

# HIDALGO COUNTY CONSOLIDATED WATER CONTROL AND IMPROVEMENT DISTRICT

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## MEETING OF THE JOINT BOARD OF DIRECTORS OF THE HIDALGO COUNTY CONSOLIDATED WATER CONTROL AND IMPROVEMENT DISTRICT

\*\*\*\*\*AGENDA\*\*\*\*\*

TAKE NOTICE THAT THE JOINT BOARD OF DIRECTORS OF THE HIDALGO COUNTY CONSOLIDATED WATER CONTROL AND IMPROVEMENT DISTRICT HAVING BEEN CONSOLIDATED BASED ON THE RESULTS OF AN ELECTION HELD IN ACCORDANCE WITH SECTION 51.732 *et seq*, TEXAS WATER CODE), SAID BOARDS OF DIRECTORS ACTING AS A JOINT BOARD OF HIDALGO COUNTY CONSOLIDATED WATER CONTROL AND IMPROVEMENT DISTRICT (THE "CONSOLIDATED DISTRICT") PURSUANT TO THE TERMS OF A CONSOLIDATION AGREEMENT, DATED JULY 17, 2024, WILL HOLD A MEETING OF SAID JOINT BOARD AT THE MAIN OFFICE OF THE CONSOLIDATED DISTRICT AT 1325 PECAN BLVD, MCALLEN, TEXAS, 78501 AT 12 O'CLOCK NOON ON WEDNESDAY, DECEMBER 18, 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 JOINT BOARD 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 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 of the December 4, 2024 Meeting of the Joint Board of Directors for the Consolidated District.
- 2) Consideration and possible action to review the Retirement Plan and offer to the Consolidated District employees.
- 3) Consideration and possible action concerning District interest in Lots 13 & 14, Section 5 and Lots 3 and 4, Section 4, Hidalgo Canal Company Subdivision.
- 4) Consideration and possible action to approve an Agreement with Ferris, Flinn & Medina, LLC, for Professional Services, including Task Orders 001 through 011.
- 5) Consideration and possible action to adopt a Surplus Property Policy.
- 6) Consideration and possible action to adopt a Crossing License Policy.
- 7) Consideration and possible action to declare as Surplus Property and no longer needed by the District, Santa Cruz Gardens UT NO. 2 Lot 1 - BLK 1 - 9.92 AC. 9.725 A NET
- 8) Consideration and possible action of entering into lease agreement with O.E. Investments in The South Ten (10) acres of the North Twenty (20) acres of Block Two (2), M and M Subdivision, Hidalgo County, Texas.
- 9) Consideration and possible action to request a new \$1 million line of credit from PlainsCapital Bank and authorize President Othal Brand, Jr. to sign all documents necessary to execute for the new consolidated district.
- 10) Consideration and possible action to authorize the opening of separate payroll and debit card accounts for the Consolidated District at PlainsCapital Bank with each of the members of the Joint Board as authorized signatories and requiring two (2) of said persons' signatures on checks and withdrawals other than debit

card transactions.

11) Executive Session pursuant to Sections 51.07(1) and 551.072(2), *Texas Government Code*, to consult with attorneys for the former HCWID#3 and SCWCID#15 and the Consolidated District 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:

- (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”;
- (b) legal issues relating to *Interlocal Cooperation Agreement* between District and City of McAllen regarding extension of Bicentennial Boulevard irrigation pipeline and City of McAllen claim for draft on Texas Regional Bank letter of credit;
- (c) 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”;
- (d) pending McAllen Public Utility petitions filed with the Public Utility Commission of Texas and Texas Commission on Environmental Quality appealing wholesale water rates of Hidalgo County Water Imp. District No. 3;
- (e) 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;
- (f) 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; and
- (g) pending or potential or contemplated litigation by or against SCWCID#15 or its predecessor, Santa Cruz Irrigation District No. 15.

12) Adjourn