

MINUTES
Of the Regular Board Meeting conducted on February 20, 2023

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 February 20, 2023, 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 1:18 p.m., February 20, 2023, at which time Ms. Diana Izaguirre acknowledged the presence of the Elected Members of the Board of Hidalgo County Irrigation District No. 6.

Members present included:

Ms. Diana Izaguirre, President
Mr. Santana Gutierrez, Vice-President
Mr. Oscar Arturo Garza, Director
Mr. Brandon Thompson, Secretary

Member not present:

Dr. Roberto Zamora, Director

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. Ruben James De Jesus, Engineer, HCID No.6
Mr. Frank Ferris, Ferris, Flinn & Medina, LLC
Mr. Carlos Garza, AEC Engineering, LLC
Ms. Leticia Vela, Landowner
Ms. Arcelia Garcia, Landowner
Mr. Bobby Villarreal, Estrada Hinojosa & Company, Inc.
Mr. Victor Trevino, South Texas Infrastructure
Mr. Julio Cerda, South Texas Infrastructure

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 Mr. Brandon Thompson, HCID No.6 Secretary.

- 2) Recognition of visitors and public comments.

No visitors or 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 12:15 p.m., February 15, 2023.

- 4) Manager's Items:

Manager's Item numbers 4a, 4b, and 4c were not discussed.

- a) January 2023 Internal Bank Transfers and Expenditures
- b) Texas Regional Bank Credit Card Statement Transactions from January 11, 2023 to February 05, 2023.
- c) Sam's Credit Card Statement Transactions from December 24, 2022 to January 23, 2023.
- d) FDIC (Federal Deposit Insurance Corporation) Bank Letter

General Manager informed Board Members of the District's monies had surpassed previous years.

5) Minutes

Approval of Minutes for Regular Board Meeting of January 16, 2023.

Mr. Brandon Thompson made a motion and seconded by Mr. Oscar Arturo Garza to approve the Regular Board Meeting of January 16, 2023.

Motion carried unanimously.

6) Discuss and consider General Manager leasing Municipal, Residential, and Adjudication Water Rights to Municipalities from Acct. #0828-000.

General Manager discussed the leasing of HCID No.6 water rights. Mr. Brandon Thompson made a motion and seconded by Mr. Oscar Arturo Garza to table General Manager leasing Municipal, Residential, and Adjudication Water Rights to Municipalities from Acct. #0828-000.

Motion carried unanimously.

7) Discuss and consider *HCID No.6 Budget Amendments* for Fiscal Year 2023.

Mr. Oscar Arturo Garza made a motion and seconded by Mr. Brandon Thompson to approve *HCID No.6 Budget Amendments* for Fiscal Year 2023.

Motion carried unanimously.

8) Discuss and consider General Manager attending the *TWCA Conference* March 01-03, 2023 in Bastrop, Texas.

Mr. Oscar Arturo Garza made a motion and seconded by Mr. Brandon Thompson to approve General Manager attending the *TWCA Conference* March 01-03, 2023 in Bastrop, Texas.

Motion carried unanimously.

9) Discuss and consider General Manager's request for vacation in March 2023.

Mr. Oscar Arturo Garza made a motion and seconded by Mr. Brandon Thompson to approve General Manager's request for vacation in March 2023, and March monthly board meeting will be rescheduled.

Motion carried unanimously.

10) Discuss and consider a request made by *Artemio Chapa* for outstanding assessments due in connection with a 1.28 acres out of Goodwin #1, Lot #9W-A Blk #4, and 5.00 acres out of Goodwin #1, Lot #15, Block 4. (*Flat Rate Assessment #2503 & 2565*)

Mr. Brandon Thompson made a motion and seconded by Mr. Oscar Arturo Garza to discuss the request made by *Artemio Chapa* for outstanding assessments due in connection with a 1.28 acres out of Goodwin #1, Lot #9W-A Blk #4, and 5.00 acres out of Goodwin #1, Lot #15, Block 4 (*Flat Rate Assessment #2503 & 2565*) in closed session.

Motion carried unanimously.

The Board of Directors moved this item into closed session.

11) Discuss and consider a request made by *Jesus & Maria Vela* for outstanding assessments due in connection with 8.90 acres out of Caledonia #1, Lot #37 and 2.10 acres out of Oleander Estates Unit A, Lot 11 &12. (*Flat Rate Assessment #4857 & 5019*)

Ms. Maria Vela informed the Board Members of her concern on the outstanding assessments on her property. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Brandon Thompson to discuss the request made by **Jesus & Maria Vela** for outstanding assessments due in connection with 8.90 acres out of Caledonia #1, Lot #37 and 2.10 acres out of Oleander Estates Unit A, Lot 11 &12. (**Flat Rate Assessment #4857 & 5019**) in closed session.

Motion carried unanimously.

The Board of Directors moved this item into executive session.

- 12) Discuss and consider a request made by **South Texas Infrastructure**, on behalf of Carlos Leal Jr., for the surplus of HCID No.6 real property, a 1.875 acre tract being out of Canal Right of Way Lateral 4A, as claimed by Hidalgo County Irrigation District No. 6, situated on Porcion 48, Hidalgo County, Texas.

