

April 11, 2022
San Benito, Texas

The regular meeting of the Board of Directors of Cameron County Drainage District No. 3 convened on April 11, 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 March 14, 2022 Meeting. The Minutes of the March 14, 2022 meeting were presented and reviewed. The motion was made and seconded to approve the Minutes of the March 14, 2022 meeting. Following a discussion, the motion carried.
 - 1.2 March 28, 2022 Meeting. The Minutes of the March 28, 2022 special meeting were presented and reviewed. The motion was made and seconded to approve the Minutes of the March 28, 2022 meeting. Following a discussion, the motion carried.
 - 1.3 March 29, 2022 Meeting. The Minutes of the March 29, 2022 special meeting were presented and reviewed. The motion was made and seconded to approve the Minutes of the March 29, 2022 meeting. Following a discussion, the motion carried.
 - 1.4 April 2, 2022 Meeting. The Minutes of the April 2, 2022 special meeting were presented and reviewed. The motion was made and seconded to approve the Minutes of the April 2, 2022 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–Moore Land Surveying, LLC, being 22.4 acres out of Blocks C & D, James Dickinson Subdivision. Plat not presented. No action.
 - 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. Plat not presented. No action.
 - 3.5 East Treasure Haven Subdivision, being 14.64 acres out of Block 146, San Benito Land & Water Company Subdivision. It was reported that the required license agreement has been finalized [Agenda Item 6.3 below]. Plat not presented. No action.
 - 3.6 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.
 - 3.7 Paso Real Coves Subdivision–Melden & Hunt (66.902 acres Lots 1-8, Block 146, SBL&Co). A representative of Meldon & Hunt presented the preliminary plat. Stormwater will collect in a detention basin to be constructed along the east side of the subdivision, which will discharge into Drain U. The plan for the discharge structure was not included. The motion was made and seconded that the plat of Paso Real Coves Subdivision receive preliminary approval subject to verification that

there is no less than 25 feet between the detention basin and the edge of Drain U, and a down drain license for the outfall structure. Following a discussion, the motion carried.

- 3.8 Alvarado Estates Subdivision–Altex Engineering, being 2.77 acres out of Block 153, San Benito Land & Water Company Subdivision. Plat not presented. No action.
- 3.9 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.
4. Blocks 209 and 215, San Benito Land & Water Co.: Cameron County Irrigation District No. 2 Conveyance of Seep Ditch to Drainage District.
 - 4.1 Rios Surveying was engaged to locate the westerly boundary line of Cameron County Irrigation District No. 2's main canal in Blocks 209 and 215, as described in the deed from Thomas N. Dysart, Trustee, to Cameron County Irrigation District No. 2, dated April 14, 1917, recorded at Volume 51, Pages 436-464, Deed Records of Cameron County, Texas, and to locate the Irrigation District's seep ditch, part of which has been piped, in relation to said boundary line. Said survey will be used to prepare a document conveying the seep ditch to the Drainage District.
 - 4.2 Rios Surveying submitted a draft of the survey to the Drainage District. On April 7, 2022, District staff met with representatives of Rios Surveying at the site to finalize the survey. Upon receipt of the final survey, a meeting with representatives of Resaca Vista Homes Condominiums will be held.
 - 4.3 Based on the draft, it appears there may be a blockage of the seep ditch in the vicinity of Resaca Vista Homes Condominiums Unit G-1, also being 11 Resaca Vista Drive. The District will investigate and determine what corrective action needs to be taken if the blockage is confirmed.
5. Russell Main Drain: Private Road Crossing in Block 4, Parker Tract Subdivision Owned by Porfirio and Nicanor Vasquez and Respective Spouses. The owners now have an estimate for the crane needed to set the box culverts. The owners have not advised whether they have ordered the box culverts. If purchased, the tentative delivery date of the box culverts is November 2022. The owners have been told that the District will remove the crossing if there is a major rain storm event before the road crossing is upgraded. The Board being of the opinion that there should be no question as to the Manager's authority to remove the crossing, the motion was made and seconded that the District Manager is instructed, directed, and authorized to remove the existing crossing in the event a major rain storm event occurs before the road crossing in Block 4, Parker Tract Subdivision, is upgraded. Following a discussion, the motion carried.
6. Agreements/Rights-of-Way/Permits/Interlocal Cooperation Contracts.
 - 6.1 Drain 383: Request of Ciro and Ronda Garza for Road Crossing. Preparation of the License Agreement will be completed by tomorrow.
 - 6.2 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–Status Report. No change in status.
 - (b) Upgrade of Underdrains–Status Report. The District's Engineer has not completed the plans for the underdrain.
 - (c) Upgrade of Road Crossings Downstream of Phases I & II. No change in status. The District's Engineer has not completed the plans.
 - 6.3 Drain C/Drain C-Right: East Treasure Haven Subdivision–Request for Down Drain to Discharge into District's Drainage System [Pertains to Agenda Item 3.5]. The subdivision discharges into Drain C/Drain C-Right. The license agreement has been finalized.

