

September 8, 2022
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, William Goad, Buck Rhyner, and Lupe Argullin. Also present were Sonia Lambert, General Manager, and Buddy Dossett, Attorney.

There was no public comment.

A motion was made by Buck Rhyner, seconded by Lupe Argullin, and upon unanimous vote, passed to approve the minutes of the regular meeting of August 18, 2022.

The water report was made by William Goad, who reported that Falcon Reservoir contains 413,462 acre-feet of water of the normal conservation 2,646,817 acre-feet. The Amistad Reservoir contains 997,984 acre-feet of water of the normal conservation 3,275,532 acre-feet which 23.81% is U.S. total conservation capacity compared to 39.45% this time last year. As of September 8, 2022, District's usable and storage water balances are 19,094.1639 acre-feet. This time last year, usable water balance was 48,366.4238 and storage water balance was 48,692.1741.

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

5.1) Hout Subdivision – Being 2.519 acres out of Lot 4 and Lot 5, Block 199, San Benito Land and Water Company Subdivision recorded in Volume 1, Page 25, Map Records of Cameron County, Texas and being out of a 50.9 acre tract recorded as Tract 2, a 5.12 acre tract, in Document No. 47874, filed 23 December 2020 in the Official Records of Cameron County, Texas. – Ferris, Flinn, & Medina, LLC. The plat was not ready to present, as per the developer's engineer. No action was taken.

A motion was made by Buck Rhyner, seconded by William Goad, and upon unanimous vote, passed to adopt the following resolution ordering an exclusion/inclusion hearing be held:

WHEREAS, all of the property described below UNDER "Proposed For Exclusions" 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/include property; and

WHEREAS, the property described below under "Inclusions" is agricultural land and can, with installation of additional infrastructure, at the cost of the requestor, be included into the boundaries of the District through substitution of land of equal acreage to be excluded, as allowed through Texas Water Code 58.704; 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/included from or into 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/included from or into the District's boundaries.

Said Hearing shall be held at the offices of the District on the 13th day of October 2022 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/inclusion on the District's website: ccid2.org and in a conspicuous place in the principal office of the District, and by the posting of a true copy of a Hearing Notice containing a description only of each specific subdivision at a location in or near each of the separate subdivisions described below, 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 _____, 2022.

William Goad, Secretary

Sam Simmons, President

STATE OF TEXAS

COUNTY OF CAMERON

This instrument was acknowledged before me on the 8th day of September 2022 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 8th day of September 2022 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

EXHIBIT A

Proposed Exclusions for September 8, 2022

1. Being a gross of 0.76 acres; 0.76 net acre tract of land out of Resaca Paloma Subdivision NO. 2 lot 18 BLK 1 – Account: 30740 PID: 30740-1 (Gross: 0.76, Out: 0.00, Net: 0.76) Sellers, Dustin L.
2. Being a gross of 5.00 acres; 4.93 net acre tract of land out of San Benito Land & Water Co Subdivision BLK 82 – Account: 23596 PID: 11380-1(Gross: 5.00, Out: 0.07, Net: 4.93) Garcia, Juan Pablo
3. Being a gross of 4.10 acres; 105.17 net acre tract of land out of Espiritu Santo Grant Share 22- Account: 20513 PID: 20513-1 (Gross: 111.48, Out: 6.31, Net: 105.17) T D Farms
4. Being a gross of 5.12 acres; 44.38 net acre tract of land out of Arroyo Gardens Unit 4 lots 22 thru 25 BLK F – Account: 967 PID:967-1 (Gross: 48.00, Out: 3.62, Net: 44.38) Atkinson, Michelle
5. Being a gross of 1.62 acres; 1.33 net acre tract of land out of San Benito Land & Water Co Subdivision BLK 65 – Account: 291 PID: 1110-2 (Gross: 1.62, Out: 0.29, Net 1.33) Trevino, Joseline & Valentine
6. Being a gross of 20.00 acres; 19.26 net acre tract of land out of San Benito Irrigated Land Co. Subdivision BLK 209 - Account: 4770 PID: 4770-6 (Gross: 20.00, Out: 0.74, Net: 19.26) East Rio Hondo Water Supply
7. Being a gross of 1.89 acres; 1.89 net acre tract of land out of San Benito Land & Water Co Subdivision BLK 181 – Account: 300 PID:10948-1 (Gross: 1.89, Out: 0.00, Net: 1.89) Haidar Properties
8. Being a gross of 8.52 acres; 7.62 net acre of tract of land out of Resaca Front BLK 23- Account: 24638 PID: 23015-1(Gross: 8.52, Out: 0.90, Net: 7.62) Martinez, Martin Vega & Olga Vega
9. Being a gross of 1.23 acres; 1.23 net acre tract of land out of Taros Subdivision BLK 1 - Account: 30629 PID: 30629-1(Gross: 1.23, Out: 0.00, Net: 1.23)

Total Gross Acres: 48.24 acres

Total Acres Out: 11.93

Total Net Acres: 186.57

Proposed Inclusions for September 8, 2022

1. Being a gross of 4.10 acres; 105.17 net acre tract of land out of Espiritu Santo Grans Share 22- Account: 20153 PID: 20513-1 (Gross: 111.48, Out:6.31, Net: 105.17) TD Farms
2. Being a gross of 5.12 acres; 44.38 net acre tract out of Arroyo Gardens Unit 4 lots 22 thru 25 BLK F- Account: 967 PID: 967-1 (Gross: 48.00, Out: 3.62, Net: 44.38) Atkinson, Michelle

