

July 11, 2022
San Benito, Texas

The regular meeting of the Board of Directors of Cameron County Drainage District No. 3 convened on July 11, 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 B. R. Dossett, Attorney. President Garcia called the meeting to order and presided.

1. Minutes: June 13, 2022 Meeting. The Minutes of the June 13, 2022 regular meeting were presented and reviewed. The motion was made and seconded to approve the Minutes of the June 13, 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 Vista Real Chateau Subdivision, being 5.0 acres out of Block 157, San Benito Land & Water Company Subdivision [Volume 1, Page 6, Map Records], being the same tract of land described in Volume 14913, Page 41, Official Records of Cameron County, Texas. Owner: Flor Evangelina Garcia. Engineer: Rios Surveying, LLC. The motion was made and seconded that the plat of Vista Real Chateau Subdivision be approved. Following a discussion, the motion carried and President Garcia signed the plat.
 - 3.3 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.
 - 3.4 Montenegro Estates Subdivision–Mejia & Rose, being 9.4 acres out of Block 7, Landrum Reserve. Plat not presented. No action.
 - 3.5 Paso Real Coves Subdivision–Melden & Hunt, Inc., being 66.902 acres Lots 1-8, Block 146, SBLW&Co). Plat not presented. Pending license agreement. No action.
 - 3.6 Alvarado Estates Subdivision–Altex Engineering, being 2.77 acres out of Block 153, San Benito Land & Water Company Subdivision. City of San Benito rejected plat because it has District’s signature block.
 - 3.7 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.
 - 3.8 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.
 - 3.9 3C Subdivision–JNH Surveying, being Lots 3, 6, 11, 14, Block 129, San Benito Land & Water Company Subdivision. Plat not presented. No action.
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 has not commenced locating and marking the pipeline.
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. Attorney Dossett is preparing instructions for the appraiser.
- 6.2 Drain B-2.
- (a) Status Report:
 - (i) Pennsylvania Boulevard Crossing Upgrade. On June 27, 2022, Manager Lambert submitted a written demand that the City of San Benito state what it is going to do to eliminate the problem of the City's gravity sewer line, installed without permission of the District, blocking the drain and preventing the upgrade of the road crossing. To date, the District has received no response from the City.
 - (ii) Yost Road Crossing Upgrade. No discussion. No action.
 - (iii) Jay Street Crossing Upgrade. No discussion. No action.
 - (iv) McCulloch Street Crossing Upgrade. No discussion. No action.
 - (b) Acquisition of Land for Detention Basins. The feasibility and merit of constructing detention basins south of the Pennsylvania Boulevard crossing instead of upgrading the road crossing was discussed. The motion was made and seconded that the City of San Benito, having caused the problem, should pay for the acquisition and construction of any detention basins. Following a discussion, the motion carried.

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 Ciro and Ronda Garza for Road Crossing. Not finalized.
- 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 for Aerial Electric Service Line for Blanca Flores, Block 291, SBIC. The License Agreement, signed only by Blanca Flores, was delivered to the District. Upon being told the License Agreement needs to be signed by Magic Valley Electric Cooperative, Ms. Flores retrieved the License Agreement. Ms. Flores advised by telephone this morning that Magic Valley Electric Cooperative signed the License Agreement, and it has been placed in the mail to the District.
- 7.5 Russell Main Drain in Share 14, Espiritu Santo Grant: Request for East Rio Hondo Water Supply Corp. for Potable Waterline Crossings. Still waiting on return of signed license agreement. On July 7, 2022, the ERHWSC Manager sent a copy of SB 285. The District's immediate response was that SB 285 expressly applies only to an irrigation district in Hidalgo County.
- 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 Arroyo Gardens #1 Drain in Blocks 175 & 176, Monte Grande Subdivision Unit 2: Request of Fortunato Castaneda and Isabel Castaneda for Road Crossing. No change in status. Still waiting on return of signed license agreement. The landowner either did not research the cost and installation of the pipe before making the request, or believed the District would install the crossing at no cost. The motion was made and seconded that, since the owners have lost interest, this item be removed from the Agenda. Following a discussion, the motion carried.

