

June 13, 2022  
San Benito, Texas

The regular meeting of the Board of Directors of Cameron County Drainage District No. 3 convened on June 13, 2022, 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; Freddie Ortega, Drain Supervisor; Jack Brown, Engineer; and B. R. Dossett, Attorney. President Garcia called the meeting to order and presided.

1. Minutes.
  - 1.1 May 9, 2022 Special Meeting. The Minutes of the May 9, 2022 special meeting were presented and reviewed. The motion was made and seconded to approve the Minutes of the May 9, 2022 special meeting. Following a discussion, the motion carried.
  - 1.2 May 9, 2022 Regular Meeting. The Minutes of the May 9, 2022 regular meeting were presented and reviewed. The motion was made and seconded to approve the Minutes of the May 9, 2022 regular meeting. Following a discussion, the motion carried.
2. Public Comment Period. No one appeared. No written comments were received.
3. Subdivisions.
  - 3.1 Petunia Acres Subdivision—Rios Surveying Company, LLC, being 2.0 acres out of Block 129, Espiritu Santo Irrigated Land Company Subdivision. Plat not presented. No action.
  - 3.2 Del Rio Subdivision Phases VI-VII, being 22.4 acres out of Blocks C & D, James Dickinson Subdivision No. 1 [Volume 4, Page 32, Map Records of Cameron County, Texas]. Owner/Developer: Nueva Frontera, LP/Scot Campbell. Engineer: Moore Land Surveying. The final plat was presented. The motion was made and seconded that the plat of Del Rio Subdivision Phases VI-VII be approved. Following a discussion, the motion carried and President Garcia signed the plat.
  - 3.3 Vista Real Estate Subdivision—Rios Surveying Company, LLC, being 5.0 acres out of Block 157, San Benito Land & Water Company Subdivision. Plat not presented. No action.
  - 3.4 Titan Ranch Subdivision—Rios Surveying Company, LLC, being 7.35 acres out of Block 90, San Benito Irrigation Company Subdivision \*agenda says SBL&WCo. Plat not presented. No action.
  - 3.5 Montenegro Estates Subdivision—Mejia & Rose (9.4 acres out of Block 7, Landrum Reserve). The subdivision is adjacent to, and will discharge into, Main Drain A. Plat not presented. No action.
  - 3.6 Paso Real Coves Subdivision—Melden & Hunt (66.902 acres Lots 1-8, Block 146, SBLW&Co). A representative of Melden & Hunt appeared and various matters regarding the plat were discussed. The engineer plans to present the final plat at the July 2022 meeting.
  - 3.7 Alvarado Estates Subdivision—Altex Engineering, being 2.77 acres out of Block 153, San Benito Land & Water Company Subdivision. Plat not presented. No action.
  - 3.8 B77 Subdivision—Rio Delta Engineering, being 5.29 acres out of Blocks 129 and 126, San Benito Land & Water Company Subdivision. Plat not presented. No action.
  - 3.9 DnM Cobarrubias Subdivision—Diaz Design Group, being 1.0 acre out of Block 12, San Benito Land & Water Company Subdivision. Plat not presented. No action.
4. Blocks 209 and 215, San Benito Land & Water Co.: Cameron County Irrigation District No.

