

MINUTES
Of the Regular Board Meeting conducted on August 16, 2021

Take notice that a Board Meeting of the Board of Directors of Hidalgo County Irrigation District Number Six was held at 1:00 p.m. on August 16, 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 1:01 p.m., August 16, 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
Mr. Santana Gutierrez, Vice-President
Dr. Roberto Zamora, Director (video online)
Mr. Oscar Arturo Garza, Director

Member not present:

Mr. Brandon Thompson, Secretary

Also, present included:

Dr. Antonio Uresti, General Manager, HCID No.6
Ms. Deborah Cordova, Attorney at Law, HCID No.6
Ms. Minnie Mueller, Assistant, HCID No.6
Mr. Michael Kent, Bookkeeper, HCID No.6
Mr. Ruben James De Jesus, Engineer, HCID No.6, (video online)
Mr. Isauro Trevino, South Texas Grant Writing Services
Ms. Gracie Sturdivant, Landowner (video online)
Ms. Blanca Soto, Landowner (video online)
Mr. Hector Moreno, M2 Engineering, PLLC (video online)

A quorum of the members of the Hidalgo County Irrigation District No. Six 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 12:02 p.m., August 11, 2021.

- 4) Manager's Items:

- a) Encroachments

General Manager notified Board Members of active encroachments on District's property. HCID No.6 Deputy pointed out specific areas effected with this situation. Counsel suggested HCID No.6 continue with previous process and procedure in approaching this matter.

- b) Internal Bank Transfers and Expenditures Update

General Manager presented to Board Members an update of all HCID No.6 internal bank transfers and expenditures. This information will be provided to Board Members in all future board meetings.

- c) COVID update

General Manager informed Board Members of one HCID No.6 employee who tested positive for COVID-19, but is now back at work safe and healthy.

d) Review & Exclusion Fees Study

General Manager presented to Board Members an HCID No.6 review and exclusion study indicating engineering services being paid out by HCID No.6, is higher than review and exclusion fees being collected from developer. He also presented a comparative study of other irrigation entities and suggested it would be more equitable for HCID No.6 to have a review and exclusion fee on a per acre basis. Board President requested for HCID No. 6 Engineer to propose a fee structure for next regular board meeting.

5) Minutes

a) Approval of Minutes for the Regular Meeting of July 19, 2021.

This item was not discussed.

6) Discuss and consider a request made by CSJ Group regarding **Hidalgo County Drainage District No. 1, 2018 Bond Project No. 3.**

HCID No.6 Engineer updated Board Members that after reviewing project plans, he identified some District crossings and will be coordinating with engineer of records to discuss the permitting and crossing requirements. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Santana Gutierrez to take no action on request made by CSJ Group regarding **Hidalgo County Drainage District No. 1, 2018 Bond Project No. 3.**

Motion carried unanimously.

7) Discuss and consider a request made by **M2 Engineering, PLLC**, behalf of Bertha C. Guerra, regarding the review of **Bertha C. Guerra Subdivision** being a .50-acre tract of land, out of Lot 13, Block 2, the Goodwin Tract Subdivision Unit No.1, Hidalgo County, Texas, according to the map recorded in Volume 5, Page 30, of the Map records of Hidalgo County, Texas.

Mr. Oscar Arturo Garza made a motion and seconded by Mr. Santana Gutierrez to approve the request made by **M2 Engineering, PLLC**, behalf of Bertha C. Guerra, regarding the review of **Bertha C. Guerra Subdivision** being a .50 acre tract of land, out of Lot 13, Block 2, the Goodwin Tract Subdivision Unit No.1, Hidalgo County, Texas, according to the map recorded in Volume 5, Page 30, of the Map records of Hidalgo County, Texas, contingent upon an updated plat indicating a 15' foot exclusive easement to Agua Sud and a 10' foot general utility and irrigation easement.

Motion carried unanimously.

8) Discuss and consider a request made by Orlando Farias and Nora C. Farias to include 3.55 gross acres into HCID No.6.

General Manager informed Board Members of Orlando Farias request for voluntary annexation into HCID No.6 and presented completed petitions from Mr. Farias. No fees will be charged since all necessary infrastructure is in place and will be no additional cost to the District.

Mr. Oscar Arturo Garza made a motion and seconded by Mr. Santana Gutierrez to table this item and vote after executive session.

Motion carried unanimously.

The Board of Directors moved this item into executive session.

9) Discuss and consider a request made by Gracie Sturdivant, regarding property access and a driveway infrastructure on La Homa Road and Mile 3 ½ Road.