- 7.8 Drain U in Block 145, SBL&WCo.: Request for Down Drain License for Paso Real Coves Subdivision [pertains to Agenda Item 3.6]. License Agreement should be ready in the next few days.
- 7.9 Fresnos D-1 West Drain in Blocks 5 & 6, Parker Tract: Request of AEP for Aerial Electric Line Crossing. Waiting on return of signed license agreement. AEP advises that the District should receive it any day.
- 7.10 Amendment of License Agreement for Aerial Fiber Optic Cable Crossing. Supplement allowing fiber optic cable to run under the South 6 Drain delivered to AEP on July 8, 2022.
- 8. Grants: TWDB #40023 Flood Protection/Infrastructure Study–Hydrologic and Hydraulic Model Update.
 - 8.1 Interlocal Cooperation Agreement with City of Harlingen. Not finalized. The City is suggesting that instead of the District studying the area where the City and District overlap and the District provide the data to the City, the City wants the reverse. The motion was made and seconded that if the City of Harlingen insists, the City studying the area where the City and District overlap and providing the data to the District is acceptable to the District. Following a discussion, the motion carried.
 - 8.2 The City of Harlingen is of the opinion that it should conduct the study of the territory within the limits of the City of San Benito. The City of San Benito is adamantly opposed to the City of Harlingen doing the study and wants the District to study the territory within the City. A meeting with the two cities, the County, the District, and TWDB has been scheduled. No decision has been made on City of San Benito’s ARPA application.
- 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 not presented.
- 11. Equipment–Disposal of Vehicles and Equipment. The equipment has not yet been advertised for sale. The Drain Supervisor has identified additional items no longer needed by the District. The motion was made and seconded to declare the following items as surplus, and authorize Manager Lambert to solicit bids for the sale thereof:

L-Shaped Fuel Tank with Pump	No Serial Number
L-Shaped Fuel Tank with Pump	No Serial Number
L-Shaped Fuel Tank with Pump	No Serial Number
John Deere MX10 Mower	Serial Number C010050
Alamo Mower	Serial Number 9064

Following a discussion, the motion carried. It was noted that the District’s identification numbers for the two 2008 John Deere 6430 Tractors were reversed on the list of surplus equipment approved at the June 13, 2022 meeting. The list should read:

DD#18
 2008 John Deere 6430 Tractor Serial #L06430H596133
 with Diamond Boom Mower Serial #4759
 Hours 10,190

DD#17
 2008 John Deere 6430 Tractor Serial #L06430H596152
 with Diamond Boom Mower Serial #4758
 Hours 10,358

- 12. Rules Revision. No change in status. The Manager has completed her review of the proposed rules. The Attorney is now reviewing the Manager’s comments.

13. Reports.

13.1 Financial.

- (a) Financial Report for Month of June 2022. Presented and reviewed.
- (b) Financial Report for Fiscal Year through June 30, 2022. Presented and reviewed.
- (c) Investment report for Second Quarter of 2022 presented and reviewed.

13.2 Manager. All matters discussed under other Agenda items.

13.3 Attorney.

- (a) *Cameron County Drainage District No. 3 and Cameron County Irrigation District No. 2, et al. vs. City of San Benito.* No change in status.
- (b) Drain B-3. The District receives requests from title companies that the District state its interest in the property the subject of a real estate transaction. In responding to a request for a property in Block 24, San Benito Land & Water Company, it was noted that Drain B-3 was extended west, under South Sam Houston Boulevard, which is generally centered on the east line of Block 24, the west line of Block 25, a distance of approximately 320 feet, of which approximately 110 feet west from South Sam Houston has been piped. In 2002, the District conveyed Drain B-3 in Block 25, San Benito Land & Water Company Subdivision to the City of San Benito, and in 2003 the City piped the Drain. At some undetermined time, Drain B-3 was extended west, under South Sam Houston Boulevard, a distance of approximately 320 feet. A visual inspection of the drain in Block 24 revealed that an underground storm sewer appears to run north, parallel to Sam Houston, toward Expressway 77. The District did not construct the drain in Block 24, has not maintained it, and does not claim it.
- (c) Drain C/Drain C Right in the Cobblestone Creek Subdivision. The President of the Homeowner's Association for Cobblestone Creek Subdivision, a gated subdivision, requested information about the District's responsibility for cleaning the segment of the drain that generally bisects the subdivision. The District will advise that in order for the District to clean the drain the District needs at least 25 feet on each side of the drain channel, which means the homeowners association will need to cut its fence where the drain crosses the south line of the subdivision, and remove all fences and other obstructions in the 25 foot strips, whereupon the District will remove all trees, bushes, and other vegetation in the 25 foot strips that impede the travel of the District's machines. The excavated spoil will be placed in the 25 foot strips.

