

March 9, 2023  
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, Buck Rhyner, and Lupe Argullin. Also present were Sonia Lambert, General Manager, Rick Martinez, Assistant Manager, and Buddy Dossett, Attorney.

There was no public comment.

A motion was made by Brady Taubert, seconded by Lupe Argullin, and upon unanimous vote, passed to approve the minutes of the regular meeting of February 9, 2023.

The water report was made by William Goad, who reported that Falcon Reservoir contains 451,565 acre-feet of water of the normal conservation 2,646,817 acre-feet. The Amistad Reservoir contains 1,452,792 acre-feet of water of the normal conservation 3,275,532 acre-feet which 30.77% is U.S. total conservation capacity compared to 36.57% this time last year. As of March 9, 2023, District's usable and storage water balances are 51,783.0113 acre-feet. This time last year, usable and storage water balances were 57,177.1755.

The Manager presented a list of properties to be considered for exclusion. A motion was made by Brady Taubert, seconded by Lupe Argullin, and upon unanimous vote, passed to adopt the following resolution ordering an exclusion hearing be held:

**WHEREAS**, all of the property described below is urban property within the meaning of applicable law and has not been within one year previous to this date, used for farming or agricultural purposes; and

**WHEREAS**, the District has no outstanding bonded indebtedness or indebtedness in connection with a loan from an agency of the United States and has authority under *Article 8280-3.2, Texas Civil Statutes* to hold a hearing and exclude the urban property; and

**WHEREAS**, it is provided by said statute that the Board of Directors call and hold a hearing whether or not all or part or parts of the urban property shall be excluded from the District.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** that a Hearing be held to determine whether or not all of the urban property described on Exhibit "A" attached hereto and incorporated herein for all purposes, or what part thereof, currently lying within the boundaries of Cameron County Irrigation District No. 2 in Cameron County, Texas, shall be excluded from the District's boundaries.

Said Hearing shall be held on the 13th day of April 2023 at 9 o'clock a.m. and may be continued from day to day and from time to time until all persons or their counsel entitled to be heard and who appear at said Hearing have an opportunity to be heard and offer evidence that they so desire.

Notice of this Hearing shall be given by posting a true copy of the full Resolution of the Board of Directors containing a description of all such properties proposed for exclusion on the District's website: [ccid2.org](http://ccid2.org) and in a conspicuous place in the principal office of the District, and by the posting of a hearing notice to each property

owner of record, all of such Notices shall be posted for at least three (3) weeks prior to the date of the Hearing.

And, after due discussion, said motion, carrying with it the passage of said Order prevailed and carried by the following vote:

AYES: All members of said Board shown present above voted "Aye."

NAYS: None

That the above and foregoing paragraphs are a true, full and correct copy of the aforesaid Resolution and Order adopted at the Meeting described above, that said Resolution and Order has been duly recorded in said Board's Minutes of said Meeting, that the above and foregoing paragraphs are a true, full and correct excerpt from said Board's minutes of said Meeting pertaining to the passage of said Resolution and Order, that the persons named in the above and foregoing paragraphs are the duly chosen, qualified and acting officers and members of said Board as indicated therein; that each of the officers and members of said Board was duly and sufficiently notified, officially and personally, in advance, of the time, place, and purpose of the aforesaid Meeting, and each of said officers and members consented, in advance, to the holding of said Meeting for such purpose; and that said Meeting was open to the public and public notice of the time, place, and purpose of said Meeting was given, all as required by Chapter 551, Government Code, *Vernon's Ann. Civil Statutes*.

SIGNED AND SEALED the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
William Goad, Secretary

\_\_\_\_\_  
Sam Simmons, President

STATE OF TEXAS

COUNTY OF CAMERON

This instrument was acknowledged before me on the 9th day of March 2023 by **William Goad**, Secretary of the Board of Directors of **CAMERON COUNTY IRRIGATION DISTRICT NUMBER TWO**, a political subdivision of the State of Texas, on behalf of said political subdivision.

\_\_\_\_\_  
Notary Public in and for the State of Texas

STATE OF TEXAS

COUNTY OF CAMERON

This instrument was acknowledged before me on the 9th day of March 2023 by **Sam Simmons**, President of the Board of Directors of **CAMERON COUNTY IRRIGATION DISTRICT NUMBER TWO**, a political subdivision of the State of Texas, on behalf of said political subdivision.