Gracie Sturdivant mentioned to Board Members of her request for better access

to said property. Board Members requested for a survey and will go forward once survey is reviewed by HCID No.6 engineer. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Santana Gutierrez to take no action on the request made by Gracie Sturdivant, regarding property access and a driveway infrastructure on La Homa Road and Mile 3 ½ Road.

Motion carried unanimously.

- 10) Discuss and consider a request made by Ms. Katrina Alaniz, to address the Board of Directors regarding penalties and interest owed, being .50 acre out of Citraland Farms Lot #.009S & 010N-7. (**FR:1383**)

The Board of Directors moved this item into executive session.

- 11) Discuss and consider a request made by General Manager to declare HCID No.6 Excavator Unit# 36 as surplus.

General Manager informed Board Members of expenses already incurred by the District for the many repairs performed on Unit# 36, and still not functional as should be. Dr. Roberto Zamora made a motion and seconded by Mr. Oscar Arturo Garza to approve request made by General Manager to declare HCID No.6 Excavator Unit# 36 as surplus and for parts only.

Motion carried unanimously.

- 12) Discuss and consider a request made by General Manager to charge 2% for all Credit Card transactions paid to HCID No.6.

General Manager presented to Board Members an HCID No.6 credit card transaction study indicating fees incurred by the District and recommended for HCID No.6 to pass on the fee to customers. Mr. Oscar Arturo Garza made a motion and seconded by Dr. Roberto Zamora to approve the request made by General Manager to charge for all credit card transactions fees paid to HCID No.6. as direct pass through, nothing on top.

Motion carried unanimously.

- 13) Discuss and consider a request made by General Manger to apply 7(seven) factors to all water supply contracts.

General Manager presented to Board Members the following 7(seven) factors; Loss Factor, Water Delivery, Water Supply(usage), Electricity, Administration Fees, Price Escalators and Capital Recovery Fee (would be instituted only after major improvements are made to HCID No.6) and recommended these factors be embedded in all future water contracts. Mr. Oscar Arturo Garza made a motion and seconded by Dr. Roberto Zamora to approve the request made by General Manger to apply 7(seven) factors to all water supply contracts and negotiate as needed.

Motion carried unanimously.

- 14) Discuss and consider the approval of HCID No.6's ***Second Quarter Investment Report*** for 2021.

General Manager presented to Board Members the ***Second Quarter Investment Report*** for 2021 and proposed to open a second Money Market bank account to keep all CD monies and create a policy for the event CD monies needing to transfer and board approval. Dr. Roberto Zamora made a motion and seconded by Mr. Oscar Arturo Garza to approve HCID No.6's ***Second Quarter Investment Report*** for 2021.

Motion carried unanimously.

- 15) Discuss and consider the approval of HCID No.6's *Second Quarter Year To Date Budget* for 2021.

General Manager presented to Board Members the HCID No.6 Profit and Loss vs. Actual report, highlighting the over budget and underbudget expenses. Mr. Oscar Arturo Garza made a motion and seconded by Dr. Roberto Zamora to approve HCID No.6's *Second Quarter Year To Date Budget* for 2021.

Motion carried unanimously.

- 16) Discuss and consider authorizing General Manager, Dr. Antonio Uresti, Investment Officer, to invest *Texas Regional Bank* Certificate of Deposit funds as authorized by HCID No. 6 Investment Policy and as governed by Subchapter A, Chapter 2256 of the Texas Government Code (Public Funds Investment Act).

General Manager informed Board Members of 2(two) Certificate of Deposits maturing August 17, 2021 and recommended that both CD's be transferred to Texas Regional Bank, HCID No.6, Money Market account. Mr. Oscar Arturo Garza made a motion and seconded by Dr. Roberto Zamora to transfer CD funds plus interest to Texas Regional Bank, HCID No.6, Money Market Account.

Motion carried unanimously.

- 17) Discuss and consider a request made by General Manager of conducting title searches and surveying of all HCID No.6 properties.

General Manager requested this item be tabled. Mr. Oscar Arturo Garza made a motion and seconded by Dr. Roberto Zamora to table this item.

Motion carried unanimously.

- 18) **EXECUTIVE SESSION:**

Mr. Oscar Arturo Garza made a motion and seconded by Mr. Santana Gutierrez to enter to closed session at 2:04 p.m. to discuss item numbers 8, 10, 18a, 18b, 18c, 18d, 18e, 18f, 18g, 18h, 18i, 18j, 18k, 18l, 18m, 18n, 18o, and 18p.

Motion carried unanimously.

