

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 6, 2023

MINUTES OF REGULAR MEETING

1. The meeting was called to order by Ms. Maribel Diaz at 6:01 p.m., February 6, 2023, at which time Ms. Diaz acknowledged the presence of the following Elected Members of the Board of the Agua SUD:

Directors Present:

Ms. Maribel Diaz
Dr. Adriana Flores-Villarreal
Mr. Jose Luis Ochoa, Jr.
Mr. Ricardo Perez
Mr. Homero Tijerina
Mrs. Ana María Perez
Mr. Narciso Solis

Directors Absent:

None

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

Public Comment: None received.

2. The Board of Directors reviewed and adopted minutes of the December 5, 2022, Agua Board Meeting. The motion was made by Mr. Homero Tijerina and seconded by Mrs. Ana María Perez and was unanimously approved by the Board. The Board of Directors reviewed and adopted minutes of the December 19, 2022, Agua Board Meeting. The motion was made by Mrs. Ana María Perez and seconded by Dr. Adriana Flores-Villarreal and was unanimously approved by the Board.
3. The Board of Directors authorized General Manager to advertise for competitive bids on the purchase of Water Treatment Chemicals to include Liquid Aluminum Sulfate Blend and Liquid Ammonium Sulfate. The motion was made by Mr. Homero Tijerina and seconded by Mr. Ricardo Perez and was unanimously approved by the Board.

4. The Board of Directors authorized General Manager to submit the Project Information Form (PIF) application for the Drinking Water State Revolving Fund to TWDB regarding the North Water Treatment Plant. The motion was made by Mrs. Ana María Perez and seconded by Mr. Ricardo Perez and was unanimously approved by the Board.
5. The Board of Directors approved a written vendor contract agreement with La Joya ISD to assists student families with water payments and authorized General Manager and General Counsel to finalize terms in contract agreement. The motion was made by Mr. Narciso Solis and seconded by Mr. Ricardo Perez and was unanimously approved by the Board.
6. The Board of Directors awarded bid to RDH Site & Concrete, LLC as the lowest responsible bidder in the amount of \$221,925.00 for the Liberty Road Waterline Improvement Project. The motion was made by Mrs. Ana Maria Perez and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.
7. The Board of Directors received a report from the General Manager on operations and finance including:
 - a. December Financials
 - b. 4th Quarter Investment Report
 - c. January water leak adjustment
8. 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 - 1,581 service connections have been installed, 1,509 services connected and eligible to be billed, 1,544 septic tanks fully pumped out, and 1,535 fully decommissioned. Working on reconciliation of quantities for final change order of work to be removed, scheduling substantial completion walk-thru with contractor and final completion anticipated date April 2023.
 - b. Havana Water Treatment Plant Improvements Projects (TWDB) – This project is for the repurposing of the reservoir behind the Havana Plant and is currently in the environmental stage which funding does not get released for design until the environmental is cleared. Still working with the Army Corp of Engineers finalizing their review, awaiting final review and potential signature approval soon as per Mr. Mark Pattillo status update on Wednesday, February 1, 2023. Upon being provided the approval, the coinciding Environmental Information Document (EID) will be finalized and submitted in order to continue onto the design phase.
 - c. Mendiola Water Storage Tank Project Update – This project is a booster station located at Palmira Mendiola Elementary on Abram Rd and 5 Mile Line. This project has been substantially completed to where the system is already in use but there’s a punch list provided by the project engineer that is still not complete by the design build team. The Design Team has been trying to coordinate a meeting to reduce the list of the punch list items based on items completed.

- d. TWDB Palmview Sanitary Sewer Improvements Project Update – Southern Trenchless provided televising reports for sections of the collection system that were NOT substantially approved and accepted. M2 Engineering, PLLC, is preparing a televising report detailing the findings and comparing them to the original televising footage provided by Contractor. Televising report to be completed and submitted to Agua SUD with Engineer’s Opinion of Probable Construction Cost to repair by February 27, 2023.
 - e. Capital Improvement Plan Update – Submitting 75% completion of the CIP to Agua SUD by February 17, 2023, awaiting Agua SUD for review and comments, and possibly submit 100% completion of CIP to Agua SUD by March, 6, 2023.
9. The Board of Directors recessed into an Executive (closed) meeting at 6:55 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 Mrs. Ana Maria Perez and seconded by Mr. Ricardo Perez and was unanimously approved by the Board.

- ITEM 9. a. Cause No. C-3353-20-I; S&B Infrastructure vs. Agua Special Utility District; In the District Court of Hidalgo County, Texas, 398th Judicial District.
- ITEM 9. b. TWDB Palmview Sanitary Sewer Improvements Project.
- ITEM 9. c. Performance Services, Inc. litigation.
- ITEM 9. d. Hidalgo County Irrigation District #6.

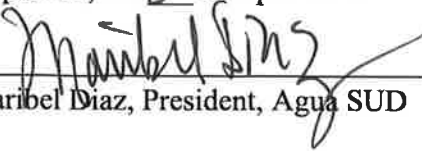
At 7:39 p.m., The Board moved to reconvene in open session and no action was taken in executive session. The motion was made by Mrs. Ana Maria Perez and seconded by Mr. Homero Tijerina and was unanimously approved by the Board.

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

- ITEM 9.a. The Board of Directors took no action on Cause No. C-3353-20-I; S&B Infrastructure vs. Agua Special Utility District; In the District Court of Hidalgo County, Texas, 398th Judicial District.
- ITEM 9.b. The Board of Directors took no action on TWDB Palmview Sanitary Sewer Improvements Project.
- ITEM 9.c. The Board of Directors took no action on Performance Services, Inc. litigation.
- ITEM 9.d. The Board of Directors took no action on Hidalgo County Irrigation District #6.


At 7:39 p.m., Mr. Ricardo Perez moved for adjournment. Motion was seconded by Mr. Narciso Solis and was unanimously approved by the Board.

Approved, the 3rd of April 2023



Maribel Diaz, President, Agua SUD

Attested by:



Jose Luis Ochoa, Jr., Secretary, Agua SUD