

July 10, 2023  
San Benito, Texas

The regular meeting of the Board of Directors of Cameron County Drainage District No. 3 convened on July 10, 2023, 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; Rick Martinez, Assistant Manager; Jack Brown, Engineer; and B. R. Dossett, Attorney. President Garcia called the meeting to order and presided.

1. Minutes. The Minutes of the June 12, 2023 meeting were presented and reviewed. The motion was made and seconded that the minutes of the June 12, 2023 meeting be approved. Following a discussion, the motion unanimously carried.
2. Public Comment Period. No one appeared. No written comments were received.
3. Subdivisions.
  - 3.1 San Sebastian Estates, being 5 acres out of Block 253, San Benito Irrigated Land Co. Subdivision. Plat not presented. No action.
  - 3.2 I & G Vasquez Subdivision, being 4.02 acres out of Block 54, Fresnos Land & Irrigation Co. Subdivision. Preliminary plat presented and reviewed. It was noted that there are no District drains in the property. The motion was made and seconded that the plat of I & G Vasquez Subdivision receive preliminary approval. Following a discussion, the motion carried.
  - 3.3 Los Reyes Subdivision, being 22.55 acres out of Block 33, San Benito Land & Water Company Subdivision. Preliminary plat presented and reviewed. The District's Engineer advised that the plat needs additional review. Accordingly, the motion was made and seconded that the plat not be approved.
4. Audit of Fiscal Year Ended September 30, 2022.
  - 4.1 Status Report. Mr. Berkman's health will not allow him to resume his work as a CPA, and therefore the District must engage another CPA to conduct the audit.
  - 4.2 Engage CPA to Conduct Audit. The engagement of a CPA to audit the fiscal year ended September 30, 2022 was discussed. The motion was made and seconded that Manager Lambert make recommendations at the next Board meeting. It was noted that in addition to the audit for the fiscal year ended September 30, 2022 being delinquent, the District will soon need to engage a CPA to audit the fiscal year that will end on September 30, 2023.
5. Equipment: Brushcutter Purchased to Replace Brushcutter DD#33. The Dealer delivered the machine to the District on June 13, 2023, but the machine was returned to the Dealer for adjustments and repairs necessary to put the machine into service. The machine has not yet been returned.
6. Resaca Vista Drain in Blocks 209 and 215, San Benito Land & Water Co.: Cameron County Irrigation District No. 2 Conveyance of Seep Ditch to Drainage District. The meeting of the Resaca Vista Condominiums Homeowner's Association is scheduled for July 13, 2023. Representatives of the District will attend the meeting.
7. Russell Main Drain: Private Road Crossing in Block 4, Parker Tract Subdivision, Owned by Porfirio and Nicanor Vasquez and Respective Spouses. The landowners still have not upgraded the crossing.
8. Projects.
  - 8.1 East Line Drain Relief Project 2012. No change in status since the last meeting.

- 8.2 TWDB #40023 Flood Protection/Infrastructure Study-Hydrologic and Hydraulic Model Update. No report.
- 8.3 Drain B-2: Upgrade of Pennsylvania Boulevard Road Crossing.
- (a) Status Report. The District's Engineer has not completed the plans.
  - (b) City of San Benito Proposal that Removal of Sewer Line be Included in District's Contract for Installation of Crossing Upgrade. Representatives of the City appeared and advised that the outside engineer who sent the letter to the District, discussed at the June 12, 2023 meeting [Item 8.2(b)], was misinformed, and the City is willing to reimburse the District for removal of the pipe. The motion was made and seconded that removal of the sewer line be included in the District's contract subject to the City and the District entering into an interlocal cooperation contract memorializing the terms of the agreement. Following a discussion, the motion carried.
  - (c) Grant Funding: DR-4705 Grant for Pennsylvania Boulevard Crossing Upgrade and Downstream Road Crossing Upgrades. The motion was made and seconded that Eric Schiebe be authorized to apply for a DR-4705 grant for the Pennsylvania Boulevard crossing upgrade and the downstream road crossing upgrades, and all work conducted by Eric Schiebe since the June 12, 2023 meeting be approved and ratified. Following a discussion, the motion carried.
  - (d) Grant Funding—Other Opportunities. No report.
  - (e) Other Decisions Necessary. The motion was made and seconded that the upgrade of the Pennsylvania Boulevard crossing and the downstream road crossings be one project, but the upgrade of the Pennsylvania Boulevard crossing have priority over the downstream road crossings. Following a discussion, the motion unanimously carried.
- 8.4 Drain B-2: Upgrade of Road Crossings Downstream from Pennsylvania Boulevard. Discussed under Agenda 8.2(e).
- 8.5 Rancho Grande Diversion Project/Drain A Bypass Extension to River—Installation of FlumeGate. Representatives of the manufacturer are scheduled to meet with Engineer Brown, Manager Lambert, and other District personnel tomorrow afternoon.
9. Agreements/Rights-of-Way/Permits/Interlocal Cooperation Contracts.
- 9.1 Drain 382 in North 10 Acres of Block 382, SBIC: Request of Luis S. Lopez and Denise C. Lopez Revocable Living Trust for License Agreement to Install Livestock Crossing and Waterline Crossing. No change in status since the last meeting.
  - 9.2 Drain 382 in South 15 Acres of North 25 Acres of Block 382, SBIC: Request of Adrian and Cathy Coronado for Road and Utility Crossings. No change in status since the last meeting.
  - 9.3 Drain E in Block 22, San Benito Land & Water Company Subdivision. No change in status since the last meeting.
  - 9.4 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. No change in status since the last meeting.
  - 9.5 Russell Main Drain in Share 14, Espiritu Santo Grant: Request of East Rio Hondo Water Supply Corp. for Potable Waterline Crossings (for Madeira Waterline Project). Crossing fees paid. License Agreement finalized.

