

September 12, 2022
San Benito, Texas

The regular meeting of the Board of Directors of Cameron County Drainage District No. 3 convened on September 12, 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; and B. R. Dossett, Attorney. President Garcia called the meeting to order and presided.

1. Minutes.
 - 1.1 August 8, 2022 Meeting. The Minutes of the August 8, 2022 regular meeting were presented and reviewed. The motion was made and seconded to approve the Minutes of the August 8, 2022 meeting. Following a discussion, the motion carried.
 - 1.2 August 25, 2022 Meeting. The Minutes of the August 25, 2022 regular meeting were presented and reviewed. The motion was made and seconded to approve the Minutes of the August 24, 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–Melden & Hunt, Inc., being 66.902 acres Lots 1-8, Block 146, SBLW&Co. The owner's engineer has advised that the license agreement for down drain has been signed, but will be delivered after this meeting. It was noted that the plat was presented at the August 8, 2022 meeting, but no action was taken pending delivery of the license agreement. The motion was made and seconded that the plat of Paso Real Coves Subdivision be approved, and President Garcia be authorized to sign the Subdivision plat when the signed license agreement is delivered to the District. Following a discussion, the motion carried.
 - 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. The motion was made and seconded that the plat of East Treasure Haven, Phase II be given preliminary approval. Following a discussion, the motion carried.
- 3.12 Resaca Del Monte Phases 3 and 4—Brown, Leal & Assoc., (29.5 ac., San Pedro de Carricitos Grant). Final plat not presented. It was noted that the Agreement: Old Drain A/Proposed Resaca del Monte Subdivision, dated November 18, 2016, recorded at Volume 22259, Pages 118-127, Official Records of Cameron County, Texas:
 - (a) requires the plans for the detention basin along the south side of the property be submitted to the Board's for its approval "before construction commences." It was noted that the plans for the detention basin have not been submitted to the District.
 - (b) requires the detention basin be enclosed by a chainlink fence.
 - (c) requires the plans for the outfall structures from the detention basin into Old Drain A be submitted to the Board's for its approval. It was noted that the that plans for the outfall structures have not been submitted to the District.
 - (d) expressly provides that the District shall not be responsible for the internal drainage system for the subdivision north of the detention basin.
4. Equipment.
 - 4.1 Casualty Loss. The 2020 JD 6120 Brushcutter, Serial # 1L06120MVKH954079 [Item 7.2, May 11, 2020 Minutes] was destroyed by fire on August 24, 2022, caused by grass collecting around the muffler. A claim has been submitted to the District's insurance carrier.
 - 4.2 Purchase of Brushcutter. Manager Lambert reported that H&V Equipment has a comparable Case-IH machine in stock that can be purchased through Buy Board for \$142,755.12. The motion was made and seconded that the District purchase the Case-IH machine that is in stock that can be purchased through Buy Board for \$142,755.12. Following a discussion, the motion carried.
5. Blocks 209 and 215, San Benito Land & Water Co.: Cameron County Irrigation District No. 2 Conveyance of Seep Ditch to Drainage District. The Drain Supervisor reported that he has located and marked the underground drainage pipeline, and has provided the information to Rios Surveying.
6. 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.
7. Projects.
 - 7.1 East Line Relief Drain Project. Attorney Dossett has completed the offer letters to be sent to the landowners.
 - 7.2 Drain B-2—Pennsylvania Boulevard Crossing Upgrade. The District has received no response from the City.
8. Agreements/Rights-of-Way/Permits/Interlocal Cooperation Contracts.
 - 8.1 Drain 383: Request of Adrian and Cathy Coronado for Road and Utility Crossings. Not finalized. The owners still have not delivered the signed license agreement to the District.

