

August 14, 2023  
San Benito, Texas

The regular meeting of the Board of Directors of Cameron County Drainage District No. 3 convened on August 14, 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; Craig M. Harmon, Assistant/Trainee Manager; Jack Brown, Engineer; and B. R. Dossett, Attorney. President Garcia called the meeting to order and presided.

1. Minutes.
  - 1.1 The Minutes of the July 10, 2023 regular meeting were presented and reviewed. The motion was made and seconded that the Minutes of the July 10, 2023 regular meeting be approved. Following a discussion, the motion unanimously carried.
  - 1.2 The Minutes of the July 11, 2023 joint meeting with the Board of Directors of Cameron County Irrigation No. 2 were presented and reviewed. The motion was made and seconded that the Minutes of the July 11, 2023 joint meeting be approved. Following a discussion, the motion carried.
2. Public Comment Period. No one appeared. No written comments were received.
3. Engineer. A Contract/Agreement Between Owner and Engineer for Professional Services, effective May 22, 2023, between the District and Scheibe Consulting, LLC, was presented and reviewed. Jack Brown is now an employee of Scheibe Consulting, LLC. The motion was made and seconded that Scheibe Consulting, LLC be engaged as the District's Engineer; the Contract/Agreement Between Owner and Engineer for Professional Services, effective May 22, 2023, between the District and Scheibe Consulting, LLC, be approved; and that either President Garcia or Manager Lambert is authorized to sign the Contract/Agreement. Following a discussion, the motion carried.
4. Audit of Fiscal Year Ended September 30, 2022.
  - 4.1 Status Report. Manager Lambert recommended that the District engage Robert Lopez, CPA to audit the District's fiscal year beginning October 1, 2021 and ending September 30, 2022. The fee will be \$12,000.00.
  - 4.2 Engage CPA to Conduct Audit. The motion was made and seconded that Robert Lopez, CPA, be engaged to audit the District's fiscal year beginning October 1, 2021 and ending September 30, 2022, for a fee of \$12,000.00, and that either President Garcia or Manager Lambert is authorized to sign the engagement letter. Following a discussion, the motion carried.
5. District's Internet Website-Website Management. David Ybarra, the District's Draftsman, has been maintaining the District's website. Mr. Ybarra has submitted his resignation effective at the close of business on September 30, 2023; he is the co-owner of a new business in Brownsville. He is willing to continue to maintain the District's website for \$250.00 per month. The motion was made and seconded that David Ybarra be engaged to maintain the District's website for \$250.00 per month beginning October 2023. Following a discussion, the motion carried.
6. Personnel-GIS Consultant. Daniel Diaz, who was the Draftsman for Cameron County Irrigation District No. 2, was employed on August 3, 2023 as Draftsman for the Drainage District to replace David Ybarra. Mr. Ybarra has been training Mr. Diaz, but Manager Lambert is of the opinion that David Ybarra should be engaged as a GIS Consultant to provide additional training and support to Mr. Diaz for up to six months. Mr. Ybarra is willing to serve as a GIS consultant for \$1,787.00 per month. The motion was made and seconded that David Ybarra be engaged as a GIS consultant for up to six months, beginning October 2023, at a monthly fee of \$1,787.00. Following a discussion, the motion carried.
7. Rancho Grande Diversion Project/Drain A Bypass Extension to River—Installation of

FlumeGate. The manufacturer of the FlumeGate advised that the FlumeGate will fail at this location. It is not designed or intended to be used where water is flowing perpendicular to the FlumeGate. Manager Lambert and the District's engineer will continue to search for a solution to the problem.

