

MINUTES
Of the Regular Board Meeting conducted on September 19, 2022

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 September 19, 2022, 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 Mr. Santana Gutierrez at 1:04 p.m., September 19, 2022, at which time Mr. Santana Gutierrez acknowledged the presence of the Elected Members of the Board of Hidalgo County Irrigation District No. 6.

Members present included:

Mr. Santana Gutierrez, Vice-President
Dr. Roberto Zamora, Director
Mr. Oscar Arturo Garza, Director
Mr. Brandon Thompson, Secretary (left at 2:59 p.m.)

Member not present:

Ms. Diana Izaguirre, President

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
Mr. Arnold Salazar, HCID No.6
Mr. Isidro Rosales, HCID No.6
Mr. Julio Cerda, South Texas Infrastructure
Mr. Victor Trevino, South Texas Infrastructure
Mr. John David Santos, Lord & I Cemetery
Ms. Grace Michelle Santos, Lord & I Cemetery
Mr. Ruben Canales, Lord & I Cemetery, Consultant

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 11:32 a.m., September 14, 2022.

- 4) Manager's Items:

- a) August Internal Bank Transfers and Expenditures

General Manager presented reports on all HCID No.6 Internal Bank Transfers and Expenditures to Board Members.

- b) Texas Regional Bank Credit Card Statement Transactions from August 09, 2022 to September 07, 2022.

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

- c) Sam's Credit Card Statement Transactions from July 24, 2022, to August 23, 2022.

General Manager presented reports indicating all transactions for main office and shop supply expenses to Board Members.

- d) Emergency Watermaster Procedures: July 2022 Accounting Update
(negative allocation)

General Manager announced to Board Members that Texas Conservative Water Quality (TCEQ) applied a negative water allocation to all irrigation districts for the first time in history due to current drought.

- e) HCID No.6 Back Hoe – Cost of Repairs Summary

General Manager presented a history report to Board Members of ongoing repairs for the last eight years on HCID No.6 backhoe equipment, Unit#99, and reported that the unit is currently in the repair shop for more repairs.

5) Minutes

Approval of Minutes for Regular Board Meeting of August 15, 2022.

Mr. Brandon Thompson made a motion and seconded by Mr. Oscar Arturo Garza to table the Minutes for the Regular Board Meeting of August 15, 2022, and to revisit them after reconvening from closed session.

Motion carried unanimously.

Mr. Oscar Arturo Garza made a motion and seconded by Dr. Zamora to approve the Minutes for Regular Board Meeting of August 15, 2022.

Motion carried unanimously.

- 6) Discuss and consider the approval for a request made by **Ricardo Espericueta** for HCID No.6 to surplus property being a 1.56-acre tract of land out of Lot 80 and Lot 83, Block 2, La Homa Ranch Citrus Groves Unit No.2.

Dr. Roberto Zamora made a motion and seconded by Mr. Oscar Arturo Garza to authorize General Manager to request an updated plat and additional information to determine District property. All fees will be passed on to the potential owner.

Motion carried unanimously.

- 7) Discuss and consider the approval for a request made by **David Santos** to purchase HCID No.6 surplus property, for a tract of land containing 0.962 ac. (41,910 sq. ft.) being a part or portion of a 120-foot HCID No.6, canal right-of way located between Lots 33 and 36, Block 4, Amended Goodwin Tract Subdivisions, No. 1 and No.2, according to the plat thereof recorded in Volume 8, Pages 2-A and 3, Hidalgo County Map Records, Hidalgo, County, Texas.

The Board of Directors moved this item into executive session.

- 8) Discuss and consider the approval for a request made by General Manager on the replacement of a 60" inch metal pipe, 40' foot long with a 1/2" inch thickness, for the **60DD River Pump**.

Mr. Oscar Arturo Garza made a motion and seconded by Dr. Zamora to allow General Manager to request a fee proposal for design services.

Motion carried unanimously.

- 9) Discuss and consider the approval for a request made by General Manager to enact an **Encroachment Fee Schedule** based on square footage.

Mr. Oscar Arturo Garza made a motion and seconded by Dr. Zamora to allow General Manager to include legal, administrative, and engineering fees in

Encroachment Fee Schedule.

Motion carried unanimously.

- 10) Discuss and consider *Texas Municipal League Intergovernmental Risk Pool* Board of Trustees Election.

Mr. Oscar Arturo Garza made a motion and seconded by Dr. Zamora to authorize Board Vice-President to execute *Texas Municipal League Intergovernmental Risk Pool* Board of Trustees Election.

Motion carried unanimously.

- 11) Discuss and consider the approval for General Manager to attend the *Public Funds Investment Act* (virtual).

Dr. Roberto Zamora made a motion and seconded by Mr. Oscar Garza to approve General Manager's attendance at the *Public Funds Investment Act* (virtual).

