

# **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 7, 2022

## **MINUTES OF REGULAR MEETING**

1. The meeting was called to order by Mrs. Esmeralda H. Solis at 6:00 p.m., March 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 6:17 p.m.)  
Mr. Ricardo Perez  
Mr. Lloyd Loya  
Mr. Homero Tijerina  
Mr. Ivan Sandoval

**Directors Absent:**

Mr. Cesar Rodríguez, Jr.

A quorum of the members of the Agua SUD being present, the meeting was duly convened. Ms. Pamela Perez presented invocation.

**Public Comment:** Mr. Jose Luis Perez, City of Palmview Community Member addressed the Board of Directors with some of the street issues in the following streets: Marla Street, South La Homa, Breyfogle, and 495. He noted that he saw an item on Agua's agenda for street repair and that there would be a solution to it.

2. The Board of Directors reviewed and adopted minutes of the February 7, 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 received a presentation by Jaime Longoria, Executive Director, Hidalgo County Community Service Agency regarding a water payment assistance, a Low-Income Water Assistance Program (LIWAP). Questions were asked by Directors and a brief discussion was held on the different services and coordination of the program. The Board of Directors approved the proposed agreement with Hidalgo County for water payment assistance, a Low-Income Water Assistance Program (LIWAP) subject to legal review. 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 moved item four into executive session regarding a price adjustment request for Liquid Ammonium Sulfate by Chemtrade Chemicals, LLC. The motion was made by Mr. Lloyd Loya and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board.
5. The Board of Directors moved item five into executive session regarding authorizing General Manager to advertise for competitive bids on the purchase of Water Treatment Chemicals. The motion was made by Mr. Lloyd Loya and seconded by Mr. Ricardo Perez and was unanimously approved by the Board.
6. The Board of Directors approved a Resolution adding Board President as new signer and General Manager and Finance Director as authorized persons to the investment account with Multi-Bank Securities, Inc. The motion was made by Mr. Lloyd Loya and seconded by Ms. Maribel Diaz and was unanimously approved by the Board.
7. The Board of Directors moved item seven into executive session regarding authorizing General Manager to solicit contract for Insurance Agent of Record for District. The motion was made by Mr. Lloyd Loya and seconded by Ms. Maribel Diaz and was unanimously approved by the Board.
8. The Board of Directors authorized General Manager to submit declaration of loss and request for restitution from Jaime Alberto Rodriguez pursuant to notice from Probation Office of the United States District Court for the Southern District of Texas. 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. December Financials
  - b. City of Palmview Street Improvements update – Agua SUD has been meeting with City of Palmview in regards to the paved areas that have experienced trench settlement. There have been discussions with Jeff Chapman and M2 Engineering regarding the areas to provide that have been substantially completed to the City of Palmview so that they can move forward with paving those areas.
  - c. TWDB meeting update – Board of Directors were advised that the Palmview Wastewater Collection System – Phase 1, Group B&F had a final construction amount of \$10,356,837 and that Agua SUD received certificate of approval and authorization to release retainage. The final settlement agreement with L&G Construction was in the amount of \$515,000 and Agua SUD should receive those funds soon.

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, 1,388 service connections, 1,078 connected, 1,054 septic tanks fully pumped out, and 1,048 fully decommissioned. Overall, Sewer Hook-ups project is approximately 75% complete. Mr. Tijerina posed a question, asked the engineer regarding the documentations needed from the subcontractors for the project, M2 Engineer stated that they did receive the documents and would send to staff and General Manager.
- b. Construction is slow due to weather and was approximately 90% complete for Mile 3 Road Waterline Improvements Project with the original scope, but additional work for a waterline to be relocated on Abram and the Irrigation canal and two other intersections. Overall, Mile 3 Road Waterline Improvements Project is approximately 70% complete and additional materials are expected to be received within two weeks. Final completion date is set for May 21, 2022 and they are expected to finish work by then or prior.
- c. TWDB Palmview Sanitary Sewer Improvements Project Update – Three out of the four contracts are being completed and closed out. The Lift Station project has been closed out, L&G is getting close to closing out, and Mor-Wil for the Main Lift Station and Force Main all the close out documents have been submitted to TWDB. Last project remains with SureTec (Surety Bond) which they have completed two areas that have been accepted, areas G7 and A1-e. Walk throughs are being done for the remaining of the project for the areas A1 and G1. Concerns were posed by Directors and a brief discussion was held on the issues regarding the project with the SureTec (Surety Bond).

11. The Board of Directors recessed into an Executive (closed) meeting at 6:47 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 Ms. Maribel Diaz and seconded by Mr. Lloyd Loya 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. 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. d. Interlocal agreement between Agua SUD and City of Palmview regarding Street Improvements. *Texas Open Meetings Act, Texas Government Code Section 551.071 (Consultation with Attorney).*

At 7:27 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 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:

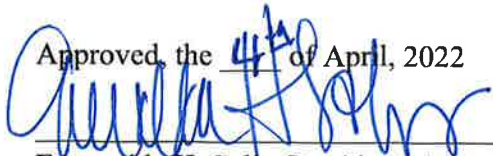
- ITEM 11.a. The Board of Directors took no action on TWDB Palmview Sanitary Sewer Improvements Project.
- ITEM 11.b. The Board of Directors took no action on Performance Services, Inc. smart meter program guarantee.
- ITEM 11.c. The Board of Directors took no action on the FM 492 WTP Water Recovery and Waste Process Improvements (Water Saver) Update.
- ITEM 11.d. The Board of Directors took no action on Interlocal agreement between Agua SUD and City of Palmview regarding Street Improvements.

Director Loya motioned to return to items four, five and seven and seconded by Mr. Ricardo Perez and was unanimously approved by the Board.

- ITEM 4. The Board of Directors tabled possible action on a price adjustment request for Liquid Ammonium Sulfate by Chemtrade Chemicals, LLC. The motion was made by Mr. Lloyd Loya and seconded by Ms. Maribel Diaz and was unanimously approved by the Board.
- ITEM 5. The Board of Directors authorized General Manager to advertise for competitive bids on the purchase of Water Treatment Chemicals. The motion was made by Mr. Lloyd Loya and seconded by Ms. Maribel Diaz and was unanimously approved by the Board.
- ITEM 7. The Board of Directors authorized General Manager to solicit contract for Insurance Agent of Record for District. The motion was made by Mr. Lloyd Loya and seconded by Ms. Maribel Diaz and was unanimously approved by the Board.

At 7:30 p.m., Ms. Maribel Diaz moved for adjournment. Motion was seconded by Mr. Lloyd Loya and was unanimously approved by the Board.

Approved, the 4<sup>th</sup> of April, 2022



Esmeralda H. Solis, President, Agua SUD

Attested by:



Cesar Rodriguez, Jr., Secretary, Agua SUD