

February 12, 2024  
San Benito, Texas

A meeting of the Board of Directors of Cameron County Drainage District No. 3 convened on February 12, 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 January 15, 2024 meeting will be presented and reviewed at the March Board meeting.
2. Public Comment Period. No one appeared. No written comments were received.
3. Subdivisions.
  - 3.1 Israel Gardens Subdivision, being 1.138 acres out of Share 17, Espiritu Santo Grant. Proposed plat reviewed; final plat (mylar) not submitted. It was noted that this property is out of the unsubdivided part of Share 17 that lies south of F.M. 106, also known as Rio Hondo East Road and General Brandt Road, the subject property being situated between the north and south lines of adjoining Block 315 of the San Benito Irrigation Company Subdivision [Volume 3, Pages 16018, Map Records] extended east across Share 17. It was further noted that there are no District drains in the subject property. The motion was made and seconded that the plat of Israel Gardens Subdivision be given preliminary approval. Following a discussion, the motion carried.
  - 3.2 Paso Real Coves Subdivision, Phase II, being 12.76 acres out of Block 146, San Benito Land & Water Company Subdivision. Proposed plat reviewed; final plat (mylar) not submitted. It was noted that Phase II drains into a detention basin that discharges into Drain U pursuant to a License Agreement dated June 13, 2022, recorded as Document #2022-38594, Official Records. The motion was made and seconded that the plat of Paso Real Coves Subdivision, Phase II be given preliminary approval. Following a discussion the motion carried.
  - 3.3 Montgomery Reservoir Subdivision, being 2.48 acres out of Block 450, Rio Hondo Park Townsite. Proposed plat reviewed; final plat (mylar) not submitted. It was noted that there are no District drains in the subject property. The motion was made and seconded that the plat of Montgomery Reservoir Subdivision be given preliminary approval. Following a discussion the motion carried.
4. Drain Along North Side of Block 391, San Benito Irrigation Company Subdivision–Request of Small Loads Shooting Range LLC that the District Pipe the Drain in “1.08 Acres in Drain Ditch” on Plat of C. Garza Subdivision, 1-613-B, Map Records. The property owner did not appear. It was noted that the owner purchased the property knowing the District’s drain is in the property. The motion was made and seconded that the request that District pipe the drain be denied. Following a discussion the motion carried.
5. Audit: Audit of Fiscal Year Ended September 30, 2022. Audit presented. The motion was made and seconded that the audit of fiscal year ended September 30, 2022 be approved. Following a discussion, the motion carried. The Auditor advised that he would now start on the audit of the fiscal year ended September 30, 2023.
6. Annexation of Territory and Donation of Drains.
  - 6.1 Annexation. Yountville Holdings, LLC did not present a petition for annexation. No action.
  - 6.2 Donation. Yountville Holdings, LLC did not present a deed conveying drains to the District. No action.