Motion carried unanimously.

- 12) Discuss and consider the approval to renew HCID No.6 Plan Assessment with *Texas County & District Retirement System (TCDRS)* for the plan year 2023.

Mr. Erika Aguirre presented Board Members the current HCID No.6 retirement plan and indicated that District is in a healthy position. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Brandon Thompson to table the renewal of HCID No.6 Plan Assessment with *Texas County & District Retirement System (TCDRS)* for the plan year 2023.

Motion carried unanimously.

- 13) Discuss and consider the approval for a request made by General Manager to ratify the purchase of a New GD (Gardner Denver) *Nash Vectra XL 45 Series* priming pump for the river pump.

Dr. Roberto Zamora made a motion and seconded by Mr. Oscar Arturo Garza to approve the request made by General Manager to ratify for the purchase of a New GD (Gardner Denver) *Nash Vectra XL 45 Series* priming pump for the river pump.

Motion carried unanimously.

- 14) Discuss and consider the approval for a request made by *South Texas Infrastructure.*, on behalf of Carlos Leal, 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. Brandon Thompson for General Manager to order an appraisal of *Las Comadres Subdivision No.10*, being 50.99 acres out of a 243.51-acre Tract out of Porcion 48, Hidalgo County, Texas.

Motion carried unanimously.

- 15) Discuss and consider the approval for a request made by *South Texas Infrastructure.*, on behalf of Carlos Leal, regarding the review and exclusion of, *Las Comadres No.11*, being a 40.85-acre tract of land out of all of Lots 14, 15, 16, Nick Doffing Co., Subdivision as recorded in Volume 5, Page 54, of the Map Records, Hidalgo County, Texas.

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, regarding the review and exclusion of, **Las Comadres No.11**, being 40.85-acre tract of land out of all of Lots 14, 15, 16, Nick Doffing Co., Subdivision as recorded in Volume 5, Page 54, of the Map Records, Hidalgo County, Texas, contingent on the resolution of comments between HCID No.6 engineer and South Texas Infrastructure.

Motion carried unanimously.

- 16) Discuss and consider the approval of a request made by **Nain Engineering, L.L.C.**, on behalf of Eric Nordhausen, regarding the review of **Brushline Meadows**, a 17.62-acre tract of land being all of Lot 91, and the South 7.62 acres out of Lot 92, the Nick Doffing Co. Subdivision No.1, Hidalgo County, Texas, as per Map Volume 1, Page 53 Map Records, Hidalgo County, Texas.

The Board of Directors moved this item into executive session.

- 17) Discuss and consider the approval of a request made by **Nain Engineering, L.L.C.**, on behalf of Eric Nordhausen, regarding the exclusion of **Brushline Meadows**, being the South 7.62 acres out of Lot 92, the Nick Doffing Co. Subdivision No.1, Hidalgo County, Texas, as per Map Volume 1, Page 53 Map Records, Hidalgo County, Texas.

The Board of Directors moved this item into executive session.

- 18) Discuss and consider the approval for a request made by **Pablo Soto, Jr. P.E.**, on behalf of Juan E. Cadena, regarding the review only of, **Cadena Estates**, being 2.63-acre tract of land out of that part of a certain 243.51-acre tract out of Porcion 48, lying East of Hidalgo County Irrigation District No.6 Canal Right of Way, Hidalgo County, Texas.

Mr. Oscar Arturo Garza made a motion and seconded by Mr. Brandon Thompson to approve the request made by **Pablo Soto, Jr. P.E.**, on behalf of Juan E. Cadena, regarding the review only of, **Cadena Estates**, being 2.63-acre tract of land out of that part of a certain 243.51-acre tract out of Porcion 48, lying East of Hidalgo County Irrigation District No.6 Canal Right of Way, Hidalgo County, Texas.

Motion carried unanimously.

- 19) Discuss and consider the approval for a request made by **Homero L. Gutierrez, P.E.**, on behalf of Raul Moya, regarding the review only of, **Moya Subdivision**, being a 10-acre tract, being all out of Lot 95, Block 1 out of recorded subdivision La Homa Ranch Citrus Grove Unit 2 in Hidalgo County Texas.

Mr. Oscar Arturo Garza made a motion and seconded by Dr. Roberto Zamora to take no action for the request made by **Homero L. Gutierrez, P.E.**, on behalf of Raul Moya, regarding the review only of, **Moya Subdivision**, being a 10-acre tract, being all out of Lot 95, Block 1 out of recorded subdivision La Homa Ranch Citrus Grove Unit 2 in Hidalgo County Texas.

Motion carried unanimously.

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

Mr. Oscar Arturo Garza made a motion and seconded by Dr. Roberto Zamora to take no action for the request made by CSJ Group regarding **Hidalgo County Drainage District No. 1, 2018 Bond Project No. 3.**

Motion carried unanimously.

