ministerio Luz Y Restauracion Divina.

2. The Board of Directors approved Interim General Manager recommendation for award of bid to Chemtrade for the water treatment plant chemicals as follows: Liquid Aluminum Sulfate Blend and Liquid Ammonium Sulfate to Chemtrade. The motion was made by Mr. Homer Tijerina and seconded by Mr. Esequiel Ortiz, Jr. and was unanimously approved by the Board.
3. The Board of Directors approved interlocal agreement with the City of Palmview subject to Legal review and the 45 days. 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 approved Change Order No. 2 with L&G Construction for Palmview Wastewater Collection System Phase 1, Group B&F (Project 1). The motion was made by Mr. Lloyd Loya and seconded by Mr. Homer Tijerina and was unanimously approved by the Board.
5. The Board of Directors approved Change Order No. 3 with L&G Construction for Palmview Wastewater Collection System Phase 1, Group B&F (Project 1). The motion was made by Mr. Lloyd Loya and seconded by Mr. Cesar Rodriguez, Jr. and was unanimously approved by the Board.

6. The Board of Directors approved Change Order No. 2 with OG Construction for the Palmview Wastewater Collection System Phase 1, Group A&G (Project 2). The motion was made by Mr. Ivan Sandoval and seconded by Mr. Homer Tijerina and was unanimously approved by the Board.
7. The Board of Directors received a presentation from Mr. Ismael "Smiley" Martinez with IAM Insurance on Property/Casualty and Workers Compensation policies.
8. The Board of Directors approved Energy Savings Performance Contract as per Local Government Code 302, with Performance Services, Inc. via The Interlocal Purchasing System Contract #170103, for a turn-key solution to implement capital intensive improvements utilizing energy, operational savings and increased revenue to offset the cost of improvements, and authorized the Interim General Manager to execute any related documents. The motion was made by Mr. Esequiel Ortiz, Jr. and seconded by Mr. Lloyd Loya and was unanimously approved by the Board.
9. The Board of Directors approved to accept tax exempt financing of certain equipment required in connection with the Energy Savings Performance Contract with Performance Services, Inc., through Buy Board Co-op., and authorized the Interim General Manager to execute any related documents. The motion was made by Mr. Homer Tijerina and seconded by Mr. Esequiel Ortiz, Jr. and was unanimously approved by the Board.
10. The Board of Directors approved M. Garcia Engineering, LLC as the owner representative for an Energy Savings Performance Contract as per Local Government Code 302, with Performance Services, Inc. via The Interlocal Purchasing System Contract #170103, for a turn-key solution to implement capital intensive improvements utilizing energy, operational savings and increased revenue to offset the cost of improvements, and authorized the Interim General Manager to execute any related documents. The motion was made by Mr. Esequiel Ortiz, Jr. and seconded by Mr. Lloyd Loya and was unanimously approved by the Board.
11. The Board of Directors recessed into an Executive (closed) meeting at 6:42 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. Lloyd Loya and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board.
 - a. 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.
 - b. Discussion regarding Cause No. C-2178-17-J; Agua Special Utility District vs. Hidalgo County Irrigation District No. 6; In the District Court of Hidalgo County, Texas, 430th Judicial District.
 - c. Discussion and possible action on possible claim.

At 7:23 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. Lloyd Loya and was unanimously approved by the Board.

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

Item 11. a. The Board 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.

Item 11. b. The Board of Directors authorized Legal to proceed as directed in executive session on Cause No. C-2178-17-J; Agua Special Utility District vs. Hidalgo County Irrigation District No. 6; In the District Court of Hidalgo County, Texas, 430th Judicial District. The motion was made by Mr. Esequiel Ortiz, Jr. and seconded by Mr. Cesar Rodriguez, Jr. and was unanimously approved by the Board.

Item 11. c. The Board took no action on possible claim.

13. Public Comments: Mario Chapa, addressed the board reminding them about the Havana Raw Water Project.


At 7:27 p.m., Mr. Cesar Rodriguez, Jr moved to adjournment. Motion was seconded by Mr. Lloyd Loya and was unanimously approved by the Board.

Approved, the 7th day of May, 2018



Roger Hernández, III, President, Agua SUD

Attested by:



Lloyd Loya, Secretary, Agua SUD