

June 10, 2024  
San Benito, Texas

A meeting of the Board of Directors of Cameron County Drainage District No. 3 convened on June 10, 2024, at 2:00 p.m. at the office of the District, pursuant to notice duly given as required by law. Present were Ronaldo Garcia, Matthew McCarthy, and James Shafer, Directors; Craig M. Harmon, General Manager; Jack Brown, Engineer; Freddie Ortega, Maintenance Superintendent; and B. R. Dossett, Attorney. President Garcia called the meeting to order and presided.

1. Minutes.
  - 1.1 The Minutes of the April 8, 2024 meeting were presented and reviewed. The motion was made and seconded that the Minutes of the April 8, 2024 meeting be approved. Following a discussion, the motion carried.
  - 1.2 The Minutes of the May 13, 2024 meeting will be presented at the next Board meeting.
2. Public Comment Period. No one appeared. No written comments were received.
3. Subdivisions.
  - 3.1 Montgomery Reservoir Subdivision, being 2.486 acres comprised of 2.013 acres out of Farm Tract 45 and 0.383 acre out of Park Lot Q, Rio Hondo Park Townsite and Small Acreage Residence Garden and Orchard Lots Subdivision [Volume 2, Page 1, Map Records]. Owner: GC Steel and Accessories. Plat Preparer: Moore Land Surveying, LLC. The final plat (mylar) was submitted and reviewed. It was noted that the plat was approved at the February 12, 2024 and May 13, 2024 meetings without conditions, and that there are no District drains in the subject property. No further action being necessary, President Garcia signed the plat.
  - 3.2 Rio Delta Subdivision, being 49.02 acres out of Block 12 and Block 13, James Dickinson Subdivision of Shares 13 and 14 [Volume 4, Page 22, Map Records]. Owner: Nueva Frontera, LP. Plat Preparer: Moore Land Surveying, LLC. It was noted that the plat was approved at the March 11, 2024 and May 13, 2024 meetings without conditions and that there are no District drains in the subject property, but the final plat (mylar) was not submitted. No action.
  - 3.3 Camperos No. 1 Subdivision, being 10 acres out of Block 123, San Benito Land & Water Company Subdivision [Volume 1, Page 6, Map Records]. Owner: Zarate Homes & Designs, LLC. Plat Preparer: Moore Land Surveying, LLC. It was noted that the plat was approved at the March 11, 2024 meeting without conditions and that there are no District drains in the subject property, but the final plat (mylar) was not submitted. No action.
  - 3.4 Campos Estates, being 1 acre out of the west 10 acres of Block 31, Fresnos Land & Irrigation Co. Subdivision [Volume 3, Pages 9 & 9A, Map Records]. Owners: Aniceto Campos and Rosalinda Campos. Plat Preparer: Corona Engineering. The final plat (mylar) was submitted and reviewed. It was noted that the plat was approved at the April 8, 2024 meeting without conditions, and that there are no District drains in the subject property. No further action being necessary, President Garcia signed the plat.
  - 3.5 Raymond's Estates, being 2.536 acres out of Lot 4 and Lot 5, Block 199, San Benito Land & Water Company Subdivision [Volume 1, Page 25, Map Records]. Owner: Raymond Hout and L.Y. Kear. Plat Preparer: Corona Engineering. The final plat (mylar) was submitted and reviewed. It was noted that the plat received preliminary approval at the April 8, 2024 meeting without conditions, and that there are no District drains in the subject property. No further action being necessary, President Garcia signed the plat.

