

**MINUTES OF THE REGULAR MEETING OF
THE BOARD OF DIRECTORS OF
CAMERON COUNTY DRAINAGE DISTRICT NO. 5
December 10, 2024**

A meeting of the Board of Directors of Cameron County Drainage District No. 5 convened on December 10, 2024, at 8:00 a.m. at the office of the District pursuant to notice duly given as required by law. Present were Directors Steve Jennings, Jerome Wade and Nicholas Consiglio, General Manager Rolando Vela, Assistant General Manager Veronica Larraga, District Attorney Buddy R. Dossett, District Engineer Jack L. Brown, and GIS Specialist Eloy Macias. Also in attendance were Alan Moore, Eric Scheibe, Dustin Moore, and Bryanna Woodman. President Jennings called the meeting to order and presided.

Item 1 Pledge of Allegiance

Item 2 Minutes. The Minutes of November 12, 2024, meeting were presented and reviewed. The motion was made by Nicholas Consiglio seconded by Jerome Wade that the Minutes of the November 12, 2024, meeting be approved. Following a discussion, the motion carried.

Item 3 No one was present to discuss items not on the agenda.

Item 4 AGAVE ESTATES SUBDIVISION (A 15.76 acre tract of land, being all of Block 4, and a part or portion of Blocks 3, 5 and Block 17, Stuart Place Subdivision, Survey 42) – Motion was made by Nicholas Consiglio seconded by Jerome Wade to approve and sign this subdivision plat. Following a discussion, the motion carried.

SMT HARLINGEN III LAND SUBDIVISION (A tract of land containing 3.693 acres situated in the City of Harlingen, being a part or portion out of Block 2, Howards Dixieland Heights No. 1) – Motion was made by Jerome Wade seconded by Nicholas Consiglio to approve and sign this subdivision plat. Following a discussion, the motion carried.

HAND VILLAGE SUBDIVISION (A 15.62 acre tract of land, out of Block Two (2), Wilson Tract Subdivision) – Motion was made by Jerome Wade seconded by Nicholas Consiglio to approve the preliminary plat. A license agreement is required. Following a discussion, the motion carried.

COMBES ECONOMIC DEVELOPMENT CORP SUBDIVISION (Being a 13.46 acre tract of land, more or less, out of Block eight (8), David and Stephenson Subdivision) – Motion was made by Jerome Wade seconded by Nicholas Consiglio to approve the preliminary plat. A license agreement is required. Following a discussion, the motion carried.

EL DORADO SUBDIVISION (5.255 acre tract out of Block 34, Wilson Tract Subdivision) – Motion was made by Jerome Wade seconded by Nicholas Consiglio to approve and sign this subdivision plat. Following a discussion, the motion carried.

5. Annexation:
Public Hearing. Motion was made by Jerome Wade seconded by Nicholas Consiglio to accept petition for annexation by Solid Development Inc. into the District for the following tracts subject to District Engineer's recommendations:

- Tract 1: The East Fifteen (15) Acres of Block Thirty-Six (36), Palmetal Company Subdivision, Volume 4, Page 2, of the Map Records of Cameron County, Texas.
- Tract 2: All of Block Thirty-Seven (37), Palmetal Company Subdivision, containing Forty (40) acres, Volume 4, Page 2, of the Map Records of Cameron County, Texas.
- Tract 3: Being 18.69 acres of land, more or less, out of Block Twenty-Eight (28), Palmetal Company Subdivision, Volume 4, Page 2, of the Map Records of Cameron County, Texas

Following a discussion, the motion carried.

- Item 6 Public Hearing. Motion was made by Nicholas Consiglio seconded by Jerome Wade to accept and approve Harlingen Development Corporation of Harlingen, Inc.'s Petition to annex the following tracts in Blocks 26 and 39 of the Palmetal Company Subdivision, which have been jointly resubdivided with other tracts of land as Liberty Subdivision:

- Tract 1: Lot 1, Block 1, Bales/I. T. D. Industrial Subdivision, recorded at Cabinet 1, Page/Slot 2093-B, Map Records of Cameron County, Texas.
- Tract 2: The south 2.67 acres of the 22.30 acres out of Block 26, Palmetal Company Subdivision, recorded at Volume 4, Page 2, Map Records of Cameron County, Texas
- Tract 3: 23.18 acres out of Block 39, Palmetal Company Subdivision, recorded at Volume 4, Page 2, Map Records of Cameron County, Texas

Following a discussion, the motion carried.

