

October 11, 2021  
San Benito, Texas

The regular meeting of the Board of Directors of Cameron County Drainage District No. 3 convened on October 11, 2021, 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 Randall McMurray, Directors; Sonia Lambert, Manager; Freddie Ortega, Drain Supervisor; Jack Brown, Engineer; and B. R. Dossett, Attorney. President Garcia called the meeting to order and presided.

1. Minutes.
  - 1.1 August 9, 2021 Meeting. The minutes of the August 9, 2021 meeting were presented and reviewed. The motion was made and seconded to approve the minutes of the August 9, 2021 meeting. Following a discussion, the motion unanimously carried.
  - 1.2 August 24, 2021 Meeting. The minutes of the August 24, 2021 meeting were presented and reviewed. The motion was made and seconded to approve the minutes of the August 24, 2021 meeting. Following a discussion, the motion unanimously carried.
  - 1.3 September 13, 2021 Meeting. The September 13, 2021 meeting was not held due to the lack of a quorum, and was not rescheduled.
2. Public Comment Period. No one appeared. No written comments were received.
3. Subdivisions.
  - 3.1 A.M. Betancourt Subdivision, being 1.0 acre out of Block 15, San Benito Land & Water Company Subdivision. The subject property is wholly within the limits of the City of San Benito. The owner presented the plat to the City of San Benito without the District's sign-off paragraph and without the District's approval. This plat will be removed from the Agenda.
  - 3.2 Rancho Montegua Subdivision–Guzman & Munoz, being 20.33 acres out of Block 215, San Benito Land & Water Company Subdivision. Preliminary plat presented. The motion was made and seconded that the plat of Rancho Montegua Subdivision receive preliminary approval. Following a discussion, the motion carried.
  - 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]. Attorney Dossett submitted the required license agreement to the engineers, Guzman & Munoz, in March 2021. Manager Lambert forwarded the license agreement to the engineers several months later. There has been no response. There was a discussion whether to remove this plat from the Agenda, at the conclusion of which the Board instructed Attorney Dossett to submit the license agreement again. No other action.
  - 3.4 San Jose Nagel 7 Subdivision-Rios Surveying (29.76 acres out of Blocks 99, 100, 119, 120, San Benito Irrigation Company Subdivision). Plat not presented. No action.
  - 3.5 Petunia Acres Subdivision–Rios Surveying (2 acres out of Block 129, Espiritu Santo Irrigated Land Company Subdivision). No change in status since the August 9, 2021 meeting. No action.
  - 3.6 Del Rio Subdivision Phases VI-VII–being 22.4 acres out of Blocks C & D, James Dickinson Subdivision. Final plat not presented. No action.
  - 3.7 3C Subdivision–being 40 acres out of Block 129, SBL& WCo. Corrections to plat required. The owner has decided not to subdivide the property. This item will be removed from the Agenda.
  - 3.8 Vista Real Estate Subdivision (5.0 acres out of Block 157, San Benito Land & Water Company Subdivision). Final plat not presented. No action.