\_\_\_\_\_  
Notary Public in and for the State of Texas

Proposed Exclusions for April 13, 2023:

1. **Venture Assets, LTD:** ACCT# 205; PID's: 205-1 & 205-2

**PID: 205-1** Being a Gross of 1.81 acres; 1.69 net acre tract of land out of LOT 8 BLK 129 SAN BENITO LAND & WATER CO SUBD 3.570 ACRES. (Gross: 1.81, Out: 0.12, Net: 1.69)

**PID: 205-2** Being a Gross of 0.66 acres; 0.61 net acre tract of land out of LOT 8 BLK 129 SAN BENITO LAND & WATER CO SUBD 3.570 ACRES. (Gross: 0.66, Out: 0.05, Net: 0.61)

2. **Rio Hondo Village:** ACCT# 17420; PID: 17420-1

**PID: 17420-1** Being a Gross of 1.21 acres; 1.21 net acre tract of land out of ABST16 - RIO HONDO PARK PT BLK 50-52. (Gross: 1.21, Out: 0.00, Net: 1.21)

3. **Rhyner, Heath Ryan:** ACCT# 369; PID: 17250-2

**PID: 17250-2** Being a Gross of 1.00 acres; 0.90 net acre tract of land out of ABST2 - S B I CO BLK 215 NW, 1.000 ACRES. (Gross: 1.00, Out: 0.10, Net: 0.90)

4. **Palmer, Michael:** ACCT# 419; PID: 5960-1 (87-4700-0030-0100-00) **PID: 5960-1** Being a Gross of 0.73 acres; 0.73 net acre tract of land out of ABST 16- GLASS BLK 3 & NE 45.32' BLK 4. (Gross: 0.73, Out: 0.00, Net: 0.73)

5. **Ortega, Erik V.:** ACCT# 24926; PID: 23945-1

**PID: 23945-1** Being a Gross of 5.70 acres; 5.70 net acre tract of land out of BOWIE SUBDIVISION W5.00 ACS OF E10.00 OF 30.00 ACS. (Gross: 5.70, Out: 0.00, Net: 5.70)

6. **Ponce, Norma E.:** ACCT# 392; PID's: 14370-1 & 14370-A

**PID: 14370-1** Being a Gross of 1.01 acres; 1.01 net acre tract of land out of ABST16 - S B L & W CO BLOCK 241, 1.0130 ACRES. (Gross: 1.01, Out: 0.00, Net: 1.01)

**PID: 14370-A** Being a Gross of 0.00 acres; 0.00 net acre tract of land out of ABST16 - S B L & W CO BLOCK 241, 1.0130 ACRES. (Gross: 0.00, Out: 0.00, Net: 0.00)

7. **Rodriguez, Jan Mae:** ACCT# 24942, PID: 24942-1

**PID: 24942-1** Being a Gross of 2.25 acres; 2.25 net acre tract of land out of ESPIRITU SANTO IRRGTD LAND CO SUBD PTN10 PT BLK 80 2.250 ACRES OUT OF 9.0000 ACRES. (Gross: 2.25, Out: 0.00, Net: 2.25)

8. **Bruno, Eduardo & Rena M.:** ACCT# 30543, PID: 30543-1

**PID: 30543-1** Being a Gross of 3.50 acres; 3.50 net acre tract of land out of ABST 26- ISLAND ESTATES LOT 14, 3.4990 ACRES. (Gross: 3.50, Out: 0.00, Net: 3.50)

9. **Villarreal, Mara Patricia:** ACCT# 24707, PID: 24707-1

**PID: 24707-1** Being a Gross of 10.00 acres; 9.86 net acre tract of land out of ABST2 - S B I CO BLK 370, E1/2 OF W 40.00 ACS,10.0ACS. (Gross: 10.00, Out: 0.14, Net: 9.86)

10. **Penny, James D. & Larry Garcia:** ACCT# 24428, PID: 13135-1

**PID: 13135-1** Being a Gross of 27.00 acres; 23.20 net acre tract of land out of RESACA FRONT PT BLK 21 ALL BLKS 22,49, 51,52, & 53 , 27.000 ACRES (Gross 27.00, Out: 3.80 Net: 23.20).

11. **McDonald, Robert H.:** ACCT# 13310, PID: 13310-5

**PID: 13310-5** Being a Gross of 67.03 acres; 63.73 net acre tract of land out of ABST16 - S B L & W CO PT BLKS 63-6 4 PTSE, 40.7400 ACRES ( Gross 67.03, Out: 3.30 Net: 63.73).

Only want to exclude 1.00 acre being GEO ID: **88-5270-1110-0100-00**

12. **Tagle, Adolfo:** ACCT# 294, PID: 294-1

**PID: 294-1** Being a Gross of 1.04 acres; 0.95 net acre tract of land out of SAN BENITO LAND & WATER CO SUBD 0.95 ACS OUT OF 1.04 ACS OF BLK 49 ABST 16(Gross 1.04, Out: 0.09 Net: 0.95).

