

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., February 7, 2022

MINUTES OF REGULAR MEETING

1. The meeting was called to order by Mrs. Esmeralda H. Solis at 6:00 p.m., February 7, 2022, 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 (arrived at 6:06p.m.)
Mr. Ricardo Perez
Mr. Lloyd Loya
Mr. Homero Tijerina
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. Ms. Pamela Perez presented invocation.

Public Comment: Ms. Noelia Galvan addressed the Board of Directors by requesting assistance with water and sewer services.

2. The Board of Directors reviewed and adopted minutes of the December 6, 2021 Agua Board Meeting. The motion was made by Mr. Homero Tijerina and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board. The Board of Directors reviewed and adopted minutes of the December 15, 2021 Agua Special Board Meeting. The motion was made by Mr. Homero Tijerina and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board. The Board of Directors reviewed and adopted minutes of the December 22, 2021 Agua Special Board Meeting. The motion was made by Mr. Homero Tijerina and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board. The Board of Directors reviewed and adopted minutes of the January 10, 2022 Agua Board Meeting. The motion was made by Mr. Homero Tijerina and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board.

3. The Board of Directors approved a Non-Standard Service Agreement for water to be submitted to CL3 Properties LLC, for the cost related to water service for Buena Suerte One Subdivision. The motion was made by Mr. Lloyd Loya and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.
4. The Board of Directors approved a Non-Standard Service Agreement for water to be submitted to Carlos Leal, Jr, for the cost related to water service for Las Comadres Ph. 9 Subdivision. The motion was made by Mr. Homero Tijerina 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 to be submitted to Matermi, LLC, for the cost related to water service for Maluz Subdivision. The motion was made by Mr. Homero Tijerina and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board.
6. The Board of Directors approved sale in the amount of \$25,000 of District easement to County of Hidalgo with respect to construction of Liberty Road from US 83 to Mile 3 and authorizing General Manager to execute all necessary documents. The motion was made by Mr. Lloyd Loya and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.
7. The Board of Directors approved proposed contract for engineering services with SAMES Engineering for preparation of preliminary engineering feasibility report for new water treatment plant. The motion was made by Mr. Homero Tijerina and seconded by Mr. Lloyd Loya and was unanimously approved by the Board.
8. The Board of Directors approved Change Order No. 2 with RDH Site and Concrete, LLC, for the Mile 3 Road Waterline Relocation Improvement Project. The motion was made by Mr. Lloyd Loya and seconded by Mr. Ricardo Perez and was unanimously approved by the Board.
9. The Board of Directors received a report from the General Manager on operations and finance including:
 - a. 4th Quarter Investment Report
 - b. FM 492WTP water recovery and waste process improvements (Water Saver) - notice was issued to contractor to stop work for 90 days.
 - c. TWDB meeting update – inquired Agua’s finances for bonds and TWDB offered their assistance.
10. The Board of Directors received a report from the District Engineer on ongoing projects including:
 - a. NAD Bank Technical Assistance Agreement (Sewer Hook-ups) summary of hookups on the Mor-Wil project, 1,270 service connections, 953 connected, 974 septic tanks fully pumped out, and 969 fully decommissioned.
 - b. Construction is approximately 75% complete for Mile 3 Road Waterline Improvements Project.

c. TWDB Palmview Sanitary Sewer Improvements Project

11. The Board of Directors recessed into an Executive (closed) meeting at 6:33 p.m. under Texas Gov. Code Sections 551.071-551.091, the Board of Directors may convene in closed Executive Session to deliberate, discuss, or consult regarding the matters listed below and, on proper motion and approval, any of the items set forth above. The motion was made by Mr. Homero Tijerina and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board.

- ITEM 11. a. TWDB Palmview Sanitary Sewer Improvements Project. *Texas Open Meetings Act, Texas Government Code Section 551.071 (Consultation with Attorney).*
- ITEM 11. b. Performance Services, Inc. smart meter program guarantee. *Texas Open Meetings Act, Texas Government Code Section 551.071 (Consultation with Attorney).*
- ITEM 11. c. Mor-Wil, LLC's request for change order pertaining to the NADBank Palmview Yard Line Project (Hook-Up Project). *Texas Open Meetings Act, Texas Government Code Section 551.071 (Consultation with Attorney).*
- ITEM 11. d. FM 492WTP Water Recovery and Waste Process Improvements (Water Saver) Update. *Texas Open Meetings Act, Texas Government Code Section 551.071 (Consultation with Attorney).*
- ITEM 11. e. Jimmy Closner & Sons Liquidated Damages for Palmview Wastewater Collection System Phase 1, Lift Stations A2, F, G, & G7. (Project 3). *Texas Open Meetings Act, Texas Government Code Section 551.071 (Consultation with Attorney).*

At 7:38 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 Ms. Maribel Diaz and was unanimously approved by the Board.

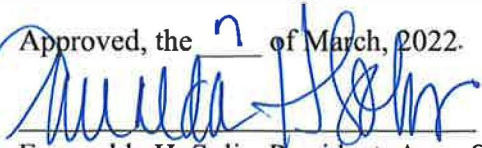
12. The Board of Directors took no action in open session regarding item(s) discussed in executive session for the following:

- ITEM 11.a. The Board of Directors took no action on TWDB Palmview Sanitary Sewer Improvements Project.
- ITEM 11.b. The Board of Directors took no action on Performance Services, Inc. smart meter program guarantee.
- ITEM 11.c. The Board of Directors took no action on Mor-Wil, LLC's request for change order pertaining to the NADBank Palmview Yard Line Project (Hook-Up Project).
- ITEM 11.d. The Board of Directors took no action on the FM 492WTP Water Recovery and Waste Process Improvements (Water Saver) Update.

ITEM 11.e. The Board of Directors took no action on Jimmy Closner & Sons Liquidated Damages for Palmview Wastewater Collection System Phase 1, Lift Stations A2, F, G, & G7. (Project 3).

At 7:40 p.m., Mr. Homero Tijerina moved for adjournment. Motion was seconded by Mr. Ivan Sandoval and was unanimously approved by the Board.

Approved, the 7 of March, 2022.



Esmeralda H. Solis, President, Agua SUD

Attested by:



Cesar Rodriguez, Jr., Secretary, Agua SUD