

**MINUTES**  
**Of the Regular Board Meeting conducted on January 15, 2024**

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 January 15, 2024, 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., January 15, 2024, at which time Ms. Diana 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 (left at 2:35 p.m.)  
Mr. Santana Gutierrez, Vice-President  
Ms. Giovana Benitez, Director  
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. Mirnie Mueller, Office Manager, HCID No.6  
Mr. Ruben James De Jesus, Engineer, HCID No.6  
Mr. Frank Ferris, Ferris, Flinn & Medina, LLC

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. Giovana Benitez, HCID No.6 Director.

- 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 11:45 a.m., January 10, 2024.

- 4) Manager's Items:

- a) December 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) December 2023 Texas Regional Bank Credit Card Statement Transactions.

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

- c) December 2023 Sam's Credit Card Statement Transactions.

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

- d) Statement of Account with FHLB-Dallas.

General Manager reported an updated Letter of Credit guaranteeing and protecting District's certificate of deposits.

- 5) Discuss and consider a request made by the General Manager to renew and reinvest ***Texas Regional Bank Certificate of Deposit*** (ending in \*\*\*271) governed by Subchapter A, Chapter 2256, and Government Code Public Funds

Investment Act.

General Manager informed Board Members that the Certificate of Deposit matured January 20, 2024. Mr. Oscar Arturo Garza made a motion and seconded by Ms. Giovana Benitez to approve the request made by the General Manager to renew and reinvest the amount of \$ 897,307.41(eight hundred ninety-seven thousand three hundred seven and forty-one cents) including interest at the rate of 4.30% for twelve months with **Texas Regional Bank Certificate of Deposit** (ending in \*\*\*271) governed by Subchapter A, Chapter 2256, and Government Code Public Funds Investment Act.

Motion carried unanimously.

- 6) Discuss and consider the ratification of HCID No.6 funds invested into a **Texas Regional Bank Certificate of Deposit** (ending in \*\*\*865) in the amount of \$480,000.00 at the rate of 5.10%, governed by Subchapter A, Chapter 2256, and Government Code Public Funds Investment Act.

Mr. Oscar Arturo Garza made a motion and seconded by Ms. Giovana Benitez to approve the ratification of HCID No.6 funds invested into a **Texas Regional Bank Certificate of Deposit** (ending in \*\*\*865) in the amount of \$480,000.00 at the rate of 5.10% for twelve months, governed by Subchapter A, Chapter 2256, and Government Code Public Funds Investment Act.

Motion carried unanimously.

- 7) Discuss and consider the approval of HCID No.6's **Fourth Quarter Investment Report** for 2023.

General Manager presented the Fourth Quarter Investment report to Board Members pointing out the paid interest to the District for 2023. Mr. Oscar Arturo Garza made a motion and seconded by Ms. Giovana Benitez to approve HCID No.6's **Fourth Quarter Investment Report** for 2023.

Motion carried unanimously.

- 8) Discuss and consider HCID No.6's **Fourth Quarter Budget vs. Actual Budget**.

General Manager presented the Fourth Quarter Budget vs. Actual Budget to Board Members and pointed out that the Return of Investment is a positive outcome. Mr. Oscar Arturo Garza made a motion and seconded by Ms. Giovana Benitez to approve HCID No.6's **Fourth Quarter Budget vs. Actual Budget**.

Motion carried unanimously.

- 9) Discuss and consider a request made by General Manager to repair **4B extension Phase 2**.

General Manager presented to Board Members the necessary Phase 2 repair to the 4B District Canal. Mr. Oscar Arturo Garza made a motion and seconded by Ms. Giovana Benitez to approve the request made by General Manager to repair **4B extension Phase 2**.

Motion carried unanimously.

- 10) Discuss and consider the approval of an order and resolution authorizing the exclusion of HCID No. 6 nonirrigated land of Hidalgo County Irrigation District No. 6 under Texas Water Code Section 51.759 for the public hearing held on December 18, 2023 regarding the following properties:

S & J Subdivision	6.998
Alton Villa Subdivision	5.000
Elizondo Palmview Plaza Subdivision	1.880
Agladee Silerio	4.650

Simon Garcia	5.580
Pablo Torres	4.880
Total Gross Acres	28.988

Mr. Oscar Arturo Garza made a motion and seconded by Ms. Giovana Benitez to approve the order and resolution authorizing the exclusion of HCID No. 6 nonirrigated land of Hidalgo County Irrigation District No. 6 under Texas Water Code Section 51.759 for the public hearing held on December 18, 2023

Motion carried unanimously.

