

May 11, 2020
San Benito, Texas

The regular meeting of the Board of Directors of Cameron County Drainage District No. 3 convened on May 11, 2020, at 2:00 p.m., telephonically pursuant to and in accordance with the Governor's disaster declaration, and pursuant to notice duly given as required by law. Present were Ronaldo Garcia, Randall McMurray, and Matthew McCarthy, Directors; Sonia Lambert, Manager; Jack Brown, Engineer; Freddie Ortega, Drain Supervisor; and B. R. Dossett, Attorney. President Garcia called the meeting to order and presided.

1. Minutes. The Minutes of the April 13, 2020 meeting were presented and reviewed. The motion was made and seconded that the Minutes of the April 13, 2020 meeting be approved. Following a discussion, the motion unanimously carried.
2. Public Comment Period. No one appeared.
3. Subdivisions.
 - 3.1 Westway Subdivision Phase 2, being a 28.53 acre tract out of Block 191, San Benito Land & Water Company [Volume 1, Page 6, Map Records]. The final plat (mylar) has not been presented for signing. The final plat was submitted by email. It was noted that by rule, plats can only be signed in a meeting. The motion was made and seconded that the plat of Westway Subdivision Phase 2 be approved, and that the President be authorized to sign the plat outside of a meeting when the final plat (mylar) is submitted. Following a discussion, the motion unanimously carried.
 - 3.2 MJE Rodriguez Subdivision, being 2.25 acres of land out of Block 80, Espiritu Santo Irrigated Land Company Subdivision. The final plat has not been presented in any format. No action.
 - 3.3 Las Villas Del Rio Subdivision, being an 8.3 acre tract out of Block 257, San Benito Land & Water Company Subdivision [Volume 1, Page 25, Map Records]. The final plat has not been presented in any format. No action.
 - 3.4 Liberty Estates Phase II, being an 8.53 acre tract of land comprised of 0.08 acre out of Block 12, 4.66 acres out of Block 5, and 3.79 acres out of Block 6, all in Cunningham's Subdivision [Volume 1, Page 43, Map Records], said Cunningham's Subdivision being out of Block 35, San Benito Land & Water Company Subdivision [Volume 1, Page 6, Map Records]. No discussion. No action.
 - 3.5 Peralez Farms Subdivision, being 1.0 acre out of Block 65, San Benito Land & Water Company Subdivision. It was noted that this plat received preliminary approval at the January 13, 2020 meeting. The final plat has not been presented in any format. No action.
 - 3.6 A.M. Betancourt Subdivision, being 1.0 acre out of Block 15, San Benito Land & Water Company Subdivision. The final plat has not been presented in any format. No action.
 - 3.7 Rancho Monteagua Subdivision, being 20.33 acres out of Block 215, San Benito Land & Water Company Subdivision. Although there is no District drain in the subject property, a drainage easement is shown on the plat. The Manager advised the Developer's engineer by email that the District would not accept the drainage easement. There has been no response. The motion was made and seconded that this Agenda item be tabled until the developer responds. Following a discussion, the motion unanimously carried.
4. Drain B-4: Request of AEP for Amendment of Sign Permit for San Benito Service Center-Drain B-4, dated June 10, 2019. AEP agreed to relocate the electrical box and light pole outside of the 20 foot strip. AEP has advised that the relocation is scheduled to commence on May 12, 2020.

5. COVID-19 Emergency Response. Manager Lambert generally discussed the District's efforts to ensure a safe workplace for the employees.
6. Pollution Control/MS4 Permit: Tire and Debris Pickup and Disposal. The meeting with the County has not been rescheduled.
7. Vehicles/Equipment.
 - 7.1 Backhoe Purchased at March 9, 2020 Meeting. The manufacturer has advised that delivery will be delayed. No tentative delivery date has been provided.
 - 7.2 Brush Cutters Scheduled for Delivery in April 2020. The three John Deere Model 6120 brush cutters, purchased at the October 14, 2020 meeting, were delivered as scheduled:

DD31	#1L06120MCKH953707
DD32	#1L06120MAKH953371
DD33	#1L06120MVKH954079

The machines are not in service because each machine has problems. A punch list has been submitted to the dealer, but the problems have not yet been corrected. Payment will be withheld until the problems are corrected.
8. Projects.
 - 8.1 NRCS Disaster Relief/EWP Grant for Repairs.
 - (a) Status Report. Engineer Brown has not completed the revised bid package. He plans to re-advertise on a date that allows the contracts to be awarded at the June 2020 Board meeting. Confirmation has not yet been received, but it is likely the project completion date will be extended due to the COVID-19 emergency.
 - (b) Consider Bids and Award Contracts. No action.
 - 8.2 Drain A Improvements Grant. The grant still has not been closed out. No action required of the District at this time.
 - 8.3 Other Projects. None.
9. Agreements/Rights-of-Way/Permits/Interlocal Cooperation Contracts
 - 9.1 Drain E-1 and Drain E: License for SBCISD for Down Drain for High School Campus Property. No change in status since the March 9, 2020 meeting.
 - 9.2 Drains Crossed by FM 509: Request of Military Highway Water Supply Corporation for Waterline to Cross Drains. No change in status since the March 9, 2020 meeting.
 - 9.3 Drain F-West: Request of City of Rio Hondo for Aerial Electric Line Crossing for Water Treatment Plant in Block 257, SBL&WCo. No change in status since the March 9, 2020 meeting.
 - 9.4 RM West Drain, a/k/a La Gloria Drain and McMurray Drain: Request of AEP for Down Drain for Substation to Serve Rayos Del Sol Solar Farm. No change in status since the March 9, 2020 meeting.
 - 9.5 RM West Drain, a/k/a La Gloria Drain and McMurray Drain: Request of Rayos Del Sol Solar Project, LLC for Road and Collection Line Crossings. It is likely the Permit for Solar Farm Development will be finalized before the June 8, 2020 Board meeting.
 - 9.6 Acciona Energy USA Global, LLC—Request for License Agreement For Aerial and

Underground Electric Transmission Line Crossings for La Chalupa Wind Farm. No change in status since the April 13, 2020 meeting.

- 9.7 East Rio Hondo Water Supply Corporation Request for Waterline Crossings for Acciona Energy Office. No change in status since the March 9, 2020 meeting.
- 9.8 City of Brownsville-Brownsville Public Utilities Board Proposed 24-inch Diameter Natural Gas Pipeline from Brownsville to Hidalgo County: License Agreement/Easement Agreement for Drain Crossings. No change in status since the March 9, 2020 meeting.
- 9.9 Drain B-4: AEP Facility in Old San Benito Airport Property in Blocks 6, 7, & 82, San Benito Land & Water Company Subdivision.
 - (a) License Agreement With AEP for Down Drains. No change in status.
 - (b) Amendment of Interlocal with City of San Benito to Provide for Potable Waterline and Sewer Line in Stookey Road Extension. No change in status.
- 9.10 Drain U: Request of Idea Academy Inc. for Second Down Drain. The Permit for Down Drain dated January 23, 2008, issued by the District to Idea Academy Inc., allows one down drain into Drain U at the northwesterly corner of Idea Academy Inc.'s property, near the intersection of FM. 507/Paseo Real Highway and Russell Lane. Idea Academy Inc. now wants to install a down drain near the southwest corner of its property. The motion was made and seconded that the Permit for Down Drain dated January 23, 2008, be amended to allow the second down drain. Following a discussion, the motion unanimously carried.
10. Donations. Drain A-6: Eduardo Cañas and Carlos Leal Offer to Donate 80 Foot Wide Strip of Land Dedicated as "Drain Ditch ROW" on Plat of Cañas Subdivision [Cab. 1, Page/Slot 48-A, Map Records]. The motion was made and seconded that, subject to confirmation there are no encroachments, the District accept the offer. Following a discussion, the motion unanimously carried.
11. Watershed Studies: Drainage Watershed Study-Town of Combes Lead Entity. No report.
12. Reports.
 - 12.1 Financial.
 - (a) Financial Report–April 2020. Presented and reviewed.
 - (b) Financial Report for Fiscal year though April 30, 2020. Presented and reviewed.
 - 12.2 Manager.
 - (a) Hydrologic and Hydraulic Model Update. The District has received no communication from Scheibe Consulting since the January 13, 2020 meeting. Manager Lambert will inquire about the status of the grant application.
 - (b) Special Purpose District Report. Filed on May 2, 2020.
 - 12.3 Attorney.
 - (a) *Cameron County Drainage District No. 3 and Cameron County Irrigation District No. 2, et al. vs. City of San Benito*. Still waiting on the Court of Appeals to render its decision.
 - (b) Special District Purpose Report. Not yet filed. The Comptroller has suspended all fines and penalties for late filing due to the COVID-19 emergency.
 - 12.4 Engineer. All matters discussed under other Agenda items.