HCID No.6 Engineer informed Board Members that appraisal and metes and bounds have been provided to District. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Brandon Thompson to approve the request made by **South Texas Infrastructure**, on behalf of Carlos Leal Jr., for the surplus of HCID No.6 real property, a 1.875 acre tract being out of Canal Right of Way Lateral 4A, as claimed by Hidalgo County Irrigation District No. 6, situated on Porcion 48, Hidalgo County, Texas.

Motion carried unanimously.

- 13) Discuss and consider a request made by **South Texas Infrastructure**, on behalf of Carlos Leal Jr., regarding the purchase of a tract of land containing a 1.87 acre (81,668 square feet) in relation to **Las Comadres Subdivision No.10**.

Mr. Oscar Arturo Garza made a motion and seconded by Mr. Brandon Thompson to accept the appraised value of \$3265.00 (three thousand two hundred sixty-five dollars) requested by **South Texas Infrastructure**, on behalf of Carlos Leal Jr., regarding the purchase of a tract of land containing a 1.87 acre (81,668 square feet) in relation to **Las Comadres Subdivision No.10**.

Motion carried unanimously.

- 14) Discuss and consider a request made by **South Texas Infrastructure**, on behalf of Carlos Leal Jr., regarding the review and exclusion of, **Las Comadres Subdivision No.10**, being 50.99 acres out of a 243.51-acre Tract out of Porcion 48, Hidalgo County, Texas.

Mr. Oscar Arturo Garza made a motion and seconded by Mr. Santana Gutierrez to approve the request made by **South Texas Infrastructure**, on behalf of Carlos Leal Jr., regarding the review and exclusion of, **Las Comadres Subdivision No.10**, being 50.99 acres out of a 243.51-acre Tract out of Porcion 48, Hidalgo County, Texas, contingent on a 15' foot irrigation easement.

Motion carried unanimously.

- 15) Discuss and consider a request made by **South Texas Infrastructure**, on behalf of Carlos Leal Jr., for a crossing permit to install a storm drainage infrastructure in relation to **Las Comadres Subdivision No.11**.

Mr. Oscar Arturo Garza made a motion and seconded by Mr. Santana Gutierrez to approve the request made by **South Texas Infrastructure**, on behalf of Carlos Leal Jr., for a crossing permit to install a storm drainage infrastructure in relation to **Las Comadres Subdivision No.11**.

Motion carried unanimously.

- 16) Discuss and consider the surplus of HCID No.6 real property being 2.36 acres out of Lot 13, Block 2, **Mission Groves Estates**, Vol.5, Page 21, H.C.M.R. City of Palmview, Hidalgo County, Texas.

Mr. Oscar Arturo Garza made a motion and seconded by Mr. Brandon Thompson to discuss in closed session the surplus of HCID No.6 real property being 2.36 acres out of Lot 13, Block 2, **Mission Groves Estates**, Vol.5, Page 21, H.C.M.R. City of Palmview, Hidalgo County, Texas.

Motion carried unanimously.

The Board of Directors moved this item into executive session.

- 17) Discuss and consider a request made by **Terra Associates, Inc.**, regarding the review of, **Ramco Subdivision**, being approximately 1.539 acres out of Lots 4, 5, and 6, Block 1, La Homa Ranch Citrus Grove Subdivision, Hidalgo County, Texas.

HCID No.6 Engineer notified Board Members that Terra Associates Inc. withdrew the request. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Brandon Thompson to take no action for the request made by **Terra Associates, Inc.**, regarding the review of, **Ramco Subdivision**, being approximately 1.539 acres out of Lots 4, 5, and 6, Block 1, La Homa Ranch Citrus Grove Subdivision, Hidalgo County, Texas.

Motion carried unanimously.

- 18) Discuss and consider a request made by **AEC Engineering, LLC**, on behalf of Sergio Pena, regarding the review of the Site Plan for a Dollar General located on Mile 3 and Goodwin Road.

HCID No.6 Engineer informed Board Members of an active 24" concrete irrigation line on the property location and requested an encroachment agreement over the irrigation pipeline. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Thompson to discuss the request made by **AEC Engineering, LLC**, on behalf of Sergio Pena, regarding the review of the Site Plan for a Dollar General located on Mile 3 and Goodwin Road in closed session.

Motion carried unanimously.

The Board of Directors moved this item into executive session.

- 19) **CLOSED SESSION:**

Mr. Oscar Arturo Garza made a motion and seconded by Mr. Santana Gutierrez to enter to closed session 1:42 p.m. to discuss item numbers 19a, 19b, 19c, 19d, 19e, 19f, 19g, 10, 11, 16, and 18.

Motion carried unanimously.

- a) Discussion regarding the acceptance of HCID No.6 board member's resignation.
- b) Discussion regarding appointing a board member to fill vacancy.
- c) Discussion regarding Agua SUD excess amount of the reserved quantity for the corresponding year of District Water, under the current Water Supply Contract.
- d) Discussion regarding a request made by VFW (Veterans of Foreign Wars) Post 3895 to move HCID No.6 main entrance of District Lake.
- e) Discussion regarding a letter received December 29, 2022, by Sharyland Water Supply regarding a formal petition to invoke all its rights to water allocations

formerly made available to lands which are now excluded from HCID No.6, to convey water rights to Sharyland Water Supply regarding the following subdivisions.

