

HARLINGEN IRRIGATION DISTRICT

P.O. Box 148 - Harlingen, Texas 78551

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April 27, 2022

The Board of Directors of the Harlingen Irrigation District met for a regular meeting at 9:00 a.m., with the following members present:

Sam Morrow
Leonard Simmons
Rick Guerrero
Levi Burns
Tom McLemore, General Manager
Alan Ozuna, District Attorney

Sam Morrow conducted the meeting.

The minutes of the HID Board meeting of April 13, 2022 were reviewed. A motion was made by Rick Guerrero and seconded by Levi Burns to approve the minutes. The motion passed.

A motion was made by Leonard Simmons and seconded by Rick Guerrero to pay the following accounts:

04/13/2022	24784	JOHN DEERE FINANCIAL	3,387.76
04/13/2022	24785	Shepard Walton King Insurance Group	95.56
04/14/2022	DD	OFFICE OF THE ATTORNEY GENERAL	58.38
04/14/2022	DD	OFFICE OF THE ATTORNEY GENERAL	34.62
04/14/2022	E-pay	INTERNAL REVENUE SERVICE	6,609.22
04/14/2022	DD	OFFICE OF THE ATTORNEY GENERAL	63.00
04/18/2022	ACH	DIRECT ENERGY BUSINESS - DALLAS TEXAS WATER CONSERVATION	747.01
04/18/2022	24786	ASSOCIATION	455.00
04/18/2022	ACH	CARD SERVICE CENTER	5,081.64
04/21/2022	DD	OFFICE OF THE ATTORNEY GENERAL	58.38
04/21/2022	DD	OFFICE OF THE ATTORNEY GENERAL	34.62
04/21/2022	E-pay	INTERNAL REVENUE SERVICE	6,536.36
04/21/2022	DD	OFFICE OF THE ATTORNEY GENERAL	63.00
04/21/2022	ACH	DIRECT ENERGY BUSINESS - DALLAS	613.24
04/21/2022	24788	Amazon.com	1,583.23
04/22/2022	24787	Cariaga, Teresa	30.00
04/22/2022	ACH	Cashier-Texas Workforce Commission	346.19
04/25/2022	24829	Martinez, Armando	451.28
04/26/2022	24789	ARCHER BUSINESS SYSTEMS INC.	45.00
04/26/2022	24790	AT&T MOBILITY	38.51
04/26/2022	24791	BROTHERS EQUIPMENT PARTS, INC	5,712.42
04/26/2022	24792	C & S Safety Supply	90.22
04/26/2022	24793	DEARBORN NATIONAL LIFE INS CO	300.20
04/26/2022	24794	Frontier Direct Primary Care	2,800.00
04/26/2022	24795	GATEWAY	84.58
04/26/2022	24796	GUTIERREZ MUFFLER SHOP	550.00
04/26/2022	24797	HARLINGEN WATERWORKS SYSTEM	17.97
04/26/2022	24798	L&G Concrete Equipment LTD	2,887.50

04/26/2022	24799	LEWIS ELECTRIC MOTORS INC.	20,765.44
04/26/2022	24800	MARRIBER A/C	3,050.00
04/26/2022	24801	MATHESON TRI-GAS INC.	147.46
04/26/2022	24802	OCM, INC	1,461.88
04/26/2022	24803	PICO PROPANE OPERATING, LLC	15,442.96
04/26/2022	24804	PPG Architectural Coating	82.41
04/26/2022	24805	QUICK COMPUTE, INC.	5,704.25
04/26/2022	24806	SOILEAU INDUSTRIES	8,090.61
04/26/2022	24807	SOUTH TEXAS BOLT & SUPPLY	736.29
04/26/2022	24808	TDR Inc.	16,008.00
04/26/2022	24809	UVXC LLC	261.32
04/26/2022	24810	VALLEY FIRE & SAFETY	1,013.00
04/26/2022	24811	AT&T MOBILITY	1,510.10
04/26/2022	24812	MCCOY'S BUILDING SUPPLY CENTER	2,101.07
04/26/2022	24813	BLUE CROSS BLUE SHIELD OF TEXAS	16,605.52
04/26/2022	24814	CENTRAL READY MIX CONCRETE CO. INC.	448.00
04/26/2022	24815	FASTENAL COMPANY	294.51
04/26/2022	24816	GOODE ELECTRIC CO.	1,402.66
04/26/2022	24817	JOHNNY'S TRUE VALUE	16.56
04/26/2022	24818	LEWIS ELECTRIC MOTORS INC.	6,917.05
04/26/2022	24819	PICO PROPANE OPERATING, LLC	15,371.85
04/26/2022	ACH	FUSION	144.72

The Motion passed.