- 3.6 Titan Ranch Subdivision, being 7.35 acres consisting of (Tract I) 7.10 acres out of a 9.54 acre tract recorded at Volume 18308, Page 294, Official Records of Cameron County, and (Tract II) being 0.25 acre being 100 feet wide (north and south) and 200 feet long (east and west) recorded at Volume 906, Page 723, Deed Records of Cameron County, all in Block 90, San Benito Irrigation Company Subdivision [Volume 3, Pages 16-18, Map Records]. Owners: Noe Puga and Sandra Puga. Plat Preparer: Rios Surveying, LLC. The final plat (mylar) was submitted and reviewed. It was noted that there are no District drains in the subject property. The motion was made and seconded that the plat of Titan Ranch Subdivision be approved. Following a discussion, the motion carried and President Garcia signed the plat.
- 3.7 Mago Subdivision No. 1, being 6.26 acres out of Block 123, San Benito Land & Water Company Subdivision [Volume 1, Page 6, Map Records]. Owners: Mago Development, LLC. Plat Preparer: Moore Land Surveying, LLC. The final plat (mylar) was submitted and reviewed. It was noted that there are no District drains in the subject property. The motion was made and seconded that the plat of Mago Subdivision No. 1 be approved. Following a discussion, the motion carried and President Garcia signed the plat.
- 3.8 Aguilera Estates Subdivision, being 0.758 acre out of a 71.414 acre tract out of Lots 7 and 10, Block 137, San Benito Land & Water Company Subdivision [Volume 1, Page 6, Map Records]. Owner: Jessica Aguilera. Plat Preparer: CASA Engineering and Surveying. The plat was presented and reviewed; the final plat (mylar) was not submitted. It was noted that there are no District drains in the subject property. The motion was made and seconded that the plat of Aguilera Estates Subdivision be approved. Following a discussion, the motion carried.
- 3.9 Peralez Farms Subdivision, being 1.0 acre, more or less, out of Block 65, San Benito Land and Water Company [Volume 1, Page 6, Map Records]. Owner: Josue Peralez and Eunice Alcala. Plat Preparer: Orive Land Surveying, LLC. The final plat (mylar) was submitted and reviewed. It was noted that the plat was approved at the January 11, 2021 meeting without conditions, and that there are no District drains in the subject property. No further action being necessary, President Garcia signed the plat.
- 3.10 Liberty Estates Phase III Subdivision, being 13.97 acres out of Blocks 8, 9 and 10, Cunningham's Subdivision of Block 35, San Benito Land & Water Company Subdivision [Volume 1, Page 43, Map Records]. Owner: JNSP Properties, LLC. Plat Preparer: Moore Land Surveying, LLC. The final plat (mylar) was submitted and reviewed. It was noted that there are no District drains in the subject property. The motion was made and seconded that the plat of Liberty Estates Phase III Subdivision be approved. Following a discussion, the motion carried and President Garcia signed the plat.
- 3.11 Israel Gardens Subdivision, being 1.138 acres out of the unsubdivided part of Share 17, Espiritu Santo Grant between F.M. 106, also known as General Brandt Road and Rio Hondo Road, and the north line of the San Jose Ranch Partition [Volume 13, Page 14, Map Records], comprised of (1) 0.19 acre out of the 200 acre tract described in the deed recorded in Volume J, Page 398, Deed Records, and (2) 0.056 acre out of Partition Tract "G" and 0.837 acre out of Partition Tract "F" pursuant to the Partition Agreement recorded at Volume 1204, Page 747, Deed Records of Cameron County. Owner: Israel Orlando J. Garcia. Plat Preparer: Montemayor-Hansen-Garcia-Villafranco & Associates. Manuel Montemayor appeared. The final plat (mylar) was submitted and reviewed. It was noted that (a) there are no District drains in the subject property, but the channel of the District's East Line Drain is in the property that adjoins the subject property to the west, and there must be no less than 25 feet between the channel of the drain at the west lot line; (b) it could not be determined from the plat that the distance requirement had been met; and (c) Mr. Montemayor agreed to stake the west lot line. It was reported that Mr. Montemayor staked the lot line, and the Drain Superintendent verified that the required distance was met. The motion was made and seconded that the plat of Israel Gardens

Subdivision be approved. Following a discussion, the motion carried and President Garcia signed the plat.

4. Audit: Audit of Fiscal Year Ended September 30, 2023. Audit still not completed.
5. Annexation of Territory and Donation of Drains.
  - 5.1 Annexation. The Petition of DLP 4 Ventures, LLP that the District annex 28.0 acres in Tracts "Y-Z", William Esparza Tract, San Pedro de Carricitos Grant as recorded in Volume 8, Page 98, Map Records of Cameron County, Texas, was submitted, the 28.0 acres being described by metes and bounds as follows:

COMMENCING at the point being the intersection of the East line of said Tract "Y" and the North right-of-way line of U.S. Highway 281 (100 foot Right-of-Way);

THENCE, along the North right-of-way line of U.S. Highway 281, South 80 degrees, 42 minutes, 19 seconds West a distance of 411.35 feet to a concrete monument found for the Southwest corner of Lot One (1) of Block One (1) of the K.V. Subdivision as recorded in Cabinet 1, Slot 1287-A of the Map Records of Cameron County, Texas, for the Southeast corner of the aforementioned 67.625 acre tract for the POINT OF BEGINNING and the Southeast corner of the herein described tract;

THENCE, continuing along the North right-of-way line of U.S. Highway 281, and the south line of said 67.625 acre tract, North 80 degrees, 42 minutes, 19 seconds West a distance of 77.21 feet to a ½ inch iron rod found on the West line of the aforementioned Tract "Y", for the Southwest corner of said 67.625 acre tract and of the herein described tract;