Exhibit	Subdivision	Date of Recordation	Instrument No.	Gross Acres
A	Villarreal Estates	9/14/2022	3379766	1.16
B	Big Dawg	8/31/2021	3258886	2.14

- f) Discussion regarding Dr. Antonio Uresti, General Manager's evaluation.
- 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.

Item 10. Discuss and consider a request made by *Artemio Chapa* for outstanding assessments due in connection with a 1.28 acres out of Goodwin #1, Lot #9W-A Blk #4, and 5.00 acres out of Goodwin #1, Lot #15, Block 4. (**Flat Rate Assessment #2503 & 2565**)

Item 11. Discuss and consider a request made by *Jesus & Maria Vela* for outstanding assessments due in connection with 8.90 acres out of Caledonia #1, Lot #37 and 2.10 acres out of Oleander Estates Unit A, Lot 11 &12. (**Flat Rate Assessment #4857 & 5019**)

Item 16. Discuss and consider the surplus of HCID No.6 real property being 2.36 acres out of Lot 13, Block 2, *Mission Groves Estates*, Vol.5, Page 21, H.C.M.R. City of Palmview, Hidalgo County, Texas.

Item 18. Discuss and consider a request made by *AEC Engineering, LLC*, on behalf of Sergio Pena, regarding the review of the Site Plan for a Dollar General located on Mile 3 and Goodwin Road.

Mr. Oscar Arturo Garza made a motion for the Board of Directors to reconvene to open session at 3:40 p.m. and seconded by Mr. Brandon Thompson.

Motion carried unanimously.

- 20) End of Closed Session/Return to Open Session.
- 21) Discussion and possible action regarding items discussed in Closed Session.

Item 10. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Brandon Thompson to credit all outstanding assessments and interest, then follow the property exclusion process for the request made by *Artemio Chapa* for outstanding assessments due in connection with a 1.28 acres out of Goodwin #1, Lot #9W-A Blk #4, and 5.00 acres out of Goodwin #1, Lot #15, Block 4. (**Flat Rate Assessment #2503 & 2565**)

Motion carried unanimously.

Item 11. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Brandon Thompson to credit property assessments and penalties on Lot #11 & 12, (FR#5019) and to apply that amount of credit on Lot #37 (FR#4857) on the request made by *Jesus & Maria Vela* for outstanding assessments due in connection with 8.90 acres out of Caledonia #1, Lot #37 and 2.10 acres out of Oleander Estates Unit A, Lot 11 &12. (**Flat Rate Assessment #4857 & 5019**)

Motion carried unanimously.

Item 16. Mr. Brandon Thompson made a motion and seconded by Mr. Oscar Arturo Garza to table the request for the surplus of HCID No.6 real property being 2.36 acres out of Lot 13, Block 2, *Mission Groves Estates*, Vol.5, Page 21, H.C.M.R. City of Palmview, Hidalgo County, Texas.

Motion carried unanimously.

Item 18. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Brandon Thompson to approve the following two options; Option 1: To leave current 24" inch RCP irrigation pipe in its existing condition, with the requirement of a 30' foot encroachment agreement to be executed with a 50% fee discount. Option 2: Realign irrigation pipe alongside Agua SUD easement and to match the 24" inch existing pipe, and require a 15' foot encroachment agreement and fee that will reflect zero percent of what is stated in policy regarding the request made by *AEC Engineering, LLC*, on behalf of Sergio Pena, regarding the review of the Site Plan for a Dollar General located on Mile 3 and Goodwin Road.

Motion carried unanimously.

Mr. Oscar Arturo Garza made a motion and seconded by Mr. Brandon Thompson to take no action for item numbers, *19a, 19b, and 19c.*

Motion carried unanimously.

Item 19d. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Brandon Thompson to deny the request made by VFW (Veterans of Foreign Wars) Post 3895 to move HCID No.6 main entrance of District Lake.

Motion carried unanimously.

Item 19e. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Brandon Thompson to take no action on the letter received December 29, 2022, by Sharyland Water Supply regarding a formal petition to invoke all its rights to water allocations formerly made available to lands which are now excluded from HCID No.6, to convey water rights to Sharyland Water Supply regarding the following subdivisions.

Motion carried unanimously.

Item 19f. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Brandon Thompson to present the General Manager's evaluation and place in his personnel file.

Motion carried unanimously.

Item 19g. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Brandon Thompson to take no action regarding *Joe Louis Aguilar, Sr. vs HCID No.6*, Cause C-1216-20-D in the 206th Judicial District Court, Hidalgo County, Texas.

Motion carried unanimously.

22) Adjournment.

Mr. Brandon Thompson made a motion and seconded by Mr. Oscar Arturo Garza to adjourn the meeting of February 20, 2023, at 4:23 p.m.

Motion carried unanimously.



Diana Izaguirre, President, HCID No.6



Brandon Thompson, Secretary, HCID No.6