

March 17, 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: Brady Taubert, 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 February 10th 2022.

The water report was made by Buck Rhyner, who reported that Falcon Reservoir contains 447,512 acre-feet of water of the normal conservation 2,646,817 acre-feet. The Amistad Reservoir contains 1,059,598 acre-feet of water of the normal conservation 3,275,532 acre-feet which 36.57% is U.S. total conservation capacity compared to 45.59% this time last year. As of March 15, 2022, District's usable and storage water balances are 57,177.1755 acre-feet. This time last year, usable and storage water balances were 64,169.5685.

Mr. Geary Berkman, C.P.A., was not ready to present the District's 2020 financial audit. 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 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 14th day of April 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 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 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. The date, time, place, and purpose of such Hearing shall also be advertised by publishing Notice thereof one (1) time in one (1) or more newspapers having general circulation in the District at least ten (10) days prior to the date of such Hearing. There, being no railroad right-of-way involved herein, no notice to any railroad company is required.

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 17th day of March 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 17th day of March 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

Mr. Jose Barajas, flat rate account #30502, requested that the Board remove the flat rate and the interest from his account, and exclude the property, which shows flat rate delinquent from 2016-2022. Mr. Barajas', whose property is in old District #16, stated that the then office Manager, Dagmar Serrata, told him he did not have to pay the flat rate because he did not have access to water. After discussion, a motion was made by Buck Rhyner, seconded by Lupe Argullin, and upon unanimous vote, passed to deny Mr. Jose Barajas' request to remove the flat rate and interest to his flat rate account #30502. Motion carried. Once the account has been paid up to date, Mr. Barajas can submit his petition for exclusion for Board consideration at a scheduled public hearing for exclusions.

Mr. Abel Suarez was approved for funding, by the NRCS, for the installation of 1375 feet of 15" pvc pipe and 725 of 15" pvc pipe in Block 105 of the San Benito Land and Water Company Subdivision. In March 2021 the District approved the installation of these pipelines but there has been a hold up between Mr. Suarez and NRCS due to changes in the plans. Mr. Abel Suarez has since been re-approved with revised plans for only the 725 feet of 15" pvc pipeline in Block 105 of the San Benito Land and Water Company Subdivision. In between the time that the District originally agreed to install the pipeline and this new authorization, the Board discontinued authorizing installations due to the drastic increase in the cost of pipe and NRCS not allowing for the increase. Mr. Suarez has been approved for \$19.96 per foot and the current price per foot is \$21.37, however the total amount authorized is over the total current cost of the 725 feet of pipe and the valves. There may be a slight difference, either over or short, for the material cost. However, due to the Board previously authorizing this project, the Manager recommended the Board allow the installation, and charge Mr. Suarez for material not covered by the NRCS grant (concrete and steel pipe), if the total grant is not sufficient for the total material cost. A motion was made by Buck Rhyner, seconded by William Goad, and upon unanimous vote, passed to authorize the installation of 725 feet of 15" pvc pipe in Block 105 of the San Benito Land and Water Company Subdivision and charge Mr. Suarez for any amount not covered by the grant. Motion carried.

The Manager informed the Board that the staff has not received pay increases since 2020 and that it is becoming difficult to employ and keep staff due to the wages offered. A motion was made by William Goad, seconded by Brady Taubert, and upon unanimous vote, passed to authorize the Manager to allow up to a 5% increase for staff. Motion carried.

The Manager reported that no one other than the incumbents submitted an application for a place on the ballot for the Board election, and that the election is uncontested.

Based on the information provided that the election is uncontested, a motion was made by Buck Rhyner, seconded by William Goad, and upon unanimous vote, passed the following resolution cancelling the Board election:

May 7, 2022 Election.

1. Status Report. Secretary Goad presented a Certificate of Unopposed Status and announced there are only two candidates for the three terms to be filled at the May 7, 2022 election, being Brady Taubert and Buck Rhyner. Vice-President Brady Taubert and Board member Buck Rhyner accepted the Certificate of Unopposed Status.

2. Cancellation of Election. The motion was made and seconded that this resolution and order be adopted:

WHEREAS, in accordance with Texas Election Code, Chapter 2, Subchapter C, it is hereby determined that only two (2) persons filed an Application for a Place on the Ballot; no one filed a Declaration of Write-in Candidacy; each candidate whose name is to appear on the ballot is unopposed; and that no proposition is to appear on the ballot.

WHEREAS, Texas Election Code § 2.51 provides that an election may be cancelled if all filing deadlines have passed, each candidate for an office listed on the ballot is unopposed, and no proposition is to appear on the ballot.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Directors of Cameron County Irrigation District No. 2:

1. That the regular election to fill vacancies on the Board of Directors, called and ordered by this Board to be held on May 7, 2022, is hereby canceled.

2. That each of the following unopposed candidates is hereby elected:

Brady Taubert

Buck Rhyner

3. That a copy of this Order shall be posted on Election Day at each polling place that would have been used in the election.

A motion was made by William Goad, seconded by Brady Taubert, and upon unanimous vote, passed to cancel the election. Motion carried.

The Board discussed the District's water availability and projections for 2022. No action was taken.

