

January 15, 2024
San Benito, Texas

A meeting of the Board of Directors of Cameron County Drainage District No. 3 convened on January 15, 2024, 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; Craig M. Harmon, General 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 December 18, 2023 meeting were presented and reviewed. The motion was made and seconded that the Minutes of the December 18, 2023 meeting be approved. Following a discussion, the motion unanimously carried. It was noted that the December 29, 2023 special meeting was cancelled because Yountville Holdings, LLC failed to deliver its annexation petition to the District prior to the close of business on December 28, 2023.
2. Public Comment Period. No one appeared. No written comments were received.
3. Subdivisions.
 - 3.1 Grajales Estates, being a replat in the Evans Subdivision, consisting of 0.24 acre of land, being all of Lot Four (4) and the west one-half of Lot Five (5), Block Twelve (12), of the Evans Subdivision [Volume 13, Page 4, Map Records of Cameron County, Texas. Owners: Neftali Grajales and Baslut Grajales. Plat Preparer: Rios Surveying, LLC. It was noted that there are no District drains or other facilities in the subject property. The motion was made and seconded that the plat of Grajales Estates be approved. Following a discussion the motion carried, and General Manager Harmon signed the plat.
 - 3.2 Ochoa Subdivision, being the northeast 10 acres out of Block 93, San Benito Irrigation Company Subdivision. Owners: Maria Luisa David, Bauldelia Medina, and Jorge Medina. Plat Preparer: Orive Land Surveying. At the December 18, 2023 meeting, the District's General Manager was authorized to sign the plat if presented prior to this meeting. The plat was not presented prior to this meeting, and not presented at this meeting. No action.
4. Audit: Audit of Fiscal Year Ended September 30, 2022. Not presented. The Auditor expects to complete the audit on or about January 19, 2024.
5. May 4, 2024 Election. The motion was made and seconded that this Election Order be adopted:

WHEREAS, in accordance with the Texas Water Code and the Texas Election Code, Cameron County Drainage District No. 3 shall hold an election on the first Saturday in May of even-numbered years, at which time the required number of Directors shall be elected to fill the vacancies then occurring on the Board of Directors as provided by law;

WHEREAS, such an election is necessary and should be held on May 4, 2024, in order that one (1) Director may be elected to membership on the Board of Directors of Cameron County Drainage District No. 3 to fill the place of one (1) Director whose term of office will expire on May 15, 2024;

WHEREAS, it is hereby determined and found that in accordance with standing order of this Board, written notice of the date, place, and subject of this meeting, including consideration of the setting of said election, was posted at the District's Office at a place convenient to the public, and posted on the District's website, for the period of time and manner as is required by law;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Directors of Cameron County Drainage District No. 3 that:

1. A regular election for the election of one (1) Director to serve for a term of four (4) years beginning May 15, 2024: Place 3
be and it is hereby called and ordered to be held in and for this District, in the manner prescribed by law, on the first Saturday of May, 2024, the same being May 4, 2024.
2. Said election be conducted during the hours of seven o'clock (7:00) a.m. to seven o'clock (7:00) p.m. at the office of the District at 26041 F.M. 510, San Benito, Texas, a place within the District and a place which the Board, after considering the requirements of Texas Election Code § 43.031, finds to

