

February 11, 2021  
San Benito, Texas 78586

The Board of Directors of Cameron County Irrigation District #2 met in regular session in the office of the District upon the above date at 9:00 a.m.

The following Directors were present: Sam Simmons, Brady Taubert, William Goad, and Lupe Argullin. Also present were Sonia Lambert, General Manager, and Buddy Dossett, Attorney.

There was no public comment.

A motion was made by William Goad, seconded by Lupe Argullin, and upon unanimous vote, passed to approve the minutes of the regular meeting of January 14, 2021.

The water report was made by William Goad, who reported that Falcon Reservoir contains 470,212 acre-feet of water of the normal conservation 2,646,817 acre-feet. The Amistad Reservoir contains 1,240,386 acre-feet of water of the normal conservation 3,275,532 acre-feet which 47.85% is U.S. total conservation capacity compared to 55.50% this time last year. District's usable and storage water balances as of February 9, 2021 are 64,190.9018 acre-feet. This time last year, usable and storage water balances were 104,551.3016.

The Board reviewed the following subdivision plat and took the following action:

**5.1) VIAIDE Subdivision (Name changed for G.J. Gonzalez Subdivision) – 1.19 acres of land comprised of the following:**

Tract 1: 0.175 acre of land out of Block 38, Rose Subdivision recorded Volume 2, Page 17, Map Records and 0.766 acre out of Block 84, San Benito Land & Water Company Subdivision, recorded in Volume 1, Page 25, Map Records, Cameron County, Texas;

Tract 2: The north 50.0 feet (0.25 acre) out of a certain 0.80 acre tract out of a portion of Block 38, Rose Subdivision recorded in Volume 2, Page 17, Map Records, Cameron County, Texas – Ferris, Flinn, & Medina, LLC. This subdivision is on the east side of old Sam Houston and was previously excluded from the District boundaries. There are no irrigation facilities or easements required. A motion was made by Brady Taubert, seconded by William Goad, and upon unanimous vote, passed to approve the plat as presented. Motion carried.

The Manager and the Board discussed that the new administration, (President Biden), has rescinded the emergency order used by former President Trump for the construction of the border wall, putting a stop to all construction of a border wall. The Border Wall was the reason the U.S. Army Corp of Engineers was requesting to purchase 9.408 acres across the District's High Line and Low Line Canals, south of U.S. 281. The Manager recommended the District's resources not be used in compiling information until such time that another request is made, or information is provided confirming whether the project will continue. A motion was made by Brady Taubert, seconded by, William Goad, and upon unanimous vote, passed to not provide the U.S. Army Corp of Engineers a response to their request to purchase 9.408 acres across the District's High Line and Low Line Canals south of U.S. 281 for the border wall, until such time that information is received as to whether the border wall project will

continue. Motion carried. This item will be removed from future agendas unless the U.S. Army Corp of Engineers informs the District of the project continuing.

The Manager and Attorney are still working on compiling information to reply to the U.S. Army Corp of Engineers on their request to obtain a 4-year temporary easement along the east side of the District's Low Line and in-take channel for a Remote Video Surveillance System. The Manager will contact the U.S. Army Corp of Engineers to inquire if this request is still valid or if it is part of the action taken by President Biden to rescind the action stopping the construction of the border wall. No action was taken.

Mr. Andy Plattner is purchasing a 6.27 acre tract in Block 13 of Cunningham's Subdivision of Block 35 of the San Benito Land and Water Company Subdivision, at the southwest intersection of FM 2520 and Independence Avenue. The District owns, in fee, the property adjacent to and to the south of this tract. There is an existing building that is encroaching 1.7' into the District right of way. Mr. Plattner has requested the District provide an acknowledgement and allow the encroachment. After discussion, a motion was made by William Goad, seconded by Brady Taubert, and upon unanimous vote, passed to have the District's attorney prepare a document acknowledging and allowing the encroachment of the 1.7 feet for the existing building, but to limit the encroachment to the 1.7 feet, not allowing any other rights and to require Mr. Andy Plattner to pay all associated fees in the preparation of the document, should he continue with the purchase of the property and request for this acknowledgement document from the District. Motion carried.