- 11) Discuss and consider a request made by **L & G Engineering** for the review of the updated plans regarding the **FM495** expansion.

HCID No.6 Engineer informed Board Members of updated plans received by L & G Engineering and all requests by District have been met. Ms. Giovana Benitez made a motion and seconded by Mr. Santana Gutierrez to approve the request made by **L & G Engineering** for the review of the updated plans regarding the **FM495** expansion.

Motion carried unanimously.

- 12) Discuss and consider the surplus of HCID No.6 real property easement being, a .250-of acre tract of land, more or less, out of Lot F.L. Millers Re subdivisions of Lots 16 through 20, Block 4, Mission Groves Estates, Hidalgo County Texas, as per map or plat thereof recorded in Volume 6, Page 15, Map Records, Hidalgo County, Texas.

Ms. Giovana Benitez made a motion and seconded by Mr. Santana Gutierrez to approve the surplus of HCID No.6 real property easement being, a .250-of acre tract of land, more or less, out of Lot F.L. Millers Re subdivisions of Lots 16 through 20, Block 4, Mission Groves Estates, Hidalgo County Texas, as per map or plat thereof recorded in Volume 6, Page 15, Map Records, Hidalgo County, Texas.

Motion carried unanimously.

- 13) Discuss and consider the request by Mesa Associates Inc. for the release of the surplus HCID No.6 real property easement being real property being, a .250-of acre tract of land, more or less, out of Lot F.L. Millers Re subdivisions of Lots 16 through 20, Block 4, Mission Groves Estates, Hidalgo County Texas, as per map or plat thereof recorded in Volume 6, Page 15, Map Records, Hidalgo County, Texas and as previously approved at the HCID No.6 Board Meeting held on August 21, 2023, Agenda item number 18.

Ms. Giovana Benitez made a motion and seconded by Mr. Santana Gutierrez to approve the request by Mesa Associates Inc. for the release of the surplus HCID No.6 real property easement being real property being, a .250-of acre tract of land, more or less, out of Lot F.L. Millers Re subdivisions of Lots 16 through 20, Block 4, Mission Groves Estates, Hidalgo County Texas, as per map or plat thereof recorded in Volume 6, Page 15, Map Records, Hidalgo County, Texas and as previously approved at the HCID No.6 Board Meeting held on August 21, 2023, Agenda item number 18.

Motion carried unanimously.

- 14) Discuss and consider a request made by **Hinojosa Engineering, Inc. Structural and Civil Engineering** on behalf of Palmview Municipal Development District, regarding, the review and exclusion of the **City of Palmview Main Street Development Subdivision**, being 8.489 acres of land, more or less, being part or portion of Lot 70, 72, 74 and 76, Bentsen Groves Subdivision, recorded in Volume 7, Pages 19, Hidalgo County Map Records, Hidalgo County, Texas.

Mr. Oscar Arturo Garza made a motion and seconded by Ms. Giovana Benitez to table the request made by **Hinojosa Engineering, Inc. Structural and Civil Engineering** on behalf of Palmview Municipal Development District, regarding, the review and exclusion of the **City of Palmview Main Street Development Subdivision**, being 8.489 acres of land, more or less, being part or portion of Lot 70, 72, 74 and 76, Bentsen Groves Subdivision, recorded in Volume 7, Pages 19, Hidalgo County Map Records, Hidalgo County, Texas.

Motion carried unanimously.

15) **CLOSED SESSION:**

**Mr. Oscar Arturo Garza made a motion and seconded by Mr. Santana Gutierrez to enter closed session at 1:25 p.m. to discuss item numbers 15a, 15b, 15c, and 15d.**

**Motion carried unanimously.**

- a) Discussion regarding Dr. Antonio Uresti, General Manager’s evaluation.
- b) Discussion regarding a request made by **Agua SUD** for the execution of a Tolling Agreement in connection with its Petition dated December 29, 2021 and the negotiation of a Sale of Water Rights Agreement.
- c) Discussion regarding a letter received December 13, 2023, by Agua Sud 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 Agua Sud regarding the following subdivisions.