- 3.9 IHOP at Ed Carey Subdivision—being 1.81 ac. out of Block 181, SBL& WCo. Final plat not presented. Correction: this plat received final approval at the August 9, 2021 meeting and President Garcia signed the plat on August 9, 2021.
- 3.10 Titan Ranch Subdivision (7.35 acres out of Block 90, San Benito Land & Water Company Subdivision). Final plat not presented. No action.
4. Drainage Issues in Block 209, San Benito Land & Water Company Subdivision. Rios Surveying has been engaged to prepare a survey of the land on which Cameron County Irrigation District No. 2's seep ditch, most of which has been piped, is situated. Rios has not completed the survey.
5. Detention Basins: County's Proposal that District Accept and Maintain All Detention Basins the County Requires. The County has been advised that the District will not change its policy—that the detention basin must serve not less than 40 acres and be adjacent to a District drain.
6. County Subdivision Rules-Amended. Engineer Brown will review the proposed amendment of the County Subdivision Rules and submit any necessary comments pertinent to the Drainage District.
7. Grants. TWDB #40023 Flood Protection Study-Texas Water Development Board Grant/Hydrologic and Hydraulic Model Update. The approved depository is Texas Regional Bank. The grant funds, being \$1,450,000.00, were deposited into the account in October 2021. Work on the Hydrologic and Hydraulic Model update has commenced.
8. Equipment—Brushcutter. The District's insurance claim for the brushcutter destroyed by fire on March 3, 2021 was settled on May 24, 2021. The insurance company paid \$75,133.34.
9. Russell Main Drain: Private Road Crossing in Block 4, Parker Tract Subdivision Owned by Porfirio and Nicanor Vasquez and Respective Spouses. The demand that the crossing be upgraded was sent to and received by the owners in July. The owners met with Engineer Brown and Manager Lambert. The District has four 8 foot x 8 foot box culverts in inventory. The motion was made and seconded that the District offer to sell the four 8 foot x 8 foot box culverts to the owners at \$3,840 per box culvert, less a 25% discount. Following a discussion, the motion carried. The owners have been advised that the District does not have the equipment required to install box culverts that big.
10. Legislation. Attorney Dossett reported on laws that went into effect on September 1 2021, that affect the District:
  - 10.1 HB 1154, which among other things, amends Texas Government Code Chapter F pertaining to internet requirements.
  - 10.2 SB 2185, pertaining to utility crossings of drains.
11. Rules and Regulations.
  - 11.1 Revision and Amendment of District Rules. Attorney Dossett is working on revised rules. Tentatively, the rules will be ready for the Board's consideration at the January 2022 meeting.
  - 11.2 Policy Regarding Agendas and Minutes Posted on District's Website. The motion was made and seconded that pursuant to Texas Government Code § 2051.202(d) only the Agenda and Minutes for the current calendar year and immediately preceding calendar year shall be published on the District's website. Following a discussion, the motion carried.
12. Health Insurance. It was noted that the health insurance covers only one year. Under the current plan, the rates have increased 17.6% for 2022. Proposals were reviewed. The motion was made and seconded that the current plan through Blue Cross Blue Shield be renewed. Following a discussion, the motion carried.

13. Agreements/Rights-of-Way/Permits/Interlocal Cooperation Contracts.
  - 13.1 Drain C/Drain C-Right: License for Down Drain in Block 179, San Benito Land & Water Co. for UTRGV Neuroscience Facility/Building. Finalized.
  - 13.2 Los Fresnos Outlet: San Jose Nagel 7 Subdivision. It was reported at the August 9, 2021 meeting that no drainage facility is being crossed. This item will be removed from the Agenda.
  - 13.3 Drain 383: Request of Ciro and Rhonda Garza for Road Crossing. License Agreement not completed.
  - 13.4 Drain F: License Agreement for Down Drain for Las Villas Del Rio Subdivision–Rise Rio Hondo and Chet Monigold, Owners. Discussed under Agenda Item 3.3, above.
  - 13.5 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–Status Report. Deed still not prepared pending resolution of other issues.
    - (b) Upgrade of Underdrains–Status Report. The Owner-Developer is not making any improvements pending resolution of other issues. New under-drain not yet installed.
    - (c) Road Crossings Downstream of Phases I & II. Study not completed. Manager Lambert initially considered installing 8 foot x 8 foot box culverts, which the District has in inventory. However, at this location, the box culverts will have to be shorter and wider.
  - 13.6 Drain B-2: Parallel Corridor Crossing. The County has submitted right-of-way maps for the segment between South Sam Houston and Sherer Road (old FM 732). Only the District’s Drain B-2 in Block 43, San Benito Land & Water Company Subdivision is crossed by this segment of the road. Attorney Dossett has responded that the District must approve the plans for the crossing.
14. Donations: Drains in Territory North of Arroyo Gardens (Shares 12 and 22, Espiritu Santo Grant). Engineer Brown is working on descriptions for the drains to be conveyed to the District. More field information is required.
15. Reports.
  - 15.1 Financial.
    - (a) Financial Report for Month of August 2021. Presented and reviewed.
    - (b) Financial Report for Month of September 2021. Presented and reviewed.
    - (c) Financial Report for Fiscal Year ended September 30, 2021. Presented and reviewed.
    - (d) Investment Report for Third Quarter 2021. Presented and reviewed.
    - (e) Audit for Fiscal Year ended September 30, 2021. The Board directed that Manager Lambert contact Buffo and Berkman, CPAs.
  - 15.2 Manager.
    - (a) Equipment-Brushcutters. The District needs to replace three brushcutters. The Board directed that Manager Lambert advertise for bids for three brushcutters.
    - (b) Personnel/Wage Administration. The budget includes pay raises. The motion was made and seconded that, subject to the budget, Manager Lambert have the discretion and authority to determine which employees receive raises and the amount of the raises. Following a discussion, the motion carried.
  - 15.3 Attorney. *Cameron County Drainage District No. 3 and Cameron County Irrigation District No. 2, et al. vs. City of San Benito*. Report on Court of Appeals decision. No change in status.