- be a proper place for conducting the election.
3. For the purpose of said election, all the area included within the boundaries of this District shall constitute one (1) election precinct.
 4. Said election be held at the aforesaid voting place with the use of paper ballots.
 5. Pursuant to Election Code §31.123, Daniel Diaz, an employee of the District, is appointed Agent to perform the duties of the Secretary as required by Election Code §31.122 and §31.123. The agent shall maintain office hours at the District's office for at least three hours each day, during the District's regular office hours, on regular business days, during the period beginning January 17, 2024 and ending on June 14, 2024.
 6. The election shall be conducted by the following hereby designated and qualified officers:
 Presiding Judge: Lawrence A. Drake, Jr., 1800 Russell Lane, San Benito, Texas 78586
 Alternate Presiding Judge: Juan Garcia, 28855 Line 12 Road, San Benito, Texas 78586
 Such persons are designated only for this election. If the presiding judge is unable to serve at the election, the alternate presiding judge shall serve as the presiding judge for the election.
 7. The presiding judge is authorized to appoint two (2) election clerks.
 8. The presiding judge designated for said election shall also serve as the early voting ballot judge and the presiding officer of said early voting ballot board, and shall appoint no less than two (2) other duly qualified members as provided by Texas Election Code Chapter 87.
 9. Early voting shall be held as provided by law and shall be conducted by the following hereby designated and qualified officers:
 Clerk: Daniel Diaz an employee of the District
 622 S. California, Harlingen, Texas 78552
 Deputy Clerk: Nelda Solerio an employee of the District
 2370 F.M. 732, San Benito, Texas 78586
 - 9.1 The addresses the Voting Clerk may receive delivery by common or contract carrier are:
 Mailing address: Early Voting Clerk, P.O. Box 937, San Benito, Texas 78586
 Physical address: Office of Cameron County Drainage District No. 3, 26041 F.M. 510, San Benito, Texas
 - 9.2 Other contract information of Voting Clerk:
 Phone No: (956) 399-7637
 Email address: dandiaz@ccdd3.org
 10. Early voting by personal appearance for this said election shall be held at the same location the election is to be conducted as provided above, and said place of early voting shall remain open during the hours of eight o'clock (8:00) a.m. and five o'clock (5:00) p.m., which is at least nine (9) hours on each day of the early voting period, which shall begin on April 22, 2024, and continue through April 30, 2024, on each day that is not a Saturday, Sunday, or official State holiday. Applications for ballots by mail must be received (not postmarked) no later than April 23, 2024.
 - 10.1 The mailing address of the Clerk to which ballot applications and ballots voted by mail may be sent is: Early Voting Clerk, P.O. Box 937, San Benito, Texas 78586
 - 10.2 The physical address of the Clerk to which ballot applications and ballots voted by mail may be delivered is: Office of Cameron County Drainage District No. 3, 26041 F.M. 510, San Benito, Texas 78586
 - 10.3 A completed, scanned application for a ballot by mail containing an original signature shall be transmitted to: drainage@ccdd3.org
 11. Candidates shall file an application with the Secretary of the Board or the Agent appointed pursuant to paragraph 5 hereinabove to have his or her name printed on the election ballot. Such application must be signed by the candidate or by at least ten (10) qualified electors of this District. The first day to file an application for place on the ballot is January 17, 2024, and must be filed no later than five o'clock (5:00) p.m. on February 16, 2024, as required by law:
 - 11.1 Mailing address: Secretary, P.O. Box 937, San Benito, Texas 78586
 - 11.2 Physical address: Office of Cameron County Drainage District No. 3, 26041 F.M. 510, San Benito, Texas 78586
 - 11.3 Email Address: drainage@ccdd3.org
 12. Applications for a place on the ballot shall be substantially in the form attached form.
 13. The Secretary of the Board of Directors shall conduct a drawing for the order in which names of the candidates for the above-mentioned election are to be printed on the ballot and shall post notice of the time and place of said drawing and mail notice of the date, hour, and place of the drawing to each candidate at the address stated on the application for a place on the ballot not later than the fourth (4th) day before the drawing in accordance with the terms and provisions of Section 52.094 of the Election Code.
 14. Notice be given of this election by a method as prescribed by Section 4.003(1)(B) of the Texas Election Code.
 15. A Writ of Election and notice of appointment shall be delivered as prescribed by law to the Presiding Judge and Alternate Judge no later than March 8, 2024.
 16. Notice of this election be given as prescribed by Section 85.007(c) Texas Election Code, by posting continuously for at least seventy-two (72) hours preceding the first hour that early voting is conducted in the same manner Notices of Meeting of the Board are posted.
 17. It is further found and determined that notice of the date, place, and subject of this meeting was posted in accordance with the terms and provisions of Section 52.094(c) of the Election Code, and Section 551.043 of the Government Code for at least seventy-two (72) hours preceding the scheduled time of this meeting.

