



November 21, 2022
Special Board Meeting
Packet

CALL TO ORDER

A. ROLL CALL

B. INVOCATION

C. PLEDGE OF ALLEGIANCE

D. PUBLIC COMMENT



Agua Special Utility District
P. O. Box 4379 | Mission, Texas | 78573-0075
(956) 585-2459 | FAX (956) 585-1516

Board of Directors

Maribel Díaz, President

Dr. Adriana Flores-Villarreal, Vice-President

Jose Luis Ochoa, Jr., Secretary

Ricardo Perez, Treasurer

Homero Tijerina, Director

Ana Maria Perez, Director

Special Meeting of the Board of Directors

Agua S.U.D. Administration Building
3120 North Abram Road
Palmview, Texas

November 21, 2022

12:00 PM

AGENDA

1. Call to Order
 - a. Roll Call
 - b. Invocation
 - c. Pledge of allegiance
 - d. Public Comments
2. Discussion and possible action to fill vacancy of District 3 Director pursuant to Special District Local Laws Code §7201.055 and Texas Water Code §49.105.
3. Discussion and possible action on resolution to change bank signatures to current officers.
4. Adjournment.

On this the 18th day of November, 2022 was posted on the Agua SUD official website and in a place convenient to the public in the bulletin board at Agua Special Utility District, 3120 North Abram Rd. Palmview, Texas 78572 at 11:50 a.m. on said date.

/s/

Cynthia Villarreal, Administrative Assistant

ITEM 2.

SPECIAL DISTRICT LOCAL LAWS CODE

TITLE 6. WATER AND WASTEWATER

SUBTITLE C. SPECIAL UTILITY DISTRICTS

CHAPTER 7201. AGUA SPECIAL UTILITY DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

SPECIAL DISTRICT LOCAL LAWS CODE § 7201.055.
COMPOSITION OF BOARD; TERMS

Sec. 7201.055. COMPOSITION OF BOARD; TERMS. (a) The district is governed by a board of seven directors, each of whom occupies a numbered position on the board and represents a unique subdistrict containing, as near as practicable, one-seventh of the total number of residents in the district.

(b) A candidate for a position on the board must:

(1) reside in the subdistrict represented by that position; and

(2) be eligible to hold office under Section [141.001](#), Election Code.

(c) The district shall fill a vacancy on the board in accordance with Section [49.105](#), Water Code.

(d) Directors serve staggered terms of four years and may not serve more than two consecutive terms.

(e) A person who has served as a member of the board of directors of the corporation is not eligible to serve as a district director.

(f) If a director is an employee of another taxing entity within the district, the board may not employ as an employee, as a consultant, or on a contract basis:

(1) an elected official of the other taxing entity that employs the director; or

(2) a person related to that elected official in the third degree of consanguinity or affinity as determined under Chapter [573](#), Government Code.

Added by Acts 2019, 86th Leg., R.S., Ch. 702 (S.B. [2552](#)), Sec. 2, eff. December 31, 2019.

WATER CODE

TITLE 4. GENERAL LAW DISTRICTS

CHAPTER 49. PROVISIONS APPLICABLE TO ALL DISTRICTS

SUBCHAPTER A. GENERAL PROVISIONS

Texas Water Code - WATER § 49.105. Vacancies

Sec. 49.105. VACANCIES. (a) Except as otherwise provided in this code, a vacancy on the board and in other offices shall be filled for the unexpired term by appointment of the board not later than the 60th day after the date the vacancy occurs.

(b) If the board has not filled a vacancy by appointment before the 61st day after the date the vacancy occurs, a petition, signed by more than 10 percent of the registered voters of the district, requesting the board to fill the vacancy by appointment may be presented to the board.

(c) If the number of directors is reduced to fewer than a majority or if a vacancy continues beyond the 90th day after the date the vacancy occurs, the vacancy or vacancies may be filled by appointment by the commission if the district is required by Section [49.181](#) to obtain commission approval of its bonds or by the county commissioners court if the district was created by the county commissioners court, regardless of whether a petition has been presented to the board under Subsection (b). An appointed director shall serve for the unexpired term of the director he or she is replacing.

(d) In the event of a failure to elect one or more members of the board of a district resulting from the absence of, or failure to vote by, the qualified voters in an election held by the district, the current members of the board or temporary board holding the positions not filled at such election shall be deemed to have been elected and shall serve an additional term of office, or, in the case of a temporary board member deemed elected under this subsection, the initial term of office.

Added by Acts 1995, 74th Leg., ch. 715, Sec. 2, eff. Sept. 1, 1995. Amended by Acts 1999, 76th Leg., ch. 1354, Sec. 10, eff. Sept. 1, 1999.

Amended by: Acts 2013, 83rd Leg., R.S., Ch. 105 (S.B. [902](#)), Sec. 9, eff. September 1, 2013.

ITEM 3.

**RESOLUTION BY THE BOARD OF DIRECTORS OF AGUA SPECIAL
UTILITY DISTRICT**

THE STATE OF TEXAS

§

COUNTY OF HIDALGO

§

§

WHEREAS, the Agua Special Utility District (the "District") is a special utility district created by SB 3, Article 9, 80th Legislature (amending Chapter 7201, Special District Local Laws Code); and

WHEREAS, the District has a depository contract with Lone Star National Bank ("Lone Star") for monetary accounts of the District as more specifically described in Exhibit "A";

WHEREAS, the District maintains debit cards with Lone Star for use in the ordinary course of its business;

WHEREAS, previously authorized signatories to the accounts and debit cards of the District are no longer employed or they are no longer the designated officers of the District;

THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF AGUA SPECIAL UTILITY DISTRICT:

SECTION 1: THE FOLLOWING DESIGNATED OFFICER(S) AND/OR AUTHORIZED SIGNATORY(IES):

- | Name | and | Title |
|------------------------------------|-----|--|
| 1. Maribel Diaz, President | | 2. Adriana Flores-Villarreal, Vice-President |
| 3. Jose Luis Ochoa, Jr., Secretary | | 4. Ricardo Perez, Treasurer |

are hereby authorized and directed to open and maintain bank checking and/or savings accounts on behalf of the Agua Special Utility District and to enter orders for the purchase and sale of investment securities permitted by the Center's Investment Policy with Lone Star National Bank.

SECTION 2: A check must have two signatures by any two designated Board Officers. Each Board Officer are hereby designated as authorized signatory for purpose of this section.

SECTION 3: Esmeralda H. Solis and Cesar Rodriguez, Jr. shall be removed as a signatory for all District accounts including, but not limited to, those with Lone Star National Bank.

SECTION 4: The General Manager, Roberto J. Salinas, shall be the only authorized debit card user for District accounts with Lone Star National Bank.

RESOLVED FURTHER, that Lone Star National Bank may rely upon this resolution in its entirety until receipt of notice in writing of any modification and/or revocation of authorized persons.

UPON MOTION DULY SECONDED, the above resolution was passed at the regular meeting of the Board of Agua Special Utility District held on the ____ of November, 2022.

APPROVED this the ____ day of November, 2022.

Maribel Diaz, President
Agua Special Utility District

ATTEST:

Jose Luis Ochoa, Jr., Secretary
Agua Special Utility District