

MINUTES OF SPECIAL MEETING
NOVEMBER 15, 2019

THE STATE OF TEXAS §
§
COUNTY OF NUECES §

On the 15th day of November, 2019, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened at 2:00 p.m. in a Special Meeting at the District Office, 1812 State Hwy 361, Suite F, Port Aransas, Texas, there being present and in attendance the following to wit:

	Secretary Pro-tem	Suzette Freeman
	Secretary	Walter Sohl
	Director	Ed Reed
Staff:	Manager	Mark Young
	Finance Director	Betty Schmidl
Members Absent:	President	Russ Miget
	Vice President	Josh Garcia

CALL TO ORDER

Suzette Freeman called the meeting to order at the scheduled hour pursuant to notice posted.

APPROVE POSTING TO BIDDERS FOR THE CONSTRUCTION OF THE NEW WATER DISTRICT IMPROVEMENT FACILITY

After discussion, Ed Reed made the motion to approve the posting to bidders for the construction of the New Water District Improvement Facility. Walter Sohl seconded the motion, and it carried unanimously.

AWARD FEMA REIMBURSEMENT PROJECT BID

Ed Reed made the motion to award Harbor Island 12" Water Line Replacement bid to J. J. Fox Construction with the bid amount of \$1,373,475.00. Walter Sohl seconded the motion, and it carried unanimously.

DEDICATION OF THE NEW MID-ISLAND WATER TOWER

Ed Reed made the motion to approve a dedication ceremony of the New Mid-Island Water Tower for Don Ray Farley. Walter Sohl seconded the motion, and it carried unanimously.

ADJOURN

As there was no further business, a motion to adjourn made by Ed Reed, seconded by Walter Sohl, and approved.

**NUECES COUNTY WATER CONTROL
AND IMPROVEMENT DISTRICT NO. 4**

By *Russ Miget*
Russ Miget, its President

ATTEST:

Walter Sohl
Walter Sohl, its Secretary

MINUTES OF REGULAR MEETING

SEPTEMBER 9, 2019

THE STATE OF TEXAS §
 §
COUNTY OF NUECES §

On the 9th day of September, 2019, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened at 5:00 p.m. in a Regular Meeting at the District Office, 1812 State Hwy 361, Suite F, Port Aransas, Texas, there being present and in attendance the following to wit:

	President	Russ Miget
	Secretary Pro-tem	Suzette Freeman
	Vice President	Josh Garcia
	Secretary	Walter Sohl
	Director	Ed Reed
Staff:	Manager	Mark Young
	Finance Director	Betty Schmidl
	Attorney	Charles Zahn

CALL TO ORDER

1. The meeting was called to order at the scheduled hour by the presiding officer, Russ Miget, pursuant to notice posted.

APPROVAL OF MINUTES OF THE REGULAR MEETING HELD ON MAY 16, 2019

2. A motion was made by Suzette Freeman and seconded by Ed Reed to approve the minutes of the Regular Meeting of the Board of Directors held on May 16, 2019. The motion carried.

DISCUSS AND TAKE ACTION TO SUPPORT HARBOR ISLAND AS A FREE TRADE ZONE

3. After discussion Josh Garcia made a motion to support Gulf Copper & Manufacturing, Inc.'s application to establish and operate on Harbor Island under Foreign Trade Zone designation under the auspices of the Port of Corpus Christi Authority, Grantee of the Foreign-Trade Zone #122. Ed Reed seconded the motion and it carried unanimously.

AUTHORIZE MANAGEMENT TO EXECUTE AN AGREEMENT WITH THE DUNES CONDOMINIUMS TO IMPROVE FIRE FLOW

4. After discussion, Ed Reed made a motion to authorize the District Manager to execute an agreement with the Dunes Condominiums to improve and provide additional fire flow water service. Suzette Freeman seconded the motion and it carried unanimously.

