

August 8, 2022
San Benito, Texas

The regular meeting of the Board of Directors of Cameron County Drainage District No. 3 convened on August 8, 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; Jack Brown, Engineer; and Freddie Ortega, Drain Supervisor. President Garcia called the meeting to order and presided.

1. Minutes: July 11, 2022 Meeting. The Minutes of the July 11, 2022 regular meeting were presented and reviewed. The motion was made and seconded to approve the Minutes of the July 11, 2022 regular 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. There is no drain owned by the Drainage District in the subject property. 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. Plat presented. The license agreement for down drain has been delivered to the owner but not yet returned. The motion was made and seconded that this item be tabled pending finalization of the license agreement. 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. Preliminary plat presented. It was noted that the subdivision is on the east side of CCID#2's Lateral T Canal, that Drain D is on the west side of, adjacent and parallel to Lateral T, and that there will be two down drains that run under Lateral T and discharge into Drain D. The motion was made and seconded that the plat of 3C Subdivision receive preliminary approval subject to finalization of a license agreement for the two down drains. Following a discussion, the motion carried.
4. Blocks 209 and 215, San Benito Land & Water Co.: Cameron County Irrigation District No. 2 Conveyance of Seep Ditch to Drainage District. Drain Supervisor anticipates locating and marking the pipeline next week.
5. 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.
6. Projects.

- 6.1 East Line Relief Drain Project. The strip maps are based on the assumption that the landowners will want the excavated soil placed on their property, with the District acquiring fee title to a 120 foot wide strip and a temporary construction easement in a 60 foot wide strip on which to place the excavated soil. For condemnation purposes, Attorney Dossett advised that the strip map should describe the 180 foot strip. He also noted that originally, Engineer Brown was of the opinion that the District should acquire a 200 foot wide strip for the drain and the storage of excavated soil. He also recommended that before getting appraisals, the District try to negotiate a purchase price. The motion was made and seconded that the strip maps be authorized to describe the width needed for the drain and the storage of the excavated soil, and that Manager Lambert be authorized to negotiate the purchase price before getting appraisals. Following a discussion, the motion carried.
 - 6.2 Drain B-2–Pennsylvania Boulevard Crossing Upgrade. The District has received no response from the City.
7. Agreements/Rights-of-Way/Permits/Interlocal Cooperation Contracts.
- 7.1 Flood Infrastructure Fund [FIF] Grant–Interlocal Cooperation Agreement with City of Harlingen. Discussed under Agenda Item 8.
 - 7.2 Drain 383: Request of Adrian and Cathy Coronado for Road and Utility Crossings. Ciro and Ronda Garza sold the property to the Coronados in May 2022. In addition to the road crossing, the Coronados request an aerial electric service line crossing to be constructed by Magic Valley Electric Cooperative, and a private waterline crossing. The license agreement providing for the electric line crossing and the road crossing has been submitted to the Coronados. The signed license agreement has not yet been returned.
 - 7.3 Liberty Estates Phase II, being 10.64 Acres Out of Blocks 5, 6, 12, Cunningham’s Subdivision of Block 35, SBL&WCo.
 - (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.
 - 7.4 Browne Drain No. 3: Request that License Agreement be Issued to Magic Valley Electric Cooperative (MVEC) for Aerial Electric Service Line for Blanca Flores, Block 291, SBIC. MVEC misplaced the License Agreement and requested a replacement. The replacement license agreement has been submitted to MVEC, but not yet returned.
 - 7.5 Russell Main Drain in Share 14, Espiritu Santo Grant: Request for East Rio Hondo Water Supply Corp. for Potable Waterline Crossings. No change in status. Still waiting on return of signed license agreement.
 - 7.6 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.
 - 7.7 Drain U in Block 145, SBL&WCo.: Request for Down Drain License for Paso Real Coves Subdivision [pertains to Agenda Item 3.4]. The License Agreement has been submitted to the owner, but not yet returned.
 - 7.8 Fresnos D-1 West Drain in Blocks 5 & 6, Parker Tract: Request of AEP for Aerial Electric Line Crossing. This license agreement has been finalized and recorded in the Deed Records.
 - 7.9 Amendment of License Agreement for Aerial Fiber Optic Cable Crossing to Allow Fiber Optic Cable to Run Under South 6 Drain. This Amendment was submitted to AEP. AEP advised that it was unable to acquire the right-of-way it needed from the landowner. The fiber optic cable will remain aerial. There is no need for the

Amendment.