- 6.4 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. The License agreement, which must be signed by the landowners and MVEC, has been prepared and submitted to the landowners but has not been returned.
- 6.5 Russell Main Drain in Share 14, Espiritu Santo Grant: Request for East Rio Hondo Water Supply Corp. for Potable Waterline Crossings. The license agreement has not been signed and returned by ERHWSCo.
- 6.6 Drain E Relief, Drain D, Drain C-Left, South 6 Drain, Drain C-Right: Request of AEP for License for Fiber Optic Line Crossings. The license agreement has been finalized.
- 6.7 Drain C-Right: Request of Sam and Susan Simmons for License Agreement to Extend Cottonwood Creek Court in the Fairways at Cottonwood Creek Subdivision [1-1602, Map Rec.] East Across Drain. The license agreement has been finalized.
- 6.8 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.
- 6.9 Arroyo Gardens #1 Drain in Block 175 & 176, Monte Grande Subdivision Unit 2: Request of Fortuanato Castaneda and Isabel Castaneda for Road Crossing. Waiting for the owners to sign and return the license agreement.
- 6.10 Drain U in Block 145, SBL&WCo.: Request for Down Drain License for Paso Real Coves Subdivision [Pertains to Agenda Item 3.7]. The motion was made and seconded that the request be granted subject to verification that there is no less than 25 feet between the detention basin and the edge of Drain U, and Engineer Brown's approval of the plans for the outfall structure. Following a discussion, the motion carried.
7. Grants: TWDB #40023 Flood Protection/Infrastructure Study–Hydrologic and Hydraulic Model Update. It was noted that Cameron County is to receive \$40,000,000.00 under the American Rescue Plan Act (ARPA). ARPA funds can be used to pay for infrastructure and related projects. This morning, the District submitted to the County an application for a grant from the ARPA fund in the amount of \$408,150.00, being the \$453,500.00 cost of the expanded grant, less the \$45,350.00 the City of San Benito will pay. The Board being of the opinion that there should be no question as to the Manager's authority to submit the grant application, the motion was made and seconded that the District's application to Cameron County for a grant out of the ARPA Fund in the amount of \$408,150.00 be approved and ratified. Following a discussion, the motion carried.
8. Donations: Drains in Territory North of Arroyo Gardens (Shares 12 and 22, Espiritu Santo Grant). Rios Surveying has agreed to do the required survey work.
9. Audit of Fiscal Year ended September 30, 2021. No change in status. The audit has not commenced.
10. Rules Revision. No change in status. The Manager has not completed her review of the proposed rules.
11. Reports.
 - 11.1 Financial.
 - (a) Financial Report for Month of March 2022. Presented and reviewed.
 - (b) Financial Report for Fiscal Year through March 31, 2022. Presented and reviewed.
 - (c) 2022 1st Quarter Investment Report. Presented and reviewed. It was noted that the District does not have any certificates of deposit because the rate of interest paid on the District's checking account is greater than the interest rate

paid on certificates of deposit.

11.2 Manager. ARPA Application. Discussed under Agenda Item 7, above.

11.3 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.

11.4 Engineer. Engineer Brown reported that at a meeting with County officials last week, County Judge Eddie Trevino, Jr. announced the County will pursue legislature consolidating the drainage districts, with the County Commissioners being the board of directors. A discussion followed.

11.5 Drain Supervisor.

(a) Written report of work accomplished in the month of March 2022 presented.

(b) Equipment. Tentatively, the two brush cutters purchased at the November 8, 2021 meeting [Agenda Item 5] will be delivered mid-April 2022; not received yet.

