

STATE OF TEXAS S
COUNTY OF NUECES S

Mrs. Sherrill presented the proposed 1990/91 Budget which included a 1989 Budget amendment for the Capital Projects Fund and the financial statements for July and August. After a discussion of the detailed budget reports, a motion was made by Mr. Reed and seconded by Mr. Hawn to amend the 1989 Budget Capital Projects Fund. Mr. Brown made a motion to accept the 1990/91 Budget and Financial Reports as presented. The motion was seconded by Mr. Reed and carried unanimously.

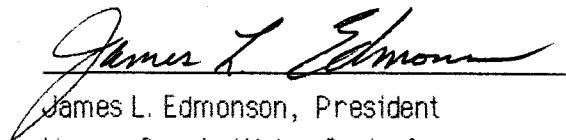
**Engineer's
Report**

Mr. Urban gave a progress report on District related business. (A copy of this report is on file in the District's office)

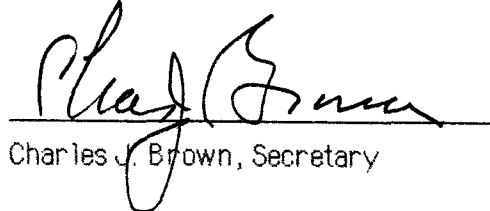
**Manager's
Report**

Mrs. Sherrill reported on routine business of the District. (A copy of this report is on file in the District's office)

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn.


James L. Edmonson, President
Nueces County Water Control
& Improvement District No 4

ATTEST:


Charles J. Brown, Secretary

3:03 PM

1990 Budget Summary

9/27/90

ACCOUNT TITLE	1989/90 BUDGET AMENDMENT*	PROJECTED YEAR END	PROPOSED 1990/91 BUDGET
REVENUES			
Service Revenues	1,504,267	1,484,343	1,545,122
Tap Connection Fees	7,000	4,450	7,000
Other Revenues	15,500	22,029	20,500
TOTAL REVENUES	1,526,767	1,510,822	1,572,622
EXPENDITURES			
Water Purchased	406,525	382,853	411,000
Personnel Cost	465,204	445,846	481,508
Professional Fees	40,000	39,531	40,000
Purchased & Contracted	58,300	49,989	62,300
Consumable Suplies	89,500	76,723	87,500
Recurring Operations	162,180	153,203	177,180
Capital Outlay	40,000	33,890	40,000
Transfer/ Capital Projects	265,058	328,787	273,133
TOTAL EXPENDITURES	1,526,767	1,510,822	1,572,622
OVER/UNDER	0	0	0

CAPITAL PROJECTS			
Fund Balance/Beginning of Year	189,845	189,845	248,814
Projected Transfer	265,058	328,787	273,133
1989/90 Projects *	267,622	269,818	
1990/91 Projects			338,739
Fund Balance/Year End	187,281	248,814	183,208
CAPITAL IMPROVEMENT FUND			
Pump Station Improvements	100,000	0	87,500

3:00 PM

1990 Capital Funds

9/27/90

Description	1989/90 Budget Amendment*	Projected Year End	1990/91 Proposed Budget
CAPITAL PROJECTS FUND:			
Fund Balance - Beginning Year	189,845	189,845	248,814
Capital Transfer	265,058	328,787	273,133
Total Available	454,903	518,632	521,947
89/90 Projects:			
1989 Projected YE Adjustments	28,143	28,143	
Tank Maintenance	33,750	38,446	
Paint & Repair Maintenance Building	9,500	7,000	
Sewer Improvement Program *	196,229	196,229	
*Amending projected cost to bid price.			
90/91 Projects:			
Tank Maintenance			33,750
Sewer Improvement Program:			
Ave C (Station to 12th Street)			74,790
Palm Drive (Station east 580')			26,814
Cotter (North St east 610')			36,635
Cotter (Trout to Station)-Insituform			44,250
Station (Tarrant to Cotter)-Insituform			15,000
Cemetery Lift Station Improvements			20,000
Pump Station Improvements			87,500
Total Expenditures	267,622	269,818	338,739
Fund Balance - End of Year	187,281	248,814	183,208
CAPITAL IMPROVEMENT FUND:			
Pump Station Improvements	100,000	0	87,500

Notes

89/90 Budget	Projected Year End	% Diff YE/Budget	Proposed Budget
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Water Service	988,998	-4%	993,791	5% increase from Year End
Sewer Service	425,269	-6%	427,330	Historically 43% of budgeted water
Water Tap	3,500	6%	3,500	
Sewer Tap	3,500	-79%	3,500	
Inspections		10		
Reconnects	5,500	-22%	5,500	
Other Service		487		
MI Drilling	18,000	76%	24,000	Average of 4 yrs Revenues
Brown & Root	36,000	33%	50,000	" "
Harbor Island	36,000	60%	50,000	" "
Bldg Permits		0		
Interest	10,000	68%	15,000	Increase from 6% to 8% over past year
Sale of Material		28		
Sale of GFA		200		
Cash		2		
Other		395		
Activity Fund		-205		
Total	1,526,767	-1%	1,572,622	4% Increase over Year End

Expenditures:

Total Water	406,525	382,853	-6%	411,000	5% increase from Year End No Increase from CC
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Personnel Cost:

Salaries	357,026	344,639	-3%	365,000	Year End = 6%
Retirement	25,813	24,422	-5%	26,390	\$0.0723 of total salaries
Insurance	30,000	27,990	-7%	35,000	Increase of 20% (18*12*161.91)=34972.56
FICA	26,813	26,477	-1%	27,923	\$0.0765 of total salaries
Workers Comp	19,552	16,157	-17%	20,196	Year end plus 25% - (Conser vative)
Uniforms	4,500	4,178	-7%	4,500	
TEC	1,500	1,983	32%	2,500	Rate increase from .60 to 1.2
Total	465,204	445,846	-4%	481,508	

	89/90 Budget	Projected Year End	% Diff YE/Budget	Proposed Budget
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Notes

Professional Cost:

Legal	10,000	14,657	47%	10,000	
Engineering	20,000	14,619	-27%	20,000	
Auditing	10,000	9,950	-1%	10,000	Per Contract
Consultant	0	305		0	
Total	40,000	39,531	-1%	40,000	

Purchased & Contracted Cost:

R&M System	13,000	11,117	-14%	13,000	
R&M Equipment	20,000	18,336	-8%	20,000	
R&M Trucks	1,000	1,269	27%	1,000	
R&M Meters	500	0		500	
R&M Buildings	6,000	4,470	-26%	10,000	Fence repair at Island Pump Stations
R&M Tools	500	646	29%	500	
R & M Grounds	10,500	9,345	-11%	10,500	
Publications	500	139	-72%	500	
Elections	1,000	594	-41%	1,000	
Other Services	5,000	3,773	-25%	5,000	
Lab Work	300	300	0%	300	
Total	58,300	49,989	-14%	62,300	

Consumable Supplies Cost:

Fuel	11,000	7,152	-35%	11,000	
R&M System	38,000	40,109	6%	38,000	
R&M Equipment	12,000	9,501	-21%	12,000	
R&M Trucks	8,000	6,320	-21%	8,000	
R&M Meters	500	35	-93%	500	
R&M Buildings	5,000	2,609	-48%	5,000	
R&M Tools	3,000	3,508	17%	3,000	
Chemicals	12,000	7,489	-38%	10,000	
Total	89,500	76,723	-14%	87,500	

89/90 Budget	Projected Year End	% Diff YE/Budget	Proposed Budget
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Notes

Recurring Operations Cost:

Insurance	30,000	22,492	-25%	30,000	
Electricity	100,000	103,555	4%	115,000	
Telephone	6,000	4,525	-25%	6,000	
Sanitation	600	639	7%	600	
Natural Gas	500	492	-2%	500	
Mileage	1,000	392	-61%	1,000	
Schools & Semin	2,000	1,800	-10%	2,000	
Permits	3,000	2,700	-10%	3,000	
Land-Lease	880	880	0%	880	
Other Expenses	7,500	5,640	-25%	7,500	
Dues & Pub	1,200	1,065	-11%	1,200	
Office Supplies	5,000	4,384	-12%	5,000	
Postage	4,500	4,639	3%	4,500	
Total	162,180	153,203	-6%	177,180	

Includes 16% increase effective in January

Capital Outlay Cost:

Wtr/Swr Taps	5,000	2,501	-50%	5,000	
Major Equip	35,000	31,389	-10%	35,000	

2 Vehicles (\$25,000)
Cabinet Sandblaster(\$1,500)
Steam Cleaner(\$2,800)
2 Heaters(\$2,000)Pump Stations
Lazer Printer(Macintosh) (\$2,400)
Other small tools (\$1,300)

Total	40,000	33,890	-15%	40,000	
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Subtotal Exp	1,261,709	1,182,035	-6%	1,299,488	
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Capital Projects

Transfer:	265,058	328,787	24%	273,133	
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Total Exp	1,526,767	1,510,822	-1%	1,572,622	
Over/Under	0	0		0	
Fund Balance	250,000	250,000	0%	250,000	

90/91 Approved Wages

EMPLOYEE	YEARS	1990/91	HOUR
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Maintenance - 11 Employees

Holman, G.K.	13.7	\$25,605	12.3101
Gomez, Adan	10.6	\$22,595	10.8630
Young, Mark	6.11	\$24,137	11.6043
Rochester, Mark	9	\$20,066	9.6471
Mathews, Pat	9.9	\$19,617	9.4313
Hinojosa, David	5	\$16,546	7.9548
Talley, Ted	5	\$16,546	7.9548
Benavidez, Mike	3.9	\$16,546	7.9548
Jones, Bobby	1	\$12,973	6.2370
Trevino, Carlos	0.11	\$13,213	6.3524
Castellano, Roland	Prob	\$12,012	5.7750

Wastewater Treatment Plant - 2 Employees

Wilcox, Lewis	7	\$17,530	8.4279
Taylor, Jon	2.9	\$14,037	6.7486

Office - 3 Employees

Moss, Mary	8.1	\$23,638	11.3644
Mendoza, Stacey	0.11	\$14,700	7.0673
Randow, Debbie *	0.1	\$12,895	6.1995

Administrative - 2 Employees

Vela, Rudy	23.3	\$36,227	17.4168
Sherrill, Nona	18.3	\$38,511	18.5149

SUB TOTAL		\$357,394	
OVERTIME		\$7,606	

TOTAL	\$365,000
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* effective 3/91

STATE OF TEXAS **S**

COUNTY OF NUECES **S**

President	George S. Haw
Vice President	Jim Edmonson
Secretary	Charles Brown
Director	Al Mora

Staff:	Manager	Nona Sherrill
	Engineer	Jim Urban
	Attorney	Jim Atwill
	Executive Secretary	Mary Moss
	Superintendent	Rudy Yela

Reorgani- zation of Board

A motion was made by Mr. Mora and seconded by Mr. Hawn to approve the attorney employment agreement of Jim Atwill with the hourly increase from \$75.00 to \$90.00. The motion carried unanimously.

**Water
Contract
Renewals**

A motion was made by Mr. Mora and seconded by Mr. Brown to approve the 1990 water contracts for Brown & Root Braun at 50,000 GPD, Harbor Island Terminal, Inc. at 50,000 GPD, and M-I Drilling Fluids Company at 25,000 GPD. The motion carried unanimously.

**Flato/
Public
Hearing**

Mr. Edmonson opened the public hearing on the petition of Edwin Flato to add land to the District. As there was no opposition to the petition, the public hearing was closed.

**Flato/
Petition**

Mr. Urban presented the petitions from Edwin Flato to the Board. After discussion, the Board instructed Urban Engineering to prepare the Utility Service Agreement with Deed Restrictions and present at the next meeting.

**Bates
USA**

A motion was made by Mr. Hawn and seconded by Mr. Mora to approve the W. L. Bates' Utility Service Agreement with Deed Restrictions as executed. The motion carried unanimously.

**Ad Valorem
Tax
Collection
Agreement**

Mrs. Sherrill presented the Agreement for Ad Valorem Tax Collection Services with Nueces County for a period of (3) years. A motion was made by Mr. Brown and seconded by Mr. Mora to approve the Agreement subject to the per parcel rate being set by Nueces County. The motion carried unanimously.

**1990
Advalorem
Tax Rate**

Mrs. Sherrill presented the 1990 Tax Rate Study. After discussion, a motion was made by Mr. Brown to approve the Resolution and Order setting the 1990 Advalorem Tax Rate of \$0.0798 as recommended. Mr. Hawn seconded the motion. The motion carried unanimously. (A copy of the Resolution and Order is attached and becomes a permanent part of these minutes.)

**Financial
Report**

Mrs. Sherrill presented the financial report for March, April, May and June, 1990. A motion was made by Mr. Mora and seconded by Mr. Hawn to accept the report as presented. The motion carried unanimously.

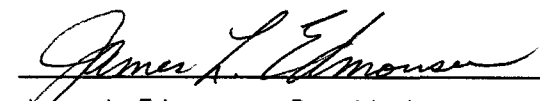
**Engineer's
Report**

Mr. Urban gave a progress report on District related business. (A copy of this report is on file in the District's office)


**Manager's
Report**

Mrs. Sherrill reported on routine business of the District. (A copy of this report is on file in the District's office)

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn.


James L. Edmonson, President
Nueces County Water Control
& Improvement District No 4

ATTEST:


Charles J. Brown, Secretary

NUECES COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 4
RESOLUTION AND ORDER SETTING THE 1990 TAX RATE

On the 23rd day of August 1990, the Board of Directors of the Nueces County Water Control and Improvement District No. 4, convened in a regular meeting being open to the public at the regular meeting place thereof in said District, with the following members of the board present:

President	James L. Edmonson
Vice President	George S. Hawn
Secretary	Charles Brown
Director	Al Mora

and the following absent:

Director	Ed Reed
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constituting a quorum, and among other proceedings had, were the following;

The President of the Board presented a resolution and order setting the tax rate for the year 1990. Minutes of August 23rd, 1990 meeting reflect the tax rate for the year 1990.

The resolution and order was read in full and, after full discussion thereof, Charles J. Brown made a motion that it be adopted. The motion was seconded by George S. Hawn. The motion, carrying with it the adoption of the resolution and order, prevailed by the following vote:

Ayes: 4

Nayes: 0

The President then declared the resolution and order finally passed and adopted. The resolution and order is as follows:

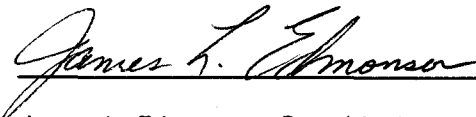
Whereas, Nueces County Water Control and Improvement District No. 4 set the tax rate for 1990 at \$0.0798 per each one hundred dollars assessed valuation.

**AN ORDER LEVYING UPON THE ASSESSED VALUATION OF
PROPERTY WITHIN THE NUECES COUNTY WATER CONTROL
AND IMPROVEMENT DISTRICT NO. 4**

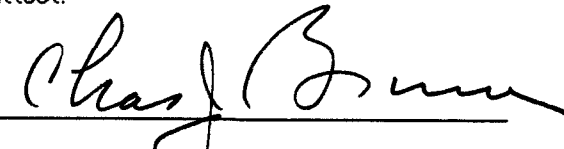
Be it ordered by the Board of Directors of the Nueces County Water Control and Improvement District No. 4 as follows:

There is hereby levied on each one hundred dollars of the assessed value of all property, both real and personal, within the boundaries of the Nueces County Water Control and Improvement District No. 4, except such property as may be by law exempt from taxation, a tax rate of \$0.0798 per each one hundred dollars assessed valuation for the purpose of meeting the requirements of said District for the fiscal year ending 1991.

Passed and approved by the Board of Directors of the Nueces County Water Control and Improvement District No. 4 on the 23rd day of August, 1990.


James L. Edmonson, President
Board of Directors

Attest:


Charles J. Brown, Secretary

**MINUTES OF
REGULAR MEETING**

MAY 10, 1990

STATE OF TEXAS

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COUNTY OF NUECES

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On the 10th day of May, 1990, 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, 315 South Ninth Street, Port Aransas, Texas, there being present and in attendance the following to wit:

	Vice President	Jim Edmonson
	Secretary Pro-tem	Ed Reed
	Director	Al Mora
Absent:	President	George Hawn
	Secretary	Charles Brown
Staff:	Attorney	Jim Atwill
	Executive Secretary	Mary Moss
	Superintendent	Rudy Vela

The meeting was called to order at 5:00 P.M. by the presiding officer, Mr. Edmonson, pursuant to the notice posted.

**Canvas
Directors
Election**

Mr. Edmonson read the Tally List and the Certified Return List for the 1990 Directors Election. A motion was made by Ed Reed and seconded by Al Mora to accept the Returns as submitted. The motion carried unanimously. (The return list and Certificates of Election are attached and become a permanent part of these minutes.)

Minutes

A motion was made by Mr. Mora and seconded by Mr. Reed to approve the minutes of the April 5th, 1990 meeting. The motion carried unanimously. (The minutes were mailed to each director prior to the meeting.)

**Mustang
Island
Annexation**

Mr. Atwill review the developments concerning the Annexation of Mustang Island. Corpus Christi had passed a resolution denying Port Aransas officials' request that Corpus relinquish its extraterritorial jurisdiction over the Island.

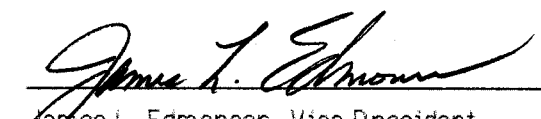
**Manager's
Report**

Mrs. Moss presented the Manager's Report for Mrs. Sherrill concerning routine business of the District. (This report is on file in the District's office.)

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn.

ATTEST:


Ed Reed, Secretary Pro-tem


James L. Edmonson, Vice President
Nueces County Water Control
& Improvement District No. 4

HART

Certificate of Election

IN THE NAME AND BY THE AUTHORITY OF

NUECES COUNTY W.C.I.D. #4, TEXAS
(authority conducting election)

THIS IS TO CERTIFY, That at a (general/~~special~~) election held on

May 5th, A.D. 1990

CHARLES J. BROWN
(name of candidate)

was duly elected

DIRECTOR
(office)

In testimony whereof, I have hereunto signed my name and caused the Seal of NUECES County,
Texas to be affixed, this the 10th day of MAY A.D., 1990.


Signature of Presiding Officer of Canvassing Authority

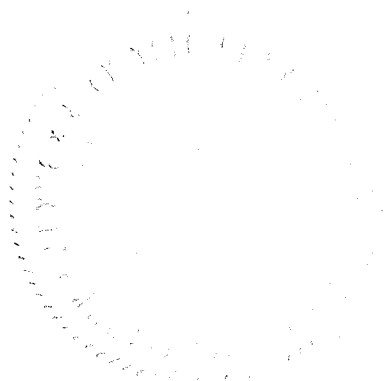
17-1078



Certificate

OF

Election



HART

Certificate of Election

IN THE NAME AND BY THE AUTHORITY OF

NUECES COUNTY W.C.I.D.#4, TEXAS
(authority conducting election)

THIS IS TO CERTIFY, That at a (general/~~special~~) election held on

MAY 5th, A.D. 19 90

GEORGE S. HAWN

(name of candidate)

was duly elected

DIRECTOR

(office)

In testimony whereof, I have hereunto signed my name and caused the Seal of NUECES County,
Texas to be affixed, this the 10th day of MAY A.D., 19 90.


Signature of Presiding Officer of Canvassing Authority

17-1078



Certificate

OF

Election

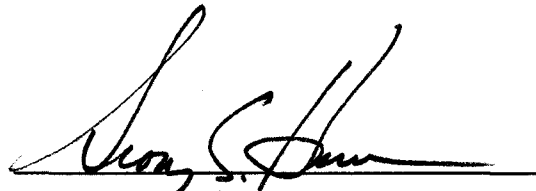
STATE OF TEXAS **S**

COUNTY OF NUECES **S**

	President	George Hawn
	Vice President	Jim Edmonson
	Secretary	Charles Brown
	Secretary Pro-tem	Ed Reed
Absent:	Director	Al Mora
Staff:	Manager	Nona Sherrill
	Engineers	Eugene C. Urban, Sr. Jim Urban
	Attorney	Jim Atwill
	Executive Secretary	Mary Moss
	Superintendent	Rudy Vela

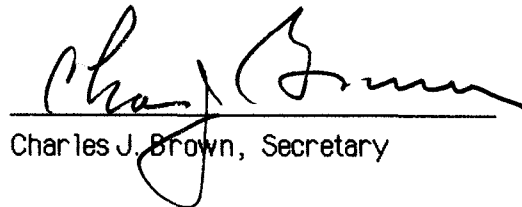
Mrs. Sherrill reported on routine business of the District. (A copy of this report is on file in the District's office)

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn.

A handwritten signature in dark ink, appearing to read "George S. Hawn", written over a horizontal line.

George S. Hawn, President
Nueces County Water Control
& Improvement District No. 4

ATTEST:

A handwritten signature in dark ink, appearing to read "Charles J. Brown", written over a horizontal line.

Charles J. Brown, Secretary

FEBRUARY 5, 1990

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President	George Hawn
Vice President	Jim Edmonson
Secretary Pro-tem	Ed Reed
Director	Al Mora

Staff:	Engineer	Jim Urban
	Executive Secretary	Mary Moss
	Auditor	Gary Davenport
	Superintendent	Rudy Vela

Mr. Edmonson presented a Certificate of Achievement to Adan Gomez, Sr. for ten (10) years service.

A motion was made by Mr. Mora and seconded by Mr. Edmonson to approve the minutes of the January 11th, 1990. The motion carried unanimously. (The minutes were mailed to each director prior to meeting.)

Bids were received and opened on February 2nd, 1990 for the 1990 Sewer Renovations as follows:

B/H Constructors	\$196,228.75
Perry Construction	\$213,723.00
Island Construction	\$233,796.08
Mercer Construction	\$224,518.50
Larson Plumbing	\$239,552.00
Bay, Inc.	\$265,797.69
King-Isles	\$334,963.25

Mr. Davenport presented the 1988-89 Audit and commended the staff for the ease in which the work for the audit was accomplished and the pleasurable working conditions. A motion was made by Mr. Edmonson and seconded by Mr. Reed to approve the 1988-89 Audit as presented. The motion carried unanimously.

**Director's
Election**

A motion was made by Mr. Edmonson and seconded by Mr. Reed to pass a Resolution and Order calling the Director's Election for May 5, 1990. The motion carried unanimously.

**Status
Report**

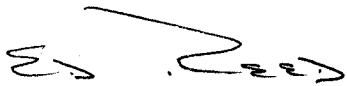
A motion was made by Mr. Edmonson and seconded by Mr. Mora to approve the 1989/89 District's Status Report as required by the Texas Water Commission. The motion carried unanimously. (A copy this report is on file in the District Office.)

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn.



George S. Hawn, President
Nueces County Water Control
& Improvement District No. 4

ATTEST:



Ed Reed, Secretary Pro-tem

**NUECES COUNTY WATER CONTROL
& IMPROVEMENT DISTRICT NUMBER 4**

**NOTICE AND ORDER OF ELECTION
(AVISO Y ORDEN DE ELECCION)**

An election is hereby ordered to be held on May 5, 1990 for the purpose of electing two (2) directors to the Board of Directors of the Nueces County Water Control & Improvement District No. 4. *(Por la presente se ordena que se llevara a cabo una eleccion el 5 Mayo, 1990 con el proposito de elegidos dos (2) directores para el Nueces County Water Control & Improvement District No. 4.)*

To the Registered Voters of Nueces County, Texas:
(A los votantes registrados del Nueces County, Texas.)

Notice is hereby given that the polling place listed below will be open from 7:00 a.m. to 7:00 p.m., on May 5, 1990, for voting in a Directors' election, to elect two (2) directors. *(Notifiquese, por las presente, que las casillas electorales sitados abajo se abriran desde las 7:00 a.m. hasta las 7:00 p.m. el 5 de Mayo, 1990 para votar en la Eleccion para elegidos thres (3) directores.)*

Location of polling place: *(Direccion de las casillas electorales.)* Port Aransas Community Center, 408 N. Alister, Port Aransas, Texas.

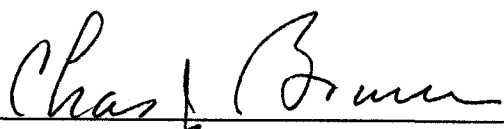
Absentee voting by personal appearance will be conducted each weekday at the Nueces County W.C.I.D. #4 Office, 315 S. 9th Street, Port Aransas, Texas between the hours of 8:00 a.m. 5:00 p.m. beginning on April 16, 1990 and ending on May 1, 1990. *(La votacion en ausencia en persona se llevara a cabo de lunes a viernes en Nueces County W.C.I.D. #4 Office, 315 S. 9th Street, Port Aransas, Texas entre las 8:00 de la mañana y las 5:00 de la tarde empezando el 16 de Abril, 1990 y terminando el 1 de Mayo, 1990.)*

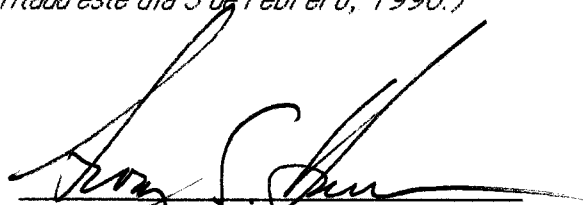
Applications for ballot by mail shall be mailed to: *(Las solicitudes para boletas que se votaran en ausencia por correo deberan enviarse a.)*

Mary Moss, Stacey Mendoza or Debra Randow
Nueces County W.C.I.D. #4
P. O. Box 128
Port Aransas, Texas 78373

Applications for ballots by mail must be received no later than the close of business on April 27, 1990. *(Las solicitudes para boletas que se votaran en ausencia por correo deberan recibirse para el fin de las horas de negocio el 27 Abril, 1990.)*

Issued this 5th day of February, 1990. *(Emitada este dia 5 de Febrero, 1990.)*


Charles J. Brown, Secretary


George S. Hawn, President

**MINUTES OF
SPECIAL MEETING
JANUARY 11, 1990**

STATE OF TEXAS

S

COUNTY OF NUECES

S

On the 11th day of January, 1990, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in a Special Meeting at 5:00 P.M. at the District Office, 315 South Ninth Street, Port Aransas, Texas, there being present and in attendance the following to wit:

	President	George Hawn
	Vice President	Jim Edmonson
	Director	Al Mora
Absent:	Secretary	Charles Brown
	Secretary Pro-tem	Ed Reed
Staff:	Manager	Nona Sherrill
	Executive Secretary	Mary Moss
	Engineer	Jim Urban
	Superintendent	Rudy Vela
	Mechanic	Mark Young
Visitors:	Nueces Power Equipment(Case)	Mike Kellum
	Nueces Ford Tractor, Inc.	Cliff Unger

The meeting was called to order at 5:00 P.M. by the presiding officer, Mr. Hawn, pursuant to the notice posted.

Minutes

A motion was made by Mr. Edmonson and seconded by Mr. Mora to approve the minutes of the November 6th, 1989. The motion carried unanimously. (The minutes were mailed to each director prior to meeting.)

**Hearing
Request to
Add Land**

A public hearing was held on the petition of W. L. Bates to add 320.06 acres of land to the District. As there was no opposition, Mr. Hawn closed the hearing. (Flato's petition was not received at this time)

**Bates &
Murray
Annexation**

A motion was made by Mr. Mora and seconded by Mr. Edmonson to approve annexation into the District of W. L. Bates and Bill Murray lands as described in the attached petitions. (A public hearing on the Murray petition was held on September 19, 1989) The motion carried unanimously.

**1990
Backhoe**

After review of the bids received, a motion was made by Mr. Edmonson and seconded by Mr. Mora to approve the seconded lowest bid from Nueces Ford Tractor, Inc. for the 1990 Backhoe.(The lowest bid from Nueces Power Equipment Company did not meet the specifications as required) The motion carried unanimously.

**Employment
Contract/
Prichard**

A motion was made by Mr. Mora and seconded by Mr. Edmonson to approve the renewal of the employment contract with attorney C. Edwin Prichard, Jr. for 1989/90. The motion carried unanimously.

**Replace-
ment/
Bond Series
1978**

A motion was made by Mr. Edmonson and seconded by Mr. Mora to authorize the issuance of replacement bonds numbered 74 and 75 Water and Sewer General Obligation Bonds, Series 1978. (A copy of the authorization and issuance of replacement is attached and becomes a permanent part of these minutes)

**Dechlor-
ination/
EPA**

Bids were received January 10, 1990 for the Dechlorination Facilities at the North Wastewater Plant as follows;

Austin Engineering	\$78,700
B/H Constructors	\$67,989
Hallmark Contracting	\$78,480

Mr. Urban reviewed the bids and recommended the contract be awarded to B/H Constructors as low bidder. A motion was made by Mr. Edmonson and seconded by Mr. Mora to award the contract to the low bidder as recommended. The motion carried unanimously.

**Financial
Report**

Mrs. Sherrill presented the October and November financial statements. A motion was made by Mr. Edmonson and seconded by Mr. Mora to approve the statements as presented. The motion carried unanimously. (A copy of these statements is on file in the District office)

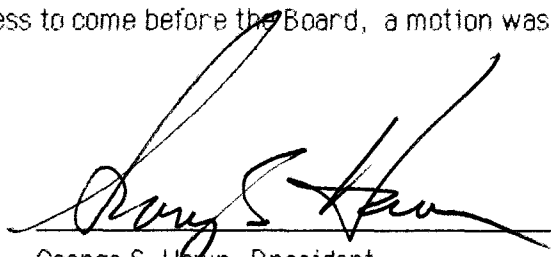
**Engineer's
Report**

Mr. Urban gave a progress report on District related business. (A copy of this report is on file in the District's office)

**Manager's
Report**

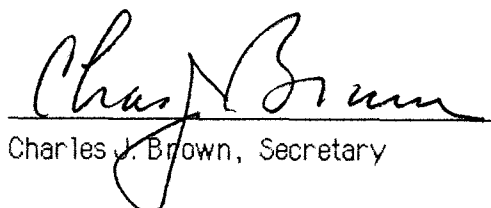
Mrs. Sherrill reported on routine business of the District. (A copy of this report is on file in the District's office)

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn.



George S. Hawn, President
Nueces County Water Control
& Improvement District No. 4

ATTEST:



Charles J. Brown, Secretary

STATE OF TEXAS **S**

COUNTY OF NUECES **S**

The meeting was called to order at 10:00 A.M. by the presiding officer, Mr. Edmonson, pursuant to the notice posted.

Minutes


A motion was made by Mr. Brown and seconded by Mr. Mora to approve the minutes of the October 4th, 1989 meeting and to amend the minutes of September 19, 1989 as follows; Financial Report A motion was made by Mr. Edmonson and seconded by Mr. Brown to approve the July and August financial statements. The motion carried unanimously. (The minutes were mailed to each director prior to meeting.)


Manager's Report

Mrs. Sherrill reported on routine business of the District. (A copy of this report is on file in the District's office)

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn.

ATTEST:


Charles J. Brown, Secretary


Jim Edmonson, Vice President
Nueces County Water Control
& Improvement District No. 4

MINUTES OF
SPECIAL MEETING
OCTOBER 4, 1989

STATE OF TEXAS

S

COUNTY OF NUECES

S

On the 4th day of October, 1989, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in a Special Meeting at 5:00 P.M. at the District Office, 315 South Ninth Street, Port Aransas, Texas, there being present and in attendance the following to wit:

	Vice President	Jim Edmonson
	Secretary	Charles Brown
	Secretary Pro-tem	Ed Reed
	Director	Al Mora
Absent:	President	George Hawn
Staff:	Manager	Nona Sherrill
	Executive Secretary	Mary Moss
	Engineer	Jim Urban
	Superintendent	Rudy Vela
Visitors:	Insurance Consultant	Bob Corrigan
	Developer	Jim Rosson
	Southguard Corp.	Jerry Susser
		Nancy Harrison

The meeting was called to order at 5:00 P.M. by the presiding officer, Mr. Edmonson, pursuant to the notice posted.

Minutes

A motion was made by Mr. Mora and seconded by Mr. Brown to approve the minutes of the September 19, 1989 meeting. The motion carried unanimously. (The minutes were mailed to each director prior to meeting.)

Gasoline
Fuel
Contract

Mrs. Sherrill presented the only bid received September 21, 1989, for providing gasoline fuel from Southguard Corporation at \$0.03 discount per gallon off the displayed pump price after subtracting the Federal Fuel Tax. A motion was made by Mr. Mora and seconded by Mr. Brown to approve the contract as submitted by Southguard Corporation. The motion carried unanimously. (A copy of the contract is on file in the District office).

Murray
Annexation

The Utility Service Agreement and Hearing for consideration of Bill Murray Trust's Petition to add 163.18 acres of land to the District was postponed until the next scheduled meeting.

Health
Insurance

Mr. Corrigan, Insurance Consultant, presented a review of the bids received for Health Insurance. After discussion, a motion was made by Mr. Mora and seconded by Mr. Brown to continue the current coverage with Texas Municipal League. The motion carried unanimously.

**Engineer's
Report**

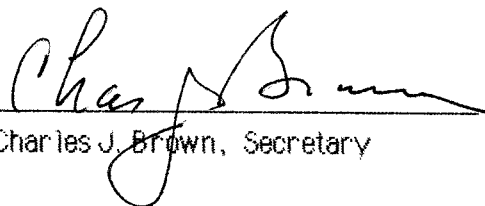
Mr. Jim Urban gave a progress report on District related business. (A copy of this report is on file in the District's office)

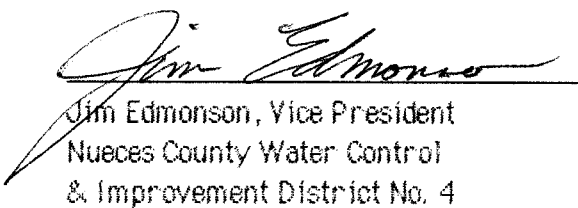
**Manager's
Report**

Mrs. Sherrill reported on routine business of the District. (A copy of this report is on file in the District's office)

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn.

ATTEST:


Charles J. Brown, Secretary


Jim Edmonson, Vice President
Nueces County Water Control
& Improvement District No. 4

**MINUTES OF
SPECIAL MEETING**

SEPTEMBER 19, 1989

STATE OF TEXAS

S

COUNTY OF NUECES

S

On the 19th day of September, 1989, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in a Workshop Session at 4:00 P.M. to be followed by a Special Meeting at 5:00 P. M. at the District Office, 315 South Ninth Street, Port Aransas, Texas, there being present and in attendance the following to wit:

	President	George Hawn
	Vice President	Jim Edmonson
	Secretary	Charles Brown
	Secretary Pro-tem	Ed Reed
	Director	Al Mora
Absent:	None	
Staff:	Manager	Nona Sherrill
	Executive Secretary	Mary Moss
	Engineers	Gene Urban, Sr. Jim Urban
	Superintendent	Rudy Vela
	Attorney	Jim Atwill
	Consultant	Jim Ray
Visitors:	Mayor, City of PA	J. C. Barr
	Manager, City of PA	Gordon Beck

The Workshop Session was called to order at 4:00 P. M. pursuant to the notice posted. After discussions, the Workshop Session was adjourned. The Special Meeting was called to order at 5:00 P.M. by the presiding officer, Mr. Hawn.

Minutes

A motion was made by Mr. Edmonson and seconded by Mr. Reed to approve the minutes of the August 7th, 1989 meeting. The motion carried unanimously. (The minutes were mailed to each director prior to meeting.)

**Annexation
Study/Ray**

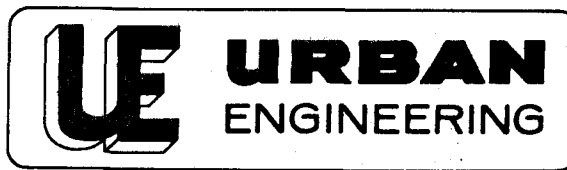
Mr. Jim Ray, with Ray Associates, Inc., presented a review of the Municipal Services for Mustang Island 1990-2000.

**Hearing/
Annexation**

A public hearing was held on a petition by Gill Savings Association for La Concha Spa to add land to the District. As there was no opposition, Mr. Hawn closed the hearing.

**LaConcha Spa/
Request To
Add Land**

A motion was made by Mr. Edmonson and seconded by Mr. Brown to approve the annexation into the District of 9.28 acres of land owned by Gill Savings Associations as described in the attached Petition. The motion carried unanimously. (A copy of the Petition is attached and becomes a permanent part of these minutes)



Job No. 9872.00.00

(512)854-3101

P.O. BOX 6355 • CORPUS CHRISTI, TEXAS 78466-6355

FAX (512)854-6001

September 14, 1989

Ms. Nona Sherrill
Nueces County W.C.I.D. No. 4
P.O. Box 128
Port Aransas, Texas 78373

Subject: North WWTP Dechlorination

Dear Nona:

As per our discussion, I have itemized below the cost of the proposed dechlorination system.

	<u>Grant Portion</u>		<u>N.C.W.C.I.D. #4 Match</u>		<u>In Excess Of Grant</u>
Construction Cost	\$16,060	+	\$13,140	29,200	\$26,400 = 55,600.
Engineering	<u>\$ 1,606</u>	+	<u>\$ 1,314</u>	2,920.	<u>\$ 2,640 = 5,560.</u>
	\$17,666	+	\$14,454	32,120	+ \$29,040 = 61,160.
				<i>submitted for grant amendment</i>	
Total District Share	\$43,494.00				
Total Grant Share	<u>\$17,666.00</u>				
Total Project Cost	\$61,160.00				

Sincerely,

URBAN ENGINEERING

Jim Urban
Jim Urban, P.E.

*vised cost per attached letter
PA/ Dechlorination -*

Bill Murray Mr. Jim Urban presented a petition from Bill Murray Trust II to add
Request to 163.18 acres of land to the District. After discussion, the Board instructed Urban
Annex Engineers to prepare a Utility Service Agreement with restrictions and present at next meeting.

Water Use Mrs. Sherrill presented an Amendment to the Water Use Resolution
Resolution regarding deposit requirements. After review, a motion was made by Mr. Brown and
Amendment seconded by Mr. Reed to approve the amendment as presented. The motion carried
Section D unanimously. (A copy of the amendment is attached and becomes a permanent part of these minutes)

Sewer Use Mrs. Sherrill presented an Amendment to the Sewer Use Resolution
Resolution regarding private sewage disposal facilities. After review, a motion was made by Mr.
Amendment Brown and seconded by Mr. Reed to approve the amendment as presented. The motion
Section P carried unanimously. (A copy of the amendment is attached and becomes a permanent part of these minutes)

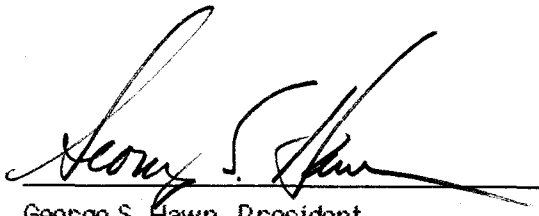
EPA/ Mr. Jim Urban reviewed the EPA Grant Amendment #3 regarding the
Dechlor- revised dechlorination cost estimate. A motion was made by Mr. Reed and seconded by
nation Mr. Edmonson to approve the revised dechlorination cost. The motion carried
Amendment unanimously.

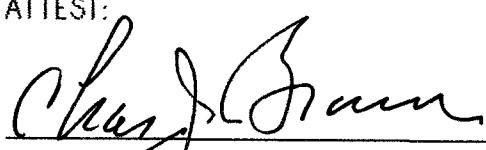
89/90 Mrs. Sherrill presented the proposed 1989/90 Budget which had been
Budget reviewed during the workshop meeting. A motion was made by Mr. Edmonson and
seconded by Mr. Brown to approve the 1989/90 Budget as presented. (A copy of the budget is attached and becomes a permanent part of these minutes)

Engineer's Mr. Jim Urban gave a progress report on District related business. (A
Report copy of this report is on file in the District's office)

Manager's Mrs. Sherrill reported on routine business of the District. (A copy of
Report this report is on file in the District's office)

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn.