- 21) **CLOSED SESSION:**

Mr. Oscar Arturo Garza made a motion and seconded by Mr. Brandon Thompson to enter to closed session at 2:30 p.m. to discuss item numbers 21a, 21b, 21c, 21d, 21e, 21f, 21g, 21h, 21i, 21j, 21k, 7, 16, and 17.

Motion carried unanimously.

- a) Discussion regarding an Encroachment Agreement by and between HCID No.6 and **Vaquero or Mission Partners, LP, a Texas Limited Partnership**, to construct a driveway over a portion of HCID No.6 property being a 1.00 acre gross, (.90 acre net.), tract of Lot 72, Block 4, Goodwin Tract Subdivision No.1, an addition to the City of Mission ETJ, Hidalgo County, Texas, According to the Map Recorded in Volume 5, Page 30, as per Deed Records thereof recorded in correction special warranty deed number: 2590096, in the Office of the County Clerk of Hidalgo County, Texas.
- b) Discussion regarding an Encroachment Agreement by and between HCID No.6 and **Osbel Flores**, to construct a driveway over a portion of HCID No. 6 property being, .34 of an acre tract out of Lot 66, and out of, New Caledonia Subdivision, according to Deed recorded under Document Number 3030425, Official Records, Hidalgo County, Texas.
- c) Discussion regarding fringe benefits extension for HCID No.6 employee.
- d) Discussion regarding authorization for General Manager to renegotiate the renewal of **Frontera Energy** contract along with Estrada, Hinojosa.
- e) Discussion regarding a request made by **Spectrum** to perform an underground trench/bore of 55' foot crossing HCID No.6 irrigation line located on Abram Road and Mile 2 Road.
- f) Discuss and consider the approval of amending the **Interlocal Cooperative Agreement** between The County of Hidalgo acting through the **Office of Constable, Precinct #3** and Hidalgo County Irrigation District No. 6.
- g) Discussion regarding HCID No.6 property damage by landowner, **James Killelea**, being 10 acres, La Homa Ranch Citrus Groves UT No.2, Lot 96, Block 1, Hidalgo County, Texas.
- h) Discussion regarding a request made by **L & G Engineering** on behalf of the **Texas Department of Transportation**, regarding the proposed taking of a tract of land containing 0.0568-acre tract of land (2,475 sq. ft.) tract of land situated in Porcion 49, of the Ancient-Jurisdiction or Reynosa Mexico, now Hidalgo County, Texas. (**Parcel 40**)
- i) Discussion regarding a request made by **L&G Engineering** on behalf of **Texas Department of Transportation** regarding the proposed taking of a a tract of land containing 0.0483-acre (2,104 sq. ft) tract of land situated in Lot 2, Texas Produce Company's subdivision, as described in Volume 9, Page 1, map records, Hidalgo County, Texas. (**Parcel 41**)
- j) 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 0.0274-acre (1,192 sq. ft.) tract of land situated in Porcion 49, of the Ancient Jurisdiction of Reynosa, Mexico, now Hidalgo County, Texas. (**Parcel 79**)
- k) 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 7. Discuss and consider the approval of a request made by **David Santos** to purchase HCID No.6 surplus property, for a tract of land containing 0.962

ac. (41,910 sq. ft.) being a part or portion of a 120-foot HCID No.6, canal right-of way located between Lots 33 and 36, Block 4, Amended Goodwin Tract Subdivisions, No. 1 and No.2, according to the plat thereof recorded in Volume 8, Pages 2-A and 3, Hidalgo County Map Records, Hidalgo, County, Texas.

Item 16. Discuss and consider the approval of a request made by *Nain Engineering, L.L.C.*, on behalf of Eric Nordhausen, regarding the review of *Brushline Meadows*, a 17.62-acre tract of land being all of Lot 91, and the South 7.62 acres out of Lot 92, the Nick Doffing Co. Subdivision No.1, Hidalgo County, Texas, as per Map Volume 1, Page 53 Map Records, Hidalgo County, Texas.

Item 17. Discuss and consider the approval of a request made by *Nain Engineering, L.L.C.*, on behalf of Eric Nordhausen, regarding the exclusion of *Brushline Meadows*, being the South 7.62 acres out of Lot 92, the Nick Doffing Co. Subdivision No.1, Hidalgo County, Texas, as per Map Volume 1, Page 53 Map Records, Hidalgo County, Texas.

Dr. Robert Zamora made a motion for the Board of Directors to reconvene to open session at 3:57 p.m. and seconded by Mr. Oscar Arturo Garza.

Motion carried unanimously.

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

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

Item 7. Mr. Oscar Arturo Garza made a motion and seconded by Mr. Brandon Thompson to allow General Manager, engineer, and legal counsel to develop a proposal of feasibility for the project, to investigate the District's policy regarding appraisals, and inquire with the landowner if he would still like to move forward with an appraisal.

