

February 8, 2024
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, Buck Rhyner, and Lupe Argullin. Also present were Craig Harmon, General Manager, and Buddy Dossett, Attorney.

There was no public comment.

A motion was made by Buck Rhyner, seconded by Brady Taubert, and upon unanimous vote, passed to approve the minutes of the regular meeting of January 11, 2024.

The water report was made by Buck Rhyner, who reported that Falcon Reservoir contains 469,799 acre-feet of water of the normal conservation 2,666,203 acre-feet. The Amistad Reservoir contains 852,782 acre-feet of water of the normal conservation 3,226,704 acre-feet which 26.43% is U.S. total conservation capacity compared to 31.82% this time last year. As of February 6, 2024, the District's usable and storage water balances are 28,971.6643 acre-feet. This time last year, usable and storage water balances were 59,992.0189.

The Board revisited tabled item from the December 2023 board meeting to purchase equipment for Canal Rehab projects. After discussion, a motion was made by Brady Taubert, seconded by Lupe Argullin, and upon unanimous vote, passed to place this on the table for the next meeting. Motion carried.

The Board revisited tabled item from the December 2023 board meeting regarding the sale of water rights. After discussion, a motion was made by Lupe Argullin, seconded by Buck Rhyner, and upon unanimous vote, passed to approve the sale of up to 1,042 acre-feet of municipal water rights at a minimum of \$3,500 per acre foot. Motion carried.

The Board discussed a past Board approved item (May 2015) to abandon Los Indios #1 J Canal. According to the Manager, all immediately adjacent properties were previously excluded from the District. The Manager stated that one property (PID 195083), with an active but chronically delinquent flat rate account, could be serviced by this canal if it were able to get an easement from Mr. John Cashen (PID 141251), however Mr. Cashen signed a notarized letter denying an easement and access preventing PID 195083 access to Los Indios #1 J Canal. The Manager attempted to contact the PID 195083 owner but received no reply. According to the Manager, PID 195083 could be serviced by Los Indios 1 Canal as an alternative thus recommending the abandonment of Los Indios 1J Canal. After discussion, a motion was made by Buck Rhyner, seconded by Brady Taubert, and upon unanimous vote, passed to re-approve the abandonment of Los Indios #1 J Canal. Motion carried.

The Manager presented to the Board a copy of a letter he sent to City of San Benito, City of Rio Hondo, and East Rio Hondo Water Supply Corporation, which are the municipal water providers the District provides water to, regarding the possibility of a push water implementation beginning in May 2024. No action was taken at this time.

The Board reviewed a resolution respecting the General Manager's authority. After discussion, a motion was made by Buck Rhyner, seconded by Lupe Argullin, and upon unanimous vote, passed to approve the following resolution:

CERTIFICATE OF RESOLUTION-GENERAL MANAGER AUTHORITY

DATE: February 8, 2024

ENTITY: **CAMERON COUNTY IRRIGATION DISTRICT NO. 2**
P.O. Box 687
San Benito, Texas 78586-0687

MANAGER: **CRAIG M. HARMON**
P.O. Box 687
San Benito, Texas 78586-0687

I, Buck Rhyner, Secretary of Cameron County Irrigation District No. 2, do hereby certify that:

- I. Cameron County Irrigation District No. 2 is a governmental unit of the State of Texas, created by an election held on July 25, 1916, pursuant to Article 16, Section 59 of the Texas Constitution, vested with all rights, powers, privileges, and duties conferred and imposed by the Texas Constitution and the General Laws of the State of Texas applicable to irrigation districts, primarily Chapters 58 and 49 of the Texas Water Code.
- II. The office of the District is located at 26041 F.M. 510, San Benito, Texas 78586.
- III. No proceedings are pending for the dissolution, voluntarily or involuntarily, of the District.
- IV. On February 8, 2024, the Board of Directors of Cameron County Irrigation District No. 2 herein convened in regular session, open to the public, with a quorum present, notice of the date, place, and the meeting having been posted in accordance with Texas Government Code § 551.043, and the motion was made and seconded that this Resolution be adopted and passed:

Whereas:

- Pursuant to Texas Water Code § 49.056(a), pursuant to Texas Water Code § 49.056(a), on January 1, 2024, Craig. M. Harmon became the District's General Manager, effective January 1, 2024, and has been acting in that capacity since January 1, 2024, but the Board of Cameron County Irrigation District No. 2 has not heretofore formally and expressly stated, defined, and clarified his authority as General Manager, and now wishes to do so.
- Pursuant to Texas Water Code § 49.056(a), the Board of Cameron County Irrigation District No. 2 may delegate to the General Manager full authority to manage and operate the affairs of Cameron County Irrigation District No. 2 subject to orders of the Board of Cameron County Irrigation District No. 2.
- Pursuant to Texas Water Code § 49.056(b), the Board of Cameron County Irrigation District No. 2 may delegate to its General Manager the authority to employ all persons necessary for the proper handling of the business and operations of the District.
- Pursuant to Texas Water Code § 49.054(b) the Board Cameron County Irrigation District No. 2 may by resolution authorize its General Manager to execute a document or documents on behalf of the District.
- Pursuant to Texas Water Code § 49.054(e) the Board Cameron County

Irrigation District No. 2 may appoint the General Manager as assistant secretary to assist the Secretary of the District's Board of Directors, and to certify as to the authenticity of any record of the District.

Now, therefore, effective January 1, 2024:

1. Pursuant to Texas Water Code § 49.056(a), the Board of Cameron County Irrigation District No. 2 delegates to Craig M. Harmon, General Manager, full authority to manage and operate the affairs of Cameron County Irrigation District No. 2 subject to orders of the Board of Cameron County Irrigation District No. 2.
2. Pursuant to Texas Water Code § 49.056(b), the Board of Cameron County Irrigation District No. 2 delegates to Craig M. Harmon, General Manager, the authority to employ all persons necessary for the proper handling of the business and operations of the District, provided:
 - 2.1 the Board shall determine the compensation to be paid to the General Manager.
 - 2.2 the General Manager shall determine the compensation paid to all other employees subject to the wage scales and budget adopted by the Board, and provided further, raises shall be governed by the District's Personnel Policy Manual adopted October 2023, or as thereafter amended.
3. Pursuant to Texas Water Code § 49.054(b) the Board Cameron County Irrigation District No. 2 authorizes Craig M. Harmon, General Manager, to execute these documents on behalf of the District:
 - 3.1 Grant Applications and all other necessary documents required or needed for securing grants, and for the administration of, and close-out of, grants.
 - 3.2 Plats subdividing land in the District.
 - 3.3 All documents, forms, and contracts necessary for Board approved sales of water.
 - 3.4 All documents, forms, and contract necessary for Board approved sales of water rights.
 - 3.5 Contracts approved by the Board.
 - 3.6 License Agreements and Permits the issuance of which have been approved by the Board.
 - 3.7 The District Registration Form or such other form required by Texas Water Code § 49.054(f).
 - 3.8 All documents necessary for Board approved conveyances of real property.
 - 3.9 All documents necessary for Board approved acquisitions of real property.
 - 3.10 All documents necessary to accept Board approved donations of real property and rights-of-way to the District.
 - 3.11 All documents necessary for Board approved acquisitions of rights-of-way.
 - 3.12 All documents necessary for Board approved releases of rights-of-way.
 - 3.13 All documents necessary for Board approved purchases of equipment and vehicles, and Board approved sales of, and trade-ins of, equipment and vehicles, including, but not limited to, title transfer documents and bills of sale.
 - 3.14 Notices of, and Agendas for, Board of Director's meetings.
4. Pursuant to Texas Water Code § 49.054(e), the Board Cameron County Irrigation District No. 2 appoints Craig M. Harmon, General Manager, as assistant secretary to assist the Secretary of the District's Board of Directors, and to certify as to the authenticity of any record of the District.
5. The Board Cameron County Irrigation District No. 2 hereby ratifies all actions of Craig M. Harmon done and taken on behalf of the District in his capacity as

General Manager from January 1, 2024 to February 8, 2024.

- V. I certify that the above resolution was duly and legally passed and adopted at said meeting; the same has not been altered, amended, rescinded, or repealed, and is in full force and effect.
- VI. I further certify that I am the Secretary of Cameron County Irrigation District No. 2 and the person authorized to sign this certificate.

IN WITNESS THEREOF, I have hereunto set my hand as Secretary of Cameron County Irrigation District No. 2 this ____ day of February 2024.

CAMERON COUNTY IRRIGATION DISTRICT NO. 2

By: _____
Buck Rhyner, Secretary

STATE OF TEXAS
COUNTY OF CAMERON

This instrument was acknowledged before me the ____ day of February 2024, by Buck Rhyner, Secretary of Cameron County Irrigation District No. 2, on behalf of Cameron County Irrigation District No. 2.

Notary Public

Motion carried.

The Board discussed the District’s water availability for 2024. No action was taken.

The Board entered Executive Session at 10:35 a.m. pursuant to section 551.071 of the governmental code to discuss the pending litigation and 551.074: a) Legal issues – i) Consider settlement of suit for Cameron County Irrigation District #2 and Cameron County Drainage District #3 vs City of San Benito.