- a) Discussion regarding audit.
- b) Discussion regarding monthly legal fee charges.
- c) Discussion regarding *IOC* contract renewal proposals.
- d) Discussion regarding *USDA/Moorefield* contract renewal proposals.
- e) Discussion regarding *Power Broadband, LLC* contract.
- f) Discussion regarding *Spectrum* crossings.
- g) Discussion regarding *Joe Louis Aguilar, Sr. vs HCID No.6*, Cause C-1216-20-D in the 206th Judicial District Court, Hidalgo County, Texas.
- h) Discussion regarding *Martha Salinas vs. HCID No.6*, EEOC Charge No. 451-2020- 01375.
- i) Discussion regarding *Normalinda Contreras vs. HCID No.6*, EEOC Charge No. 451-2020-01865.

- j) Discussion regarding the clearance of district exceptions in title commitments.
- k) Discussion regarding *Hidalgo County, Texas vs. Palmira Rosilla aka Ramira Reyes, et al.*, CCD-0618-H in the County Court At Law #8, Hidalgo County Texas.
- l) Discussion regarding *Hidalgo County, Texas vs. Jose Alonzo Ochoa as Trustee of the Jose Alonzo Ochoa Trust, et al.*, CCD-0611-B in the County Court At Law #2, Hidalgo County, Texas.
- m) Discussion regarding *Hidalgo County, Texas vs. Pablo Reyes et al.*, CCD-0615-A in County Court At Law #1, Hidalgo County, Texas.
- n) Discussion regarding *Hidalgo County, Texas vs. Maria Altagracia Martinez et al*, CCD-0604-A in the County Court At Law No. 1, Hidalgo County, Texas.
- o) Discussion regarding *Hidalgo County, Texas vs. Aurora Rodriguez, et al.*, T-1250-16-J in the 430th Judicial District, Hidalgo County, Texas.
- p) Discussion regarding *Weslaco ISD, et al vs. Associates Financial Services Co., Inc., et al*, T-178-11-J in the 430th Judicial District.
- q) 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*)

Item 8. Discuss and consider a request made by Orlando Farias and Nora C. Farias to include 3.55 gross acres into HCID No.6.

Item 10. Discuss and consider a request made by Ms. Katrina Alaniz, to address the Board of Directors regarding penalties and interest owed, being .50 acre out of Citriland Farms Lot #.009S & 010N-7. (*FR:1383*)

Mr. Oscar Arturo Garza made a motion for the Board of Directors to reconvene to open session at 4:25 p.m. and seconded by Dr. Roberto Zamora.

Motion carried unanimously.

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

Mr. Oscar Arturo Garza made a motion and seconded by Dr. Roberto Zamora to take no action on item numbers 18a, 18b.

Motion carried unanimously.

Mr. Oscar Arturo Garza made a motion and seconded by Dr. Roberto Zamora to allow General Manager to further refine the contracts and bring back for final approval for item numbers 18c, and 18d.

Motion carried unanimously.

Item e. Dr. Roberto Zamora made a motion and seconded by Mr. Oscar Arturo Garza to allow General Manager to request for additional information referring to liability insurance, and monthly fee will be \$220.00 (two-hundred and twenty dollars) for the remainder of 2021 year, \$300.00 (three hundred dollars) for the year of 2022.

Motion carried unanimously.

Item f. Dr. Roberto Zamora made a motion and seconded by Mr. Oscar Arturo Garza to allow General Manager and counsel to continue working with Spectrum in determining the information related to crossings.

Motion carried unanimously.

Mr. Oscar Arturo Garza made a motion and seconded by Dr. Roberto Zamora to take no action for item numbers 18g, and 18h.

Motion carried unanimously.

Item i. Mr. Oscar Arturo Garza made a motion and seconded by Dr. Roberto Zamora to ratify settlement agreement executed by Board President.

Motion carried unanimously.

Mr. Oscar Arturo Garza made a motion and seconded by Dr. Roberto Zamora to take no action on item numbers 18j, 18k, 18l, 18m, 18n, 18o, 18p, and 18q.

Motion carried unanimously.

Item 8. Mr. Oscar Arturo Garza made a motion and seconded by Dr. Roberto Zamora to approve petitions contingent that HCID No.6 include any and all expenses incurred by the District, also include proposed property, and prorate the 2021 assessments for the remainder of the year.

Motion carried unanimously.

Item 10. Mr. Oscar Arturo Garza made a motion and seconded by Dr. Roberto Zamora to table this item.

Motion carried unanimously.

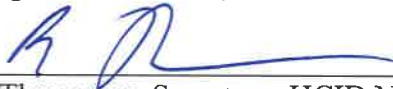
2C) Adjournment

Mr. Oscar Arturo Garza made a motion and seconded by Dr. Roberto Zamora to adjourn the meeting of August 16, 2021, at 4:52 p.m.

Motion carried unanimously.



Diana Izaguirre, President, HCID No.6



Brandon Thompson, Secretary, HCID No.6