

January 9, 2023
San Benito, Texas

The regular meeting of the Board of Directors of Cameron County Drainage District No. 3 convened on January 9, 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 November 14, 2022 meeting were presented. The motion was made and seconded that the Minutes of the November 14, 2022 meeting be approved. Following a discussion, the motion unanimously carried. It was noted that no meeting was held in December 2022.
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–Rio Delta Engineering, being 5.29 acres out of Blocks 129 and 126, San Benito Land & Water Company Subdivision. Final plat not presented. No action.
 - 3.5 DnM Cobarrubias Subdivision–Diaz Design Group, being 1.0 acre out of a 2.0 acre tract out of the northeast 10 acres of Block 12, San Benito Land & Water Company Subdivision. Owner/Developer: Herminia Martinez. Engineer: DDG Consulting Engineers. The final plat of DnM Cobarrubias Subdivision was presented and reviewed. The motion was made and seconded that the plat of DnM Cobarrubias Subdivision be approved. Following a discussion, the motion carried and President Garcia signed the plat.
 - 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. A revised preliminary plat was presented and reviewed. The layout changed due to an increase in acreage. The motion was made and seconded that the revised plat of East Treasure Haven, Phase II receive preliminary approval. Following a discussion, the motion carried.
 - 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. The construction plans for the detention basin 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 Scooter’s Coffee Stores –Southpoint Texas Survey, being 0.953 acre out of Block 1, Earl Dunaway Subdivision (Block 181, San Benito Land & Water Company Subdivision). Preliminary plat presented and reviewed. It was noted that there are no District drains in the subject property. The motion was made and seconded that the plat of Scooter’s Coffee Stores receive preliminary approval. Following a discussion, the motion carried.
- 3.15 R & J Reyes Subdivision–Rios Surveying, being 2.26 acres out of Block 11, San Benito Land & Water Company Subdivision. Preliminary plat presented and reviewed. It was noted that there are no District drains in the subject property. The motion was made and seconded that the plat of R & J Reyes Subdivision receive preliminary approval. Following a discussion, the motion carried.
4. Audit. The audit of the fiscal year ended September 30, 2022 was not submitted.
5. Equipment: Brushcutter Purchased to Replace DD#33. Not yet delivered to District.
6. Blocks 209 and 215, San Benito Land & Water Co.: Cameron County Irrigation District No. 2 Conveyance of Seep Ditch to Drainage District. Survey not completed. The exact location of some segments of the pipeline still have not been determined. Harlingen Waterworks (HWW) will run its robotic probe with GPS transponder to pinpoint the pipe’s location. There is no charge for this service. HWW has not advised when the work will be done. It was noted that John Welty, the developer of the 37.06 tract in which the pipeline is situated, piped the seep ditch without the permission of Cameron County Irrigation District No. 2.
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. Attorney Dossett has not completed the offer letters to be sent to the landowners.
 - 8.2 Drain B-2: Upgrade of Pennsylvania Boulevard Road Crossing. The City of San Benito still has not responded to Manager Lambert’s demand letters. The District has been contacted by the owners of land upstream of Liberty Estates Subdivision who want to develop their land as residential subdivisions. It was noted that until the obstruction at Pennsylvania Boulevard is eliminated, Drain B-2 upstream of Pennsylvania Boulevard cannot accept any more stormwater. The motion was made and seconded that necessary steps be taken to enact a moratorium on additional discharges of stormwater into Drain B-2 upstream of Pennsylvania Boulevard until the obstruction caused by the City of San Benito gravity sewer line has been eliminated. Following a discussion, the motion carried.
9. Agreements/Rights-of-Way/Permits/Interlocal Cooperation Contracts.
 - 9.1 Drain 383: Request of Adrian and Cathy Coronado for Road and Utility Crossings. Not finalized. No change in status since the last meeting. Drain Supervisor has not yet made contact with the owners.