Following a discussion, the motion carried,

6. Administration. The motion was made and seconded that this resolution respecting the General Manager's authority be adopted:

WHEREAS:

- Pursuant to Texas Water Code § 49.056(a), on December 18, 2023, the Board of Cameron County Drainage District No. 3 employed Craig M. Harmon as its General Manager, effective January 1, 2024.
- Pursuant to Texas Water Code § 49.056(a), the Board of Cameron County Drainage District No. 3 may delegate to the General Manager full authority to manage and operate the affairs of Cameron County Drainage District No. 3 subject to orders of the Board of Cameron County Drainage District No. 3.
- Pursuant to Texas Water Code § 49.056(b), the Board of Cameron County Drainage District No. 3 may delegate to its General Manager the authority to employ all persons necessary for the proper handling of the business and operations of the District.
- Pursuant to Texas Water Code § 49.054(b), the Board of Cameron County Drainage District No. 3 may by resolution authorize its General Manager to execute a document or documents on behalf of the District.
- Pursuant to Texas Water Code § 49.054(e), the Board of Cameron County Drainage District No. 3 may appoint the General Manager as assistant secretary to assist the Secretary of the District's Board of Directors, and to certify as to the authenticity of any record of the District.
- Texas Tax Code § 26.04, requires that the District designate a person to calculate the No-New-Revenue Tax Rates and Voter Approval Rates and to certify the Tax Rate Calculation Worksheets for the District;

Now, therefore, effective January 1, 2024:

1. Pursuant to Texas Water Code § 49.056(a), the Board of Cameron County Drainage District No. 3 delegates to Craig M. Harmon, General Manager, full authority to manage and operate the affairs of Cameron County Drainage District No. 3 subject to orders of the Board of Cameron County Drainage District No. 3.
2. Pursuant to Texas Water Code § 49.056(b), the Board of Cameron County Drainage District No. 3 delegates to Craig M. Harmon, General Manager, the authority to employ all persons necessary for the proper handling of the business and operations of the District, provided:
 - 2.1 the Board shall approve the person employed as, and the beginning compensation of, the Drain Supervisor.
 - 2.2 the Board shall determine the compensation to be paid all employees of the District, provided, the General Manager shall determine the beginning compensation of new-hires, other than the Drain Supervisor, subject to the wage scales and budget adopted by the Board, and provided further, raises shall be governed by the District's Personnel Policy Manual adopted October 16, 2023, or as thereafter amended.
3. Pursuant to Texas Water Code § 49.054(b) the Board Cameron County Drainage District No. 3 authorizes Craig M. Harmon, General Manager, to execute these documents on behalf of the District.
 - 3.1 Grant Applications and all other necessary documents required or needed for securing grants, and for the administration of, and close-out of, grants.
 - 3.2 Plats subdividing land on which there are no District drains or other drainage facilities.
 - 3.3 Contracts approved by the Board.
 - 3.4 License Agreements and Permits the issuance of which has been approved by the Board.
 - 3.5 The District Registration Form or such other form required by Texas Water Code § 49.054(f).
 - 3.6 All documents necessary for Board approved conveyances of real property, except the deed (the Board President shall sign the deed).
 - 3.7 All documents necessary for Board approved acquisitions of real property.
 - 3.8 All documents necessary to accept Board approved donations of real property to the District.
 - 3.9 All documents necessary for Board approved acquisitions of rights-of-way.
 - 3.10 All documents necessary for Board approved releases of rights-of-way.
 - 3.11 All documents necessary for Board approved purchases of equipment and vehicles, and Board approved sales of, and trade-ins of, equipment and vehicles, including, but not limited to, title transfer documents and bills of sale.
 - 3.12 Notices of, and Agendas for, Board of Director's meetings.
4. Pursuant to Texas Water Code § 49.054(e), the Board Cameron County Drainage District No. 3 appoints Craig M. Harmon, General Manager, as assistant secretary to assist the Secretary of the District's Board of Directors, and to certify as to the authenticity of any record of the District.
5. Pursuant to Texas Tax Code § 26.04, the Board Cameron County Drainage District No. 3 designates its General Manager, presently Craig M. Harmon, the person to calculate the No-New-Revenue Tax Rates and Voter Approval Rates and to certify the Tax Rate Calculation Worksheets for the District, for tax year 2024 and all years thereafter.