12.5 Drain Supervisor. Report of work accomplished in the month of April 2020 presented.

12.6 City of San Benito. No one appeared on behalf of the City.

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

13.1 The motion was made and seconded that issuance of the following checks between the April 13, 2020 meeting and this meeting be ratified:

12687 : Manuel Garcia	Hand Sanitizer	\$287.00
12688 : First Community Bank	Payroll [04/16/2020]	\$26,681.31
12689 : Texas Child Support SDU	Employee Wage Withholding-Child Support	\$602.77
12690 : Arroyo Colorado	MS4 Compliance	\$2,500.00
12691 : First Community Bank	Payroll [04/30/2020]	\$28,747.75
12692 : Texas Child Support SDU	Employee Wage Withholding-Child Support	\$602.77
TOTAL		<u>\$59,421.60</u>

Following a discussion, the motion unanimously carried.

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

12693 : AFLAC	Health Insurance	\$50.31
12694 : Alamo Distribution	Safety Supplies	\$945.71
12695 : Allstate Insurance Co.	Insurance	\$74.67
12696 : AguaWorks Pipe & Supply	Drain Repairs	\$1,658.00
12697 : Amigo Bolt & Supply	Machine Repairs	\$38.56
12698 : AT&T Mobility	Wireless Phone	\$205.69
12699 : Blue Cross & Blue Shield	Health Insurance	\$14,881.00
12700 : Cameron County Irrigation Dist. #2	Reimbursement	\$9,259.74
12701 : Dainamik	GPS Monitoring	\$735.00
12702 : East Rio Hondo Water Supply Corp.	Office/Shop/Warehouse: Water Bill	\$74.37
12703 : ESRI, Inc.	ARC GIS	\$197.48
12704 : Fast Signs	Signs	\$514.94
12705 : Firestone	Motorgrader Tires	\$1,111.98
12706 : First Community Bank	Petty Cash	\$428.78
12707 : Gateway Printing	Office Supplies	\$135.54
12708 : Gigabit Communications	Uverse/Internet	\$200.00
12709 : Grajale's Tire Shop	Flat Repairs	\$79.00
12710 : H & V Equipment	Machine Repairs	\$4,826.74
12711 : Nelda Hernandez	Janitorial	\$697.20
12712 : Hollon Oil Company	Hyd Oil	\$2,311.25
12713 : Holt Company of Texas	Machine Repairs	\$840.00
12714 : John Deere & Company	Three New Tractor Mowers	\$343,268.88
12715 : John Deere Financial	Machine Repairs	\$662.84
12716 : J & J Tire & Auto	Auto Repairs	\$1,201.96
12717 : Sonia Lambert	Phone Allowance	\$125.00
12718 : Lincoln National Life	Life Insurance	\$216.48
12719 : Matheson Tri-Gas	Acetylene/Oxygen	\$93.65
12720 : McCoy's	Drain Repairs	\$89.80
12721 : Nueces Power Equipment	Machine Rental	\$2,832.00
12722 : O'Reilly Auto Parts	Machine Repairs	\$1,547.23
12723 : Ortega, Federico	Phone Allowance	\$45.00
12724 : Power Plan	Machine Repairs	\$1,389.32
12725 : Rio Hondo Lumber & Supply	Machine Repairs	\$5.49
12726 : Rey's Tire Service	Flat Repairs	\$270.00
12727 : Tarpon Fire & Safety	Inspection	\$292.00
12728 : Lucinda Trevino	Janitorial	\$220.52
12729 : TWCA RMF	Insurance Expense	\$89.00
12730 : Unifirst	Uniforms	\$686.40
12731 : Wilco Life Insurance	Life Insurance	\$21.67
12732 : Wylie Case	Machine Repairs	\$1,540.31
12733 : David Ybarra	Phone Allowance	\$265.52
12734 : Brown, Leal & Assoc.	Engineering Services	\$1,280.00
12735 : Dossett Law Office	Legal Fees	<u>\$5,300.00</u>
TOTAL		<u>\$400,709.03</u>

Following a discussion, the motion unanimously carried.

14. Executive Session: *Cameron County Drainage District No. 3 and Cameron County*

Irrigation District No. 2, et al. vs. City of San Benito. Discussed under Agenda Item 12.3(a).
No executive session held.

15. Action on Matters Discussed in Executive Session. No executive session held.
16. Adjournment. There being no further business, the meeting was adjourned.