- Item 7 Public Hearing. Motion was made by Nicholas Consiglio seconded by Jerome Wade to adopt an Order Confirming, Ratifying, and Declaring certain land annexed to Cameron County Drainage District No. 5:

- 7.1 19.631 Acres out of 22.30 acres out of 37.444 acres of Block 26, Palmetal Company Subdivision, recorded at Volume 4, Page 2, Map Records of Cameron County, Texas. Current Owner: 5806 GRIMES, LLC.

7.2 Lot 3, Block 2, Harlingen Industrial Park No. 3, Phase I, recorded at Cabinet 1, Page/Slot 1593-A, Map Records of Cameron County, Texas. Current Owner: BROADBAND TELECOM SERVICES, INC.

7.3 TRACT 1: 13.543 acres out of 36.569 acres of Block 25, Palmetal Company Subdivision, recorded at Volume 4, Page 2, Map Records of Cameron County, Texas.

TRACT 2: Lot 1, Block 1, Wright Industrial Subdivision, Cabinet 1, Page/Slot 1590-B Map Records of Cameron County, Texas.

TRACT 3: Lot 2, Block 1, Wright Industrial Subdivision, Cabinet 1, Page/Slot 1590-B Map Records of Cameron County, Texas.

TRACT 4: Lot 3, Block 1, Wright Industrial Subdivision, Cabinet 1, Page/Slot 1590-B Map Records of Cameron County, Texas.

Current Owner of Tracts 1, 2, 3, and 4: CAPWRIGHT PROPERTIES, LLC

7.4 Lot 2, Block 1, Harlingen Industrial Park No. 3, Phase I, recorded at Cabinet 1, Page/Slot 1593-A, Map Records of Cameron County, Texas. Current Owners:

DONALD L. HAAG AS TRUSTEE OF THE DONALD L. HAAG
REVOCABLE LIVING TRUST DATED JANUARY 20, 2011

LOIS K. HAAG AS TRUSTEE OF THE LOIS K. HAAG REVOCABLE
LIVING TRUST DATED JANUARY 20, 2011

7.5 Lot 3, Block 1, Liberty Subdivision, recorded at Cabinet 1, Page/Slot 3691-3692, Map Records of Cameron County, Texas.

Current Owner: HG1 OPPORTUNITY, LLC.

7.6 TRACT 1: Lot 2, Block 1, Harlingen Industrial Park Number Four, Cabinet 1, Page/Slot 2039-A & B, Map Records of Cameron County, Texas.

TRACT 2: Lot 3, Block 1, Harlingen Industrial Park Number Four, Cabinet 1, Page/Slot 2039-A, Map Records of Cameron County, Texas.

Current Owner of Tracts 1 and 2: ICP FULLER FM-509, LLC.

7.7 Lot 1, Block 1, Harlingen Industrial Park No. 3, Phase I, recorded at Cabinet 1, Page/Slot 1593-A, Map Records of Cameron County, Texas.

Current Owner: ONE GAS, INC.

7.8 TRACT 1: Lot 1A of "Final Plat" Lots 1A, 1B, 1C & 1D, Replat of Lot 1, Block 2, Harlingen Industrial Park No. 3 Phase 1 Subdivision, Document No. 2023-14708, Map Records of Cameron County, Texas.

TRACT 2: Lot 1B of “Final Plat” Lots 1A, 1B, 1C & 1D, Replat of Lot 1, Block 2, Harlingen Industrial Park No. 3 Phase 1 Subdivision, Document No. 2023-14708, Map Records of Cameron County, Texas.

TRACT 3: Lot 1C of “Final Plat” Lots 1A, 1B, 1C & 1D, Replat of Lot 1, Block 2, Harlingen Industrial Park No. 3 Phase 1 Subdivision, Document No. 2023-14708, Map Records of Cameron County, Texas.

TRACT 4: Lot 1D of “Final Plat” Lots 1A, 1B, 1C & 1D, Replat of Lot 1, Block 2, Harlingen Industrial Park No. 3 Phase 1 Subdivision, Document No. 2023-14708, Map Records of Cameron County, Texas.

Current Owner of Tracts 1, 2, 3, and 4: RGV1 OPPORTUNITY LLC

7.9 Lot 2, Block 2, Harlingen Industrial Park No. 3, Phase I, recorded at Cabinet 1, Page/Slot 1593-A, Map Records of Cameron County, Texas.

Current Owner: SACHI HOLDING LLC

Following a discussion, the motion carried.

Item 8 Motion was made by Nicholas Consiglio seconded by Jerome Wade to ratify the sponsorship of the State of the State event scheduled for December 18, 2024, for \$2,000. Following a discussion, the motion carried.

Item 9 Motion was made by Nicholas Consiglio seconded by Jerome Wade to select Scheibe Consulting, LLC for the Flood Mitigation Assistance (FMA) grant of the Texas Water Development Board. Following a discussion, the motion carried.