15.4 Engineer. All matters discussed under other Agenda items.

15.5 Drain Supervisor. Report of work accomplished in the months of August and September 2021 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 August 9, 2021 meeting and this meeting be ratified:

13449 : First Community Bank	Petty Cash	\$372.34
13450 : Matt's Cash & Carry	Other Repairs	\$21.57
13451 : Dossett Law Office	Legal Fees	\$3,825.00
13452 : Dainamik	GPS Monitoring	\$1,015.00
13453 : First Community Bank	Payroll 08/19/21	\$37,204.94
13454 : Texas Child Support SDU	Employee Wage Withholding-Child Support	\$422.77
13455 : First Community Bank	Payroll 09/02/21	\$38,956.65
13456 : Texas Child Support SDU	Employee Wage Withholding-Child Support	\$422.77
13457 : Sonia Lambert	Laptop	\$1,764.46
13458 : AFLAC	Health Insurance	\$386.04
13459 : A4 Auto Supply	Machine Repairs	\$162.57
13460 : Allstate Insurance Company	Insurance	\$74.67
13461 : AguaWorks Pipe & Supply	Drain Repairs	\$3,434.80
13462 : AT&T Mobility	Wireless Phone	\$246.52
13463 : Blue Cross & Blue Shield	Health Insurance	\$14,526.12
13464 : Boggus Ford	Auto Repairs	\$13.14
13465 : Cameron Appraisal District	Quarterly Assessment	\$11,219.50
13466 : Cameron County Irrigation Dist. #2	Reimbursement	\$28,748.63
13467 : Commercial Billing	Machine Repairs	\$458.81
13468 : Dainamik	GPS Monitoring	\$1,015.00
13469 : East Rio Hondo Water Supply Corp.	Office/Shop/Warehouse: Water Bill	\$77.18
13470 : Firestone	Auto Repairs	\$1,109.68
13471 : Gateway Printing	Office Supplies	\$156.52
13472 : Gigabit Communications	Uverse/Internet	\$200.00
13473 : Grajale's Tire Shop	Flat Repairs	\$48.00
13474 : H & V Equipment	Machine Repairs	\$1,786.57
13475 : Hollon Oil Company	Hydraulic Oil	\$3,569.15
13476 : Holt Company of Texas	Machine Repairs	\$4,541.65
13477 : John Deere & Company	Machine Repairs	\$2,993.43
13478 : J & J Tire and Auto	Auto Repairs	\$959.99
13479 : Sonia Lambert	Phone Allowance	\$125.00
13480 : Matt's Cash & Carry	Drain Repairs	\$62.86
13481 : McCoys Lumber Co.	Drain Repairs	\$8.59
13482 : Nueces Power Equipment	Machine Repairs	\$946.40
13483 : O'Reilly Auto Parts	Machine Repairs	\$2,238.29
13484 : Ortega, Federico	Phone Allowance	\$45.00
13485 : Pitney Bowes	Postage Meter Rental	\$178.68
13486 : Power Plan	Machine Repairs	\$460.06
13487 : Rio Grande Concrete	Machine Repairs	\$11.19
13488 : Rey's Tire Service	Flat Repairs	\$760.00
13489 : San Benito News	Legal Notice	\$330.00
13490 : Southern Tire Mart	Machine Repairs	\$1,952.28
13491 : South Texas Bolt & Supply	Machine Repairs	\$239.68
13492 : Nelda Solorio	Janitorial	\$275.65
13493 : Lucinda Trevino	Janitorial	\$275.65
13494 : Unifirst	Uniforms	\$689.02
13495 : Wilcac Life Insurance	Insurance	\$21.67
13496 : Wylie Case	Machine Repairs	\$5,252.45
13497 : David Ybarra	Janitorial	\$320.65
13498 : Lincoln National Life	Life Insurance	\$255.84
13499 : Dossett Law Office	Legal Fees	\$4,595.30
13500 : VOID		-0-
13501 : Texas Child Support SDU	Employee Wage Withholding-Child Support	\$422.77
13502 : Daniel Diaz	Welding Repair	\$420.00
13503 : De los Reyes Trucking	Haul Dirt	\$880.00
13504 : Texas Child Support SDU	Employee Wage Withholding-Child Support	\$422.77
TOTAL		\$255,985.98