8. Grants: TWDB #40023 Flood Protection/Infrastructure Study–Hydrologic and Hydraulic Model Update. Manager Lambert reported that a meeting was held on July 28, 2022, to discuss the City of San Benito’s ARPA grant application. Manager Lambert reported that those attending the meeting included Manager Lambert, Eric Scheibe, Consultant, County Commissioner David Garza, Victor Trevino who is handling the ARPA applications for the County, the San Benito City Manager, and his assistant. Commissioner Garza voiced his dismay that the City of San Benito failed to apply for a Flood Infrastructure Fund (FIF) grant when available through the Texas Water Development Board (TWDB). Following a lengthy discussion, it was decided that:
 - (1) If the City’s ARPA application is granted, the District would be best suited to perform the modeling of the urbanized area of the City of San Benito instead of the City of Harlingen.
 - (2) Eric Scheibe will try to reduce the size and scope of the modeling of the urbanized area of the City of San Benito to reduce the amount of ARPA funds sought by the City of San Benito.
 - (3) If funding becomes available for this project through the TWDB, the City of San Benito will reimburse the County for the ARPA funds awarded to the City.
9. Donations: Drains in Territory North of Arroyo Gardens (Shares 12 and 22, Espiritu Santo Grant). Survey work still in progress.
10. Audit of Fiscal Year ended September 30, 2021. Audit presented and reviewed. The motion was then made and seconded that the Audit be accepted. Following a discussion, the motion carried.
11. Budget–Proposed for Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023. A proposed budget for the Fiscal Year beginning October 1, 2022 was presented and discussed. The motion was made and seconded that the proposed budget be accepted and final action on the proposed budget be taken at a meeting to be held August 25, 2022 at 9:00 a.m. Following a discussion, the motion unanimously carried.
12. Tax Rate for 2022. It was proposed that the District adopt a tax rate of \$0.147218 per \$100 valuation for calendar year 2022. The motion was made and seconded that the proposed tax rate of \$0.147218 per \$100 valuation for calendar year 2022 be accepted, final action on the proposed tax rate be taken at the August 25, 2022 meeting, and the required notice of public hearing on tax rate be published as required by law. Following a discussion, the motion carried. It was noted that the Tax Code, as amended, requires that a person be designated to calculate the No-New-Revenue Tax Rates and Voter Approval Rates and to certify the Tax Rate Calculation Worksheets for the District, and that a resolution was adopted at the August 10, 2020 meeting designating the Manager of the District, presently Sonia Lambert, as the person designated to calculate the No-New-Revenue Tax Rates and Voter Approval Rates and to certify the Tax Rate Calculation Worksheets for the District.
13. Equipment–Disposal of Vehicles and Equipment. The Bids were opened. The motion was made and seconded that Manager Lambert tabulate the bids and that the highest bid for each item be accepted. Following a discussion, the motion carried.
14. Rules Revision. No change in status.
15. Reports.
 - 15.1 Financial.
 - (a) Financial Report for Month of July 2022. Presented and reviewed.
 - (b) Financial Report for Fiscal Year through July 31, 2022. Presented and reviewed.
 - 15.2 Manager. All matters discussed under other Agenda items.
 - 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 (written report).

15.4 Engineer. All matters discussed under other Agenda items.

15.5 Drain Supervisor. Written report of work accomplished in the month of July 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 The motion was made and seconded that issuance of the following checks issued between the July 11, 2022 meeting and this meeting be ratified:

13964 : Dainamik	GPS Monitoring	\$1,092.00
13965 : Harlingen Irrigation Dist. CC No. 1	Pipe	\$1,700.00
13966 : Rodolfo Cardenas	AC Repair	\$400.00
13967 : Texas Child Support SDU	Employee Wage Withholding-Child Support	\$422.77
13968 : AFLAC	Health Insurance	\$298.44
13969 : James Robbins	Electrical Repairs	\$320.00
13970 : Blue Cross & Blue Shield	Health Insurance	\$15,864.42
13971 : Allstate Insurance Co.	Insurance	\$149.34
13972 : Texas Child Support SDU	Employee Wage Withholding-Child Support	\$422.77
TOTAL		<u>\$20,669.74</u>

Following a discussion, the motion unanimously carried.

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

13973 : Allegra Printing	Time Cards	\$89.50
13974 : AT&T Mobility	Wireless Phone	\$156.75
13975 : Central Plumbing & Electric	Office Lights	\$565.59
13976 : Cameron County Irrigation Dist. #2	Reimbursement	\$35,169.03
13977 : East Rio Hondo Water Supply Corp.	Office/Shop/Warehouse: Water Bill	\$62.26
13978 : ESRI, Inc.	ARC GIS	\$296.22
13979 : Gigabit Communications	Uverse/Internet	\$200.00
13980 : Grajale's Tire Shop	Flat Repairs	\$19.00
13981 : Hollon Oil Company	Equipment Oil	\$1,490.00
13982 : J & M Hydraulics	Machine Repairs	\$1,011.50
13983 : JR ITSoftware Solutions	Memory Upgrade-Dave's Computer	\$829.99
13984 : John Deere Financial	Machine Repairs	\$722.77
13985 : Sonia Lambert	Phone Allowance	\$475.73
13986 : La Hormiga Tire Shop	Flat Repairs	\$15.00
13987 : Luis Coronado	Weld Repairs	\$1,040.00
13988 : Matt's Cash & Carry	Drain Repairs	\$29.94
13989 : McCoy's	Drain Repairs	\$299.12
13990 : O'Reilly Auto Parts	Machine Repairs	\$686.60
13991 : Ortega, Federico	Phone Allowance	\$45.00
13992 : Power Plan	Machine Repairs	\$1,127.02
13993 : Rio Grande Steel	Machine Repairs	\$515.98
13994 : Rio Hondo Lumber & Supply	Drain Repairs	\$20.00
13995 : Rey's Tire Service	Flat Repairs	\$534.25
13996 : South Texas Bolt & Supply	Machine Repairs	\$60.42
13997 : Nelda Solorio	Janitorial	\$220.52
13998 : Texas Refinery Corp.	Moly Grease	\$1,638.10
13999 : Lucinda Trevino	Janitorial	\$220.52
14000 : UniFirst	Uniforms	\$513.63
14001 : Wilcac Life Insurance	Insurance	\$21.67
14002 : Wylie Case	Machine Repairs	\$180.05
14003 : David Ybarra	Janitorial	\$265.52
TOTAL		<u>\$48,521.68</u>

Following a discussion, the motion unanimously carried.

17. Board of Directors-Fill Vacancy on Board of Directors. There was a general discussion. No action.

18. Personnel-Manager: Deliberate Appointment, Employment, and Duties of Joint Assistant/Trainee Manager to Succeed Current Manager Upon Her Retirement. There was

a general discussion. No action.

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