Item 10 Motion was made by Jerome Wade seconded by Nicholas Consiglio to create a Special Projects Director position and hire Bryanna Woodman for this position with a starting annual salary of \$62,000.

Item 11 Motion was made by Jerome Wade seconded by Nicholas Consiglio to ratify the purchase of fajitas for CCDD5, Harlingen Irrigation District, and La Feria Irrigation District employees and Board Members. Following a discussion, the motion carried.

Item 12 Deliberations about Real Property:

12.1.1 Deliberations about Real Property– Land off Montezuma Road. Recess open meeting and conduct a closed meeting pursuant to Government Code Section 551.072 to deliberate the sale and value of SE 2.9 acres out of Block 53, David and Stephenson Subdivision, Cameron County School League Number 26 if the Board determines that deliberation in an open meeting would have a detrimental effect on the position of the District in negotiations with the landowner. If Board does not conduct a

- closed meeting, go to agenda item 12.1.2. If the Board conducts a closed meeting, go to agenda item 12.1.2 when the Board reconvenes in open session.
- 12.1.2 Land off Montezuma Road – Sale of Real Property on SE 2.9 acres out of Block 53, David and Stephenson Subdivision, Cameron County School League Number 26. Consider, make decisions, and take action on sale of land on SE 2.9 acres out of Block 53, David and Stephenson Subdivision, Cameron County School League Number 26. – The District is required to declare this property as surplus. Manager Vela was directed to make the proper advertisement in the newspaper.
- 12.2.1 Deliberations about Real Property – Combes. Recess open meeting and conduct a closed meeting pursuant to Government Code Section 551.072 to deliberate the purchase and value of 10.7 acres out of Survey 22, Georgetown Railroad Survey if the Board determines that deliberation in an open meeting would have a detrimental effect on the position of the District in negotiations with the landowner. If Board does not conduct a closed meeting, go to agenda item 12.2.2. If the Board conducts a closed meeting, go to agenda item 12.2.2 when the Board reconvenes in open session.
- 12.2.2 Combes – Purchase of Real Property being 10.7 acres out of Survey 22, Georgetown Railroad Survey. Consider, make decisions, and take action on purchase of 10.7 acres out of Survey 22, Georgetown Railroad Survey. The District is awaiting appraisal.
- 12.3.1 Deliberations about Real Property– Bus. 77/UPRR Crossing Improvements. Recess open meeting and conduct a closed meeting pursuant to Government Code Section 551.072 to deliberate the purchase and value of .500 acres out of Blk 61, David and Stevenson Subdivision if the Board determines that deliberation in an open meeting would have a detrimental effect on the position of the District in negotiations with the landowner. If Board does not conduct a closed meeting, go to agenda item 12.3.2. If the Board conducts a closed meeting, go to agenda item 12.3.2 when the Board reconvenes in open session.
- 12.3.2 Bus. 77/UPRR Crossing Improvements – Purchase of Real Property being .500 acres out of Blk 61, David and Stevenson Subdivision. Consider, make decisions, and take action on purchase of .500 acres out of Blk 61, David and Stevenson Subdivision. The District is awaiting appraisal.
- 12.4.1 Deliberations about Real Property– Bus. 77/UPRR Crossing Improvements. Recess open meeting and conduct a closed meeting pursuant to Government Code Section 551.072 to deliberate the purchase and value of a tract of land in Lot 1, Block 1, R A Billups Subdivision if the Board determines that deliberation in an open meeting would have a detrimental effect on the position of the District in negotiations with the landowner. If Board does not conduct a closed meeting, go to agenda item 12.4.2. If the Board conducts a closed meeting, go to agenda item 12.4.2 when the Board reconvenes in open session.

12.4.2 Bus. 77/UPRR Crossing Improvements – Purchase of Real Property in Lot 1, Block 1, R A Billups Subdivision. Consider, make decisions, and take action on purchase of land in Lot 1, Block 1, R A Billups Subdivision. The District is awaiting appraisal.

Item 13 Legislative Agenda

Motion was made by Jerome Wade seconded by Jerome Wade to adopt the legislative agenda for the Regular Session of the 89th Legislature to consist of the following:

- a. To follow up on the recommendations that will be included in the written report on artificial drainage system the Texas Water Development Board (TWDB) will be preparing as a follow up to HB 4742.
- b. To file legislation to streamline the environmental review process of state funding for drainage improvements.
- c. To revamp the annexation process to address the issue of property owners, outside the drainage district corporate limits, directly benefiting from drainage improvements a drainage district makes.
- d. To file legislation to endure that TxDOT includes drainage in its transportation planning.

