

May 13, 2024
San Benito, Texas

A meeting of the Board of Directors of Cameron County Drainage District No. 3 convened on May 13, 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 and Matthew McCarthy, 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. The Minutes of the April 8, 2024 meeting will be presented at the June 2024 meeting.
2. Public Comment Period. No one appeared. No written comments were received.
3. May 4, 2024 Election–Canvass of Election Results. The Cameron County Elections Administrator’s Election Results Reports for the May 4, 2024 District election was received which reports:

Jason Shafer	1243 votes
James Simmons	1127 votes

The motion was made and seconded that election results be accepted, and Jason Shafer be declared elected to Place 3, a four year term that begins on May 15, 2024 and ends on May 15, 2028. Following a discussion, the motion carried.

4. Election of Board Officers. It was noted that Water Code § 49.054(b) provides that “After each director’s election, the board shall meet and elect officers.” The motion was made and seconded that the Board members be elected as follows:

President	Ronaldo Garcia
Vice-President	Matthew McCarthy
Secretary	Jason Shafer

Following a discussion, the motion carried.

5. Subdivisions.
 - 5.1 Los Reyes Estates, being a 22.5 acre tract and a 10.66 acre tract out of Block 33, San Benito Land & Water Company Subdivision. Owner: R&J Reyes Properties, LLC. Plat Preparer: Ferris, Flinn & Medina. The preliminary plat was presented and reviewed; the final plat (mylar) was not submitted. It was noted that Drain B-1 is along the north side of the property, and the Owner requests permission to discharge storm water from the subdivision into Drain B-1. The motion was made and seconded that: (1) the request to discharge storm water into Drain B-1 is subject to a license for down drain being finalized, (2) the plat of Los Reyes Estates receive preliminary approval, and (3) final approval is conditioned on the finalization of the down drain license. Following a discussion, the motion carried.
 - 5.2 Centaurus A Subdivision, being 69.91 acres out of the N.T. Guernsey 250 acre tract and the F.D. Ramsey 250 acre tract, Share 12, Espiritu Santos Grant, shown on the plat of Fresnos Land and Irrigation Company Subdivision [Volume 3, Page 9, Map Records]. Owner: AB & MV Capital Investments, LLC. Plat Preparer: JCS Engineering & Surveying. The preliminary 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 Centaurus A Subdivision receive preliminary approval. Following a discussion, the motion carried.
 - 5.3 Country Woods Estates Subdivision, being 13.23 acres out of the west 20 acres of the west ½ of the northwest corner of Block 31, San Benito Land & Water Company Subdivision [Volume 1, Page 6, Map Records]. Owner: JEK Properties, LLC. Plat

Preparer: Corona Engineering. A revised preliminary plat was presented and reviewed; the final plat (mylar) was not submitted. Engineer Brown advised that this plat corrects his objections raised at the April 8, 20024 meeting. He noted that the owner still is unwilling to drain the subdivision into the District's Drain B-1, but since the City of San Benito, and not the District, regulates the internal drainage of subdivisions, the District cannot deny approval of the plat. The motion was made and seconded that the plat of Country Woods Estates Subdivision receive preliminary approval. The preliminary 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 Country Woods Estates Subdivision receive preliminary approval. Following a discussion, the motion carried.

