

April 10, 2023
San Benito, Texas

The regular meeting of the Board of Directors of Cameron County Drainage District No. 3 convened on April 10, 2023, at 2:00 p.m. at the office of the District, pursuant to notice duly given as required by law. Present were Ronaldo Garcia and Matthew McCarthy, Directors; Sonia Lambert, Manager; Rick Martinez, Assistant Manager; Freddie Ortega, Drain Supervisor; Jack Brown, Engineer; and B. R. Dossett, Attorney. President Garcia called the meeting to order and presided.

1. Minutes. The Minutes of the March 13, 2023 meeting were presented and reviewed. The motion was made and seconded that the Minutes of the March 13, 2023 meeting be approved. Following a discussion, the motion unanimously carried.
2. Public Comment Period. No one appeared. No written comments were received.
3. Subdivisions.
 - 3.1 Titan Ranch Subdivision–Rios Surveying Company, LLC, being 7.35 acres out of Block 90, San Benito Irrigation Company Subdivision. Final plat not presented. No action.
 - 3.2 Montenegro Estates Subdivision–Mejia & Rose, being 9.4 acres out of Block 7, Landrum Reserve. Final plat not presented. No action.
 - 3.3 Alvarado Estates Subdivision–Altex Engineering, being 2.77 acres out of Block 153, San Benito Land & Water Company Subdivision. Final plat not presented. No action.
 - 3.4 B77 Subdivision–Phase A. Rio Delta Engineering, being out of Blocks 129 and 126, San Benito Land & Water Company Subdivision. Final plat not presented. No action.
 - 3.5 B77 Subdivision–Phase A. Rio Delta Engineering, being out of Blocks 129 and 126, San Benito Land & Water Company Subdivision. Final plat not presented. No action.
 - 3.6 3C Subdivision–JNH Surveying, being Lots 3, 6, 11, 14, Block 129, San Benito Land & Water Company Subdivision. Final plat not presented. The information needed to complete the license agreement for down drains still not provided. No action.
 - 3.7 Hout Subdivision–Ferris, Flynn & Medina, being 2.51 acres out of Block 199, San Benito Land & Water Company Subdivision. Final plat not presented. No action.
 - 3.8 San Sebastian Estates Subdivision–Altex Engineering, being 5 acres out of Block 253, San Benito Irrigated Land Company Subdivision. Final plat not presented. No action.
 - 3.9 East Treasure Haven, Phase II–Brown, Leal & Assoc., being 25.33 acres out of Block 146, SBL&WCo. Final plat not presented. No action.
 - 3.10 Resaca Del Monte Phases 3 and 4–Brown, Leal & Assoc., being 29.5 acres out of the San Pedro de Carricitos Grant. Final plat not presented. No action. Construction plans for the detention basin still have not been submitted for the Board’s approval.
 - 3.11 Aguilera Estates Subdivision–CASA Engineering, being 0.75 acre in Block 137, San Benito Land & Water Company Subdivision. Final plat not presented. No action.
 - 3.12 Pomelo Bend Subdivision–RG4 Development, being 2.97 acres out of Share 15 of the Espiritu Santo Grant. Final plat not presented. No action.
 - 3.13 Villa Dolce Subdivision–Urban Infrastructure Group, being 12.09 acres out of Block

37, San Benito Land & Water Company Subdivision. Final plat not presented. No action.