Item 14 Motion was made by Nicholas Consiglio seconded by Jerome Wade to ratify the Call for Projects submitted on November 21 with:

14.1 County of Cameron for the concrete lining of the North Main Drain south of Wilson Road.

14.2 City of Harlingen for the BUS 77/UPRR Crossing

Following a discussion, the motion carried.

Item 15 Motion was made by Nicholas Consiglio seconded by Jerome Wade to approve and accept the Arroyo BESS Facility’s connection to the North Main Drain Channel, subject to discharging through the sheet piling on the North Main Drain. Arroyo BESS Facility will be responsible for any damages to the sheet piling. Following a discussion, the motion carried.

Item 16 Motion was made by Nicholas Consiglio seconded by Jerome Wade to cancel the Board Meeting of December 24, 2024. Following a discussion, the motion carried.

Item 17 Motion was made by Steven Jennings seconded by Nicholas Consiglio to approve that the District take the lead on applying for Levee Certification funding. Following a discussion, the motion carried.

Item 18 Report

18.1 Manager

18.1.1 Manager Vela reported that Harlingen Day at the Capital is on March 5, 2025.

18.1.2 Palm Valley Drainage Improvements – Contractor is almost complete with the project.

18.1.3 Manager Vela reported on the Townhall Meetings coming up.

18.2 District Engineer

18.2.1 No additional report

18.3 District Attorney

18.3.1 Attorney Dossett has filed the Eminent Domain Report.

Item 19 Payment of Accounts, Wages, and Director’s Services. The motion was made by Steven Jennings and seconded by Nicholas Consiglio that these checks be issued:

**Ck No. 5207 Rolando Vela	\$	3,658.99
**Ck No. 5208 Veronica Larraga		2,224.78
**Ck No. 5209 Eloy S. Macias, Jr.		1,961.99
**Ck No. 5210 Bryanna Woodman		1,635.00
**Ck No. 5211 BCBSTX		5,021.41
**Ck No. 5212 Dearborn Life Insurance Company		14.20
**Ck No. 5213 Charter Communications		105.42
**Ck No. 5214 Don Brown Business Systems		454.58
**Ck No. 5215 Rolando Vela		40.93
**Ck No. 5216 Veronica Larraga		146.92
**Ck No. 5217 WM Corporate Services, Inc.		2,501.63
**Ck No. 5218 SWG Engineering, LLC		5,000.00
**Ck No. 5219 Rolando Vela		200.00
**Ck No. 5220 Veronica Larraga		200.00
**Ck No. 5221 Harlingen Country Club		33,103.87
**TCDRS (ACH Debit)		3,534.39
**Electronic Federal Tax Payment System		<u>5,595.77</u>
TOTAL CONSTRUCTION & MAINTENANCE FUND	\$	<u>65,399.88</u>

Ck No. 5222 Steven Jennings	\$	415.58
Ck No. 5223 Jerome Wade		277.05
Ck No. 5224 Nicholas Consiglio		277.05
Ck No. 5225 Buddy R. Dossett		470.00
Ck No. 5226 SOG Properties, LLC		1,700.00
Ck No. 5227 Veronica Larraga		2,224.78
Ck No. 5228 Rolando Vela		3,658.99
Ck No. 5229 Eloy S. Macias, Jr.		1,961.99
Ck No. 5230 Alan Moore		1,000.00
Ck No. 5231 Bryanna Woodman		915.00
Ck No. 5232 Wells Fargo Financial Leasing, Inc.		287.79
Ck No. 5233 CyberNation		7.28
Ck No. 5234 360 Drone Mapping, LLC		965.00
Ck No. 5235 WM Corporate Services, Inc.		72.43
Ck No. 5236 Harlingen Irrigation District		46,916.16
Ck No. 5237 Cameron Appraisal District		14,311.50

Ck No. 5238	Scheibe Consulting, LLC	10,050.00
Ck No. 5239	Scheibe Consulting, LLC	5,050.00
Ck No. 5240	Scheibe Consulting, LLC	9,000.00
Ck No. 5241	Scheibe Consulting, LLC	66,381.25
Ck No. 5242	Rolando Vela	<u>1,032.93</u>
TOTAL CONSTRUCTION & MAINTENANCE		<u>\$ 166,974.78</u>

** = checks signed out of meeting

Following a discussion, the motion carried.

Item 20 Executive Session. None

Item 21 Action on items in Executive Session. None

Item 22 Adjournment. There being no further business, the meeting was adjourned at 11:04 a.m.

Jerome Wade, Secretary

ATTEST:

Steven Jennings, President