

MINUTES
Of the Regular Board Meeting conducted on January 18, 2021

Take notice that a Board Meeting of the Board of Directors of Hidalgo County Irrigation District No. 6 was held at 1:00 p.m. on Monday, January 18, 2021, at the Hidalgo County Irrigation District Number Six office located at 3735 N. FM 492, Mission, Texas 78574.

- 1) The meeting was called to order by Ms. Diana Izaguirre at 1:16 p.m., January 18, 2021, at which time Ms. Izaguirre acknowledged the presence of the Elected Members of the Board of Hidalgo County Irrigation District No. Six.

Members present included:

Ms. Diana Izaguirre, President (left at 4:35 p.m.)
Mr. Santana Gutierrez, Vice-President
Dr. Roberto Zamora, Director (video online)
Mr. Oscar Arturo Garza, Director (video online at 1:21 p.m.) (left at 4:36 p.m.) (came back at 5:36 p.m.)
Mr. Brandon Thompson, Secretary (video online)

Also, present included:

Dr. Antonio Uresti, General Manager, HCID No.6
Mr. Rene Flores, Chief Financial Officer, HCID No.6
Ms. Deborah Cordova, Attorney at Law, HCID No.6 (video online)
Ms. Minnie Mueller, Assistant, HCID No.6
Mr. Ruben James De Jesus, Engineer, HCID No.6
Mr. Arnold Salazar, Deputy, HCID No.6
Mr. Stuart Gottschalk, Hudson Energy (video online)
Mr. Rogelio Ramon, Visitor

A quorum of the members of the Hidalgo County Irrigation District No.6 being present, the meeting was duly convened. The Pledge of Allegiance followed by Invocation was presented by Ms. Diana Izaguirre, HCID No.6 President.

- 2) Recognition of visitors and public comments.
- 3) Certification of Posting for the Board Meeting.

General Manager confirmed that the Certification of the Board Meeting was posted at the Hidalgo County Court House, HCID No.6 lobby and the place convenient to the public in the bulletin board at HCID No.6, 3735 N FM 492, Mission, Texas 78572 at 9:18 a.m., January 13, 2021.

- 4) Manager's Items but not limited to;
 - a) HCID No.6 Side by Side Comparison Between Agua Sud and Frontera Energy

General Manger presented Board Members a Side-by-Side Comparison Between Agua Sud and Frontera Energy report. He provided a breakdown identifying the difference of billing charges for both customers.

- b) HCID No.6 Law Enforcement Safety and Security Assessment

General Manager informed Board Members of a safety and security analysis conducted by the District. HCID No.6 Deputy Arnold Salazar presented Board Members with a list indicating areas of concern. He also reported a high rate of illegal dumping and All-Terrain vehicle (ATV) activity along District's canals.

- c) TRWA/TWCA Virtual Water Laws Seminar

General Manager notified Board Members of upcoming Texas Rural Water Association (TRWA) and Texas Water Conservation Association (TWCA) virtual seminar to be held January 21 & 22, 2021,

which he will be attending for informational purposes.

d) River Pump 30DD meter – Update

General Manager presented an update that 30DD pump has been repaired and functioning.

- 5) Discuss and consider a request made by Mr. Onefre Rios & Ma De Lourdes to address the Board of Directors regarding assessments, penalties, and interest owed, being 5.68 acres out of Bentsen Groves Lot #108S. **(FR:8752)**

General Manager informed Board Members that HCID No.6 has not been able to make contact with Mr. Onefre Rios & Ma De Lourdes. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Santana Gutierrez to take no action on the request made by Mr. Onefre Rios & Ma De Lourdes to address the Board of Directors regarding assessments, penalties and interest owed, being 5.68 acres out of Bentsen Groves Lot #108S. **(FR:8752)**

Motion carried unanimously.