- 3.14 R & J Reyes Subdivision–Rios Surveying, being 2.26 acres out of Block 11, San Benito Land & Water Company Subdivision. Final plat not presented. No action.
 - 3.15 Del Rio Subdivision, Phase IX–Moore Land Surveying, being 10.34 acres out of Block E, James Dickinson Subdivision No. 1 [Vol. 4, Page 32, Map Records]. Owner: Nueva Frontera LP. Engineer: Moore Land Surveying, LLC. Final plat presented. The motion was made and seconded that the plat of Del Rio Subdivision, Phase IX be approved. Following a discussion, the motion carried and President Garcia signed the plat.
 - 3.16 FD Rio Hondo Subdivision, being 1.03 acres situated in the City of Rio Hondo, out of Blocks 59 and 60, Espiritu Santo Irrigated Land Company Subdivision [Vol. 2, Page 41, Map Records of Cameron County]. Owner: Atlanta AR, LLC. Engineer: AEC Engineering. Final plat presented. The motion was made and seconded that the plat of FD Rio Hondo Subdivision be approved. Following a discussion, the motion carried and President Garcia signed the plat.
 - 3.17 The motion was made and seconded that hereafter a plat will be placed on an Agenda only if the Owner or the Owner’s Engineer advises that the Owner is ready for the Board to take action on the plat. Following a discussion, the motion carried
4. Audit. The audit of the fiscal year ended September 30, 2022 was not submitted. The Auditor still has not commenced the audit.
 5. Equipment.
 - 5.1 Brushcutter Purchased to Replace Brushcutter DD#33. The Dealer now says the machine might be delivered in May 2023.
 - 5.2 Purchase of Two Excavators. Manager Lambert reported that the budget for the current fiscal year included the purchase of two excavators. The District requested bids through Buy Board for two 2023 Caterpillar Model 330 FLs to replace the District’s two Model 330 FLs, with option for Holt buy back. Holt advised that the machine formerly known as a Model 330 FL is now a Model 330, and that it presently has in stock only one Model 330. It also has in stock a Model 330 TC, which has more accessions than a Model 330.
 - (a) Holt submitted a quote of \$399,995.00 through Buy Board for one 2023 Caterpillar Model 330 TC Excavator without a buy back, or \$304,995.00 after a \$90,000.00 buy back of the District’s 2018 Caterpillar Model 330FL Excavator, Serial No. OMBX20429. Cameron County Irrigation District No. 2 has offered to purchase the 2018 Model 330 FL Excavator for \$90,000.00.
 - (i) The motion was made and seconded that the District accept the quote of \$399,995.00 for one 2023 Caterpillar Model 330 TC Excavator, and that Manager Lambert be authorized to sign all documents necessary to finalize the purchase. Following a discussion, the motion carried.
 - (ii) The motion was made and seconded that the District accept the offer of Cameron County District No. 2 to purchase the District’s 2018 Caterpillar Model 330FL, Serial No. OMBX20429 for \$90,000.00, and that Manager Lambert be authorized to sign all documents necessary to finalize the sale and transfer title. Following a discussion, the motion carried.
 - (b) Holt submitted a quote of \$384,142.74 through Buy Board for one 2023 Caterpillar Model 330 Excavator, without a buy back, or \$294,182.74 after

a \$90,000.00 buy back of the District's 2017 Caterpillar Model 330 FL Excavator, Serial No. OMBX10485. The motion was made and seconded that the District accept Holt's offer of \$90,000.00 to buy back the 2017 Caterpillar Model 330 FL, Serial No. MBX10485, for \$90,000.00, and accept Holt's quote of \$294,182.74 for one 2023 Caterpillar Model 330, after credit for the buy back, and that Manager Lambert be authorized to sign all documents necessary to finalize the buy back and purchase of the new machine and transfer title to the 2017 machine to Holt. Following a discussion, the motion carried.