George S. Hawn, President
Nueces County Water Control
& Improvement District No. 4

ATTEST:

Charles J. Brown, Secretary

Summary of the Amendment:

While reviewing the updated Water Use Resolution, I found portions of the original Deposit Policy Resolution were omitted. The highlighted portions are the corrections. In paragraph 6, I have changed the amount of deposits to be refunded from \$100.00 to \$200.00 which would include most customers. Afterhaving this policy in effect for a year, I feel justified in raising this amount.

Water Use Resolution Amendment

SECTION D DEPOSITS

1. All customers applying for water service shall be required to place with the District a security deposit to secure the timely payment of future bills before receiving said service. A security deposit shall also be required of customers whose service has been discontinued due to the customer's failure to timely pay his bills before said service shall be resumed.
2. The amount of the security deposits shall be a sum of money equal to the total of two average monthly bills for service as estimated by the District's office staff, but in every instance never less than \$50.00. Thereafter, in case the customer's total bills for any two consecutive monthly billing periods exceed by 20% or more the amount of the deposit, the District may, at its option, require the customer to deposit an additional amount of money sufficient to make the total on deposit equal to the total of the amount of the bills for two consecutive months. If the customer fails to deposit the additional required sum within ten days of written notice of the deposit requirements and penalty for failure to pay, said notice sent by U.S. mail to the customer at the address shown on the customer's application, the District may discontinue service to the customer without further notice.
3. **If the required deposit exceeds \$500, the District will accept a cash deposit of the initial \$500 and in lieu of additional cash, a certificate of deposit for the balance of the deposit. The CD will be issued by a commercial bank, made payable jointly to the District and the customer, is endorsed by the customer to the District and the original CD will be deposited with the District. At the maturity date of the CD, the customer may withdraw the CD from the District with the provision that such CD will be replaced in kind or with an equal amount of cash within five working days of the date of withdrawal or the District may discontinue service without further notice.**

4. Any security deposit held by the District may, at the District's option, be applied to any delinquent account of the customer, but the existence of a security deposit shall not relieve the customer of his obligation to timely pay his monthly bill for service or any other charges made against the customer in accordance with the policies of the District.
5. No interest will be paid to the customer by the District on any security deposit. **Any interest earned on a deposited CD will accrue to the customer and be released by the District to the customer unless same is required to pay the customer's delinquent account.**
6. All security deposits will be held by the District until the customer's service is terminated, a final bill on his account is rendered and such bill is paid in full. **Provided, however, during the time of service, any security deposit of \$200 or less may be refunded to the customer upon written request by the customer to the District if the customer has timely paid his monthly bills for a period of at least the most recent 12 consecutive months.**

Summary of the Amendment:

The approving authority for submission of application will be the District instead of the Nueces County Department of Public Health. The minimum lot size for residences with individual water systems will be 1 acre from 20,000 sq. ft. and for residences served by a Public Water System will be 1/2 acre from 15,000 sq. ft. All construction within the City of Port Aransas shall be inspected by the City Building Inspector and construction outside the City shall be inspected by the Nueces County Department of Public Health.

Amendment – Sewer Use Resolution

SECTION P PRIVATE SEWAGE DISPOSAL FACILITIES

Every owner, user or developer of one or more tract or parcels of land lying within the boundaries of the District who proposes to use a private sewage disposal system (septic tank) must comply with the following criteria prior to installation of said system:

1. An application of the District shall be submitted to the District Manager, along with the appropriate fee or fees approved by the Board.
2. Submit to the District for approval construction drawings which represent the planned improvements and meet the minimum design standards as defined in the current addition of "Construction Standards for On-Site Sewerage Facilities" published by the Texas Department of Health.
3. That the private sewage disposal system to be installed will be installed on a tract or parcel of land containing not less than one (1) acre for single family residences with individual water systems and not less than one-half (1/2) acre for single family residences served by the Public Water System.
4. All construction within the City of Port Aransas shall be inspected by the City Building Inspection Department. The County Health Department shall be notified to provide inspection for all construction outside the City of Port Aransas. Upon completion of the construction, the owner shall provide the District with a copy of the approval and final inspection.
5. That any person who violates any of the terms of this Resolution, or any person who installs a private sewage disposal system within the boundaries of the District without first making application and receiving approval for installation of said system, shall be guilty of a misdemeanor, and upon conviction, shall be fined in an amount not to exceed Two Hundred Dollars(\$200.00) for each such violation. Each day in which any such violation shall continue shall be deemed a separate offense. Any person violating any of the provisions of this resolution shall become liable to the District for any expense, loss or damage occasioned by the District by reason of such violation. The enforcement officer for this resolution shall be the District Manger.

ACCOUNT TITLE	88/89 BUDGET	PROJECTED YEAR END	APPROVED 89/90 BUDGET	CAPTIAL IMPACT FUND
<hr/>				
REVENUES				
Service Revenues	1,521,388	1,474,015	1,504,267	
Tap Connection Fees	3,000	7,344	7,000	
Other Revenues	16,000	16,490	15,500	
TOTAL REVENUES	1,540,388	1,497,849	1,526,767	
EXPENDITURES				
Water Purchased	401,669	387,167	406,525	
Personnel Cost	452,317	434,706	465,204	
Professional Fees	45,000	53,513	40,000	
Purchased & Contracted	62,500	44,715	58,300	
Consumable Suplies	86,000	89,146	89,500	
Recurring Operations	172,100	150,236	162,180	
Capital Outlay	26,500	26,164	40,000	
Transfer / Capital Projects	294,302	312,202	265,058	
TOTAL EXPENDITURES	1,540,388	1,497,849	1,526,767	
INCREASE(DECREASE)IN FUND BALANCE	0	0	0	
FUND BAL - BEGINNNG OF YE/	250,000	250,000	250,000	
FUND BAL - END OF YEAR	250,000	250,000	250,000	
<hr/>				

CAPITAL PROJECTS				
Fund Balance/Beginning of Ye	397,508	397,508	179,480	2,101,107
Projected Transfer	294,302	312,202	265,058	
Expenditures	534,868	530,230	472,907	100,000
Capital Projects Fund/Year Ei	156,942	179,480	-28,369	2,001,107

	Projected	
	88/89	1989
	Budget	Year End
		1990
	Budget	Budget

Revenues:

Water Service	988,383	941,903	988,998
Sewer Service	425,005	408,829	425,269
Water Tap	2,500	3,336	3,500
Sewer Tap	500	4,008	3,500
Inspections	500	0	0
Reconnects	5,000	5,380	5,500
Other Service	0	353	0
Mt Drilling	18,000	19,713	18,000
Brown & Root	54,000	56,413	36,000
Harbor Island	36,000	47,157	36,000
Bldg Permits	500	0	0
Interest	10,000	10,355	10,000
Sale of Material	0	46	0
Sale of GFA	0	0	0
Cash	0	-15	0
Other	0	269	0
Activity Fund	0	102	0
Total	1,540,388	1,497,849	1,526,767

Expenditures:

Total Water

401,669	387,167	406,525
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Personnel Cost:

Salaries	353,704	336,817	357,026
Retirement	25,679	25,976	25,813
Insurance	22,671	23,682	30,000
FICA	26,563	27,480	26,813
Workers Comp	17,000	15,040	19,552
Uniforms	4,200	4,507	4,500
TEC	2,500	1,204	1,500

Total

452,317	434,706	465,204
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89 EOY / 90 Approved Budget

Projected		1990
88/89	1989	Budget
Budget	Year End	Budget

Professional Cost:

Legal	10,000	17,108	10,000
Engineering	20,000	21,960	20,000
Auditing	10,000	9,445	10,000
Consultant	5,000	5,000	0

Total

45,000	53,513	40,000
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Purchased & Contracted Cost:

R&M System	16,000	12,187	13,000
R&M Equipment	27,000	16,504	20,000
R&M Trucks	1,500	777	1,000
R&M Meters	500	430	500
R&M Buildings	6,000	7,873	6,000
R & M Grounds	0	0	10,500
R&M Tools	500	196	500
Publications	500	428	500
Elections	0	0	1,000
Other Services	7,000	4,280	5,000
Lab Work	3,500	2,040	300

Total

62,500	44,715	58,300
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Consumable Supplies Cost:

Fuel	12,000	9,982	11,000
R&M System	35,000	38,850	38,000
R&M Equipment	17,000	11,023	12,000
R&M Trucks	5,000	10,635	8,000
R&M Meters	1,000	454	500
R&M Buildings	5,000	3,628	5,000
R&M Tools	3,000	2,616	3,000
Chemicals	8,000	11,958	12,000

Total

86,000	89,146	89,500
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Recurring Operations Cost:

	88/89 Budget	Projected 1989 Year End	1990 Budget
Insurance	33,500	27,697	30,000
Electricity	100,000	92,946	100,000
Telephone	6,000	6,073	6,000
Sanitation	120	175	600
Natural Gas	500	416	500
Mileage	2,000	856	1,000
Schools & Semis	3,000	2,182	2,000
Permits	3,000	2,875	3,000
Land-Lease	880	880	880
Other Expenses	10,000	5,786	7,500
Dues & Pub	600	1,208	1,200
Office Supplies	8,000	5,085	5,000
Postage	4,500	4,057	4,500

Total

172,100	150,236	162,180
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Capital Outlay Cost:

Wtr/Swr Taps	5,000	4,061	5,000
Major Equip	21,500	22,103	35,000

Total

26,500	26,164	40,000
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Subtotal Exp

1,246,086	1,185,647	1,261,709
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Capital Projects**Transfer:**

294,302	312,202	265,058
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Total Exp

1,540,388	1,497,849	1,526,767
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Over/Under

0	0	0
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Fund Balance

250,000	250,000	250,000
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Approved Capital Imp 90

Description	1988/89 Budget	Projected Year End	1989/90 Budget	Capitai Impact Fund
Fund Balance - Beginning Year	397,508	397,508	179,480	
Capital Transfer	294,302	312,202	265,058	
Total Available	691,810	709,710	444,538	2,101,107

Projected 88/89

Avenue G & 11th St Lift Station	126,000	136,120
Tank Maintenance	120,000	121,730
Pump Station Chlorine Storage	24,000	28,335
Lift Station #2 Pumps	15,000	14,570
12" Water Line Aransas Pass	6,521	6,521
12th Street Sewer Improvement	12,500	12,560
Office Building Paint and Repair	9,500	9,500
Office Furniture & Carpet	1,670	1,160
Computer Upgrading	20,500	20,500
WWTP Repair - North Unit	20,000	12,500
Dolphin Street Sewer Improvement	59,216	61,273
Turtle Cove Improvements	20,000	5,500
Ave G Lift Station	99,961	99,961

89/90 Projects

Tank Maintenance			33,750	
Paint & Repair Maintenance Building			9,500	
Sewer Improvement Program			429,657	
Pump Station Improvement				100,000
Total Expenditures	534,868	530,230	472,907	100,000
Fund Balance - End of Year	156,942	179,480	-28,369	2,001,107

1989-90 WAGE SCHEDULE

Water Maintenance - 11 Employees

Holman, G.K.	\$24,386
Gomez, Adan	\$21,519
Young, Mark	\$22,988
Rochester, Mark	\$19,110
Mathews, Pat	\$18,683
McMullin, Gary	\$16,552
Hinojosa, David	\$15,610
Talley, Ted	\$15,610
Benavidez, Mike	\$15,610
Jones, Bobby	\$12,012
Trevino, Carlos	\$12,012

Wastewater Plant - 2 Employees

Wilcox, Lewis	\$16,695
Taylor, Jon	\$13,243

Office - 3 Employees

Moss, Mary	\$21,489
Hargrove, Betty	\$21,935
Mendoza, Stacey	\$12,012

Administrative

Vela, Rudy	\$35,027
Sherrill, Nona	\$37,311

Sub-Total	\$351,804
Projected Overtime	\$5,000
Total	\$356,804

ROLL 309 IMAGE 730

684604

ACTION TAKEN BY NUECES COUNTY WATER CONTROL
AND IMPROVEMENT DISTRICT NO. 4 BOARD OF DIRECTORS
ON PETITION BY GILL SAVINGS ASSOCIATION TO ADD LAND TO DISTRICT

THE STATE OF TEXAS \$
 \$
COUNTY OF NUECES \$

KNOW ALL MEN BY THESE PRESENTS:

THAT the attached petition of Gill Savings Association to add land to the Nueces County Water Control and Improvement District No. 4 was filed with the Board of Directors of said District on the 19th day of September, 1989;

THAT notice was posted for a hearing on said petition to be held at the offices of the Nueces County Water Control and Improvement District No. 4, Port Aransas, Nueces County, Texas, on the 14th day of September, 1989, at 10:00 o'clock A..M.;

THAT on the appointed date, the Board of Directors of the Nueces County Water Control and Improvement District No. 4 did hear and consider the petition of Gill Savings Association to add to the District the 9.28 acres of land described on Exhibit A of said petition attached hereto and after fully considering the petition, it was considered to be to the advantage of the District to add the land covered by said petition and it was noted that the land and improvements in questions are presently being served with water and sewer by the District and that the water supply and other improvements of the District are sufficient to supply the added land without injuring the land already in the District;

The petition attached hereto is hereby GRANTED adding the land described on Exhibit A attached to said petition to the District and it is ORDERED that the District Manager record said petition along with this record in the office of the County Clerk of Nueces County, Texas.

SIGNED this 19th day of September, 1989.

NUECES COUNTY WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 4

By: George S. Hawn
George S. Hawn, President

Signatures of Directors in attendance:

Charles J. Brown
Charles J. Brown

Ed Reed
Ed Reed

James L. Edmonson
James L. Edmonson

A. A. Mora
A. A. Mora

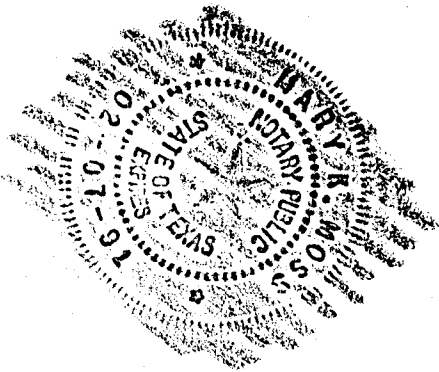
DEED RECORDS

THE STATE OF TEXAS S

COUNTY OF NUECES S

BEFORE ME, the undersigned authority, appeared George S. Hawn, Charles J. Brown, James L. Edmonson, Ed Reed and A. A. Mora, the Board of Directors of the Nueces County Water Control & Improvement District No. 4, Port Aransas, Texas known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed and in the capacity therein stated and as the act and deed of the Nueces County Water Control & Improvement District No. 4.

GIVEN under my hand and seal of office this 19th day of September, 1989.

Mary K Moss

Notary Public, State of Texas

Print name MARY K. MOSSMy commission expires 2-7-91

ROLL 309 IMAGE 732

PETITION TO ADD LAND TO
NUECES COUNTY CONTROL AND IMPROVEMENT DISTRICT NO. 4

THE STATE OF TEXAS §
 §
COUNTY OF NUECES §

KNOW ALL MEN BY THESE PRESENTS:

That, the undersigned, GILL SAVINGS ASSOCIATIONS, 615 Soledad, San Antonio, Texas 78205, is the owner of that certain 9.28 acres of land, more or less, situated on Mustang Island, Nueces County, Texas, and more particularly described by metes and bounds on Exhibit A attached hereto and made a part hereof, said property being hereinafter referred to as "the La Concha Spa Tract";

That GILL SAVINGS ASSOCIATION as the owner of the La Concha Spa Tract does hereby in accordance with Sections 51.714 - 51.717 of the Water Code of the State of Texas file this petition with the Board of Directors of the Nueces County Water Control and Improvement District No. 4 requesting that the 9.28 acres of land described by metes and bounds on Exhibit A attached hereto be included in the Nueces County Water Control and Improvement District No. 4;

That the land sought to be added to said District is at the present time being supplied with water and sewer service by said District and therefore can be added to said District without injuring land already in the District;

That GILL SAVINGS ASSOCIATION requests that the Board Directors set a time and date to hear and consider this petition and at the conclusion of said hearing, add the 9.28 acres of land described on Exhibit A attached hereto to the Nueces County Water Control and Improvement District No. 4.

EXECUTED this 25th day of August, 1989.

GILL SAVINGS ASSOCIATION

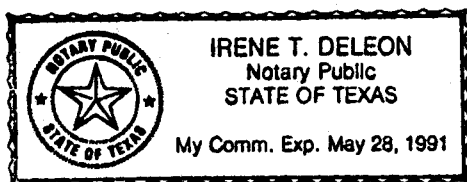
By: Larry Schuler
~~Ann Pumaiz, Vice President~~
Larry Schuler, Assistant Vice President

THE STATE OF TEXAS *

COUNTY OF BEXAR *

BEFORE ME, the undersigned authority, appeared Larry Schuler, known to me to be the person and Assistant Vice President of Gill Savings Association, whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of Gill Savings Association.

August GIVEN under my hand and seal of office this 25th day of August, 1989.



Irene T. DeLeon
Notary Public, State of Texas
Print name IRENE T. DE LEON
My commission expires 05/28/91

9.28 acres of land, more or less, out of the J. W. Waterbury Survey No. 596, Land Script No. 167, Abstract No. 408 and out of the R. S. Harvey Survey No. 599, Land Script No. 150, Abstract No. 164, Mustang Island, Nueces County, Texas:

BEGINNING at the intersection of the Southeast boundary line of Park Road No. 53 and the West line of an existing 50.00 foot wide United Gas Pipeline Company right-of-way and easement recorded in Volume 5, Page 303, Deed Records of Nueces County, Texas for the North corner of this tract from which corner a 5/8 inch iron rod set for the West corner of Lot 2, Block 1 La Concha Subdivision a map of which is recorded in Volume 50, Pages 20-21, Map Records of Nueces County, Texas bears North 30 degrees 19' 00" East with said Southeast line of Park Road No. 53, a distance of 778.03 feet; thence South 58 degrees 22' 00" East 40.01 feet;

THENCE South 18 degrees 40' 13" East with the abovementioned West Line, 781.51 feet the East corner of this tract;

THENCE South 30 degrees 19' 00" West leaving said West line 320.20 feet to a point on the North boundary line of an existing Gulf Oil Corp. and Shell Oil Co. 50.00 foot right-of-way and easement recorded in Volume 853, Page 429, Deed Records of Nueces County, Texas for the South corner of this tract;

THENCE North 79 degrees 58' 56" West with the abovementioned North line, 628.74 feet to a point on the aforementioned Southeast line of Park Road No. 53 for the West corner of this tract;

THENCE North 30 degrees 19' 00" East with said Southeast line, 1051.17 feet to the POINT OF BEGINNING.

K.P.-5

STATE OF TEXAS
COUNTY OF NUECES

I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me; and was duly RECORDED, in the Volume and Page of the named RECORDS of Nueces County, Texas, as stamped hereon by me, on

OCT 10 1989



Marion McElroy
COUNTY CLERK
NUECES COUNTY, TEXAS

COUNTY CLERK NUECES COUNTY TX

Marion McElroy

OCT 10 11 50 AM '89

FILED FOR RECORD

684604

COMPARED

DEED RECORDS

11/20 Nueces County
Water Control
Pg Bat 128
Part Volume 17373

VER-4

STATE OF TEXAS **S**

COUNTY OF NUECES **S**

	President	George Hawn
	Vice President	Jim Edmonson
	Secretary Pro-tem	Ed Reed
	Director	Al Mora
Absent:	Secretary	Charles Brown
Staff:	Manager	Nona Sherrill
	Executive Secretary	Mary Moss
	Engineers	Gene Urban, Sr.
		Jim Urban
	Superintendent	Rudy Vela
	Attorney	Jim Atwill
Visitors:	Mayor, City of PA	J. C. Barr
	Manager, City of PA	Gordon Beck
	Developer	Sonny Castor

Mr. Atwill presented a Resolution supporting the City of Port Aransas in its plans for annexation of the areas of Mustang Island lying between the southern boundary of the City and the northeastern boundary of Mustang Island State Park. A motion was made by Mr. Edmonson and seconded by Mr. Mora to approve the Resolution as submitted. The motion carried unanimously. (A copy of the Resolution is attached and becomes a permanent part of these minutes)

**Sanitation
Study**

Mr. Atwill presented a request from the City of Port Aransas for the District to participate in the collection of Sanitation Fees. After discussion, the Board instructed the staff to continue with a study on collections of Sanitation Fees for the City.

**1989 Tax
Tax Rate**

Mrs. Sherrill presented a study on the 1989 advalorem tax rate. After discussion, a motion was made by Mr. Edmonson and seconded by Mr. Mora to set the 1989 Tax Rate at \$0.07248 on each hundred dollars of the assessed value of all property. The motion carried unanimously. (A copy of the Resolution and Order is attached and becomes a permanent part of these minutes)

**Personnel
Policy
Amendments**

Mrs. Sherrill presented the following proposed amendments to the Personnel Policy;

1. Separation and Disciplinary Actions - Vacation time shall not be used as two (2) weeks notice.
2. Prohibited Items and Substances
3. Educational Assistance

A motion was made by Mr. Edmonson and seconded by Mr. Reed to approve the amendments as presented. The motion carried unanimously. (A copy of the amendments is attached and becomes a permanent part of these minutes.)

**Lands
Outside
District**

Mr. Gene Urban presented a letter reporting on a meeting he attended with Franklin and Edwin Flato, Mrs. Sherrill and Mayor J. C. Barr to discuss the City of Port Aransas' pro annexation policy on the island and the Water District's desire to cooperate and provide water and sewer service to the Flato Property. The Board approved his recommendations as listed in the attached letter and instructed Mr. Urban to continue his negotiations with the Flatos for annexation into the District. (This letter is attached and becomes a permanent part of these minutes.)

**Financial
Report**

Mrs. Sherrill presented the June financial statement. A motion was made by Mr. Edmonson and seconded by Mr. Reed to approve the report as presented. (A copy of this report is on file in the District office)

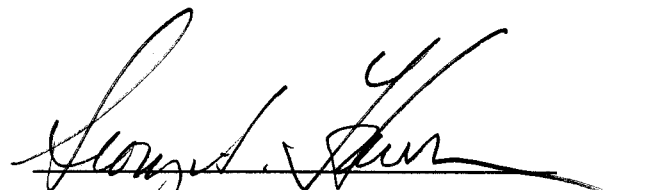
**Engineer's
Report**

Mr. Jim Urban gave a progress report on the Ave G & Alister Lift Station project.

**Manager's
Report**

Mrs. Sherrill reported on routine business of the District. (A copy of this report is on file in the District's office)

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn.



George S. Gawn, President
Nueces County Water Control
& Improvement District No. 4

ATTEST:


Ed Reed, Secretary Pro-tem

**RESOLUTION AND ORDER SETTING THE 1989 TAX RATE
NUECES COUNTY WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 4**

ON THE 7th DAY OF AUGUST 1989, THE BOARD OF DIRECTORS OF THE NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4, CONVENED IN A REGULAR MEETING BEING OPEN TO THE PUBLIC AT THE REGULAR MEETING PLACE THEREOF IN SAID DISTRICT, WITH THE FOLLOWING MEMBERS OF THE BOARD PRESENT:

PRESIDENT	GEORGE HAWN
VICE PRESIDENT	JIM EDMONSON
SECRETARY PRO-TEM	ED REED
DIRECTOR	AL MORA

AND THE FOLLOWING ABSENT:

SECRETARY	CHARLES BROWN
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CONSTITUTING A QUORUM, AND AMONG OTHER PROCEEDINGS HAD, WERE THE FOLLOWING;

THE PRESIDENT OF THE BOARD PRESENTED A RESOLUTION AND ORDER SETTING THE TAX RATE FOR THE YEAR 1989. MINUTES OF AUGUST 7TH, 1989 MEETING REFLECT THE TAX RATE FOR THE YEAR 1989.

THE RESOLUTION AND ORDER WAS READ IN FULL, AND AFTER FULL DISCUSSION THEREOF, MR. EDMONSON MADE A MOTION THAT IT BE ADOPTED. THE MOTION WAS SECONDED BY MR. MORA THE MOTION, CARRYING WITH IT THE ADOPTION OF THE RESOLUTION AND ORDER, PREVAILED BY THE FOLLOWING VOTE:

AYES:_____4_____

NAYES:_____0_____

THE PRESIDENT THEN DECLARED THE RESOLUTION AND ORDER FINALLY PASSED AND ADOPTED. THE RESOLUTION AND ORDER AS FOLLOWS:

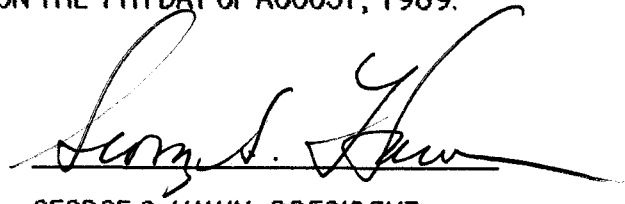
WHEREAS, NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4

**AN ORDER LEVYING UPON THE ASSESSED VALUATION
OF THE PROPERTY WITHIN THE NUECES COUNTY
WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4**

BE IT ORDERED BY THE BOARD OF DIRECTORS OF THE NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4 AS FOLLOWS:

THERE IS HEREBY LEVIED ON EACH ONE HUNDRED DOLLARS OF THE ASSESSED VALUE OF ALL PROPERTY, BOTH REAL AND PERSONAL, WITHIN THE BOUNDARIES OF THE NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4, EXCEPT SUCH PROPERTY AS MAY BE BY LAW EXEMPT FROM TAXATION, A TAX RATE OF .07248 PER EACH ONE HUNDRED DOLLARS ASSESSED VALUATION FOR THE PURPOSE OF MEETING THE REQUIREMENTS OF SAID DISTRICT FOR THE FISCAL YEAR ENDING 1990.

PASSED AND APPROVED BY THE BOARD OF DIRECTORS OF THE NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4 ON THE 7TH DAY OF AUGUST, 1989.



GEORGE S. HAWN, PRESIDENT
BOARD OF DIRECTORS

ATTEST:



ED REED, SECRETARY-PRO-TEM

**RESOLUTION SUPPORTING THE CITY OF PORT ARANSAS
IN ITS PLANS FOR ANNEXATION**

WHEREAS, the City of Port Aransas ("City") desires to annex the area of Mustang Island lying between the southern boundary of the City and the northern boundary of Mustang Island State Park ("Mustang Island"); and

WHEREAS, the City and the Nueces County Water Control & Improvement District No. 4 ("District") have had a long standing harmonious working relationship for many years; and

WHEREAS, the District already provides water and sewer service to the area contemplated for annexation by the City and the City already provides fire protection and emergency medical services in such area; and

WHEREAS, the citizens of the Mustang Island area have expressed a desire to be in the city limits of Port Aransas as all of their current services and amenities are tied to or originate from Port Aransas.

NOW, THEREFORE, BE IT RESOLVED that:

The Board of Directors of the Nueces County Water Control & Improvement District No. 4 supports the City of Port Aransas in its plans for annexation of the Mustang Island area and will cooperate and assist the City in the furtherance of such plans.

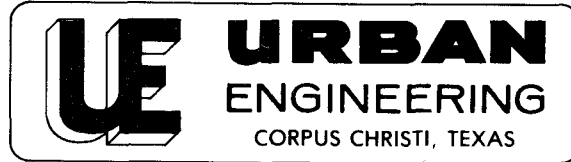
SIGNED this 7th day of August, 1989 at Port Aransas, Texas.



GEORGE S. HAWN, President



Secretary



P. O. BOX 6355, 2725 SWANTNER
CORPUS CHRISTI, TEXAS 78411 PHONE 854-3101

August 7, 1989

Nueces County W.C.I.D. #4
P. O. Box 128
Port Aransas, Texas 78373

Attn: Mr. George Hawn, President and Board Members:

Gentlemen:

On August 4, 1989, Mayor Barr, Nona Sherrill, and myself attended a meeting with Mr. Franklin Flato and Mr. Edwin Flato to discuss the City of Port Aransas pro annexation on the Island and the Water District's desire to cooperate and provide water and sewer service to the Flato Property.

Mr. Edwin Flato expressed his concern as to whether the City of Port Aransas and the Water District were for growth and not against. Mayor Barr discussed the City's plans for a Municipal Golf Course and assured the Flato's that the City was for good growth on Mustang Island. I assured the Flato's that the District was also pro growth oriented on Mustang Island. After a complete discussion of concerns it was agreed that the Flato's want to become a part of the Water District/City of Port Aransas, not a part of the City of Corpus Christi, Texas. We agreed to proceed as follows:

1. Mayor Barr would work with Flato on getting the golf course under way.
2. Flato agreed, if the City would build and operate a golf course, the Flato's would agree to furnish the \pm 150 acres of land for the golf course at no cost to the City.
3. All parties agreed that the golf course should be located to provide the maximum enhancement to the remaining Flato Property.
4. The Water District would agree to annex the remaining Flato Property on Mustang Island without any acreage charges to the utility service. (ie, The proportional cost of waterline from Park Road #22 and storage cost).
5. The District could make utilities available from their present system and future developers would be responsible for extending utilities into Flato tracts.
6. Restrictions of objectional uses was discussed and the Flato's were in complete accord, that they did not want to allow development which would deter from Mustang Island.

I would suggest that we maintain a dialogue with the Flato's to see if this can be mutually accomplished, but would not suggest that it be a condition to the annexation to the District.

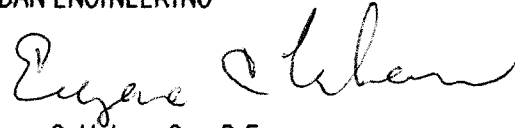
In summary, our meeting showed that all parties wanted to reach the same goals from the District's point of view. I would recommend the following:

1. We invite the Flato's to annex in the District with no additional annexation charges.
2. We make available water and sewer service on the same basis as any other previous member of the District. I would suggest that the existing policies be made available to the Flato's in summary form, so they can have a complete understanding of the policies.
3. That the District work with the Flato's to provide control against land uses which neither the Flato's nor the District want to occur.
4. That the Utility Board express their feelings on future growth on Mustang Island.

It would be my intent to send a copy of this letter to the Board and a reply to the Flato's, if you approve the same. If you need further assistance or information, please feel free to contact me.

Sincerely,

URBAN ENGINEERING

A handwritten signature in cursive script, appearing to read "Eugene C. Urban".

Eugene C. Urban, Sr., P.E.

ECU/lb

DISTRICT PERSONNEL POLICY

SUBJECT: Resignation

DATE: August 7, 1989

APPROVED: August 7, 1989

SEPARATION AND DISCIPLINARY ACTIONS

1. **Resignations** - An employee wishing to leave the service of the District in good standing shall notify his department supervisor at least two(2) weeks in advance of his expected date of termination. The resignation shall be in writing and shall contain reasons for leaving the employment of the District. **Vacation time shall not be used as two (2) week notice.**

An employee absent from duty for any reason shall notify his supervisor no later than 9:00 A.M. of the day that he is absent. Unauthorized absences from work for a period of one(1) day will be considered as a resignation.

DISTRICT PERSONNEL POLICY

SUBJECT: Prohibited Items and Substances

DATE: August 7, 1989

APPROVED: August 7th, 1989

PROHIBITED ITEMS AND SUBSTANCES

It is the policy of the Nueces County Water Control & Improvement District No. 4, hereinafter referred to as "District", to maintain a work environment that is safe as well as conducive to job performance. Consistent with this policy, the following items and substances and their use are prohibited on District property or in the possession of District's employees or its contractors' employees at any place while performing assigned duties for the District:

- Liquor or other intoxicating beverages
- Unauthorized explosives
- Knives, firearms, and other weapons
- Prohibited drugs
- Drug paraphernalia

A prohibited drug is any drug which the use, possession, transfer or storage thereof is illegal or any drug, including a prescription drug, the prior use of which has not been approved by a medical doctor. Prolonged use (3 days or more) of all medication must be reported to the District supervisor.

Drug paraphernalia is any item which has been used, or is commonly known to be used, for the administering, transferring, or storing of a prohibited drug.

The District reserves the right to determine what items and substances are prohibited.

Entry upon District property, including land, buildings, structures installations, and vehicles, is conditioned upon the right by the District to inspect all persons and their possessions for any prohibited items and substances.

Any person who is found to be in violation of this policy will be subject to appropriate disciplinary action including discharge.

DISTRICT PERSONNEL POLICY

SUBJECT: EDUCATION

DATE: August 7, 1989

APPROVED: August 7, 1989

EDUCATIONAL ASSISTANCE

I. PURPOSE

To assist employees seeking to improve their job qualifications and advancement opportunities.

II. SCOPE

All Regular Full Time Employees

III. POLICY

A. The District will reimburse up to 90 percent of a regular full time employee's actual expenses for successfully completed courses.

1. To ensure eligibility of courses, an Application for Educational Assistance must be approved by the District Manager before enrollment.
2. Eligible expenses include tuition and other mandatory charges directly related to enrollment or attendance.
 - a. District contributions for courses completed during any one year period is limited to \$1000.
 - b. Educational assistance from other sources, e.g., G.I. Benefits, scholarships, will be recognized as primary assistance and therefore will reduce District contributions by the amount of the assistance.
3. Eligible courses include study or training:
 - a. Directly related to the employee's present job, or
 - b. Related to other District positions for which the employee may reasonably expect to become qualified.
4. Courses may be taken at any accredited and District approved college, university, business or trade school.

DISTRICT PERSONNEL POLICY

Educational Assistance

Page 2

B. Regular full time employees eligible for tuition reimbursement must submit the following;

1. Course registration receipt;
2. Form Gen 3 Form 52 (available from Stationery and Finance) signed by an employee of the educational facility attended indicating that no other financial assistance is being received; and
3. A copy of the course grades indicating that any courses attempted were completed and passed. No tuition reimbursement will be made until satisfactory grades are submitted.

C. Class attendance and study must be on the employee's own time and not interfere with job performance.

JULY 10, 1989

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President	George Hawn
Vice President	Jim Edmonson
Secretary	Charles Brown
Secretary Pro-tem	Ed Reed
Director	Al Mora

Grasso Oilfield Services, Inc.(Harbor Island Terminal, Inc.)request to renew their contract of 50,000 GPD from July 1, 1989 to June 30, 1990. A motion was made by Mr. Reed and seconded by Mr. Brown to approve the renewal of the contract as requested. The motion carried unanimously.

**MI Drilling
Fluids Co.
Contract**

MI Drilling Fluids Company request to renew their contract from July 31, 1989 to August 1, 1990 of 25,000 GPD. A motion was made by Mr. Edmonson and seconded by Mr. Reed to approve the renewal of the contract requested. The motion carried unanimously.

**Dechlor-
ination
Require-
ment**

Mr. Maroney reported on the E.P.A. requirement of dechlorination of the NWWTP effluent. This requirement will cost approximately \$32,100.00. The District has requested that this additional EPA requirement be added to the EPA Grant. The District's share should be \$14,454.00 if Grant approved. A motion was made by Mr. Reed and seconded by Mr. Brown to proceed with the application process of obtaining an amendment to the EPA Grant and to approve Amendment #3 to the Step 3 Engineering Contract subject to Grant approval. The motion carried unanimously.

**Lands
Outside
District**

Discussion was held regarding service to lands outside the District. No action.

**Financial
Report**

Mrs. Sherrill presented the March, April and May financial statements. motion was made by Mr. Reed and seconded by Mr. Brown to approve the report as presented. (A copy of this report is on file in the District office)

**Engineer's
Report**

Mr. Maroney gave a progress report on the District projects. (A copy of this report is on file in the District office.)

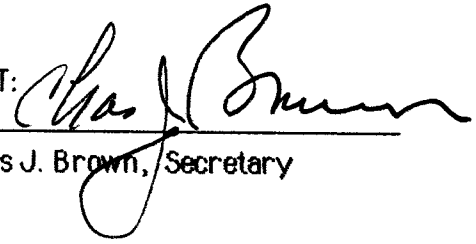
1. NWWTP - 100% Complete
2. Chlorine Storage Facility - 100% Complete
3. Dolphin Lane Sanitary Sewer
4. Ave G & Alister Lift Station

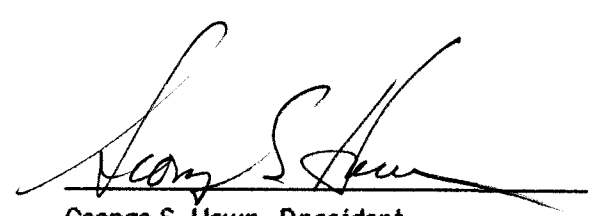
**Manager's
Report**

Mrs. Sherrill reported on routine business of the District. (A copy of this report is on file in the District's office)

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn.

ATTEST:


Charles J. Brown, Secretary


George S. Hawn, President
Nueces County Water Control
& Improvement District No. 4

STATE OF TEXAS

COUNTY OF NUECES



AGREEMENT FOR AD VALOREM TAX COLLECTION SERVICES

THIS AGREEMENT made and entered into this 13 day of July, 1989, by and between the County of Nueces (hereinafter called "County"), a political subdivision of the State of Texas and the Nueces County Water Control and Improvement District No. 4 (hereinafter called "District") duly organized and existing under the laws of the State of Texas, each acting herein by and through its duly authorized official.

WITNESSETH:

WHEREAS, the parties to this agreement wish to consolidate the collection of their respective ad valorem property taxes into one agency, i. e., the Tax Assessor-Collector of the County of Nueces, and

WHEREAS, the parties enter into this agreement in order to eliminate the potential duplication of the existing system for collection of taxes and to promote governmental efficiency; and

WHEREAS, the parties enter into this agreement pursuant to the authority granted by sections 6.23, 6.24, 6.30, TEXAS PROPERTY TAX CODE, and TEXAS REVISED CIVIL STATUTES ANNOTATED article 4413 (32c), known as the Interlocal Cooperation Act;

NOW, THEREFORE, for purposes stated herein, it is mutually agreed as follows:

I. DEFINITIONS:

For the purposes of this agreement, the term "collection" shall include the following: preparation of tax rolls, proration of taxes, correction of clerical errors in tax rolls, collection of tax liabilities, issuance of refunds for the years as provided above.

For the purposes of this agreement, the term "current taxes" shall include only those taxes legally due and payable without penalty and interest. "Delinquent taxes" is defined as any taxes which have not been received by the County on or before January 31st of any given tax year and on which penalty and interest are due.

II. REGULATIONS AND LAWS:

This agreement shall be subject to all rules, regulations and laws applicable thereto passed or promulgated by the United States of America, State of Texas, or any governmental body or agency having lawful jurisdiction or any authorized representative or agent of them.

III. PERFORMANCE

1. The County agrees to begin preparatory services to perform these collections immediately upon execution of this Agreement. The County of Nueces acting by and through its Tax Assessor-Collector and the County Property Tax Collections Activity shall act as Tax Assessor-Collector and collect ad valorem taxes for the Nueces County Water Control and Improvement District No. 4 under the provisions of sections 6.23(a)(4) and 6.24, Texas Property Tax code, for a term of one (1) year commencing on October 1, 1989 and ending September 30, 1990. The term of this contract may be extended beyond the original one year term, by mutual consent, to allow for additional time to complete negotiations for a new contract or extension of the present contract.
2. The County Tax Assessor-Collector shall have full authority, within the terms of this contract, and shall assess all of the real and personal property, in accordance with the laws pertaining thereto, located within the boundary of the District subject to taxation. The County Tax Assessor-Collector is authorized and directed, and shall collect all property taxes of the District, both current and delinquent, including taxes previously assessed by the District. The collection of said taxes, both current and delinquent, shall be done in accordance with the Texas Property Tax Code and all other laws or regulations pertaining to property tax collections. In the event any provisions of this contract are inconsistent with the requirements of the law, the requirements of the law shall control, and the Tax Assessor-Collector shall discharge the duties in accordance therewith.
3. This contract shall be for a term of one (1) year, but each of the parties hereto reserves the right to terminate this contract any time during the term of this contract by giving notice as provided by this contract. Notice of cancellation must be given before June 30th of any given year, the effective date of cancellation for purpose of tax collection is the following September 30. Any notice of cancellation given after June 30 is subject to provisions of paragraph XI.
4. In the event of termination of this contract, either by withdrawal by either party or the failure to agree on extension of agreement beyond the one-year period, a magnetic tape of property tax data pertaining to property within the District shall be prepared by the County and delivered to the District with the cost of such preparation being part of the cost of services provided by this contract.