THENCE, departing the North right-of-way line of U.S. Highway 281, North 13 degrees, 00 minutes, 00 seconds East, along the West line of said Tract "Y" and a West line of said 67.625 acre tract, a distance of 168.10 feet to a ½ inch iron rod set on the south line of a certain Cemetery, for the Southeast of the aforementioned Tract "Z" and for an interior corner of said 67.625 acre tract and of the herein described tract;

THENCE, departing the West line of said Tract "Y", South 59 degrees, 05 minutes, 00 seconds East, along the South line of said Cemetery and a North line of said 67.625 acre tract, a distance of 21.67 feet to a ½ inch iron rod found for the Southeast corner of said Cemetery and for an interior corner of said 67.625 acre tract and the herein described tract;

THENCE, along the East line of said Cemetery and a West line of said 67.625 acre tract, North 14 degrees, 18 minutes, 55 seconds East, at a distance of 127.00 feet passing the Northeast corner of said Cemetery and an interior corner of said 67.625 acre tract, and continuing in all a total distance of 230.87 feet to a ½ inch iron rod set for an interior corner of the herein described tract;

THENCE, South 89 degrees, 00 minutes, 27 seconds West, a distance of 172.89 feet to a ½ inch iron rod set for an interior corner of the herein described tract;

THENCE, South 14 degrees, 18 minutes, 55 seconds West, a distance of 135.82 feet to a ½ inch iron rod set on the south line of the aforementioned Tract "Z" and of the aforementioned 67.625 acre tract, for an interior corner of the herein described tract;

THENCE, along the south line of said Tract "Z" and of said 67.625 acre tract, North 59 degrees, 05 minutes, 00 seconds West, a distance of 347.26 feet to a ½ inch iron rod set for the Southwest corner of said Tract "Z", and for an interior corner of said 67.625 acre tract and the herein described tract;

THENCE, along the West line of said Tract "Z" and of said 67.625 acre tract, North 13 degrees, 51 minutes, 30 seconds East, a distance of 1800.82 feet to a point for the Northwest corner of the herein described tract;

THENCE, departing the West line of said 67.625 acre tract, of said Tract "Z", South 78 degrees 18 minutes, 30 seconds East a distance of 660.39 feet to the west line of a tract conveyed to Cameron County Drainage District No. 3 by General Warranty Deed recorded in Volume 21084, Pages 280-285, Official Records of Cameron County, Texas, for the northeast corner of the herein described tract;

THENCE, South 12 degrees, 51 minutes, 37 seconds West along the west line of said tract conveyed to Cameron County Drainage District No. 3 by General Warranty Deed recorded in Volume 21084, Pages 280-285, Official Records of Cameron County, Texas, a distance of 1552.53 feet to a ½ inch iron rod set for an interior corner of the herein described tract;

THENCE, departing the West line of said tract conveyed to Cameron County Drainage District No. 3 by General Warranty Deed recorded in Volume 21084, Pages 280-285, Official Records of Cameron County, Texas, North 77 degrees 08 minutes 23 seconds West a distance of 125.16 feet to a ½ inch iron rod set for an interior corner of the herein described tract;

THENCE, South 14 degrees, 18 minutes, 55 seconds West, a distance of 579.85 feet to the POINT OF BEGINNING and containing 28.00 acres of land.

After finding and determining that notice of the date, place, and subject of the meeting was posted in accordance with the terms and provisions of Government Code Section 551.043 for at least seventy-two (72) hours preceding the scheduled time of this meeting, a hearing was held on said Petition. At the conclusion of the hearing, the Board announced these findings:

1. Petitioner is the sole owner of the PROPERTY.
2. Pursuant to TEXAS WATER CODE §49.301, Petitioner requested that the PROPERTY be annexed to Cameron County Drainage District No. 3.
3. The PROPERTY is not within the boundary or territory of any drainage district.
4. The addition of the PROPERTY to the District is feasible, practicable, and to the advantage of the District and the District's drainage system and other improvements of the District, and can be added without injuring land already in the District.
5. The PROPERTY is presently assigned the following Geographic ID Numbers by the Cameron Appraisal District:

Property ID 450155  
Geographic ID: 90-9000-1250-0206-00 28.00 ac.

Whereupon, the motion was made and seconded that the Petition of DLP 4 Ventures, LLP that the District annex said 28.0 acres in Tracts "Y-Z", William Esparza Tract, San Pedro de Carricitos Grant as recorded in Volume 8, Page 98, Map Records of Cameron County, described by metes and bounds in said Petition and above, be annexed by, and added to, the District effective June 10, 2024. Following a discussion, the motion carried, whereupon President Garcia declared the 28 acres annexed by and added to Cameron County Drainage District No. 3 effective June 10, 2024.

