

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., March 5, 2018

MINUTES OF REGULAR MEETING

1. The meeting was called to order by Mr. Roger Hernández, III at 6:00 p.m., March 5, 2018, at which time Mr. Hernández 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. Homer Tijerina
Mr. Lloyd Loya
Mr. Esequiel Ortiz, Jr.
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 Mr. Dagoberto Soto.

2. The Board of Directors reviewed and adopted minutes a. and b. of the January 17, 2018 Agua Special Board Meeting and the February 5, 2018 Agua Board Meeting. 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 moved item 3 due to intern Julio Trevino's class ending at 6pm from UTRGV and will present at a later part of the agenda.
4. The Board of Directors took no action on the proposals submitted for Property/Casualty and Workers Compensation policies.
5. The Board of Directors discussed and received an update from Mr. Eddie Saenz, Interim General Manager, regarding the interlocal agreement with the City of Palmview for sanitary sewer connections to empty lots. Questions were asked followed by a lengthy discussion. The Board of Directors approved the interlocal agreement with the City of Palmview for sanitary sewer connections to empty lots, subject to Agua SUD's review. The motion was made by

Mr. Homer Tijerina and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board.

6. The Board of Directors discussed and received an update from Mr. Eddie Saenz, Interim General Manager, regarding interlocal agreement with City of Palmview for street paving. Questions were asked followed by a lengthy discussion.

The Board of Directors recessed into an Executive (closed) meeting at 6:25 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. Esequiel Ortiz, Jr. and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board.

Item 6. Discussion and possible action on approval of interlocal agreement with the City of Palmview for street paving.

At 6:39 p.m., The Board moved to reconvene in open session and no action was taken in executive session. The motion was made by Mr. Esequiel Ortiz, Jr. and seconded by Mr. Cesar Rodriguez, Jr. and was unanimously approved by the Board.

Item 6. The Board of Directors approved interlocal agreement with the City of Palmview for street paving pending addendum to be acted upon by March 19, 2018 by Agua and on March 20, 2018 by City of Palmview. The motion was made by Mr. Esequiel Ortiz, Jr. and seconded by Mr. Homer Tijerina and was unanimously approved by the Board.

7. The Board of Directors took no action on franchise agreement with the City of Palmview.
8. The Board of Directors approved amending the order for Agua SUD May 5, 2018 General Election to include polling locations, dates and times for early voting. The motion was made by Mr. Lloyd Loya and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board.

Items 9, 10, 11 and 12:

The Interim General Manager, Mr. Eddie Saenz, requested items ten, eleven and twelve be incorporated to include in discussion and consideration since they all coincide with item nine. Discussion and questions were asked. All in one motion the Board of Directors amended the waterline materials contract with Ferguson to remove sections 4, 5, 7, 8 and 9; amend waterline materials contract with Core & Main to add sections 4 and 5; amend waterline materials contract with ACT Pipe & Supply to add sections 7 and 9; amend waterline materials contract with Aguaworks to add section 8. The motion was made by Mr. Homer Tijerina and seconded by Cesar Rodriguez, Jr. and was unanimously approved by the Board.

13. The Board of Directors approved to award bid to Service Pro for the Agua SUD Administration Building as recommended by Mr. Eddie Saenz, Interim General Manager. The motion was made by Mr. Lloyd Loya and seconded by Mr. Cesar Rodriguez, Jr. and was unanimously approved by the Board.

