

October 11, 2022
San Benito, Texas

The regular meeting of the Board of Directors of Cameron County Drainage District No. 3 convened on October 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 May 3, 2022 Meeting. The Minutes of the May 3, 2022 joint meeting with the Board of Directors of Cameron County Irrigation District No. 2 were presented and reviewed. The motion was made and seconded to approve the Minutes of the May 3, 2022 meeting. Following a discussion, the motion carried.

1.2 September 12, 2022 Meeting. The Minutes of the September 12, 2022 regular meeting were presented and reviewed. The motion was made and seconded to approve the Minutes of the September 12, 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 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.

3.3 Montenegro Estates Subdivision–Mejia & Rose, being 9.4 acres out of Block 7, Landrum Reserve. Plat not presented. No action.

3.4 Paso Real Coves Subdivision, being 66.902 acres out of Lots 1-8, Block 146, San Benito Land & Water Company Subdivision. Owner: HDP Paso Real, LLC; Engineer: Melden & Hunt, Inc. It was reported that the license agreement for down drain was delivered to the District on September 21, 2022, and recorded on September 22, 2022, as Document No. 2022-38594, and that President Garcia signed the plat on September 21, 2022.

3.5 Alvarado Estates Subdivision–Altex Engineering, being 2.77 acres out of Block 153, San Benito Land & Water Company Subdivision. Plat not presented. No action.

3.6 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.

3.7 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.

3.8 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 has not been received. No action.

3.9 Hout Subdivision–Ferris, Flynn & Medina, being 2.51 acres out of Block 199, San Benito Land & Water Company Subdivision. Plat not presented. No action.

3.10 San Sebastian Estates Subdivision–Altex Engineering, being 5 acres out of Block 253, San Benito Irrigated Land Company Subdivision. Plat not presented. No action.

- 3.11 East Treasure Haven, Phase II-Brown, Leal & Assoc., being 25.33 acres out of Block 146, SBL&WCo. Final plat not presented. No action.
- 3.12 Resaca Del Monte Phases 3 and 4–Brown, Leal & Assoc., (29.5 ac., San Pedro de Carricitos Grant). Final plat not presented. No action.
- 3.13 Aguilera Estates Subdivision–CASA Engineering (0.75 ac. in Block 137, San Benito Land & Water Company Subdivision). It was noted that there are no District drains in the subject property. The motion was made and seconded that the plat of Aguilera Estates Subdivision receive preliminary approval. Following a discussion, the motion carried.
4. Audit of Fiscal Year Ended September 30, 2022. Buffo & Berkman, CPAs has agreed to perform the audit and should start on October 14, 2022.
5. Health Insurance. It was noted that the health insurance plan covers only one year, ending November 30, 2022. Proposals were reviewed. The motion was made and seconded that the current plan through Blue Cross Blue Shield be renewed for the period December 1, 2022 to November 30, 2023 with no plan changes. Following a discussion, the motion carried.
6. Equipment.
 - 6.1 Casualty Loss. The 2020 JD 6120 Brushcutter, Serial No. 1L06120MVKH954079 [Item 7.2, May 11, 2020 Minutes] destroyed by fire on August 24, 2022. Still waiting on insurance carrier’s determination of the loss.
 - 6.2 Purchase of Brushcutter. The Case-IH machine that H & V had in stock was sold before the District accepted the bid. The machine has been ordered. Tentative delivery is three months. It was noted that Case-IH and New Holland machines are manufactured by the same company and filters and most parts are interchangeable.
7. Blocks 209 and 215, San Benito Land & Water Co.: Cameron County Irrigation District No. 2 Conveyance of Seep Ditch to Drainage District. A survey drawing has been provided, but no metes and bounds description. The Drain Supervisor will meet with Rios Surveying.
8. 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.
9. Projects.
 - 9.1 East Line Relief Drain Project. No change in status.
 - 9.2 Drain B-2–Pennsylvania Boulevard Crossing Upgrade. The District has received no response from the City. It was noted that the City Engineer has quit. Manager Lambert will follow up.
10. Agreements/Rights-of-Way/Permits/Interlocal Cooperation Contracts.
 - 10.1 Drain 383: Request of Adrian and Cathy Coronado for Road and Utility Crossings. Not finalized. The owners have not delivered the signed license agreement to the District.
 - 10.2 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.