Following a discussion, the motion carried,

7. Annexation of Territory and Donation of Drains.

- 7.1 Annexation. Yountville Holdings, LLC did not present a petition for annexation. No action.

- 7.2 Donation. Yountville Holdings, LLC did not present a deed conveying drains to the District. No action.
8. Equipment.
 - 8.1 Long Reach Excavator Purchased at October 15, 2023 Meeting. Caterpillar says the machine is in transit. The long reach excavator that is being replaced will be sold rather than traded-in.
 - 8.2 Dozer Purchased at October 15, 2023 Meeting. Tentative delivery is February 2024.
 - 8.3 Brushcutters Purchased at October 15, 2023 Meeting. Tentative delivery is February 2024.
9. Rancho Grande Diversion Project/Drain A Bypass Extension to River–Installation of Structure at Outfall. Engineer Brown is still collecting information.
10. Projects.
 - 10.1 East Line Drain Relief Project 2012. No report.
 - 10.2 Drain B-2: Upgrade of Pennsylvania Boulevard Road Crossing.
 - (a) Status Report.
 - (i) Flood Mitigation Assistance [FMA] Grant Application. Engineer Brown noted that this grant is being administered by the Texas Water Development Board [TWDB], and reported that the application for the \$7.4 million grant has been submitted. He anticipates the TWDB should announce its decision in about three months, and if the District is awarded the grant, it will take another six or seven months to complete all the paperwork.
 - (ii) Adjustment of Sewer Line. The City of San Benito is ready to commence work. There are still a few details that the City and Engineer Brown need to finalize.
 - (iii) Drain B-2 and Drain B-1 Interconnect. There was a general discussion of the project. The motion was made and seconded that the District’s Engineer commence the study of the project to determine the land needed to widen the drain. Attorney Dossett will provide the ownership research he has collected.
11. Drain E Between La Palma Street and Stenger Street. Notice of Drain Right-of-Way not completed.
12. Rules Revision. Not ready for Board action.
13. License Agreements
 - 13.1 Drain F Right/F Left in Block 214, San Benito Land & Water Company–Randall Crane. License for road crossing not completed; still need map or drawing showing location of crossing.
 - 13.2 Drain D in Block 128, San Benito Land & Water Company–3C Subdivision. License for down drain not completed. Requested drawings have been received, but not yet reviewed.
14. Reports.
 - 14.1 Financial.

- (a) Financial Report for Month of December 2023. Presented and reviewed.
- (b) Financial Report for Fiscal Year through December 31, 2023. Presented and reviewed.
- (c) Investment Report for 4th Quarter of 2023. Presented and reviewed.

14.2 Manager. All matters discussed under other Agenda items.

14.3 Attorney. All matters discussed under other Agenda items.

14.4 Engineer. All matters discussed under other Agenda items.

14.5 Drain Supervisor. Written report of work accomplished in the month of December 2023 presented.

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

15. *Cameron County Drainage District No. 3 and Cameron County Irrigation District No. 2, et al. vs. City of San Benito.* Proposed settlement agreement is on the City Commission’s agenda for its meeting to be held this week. The court has scheduled a docket conference for January 31, 2024.