IV. SERVICES TO BE PERFORMED:

(1.) The County shall collect the current ad valorem property taxes owing to the District. The County shall also collect, including the enforcement of the collection of, the delinquent taxes owing to the District hereinafter provided in this agreement. The County further agrees to perform for the District all the duties relating to the collection of ad valorem taxes for the District provided by the laws of the State of Texas.

(2.) The County shall perform all the functions set out in the Definitions section of this Agreement. The County agrees to prepare consolidated tax statements for each taxpayer. The County shall mail said tax statements to each taxpayer or authorized agent on property within the District.

(3.) The District hereby designates the Tax Assessor-Collector of the County of Nueces as its tax collector for all purposes under the Texas Property Tax Code.

(4.) The County shall supply the District with monthly and annual reports as required by the State Property Tax Code and the State Property Tax Board. Additional requests for reports by the District must be made in writing; must allow sufficient time for adequate response; and must conform to cost factors of this contract. The monthly and annual reports shall include as a minimum the following information: total tax collected including penalty and interest, discount, refunds, cumulative collections, less discounts and any other information as required by the State Property Tax Code or State Property Tax Board.

(5.) The County will prepare an annual property tax collection activity operational budget which will include all expenditures incurred in the property tax collection process for the previous year. Copies of this work budget will be made available to representatives of the Consolidated Property Tax Advisory Council and will be used as basis for joint independent audits of the property tax collection operation and for establishing the following years "per parcel" costs.

(6.) The County will apply equal effort in the assessments and collections of property taxes for the parties to this Agreement. The County Property Tax Collection Activity will not show bias toward any taxing unit for which it collects property taxes.

(7.) The County will permit the taxpayer, in the event payment of less than the consolidated bill is tendered, to apply the payment as the taxpayer desires, in compliance with State law. In the absence of the expression of any preference as to application of payment, the payment will be applied in compliance with State law.

(8.) The County will obtain written approval from the District Manager or his designee before penalty and interest is waived, either partial or in whole, on any account. Any waiver of penalty and interest being considered must establish that the delinquency was caused by a direct action or inaction of the Tax Office as required by the Texas Property Tax Code.

(9.) The County will limit the time frame allowed for installment payment agreement on delinquent property taxes owing to the District to no more than six months. Written approval must be obtained from the District Manager.

(10.) The County will refrain from seizing and/or selling any property pertaining to the District Tax Roll, having a homestead designation, for payment of delinquent taxes.

(11.) Interest payments required as a result of untimely processing of refunds are not considered reimbursable expenses.

V. PAYMENT:

(1.) Amount of Payment

The District agrees to pay the county \$0.93 per parcel for all parcels on the City's certified tax roll that are located in Nueces County. This fee is established as a first year estimate by which the consolidation process will be initiated. It is expressly understood herein that included within these first year \$0.93 per parcel fees, are hardware/software costs essential for consolidation and which will be shared equally by all using entities. The County agrees to accept recommendations from using entities for, and further agrees to resolve with first year entities, a method that will equitably recoup for all first year using entities, a fair share apportionment of initial hardware/software costs, which will be charged to entities that enter the property tax consolidation process in subsequent years. At the end of the first collection year, the County agrees to analyze property tax collection expenditures to determine "actual per parcel" costs. A copy of this analysis will be provided to the District which will be authorized to examine source data to confirm "actual per parcel" costs quoted in the County analysis. The County agrees to reimburse to the District, costs charged to the

District but found to be excessive of the "per parcel" costs. Excess costs which are herein defined as "any amount charged to but not expended in the property tax collection process", must be established by independent audit and must provide substantive data that specifically identifies items charged that are not applicable to the property tax collection process of the District. The cost of this independent audit will be shared equally by the District and the County. "Per Parcel" costs will be determined by the total property tax collection working budget of any given year divided by the total number of parcels on the consolidated tax roll of that year.

(2.) Method of Payment

The District will pay at the end of each month, \$0.93 per parcel for each parcel collected during that month. The County will include the number of accounts collected in a monthly report to the District. By July 1st of each collection year, the District will remit to the County, the balance of fees for parcels identified in the District's current year tax roll but which have not been thereby collected.

(3.) Source of Payment

Payments by the parties for services under this Agreement shall be made from current revenues of the parties.

VI. REMITTANCE OF COLLECTION:

The taxes collected for the District shall be remitted to the District within 48 hours of collection. All refunds and amounts applicable for returned checks will be withheld by the County from current collections and will be annotated on the respective report.

VII. ADMINISTRATIVE PROVISIONS:

(1.) All expenses incurred by the County for the collection of taxes shall be clearly kept on the appropriate books and records. The District or their designated representative, after notifying the County in writing, is authorized to examine the records to be kept by the County at such reasonable times and intervals as the District deems fit.

(2.) The County agrees to establish a "Consolidated Property Tax Advisory Council" of property tax collection service users which will include a representative from the District. The District's representative will be allowed to provide input

pertaining to the consolidated property tax collection process and will serve as representatives for all entities with less than 50,000 parcels. The chairman of this council will be the County Tax Collector who agrees to convene quarterly meetings. The Council will be authorized to preview the composition of costs by which the County will set the "Per Parcel" fees for the following year. The Council will further be authorized to submit recommendations pertaining to "Per Parcel" costs to the County governing authority. The County agrees to request that such recommendation be included in the agenda of the Commissioners' Court. Composition of this Council will be contingent upon total participating entities, and will include one representative from each entity with 50,000 or more parcels, and one member appointed to represent the remaining districts.

(3.) In the case that the District changes or amends any portion of the data submitted to the County, after the County begins processing such data for collection of the District's taxes, the District will pay the additional costs resulting from such changes and/or amendments. Such cost shall be paid by the District at the end of each month.

VIII. MISCELLANEOUS PROVISIONS:

(1.) The District agrees to transfer to the possession and control of the County, without charge, copies of all records necessary for the performance of the duties and responsibilities of the County pursuant to this Agreement. These records shall include all tax records, including tax rolls or records available to the District. Transfer and format costs shall be incurred by the District.

(2.) The County shall not be liable to the District for any failure to collect taxes nor shall the County Tax Assessor-Collector be liable unless the failure to collect taxes results from willful, negligent or intentional failure on his part to perform the duties imposed upon him by law and by this Agreement.

(3.) Following the first regularly scheduled meeting in September of the District's governing authority, and excluding cases of natural disaster by act of God and or legal injunction, and not later than September 12th of each year, if the District has not established the tax rate as required by law, the District will pay the costs of mailing its tax bills for that year. If such a delay creates a condition that requires the County to isolate handling of the District's tax collection data, the County may present the District an option of paying the additional costs of special handling or declaring this Agreement null and void by thirty (30) days written notice from the Tax Assessor-Collector.

(4.) Authorized refunds to property owners will be made on the same check for all taxing units contracting for assessment and collection services. Such refunds include, but are not limited to, late exemption claims, clerical errors, overpayments, etc. The amount of the District's refund shall be deducted from current receipts or, if none are available, such refunds will be remitted by the District to the County within seven (7) days of written notification of such sums due.

IX. DELINQUENT TAXES:

(1.) Pursuant to Section 6.24 of the Texas Tax Code, the District hereby authorizes the County by and through the County's Tax Assessor-Collector to collect delinquent taxes for the District as provided herein.

(2.) The County of Nueces is authorized to contract for the employment of an attorney to enforce the collection of delinquent taxes pursuant to Section 6.30 of the Texas Property Tax Code. Said attorneys shall have full authority to represent the District within the terms of said contract. The County and District, herein agree, that selection of Delinquent Tax Attorney firms must exclude any attorney employed under the umbrella of either government entity within one year of selection.

X. SOVEREIGN IMMUNITY:

It is expressly understood and agreed that, in the execution of this Agreement, neither the County nor District waives or shall be deemed hereby to waive any immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions.

XI. TERMINATION:

This Agreement shall continue in full force and effect from year to year until such time as either party hereto gives written notice of cancellation as provided by paragraph III. (3).

XII. AMENDMENTS:

Any amendments, alterations, deletions or waiver of the provisions of this Agreement shall be valid only when expressed in writing and agreed to by official action of the governing bodies of both parties, and will be effective only if they do not adversely affect the prompt fulfillment of contract obligations. All amendments concerning or affecting an increase in the amount of payment or costs under this Agreement shall be effective only if they are agreed upon on or before July 1 of the year in which they are to become effective.

XIII. GENERAL PROVISIONS:

1. Cost Containment:

Increases to the property tax collection working budget which will be annually previewed by the Consolidated Property Tax Advisory Council, must be predicated on budget items essential to the property tax collection operation. All future increases will refer to the "per parcel" costs of the prior year contract. The County will make a reasonable effort to assure the charge for services to the District shall never increase by more than five (5%) percent from any one year to the next year.

2. Notices:

Except as otherwise provided in this Agreement, all notices required or permitted herein shall be in writing and shall be deemed to be delivered when deposited in the United States mail, postage prepaid, registered or certified mail, return receipt requested, to the party's office or usual mailing address.

3. Parties Bound:

This Agreement shall be binding upon the parties, their legal representatives, successors and assigns.

4. Copies:

This Agreement is executed in multiple copies, any one of which, or a true copy thereof, shall have the same evidentiary value.

5. Completeness:

It is understood and agreed that the entire Agreement of the parties is contained herein and that this Agreement supersedes all oral agreements and negotiations between the parties relating to the subject matter hereof as well as any previous agreements presently in effect between the parties relating to the subject matter hereof.

6. Severability:

The provisions of this Agreement are severable. If any paragraph, section, subdivision, sentence, clause or phrase of this Agreement is for any reason held to be contrary to the law or contrary to any rule or regulation having the force and effect of law, such decision shall not affect the remaining portions of the Agreement. However, upon the occurrence of such event, either party may terminate this Agreement by giving the other party thirty (30) days written notice.

A C K N O W L E D G M E N T

The undersigned agents for the County of Nueces and the Nueces County Water Control and Improvement District No. 4, respectively, acknowledge that they have read this Agreement and understand that it is the full and complete Agreement as between the parties. They further acknowledge that this Agreement must be executed by the District within sixty (60) days from the date of the County's execution of same or this Agreement shall be null and void and none of the provisions within said Agreement will bind either party.

EXECUTED on this the 7 day of August 1989,
1989.

NUECES COUNTY, TEXAS

Ramiro R. Canales
Ramiro R. Canales
Nueces County Tax Assessor-Collector

NUECES COUNTY, TEXAS

By: Robert N. Barnes
Robert N. Barnes
Nueces County Judge

Attest:

Approved as to Legal Form:

Nueces County Clerk

Carlos Valdez
Carlos Valdez
Nueces County Attorney

EXECUTED on this the _____ day of _____,

Nueces County Water Control and
Improvement District No. 4

By: James L. Edmonson
Title: PRESIDENT

Attest:

Approved as to Legal Form:

James L. Edmonson
Title: VICE PRESIDENT

Attorney for Water District
Attorney for Water District

WATER USE RESOLUTION

A RESOLUTION REGULATING WATER SERVICES: PROVIDING FOR USER CLASSIFICATIONS AND APPLICATION REQUIREMENTS; PRESCRIBING DEPOSITS AND WATER RATES FOR MONTHLY USAGE; PROVIDING FOR PAYMENT OF BILLS AND CONNECTION AND DISCONTINUATION OF SERVICE; THE INSTALLATION AND CONNECTION OF WATER SERVICE; WATER CONSERVATION; AND THE ENFORCEMENT OF WATER USE FOR THE NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4.

WHEREAS, The Nueces County Water Control & Improvement District No. 4, hereinafter referred to as "District", is a water control and improvement district organized pursuant to Article 16, Section 59, of the Texas Constitution; and

WHEREAS, the District, pursuant to Section 51.303 of the Water Code of the State of Texas, has facilities providing potable water service and has the authority to adopt rules and regulations which govern methods, terms and conditions of water service, including assessments for maintenance and operations:

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NOW, THEREFORE BE IT RESOLVED, that from and after the date of the adoption of this Resolution, it shall be the policy of the Nueces County Water Control & Improvement District No. 4 that:

SECTION A DEFINITIONS - As used in this resolution

1. "APPROVING AUTHORITY" means District Manager or duly authorized representative;
2. "CUSTOMER" means any individual and includes any corporation, organization, government or governmental subdivision or agency, business trust, estate, trust, partnership association, or other legal entity.

3. "DISTRICT" means the Nueces County Water Control & Improvement District No. 4 or any authorized person acting in its behalf;
4. "IMPACT FEE" means a charge or assessment imposed by a political subdivision against new development in order to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributed to such new development.
5. "INITIAL WATER SERVICE" means water service to one or more tracts or parcels of land lying within the boundaries of the District which have not previously been served with water by the District or, although previously served with water by the District, a greater quantity of water will be required than was supplied to the land previously.
6. "MONTHLY BILLING" means the period between any two (2) consecutive readings of the meters by the District and with such readings to be taken as near as practicable every thirty (30) days.
7. "PUBLIC WATER" means pipe or conduit carrying potable water in which owners of abutting properties shall have the use, subject to control by the Nueces County Water Control & Improvement District No. 4;
8. "WATER FACILITIES" includes all facilities for pumping, treating and providing potable water;

SECTION B WATER USER CLASSIFICATIONS

1. The following classifications are for persons using the water supply services within the District boundary:
 - a. Domestic
 - b. Commercial
 - c. Industrial
2. The various users of each such classification shall include, without necessarily being limited to, the following:
 - a. Domestic: Primary water use is for residential dwellings. Domestic customers include but are not limited to:
 - (1) Single Family Dwellings
 - (2) Multi-Family Dwellings
 - (3) Apartments
 - (4) CondominiumsEach consumer of water living in a separate house must have a separate connection and meter for each house.
 - b. Commercial: Primary water use is in direct support of domestic services and whose average daily flow does not exceed 10,000 gallons per day (GPD).
 - c. Industrial Customer: Customer who, in the opinion of the District Manager, is not defined as domestic or commercial or whose average daily flow is over 10,000 GPD. Industrial customers may be required to enter into individualized written contracts before water service will be furnished if potentially large demands are anticipated.

SECTION C APPLICATION

1. No person shall make any connection to the water distribution system of the

District without first completing, signing and submitting the appropriate application to the District Office. (See Appendix A). All necessary deposits and fees will also be paid at the time of submittal of the application.

All deposits, fees and other expenses shall be paid for at amounts and rates as prescribed herein and summarized in Appendix B. Applications are required for the following types of water service:

- a. General Water Service
 - b. Temporary Fireplug Meter - Construction Water (See Section G)
 - c. Irrigation During Water Rationing
2. Land of the applicant must be platted. Except as hereinafter provided, every lot, parcel, or tract of land for which application for water service is made to the District must be platted in accordance with the platting ordinance of Nueces County and/or the City of Port Aransas and the final plat thereof filed in the Nueces County Map Record Office.
 3. Any person owing delinquent water bills and removing to other premises where there are water connections, or where connections shall be thereafter made, shall, before being permitted to use the water, pay all former delinquencies.
 4. Any person wishing to have a service reconnected or disconnected shall complete and sign the appropriate form at the District Office (See Appendix A). All deposits, fees and other expenses as required shall be paid prior to reconnection. See also Section D - Deposits.

SECTION D DEPOSITS

1. Each water consumer shall make a security deposit, at the time of any request for service is filed with the District. Should such deposit be insufficient to pay two (2) average monthly bills for service furnished during the preceding twelve-month period or to be furnished as estimated by the District; or if experience has proved that a customer does not pay utility bills promptly when due, and as due, the District may require the security deposit to be in any sum deemed necessary to protect the interests of the District. In case the customer's bills for any two (2) consecutive monthly billing periods of normal operation actually prove to exceed appreciably the amount of the deposit, the District may, at its option, require the customer to deposit an additional amount of money sufficient to make the total on deposit with the District equal to the amount of the bills. If the customer fails to deposit the additional required sum within ten (10) days of written notice of the deposit requirements and penalty for failure to pay, such notice sent by U.S. mail to the customer at the address shown on the customer's application, the District may discontinue service without further notice. Such meter deposit may be applied to the payment of any utility bill, sewer or water, overdue to the District. Unused portion, if any, of such deposit will be refunded to the customer after service is discontinued. Such amount will be sent to the customer by U.S. mail to the address shown on the customer's application or such address as customer provides to the District for such purpose. The District shall not be under any obligation to pay any interest of any kind on any such deposit.
2. Where any service has been discontinued or interrupted for a period of twenty-four (24) months the deposit, if not redeemed by the customer, shall be, as to any part not applied to charges or fees, transferred to the water

general fund of the District in compensation for accounting costs of carrying an inactive account.

SECTION E MONTHLY BILLS

1. Bills for service will be rendered monthly unless otherwise specified by the District. All bills shall be payable at the District Office located in Port Aransas, Texas. Monthly bills are due when rendered and are payable, unless otherwise specified, on or before the twentieth (20th) day of each month. Bills not paid by the twentieth become delinquent and a Delinquent Statement will be sent to the customer by U.S. mail to the address shown on the customer's application. Bills not paid by the shut-off date shown on the Delinquent Statement are in default and service shall be disconnected.
2. If service is disconnected, a reconnection charge of Fifteen Dollars (\$15.00) will be collected, plus payments of all delinquent amounts then due on the account, before water service is restored. Reconnection charges are as shown in Appendix "B".
3. Any person who, without proper authority, reconnects to the water service of the District shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed Two Hundred Dollars (\$200), plus all costs of prosecution.
4. Failure to receive a bill in no way exempts a customer from payment of bills or the provisions of these terms and conditions.
5. When the District is unable to read a meter after reasonable effort, due to a condition created by the customer, the customer will be billed on an average of previous monthly bills and the billing adjusted the next time the meter is read.
6. Any customer issuing a check to the District for payment of a water service account shall be charged for the handling of said check if the check is returned as nonnegotiable/noncashable by the District's bank of deposit for reason of no funds, account closed or for any other reason. The handling charge is shown in Appendix "B". The nonpayment of such charge could result in the service being disconnected and the customer's deposit applied against the services.

SECTION F METERING

1. The Superintendent, using generally accepted industry standards, shall determine the size of the meter which shall be used for the water service requested, and shall require that such meter be installed.
2. The customer shall provide at a point on the premises, to be mutually agreed upon, a suitable location for the installation of meters and such other equipment as the District may deem necessary to enable it to deliver water and shall properly protect the District's property on the customer's premises and permit no one to inspect or tamper with the District's installation, apparatus and equipment, except District personnel and persons authorized to do so. All meters shall be set by District personnel or persons authorized to do so by the District. All bills shall be calculated upon the registration of such meters. All water that passes through the meter shall be charged for, whether used or not.

3. Should any meter fail to register, the water delivered during the period of failure shall, for billing purposes, be estimated at the average of previous monthly bills, calculated when the meter was in order.
4. The District with or without request of the customer may inspect and test meters and whenever any test shall show a meter to be registering in error exceeding an amount considered to be excessive by the District, such meter shall be adjusted within the limits of error so specified and whenever the meters are so adjusted, the readings thereof shall be corrected, and payments be made accordingly. No corrections shall be made, as to any bill rendered by the District, unless requested before the expiration of the calendar month next succeeding the month in which such readings were taken.
5. Meters, service connections, locks, seals, valves or any other District property broken, damaged or stolen while on the premises of the customer, or by the customer or someone acting in his behalf, will be charge to the customer at a fair price based on the cost of the labor and materials necessary to repair or replace the damages, destruction or stolen property. These charges must be paid in order for reconnection of service.

SECTION G TEMPORARY FIREPLUG METERS

1. Fireplug meters may be obtained where other sources of water are not available and by completing, signing and submitting the appropriate application to the District Office. (See Section C and Appendix A). All necessary deposits and fees will also be paid at the time of submittal of the application. A temporary fireplug meter may be installed for a temporary period up to thirty (30) days and such meter will not be installed on a fire hydrant that is within an area of risk such that using the fireplug is considered to be a hazard by the City of Port Aransas Fire Chief.
2. Request for temporary fireplug meters will be made at the District office. A meter security deposit and a consumption deposit will be required for the meter. The security deposit covers damage or loss of the meter and/or fire hydrant and the consumption deposit is for water usage. The amount of the deposit shall be as shown in Appendix "B". All or a portion of these deposits are returnable upon discontinuance of service, return of the meter, payment of any amounts owed and upon inspection of the meter and the Fire Hydrant by the District. The District shall not be under any obligation to pay any interest of any kind on any such deposit.
3. Meters are to be installed and removed by District Personnel.
4. Rates charged for water will be as published in the regular rate schedule. (See Appendix B).

SECTION H MAINTENANCE OF AND ACCESS TO METERING AND SERVICE LINES

1. The customer shall maintain the premises in full compliance with all laws and resolutions of the District. Authorized District personnel shall have free access at all reasonable hours to the premises of the customer for the purpose of inspecting installations and equipment, removing the property, reading meters

and for other purposes related to providing water service. The District does not, however, assume any responsibility for the customer's plumbing, apparatus, machinery or equipment beyond the point of delivery, described as being the point where the water first leaves the meter and enters the line provided by and/or owned by the customer, and the customer agrees to protect and hold harmless the District from all claims for injuries and damages to persons and property occurring upon the premises of the customer, except when, or if, such damage is occasioned by the negligence of the District.

2. Customers shall keep their own service pipelines and apparatus in good repair and condition and protected from frost at their own risk and expense and shall prevent all unnecessary waste of water.
3. There shall be no obstructions located in Utility Easements. It shall be unlawful for any person to place any rubbish or other obstruction in any utility easement in the District or to plant bushes, trees or shrubs in such easement, or for any person owning any lot in the District to permit any rubbish, trees, bushes, shrubs or other obstructions to remain in the Utility Easement on such lot.

SECTION I LIMITATION OF LIABILITY OF DISTRICT

The District will not be responsible or liable for injuries or damages caused by or resulting from failure to furnish water service or injuries and damages resulting from the performance or nonperformance of any acts or things by the District required of it or in anyway connected with the furnishing of service of the district, unless it can be shown that the negligence of the District or its personnel were the sole proximate cause of the injury or damage complained of.

SECTION J MODIFICATION OF TERMS

No employee or personnel of the District has the authority to amend, modify, alter or waive any of the terms and conditions of the Water Use Resolution, or to bind the District by making any promises or representations not contained therein.

SECTION K TAPS AND CONNECTIONS

1. Water tap applications are available from the District Office (See Section C). An application form is attached as Appendix A.
2. The Superintendent, using generally accepted industry standards, shall determine the size of the tap which shall be used for the water service requested, and shall require that such tap be installed.
3. Water tap fees are separate and distinct from any plumbing permit or inspection fees as required by the City of Port Aransas and will not be construed as being a part of or as including such fees.
4. Utility tap fees will be paid upon application for the tap. Upon the payment of tapping fees, deposits and other expenses, the District shall make, or cause to be made, the necessary connections and furnish a meter box and curb stop, the cost of which is included in the fees.
5. Tap Fee Schedule is as shown in Appendix "B". See Section L for Capital Impact Fee requirements. The Tap Fee will be adjusted for any taps made by a contractor or developer. All water taps on county or state highways will be

charged as time and materials due to special construction requirements.

6. Water taps will be made and services installed to a standard location by the District or approved contractor and in accordance with plans and specifications approved by the District. Applicant will stake where the customer's service lines are to cross the property line. The District will attempt to locate the taps at the staked location unless otherwise prohibited. Necessary meters will be installed and the entire installation will remain the property of the District and will be maintained by the District for as long as services available from the District are desired on the property by the customer. See also Section H. All customer tie-ins to the District's main, require an inspection and approval by District personnel prior to backfilling the location.
7. The existence of mains, or even lateral lines, near a property will not constitute an obligation for the District to tap such lines on request for taps, where such lines are inaccessible due to necessary crossings of major highways or major streets or due to excessive cost or excessive distance. These special cases must be arranged for with the District Manager well in advance of the desired service date, to permit necessary extensions, crossings or similar construction.

SECTION L CAPITAL IMPACT FEE

1. The District has developed a Capital Impact Fee to pay the costs of constructing capital improvements or facility expansions for the existing water supply system which is limited. Each customer who applies for "initial water service" places an additional demand on said water system and the Capital Impact Fee insures the availability of funds to provide any required improvements to meet the increase in demand.
2. Every owner, user, or developer of one or more tracts or parcels of land lying within the boundaries of the District who proposes to serve said tract or parcel of land with a supply of fresh potable water provided by the District or who proposes to increase the flow of fresh potable water to the land from the District's water system must complete and submit the appropriate application and fees. If the District Manager determines that an application is for "initial water service" a Capital Impact Fee will be required to be paid by the Applicant prior to water service being provided. The impact fee shall be calculated using the criterion set out as Exhibit "A" which is attached as Appendix C.
3. Such Capital Impact Fees collected shall be placed in the interest bearing capital improvement account of the District and the fees, together with the interest earned, shall be used by the District for future capital improvements to the District's water system.

SECTION M WATERWORKS REGULATIONS

1. The District Manager or Superintendent may, at any time, with or without notice, order the water cut off for repairs, extensions or other lawful purpose as necessary. The District shall have the right to cut off a customer's water in case of false representation on the part of an applicant for the use of water, or the use of water for purposes not embraced in the application, or the willful or unreasonable waste of water and the District shall have the right to recover

all damages.

2. There will only be one water tap per lot. Double connections will not be allowed.
3. No customer shall supply water to other persons or families, except for use on their own premises, for the purposes specified in the application, nor shall they, after the water is introduced upon or into the property or premises, without written permit from the District, specifying the change to be made, make any change in the manner of use of the water, under penalty of having the water cut off without notice.
4. The filling of wells from the District water supply lines is prohibited and the filling of cisterns, tanks or vats shall only be done through a meter, and the filling of cisterns, tanks or vats through hose attached to fire hydrants shall be unlawful, and any person, his agent or employee, who shall fill or cause to be filled any cistern tank or vat in any other manner than herein provided shall be guilty of a misdemeanor.
5. No person, except District personnel performing duties of the District, shall take any water from any public hydrant, street washer, plug, draw cock, hose, pipe or fountain, except for fire purposes, and for use of the fire department in case of fire, nor shall anyone in any way use or take any water for private use which is furnished by the District, except by permission in writing from the District Manager or Superintendent.
6. No person shall open any fire hydrant or remove the stopcock cover of any public or private stopcock or any private street washer, place or deposit any dirt or other material in such stopcock boxes, turn any water off from any public or private stopcock, commit any act tending to obstruct the use thereof or injure in any manner any building, machinery, pipe, apparatus, tools or fixtures of the District waterworks.
7. Water supplied for domestic customers shall be supplied and furnished through a three-fourths ($3/4$) inch pipe. Taps for larger pipes than the above will be allowed only by the Superintendent's approval.
8. Customers are not guaranteed a specific quantity of water for any purpose whatsoever, nor does the District guarantee the quality of the water furnished, but simply an ample supply for the purpose named in the application.
9. No service pipe shall be entered by any plumber or other person in any premises where a corporation cock has been previously inserted, or water conveyed for the purpose of giving additional supply, except in conformity with and subject to this resolution; nor shall any two (2) corporation cocks be inserted into any of the distributing mains within the distance of eighteen (18) inches of each other.
10. Customers shall install and have approved a "cut-off valve" inside of the service line at a location accessible in event of an emergency, and shall not use the curb cock at the meter in lieu of such "cut-off valve".
11. Feed pumps for supplying water to steam boilers will not be permitted to take water directly from the service pipes, but must draw from an open receptacle, into which the water has been previously discharged. In all cases where boilers are supplied, the plumbing shall be done in such manner as will prevent the hot water from backing into the meter. The owner of the premises will be held responsible for all damages to meters resulting from hot water

backing up into them.

SECTION N WATER CONSERVATION

1. Scope, purpose and authorization.
 - a. Scope. There is hereby established a District Water Conservation Plan to prevent the waste and/or unauthorized use of water throughout the entire District.
 - b. Declaration of Policy. It is hereby declared that the general welfare requires that the water resources available to the District be put to the maximum beneficial use to the extent to which they are capable, and that the waste or unreasonable use, or unreasonable method of use of water be prevented, and the conservation of such water is to be extended with a view to the reasonable and beneficial use thereof in the interests of the people of the area served by the District's water resources and for the public welfare.

In making decisions under these Rules and Regulations concerning the allocation of water between conflicting interests, highest priority will be given to allocation necessary to support human life and health; i.e., the minimum amount of water necessary for drinking, prevention of disease, and the like. Second highest priority will be given to allocations which will result in the least loss of employment to persons whose income is essential to their families.
 - c. Authorization. The District Manager, upon his determination that such implementation is necessary to protect the public welfare and safety, is hereby authorized and directed to implement the applicable provisions of these Rules and Regulations in cooperation with the City Manager and Director of the Department of Public Utilities of the City of Corpus Christi, Texas.
 - d. Coordination. The District Manager will monitor the actions of the City Manager and Director of the Department of Public Utilities of the City of Corpus Christi, Texas with regard to their implementation of the City of Corpus Christi's Water Conservation Ordinance and at the time (or as soon thereafter as is practicable) each condition or conservation stage of the Corpus Christi Ordinance is implemented, the similar conservation stage or condition of these Rules and Regulations will be implemented.
2. Prohibited uses of water during water shortage periods; exceptions; presumption of violation.
 - a. No customer of the District water system shall knowingly make, cause, use or permit the use of water from the District system for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this Section, or in an amount in excess of that use permitted by the conservation state in effect, in accordance with the provisions of this Section. The provisions of this Section shall apply to all uses of water from the District water supply system wherever situated and the term "person" includes individuals, corporations, partnerships, associations and all other legal entities.
 - b. The conservation stage, which shall be coordinated with the conservation stage in effect or being put into effect in the City of Corpus Christi, shall

be publicly announced by the District Manager and such announcement shall be published at least once in a newspaper with general circulation within the District at least five days prior to the conservation stage going into effect. The conservation stage at that time in effect shall also be conspicuously posted in the office of the District.

- c. The use or withdrawal of water from the water supply system of the District for the following purposes or uses is hereby regulated during any period of water shortage commencing with the public announcement of the conservation stage by the District Manager and the effective date as herein provided and shall continue until such water conservation measures are no longer deemed necessary by the District Manager in accordance with these Rules and Regulations.
3. Condition I - Water Shortage Possibility. On the effective date after public announcement by the District Manager, customers of the water systems of the District are requested to voluntarily conserve and limit their use and all District operations are placed on mandatory conservation. Water used for irrigation of vegetation may be used on such day or days of each week, on premises the street number of which is an even number, and on such day or days of each week, on premises the street number of which is an odd number, as may be designated by the District Manager. In the event the premises have no number, application shall be made to the city building official or the District Manager (as the case may be) for the assignment of a number to such premises and such premises shall thereafter bear the number so assigned. Such day or days may be changed by further directive of the District Manager. In the event any premises do not have a number at the time of the occurrence of any violation under this Regulation, the premises shall be in the category of premises with even numbers. No person or customer shall cause or permit water to run or waste in any gutter or otherwise.
4. Condition II - Water Shortage Watch. On the effective date after public announcement by the District Manager, the following restrictions shall apply to all persons and the withdrawal of water from the system for the following purposes or uses is hereby prohibited. All elements of Condition I shall remain in effect in Condition II.
 - a. The sprinkling or watering of lawns is prohibited. Provided, however, the District Manager may authorize the watering of trees, shrubbery, annual, biennial or perennial plants, vines, gardens, vegetables and flowers through the means of a hand held hose equipped with a positive shut off-nozzle, drip irrigation or a hand held bucket or watering can. When authorized, such watering shall be done only between the hours of 6:00 a.m. and 8:00 p.m. on Mondays, Wednesdays and Fridays. Allowing of water to run off yards or plants into gutters or streets shall be deemed a waste of water and is prohibited. Commercial nurseries shall be excepted from the prohibition of this subparagraph and shall be permitted to water nursery stock by means of a hand held hose if equipped with a positive shut-off nozzle, drip irrigation or hand held bucket or watering can between the hours of 8:30 a.m. and 6:00 p.m. Commercial nurseries shall be permitted to use sprinkler irrigation systems to maintain nursery stock provided irrigation water is recaptured and recirculated. Residential homeowners and occupants may install and water on day of purchase those classes of plantings described herein, excluding lawns.

- b. The washing of automobiles, trucks, trailers, boats, airplanes and any other type of mobile equipment except that individuals may wash their private cars or boats if they use a bucket, pail, or normal sized receptacles; and further provide, that filling stations shall wash their customers' cars with a bucket, pan, pail or other receptacles not larger than of 5 gallons capacity; however, an individual or filling station, after such washing, shall be permitted to rinse the car or boat off with a hand held hose if equipped with a positive shut-off nozzle, using only a reasonable amount of water in so doing. Commercial or automatic car wash establishment shall use minimum practical water settings.
 - c. The washing of building exteriors and interiors, trailers, trailer houses and railroad cars, except that in the interest of public health the District Manager may permit limited use of the water as the case may be.
 - d. The permitting or maintaining of defective plumbing in a home, business establishment or any location where water is used on the premises. The permitting of the wasting of any water by reason of defective plumbing as hereinabove mentioned shall include the existence of out-of-repair water closets, underground leaks, defective faucets and taps. The permitting of water to flow constantly through a tap, hydrant, valve or otherwise by any user of water connected to the District system, shall be considered as a wasting of water and prohibited by this Article.
 - e. The use of fire hydrants for any purpose other than fire fighting.
 - f. The use of water in ornamental fountains or in artificial waterfalls where the water is not reused or recirculated in any manner.
 - g. The use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts or other hard-surfaced area, or building or structure.
 - h. The use of water for dust control.
 - i. The use of potable water by a golf course to irrigate any portion of its grounds except those areas designated as trees and greens and only between the hours of 6:00 a.m. and 10:00 a.m. on the designated watering days.
 - j. Any use of water for the purposes or in a manner prohibited in this Section shall be deemed to be a waste of water and any person violating any of the provisions of this Article and any person in whose name a water meter connection is registered in the District Office, which water connection serves premises upon which a violation occurs, and proof that the particular premises have a water meter connection registered in the name of the defendant named in the complaint, shall constitute in evidence a prima facie presumption that the person in whom such water connections was registered was the person who permitted or caused the act of waste charged to occur on the premises.
 - k. Concurrently with the implementation of Condition II, the Board of Directors of the District shall appoint an Allocation and Review Committee, as hereinafter provided, for the purpose of reviewing water conservation policies and establishing exemptions.
5. Condition III - Water Shortage Warning. On the effective date after public announcement by the District Manager, the following restrictions shall apply

to all persons. All elements of Condition II shall remain in effect in Condition III.

- a. Prohibit new connections for service to the District water system where other supply service is available.
 - b. A mandatory limit of normal water use by customers without use penalty in amounts as determined by the District Manager and the Allocation and Review Committee and in coordination with the City of Corpus Christi.
 - c. In connection with the enforcement of paragraph b hereof, the District Manager shall establish a monthly maximum water use beyond which water service will be terminated.
 - d. A rate schedule will be adopted to establish rates and penalties for uses in excess of permitted amounts.
 - e. When watering of plants is authorized by the District Manager, such watering shall be permitted only between the hours of 6:00 a.m. and 9:00 a.m. and between 6:00 p.m. to 9:00 p.m. on Mondays, Wednesdays, and Fridays.
 - f. The following water uses are prohibited.
 - (1) The use of water to serve a customer in a restaurant unless requested by the customer.
 - (2) The use of water for the expansion of commercial nursery facilities.
 - (3) The use of water for scenic and recreational ponds and lakes.
 - (4) The use of water to put new agricultural land into production.
 - (5) The use of water for new planting or landscaping.
 - (6) The use of water for private, single-family residential swimming pools, wading pools, jacuzzi pools, hot tubs and like or similar uses.
 - (7) The use of water for municipally-owned swimming pools.
 - (8) The use of water for privately-owned neighborhood and subdivision swimming pools accessible to the public and swimming pools owned by country clubs, athletic clubs, health clubs, fraternal organizations and other like or similar pools.
 - (9) The use of water for hotel, motel, condominium, apartment and other multi-family, residential-user swimming pools, including commercial and business swimming pools.
6. Condition IV - Water Shortage Emergency. On the effective date after public announcement by the District Manager, the following restrictions shall apply to all persons. All elements of Condition III shall remain in effect in Condition IV.
- a. No applications for new, additional, further expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or other water service facilities of any kind shall be allowed, approved, or installed except as approved by the Allocation and Review Committee.
 - b. All allocations of water use to industrial and commercial customers in amounts as established by the Allocation and Review Committee.
 - c. The maximum monthly use for a residential customer be established with revised rate schedules and penalties by the Board of Directors of the District on recommendation by the Allocation and Review Committee.

- d. The Board of Directors and the District Manager shall take those actions deemed necessary to meet the conditions resulting from the emergency.
7. Allocation and Review Committee, establishment, composition, powers and duties. The Allocation and Review Committee shall be composed of five (5) members, one of whom shall be the District Manager. The other four members of the Committee shall be appointed by the Board of Directors of the District and shall serve at the pleasure of the Board of Directors. Insofar as practicable, an attempt will be made to appoint persons who are representative of a cross section of the District's customers.

The Committee shall consider requests of water users for special consideration to be given as to their respective particular circumstances and the Committee shall hear and decide such requests and is hereby authorized to, in special cases, grant such variance from the terms of this Article as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this Article will result in unnecessary hardship, and so that the spirit of this Article shall be observed and substantial justice done. Should a permit for special exception be granted by such Committee, it shall be in effect from the time of granting; provided, that the permit is prominently posted on the premises within two (2) feet to the street number (or front door if be no street number) located on the premises. Should protest be received after the granting of any such special permit, the Committee shall consider the revocation of such permit and shall reconsider the granting of such permit at a public hearing, notice of which shall have been given at least one (1) day prior to the holding of such hearing. After the conclusion of such hearing, the Committee shall take such action by way of revocation of such permit, or refusal to revoke the same, or modification of such permit as the Committee may deem proper under the circumstances.

8. Violations, Penalty and Enforcement.
 - a. Any person, corporation or association violating any provision of these Rules and Regulations shall be deemed guilty of a misdemeanor and, upon conviction shall be punished by a fine not to exceed Two Hundred Dollars (\$200). The commission of a violation of each provision, and each separate violation thereof, shall be deemed a separate offense, in and upon conviction thereof shall be fined as hereinabove provided. If any person, firm, corporation, association, customer or user of water of the water system of the District is found guilty of a second violation of this Article; the District Manager shall be authorized to discontinue water service to the premises where such violation occurs.
 - b. Any District employee designated by the District Manager, may issue a citation to a person he reasonably believes to be in violation of these Rules and Regulations. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the offense charged, and shall direct him to appear in the Justice Court within five (5) days of service of the citation. Said employee shall also file a complaint with the Justice Court. The alleged violator shall be requested to sign the citation, and shall be served a copy of the citation. Service of the citation shall be complete upon the attempt to give it to the alleged violator. The alleged violator shall appear in Justice Court to make his

plea within five (5) days of service of the citation, and failure to so appear shall be a violation of these Rules and Regulations.