Following a discussion, the motion carried.

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

13505 : Advance Professional	Machine Repair	\$200.70
13506 : AFLAC	Health Insurance	\$579.06
13507 : Auto Zone	Machine Repairs	\$66.10
13508 : Allstate Insurance Co.	Insurance	\$74.67
13509 : AguaWorks Pipe & Supply	Drain Repairs	\$1,870.80
13510 : AT&T Mobility	Wireless Phone	\$227.47
13511 : Bearden Auto A/C	Auto Repair	\$65.00
13512 : Bell Fence Company	Fence Repair	\$62.00
13513 : Blue Cross & Blue Shield	Health Insurance	\$14,526.12
13514 : Cameron County Irrigation Dist. #2	Reimbursement	\$20,399.99
13515 : De Los Reyes Trucking	Haul Dirt	\$1,622.00
13516 : Drop Dead Pest Control	Bees	\$150.00
13517 : East Rio Hondo Water Supply Corp.	Office/Shop/Warehouse: Water Bill	\$81.20
13518 : ESRI, Inc.	ARCGIS	\$200.00
13519 : Gigabit Communications	Uverse/Internet	\$200.00
13520 : H & V Equipment	Machine Repair	\$5,622.38
13521 : Hollon Oil Company	Hydraulic Oil	\$3,358.23
13522 : J & M Hydraulics	Machine Repair	\$188.01
13523 : John Deere & Company	Machine Repairs	\$9,153.86
13524 : J & J Tire & Auto	Auto Repair	\$687.99
13525 : Sonia Lambert	Phone Allowance	\$545.00
13526 : Luis Coronado	Weld Repair	\$600.00
13527 : Matt's Cash & Carry	Drain Repairs	\$112.25
13528 : McCoys Lumber Co.	Drain Repairs	\$174.42
13529 : Nueces Power Equipment	Machine Repair	\$18.72
13530 : O'Reilly Auto Parts	Machine Repairs	\$1,300.60
13531 : Federico Ortega	Phone Allowance	\$45.00
13532 : Power Plan	Machine Repairs	\$1,659.26
13533 : Rio Grande Steel, Ltd.	Machine Repairs	\$78.36
13534 : Rio Hondo Lumber & Supply	Machine Repairs	\$7.85
13535 : San Benito Medical Associates	Employee Physical	\$95.50
13536 : Southern Tire Mart	Machine Repairs	\$1,952.28
13537 : South Texas Bolt & Supply	Machine Repairs	\$546.60
13538 : Nelda Solorio	Janitorial	\$220.52
13539 : Texas Refinery Corp.	Grease	\$768.45
13540 : Lucinda Trevino	Janitorial	\$220.52
13541 : Texas Water Conservation Association	Conference	\$395.00
13542 : Wilcac Life Insurance	Insurance	\$21.67
13543 : David Ybarra	Janitorial	\$265.52
TOTAL		<u>\$68,363.10</u>

Following a discussion, the motion unanimously carried.

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