

HIDALGO COUNTY WATER IMP. DISTRICT NO. 3
1325 Pecan Blvd
McAllen, Texas 78501
(956) 686-8303
Fax (956) 686-1022

Othal Brand Jr.-President
Chris Burns-Vice President
Mark Freeland, Secretary

W.D. Moschel-Member
Lance Neuhaus-Member

BOARD OF DIRECTORS' MEETING
***** AGENDA *****

TAKE NOTICE THAT A REGULAR BOARD MEETING OF THE BOARD OF DIRECTORS OF HIDALGO COUNTY WATER IMPROVEMENT DISTRICT NO. 3 WILL BE HELD AT THE DISTRICT OFFICE AT 1325 PECAN BLVD, MCALLEN, TEXAS 78501, AT 12:00 P.M. on WEDNESDAY, APRIL 19, 2023. The agenda is posted in accordance with the accessibility requirements of Section 551.043 of the Texas Government Code. IF DURING THE COURSE OF THE MEETING, THE BOARD OF DIRECTORS SHOULD DETERMINE THAT A CLOSED SESSION OR MEETING IS AUTHORIZED BY SECTIONS 551.071, AND 551.072 OF THE GOVERNMENT CODE, VERNON'S TEXAS CODE, ANNOTATED, NOTICE OF CLOSED OR EXECUTIVE SESSION WILL BE GIVEN AFTER THE COMMENCEMENT OF THE MEETING COVERED BY THE NOTICE PURSUANT TO SECTION 551.101 OF THE TEXAS GOVERNMENT CODE.

Call to Order:

- Pledge of Allegiance
- Prayer

- 1) Consideration and possible action regarding the approval of the Minutes for the Regular Board Meeting on March 15, 2023.
- 2) Consideration and possible action regarding the financial reports and the approval of accounts payable checks.
- 3) General Report by President.
- 4) Engineering Report
- 5) Consideration and possible action regarding approval of the District Phase 1 Subdivision and the Master Plan for the District Subdivision, a re-subdivision of Lot 11 Section 13, Hidalgo Canal Company Subdivision, McAllen, Texas, Hidalgo County.
- 6) Consideration and possible action to allocate water to active accounts.
- 7) Consideration and possible action for the Vice-President to sign the necessary documents for the sale of property out of the District's Main Canal in the City of Hidalgo, Hidalgo County, Texas.
- 8) Executive Session pursuant to Section 551.074 of the Texas Government Code regarding Personnel Matters to deliberate the reassignment, evaluation and compensation of the District's General Manager.
- 9) Executive Session pursuant to Sections 551.071 and 551.072, Texas Government Code, to consult with Attorney and to deliberate regarding (i) pending eminent domain proceeding in Cause No. CCD-0517-D styled "Hidalgo County Water Improvement District No. 3 vs. Hidalgo County Irrigation District No. 1" or the acquisition of an easement interest in real property from Hidalgo County Irrigation District No. 1, and other matters relating to extension of underground irrigation pipeline, (ii) petition for review in Supreme Court of Texas relating to order granting plea jurisdiction in Cause No. CCD-0517-D, (iii) Cause No. C-0937-20-A styled "Hidalgo County Irrigation District No. 1 vs. City of McAllen vs. Hidalgo County Water Improvement District No. 3", (iv) McAllen Public Utility petition filed with the Public Utility Commission of Texas appealing wholesale water rates of Hidalgo County Water Improvement District No. 3, (v) Cause No.C-1601-22-1 styled "McAllen Public Utility vs. Othal Brand, Jr. in his official capacity, *et al*", (vi) matters relating to compliance with payment obligations pursuant to *Permanent Water Supply and Delivery Contract*, as amended between Hidalgo County Water Improvement District No. 3 and City of McAllen, and (vii) matters relating to bills introduced and pending in 88th Texas Legislature.
- 10) Consideration and possible action regarding on Personnel Matters regarding the reassignment evaluation compensation of the District's General Manager.
- 11) Consideration and possible authorization of action with respect to matters discussed in Executive Session.
- 12) Adjourn

**Hidalgo County Water Improvement District Number Three
Board of Directors' Meeting
April 19, 2023**

Call to Order:

President Othal Brand, Jr. called the regular meeting to order at the District's Office located at 1325 Pecan Blvd, McAllen, Texas 78501. The meeting began by reciting the pledge of allegiance. President Othal Brand, Jr. gave the prayer invocation.

Board Members Present:

Othal Brand, Jr.	President
Chris Burns	Vice-President
W.D. Moschel	Director
Mark Freeland	Secretary

Absent:

Lance Neuhaus	Director
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Others Attending:

Jim Hall	Ewing & Lara
Frank Ferris	Ferris & Flinn & Medina
Macarena Ortiz	Attorney
Raquel Espinoza	
Jose R. De Leon	General Manager, HCWID3

Consideration and possible action regarding the approval of the Minutes for the Regular Board Meeting on March 15, 2023.