- c. A person in apparent control of the property where the violation occurs or originates shall be presumed to be the violator, and proof of facts showing apparent control by such person of the premises and proof that the violation occurred on the premises shall constitute prima facie evidence that said person committed the violation, but said person shall have the right to show that he did not commit the violation. Any person whose name is on file with the District Office as the customer on the water account for the property where the violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on said premises shall constitute prima facie evidence that the customer committed the violation, but said customer shall have the right to show that he did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children, and proof that a child committed a violation on property within the parent's control shall constitute prima facie evidence that said parent committed the violation, but said parent may be excused if he proves that he had previously directed the child not to use the water as it was used in the violation and that the parent could not have reasonably known of the violation.

SECTION O PENALTY FOR CRIMINAL MISCHIEF

The District may pursue all criminal and civil remedies to which it is entitled under authority of statutes and resolutions against a person negligently, willfully, or maliciously causing loss by tampering with or destroying public water supply system or facilities.

SECTION P SEVERABILITY

If any provision of this resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and to this end the provisions of this resolution are declared to be severable.

SECTION Q EFFECTIVE DATE

This resolution shall be full force and become effective from and after its passage, approval, recording and publication as provided by law.

PASSED AND APPROVED ON THE 10th DAY OF July 1989.

NUECES COUNTY WATER CONTROL
& IMPROVEMENT DISTRICT NO. 4

By George L. Vann
President, Board of Directors

ATTEST

Charles E. Gunn
Secretary

APPENDIX A

AUTHORIZATION TO RECONNECT OR DISCONNECT SERVICE
APPLICATION FOR WATER AND/OR SEWER SERVICE
FEE WORKSHEET
APPLICATION FOR CONSTRUCTION METER
APPLICATION FOR IRRIGATION DURING WATER RATIONING

AUTHORIZATION TO DISCONNECT SERVICE

I _____ request the disconnection of service at

_____ Account # _____ on

(date)

Applicant

District Representative

Drivers License

Date

Nueces County Water Control & Improvement District No. 4
Application for Water and/or Sewer Service

Account Number _____

Date _____

Telephone _____

Applicant (Print Name)

Street Address of Property

Billing Address

Legal Description of Property

Use of service _____

TIE-IN REQUIREMENTS:

Tap location – Applicant will **stake** where service lines are to cross the property line. The District will attempt to place the taps at this location unless otherwise prohibited.

Inspections – All water and sewer tie-ins and all sewer service lines require an **on-site inspection** by a District employee. Failure to call for the required inspection could result in a fine and/or loss of service.

Grease Traps – All restaurants, car washes, and other grease and/or silt producing businesses must install a District Approved Grease Trap.

FEE INFORMATION:

Capital Impact Fees – If the District determines that this application is for initial water and/or sewer service or a change of existing service that will cause an increase in service, a Capital Impact Fee, based upon this increase will be charged. The formula for the computation of this fee is available from the District's office. **Notice:** Any construction on the property that would change or increase the use of service specified herein, will require a new application.

Tap Fees: The District's customary tap fee will be charged for each tap made by the District. Any taps made by a contractor will be installed according to the District's specifications. On lots with pre-installed service extensions, the tap fee will be adjusted accordingly.

Monthly Billing Charges: The water billing will become effective with the installation of the meter. The sewer billing will become effective upon the inspection of the sewer tie-in. There is a service charge on all returned checks.

Nueces County Water Control
& Improvement District No. 4

Applicant

District's Representative
form 589

Drivers License

FEE WORKSHEET

Proposed Flow:

$$\text{Water} - \frac{\text{No. of Units}}{\text{SF/650 - RV/100 or Flow per Table \#1}} \times \text{Proposed Flow (GPD)} = \text{Proposed Flow (GPD)}$$

$$\text{Sewer} - \frac{\text{No. of Units}}{\text{SF/300 - RV/200 or Flow per Table \#1}} \times \text{Proposed Flow (GPD)} = \text{Proposed Flow (GPD)}$$

Existing Flow: (only if applicable)

$$\text{Water} - \frac{\text{No. of Units}}{\text{SF/650 - RV/100 or Flow per Table \#1}} \times \text{Existing Flow (GPD)} = \text{Existing Flow (GPD)}$$

$$\text{Sewer} - \frac{\text{No. of Units}}{\text{SF/300 - RV/200 or Flow per Table \#1}} \times \text{Existing Flow (GPD)} = \text{Existing Flow (GPD)}$$

Index: Water - \$.749 (see Water Exhibit A for Harbor Island index)
Sewer - \$1.72

Calculation:

$$\text{Water} - \frac{\text{Proposed Flow (GPD)} - \text{Existing Flow (GPD)}}{\text{Index}} \times \text{Capital Impact Fee} = \$$$

$$\text{Sewer} - \frac{\text{Proposed Flow (GPD)} - \text{Existing Flow (GPD)}}{\text{Index}} \times \text{Capital Impact Fee} = \$$$

Tap Fees:

Water Tap - \$ Sewer Tap - \$

Security Deposit - \$

Total Fees Due \$

Nueces County Water Control & Improvement District No. 4

Application for Construction Meter

Please print or type

Account No. _____

Date _____

Telephone _____

(Name of Applicant)

(Name of Project)

(Billing Address of Applicant)

(Street Address of Project)

Construction Meter Deposit

\$675.00

The meter and water consumption is for construction use only. Construction meters are temporary and permanent installation will require a new application for Water and Sewer service. Deposit will be refunded after inspection of the meter, fire hydrant and all amounts due are paid.

NOTE: The construction meter is to be installed and removed by District Personnel only.

Signature of Applicant

District's Representative

Drivers License

Nueces County Water Control & Improvement District No.4
Permit Application for Irrigation During Water Rationing

Name of Applicant

Location or Project Name

Address

Telephone

Name of Landscaping Company

Address

Telephone

Sketch of area sodded by the landscaping company attached

Letter from the landscaping company certifying the date of installation of area sodded
attached

Date of Permit

Irrigation each day from to

Irrigation three times per week for one week from to on
and

Irrigation twice per week for two weeks from to on
and

Expiration of Permit

Conditions of Permit

1. Special care shall be taken to prevent runoff or waste of water.
2. Watering will only occur from 12:01 a.m. (midnight) to 6:00 a.m. on permitted days.

District's Representative

APPENDIX B
SUMMARY OF COSTS

SUMMARY OF COSTS

SECTION

D	1.	SECURITY DEPOSITS	MINIMUM OF \$50
G	2.	TEMPORARY FIREPLUG METER DEPOSITS (METER \$355 & FIRE HYDRANT \$145)	METER SECURITY \$500 CONSUMPTION \$175
E	3.	RETURNED CHECK CHARGE	HANDLING \$ 20
K	4.	TAPS	

<u>Tap Size</u>	<u>Fee</u>
3/4 Inch	\$344.00 Plus Capital Impact Fee & Plus Street Repair
1 Inch	\$450.00 Plus Capital Impact Fee & Plus Street Repair
Over 1 Inch	\$750 Plus any additional amount over for the actual cost of the meter and installing the tap (labor, materials and equipment used for the installation) plus the Capital Impact Fee & Plus Street Repair

- (a) See Section L and Appendix "C" for Capital Impact Fee requirements.
- (b) The Tap Fee will be adjusted for any taps made by a contractor or developer.
- (c) All water taps on county or state highways will be charged at time and materials due to special construction requirements.
- (d) Street cut repair only when and where necessary, based on time, materials and permit cost.

E 5. WATER RATES & RECONNECT CHARGE (MIN. CHARGE UP TO 5000 GALS USAGE)

<u>RATE CODE</u>	<u>METER SIZE</u>	<u>MINIMUM CHARGE</u>	<u>RECONNECT CHARGE</u>
B	5/8"	\$ 9.50	\$15.00
C	3/4"	\$ 9.50	\$15.00
D	1"	\$ 22.00	\$15.00
E	1-1/2"	\$ 44.00	\$15.00
F	2"	\$ 88.00	\$15.00
G	3"	\$174.00	\$25.00
H	4"	\$348.00	\$25.00
I	6"	\$543.00	\$25.00

MONTHLY RATE: \$2.00 PER 1000 GALS OVER MINIMUM OF 5000 GALS
 CONSTRUCTION METERS: \$3.15 PER 1000 GALS OVER MINIMUM OF 5000 GALS
 ALL RECONNECTS AFTER BUSINESS HOURS WILL BE CHARGED DOUBLE

L 6. CAPITAL IMPACT FEE SEE APPENDIX "C"

APPENDIX C
CAPITAL IMPACT FEE EXHIBIT "A"

WATER EXHIBIT A

The method and criterion to be used in determining the capital impact fee for initial water service shall be that upon receipt of a fully completed application for water service the Manager shall complete the following steps:

I. CALCULATE THE CAPITAL IMPACT FEE:

Proposed flow (GPD) - existing flow (GPD) x capital impact index = Capital Impact Fee
(see Section II, III, IV & V)

II. CLASSIFY THE CUSTOMER:

A. DOMESTIC CUSTOMER:

A domestic customer is defined as one whose primary water use is in residential dwellings. Domestic customers include but are not limited to:

- | | |
|----------------------------|-----------------|
| 1. Single family dwellings | 3. Apartments |
| 2. Multi-family dwellings | 4. Condominiums |

If customer is classified as domestic, go to Section III (A) to calculate the proposed flow.

B. COMMERCIAL CUSTOMER:

A commercial customer is defined as one whose primary water use is in direct support of domestic services and whose average daily flow does not exceed 10,000 GPD.

If customer is classified as commercial, go to Section III(B) to calculate the proposed flow.

C. INDUSTRIAL CUSTOMER:

An industrial customer is defined as one who, in the opinion of the Manager, should not be defined as domestic or commercial or whose average daily flow is over 10,000 GPD.

If the customer is defined as industrial, go to Section III (C) to calculate the proposed flow.

III. CALCULATE THE PROPOSED FLOW:

The assessment for the water capital impact fee will be based on the number of living unit equivalents for domestic customers and from historical data for commercial and industrial customers.

A. DOMESTIC CUSTOMER:

A living unit equivalent shall be defined as a room or rooms occupied or intended to be occupied as separate living quarters by a single family or other group of persons living together as a household or by a person living alone. A living unit equivalent may include one family, two family or multiple family dwellings. Multiple family dwelling may include duplex, triplex, apartment condominium or townhouse. Each separate living quarter within a multiple family dwelling is considered a separate unit.

Number of living unit equivalents x flow/unit = flow (GPD)

B. COMMERCIAL CUSTOMER:

Commercial flow shall be determined from the historical flow data on Table #1 on the following page and the equation below:

Flow/unit x number of units = flow (GPD)

<u>TABLE # 1</u>		
<u>CATEGORY OF USE</u>	<u>FLOW/UNIT</u>	<u>UNIT</u>
1. Restaurant	33. GPD	1 Customer seat
2. Cocktail lounge	7. GPD	1 Customer seat
3. Store/Shop	50. GPD	1 Water fixture
4. Convenience store with service station	1200. GPD	1 Store
5. Self-service laundry	280. GPD	1 Washing machine
6. Bath house	25. GPD	1 Water fixture
7. Hospital	200. GPD	1 Bed
8. Warehouse	50. GPD	1 Water fixture
9. Service station	900. GPD	1 Station
10. School	20. GPD	1 Student
11. Office building	20. GPD	150 Square feet
12. Car wash	1000. GPD	1 Stall
13. Movie theater	10. GPD	1 Seat
14. Recreational vehicle park	100. GPD	1 Space
15. Motel/Hotel	385. GPD	1 Unit (without kitchen)
16. Boat slip	68. GPD	1 Slip
17. Other - To be determined by the Manager from historical data.		

Note: The historical flow data represents averages within each category and although individuals actual flow may vary, the average values will be applied for all applicants.

C. INDUSTRIAL CUSTOMERS:

Industrial flow will be determined by the Manager based on the customers projected use and any available historical data.

IV. CALCULATE THE EXISTING FLOW:

If there is no existing flow (existing flow = 0 GPD)

A. GOVERNING DOCUMENTS IN ORDER OF PRECEDENCE:

1. Individual contracts.
2. The most current approved water application.
3. Existing facilities.

B. PROCEDURE FOR DETERMINING EXISTING FLOW:

1. If the customer holds an individual contract, the capacity is determined by the conditions of the contract, if so stated.
2. If no contract exists or quantities are not defined within the contract, the current application for water service is used to determine the flow. The description of use will

- be applied to Table # 1, Section III (B) to determine existing flow.
3. If no description is given on the application, or there is no application, the flow will be based on Table # 2 below.

TABLE # 2

<u>METER SIZE</u>	<u>FLOW</u>
5/8	650. GPD
3/4	1000. GPD
1	6500. GPD
1-1/2	13000. GPD
2	22750. GPD
3	32500. GPD
4	97500. GPD
6	130000. GPD

V. CALCULATE THE CAPITAL IMPACT INDEX:

The capital impact index represents the District's cost per gallon to build ground storage, elevated storage and transmission facilities. The Manager may require that industrial customers build their own ground storage facilities. In the event the District does require the customer to provide their own ground storage, the customer's capital impact fee will reflect only the construction cost of the transmission facilities. Harbor Island customers will be required to pay an additional transmission fee equal to \$0.10 per gallon of daily demand.

A. CUSTOMERS NOT PROVIDED GROUND STORAGE:

Capital impact index = \$.749 ($\$.16 + .414 = \$.749$)

B. CUSTOMERS PROVIDING GROUND STORAGE:

Capital impact index = \$.414

C. CUSTOMERS NOT PROVIDING GROUND STORAGE (HARBOR ISLAND):

Capital impact index = \$.849 ($\$.16 + .175 + .414 + .10 = \$.849$)

D. CUSTOMERS PROVIDING GROUND STORAGE (HARBOR ISLAND):

Capital impact index = \$.514 ($\$.414 + .10 = \$.514$)

VI. IRRIGATION METERS:

It is assumed that irrigation is included in domestic customers water use. Our calculations of consumption and capital impact fees allow for 150 gallons per units for irrigation. If the customer desires an irrigation meter in addition to their domestic meter, an application for water service will be filled out and a meter size determined by irrigation plans. The applicant will be credited 150 gallons per unit.

Note: No irrigation meter larger than 2" will be allowed.

A. CALCULATE THE CAPITAL IMPACT FEE:

1. Pick a meter size according to irrigation plans, then use the following formula:

Irrigation flow - (Number of units x 150 GPD) x \$0.749 = Capital Impact Fee.

**MINUTES OF
REGULAR MEETING**

MAY 1, 1989

STATE OF TEXAS

S

COUNTY OF NUECES

S

On the 1st day of May, 1989, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in a Regular Meeting at 10:00 A.M. at the District Office, 315 South Ninth Street, Port Aransas, Texas, there being present and in attendance the following to wit:

	President	George Hawn
	Vice President	Jim Edmonson
	Secretary	Charles Brown
	Secretary Pro-tem	Ed Reed
	Director	Al Mora
Staff:	Executive Secretary	Mary Moss
	Engineer	Jim Urban
Visitors:	Nueces County Tax Assessor	
	Collector's Staff	John Falcon
		Mike Chapa

Due to a lack of quorum, the meeting was postponed until 5:00 P.M. The meeting was called to order at 5:00 P.M. by the presiding officer, Mr. Hawn, pursuant to notice posted.

Minutes

A motion was made by Mr. Reed and seconded by Mr. Mora to approve the minutes of the March 17, 1989 meeting. The motion carried unanimously.

**Nueces
County
Tax
Contract**

Mr. Falcon and Mr. Chapa, representatives from the Nueces County Tax Assessor Collector's office, presented a preliminary contract for the collection of the District's Ad Valorem Taxes. After much discussion, a motion was made by Mr. Brown and seconded by Mr. Reed to approve the contract as amended. The motion carried unanimously.

**La Concha
Spa
Easement &
Warranty**

A motion was made by Mr. Edmonson and seconded by Mr. Reed to approve the easement and guaranty agreement from La Concha Spa as presented by the staff. The motion carried unanimously.

**Engineering
Contract
NWWTP
EPA Grant**

Mr. Urban presented Amendment #2 to the Engineering Contract for the NWWTP EPA Grant increasing the total amount by \$10,989. Mr. Edmonson made a motion and Mr. Mora seconded, to approve the Amendment #2 as presented and have Mrs. Sherrill execute the contract. (A copy of the amendment is attached and becomes a permanent part of these minutes)

**Land
Outside
District**

After a discussion of how to serve unannexed land within the District boundaries, the Board instructed Mr. Urban to review the present contracts with the District's attorney, Mr. Prichard, and prepare a draft of a Utility Service Agreement for further study at a future workshop meeting.

**Engineer's
Report**

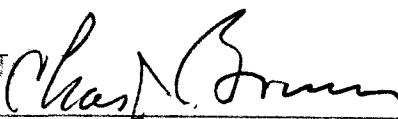
Mr. Urban gave a progress report on the following projects;

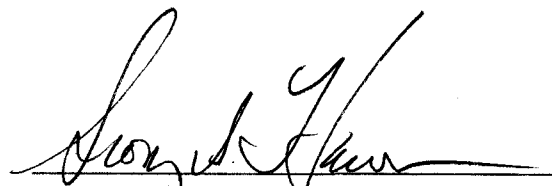
1. NWWTP - 99.9% Complete
2. Chlorine Storage Facility
3. Dolphin Lane Sanitary Sewer
4. Ave G & Alister Lift Station
5. Mid-Island WWTP
6. Tank Maintenance

(A copy of this report is on file in the District office.)

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn.

ATTEST


Charles J. Brown, Secretary


George S. Hawn, President
Nueces County Water Control
& Improvement District No. 4

STATE OF TEXAS

COUNTY OF NUECES

	President	George Hawn
	Vice President	Jim Edmonson
	Secretary	Charles Brown
	Secretary Pro-tem	Ed Reed
	Director	Al Mora
Staff:	Manager	Nona Sherrill
	Executive Secretary	Mary Moss
	Superintendent	Rudy Vela
	District Engineer	Mark Maroney
	Auditor	Gary Davenport
Visitors:	Nueces County Tax Assessor-Collector	Ronnie Canales

Minutes A motion was made by Mr. Edmonson and seconded by Mr. Reed to approve the minutes of the February 6th and February 28th, 1989 meetings. The motion carried unanimously.

<u>Sewer Rpr.</u>		
1.	King-Isles	\$49,216.25
2.	J.J. Fox	\$72,692.90
3.	Gentry Company	\$50,779.60

Ave. G Lift Station Imp. The Avenue G and Alister St. Lift Station Project bids were as follows;

Liquid Waste Disposal Resolution Mr. Maroney presented a resolution to regulate the disposal of liquid waste. After review, a motion was made by Mr. Reed and seconded by Mr. Brown to approve the resolution as presented. The motion carried unanimously. (The resolution is attached and becomes a permanent part of these minutes)

**Joint Tax
Office**

Mr. Canales, Nueces County Tax Assessor-Collector, presented his proposal for a per parcel rate structure to collect taxes for all of Nueces County. After discussion, the Board ask Mr. Canales to prepare a contract for the District.

Mr. Davenport reported on the services outlined by the law offices of Calame, Linebarger and Graham for the collection of delinquent taxes. It is his recommendation that the District contract with this firm for delinquent tax collections.

**Brown &
Root, Inc.**

Brown & Root, Inc. requested a reduction in their daily water take from 75,000 to 50,000 GPD. Mrs. Sherrill reported that a study had been completed and it was the District Engineer's and the Superintendent's recommendation that the reduction be permitted at no penalty. A motion was made by Mr. Edmonson and seconded by Mr. Mora to approve the request. The motion carried unanimously.

**Mustang
Island
Devlpmt.
Plan**

Mr. Atwill reviewed the Mustang Island Development Plan. The Corpus Christi City Council turned down the request to reconsider their approval of the Plan. A committee from the Tax Payers Association is preparing a petition against the Plan and if successful the final approval of the plan will be by referendum.

**House Bill
S43.077**

A resolution proposing an amendment to H.B. S43.077 of the Local Government Code Concerning the Abolition of Certain Districts That Become Part of More Than One Municipality was presented by Mr. Atwill. Mr. Reed made a motion to approve the Resolution as presented. The motion was seconded by Mr. Edmonson. The motion carried unanimously. (The resolution is attached and becomes a permanent part of these minutes).

**Financial
Report**

Mrs. Sherrill presented the February financial statement. A motion was made by Mr. Edmonson and seconded by Mr. Mora to approve the statement as submitted. (A copy of this report is on file in the District office)

**Engineer's
Report**

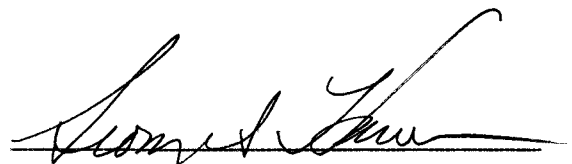
Mr. Maroney gave a report on the progress of District projects. (A copy of this report is on file in the District office.)

1. NWWTP - 99% Complete
2. Chlorine Storage Facility - 90% Complete
3. Dolphin Lane Sanitary Sewer
4. Ave G & Alister Lift Station
5. Mid-Island WWTP
6. Tank Maintenance - 80% Complete

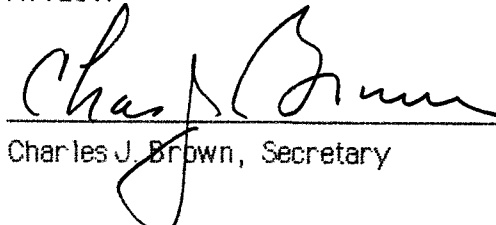
**Manager's
Report**

Mrs. Sherrill reported on routine business 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, a motion was duly made and seconded to adjourn.


George S. Hawn, President
Nueces County Water Control
& Improvement District No. 4

ATTEST:


Charles J. Brown, Secretary

LIQUID WASTE DISPOSAL RESOLUTION

A RESOLUTION REGULATING THE DISPOSAL OF LIQUID WASTE, SPECIFICALLY SEPTIC TANK WASTE AND GREASE FROM GREASE TRAPS, INTO THE SANITARY SEWER SYSTEM, ESTABLISHING A PERMIT SYSTEM AND SYSTEM OF CHARGES FOR SERVICES RENDERED.

WHEREAS, the Nueces County Water Control and Improvement District No. 4, hereinafter referred to as "District", is a water control and improvement district organized pursuant to Article 16, Section 59, of the Texas Constitution.

NOW, BE IT ORDAINED, BY THE NUECES COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 4:

SECTION A PERMIT REQUIRED; DISPOSAL SITE APPROVAL; DEFINITION

No person, except a duly authorized agent or employee of the District, shall drain, flush or clean out any tanks containing chemical liquid waste, septic tank waste or any other type of sewage disposal waste and transport such waste for the purpose of utilizing the District's sewerage system for collection and treatment of the wastes unless such person is issued a permit by the District to perform such acts or services. All persons engaged in the commercial hauling of waste materials in or through the District shall have a permit therefore as required by this resolution. The disposal site and method must be approved by the District and an acceptable log of operation shall be maintained by the hauler and made available for inspection by the District at any reasonable time. By the term "District", is meant the District manager, superintendent of the utilities department or other authorized representative.

SECTION B PERMIT APPLICATION, ISSUANCE, FEES, QUALIFICATIONS, ETC.

1. Application: Any person desiring a waste hauling permit as prescribed in Section A shall file with the District an application therefore on a form to be supplied by the District and shall provide therein the following information:
 - (a) Name, address, phone number of the applicant;
 - (b) The trade name under which the applicant does or proposes to do business;
 - (c) The number of vehicles the applicant desires to operate;
 - (d) The class, size and design of each vehicle, showing that the vehicle and body are of sufficient size and standard to accomplish the work intended to be done; so that no spillage or leakage can occur during transport and that discharge lines or hoses are provided for sanitary emptying of the vehicle;
 - (e) The nature and character of the service of the applicant proposes to render;
 - (f) The patrons for whom he proposes to render the service.
2. Investigation of Application:

The District shall determine if the applicant meets the qualifications to conduct such business by investigating the statements of the applicant and determining that the applicant is knowledgeable concerning the hazards of materials being handled and rules and regulations of the District concerning transporting and disposal of liquid wastes.

3. Issuance of Permit:

If, upon filing of an application as referred to in paragraph 1 of this section, it be determined by the District that the applicant is qualified to perform the services; then a permit, as required in Section A shall be granted, the furnishing of the motor vehicle identification number and current license number of each vehicle to be used, inspection and approval of the tank, valves and hoses of each vehicle by the District, and the paying of the fee provided.

4. Permit Fees, Term, Renewal:

For each permit issued pursuant to the provisions of this ordinance authorizing the hauling of waste, an annual fee shall be paid to the District by the applicant calculated on the basis of ten dollars (\$10.00) for each vehicle used or to be used in the conduct of the business of the applicant. Each permit shall be for a period co-extensive with the calendar year and the full annual fee shall be payable for any fraction of the calendar year. Annual renewal fees shall be paid no later than January thirty-first of the calendar year. The permit shall continue in full force and effect from issuance to the end of said calendar year, unless sooner revoked, and shall be nontransferable. Each vehicle shall be reinspected by the District before issuance of the renewal permit. Any taxes or other debts due the District must be paid prior to permit being issued.

5. Permits Nontransferable:

All permits for hauling and dumping of liquid wastes granted shall be nontransferable.

6. Revocation and Rescission:

Permits for hauling and disposing of liquid wastes may be revoked and rescinded by the District at any time upon violation of conditions of the permit or violation of any other ordinance of the District, City of Port Aransas or any state law.

7. Temporary Permits:

Temporary permits for the hauling and disposal of liquid wastes may be issued by the District, upon application, pending action on an application for a permanent permit, as required in Section A of this Resolution. Such temporary permit shall be for a period of not more than thirty (30) days and renewable for like periods, not to exceed a total of ninety (90) days. Such temporary permit shall not be issued until each vehicle has been inspected by the District, and a fee of two dollars (\$2.00) per vehicle per month, is paid.

8. Hauling Log Book:

A waste hauling log book shall be established and maintained by any holder of a waste hauling permit. Log entries shall be kept for a minimum period of one year, after which the log may be discarded. The log shall contain the following information:

- (a) Name, address, phone number and permit number of hauler;
- (b) Each date on which waste was hauled;
- (c) Quantity of waste hauled;
- (d) Description of waste (chemical name, commercial name, residential septic tank, etc.);
- (e) Site of disposal;
- (f) Name, address and signature of customer for whom waste was hauled; and
- (g) Fee to be paid to the District.

SECTION C DISPOSAL OF LIQUID WASTE

1. North Wastewater Treatment Plant:

Residential septic tank wastes, cooking greases from properly constructed residential and restaurant grease traps and commercial and industrial liquid wastes which are not prohibited in the sewerage system as set forth in the Sewer Use Resolution, may be hauled to and dumped at specified locations and at specified times as are designated by the District from time to time in writing to each hauler. No dumping is permitted into the mains, trunks, interceptors, laterals, manholes, clean-outs or other units of the municipal wastewater collection system.

2. Prohibition of Wastes:

No dumping at the wastewater treatment plant of wastes originating from areas outside the District's Boundary is permitted.

3. Disposal Fees:

For dumping at the wastewater treatment plant, a fee of one dollar and fifty cents (\$1.50) for each five hundred (500) gallons or portion thereof of waste removed from each septic tank or holding tank shall be collected from each customer by the hauler and remitted to the District no later than the tenth day of the month following the dumping.

SECTION D EFFECTIVE DATE

This resolution shall be full force and effect from and after its passage, approval, recording, and publication as provided by law.

PASSED AND APPROVED ON THE 17th DAY OF MARCH, 1989.

NUECES COUNTY WATER CONTROL
& IMPROVEMENT DISTRICT NO. 4

By


President, Board of Directors

ATTEST


Secretary

**RESOLUTION PROPOSING AMENDMENT TO §43.077
OF THE LOCAL GOVERNMENT CODE
CONCERNING THE ABOLITION OF CERTAIN DISTRICTS
THAT BECOME PART OF MORE THAN ONE MUNICIPALITY**

WHEREAS, Nueces County Water Control & Improvement District No. 4 ("District") located in Port Aransas, Texas, which provides **only fresh water supply and sanitary sewer services** to the Mustang Island, Port Aransas, and Aransas Pass areas, is a Texas water district created pursuant to Article XVI, Section 59, of the Texas Constitution; and

WHEREAS, in 1987 the 70th Texas Legislature passed House Bill No. 1134 which amended Article 1182c-5 (previously codified in the same Legislature as §43.077 of the Local Government Code) so it applied to Districts providing "fresh water supply, sanitary sewer, or drainage services", whereas previously such article applied to Districts which provided "fresh water supply, sanitary sewer, and drainage services";

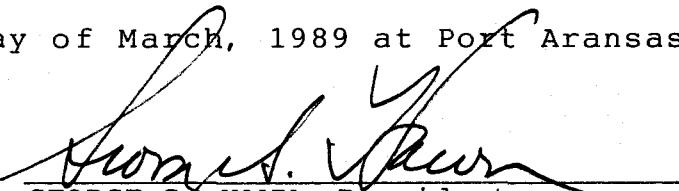
WHEREAS, the District does not provide and has never provided drainage services and, although currently the District does not lie wholly within more than one city, plans are being made by two cities to annex unincorporated areas within the District so that all of the territory of the District would be included within said three cities; and

WHEREAS, the affect of the amendment changing the "and" to "or" is that the District shall be automatically abolished within 90 days after inclusion of all of the territory of the District within said three cities; and

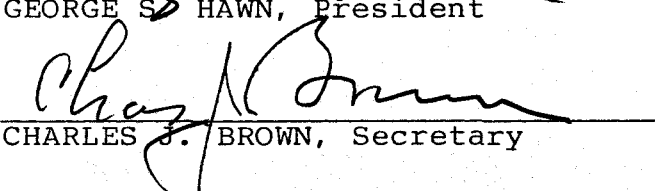
WHEREAS, such automatic abolition creates an extreme hardship and arbitrary disruption upon the District in its orderly planning, constructing, and operating of capital improvements in a service area of emerging high growth and development and is not in the best interest of the residents and taxpayers of the District;

NOW, THEREFORE, BE IT RESOLVED BY THE UNANIMOUS VOTE OF THE DISTRICT BOARD OF DIRECTORS that the State Legislature be requested by the Representatives and Senator from this area to initiate and obtain passage of an amendment to §43.077 of the Local Government Code to make it apply to districts providing fresh water supply, sanitary sewer, and drainage services, or with such wording to exclude the affect of this section upon this District.

SIGNED this 17th day of March, 1989 at Port Aransas, Texas.



GEORGE S. HAWN, President



CHARLES J. BROWN, Secretary

FEBRUARY 28, 1989

S

S

President	George Hawn
Secretary	Charles Brown
Secretary Pro-tem	Ed Reed
Director	Al Mora

Staff: Manager Nona Sherrill
Engineer Eugene C. Urban, Sr.

Charles J. Brown, Secretary

STATE OF TEXAS **S**

COUNTY OF NUECES **S**

	President	George Hawn
	Vice President	Jim Edmonson
	Secretary	Charles Brown
	Secretary Pro-tem	Ed Reed
	Director	Al Mora
Staff:	Manager	Nona Sherrill
	Engineers	Eugene C. Urban, Sr. Jim Urban
	Executive Secretary	Mary Moss
	Superintendent	Rudy Vela
	Auditor	Gary Davenport
	Consultant	Jim Ray
	Attorney	Jim Atwill
Visitors:	American Bank	Al Jones
		Frank Adams
	City of Port Aransas	Mayor J. C. Barr
		Manager Gordon Beck
		Councilman Chuck Borders

1989 Ford The bids for the new vehicle were received on February 1, 1989 and opened
Pick-Up and read at that time as follows:

Commercial Motors \$11,985.00
Courtesy Ford \$11,264.00

A motion was made by Mr. Edmonson and seconded by Mr. Mora to accept the low bid from Courtesy Ford. The motion carried unanimously.

1988

Audit Rpt.

The 1988 Audit was presented by Mr. Davenport. A motion was made by Mr. Edmonson and seconded by Mr. Mora to approve the Audit as presented. The motion carried unanimously.

**Mustang Is.
Dev. Plan**

Mr. Atwill reviewed the Mustang Island Development Plan. After a general discussion, there was no action taken.

**Ray
Study**

Mr. Ray presented a draft for the Update of the Municipal Services for Mustang Island. After a general discussion, there was no action taken.

**Water Dist.
Annexation
Amendment**

Mr. Hawn presented a resolution from other Water Districts and the AWBD Endorsing an Amendment To Municipal Annexation Act And Local Government Code To Eliminate City's Option To Annex Water District And Continue District Ad Valorem Tax For Ten Years In Addition To City Tax. A motion was made by Mr. Edmonson and seconded by Mr. Brown to pass the resolution as presented upon verification from Mr. Atwill. The motion passed unanimously. (A copy of this resolution is attached and becomes a permanent part of these minutes.)

**Financial
Report**

Mrs. Sherrill presented the December financial statements. A motion was made by Mr. Edmonson and seconded by Mr. Reed to approve the statements as presented. The motion carried unanimously. (A copy of this report is on file in the District office)

**Engineer's
Report**

Mr. Urban gave a progress report on the following projects;

1. NWWTP - paving
2. SRF program
3. Tank maintenance - accident

(A copy of this report is on file in the District office.)

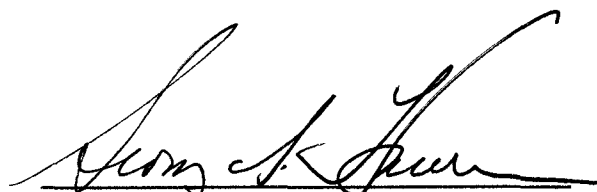
**Manager's
Report**

Mrs. Sherrill reported on routine business of the District.

1. Tank Maintenance
2. Tax Report
3. Computer Transition
4. Avenue G Lift Station Easement

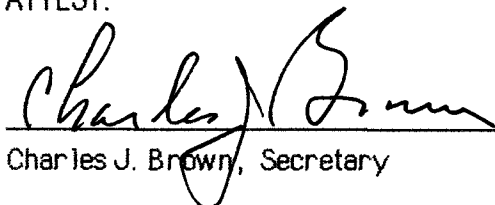
(A copy of this report is on file in the District office.)

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn.



George S. Hawn, President
Nueces County Water Control
& Improvement District No. 4

ATTEST:


Charles J. Brown, Secretary

MINUTES OF
SPECIAL MEETING
JANUARY 11, 1989

STATE OF TEXAS

S

COUNTY OF NUECES

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On the 11th day of January, 1989, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in a Special Meeting at 5:00 P.M. at the District Office, 315 South Ninth Street, Port Aransas, Texas, there being present and in attendance the following to wit:

	Vice President	Jim Edmonson
	Secretary	Charles Brown
	Secretary Pro-tem	Ed Reed
	Director	Al Mora
Absent:	President	George Hawn
Staff:	Manager	Nona Sherrill
	Engineer	Jim Urban
	Executive Secretary	Mary Moss
	Superintendent	Rudy Vela

The meeting was called to order at 5:00 P.M. by the presiding officer, Mr. Edmonson, pursuant to notice posted.

Minutes

A motion was made by Mr. Mora and seconded by Mr. Edmonson to approve the minutes of the December 12th, 1988 meeting. The motion carried unanimously.

Vehicle

The purchase of a new vehicle was postponed until the next meeting due to an error in the publication.

NCR Update

The publication for the computer update bid was found to be in error after the present maintenance contract had lapsed. It was recommended by the staff that the bid be awarded to the low bidder and the computer update be purchased on an emergency basis due to the time and expense to rebid. The present computer maintenance would be provided by the low bidder, Systems Design, while converting to the new system. A motion was made by Mr. Brown and seconded by Mr. Reed to purchase the NCR Update at \$20,467.00 from Systems Design on an emergency basis. The motion carried unanimously.

Grease Disposal

A discussion was held on the possible dumping of grease or other such substances into the Wastewater System. The Board instructed Jim Urban to research this problem and make a recommendation at the next meeting.

Sewer Improvement-
ments

Mr. Urban discussed the need to replace the sewer line on Dolphin Lane due to the City's paving program. After discussion, a motion was made by Mr. Mora and seconded by Mr. Brown to approve the addition of Dolphin Lane Sewer Improvements to the budget for this year and to negotiate with the City of Port Aransas to include paving in the contract. The motion carried unanimously.

Inter-
govern-
mental Task
Force

Mr. Edmonson reported on the meeting held in Corpus Christi sponsored by the Corpus Christi Chamber of Commerce for the Task Force on Intergovernmental Cooperation. A motion was made by Mr. Mora and seconded by Mr. Brown to pass the attached resolution regarding a study to be made to evaluate the areas of increased cooperation in tax collections, data processing and purchasing for possible cost savings

to local governments and to appoint Mr. Reed as the District's representative to serve on this Committee. The motion carried unanimously. (A copy of the Resolution is attached and becomes a permanent part of these minutes)

Financial Report

Mrs. Sherrill presented the November financial report. The following amendments were made to the budget for the Capital Projects Fund;

Dolphin Street Sewer Improvement	\$117,726
Office Building Pain and Repair	\$9,500
Office Building Entrance (Omitted)	-\$5,000
12 Street Sewer Improvement	\$12,500
Computer Upgrading	\$20,000
Beasley Pump Station (Postponed)	-\$100,000

A motion was made by Mr. Edmonson and seconded by Mr. Reed to approve the amendment and the November Financial Statement as submitted. The motion carried unanimously.

Engineer's Report

Mr. Urban gave a progress report on the following projects:

1. NWWTP - 94% complete.
2. Avenue G Sanitary Sewer
3. Chlorine Storage Facility
4. Mid-Island WWTP SRF Program (Facilities Plan)

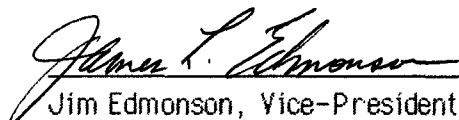
The Board approved the Capital Improvement engineering cost of \$13,230 to update the Facilities Plan Environmental Information Document as recommended by the TWDB. (A copy of this report is on file in the District office)

Manager's Report

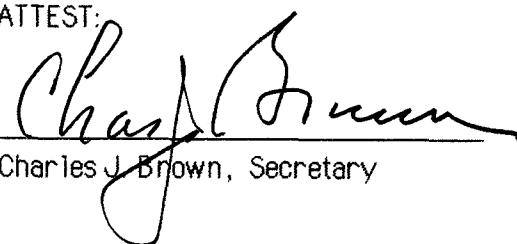
Mrs. Sherrill reported on routine business of the District. (A copy of this report is on file in the District office)

1. Joint Tax Office - Mr. Edmonson reported on the negotiations between Buddy Cage and the Joint Tax Office. Mr. Cage declined to renew his contract which expired on December 31, 1988. The Joint Tax Office Board appointed City Manger, Gordon Beck, to negotiate an agreement to provide a smooth transition from Mr. Cage's services. A cost of \$2500 was received from Mr. Cage for providing services as requested. Mrs. Sherrill, Gary Davenport and Mr. Beck attended a meeting with the Nueces County Tax Collector, Ronnie Canales and his staff to review the transition requirements.

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn.