8. Budget–Proposed for Fiscal Year Beginning October 1, 2023 and Ending September 30, 2024. A proposed budget for the Fiscal Year beginning October 1, 2023 was presented and discussed. The motion was made and seconded that the proposed budget be accepted and final action on the proposed budget be taken at the Board's September 11, 2023 regular meeting. Following a discussion, the motion unanimously carried.
9. Tax Rate for 2022. It was proposed that the District adopt a tax rate of \$0.142210 per \$100 valuation for calendar year 2023. The motion was made and seconded that the proposed tax rate of \$0.142210 per \$100 valuation for calendar year 2023 be accepted, final action on the proposed tax rate be taken at the Board's September 11, 2023 regular meeting, and the required notice of public hearing on tax rate be published as required by law. Following a discussion, the motion carried. It was noted that the Tax Code, as amended, requires that a person be designated to calculate the No-New-Revenue Tax Rates and Voter Approval Rates and to certify the Tax Rate Calculation Worksheets for the District, and that a resolution was adopted at the August 10, 2020 meeting designating the Manager of the District, presently Sonia Lambert, as the person designated to calculate the No-New-Revenue Tax Rates and Voter Approval Rates and to certify the Tax Rate Calculation Worksheets for the District.
10. 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 (HOA) met on July 13, 2023. Drain Supervisor Ortega and Draftsman Ybarra attended the meeting and discussed the cost of replacing a segment of the underground pipeline, with no guarantee of success. It was proposed that the HOA construct a new drain west from the Resaca Vista Condominiums property, generally in Resaca Vista Road, to the District's drain on the west side of old Sam Houston Boulevard.
11. 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.
12. Projects.
  - 12.1 East Line Drain Relief Project 2012. No change in status since the last meeting.
  - 12.2 TWDB #40023 Flood Protection/Infrastructure Study-Hydrologic and Hydraulic Model Update. Preliminary documents received from the grant administrator suggest the City may have to pay 20% instead of 10%.
  - 12.3 Drain B-2: Upgrade of Pennsylvania Boulevard Road Crossing.
    - (a) Status Report. Plans not completed. The District's Engineer is waiting on the City of San Benito to provide needed information and data.
    - (b) Grant Funding: DR-4705 Grant for Pennsylvania Boulevard Crossing Upgrade and Downstream Road Crossing Upgrades. No report.
    - (c) Interlocal Cooperation Contract with City of San Benito for Removal of Sanitary Sewer Line. The Interlocal Cooperation Contract cannot be prepared until engineers have determined what must be done.
    - (d) Other Decisions Necessary. No other decisions or action necessary.
  - 12.4 Drain B-2: Upgrade of Road Crossings Downstream from Pennsylvania Boulevard. Engineer Brown has not finished his study of the Yost Road, Jay Street, and McCulloch Road crossings.

13. Agreements/Rights-of-Way/Permits/Interlocal Cooperation Contracts.
  - 13.1 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. No change in status since the last meeting.
  - 13.2 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. No change in status since the last meeting.
  - 13.3 Drain E in Block 22, San Benito Land & Water Company Subdivision–License Agreement to San Benito CISD for 4 down drains (for bus barn). No change in status since the last meeting.
  - 13.4 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. No change in status since the last meeting.
  - 13.5 Russell Main Drain in Share 14, Espiritu Santo Grant: Request of East Rio Hondo Water Supply Corp. for Potable Waterline Crossings (Madeira Waterline Project/the for Madeira Subdivision located south of Highway 100). Crossing fees paid. License Agreement is recorded as Doc. # 2023-24912, Official Records of Cameron County, Texas.
  - 13.6 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.
  - 13.7 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.
  - 13.8 Drain E-1: Relocation of SBCISD’s Down Drain Inlet on South Side of High School. No change in status since the last meeting.
14. Donation: Drains in Territory North of Arroyo Gardens (Shares 12 and 22, Espiritu Santo Grant). Still waiting on the metes and bounds descriptions of the 140 foot wide strips of land, together with the drains therein, to be conveyed to the District.
15. Rules Revision. Not ready for Board action.
16. Reports.
  - 16.1 Financial.
    - (a) Financial Report for month of July 2023 presented and reviewed.
    - (b) Financial Report for fiscal year through July 31, 2023 presented and reviewed.
  - 16.2 Manager. All matters discussed under other Agenda items.
  - 16.3 Attorney. All matters discussed under other Agenda items.
  - 16.4 Drain E Notice of Drain Right-of-Way. Notice of the location of the pipeline between La Palma and Stenger Streets not completed.
  - 16.5 Engineer. All matters discussed under other Agenda items.
  - 16.6 Drain Supervisor. Written report of work accomplished in the month of July 2023 presented.

- 16.7 Report by Representative of City of San Benito. No one appeared regarding this Agenda item.
17. *Cameron County Drainage District No. 3 and Cameron County Irrigation District No. 2, et al. vs. City of San Benito.*
- 17.1 Status Report. No change in status since the July 10, 2023 meeting.
- 17.2 Settlement of Suit. Proposed settlement not finalized.
18. Payment of Accounts, Wages, and Directors' Services.