7. Equipment.
  - 7.1 Long Reach Excavator Purchased at October 15, 2023 Meeting. A 2024 Caterpillar Model 326 Long Reach Excavator, ID Number HL1000571, Serial Number 0FAY10380 [EXC #23] was delivered in February 2024 and is in service. The plan was for the District to trade in the 2017 Caterpillar Model 326. The cost of the machine, through Buy Board, was \$361,295.39 without trade-in, and \$301,295.33 with trade-in. However, in January 2024 the boom on the 2017 Caterpillar Model 326 cracked and had to be welded. For this reason, Caterpillar reduced the trade-in amount from \$60,000.00 to \$25,000.00. Manager Harmon recommended that the 2017 machine not be traded-in and instead be advertised for sale. The motion was made and seconded that the 2017 Caterpillar Model 326 not be traded in, that the purchase of the 2024 machine for \$361,295.39 be approved, and that the 2017 Caterpillar Model 326 be declared surplus and be advertised for sale. Following a discussion the motion carried.
  - 7.2 Brushcutters Purchased at October 15, 2023 Meeting. Tentative delivery is now March 2024.
  - 7.3 Disposal of Equipment: Receive, Consider, and Take Action on Manager's Recommendations to Declare, Surplus, and Dispose of :
    - a. Caterpillar Long Reach Excavator (2017 Year Model) EXC#12. Discussed under Agenda Item 7.1.
    - b. John Deere Tractors (2012 Year Models) Units DD#7, DD#20, DD#21. The motion was made and seconded that these machines be declared surplus and Manager Harmon have the authority to advertise the machines for sale or trade-in the machines for a backhoe. Following a discussion, the motion carried.
    - c. New Holland Tractors (2014 Year Models) Units DD#22 and DD#24. The plan was that these machines be traded in for the new Mower-Max machines. The motion was made and seconded that these machines be declared surplus and Manager Harmon have the authority to (1) trade-in the machines for the new Mower-Max machines, (2) advertise the machines for sale, or (3) trade -in the machines for a new backhoe. Following a discussion the motion carried.
    - d. TREX Backhoe(2012 Year Model) Unit BH#4. Manager Harmon reported that this machine needs to be replaced. The motion was made and seconded that Manager Harmon solicit bids for a new backhoe with front loader with a trade-in of the 2012 machine and without trade-in. Following a discussion, the motion carried. The motion was made and seconded that Unit BH#4 the declared surplus and Manager Harmon have the authority to advertise Unit BH#4 for sale, instead of trading-in the machine. Following a discussion, the motion carried.
  - 7.4 Dozer Purchased at October 15, 2023 Meeting. Not yet delivered.
8. Rancho Grande Diversion Project/Drain A Bypass Extension to River–Installation of Structure at Outfall. Engineer Brown advised that the water surface elevation data is needed, but has not yet been able to secure the data from IBWC or any other source.
9. Projects.
  - 9.1 East Line Drain Relief Project 2012. No report.
  - 9.2 Drain B-2: Upgrade of Pennsylvania Boulevard Road Crossing. Plans for adjustment of Sewer Line have been finalized.
  - 9.3 Drain B-2 and Drain B-1 Interconnect. Engineer Brown/Schiebe Engineering has not finished the right-of-way plans.
10. Drain E Between La Palma Street and Stenger Street. Notice of Drain Right-of-Way not

completed.

11. Rules Revision. Not ready for Board action. The motion was made and seconded that the plat review fee be increased to \$200.00. Following a discussion, the motion carried.

12. License Agreements.

12.1 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.

12.2 Drain D in Block 128, San Benito Land & Water Company–3C Subdivision. License for down drain not completed. Requested drawings were received earlier today, but not yet reviewed.

12.3 Drain A Bypass to River: License Agreement for Down Drains–San Pedro Estates Subdivision in Tracts "Y-Z", William Esparza Tract, San Pedro de Carricitos Grant. A determination will need to be made whether, due to the problem with the outfall structure, the drain can accept the additional stormwater. It was noted that the property will need to be annexed into the District in order for the District to accept stormwater from the subject property.

13. Reports.

13.1 Financial.

(a) Financial Report for Month of January 2024. Presented and reviewed.

(b) Financial Report for Fiscal Year through January 31, 2024. Presented and reviewed.

13.2 Manager. All matters discussed under other Agenda items.

13.3 Attorney. The audit for the fiscal year ended September 31, 2022 having been approved at this meeting, the Special Purpose District Report can be filed with the District's most recent audit. The filing deadline is April 1, 2024.

13.4 Engineer. All matters discussed under other Agenda items.

13.5 Drain Supervisor. Written report of work accomplished in the month of January 2024 presented.

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

14. *Cameron County Drainage District No. 3 and Cameron County Irrigation District No. 2, et al. vs. City of San Benito.* At the January 31, 2024 hearing, the Court set the case for a docket control conference on March 5, 2024, at which the case will be set for trial unless it is settled. Attorney Dossett presented the Settlement Agreement signed by the City and the Irrigation District, whereupon President Garza signed the settlement agreement. Plaintiffs Penny and Garza now need to sign the settlement agreement. The settlement agreement will be presented at the March 5, 2024 hearing.