Jim Edmonson, Vice-President
Nueces County Water Control
& Improvement District No. 4

ATTEST:


Charles J. Brown, Secretary

Capital Projects as of 12/31/88

DESCRIPTION	APPROVED BUDGET	YTD	
Fund Balance - Beginning Year	\$397,508		
Capital Transfer	\$294,302		
Total Available	\$691,810		
Working Projects:			
Ave G Sewer & 11th St Lift Station	\$126,000	\$72,800	85%
Committed Projects:			
Tank Maintenance	\$120,000	\$14,205	
Office Furniture & Carpet	\$1,670		
Pump Station Chlorine Storage	\$24,000	\$2,500	
Lift Station #2 Pumps	\$15,000	\$10,000	
12" Water Line Aransas Pass	\$6,521		
Planned Projects:			
Ave G Lift Station	\$80,000	\$1,000	
Turtle Cove Improvements	\$20,000	\$1,900	
WWTP Repair - North Unit	\$20,000		
Proposed Amendments:			
Dolphin Street Sewer Improvement	\$117,726		
Office Building Paint and Repair	\$9,500		
12th Street Sewer Improvement	\$12,500		
Computer Upgrading	\$20,500		
Total Expenditures	\$528,417		
Fund Balance - End of Year	\$163,393		
Projects Planned for Future:			
Beasley Pump Station	\$100,000		
Port Street Pump Station	\$100,000		
Pleasant Valley Improvements	\$250,000		

RESOLUTION

WHEREAS, increased cooperation between different units of local government and the consolidation of governmental services can reduce the costs borne by local governments and save taxpayer dollars; and

WHEREAS, units of local government are authorized under the Texas Interlocal Cooperation Act, Article 4413(32c), Vernon's Annotated Texas Statutes, to enter into cooperative agreements for the performance of services such as tax collections, data processing, purchasing, and the like; and

WHEREAS, the Corpus Christi Chamber of Commerce has offered to pay one-half the expense of a feasibility study costing approximately \$30,000 to evaluate the areas of increased cooperation in tax collections, data processing and purchasing for possible cost savings to local governments; and

WHEREAS, the undersigned Governmental Unit desires to participate in conducting the above feasibility study with a payment in the amount of \$ 25.00;

NOW, THEREFORE, THE GOVERNMENTAL UNIT HEREBY RESOLVES:

1. The Governmental Unit elects to participate in the feasibility study being coordinated by the Corpus Christi Chamber of Commerce and pay the above sum to the Corpus Christi Chamber of Commerce to be expended solely for the purpose of paying one-half the cost of said feasibility study. In no event shall the funds be used for any other purpose without the expressed written consent of the Governmental Unit.

2. The Governmental Unit designates Ed Reed as the person to represent the Governmental Unit to serve on the Committee organized by the Corpus Christi Chamber of Commerce in connection with conducting the study.

3. In the event either the Corpus Christi Chamber of Commerce or the Committee of governmental representatives elects not to proceed with the study or complete the study as contemplated, the above amount paid shall be refunded to the Governmental Unit less the proportionate share of any costs of the study already incurred. The Corpus Christi Chamber of Commerce shall in no way be liable for any interest earnings on said funds or other costs which may be incurred by the Governmental Unit. The funds authorized by this Resolution shall in no way constitute a grant or contribution to the Corpus Christi Chamber of Commerce, but the terms of this Resolution provide for a contractual payment to the Chamber to be used for the professional services incurred in connection with the feasibility study. The solicitation of proposals shall be conducted in a manner consistent with all laws of the State of Texas affecting the Governmental Unit applicable to procurements of this nature.

DULY PASSED and ADOPTED this 11th day of January, 1989.

Nueces County W.C.I.D. No. 4

(Name of Governmental Unit)

By: 

Name: Nona E. Sherrill

Title: District Manager

**MINUTES OF
SPECIAL MEETING**

DECEMBER 12, 1988

STATE OF TEXAS

S

COUNTY OF NUECES

S

On the 12th day of December, 1988, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in a Special Meeting at 5:00 P.M. at the District Office, 315 South Ninth Street, Port Aransas, Texas, there being present and in attendance the following to wit:

President	George Hawn
Vice President	Jim Edmonson
Secretary	Charles Brown
Secretary Pro-tem	Ed Reed
Director	Al Mora

Staff:	Manager	Nona Sherrill
	Engineer	Jim Urban
	Executive Secretary	Mary Moss
	Superintendent	Rudy Vela

The meeting was called to order at 5:00 P.M. by the presiding officer, Mr. Hawn, pursuant to notice posted.

**Employee
Award**

Mr. Brown presented a Certificate of Achievement to Mark Young, for Superior Achievement and Excellence of Performance for five years service.

Minutes

A motion was made by Mr. Mora and seconded by Mr. Edmonson to approve the minutes of November 7th, 1988. The motion carried unanimously.

**Prichard
Contract**

A motion was made by Mr. Brown and seconded by Mr. Edmonson to renew the employment contract with C. Edwin Prichard, Jr., attorney for the District, for 1989. The motion carried unanimously.

**Depository
1989/91**

A motion was made by Mr. Edmonson and seconded by Mr. Reed to authorize the staff to advertise for bids for the 1989/91 Depository. The motion carried unanimously.

**Joint Tax
Office**

The Joint Tax Office report was given by Mr. Edmonson. The Board instructed the staff to continue negotiations with the Nueces County Tax Assessor/Collector for 1989 collections and with Mr. Cage for the transition.

**Lift Sta G
Land**

Jim Urban reviewed the proposed land purchase for \$8500.00 of property on the corner of Avenue G. and Alister St. for the renovation of the Avenue G. Lift Station.

The President of the Board, Mr. Hawn, moved that the following Resolution of the Board of Directors be adopted;

Be it Resolved that the Nueces County Water Control and Improvement District No. 4 enter into a contract with the Texas Commerce Bank - New Braunfels, NA, P. O. Box 311388, New Braunfels, Texas 78131-1388 to purchase for \$8500.00 a 35.00 foot by 35.00 foot tract of land out of Lot 10, Block 79, Mustang Island State Land Survey, Port Aransas, Nueces County, Texas and a 25.00 foot wide temporary construction easement on land also out of Lot 10, Block 79, Mustang Island State Land Survey, Port Aransas, Nueces County, Texas. The District Manager, Nona E. Sherrill, be

authorized to sign the contract and all other documents that are required for this transaction. After full discussion thereof, Mr. Edmonson made a motion that it be adopted. The motion was seconded by Mr. Mora. The motion was adopted by unanimous decision.

In addition, a motion was made by Mr. Brown and seconded by Mr. Mora to authorize Mr. Prichard to prepare the Commercial Real Estate Contract for the sale. The motion carried unanimously.

**Computer
Update**

After review by Mrs. Sherrill on the proposed update of the present computer system, Mr. Mora made a motion to authorize the staff to proceed with the bidding publications. The motion was seconded by Mr. Reed. The motion carried unanimously.

**Financial
Report**

Mrs. Sherrill presented the September and October financial report. A motion was made by Mr. Edmonson and seconded by Mr. Reed to approve the report as submitted. The motion carried unanimously.

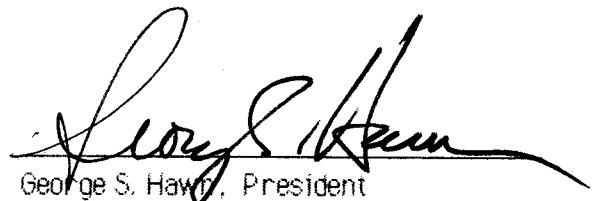
**Engineer's
Report**

Mr. Urban gave a progress report on the on going and future projects.
(A copy of the report is on file in the District office)

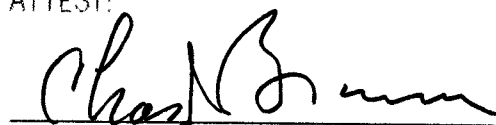
**Manager's
Report**

Mrs. Sherrill reported on routine business of the District. A copy of this report is on file at the District office)

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn.


George S. Hawk, President
Nueces County Water Control
& Improvement District No. 4

ATTEST:


Charles J. Brown, Secretary

MINUTES OF

REGULAR MEETING

NOVEMBER 7, 1988

STATE OF TEXAS

S

COUNTY OF NUECES

S

On the 7th day of November, 1988, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in a Regular Meeting at 10:00 A.M. at the District Office, 315 South Ninth Street, Port Aransas, Texas, there being present and in attendance the following to wit:

	President	George Hawn
	Vice President	Jim Edmonson
	Secretary	Charles Brown
	Director	Al Mora
Absent:	Secretary Pro-tem	Ed Red
Staff:	Manager	Nona Sherrill
	Engineer	Jim Urban
	Executive Secretary	Mary Moss
	Attorney	Jim Atwill
	Superintendent	Rudy Vela
	Consultant	Jim Ray
Visitors:	Port Aransas City Manager	Gordon Beck

Due to a lack of a quorum at 10:00 A.M., the meeting was postponed until 5:00 P.M. the same day. The meeting was called to order at 5:00 P.M., pursuant to notice posted by the presiding officer, Mr. Hawn.

Minutes

A motion was made by Mr. Edmonson and seconded by Mr. Brown to approve the minutes of October 10th and 24th, 1988. The motion carried unanimously.

Mid-Island Chlorine Storage Contract

Jim Urban reviewed the bids received November 2, 1988 for the Mid-Island Storage Facility and recommended that Hallmark Contracting be awarded the contract with the low bid of \$29,250.00. A motion was made by Mr. Brown and seconded by Mr. Edmonson to award the contract to Hallmark Contract as recommended. The motion carried unanimously.

Mustang Island Develop- ment

A presentation was given by Jim Atwill on the Mustang Island Development Plan. After discussion, the Board instructed Mr. Atwill and Mr. Urban to visit with the City of Corpus Christi Staff and members of the Planning Commission regarding the Development Plan and prepare a letter to the Planning Commission in response to the draft of the Mustang - Padre Island Area Development Plan.

Municipal Services Update/ Ray & Associates

Jim Ray, representing Ray & Associates, presented a review of his work on the update of the Municipal Services for Mustang Island. After discussion, Mr. Ray requested that the November 15th completion date be amended until the end of the year to reflect the Corpus Christi City Council's decision on the proposed Development Plan. A motion was made by Mr. Edmonson and seconded by Mr. Brown to approve the extension of the completion date of January 1, 1989 for the Municipal Services for Mustang Island-Update. The motion passed unanimously.

**SRF
Intended
Use Plan
Resolution**

Jim Urban presented a resolution requesting that the District be included on the Texas Water Development Board Intended Use Plan 1989 for the State Revolving Fund Program. A motion was made by Mr. Brown to adopt the resolution as submitted. The motion was seconded by Mr. Edmonson. The motion carried unanimously. (A copy of the resolution is attached and becomes a permanent part of these minutes)

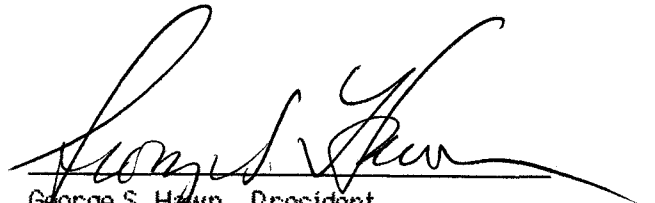
**11th St
Lift Sta
Repair**

Jim Urban reviewed the Avenue G Sewer Project in regards to the addition of 11th Street Lift Station repair. J. J. Fox, contractor for Avenue G Sewer Project, submitted \$36,432.00 for the change order. It was recommended by Urban to accept this price for the change order. A motion was made by Mr. Edmonson and seconded by Mr. Brown to approve the change order as recommended. The motion carried unanimously.


**Navigation
District
Additional
Easement
Port St**

Jim Urban reported that the Navigation District is renegotiating easements along Port Street and there is a possibility that the District might be able to obtain additional land. A motion was made by Mr. Edmonson and seconded by Mr. Mora to request additional land for an easement for construction of water storage and pumping facilities from the Navigation District. The motion carried unanimously.

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn.


George S. Hawn, President
Nueces County Water Control
& Improvement District No. 4

ATTEST:


Charles J. Brown, Secretary

CERTIFICATE FOR RESOLUTION

THE STATE OF TEXAS §
COUNTY OF NUECES §
NUECES COUNTY W.C.I.D. NO. 4 §

We, the undersigned officers of said District, hereby certify as follows:

1. The Board of Directors of said District convened in a BOARD MEETING ON THE 7TH DAY OF NOVEMBER, 1988, at the District Meeting Place, and the roll was called of the duly constituted officers and members of said Board of Directors, to-wit:

President	George S. Hawn
Vice-President	James Edmonson
Secretary	Charles Brown
Secretary Pro-tem	Roy E. Reed
Director	Al Mora

and all of said persons were present, except the following absentees:

Secretary Pro-tem	Roy E. Reed
-------------------	-------------

thus constituting a quorum, among other business, the following was transacted as said Meeting:
a written

RESOLUTION REQUESTING TO BE INCLUDED ON
THE TEXAS WATER DEVELOPMENT BOARD
FISCAL YEAR 1989 INTENDED USE PLAN

AYES: 4
NOES: 0

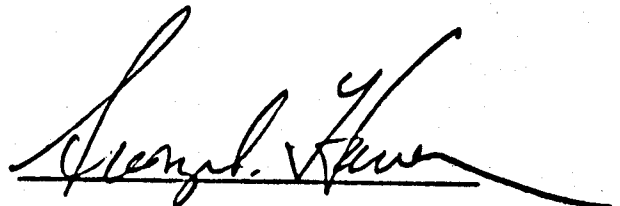
2. That a true, full and correct copy of the aforesaid Resolution adopted at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; that said Resolution has been duly recorded in said Board of Director's minutes of said Meeting; that

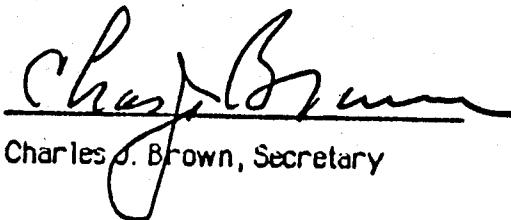
the above and foregoing paragraph is a true, full and correct excerpt from said Board of Director's minutes of said Meeting pertaining to the adoption of said Resolution; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said Board of Director's as indicated therein; that each of the officers and members of said Board of Director's was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid Meeting, and that said Resolution would be introduced and considered for adoption at said 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 Vernon's Ann. Civ. St. Article 6252-17.

3. That the President of said District has approved and hereby approves the aforesaid Resolution; that the President and the Secretary of said District have duly signed said Resolution; and that the President and the Secretary of said District hereby declare that their signing of this Certificate shall constitute the signing of the attached and following copy of said Resolution for all purposes.

SIGNED AND SEALED the 7th day of November, 1988.

ATTEST:


George S. Hawn, President


Charles J. Brown, Secretary

**RESOLUTION REQUESTING TO BE
INCLUDED ON THE TEXAS WATER DEVELOPMENT BOARD
FISCAL YEAR 1989 INTENDED USE PLAN**

THE STATE OF TEXAS S
COUNTY OF NUECES S
NUECES COUNTY W.C.I.D. NO. 4 S

WHEREAS, the Nueces County Water Control & Improvement District No. 4, Texas, (District) has reviewed its wastewater needs and found that it is necessary to construct wastewater facilities to meet those needs;

WHEREAS, the District deems it necessary to express its interest and commitment to seek funds from the Texas Water Development Board's (Board) State Water Pollution Control Revolving Fund (SRF) in order to finance its wastewater needs;

WHEREAS, in order to secure future financing from the SRF, the District must make certain commitments to the Board to be placed on the Board's Intended Use Plan; and

WHEREAS, the District has determined that it has the financial capability to finance projects through the SRF to meet its wastewater needs.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE NUECES COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 4:

1. That the District will take necessary actions to fund the project(s) designated as Mid-Island W.W.T.P. through a loan, from the SRF from the Texas Water Development Board.
2. That the District is hereby informing the Board of its desire to receive financial assistance in the amount of \$ 2,787,000 from the Board's SRF within 12 months of the date of approval of the capitalization grant award to the board by the U.S. Environmental Protection Agency.
3. That the District will file an application for a loan from the SRF within the time frame specified in Chapter 375 of the Board's Rules.
4. That the District will strictly adhere to the project schedule negotiated with the Board and will meet all federal and state requirements.
5. That a certified copy of this Resolution shall be submitted to the Board to insure that the District will be included in the Fiscal Year 1989 Intended Use Plan.

MINUTES OF

SPECIAL MEETING

OCTOBER 24, 1988

STATE OF TEXAS

S

COUNTY OF NUECES

S

On the 24th day of October, 1988, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in a Special Meeting at 5:00 P.M. at the District Office, 315 South Ninth Street, Port Aransas, Texas, there being present and in attendance the following to wit:

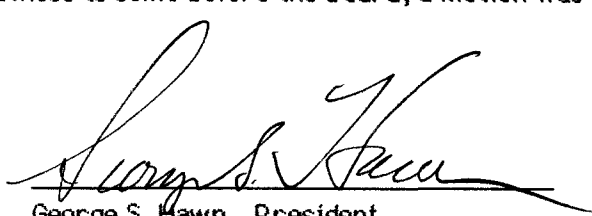
	President	George Hawn
	Vice President	Jim Edmonson
	Secretary Pro-tem	Ed Reed
	Director	Al Mora
Absent:	Secretary	Charles Brown
Staff:	Manager	Nona Sherrill
	Engineer	Jim Urban
	Executive Secretary	Mary Moss
	Auditor	Gary Davenport
Visitors:	Nueces County Tax Assessor Collector/Elect	Ramiro Canales
	Port Aransas ISD:	
	Superintendent	Dale Pitts
	President, Board of Trustees	Georgia Neblett
	Joint Tax Board Rep	Delana Littleton
	City of Port Aransas:	
	Mayor	The Honorable J. C. Barr
	Manager	Gordon Beck

The meeting was called to order at 5:00 P.M. by the presiding officer, Mr. Hawn., pursuant to notice posted.

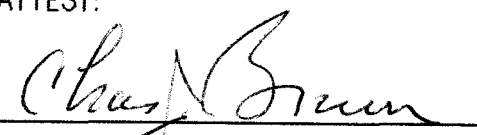
**Tax/
Assessor
Collector
Nueces
County**

Mr. Canales presented his qualifications and intentions for his newly elected position as Tax Assessor/Collector for Nueces County. After much discussion, a motion was made by Mr. Edmonson and seconded by Mr. Mora to accept the principle and tax dollar savings of the proposal and committed to becoming his first customer. The motion carried unanimously.

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn.


George S. Hawn, President
Nueces County Water Control
& Improvement District No. 4

ATTEST:


Charles J. Brown, Secretary

MINUTES OF

SPECIAL MEETING

OCTOBER 10, 1988

STATE OF TEXAS

S

COUNTY OF NUECES

S

On the 10th day of October, 1988, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in a Special Meeting at 5:00 P.M. at the District Office, 315 South Ninth Street, Port Aransas, Texas, there being present and in attendance the following to wit:

	Vice President	Jim Edmonson
	Secretary Pro-tem	Ed Reed
	Director	Al Mora
Absent:	President	George Hawn
	Secretary	Charles Brown
Staff:	Manager	Nona Sherrill
	Engineer	Jim Urban
	Executive Secretary	Mary Moss
	Superintendent	Rudy Vela

The meeting was called to order at 5:00 P.M. by the presiding officer, Mr. Hawn., pursuant to notice posted,

Minutes

A motion was made by Mr. Reed and seconded by Mr. Mora to approve the minutes of September 9 and 19, 1988 meetings. The motion carried unanimously.

Tank Maintenance Contract

After a review on the Tank Maintenance bid, it was recommended by Jim Urban and the District's staff to accept Lupton Painting Co. bid of \$225,000.00 for a five (5) year contract. A motion was made by Mr. Mora and seconded by Mr. Reed to accept the bid from Lupton Painting Co. as recommended. The motion carried unanimously.

Water & Sewer Rate Increase

The water and wastewater projected rate increase was presented by Mrs. Sherrill. It was recommended by the staff to accept the 5% increase overall. After discussion, a motion was made by Mr. Mora and seconded by Mr. Reed to pass a Resolution and Order executing an increase in water and wastewater rates as recommended. The motion carried unanimously. (The Resolution and Order is attached and becomes a permanent part of these minutes)

1988 Budget

The 1988 budget was presented by Mrs. Sherrill. After discussion, a motion was made by Mr. Mora and seconded by Mr. Reed to accept the budget as presented. The motion carried unanimously. (A copy of the budget is attached and becomes a permanent part of these minutes)

Financial Report

Mrs. Sherrill presented the financial report for the months of July and August 1988 of the General Operating Fund and Capital Recovery Fund. The financial report for the Tax Fund was also presented for the months of April through August, 1988. A motion was made by Mr. Reed and seconded by Mr. Mora to approve the financial statements as presented. The motion carried unanimously.

**Engineer
Report**

Jim Urban reported on the following projects;

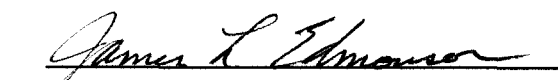
1. Ave G and Alister Lift Station.
2. Ave G Sewer Improvement
3. 11th St Lift Station

(A copy of this report is on file in the District office)

**Manager's
Report**

Mrs. Sherrill reported on routine business of the District. (A copy of this report is on file at the District office)

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn the meeting.


James L. Edmonson, Vice President
Nueces County Water Control
& Improvement District No. 4

ATTEST:


Roy E. Reed , Secretary Pro-tem

11/8/88

88 EOY & 89 Budget

11:54 AM

88 BUDGET

ESTIMATED YEAR END	APPROVED 89 BUDGET	NOTES
	5% Increase	

Revenues:

Water Service	929,000	860,000	988,383	Actual EOY Gallons + 10%
Sewer Service	402,000	370,000	425,005	43% of Water Revenues
Water Tap	5,000	2,400	2,500	
Sewer Tap	5,000	500	500	
Inspections	1,000	200	500	
Reconnects	4,000	5,200	5,000	
Other Service	0	2,400	0	
Magcobar	17,100	18,222	18,000	
Brown & Root	51,300	53,000	54,000	
Harbor Island	34,200	56,000	36,000	
Bldg Permits	1,400	75	500	
Interest	10,000	10,199	10,000	
Sale of Material	0	538		
Sale of GFA	0	0		
Cash	0	-3		
Other	0	3,630		
Activity Fund	0	337		
Total	1,460,000	1,382,698	1,540,388	

Expenditures:

Total Water

360,000

369,726

401,669

Act EOY Gal + 10% growth
and 5% increase from CC**Personnel Cost:**

Salaries	336,000	333,683	353,704	6%
Retirement	24,000	23,765	25,679	
Insurance	22,000	19,858	22,671	12% Increase
FICA	24,000	24,699	26,563	
Workers Comp	13,000	13,343	17,000	Actual + 25%
Uniforms	4,000	4,348	4,200	
TEC	2,500	2,108	2,500	
Total	425,500	421,804	452,317	

Professional Cost:

Legal

10,000

6,443

10,000

11/8/88

88 EOY & 89 Budget

11:54 AM

88 BUDGET

ESTIMATED YEAR END	APPROVED 89 BUDGET	NOTES
	5% Increase	

Engineering	20,000	13,618	20,000
Auditing	10,000	8,950	10,000
Consultant	1,000	59	5,000

Total	41,000	29,070	45,000
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Purchased & Contracted Cost:

R&M System	16,000	14,461	16,000
R&M Equipment	27,000	18,530	27,000
R&M Trucks	500	2,063	1,500
R&M Meters	500	786	500
R&M Buildings	6,000	4,750	6,000
R&M Tools	500	529	500
Publications	500	163	500
Elections	1,000	749	0
Other Services	7,000	5,870	7,000
Lab Work	3,500	3,900	3,500

Total	62,500	51,801	62,500
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Consumable Supplies Cost:

Fuel & Lub.	12,000	10,933	12,000
R&M System	35,000	38,857	35,000
R&M Equipment	15,000	13,028	15,000
R&M Trucks	5,000	6,436	5,000
R&M Meters	1,000	843	1,000
R&M Buildings	5,000	3,798	5,000
R&M Tools	3,000	3,973	3,000
R&M Pump Rps		1,708	2,000
Chemicals	7,000	7,544	8,000

Total	83,000	87,120	86,000
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Recurring Operations Cost:

Insurance	33,500	30,784	33,500
Electricity	100,000	91,093	100,000
Telephone	6,000	5,277	6,000

11/8/88

88 EOY & 89 Budget

11:54 AM

88 BUDGET

ESTIMATED YEAR END	APPROVED 89 BUDGET	NOTES
	5% Increase	

Sanitation	120	120	120
Natural Gas	500	295	500
Mileage	5,000	1,953	2,000
Schools & Semis	1,300	3,711	3,000
Permits	1,600	2,905	3,000
Land-Lease	880	880	880
Other Expenses	10,090	7,087	10,000
Dues & Pub	130	580	600
Office Supplies	10,100	3,919	8,000
Postage	4,500	4,399	4,500

Total 173,720**153,003****172,100****Capital Outlay Cost:**

Wtr/Swr Taps	10,000	3,520	5,000
Major Equip	30,500	21,416	21,500
			Vehicle-computer, etc

Total 40,500**24,936****26,500****Subtotal Exp 1,186,220****1,137,460****1,246,086****Capital Projects**

Transfer:	273,780	245,238	294,302
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Total Exp 1,460,000 1,382,698 1,540,388**Over/Under 0 0 0****Fund Balance 250,000 250,000 250,000**

1988-1989 CAPITAL PROJECTS

DESCRIPTION	1987-1988 BUDGET	PROJECTED APPROVED BUDGET	
		1987-1988 YEAR END	1988-1989
Fund Balance - Beginning of Year	\$328,520	\$328,520	\$336,151
Capital Transfer	\$273,780	\$245,238	\$294,302
Total Available	\$602,300	\$573,758	\$630,453
Completed Projects:			
Park Rd 53 Lift Stations 2 & 3	\$30,000	\$18,000	
Lantana St. Sewer Improvements	\$90,000	\$90,000	
Park Rd 53 Lift Station 5	\$57,000	\$107,500	
** Tractor for WWTP	\$18,000	\$4,477	
Committed Projects:			
Ave G Sewer Improvements	\$58,000	\$0	\$96,000
Tank Maintenance	\$50,000	\$12,800	\$120,000
Office Furniture & Carpet	\$3,000	\$1,330	\$1,670
Planned Projects:			
11th Street Lift Station	\$5,000	\$0	\$30,000
Ave G Lift Station	\$35,000	\$0	\$35,000
Turtle Cove Improvements	\$20,000	\$1,900	\$20,000
Pump Station Chlorine Storage	\$24,000	\$1,600	\$24,000
Entrance Ramp for Office	\$5,000	\$0	\$5,000
Lift Station #2 Pumps			\$15,000
Beasley Pump Station			\$100,000
WWTP Repair - North Unit			\$20,000
Total Expenditures	\$395,000	\$237,607	\$466,670
Fund Balance - End of Year	\$207,300	\$336,151	\$163,783

NOTE: 12" Water Line in Aransas Pass

???

Projects Planned for Future:

Port Street Pump Station

\$100,000

Pleasant Valley Improvements

\$250,000

** Total Amount \$9,950. - 55% funded by EPA Grant

1988 - 1989 APPROVED WAGE SCHEDULE

EMPLOYEE	YEARS	1988/89	HOUR
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Maintenance - 12 Employees

Vela, Rudy	21.1	\$33,359	\$16.04
Holman, G.K.	11.6	\$23,225	\$11.17
Gomez, Adan	9	\$20,494	\$9.85
Young, Mark	4.9	\$21,893	\$10.53
Rochester, Mark	7.1	\$18,200	\$8.75
Mathews, Pat	8	\$17,793	\$8.55
McMullin, Gary	5.5	\$15,764	\$6.74
Hinojosa, David	2.6	\$14,025	\$6.74
Talley, Ted	3.6	\$14,025	\$6.74
Benavidez, Mike	2.2	\$14,025	\$6.74
Yeats, Charlie	2.1	\$13,184	\$6.34
Odom, Howard	1.3	\$12,612	\$6.06

Wastewater Treatment Plant - 2 Employees

Wilcox, Lewis	5.3	\$15,900	\$7.64
Taylor, Jon	1	\$12,612	\$6.06

Office - 4 Employees

Sherrill, Nona	16.2	\$35,534	\$17.08
Moss, Mary	6.3	\$20,466	\$9.84
Hargrove, Betty	10.1	\$20,890	\$10.04
Osborne, Teresa	1	\$12,612	\$6.06

SUB TOTAL		\$336,613	
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OVERTIME		\$4,893	
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TOTAL		\$341,506	
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**NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4
RESOLUTION AND ORDER EXECUTING AN INCREASE IN
WATER AND WASTEWATER RATES**

On the 10th day of October, 1988 the Board of Directors of the Nueces County Water Control & Improvement District No. 4, convened in a Special Meeting being open to the public at the regular meeting place thereof in said District, with the following members of the Board present:

Vice President	Jim Edmonson
Secretary Pro-tem	Ed Reed
Director	Al Mora

and the following absent:

President	George S. Hawn
Secretary	Charles J. Brown

The Vice-President of the Board presented an order amending the water and wastewater rates. Minutes of the October 10th, 1988 meeting reflect the amended rates. Therefore, the Board of Directors organized a resolution to legally establish the amended rates.

The resolution and order was read in full and, after full discussion thereof, Ed Reed made a motion that it be adopted. The motion was seconded by Al Mora. The motion, carrying with it the adoption of the resolution and order, prevailed by the following vote:

Ayes: _____3_____

Nayes: _____0_____

The Vice-President then declared the resolution and order finally passed and adopted. The resolution is as follows; Water and Wastewater rate increases are effective with the November 1st, 1988 billing.

WATER RATES

<u>METER SIZE</u>	<u>MINIMUM CHARGE</u>	<u>METER SIZE</u>	<u>MINIMUM CHARGE</u>
5/8	\$9.50	2"	\$88.00
3/4	\$9.50	3"	\$174.00
1"	\$22.00	4"	\$348.00
1&1/2	\$44.00	6"	\$543.00

\$2.00 per 1,000 gallons over 5,000 gallons.

CONSTRUCTION WATER - \$3.15 per 1,000 gallons over 5,000 gallons.

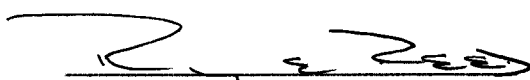
SEWER RATES

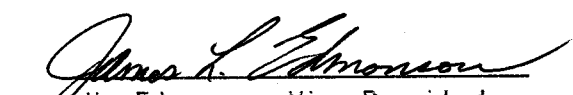
RESIDENTIAL (one single family unit) - \$9.50 MINIMUM CHARGE and \$1.00 per 1,000 gallons over 5,000 gallons - Maximum charge of 10,000 gallons.

OTHER (any use other than residential, as defined above) - \$16.00 MINIMUM CHARGE and \$1.00 per 1,000 gallons over 5,000 gallons. No maximum charge.

Passed and approved by the Board of Directors of the Nueces County Water Control & Improvement District No. 4 on the 10th day of October, 1988.

ATTEST:


Roy E. Reed, Secretary Pro-Tem


Jim Edmonson, Vice-President

MINUTES OF
EMERGENCY MEETING
SEPTEMBER 19, 1988

STATE OF TEXAS

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COUNTY OF NUECES

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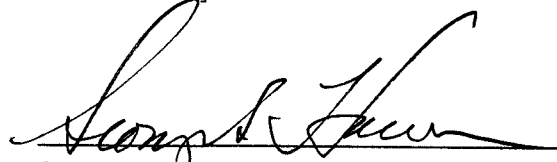
On the 19th day of September, 1988, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in an Emergency Meeting at 5:00 P.M. at the District Office, 315 South Ninth Street, Port Aransas, Texas, there being present and in attendance the following to wit:

	President	George Hawn
	Vice President	Jim Edmonson
	Secretary	Charles Brown
	Secretary Pro-tem	Ed Reed
	Director	Al Mora
Staff:	Manager	Nona Sherrill
	Engineer	Jim Urban
	Executive Secretary	Mary Moss
	Superintendent	Rudy Vela
	Senior Foreman	G. K. Holman
	Mechanic	Mark Young
Visitors:	City Manager	Gordon Beck
	Mayor	J. C. Barr
	Chief of Police	Don Perkins


The meeting was called to order at 5:00 P.M., pursuant to notice posted, by the presiding officer, Mr. Hawn.

After full discussion between the staff, the Board of Directors and the City officials, the Board directed the staff to work with the City of Port Aransas in improving emergency operational procedures and to promote a more efficient evacuation and disaster operations schedule.

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn the meeting.


George Hawn, President
Nueces County Water Control
& Improvement District No. 4

ATTEST:


Charles J. Brown, Secretary

MINUTES OF

SPECIAL MEETING

SEPTEMBER 9, 1988

STATE OF TEXAS

S

COUNTY OF NUECES

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On the 9th day of September, 1988, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in a Special Meeting at 5:00 P.M. at the District Office, 315 South Ninth Street, Port Aransas, Texas, there being present and in attendance the following to wit:

	President	George Hawn
	Vice President	Jim Edmonson
	Secretary	Charles Brown
	Secretary Pro-tem	Ed Reed
	Director	Al Mora
Staff:	Manager	Nona Sherrill
	Engineer	Jim Urban
	Executive Secretary	Mary Moss
	Superintendent	Rudy Vela
	Billing Clerk	Betty Hargrove
Visitor:	Aransas Pass City Manager	Rick Ewaniszyk
	Aransas Pass Engineer	Rick Haynes

The meeting was called to order at 5:00 P.M., pursuant to notice posted, by the presiding officer, Mr. Hawn.

Employee Award

Mr. Brown, Secretary of the Board, presented an Award of Achievement to Betty Hargrove for 10 years outstanding service to the District.

Avenue G Sewer Improvmt

After discussion of Sanitary Sewer Improvements to Avenue G, a motion was made by Mr. Edmonson and seconded by Mr. Mora to accept the bid of \$96,072.13 from J.J. Fox Construction, Inc., and to authorize the staff to proceed with a change order for 11th Street Lift Station at engineer's preliminary estimate of \$30,000, also to approve easement from John J. McDonough for \$250. The motion carried unanimously.

Minutes

A motion was made by Mr. Reed and seconded by Mr. Edmonson to approve the minutes of August 9, 1988. The motion carried unanimously.

Municipal Srv/Update Ray & Assoc

Mr. Brown made a motion to approve the proposal as presented from Ray Associates, Inc. to update the 1985 Municipal Services for Mustang Island. The motion was seconded by Mr. Reed. The motion carried unanimously.

88'District Status Report

A motion was made by Mr. Edmonson to approve the 1988 District Status Report as requested by the Texas Water Commission. The motion was seconded by Mr. Mora. The motion carried unanimously.

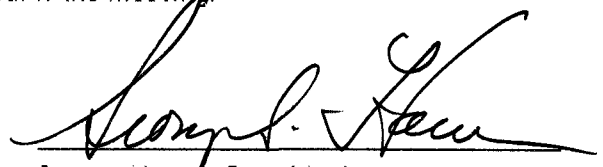
1988/89 Budget

Mrs. Sherrill presented a preliminary budget review for 1988/89. After discussion, the Board ask for further review and that the budget be presented at the next scheduled meeting.

**City of AP
request to
lower 12"
Line**

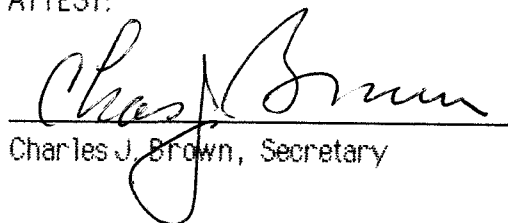
Mr. Rich Ewaniszyk, City Manager of Aransas Pass, requested that the District lower it's 12" water transmission line at approximately four (4) locations in the City of Aransas Pass as the line is interfering with new construction. The Board instructed the staff to work with the City of Aransas Pass as to the most reasonable method to move the line and report findings to the Board at next meeting.

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn the meeting.



George Hawn, President
Nueces County Water Control
& Improvement District No. 4

ATTEST:



Charles J. Brown, Secretary

**MINUTES OF
REGULAR MEETING**

AUGUST 9, 1988

STATE OF TEXAS

S

COUNTY OF NUECES

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On the 1st day of August, 1988, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in a Regular Meeting at 10:00 A.M. at the District Office, 315 South Ninth Street, Port Aransas, Texas, there being present and in attendance the following to wit:

President	George Hawn
Vice President	Jim Edmonson
Secretary	Charles Brown
Secretary Pro-tem	Ed Reed
Director	Al Mora
Staff:	
Manager	Nona Sherrill
Engineer	Jim Urban
Attorney	Jim Atwill
Executive Secretary	Mary Moss
Superintendent	Rudy Vela

The meeting was postponed due to lack of quorum and rescheduled for August 9, 1988 at 5:00 P.M. The meeting was called to order at 5:00 P.M., pursuant to notice posted, by the presiding officer, Mr. Hawn.

Minutes

A motion was made by Mr. Edmonson and seconded by Mr. Mora to approve the minutes of May 16 and July 18, 1988. The motion carried with 4 ayes and Mr. Brown abstaining from the May 16 meeting approval as he had not been appointed as Director until July 18, 1988.

**Tax Rate
1988**

After discussion a motion was made by Mr. Reed and seconded by Mr. Edmonson to set the 1988 Property Tax Rate at \$0.06735. The motion carried unanimously. (A copy of the Resolution and Order is attached and becomes a permanent part of these minutes)

**Atwill
Contract**

A motion was made by Mr. Edmonson and seconded by Mr. Mora to approve the employment agreement of Attorney Jim Atwill. The motion carried unanimously.

**Tank
Repair
Contract**

After discussion on future tank maintenance, a motion was made by Mr. Mora and seconded by Mr. Reed to accept the staff's recommendation for a five year plan and to proceed with the publication for bid. The motion carried unanimously.

**Padre/
Mustang
Study**

A report on the Padre/ Mustang Island Study was given by Mr. Atwill. After much discussion, the Board directed the staff to obtain a cost from Ray Assoc., Inc. on an up-date of the Municipal Services for Mustang Island Study which was prepared in 1985.

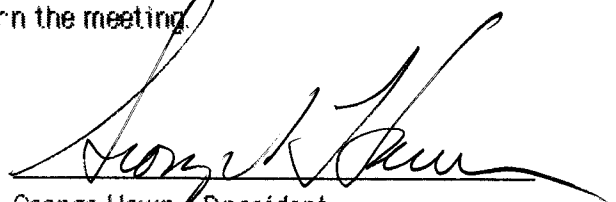
**Ave G
Sewer
Project**

Mr. Urban reported on the results of televising Avenue G. sewer line. After reviewing the video, a motion was made by Mr. Edmonson and seconded by Mr. Reed to proceed with the bid schedule as soon as possible to replace the sewer line from the first manhole on the eastend of Avenue G to the 11th Street lift station. The motion carried unanimously.

**Manager's
Report**

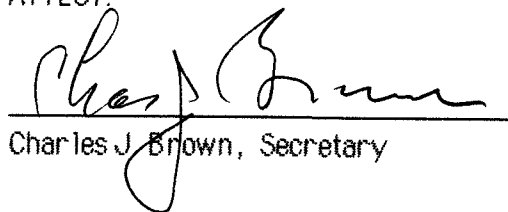
Mrs. Sherrill reported on routine business of the District. (A copy of this report is on file at the District office)

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn the meeting.



George Hawn, President
Nueces County Water Control
& Improvement District No. 4

ATTEST:



Charles J. Brown, Secretary

NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4
RESOLUTION AND ORDER SETTING THE 1988 TAX RATE

On the 9th day of August, 1988, the Board of Directors of the Nueces County Water Control & Improvement District No. 4, convened in a regular meeting being open to the public at the regular meeting place thereof in said District, with the following members of the Board present:

President	George S. Hawn
Vice President	Jim Edmonson
Secretary	Charles J. Brown
Secretary Pro-tem	Ed Reed
Director	Al Mora

The President of the Board presented an order setting the 1988 Tax Rate. Minutes of the August 9th, 1988 meeting reflect the 1988 Tax Rate. Therefore, the Board of Directors organized a resolution to legally establish the new tax rate for 1988.