- 6) Discuss and consider a request made by Mr. Pedro Ochoa to address the Board of Directors regarding assessments, penalties, and interest owed, being 9.0 acres out of Los Ejidos Subdivision, Lot #16, Hidalgo County. **(FR:5451)**

General Manager notified Board Members that upon researching as Board directed, he found no evidence of previous management promising Mr. Pedro Ochoa not to be assessed by HCID No.6.

The Board of Directors moved this item into executive session.

Motion carried unanimously.

- 7) Discuss and consider the request made by **Sam Engineering and Surveying, Inc.** on behalf of Andy Santos, regarding the review of **Big Dawg Subdivision**, being a 2.097 acre gross tract of land out of Lot 178, Bentsen Groves Subdivision, an addition to the City of Mission, Hidalgo County, Texas, as per map or plat thereof recorded in Vol. 7, Page 13, Map Records, Hidalgo County, Texas.

HCID No.6 engineer informed Board Members that Sam Engineering granted the District a 10-foot easement as requested by Board Members. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Brandon Thompson to approve the request made by **Sam Engineering and Surveying, Inc.** on behalf of Andy Santos, regarding the review of **Big Dawg Subdivision**, being a 2.097 acre gross tract of land out of Lot 178, Bentsen Groves Subdivision, an addition to the City of Mission, Hidalgo County, Texas, as per map or plat thereof recorded in Vol. 7, Page 13, Map Records, Hidalgo County, Texas.

Motion carried unanimously.

- 8) Discuss and consider the request made by **South Texas Infrastructure** on behalf of Frankhauser Farms, regarding the review and exclusion of **Las Comadres No. 8 Subdivision** being a 59.34-acre tract of land, more or less, out of Block 16, Texan Gardens, Hidalgo County, Texas, as per map or plat thereof recorded in Volume 8, Pages 57-58, Map Records, Hidalgo County, Texas.

Mr. Oscar Arturo Garza made and seconded by Dr. Roberto Zamora to approve the request made by **South Texas Infrastructure** on behalf of Frankhauser Farms, regarding the review and exclusion of **Las Comadres No. 8 Subdivision** being a 59.34-acre tract of land, more or less, out of Block 16, Texan Gardens, Hidalgo County, Texas, as per map or plat thereof recorded in Volume 8, Pages 57-58, Map Records, Hidalgo County, Texas.

Dr. Roberto Zamora made a motion and seconded by Mr. Santana Gutierrez for previous motion to be reconsidered. Dr. Roberto Zamora made a motion and seconded by Mr. Oscar Arturo Garza to approve the storm crossing permit for **Las**

Comadres No. 8 Subdivision being a 59.34-acre tract of land, more or less, out of Block 16, Texan Gardens, Hidalgo County, Texas, as per map or plat thereof recorded in Volume 8, Pages 57-58, Map Records, Hidalgo County, Texas.

Motion carried unanimously.

- 9) Discuss and consider HCID No.6 **Fourth Quarter Investment Report** for 2020.

Chief Financial Officer presented to Board Members the Fourth Quarter Investment Report for 2020. He pointed out the decrease of interest earned in 2020 and expects lower interest rates in 2021. Dr. Roberto Zamora made a motion and seconded by Mr. Brandon Thompson to approve HCID No.6 **Fourth Quarter Investment Report** for 2020.

Motion carried unanimously.

- 10) Discuss and consider the approval of transferring funds from **TexPool** account to HCID No.6 Money Market or Operating account with Texas Regional Bank.

Dr. Roberto Zamora made a motion and seconded by Mr. Oscar Arturo Garza to approve the transferring of funds from **TexPool** account to HCID No.6 Money Market account with Texas Regional Bank to earn higher interest and to be readily available for operations.

Motion carried unanimously.

- 11) Discuss and consider the approval of advertising/posting for Requests for Qualifications of a CPA firm for the 2020 fiscal year audit.

Mr. Oscar Arturo Garza made a motion and seconded by Mr. Brandon Thompson to approve the advertising/posting for Requests for Qualifications of a CPA firm for the 2020 fiscal year audit.

Motion carried unanimously.