- 5.4 El Monte Cristo Subdivision, being Tract 1: 5.0 acres, and Tract II: 5.0 acres, both out of the southwest one-fourth of Block 110, San Benito Land & Water Company Subdivision [Volume 1, Page 6, Map Records]. Owner: Everardo Cantu. Plat Preparer: CASA Engineering and Surveying. The preliminary plat was presented and reviewed; the final plat (mylar) was not submitted. It was noted that the District's Drain N-2a is along the west side of the subject property, and Oyama Road is on the west side of, adjacent and parallel to Drain N-2a. It was also noted that there is a pond or low area along the west side of the subject property. For ingress and egress, the owner has requested a road crossing of Drain N-2. The motion was made and seconded that (1) the request for the road crossing be granted, (2) the plat of El Monte Cristo Subdivision receive preliminary approval, (3) the District does not accept and shall not be responsible in any way for the pond or low area along the west side of the property, and (4) final approval shall be contingent on the finalization of a road crossing agreement. Following a discussion, the motion carried.
- 5.5 Soto Estates Subdivision, being the north 2 acres of Block 15, Los Ranchos Subdivision [Cabinet 1, Slot 609-B, Map Records], being all of Blocks 4, 5, 6, and 7, Hicks Reserve Subdivision No. 1 [Volume 4, Page 27, Map Records]. Owner: Isidro Soto and Priscilla Soto. Plat Preparer: CASA Engineering and Surveying. The preliminary 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 Soto Estates Subdivision receive preliminary approval. Following a discussion, the motion carried.
- 5.6 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 [Volume 2, Page 1, Map Records]. Owner: GC Steel and Accessories. Plat Preparer: Moore Land Surveying, LLC. It was noted that the plat received preliminary approval at the February 12, 2024 meeting. The preliminary plat was again 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 Montgomery Reservoir Subdivision be given preliminary approval. Following a discussion, the motion carried.
- 5.7 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 received preliminary approval at the March 11, 2024 meeting. The preliminary plat was again 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 Rio Delta Subdivision be given preliminary approval. Following a discussion, the motion carried.
- 5.8 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 received preliminary approval at the March 11, 2024 meeting. Final plat (mylar) not presented. No action.

- 5.9 San Sebastian Estates Subdivision, being the south 5.0 acres of the north 15.0 acres out of Block 253, San Benito Irrigation Company Subdivision [Volume 3, Pages 16-18, Map Records]. Owners: Carlos A. Macias Perez and Karina Mendez. Plat Preparer: Altex Engineering. It was noted that the plat received preliminary approval at the March 11, 2024 meeting. Final plat (mylar) not presented. No action.
- 5.10 I & G Vasquez Subdivision, being 4.022 acres out of Block 54, Fresnos Land and Irrigation Company Subdivision [Volume 3, Pages 9 and 9A, Map Records]. Owner: Gloria Cruz. Plat Preparer: AGH Engineering & Surveying. It was noted that the plat received preliminary approval at the July 10, 2023 meeting. Final plat (mylar) not presented. No action.
- 5.11 The Cross Corner Subdivision (7-Eleven US 77 Subdivision on preliminary plat), being 2.62 acres out of the southwest corner of Block 130, San Benito Land & Water Company Subdivision [Volume 1, Page 6, Map Records]. Owner: Spirit II Family, LLC. Plat Preparer: AGH Engineering & Surveying. It was noted that the plat received preliminary approval at the February 12, 2024 meeting. Final plat (mylar) presented. It was noted that there are no District drains in the subject property. The motion was made and seconded that the plat of The Cross Corner Subdivision be approved. Following a discussion, the motion carried and President Garcia signed the plat.
- 5.12 Ochoa Subdivision, being the northeast 10 acres of Block 93 of the San Benito Irrigation Company Subdivision, as shown on the Map of Green Valley Farms recorded at Cabinet 1, Slot/Page 206-A, Map Records of Cameron County. Owner: Maria Luisa David, Baudelia Medina, and Jorge Medina. Plat Preparer: Orive Land Surveying, LLC. It was noted that the plat received preliminary approval at the November 30, 2023 meeting. Final plat (mylar) not presented. No action.
- 5.13 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. It was noted that the plat received preliminary approval at the April 8, 2024 meeting. Final plat (mylar) not presented. No action.
- 5.14 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. It was noted that the plat received preliminary approval at the April 8, 2024 meeting. Final plat (mylar) not presented. No action.
- 5.15 Cielo Grande Subdivision, being 13.39 acres out of Blocks 107 and 108, San Benito Irrigation Company Subdivision [Volume 3, Pages 16-18, Map Records]. Owner: Deep Property Investments, LLC. Plat Preparer: Altex Engineering. It was noted that the plat received preliminary approval at the April 8, 2024 meeting. Final plat (mylar) not presented. No action.
- 5.16 Israel Gardens Subdivision, being 1.139 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 396, Deed Records, and (2) 0.056 acre out of Partition Tract "G" and 0.837 acre out of Partition Tract "J" pursuant to the Agreement recorded at Volume 1204, Page 747, Deed Records of Cameron County. Owner: Israel Orlando J. Garcia. Plat Preparer: Montemayor-Hansen-Garcia-Villafranco & Associates. It was noted that the west line of Share 17 is the east line of the San Benito Irrigation Company Subdivision, and that the District's East Line Drain, in pertinent part, is situated along the east side of the San Benito Irrigation