- 5.2 Donation—Offer of Frank Russell to Donate to District the Drain and Canal Right-of-Way Shown Along East and South Sides of South 281 Subdivision [Cabinet 1, Pages/Slots 2118-B, 2119-A & B, Map Records]. Attorney Dossett reported that the subdivision is in Block G of Hicks Reserve No. 1 [Volume 4, Page 27, Map Records] and in the District; the north line of the Subdivision is U.S. 281; the District's Drain A-11-B is in said strip along the east and south sides of the Subdivision; said strip is dedicated on the plat for drainage and irrigation purposes, not to the District; and that Cameron County Irrigation District No. 2's Los Indios No. 1 Canal is on the east side of, adjacent and parallel to, Drain A-11-B. Attorney Dossett recommended that the offer be accepted by the District for itself and as Trustee for the Irrigation District. Following a discussion, the motion was made and seconded that Cameron County Drainage District No. 3 accept the offer of Frank Russell to donate to the District the drain and canal right-of-way shown along the east and south sides of South 281 Subdivision [Cabinet 1, Pages/Slots 2118-B, 2119-A & B, Map Records]. Following a discussion, the motion carried.

- 5.3 Annexation–Request of Yountville Holdings, LLC, Owner that District Annex 3,060.089 Acres Out of Share 22, Espiritu Santo Grant. Petition for annexation still not submitted. No action.
  - 5.4 Donation: Drains in 3,060.089 Acres out of Share 22, Espiritu Santo Grant, Owner: Yountville Holdings, LLC. Deed conveying drains to the District not presented. No action.
  - 5.5 Drain C-Right/Drain C-Left/Lateral V, Block 148, San Benito Land & Water Company Subdivision–Donation of Lateral North of Haine Drive. Attorney Dossett has not completed the draft of an Agreement with Town and County Townhomes, Inc.
6. Equipment.
- 6.1 MowerMax Brushcutters. The problem with the sensor warning that the diesel exhaust fluid was overheating was resolved. Now, the hydraulic cylinder piston on DD#39 broke.
  - 6.2 Backhoe. Tentative delivery of the backhoe purchased at the May 13, 2024 meeting is July 3, 2024. The trade-in of two Drainage District surplus tractors and two Irrigation District surplus tractors is being considered by Doggett, but the deal has not been finalized.
  - 6.3 Disposal of Surplus Equipment. Five surplus tractors (DD#7, DD#20, DD#21, DD#22, DD#24) have been advertised for sale with a reserve. The deadline to submit bids is June 14, 2024 at 5 o'clock p.m.
7. Rancho Grande Diversion Project/Drain A Bypass Extension to River–Installation of Structure at Outfall. No change in status since last meeting.
8. Projects.
- 8.1 East Line Drain Relief Project 2012. No report.
  - 8.2 Drain B-2: Upgrade of Pennsylvania Boulevard Road Crossing. Still waiting for the plans for the Interconnect to be finalized.
  - 8.3 Drain B-2 and Drain B-1 Interconnect. The surveying field work is in progress.
9. Drain E Between La Palma Street and Stenger Street. Notice of Drain Right-of-Way still not completed.
10. Rules Revision. Not ready for Board action.
11. License Agreements.
- 11.1 Drain B-1 in Block 33, San Benito Land & Water Company–Los Reyes Estates Subdivision. License agreement not yet finalized.
  - 11.2 Drain A Bypass to River: License Agreement for Down Drains–San Pedro Estates Subdivision in Tracts "Y-Z", William Esparza Tract, San Pedro de Carricitos Grant. Not finalized. Waiting on the owner to provide plan for down drain.
  - 11.3 Israel Gardens Subdivision–Request to Allow Encroachment. No encroachment. Discussed under Agenda Item 3.11, above.
  - 11.4 Drain F Right/F Left in Block 214, San Benito Land & Water Company–Randall Crane. License for road crossing not completed.
  - 11.5 Other Pending Down Drain Licenses. No discussion.

- 11.6 License Agreement for Camperos No. 1 Subdivision , Agenda Item 3.3, above. No District drain in the subject property, so no need for a license agreement.
- 11.7 License Agreement for Rio Delta Subdivision, Agenda Item 3.2, above. No District drain in the subject property, so no need for a license agreement.
- 12. Reports.
  - 12.1 Financial.
    - (a) Financial Report for Month of May 2024. Presented and reviewed.
    - (b) Financial Report for Fiscal Year through May 31, 2024. Presented and reviewed.
  - 12.2 Manager.
    - (a) Personnel. Briefed the Board on staffing to handle technology related matters in-house.
    - (b) City of San Benito. A meeting to discuss matters of mutual interest to the District and the City has been scheduled at the City's request.
  - 12.3 Attorney. All matters discussed under other Agenda items.
  - 12.4 Engineer. All matters discussed under other Agenda items.
  - 12.5 Maintenance Superintendent. Written report of work accomplished in the month of May 2024 presented.
  - 12.6 Report by Representative of City of San Benito. No one appeared regarding this Agenda item.