DISCUSS AND TAKE ACTION ON THE RELOCATION AND CONSTRUCTION OF A 20" WATER TRANSMISSION LINE OWNED BY THE DISTRICT LOCATED WITHIN THE CORPUS CHRISTI SHIP CHANNEL

5. No action was taken on the item to discuss the relocation and construction of a 20" water transmission line owned by the District located within the Corpus Christi ship channel:

5. a. No action was taken to negotiate a water line easement on Harbor Island with the Ed Rachel Foundation.

5. b. No action was taken to negotiate an electric power transmission line located within the Corpus Christi Ship Channel with American Electric Power.

DISCUSS AND TAKE ACTION OF THE DEDICATION OF THE MID-ISLAND WATER TOWER

6. After discussion, Suzette Freeman made the motion to dedicate the Mid-Island Water Tower to Don Ray Farley. The motion was seconded by Walter Sohl and carried unanimously.

AWARD THE PROJECT BIDS

7. Upon motion by Josh Garcia and second by Ed Reed, the Board of Directors approved the following project bids:

7. a. Island Construction, L.P. received the project award for Howard Street Service Center Offsite Improvements with the base bid amount of \$323,024.50.

7. b. Nyati Services, Inc. received the project award for FEMA Project #28902 SCADA System Improvements with the base bid amount of \$894,789.53.

UPDATES ON FEMA PROJECTS

8. Discussion on FEMA projects completed and uncompleted.

DISCUSS AND TAKE ACTION TO AMEND THE 2019-2020 BUDGET FOR THE DISTRICT

9. Upon motion by Walter. Sohl and second by Ed. Reed, the Board of Directors approved the 2019-2020 Budget and agreed not to increase water rates, provided the option for future discussion.

FINANCIAL REPORT

10. Betty Schmidl, the District's Finance Director, gave the Financial Report for June, 2019. Ed Reed made a motion to accept the report. Josh Garcia seconded the motion and it carried unanimously. (A copy of the Financial Report is on file in the District office.)

ENGINEER'S REPORT

11. No further discussion to report on Engineering.

MANAGER'S REPORT

12. No further discussion to report on maintenance and operations of the District.


ADJOURN

13. As there was no further business to come before the Board of Directors, a motion was made by Suzette Freeman, seconded by Josh Garcia and approved to adjourn.

**NUECES COUNTY WATER CONTROL
AND IMPROVEMENT DISTRICT NO. 4**

By 
Russ Miget, its President

ATTEST:


Walter Sohl, its Secretary

**MINUTES OF
REGULAR MEETING
MAY 16, 2019**

**THE STATE OF TEXAS §
 §
COUNTY OF NUECES §**

On the 16th day of May, 2019, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened at 4:00 p.m. in a Regular Meeting at the District Office, 1812 State Hwy 361 Suite F, Port Aransas, Texas, there being present and in attendance the following to wit:

	President	Russ Miget
	Secretary Pro-tem	Suzette Freeman
	Vice President	Josh Garcia
	Secretary	Walter Sohl
	Director	Ed Reed
Staff:	Manager	Mark Young
	Finance Director	Denise Fox
	Engineer	Jim Urban
	Attorney	Charles Zahn

CALL TO ORDER

1. The meeting was called to order at the scheduled hour by the presiding officer, Mr. Miget, pursuant to notice posted.

APPROVAL OF MINUTES OF THE REGULAR MEETING HELD ON FEBRUARY 7, 2019

2. A motion was made by Mr. Reed and seconded by Ms. Freeman to approve the minutes of the Regular Meeting of the Board of Directors held on February 7, 2019. The motion carried.

RECESS OPEN SESSION AND CONVENE IN EXECUTIVE SESSION

3. At 4:20 p.m. Mr. Miget announced that the Board of Directors would go into Executive session pursuant to §551.071 of the Texas Government Code and Texas Rules of Professional Conduct Rule 1.05 to deliberate agenda item 4a which was described in the agenda as follows:

4.a. Consult with its attorney concerning potential legal action involving the relocation of the 20" water transmission line owned by the District that is located within the Corpus Christi Ship Channel with possible action and discussion in open session.

