

AGUA SPECIAL UTILITY DISTRICT

Special Meeting of the Board of Directors
Agua SUD Administration Building
3120 North Abram Road
Palmview, Texas

12:00 p.m., December 22, 2021

MINUTES OF SPECIAL MEETING

1. The meeting was called to order by Mrs. Esmeralda H. Solis at 12:08 p.m., December 22, 2021, at which time Mrs. Solis acknowledged the presence of the following Elected Members of the Board of the Agua SUD:

Directors Present:

Mrs. Esmeralda H. Solis
Ms. Maribel Diaz
Mr. Cesar Rodríguez, Jr.
Mr. Ricardo Perez
Mr. Lloyd Loya

Directors Absent:

Mr. Homero Tijerina
Mr. Ivan Sandoval

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

Public Comment: None received.

2. The Board of Directors moved item two into executive session regarding approval of remaining pay applications and resolving liquidated damages dispute on construction project with Mor-Wil, LLC, for Agua SUD's Palmview Wastewater Conveyance System, Main Lift Station & Force Main. The motion was made by Mr. Lloyd Loya and seconded by Mr. Cesar Rodriguez, Jr. and was unanimously approved by the Board.

The Board of Directors recessed into an Executive (closed) meeting at 12:12 p.m. under Texas Gov. Code Sections 551.071 (Consultation with Attorney) and 551.072 (Real Property), the Board of Directors may convene in closed Executive Session to deliberate, discuss, or consult regarding the matters listed set forth above. The motion was made by Mr. Lloyd Loya and seconded by Mr. Cesar Rodriguez, Jr. and was unanimously approved by the Board.

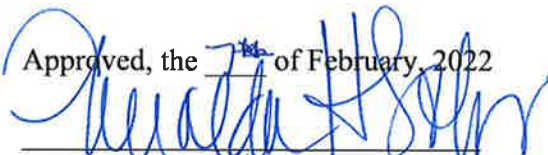
ITEM 2. Discussion and possible action on approval of remaining pay applications and resolving liquidated damages dispute on construction project with Mor-Wil, LLC, for Agua SUD's Palmview Wastewater Conveyance System, Main Lift Station & Force Main.

At 12:53 p.m., The Board moved to reconvene in open session and no action was taken in executive session. The motion was made by Ms. Maribel Diaz and seconded by Mr. Cesar Rodriguez, Jr. and was unanimously approved by the Board.

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

ITEM 2. The Board of Directors authorized the General Manager to accept the terms of the settlement proposed by Mor-Wil, LLC subject to completion of the punch list and review of final agreement by counsel and approval by TWBD. The motion was made by Mr. Lloyd Loya and seconded by Mr. Cesar Rodriguez, Jr. and was unanimously approved by the Board.

At 12:54 p.m., Ms. Maribel Diaz moved for adjournment. Motion was seconded by Mr. Cesar Rodriguez, Jr. and was unanimously approved by the Board.

Approved, the 7th of February, 2022

Esmeralda H. Solis, President, Agua SUD

Attested by:

Cesar Rodriguez, Jr., Secretary, Agua SUD