11.6 City of San Benito. No one appeared on behalf of the City.

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

12.1 The motion was made and seconded that issuance of the following checks issued between the March 14, 2022 meeting and this meeting be ratified:

13787 : Dainamik	GPS Monitoring	\$1,015.00
13788 : Sonia Lambert	TWCA Conference	\$965.26
13789 : Texas Child Support SDU	Employee Wage Withholding-Child Support	\$422.77
13790 : Texas Child Support SDU	Employee Wage Withholding-Child Support	<u>\$422.77</u>
TOTAL		\$2,825.80

Following a discussion, the motion carried.

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

13791 : AFLAC	Health Insurance	\$447.66
13792 : Allstate Insurance Co.	Insurance	\$74.67
13793 : AguaWorks Pipe & Supply	Drain Repairs	\$3,030.00
13794 : AT&T Mobility	Wireless Phone	\$156.75
13795 : Blue Cross & Blue Shield	Health Insurance	\$16,474.59
13796 : CNA Surety	Director Bonds-Garcia, McCarthy	\$355.00
13797 : Cameron County Irrigation Dist. #2	Reimbursement	\$24,670.42
13798 : City of Brownsville	Recycle	\$851.00
13799 : East Rio Hondo Water Supply Corp.	Office/Shop/Warehouse: Water Bill	\$66.13
13800 : Firestone	Auto Repairs	\$404.40
13801 : First Community Bank	Petty Cash	\$294.42
13802 : Gateway Printing	Office Supplies	\$55.32
13803 : Gigabit Communications	Uverse/Internet	\$200.00
13804 : Grajales Tire Shop	Flat Repairs	\$135.00
13805 : H & V Equipment	Machine Repairs	\$348.92
13806 : Hollon Oil Company	Hydraulic Oil	\$2,405.56
13807 : JR ITSoftware Solutions	Software Services	\$552.99
13808 : John Deere Financial	Machine Repairs	\$730.63
13809 : Sonia Lambert	Phone Allowance	\$125.00
13810 : McCoy's	Drain Repairs	\$373.57
13811 : Nueces Power Equipment	Machine Repairs	\$1,267.22
13812 : O'Reilly Auto Parts	Machine Repairs	\$954.61
13813 : Ortega, Federico	Phone Allowance	\$45.00
13814 : Power Plan	Machine Repairs	\$12,032.69
13815 : Purchase Power	Postage	\$301.50
13816 : Rio Grande Concrete	Other Repairs	\$35.05
13817 : Rio Hondo Lumber & Supply	Drain Repairs	\$28.95
13818 : Rey's Tire Service	Flat Repairs	\$615.00
13819 : South Texas Bolt & Supply	Machine Repairs	\$24.55
13820 : Nelda Solorio	Janitorial	\$220.52
13821 : Lucinda Trevino	Janitorial	\$469.67

13822 : TOPS–The Outdoor Power Store	Machine Repairs	\$422.85
13823 : UniFirst	Uniforms	\$761.10
13824 : Wilcac Life Insurance	Insurance	\$21.67
13825 : Wylie Case	Machine Repairs	\$3,168.39
13826 : David Ybarra	Janitorial	\$265.52
13827 : Lincoln Financial	Insurance	\$236.16
13828 : Dossett Law Office	Legal Fees	<u>\$4,060.00</u>
TOTAL		\$76,682.48

Following a discussion, the motion carried.

13. Board of Directors–Fill Vacancy on Board of Directors. No Discussion. No action.
14. Personnel–Manager: Deliberate Appointment, Employment, and Duties of Manager to Succeed Current Manager Upon Retirement. Manager Lambert advised that the Cameron County Drainage District Board of Directors will announce its choice at its April 15, 2022 meeting. At 3:18 p.m., President Garcia announced that the Board would recess the open meeting and convene a closed meeting pursuant to Texas Government Code § 551.074 to deliberate the employment of a Manager to succeed Manager Lambert upon her retirement. At 3:27 p.m., President Garcia reconvened the open meeting. The motion was made and seconded that prior to the May 9, 2022 regular meeting a joint meeting be held with the Irrigation District Board to discuss the matter. Following a discussion, the motion carried.
15. East Line Relief Drain Project. Director McCarthy declared his dissatisfaction due to the lack of progress on this project. A discussion followed. Engineer Brown stated that the strip maps have been prepared, and he will deliver the maps to Manager Lambert and Attorney Dossett. Engineer Brown will send out his crew this week to determine if electric transmission lines erected by the Wind Farms will require any adjustments to the plans and strip maps. Attorney Dossett noted that the Board has previously authorized Manager Lambert to engage an appraiser and to discuss the project with the landowners.
16. Adjournment. There being no further business, the meeting was adjourned.