RECONVENE IN OPEN SESSION

4. At 4:41 p.m. the President reconvened the meeting in Open Session. No action was taken on the item discussed in the Executive Session, except as follows;

AUTHORIZE DISTRICT MANAGER TO NEGOTIATE A COST-SHARING AGREEMENT WITH PORT OF CORPUS CHRISTI AUTHORITY

4.a. After discussion, Mr. Reed made a motion to allow the District Manager to negotiate a cost sharing agreement with Port of Corpus Christi Authority for the relocation and construction of a 20" water transmission line owned by the District that is located within the Corpus Christi Ship Channel. The motion was seconded by Mr. Garcia and carried unanimously.

OPEN AGENDA

AUTHORIZE THE DISTRICT MANAGER TO NEGOTIATE AN EASEMENT WITH THE ED RACHEL FOUNDATION

5.a. After discussion, Ms. Freeman made a motion to authorize the District Manager to negotiate an easement with the Ed Rachel Foundation for a water line easement on Harbor Island. Mr. Reed seconded the motion and it carried unanimously.

AUTHORIZE THE DISTRICT MANAGER TO NEGOTIATE AN AGREEMENT WITH AMERICAN ELECTRIC POWER

5.b. After discussion, Ms. Freeman made a motion to authorize the District Manager to negotiate an agreement with American Electric Power for the relocation and construction of a 20" water transmission line owned by the District and an electric power transmission line that are located within the Corpus Christi Ship Channel. Mr. Reed seconded the motion and it carried unanimously.

AUTHORIZE THE AMENDMENT OF THE 2018-2019 ANNUAL BUDGET OF THE DISTRICT

5.c. After discussion, Mr. Reed made a motion to amend the 2018-2019 Budget of the District to provide funding of \$150,000.00 for the design of a 20" water transmission line owned by the District that is to be relocated within the Corpus Christi Ship Channel. Mr. Garcia seconded the motion and it carried unanimously.

SCHEDULE THE DEDICATION OF THE MID-ISLAND WATER TOWER

5.d. After discussion, Ms. Freeman made a motion to table the scheduling of the dedication of the Mid-Island Water Tower. The motion was seconded by Mr. Garcia and it carried unanimously.

DISCUSS AND TAKE ACTION TO CONSTRUCT A NEW OFFICE BUILDING FOR THE DISTRICT

5.e. After discussion, Ms. Freeman made a motion to continue with the new office building design utilizing Category 4 Hurricane standards. Mr. Sohl seconded the motion and it carried unanimously.

CONSENT AGENDA: Mr. Reed requested that Agenda Item 6.c. be considered separately. Then Mr. Reed moved the approval of the remaining Consent Agenda items by one vote (the "Consent Agenda Motion"), in accordance with the respective staff recommendations and agreements furnished to the Directors prior to the meeting. Mr. Garcia seconded the motion and the motion passed without objection.

6.a. By approval of the Consent Agenda Motion the Directors approved American Bank, N.A. as the District's Depository.

6.b. By approval of the Consent Agenda Motion the Directors approved a Resolution approved and adopting the Drought Contingency Plan and Conservation Plan. (A copy of the Drought Contingency Plan and Conservation Plan is on file in the District office.)

6.d. By approval of the Consent Agenda Motion the Directors awarded a bid in the amount of \$20,000.00 to Coastal Bend Demolition Company for the demolition of the property owned by the District at 315 S 9th Street, Port Aransas, Texas.

6.c. After discussion, Mr. Reed made a motion to table the action to support Harbor Island as a Free Trade Zone. Ms. Freeman seconded the motion and it carried unanimously.

FINANCIAL REPORT

7. Denise Fox, the District's Finance Director, gave the Financial Report for March, 2019. After review, Mr. Reed made a motion to accept the report as presented. Mr. Garcia seconded the motion and it carried unanimously. (A copy of the Financial Report is on file in the District office.)