The resolution and order was read in full and, after full discussion thereof, Ed Reed made a motion that it be adopted. The motion was seconded by Jim Edmonson. The motion, carrying with it the adoption of the resolution and order, prevailed by the following vote:

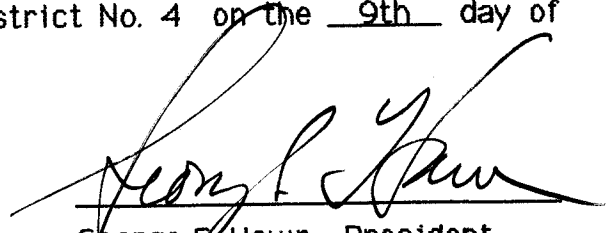
Ayes: 5

Nays: 0

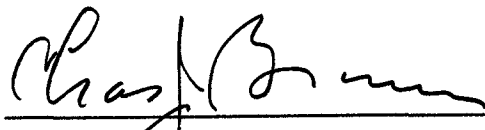
The President then declared the resolution and order finally passed and adopted. The resolution and order is as follows;

There is hereby levied on each one hundred dollars of assessed value of all property, both real and personal, within the boundaries of the Nueces County Water Control & Improvement District No. 4, except such property exempt from taxation by law, a tax rate of \$0.06735 per each one hundred dollars assessed valuation for the purpose of meeting the requirements of said district for the fiscal year ending 1988.

Passed and approved by the Board of Directors of the Nueces County Water Control & Improvement District No. 4 on the 9th day of August, 1988.


George S. Hawn, President

ATTEST:


Charles J. Brown, Secretary

**MINUTES OF
SPECIAL MEETING**

JULY 18, 1988

STATE OF TEXAS

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COUNTY OF NUECES

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On the 18th day of July, 1988, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in a Special Meeting at the District Office, 315 South Ninth Street, Port Aransas, Texas, there being present and in attendance the following to wit:

	President	George Hawn
	Vice President	Jim Edmonson
	Secretary	Ed Reed
	Secretary Pro-tem	Al Mora
Absent:	None	
Staff:	Manager	Nona Sherrill
	Engineer	Eugene C. Urban, Jr. Jim Urban Mark Maroney
	Attorney	C. Edwin Prichard, Jr. Jim Atwill
	Executive Secretary	Mary Moss
Visitors:	Appointee for Director	Charles J. Brown
	Mayor, City of Port Aransas	J. C. Barr
	Manager, City of Port Aransas	Gordon Beck

The meeting was called to order at 5:00 P.M., pursuant to notice posted, by the presiding officer, George Hawn.

**Employee
Awards**

Mr. Hawn presented Certificate of Achievements to Lewis Wilcox for (5) five years of service and Rudy Vela and David Hinojosa for obtaining their General Education Diploma.

**Appoint
Director**

Mr. Mora made a motion to appointed Charles J. Brown as Director to the Board to fill the vacancy left by the resignation of Jay Sanders. The motion was seconded by Mr. Edmonson. The motion carried unanimously.

**Oath of
Office**

Mary Moss, Notary for the District, administered the Oath of Office to Mr. Brown as the newly appointed Director to the Board.

**Reorgani-
zation of
Board**

At this time Mr. Reed and Mr. Mora asked that their names be withdrawn as Secretary and Secretary Pro-tem and that these offices be opened for nomination.

Mr. Hawn, President of the Board, opened nominations for Secretary. Mr. Reed nominated Mr. Brown as Secretary. There being no other nominations, Mr. Hawn declared Mr. Brown as Secretary of the Board of Directors by acclamation.

Mr. Hawn called for nominations for Secretary Pro-tem. Mr. Edmonson nominated Mr. Reed as Secretary Pro-tem. There being no other nominations Mr. Hawn declared Mr. Reed as Secretary Pro-tem of the Board of Directors by acclamation.

**Water
Contract
Renewals**

A motion was made by Mr. Mora to renew the contracts as submitted by Brown & Root, Inc., M - I Drilling Fluids Co. and Harbor Island Terminal, Inc. The motion was seconded by Mr. Brown. The motion carried unanimously.

**Fire Equip-
ment Agree-
ment**

A motion was made by Mr. Edmonson and seconded by Mr. Reed to approve the renewal of the Fire Equipment Maintenance Agreement with the City of Port Aransas. The motion carried unanimously.

**Navigation
District
Easement**

Jim Urban, District Engineer, reviewed the findings of the Navigation District on the District's easement at the Port Street location. The Board instructed Mr. Urban to continue to negotiate with the Navigation District as to a solution to the easement question.

**Capital
Impact
Fee**

C. Edwin Prichard, Attorney for the District, reviewed the Capital Impact Fee Application with the Board. After much discussion, Mr. Hawn instructed the staff to continue with every means to accomplish the application's approval from the Texas Water Commission.

**Personnel
Policy-
Sec III(h)
Amendment**

Mrs. Sherrill ask that District personnel be permitted a leave of absence with pay to attend Volunteer Fire School. A motion was made by Mr. Brown and seconded by Mr. Reed to amend the Personnel Policy, Sec III(h) as recommended. The motion carried unanimously. (A copy of the amendment is attached and becomes a permanent part of these minutes.)

**Security
Deposits**

Mrs. Sherrill presented a study of delinquent accounts for the past several years and recommended that a security deposit be imposed on all new accounts and delinquent accounts that have been terminated for non-payment. A motion was made by Mr. Edmonson and seconded by Mr. Reed to pass a Resolution and Order Requiring Security Deposits. The motion carried unanimously. (The Resolution and Order is attached and becomes a permanent part of these minutes)

**Mustang
Island
Survey**

Mayor Barr presented his views on the future of the City of Port Aransas in relation to the Mustang Island Survey and asked that the District work jointly with the City to protect the future of the City and the District. Mr. Eugene Urban and Mr. Atwill also reported their views on the report. The Board recommended the staff to continued review of this study and report findings.

**State
Revolving
Fund**

Mark Maroney presented a report on the State Revolving Fund Loan possibility for the Mid-Island Wastewater Plant. After discussion, a motion was made by Mr. Brown and seconded by Mr. Mora to proceed with the application to receive funding from this program for the Mid-Island Wastewater Plant. The motion carried unanimously.

**Financial
Report**

Mrs. Sherrill presented the financial report for April, May and June for the General Operating Fund and the Capital Recovery Fund. Included in this report was the additional cost of the Engineering Contract for Step 3 Construction Amendment 1 for the NWWTP in the amount of \$12,344. This amount will be included with the EPA Grant for 55% reimbursement. Also additional Capital Projects for 1988 were recommended as follows;

1. Pump Station Renovation	\$ 24,000
2. Entrance to Office Building	5,000
3. Office Furniture & Carpet	3,000

A motion was made by Mr. Edmonson and seconded by Mr. Mora to approve the financial report as submitted and to amend Planned Capital Projects for 1988 as recommended by Mrs. Sherrill. The motion carried unanimously. (A copy of this report is on file in the District office)

**Engineer's
Report**

Mark Maroney reported on the progress of the following projects;

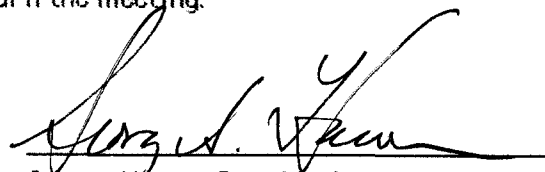
1. North Wastewater Plant Project -
 - a. Engineer Contract Amendment 1
2. Lift Station #5
3. Mid-Island Pump Station-chlorine room
4. Main Office Building-front entrance

(A copy of this report is on file at the District office)

**Manager's
Report**

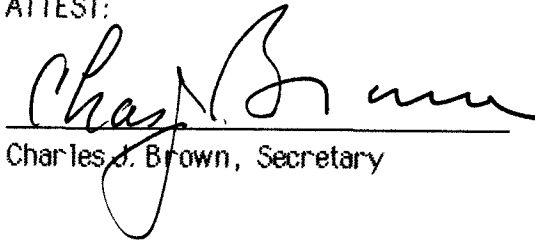
Mrs. Sherrill reported on routine business of the District. (A copy of this report is on file at the District office)

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn the meeting.



George Hawn, President
Nueces County Water Control
& Improvement District No. 4

ATTEST:



Charles J. Brown, Secretary

PERSONNEL POLICY CHANGE

SECTION - LEAVE

8. The Board of Directors may authorize **special leaves** of absence with pay for any period or periods not to exceed three (3) calendar months in any one (1) calendar year for the following purposes: Attendance at college, university or business school for the purpose of training subjects relating to the work of the employee and which will benefit the employee and the District; for purposes other than the above that are deemed beneficial to the District and the Community and is approved by the District Manager. The employee will present evidence of the course from the school and a certificate of attendance or completion upon their return.

The above underlined wording is what was approved at the Board of Directors Meeting on July 18, 1988.

**NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4
RESOLUTION AND ORDER REQUIRING SECURITY DEPOSITS**

On the 18th Day of July 1988, the Board of Directors of the Nueces County Water Control & Improvement District No. 4, convened in a special meeting being open to the public at the regular meeting place thereof in said District, with the following members of the Board present:

President	George S. Hawn
Vice President	Jim Edmonson
Secretary	Charles J. Brown
Secretary Pro-tem	Ed Reed
Director	Al Mora

The President of the Board presented an order requiring security deposits. Minutes of the July 18th, 1988 meeting reflect the requirement of security deposits. Therefore, the Board of Directors organized a resolution to legally establish the requirement of security deposits.

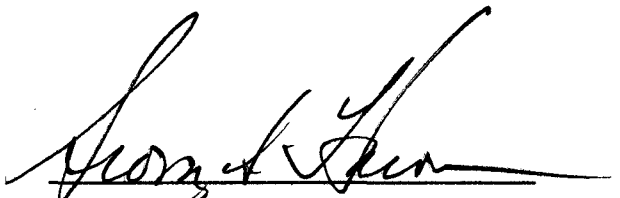
The resolution and order was read in full and, after full discussion thereof, Jim Edmonson made a motion that it be adopted. The motion was seconded by Ed Reed. The motion, carrying with it the adoption of the resolution and order, prevailed by the following vote:

Ayes: _____5_____


Nayes: _____0_____

The President then declared the resolution and order finally passed and adopted. (The resolution is attached and becomes a permanent part of this document.)

Passed and approved by the Board of Directors of the Nueces County Water Control & Improvement District No. 4 on the 18th Day of July, 1988.


George S. Hawn, President

ATTEST:


Charles J. Brown, Secretary

SECURITY DEPOSIT POLICIES *Resolution 65*

1. Commencing on August 25th, 1988 and thereafter all customers applying for water and/or sewer service from the NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4 shall be required to place with the District a Security Deposit to secure the timely payment of future bills before receiving said service. A Security Deposit shall also be required of any customer whose service has been discontinued due to the customer's failure to timely pay his bills before said service shall be resumed.
2. The amount of the Security Deposit shall be a sum of money equal to the total of two (2) average monthly bills for service as estimated by the District's office staff, but in every instance never less than \$50.00. Thereafter, in case the customer's total bills for any two (2) consecutive monthly billing periods exceed by twenty percent (20%) or more the amount of the deposit, the District may, at its option, require the customer to deposit an additional amount of money sufficient to make the total on deposit with the District equal to the total of the amount of the bills for the two (2) consecutive months. If the customer fails to deposit the additional required sum within ten (10) days of written notice of the deposit requirements and penalty for failure to pay, said notice sent by United States mail to the customer at the address shown on the customer's application, the District may discontinue service to the customer without further notice.
3. If the required deposit exceeds Five Hundred Dollars (\$500.00), the District will accept a cash deposit of the initial Five Hundred Dollars and in lieu of additional cash, if the customer so desires, a Certificate of Deposit (CD) for the balance of the deposit provided that such CD is issued by a commercial bank, made payable jointly to the District and the Customer, is endorsed by the Customer to the District and the original CD is deposited with the District. At the maturity date of the CD, the customer may withdraw the CD from the District

NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4
SECURITY DEPOSIT POLICIES
PAGE TWO

with the provision that such CD will be replaced in kind or with an equal amount of cash within five (5) working days of the date of withdrawal or the District may discontinue service without further notice.

4. Any Security Deposit held by the District may, at the District's option, be applied in whole or in part to any delinquent account of the customer, but the existence of a Security Deposit shall not relieve the customer of his obligation to timely pay his monthly bill for service or any other charges which may be made against the customer in accordance with the policies of the District.

5. No interest will be paid to the customer by the District on any security deposit. Any interest earned on a deposited CD will accrue to the customer and be released by the District to the customer unless same is required to pay customer's delinquent account.

6. All security deposits will be held by the District until the customer's service is terminated, a final bill on his account is rendered and such bill is paid in full. Provided, however, during the time of service, any Security Deposit of One Hundred Dollars (\$100.00) or less may be refunded to the customer upon written request of the customer to the District if the customer has timely paid his monthly bills for a period of at least the most recent twelve (12) consecutive months.

**MINUTES OF
REGULAR MEETING**

MAY 16, 1988

STATE OF TEXAS

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COUNTY OF NUECES

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On the 16th day of May 1988, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in a Regular Meeting at 5:00 P. M. at the District Office, 315 S. 9th Street, Port Aransas, Texas, there being present and in attendance the following to wit:

President	George Hawn
Vice President	Ed Manning
Secretary	Jim Edmonson
Secretary Pro-tem	Jay Sanders
Director	Al Mora
Director	Ed Reed
Absent:	None
Staff:	
Manager	Nona Sherrill
Engineer	Mark Maroney
Superintendent	Rudy Vela
Executive Secretary	Mary Moss

The meeting was postponed due to lack of quorum on May 2, 1988 and rescheduled for May 16, 1988 at 5:00 P.M. The meeting was called to order at 5:00 P.M., by the presiding officer George Hawn, pursuant to notice posted.

Employee Awards Awards were presented to G. K. Holman and Howard Odom for obtaining their General Education Diplomas and to Gary McMullin for five years of service.

Canvas Director's Election Mr. Hawn read the Summary of Returns of the 1988 Directors Election. A motion was made by Ed Manning and seconded by Al Mora to accept the Summary of Results as submitted. The motion carried unanimously. (A copy of the Summary is attached and becomes a permanent part of these minutes)

Sander's Resignation Jay Sander's letter of resignation was submitted to the Board. A motion was made by Al Mora and seconded by Jim Edmonson to accept Mr. Sander's resignation with regret. The motion carried unanimously.

Director's Awards Awards of appreciation were presented to Ed Manning for six years of service and Jay Sanders for eight years of service as members of the Board of Directors for the District.

Oath of Office The Oath of Office was administered to Ed Reed, Jim Edmonson and Al Mora as newly elected Directors of the District by Mary Moss, Notary for the District.

Reorganization of Board Mr. Hawn, President of the Board, opened nominations to reorganize the Board of Directors. Mr. Edmonson nominated Mr. Hawn as President. There being no other nominations, it was declared that he be elected as President of the Board of Directors by acclamation.

Mr. Hawn then, taking his place as President of the Board of Directors, called for nominations for the Vice President. Mr. Edmonson nominated Mr. Mora as Vice

President. Mr. Mora ask that his name be withdrawn from the nomination for Vice President. Mr. Edmonson withdrew his nomination. Mr. Hawn then nominated Mr. Edmonson as Vice President. There being no other nominations, Mr. Hawn declared Mr. Edmonson as Vice President by acclamation.

Mr. Hawn called for nominations for Secretary. Mr. Hawn nominated Mr. Reed as Secretary. There being no other nominations, Mr. Hawn declared Mr. Reed as Secretary by acclamation.

Mr. Hawn called for nominations for Secretary Pro-tem. Mr. Reed nominated Mr. Mora as Secretary Pro-tem. There being no other nominations, Mr. Hawn declared Mr. Mora as Secretary Pro-tem by acclamation.

Minutes

A motion was made by Jim Edmonson and seconded by Al Mora to approve the minutes of March 1, 1988. The motion carried unanimously. (A copy of the minutes was sent to each director prior to the meeting)

Audit

Engagement

A motion was made by Ed Reed and seconded by Al Mora to approve the Engagement Agreement for the years ended September 30, 1988, 89 & 90 with Kosarek & Davenport, CPA's. The motion carried unanimously.

Sewer

Resolution

A motion was made by Jim Edmonson and seconded by Al Mora to approve the 1988 Sewer Use Resolution which updates the 1976 Sewer Resolution and the 1980 Private Sewage Disposal Resolution. The motion carried unanimously. (The resolution is attached and becomes a permanent part of these minutes)

Financial

Report

A motion was made by Ed Reed and seconded by Jim Edmonson to approve the February and March financial statements presented by Mrs. Sherrill. The motion carried unanimously. (A copy of the report is on file in the District office)

Engineer's

Report

Mark Maroney reported on the progress of the following projects;

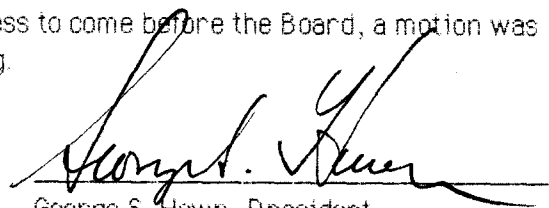
1. North Wastewater Plant Project
2. Lift Station #5 Project
3. Lantana Street Project
4. Mid-Island Project - SRF Loan
5. TrurtleCove Project
6. Tank Maintenance
7. Chlorination - MI Pump Station

Manager's

Report

Mrs. Sherrill reported on routine business of the District.

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn the meeting.


George S. Hawn, President
Nueces County Water Control &
Improvement District No. 4

ATTEST:


Roy E. Reed, Secretary

SUMMARY OF PRECINCT RETURNS

I, the undersigned, the presiding officer of the canvassing authority for Directors Election, held on the 7th day of May 19 88, Nueces County, Texas, do hereby certify that the following is a total of all votes received by each candidate and votes received "for" and "against" each measure as shown by the precinct returns.

[illegible]

DATED, this 16th day of May, 19 88.

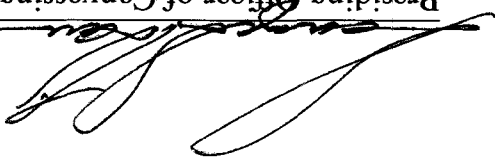
Presiding Officer

CANVASS OF DIRECTORS ELECTION

I, George S. Hawn (name), President (office),
of Nueces County WCID#4, Texas, met with the Board of Directors
(political subdivision holding election) (body acting as canvassing board)
sitting as the canvassing board to canvass the Directors election of
May 7th, 19 88, on May 16th, 19 88 at Port Aransas, Texas.

I certify that the figures on the tally sheets correspond with the figures on the returns.

Witness my hand this 16th day of May, 19 88.


Presiding Officer of Canvassing Authority

KOSAREK & DAVENPORT

CERTIFIED PUBLIC ACCOUNTANTS

5250 WEBER, SUITE C

CORPUS CHRISTI, TEXAS 78411

WILLIE J. KOSAREK, C.P.A.
GARY R. DAVENPORT, C.P.A.

(512) 852-8223

May 3, 1988

Board of Directors
Nueces County Water Control and
Improvement District No. 4
P. O. Box 507
Port Aransas, Texas 78373

Gentlemen:

We are pleased to confirm our understanding of the services we are to provide for Nueces County Water Control and Improvement District No. 4 for the years ended September 30, 1988, 1989 and 1990. We will audit the general purpose financial statements of Nueces County Water Control and Improvement District No. 4 as of and for the years ended September 30, 1988, 1989 and 1990. Also, we will include in your report all of the additional information required by the Texas Water Commission. The additional information will be subjected to the auditing procedures applied in our audit of the general purpose financial statements.

Our audit for the year ended September 30, 1988 and subsequent years, if required, will be a Single Audit made in accordance with generally accepted auditing standards; the standards for financial and compliance audits contained in Standards for Audit of Governmental Organizations, Programs, Activities, and Functions, issued by the U.S. General Accounting Office; the Single Audit Act of 1984; and the provisions of OMB Circular A-128, Audits of State and Local Governments, and will include tests of the accounting records of Nueces County Water Control and Improvement District No. 4 and other procedures we consider necessary to enable us to express an unqualified opinion that the financial statements are fairly presented in conformity with generally accepted accounting principles consistently applied and to report on Nueces County Water Control and Improvement District No. 4 compliance with laws and regulations and its internal accounting controls as required for a Single Audit.

Our audit for years not requiring a Single Audit will be made in accordance with generally accepted auditing standards and will include tests of the accounting records of Nueces County Water Control and Improvement District No. 4 and other procedures we consider necessary to enable us to express an unqualified opinion that the financial statements are fairly presented in conformity with generally accepted accounting principles consistently applied.

If our opinion is other than unqualified, we will fully discuss the reasons with you in advance.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, creditors, and banks. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our examination, we will request certain written representations from you about the financial statements and related matters.

An audit is based primarily on the selective testing of accounting records and related data; therefore, our audit will involve judgement about the number of transactions to be examined and the areas to be tested. Because we will not perform a detailed examination of all transactions, there is a risk that material errors, irregularities, or illegal acts, including fraud or defalcations, may exist and not be detected by us. We will advise you, however, of any matters of that nature that come to our attention.

We understand that you will provide us with the basic information required for our audit and that you are responsible for the accuracy and completeness of that information. We will advise you about appropriate accounting principles and their application and will assist in the preparation of your financial statements, but the responsibility for the financial statement remains with you. This responsibility includes the maintenance of adequate records and related controls, the selection and application of accounting principles, and the safeguarding of assets.

We understand that your staff will type all confirmations or other correspondence we request and will prepare necessary schedules and locate any invoices selected by us for testing.

Our examination is not specifically designed and cannot be relied on to disclose material weaknesses in accounting controls. However, during the audit, if we become aware of such material weaknesses in internal accounting control or ways that we believe management practices can be improved, we will communicate them to you in a separate letter.

We will deliver each audit within 120 days after your year end.

We will also perform additional services as requested by your staff (ie: evaluation of computer processing, rate studies, reconciliation of accounts to the general ledger, etc.). Our fees are based upon actual out-of-pocket expenses, such as travel, typing, telephone, etc., and the following rate schedule:

	<u>Hourly Rate</u>
Willie Kosarek, CPA	\$ 75.00
Gary Davenport, CPA	45.00
Audit Staff and Typing	30.00

We have estimated our audit fee to be approximately \$8,500.00 per year. We have further estimated the additional fee for any year requiring a Single Audit to be \$1,000.00. Fees for additional services will be dependent upon the extent of services requested by your staff.

We believe this letter accurately summarizes the significant terms of our engagement. If you have any question, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,

Kenneth E. Davenport

RESPONSE:

This letter correctly sets forth the understanding of Nueces County Water Control and Improvement District No. 4.

By: *Ma E. Shum*

Title: District Manager

Date: May 17, 1988

SEWER USE RESOLUTION

A RESOLUTION REGULATING THE DISCHARGE OF WASTES INTO THE SANITARY SEWERS, UNSEWERED AND MISCELLANEOUS DISCHARGES, PRIVATE SEWERS AND THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND ESTABLISHING A PERMIT SYSTEM, A SYSTEM OF CHARGES FOR SERVICES RENDERED AND PROVIDING THE ENFORCEMENT OF SEWER USE FOR THE NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4.

WHEREAS, the Nueces County Water Control & Improvement District No. 4 has provided facilities for the collection and treatment of wastewater to promote the health, safety, and convenience of its people and for the safeguarding of water resources common to all, and

WHEREAS, provision has been made in the design, construction and operation of such facilities to accommodate certain types and quantities of industrial wastes in addition to normal wastewater, and

WHEREAS, it is the obligation of the producers of industrial waste to defray the costs of the wastewater treatment services rendered by the Nueces County Water Control & Improvement District No. 4 in an equitable manner and, insofar as it is practicable, in proportion to benefits derived, and

WHEREAS, protection of the quality of the effluent and proper operation of the wastewater collection and treatment facilities and quality of effluent may require either the exclusion, pretreatment, or controlled discharge at point of origin of certain types or quantities of industrial wastes, and

WHEREAS, the Nueces County Water Control & Improvement District No. 4 shall require future compliance with any rules and regulations promulgated under Section 307 of the Clean Water Act:

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NOW, THEREFORE BE IT ORDAINED, BY THE NUECES COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 4:

SECTION A DEFINITIONS - As used in this ordinance

1. "APPROVING AUTHORITY" means District Manager or duly authorized representative;
2. "B.O.D." (Biochemical Oxygen Demand) means the quantity of biochemical oxidation of organic matter under standard laboratory conditions for five (5) days at a temperature of twenty (20) degrees centigrade;
3. "BUILDING SEWER" means the extension from the building drain to the public sewer or other place of disposal (also called the house lateral and house connection);
4. "DISTRICT" means the Nueces County Water Control & Improvement District No. 4 or any authorized person acting in its behalf;
5. "C.O.D." (Chemical Oxygen Demand) means measure of the oxygen consuming capacity of inorganic and organic matter present in the water or wastewater expressed in mg/l as the amount of oxygen consumed from a chemical oxidant in a specific test, but not differentiating between stable and unstable organic matter and thus not necessarily correlating with biochemical oxygen demand;
6. "CONTROL MANHOLE" means a manhole giving access to a building sewer at some point before the building sewer discharge mixes with other discharges in the public sewer;
7. "CONTROL POINT" means point of access to a course of discharge before the discharge mixes with other discharges in the public sewer;
8. "GARBAGE" means animal and vegetable wastes and residue from preparation, cooking and dispensing of food; and from the handling, processing, storage and sale of food products and produce;
9. "INDUSTRIAL WASTE" means waste resulting from any process of industry, manufacturing, trade, or business from the development of any natural resource, or any mixture of the water with water or normal wastewater, or distinct from normal wastewater;
10. "INDUSTRIAL WASTE CHARGE"; means the charge made on those persons who discharge industrial wastes into the district's sewerage system;
11. "MILLIGRAMS PER LITER" (mg/l) means the same as parts per million and is a weight-to-volume ratio; the milligram-per-liter value multiplied by the factor 8.34 shall be equivalent to pounds per million gallons of water;
12. "NATURAL OUTLET" means any outlet into a watercourse, ditch, like, or other body of surface water or groundwater;
13. "NORMAL DOMESTIC WASTEWATER" means wastewater excluding industrial wastewater discharged by a person into sanitary sewers and in which the average concentration of total suspended solids is not more than 250 mg/l and BOD is not more than 250 mg/l;
14. "OVERLOAD" means the imposition of organic or hydraulic loading on a treatment facility in excess of its engineered design capacity;
15. "PERSON" means any individual and includes any corporation, organization, government or governmental subdivision or agency, business trust, estate, trust, partnership association, or other legal entity;

16. "PH" means the logarithm (Base10) of the reciprocal of the hydrogen ion concentration;
17. "PUBLIC SEWER" means pipe or conduit carrying wastewater or unpolluted drainage in which owners of abutting properties shall have the use, subject to control by the Nueces County Water Control & Improvement District No. 4.
18. "SANITARY SEWER" means a public sewer that conveys domestic wastewater or industrial wastes or a combination of both, and into which storm water, surface water, groundwater, and other unpolluted wastes are not intentionally passed;
19. "SLUG" means any discharge of water, wastewater or industrial waste which in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four hour concentration or flows during normal operation;
20. "STANDARD METHODS" means the examination and analytical procedures set forth in the latest edition, at the time of analysis, of "Standard Methods for the Examination of Water and Wastewater", as prepared, approved, and published jointly by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation;
21. "STORM SEWER" means a public sewer which carries storm and surface waters and drainage and into which domestic wastewater or industrial wastes are not intentionally passed;
22. "STORM WATER" means rainfall or any other forms of precipitation;
23. "SUPERINTENDENT" means the Water and Wastewater Superintendent of the Nueces County Water Improvement District No. 4 or his duly authorized deputy, agent or representative;
24. "SUSPENDED SOLIDS" (SS) means solids measured in mg/l that either float on the surface of, or are in suspension in, water, wastewater, or other liquids, and which are largely, removable by a laboratory filtration device;
25. "TO DISCHARGE" includes to deposit, conduct, drain, emit, throw, run, allow to seep, or otherwise release or dispose of, or to allow, permit, or suffer any of these acts or omissions;
26. "TRAP" means a device designed to skim, settle, or otherwise remove grease, oil, sand, flammable wastes or other harmful substances;
27. "UNPOLLUTED WASTEWATER" means water containing
 - (a) no free or emulsified grease or oil;
 - (b) no acids or alkalis;
 - (c) no phenols or other substances producing taste or odor in receiving water;
 - (d) no toxic or poisonous substances in suspension, colloidal state, or solution;
 - (e) no noxious or otherwise obnoxious or odorous gases;
 - (f) not more than an insignificant amount in mg/l each of suspended solids and BOD, as determined by the Texas Water Commission; and
 - (g) color not exceeding fifty (50) units as measured by the Platinum-Cobalt method of determination as specified in Standard Methods
28. "WASTE" means rejected, unutilized or superfluous substances in liquid, gaseous, or solid form resulting from domestic, agricultural, or industrial activities;
29. "WASTEWATER" means a combination of the water-carried waste from residences, business buildings, institutions, and industrial establishments, together with any ground, surface, and storm water that may be present.

30. "WASTEWATER FACILITIES" includes all facilities for collection, pumping, treating, and disposing of wastewater and industrial wastes;
31. "WASTEWATER TREATMENT PLANT" means any District-owned facilities, devices, and structures used for receiving, processing and treating wastewater, industrial wastes, and sludges from the sanitary sewers;
32. "WASTEWATER SERVICE CHARGE" means the charge on all users of the public sewer system whose wastes do not exceed in strength the concentration values established as representative of normal wastewater; and
33. "WATERCOURSE" means a natural or man-made channel in which a flow of water occurs, either continuously or intermittently.

SECTION B PROHIBITED DISCHARGES

1. No person may discharge to public sewers any waste which by itself or by interaction with other wastes may:
 - (a) injure or interfere with wastewater treatment processes or facilities;
 - (b) constitute a hazard to humans or animals; or
 - (c) create a hazard in receiving waters of the wastewater treatment plant effluent.
2. All discharges shall conform to requirements of this resolution.

SECTION C CHEMICAL DISCHARGES

1. No discharge to public sewers may contain:
 - (a) cyanide greater than 1.0 mg/l;
 - (b) fluoride other than that contained in the public water supply;
 - (c) chlorides in concentrations greater than 250 mg/l;
 - (d) gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas; or
 - (e) substances causing an excessive Chemical Oxygen Demand (C.O.D.).
2. No waste or wastewater discharged to public waters may contain:
 - (a) strong acid, iron pickling wastes, or concentrated plating solutions whether neutralized or not;
 - (b) fats, wax, grease, or oils, whether emulsified or containing substances which may solidify or become viscous at temperature between thirty-two (32) and one hundred fifty (150) degrees Fahrenheit (0 and 65 degrees Centigrade).
 - (c) objectionable or toxic substances, exerting an excessive chlorine requirement, to such degree that any such material received in the composite wastewater treatment works exceeds the limits established by the Approving Authority for such materials; or
 - (d) obnoxious, toxic or poisonous solids, liquids, or gases in quantities sufficient to violate the provisions of Section B (1).
3. No waste, wastewater, or other substance may be discharged into public sewers which has a pH lower than 5.5 or higher than 9.5, or any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel at the wastewater facilities.

4. All waste, wastewater, or other substance containing phenols, hydrogen sulfide, or other taste-and-odor producing substances shall conform to concentration limits established by the Approving Authority. After treatment of the composite wastewater, concentration limits may not exceed the requirements established by state, federal, or other agencies with jurisdiction over discharges to receiving waters.

SECTION D HAZARDOUS METALS AND TOXIC MATERIALS

1. No discharges may contain concentrations of hazardous metals other than amounts specified in Subsection 2. of this Section.
2. The allowable concentrations of hazardous metals, in terms of milligrams per liter (mg/l), for discharge to tidal waters, and determined on the basis of individual sampling in accordance with "Standard Methods" are listed below:

NOT TO EXCEED			
<u>Metal</u>	<u>Average</u>	<u>Daily Composite</u>	<u>Grab Sample</u>
Arsenic	0.1	0.2	0.3
Barium	1.0	2.0	4.0
Cadmium	0.1	0.2	0.3
Chromium	0.5	1.0	5.0
Copper	0.5	1.0	2.0
Lead	0.5	1.0	1.5
Manganese	1.0	2.0	3.0
Mercury	0.005	0.005	0.01
Nickel	1.0	2.0	3.0
Selenium	0.1	0.2	0.3
Silver	0.05	0.1	0.2
Zinc	1.0	2.0	6.0

(NOTE: These concentration parameters and rules governing same are promulgated under authority of Sections 5.131 and 5.132, Texas Water Code - HAZARDOUS METALS and in accordance with Texas Water Commission Rule 329.41-49).

3. No other hazardous metals or toxic materials may be discharged into public sewers without a permit from the Approving Authority specifying conditions of pretreatment, concentrations, volumes, and other applicable provisions.
4. Prohibited hazardous materials include but are not limited to: Antimony, Beryllium, Bismuth, Cobalt, Molybdenum, Uranylion, Rhenium, Strontium, Tellerium, Herbicides, Fungicides, and Pesticides.

SECTION E PARTICULATE SIZE

1. No person may discharge garbage or other solids into public sewers unless it is shredded to a degree that all particles can be carried freely under the flow conditions normally prevailing in public sewers. Particles greater than one-half (1/2) inch in any dimensions are prohibited.
2. The Approving Authority is entitled to review and approve the installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater.

SECTION F STORM WATER AND OTHER UNPOLLUTED DRAINAGE

1. No person may discharge to public sanitary sewers
 - (a) unpolluted storm water, surface water, groundwater, roof runoff or subsurface drainage;
 - (b) unpolluted cooling water;
 - (c) unpolluted industrial process waters;
 - (d) other unpolluted drainage;or make any new connections from inflow sources.
2. In compliance with the Texas Water Quality Act and other statutes, the Approving Authority may designate storm sewers and other watercourses into which unpolluted drainage described in Subsection 1. of this Section may be discharged.

SECTION G TEMPERATURE

No person may discharge liquid or vapor having a temperature higher than one hundred fifty (150) degrees Fahrenheit (65 degrees Centigrade), or any substance which causes the temperature of the total wastewater treatment plant influent to increase at a rate of ten (10) degrees Fahrenheit or more per hour, or a combined total increase of plant influent to one hundred ten (110) degrees Fahrenheit.

SECTION H RADIOACTIVE WASTES

1. No person may discharge radioactive wastes of isotopes into public sewers without the permission of the Approving Authority.
2. The Approving Authority may establish, in compliance with state and federal regulations, regulations for discharge of radioactive wastes into public sewers.

SECTION I IMPAIRMENT OF FACILITIES

1. No person may discharge into public sewers any substance capable of causing:
 - (a) obstruction to the flow in sewers;
 - (b) interference with the operation of treatment processes of facilities; or
 - (c) excessive loading of treatment facilities.
2. Discharges prohibited by Subsection 1. include, but are not limited to, materials which exert or cause concentrations of:
 - (a) inert suspended solids greater than 250 mg/l including but not limited to:
 - (1) Fuller's earth
 - (2) lime slurries; and
 - (3) lime residues;
 - (b) dissolved solids greater than 10,000 mg/l including but not limited to
 - (1) sodium chloride, and
 - (2) sodium sulfate;
 - (c) excessive discoloration including but not limited to
 - (1) dye wastes; and
 - (2) vegetable tanning solutions; or

- (d) BOD, COD, or chlorine demand in excess of normal plant capacity.
- 3. No person may discharge into public sewers any substance that may
 - (a) deposit grease or oil in sewer lines in such a manner as to clog the sewers;
 - (b) overload skimming and grease handling equipment;
 - (c) pass to the receiving waters without being effectively treated by normal wastewater treatment processes due to the nonamenability of the substance to bacterial action; or
 - (d) deleteriously affect the treatment process due to excessive quantities.
- 4. No person may discharge any substance into public sewers which
 - (a) is not amenable to treatment or reduction by the processes and facilities employed; or
 - (b) is amenable to treatment only to such a degree that the treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- 5. The Approving Authority shall regulate the flow and concentration of slugs when they may
 - (a) impair the treatment process;
 - (b) cause damage to collection facilities;
 - (c) incur treatment costs exceeding those for normal wastewater; or
 - (d) render the effluent unfit for stream disposal or industrial use.
- 6. No person may discharge into public sewers solid or viscous substances which may violate Subsection 1. of this Section if present in sufficient quantity or size including but not limited to: ashes; cinders; sand; mud; straw; shavings; metal; glass; rags; feathers; tar; plastics; wood; unground garbage; whole blood; paunch manure; hair and fleshings; entrails; paper products, either whole or ground by garbage grinders; slops; chemical residues; paint residues; or bulk solids.

SECTION J COMPLIANCE WITH EXISTING AUTHORITY

- 1. Unless exception is granted by the Approving Authority, the public sanitary sewer system shall be used by all persons discharging:
 - (a) wastewater;
 - (b) industrial wastes;
 - (c) polluted liquids;
- 2. Unless authorized by the Texas Water Commission, no person may deposit or discharge any waste included in Subsection 1. of this Section on public or private property or into or adjacent to any:
 - (a) natural outlet;
 - (b) watercourse;
 - (c) storm sewer;
 - (d) other area within the jurisdiction of the District
- 3. The Approving Authority shall verify, prior to discharge, that wastes authorized to be discharged will receive suitable treatment.
- 4. The owner of all houses, building, or properties used for human occupancy, employment, recreation or other purposes situated within the District and abutting any street, alley or right-of-way in which there is now located or may in the future be located a public sewer or combined sewer of the District, is hereby required at

his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this resolution, within ninety (90) days after date of official notice to do so, provided that said Public Sewer is within one hundred (100) feet of the property line.

5. Where a public sanitary or combined sewer is not available under the provisions of Subsection 1. of this Section, the building sewer shall be connected to a private sewage disposal system complying with all requirement of Section P. Private Sewage Disposal Facilities.
6. At such time that a public sewer becomes available to a property served by a private sewage disposal system, a direct connection shall be made to the public sewer in compliance with this resolution and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned.

SECTION K APPROVING AUTHORITY REQUIREMENTS

1. If discharges or proposed discharges to public sewers may
 - (a) deleteriously affect wastewater facilities, processes, equipment, or receiving waters;
 - (b) create a hazard to life or health; or
 - (c) create a public nuisance;The Approving Authority shall require
 - (a) pretreatment to an acceptable condition for discharge to the public sewers;
 - (b) control over the quantities and rates of discharge; and
 - (c) payment to cover the cost of handling and treating the wastes.
2. The Approving Authority is entitled to determine whether a discharge or proposed discharge is included under Subsection 1. of this Section.
3. The Approving Authority shall reject wastes when it determines that a discharge or proposed discharge does not meet the requirements of Subsection 1. of this Section.

SECTION L APPROVING AUTHORITY REVIEW AND APPROVAL

1. If pretreatment or control is required, the Approving Authority shall review and approve design and installation of equipment and processes.
2. The design and installation of equipment and processes must conform to all applicable statutes, codes, resolutions and other laws.
3. Any person responsible for discharges requiring pretreatment, flow equalizing, or other facilities shall provide and maintain the facilities in effective operating condition at his own expense.

SECTION M REQUIREMENTS FOR TRAPS

1. Discharges requiring a trap include
 - (a) grease or waste containing grease in amounts that will impede or stop the flow in the public sewers;
 - (b) oil;
 - (c) sand;

- (d) flammable wastes; and
 - (e) other harmful ingredients.
2. Any person responsible for discharges requiring a trap shall at his own expense and as required by the Approving Authority
- (a) provide equipment and facilities of a type and capacity approved by the Approving Authority;
 - (b) locate the trap in a manner that provides ready and easy accessibility for cleaning and inspection; and
 - (c) maintain the trap in effective operating condition.

SECTION N REQUIREMENTS FOR BUILDING SEWERS

1. Any person responsible for discharges through a building sewer carrying industrial wastes shall, at his own expense and as required by the Approving Authority
- (a) install an accessible control manhole;
 - (b) install meters and other appurtenances to facilitate observation sampling and measurement of the waste; and
 - (c) install safety equipment and facilities (ventilation, steps...) where needed;
 - (d) maintain the equipment and facilities.

