

MINUTES OF WILLACY COUNTY DRAINAGE DISTRICT NO. 2

On October 15, 2020, the Board of Directors of Willacy County Drainage District No.2 met at the Willacy County Drainage District No. 1 at 8304 Business 77, Lyford, Texas after having given notice thereof as provided by law, with the following person's present, to-wit:

John Lee DeWitt, President Dennis Hoot, Director
J. T. Mayo, Jr., Vice President Paul Greenhill, WCDD No. 1, District Manager

Absent: Ernesto Zamora and Gary Palousek

John DeWitt, President, called meeting to order at 1:00 p.m. and presided. It was noted that the District received notice on October 13, 2020, that the Texas Water Development Board has approved the summary application for grant funds for the District's Detention Basin Project, and that an emergency exists because the Board must make certain decisions and take required actions prior to Monday, October 19, 2020, if it wishes to pursue the grant.. It was further noted that this notice of this meeting was posted as required by Texas Government Code § 551.045 and e § 551.043.

1. Public Comment Period. No one appeared, and no comments submitted.
- 2 Detention Basin Project: Request for financial assistance from the Texas Water Development Board Grant.
 - 2.1 Status Report. The Engineer handling the grant notified the District late in the afternoon of October 13, 2020, that the District has been invited to submit its full application for grant funding. The first step in the grant process was to submit a summary application. The summary application having been approved, the next step is to submit the full application. The deadline for submitting full application is Monday, October 19, 2020. In order for the full application to be considered, the Board must consider and take action on agenda items 2.3 through.2.4, below.
 - 2.2 Consider and take action on whether to pursue the request for financial assistance. It was noted that conceptually the project involves (1) the acquisition of an existing borrow pit on the east side of and adjacent to the Willamar Drain and converting the barrow pit into a detention basin, and (2) acquiring a low area on the west side of and adjacent to the Willamar Drain and converting the low area into a detention basin. However, the size of the proposed detention basins and how much land needs to be acquired has never been discussed. It was further noted that in the summary application, the Engineer requested \$1,650,000.00, but has not told the what he proposes and has not explained how he arrived at the amount requested. It was also noted that the landowners have not heretofore been contacted because the District does not know how much land needs to be acquired. A discussion followed during which Manager Greenhill reported on what the Engineer told him. The motion was made by J.T. Mayo and seconded by Dennis Hoot that the District

pursue the request for financial assistance. Following a discussion, the motion unanimously carried.

- 2.3 Consider and take action to adopt a Resolution by the Board of Directors of Willacy County Drainage District No. 2 requesting financial participation from the Texas Water Development Board; authorizing the filing of an application for financial participation, designating the District's authorized representatives for the purpose of the application / request, and making certain findings in connection therewith. The motion was made by J.T. Mayo and seconded by Dennis Hoot that the filing of the application in an amount not to exceed \$1,650,000.000 to provide for the costs of planning, designing, acquiring, and constructing stormwater detention facilities be authorized, and that this Resolution be adopted:

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF WILLACY COUNTY DRAINAGE DISTRICT NO. 2 that:

1. That the District, having been advised that its preliminary application has been approved, that the District pursue the request for financial assistance, proceed with the project, and acquire the necessary land by negotiation and purchase if possible, but if not, by condemnation.
2. That Willacy County Drainage District No. 2 request financial participation from the Texas Water Development Board for its detention basin project, that Paul Greenhill, Manager of Willacy County Drainage District No. 1 be designated the District's authorized representative for the purpose of the application/request; that Paul Greenhill and SWG Engineering be authorized to represent the Districts in proceedings before the Texas Water Development Board; and that Paul Greenhill be authorized to file an application for financial participation, and all other documents needed for the application process.
3. Application Filing and Authorized Representative Resolution Affidavit. Consider and take action to authorize the President to sign the required Application Filing and Authorized Representative Resolution Affidavit, form TWDB-0201A
4. That Paul Greenhill be authorized to sign the Application Affidavit, form TWDB0201.
5. That Paul Greenhill be authorized to sign the Flood Application Affidavit (Category 2, 3, and 4-construction), form TWDB-0173.
6. That the District's Secretary be authorized to sign the Application Resolution - Certificate of Secretary, form TWDB-0201B
7. That Paul Greenhill be authorized to prepare and send any required notifications.
8. That Paul Greenhill be authorized to sign the Site Certificate, form ED-1.

Following a discussion, the motion unanimously carried. It was noted that although the following items were included in the resolution, TWDB requires action on each item individually.

- 2.4 Application Filing and Authorized Representative Resolution Affidavit. Consider and take action to authorize the President to sign the required Application Filing and Authorized Representative Resolution Affidavit. The motion was made by J.T. Mayo and seconded by Dennis Hoot that the District's President be

authorized to sign the required "Application Filing and Authorized Representative Resolution." Following a discussion, the motion unanimously carried.

- 2.5 Flood Application Affidavit (Category 2, 3, and 4-construction). Consider and take action to authorize the signing of the required "Flood Application Affidavit (Category 2, 3, and 4-construction)." The motion was made by J.T. Mayo and seconded by Dennis Hoot that the District's authorized representative, Paul Greenhill, be authorized to sign the required "Flood Application Affidavit (Category 2, 3, and 4-construction)." Following a discussion, the motion unanimously carried.
- 2.6 Application Affidavit. Consider and take action to authorize the signing of the required "Application Affidavit. The motion was made by J.T. Mayo and seconded by Dennis Hoot that the District's authorized representative, Paul Greenhill, be authorized to sign the required "Application Affidavit." Following a discussion, the motion unanimously carried.
- 2.5 Application Resolution. Consider and take action to authorize the District's Secretary to sign the required "Application Resolution-Certificate of Secretary." The motion was made by J.T. Mayo and seconded by Dennis Hoot that the District's Secretary, Gary Palousek, be authorized to sign the required "Application Resolution-Certificate of Secretary." Following a discussion, the motion unanimously carried.
- 2.6 Notifications. Consider and take action authorizing Paul Greenhill to send any required notifications. The motion was made by J.T. Mayo and seconded by Dennis Hoot that the District's authorized representative, Paul Greenhill, be authorized to send any and all required notifications. Following a discussion, the motion unanimously carried.
- 2.7 Site Certificate. Review Site Certificate and take action to authorize Paul Greenhill to sign the Site Certificate. The Site Certificate was reviewed after which the motion was made by J.T. Mayo and seconded by Dennis Hoot that the that the District's authorized representative, Paul Greenhill, be authorized to sign the Site Certificate. Following a discussion, the motion unanimously carried.
3. Adjournment: There being no further business, the meeting was adjourned at 1:25 p.m.



Gary Palousek, Secretary



John Lee DeWitt, President