Total Gross Acres: 9.22

Total Acres Out: 9.93

Total Net Acres: 149.55

The Manager informed the Board that the Watermaster determined that a negative allocation would be necessary, imposed on all Class A and B accounts, to balance the operational reserve for the month of July 2022. The Watermaster determined that approximately 65,000 acre feet were required to bring the operational reserve back to 48,000 acre feet and that a negative allocation equal to 13.2529129% would be charged to all Class A and B usable account balances. Since the report was almost a month late coming out of the Watermaster's office, water has been ordered and therefore the district had a lower balance at the time of the Watermaster's report and required a 17.07% charge to all accounts to equal 3170 acre feet. Since the date of the negative allocation, it is anticipated that both Falcon and Amistad Reservoirs have received sufficient in-flows, to allow the Watermaster to return the water charged to each account, by negative allocation, in the month of September, for the August reporting period. No action was taken.

The Manager and Board discussed the projected water availability for 2022. No action was taken.

The Manager discussed the District's financial situation, with its lack of water and sales and asked for authorization to transfer funds from the Canal Rehab account, as needed, up to \$200,000.00. A motion was made by William Goad, seconded by Lupe Argullin, and upon unanimous vote, passed to authorize the Manager to transfer funds from the Canal Rehab Account to the M & O Account as needed up to \$200,000.00. Motion carried.

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

<u>Check#</u>	<u>Vendor</u>	<u>Amount</u>
21105	JR ITSoftware Solutions, LLC	\$5,025.17
21106	Aflac	\$186.38
21107	A & A Copiers	\$1,427.56
21108	Boggus Motor Co.	\$19.68
21109	Boswell Elliff Ford	\$510.00
21110	City of San Benito	\$193.52
21111	Dropped Dead Pest Control	\$425.00
21112	Dearborn Life Insurance Co.	\$177.90
21113	Firestone/Bridgestone	\$565.91
21114	Goode Electric Co.	\$1,375.77

21115	Hollon Oil Co.	\$328.00
21116	Pitney Bowes/Reserve Acct	\$1,000.00
21117	Romco Equipment	\$60.36
21118	Rio Grande Concrete	\$49.90
21119	Rubicon Systems America	\$999.20
21120	R & A Truck Repair	\$40.00
21121	TCEQ	\$1,066.03
21122	Texas Child Support	\$135.69
21123	Utility Trailer Sales	\$199.98
21124	AT&T Mobility	\$66.15
21125	American Heritage Life	\$350.99
21126	Alamo Iron Works	\$335.80
21127	Boswell Elliff Ford	\$614.61
21128	Constellation New Energy	\$71.11
21129	Core & Main	\$703.05
21130	Dropped Dead Pest Control	\$350.00
21131	Dainamik Business Solutions	\$490.00
21132	Dossett Law Office	\$400.00
21133	Alfaro, Jorge Luis, Sr.	\$2,127.39
21134	Hurricane Fence Co.	\$3,344.84
21135	Johnny's True Value	\$51.93
21136	JI Special Risk Insurance	\$37,031.00
21137	Sonia Lambert	\$45.00
21138	Magic Valley Electric	\$122.26
21139	Matt's Building Materials	\$30.41
21140	McCoy's	\$420.82
21141	Military Highway Water	\$159.27
21142	Office Depot	\$176.70
21143	O'Reilly Automotive Inc.	\$2,903.78
21144	Powerplan	\$264.85
21145	Pitney Bowes Services	\$178.68
21146	Pro Billing & Funding Services	\$466.16
21147	Rio Hondo Lumber	\$194.95
21148	Rio Grande Concrete	\$58.73
21149	TWCA Risk Management Fund	\$1,663.00
21150	Unifirst	\$640.76
21151	Verizon	\$780.87
21152	Waste Management of Texas	\$164.00

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

- a) August Maintenance Report – Includes 50 jobs performed by the crews for the month and 15,933.36 billed for private work performed.
- b) August Machine Locations/Accomplishments – A report indicating work performed by the excavators and dozers for the month was presented to the Board.
- c) August Pumping Plants Reports – 1) Running standard operations; 2) General maintenance of plant and grounds; 3) Pumping for the month: Pump Station #1 – 7/31 – 2 p.m. Rate set at 50 CFS, 8/8 – 2 p.m. Rate increased to 100 CFS, 8/12 – 2 p.m. Rate reduced to 50 CFS; Pump Station #2 – 8/4 – 2 p.m. Rate set at 12 CFS, 8/8 – 2 p.m. Rate set at 12 CFS, 8/15 – 2 p.m. Rate set at 12 CFS; 4) Rainfall: 1.70"; 5) Acre feet diverted: 2,880.21; 6) Total No Charge Pumping: 591.07; 7) Average TDS readings: 755 p.p.m.
- d) August 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 1.39 acre-feet per acre for the month of August 2022 and 1.20 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.

Attorney's report:

- a) Border Barrier by State of Texas.
- b) USACE request for access and utility easement along east side of Low Line to existing Customs Border Patrol Surveillance Tower.

A motion was made by Buck Rhyner, seconded by William Goad, and upon unanimous vote, passed to adjourn the meeting at 9:42 a.m. Next regular meeting is scheduled for Thursday, October 13, 2022 at 9:00 a.m.

Sam Simmons, President

William Goad, Secretary