14. The Board of Directors approved award of bid to Bazbar, LLC for labor and equipment for the Abram overpass waterline replacement project as recommended by Mr. Eddie Saenz, Interim General Manager. Discussion and questions were asked. The motion was made by Mr. Ivan Sandoval and seconded by Mr. Esequiel Ortiz, Jr. and was unanimously approved by the Board.
15. The Board of Directors authorized Interim General Manager to advertise for competitive bids on the construction of East EDAP Palmview Wastewater Collection System Phase I, Main Lift Station & Force Main to Mission WWTP (Project 4) contingent on Texas Water Development Board's approval for advertisement. Discussion and questions were asked. The motion was made by Mr. Esequiel Ortiz, Jr. and seconded by Mr. Homer Tijerina and was unanimously approved by the Board.
16. The Board of Directors authorized Interim General Manager to advertise for competitive bids on the purchase of the FM-492 generator. The motion was made by Mr. Lloyd Loya and seconded by Mr. Esequiel Ortiz, Jr. and was unanimously approved by the Board.
17. The Board of Directors authorized Interim General Manager to advertise for competitive bids on the purchase of a backup generator for Tom Gil Booster. The motion was made by Mr. Ivan Sandoval and seconded by Mr. Lloyd Loya and was unanimously approved by the Board.
18. The Board of Directors authorized Interim General Manager to advertise for competitive bids on maintenance of Agua SUD generators. The motion was made by Mr. Lloyd Loya and seconded by Mr. Homer Tijerina and was unanimously approved by the Board.
19. The Board of Directors authorized Interim General Manager to advertise for competitive bids for the purchase of 250 acre-feet of municipal water rights. The motion was made by Mr. Cesar Rodriguez, Jr. and seconded by Mr. Esequiel Ortiz, Jr. and was unanimously approved by the Board.
20. The Board of Directors authorized Interim General Manager to act as representative of Agua SUD for the South Texas Water Utility Managers Association. The motion was made by Mr. Homer Tijerina and seconded by Mr. Cesar Rodriguez, Jr. and was unanimously approved by the Board.
3. The Board of Directors received a brief introduction from Interim General Manager on the UTRGV intern, Mr. Julio Trevino. Mr. Julio Trevino graduated from La Joya High School in 2015 as Valedictorian and is pursuing his education in Mechanical, Electrical, and Plumbing Engineering.
21. The Board of Directors approved ratifying professional engineering services with MEG Engineers for construction materials testing services for Agua SUD Palmview Wastewater Collection System Ph. I, Group A&G (Project 2). The motion was made by Mr. Homer Tijerina and seconded by Mr. Cesar Rodriguez, Jr. and was unanimously approved by the Board.

22. The Board of Directors approved Change Order No. 2 with OG Construction for Palmview Wastewater Collection System Phase I, Group A&G (Project 2) contingent to S&B Infrastructure's signature, correction of days and no additional days. Discussion and questions were asked. The motion was made by Mr. Ivan Sandoval and seconded by Mr. Lloyd Loya and was unanimously approved by the Board.
23. The Board of Directors took no action on Change Order No. 2 with L7G Construction for Palmview Wastewater Collection System Phase I, Group B&G (Project 1). Discussion and questions were asked between Agua SUD Board, Nasario Pena, L&G Construction and S&B Infrastructure.
24. The Board of Directors approved crossing permit with Hidalgo County United Irrigation District for installing of sewer force main for the Palmview Collection System Project No. 4. The motion was made by Mr. Homer Tijerina and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board.
25. The Board of Directors received a report from Interim General Manager on operations and finance including:
 - f. Finance
 - i. January Financials
26. The Board of Directors discussed the East EDAP Palmview sewer project matters including an update on Texas Water Development Board.
27. The Board recessed into an Executive (closed) meeting at 7:22 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. Homer Tijerina and seconded by Mr. Cesar Rodriguez, Jr. 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 7:47 p.m., The Board moved to reconvene in open session and no action was taken in executive session. The motion was made by Mr. Lloyd Loya and seconded by Mr. Homer Tijerina and was unanimously approved by the Board.

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

Item 27. a. The Board of Directors motioned to proceed as discussed in executive session on C-0667-18-H, City of Palmview vs. Agua Special Utility District; In the

District Court of Hidalgo County, Texas, 398th District Court. The motion was made by Mr. Lloyd Loya and seconded by Mr. Cesar Rodriguez, Jr. and was unanimously approved by the Board.

Item 27. b. The Board of Directors took no action 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.

Item 27. c. The Board of Directors motioned to proceed as discussed in executive session on possible claim. The motion was made by Mr. Lloyd Loya and seconded by Mr. Esequiel Ortiz, Jr. and was unanimously approved by the Board.

29. Public Comments: Mr. Mario Chapa addressed the Board of Directors regarding the PUC and City of Palmview, hiring of Interim General Manager full time and public comments.

At 7:52 p.m., Mr. Homer Tijerina moved to adjournment. Motion was seconded by Mr. Esequiel Ortiz, Jr. and was unanimously approved by the Board.

Approved, the 4th day of June, 2018



Roger Hernández, III, President, Agua SUD

Attested by:



Esequiel Ortiz, Jr., Secretary, Agua SUD