

**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**

\*\*\*\*\* AMENDED 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 O'CLOCK PM ON WEDNESDAY, MAY 15, 2024. THIS AGENDA AND WRITTEN NOTICE IS POSTED IN ACCORDANCE WITH THE APPLICABLE PROVISIONS OF CHAPTER 551, TEXAS GOVERNMENT CODE, INCLUDING THE ACCESSIBILITY REQUIREMENTS OF SECTION 551.043, TEXAS GOVERNMENT CODE. IF, DURING THE COURSE OF THE MEETING, THE BOARD OF DIRECTORS DETERMINES THAT A CLOSED MEETING SHOULD BE CONVENED REGARDING AN ITEM ON THE AGENDA AND THAT SUCH CLOSED MEETING IS AUTHORIZED BY AN APPLICABLE PROVISION OF CHAPTER 551, TEXAS GOVERNMENT CODE, INCLUDING BUT NOT LIMITED TO EITHER SECTION 551.071 OR SECTION 551.072, *Texas Government Code*, THE PRESIDENT OR OTHER PRESIDING OFFICER SHALL ANNOUNCE THE CONVENING OF THE CLOSED SESSION, INCLUDING THE TIME AND SUBJECT OF THE CLOSED SESSION AND THE STATUTE UNDER WHICH THE CLOSED SESSION AND THE STATUTE UNDER WHICH THE CLOSED MEETING IS PERMITTED, AND, UPON CONCLUSION OF SUCH CLOSED SESSION, THE PRESIDENT OR OTHER PRESIDING OFFICER SHALL ANNOUNCE THE TIME OF RECONVENING IN OPEN SESSION.**

**Call to Order:**

- Pledge of Allegiance
  - Prayer
- 1) Consideration and possible action to approve the Minutes for the Regular Board Meeting on March 20, 2024.
  - 2) Consideration and possible action regarding the Financial Reports and the approval of accounts payable checks.
  - 3) Engineering Report:
    - a. Report on District allocation in the Falcon & Amistad Reservoir System.
    - b. Report on Las Milpas Rd. Project.
    - c. Report on HCRMA Project.
    - d. Report on McAllen South Industrial Park Lateral F Canal Relocation Project.
    - e. Report on City of McAllen South 10<sup>th</sup> Street Drainage Improvements.
    - f. Report on Repair of the Main Line leak and City repair of storm sewer outfall at Bicentennial and Savannah.
  - 4) Consideration and possible action to approve construction plans for the McAllen Drainage Channel Improvement Project to improve Lateral U drainage ditch crossing.
  - 5) Consideration and possible action to approve the plat of Dos Lobos Phase 1 located at Trenton and Bicentennial Blvd, Hidalgo County, Texas.
  - 6) Consideration and possible action on the process on the continuation of the outstanding bill invoice(s) to the City of McAllen.
  - 7) Consideration and possible action to approve the Water Conservation Plan Annual Report and the five year updates to the Water Conservation Plan and the Drought Contingency Plan.
  - 8) Consideration and possible action to approve a letter responding to a request from Representative Terry Canales.
  - 9) Consideration and possible action to approve the plat of Cross Border Industrial Park Subdivision re-subdivision of Lot 38 Block 3 C.E. Hammond Subdivision located at Las Milpas and 23<sup>rd</sup> Street, Hidalgo County, Texas.
  - 10) Consideration and possible action to approve the plat of D I Industrial Park Subdivision re-subdivision of Lot 38 Block 3 C.E. Hammond Subdivision located at Las Milpas and 23<sup>rd</sup> Street, Hidalgo County, Texas.
  - 11) Executive Session pursuant to Sections 551.071(1) and 551.072(2), *Texas Government Code*, to consult with attorney for Hidalgo County Water Improvement District No. 3 regarding matters, including each of those matters described below, in which the duty of the attorney for the District under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code and to seek the advice of the attorney for the District regarding (i) a 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", (ii) legal issues relating to proposed consolidation agreement between Hidalgo County Water Improvement District No. 3 and Santa Cruz Irrigation District No. 15, (iii) a pending lawsuit in 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) pending McAllen Public Utility petitions filed with the Public Utility Commission of Texas and the Texas Commission on Environmental Quality relating to wholesale water rates of Hidalgo County Water Improvement District No. 3, (v) a pending lawsuit in Cause No. C-1601-22-1 styled "McAllen Public Utility vs. Othal Brand, Jr. in his official capacity, *et al*" and pending Interlocutory appeal in Case No. 13-23-00020-CV in the 13<sup>th</sup> Court of Appeals, and (vi) contemplated litigation relating to default by City of McAllen with respect to payment obligations pursuant to *Permanent Water Supply and Delivery Contract*, as amended, between Hidalgo County Water Improvement District No. 3 and City of McAllen.
  - 12) Adjourn