- 8.2 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.
- 8.3 Browne Drain No. 3: Request License Agreement be Issued to Magic Valley Electric Cooperative (MVEC) for Aerial Electric Service Line for Blanca Flores, Block 291, San Benito Irrigation Company Subdivision. This license agreement has been finalized and recorded in the Deed Records.
- 8.4 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. Still waiting on return of signed license agreement.
- 8.5 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.
- 8.6 Drain U in Block 145, San Benito Land & Water Company Subdivision. Request for Down Drain License for Paso Real Coves Subdivision. The owner's engineer has advised that the license agreement for down drain has been signed by the owner but will not be delivered to the District until after this meeting. *See* Agenda Item 3.4, above.
- 8.7 Drain D in Block 128, San Benito Land & Water Company Subdivision–Request for Down Drain License for Proposed 3C Subdivision. The proposed subdivision is in Block 129, on the east side of the Irrigation District's Lateral T Canal. Drain D is on the west side of, adjacent and parallel to, the Lateral T Canal. It is proposed that stormwater be discharged into Drain D by way of down drains that pass under the Lateral T Canal. Information needed to complete the license agreement for down drains has not been received. *See* Agenda Item 3.8, above.
- 8.8 Drain U in Block 145, San Benito Land & Water Company Subdivision. San Benito ISD constructed four down drains into Drain U without obtaining the permission of the District. A license agreement for the four down drains has been submitted to the School District. The School District has not delivered the signed license agreement to the District.
- 8.9 Robertson Drain and Rio Hondo No. 1 East Drain: Blocks 146, 147, and 169, San Benito Irrigation Company Subdivision–Request for License Agreement to Existing Road Crossings of Drains. The License Agreement was delivered to the owner late last week.
9. Grants.
 - 9.1 TWDB #40023 Flood Protection/Infrastructure Study–Hydrologic and Hydraulic Model Update. Eric Scheibe determined that the City of San Benito was not included in the LIDAR (Light Detection and Ranging) study of the area done approximately eight years ago. As a result, the size and scope of the modeling cannot be reduced.
 - 9.2 FIF Grant: Interlocal Cooperation Contract with City of Harlingen for Flood Infrastructure Fund Grant. The application has been submitted. The District is waiting for a response.
10. Donations: Drains in Territory North of Arroyo Gardens (Shares 12 and 22, Espiritu Santo Grant). No report. Engineer Brown not present.

11. Equipment–Disposal of Vehicles and Equipment. Bid tabulation not presented. No report. No action.
12. Rules Revision. No change in status.
13. Reports.
 - 13.1 Financial.
 - (a) Financial Report for Month of August 2022. Presented and reviewed.
 - (b) Financial Report for Fiscal Year through August 31, 2022. Presented and reviewed.
 - (c) Audit of Fiscal Year Ending September 30, 2022. Due to past audits not having been completed within the time required by law, Attorney Dossett recommended that the auditor be engaged now so that work can commence soon after September 30, 2022. The motion was made and seconded that Buffo and Berkman, CPAs be engaged to prepare the audit of the fiscal year that will end September 30, 2022.
 - 13.2 Manager. All matters discussed under other Agenda items.
 - 13.3 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.
 - 13.4 Engineer. No present.
 - 13.5 Drain Supervisor. Written report of work accomplished in the month of July 2022 presented.
 - 13.6 City of San Benito. No one appeared on behalf of the City.
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 August 8, 2022 meeting and this meeting be ratified:

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|----------------------------------|---|--------------------|
| 14004 : Buffo & Berkman | Audit-FY ended September 30, 2020 | \$7,000.00 |
| 14005 : Buffo & Berkman | Audit-FY ended September 30, 2021 | \$7,500.00 |
| 14006 : Commercial Billing | Machine Repairs | \$513.66 |
| 14007 : Dainamik | GPS Monitoring | \$1,015.00 |
| 14008 : First Community Bank | Petty Cash | \$341.58 |
| 14009 : JR ITSoftware Solutions | Monthly Programming | \$623.99 |
| 14010 : Lincoln National Life | Life Insurance | \$236.16 |
| 14011 : Lucinda Trevino | Janitorial | \$205.27 |
| 14012 : Texas Child Support SDU | Employee Wage Withholding-Child Support | \$422.77 |
| 14013 : Texas Child Support SDU | Employee Wage Withholding-Child Support | \$422.77 |
| 14014 : AFLAC | Health Insurance | \$298.44 |
| 14015 : Allstate Insurance Co. | Insurance | \$74.67 |
| 14016 : AT&T Mobility | Wireless Phone | \$156.75 |
| 14017 : Blue Cross & Blue Shield | Health Insurance | \$17,694.43 |
| 14018 : La Hormiga Tire Shop | Flat Repairs | \$137.00 |
| TOTAL | | <u>\$36,642.49</u> |

Following a discussion, the motion unanimously carried.