The Board returned to Open Session at 10:39 a.m. and took the following actions: a) Legal issues – Consider settlement of suit for Cameron County Irrigation District #2 and Cameron County Drainage District #3 vs City of San Benito: The City of San Benito approved a settlement agreement which needs to be signed by Cameron County Irrigation District #2, Cameron County Drainage District #3, and a few others. After discussion, a motion was made by Buck Rhyner, seconded by Brady Taubert, and upon unanimous vote, passed to approve the settlement agreement.

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

<u>Ck#</u>	<u>Vendor</u>	<u>Amount</u>
22026	Boswell Elliff Ford	\$14.00
22027	Cameron County Drainage District #3	\$7,500.00
22028	Dossett Law Office	\$2,849.50
22029	Firestone/Bridgestone	\$150.02
22030	Lewis Electric Motors	\$47,250.37
22031	Matt’s Building Materials	\$1,295.30
22032	McCoy’s	\$221.66
22033	Office Depot	\$153.98

22034	O'Reilly Automotive, Inc.	\$1,139.68
22035	Orkin	\$225.99
22036	Pro Billing & Funding Services	\$141.67
22037	Romco Equipment	\$1,123.31
22038	Rio Grande Concrete	\$75.44
22039	Smartcom Telephone, LLC	\$623.79
22040	Tops the Outdoor Store	\$146.42
22041	TCEQ	\$3,364.00
22042	Texas Gas Service	\$469.95
22043	Texas Child Support	\$228.92
22044	Utility Trailer Sales	\$417.76
22045	Waste Management of Texas	\$208.07
22046	**VOID**	\$0.00
22047	Aflac	\$261.02
22048	Allterra Central, Inc.	\$750.00
22049	City of San Benito	\$200.37
22050	Constellation New Energy	\$8.33
22051	Dainamik Business Solution	\$700.00
22052	First Community Bank	\$477.99
22053	JR ITSoftware Solutions, LLC	\$2,379.09
22054	LRGV Water District	\$2,049.80
22055	Oil Patch Fuel & Supply	\$1,467.10
22056	Pitney Bowes/Reserve Account	\$1,500.00
22057	T-Mobile	\$169.64
22058	TWCA Risk Management Fund	\$1,754.00
22059	Texas Child Support	\$228.92
22060	Utility Trailer Sales	\$87.87
22061	Waste Management of Texas	\$213.12
22062	AT&T Mobility	\$64.92
22063	Allegra Print & Imaging	\$247.75
22064	Core & Main	\$1,200.00
22065	Dossett Law Office	\$400.00
22066	**VOID**	\$0.00
22067	Hollon Oil Co.	\$182.75
22068	Johnny's True Value	\$32.97
22069	Linde Gas & Equipment, Inc.	\$18.05
22070	Magic Valley Electric	\$122.01
22071	McCoy's	\$410.63
22072	Nueces Power Equipment	\$69.23
22073	Office Depot	\$1,048.16
22074	O'Reilly Automotive, Inc.	\$780.32
22075	Orkin	\$244.99
22076	Pitney Bowes Global Financial	\$225.53
22077	Pro Billing & Funding Services	\$34.26
22078	Rey's Tire Service	\$145.00
22079	RGV Pumps & Equipment	\$877.00
22080	Tops the Outdoor Store	\$204.99
22081	TWCA Risk Management Fund	\$1,754.00
22082	Unifirst	\$752.59
22083	Villafranco & Associates	\$200.00
22084	Grajale's Tire Shop	\$57.00

General Manager, Craig Harmon, reported on the following items to the Board of Directors:

- a) January Maintenance Report – Includes 36 jobs performed by the crews for the month. In addition to the maintenance, the crews are working on the piping of Lateral E.
- b) January Pumping Plants Reports – 1) Running standard operations: Pump #1 back from Complete Overhaul; 2) General maintenance of plant and grounds; 3) Pumping for the month: Pump Station #1 – No Pumping; Pump Station #2 – No Pumping; 4) Rainfall: 1.15”; 5) Acre feet diverted: 93.5200; 6) Total No Charge Pumping: 0.00; 7) Average TDS readings: 816 p.p.m.
- c) 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.
- d) Water Duty – was 23.38 acre-feet per acre for the month of January 2024 and 23.38 acre-feet per acre year-to-date.

A motion was made by Buck Rhyner, seconded by Brady Taubert, and upon unanimous vote, passed to adjourn the meeting at 11:02 a.m. Next regular meeting is scheduled for Thursday, March 14, 2024, at 9:00 a.m.

Sam Simmons, President

Buck Rhyner, Secretary