Company Subdivision. Manuel Montemayor appeared and noted that the subject property consists of a narrow strip of land used as a road that runs south from F.M. 106, on the east side of, adjacent and parallel to the East Line Drain, a distance of approximately 400 feet to the north line of the Owner's main tract in which his residence is situated, said north line being parallel to F.M. 106. The Board noted that the District requires 25 feet between the drain channel and lot lines, and questioned whether the distance requirement has been satisfied. Mr. Montemayor agreed to stake the lot line so the distance requirement can be verified. The motion was made and seconded that the plat of Israel Gardens Subdivision receive preliminary approval subject to verification of the District's 25 foot requirement. Following a discussion, the motion carried.

6. Audit: Audit of Fiscal Year Ended September 30, 2023. Audit not completed; in progress.
7. Annexation of Territory and Donation of Drains.
 - 7.1 Annexation-Request of DLP 4 Ventures LLP, Owner, that District Annex 28 Acres being the Proposed San Pedro Estates Subdivision in Tracts "Y-Z", William Esparza Tract, San Pedro de Carricitos Grant. Petition for annexation not submitted. No action.
 - 7.2 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 will research the proposed donation and report at the June 2024 Board meeting.
 - 7.3 Annexation-Request of Yountville Holdings, LLC, Owner, that District Annex 3,060.089 Acres Out of Share 22, Espiritu Santo Grant. Petition for annexation not submitted. No action. It was noted that the District will not accept the property without the donation of the drains in property, and that a donation deed has been submitted to the owner.
 - 7.4 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.
 - 7.5 Drain C-Right/Drain C-Left/Lateral V, Block 148, San Benito Land & Water Company Subdivision. From the Arroyo Colorado, Drain C runs south to the north end of Lateral V in Block 148, being on Line V approximately midway between the north and south lines of Blocks 146 and 178, at which point Drain C wyes into Drain C-Right which runs south on the west side of, adjacent and parallel to Lateral V, and Drain C-Left which runs south on the east side of, adjacent and parallel to Lateral V. The segment of Lateral V north of Haine Drive (Line 17) is no longer in service. The owner of the west 40 acres of Block 146, Town and County Townhomes, Inc., has proposed that Cameron County Irrigation District No. 2 abandon the segment of Lateral V north of Haine Drive, and that it convert, at its cost and expense, the abandoned channel of Lateral V north of Haine Drive into a detention basin to be owned by the Drainage District. Plans for the converted detention basin were reviewed. The motion was made and seconded that the Drainage District would accept the channel of Lateral V north of Haine Drive converted to a detention basin by, and at the cost of, Town and County Townhomes, Inc. Following a discussion, the motion carried.
8. Equipment.
 - 8.1 MowerMax Brushcutters. Soon after the two machines were put into service, indicator lights warned that the diesel exhaust fluid was overheating, so the machines have been parked. ATMAX, and the engine manufacturer, Cummins, are both working to resolve the problem.
 - 8.2 Dozer Purchased at October 16, 2023 Meeting. Delivered and in service:

Unit D4 Caterpillar Dozer, Model D4 LGPCAB, Serial No.: ORLT10392

8.3 Backhoe. A Buy Board Sales Quote for a new John Deere 410P-tier Backhoe Loader, in the amount of \$139,000.00, submitted by Doggett Heavy Machinery Services, LLC, was reviewed. The motion was made and seconded that the District purchase one new John Deere 410P Backhoe Loader in the amount of \$139,000.00. Following a discussion, the motion carried. It was noted that Doggett may be willing to take some of the surplus machinery as a trade-in, but nothing has been finalized.

8.4 Disposal of Surplus Equipment.

(a) The five tractors (DD#7, DD#20, DD#21, DD#22, DD#24,) declared surplus will be advertised for sale and sold through a sealed bid auction.