Subdivision	Instrument #	Date of Plat	Amount of Acreage	HCID No.6
Triple E Subdivision	3342355	5/13/2022	2.97	6/21/2021
Coastal King LTD	3380361	9/16/2022	1.07	9/16/2022
Vargas Subdivision	3331995	4/14/2022	6.387	10/28/2019
Bentsen Cardinals Subdivision	3431918	3/21/2023	10.26	1/16/2023
Cadena Estates	3401260	11/29/2022	2.63	9/19/2022
S & J Subdivision	3472189	8/8/2023	6.998	1/16/2023
Elizondo Palmview Plaza	3418322	2/2/2023	1.88	12/20/2021
Taurus Estates No. 5 Lots 15A, & 15B, & 15C replat of Lot 15	3360743	7/13/2022	1.57	12/21/2020
Total Transferable Acreage			33.765	

- d) Discussion regarding a letter received from **Frontera Energy** requesting a water diversion service extension.

**Ms. Giovana Benitez made a motion for the Board of Directors to reconvene open session at 2:52 p.m. and seconded by Mr. Oscar Arturo Garza.**

**Motion carried unanimously.**

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

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

**Item 15a.** Mr. Oscar Arturo Garza made a motion and seconded by Ms. Giovana Benitez to present the General Manager’s evaluation and place in his personnel file.

Motion carried unanimously.

**Item 15b.** Mr. Oscar Arturo Garza made a motion and seconded by Ms. Giovana Benitez to approve the request made by **Agua SUD** for the execution of a Tolling Agreement in connection with its Petition dated December 29, 2021 and the

negotiation of a Sale of Water Rights Agreement in accord with Section 49.505 calculation of proportionate of water rights equal to the sum of the municipal equivalent irrigation rights on September 01, 2007 and when divided by the total amount of irrigable acres of the land in the District the municipal equivalent acre feet equals 1.20.

Motion carried unanimously.

**Item 15c.** Mr. Oscar Arturo Garza made a motion and seconded by Ms. Giovana Benitez to approve the letter received December 13, 2023, by Agua Sud 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 Agua Sud regarding the following subdivisions, and counsel recommends that the District follow HCID No.6 Engineer Frank Ferris's determination to convert subdivisions proportional irrigation water rights, and as such the December 13, 2023 petition amounting to 33.531 gross acres and 31.81 irrigable acres will result in the conversion of 38.17 municipal acre-feet or 76.34 irrigation acre-feet using the 1.20 municipal acre feet multiplier.

Motion carried unanimously.

**Item 15d.** Mr. Oscar Arturo Garza made a motion and seconded by Ms. Giovana Benitez to revise the letter received from **Frontera Energy** and respond regarding the request for a water diversion service extension for the term of the agreement to be extended only through the end of March 31, 2024, and that such December 13, 2023 letter provided by Frontera Generation Limited Partnership be revised and submitted back to Frontera LLC.

Motion carried unanimously.

18) Adjournment.

Ms. Giovana Benitez made a motion and seconded by Mr. Oscar Arturo Garza to adjourn the meeting of January 15, 2024, at 3:13 p.m.

Motion carried unanimously.

  
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Diana Izaguirre, President, HCID No.6

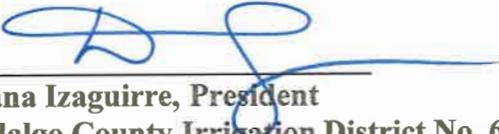
  
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Brandon Thompson, Secretary, HCID No.6

**ORDER AND RESOLUTION OF THE BOARD OF DIRECTORS OF  
HIDALGO COUNTY IRRIGATION DISTRICT NO. 6**

On this January 15, 2024, the Board having conducted a hearing which has been previously set for December 18, 2023, and finding that the proper notices concerning such hearing have been posted and published in the time and manner prescribed by law, and all persons entitled to be heard having had an opportunity to appear and be heard, the Board having considered the facts relevant to the substance of the hearing, finds:

