

**Hidalgo County Water Improvement District Number Three  
Board of Directors' Meeting  
June 15, 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. Vice- President Chris Burns gave the prayer invocation.

**Board Members Present:**

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

**Absent:**

none

**Others Attending:**

Randy Whittington	Attorney
Macarena Ortiz	Attorney
Jim Hall	Ewing & Lara
Frank Ferris	Ferris & Flinn & Medina
Raquel Espinoza	
Tomas De Leon	
Joe R. De Leon	
Carlos Gonzalez	City of McAllen
Mario Reyna	Engineer

**Election of New Officers**

A Motion was made by W.D. Moschel and seconded by Lance Neuhaus for all current directors holding an office to remain in the same position as follows: President, Othal Brand, Jr., Vice-President Chris Burns, and Secretary, Mark Freeland.

Motion Carried.

**Consideration and possible action regarding the Minutes for the Regular Board Meeting on May 18, 2022.**

A Motion was made by Chris Burns and seconded by W.D. Moschel to approve the Minutes for the Regular Board Meeting held on May 18, 2022 subject to two corrections. The word "cavass" will reflect the correct spelling with a double "s" and "Medina" will be added to Ferris & Flinn to reflect the engineering firm's legal name as follows: Ferris, Flinn & Medina, LLC.

Motion Carried.

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

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

Motion Carried.

**General Report by President**

President Othal Brand informed the Board about building a structure to protect District's property next to the personnel staff parking lot to avoid vehicles occasionally running through the south side of the District yard.

President Othal Brand discussed how documents in storage boxes could be preserved by scanning and keeping them digitally.

**Engineering Report**

Engineer Frank Ferris reported to the Board that the monthly report was not available in time for the board meeting. However, he was able to report that the usable balance at the beginning of June was 4,092 acre-feet, being 48 percent of the annual water right, and 34 percent of the storage balance. The U.S. share at Falcon and Amistad reservoirs combined has fallen to 29.9 percent as of June 4.

The District pumped over 2,300 acre-feet for the May period.

Engineer Frank Ferris informed the board that the TCEQ Executive Director issued a letter regarding ongoing water supply drought. The operating reserve was 60,000 acre-feet at the end of April. The U.S. share has increased by 35,000 acre-feet since May.

**Consideration and possible action regarding the approval of a license to the City of McAllen for a pedestrian trail at Highland Avenue and the Main Canal.**

No Action Taken.

The City of McAllen was not present at the Board Meeting and no documentation was provided for the board to review.

**Consideration and possible approval of the McAllen Temple Subdivision, r/s Lot 16 Block 13 HCC Subdivision, Hidalgo County, Texas.**

No Action Taken.

The applicant must follow policy and provide all documents needed for the presentation and approval of a license.

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

No Action Taken.

The applicant must follow the District’s policy and obtain a license before the installation of the waterline.

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

No Action Taken.

The applicant must follow the District’s policy and obtain a license before the installation of the waterline.

**Consideration and possible action to approve Amendment No. 5 to Agreement for Engineering Services with Ferris, Flinn & Medina. LLC.**

A Motion was made by Lance Neuhaus and seconded by Chris Burns to approve Amendment No.5 to the Agreement between the District and Ferris, Flinn & Medina, LLC for Engineering Services with a 10 percent increase. *(Attachment A-Contract Agreement with Ferris, Flinn & Medina, LLC)*

Motion Carried.

**Consideration and possible action to accept bids for the Electrical Improvements at Pump Stations and award the project to the lowest responsible bidder.**

A Motion was made by Lance Neuhaus and seconded by Chris Burns to decline the acceptance of any of the bids authorize by Engineer Frank Ferris prior to move forward with the bid award. The District opened submitted bids for electrical improvements on June 14, 2022 at 2:00 p.m. There was only one bid submitted by United Water Services, LLC as follows:

Base Bid for the Old Pump Station	\$496,642.00
Alternate Bid for the New Pump Station	\$435,663.00
<i>Total Base Bid Plus Alternative A1</i>	<i>\$932,305.00</i>
Alternate Bid for the Second Lift Pump Station	\$157,021.00
<i>Total Base Bid Plus Alternate A1 &amp; A2</i>	<i>\$1,089,326.00</i>

Motion Carried.

**Consideration and possible action on Surplus Equipment for the Doosan Equip Serial No. DHKHECCOP7000579 and to declare District’s property as surplus and no longer needed by the District.**

No Action Taken.

The District will obtain the value of the Doosan Equipment before taking any possible action.

*Wednesday, June 15, 2022 at 12:00 p.m.*

**Consideration and possible action to assist realtor on sale of surplus property in Hidalgo.**

A Motion was made by Chris Burns and seconded by Lance Neuhaus to negotiate the sale of the District's surplus property located in the City of Hidalgo, Hidalgo County, Texas.

Motion Carried.

**Consideration and possible action on District to complete training for Board Members as required by Senate Bill 2185.**

A Motion was made by Chris Burns and seconded by Lance Neuhaus to distribute all training materials for the board to complete training by September 1, 2022 as required by Senate Bill 2185.

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 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. CCDO517-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. 1601-22I styled "McAllen Public Utility vs Hidalgo County Water Improvement District No. 3".**

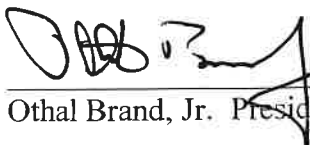
CLOSED SESSION PURSUANT TO ARTICLE 551.071 AND 551.072, TEXAS GOVERNMENT CODE.

The Board went into closed session from 2:05 p.m. to 3:15 p.m.

**Adjourn**

A Motion was made by Chris Burns and seconded by Lance Neuhaus to adjourn the Board Meeting at 3:15 p.m.

Motion Carried.

  
Othal Brand, Jr. President

  
Mark Freeland, Secretary