16. Payment of Accounts, Wages, and Directors’ Services.

16.1 The motion was made and seconded that issuance of the following checks issued between the December 18, 2023 meeting and this meeting be ratified:

1021 :	Scheibe Consulting, LLC	TWCB/FIF Grant Fund	<u>\$48,422.50</u>
	TOTAL		\$48,422.50
14763 :	Ruben Rodriguez	Electrical Work	\$625.00
14764 :	Void		0.00
14765 :	Texas Child Support SDU	Employee Wage Withholding-Child Support	\$397.39
14766 :	Scheibe Consulting, LLC	TWDB/FIF Project (District match)	\$1,746.25
14767 :	Void		0.00
14768 :	Craig Harmon	Reimbursement–Fuel for Sprayer Pickup	<u>\$100.00</u>
	TOTAL		\$2,868.64

Following a discussion, the motion unanimously carried.

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

14769 :	AFLAC	Health Insurance	\$249.84
14770 :	A4 Auto Supply	Machine Repairs	\$148.19
14771 :	Alamo Door Systems	Warehouse Repairs	\$270.00
14772 :	Allegra Printing	Office Expense: Time Cards, Business Cards	\$140.45
14773 :	Allstate Insurance Co.	Insurance	\$74.67
14774 :	AT&T Mobility	Wireless Phone	\$244.67
14775 :	Central Plumbing & Electric	Office Expense: Light ballasts	\$308.74
14776 :	Commercial Billing	Machine Repairs	\$43.59
14777 :	Daniel Diaz	Phone Allowance	\$45.00
14778 :	Douglas Diaz	Janitorial	\$82.69
14779 :	East Rio Hondo Water Supply Corp.	Office/Shop/Warehouse: Water Bill	\$84.52
14780 :	First Community Bank	Petty Cash	\$392.16
14781 :	Gateway Printing	Office Supplies	\$460.16
14782 :	Gigabit Communications	Uverse/Internet	\$200.00
14783 :	Grajale’s Tire Shop	Flat Repairs	\$25.00
14784 :	Craig M. Harmon	Reimbursement–Health Insurance	\$627.62
14785 :	Hollon Oil Company	DEF for Equipment	\$260.00
14786 :	John Deere Financial	Machine Repairs	\$8,568.25
14787 :	Sonia Lambert	Phone Allowance & 3 Months Severance	\$41,642.54
14788 :	Luis Coronado	Machine Repairs–Welding	\$1,080.00
14789 :	McCoys Lumber Co.	Drain Repairs	\$565.22
14790 :	Nueces Power Equipment	Machine Repairs	\$987.84
14791 :	O’Reilly Auto Parts	Machine Repairs	\$2,736.29

14792 : Ortega, Federico	Phone Allowance	\$45.00
14793 : Nelda Solorio	Janitorial	\$289.43
14794 : Scheibe Consulting, LLC	TWDB/FIF Project (District match)	\$471.25
14795 : TCEQ	MS4-Stormwater Permit Fee	\$100.00
14796 : Triple S Steel	Machine Repairs	\$400.52
14797 : Lucinda Trevino	Janitorial	\$289.43
14798 : Texas Child Support SDU	Employee Wage Withholding-Child Support	\$397.39
14799 : UniFirst	Uniforms	\$504.04
14800 : Wilcac Life Insurance	Insurance	\$21.67
14801 : Wylie Case	Machine Repairs	\$2,294.84
14802 : David Ybarra	Website Maintenance	\$250.00
14803 : Dossett Law Office	Legal Fees	\$4,680.00
14804 : Luis Coronado	Machine Repairs-Welding	\$585.00
14805 : Federico Ortega	Welder	\$110.76
14806 : David Ybarra	GIS Consulting	<u>\$1,787.00</u>
TOTAL		\$72,976.16

Following a discussion, the motion unanimously carried.

17. Adjournment. There being no further business, the meeting was adjourned.

approved and signed xxxxx 03/11/24
Ronaldo Garcia, President

approved and signed xxxxx 03/11/24
Matthew McCarthy, Vice President