SECTION O SAMPLING AND TESTING

1. Sampling shall be conducted according to customarily accepted methods, reflecting the effect of constituents upon the sewage works and determining the existence of hazards to health, life, limb, and property. The analysis involved will determine whether a twenty-four (24) hour composite sample from all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analysis are obtained from 24-hour composites of all outfalls. Where applicable, 16-hour, 8-hour or some other period may be required. Periodic grab samples are used to determine pH and oil and grease.
2. Examination and analysis of the characteristics of waters and wastes required by the resolution shall be
- (a) conducted in accordance with the latest edition of Standard Methods; and
 - (b) determined from suitable samples taken at the control manhole provided or other control point authorized by the Approving Authority.
3. BOD and suspended solids shall be determined from composite sampling, except to detect unauthorized discharges.
4. The Approving Authority shall determine which users or classes of users may contribute wastewater which is of greater strength than normal domestic wastewater. All users or classes of users so identified shall be sampled for flow BOD TSS and pH at least annually.
5. District may select an independent firm or laboratory to determine flow, BOD, and suspended solids, if necessary. Flow may alternately be determined by meter measurements if no other flow device is available and no other source of raw water is used.

SECTION P PRIVATE SEWAGE DISPOSAL FACILITIES

Every owner, user or developer of one or more tract or parcels of land lying within the boundaries of the District who proposes to use a private sewage disposal system (septic tank) must comply with the following criteria prior to installation of said system:

1. An application of the District shall be submitted to the District Manager, along with the appropriate fee or fees approved by the Board.
2. An approval from the Nueces County Department of Public Health approving the type of private sewage disposal system to be installed must be submitted to the District Manager.
3. The private sewage disposal system must be installed to meet the requirements of the Nueces County Department of Public Health and also must meet the CONSTRUCTION STANDARDS FOR PRIVATE SEWAGE FACILITIES promulgated by the Texas Department of Health for the total construction.
4. That the private sewage disposal system to be installed will be installed on a tract or parcel of land containing not less than twenty thousand (20,000) square feet for single family residences with individual water systems and not less than fifteen thousand (15,000) square feet for single family residences served by the Public Water System. A minimum elevation requirement for the entire septic system will be eleven (11) feet above sea level.
5. That prior to approval, the application, a certification as to the square footage and minimum elevation for the tract or parcel proposed to be developed, and an approval from the Nueces County Department of Health must be submitted to the District Manager for final approval.
6. That immediately following the approval or disapproval of the application and supporting documents for the installation of a private sewage disposal system by the District Manager, the owner, user, or developer of the tract or parcel of land lying within the District will be notified of the decision not more than 10 (10) days after the date of the decision. If the decision of the District Manager is to approve the application, then the notice of the approval transmitted to the owner, user or developer of a tract or parcel of land within the District will be considered as the authority for the owner, user or developer of land within the District to commence construction of a private sewage disposal system, which construction will be completed in accordance with the application.
7. Upon completion of the construction, the owner shall provide the District with a copy of the approved Nueces County Department of Health final inspection.
8. That any person who violates any of the terms of this Resolution, or any person who installs a private sewage disposal system within the boundaries of the District without first making application and receiving approval for installation of said system, shall be guilty of a misdemeanor, and upon conviction, shall be fined in an amount not to exceed Two Hundred Dollars (\$200.00) for each such violation. Each day in which any such violation shall continue shall be deemed a separate offense. Any person violating any of the provisions of this resolution shall become liable to the District for any expense, loss or damage occasioned by the District by reason of such violation. The enforcement officer for this resolution shall be the District Manager.

SECTION Q USER CHARGE SYSTEM

1. Persons making discharges of industrial waste into the District system shall pay a charge to cover all costs of collection and treatment.
2. When discharges of any waste into the District system are approved by the Approving Authority, the District or its authorized representative shall enter into an agreement or arrangement providing
 - (a) terms of acceptance by the District;
 - (b) payment by the person making the discharge, in accordance with the sewer rates as established by the Resolution passed January 22, 1962 and each amendment thereafter;
 - (c) new sewer construction and sewer connection procedures and requirements shall be in accordance with Section S and as required in the City of Port Aransas Plumbing Code - Article V, Plumbing as set forth in the Inspection Service Contract between the City of Port Aransas and the District;
 - (d) a sewer application approved with connection fee, tap installation fee and capital impact fee paid;
 - (e) construction of sewer connections shall be approved by District inspectors prior to sewer use.
3. The District will apply excess revenues collected from the users to the cost of operation and maintenance for the next year and adjust the rates accordingly.
4. Applicable resolutions concerning wastewater service;
 - (a) Resolution on Setting Sewer Rates
 - (b) Resolution on Tapping the Sanitary Sewer Systems
 - (c) Resolution on Off-Site Extension of Water and Sewer Service
 - (d) Resolution on Oversize-Overdepth of Water and Sewer Lines

SECTION R SAVINGS CLAUSE

1. A person discharging wastes into public sewers prior to the effective date of this resolution may continue without penalty so long as he
 - (a) does not increase the quantity or decrease the quality of discharge without permission of the Approving Authority;
 - (b) has discharged the waste at least six (6) months prior to the effective date of this resolution; and
 - (c) makes application no later than 150 days after the date of this resolution.

SECTION S APPLICATION FOR SEWER SERVICE

1. The District may grant a permit to discharge to persons meeting all requirements of the savings clause provided that the person
 - (a) submit an application within 120 days after the effective date of this resolution on forms supplied by the Approving Authority;
 - (b) secure approval by the Approving Authority of plans and specifications for the facilities when required; and

- (c) has complied with all requirements for agreements or arrangements including but not limited to provisions for
 - (1) payment of charges;
 - (2) installation and operation of the facilities and of pretreatment facilities, if required, and
 - (3) sampling and analysis to determine quantity and strength when directed by the District; and
 - (d) provides a sampling point, when requested by the District, subject to the provisions of this resolution and approval of the Approving Authority.
2. Application for Sanitary Sewer Service must be filed prior to construction of the service line and the connection fee shall accompany this application. (Application forms are available at the District's office). Construction must not begin until authorized by the District.
 3. When the service line is complete, and prior to backfilling the pipe trench, the applicant for sewer service shall request an inspection of the installation. Request for inspections shall be made to the District's manager twenty-four hours in advance of the inspection.
 4. The physical connection to the District's sewer main will be made by use of an adapter of a type compatible with materials being joined. The connection shall be water-tight. No cement grout materials are permitted.
 5. There shall be two (2) classes of building sewer permits; (1) for residential and commercial service, and (2) for service to establishments producing industrial waste. In either case, the owner or his agent shall make application on a special form furnished by the said District. The permit applications shall be supplemented by any plan specifications, or other information considered pertinent in the judgement of the inspector. All applicable fees shall be paid to the District at the time the application is filed.
 6. All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner or the person installing the building sewer for said owner shall indemnify said District from any loss or damage that may directly or indirectly be occasioned by said installation.
 7. A separate and independent sewer shall be provided for every building; except where one building stands at the rear of another or an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, courtyard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer. Other exceptions will be allowed only by special permission granted by the superintendent. Old building sewer or portions thereof, may be used in connection with new buildings only when they are found on examination and tested by the said Inspector to meet all requirements of this ordinance.
 8. A Certificate of Compliance will be granted after inspection confirms that all requirements of these Rules and Regulations have been met, including the use of one of the following types of material or materials, to wit:
 - (a) Cast iron soil pipe, standard weight, conforming to ASTM Specification A74 with rubber gasket joint coupling conforming to ASTM Specification C564.

- (b) Poly-vinyl-chloride PSM (PVC) pipe conforming to ASTM Specification D3034 and installed according to ASTM D2321.
 - (c) Ductile-Iron Pipe conforming to ANSI A21.51 with rubber gasket joints ANSI A21.11, and installed according to manufacturer's recommendations.
 - (d) Acrylonitrile-butadiene-styrene (ABS) pipe, material conforming to ASTM Specification D2751.
9. Construct service lines to true alignment and grade. Warped and sagging lines will not be permitted.
- (a) Before joining the pipe in the trench, the bell and spigot surfaces shall be wiped free of dirt or other foreign mater. A lubricant or sealer as recommended by the pipe manufacturer shall be applied to the bell and spigot mating surfaces just before they are jointed together. The spigot end shall then be shoved home to compress the joint and to assure a tight fit between the interfaces.
 - (b) Minimum sizes of service lines shall be as follows:
 - (1) Residential-----4 - Inches in diameter
 - (2) Commercial-----6 - Inches in diameter
 - (c) Minimum grades for service lines shall be as follows:
 - (1) 4-inch pipe---one foot drop per hundred feet (1%)
 - (2) 6-inch pipe---six inches drop per hundred feet (0.5%)
 - (3) 8-inch pipe---four inches drop per hundred feet (0.33%)
 - (d) Maximum grades for service lines shall be as follows:
 - (1) 4-inch pipe--two and one-half feet drop per hundred feet (2.5%)
 - (2) 6-inch pipe--one and one-half feet drop per hundred feet (1.5%)
 - (3) 8-inch pipe--one foot drop per hundred feet (1%)
10. Whenever possible the building sewer shall be brought to the building at an elevation below the basement floor. All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the said Inspector. Pipe laying and backfill shall be performed in accordance with A.S.T.M. specification (Designation C-12) except that no backfill shall be placed until the work has been inspected by the Inspector or his representative.
- (a) Connection of building sewer outlet to service lines
 - (1) Building tie-on connection will be made directly to the stub-out from the building plumbing at the foundation on all waste outlets.
 - (2) Water-tight adapters of a type compatible with the materials being joined will be used at the point of connection of the service line to the building plumbing. No cement grout materials are permitted.
 - (3) It is the District's responsibility to maintain the structural integrity of the service lines within the Public Right-of-Way. The property owner is responsible for obstructions in the building service line to the District's main.
 - (b) Fittings and cleanouts
 - (1) No bends or turns at any point will be greater than 45 degrees.
 - (2) Each horizontal service line will be provided with a cleanout at its upper terminal; and each such run of piping which is more than ninety (90) feet in length will be provided with a cleanout for each ninety (90) feet

or fraction thereof, in the length of such piping.

(3) Each cleanout will be installed so it opens in a direction opposite to flow of waste and, except in cases of "wye" branch and end of line cleanouts, cleanouts will be installed vertically above the flow line of the pipe.

(4) Cleanout will be made with air-tight mechanical plug.

11. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drains shall be lifted by approved artificial means and discharged to the building sewer. No water operated sewage ejector shall be used.
12. The connection of the building sewer into the public sewer shall be made at the wye branch designated for that property, if such branch is available at a suitable location. Any connection not made at the designated wye branch in the main sewer, shall be made only as directed by the said Inspector.
13. The applicant for the building sewer shall notify the Inspector when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the said Inspector or his representative.
14. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the said District.
15. Backfilling of service lines trench must be accomplished within twenty-four (24) hours of inspection and approval. No debris will be permitted in the trench.

SECTION T POWER TO ENTER PROPERTY

1. The Superintendent and other duly authorized employees of the District bearing proper credentials and identification are entitled to enter any public or private property at any reasonable time for the purpose of enforcing this resolution.
2. Anyone acting under this authority shall observe the establishment's rules and regulations concerning safety, internal security, and fire protection.
3. Except when caused by negligence or failure of person(s) to maintain safe conditions, the District shall indemnify the person(s) against loss or damage to their property by District employees and against liability claims and demands for personal injury or property damage asserted against the person(s) and growing out of the sampling operation.
4. The Superintendent and other duly authorized employees of the District bearing proper credentials and identification are entitled to enter all private properties through which the District holds a negotiated easement for the purposes of
 - (a) inspection, observation, measurement, sampling or repair;
 - (b) maintenance of any portion of the sewerage system lying within the easements; and
 - (c) conducting any other authorized activity. All activities shall be conducted in full accordance with the terms of the negotiated easement pertaining to the private property involved.
5. No person acting under authority of this provision may inquire into any processes including metallurgical, chemical, oil refining, ceramic, paper or other industries

beyond that point having a direct bearing on the kind and source of discharge to the public sewers.

SECTION U AUTHORITY TO DISCONNECT SERVICE

1. The District may terminate water and sewer disposal service from the system when
 - (a) acids or chemicals which may damage the sewer lines or treatment process are released to the sewer potentially causing accelerated deterioration of these structures or interfering with proper conveyance and treatment of wastewater;
 - (b) a governmental agency informs the District that the effluent from the wastewater treatment plant is no longer of a quality permitted for discharge to a watercourse, and it is found that the customer is delivering wastewater to the District's system that cannot be sufficiently treated or requires treatment that is not provided by the District as normal domestic treatment; or
 - (c) the customer
 - (1) discharges waste or wastewater that is in violation of the permit issued by the Approving Authority;
 - (2) discharges wastewater at an uncontrolled, variable rate in sufficient quantity to cause an imbalance in the wastewater treatment system;
 - (3) fails to pay bills for water and sanitary sewer services when due; or
 - (4) repeats a discharge of prohibited wastes to public sewers in violation of Section B through I as stated above.
2. If service is discontinued pursuant to Subsection 1(a) of this Section, the District shall:
 - (a) disconnect the customer;
 - (b) supply the customer with the governmental agency's report and provide the customer with all pertinent information; and
 - (c) continue disconnection until such time as the customer provides pretreatment or additional pretreatment or other facilities designed to remove the objectionable characteristics from his wastes.

SECTION V NOTICE

The District shall serve persons discharging in violation of this resolution with written notice stating the nature of the violation and providing a reasonable time limit for satisfactory compliance.

SECTION W CONTINUING PROHIBITED DISCHARGES

No person may continue discharging in violation of this resolution beyond the time limit provided in the notice described in Section V.

SECTION X PENALTY

1. A person who continues prohibited discharges is guilty of a misdemeanor and upon

conviction is punishable by a fine of not more than \$200 for each act of violation and for each day of violation.

2. In addition to proceeding under authority of Subsection 1 of this Section, the District is entitled to pursue all other criminal and civil remedies to which it is entitled under authority of statutes or other resolutions against a person continuing prohibited discharges.

SECTION Y FAILURE TO PAY

In addition to sanctions provided for by this resolution, the District is entitled to exercise sanctions provided for by the other resolutions of the District for failure to pay the bill for water and sanitary sewer service when due.

SECTION Z PENALTY FOR CRIMINAL MISCHIEF

The District may pursue all criminal and civil remedies to which it is entitled under authority of statutes and resolutions against a person negligently, willfully or maliciously causing loss by tampering with or destroying public sewers or treatment facilities.

SECTION AA SEVERABILITY

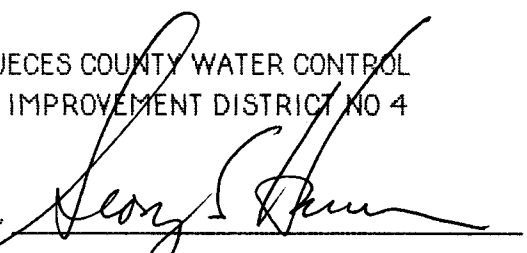
If any provision of this resolutions or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and to this end the provisions of this resolution are declared to be severable.

SECTION BB EFFECTIVE DATE

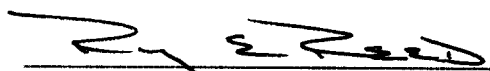
This resolution shall be full force and effect from and after its passage, approval, recording, and publication as provided by law.

PASSED AND APPROVED ON THE 16 DAY OF May 1988

NUECES COUNTY WATER CONTROL
& IMPROVEMENT DISTRICT NO 4

By 
President, Board of Directors

ATTEST:


Secretary

**MINUTES OF
SPECIAL MEETING**

MARCH 1, 1988

STATE OF TEXAS

S

COUNTY OF NUECES

S

On the 1st day of March 1988, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in a Special Meeting at 8:30 A.M. at the District Office, 315 South Ninth Street, Port Aransas, Texas, there being present and in attendance the following to wit:

	President	George Hawn
	Vice President	Ed Manning
	Secretary	Jim Edmonson
Absent:	Secretary Pro-tem	Jay Sanders
	Director	Al Mora
Staff:	Manager	Nona Sherrill
	Engineer	Mark Maroney
	Superintendent	Rudy Vela
	Executive Secretary	Mary Moss

The meeting was called to order at 8:30 A.M., pursuant to notice posted, by the presiding officer, George Hawn.

Minutes

A motion was made by Jim Edmonson and seconded by Ed Manning to approve the minutes of February 1, 1988. The motion carried unanimously. (A copy of the minutes was sent to each director prior to the meeting).

Park Rd 53

Lift Sta. 5

After review of the following bids received February 19, 1988 on the renovation of Lift Station No. 5;

R. S. Black Civil Engineers & Contractors	\$101,000.00
Stefek Construction Company	\$114,900.00

Mark Maroney recommended awarding the contract to the low bidder, R. S. Black Civil Engineers & Contractors. A motion was made by Jim Edmonson and seconded by Ed Manning to award the bid as recommended. The motion carried unanimously.

Lantana Dr.

Paving

Mark Maroney reported on the negotiations with Vermillion Construction Company and the City of Port Aransas on paving Lantana Drive. A motion was made by Ed Manning and seconded by Jim Edmonson to reduce the Vermillion Construction contract by the amount to patch Lantana Drive and make a proposal to the City of Port Aransas to pave the entire street under a change order on their present contract with Island Construction. The District will pay the cost of the change order. The motion carried unanimously.

**Policies
& Sewer
Resolution**

A motion was made by Ed Manning and seconded by Jim Edmonson to approve the revised District Policies as presented by the staff and to amend the Sewer Resolution as follows, Section IV, I. (c) - It is the District's responsibility to maintain the structural integrity of the service lines within the Public Right of Way. The property owner is responsible for the obstructions in the building service line to the District's main. The motion carried unanimously. (A copy of the District Policies are kept on file in the District office)

**Financial
Report**

A motion was made by Ed Manning and seconded by Jim Edmonson to approve the January financial statement presented by Mrs. Sherrill. The motion carried unanimously. (A copy of the report is on file in the District office)

**Engineer's
Report**

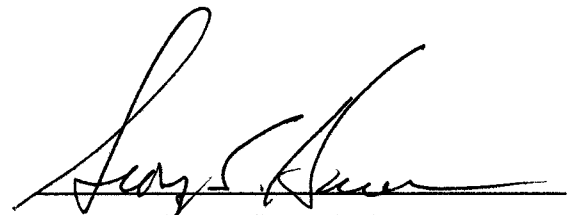
Mark Maroney reported on the progress of the following projects;

1. North Wastewater Plant Contract
2. Turtlecove Property Improvements
3. Ave G Lift Station
4. Tank Maintenance
5. Station Street Improvements

**Manager's
Report**


Mrs. Sherrill reported on routine business of the District.

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn the meeting.



George S. Hawn, President
Nueces County Water Control &
Improvement District No. 4

ATTEST:


James L. Edmonson, Secretary

MINUTES OF

REGULAR MEETING

FEBRUARY 1, 1988

STATE OF TEXAS

S

COUNTY OF NUECES

S

On the 1st day of February 1988, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in a Regular Meeting at 10:00 A.M. at the District Office, 315 South Ninth Street, Port Aransas, Texas, there being present and in attendance the following to wit:

President	George Hawn
Vice President	Ed Manning
Secretary	Jim Edmonson
Secretary Pro-tem	Jay Sanders
Director	Al Mora

Absent: None

Staff:	Manager	Nona Sherrill
	Engineer	Larry Urban
	Auditor	Gary Davenport
	Superintendent	Rudy Vela
	Executive Secretary	Mary Moss

Visitors: Insurance Agent John McDavid/Glass-Sorenson

Due to lack of quorum at 10:00 A. M., the meeting was postponed until 4:00 P.M. the same day. The meeting was called to order at 4:00 P.M., pursuant to notice posted, by the presiding officer, George Hawn.

Minutes

A motion was made by Ed Manning and seconded by Jim Edmonson to approve the minutes of December 9th and 23rd, 1987. The motion carried unanimously. (A copy of the minutes was sent to each director prior to the meeting).

1987 Audit

Gary Davenport, Kosarek & Davenport, CPA's, presented the 1987 Audit. A motion was made by Jim Edmonson and seconded by Ed Manning to approve the Audit as presented. The motion carried unanimously.

Insurance Study/88

John McDavid, Glass Sorenson & McDavid Insurance Co., reviewed the District's current insurance policies and the 1988 renewal quotations and changes in the new insurance structures. There was no action.

EPA Grant Amendment

A motion was made by Jay Sanders and seconded by Ed Manning to authorize Nona Sherrill to execute the amendment to the EPA Grant No. C-48-1558-03. The motion carried unanimously.

Award NWWTP Expansion Contract

A motion was made by Jay Sanders and seconded by Ed Manning to award the construction bid for the Improvements to the North Wastewater Treatment Plant to Lem Construction Co., subject to receiving the Trench Safety Program documentation from Lem Construction Co. The motion carried unanimously.

Lantana St. Paving

After discussion with the District engineer, Larry Urban, a motion was made by Jim Edmonson and seconded by Ed Manning to authorize Urban Engineers to

Page 2

proceed with negotiations with Vermillion Construction and the City of Port Aransas to pave Lantana Street in place of patching.

The motion carried :

4 - Yes

0 - No

Jay Sanders abstained from the vote.

Director's Election

A motion was made by Ed Manning and seconded by Jim Edmonson to pass an Resolution and Order calling the Director's Election for May 7, 1988. The motion carried unanimously.

Boat Tax

After discussion, a motion was made by Jay Sanders and seconded by Ed Manning not to tax recreational boats for the year 1988.

Financial Report

A motion was made by Jay Sanders and seconded by Jim Edmonson to approve the November and December financial statement presented by Mrs. Sherrill. The motion carried unanimously. (A copy of the report is on file in the District office)

Manager's Report

The manager's report was given by Mrs. Sherrill. (A copy of the report is on file in the district office)


As there was no further business to come before the Board, a motion was duly made and seconded to adjourn the meeting.

s to come before the Board, a motion was

Scot D. Van

George S. Hawn, President
Nueces County Water Control &
Improvement District No. 4

ATTEST:


James L. Edmonson, Secretary

~~James L. Edmonson, Secretary~~

NOTICE OF DIRECTOR'S ELECTION
(AVISO DE ELECCION DIRECTORES)

To the Registered Voters of Nueces County, Texas:
(A los votantes registrados del Nueces County Texas.)

Notice is hereby given that the polling places listed below will be open from 7:00 a.m. to 7:00 p.m., on May 7,
19 88, for voting in a Director's election, to elect three (3) directors.
(Notifíquese, por las presente, que las casillas electorales sitados abajo se abrirán desde las 7:00 a.m. hasta las 7:00 p.m. el 7th de Mayo
de 19 88 para votar en la Elección para elegidos thres (3) directores)

LOCATION(S) OF POLLING PLACES Community Center, 408 North Alister, Port Aransas, Texas 78373
(DIRECCION(ES) DE LAS CASILLAS ELECTORALES) Community Center, 408 North Alister, Port Aransas,
Texas 78373

Absentee voting by personal appearance will be conducted each weekday at
(La votación en ausencia en persona se llevará a cabo de lunes a viernes en)

Nueces County WC&ID#4, 315 South 9th Street, Port Aransas, Texas 78373, offices
(location) (sitio)

between the hours of 8:00 a.m. and 5:00 p.m. beginning on April 18, 1988
(date)

(entre las 8:00 de la mañana y las 5:00 de la tarde empezando el 18 Abril 1988)
(fecha)

and ending on May 3, 1988
(date)

(y terminando el 3 Mayo 1988)
(fecha)

~~Additional absentee voting will be held at the same location as follows:*~~
(La votación en ausencia además se llevará a cabo en el mismo sitio de tal manera:)

~~Date (Fecha)~~

~~Hours (Horas)~~

Applications for ballot by mail shall be mailed to:
(Las solicitudes para boletas que se votarán en ausencia por correo deberán enviarse a:)

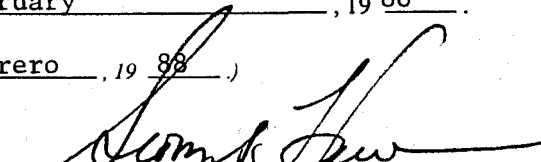
Betty Hargrove, Mary Moss, Teresa Osborne
(Name of Absentee Voting Clerk)s
(Nombre del Secretario de la Votación En Ausencia)
P.O. Box 128
(Address) (Dirección)
Port Aransas, Texas 78373
(City) (Ciudad) (Zip Code) (Zona Postal)

Recommended but not required

Applications for ballots by mail must be received no later than the close of business on
(Las solicitudes para boletas que se votarán en ausencia por correo deberán recibirse para el fin de las horas de negocio el)
April 29, 1988
(date) (fecha)

Issued this the 1st day of February, 19 88.

(Emitada este día 1st de febrero, 19 88.)


Signature of Presiding Officer (Firma del Oficial que Preside)

*If absentee voting is not going to be conducted on either Saturday or the last Sunday during the period of absentee voting, delete this part.

RECORD OF POSTING NOTICE OF ELECTION

I, the undersigned do hereby state that the notice of election for the Board of Directors' Election was posted on the following dates and locations:

[illegible]

Betty F Hargrove
Signature of Person Posting Notice

ORDER OF ELECTION

An election is hereby ordered to be held on May 7, 1988 for the purpose of:
(date)
electing three (3) directors to the Board of Directors of said District.

Absentee voting by personal appearance will be conducted each weekday at
315 South 9th Street, Port Aransas, Texas
(location)
between the hours of 8:00 a.m. and 5:00 p.m. beginning on April 18, 1988
(date)
and ending on May 3, 1988
(date)

Additional absentee voting will be held as follows:

Location	Date	Hours

Applications for ballot by mail shall be mailed to:

Betty Hargrove, Mary Moss & Teresa Osborne
(Name of Absentee Voting Clerk)
P.O. Box 128
(Address)
Port Aransas, Texas 78373
(City) (Zip Code)

Applications for ballots by mail must be received no later than the close of business on
April 29, 1988
(date)

Issued this the 1st day of February, 19 88.

[Signature]
Signature of Presiding Officer

ORDEN DE ELECCION

Por la presente se ordena que se llevará a cabo una elección el 7 Mayo 1988 con
el propósito de: (fecha)

elegidos thres (3) directores para este distrito.

La votación en ausencia en persona se llevará a cabo de lunes a viernes en
315 South 9th Street, Port Aransas, Texas

(sitio)

entre las 8:00 de la mañana y las 5:00 de la tarde empezando el Abril 18, 1988
y terminando el Mayo 3, 1988 (fecha)

~~La votación en ausencia además se llevará a cabo de tal manera:~~

Sitio	Fecha	Horas
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Las solicitudes para boletas que se votarán en ausencia por correo deberán enviarse a:

Betty Hargrove, Mary Moss & Teresa Osborne
(Nombre del Secretario de la Votación En Ausencia)

P.O. Box 128
(Dirección)

Port Aransas, Texas 78373
(Ciudad) (Zona Postal)

Las solicitudes para boletas que se votarán en ausencia por correo deberán recibirse para el fin de las
horas de negocio el Abril 29, 1988 (fecha)

Emitida este día 1st de Febrero, 19 88


Firma del Oficial Que Preside

MINUTES OF

EMERGENCY MEETING

DECEMBER 23, 1987

STATE OF TEXAS S

COUNTY OF NUECES S

On the 23rd day of December, 1987, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in an Emergency Meeting at the District Office, 315 South Ninth Street, Port Aransas, Texas, there being present and in attendance the following to wit:

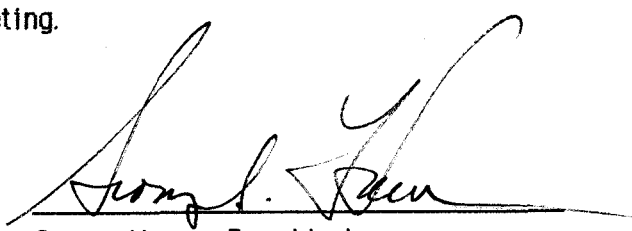
	President	George Hawn
	Vice President	Ed Manning
	Secretary	Jim Edmonson
Absent:	Secretary Pro-tem	Jay Sanders
	Director	Al Mora
Staff:	Manager	Nona Sherrill
	Engineer	Jim Urban
	Attorney	C. Edwin Prichard, Jr.
	Executive Secretary	Mary Moss

The meeting was called to order at 8:00 A.M., pursuant to notice posted, by the presiding officer, George Hawn.

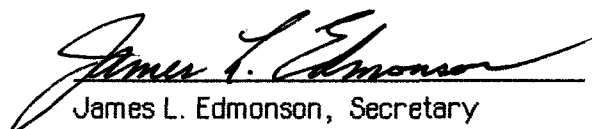
NWWTP Bid Submitted by B - 5 Construction After thorough discussion of the B-5 Construction, Inc. Bid submitted on November 4, 1987 for the construction of the North Wastewater Treatment Plant Improvements, the following motion was made by Ed Manning and seconded by Jim Edmonson and passed unanimously: "Moved that the bid submitted by B-5 Construction, Inc. on November 4, 1987 be rejected because of the unauthorized change made by Bidder in Section 1 A 4.4 entitled 'Contractor's Commitment', wherein Bidder changed the number of working days from 220 days to 260 days; the 220 days being a given requirement by the District during which the project was to be completed. In the Invitation to Bid, under Instruction to Bidder, Paragraph 1 A 2.4.1 it is provided inter alia 'All bids must be regular in every respect and no interlineation, excisions, or special conditions shall be made or included in the Bid Form by the Bidder' In addition, we concur with the opinion stated by the Texas Water Development Board's Attorney, that this change was a material change in the Contract."

Manager's Report No report was given.

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn the meeting.


George Hawn, President
Nueces County Water Control
& Improvement District No. 4

ATTEST:


James L. Edmonson, Secretary

MINUTES OF

SPECIAL MEETING

DECEMBER 9, 1987

STATE OF TEXAS

S

COUNTY OF NUECES

S

On the 9th day of December, 1987, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in a Special Meeting at the District Office, 315 South Ninth Street, Port Aransas, Texas, there being present and in attendance the following to wit:

	Vice President	Ed Manning
	Secretary	Jim Edmonson
	Secretary Pro-tem	Jay Sanders
	Director	Al Mora
Absent:	President	George Hawn
Staff:	Manager	Nona Sherrill
	Engineer	Jim Urban
	Executive Secretary	Mary Moss

The meeting was called to order at 5:00 P.M., pursuant to notice posted, by the presiding officer, Ed Manning.

Minutes

A motion was made by Jim Edmonson and seconded by Al Mora to approve the minutes of November 2, 1987 meeting. The motion carried unanimously. (A copy of the minutes was sent to each director prior to meeting.)

'87 Sewer Project

A motion was made by Jim Edmonson and seconded by Al Mora to approve the low bid of \$71,992.39 from Vermilion Construction for Sanitary Sewer Improvements for Lantana Drive, Avenue E and 7th Street as recommended by the staff. The motion carried unanimously. Jay Sanders abstained from the vote.

NWTP Project

The North Wastewater Treatment Plant Project was discussed. No action.

Air Compressor & Equip.

A motion was made by Jay Sanders and seconded by Jim Edmonson to approve the low bid of \$12,900 for the 250 CFM Compressor from Air Specialty and \$1,570 for Sandblasting Equipment from CC Equipment as recommended by the staff. The motion carried unanimously.

Cage Contract

After discussion of M. A. Cage Contract with the Joint Tax Office, it was the feeling of the Board that the Joint Tax Office make a gradual assumption of clerical functions and duties; therefore shifting Mr. Cage's activities to more on a consultant basis. At this time the Board recommended no need to terminate or change any part of the contract.

Prichard Contract

A motion was made by Jay Sanders and seconded by Al Mora to approve the attorney's contract with C. Edwin Prichard, Jr. as presented by the staff. The motion unanimously.

TSDR
Increase
Benefits

A motion was made by Jim Edmonson and seconded by Al Mora to approve the Resolution selecting increases in benefits, credits for future retirements or additional coverages allowable as recommended by the staff. The motion carried unanimously. (A copy of the Resolution is attached and becomes a permanent part of these minutes)

Financial
Report

A motion was made by Jim Edmonson and seconded by Jay Sanders to approve the October financial statement as presented by Mrs. Sherrill. The motion carried unanimously. (A copy of the report is on file in the District office)

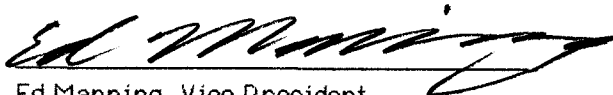
Engineer's
Report

Jim Urban reported on 1). the finalization of the Leeward Sands Project. Mrs. Sherrill, Rudy Vela and Jim Urban met with Carl Duaine and agreed to release Duaine and Associates from completing the Guaranty Agreement, Engineer's Certificate and completed set of 'As Builts' by forfeiting the remaining \$3375.00 of the Letter of Credit left on deposit with the District. The District's attorney is in the process of drawing up the agreement at the present time. 2). Avenue G Lift Station Renovation. After discussion, the Board instructed the engineer to proceed with the plans and drawings to renovate the Lift Station in the most efficient manner.

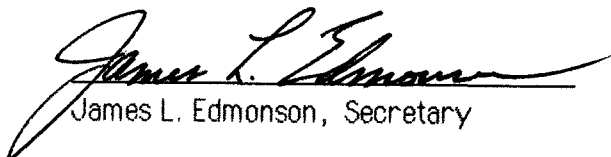
Manager's
Report

Rostyn Lanning, attorney with Texas Water Commission reported to Mrs. Sherrill that the staff's recommendation to the Commission would be to approve the District's Capital Impact Fee Application. He also suggested that the District be represented at the meeting in January.

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn the meeting.


Ed Manning, Vice President
Nueces County Water Control
& Improvement District No. 4

ATTEST:


James L. Edmonson, Secretary

**RESOLUTION SELECTING INCREASES IN BENEFITS THERETOFORE GRANTED,
CREDITS FOR FUTURE RETIREMENTS OR ADDITIONAL COVERAGES ALLOWABLE
UNDER SECTION 54.201 SUBTITLE F OF TITLE 110B**

THE STATE OF TEXAS **S**

COUNTY OF NUECES **S**

On this the 9th day of December, 1987, the governing Body of the Nueces County Water Control & Improvement District No. 4, was convened in a Special meeting, with the following members present, to wit:

Ed Manning	Vice President
Jim Edmonson	Secretary
Jay Sanders	Secretary Pro-tem
Al Mora	Director

and at such session, among other proceedings, the following resolution was passed:

WHEREAS, by virtue of a resolution of the Governing Body of the Nueces County Water Control & Improvement District No. 4, adopted on the 2nd day of October, 1978, said District became a participating subdivision in the Texas County and District Retirement System (hereinafter called "TCDRS"); and

Whereas, the Actuary for TCDRS has determined and certified that the increases in benefits, credits and additional coverages hereinbelow selected, can be amortized by the District within the time and under the terms prescribed by Subtitle F of Title 110B, of the Revised Civil Statutes of Texas, 1925, as amended (hereinafter called the "TSDRS Act"); it is accordingly,

ORDERED (RESOLVED) BY THE GOVERNING BODY OF THE NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4:

1. Effective January 1, 1988:

(a) Allocated (special) prior service credits heretofore allowed by this District and now in effect shall be increased from the present 110% of the maximum (special) prior service credit of each member affected to 125% of said amount.

(b) TCDRS members having current service credit with this District shall be allowed "multiple matching credit: calculated at a percentage rate which, when added to the rate employed in determining the "current service credit" allowable to the member under Sec. 53.402 of the TCDRS Act, will total 170% of the accumulated contributions of the member.

(c) Monthly payments as to annuities in effect December 3, 1987 and which arose out of prior service credits allowed by this District shall be increased as to payments for January, 1988 and each month thereafter by 13.64% of the Monthly benefit paid to the annuitant for the month of December 1987 (excluding any amounts paid as distributive benefits).

(d) Monthly payments as to annuities in effect December 31, 1987 and which arose out of current service credits and multiple matching credits allowed by this District shall be increased as to payments for January 1988 and each month thereafter by 3.85 % of the monthly benefit paid to the annuitant for the month of December 1987 (excluding any amounts paid as distributive benefits).

2. Effective January 1, 1988:

(a) Any person who on or after January 1, 1988 is a TCDRS member who shall have accumulated ten (10) or more years of credited service with this District and other subdivisions that have adopted ten (10) year service retirement eligibility under Section 54.207 of the TCDRS Act and has attained the age of sixty (60) shall have the right to and receive a service retirement annuity.

(b) Any person who on or after January 1, 1988 is a TCDRS member who shall have accumulated sufficient years of credited service with this District and other subdivisions which have adopted the provisions of Section 54.207 of the TCDRS Act such that, when the years of such credited service is added to the member's years of attained age produces a sum equal to or in excess of eighty (80), shall have the right to retire and receive a service retirement annuity.

(c) Any person who on or after January 1, 1988 is a TCDRS member who shall have accumulated ten (10) or more years of credited service with this District and other subdivisions which have adopted the provisions of Section 54.207 of the TCDRS Act, and who is not eligible for service retirement, may retire and receive a disability retirement annuity if the member is certified as disabled in accordance with Section 54.303 (b), (2) of the TCDRS Act.

(d) Any person who on or after January 1, 1988 is a TCDRS member who shall have accumulated twenty (20) or more years of credited service with this District and other subdivision that have adopted twenty (20) or more years of credited service with this District and other subdivisions that have adopted twenty (20) year deferred service eligibility or who shall have accumulated ten (10) or more year of credited service with this District and other subdivisions that have adopted ten (10) year deferred service eligibility and has attained the age of sixty (60) shall have the right of "deferred service retirement" under the terms and conditions prescribed in Sections 54.203 and 645.207 of the TCDRS Act.

(e) Any person who on or after January 1, 1988 is a TCDRS member and who shall have accumulated at least ten (10) years of credited service with this and other participating subdivisions which have adopted ten (10) year vesting, shall have the right, despite withdrawal from service to attainment of age sixty (60), to remain a member and to retire at or after age sixty (60), conditioned that he lives to date of retirement and that he shall not have withdrawn his accumulated deposits with the System.

3. Prior service credit (not exceeding 36 months total) shall be, and is hereby allowed (effective January 1, 1988) for active service in the armed forces of the United States performed by a TCDRS member of this District under the following conditions, viz.:

(a) Such service was performed prior to date of the District's participation in Texas County and District Retirement System;

(b) Such service was performed during a time that the United States was involved in organized conflict with foreign forces, whether in a formal state of war or police action;


(c) Such person was an employee of this District immediately prior to the beginning of such service in the armed forces, entered such military service without intervening employment, and returned to employment of this District within one hundred eighty (180) days following his discharge or release from active duty with the armed forces; and

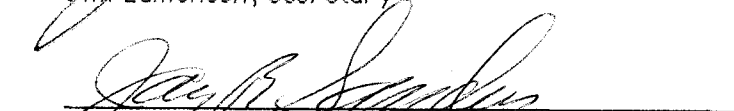
(d) Any person who on or after January 1, 1988 is a TCDRS member of this District and who was a member of the military service of the United States during the period from April 6, 1917 to November 11, 1919, or from October 15, 1940 to October 31, 1974, and who otherwise qualifies under the requirements of Section 53.601 of the TCDRS Act, shall be granted current service credit and multiple matching credit for each month of such military service (not exceeding the limits prescribed in said Act) for which such member makes application and makes deposits in the manner prescribed by said Act.

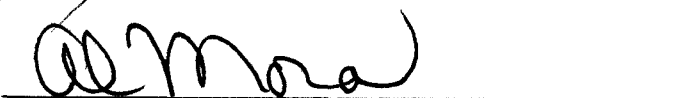
The above resolution being read, it was moved and seconded that the same do pass and be adopted. Thereupon, the question being called for, the following members voted Aye: Ed Manning, Jim Edmonson, Jay Sanders and Al Mora ; and the following voted no: 0 .


Witness our hands officially this 9th day of December, 1987.