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

15.1 The motion was made and seconded that issuance of the following checks issued between the January 15, 2024 meeting and this meeting be ratified:

14807 : Lincoln National Life	Life Insurance	\$472.32
14808 : Dainamik	GPS Monitoring	\$910.00
14809 : Purchase Power	Postage for Meter	\$301.50

14810 : Texas Child Support SDU	Employee Wage Withholding-Child Support	\$397.39
14811 : Craig M. Harmon	TWCA Seminar	\$525.00
14812 : Texas Child Support SDU	Employee Wage Withholding-Child Support	\$397.39
14813 : Backflow Service & Supply	Backflow Test	\$464.00
14814 : Texas Water Conservation Association	Member Dues-Craig M. Harmon	\$907.00
TOTAL		\$4,374.60

Following a discussion, the motion unanimously carried.

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

14815 : AFLAC	Health Insurance	\$249.84
14816 : Allegra Printing	Office Expense: Envelopes	\$40.00
14817 : Allstate Insurance Co.	Insurance	\$74.67
14818 : AT&T Mobility	Wireless Phone	\$231.30
14819 : Cameron County Clerk	Recording Fees	\$350.00
14820 : Daniel Diaz	Phone Allowance	\$45.00
14821 : Douglas Diaz	Janitorial	\$55.12
14822 : East Rio Hondo Water Supply Corp.	Office/Shop/Warehouse: Water Bill	\$78.09
14823 : Gateway Printing	Office Supplies	\$324.83
14824 : Gigabit Communications	Uverse/Internet	\$200.00
14825 : Grajale's Tire Shop	Flat Repairs	\$19.00
14826 : Craig M. Harmon	Reimbursement-Health Insurance Premium	\$627.62
14827 : Hollon Oil Company	Hydraulic Oil	\$1,572.64
14828 : VOID		-0-
14829 : JR ITSoftware Solutions	Programming	\$1,202.37
14830 : J & J Tire & Auto	Auto Repairs	\$175.00
14831 : Roberto Lopez, CPA	Audit: 2022	\$12,000.00
14832 : Sonia Lambert	Phone Allowance	\$170.00
14833 : Matt's Cash & Carry	Drain Repairs	\$3.98
14834 : Nueces Power Equipment	Machine Repairs	\$164.24
14835 : O'Reilly Auto Parts	Machine Repairs	\$2,420.52
14836 : Ortega, Federico	Phone Allowance	\$220.78
14837 : Pico Propane	O/R Diesel	\$46,764.37
14838 : Postmaster	P.O. Box Annual Fee	\$170.00
14839 : Rio Grande Concrete	Machine Repairs	\$85.40
14840 : Rio Grande Steel, Ltd.	Machine Repairs	\$462.63
14841 : Rio Hondo Lumber & Supply	Drain Repairs	\$106.24
14842 : Rey's Tire Service	Flat Repairs	\$710.00
14843 : Southern Tire Mart	Machine Tires	\$3,270.00
14844 : Nelda Solorio	Janitorial	\$847.19
14845 : Lucinda Trevino	Janitorial	\$424.40
14846 : UniFirst	Uniforms	\$556.28
14847 : Wilcac Life Insurance	Insurance	\$21.67
14848 : Wylie Case	Machine Repairs	\$924.09
14849 : David Ybarra	Website Maintenance	\$2,037.00
14850 : Holt Company of Texas	Excavator 23	\$361,295.33
14851 : Dossett Law Office	Legal Fees	\$2,425.00
14852 : Holt Company of Texas	Machine Repairs	\$7,164.34
TOTAL		\$447,488.94

Following a discussion, the motion unanimously carried.

16. 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