

**Hidalgo County Water Improvement District Number Three
Board of Directors' Meeting
August 17, 2022**

Call to Order:

President Othal Brand, Jr. called regular meeting to order at the District Office located at 1325 Pecan Blvd, McAllen, Texas 78504. The meeting began by reciting the pledge of allegiance. President Othal Brand, Jr. gave the prayer invocation.

Board Members Present:

Othal Brand, Jr.	President
Mark Freeland	Secretary
Lance Neuhaus	Director

Absent:

Chris Burns	Vice-President
W.D. Moschel	Director

Others Attending:

Jim Hall	Ewing & Lara
Frank Ferris	Ferris & Flinn & Medina
Raquel Espinoza	
Tomas De Leon	
Jose R. De Leon	
Juan Martinez	United Irrigation & District No. 16

Consideration and possible action regarding the approval of the Minutes for the Regular Board Meeting on July 20, 2022.

A Motion was made by Mark Freeland and seconded by Lance Neuhaus to approve the Minutes for the regular Board Meeting on July 20, 2022.

Motion Carried.

Consideration and possible action regarding the approval of the Minutes for the Special Board Meeting held on July 26, 2022.

A Motion was made by Mark Freeland and seconded by Lance Neuhaus to approve the Minutes for the Special Board Meeting held on July 26, 2022.

Motion Carried.

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

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

Motion Carried

General Report by President

President Othal Brand, Jr. flew to Austin to meet with Governor Greg Abbott to discuss water issues and to a Texas Water Authority Board appointment.

Engineering Report

Engineer Frank Ferris reported the usable balance at the beginning of August was 2,850 acre feet, 33% of the annual water right, and 23% of the Storage Balance, after a negative allocation of about 342 acre feet. Recent rain in the watershed should result in repayment of the negative allocation and possibly an additional allocation in September. The US share has fallen to 21.1% as of August 6. The District pumped over 850 acre feet for irrigation purposes in July.

Consideration and possible action regarding the approval of the Budget FY 2022-2023.

A Motion was made by Mark Freeland and seconded by Lance Neuhaus to approve the Budget FY 2022-23.

Motion Carried.

Consideration and possible action regarding open canal along the west line of Section 13, Block 3 Hidalgo Canal Company Subdivision, Hidalgo County, Texas.

A Motion was made by Lance Neuhaus and seconded by Mark Freeland to approve research to find evidence in the form of a conveyance document or warranty deed to find out if a certain canal portion along the west line of Section 13, North of McAllen, Hidalgo Canal Company Subdivision that needs cleaning, is owned by the District. Property owner, Carla Pedraza has brought to the attention of the District that a section of canal adjacent to Villa Norte Subdivision, 1400 Grambling Avenue, where she lives is overrun with debris behind her house. The canal portion is not part of the District right-of-way and no one uses the canal.

Motion Carried.

Consideration and possible action regarding the approval of an easement over McAllen South Development Subdivision located on South 23rd street, McAllen , Hidalgo County, Texas.

No Action Taken.

Consideration and possible action regarding the approval of the McAllen Temple Subdivision, City of McAllen, Hidalgo County Texas.

No Action Taken.

Consideration and possible approval of a license to the McAllen Public Utility for a 12” Waterline crossing of the Main Canal at Kendlewood Avenue.

A Motion was made by Lance Neuhaus and seconded by Mark Freeland to table this item.

Item Tabled.

Consideration and possible approval of a license to the McAllen Public Utility for a 12” Waterline crossing of Main Canal at Hackberry Avenue.

A Motion was made by Lance Neuhaus and seconded by Mark Freeland to table this item.

Item Tabled.

Consideration and possible action to approve right-of-way exchange with the City of McAllen at Lateral N-1 and District’s 200 foot Main Canal just north of Harvey Bridge.

No Action Taken.

Confirmation by directors of completion of educated program described in Sections 3 and 4 of Senate Bill 2185 enacted by 87th Texas legislature.

The Board of Directors confirmed the completion by signing the certificate of educated program described in Sections 3 and 4 of Senate Bill 2185 enacted by 87th Texas legislature.

(See Attachment A- Signed Completion Certificate)


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, (ii) petition for review in Supreme Court of Texas relating to order granting plea to 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, and (v) Cause No. 1601-22-1 styled “McAllen Public Utility vs Hidalgo County Water Improvement District No. 3”.

The board did not enter into executive session.

Adjourn

A Motion was made by Lance Neuhaus and seconded by Mark Freeland to adjourn the Board Meeting at 1:50 p.m.

Motion Carried.



Othall Brand, Jr. President



Mark Freeland, Secretary