- 2 Conveyance of Seep Ditch to Drainage District. Attorney Dossett visited with Rios Surveying to discuss what needs to be done to complete the survey. The Drain Supervisor will locate and mark the pipeline. Rios Surveying will then complete the plat.
5. Russell Main Drain: Private Road Crossing in Block 4, Parker Tract Subdivision Owned by Porfirio and Nicanor Vasquez and Respective Spouses. The District has received no communication from the owners since the last meeting. No action.
6. Projects.
- 6.1 East Line Relief Drain Project. Engineer Brown has completed the strip maps. The motion was made and seconded that Manager Lambert be authorized to engage an appraiser to prepare the required appraisals. Following a discussion, the motion carried. The District will propose that the owners accept the excavated soil so the District does not have to purchase land on which to place the excavated soil, thereby taking less land from the owners.
- 6.2 Drain B-2.
- (a) Pennsylvania Boulevard Crossing Upgrade. Engineer Brown discussed the problem regarding the gravity sewer line the City of San Benito installed without the District's permission. It is Engineer Brown's understanding that the sewer line is not being used. The City has refused to disclose the properties being served by the line. As an alternative, Engineer Brown proposed that the District acquire land south of Pennsylvania Boulevard for the construction of detention basins. A general discussion followed.
- (b) Yost Road Crossing Upgrade. Discussed. No action.
- (c) Jay Street Crossing Upgrade. Discussed. No action.
- (d) McCulloch Street Crossing Upgrade. Discussed. No action.
7. Agreements/Rights-of-Way/Permits/Interlocal Cooperation Contracts.
- 7.1 Flood Infrastructure Fund [FIF] Grant–Interlocal Cooperation Agreement with City of Harlingen. The District was awarded a grant by the Texas Water Development Board (TWDB) [Agenda Item 6, below] to model all its territory, which includes that part of the City of Harlingen easterly of Ed Carey Drive. The City of Harlingen received a grant to model all its territory except for the part easterly of Ed Carey Drive. This agreement provides that the District will share with the City of Harlingen all data and information collected for that part of the City easterly of Ed Carey Drive. The motion was made and seconded that the agreement, entitled TWDB FIF INTERLOCAL AGREEMENT, be approved. Following a discussion, the motion carried.
- 7.2 Drain 383: Request of Ciro and Ronda Garza for Road Crossing. Not finalized.
- 7.3 Liberty Estates Phase II, Being 10.64 Acres Out of Blocks 5, 6, 12, Cunningham's Subdivision of Block 35, SBL&WCo.
- (a) Conveyance of Seep Ditch on North Side of Lateral A to Drainage District. All encroachments have been removed.
- (b) Upgrade of Underdrains–Status Report. No change in status.
- 7.4 Browne Drain No. 3: Request that License Agreement be Issued to Magic Valley Electric Cooperative for Aerial Electric Service Line for Blanca Flores, Block 291, SBIC. No change in status. Still waiting on return of signed license agreement.
- 7.5 Russell Main Drain in Share 14, Espiritu Santo Grant: Request for East Rio Hondo Water Supply Corp. for Potable Waterline Crossings. ERHWSC advised that the developer still needs the license agreement. The license agreement was re-submitted to ERHWSC. Still waiting on return of signed license agreement.
- 7.6 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.

- 7.7 Arroyo Gardens #1 Drain in Blocks 175 & 176, Monte Grande Subdivision Unit 2: Request of Fortunato Castaneda and Isabel Castaneda for Road Crossing. No change in status. Still waiting on return of signed license agreement.
  - 7.8 Drain U in Block 145, SBL&WCo.: Request for Down Drain License for Paso Real Coves Subdivision [Pertains to Agenda Item 3.6]. Revised plans not submitted.
  - 7.9 Fresnos D-1 West Drain in Blocks 5 & 6, Parker Tract: Request of AEP for Aerial Electric Line Crossing. There is an existing aerial line on the west side of, adjacent and parallel to F.M. 803/Olmito North Road. AEP is going to increase the size of the wire and replace the poles. License agreement has been submitted to AEP. Waiting on return of signed license agreement.
  - 7.10 Amendment of License Agreement for Aerial Fiber Optic Cable Crossing. At the January 10, 2022 meeting [Agenda Item 6.6], the request of AEP for aerial fiber optic crossings of various drains was approved. The License Agreement was finalized prior to the April 11, 2022 meeting [Agenda Item 6.6]. One of the fiber optic lines diagonally crosses the corner of a farm tract and the South 6 Drain as graphically shown on *Exhibit 4* to the License Agreement for Aerial Fiber Optic Line Crossings, dated March 14, 2022, recorded as Document # 2022-15207, Official Records of Cameron County, Texas. When the owner burned his sugar cane, the fiber optic cable was damaged by the heat. AEP now wants to put the fiber optic cable underground, and to do so the fiber optic line will need to cross under the South 6 Drain. The motion was made and seconded to supplement and amend the License Agreement to allow the fiber optic cable to cross under the South 6 Drain. Following a discussion, the motion carried.
8. Grants: TWDB #40023 Flood Protection/Infrastructure Study–Hydrologic and Hydraulic Model Update.
    - 8.1 Interlocal Cooperation Agreement with City of Harlingen. Discussed under Agenda Item 7.1.
    - 8.2 Application for ARPA Funds to Cover Cost to Expand Project to Include City of San Benito. The County has not yet started accepting applications. The application will be submitted when the application period opens.
  9. Donations: Drains in Territory North of Arroyo Gardens (Shares 12 and 22, Espiritu Santo Grant). Survey work still in progress.
  10. Audit of Fiscal Year ended September 30, 2021. The audit commenced this morning.
  11. Equipment–Disposal of Vehicles and Equipment. Manager Lambert discussed the need to dispose of vehicles and equipment. The motion was made and seconded to declare the following vehicles surplus equipment and authorize Manager Lambert to solicit bids for the sale thereof:

DD#17  
2008 John Deere 6430 Tractor Serial #L06430H596133  
with Diamond Boom Mower Serial #4759  
Hours 10,190

DD#18  
2008 John Deere 6430 Tractor Serial #L06430H596152  
with Diamond Boom Mower Serial #4758  
Hours 10,358

TEREX 3  
2009 Terex TX760B Backhoe Serial #6517  
Hours 10,000

UNIT #9  
2003 Ford F350 4x2 Super Chassis Truck VIN #1FDWX36S83EC57961  
Mileage - Odometer Not Working (in excess of 200,000 miles)

UNIT #20  
2002 Ford F150 Truck VIN #1FTRX18L92NA27937  
Mileage - 209,482 miles

UNIT #23  
2000 Ford F150 Truck VIN #1FTRX18LIYKA60747  
Mileage - Odometer Not Working (in excess of 200,000 miles)

Following a discussion, the motion carried.

12. Rules Revision. No change in status. The Manager has not completed her review of the proposed rules.
13. Reports.
  - 13.1 Financial.
    - (a) Financial Report for Month of May 2022. Presented and reviewed.
    - (b) Financial Report for Fiscal Year through May 31, 2022. Presented and reviewed.
  - 13.2 Manager. All matters discussed under other Agenda items.
  - 13.3 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. Manager Lambert reported that the County Clerk is accepting plat filings consisting of a plat without the District's sign-off paragraph, and a plat with the District's sign-off paragraph.
    - (b) May 7, 2022 Election. The original oath and copy of bond for each Director has been filed with the Secretary of State; the District Registration Form has been filed with TCEQ. The candidates have filed their final campaign finance reports. Local entities are no longer required to file the Precinct by Precinct report.
  - 13.4 Engineer. All matters discussed under other Agenda items.
  - 13.5 Drain Supervisor.
    - (a) Written report of work accomplished in the month of May 2022 presented.
    - (b) Equipment. The two brush cutters purchased at the November 8, 2021 meeting [Agenda Item 5] were delivered and put into service on June 2, 2022:  
  
DD35 2022 John Deere 6145M tractor serial #138490 w/Tiger Mower serial #6358417, purchase price \$215,923.20  
  
DD36 2022 John Deere 6145M tractor serial #138439 w/Tiger Mower serial #6358426, purchase price \$215,923.20
  - 13.6 City of San Benito. No one appeared on behalf of the City.
14. Payment of Accounts, Wages, and Directors' Services.
  - 14.1 The motion was made and seconded that issuance of the following checks issued between the May 9, 2022 meeting and this meeting be ratified:

13870 : Brown, Leal & Assoc.	Engineering Services	\$12,160.00
13871 : Texas Child Support SDU	Employee Wage Withholding-Child Support	\$422.77

13872 : Sonia Lambert	TCDRS Conference	\$255.00
13873 : Holt Company of Texas	Machine Repairs	\$15,038.05
13874 : JR ITSoftware Solutions	Microsoft and Firewall	\$4,589.99
13875 : Purchase Power	Meter Usage	\$41.32
13876 : Texas Refinery Corp.	Machine Repairs	\$1,137.89
13877 : Texas Water Conservation Association	Liability Insurance	\$4,460.02
13878 : VOID		-0-
13879 : Lone Star Glass & Mirror	Unit 66 Repair	\$250.00
13880 : Texas Child Support SDU	Employee Wage Withholding-Child Support	\$422.77
13881 : Texas Water Conservation Association	Conference	\$395.00
13882 : AFLAC	Health Insurance	\$746.10
13883 : Rodolfo Cardenas	Air Conditioner Repair	\$200.00
TOTAL		<u>\$40,118.91</u>

Following a discussion, the motion unanimously carried.