- 10.3 Russell Main Drain in Share 14, Espiritu Santo Grant: Request of East Rio Hondo Water Supply Corp. for Potable Waterline Crossings. The Manager of ERHWSC advised that the crossing fee is not longer the issue, but ERHWSC does not want to sign a license agreement.
 - 10.4 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. Waiting on the response from the federal government.
 - 10.5 Drain U in Block 145, San Benito Land & Water Company Subdivision. Request for Down Drain License for Paso Real Coves Subdivision. Finalized.
 - 10.6 Drain D in Block 128, San Benito Land & Water Company Subdivision–Request for Down Drain License for Proposed 3C Subdivision. Information needed to complete the license agreement for down drains has not been received.
 - 10.7 Drain U in Block 145, San Benito Land & Water Company Subdivision. The School District has not delivered the signed license agreement to the District.
 - 10.8 Robertson Drain and Rio Hondo No. 1 East Drain: Blocks 146, 147, and 169, San Benito Irrigation Company Subdivision. Finalized.
11. Grants.
 - 11.1 TWDB #40023 Flood Protection/Infrastructure Study–Hydrologic and Hydraulic Model Update. The County Commissioners Court took no action on the City of San Benito’s ARPA application at its most recent meeting. In the meantime, grant applications under the Building Resilient Infrastructure & Communities Grant Program (BRIC) and Hazard Mitigation Grant Program (HMGP), both made available through FEMA, have been submitted with the City of San Benito’s approval. Grants under these programs require a 25% local match. Requests for Qualifications (RFQ’s) will probably be required.
 - 11.2 FIF Grant: Interlocal Cooperation Contract with City of Harlingen for the City of Harlingen’s Flood Infrastructure Fund Grant. The City of Harlingen has not finalized the interlocal cooperation contract. Either it does not need the interlocal cooperation contract, or will ask for it at a later date. This item will be removed from the Agenda.
 12. Donations: Drains in Territory North of Arroyo Gardens (Shares 12 and 22, Espiritu Santo Grant). Waiting on Rios Surveying to complete survey.
 13. Equipment–Disposal of Vehicles and Equipment. All items sold and paid for.
 14. Rules Revision. Not ready for Board action.
 15. Reports.
 - 15.1 Financial.
 - (a) Financial Report for Month of September 2022. Presented and reviewed.
 - (b) Financial Report for Fiscal Year ended September 30, 2022. Presented and reviewed.
 - (c) Investment Report for Third Quarter 2022. Presented and reviewed.
 - 15.2 Manager. Report on Regional Flood Planning Group. When fully implemented, only projects on the approved list will be considered for grant funding.

- 15.3 Attorney (written report). *Cameron County Drainage District No. 3 and Cameron County Irrigation District No. 2, et al. vs. City of San Benito*. No change in status.
- 15.4 Engineer. All matters discussed under other Agenda items.
- 15.5 Drain Supervisor. Written report of work accomplished in the month of September 2022 presented.
- 15.6 City of San Benito. No one appeared on behalf of the City.
16. Payment of Accounts, Wages, and Directors' Services.
- 16.1 Voided Check Report. AFLAC acknowledged receiving Check No. 13791 in the amount of \$447.66 issued at the April 11, 2022 meeting [Item 12.2, Page 396], but lost the check. A stop payment order was issued for Check No. 13791, and Check No. 13882 in the amount of \$746.10 payable to AFLAC was issued to pay the \$447.66 and other sums then due AFLAC [Item 14.1, June 13, 2022 Minutes, Page 406].
- 16.2 The motion was made and seconded that issuance of the following checks issued between the September 12, 2022 meeting and this meeting be ratified:
- | | | |
|---------------------------------|---|-----------------|
| 14068 : Sonia Lambert | New Phone | \$622.93 |
| 14069 : Cameron County Clerk | Deposit: Copies, Filing Fees, and Notices | \$350.00 |
| 14070 : Lucinda Trevino | Janitorial | \$130.18 |
| 14071 : Texas Child Support SDU | Employee Wage Withholding-Child Support | <u>\$422.77</u> |
| TOTAL | | \$1,525.88 |

Following a discussion, the motion unanimously carried.

