

# **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 7, 2018

## **MINUTES OF REGULAR MEETING**

1. The meeting was called to order by Mr. Roger Hernández, III at 6:00 p.m., May 7, 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. Ricardo Ochoa  
Mr. Ivan Sandoval

Directors Absent:

Mr. Cesar Rodriguez, Jr.

A quorum of the members of the Agua SUD being present, the meeting was duly convened. Invocation was presented by Pastor Domingo Villarreal III with Faith Fellowship Bible Church.

2. The Board of Directors reviewed and adopted minutes of the March 19, 2018 Agua Special Board Meeting. The motion was made by Mr. Homer Tijerina and seconded by Mr. Esequiel Ortiz, Jr. and was unanimously approved by the Board.

Item 3 was postponed due to Auditor running late.

4. The Board of Directors presented and approved a resolution in Honor of Mr. Ricardo Ochoa for 8 years of service as Agua SUD Director. Mr. Esequiel Ortiz, Jr. read the resolution, which recognized Mr. Ochoa's past leadership and expressed the Board's gratitude for his years of service, sound advice and valued counsel. The motion was made by Mr. Homer Tijerina and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board.

The Board of Directors recessed the Board Meeting at 6:10 p.m. The motion was made by Mr. Lloyd Loya and seconded by Mr. Homer Tijerina and was unanimously approved by the Board.

The Board of Directors reconvened the Board Meeting at 6:21 p.m. The motion was made by Mr. Homer Tijerina and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board.

The Board of Directors recognized Mrs. Jessica Ochoa, Councilwomen of City of Mission.

6. The Board of Directors tabled item six to negotiate and enter into contract with RG Economics for the home survey proposal for sanitary sewer hookups. The motion was made by Mr. Homer Tijerina and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board.
7. The Board of Directors approved to negotiate into engineering agreement with Melden & Hunt for design of Western Road Booster Tank. The motion was made by Mr. Ricardo Ochoa and seconded by Mr. Homer Tijerina and was unanimously approved by the Board.
8. The Board of Directors approved to negotiate into engineering agreement with Melden & Hunt for design of Penitas Booster Tank in the area of Liberty Road and Diamond Loop. The motion was made by Mr. Lloyd Loya and seconded by Mr. Esequiel Ortiz, Jr. and was unanimously approved by the Board.
9. The Board of Directors approved award of contract to Mor-Wil, LLC as lowest responsible bidder for the US83 Relief Route Utility Relocation Project as recommended by Interim General Manager. The motion was made by Mr. Esequiel Ortiz, Jr. and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board.
10. The Board of Directors approved award of contract to Zitro Electric LLC. as lowest responsible bidder for the Abram Water Plant Generator Project as recommended by S&B Infrastructure, project engineers. The motion was made by Mr. Lloyd Loya and seconded by Mr. Ricardo Ochoa and was unanimously approved by the Board.
11. The Board of Directors approved award of contract to Metro Electric as lowest responsible bidder for the Tom Gil Road Booster Emergency Generator Project as recommended by Trinity MEG, project engineers. The motion was made by Mr. Homer Tijerina and seconded by Mr. Ricardo Ochoa and was unanimously approved by the Board.
12. The Board of Directors approved award of contract to Cornerstone Plant Maintenance as lowest responsible bidder for emergency maintenance contract. The motion was made by Mr. Homer Tijerina and seconded by Mr. Ricardo Ochoa and was unanimously approved by the Board.
13. The Board of Directors approved advertisement for bids on the FM492 Water Plant Filter Rehabilitation Project. The motion was made by Mr. Lloyd Loya and seconded by Mr. Homer Tijerina and was unanimously approved by the Board.
14. The Board of Directors approved replacement of filter system at the Havana Water Plant, management deemed an emergency due to filters going out and bypassing the bidding process as approved by legal and as requested by management. The motion was made by Mr. Lloyd Loya and seconded by Mr. Esequiel Ortiz, Jr. and was unanimously approved by the Board.
15. The Board of Directors approval to accept donation of easement for Palmview Sanitary Sewer Project and abandon easement within same property as requested by property owner for Lots 10 and 11, Block 1, Mission Groves Estates Subdivision, Hidalgo County, Texas. The motion was made by Mr. Lloyd Loya and seconded by Mr. Homer Tijerina and was unanimously approved by the Board.