The Manager informed the Board that the 5-year lease to KEM Texas, LTD for 2,400 square feet of property located on the frontage road of Expressway 77 San Benito, Texas for a sign is set to expire March 26, 2021. The current annual fee is \$4,500.00. After discussion, a motion was made by Brady Taubert, seconded by William Goad, and upon unanimous vote, passed to authorize the renewal of another 5-year lease to KEM Texas, LTD for property located on the frontage road of Expressway 77 in San Benito, TX for a sign for an amount of \$2.00/square foot per year (\$4,800/year). Motion carried.

The Board reviewed a proposal from Mr. Geary Berkman with Buffo & Berkman, C.P.A. to conduct the District's 2020 financial audit for an amount not to exceed \$8,000.00 but does not include the cost of a single audit should it be required if the District received more that \$750,000.00 in federal funds. A motion was made by Brady Taubert, seconded by William Goad, and upon unanimous vote, passed to authorize Mr. Geary Berkman with Buffo & Berkman to perform the District's 2020 financial audit for an amount not to exceed \$8,000.00 but does not include the cost of a single audit, should the District be required to file one. Motion carried.

The Board reviewed the District's water availability and projected water use and balance for 2021. No action was taken at this time. This item will remain on the agenda until such time that the District is over the possibility of a water shortage for the current year.

The Manager discussed with the Board the probable need of push water for the municipal and rural water suppliers (City of San Benito, East Rio Hondo Water Supply, and City of Rio Hondo). The Manager is working on estimating the amount of push water required for each municipality. The Manager will be sending notices to all three municipal suppliers of the possible need for them to obtain water for the District to use as push water for continued municipal water delivery.

There was nothing to discuss in Executive Session. Accordingly, no executive session was held.

A motion was made by Brady Taubert, seconded by William Goad, and upon unanimous vote, passed to approve the following bills:

<u>Ck#</u>	<u>Vendor</u>	<u>Amount</u>
19912	AT&T Mobility	\$64.00
19913	City of San Benito	\$139.89
19914	First Community Bank	\$330.37
19915	Gateway Pipe & Supply	\$7,892.50
19916	Goode Electric Co.	\$2,778.63
19917	Hollon Oil	\$344.49
19918	JF Petroleum	\$619.88
19919	Texas Gas Service	\$429.23
19920	Texas Child Support	\$135.69
19921	Unifirst	\$396.68
19922	Waste Management of Texas	\$133.57
19923	Uriel Guardado	\$12,600.00
19924	Aflac	\$234.86
19925	AT&T Mobility	\$65.19
19926	AT&T U-Verse	\$42.30
19927	Boswell Elliff Ford	\$1,383.62
19928	City of San Benito	\$304.89
19929	Diamond Plastics Corp	\$26,948.24
19930	Dearborn Life Insurance Co.	\$159.90
19931	Hardware Software Service	\$580.00
19932	Military Highway Water	\$117.54
19933	Orkin	\$195.00
19934	Pitney Bowes	\$1,000.00
19935	Pico Propane & Fuels	\$8,067.95
19936	Romco Equipment	\$4,820.01
19937	TCEQ	\$3,364.00
19938	TWCA Risk Management Fund	\$2,623.00
19939	Texas Child Support	\$135.69
19940	Verizon	\$138.73
19941	Waste Management of Texas	\$134.24
19942	Autozone	\$33.05
19943	American Heritage Life	\$350.99
19944	Aguaworks	\$975.63
19945	Boswell Elliff Ford	\$112.78
19946	Burton Auto Supply, Inc.	\$149.39
19947	Buffo & Berkman	\$8,000.00
19948	Dossett Law Office	\$12,173.78
19949	Direct Energy	\$23,036.82
19950	First Community Bank	\$445.24
19951	Firestone/Bridgestone	\$172.98
19952	Fresno Valve & Casting	\$7,591.91
19953	Grajale's Tire Shop	\$69.00
19954	Gigabit Communications LLC	\$250.00
19955	Romeo Garza	\$218.34
19956	Hardware Software Service	\$280.00