(b) Three worn out mowers, no longer in use, that were originally attachments to brushcutter, have been sold for a total of \$4,500.00.

8.5 Vehicles: Pickup. Manager Harmon reported that the pickup assigned to the District’s mechanic needed to be replaced. In accordance with the 2023-2024 budget, he made the decision to purchase a new pickup, assign the new pickup to the Maintenance Superintendent, and assign the Maintenance Superintendent’s “old” pickup to the mechanic. The District solicited and received three bids:

Weslaco Motors, LLC	\$53,866.75
Gillman Chevrolet-GMC	\$54,355.00
South Texas Buick-GMC	\$64,790.00

Weslaco Motors, LLC had the pickup in stock, ready for immediate delivery. The other two bidders advised that they would have to order the pickup with tentative delivery in 6-8 months. The District accepted the bid of Weslaco Motors, and the pickup is now in service:

Unit 72 2024 GMC Sierra 2500HD, Serial No. 1GT59LE77RF379673

The motion was made and seconded that the purchase of the 2024 GMC Sierra 2500HD from Weslaco Motors, LLC at a cost of \$53,866.75 be ratified. Following a discussion, the motion carried.

9. Rancho Grande Diversion Project/Drain A Bypass Extension to River–Installation of Structure at Outfall. No change in status since last meeting.

10. Projects.

10.1 East Line Drain Relief Project 2012. No report.

10.2 Drain B-2: Upgrade of Pennsylvania Boulevard Road Crossing. Still waiting for the plans for the Interconnect to be finalized.

10.3 Drain B-2 and Drain B-1 Interconnect. The surveyor should commence the field work soon.

11. Drain E Between La Palma Street and Stenger Street. Notice of Drain Right-of-Way still not completed.

12. Rules Revision. Not ready for Board action.

13. License Agreements.

13.1 Drain D in Block 128, San Benito Land & Water Company–3C Subdivision. License agreement finalized and filed of record on May 6, 2024, as Document No. 2024-16077, Official Records of Cameron County.

- 13.2 Drain B-1 in Block 33, San Benito Land & Water Company–Los Reyes Estates Subdivision (Agenda Item 5.1, above). License agreement not yet finalized.
- 13.3 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.
- 13.4 Israel Gardens Subdivision. Discussed under Agenda Item 5.16 above.
- 13.5 Drain F Right/F Left in Block 214, San Benito Land & Water Company–Randall Crane. License for road crossing not completed.
- 13.6 Other Pending License Agreements. No discussion.
- 14. Reports.
 - 14.1 Financial.
 - (a) Financial Report for Month of April 2024. Presented and reviewed.
 - (b) Financial Report for Fiscal Year through April 30, 2024. Presented and reviewed.
 - 14.2 Manager. The Drain Supervisor’s title has been changed to Maintenance Superintendent.
 - 14.3 Attorney. All matters discussed under other Agenda items.
 - 14.4 Engineer. All matters discussed under other Agenda items.
 - 14.5 Maintenance Superintendent. Written report of work accomplished in the month of April 2024 presented.
 - 14.6 Report by Representative of City of San Benito. No one appeared regarding this Agenda item.

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 April 8, 2024 meeting and this meeting be ratified:

14954 : Blackout Window Tint	Tinting Equipment	\$2,810.00
14955 : Commercial Billing	Machine Repairs	\$301.68
14956 : Dainamik	GPS Monitoring	\$910.00
14957 : Firestone	Machine Repairs	\$837.98
14958 : Sonia Lambert	Consultant Work	\$2,000.00
14959 : O’Reilly Auto Parts	Machine Repairs	\$884.50
14960 : Nelda Solorio	Floral Cross	\$259.20
14961 : Texas State Alarm	Warehouse Alarm System	\$1,041.35
14962 : Texas Child Support SDU	Employee Wage Withholding-Child Support	\$397.39
14963 : Wilcac Life Insurance	Insurance	\$21.67
14964 : Craig M. Harmon	TWCA Conference	\$450.00
14965 : Lincoln National Life	Life Insurance	\$236.16
14966 : T & W Tire	Machine Tire Tubes	\$727.10
14967 : Lucinda Trevino	Janitorial Supplies	\$255.25
14968 : Texas Child Support SDU	Employee Wage Withholding-Child Support	<u>\$397.39</u>
TOTAL		\$11,529.67

Following a discussion, the motion unanimously carried.

