

MINUTES
Of the Regular Board Meeting conducted on May 15, 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 May 15, 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 1:23 p.m., May 15, 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

Member not present:

Dr. Roberto Zamora, Director
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
Ms. Carmen Garcia, Accounting Clerk, HCID No.6
Mr. Ruben James De Jesus, Engineer, HCID No.6
Mr. Frank Ferris, Ferris, Flinn & Medina, LLC
Mr. Orlando Ortiz, Landowner
Mr. Guillermo Reyna, Guillermo Reyna, CPA
Mr. Romeo Cantu, Perdue Brandon Fielder Collins & Mott, LLP
Ms. Janelle Caso, Perdue Brandon Fielder Collins & Mott, LLP

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. Oscar Arturo Garza, HCID No.6, Director.

- 2) Recognition of visitors and public comments.

There are 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 11:20 a.m., May 10, 2023.

- 4) Manager's Items:

- a) April 2023 Internal Bank Transfers and Expenditures.

General Manager presented an analysis of all HCID No.6 Internal Bank Transfers and Expenditures to Board Members.

- b) Texas Regional Bank Credit Card Statement Transactions from March 09, 2023, to April 07, 2023.

General Manager reported all Texas Regional Bank credit card transactions for the previous month to Board Members.

- c) Sam's Credit Card Statement Transactions from March 24, 2023, to April 24, 2023.

General Manager reported there were no transactions for the previous month to Board Members.

- d) Purdue Brandon Fielder Collins & Mott, LLP (assessment collector) update.

Ms. Janelle Caso and Romeo Cantu presented a brief overview of the collection activities of Purdue Brandon Fielder Collins and Mott, LLP for the District on the delinquent assessment collections for the period January 01, 2022, through December 31, 2022.

- 5) Minutes

Approval of Minutes for Regular Board Meeting of April 17, 2023.

HCID No.6 Legal Counsel recommended this item be tabled to be discussed at the next monthly board meeting due to minutes being incomplete. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Santana Gutierrez to table the Minutes for Regular Board Meeting of April 17, 2023.

Motion carried unanimously.

- 6) Discuss and consider the 2022 fiscal year audit performed by **Guillermo Reyna, CPA**.

Mr. Guillermo Reyna presented the 2022 fiscal year audit to Board Members and concluded with an "Unmodified Opinion," meaning a clean opinion. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Santana Gutierrez to approve the 2022 fiscal year audit performed by **Guillermo Reyna, CPA**.

Motion carried unanimously.

- 7) Discuss and consider a request made by General Manager to adopt the revised **Cost of Service Analysis** report developed by Ferris, Flinn & Medina, LLC.

Mr. Frank Ferris presented the revised Cost of Service Analysis including the water efficiency analysis to Board Members. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Santana Gutierrez to approve the request made by General Manager to adopt the revised **Cost of Service Analysis** report developed by Ferris, Flinn & Medina, LLC.

Motion carried unanimously.

- 8) Discuss and consider a request made by General Manager to submit HCID No.6 property damage claims with **TML (Texas Municipal League)** due to recent weather events.

HCID No.6 Deputy informed Board Members of substantial damage to District property and provided pictures to view the damages to affected locations. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Santana Gutierrez to approve the request made by General Manager to submit HCID No.6 property damage claims with **TML (Texas Municipal League)** due to recent weather events.

Motion carried unanimously.

- 9) Discuss and consider General Manager attending the **TWCA (Texas Water Conservation Association) Summer Conference**, June 14-16, 2023 in Woodlands, Texas.

Mr. Oscar Arturo Garza made a motion and seconded by Mr. Santana Gutierrez to approve General Manager attending the **TWCA (Texas Water Conservation Association) Summer Conference**, June 14-16, 2023 in Woodlands, Texas.

Motion carried unanimously.

- 10) Discuss and consider a request made by General Manager to restructure the HCID No.6 organizational chart and revise job descriptions.

General Manager shared with Board Members the office structure that is currently in place and requested an alignment of the current duties with the proper compensation for the Administrative Assistant and Accounting Clerk positions, and also to re-align titles to Office Manager and Bookkeeper. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Santana Gutierrez to approve the request made by General Manager to restructure the HCID No.6 organizational chart and revise job descriptions.

Motion carried unanimously.

- 11) Discuss and consider **HCID No.6 Budget Amendment** for Fiscal Year 2023.

General Manager presented Board Members with the amendment budget form to reflect the approval of Item No.10. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Santana Gutierrez to approve **HCID No.6 Budget Amendment** for Fiscal Year 2023.