- 9.6 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.
- 9.7 Drain D in Block 128, San Benito Land & Water Company Subdivision–Request for Down Drain License for Proposed 3C Subdivision. No change in status since the last meeting.
- 9.8 Drain E-1: Relocation of SBCISD’s Down Drain Inlet on South Side of High School. No change in status since the last meeting.
10. Donation: Drains in Territory North of Arroyo Gardens (Shares 12 and 22, Espiritu Santo Grant). Rios Surveying has submitted a survey to Engineer Brown. The strips of land to be conveyed to the District will be 140 feet in width. The metes and bounds descriptions of the 140 foot strips have not been completed.
11. Rules Revision. Not ready for Board action.
12. Engineer. Contract with Scheibe Consulting, LLC. No action.
13. Reports.
  - 13.1 Financial.
    - (a) Financial Report for month of July 2023 presented and reviewed.
    - (b) Financial Report for fiscal year through July 31, 2023 presented and reviewed.
    - (c) Investment report for 2<sup>nd</sup> quarter of 2023 presented and reviewed.
  - 13.2 Manager. Not present.
  - 13.3 Attorney. All matters discussed under other Agenda items.
  - 13.4 Drain E Notice of Drain Right-of-Way. Notice of the location of the pipeline between La Palma and Stenger Streets not completed.
  - 13.5 Engineer. All matters discussed under other Agenda items.
  - 13.6 Drain Supervisor. Written report of work accomplished in the month of June 2023 presented.
  - 13.7 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.*
  - 14.1 Status Report. The interim City Manager has advised that the City Council is receptive to the Drainage and Irrigation sign-off paragraphs being put on plats.
  - 14.2 Settlement of Suit. A proposed settlement will be prepared for the City’s consideration.
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 June 12, 2023 meeting and this meeting be ratified:

14483 : Sonia Lambert	Sam's Membership	\$50.00
14484 : AFLAC	Health Insurance	\$249.84
14485 : Cameron Appraisal District	Quarterly Assessment	\$13,514.75
14486 : Ricardo Martinez	TWCA The Woodlands-Conference	\$1,024.86
14487 : Texas Child Support SDU	Employee Wage Withholding-Child Support	\$720.47
14488 : TWCA Risk Management	Insurance	<u>\$32,473.00</u>
TOTAL		\$114,820.42

Following a discussion, the motion unanimously carried.

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

14489 : AT&T Mobility	Wireless Phone	\$156.75
14490 : Blue Cross & Blue Shield	Health Insurance	\$15,784.75
14491 : Cameron County Irrigation Dist. No. 2	Work Order-Broken Bushing	\$181.60
14492 : East Rio Hondo Water Supply Corp.	Office/Shop/Warehouse: Water Bill	\$74.87
14493 : Fast Signs	Auto Decal	\$29.44
14494 : First Community Bank	Petty Cash	\$638.01
14495 : Grajale's Tire Shop	Flat Repairs	\$60.00
14496 : Hollon Oil Company	Hydraulic Oil	\$1,329.00
14497 : John Deere Financial	Machine Repairs	\$2,983.55
14498 : Sonia Lambert	Phone Allowance	\$125.00
14499 : Nueces Power Equipment	Machine Repairs	\$91.00
14500 : Oil Patch Fuel	Off Road Diesel	\$5,786.96
14501 : O'Reilly Auto Parts	Machine Repairs	\$3,423.77
14502 : Ortega, Federico	Phone Allowance	\$243.82
14503 : Rio Hondo Lumber & Supply	Safety Supplies	\$29.96
14504 : Rey's Tire Service	Flat Repairs	\$120.00
14505 : Nelda Solorio	Janitorial	\$220.52
14506 : Lucinda Trevino	Janitorial	\$482.02
14507 : Texas Child Support SDU	Employee Wage Withholding-Child Support	\$720.47
14508 : UniFirst	Uniforms	\$579.83
14509 : Wilcac Life Insurance	Insurance	\$21.67
14510 : David Ybarra	Janitorial	\$265.52
14511 : Dossett Law Office	Legal Fees	\$1,110.00
14512 : Direct Energy	Warehouse: Light Bill	\$285.97
14513 : Firestone	Machine Repairs	\$2,579.98
14514 : H & V Equipment	Machine Repairs	<u>\$108.84</u>
TOTAL		\$37,433.30

Following a discussion, the motion unanimously carried.

16. Board of Directors-Fill Vacancy on Board of Directors. No discussion. No action.
17. Mandatory Annual Cyber Security Training. The Board members received the required training.
18. Adjournment. There being no further business, the meeting was adjourned.