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

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|-------------------------------------|----------------------|-------------|
| 14019 : Allegra Printing | Envelope Print | \$61.95 |
| 14020 : AguaWorks Pipe & Supply | Drain Repairs | \$3,783.68 |
| 14021 : Boswell-Elliff Ford | Auto Repairs | \$445.96 |
| 14022 : Cameron Appraisal District | Quarterly Assessment | \$12,247.75 |
| 14023 : Central Plumbing & Electric | Office Lights | \$180.67 |

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| 14024 : Cameron County Irrigation Dist. #2 | Reimbursement | \$28,465.37 |
| 14025 : Dainamik | GPS Monitoring | \$1,015.00 |
| 14026 : Drop Dead Pest Control | Bee Removal | \$150.00 |
| 14027 : East Rio Hondo Water Supply Corp. | Office/Shop/Warehouse: Water Bill | \$73.16 |
| 14028 : Gateway Printing | Office Supplies | \$163.80 |
| 14029 : Gigabit Communications | Uverse/Internet | \$200.00 |
| 14030 : Grajale's Tire Shop | Flat Repairs | \$37.00 |
| 14031 : H & V Equipment | Machine Repairs | \$205.24 |
| 14032 : Harlingen Irrigation Dist. CC No. 1 | Pipe | \$1,216.00 |
| 14033 : Hollon Oil Company | Equipment Oil | \$1,536.78 |
| 14034 : Holt Company of Texas | Machine Repairs | \$123.89 |
| 14035 : IAFSA USA | Machine Repairs | \$18,210.65 |
| 14036 : JR ITSoftware Solutions | Dave's Computer | \$3,904.98 |
| 14037 : John Deere Financial | Machine Repairs | \$2,302.91 |
| 14038 : Sonia Lambert | Phone Allowance | \$125.00 |
| 14039 : La Hormiga Tire Shop | Flat Repairs | \$16.00 |
| 14040 : McCoy's | Drain Repairs | \$152.88 |
| 14041 : Nueces Power Equipment | Machine Repairs | \$373.93 |
| 14042 : O'Reilly Auto Parts | Machine Repairs | \$2,698.01 |
| 14043 : Ortega, Federico | Phone Allowance | \$135.81 |
| 14044 : Pitney Bowes | Postage Meter | \$178.68 |
| 14045 : RGV Pumps & Equipment | Hyd Fuel | \$23,209.30 |
| 14046 : Rio Hondo Lumber & Supply | Drain Repairs | \$28.63 |
| 14047 : Rey's Tire Service | Flat Repairs | \$455.00 |
| 14048 : San Benito News | Public Notice | \$330.00 |
| 14049 : Nelda Solorio | Janitorial | \$275.65 |
| 14050 : Triple S Steel | Safety Supplies | \$362.92 |
| 14051 : Lucinda Trevino | Janitorial | \$275.65 |
| 14052 : Texas Water Conservation Association | Fall Registration | \$395.00 |
| 14053 : UniFirst | Uniforms | \$497.88 |
| 14054 : Wilcac Life Insurance | Insurance | \$21.67 |
| 14055 : Wylie Case | Machine Repairs | \$8,070.80 |
| 14056 : David Ybarra | Janitorial | \$320.65 |
| 14057 : VOID | | -0- |
| 14058 : VOID | | -0- |
| 14059 : VOID | | -0- |
| 14060 : VOID | | -0- |
| 14061 : VOID | | -0- |
| 14062 : Dossett Law Office | Legal Fees | \$3,638.23 |
| 14063 : VOID | | -0- |
| 14064 : Harlingen Irrigation Dist. CC No. 1 | Pipe | \$512.00 |
| 14065 : VOID | | -0- |
| 14066 : Lincoln National Life | Life Insurance | \$236.16 |
| 14067 : Texas Child Support SDU | Employee Wage Withholding-Child Support | \$422.77 |
| TOTAL | | <u>\$117,057.41</u> |

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