Motion carried unanimously.

- 12) Discuss and consider a request made by **Ezequiel Ortiz**, for outstanding assessments due in connection with 5.0 acres Porcion 49 Share 1, Lot #021SSN. (**FR#4474**)

Mr. Orlando Ortiz shared his concern about his outstanding assessments and current situation with Board Members. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Santana Gutierrez to discuss the request made by **Ezequiel Ortiz**, for outstanding assessments due in connection with 5.0 acres Porcion 49 Share 1, Lot #021SSN. (**FR#4474**) in closed session.

Motion carried unanimously.

The Board of Directors moved this item into executive session.

- 13) Discuss and consider a request made by **Fermin Salgado Zapatero**, for outstanding assessments due in connection with 4.25 acres Porcion 49, Share 14, Lot#035N-A TR4. (**FR#8866**)

General Manager informed Board Members of landowner Fermin Zapatero contesting the outstanding assessments to said property since he does not have means of irrigating due to a broken irrigation line. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Santana Gutierrez to discuss the request made by **Fermin Salgado Zapatero**, for outstanding assessments due in connection with 4.25 acres Porcion 49, Share 14, Lot#035N-A TR4. (**FR#8866**) in closed session.

Motion carried unanimously.

The Board of Directors moved this item into closed session.

- 14) Discuss and consider a request made by **Nain Engineering, L.L.C.**, on behalf of Rodolfo Munoz, regarding the review and exclusion of **El Rancho Estates Phase 4**, being a 2.84-acre tract of land out of Lots 101 and 102, Block 3A, the Goodwin Tract Subdivision, No.1 and No. 2, according to the Map Recorded in Volume 8, Pages 2A and 3, Map Records, Hidalgo County, Texas.

HCID No.6 Engineer presented the plans for El Rancho Estates Phase 4, indicating a 30-foot dedicated easement, and recommended to the Board for an escrow on the future movement of the District's irrigation line which feeds to a major power plant. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Santana Gutierrez to approve the request made by **Nain Engineering, L.L.C.**, on behalf of Rodolfo Munoz, regarding the review and exclusion of **El Rancho Estates Phase 4**, being a 2.84-acre tract of land out of Lots 101 and 102, Block 3A, the Goodwin Tract Subdivision, No.1 and No. 2, according to the Map

Recorded in Volume 8, Pages 2A and 3, Map Records, Hidalgo County, Texas, and to follow HCID No.6 Engineer recommendation.

Motion carried unanimously.

15) **CLOSED SESSION:**

Mr. Oscar Arturo Garza made a motion and seconded by Mr. Santana Gutierrez to enter to closed session at 2:23 p.m. to discuss item numbers 15a, 15b, 15c, 15d, 15e, 15f, 15g, 15h, 15i, 12, and 13.

Motion carried unanimously.

- a) Discussion regarding the acceptance of HCID No.6 board member's resignation.
- b) Discussion regarding appointing a new board member.
- c) Discussion regarding a request made by General Manager to reconsider the total dollar amount for the **I.O.C.** water invoice # IOC-004A.
- d) Discussion regarding the execution of the closing documents on surplus property pertaining to the tract of land containing a 1.87 acre (81,668 square feet) in relation to **Las Comadres Subdivision No.10.**
- e) Discussion regarding a request made by **Homero L. Gutierrez, P.E., R.P.L.S.**, on behalf of Roberto Vela, regarding the purchase of a tract of land containing 0.128 acres (5,580.40 square feet) out of Lot 13, Block 2, Mission Groves Estates, Vol.5, Page 21, H.C.M.R. City of Palmview, Hidalgo County, Texas.
- f) Discussion regarding a request made by **Melden & Hunt, Inc.**, on behalf of David Santos, regarding the purchase of a tract of land containing 5.468 acres situated in the County of Hidalgo, Texas, being out of a Canal R.O.W. between Lots 34 & 35 and between Lots 33 & 36, Block 4, Amended Goodwin Tract Subdivision No. 1 and No.2, according to the plat thereof recorded in Volume 8, Pages 2-A and 3, H.C.M.R., Hidalgo County Texas.
- g) Discussion regarding a request made by **R. E. Garcia & Associates.**, on behalf of Ricardo Espericueta regarding the purchase of a tract of land containing a 1.50-acre tract of land containing a portion of that certain 70.00 foot Hidalgo County Irrigation District No.6 Right-of-Way adjacent to the west line of Lots 80 and 83, Block 2, La Homa Ranch Citrus Groves Subdivision, Unit 2, as recorded in Volume 8, Page 9, Map Records, Hidalgo County, Texas.
- h) Discussion regarding Agua Sud excess amount of the reserved quantity for the corresponding year of District Water under the current Water Supply Contract.
- i) 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 12. Discuss and consider a request made by **Ezequiel Ortiz**, for outstanding assessments due in connection with 5.0 acres Porcion 49 Share 1, Lot #021SSN. **(FR#4474)**

