

**MINUTES**  
**Of the Regular Board Meeting conducted on August 21, 2023**

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 August 21, 2023, at the Hidalgo County Irrigation District No. 6 office located at 3735 N. FM 492, Mission, Texas 78574.

- 1) The meeting was called to order by Ms. Diana Izaguirre at 1:14 p.m., August 21, 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 (left at 2:38 p.m.)  
Mr. Santana Gutierrez, Vice-President  
Ms. Giovana Benitez, Director  
Mr. Oscar Arturo Garza, Director (arrived at 1:20 p.m.)  
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, Office Manager, HCID No.6  
Ms. Carmen Garcia, Bookkeeper, HCID No.6  
Mr. Ruben James De Jesus, Engineer, HCID No.6  
Mr. Homero Gutierrez, HLG Engineering  
Mr. Miguel Gracia, Mesa Associates, Inc.  
Mr. Romeo Cantu, Perdue Brandon Fielder Collins & Mott, LLP  
Mr. Hiram Gutierrez, Perdue Brandon Fielder Collins & Mott, LLP  
Ms. Sherri Burdett, Landowner  
Ms. Ruby Benitez, Landowner  
Mr. Jose A. Martinez, Iglesia Gracia y Verdad  
Mr. Jesus Baca, Iglesia Gracia y Verdad

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.
- 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 11:30 a.m., August, 16, 2023.

- 4) Manager's Items:

- a) July 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 June 8, 2023, to July 7, 2023.

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

- c) Sam's Credit Card Statement Transactions from June 24, 2023, to July 23, 2023.

General Manager reported all transactions for main office and shop supply expenses to Board Members.

d) Landowners - Sherri Burdett and Richard Shelton

Ms. Sherri Burdett shared with Board Members her concern about the water flow to irrigate her property.

5) Minutes

- a) Approval of Minutes for Regular Board Meeting of June 19, 2023.
- b) Approval of Minutes for Regular Board Meeting of July 10, 2023.
- c) Approval of Minutes for Special Board Meeting of July 18, 2023.

Mr. Oscar Arturo Garza made a motion and seconded by Ms. Giovana Benitez to approve item numbers 5a, 5b, and 5c.

Motion carried unanimously.

6) Discuss and consider a request made by General Manager to charge a fee for work order estimates.

General Manager presented to Board Members a history of work orders requested by landowners for special jobs and the majority of work orders do not get done after the District has already paid personnel to provide an estimate for them. Mr. Brandon Thompson made a motion and seconded by Mr. Santana Gutierrez to allow General Manager to further research the request to charge a fee for work order estimates.

Motion carried unanimously.

7) Discuss and consider a request made by General Manager regarding LRGV Santa Ana Wildlife Refuge account and Perdue Brandon Fielder Collins & Mott, LLP update.

Mr. Hiram Gutierrez presented a collection report for the District and provided an update on the LRGV Santa Ana Wildlife Refuge account. Mr. Oscar Arturo Garza made a motion and seconded by Ms. Giovana Benitez to approve the request made by General Manager regarding LRGV Santa Ana Wildlife Refuge account and Perdue Brandon Fielder Collins & Mott, LLP update.

Motion carried unanimously.

9) Discuss and consider the ratification to invest ***Texas Regional Bank Investment Money Market*** funds into a Certificate of Deposit (#359638) for the amount of \$100,000 (one hundred thousand dollars) at the rate of 5.25%, governed by Subchapter A, Chapter 2256, and Government Code Public Funds Investment Act.

HCID No.6 Legal Counsel read Certificate of Deposit Resolution Doc. No.: 23-R0183. Mr. Brandon Thompson made a motion and seconded by Ms. Giovana Benitez to approve the ratification to invest ***Texas Regional Bank Investment Money Market*** funds into a Certificate of Deposit (#359638) for the amount of \$100,000 (one hundred thousand dollars) at the rate of 5.25%, governed by Subchapter A, Chapter 2256, and Government Code Public Funds Investment Act.

Motion carried unanimously.

10) Discuss and consider a request made by General Manager regarding an agreement letter between HCID No.6 and ***American Water Services, LLC***.

***The Board of Directors moved this item into closed session.***

11) Discuss and consider removing Dr. Roberto Zamora from all accounts, including Certificate of Deposits, Checking, and Money Market.

General Manager informed Board Members of a request made by Texas Regional Bank to remove Dr. Roberto Zamora from all active bank accounts. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Santana Gutierrez to approve the removal of Dr. Roberto Zamora from all accounts, including Certificate of Deposits, Checking, and Money Market.

Motion carried unanimously.

- 12) Discuss and consider adding Giovana Benitez for all accounts, including Certificate of Deposit, Checking, and Money Market.

General Manager informed Board Members of a request made by Texas Regional Bank to add Giovana Benitez for all accounts, including Certificate of Deposit, Checking, and Money Market. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Santana Gutierrez to approve adding Giovana Benitez for all accounts, including Certificate of Deposit, Checking, and Money Market.

Motion carried unanimously.