A Motion was made by Chris Burns and seconded by Mark Freeland to approve the Minutes for the regular Board Meeting on March 15, 2023.

Motion Carried.

Consideration and possible action regarding the approval of the financial reports and account payable checks.

A Motion was made by Chris Burns and seconded by Mark Freeland to approve the financial reports and the account payable checks.

Motion Carried.

General Report by President

President Othal Brand reported to the Board that he and Vice-President Chris Burns and Secretary Mark Freeland attended the legislation on the Senate Bill 1056 in Austin, Texas Tuesday, April 18, 2023.

Wednesday, April 19, 2023 at 12:00 p.m.

Engineering Report

Engineer Frank Ferris reported that the District began the month with a usable balance of 3,729 acre-feet, amounting to 44 percent of the annual water right, and 31 percent of the Storage Balance. There were no allocations for the months of February or March. The U.S. share is steady at 27.3 percent as of April 8, 2023. District has diverted 1,700 acre-feet so far this year.

Consideration and possible action regarding approval of the District Phase I Subdivision and the Master Plan for the District Subdivision a re-subdivision of Lot 11 Section 13, Hidalgo Canal Company Subdivision, McAllen, Texas, Hidalgo County.

A Motion was made by Mark Freeland and seconded by W.D. Moschel to approve as presented, the Mylar Plat for District Phase I Subdivision and the Master Plan for the District Subdivision, a re-subdivision of Lot 11 Section 13, Hidalgo Canal Company Subdivision, Hidalgo County, Texas.

Motion Carried.

Consideration and possible action to allocate water to active accounts.

No Action Taken.

Consideration and possible action for the Vice-President to sign the necessary documents for the sale of property out of the District's Main Canal in the City of Hidalgo, Hidalgo County, Texas.

A Motion was made by Mark Freeland and seconded by W.D. Moschel to authorize the Vice-President to sign the necessary documents for the sale of property out of the District's Main Canal in the City of Hidalgo, Hidalgo County, Texas.

Motion Carried.

Executive Session pursuant to Section 551.074 of the Texas Government Code regarding Personnel Matters to deliberate the reassignment, evaluation and compensation of the District's General Manager.

CLOSED SESSION. PURSUANT TO SECTION 551.074 of the Texas Government Code regarding Personnel Matters.

The Board went into closed session from 1:09 p.m. to 2:05 p.m.

OPEN SESSION:

Consideration and possible action regarding Personnel Matters to deliberate the reassignment, evaluation and compensation of the District's General Manager.

A Motion was made by Chris Burns and seconded by Mark Freeland to confirm the promotion of District employee Jose R. De Leon to the District's General Manager and salary increase of 28 percent effective retroactively as of March 16, 2023.

Motion Carried.

Executive Session pursuant to Sections 551.071 and 551.072, Texas Government Code to consult with Attorney and to deliberate regarding (i) pending eminent domain proceeding in Cause No. CCD-0517-D styled "Hidalgo County Water Improvement District No. 3 vs. Hidalgo County Irrigation District No.1" or the acquisitions of an easement interest in real property from Hidalgo County Irrigation District No. 1 and other matters relating to extension of underground irrigation pipeline. (ii) petition for review in Supreme Court of Texas relating to order granting plea jurisdiction in Cause No. CCD-0517-D, (iii) Cause No. C-0937-20-A styled "Hidalgo County Irrigation District No. 1 vs. City of McAllen vs Hidalgo County Water Improvement District No. 3. (iv) McAllen Public Utility County Water Improvement District No. 3 (v) Cause No. C-1601-22-1 styled "McAllen Public Utility vs. Othal Brand, Jr. in his official capacity, et al", (vi) matters relating to compliance with payment obligations pursuant to *Permanent Water Supply and Delivery Contract, as amended between Hidalgo County Water Improvement District No. 3 and City of McAllen and (vii) matters relating to bills introduced and pending in 88th Texas Legislature*

The Board did not enter into executive session.

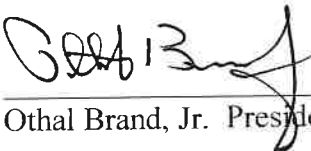
Consideration and possible authorization of action with respect to matters discussed in Executive Session.

No Action was taken.

Adjourn

A Motion was made by Chris Burns and seconded by Mark Freeland to adjourn the Board Meeting at 2:10 p.m.

Motion Carried.



Othal Brand, Jr. President



Mark Freeland, Secretary