- 9.2 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.
- 9.3 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.
- 9.4 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. Still waiting on the response from the federal government.
- 9.5 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. Information needed to complete the license agreement for down drains still not provided.
- 9.6 Drain E in Block 22, San Benito Land & Water Company Subdivision. The School District still has not delivered the signed license agreement to the District. The Board directed that Attorney Dossett send the license agreement to the Superintendent.
10. Grants.
 - 10.1 TWDB #40023 Flood Protection/Infrastructure Study–Hydrologic and Hydraulic Model Update. The County Commissioners Court still has taken no action on the City of San Benito's ARPA application at its most recent meeting. The grant applications for other grants were timely submitted.
 - 10.2 Take Action on RFQs for BRIC and HMGP Grant Applications. Only Scheibe Consulting responded to the Requests for Qualifications (RFQs). The application was timely submitted.
11. Donations: Drains in Territory North of Arroyo Gardens (Shares 12 and 22, Espiritu Santo Grant). No change in status. Still waiting on Rios Surveying to complete the survey of the drains to be conveyed to the District.
12. Rules Revision. Not ready for Board action.
13. Reports.
 - 13.1 Financial.
 - a. Financial Report for the month of November 2022 presented and reviewed.
 - b. Financial Report for the month of December 2022 presented and reviewed.
 - c. Financial Report for the fiscal year through December 31, 2022 presented and reviewed.
 - d. Investment report for the 4th quarter of 2022 presented and reviewed. Manager Lambert reported that the rate of interest paid on certificates of deposit now exceeds the rate paid on interest bearing checking accounts. Seven million dollars of District funds has been moved to certificates of deposit. The motion was made and seconded that there be no changes in the District's investment policy. Following a discussion, the motion carried.
 - 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.

- (b) Drain D in Lot 1, Block 133, San Benito Land & Water Company Subdivision. Larry Drake appeared and complained that the District had gone outside of its right-of-way and cut down trees. Attorney Dossett advised that the District's right-of-way is wider than Mr. Drake believes it to be. The Board advised Mr. Drake that the District has a right to remove trees and brush in its right-of-way, and that his complaint was without merit. Mr. Drake left the meeting.
- © Drain E Notice of Drain Right-of-Way. The Drain Supervisor and Draftsman obtained the GPS coordinates at each piped segment between La Palma and Stenger Streets. The notice has not yet been completed.

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

13.5 Drain Supervisor. Report of work accomplished in the months of November 2022 and December 2022 presented.

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

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 November 14, 2022 meeting and this meeting be ratified:

14160 : Texas Child Support SDU	Employee Wage Withholding-Child Support	\$422.77
14161 : James Robbins	Building Repairs-Office	\$360.00
14162 : AFLAC	Insurance	\$249.84
14163 : A4 Auto Supply	Auto Repairs	\$296.87
14164 : Allstate	Insurance	\$74.67
14165 : AT&T Mobility	Wireless Phone	\$156.75
14166 : Blue Cross & Blue Shield	Health Insurance	\$16,416.14
14167 : Cameron Appraisal District	Quarterly Assessment	\$13,514.75
14168 : Central Plumbing & Electric	Other Repairs	\$1,129.36
14169 : Carson Map Company	Mapping	\$590.00
14170 : Commercial Billing	Auto Repairs	\$432.38
14171 : Direct Energy	Office/Shop/Warehouse: Electricity Bill	\$433.97
14172 : East Rio Hondo Water Supply Corp.	Office/Shop/Warehouse: Water Bill	\$68.99
14173 : ESRI, Inc.	ARC GIS	\$2,900.00
14174 : First Community Bank	Petty Cash	\$403.67
14175 : Gateway Printing	Office Supplies	\$206.77
14176 : Gigabit Communications	Uverse/Internet	\$200.00
14177 : Grajale's Tire Shop	Flat Repairs	\$80.00
14178 : H & V Equipment	Machine Repairs	\$692.76
14179 : Harlingen Irrigation District No. 1	Pipe	\$384,000
14180 : Hollon Oil Company	Hydraulic Oil	\$1,730.99
14181 : JR ITSoftware Solutions	Monitoring Fees	\$798.25
14182 : John Deere Financial	Machine Repairs	\$266.91
14183 : Sonia Lambert	Phone Allowance	\$191.28
14184 : Matt's Cash & Carry	Tools	\$30.97
14185 : McCoys Lumber Co.	Fuel Tank Repairs	\$26.95
14186 : O'Reilly Auto Parts	Machine Repairs	\$252.27
14187 : Ortega, Federico	Phone Allowance	\$1,032.14
14188 : Pitney Bowes	Postage Meter Rental	\$178.68
14189 : Power Plan	Machine Repairs	\$242.59
14190 : Rey's Tire Service	Flat Repairs	\$390.00
14191 : Fred Rodriguez	Warehouse Cameras	\$300.00
14192 : Nelda Solorio	Janitorial	\$165.39
14193 : Lucinda Trevino	Janitorial	\$248.09
14194 : Texas Child Support SDU	Employee Wage Withholding-Child Support	\$422.77
14195 : UniFirst	Uniforms	\$538.48
14196 : Wilcac Life Insurance	Insurance	\$21.67
14197 : David Ybarra	Janitorial	\$293.09
14198 : Direct Energy	Office/Shop/Warehouse: Electricity Bill	\$272.18
14199 : Luis Coronado	Weld Repairs	\$120.00
14200 : Texas Water Cons. Assoc. Risk Management	GL Insurance	\$1,153.00