- 12) Discuss and consider the approval of engaging a CPA firm for the 2020 fiscal year audit.

Mr. Brandon Thompson made a motion and seconded by Mr. Santana Gutierrez to take no action for this item.

Motion carried unanimously.

- 13) Discuss and consider the approval of HCID No.6 Main Office Headquarters facility beautification project.

General Manager requested approval to beautify the Main Office area with oak trees. Mr. Brandon Thompson made a motion and seconded by Mr. Santana Gutierrez to approve of HCID No.6 Main Office Headquarters facility beautification project.

Motion carried unanimously.

- 14) Discuss and consider declaring the following HCID No.6 items surplus.

Telephone poles
Mesquite Wood
2 x 4 Boards

Mr. Brandon Thompson made a motion and seconded by Mr. Santana Gutierrez to approve declaring the following HCID No.6 items surplus: telephone poles, mesquite wood and 2 x 4 boards.

Motion carried unanimously.

15) **EXECUTIVE SESSION:**

Mr. Brandon Thompson made a motion for the Board of Directors to enter closed session at 2:35 p.m. and seconded by Mr. Santana Gutierrez to discuss item numbers 6, 15a, 15b 15c, 15d, 15e, 15f, 15g, 15h, 15i, 15j, 15k, 15l, 15m, 15n.

Motion carried unanimously.

- a) Discussion on audit and audit procedure.
- b) Discussion regarding Dr. Antonio Uresti, General Manager's evaluation.
- c) Discussion regarding a **Consulting Agreement** by and between HCID No.6 and Mr. Rene Flores.
- d) Discussion regarding the renegotiation contract with **Moore Air Base** – Raw Water Reservoir.
- e) Discussion regarding the **Xylem** services invoice, for the La Joya Bypass project.
- f) Discussion regarding the **Hudson Energy Blend & Extend and Renewal Options**.
- g) Discussion regarding **IOC** contract renewal proposals.
- h) Discussion regarding **Joe Louis Aguilar, Sr. vs HCID No.6**, Cause C-1216-20-D in the 206th Judicial District Court, Hidalgo County, Texas.
- i) Discussion regarding **Martha Salinas vs. HCID No.6**, EEOC Charge No. 451-2020- 01375.
- j) Discussion regarding **Normalinda Contreras vs. HCID No.6**, EEOC Charge No. 451-2020-01865.
- k) Discussion regarding **Dionicio Garza, Jr. vs HCID No.6**, Cause No. CC5—0570-E.
- l) Discussion regarding a request made by **L & G Engineering**, on behalf of **Texas Department of Transportation**, regarding the proposed taking of a tract of land containing 0.2455 of an acre (10,694 sq. ft.) situated in the Pedro Flores Survey, Abstract 577, Porcion 77, Hidalgo County, Texas, out of a 110' Hidalgo County Irrigation District No. 6 Main Canal Right of Way, said canal being situated within Lot 206 and Lot 215 Homeville Association Subdivision "A" and out of Lot 1, Block 2, Homeville Association Subdivision D". (**Parcel 8**)
- m) Discussion regarding a request made by **Sendero Acquisitions, LP.**, on behalf of the **Texas Department of Transportation**, regarding the proposed taking of a tract of land containing 0.0607 of an acre (2,645 sq. ft.) situated in the Jose Francisco De La Garza Survey, Abstract Number 579, and Porcion 52 of Hidalgo County, Texas being a portion of the Hidalgo County Irrigation District No. 6 Canal (100 foot right-of-way). (**Parcel 14**)
- n) Discussion regarding Offer to Sell Real Property letter received for the proposed partial acquisition being 9.109 acres out of a 167.628-acre tract, Hidalgo County, Texas, in association with the Border Infrastructure Project by Allen, Williford & Seale, Inc. on behalf of the **US Army Corps of Engineers**. (Parcel Number: RGV-MCS-1309).