ENGINEER'S REPORT

8. Mr. Urban reported on current projects. (A copy of this report is on file in the District Office.)

MANAGER'S REPORT

9. Mr. Young reported on maintenance and operations of the District. (A copy of this report is on file in the District Office.)

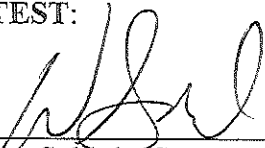
ADJOURN

10. As there was no further business to come before the Board of Directors, a motion was made by Suzette Freeman, seconded by Ed Reed and approved to adjourn.

NUECES COUNTY WATER CONTROL
AND IMPROVEMENT DISTRICT NO. 4

By 
Russ Miget, its President

ATTEST:


Walter Sohl, its Secretary

**MINUTES OF
REGULAR MEETING
FEBRUARY 7, 2019**

**THE STATE OF TEXAS §
 §
COUNTY OF NUECES §**

On the 7th day of February, 2019, the Board of Directors of the Nueces County Water Control & Improvement District No. 4 convened at 5:00 P.M. In a Regular Meeting at the District Office, Tower Center, 1812 State Highway 361, Suite F, Port Aransas, Texas, there being present and in attendance the following, to wit:

President	Russ Miget
Vice-President	Josh Garcia
Secretary	Walter Sohl
Secretary pro-tem	Suzette Freeman
Director	Ed Reed

Staff:	Manager	Mark Young
	Attorney	Charles Zahn
	Finance Director	Denise Fox
	Auditor	Allan L. Johnston

Members
Absent: None

CALL TO ORDER

The meeting was called to order at the scheduled hour by the presiding officer, Mr. Miget, pursuant to posted notice.

APPROVAL OF MINUTES OF THE REGULAR MEETING HELD ON October 9, 2018

1. A motion was made by Ed Reed and seconded by Suzette Freeman to approve the minutes of the Regular Meeting of the Board of Directors held on October 9, 2018. The motion carried.

APPROVAL OF MINUTES OF A SPECIAL MEETING HELD ON NOVEMBER 15, 2018

2. A motion was made by Ed Reed and seconded by Walter Sohl to approve the minutes of a Special Meeting of the Board of Directors held on November 15, 2018. The motion carried.

APPROVAL OF 2014-2015 ANNUAL FINANCIAL REPORT

3. Allan L. Johnson, auditor for the District presented the Audit for the 2017-2018 fiscal year. After discussion Ed Reed moved to approve the Annual Financial Report for the Year ended September 30, 2018 presented by Allan L. Johnson. Josh Garcia seconded the motion and the motion carried. (A copy of the Annual Financial report is on file in the District Office.)

APPROVE AND RATIFY PURCHASE AND SALE OF A TRACT OF LAND ON 9TH STREET IN PORT ARANSAS, TEXAS OWNED BY THE DISTRICT TO THE CITY OF PORT ARANSAS

4. Charles W. Zahn, Jr., attorney for the District, advised the Board of Directors that the Option Agreement for Purchase and Sale (the "Agreement") had been modified to extend the option until June 30, 2019 and the purchase price from \$1,200,000 to \$1,100,000 by Extension of Option Agreement for Purchase and Sale (the "Extension") dated January _____, 2019. Mr. Zahn asked the Board of Directors to approve and ratify the Extension.

On motion duly made by Ed Reed, seconded by Suzette Freeman and unanimously carried, the Extension of the Option Agreement for Purchase and Sale dated January _____, 2019, with the City of Port Aransas was approved and ratified.

Mr. Zahn also indicated that the City of Port Aransas had advised the District that it was ready to exercise the option contained in the Agreement and to close the transaction in accordance with its terms and conditions. Accordingly Mr. Zahn advised the Board of Directors that they need to authorize Mark Young, the District Manager, to negotiate on behalf of the District the sale of that certain tract or parcel of land in Port Aransas, Nueces County, Texas, described as follows, to-wit:

Being Lots 1-10 Fifteen, Block 63, Lots 1-10, Block 64, ARANSAS HOLDING COMPANY Section C, a subdivision in Port Aransas, Nueces County, Texas, as shown by map or plat thereof recorded in the Map Records of Nueces County, Texas, and the portion of Avenue D closed by Ordinance 77-13 by the City of Port Aransas and filed for record in Volume 1839, Page 810 in the Deed Records of Nueces County, Texas, containing 1.83 acres of land, more or less, to the City of Port Aransas.