- 16.3 The motion was made and seconded that the following checks be issued:
- | | | |
|--|---|-------------|
| 14072 : AFLAC | Health Insurance | \$374.76 |
| 14073 : AT&T Mobility | Wireless Phone | \$156.75 |
| 14074 : Blue Cross & Blue Shield | Health Insurance | \$15,254.75 |
| 14075 : Cameron County Irrigation Dist. #2 | Reimbursement | \$2,285.63 |
| 14076 : Dainamik | GPS Monitoring | \$1,015.00 |
| 14077 : Direct Energy | Office/Shop/Warehouse: Electricity Bill | \$807.68 |
| 14078 : East Rio Hondo Water Supply Corp. | Office/Shop/Warehouse: Water Bill | \$82.01 |
| 14079 : ESRI, Inc. | ARC GIS Credits | \$296.22 |
| 14080 : Gateway Printing | Office Supplies | \$121.82 |
| 14081 : Gigabit Communications | Uverse/Internet | \$200.00 |
| 14082 : Grajale's Tire Shop | Flat Repairs | \$30.00 |
| 14083 : H & V Equipment | Machine Repairs | \$6,188.12 |
| 14084 : Hollon Oil Company | Equipment Oil | \$3,120.87 |
| 14085 : Holt Company of Texas | Machine Repairs | \$1,524.98 |
| 14086 : IAFSA USA | Machine Repairs | \$2,034.12 |
| 14087 : J & M Hydraulics | Machine Repairs | \$649.15 |
| 14088 : JR ITSoftware Solutions | Computer Programming | \$1,650.23 |
| 14089 : John Deere Financial | Machine Repairs | \$4,590.04 |
| 14090 : Sonia Lambert | Phone Allowance | \$125.00 |
| 14091 : McCoy's | Drain Repairs | \$32.34 |
| 14092 : Oil Patch Fuel | Fuel | \$20,227.33 |
| 14093 : O'Reilly Auto Parts | Machine Repairs | \$1,445.19 |
| 14094 : Ortega, Federico | Phone Allowance | \$45.00 |
| 14095 : South Texas Bolt & Supply | Machine Repairs | \$185.68 |
| 14096 : Nelda Solorio | Janitorial | \$234.31 |
| 14097 : Lucinda Trevino | Janitorial | \$261.87 |
| 14098 : Tractor Supply | Tools | \$25.98 |
| 14099 : UniFirst | Uniforms | \$658.81 |
| 14100 : Wilcac Life Insurance | Insurance | \$21.67 |
| 14101 : David Ybarra | Janitorial | \$182.83 |
| 14102 : First Community Bank | Petty Cash | \$533.37 |
| 14103 : Dossett Law Office | Legal Fees | \$3,143.00 |
| 14104 : Firestone | Auto Repairs | \$245.08 |
| 14105 : Holt Company of Texas | Machine Repairs | \$16,843.93 |
| 14106 : PSI Petroleum Group | Fuel Pump Repairs | \$862.49 |
| 14107 : Texas Child Support SDU | Employee Wage Withholding-Child Support | \$422.77 |

14108 : Wylie Case
TOTAL

Machine Repairs

\$326.00
\$86,204.78

Following a discussion, the motion unanimously carried.

17. Board of Directors–Fill Vacancy on Board of Directors. No discussion. No action.
18. Personnel–Manager: Deliberate Appointment, Employment, and Duties of Joint Assistant/Trainee Manager to Succeed Current Manager Upon Her Retirement. No discussion. No action.
19. Adjournment. There being no further business, the meeting was adjourned.