

**Hidalgo County Water Improvement District Number Three
Board of Directors' Meeting
March 16, 2022**

Call to Order:

President Othal Brand, Jr. called a regular meeting to order at Trophy Towers located at 4800 N. 23rd, 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
Chris Burns	Vice President
Mark Freeland	Secretary
Lance Neuhaus	Director
W.D. Moschel	Director

Absent:

None

Others Attending:

Frank Ferris	District Engineer
Macarena Ortiz	Attorney
Jim Hall	Accountant
Omar Salinas	
Denise Meline	City of McAllen Parks
Mario Cruz	City of McAllen
Raquel Espinoza	
Tomas De Leon	
Jose R. De Leon	

Consideration and possible action regarding the approval of the Minutes for the Regular Board Meeting held on February 16, 2022.

A Motion was made by Chris Burns and seconded by Lance Neuhaus to approve the Minutes of the Regular Board Meeting held on February 16, 2022 with added language to address Engineer Steve Spoor's request for the installation of new pipeline to replace the District's Lateral F. As per the letter presented by the District's Engineer Mr. Ferris, the net property exchange value of the District's Right-Of-Way in exchange of a 25-foot easement in favor of the District would be approximately \$79,927.00, which falls well below the estimated cost to the Developer for the installation of the new line at \$211,876. Mr. Ferris proposed for the District to consider a development contract whereby the property exchange can occur. In addition, Mr. Ferris proposed for the deed of the sale of the District right-of-way to be held in trust until the new pipeline is constructed in accordance with plans approved by the District, construction to be witnessed by the District, the line to undergo a pressure test, and the construction to be accepted by the District.

Motion Carried.

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

A Motion was made by Chris Burns and seconded by Lance Neuhaus to approve the accounts payable checks and the financial reports by Ewing & Lara.

Motion Carried.

General report by President

Othal Brand, Jr. informed the Board that the last board meeting on April 20, 2022, will be held at the temporary location at Trophy Towers on 4800 N. 23rd Street in McAllen. On April 21, 2022, all staff will be moving to the newly remodeled District office.

Consideration and possible action regarding the approval of a Resolution on fees of office and reimbursement for Board Members as per section 49.060 of the Texas Water Code.

A Motion was made by Mark Freeland and seconded by Lance Neuhaus to approve the Resolution on fees of office and reimbursement for Board Members as per section 49.060 of the Texas Water Code. *(See Attachment A. Resolution on fees of Office and Reimbursement for Board Members)*

Motion Carried.

Engineering Report

Water Report

Engineer Frank informed the Board that there was an allocation of 150 acre feet for the January period. The usable balance is 4.739 acre feet, being 55 percent of the annual water right and 39 percent of the storage balance.

Consideration and possible action to request approval by the City of McAllen Parks and Recreation for a permit and license to beautifying the corridor with the fence line, landscaping, irrigation along Bicentennial Blvd from Jackson Rd to 1-2.

A Motion was made by Lance Neuhaus and seconded by Chris Burns to approve the Crossing Permit to the City of McAllen to beautifying the corridor with the fence line, landscaping, and irrigation along Bicentennial Blvd from Jackson Rd to 1-2.

Motion Carried.

A Motion was made by Mark Freeland and seconded by Chris Burns to amend the previous motion to reflect the correct amount of \$5,750 charged for the crossing permit.

Motion Carried.

Consideration and possible action to authorize Engineer to advertise for bids for the Electrical Improvements at Pump Station.

A Motion was made by Chris Burns and seconded by Lance Neuhaus to authorize Engineer Frank Ferris to advertise for bids for electrical improvements at the Pump Station.

Motion Carried.

Consideration and possible action to exchange Lateral "M" ROW with the City of McAllen to accommodate the Tamarack Avenue Bridge Improvements.

A Motion was made by Chris Burns and seconded by Lance Neuhaus to table this item until a revised survey and drawings are submitted for further review.

Item Tabled.

Consideration and possible action to pipe a portion of Lateral "G" and determine surplus property out of Lateral "G" and determine surplus property out of Lateral "G" crossing Lot 11 Section 5 Hidalgo Canal Company Subdivision, Hidalgo County

A Motion was made by Mark Freeland and seconded by Lance Neuhaus to table this item to allow further negotiations with the property owner.

Item Tabled.

Consideration and possible action to install Owner supplied pipeline across 20 acres out of Rio Bravo Plantation Subdivision Lot 2 Block 1, Hidalgo County, Texas.

A Motion was made by Chris Burns and seconded by Lance Neuhaus to propose for the property Owner, Omar Salinas to supply all materials and pay \$4.00 per linear foot for the installation of a private line in his property. The total cost of labor is approximately \$4,500.00 with no guarantees. The District will test the line before its use.

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. 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.

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

The Board went into closed session from 12:02 p.m. to 12:33 p.m.

Adjourn

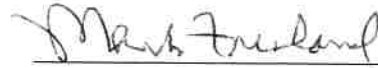
Wednesday, March 16, 2022 at 12:00 p.m.

A Motion was made by Mark Freeland and seconded by Chris Burns to adjourn the Board Meeting at 2:00 p.m.

Motion Carried.



Othal Brand, Jr. President



Mark Freeland, Secretary