1. The land described below is Nonirrigated Land in accordance with Chapter 58 of the Texas Water Code and within the meaning of Texas Water Code Section 51.759:
  - a) The land is not irrigable;
  - b) The owners of a majority of the acreage of the land no longer intend to irrigate the land;
  - c) The land has been subdivided into town lots, town lots and blocks, or small parcels having the same general nature of town lots, including lots and blocks designed, intended, or suitable for a residential, commercial, or other non-agricultural purpose; or
  - d) The land is located on subdivided land and is:
    - i. designated as a street, alley, parkway or park; or
    - ii. a railroad property or right-of-way.
2. The land described below has not been used for an agricultural purpose within the year preceding January 15, 2024;
3. The District has no bonded indebtedness and no debt to the Bureau of Reclamation.
4. It would be in the best interest of the District and of the lands proposed to be excluded that such lands be excluded from the District.

**THEREFORE**, be it resolved by the Board of Directors of Hidalgo County Irrigation District No. 6 that the following lands be excluded from the District and that this resolution be recorded in the Official Records of Hidalgo County as evidence of such exclusion. Further, from this date the excluded land shall constitute no part of this District and shall have no liability hereafter to this District for taxes, assessments, or other charges of this District hereafter accruing, but any taxes, assessments or other charges owing to the District at the time of exclusion shall remain the obligation of the landowner and shall constitute a lien on the superior to any other liens. The lands hereby excluded are as follows: See Exhibit "A" attached hereto and incorporated herein by reference.

  
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Diana Izaguirre, President  
Hidalgo County Irrigation District 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 January 15, 2024, duly posted and Motion pursuant to the Texas Open Meetings Act, the Board discussed and considered Agenda Item No. 5, regarding the approval of investing District funds in certificates 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, Dr. Antonio Uresti, has proposed investment of excess HCID#6 funds into a Certificate of Deposit with Texas Regional Bank in the amount of \$897,307.41 on January 20, 2024, for a term of 12 months at a rate of 4.30%.

**WHEREAS**, after due consideration of Agenda Item No. 5 of the Regular Board Meeting held on January 15, 2024, the Board took affirmative action on Agenda Item No. 5.

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

That Motion was made by Mr. Oscar Arturo Garza and seconded by Ms. Giovana Benitez to authorize HCID#6’s Investment Officer to invest excess funds into Certificate of Deposit #341271 with Texas Regional Bank in the amount of \$897,307.41 on January 15, 2024, for a term of 12 months at a rate of 4.30%

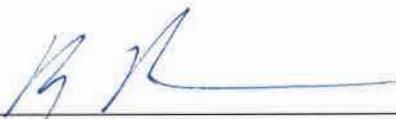
The Motion carried unanimously by the Board action taken on January 15, 2024.

Dated this 15th day of January 2024.



Diana Izaguirre, President  
Hidalgo County Irrigation District No. 6

Attest:



Brandon Thompson, Secretary  
Hidalgo County Irrigation District 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 January 15, 2024, duly posted and Motion pursuant to the Texas Open Meetings Act, the District discussed and considered Agenda Item No. 6, regarding the approval of investing District funds in certificates 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 #375865 with Texas Regional Bank in the amount of \$480,000.00 on December 29, 2023 for a term of 12 months at a rate of 5.10% and desires that such Certificate of Deposit Investment be ratified; and

**WHEREAS**, after due reconsideration of Agenda Item No.6 of the Regular Board Meeting held on January 15, 2024, the Board took affirmative ratification on Agenda Item No. 6.

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

That Motion was made by Mr. Oscar Arturo Garza and seconded by Ms. Giovana Benitez to ratify HCID#6’s Investment Officer’s investment of excess funds into Certificate of Deposit #375865 with Texas Regional Bank in the amount of \$480,000.00 on December 29, 2023, for a term of 12 months at a rate of 5.10%.

The Motion carried unanimously by the Board action taken on January 15, 2024.

Dated this 15th day of January 2024.



Diana Izaguirre, President  
Hidalgo County Irrigation District No. 6

Attest:



Brandon Thompson, Secretary  
Hidalgo County Irrigation District No. 6