6. Resaca Vista Drain in Blocks 209 and 215, San Benito Land & Water Co.: Cameron County Irrigation District No. 2 Conveyance of Seep Ditch to Drainage District. The Resaca Vista Condominiums Homeowner's Association has not yet met. The next meeting will be held in late April 2023.
7. Russell Main Drain: Private Road Crossing in Block 4, Parker Tract Subdivision, Owned by Porfirio and Nicanor Vasquez and Respective Spouses. The landowners still have not upgraded the crossing.
8. Projects.
 - 8.1 East Line Drain Relief Project 2012. No change in status since the last meeting.
 - 8.2 Drain B-2: Upgrade of Pennsylvania Boulevard Road Crossing.
 - (a) The City of San Benito still has not advised when (1) it will disconnect the subject sewer line, and (2) remove the segment of sewer line blocking the culverts under Pennsylvania Boulevard.
 - (b) Engineer Brown presented two general plans: (1) upgrade the existing crossing, and (2) relocate the crossing to the east. The motion was made and seconded that the existing crossing be upgraded. Following a discussion, the motion carried.
 - 8.3 Drain B-2: Upgrade of Road Crossings downstream from Pennsylvania Boulevard. No discussion. No action.
9. Agreements/Rights-of-Way/Permits/Interlocal Cooperation Contracts.
 - 9.1 Drain 382 in North 10 Acres of Block 382, SBIC: Request of Luis S. Lopez and Denise C. Lopez Revocable Living Trust for License Agreement to Install Livestock Crossing and Waterline Crossing. The License Agreement has been prepared but not yet been finalized.
 - 9.2 Drain 382 in South 15 Acres of North 25 Acres of Block 382, SBIC: Request of Adrian and Cathy Coronado for Road and Utility Crossings. License Agreement still not signed and returned. No action.
 - 9.3 Drain E in Block 22, San Benito Land & Water Company Subdivision. The license agreement for the four down drains has not been signed and returned by the School District.
 - 9.4 Liberty Estates Phase II, Being 10.64 Acres Out of Blocks 5, 6, 12, Cunningham's Subdivision of Block 35, San Benito Land & Water Company Subdivision.
 - (a) Conveyance of Seep Ditch on North Side of Lateral A to Drainage District. Deed conveying the seep ditch to the Drainage District not finalized.
 - (b) Upgrade of Underdrains--Status Report. No change in status.
 - 9.5 Russell Main Drain in Share 14, Espiritu Santo Grant: Request of East Rio Hondo

Water Supply Corp. for Potable Waterline Crossings. No change in status. Drain Supervisor has not yet inspected the drain to see if the waterline has been installed without the District's permission.

- 9.6 Los Indios #2 Drain in Block 48, Los Indios Irrigated Land Co. Subdivision: Request of United States of America for Potable Water Line Crossing for FMSCA Inspection Facility Upgrade. No change in status since the last meeting.
 - 9.7 Drain D in Block 128, San Benito Land & Water Company Subdivision—Request for Down Drain License for Proposed 3C Subdivision. No change in status since the last meeting.
 - 9.8 Drain E-1: Relocation of SBCISD's Down Drain Inlet on South Side of High School. The School District has not yet responded to the request that the down drain be moved.
10. Grants.
- 10.1 TWDB #40023 Flood Protection/Infrastructure Study—Hydrologic and Hydraulic Model Update. Work on the update, excluding the City of San Benito, is in progress.
 - 10.2 Status Report on Securing Funding to Include the Territory in the City of San Benito in the Study—Hydrologic and Hydraulic Model Update.
 - (a) Building Resilient Infrastructure and Communities (BRIC) Grant Application. Still no word on whether the TWDB is willing to speed up the review process
 - (b) Hazard Mitigation Grant Program (HMGP). Still no word on whether the application has been considered.
 - (c) ARPA Application. The County still has rejected the application.
11. Resolutions/Letters of Support.
- 11.1 The motion was made and seconded that letters of support for the House and Senate bills which pertain to increased grant funding for artificial drainage systems be issued. Following a discussion, the motion carried.
 - 11.2 The motion was made and seconded that a resolution be adopted supporting the re-apportionment of unused CDBG-DR 2018 and 2019 for Regional Drainage in South Texas be approved. Following a discussion, the motion carried.
12. Donations: Drains in Territory North of Arroyo Gardens (Shares 12 and 22, Espiritu Santo Grant). No change in status since the last meeting.
13. Rules Revision. Not ready for Board action.
14. Minute Books. Attorney Dossett reported that Minute Book Volume 9 will be full in the Fall of 2023. The motion was made and seconded that Minute Books Volumes 10 and 11 be purchased. Following a discussion, the motion carried.
15. Reports.
- 15.1 Financial.
 - (a) Investment Report for 1st quarter of 2023 presented and reviewed.
 - (b) Financial Report for the month of March 2023 presented and reviewed.
 - (c) Financial Report for the fiscal year through March 31, 2023 presented and

reviewed.

15.2 Manager. Pending legislation pertinent to drainage and drainage districts discussed.

15.3 Attorney.

(a) *Cameron County Drainage District No. 3 and Cameron County Irrigation District No. 2, et al. vs. City of San Benito.* No change in status.