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

<u>Check#</u>	<u>Vendor</u>	<u>Amount</u>
20725	Allegra Print & Imaging	\$99.90
20726	Alamo Iron Works	\$164.18
20727	AT&T Mobility	\$63.73
20728	City of San Benito	\$129.99
20729	ESRI	\$400.00
20730	First Community Bank	\$411.83
20731	JR ITSoftware Solutions, LLC	\$633.58
20732	Magic Valley Electric	\$124.25
20733	Pitney Bowes Services	\$178.68
20734	Rivera, Juan E., CPA	\$1,000.00
20735	Rey's Tire Service	\$195.00
20736	South Texas Bolts & Supply	\$243.24
20737	Texas Gas Service	\$446.72

20738	Texas Child Support	\$135.69
20739	Aflac	\$234.86
20740	BC/BS of Texas	\$11,617.49
20741	Boswell Elliff Ford	\$26.52
20742	City of San Benito	\$286.68
20743	Camco Truck & Trailer Solutions	\$784.08
20744	Dearborn Life Insurance Co.	\$165.90
20745	Direct Energy	\$3,583.37
20746	Hollon Oil Co.	\$1,379.15
20747	Sonia Lambert	\$637.09
20748	Lawn Doctors Sculpting	\$125.00
20749	Military Highway Water	\$123.80
20750	Mendez Tire Shop #2	\$14.00
20751	Notary Public Underwriter	\$112.00
20752	JF Petroleum	\$359.50
20753	Powerplan	\$260.16
20754	Rey's Tire Service	\$65.00
20755	Eduardo Rodriguez	\$2,500.00
20756	Superior Alarms	\$150.00
20757	TCEQ	\$50.00
20758	TWCA Risk Management Fund	\$2,527.00
20759	Texas Child Support	\$135.69
20760	Turf Tamer	\$100.00
20761	Utility Trailer Rentals	\$414.29
20762	Waste Management of Texas	\$157.87
20763	AT&T Mobility	\$153.11
20764	Autozone	\$36.17
20765	Allegra Print & Imaging	\$837.45
20766	American Heritage Life	\$350.99
20767	AT&T Mobility	\$64.50
20768	Boswell Elliff Ford	\$62.22
20769	Dossett Law Office	\$400.00
20770	Dainamik Business Solutions	\$525.00
20771	Direct Energy	\$1,039.83
20772	Firestone/Bridgestone	\$629.84
20773	Fresno Valve & Casting	\$4,430.28
20774	Herman, Tania De La Fuente	\$196.50
20775	Johnny's True Value	\$129.16
20776	Sonia Lambert	\$45.00
20777	Magic Valley Electric	\$121.14
20778	McCoy's	\$568.50
20779	Nutrien AG Solutions, Inc.	\$3,160.10
20780	Office Depot	\$366.86
20781	Oil Patch Fuel & Supply	\$15,388.85
20782	O'Reilly Automotive, Inc.	\$2,284.51
20783	Orkin	\$197.00
20784	Pro Billing & Funding Services	\$341.44
20785	Rio Hondo Lumber	\$6.65
20786	Rio Grande Steel, LTD	\$514.98
20787	Smartcom Telephone LLC	\$634.52
20788	South Texas Bolts & Supply	\$34.00
20789	Tops the Outdoor Store	\$28.00

20790	Texas Gas Service	\$446.72
20791	Tractor Supply	\$727.97
20792	Texas Child Support	\$135.69
20793	Unifirst	\$626.05
20794	United Rentals, Inc.	\$1,952.00
20795	Utility Trailer Sales	\$1,770.00
20796	Verizon	\$780.38

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

- a) February Maintenance Report – Includes 23 jobs performed by the crews for the month. In addition, the automated gates installation project was in progress during this month.
- b) February Machine Locations/Accomplishments – 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: Work being done on replacing meter #1 (H.L.) by Compu-Flow from Harlingen; 3) Pumping for the month: Pump Station #1 – No Pumping; Pump Station #2 – 2/2 – 10 a.m. rate set at 12 CFS, 2/7 – 4 p.m. rate set at 6 CFS; 4) Rainfall: .50"; 5) Acre feet diverted: 0; 6) Total No Charge Pumping: 0; 7) Average TDS readings: 1182 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 0.00 acre-feet per acre for the month of February 2022 and 0.00 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) SB3 – was passed in 2021 and requires Districts that provide raw water to a water supply entity, to have an emergency action plan approved by PUC. This does not necessarily mean power generation but could be required if the state agencies deem it necessary. This District's emergency plan will include it's alternate source (natural gas) however, the Manager will get with our State Lobbyist for input in our required plan for submittal.
- h) IBWC/TCEQ – Stakeholders meeting in Del Rio, Texas – Several Irrigation Managers attended the meeting. Discussed were:
 1. Amistad & Falcon Reservoir repairs in which the U.S. has funds for planning and construction but it is not known if Mexico has their share of the sink hole repairs;
 2. Potential desalination plant at the El Morillo Drain that could recover 83,503 acre-feet of water;
 3. Brownsville-Matamoros Weir which could make available approximately 60,000 acre-feet that would otherwise go out to the Gulf. However, a new location for the weir would be needed that both countries could agree to;
 4. San Juan River – by exploring possible scenarios where water diverted would give treaty credit at a rate other than at a one to one. As a note, San Juan water is not supported by the treaty;
 5. Falcon-Matamoros Aqueduct- construct an aqueduct from Falcon to Matamoros for municipal water.
- i) a) Texas Irrigation Council Meeting in Austin- Discussed was TCEQ Sunset Report. Districts will meet with TCEQ staff to discuss a possible rule change drafted between TCEQ and Districts that clarify the current rule regarding

Districts not being charged for diversion of San Juan Water. This would also include that the 20 days allowed by TCEQ to report an error to mean to apply only to clerical errors. This will require Districts to testify in Austin for the TCEQ rule change.

b) Also discussed was Sub Chapter 0 from Chapter 49 of the Texas Water Code which is a local bill but would require amendment without unintended consequences to the sections of the Chapter.

A motion was made by Brady Taubert, seconded by William Goad, and upon unanimous vote, passed to adjourn the meeting at 10:17 a.m. Next regular meeting is scheduled for Thursday, April 14, 2022 at 9:00 a.m.

Sam Simmons, President

William Goad, Secretary