19957	Hollon Oil Co.	\$1,228.19
19958	Johnny's True Value	\$141.70
19959	Sonia Lambert	\$45.00
19960	Magic Valley Electric	\$1,110.65
19961	Matt's Building Materials	\$31.92
19962	McCoy's	\$359.11
19963	Jesus Moncivaiz	\$49.99
19964	Office Depot	\$157.96
19965	O'Reilly Automotive Inc	\$1,984.22
19966	Samantha Oviedo	\$3,539.22
19967	Romco Equipment	\$96.01
19968	Rio Hondo Lumber	\$186.11
19969	San Benito Medical Associates	\$35.00
19970	Superior Alarms	\$585.00
19971	Sprint	\$830.96
19972	Unifirst	\$729.10
19973	Your Auto Repair Shop	\$246.99

The Manager reported on the following items to the Board of Directors:

- a) January Maintenance Report – Includes 29 jobs performed by the crews for the month. In addition, work was also performed in the piping of Canal F, a WaterSMART project.
- b) January Machine Locations/Accomplishments – A report indicating work performed by the excavators, dozers, and mowers for the month was presented to the Board.
- c) January Pumping Plants Report – 1) Running standard operations; 2) General maintenance of grounds and plant; 3) Pumping for the month: Pump Station #1 – 12/27 – 10 a.m. rate set at 150 CFS, 1/4 – 10 a.m. rate increased to 200 CFS, 1/11 – rate increased to 350 CFS, 1/15 – 10 a.m. rate reduced to 200 CFS, 1/18 – 10 a.m. rate reduced to 150 CFS, 1/25 – 10 a.m. rate increased to 250 CFS, 1/26 – 10 a.m. rate increased to 300 CFS, 1/29 – 10 a.m. rate reduced to 100 CFS through rest of pumping period; Pump Station #2 – 1/13 – 10 a.m. rate set at 6 CFS, 1/26 – 10 a.m. rate set at 12 CFS, 1/30 – 10 a.m. rate set at 12 CFS; 4) Rainfall: 0"; 5) Acre feet diverted: 12,953.0475; 6) Total No Charge Pumping: 445.6192; 7) Average TDS readings: 935 p.p.m.
- d) January Financial Reports:
  - 1) M&O Account – The financial report was presented.
  - 2) Rehab Account – The financial report was presented.
  - 3) Canal Rehab Account – The financial report was presented.
  - 4) WaterSMART Account – The financial report was presented.
- e) Water Duty – was 1.97 acre-feet per acre for the month of January 2021 and 1.97 acre-feet per acre year to date.
- f) Sign/Land Leases – A report with a listing of all contracts and amounts due was presented to the Board.
- g) Legislation:
  - i) A notice of intent to introduce a local bill that would allow the residents of the City of McAllen to vote on whether to dissolve the McAllen Irrigation District by the Commissioner's vote was published in the McAllen Monitor newspaper.
  - ii) HB 1154 – Relating to the requirement that certain political subdivisions cause certain information to be posted on an Internet website.
  - iii) HB 901 – Relating to the acquisition of real property by an entity with eminent domain authority.

Attorney's report: Several emails to TCEQ regarding GPS location information and Drought Contingency Plans for both Cameron County Irrigation District #2 and the old Cameron County Irrigation District #16 requested by them for the amendment of water rights combining the two and allowing for the diversion of each of the two separate water rights at either pumping plant have been sent. Little to no response from TCEQ is being provided. It is believed that Cameron County Irrigation District #16 may have never submitted Water Conservation and Drought Contingency Plans that are now being requested by TCEQ for the amendment of the water rights.

A motion was made by William Goad, seconded by Lupe Argullin, and upon unanimous vote, passed to adjourn the meeting at 10:18 a.m. Next regular meeting is scheduled for Thursday, March 11, 2021 at 9:00 a.m.

---

Sam Simmons, President

---

William Goad, Secretary