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

13884 : Allstate Insurance Co.	Insurance	\$74.67
13885 : AT&T Mobility	Wireless Phone	\$156.75
13886 : Blue Cross & Blue Shield	Health Insurance	\$15,864.42
13887 : Cameron Appraisal District	Quarterly Assessment	\$12,247.75
13888 : Cameron County Irrigation Dist. #2	Reimbursement	\$27,520.26
13889 : Commercial Billing	Machine Repairs	\$1,172.36
13890 : Charter Chemical Solutions	Machine Lube	\$400.00
13891 : East Rio Hondo Water Supply Corp.	Office/Shop/Warehouse: Water Bill	\$64.37
13892 : ESRI, Inc.	ARC GIS	\$200.00
13893 : Gateway Printing	Office Supplies	\$84.70
13894 : Gigabit Communications	Uverse/Internet	\$200.00
13895 : Goode Electric Company	Repairs	\$934.75
13896 : Grajales Tire Shop	Machine Repairs	\$11.00
13897 : H & V Equipment	Machine Repairs	\$19.32
13898 : Hollon Oil Company	Hydraulic Oil	\$2,050.73
13899 : Holt Co. Of Texas	Machine Repairs	\$1,847.87
13900 : JR ITSoftware	Programming	\$732.99
13901 : John Deere Financial	Machine Repairs	\$1,550.94
13902 : J & J Tire & Auto	Auto Repairs	\$2,812.91
13903 : Sonia Lambert	Phone Allowance	\$125.00
13904 : La Hormiga Tire Shop	Flat Repairs	\$8.00
13905 : McCoy's Lumber Co.	Machine Repairs	\$63.41
13906 : O'Reilly Auto Parts	Machine Repairs	\$530.97
13907 : Ortega, Federico	Phone Allowance	\$45.00
13908 : Pitney Bowes	Postage Meter Rental	\$178.58
13909 : Pruneda Tech Service	Toner	\$396.00
13910 : Rio Hondo Lumber & Supply	Drain Repairs	\$11.98
13911 : Rey's Tire Service	Flat Repairs	\$759.00
13912 : Southern Tire Mart	Machine Repairs	\$1,522.82
13913 : South Texas Bolt & Supply	Machine Repairs	\$17.26
13914 : Nelda Solorio	Janitorial	\$275.65
13915 : Tiger Corporation	Mower DD35 and DD36	\$431,846.40
13916 : Triple S Steel	Safety Supplies	\$558.61
13917 : Lucinda Trevino	Janitorial	\$338.44
13918 : Texas Child Support SDU	Employee Wage Withholding-Child Support	\$422.77
13919 : UniFirst	Uniforms	\$505.78
13920 : Valley Fire & Safety	Extinguishers	\$602.00
13921 : Wilcac Life Insurance	Insurance	\$21.67
13922 : Wylie Case	Machine Repairs	\$1,958.67
13923 : David Ybarra	Janitorial	\$320.65
13924 : Brown, Leal & Assoc.	Engineering Services	\$9,375.00
13925 : Dainamik	GPS Monitoring	\$1,290.00
13926 : Lincoln National Life	Life Insurance	\$236.16
13927 : Dossett Law Office	Legal Fees	\$1,765.00
TOTAL		<u>\$521,120.61</u>

Following a discussion, the motion unanimously carried.

15. Board of Directors–Fill Vacancy on Board of Directors. There was a general discussion. No action.
16. Personnel–Manager: Deliberate Appointment, Employment, and Duties of Joint

Assistant/Trainee Manager to Succeed Current Manager Upon Her Retirement. The successful candidate declined the job offer. A general discussion about filling the position followed. No action.

17. Mandatory Annual Cyber Security Training. Board members Garcia and McCarthy and Manager Lambert received the required training.
18. Adjournment. There being no further business, the meeting was adjourned.