18.1 The motion was made and seconded that issuance of the following checks issued between the July 10, 2023 meeting and this meeting be ratified:

1020	: Scheibe Consulting, LLC	TWDB Grant Fund	<u>\$39,087.50</u>
	TOTAL		\$39,087.50
14515	: Rodolfo Cardenas	AC Repair	\$120.00
14516	: Cameron County Irrigation Dist. #2	Reimbursement	\$1,395.53
14517	: Commercial Billing	Auto Repairs	\$224.94
14518	: Gateway Printing	Office Supplies	\$189.68
14519	: Iafsa USA	Machine Repairs	\$4,459.42
14520	: JR ITSoftware Solutions	Computer Programming	\$798.25
14521	: RGV Pumps & Equipment	O/R Diesel Fuel	\$22,026.21
14522	: Texas Child Support SDU	Employee Wage Withholding-Child Support	\$720.47
14523	: Texas Child Support SDU	Employee Wage Withholding-Child Support	<u>\$720.47</u>
	TOTAL		\$30,654.97

Following a discussion, the motion unanimously carried.

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

14524	: AFLAC	Insurance	\$249.84
14525	: Alamo Group	DD37 Tractor	\$142,755.12
14526	: AT&T Mobility	Wireless Phone	\$156.75
14527	: Blue Cross & Blue Shield	Health Insurance	\$15,784.75
14528	: Cameron County Irrigation Dist. No. 2	Reimbursement	\$770.42
14529	: Charter Chemical Solutions	Chemicals	\$325.00
14530	: Direct Energy	Warehouse: Electric Bill	\$293.49
14531	: East Rio Hondo Water Supply Corp.	Office/Shop/Warehouse: Water Bill	\$75.67
14532	: First Community Bank	Petty Cash	\$229.16
14533	: Grajale's Tire Shop	Flat Repairs	\$85.00
14534	: Hollon Oil Company	Hydraulic Oil	\$1,627.50
14535	: J & M Hydraulics	Machine Repairs	\$737.78
14536	: JR ITSoftware Solutions	Computer Programming	\$798.25
14537	: John Deere Financial	Machine Repairs	\$1,467.85
14538	: Sonia Lambert	Phone Allowance	\$125.00
14539	: Linde Gas & Equipment	Haz Materials	\$160.87
14540	: Luis Coronado	Weld Repairs	\$400.00
14541	: McCoy's	Other Repairs	\$47.35
14542	: Oil Patch Fuel	O/R Diesel/Gas	\$32,811.16
14543	: O'Reilly Auto Parts	Machine Repairs	\$882.85
14544	: Ortega, Federico	Phone Allowance	\$45.00
14545	: Pico Propane	O/R Diesel	\$14,917.28
14546	: Pitney Bowes	Postage Meter Ink	\$91.29
14547	: Rey's Tire Service	Flat Repairs	\$475.00
14548	: Southern Tire Mart	Machine Repairs	\$2,345.08
14549	: South Texas Bolt & Supply	Machine Repairs	\$132.72
14550	: Nelda Solorio	Janitorial	\$376.01
14551	: Lucinda Trevino	Janitorial	\$275.67
14552	: UniFirst	Uniforms	\$454.12
14553	: Wilcac Life Insurance	Insurance	\$21.67
14554	: Wylie Case	Machine Repairs	\$969.43
14555	: David Ybarra	Janitorial	\$155.25
14556	: Dossett Law Office	Legal Fees	\$2,385.00
14557	: ESRI, Inc.	ARC GIS Credits	\$480.00
14558	: Lincoln National Life	Life Insurance	<u>\$462.48</u>
	TOTAL		\$223,369.81

Following a discussion, the motion unanimously carried.

19. Board of Directors: Fill Vacancy on Board of Directors. No discussion. No action.
20. Personnel: Assistant/Trainee Manager. Craig M. Harmon was hired as the Drainage District's Assistant/Trainee Manager at the August 11, 2023 joint meeting with the Board of Directors of Cameron County Irrigation District No. 2, effective August 14, 2023. The CCID#2 Board took no action on the employment of an Assistant/Trainee Manager for the Irrigation District.
21. Adjournment. There being no further business, the meeting was adjourned.

---

Ronaldo Garcia, President

---

Matthew McCarthy, Vice President