- 13) Discuss and consider a request made by *Church Gracia de Verdad* for outstanding assessments due in connection with 3 acres out of Goodwin #3, Lot 30. (*FR#3053*)

Mr. Jose A. Martinez informed the Board Members of his concern about the outstanding assessments on said property.

*The Board of Directors moved this item into closed session.*

- 14) Discuss and consider a request made by *Minerva Benitez* for outstanding assessments due in connection with 7.79 acres out of Doffing #1, Lot 099. (*FR#1831*)

Ms. Ruby Benitez informed the Board Members of her concern about the outstanding assessments of said property.

*The Board of Directors moved this item into closed session.*

- 15) Discuss and consider a request made by *DG Engineering Services*, on behalf of D & I Development, regarding the review of *Diamond Subdivision Phase I*, being a 1.28-acre tract of land being the North 100.0 feet of Lot 2, Block 44, Homeville Association Subdivision "D" of Porcion 76, as per map recorded in Volume 6, Pg. 36, Map Records of Hidalgo County, Texas.

HCID No.6 Engineer informed Board Members of said property located next to a District lateral and plat indicating a 30' foot irrigation easement. Mr. Oscar Arturo Garza made a motion and seconded by Ms. Giovana Benitez to approve the request made by *DG Engineering Services*, on behalf of D & I Development, regarding the review of *Diamond Subdivision Phase I*, being a 1.28-acre tract of land being the North 100.0 feet of Lot 2, Block 44, Homeville Association Subdivision "D" of Porcion 76, as per map recorded in Volume 6, Pg. 36, Map Records of Hidalgo County, Texas.

Motion carried unanimously.

- 16) Discuss and consider a request made by *DG Engineering Services*, on behalf of D & I Development, regarding the review of *Diamond Subdivision Phase II*, being 2.68-acre tract of land described in Document Number 2077928,

Official Records of Hidalgo County, Texas, suited in Lots 2 and Five, Block 44, Homeville Associations Subdivisions "D" of Porcion 78, as recorded in Volume Page 36, of Map Records, Hidalgo County, Texas.

Mr. Oscar Arturo Garza made a motion and seconded by Mr. Santana Gutierrez to approve the request made by **DG Engineering Services**, on behalf of D & I Development, regarding the review of **Diamond Subdivision Phase II**, being 2.68-acre tract of land described in Document Number 2077928, Official Records of Hidalgo County, Texas, Suited in Lots 2 and Five, Block 44, Homeville Associations Subdivisions "D" of Porcion 78, as recorded in Volume Page 36, of Map Records, Hidalgo County, Texas.

Motion carried unanimously.

- 17) Discuss and consider a request made by **MAS Engineering, LLC**, on behalf of Jorge Luis Garza, regarding the review **Palma Vista Subdivision**, being 0.273 acres out of Lot 5, Texas Produce Company's Subdivision, Recorded in Volume 9, Page 1, Map Records Hidalgo County, Texas, and out of Lot 2, Citraland Farms Subdivision, recorded in Volume 11, Page 23, Map Records Hidalgo County, Texas. **(FR#4804)**

HCID No.6 Engineer informed Board Members of an existing irrigation line on said property. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Brandon Thompson to approve the request made by **MAS Engineering, LLC**, on behalf of Jorge Luis Garza, regarding the review **Palma Vista Subdivision**, being 0.273 acres out of Lot 5, Texas Produce Company's Subdivision, Recorded in Volume 9, Page 1, Map Records Hidalgo County, Texas, and out of Lot 2, Citraland Farms Subdivision, recorded in Volume 11, Page 23, Map Records Hidalgo County, Texas. **(FR#4804)**, contingent on a 15' foot irrigation easement.

Motion carried unanimously.

- 18) Discuss and consider a request made by **MAS Associates**, Capricorn Estates, overhead crossing, or underground crossing.

Mr. Miguel Gracia presented to Board Members an easement on the Eastside of Capricorn Estates, which he has been informed by the District is an inactive line.

***The Board of Directors moved this item into closed session.***

- 19) **CLOSED SESSION:**

***Mr. Oscar Arturo Garza made a motion and seconded by Mr. Brandon Thompson to enter to closed session at 1:59 p.m. to discuss item numbers 19a, 19b, 19c, 19d, 19e, 19f, 10, 13, 14, and 18.***

***Motion carried unanimously.***

- a) 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.
- b) Discussion regarding a request made by **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.

- c) 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.
- d) Discussion regarding the **Interlocal Cooperative Agreement** between The County of Hidalgo acting through the **Office of Constable, Precinct #3** and Hidalgo County Irrigation District No. 6.
- e) Discussion regarding Agua Sud excess amount of the reserved quantity for the corresponding year of District Water, under the current Water Supply Contract.
- f) Discussion regarding **Joe Louis Aguilar, Sr. vs HCID No.6**, Cause C-1216-20-D in the 206<sup>th</sup> Judicial District Court, Hidalgo County, Texas.