Consider and take possible action on an offer from Thomas Luke to purchase District right of way. No action taken.

A crossing permit for AEP, permit number 2022-08884148 for an overhead power line upgrade on existing line in the Tony Butler/ victor park area was presented for possible action. A motion was made by Leonard Simmons and seconded by Levi Burns to approve the permit. The motion passed.

As required by the water delivery contract for HWWS, the municipal water delivery rates were discussed. A report of historic rate increases was presented by the Manager. After a short discussion a motion was made by Levi Burns and seconded by Leonard Simmons to not increase the municipal water delivery rates for fiscal year 2023. The motion passed.

The Manager presented a staff request to cancel the lawn water contracts and remove the pipeline from service on Rio Hondo Rd. The pipeline has a leak under Mats road and the cost to repair is not economically feasible for the service it provides. After a short discussion a motion was made by Leonard Simmons and seconded by Levi Burns to seal off, and abandon the pipeline and reimburse the 2022 annual lawn water fee to the affected properties. The motion passed.

A resolution authorizing the General Manager to apply for funding through the Bureau of reclamation was presented for consideration. The project funds if awarded will be utilized towards construction improvements costs in connection to the improvements of the Adams Gardens main canal and reservoir. A motion was made by Levi Burns and seconded by Rick Guerrero to approve the Resolution and authorize the manager to take necessary action to apply for the funds. The motion passed.

A list of properties that are irrigated by La Feria ID and assessed by HID was presented for discussion on the proper method for transferring the properties to the La Feria ID. Alan Ozuna provided the legal and proper steps required to transfer the properties. After a short discussion no action was taken.

A resolution regarding the purchase, exchange, lease, or value of District real estate was presented for approval. After a short discussion a motion was made by Leonard Simmons and seconded by Rick Guerrero to approve the policy for the determination of interests in Real Property. The motion passed.

A Resolution setting forth a policy for the determination of interests in Real Property

Whereas, Texas Water Code section 49.226 permits an irrigation district to convey interests in real property by public or private sale for like fair market value; and,

Whereas, pursuant to section 49.226, the District may determine the fair market value of interests in real property; and,

Whereas, the Board of Directors desired to adopt a policy for the fair and consistent determination of fair market value;

Therefore, the Board of Directors of the Harlingen Irrigation District Cameron County No. 1 hereby adopts the following policy regarding determination of the fair market value of real estate interests owned by the District:

- 1. Determine the value of the Real Property based on the most recent Cameron County Appraisal District records.***
 - a. For properties with an established agricultural value, the value will be one quarter of the agricultural value plus three quarters of the market value established by the most recent Cameron County Appraisal District records of the property adjacent to and associated with the purchase of right of way.*
 - b. For properties with no established agricultural value, the value will be the market value established by the most recent Cameron County Appraisal District records for the property adjacent to and associated with the purchase of the right of way.*

- 2. Determine the value of the Real Property based on the most recent sale or purchase.***
 - a. For properties with an established agricultural value, the value will be one quarter of the agricultural value plus three quarters of the most recent sales price of the property adjacent to and associated with the purchase of right of way.*
 - b. For properties with no established agricultural value, the value will be based on the most recent sales price for the property adjacent to and associated with the purchase of the right of way.*

c. *The Board reserves the ability to determine that the most recent sales price is less than fair market value for the property and to establish a value based on the most recent Cameron County Appraisal District records.*

3. *The above policy shall serve as a general guideline enumerating the factors that the Board may consider in making determinations of fair market value under Texas Water Code section 49.226. All determinations regarding the fair market value of the District's real estate interests shall be made by action of the Board of Directors after consideration of all relevant factors on a case by case basis. This policy is not intended to be an exhaustive list of the factors that the Board may consider and is not intended to restrict the Board's discretion in determining fair market value.*

Approved and adopted this _____ day of April, 2022.

Sam Morrow, President

Attest:

Jose Ricardo Guerrero, Secretary

The Manager made a report of the operations of the District

A report of the District water situation and availability was presented by the Manager. No action was taken.

The Manager presented the financial report for March 2022.

Being no further business, the meeting adjourned at 10:15 am.

Attest:

Sam Morrow - President

Jose Ricardo Guerrero - Secretary