On motion duly made by Ed Reed, seconded by Suzette Freeman and unanimously carried, the following resolutions were adopted:

BE IT RESOLVED, that Mark Young, District Manager for the Nueces County Water Control and Improvement District No. 4, a water control and improvement district and political subdivision of the State of Texas (the "District"), be and he hereby is authorized to negotiate on behalf of the District the sale of that certain tract or parcel of land in Port Aransas, Nueces County, Texas, described as follows, to-wit:

Being Lots 1-10 Fifteen, Block 63, Lots 1-10, Block 64, ARANSAS HOLDING COMPANY Section C, a subdivision in Port Aransas, Nueces County, Texas, as shown by map or plat thereof recorded in the Map Records of Nueces County, Texas, and the portion of Avenue D closed by Ordinance 77-13 by the City of Port Aransas and filed for record in Volume 1839, Page 810 in the Deed Records of Nueces County, Texas, containing 1.83 acres of land, more or less (the "Property", and an Option Agreement for Purchase and Sale (the "Agreement") for the purpose of selling the Property to the City of Port Aransas, a municipal government agency, and to enter into on behalf of the District, said Agreement as so negotiated.

FURTHER RESOLVED, that the District Manager for and on behalf of the District be and he is hereby authorized and directed to sell on behalf of the District, the Property; said sale to be evidenced by a General Warranty Deed, and other documents to be on such terms and conditions as the District Manager so acting may approve;

FURTHER RESOLVED, that the District Manager be, and he hereby is, authorized to do and perform all such further acts and things and to sign all such documents and instruments necessary or advisable or convenient to carry out the intent of the foregoing Resolutions and fully to perform the provisions of the Agreement to be executed in connection therewith.

FURTHER RESOLVED, that the District Manager of the District be and he is hereby authorized to do and perform all such things and to sign all such further documents and certificates and to take all such other steps as way be necessary or advisable or convenient to carry out the intent of the foregoing Resolutions and fully to perform the provisions of the Agreement to be executed in connection therewith.

FURTHER RESOLVED, that the transactions contemplated by the foregoing resolutions are reasonably expected to benefit the District, both directly and indirectly;

FURTHER RESOLVED, that the Secretary of the District, be and she is authorized to certify to such persons and firms as she deems necessary or advisable, the foregoing resolutions and the name of the officer or the agent for the District authorized to sign for it, together with a specimen of their signature.

DISCUSS AND TAKE ACTION ON FEMA NEGOTIATIONS

5. Mark Young, the District Manager, provided an update on the negotiations with the Federal Emergency Management Agency concerning the District's Hurricane Harvey loss. The report was for informational purposes and after discussion there was no action taken by the Board.

FINANCIAL REPORT

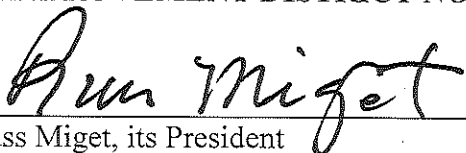
6. Denise Fox, the District's Finance Director, gave the financial report. After discussion, upon motion by Ed Reed and second by Suzette Freeman, the financial report was unanimously approved as presented.

MANAGER'S REPORT

7. Mr. Young reported on maintenance and operations of the District. (A copy of this report is on file in the District Office.)

As there was no further business to come before the Board of Directors, a motion was made by Suzette Freeman, seconded by Ed Reed and approved to adjourn.

**NUECES COUNTY WATER CONTROL
AND IMPROVEMENT DISTRICT NO. 4**

By 
Russ Miget, its President

ATTEST:


Walter Sohl, its Secretary