14201 : Walmart	Christmas-CCDD#3	\$1,520.03
14202 : VOID		-0-
14203 : Nelda Solorio	Reimburse NS for Voided Check #14202	\$1,844.55
14204 : AFLAC	Insurance	\$249.84
14205 : Dainamik	GPS Monitoring	\$1,015.00
14206 : Dossett Law Office	Legal Fees	\$2,365.00
14207 : Firestone	Machine Repairs	\$3,625.54
14208 : Holt Company of Texas	Machine Repairs	\$20,038.35
14209 : JR ITSoftware Solutions	Programming	\$798.25
14210 : Rey's Tire Service	Flat Repairs	\$240.00
14211 : Texas Child Support SDU	Employee Wage Withholding-Child Support	\$422.77
14212 : Allstate	Insurance	\$74.67
14213 : Blue Cross & Blue Shield	Health Insurance	\$16,416.14
14214 : Oil Patch Fuel	Off Road Diesel	<u>\$19,233.81</u>
TOTAL		\$115,533.34

Following a discussion, the motion unanimously carried.

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

14215 : AT&T Mobility	Wireless Phone	\$215.45
14216 : Central Plumbing & Electric	Other Repairs	\$269.96
14217 : Direct Energy	Office/Shop/Warehouse: Electricity Bill	\$427.58
14218 : East Rio Hondo Water Supply Corp.	Office/Shop/Warehouse: Water Bill	\$70.75
14219 : Gateway Printing	Office Supplies	\$196.33
14220 : Gigabit Communications	Uverse/Internet	\$200.00
14221 : Hollon Oil Company	Hydraulic Oil	\$750.88
14222 : IAFSA USA	Machine Repairs	\$637.70
14223 : J & J Tire and Auto	Machine Repairs	\$693.84
14224 : Sonia Lambert	Phone Allowance	\$125.00
14225 : Linde Gas & Equipment	HAZ Materials	\$221.67
14226 : McCoys Lumber Co.	Other Repairs	\$30.31
14227 : Oil Patch Fuel	Unleaded 3986GL	\$9,364.57
14228 : Ortega, Federico	Phone Allowance	\$45.00
14229 : Pico Propane	O/R Diesel 7000GL	\$21,985.45
14230 : Rio Hondo Lumber & Supply	Drain Repairs	\$48.65
14231 : Rey's Tire Service	Flat Repairs	\$120.00
14232 : Nelda Solorio	Janitorial	\$248.09
14233 : Texas Comm. Environmental Quality	Annual Permit Fee	\$100.00
14234 : Texas Refinery Corp.	Grease	\$1,455.00
14235 : Lucinda Trevino	Janitorial	\$165.39
14236 : UniFirst	Uniforms	\$729.50
14237 : Wilcac Life Insurance	Insurance	\$21.67
14238 : David Ybarra	Janitorial	\$293.09
14239 : Texas Child Support SDU	Employee Wage Withholding-Child Support	\$422.77
14240 : VOID		-0-
14241 : VOID		-0-
14242 : VOID		-0-
14243 : Dossett Law Office	Legal Fees	\$1,900.00
14244 : John Deere Financial	Machine Repairs	\$3,507.18
14245 : Tractor Supply	Machine Repairs	<u>\$15.34</u>
TOTAL		\$44,261.17

Following a discussion, the motion unanimously carried.

15. Board of Directors–Fill Vacancy on Board of Directors. No discussion. No action.
16. Personnel–Manager: Deliberate Appointment, Employment, and Duties of Joint Assistant/Trainee Manager to Succeed Current Manager Upon Her Retirement. Manager Lambert reported that Rick Martinez accepted the job offer, and commenced service to the District on January 5, 2023.
17. Adjournment. There being no further business, the meeting was adjourned.