13. **Hernandez, Mario E.:** ACCT# 9510, PID: 9510-1

**PID: 9510-1** Being a Gross of 1.12 acres; 0.32 net acre tract of land out of ABST16 - S B L & W CO PTN 1/2 NW10 SW 1/4 BLK 213, 1.1200 ACRES(Gross 1.12, Out: 0.80 Net: 0.32).

14. **Martinez, Roland:** ACCT# 30789, PID: 30789-1

**PID: 30789-1** Being a Gross of 0.89 acres; 0.89 net acre tract of land out of RESACA PALOMA SUBDIVISION NO 2 LOT 7 BLK 1 (CAB 1 SLT 1895-B 1896-A&B 1897-A)(Gross 0.89, Out: 0.00 Net:0.89)

15. **Ramos, Margarita:** ACCT# 388, PID: 23561-1

**PID: 23561-1** Being a Gross of 1.00 acres; 1.00 net acre tract of land out of SAN BENITO IRRIGATED LAND CO SUBD 1.00 ACRES OF S 10 ACS OF N 20 ACS BLK 252 (Gross 1.00, Out: 0.00 Net: 0.00).

Mr. Ramiro Gonzales, account #8100, had requested the Board authorize an allocation to his account. This account did not receive an allocation in January 2023 due to flat rate not being paid. Mr. Gonzales withdrew his request. No action was taken.

Mr. Pablo Flores requested the District's assistance in installing 240 feet of 12" pvc pipe in Block 203 of the San Benito Sugar Company. The Board had previously approved 200 feet instead of 240 feet due to a lack of information provided by Mr. Flores. A motion was made by Lupe Argullin, seconded by Brady Taubert, and upon unanimous vote, passed to approve the labor and use of equipment for the installation of 240 feet of 12" pvc pipe in Block 203 of the San Benito Sugar Company for Mr. Pablo Flores, account #24775, as set forth in the executed agreement by Mr. Flores and the District. Motion carried.

The Manager presented a list of equipment no longer in use. A motion was made by Brady Taubert, seconded by William Goad, and upon unanimous vote, passed to declare the following as surplus and authorize the Manager to either sell or dispose of as deemed appropriate. Motion carried.

The District was not successful in contacting Ms. Linda Baez, account #386, that has requested the Board waive interest to her account. No action was taken. This item will be placed in the April 2023 agenda.

Mr. Emilio Zuniga, account #23380, requested the Board remove flat rate and interest from his account, and exclude the property from the boundaries of the District. Mr. Zuniga sent a letter stating he had never received a statement for this property previously owned by his deceased father. The District acknowledged that a statement had not been sent to Mr. Emilio Zuniga due to the current or previous owner not reporting a change in ownership to the District. It was until recently that office staff discovered the property changed ownership and sent a statement to the new owner, Emilio Zuniga. After discussion, a motion was made by Buck Rhyner, seconded by William Goad, and upon unanimous decision, passed to deny Mr. Emilio Zuniga's request to remove all flat rate and interest to account #23380. Exclusion will be considered at a future date when all fees are paid as required by the Texas Water Code Chapter 58.703. Motion carried. Attorney Buddy Dossett will send a reply to Mr. Zuniga on behalf of the Board of Directors.

The Board reviewed the District's projected water availability for 2023. No action was taken.

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

<u>Ck#</u>	<u>Vendor</u>	<u>Amount</u>
21420	American Heritage Life	\$350.99

21421	Cameron County Drainage District #3	\$7,500.00
21422	Direct Energy	\$13,718.66
21423	Lewis Electric Motors	\$190.00
21424	Ortega, Efrain	\$1,500.00
21425	Pitney Bowes Services	\$178.68
21426	Romco Equipment	\$687.50
21427	Eduardo Rodriguez	\$7,000.00
21428	Texas Child Support	\$260.77
21429	TWCA Risk Management Fund	\$37,651.33
21430	Aflac	\$261.02
21431	Allegra Print & Imaging	\$238.36
21432	Alamo Iron Works	\$220.09
21433	Boswell Elliff Ford	\$273.24
21434	City of San Benito	\$200.37
21435	Dearborn Life Insurance	\$159.90
21436	Direct Energy	\$769.35
21437	Esri	\$734.74
21438	Fastsigns	\$25.00
21439	Goode Electric Co.	\$90.00
21440	Gateway	\$106.02
21441	Irrigation-Mart Inc.	\$619.53
21442	Johnny's True Value	\$13.97
21443	JR ITSoftware, LLC	\$1,789.92
21444	Matt's Building Materials	\$606.64
21445	Notary Association of Texas	\$114.95
21446	Orkin	\$211.00
21447	Romco Equipment	\$12,483.85
21448	Texas Child Support	\$260.77
21449	TWCA Risk Management Fund	\$2,562.00
21450	First Community Bank	\$333.01
21451	AT&T Mobility	\$65.62
21452	American Heritage Life	\$350.99
21453	Allterra Central Inc.	\$500.00
21454	Cameron County Drainage District #3	\$7,500.00
21455	Core & Main	\$1,271.52
21456	Diamond Plastics Corp.	\$27,292.32
21457	Dossett Law Office	\$400.00
21458	Dropped Dead Pest Control	\$175.00
21459	Dainamik Business Solutions	\$490.00
21460	Fresno Valve & Casting	\$7,148.63
21461	Irrigation-Mart Inc.	\$986.10
21462	Johnny's True Value	\$9.52
21463	Sonia Lambert	\$45.00
21464	Linde Gas & Equipment, Inc.	\$295.56
21465	Magic Valley Electric	\$122.07
21466	McCoy's	\$447.07
21467	Military Highway Water	\$158.11
21468	Office Depot	\$64.63
21469	O'Reilly Automotive, Inc.	\$2,620.18
21470	Orkin	\$225.99
21471	Powerplan	\$420.19
21472	Pitney Bowes Services	\$1,500.00