(b) Drain E Notice of Drain Right-of-Way. Notice of the location of the pipeline between La Palma and Stenger Streets has not yet been completed.

15.4 Engineer. No report. All matters discussed under other Agenda items.

15.5 Drain Supervisor. Report of work accomplished in the month of March 2023 presented.

15.6 Report by Representative of City of San Benito. No one appeared regarding this Agenda item.

16. Payment of Accounts, Wages, and Directors' Services.

16.1 The motion was made and seconded that issuance of the following checks issued between the March 13, 2023 meeting and this meeting be ratified:

1015	: Scheibe Consulting, LLC	TWDB Grant Fund	<u>\$26,890.00</u>
	TOTAL		\$26,890.00
14342	: Texas Child Support SDU	Employee Wage Withholding-Child Support	\$422.77
14343	: Lucinda Trevino	Janitorial	\$224.08
14344	: First Community Bank	Petty Cash	\$541.25
14345	: Direct Energy	Warehouse: Light Bill	\$256.31
14346	: Texas Child Support SDU	Employee Wage Withholding-Child Support	<u>\$422.77</u>
	TOTAL		\$1,867.18

Following a discussion, the motion unanimously carried.

16.2 The motion was made and seconded that the following checks be issued:

14347	: AFLAC	Insurance	\$374.76
14348	: AT&T Mobility	Wireless Phone	\$156.75
14349	: Blue Cross & Blue Shield	Health Insurance	\$16,416.14
14350	: Boggus Ford	Auto Repairs	\$67.73
14351	: Brown, Leal & Assoc.	Engineering Services	\$2,375.00
14352	: Commercial Billing	Machine Repairs	\$959.59
14353	: Dainamik	GPS Monitoring	\$1,015.00
14354	: Direct Energy	Warehouse: Light Bill	\$286.75
14355	: East Rio Hondo Water Supply Corp.	Office/Shop/Warehouse: Water Bill	\$71.80
14356	: Gigabit Communications	Uverse/Internet	\$200.00
14357	: Hollon Oil Company	Hydraulic Oil	\$3,361.05
14358	: JR ITSoftware Solutions	Programming	\$798.25
14359	: J & J Tire & Auto	Machine Repair	\$448.00
14360	: Sonia Lambert	Phone Allowance	\$125.00
14361	: Florentino Lara	Machine Repairs	\$950.00
14362	: Linde Gas & Equipment	Machine Repairs	\$58.23
14363	: Matt's Cash & Carry	Tools	\$212.24
14364	: O'Reilly Auto Parts	Machine Repairs	\$1,072.04
14365	: Ortega, Federico	Phone Allowance	\$45.00
14366	: Pico Propane	Off-Road Diesel	\$32,385.96
14367	: Rio Grande Concrete	Tools	\$22.17
14368	: Rio Hondo Lumber & Supply	Drain Repairs	\$16.08
14369	: Rey's Tire Service	Flat Repairs	\$130.00
14370	: Nelda Solorio	Janitorial	\$220.52
14371	: Texas Refinery Corp.	Machine Oil	\$1,267.00
14372	: Lucinda Trevino	Janitorial	\$220.52
14373	: UniFirst	Uniforms	\$479.23
14374	: Wilcac Life Insurance	Insurance	\$21.67
14375	: David Ybarra	Janitorial	\$265.52
14376	: Dossett Law Office	Legal Fees	\$3,175.00
14377	: Cameron County Irrigation Dist. #2	Reimbursement	\$3,983.76

14378 : Holt Company of Texas	Machine Repairs	\$4,485.66
14379 : JR ITSoftware Solutions	Programming	\$798.25
14380 : Lincoln National Life	Life Insurance	\$246.00
14381 : Purchase Power	Postage Meter	\$41.55
14382 : Texas Child Support SDU	Employee Wage Withholding-Child Support	\$422.77
14383 : UniFirst	Uniforms	\$119.62
14384 : Wylie Case	Machine Repairs	<u>\$2,647.82</u>
TOTAL		\$79,942.43

Following a discussion, the motion unanimously carried.

17. Board of Directors–Fill Vacancy on Board of Directors. No discussion. No action.
18. Adjournment. There being no further business, the meeting was adjourned.