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

13.1 The motion was made and seconded that issuance of the following checks issued between the May 13, 2024 meeting and this meeting be ratified:

15019 : VOID		-0-
15020 : Payne Weslaco Motors	GMC Truck Unit 72	\$53,866.75
15021 : Humberto Eguia	Plumbing Repair-Warehouse	\$150.00
15022 : AFLAC	Insurance	\$249.84
15023 : Rodolfo Cardenas	AC Repair	\$750.00
15024 : TWCA Risk Management	Add on Unit 72	\$188.00
15025 : Texas Child Support SDU	Employee Wage Withholding-Child Support	\$397.39
15026 : Craig M. Harmon	TWCA Conference-Flight	\$444.96
15027 : VOID		-0-
15028 : Jose Gracia	AC Repair	<u>\$280.00</u>
TOTAL		\$56,326.94

Following a discussion, the motion unanimously carried.

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

15029 : Allstate	Insurance	\$74.67
15030 : AT&T Mobility	Wireless Phone	\$231.47
15031 : Commercial Billing	Machine Repairs	\$46.36
15032 : Daniel Diaz	Phone Allowance	\$45.00
15033 : Elliff Motors	Unit 72 Side Steps	\$1,664.87
15034 : East Rio Hondo Water Supply Corp.	Office/Shop/Warehouse: Water Bill	\$81.70
15035 : First Community Bank	Petty Cash	\$131.64
15036 : Gateway Printing	Office Supplies	\$96.21
15037 : Grajale's Tire Shop	Flat Repair	\$7.00
15038 : Craig M. Harmon	Reimbursement-United Healthcare Premium	\$627.62
15039 : Hollon Oil Company	DEF	\$260.00

15040 : Holt Company of Texas	Machine Repairs	\$522.87
15041 : Iafsa USA	Machine Repairs	\$3,114.68
15042 : J & M Hydraulics	Machine Repairs	392.58
15043 : JR ITSoftware Solutions	Programming	\$1,202.37
15044 : John Deere Financial	Machine Repairs	\$4,170.22
15045 : J & J Tire & Auto	Unit 66	\$1,368.80
15046 : Sonia Lambert	Consulting Payment 3 of 3	\$2,170.00
15047 : Linde Gas & Equipment	Safety Supplies	\$139.65
15048 : Matt's Cash & Carry	Drain Repairs	\$81.76
15049 : McCoy's	Drain Repairs	\$15.99
15050 : O'Reilly Auto Parts	Machine Repairs	\$1,062.95
15051 : Ortega, Federico	Phone Allowance	\$45.00
15052 : Padre Auto & Truck	Pump Nozzle	\$148.19
15053 : Pico Propane	Off Road Diesel	\$14,760.22
15054 : Pitney Bowes	Postage Meter Rental	\$178.68
15055 : Rio Grande Concrete	Machine Repairs	\$41.22
15056 : Rio Grande Steel	Drain Repairs	\$49.98
15057 : Rey's Tire Service	Flat Repairs	\$415.00
15058 : Southern Tire Mart	Machine Repairs	\$701.25
15059 : Nelda Solorio	Janitorial	\$458.48
15060 : Triple S Steel	Machine Repairs	\$323.50
15061 : Lucinda Trevino	Janitorial	\$413.48
15062 : TOPS Power Store	Lawnmower Repair	\$84.77
15063 : Texas State Alarm	Cameras Office	\$3,536.38
15064 : Texas Child Support SDU	Employee Wage Withholding-Child Support	\$397.39
15065 : Unifirst	Uniforms	\$612.91
15066 : Utility Trailer Sales	Trailer Repair	\$380.10
15067 : Valley Fire & Safety	Fire Extinguishers	\$454.50
15068 : Wilcac Life Insurance	Insurance	\$21.67
15069 : Wylie Case	Machine Repairs	\$1,592.30
15070 : David Ybarra	Website Management	\$250.00
TOTAL		\$42,373.43

Following a discussion, the motion unanimously carried.

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

approved and signed xxxxx 07/11/24

Ronaldo Garcia, President

approved and signed xxxxx 07/11/24

James Shafer, Secretary