21473	Superior Alarms	\$150.00
21474	Sprint	\$169.95
21475	Texas Gas Service	\$461.36
21476	Tractor Supply	\$29.98
21477	Unifirst	\$616.21
21478	Verizon	\$785.22
21479	Waste Management of Texas	\$172.36
21480	Wylie Implement	\$206.27

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

- a) February Maintenance Report – Includes 40 jobs performed by the crews for the month. In addition, the WaterSMART project of piping of Lateral G-2 was completed.
- b) February Machine Locations– A report indicating work performed by the excavators and dozers for the month was presented to the Board.
- c) February Pumping Plants Reports – 1) Running standard operations; 2) General maintenance of plant and grounds; 3) Pumping for the month: Pump Station #1 – 1/31 – 4 p.m. Cert set at 50 CFS, 2/3 – 3 p.m. Cert at 50 CFS through 2/7- 3 p.m., 2/10 – 3 p.m. Rate set at 50 CFS, 2/12 – 3 p.m. Rate increased to 100 CFS through 2/18-3 p.m., 2/18 – 3 p.m. Rate increased to 150 CFS, 2/21 – 3 p.m. Rate increased to 200 CFS through rest of pumping period; Pump Station #2 – 1/29 – 10 a.m. Rate set at 12 CFS, 2/7 – 2 p.m. Rate set at 12 CFS, 2/21 – 3 p.m. Rate set at 12 CFS, 2/25 – 3 p.m. Rate set at 12 CFS; 4) Rainfall: 0.00”; 5) Acre feet diverted: 4362.0276; 6) Total No Charge Pumping: 51.2396; 7) Average TDS readings: 856 p.p.m.
- d) February 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 4.40 acre-feet per acre for the month of February 2023 and 6.45 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) Legislative – Bill filing deadline is March 10, 2023. The Manager reported on HB 602 relating to the requirement for political subdivisions to participate in the E-Verify program for all new employees; HB 622 relating to the publication of required notice by a political subdivision by alternative media; HB 1210 relating to a uniform election date in May; HB 1389 relating to the applicability of certain municipal governmental requirements on agricultural operation; HB 1467 relating to protection for employees to drug testing policies for hemp and cannabis for employment purposes; HB 1476 pertaining to limitation on the salary paid to employees of political subdivisions; HB 1637 relating to the civil liability of irrigation districts for the recreational use of district land; HB 1750 relating to the applicability of certain city requirements to agricultural operations; HB 2018 relating to review of land development applications; HB 2023 relating to the award of court costs and attorney fees in certain actions challenging certain local laws on failure of an officer of a political subdivision to perform certain actions; HB 2423 related to the authority of certain counties to cancel platted subdivisions that have remained undeveloped; HB 2830 relating to non-irrigable land in irrigation districts; HB 3225 requires the recording of open meetings held by water districts and post the recording on the internet; SB 232 removal from office or officer of political subdivision for criminal offenses; SB 1056 relating to the directors and administration of the Hidalgo County Water

Improvement District No. 3; and a local bill to be filed to reorganize the Rio Grande Regional Water Authority.

Attorney's report:

- a) Special Purpose District Report to the State Comptroller's Office has been filed.
- b) US Army Corp of Engineers – Is still working on easement to use the strip along the east side of the canal as a road for a surveillance tower.

A motion was made by William Goad, seconded by Buck Rhyner, and upon unanimous vote, passed to adjourn the meeting at 10:00 a.m. Next regular meeting is scheduled for Thursday, April 13, 2023 at 9:00 a.m.

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Sam Simmons, President

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William Goad, Secretary