Motion carried unanimously.

Items 16 and 17. Mr. Oscar Arturo Garza made a motion and seconded by Dr. Roberto Zamora to allow HCID No.6 engineer to work with Nain Engineering, LLC to resolve any comments on existing lines and easement for TX DOT Right-of Way.

Motion carried unanimously.

Item 21a. Dr. Roberto Zamora made a motion and seconded by Mr. Oscar Arturo Garza to take no action regarding an Encroachment Agreement by and between HCID No.6 and *Vaquero or Mission Partners, LP, a Texas Limited Partnership*, to construct a driveway over a portion of HCID No.6 property being a 1.00 acre gross, (.90 acre net.), tract of Lot 72, Block 4, Goodwin Tract Subdivision No.1, an addition to the City of Mission ETJ, Hidalgo County, Texas, according to the Map Recorded in Volume 5, Page 30, as per Deed Records thereof recorded in Correction Special Warranty Deed No. 2590096, in the Office of the County Clerk of Hidalgo County, Texas.

Motion carried unanimously.

Item 21b. Mr. Oscar Arturo Garza made a motion and seconded by Dr. Roberto Zamora to take no action regarding an Encroachment Agreement by and between HCID No.6 and *Osbel Flores*, to construct a driveway over a portion of HCID No. 6 property being, .34 of an acre tract out of Lot 66, and out of, New Caledonia Subdivision, according to Deed recorded under Document No. 3030425, Official Records, Hidalgo County, Texas.

Motion carried unanimously.

Item 21c. Mr. Oscar Arturo Garza made a motion and seconded by Dr. Roberto Zamora to approve fringe benefits extension for HCID No.6 employee based upon the FMLA application and the relevant law.

Motion carried unanimously.

Dr. Roberto Zamora made a motion and seconded by Mr. Oscar Arturo Garza to rescind the previous motion.

Motion carried unanimously.

Mr. Oscar Arturo Garza made a motion and seconded by Dr. Roberto Zamora to approve fringe benefits extension for HCID No.6 employee, Raul Pena, Jr., based on District policy and allowed by law.

Motion carried unanimously.

Item 21d. Mr. Oscar Arturo Garza made a motion and seconded by Dr. Roberto Zamora to approve General Manager to renegotiate the renewal of the Frontera Energy contract along with Estrada Hinojosa & Associates.

Motion carried unanimously.

Item 21e. Mr. Oscar Arturo Garza made a motion and seconded by Dr. Roberto Zamora to take no action regarding a request made by **Spectrum** to perform an underground trench/bore of 55' foot crossing HCID No.6 irrigation line located on Abram Road and Mile 2 Road.

Motion carried unanimously.

Dr. Roberto Zamora made a motion and seconded by Mr. Oscar Arturo Garza to rescind the previous motion.

Motion carried unanimously.

Dr. Roberto Zamora made a motion and seconded by Mr. Oscar Arturo Garza to allow General Manager and legal counsel to conduct further research regarding a request made by **Spectrum** to perform an underground trench/bore of 55' foot crossing HCID No.6 irrigation line located on Abram Road and Mile 2 Road.

Motion carried unanimously.

Item 21f. Dr. Roberto Zamora made a motion and seconded by Mr. Oscar Arturo Garza to approve the **Interlocal Cooperative Agreement** between The County of Hidalgo acting through the **Office of Constable, Precinct #3** and Hidalgo County Irrigation District No. 6.

Motion carried unanimously.

Item 21g. Dr. Roberto Zamora made a motion and seconded by Mr. Oscar Arturo Garza to take no action regarding HCID No.6 property damage by landowner, **James Killelea**, being 10 acres, La Homa Ranch Citrus Groves UT No.2, Lot 96, Block 1, Hidalgo County, Texas.

Motion carried unanimously.

Items 21h, 21i, and 21j. Dr. Roberto Zamora made a motion and seconded by Mr. Oscar Arturo Garza to approve the offers made for, Parcel#40 \$9,900.00, Parcel# 41 \$8,416.00, Parcel 79 \$4,768.00, and authorize General Manager and legal counsel to finalize project parcels, additionally authorize Board President to execute closing documents. If President is unavailable, follow the District's signature policy.

Motion carried unanimously.

Item 21k. Mr. Oscar Arturo Garza made a motion and seconded by Dr. Roberto Zamora 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.


24) Adjournment.

Mr. Oscar Arturo Garza made a motion and seconded by Dr. Roberto Zamora to adjourn the meeting of September 19, 2022, at 4:39 p.m.

Motion carried unanimously.



Diana Izaguirre, President, HCID No.6



Brandon Thompson, Secretary, HCID No.6