16. The Board of Directors approved engineering contract with Millennium Engineering Group for construction material testing for Palmview Sanitary Sewer Project (Phase 3). The motion was made by Mr. Lloyd Loya and seconded by Mr. Ricardo Ochoa and was unanimously approved by the Board.
17. The Board of Directors approved advertisement for Request for Qualifications for Electricity Consumption Consultant. The motion was made by Mr. Lloyd Loya and seconded by Mr. Homer Tijerina and was unanimously approved by the Board.
18. The Board of Directors approved designating Jose E. Saenz, Interim General Manager as Agent for Agua SUD to TCEQ-Rio Grande Watermaster. The motion was made by Mr. Esequiel Ortiz, Jr. and seconded by Mr. Homer Tijerina and was unanimously approved by the Board.
19. The Board of Directors authorized Interim General Manager to solicit a Request for Proposal for bank depository services for the District's public funds. The motion was made by Mr. Homer Tijerina and seconded by Mr. Ricardo Ochoa and was unanimously approved by the Board.
20. The Board of Directors received a report from Interim General Manager on operations and finance including:
  - a. Website Update
  - b. Finance
    - i. 1<sup>st</sup> Quarter Financials
    - ii. 1<sup>st</sup> Quarter Investment Report
21. The Board of Directors received an update from Mr. Eddie Saenz, Interim General Manager updated on the Texas Water Development Board and Agua SUD Palmview sanitary sewer connections.
3. The Board of Directors received presentation regarding the completion and results of the Agua SUD 2017 Fiscal Audit by Mr. Ricky Longoria, CPA, with Burton McCumber & Longoria, LLP.
4. The Board of Directors accepted and approved Agua SUD 2017 Fiscal Audit as presented by Mr. Ricky Longoria, CPA, with Burton McCumber & Longoria, LLP. The motion was made by Mr. Esequiel Ortiz, Jr. and seconded by Mr. Lloyd Loya and was unanimously approved by the Board.
22. The Board recessed into an Executive (closed) meeting at 7:03 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. Esequiel Ortiz, 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, 398<sup>th</sup> 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, 430<sup>th</sup> Judicial District.
- c. Discussion regarding Cause No. C-1500-18-J; Agua Special Utility District vs. Strategic Public Affairs Inc., PBA Strategic Public Affairs; In the District Court of Hidalgo County, Texas, 430<sup>th</sup> District Court.

At 7:51 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 Mr. Homer Tijerina and was unanimously approved by the Board.

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

Item 22. a. The Board of Directors took no action on C-0667-18-H, City of Palmview vs. Agua Special Utility District; In the District Court of Hidalgo County, Texas, 398<sup>th</sup> District Court.

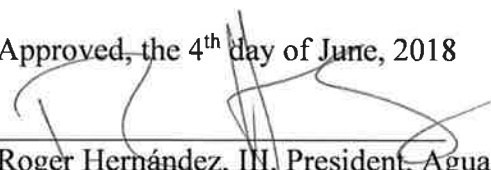
Item 22. b. The Board of Directors took no action on Cause No. C-2178-17-J; Agua Special Utility District vs. Hidalgo County Irrigation District No. 6; In the District Court of Hidalgo County, Texas, 430<sup>th</sup> Judicial District.

Item 22. c. The Board of Directors took no action on Cause No. C-1500-18-J; Agua Special Utility District vs. Strategic Public Affairs Inc., PBA Strategic Public Affairs; In the District Court of Hidalgo County, Texas, 430<sup>th</sup> District Court.

24. Public Comments: Mr. Mario Chapa addressed the Board of Directors by expressing his gratitude towards Mr. Ricardo Ochoa for his service, had comments about the new website and question regarding the interlocal with City of Palmview for paving.

At 7:56 p.m., Mr. Lloyd Loya moved to adjournment. Motion was seconded by Mr. Esequiel Ortiz, Jr. and was unanimously approved by the Board.

Approved, the 4<sup>th</sup> day of June, 2018

  
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Roger Hernández, III, President, Agua SUD

Attested by:

  
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Esequiel Ortiz, Jr., Secretary, Agua SUD