

AGUA SPECIAL UTILITY DISTRICT

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

6:00 p.m., August 8, 2022

MINUTES OF SPECIAL MEETING

1. The meeting was called to order by Mr. Ricardo Perez at 6:01 p.m., August 8, 2022, at which time Mr. Perez acknowledged the presence of the following Elected Members of the Board of the Agua SUD:

Directors Present:

Mr. Ricardo Perez
Mr. Lloyd Loya
Mr. Homero Tijerina
Mr. Ivan Sandoval

Directors Absent:

Mrs. Esmeralda H. Solis
Ms. Maribel Diaz
Mr. Cesar Rodríguez, Jr.

A quorum of the members of the Agua SUD being present, the meeting was duly convened. Mrs. Cynthia Villarreal presented invocation.

Public Comment: None received.

2. The Board of Directors opened a public hearing at 6:14pm regarding 2022 redistricting proposed plans of District's seven Single Member Districts in response to the 2020 Census. The Board of Directors received a presentation by Mr. Rolando Rios on the proposed plan A, Plan B and Plan C. Mr. Rolando Rios explained to the board of directors that once every 10 years pursuant to the latest census every governmental entities that elects representatives by on the basis of single member districts have to analysis their current districts using the latest census pursuant to the constitution the equal protection clause every district must be within 10% top to bottom deviations. He expressed that if the District did not have 10% then you would be in violation of certain laws. Based on the 2020 census numbers, Agua's current districts have a deviation that exceeds the 10% because of that under federal laws Agua has to equalize the population within 10%. Plan A is a least changed plan, but all three plans are constitutional. Questions were posed by Directors questioning if all three plans were in compliance. As per the law, redistricting is done every 10 years, making the next redistricting in 2030 when the new census is complete. Agua's Legal, advised the board that the maps were not going to be exact due to census blocks overlapping but within Agua SUD boundaries. They

will include some territory and some population that is outside but will be close enough in any of the three plans. Legal also advised the board the deadline to adopt the boundaries was three months before the election and was the reason for scheduling of the special meeting. There were no public comments; therefore, the Board closed the public hearing at 6:27 p.m.

3. The Board of Directors moved item three regarding the resolution amending the District's seven Single Member Districts for the Agua SUD Board of Directors in response to the 2020 Census into executive session. 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 regarding the Order for Agua SUD's November 8, 2022 General Election to include: polling locations, dates, and times for early voting and Election Day into executive session. The motion was made by Mr. Homero Tijerina and seconded by Mr. Lloyd Loya and was unanimously approved by the Board.
5. The Board of Directors revised date and time of regularly scheduled Agua SUD board meetings to the first Monday of each month at 6:00pm. The motion was made by Mr. Ivan Sandoval and seconded by Mr. Lloyd Loya and was unanimously approved by the Board.
6. The Board of Directors amended a Non-Standard Service Agreement for water and wastewater services to be submitted to S-SI Penitas Village, LLC, for the cost related to water & wastewater service for St Ives Penitas Subdivision. The motion was made by Mr. Homero Tijerina and seconded by Mr. Lloyd Loya and was unanimously approved by the Board.

The Board of Directors made a motion to return back to item 5 to amend the motion. The motion was made by Lloyd Loya and seconded by Mr. Ivan Sandoval.

5. The Board of Directors approved to have the meetings on the first Monday of every month at 6pm with the change for the month of September to be held on the twelfth due to Labor Day. The motion was made by Mr. Lloyd Loya and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board.
7. The Board of Directors approved recommendation by Agua SUD staff insurance committee on selection of Barrett Insurance Services and Newkirk and Newkirk as Agent of Record for Medical Insurance pursuant to Tex. Gov.'t Code 2254.004. The motion was made by Mr. Lloyd Loya and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.
8. The Board of Directors received a report from the General Manager on operations and finance including:
 - a. Drought Contingency Plan
9. The Board of Directors recessed into an Executive (closed) meeting at 6:39 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 3. Discussion and possible action on approval of resolution amending the District's seven Single Member Districts for the Agua SUD

Board of Directors in response to the 2020 Census. ***Texas Open Meetings Act, Texas Government Code Section 551.071 (Consultation with Attorney).***

- ITEM 4. Discussion and possible action amending Order for Agua SUD's November 8, 2022 General Election to include: polling locations, dates, and times for early voting and Election Day. ***Texas Open Meetings Act, Texas Government Code Section 551.071 (Consultation with Attorney).***

At 7:10 p.m., The Board moved to reconvene in open session and no action was taken in executive session. The motion was made by Mr. Homero Tijerina and seconded by Mr. Ivan Sandoval and was unanimously approved by the Board.


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

ITEM 3. The Board of Directors approved Resolution adopting Plan A (least change plan) of the Single Member Districts for the Agua SUD Board of Directors based on the 2020 Census data. The motion was made by Mr. Homero Tijerina and seconded by Mr. Lloyd Loya and was unanimously approved by the Board.

ITEM 4. The Board of Directors approved amending Order for Agua SUD's November 8, 2022 General Election and designated the Penitas Public Library as a polling location along with the Hidalgo Countywide polling locations, dates, and times for early voting and Election Day as shown in exhibit A and B of the amended order. The motion was made by Mr. Lloyd Loya and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.

At 7:12 p.m., Mr. Homero Tijerina moved for adjournment. Motion was seconded by Mr. Lloyd Loya and was unanimously approved by the Board.

Approved, the 10th of October, 2022



Esmeralda H. Solis, President, Agua SUD

Attested by:



Cesar Rodríguez, Jr., Secretary, Agua SUD