Item 6. Discuss and consider a request made by Mr. Pedro Ochoa to address the Board of Directors regarding assessments, penalties, and interest owed, being 9.0 acres out of Los Ejidos Subdivision, Lot #16, Hidalgo County. (**FR:5451**)

Mr. Brandon Thompson made a motion for the Board of Directors to

reconvene to open session at 5:33 p.m. and seconded by Dr. Roberto Zamora.

Motion carried unanimously.

- 16) Discussion and possible action regarding items discussed in Executive Session.

Item 6. Mr. Brandon Thompson made a motion and seconded by Dr. Roberto Zamora to table this item.

Motion carried unanimously.

Item 15a. Mr. Brandon Thompson made a motion and seconded by Dr. Roberto Zamora to take no action on this item.

Motion carried unanimously.

Item 15b. Dr. Roberto Zamora made a motion and seconded by Mr. Brandon Thompson to authorize HCID No.6 President, Ms. Diana Izaguirre to share Board Members' evaluations with Dr. Antonio Uresti and to increase his annual salary by \$5,000.00 dollars.

Motion carried unanimously.

Item 15c. Dr. Roberto Zamora made a motion and seconded by Mr. Brandon Thompson to approve the Consulting Agreement by and between HCID No.6 and Mr. Rene Flores at the rate of \$ 3,000.00 per month, and HCID No.6 will provide a HCID No.6 laptop computer and phone for business use. The Consulting Agreement is subject to final approval by the Board.

Motion carried unanimously.

Item 15d. Dr. Roberto Zamora made a motion and seconded by Mr. Brandon Thompson to authorize General Manager to renegotiate a contract with Moore Air Base, in consultation with legal counsel, with the terms being commensurate with other districts' contracts.

Motion carried unanimously.

Item 15e. Mr. Brandon Thompson made a motion and seconded by Dr. Roberto Zamora to authorize General Manager and District Engineer to continue negotiating with Xylem.

Motion carried unanimously.

Item 15f. Mr. Brandon Thompson made a motion and seconded by Dr. Roberto Zamora to approve the twenty-four (24) month Blend and Extend contract.

Motion carried unanimously.

Item 15g. Mr. Brandon Thompson made a motion and seconded by Dr. Roberto Zamora to authorize General Manager to continue negotiating with IOC.

Motion carried unanimously.

Item 15h. Dr. Roberto Zamora made a motion and seconded by Mr. Brandon Thompson to authorize legal counsel to continue discussions with opposing counsel.

Motion carried unanimously.

Item 15i. Mr. Brandon Thompson made a motion and seconded by Dr. Roberto Zamora to authorize legal counsel to continue discussions with opposing counsel.

Motion carried unanimously.

Item 15j. Dr. Roberto Zamora made a motion and seconded by Mr. Brandon Thompson to authorize legal counsel to continue discussions with opposing counsel.

Motion carried unanimously.

Item 15k. Mr. Brandon Thompson made a motion and seconded by Mr. Oscar Arturo Garza to continue monitoring the situation for this item.

Motion carried unanimously.

Item 15l. Dr. Roberto Zamora made a motion and seconded by Mr. Brandon Thompson to authorize General Manager and Engineer to continue seeking administration fees, engineering, and legal services relating to this item.

Motion carried unanimously.

Item 15m. Mr. Brandon Thompson made a motion and seconded by Dr. Roberto Zamora for District to engage with Sendero Acquisitions, LP. in the taking of the tract of land known as Parcel 14 and enter into a permit agreement with TXDOT.

Motion carried unanimously.

Item 15n. Dr. Roberto Zamora made a motion and seconded by Mr. Brandon Thompson to authorize General Manager, HCID No.6 Engineer, and legal counsel to continue discussions with US Army Corps of Engineers regarding this item.

Motion carried unanimously.

17) Adjournment.

Mr. Brandon Thompson made a motion and seconded by Dr. Roberto Zamora to adjourn the meeting of January 18, 2021, at 5:45 p.m.

Motion carried unanimously.



Diana Izaguirre, President, HCID No.6



Brandon Thompson, Secretary, HCID No.6