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

14969 : AFLAC	Health Insurance	\$249.84
14970 : AtMax Equipment	One MowerMax DD38	\$261,517.65
14971 : Allstate Insurance Co.	Insurance	\$74.67

14972 : AT&T Mobility	Wireless Phone	\$231.47
14973 : Wilcac Life Insurance	Insurance	\$21.67
14974 : David Ybarra	Website Management	\$250.00
14975 : Alexander Business Development	MS4 Report	\$1,000.00
14976 : AtMax Equipment	One MowerMax DD39	\$275,368.40
14977 : Allegra Printing	PO Books	\$563.04
14978 : Aguaworks Pipe & Supply	Drain Repairs	\$5,045.90
14979 : Arroyo Colorado	MS4 Education	\$2,500.00
14980 : Continental Batteries	Machine Repairs	\$375.00
14981 : Dainamik	GPS Monitoring	\$910.00
14982 : Daniel Diaz	Phone Allowance	\$45.00
14983 : East Rio Hondo Water Supply Corp.	Office/Shop/Warehouse: Water Bill	\$70.40
14984 : Gateway Printing	Office Supplies	\$85.43
14985 : Grajale's Tire Shop	Flat Repairs	\$35.00
14986 : Craig M. Harmon	Reimbursement–Health Insurance Premium	\$627.62
14987 : Harlingen Irrigation District No. 1	Drain Repairs	\$98.35
14988 : Hollon Oil Company	Equipment Grease	\$5,097.22
14989 : Holt Company of Texas	D4 Dozer	\$274,051.27
14990 : JR ITSoftware Solutions	Programming	\$1,202.37
14991 : John Deere & Company	RC10 Cutter/DD28	\$9,358.58
14992 : John Deere Financial	Machine Repairs	\$2,412.80
14993 : J & J Tire & Auto	Auto Repairs	\$1,617.87
14994 : Sonia Lambert	Consulting Payment 2 of 3	\$2,170.00
14995 : Matt's Cash & Carry	Drain Repairs	\$27.95
14996 : McCoy's	Tools	\$118.40
14997 : Nueces Power Equipment	Machine Repairs	\$925.13
14998 : O'Reilly Auto Parts	Machine Repairs	\$2,314.24
14999 : Ortega, Federico	Phone Allowance	\$45.00
15000 : Pico Propane	Off Road Diesel	\$15,453.89
15001 : Southern Tire Mart	Auto Repairs	\$1,657.52
15002 : South Texas Bolt & Supply	Machine Repairs	\$141.71
15003 : Nelda Solorio	Janitorial	\$458.48
15004 : Scheibe Consulting, LLC	On Call Inv. 258-8	\$5,026.25
15005 : Triple S Steel	Safety	\$1,455.01
15006 : Lucinda Trevino	Janitorial	\$413.48
15007 : Tractor Supply	Auto Repairs	\$96.31
15008 : Texas Child Support SDU	Employee Wage Withholding-Child Support	\$397.39
15009 : Unifirst	Uniforms	\$563.99
15010 : Wylie Case	Machine Repairs	\$6,953.97
15011 : David Ybarra	Website Management	\$250.00
15012 : AtMax Equipment	Shipping MowerMax	\$10,500.00
15013 : Holt Company of Texas	Machine Repairs	\$3,176.45
15014 : Dell Marketing LP	Computer CCID Ana	\$644.57
15015 : Firestone	Machine Repairs	\$1,038.99
15016 : Lincoln National Life	Insurance	\$236.16
15017 : Rocky Salinas MDPA	Physical-Oscar Garza	\$160.00
15018 : Scheibe Consulting, LLC	On Call Inv. 258-9	\$5,876.25
TOTAL		\$902,910.69

Following a discussion, the motion unanimously carried.

16. 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

Matthew McCarthy, Vice President