13.4 Engineer. All matters discussed under other Agenda items.

13.5 Drain Supervisor. Not present. Written report of work accomplished in the month of June 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 June 13, 2022 meeting and this meeting be ratified:

13928 : Sonia Lambert	Reimbursement-TWCA Conference	\$821.83
13929 : Texas Child Support SDU	Employee Wage Withholding-Child Support	\$422.77
13930 : Blue Cross & Blue Shield	Health Insurance	\$15,864.42
13931 : Texas Child Support SDU	Employee Wage Withholding-Child Support	<u>\$422.77</u>
TOTAL		\$17,531.79

Following a discussion, the motion unanimously carried.

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

13932 : AFLAC	Health Insurance	\$298.44
13933 : Arroyo Colorado	Storm Permitting	\$2,500.00
13934 : AT&T Mobility	Wireless Phone	\$156.75
13935 : Cameron County Irrigation Dist. #2	Reimbursement	\$32,678.05
13936 : East Rio Hondo Water Supply Corp.	Office/Shop/Warehouse: Water Bill	\$73.97
13937 : Firestone	Auto Repair	\$350.50
13938 : First Community Bank	Petty Cash	\$481.53
13939 : Gateway Printing	Office Supplies	\$72.07
13940 : Gigabit Communications	Uverse/Internet	\$200.00
13941 : H & V Equipment	Machine Repairs	\$3,340.55
13942 : Hollon Oil Company	Hydraulic Oil	\$1,550.56
13943 : JR ITSoftware Solutions	Programming	\$1,407.98
13944 : John Deere Financial	Machine Repairs	\$1,884.23
13945 : Sonia Lambert	Phone Allowance	\$125.00
13946 : McCoy's	Other Repairs	\$23.95
13947 : O'Reilly Auto Parts	Machine Repairs	\$1,411.86
13948 : Ortega, Federico	Phone Allowance	\$251.28
13949 : Rio Hondo Lumber & Supply	Drain Repairs	\$23.56
13950 : South Texas Bolt & Supply	Machine Repairs	\$352.51
13951 : Nelda Solorio	Janitorial	\$220.52
13952 : Lucinda Trevino	Janitorial	\$220.52
13953 : TWCA Risk Management	Insurance	\$39,653.00
13954 : UniFirst	Uniforms	\$622.35
13955 : Wilcac Life Insurance	Insurance	\$21.67
13956 : Wylie Case	Machine Repairs	\$1,232.59
13957 : David Ybarra	Janitorial	\$265.52
13958 : Commercial Billing	Machine Repairs	\$1,625.58
13959 : Dossett Law Office	Legal Fees	\$2,450.00
13960 : Holt Company of Texas	Machine Repairs	\$8,611.55
13961 : Lincoln National Life	Life Insurance	\$236.16
13962 : La Hormiga Tire Shop	Flat Repairs	\$40.00
13963 : Rey's Tire Service	Flat Repairs	\$450.00
TOTAL		<u>\$102,832.25</u>

Following a discussion, the motion unanimously carried.

15. Board of Directors–Fill Vacancy on Board of Directors. There was a general discussion. No action.
16. 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.
17. Adjournment. There being no further business, the meeting was adjourned.