Item 13. Discuss and consider a request made by **Fermin Salgado Zapatero**, for outstanding assessments due in connection with 4.25 acres Porcion 49, Share 14, Lot#035N-A TR4. **(FR#8866)**

Mr. Oscar Arturo Garza made a motion for the Board of Directors to reconvene to open session at 3:05 and seconded by Mr. Santana Gutierrez.

Motion carried unanimously.

16) End of Closed Session/Return to Open Session.

17) Discussion and possible action regarding items discussed in Closed Session.

Item 12. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Santana Gutierrez to waive penalties and interest, recover only the base levy balance for the past ten years, and if necessary, with a payment plan; also requested General Manager to begin the exclusion process for the request made by **Ezequiel Ortiz**, for outstanding assessments due in connection with 5.0 acres Porcion 49 Share 1, Lot #021SSN. (**FR#4474**)

Motion carried unanimously.

Item 13. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Santana Gutierrez to waive penalties and interest, recover only the base levy balance for 2021, 2022, and 2023; also requested General manager to begin the exclusion process for the request made by **Fermin Salgado Zapatero**, for outstanding assessments due in connection with 4.25 acres Porcion 49, Share 14, Lot#035N-A TR4. (**FR#8866**)

Motion carried unanimously.

Mr. Oscar Arturo Garza made a motion and seconded by Mr. Santana Gutierrez to take no action for item numbers **15a and 15b**.

Motion carried unanimously.

Item 15c. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Santana Gutierrez to allow General Manager to reconsider the dollar amount for the **I.O.C.** water invoice # IOC-004A.

Motion carried unanimously.

Item 15d. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Santana Gutierrez to not move forward with the sale of the property interest since it was determined that the District does not have ownership interest in said tract of land, regarding the execution of the closing documents on surplus property pertaining to the tract of land containing a 1.87 acre (81,668 square feet) in relation to **Las Comadres Subdivision No.10**.

Motion carried unanimously.

Item 15e. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Santana Gutierrez to allow HCID No.6 Engineer and Legal Counsel to review the ownership interest in said property and move forward with the posting accordingly, regarding a request made by **Homero L. Gutierrez, P.E., R.P.L.S.**, on behalf of Roberto Vela, regarding the purchase of a tract of land containing 0.128 acres (5,580.40 square feet) 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 15f. Mr. Oscar Arturo and seconded by Mr. Santana Gutierrez for District to retain a 15-foot easement and a temporary construction license regarding the request made by **Melden & Hunt, Inc.**, on behalf of David Santos, regarding the purchase of a tract of land containing 5.468 acres situated in the County of Hidalgo, Texas, being out of a Canal R.O.W. between Lots 34 & 35 and between Lots 33& 36, Block 4, Amended Goodwin Tract Subdivision No. 1 and No.2, according to the plat thereof recorded in Volume 8, Pages 2-A and 3, H.C.M.R., Hidalgo County Texas.

Motion carried unanimously.

Item 15g. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Santana Gutierrez to take no action regarding the request made by **R. E. Garcia & Associates.**, on behalf of Ricardo Espericueta regarding the purchase of a tract of land containing a 1.50-acre tract of land containing a portion of that certain 70.00 foot Hidalgo County Irrigation District No.6 Right-of-Way adjacent to the west line of Lots 80 and 83, Block 2, La Homa Ranch Citrus Groves Subdivision, Unit 2, as recorded in Volume 8, Page 9, Map Records, Hidalgo County, Texas.

Motion carried unanimously.

Mr. Oscar Arturo Garza made a motion and seconded by Mr. Santana Gutierrez to take no action on **item numbers 15h and 15i.**

Motion carried unanimously.

18) Adjournment.

Mr. Oscar Arturo Garza made a motion and seconded by Mr. Santana Gutierrez to adjourn the meeting of May 15, 2023 at 3:10 p.m.

Motion carried unanimously.



Diana Izaguirre, President, HCID No.6



Brandon Thompson, Secretary, HCID No.6