**Item 10.** Discuss and consider a request made by General Manager regarding an agreement letter between HCID No.6 and **American Water Services, LLC.**

**Item 13.** Discuss and consider a request made by **Church Gracia de Verdad** for outstanding assessments due in connection with 3 acres out of Goodwin #3, Lot 30. (**FR#3053**)

**Item 14.** Discuss and consider a request made by **Minerva Benitez** for outstanding assessments due in connection with 7.79 acres out of Doffing #1, Lot 099. (**FR#1831**)

**Item 18.** Discuss and consider a request made by **MAS Associates**, Capricorn Estates, overhead crossing, or underground crossing.

**Mr. Brandon Thompson made a motion for the Board of Directors to reconvene to open session at 2:47 p.m. and seconded by Ms. Giovana Benitez.**

**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 allow General Manager and Legal Counsel to develop an agreement with American Water Services, LLC.

Motion carried unanimously.

**Item 13.** Mr. Oscar Arturo Garza made a motion and seconded by Mr. Brandon Thompson to allow General Manager to determine when irrigation service to the subject property was obstructed, to charge only assessments up to that date, and landowner is to apply for the exclusion process.

Motion carried unanimously.

**Item 14.** Mr. Oscar Arturo Garza made a motion and seconded by Ms. Giovana Benitez to allow General Manager to determine when irrigation service to the

subject property was obstructed and to charge only assessments up to that date regarding the request made by **Minerva Benitez** for outstanding assessments due in connection with 7.79 acres out of Doffing #1, Lot 099. (FR#1831)

Motion carried unanimously.

**Item 18.** Mr. Oscar Arturo Garza made a motion and seconded by Mr. Brandon Thompson to move forward with the release of easement according to District policy in regards to the request made by **MAS Associates**, Capricorn Estates, overhead crossing, or underground crossing.

Motion carried unanimously.

**Item 19a.** Ms. Giovana Benitez made a motion and seconded by Mr. Oscar Arturo Garza to authorize Board President to execute the closing documents for the release of easement in connection with the request made by **Homero L. Gutierrez, P.E., R.P.L.S.**, on behalf of Roberto Vela, regarding 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 19b.** Mr. Brandon Thompson made a motion and seconded by Mr. Oscar Arturo Garza to take no action regarding the request made by **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 19c.** No action.

**Item 19d.** No action.

**Item 19e.** Mr. Brandon Thompson made a motion and seconded by Ms. Giovana Benitez to allow General Manager to continue working on this matter.

Motion carried unanimously.

**Item 19f.** Mr. Brandon Thompson made a motion and seconded by Ms. Giovana to authorize legal counsel to continue working on this matter.

Motion carried unanimously.

## 22) Adjournment.

Mr. Oscar Arturo Garza made a motion and seconded by Ms. Giovana Benitez to adjourn the meeting of August 21, 2023, at 3:01 p.m.

Motion carried unanimously.

  
\_\_\_\_\_  
Diana Izaguirre, President, HCID No.6

  
\_\_\_\_\_  
Brandon Thompson, Secretary, HCID No.6

**RESOLUTION REGARDING CERTIFICATES OF DEPOSIT**

**WHEREAS**, Hidalgo County Irrigation District No. 6 (“HCID#6”) is a local government body organized under the Texas Constitution and the Laws of the State of Texas;

**WHEREAS**, HCID#6 acts by and through duly elected and constituted Board of Directors;

**WHEREAS**, during the Regular Board Meeting on August 21, 2023, duly posted and Motion pursuant to the Texas Open Meetings Act, the District discussed and considered Agenda Item No. 9, regarding the approval of investing HCID#6 funds in a certificate of deposit with Texas Regional Bank;

**WHEREAS**, HCID#6’s Investment Policy and Strategy provides that funds in excess of those needed for immediate expenditure shall be invested in certificates of deposit and insured by FDIC or guaranteed by the pledge of United States governmental obligations;

**WHEREAS**, HCID#6 Investment Officer invested excess HCID#6 funds into Certificate of Deposit #359638 with Texas Regional Bank in the amount of \$100,000.00 on July 25, 2023, for a term of 12 months at a rate of 5.25% and desires that such Certificate of Deposit investment be ratified; and

**WHEREAS**, after due consideration of Agenda Item No. 9 of the Regular Board Meeting held on August 21, 2023, the Board took affirmative ratification action on Agenda Item No. 9.

**NOW, THEREFORE, it was RESOLVED as follows:**


That Motion was made by Mr. Brandon Thompson and seconded by Ms. Giovana Benitez to ratify HCID#6’s Investment Officer’s investment of excess funds into Certificate of Deposit #359638 with Texas Regional Bank in the amount of \$100,000.00 on July 25, 2023, for a term of 12 months at a rate of 5.25%

The Motion carried unanimously by the Board action taken on August 21, 2023.

Dated this 21st day of August 2023.

  
Diana Izaguirre, President  
Hidalgo County Irrigation District No. 6

Attest:

  
Brandon Thompson, Secretary  
Hidalgo County Irrigation District No. 6