Ed Manning, Vice President


Jim Edmonson, Secretary


Jay Sanders, Secretary Pro-tem


Al Mora, Director

ATTEST: 
Nona E. Sherrill, Manager

**ACKNOWLEDGEMENT OF ACTUARIAL ASSUMPTIONS
REGARDING TCDRS BENEFIT INCREASES**

1. We hereby acknowledge that we have been advised that the retirement benefit increases, which we are adopting effective January 1, 1988, will increase the unfunded liability of our TCDRS retirement program but not above an amount that can be funded within the next 30 years. Two fundamental assumptions underlying the determination of the benefit increases are these:

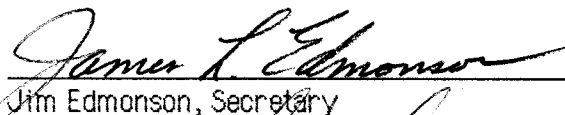
a) The method of funding the retirement benefits which will accrue to our employees as a result of adoption of the benefit increases assumes the continued existence of the Nueces County Water Control & Improvement District No. 4 indefinitely into the future.

b) The method of funding the retirement benefits assumes that all eligible employees will participate in TCDRS, as required by the TCDRS Act, and that the number of employees participating in TCDRS either will stay at the current level or will increase.

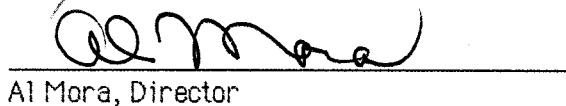
2. We hereby acknowledge that we have been advised that the termination of Nueces County Water Control & Improvement District No. 4 or a reduction in the number of employees participating in TCDRS may reduce the retirement benefits that can be paid to our employees.

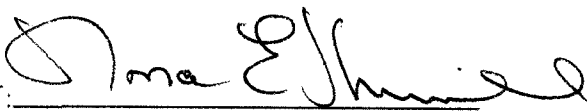
Witness our hands officially on this 9th day of December, 1987.


Ed Manning, Vice President


Jim Edmonson, Secretary


Jay Sanders, Secretary Pro-tem


Al Mora, Director

ATTEST: 
Nona E. Sherrill, Manager

**MINUTES OF
REGULAR MEETING
NOVEMBER 2, 1987**

STATE OF TEXAS

S

COUNTY OF NUECES

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On the 2nd day of November, 1987, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in a Regular Meeting at the District Office, 315 South Ninth Street, Port Aransas, Texas, there being present and in attendance the following to wit:

President	George Hawn
Vice President	Ed Manning
Secretary	Jim Edmonson
Secretary Pro-tem	Jay Sanders
Director	Al Mora

Absent: None

Staff:	Manager	Nona Sherrill
	Engineer	Jim Urban
	Executive Secretary	Mary Moss

Due to a lack of a quorum at 10:00 A.M., the meeting was postponed until 5:00 P. M. the same day. The meeting was called to order at 5:00 P.M., pursuant to notice posted, by the presiding officer, George Hawn.

Minutes

A motion was made by Jim Edmonson and seconded by Al Mora to approve the minutes of September 17 and 23, 1987. The motion carried unanimously. (A copy of the minutes was sent to each director prior to meeting.)

**Joint
Tax
Contract**

A motion was made by Al Mora and seconded by Jim Edmonson to approve the 1987 Joint Tax Contract as amended. (Deleting Section II, Paragraph G). The motion carried unanimously.

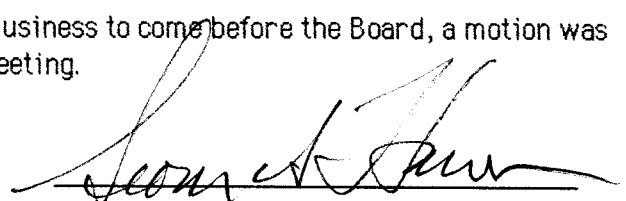
**Engineer's
Report**

Jim Urban reported on the delay of the North Wastewater Treatment Plant Bid due to the new trenching laws (House Bill 662) and other items of District interest (A copy of the report is on file in the office.)

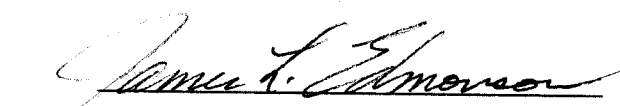
**Manager's
Report**

The manager's report was given by Mrs. Sherrill. (A copy of the report is on file in the office)

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn the meeting.


George Hawn, President
Nueces County Water Control
& Improvement District No. 4

ATTEST:


James L. Edmonson, Secretary

**MINUTES OF
SPECIAL MEETING**

SEPTEMBER 23, 1987

STATE OF TEXAS

S

COUNTY OF NUECES

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On the 23rd day of September, 1987, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in a Special Meeting at 4:00 P.M. at the District Office, 315 South Ninth Street, Port Aransas, Texas, there being present and in attendance the following to wit:

	Vice President	Ed Manning
	Secretary	Jim Edmonson
	Secretary Pro-tem	Jay Sanders
Absent:	President	George S. Hawn
	Director	Al Mora
Staff:	Manager	Nona Sherrill
	Engineer	Jim Urban
	Executive Secretary	Mary Moss

The meeting was called to order at 4:00 P.M., pursuant to notice posted, by the presiding officer, Ed Manning.

Minutes

A motion was made by Jay Sanders and seconded by Jim Edmonson to table the approval of the minutes of September 17, 1987 until the next meeting. The motion carried unanimously.

**Park Rd 53
Force Main
Contract**

The bids for Park Road 53 Force Main Project, received September 18, 1987, were as follows;

Vermillion Construction	\$68,179.00
Perry Construction	\$83,206.00

A motion was made by Jay Sanders and seconded by Jim Edmonson to approve the low bid from Vermillion Construction. The motion carried unanimously.


**Parking
Lot
Contract**

The bid for the District Parking Lot Project, received September 18, 1987, was \$8,662.50 from Island Construction. A motion was made by Jay Sanders and seconded by Jim Edmonson to approve the bid from Island Construction. The motion carried unanimously.

**NWWTP
Expansion
Bid**

A motion was made by Jim Edmonson and seconded by Jay Sanders to proceed with bids for the expansion of the North Waste Water Plant. The motion carried unanimously.

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn the meeting.


Ed Manning, Vice President
Nueces County Water Control &
Improvement District No. 4

ATTEST:


James L. Edmonson, Secretary

MINUTES OF BID OPENING

September 18, 1987

Staff:

Manager Nona E. Sherrill
Engineer Jim Urban
Exec. Sec. Mary Moss

Visitors:

Island Constr.	Melvin M. Littleton
Vermillion Constr.	Tommy Moon
Perry Constr.	J. H. Perry
Industrial Inter.	Eddie Garcia

Parking Lot:

Island Construction, Bid Bond Attached - \$8,662.50
15 days to complete

No other bids received.

Park Road 53 Force Main:

Vermillion Construction, Bid Bond Attached - \$68,179.00
30 days to complete

Perry Construction, Bid Bond Attached - \$83,206.00
30 day to complete

**MINUTES OF
SPECIAL MEETING**

SEPTEMBER 17, 1987

STATE OF TEXAS

S

COUNTY OF NUECES

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On the 17th day of September, 1987, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in a Special Meeting at 4:00 P.M. at the District Office, 315 South Ninth Street, Port Aransas, Texas, there being present and in attendance the following to wit:

	President	George S. Hawn
	Vice President	Ed Manning
	Secretary	Jim Edmonson
	Secretary Pro-tem	Jay Sanders
Absent:	Director	Al Mora
Staff:	Manager	Nona Sherrill
	Engineer	Jim Urban
	Executive Secretary	Mary Moss
	Attorney	C. Edwin Prichard, Jr.
Visitors:	Property Owner	Mr. & Mrs. John Watson
	Property Owner	John Roberts

The meeting was called to order at 4:00 P.M., pursuant to notice posted, by the presiding officer, George Hawn.

Minutes

A motion was made by Ed Manning and seconded by Jay Sanders to waive the reading of the minutes of July 29, 1987 and approve the same. The motion carried unanimously. (A copy of the minutes was sent to each director prior to the meeting.)

**J. Robert's
Contract
Extension**

A motion was made by Ed Manning and seconded by Jim Edmonson to approve Mr. Roberts request of a five month extension on his contract. The next payment being due January 22, 1988. The motion carried unanimously.

**Beach
Property
Owner's
Request**

Mr. John Watson represented a group of three property owners who would like to get water to their property which is located on the beach. After discussion, the Board instructed the staff to explore all alternatives.

**Atwill
Renewal**

A motion was made by Jim Edmonson and seconded by Ed Manning to approve the renewal of an employment contract with Jim Atwill, Attorney. The motion carried unanimously.

**Magcobar
Extension**

A motion was made by Jay Sanders and seconded by Ed Manning to approve the renewal of M-I Drilling Fluids Company (Dresser Magcobar), effective August 1, 1987 for one year. The motion carried unanimously

**Tax
Exemption
Increase**

A motion was made by Jay Sanders and seconded by Jim Edmonson to approve the exemption increase for property owners over 65 years of age from \$15,000 to \$20,000. The vote carried unanimously with Ed Manning abstaining.

HB 2445
Resolution

Jim Edmonson presented his review HB 2445 which amends Section 23.12 of the Tax Code. This bill purports to grant an exemption to certain taxpayers in contravention of Article 8, Section 2, of the Constitution of the State of Texas. It permits real property held as inventory to be taxed as a unit rather than as taxed in the past upon individual lots with improvements. It also provides for an evaluation of real property in the State of Texas to be taxed other than at fair market value in contravention of Article 8, Section 1 of the Constitution of the State of Texas. A motion was made by Jay Sanders and seconded by Jim Edmonson to pass a resolution requesting the Honorable William P. Hobby, Lieutenant Governor, to request an opinion of the Honorable Jim Mattox, Attorney General, as to the constitutionality of HB 2445. The motion carried unanimously. (The Resolution is attached and becomes a permanent part of these minutes.)

HB 336
Capital
Impact
Fee

Attorney Ed Prichard presented his review of SB 336 concerning the Capital Impact Fee and related his discussion with Texas Water Commission attorney, Mr. Lanning, on the procedure to apply for acceptance of the District's method of collecting a Capital Impact Fee. A motion was made by Jay Sanders and seconded by Ed Manning to authorize Mr. Prichard and the staff to proceed with the application process. The motion carried unanimously.

District
Status
Report

After discussion, a motion was made by Jim Edmonson and seconded by Jay Sanders to authorize President George Hawn to execute the District Status Report as requested by Texas Water Commission and prepared by the staff. The motion carried unanimously.

Financial
Report,
Amendmts,
and 87/88
Budget

A motion was made by Jay Sanders and seconded by Ed Manning to approve the July and August financial statements, to amend the 86/87 Budget as presented by Mrs. Sherrill, and to approve the 87/88 Budget. The motion carried unanimously. (Copies of the amended 86/87 Budget and 87/88 Budget is attached and becomes a permanent part of these minutes)

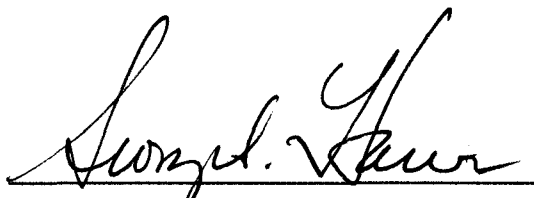
Engineer's
Report

Jim Urban reported on the EPA Grant changes and Capital Projects for the coming year. (A copy of the report is on file in the District's office)

Manager's
Report

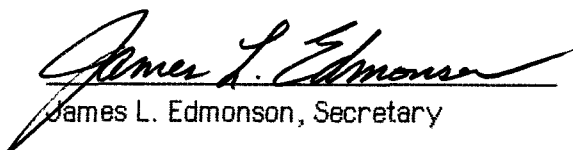
The manager's report was presented by Mrs. Sherrill. (A copy of the report is on file in the District's office)

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn the meeting.



George S. Hawn, President
Nueces County Water Control &
Improvement District No. 4

ATTEST:



James L. Edmonson, Secretary

RESOLUTION ON HOUSE BILL 2445

WHEREAS, House Bill 2445 providing for evaluation of real property held as inventory on other than a fair market value basis, is unconstitutional as it is in contravention of Article 8, Section 1 of the Constitution of the State of Texas; and,

WHEREAS, NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4 (hereinafter referred to as the "District") would lose approximately \$ 49,200.00 in tax revenue upon implementation of House Bill 2445 as it amends Section 23.12 of the Tax Code; and,

WHEREAS, school districts throughout the State of Texas will lose substantial revenue upon implementation of House Bill 2445 as it amends Section 23.12 of the Tax Code; and,

WHEREAS, implementation of House Bill 2445 will create an erosion of the tax base providing for quality education of the children of the State of Texas; and,

WHEREAS, the Board of Directors of the District is of the opinion that said House Bill 2445 is unconstitutional in that it grants a tax exemption to certain taxpayers in contravention of Article 8, Section 2 of the Constitution of the State of Texas;

NOW THEREFORE, be it resolved that the Board of Directors of the District, hereby adopts this resolution and recommends and requests that the Honorable William P. Hobby, Lieutenant Governor of the State of Texas, request an opinion of the Honorable Jim Mattox, Attorney General of the State of Texas, as to the constitutionality of House Bill 2445, as it amends Section 23.12 of the Tax Code.

PASSED AND APPROVED this 17th day of September, 1987

NUECES COUNTY WATER CONTROL
AND IMPROVEMENT DISTRICT NO. 4

By: 

George S. Hawn, President

ATTEST:


Jim Edmonson, Secretary

1987/88 BUDGET SUMMARY

ACCOUNT TITLE	AMENDED 86/87 BUDGET	PROJECTED YEAR END	APPROVED 87/88 BUDGET
<hr/>			
REVENUES			
Service Revenues	\$1,334,500	\$1,369,000	\$1,433,600
Tap Connection Fees	\$20,000	\$8,500	\$10,000
Other Revenues	\$11,500	\$19,920	\$16,400
 TOTAL REVENUES	 \$1,366,000	 \$1,404,270	 \$1,460,000
EXPENDITURES			
Water Purchased	\$391,000	\$372,000	\$360,000
Payroll	\$415,500	\$397,200	\$425,500
Professional Fees	\$57,500	\$32,200	\$41,000
Purchased & Contracted Srvs	\$64,300	\$80,800	\$62,500
Consumable Supplies & Mat	\$67,000	\$88,500	\$83,000
Recurring Operations	\$168,200	\$147,920	\$173,720
Capital Outlay	\$24,000	\$28,000	\$40,500
Transfer/Capital Projects	\$233,056	\$233,056	\$352,930
 TOTAL EXPENDITURES	 \$1,420,556	 \$1,379,676	 \$1,539,150
INCREASE (DECREASE) IN FUND BALANCE	(\$54,556)	\$24,594	(\$79,150)
 FUND BAL - BEGINNING OF YEAR	 \$304,556	 \$304,556	 \$329,150
FUND BAL - END OF YEAR	\$250,000	\$329,150	\$250,000
<hr/>			
CAPITAL PROJECTS			
Fund Balance/Beginning of Year	\$349,500		
Committed Funds	(\$84,000)		
Available Carryover	\$265,500		
1987/88 Transfers	\$352,930		
Total Available	\$618,430		
Expenditures	\$236,250		
 Capital Projects Fund/Year End	 \$382,180		
Future Projects/Pleasant Valley	\$250,000		

1987/88 DETAILED BUDGET PROPOSAL

ACCOUNT TITLE	AMENDED 86/87 BUDGET	PROPOSED YEAR END	APPROVED 87/88 BUDGET

REVENUES			
Water Service	\$890,000	\$885,000	\$929,000
Wastewater Service	\$400,000	\$383,000	\$402,000
Water Taps	\$9,000	\$4,500	\$5,000
Wastewater Taps	\$11,000	\$4,600	\$5,000
Inspections	\$2,000	\$2,800	\$1,000
Reconnection Fees	\$3,500	\$4,000	\$4,000
Other Services	\$0	\$500	\$0
Magcobar	\$17,100	\$24,000	\$17,100
Brown & Root, Inc.	\$17,100	\$43,000	\$51,300
Harbor Island Terminal	\$10,300	\$39,000	\$34,200
Building Permit Fees	\$1,000	\$500	\$500
Sublease/City of PA	\$0	\$1,760	\$900
Interest on Investments	\$5,000	\$11,000	\$10,000
Sale Material/Supplies	\$0	(\$100)	\$0
Sale General Fixed Asset	\$0	\$0	\$0
Cash Over/Short	\$0	\$40	\$0
Other	\$0	\$600	\$0
Activity Fund	\$0	\$70	\$0
 TOTAL REVENUES	 \$1,366,000	 \$1,404,270	 \$1,460,000
EXPENDITURES			
Water Purchases	\$391,000	\$372,000	\$360,000
PERSONNEL COSTS			
Salaries & Wages	\$335,000	\$315,500	\$336,000
Retirement	\$23,500	\$22,700	\$24,000
Group Insurance	\$17,000	\$18,300	\$22,000
FICA	\$23,500	\$22,700	\$24,000
Workman's Compensation	\$12,000	\$12,000	\$13,000
Uniforms	\$3,000	\$4,000	\$4,000
Texas Employee Comp	\$1,500	\$2,000	\$2,500
 TOTAL PERSONNEL COST	 \$415,500	 \$397,200	 \$425,500

1987/88 DETAILED BUDGET PROPOSAL

ACCOUNT TITLE	AMENDED 86/87 BUDGET	PROPOSED YEAR END	APPROVED 87/88 BUDGET

PROFESSIONAL SERVICES			
Legal	\$10,000	\$5,000	\$10,000
Engineering	\$35,000	\$17,000	\$20,000
Auditing	\$10,000	\$10,000	\$10,000
Consultant	\$2,500	\$200	\$1,000
TOTAL PROF SERVICES	\$57,500	\$32,200	\$41,000
PURCHASED & CONTRACTED			
R & M - System	\$16,000	\$16,000	\$16,000
R & M - Equipment	\$27,000	\$45,000	\$27,000
R & M - Trucks	\$1,000	\$500	\$500
R & M - Meters	\$1,000	\$500	\$500
R & M - Buildings	\$6,000	\$8,200	\$6,000
R & M - Tools	\$1,000	\$300	\$500
Legal Notices/Publication	\$1,000	\$300	\$500
Elections	\$1,000	\$0	\$1,000
Other Contract Services	\$6,500	\$6,500	\$7,000
Lab Work	\$3,800	\$3,500	\$3,500
TOTAL PURCHASED & CONT	\$64,300	\$80,800	\$62,500
CONSUMABLE SUPPLIES			
Fuel & Lubricants	\$13,000	\$11,000	\$12,000
R & M - System	\$20,000	\$40,000	\$35,000
R & M - Equipment	\$12,000	\$14,000	\$15,000
R & M - Trucks	\$5,000	\$7,000	\$5,000
R & M - Meters	\$2,000	\$1,300	\$1,000
R & M - Buildings	\$5,000	\$6,000	\$5,000
R & M - Small Tools	\$3,000	\$4,000	\$3,000
Chemicals	\$7,000	\$5,200	\$7,000
Miscellaneous	\$0	\$0	\$0
TOTAL CONSUMABLE	\$67,000	\$88,500	\$83,000

1987/88 DETAILED BUDGET PROPOSAL

ACCOUNT TITLE	AMENDED 86/87 BUDGET	PROPOSED YEAR END	APPROVED 87/88 BUDGET

RECURRING OPERATIONS			
Insurance	\$28,000	\$30,500	\$33,500
Electricity	\$100,000	\$90,000	\$100,000
Telephone	\$6,000	\$5,300	\$6,000
Sanitation	\$120	\$120	\$120
Gas	\$480	\$500	\$500
Travel & Per Diem	\$5,000	\$4,100	\$5,000
Permits	\$1,600	\$1,600	\$1,600
Other Expenses	\$12,000	\$6,800	\$12,000
Office Supplies/Postage	\$15,000	\$9,000	\$15,000
 TOTAL RECURRING	 \$168,200	 \$147,920	 \$173,720
CAPITAL OUTLAY			
Water & Wastewater Taps	\$14,000	\$5,000	\$10,000
Vehicles	\$10,000	\$20,000	\$0
Major Equipment	\$0	\$3,000	\$0
Air Compressor	\$0	\$0	\$15,000
Boring Machine	\$0	\$0	\$8,000
Tamping Machine	\$0	\$0	\$2,500
Word Processor Update	\$0	\$0	\$5,000
 TOTAL CAPITAL OUTLAY	 \$24,000	 \$28,000	 \$40,500
OTHER FINANCING SOURCES			
Transfer/Capital Project	\$233,056	\$233,056	\$352,930
 TOTAL EXPENSES	 \$1,420,556	 \$1,379,676	 \$1,539,150
 INCREASE (DECREASE) - FUND BAL	 (\$54,556)	 \$24,594	 (\$79,150)
 FUND BAL - BEGINNING OF YEAR	 \$304,556	 \$304,556	 \$329,150
FUND BAL - END OF YEAR	\$250,000	\$329,150	\$250,000

1987/88 DETAILED CAPITAL PROJECTS PROPOSAL

DESCRIPTION	AMOUNT	
Fund Balance - Beginning of Year	\$349,500	
Committed Funds:		
Park Road 53 Force Main	(\$60,000)	
Parking Lot	(\$10,000)	
Telemetry	(\$14,000)	
Available Carryover	\$265,500	
1987/88 Transfer	\$352,930	
Total Available	\$618,430	
		55% EPA
Avenue G Lift Station	\$15,750	\$19,250
Park Road Lift Station #2	\$6,750	\$8,250
Park Road Lift Station # 3	\$15,000	
Park Road Lift Station #5	\$25,650	\$31,350
11th Street Lift Station	\$5,000	
Turtle Cove Improvements	\$20,000	
Lantana Street Sewer Imp	\$50,000	
7th Street Sewer Imp	\$20,000	
Avenue E Sewer Imp	\$20,000	
Tank Maintenance	\$50,000	
Tractor/Wastewater Plant	\$8,100	\$9,900
Total Expenditures	\$236,250	\$68,750
Fund Balance/ Year End	\$382,180	
Future Projects/Pleasant Valley	\$250,000	

1987/88 APPROVED WAGE SCHEDULE

EMPLOYEE	1986/87	PERCENT	1987/88	HOUR

Maintenance - 13 Employees				

Vela, Rudy	\$29,690	6	\$31,471	\$15.13
Holman, G.K.	\$20,670	6	\$21,910	\$10.53
Gomez, Adan	\$18,590	4	\$19,334	\$9.30
Young, Mark	\$17,805	16	\$20,654	\$9.93
Rochester, Mark	\$16,510	4	\$17,170	\$8.26
Mathews, Pat	\$16,140	4	\$16,786	\$8.07
McMullin, Gary	\$14,300	4	\$14,872	\$7.15
Hinojosa, David	\$12,482	6	\$13,231	\$6.36
Talley, Ted	\$12,482	6	\$13,231	\$6.36
Rochester, Marty	\$11,960	4	\$12,438	\$5.98
Benavidez, Mike	\$11,960	10.63	\$13,231	\$6.36
Yeats, Charlie	\$11,960	4	\$12,438	\$5.98
Odom, Howard	\$11,440	4	\$11,898	\$5.72

Wastewater Treatment Plant - 2 Employees				

Wilcox, Lewis	\$13,610	10.21	\$15,000	\$7.21
Conklin, Jim	\$11,440	6	\$12,126	\$5.83

Office - 4 Employees				

Sherrill, Nona	\$31,040	8	\$33,523	\$16.12
Hargrove, Betty	\$18,950	4	\$19,708	\$9.48
Moss, Mary	\$18,950	8	\$20,466	\$9.84
New Employee	\$11,440	4	\$11,898	\$5.72

SUB-TOTAL	\$311,419		\$331,385	
OVERTIME			\$4,615	
TOTAL			\$336,000	

July 29, 1987

COUNTY OF NUECES S

A motion was made by Jim Edmonson and seconded by Al Mora to approve the recommended sublease amendment with the City of Port Aransas from Lot 3, 4 and 5, Block 149 and Lot 1 of Block 150, to Lot 5 of Block 149 and Lots 1 and 10 of Block 140. The motion carried unanimously.

Special Meeting
July 29, 1987
Page 2

**Financial
Report**

The manager presented the April, May and June financial reports. A motion was made by Jim Edmonson and seconded by Al Mora to approve the reports as presented. The motion carried unanimously.

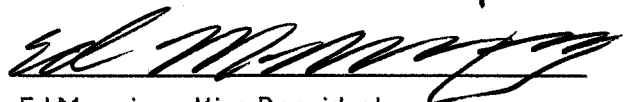
**Engineer's
Report**

Jim Urban reported on the Capital Projects for the following year. (A copy of the report is on file in the District's office)

**Manager's
Report**


The manager's report was presented by Mrs. Sherrill. (A copy of the report is on file in the District's Office)

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn the meeting.



Ed Manning, Vice President
Nueces County Water Control
& Improvement District No. 4

ATTEST:


James L. Edmonson, Secretary

**RESOLUTION AND ORDER SETTING THE TAX RATE FOR 1987
FOR THE
NUECES COUNTY WATER CONTROL
AND IMPROVEMENT DISTRICT NO.4**

ON THE 29TH DAY OF JULY, 1987, THE BOARD OF DIRECTORS OF THE NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4, CONVENED IN A SPECIAL MEETING BEING OPEN TO THE PUBLIC AT THE REGULAR MEETING PLACE THEREOF IN SAID DISTRICT, WITH THE FOLLOWING MEMBERS OF THE BOARD PRESENT:

VICE PRESIDENT	ED MANNING
SECRETARY	JIM EDMONSON
DIRECTOR	AL MORA

AND THE FOLLOWING ABSENT:

PRESIDENT	GEORGE S. HAWN
SECRETARY PRO-TEM	JAY SANDERS

CONSTITUTING A QUORUM, AND AMONG OTHER PROCEEDINGS HAD, WERE THE FOLLOWING;

THE VICE PRESIDENT OF THE BOARD PRESENTED A RESOLUTION AND ORDER SETTING THE TAX RATE FOR THE YEAR 1987.

MINUTES OF JULY 29TH, 1987 MEETING REFLECT THE TAX RATE FOR THE YEAR 1987.

THEREFORE, THE BOARD OF DIRECTORS ORGANIZED A RESOLUTION TO LEGALLY ESTABLISH THE NEW TAX RATE FOR 1987.

THE RESOLUTION AND ORDER WAS READ IN FULL AND, AFTER FULL DISCUSSION THEREOF, JIM EDMONSON MADE A MOTION THAT IT BE ADOPTED. THE MOTION WAS SECONDED BY AL MORA. THE MOTION, CARRYING WITH IT THE ADOPTION OF THE RESOLUTION AND ORDER, PREVAILED BY THE FOLLOWING VOTE;

AYES:____3____

NAYES:____0____

THE VICE-PRESIDENT THEN DECLARED THE RESOLUTION AND ORDER FINALLY PASSED AND ADOPTED.

THE RESOLUTION AND ORDER AS FOLLOWS;


WHEREAS, NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4 SET TAX RATE FOR 1987 AT **\$0.06** PER EACH ONE HUNDRED DOLLARS ASSESSED VALUATION.

AN ORDER LEVYING UPON THE ASSESSED VALUATION
OF THE PROPERTY WITHIN THE NUECES COUNTY
WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4

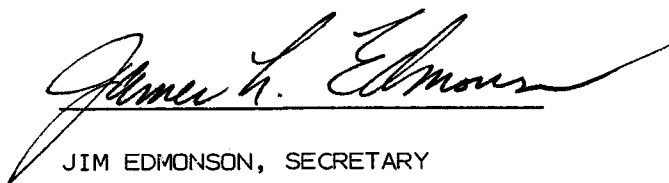
BE IT ORDERED BY THE BOARD OF DIRECTORS OF THE NUECES COUNTY WATER
CONTROL AND IMPROVEMENT DISTRICT NO. 4 AS FOLLOWS:

THERE IS HEREBY LEVIED ON EACH ONE HUNDRED DOLLARS OF THE
ASSESSED VALUE OF ALL PROPERTY, BOTH REAL AND PERSONAL, WITHIN THE
BOUNDARIES OF THE NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT
NO. 4, EXCEPT SUCH PROPERTY AS MAY BE BY LAW EXEMPT FROM TAXATION, A TAX
RATE OF \$10.06 PER EACH ONE HUNDRED DOLLARS ASSESSED VALUATION FOR
THE PURPOSE OF MEETING THE REQUIREMENTS OF SAID DISTRICT FOR THE FISCAL
YEAR ENDING 1987.

PASSED AND APPROVED BY THE BOARD OF DIRECTORS OF THE
NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4 ON THE 29TH
DAY OF JULY, 1987


ED MANNING, VICE-PRESIDENT
BOARD OF DIRECTORS

ATTEST:


JIM EDMONSON, SECRETARY

JOINT TAX OFFICE

1987 BUDGET

	<u>86/87</u>	<u>Actual</u>	<u>Proposed</u>
Salaries	17,864.70	20,088.00	26,757.00
Benifits	2,903.00	-0-	4,004.45
Audit	4,000.00	5,742.50	4,000.00
Postage	1,000.00	597.57	1,000.00
Office & Copies	500.00	575.33	800.00
Rent	3,000.00	3,000.00	3,000.00
Legal & Publish.	-0-	1,530.58	1,700.00
Photo Mapping	2,500.00	-0-	-0-
Certification	850.00	128.97	850.00
Dues & Subsc.	125.00	80.00	125.00
Contract Labor	4,000.00	-0-	-0-
Office Bond	-0-	250.00	250.00 -
Paid by Office	36,742.70	31,992.37	42,486.45 -
Appraisal District	-0-	60,380.00	63,527.00
Buddy Cage	-0-	20,325.52	21,341.80
	-0-	5,710.21	6,000.00
Charles Cromwell	-0-	5,972.11	10,000.00
Computer	-0-	-0-	5,000.00 +
	-0-	92,387.84	105,868.80
Total Budget		124,380.21	148,355.25

The Actual was figured through the month of May so it could be presented by June 1, 1987.

**NOTICE OF
REGULAR MEETING
AUGUST 3, 1987**

STATE OF TEXAS

S

COUNTY OF NUECES

S

There was no business to come before the Board of Directors so the meeting was canceled.

Nona E. Sherrill, Manager

**MINUTES OF
EMERGENCY MEETING**

July 2, 1987

STATE OF TEXAS

S

COUNTY OF NUECES

S

On the 2nd day of July, 1987, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in an Emergency Meeting at 5:00 P.M. at the District Office, 315 South Ninth Street, Port Aransas, Texas, there being present and in attendance the following to wit:

	Vice President	Ed Manning
	Secretary Pro-tem	Jay Sanders
	Director	Al Mora
Absent:	President	George S. Hawn
	Secretary	Jim Edmonson
Staff:	Manager	Nona Sherrill
	Engineer	Jim Urban

The meeting was called to order at 5:00 P.M., pursuant to notice posted by the presiding officer, Ed Manning.

**Brown &
Root, Inc.**

A motion was made by Jay Sanders and seconded by Al Mora to approve the request by Brown & Root, Inc. to increase their daily allotment of potable water from the existing 25,000 gallons per day to 75,000 gallons per day, effective July 1, 1987 and ending June 30, 1988. The motion carried unanimously.

**Harbor
Island
Terminal**


A motion was made by Jay Sanders and seconded by Al Mora to approve the request by Harbor Island Terminal, Inc. to increase their daily allotment of potable water from the existing 15,000 gallons per day to 50,000 gallons per day effective July 1, 1987 and ending June 30, 1988. The motion carried unanimously.

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn the meeting.



Ed Manning, Vice President
Nueces County Water Control
& Improvement District No. 4

ATTEST:



James L. Edmonson, Secretary

**MINUTES OF
EMERGENCY MEETING**

JUNE 19, 1987

STATE OF TEXAS

S

COUNTY OF NUECES

S

On the 19th day of June, 1987, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in an Emergency Meeting at 10:00 A.M. at the District Office, 315 South Ninth Street, Port Aransas, Texas, there being present and in attendance the following to wit:

	Ed Manning Secretary Director	Vice President James L. Edmonson Al Mora
Absent:	President Secretary Pro-tem	George S. Hawn Jay Sanders
Staff:	Manager Engineer Executive Secretary	Nona Sherrill Jim Urban Mary Moss
Visitor:	Island Construction	Melvin O. Littleton

The meeting was called to order at 10:00 A.M., pursuant to notice posted, by the presiding officer, Ed Manning.

1987

**Sewer Imp
Contract
Asphalt**

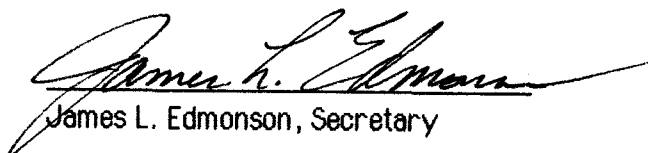
Discussion was held on the test results of the Hot Mix Asphalt installed on Avenue A, Channelview and Tarrant which failed to meet specified standards. Claude Chapman Construction Company subcontracted Heldenfelds for the paving. The contractor offered an alternative which the Board of Directors extended to the City of Port Aransas. A motion was made by Jim Edmonson and seconded by Al Mora, that pending the outcome of the recommendation letter to the City of Port Aransas, the District will conclude the contract with Claude Chapman Construction Company. The motion carried unanimously. (Letter is attached and becomes a permanent part of these minutes)

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn the meeting.



Ed Manning, Vice President
Nueces County Water Control &
Improvement District No. 4

ATTEST:



James L. Edmonson, Secretary

**NUECES COUNTY WATER CONTROL
AND IMPROVEMENT DISTRICT NO. 4**
PORT ARANSAS, TEXAS 78373

P. O. BOX 128
749-5201
AREA CODE 512

June 23, 1987

The Honorable Dale Bietendorf
Mayor of Port Aransas
Drawer 1
Port Aransas, Texas 78373

Dear Mayor Bietendorf,

As per our recent discussions, the test results on the Hotmixed Asphaltic Cement(HMAC) which was installed on Channelview, Tarrant and Avenue A failed to meet specified standards. I have discussed this with the contractor and supplier of the asphalt. The supplier (Heldenfelds) has agreed to remove and replace the material if so instructed. They have offered an alternative which the Board of Directors of Nueces County WC & ID #4 has elected to offer to the City. If the City elects to leave the installed HMAC in place and monitor its stability, the supplier will place on deposit with the City \$12,000.00, if within a period of two (2) years the HMAC fails due to the low stability, Heldenfelds will upon receipt of the deposit, remove and replace the surface. If the surface fails in the third, fourth or fifth year a prorated replacement would be as follows.

3rd year	Heldenfelds	would	replace	for	1.00/SY
4th year	"	"	"	"	1.33/SY
5th year	"	"	"	"	1.67/SY

NOTE: The removal and replacement of the HMAC would be the full width of the roadway in the effected areas as determined by the engineer. The return of the deposit would be proportioned based on the percent of area replaced and in year three, four or five, the City could pay the prorated charge as well as the appropriate deposit.

The Honorable Dale Bietendorf

June 23, 1987

Page 2

This schedule assumes a value of 1/10 of installation cost per year (installation cost: 3.35/SY). If the road does not fail, the City keeps the \$12,000.00. The agreement with Heidenfels would be guaranteed by a surety company in the form of a maintenance bond.

Please consider these two options and notify the District as soon as possible as we have an obligation to our contractor to promptly notify him of our choice of method for repair.

If you have any questions or require further information please contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim Urban".

Jim Urban,
District Engineer

JU/nb

**MINUTES OF
REGULAR MEETING
MAY 4, 1987**

STATE OF TEXAS

S

COUNTY OF NUECES

S

On the 4th day of May, 1987, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in a Regular Meeting at 10:00 A.M. at the District Office, 315 South Ninth Street, Port Aransas, Texas, there being present and in attendance the following to wit:

President	George S. Hawn
Vice President	Ed Manning
Secretary	James L. Edmonson
Secretary Pro-tem	Jay Sanders
Director	Al Mora

Absent: None

Staff:	Manager	Nona Sherrill
	Engineer	Jim Urban
	Executive Secretary	Mary Moss

The meeting was postponed due to a lack of a quorum and rescheduled for 5:00 P.M. the same day. The meeting was called to order at 5:00 P.M. by the presiding officer, George S. Hawn, pursuant to notice posted.

Minutes

A motion was made by Jay Sanders and seconded by Ed Manning to waive the reading of the minutes of February 19, 1987 and approve the same. The motion carried unanimously.

**Health
Insurance**

A motion was made by Ed Manning and seconded by Al Mora to approve the recommended change in health insurance from Blue Cross to Texas Municipal League, effective May 1, 1987. The motion carried unanimously.

**Budget
Amendment**

After discussion, Mrs. Sherrill recommended that the 85/86 year end be amended to transfer the excess revenue over expenditures of \$54,556 to the Capital Projects Fund in order to bring the 86/87 beginning of year fund balance to \$250,000 as approved in the 86/87 Budget. A motion was made by Jay Sanders and seconded by Al Mora to approve the amendment as recommended. The motion carried unanimously.

**Financial
Report**

The manager presented the February and March financial reports. A motion was made by Jay Sanders and seconded by Al Mora to approve the reports as presented. The motion carried unanimously.

**Engineer's
Report**

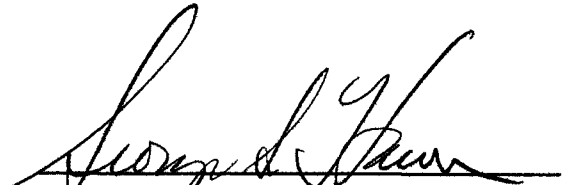
Jim Urban reported on the ongoing contract with Claude Chapman Construction Company on Avenue A, Channelview and Tarrant. (A copy of the report is on file in the District's office)

Regular Meeting
May 4, 1987
Page 2

**Manager's
Report**

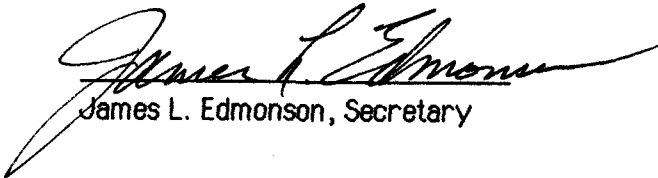
The manager's report was presented by Mrs. Sherrill. (A copy of this report is on file in the District office)

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn the meeting.



George S. Hawn, President
Nueces County Water Control &
Improvement District No. 4

ATTEST:



James L. Edmonson, Secretary

86/87 BUDGET SUMMARY - AMENDED 5/4/87

ACCOUNT TITLE	APPROVED 86/87 BUDGET	PROPOSED AMENDMENT	AMENDED 86/87 BUDGET
REVENUES			
Service Revenues	\$1,334,500		\$1,334,500
Tap Connection Fees	\$20,000		\$20,000
Other Revenues	\$11,500	* \$54556	\$66,056
TOTAL REVENUES	\$1,366,000		\$1,420,556
EXPENDITURES			
WATER PURCHASED	\$391,000		\$391,000
PAYROLL	\$415,500		\$415,500
PROFESSIONAL FEES	\$57,500		\$57,500
PURCHASED & CONTRACTED SERVICES	\$64,300		\$64,300
CONSUMABLE SUPPLIES/MATERIALS	\$67,000		\$67,000
RECURRING OPERATIONS	\$168,200		\$168,200
CAPITAL OUTLAY	\$24,000		\$24,000
TRANSFER/CAPITAL PROJECTS	\$178,500	\$54556	\$233,056
TOTAL EXPENDITURES	\$1,366,000		\$1,420,556
INCREASE (DECREASE) IN FUND BALANCE	\$0		\$0
FUND BAL-BEGINNING OF YEAR	\$304,556	250000	\$250,000
FUND BAL - END OF YEAR	\$304,556	250000	\$250,000

CAPITAL PROJECTS SCHEDULE

SOURCES:

Fund Balance/Beginning of Year	\$573,000	\$573,000
Committed Funds	(\$161,000)	(\$161,000)
Available Carryover	\$412,000	\$412,000
1986/87 Transfers	\$178,500	\$233,056
Total Available	\$590,500	\$645,056
Expenditures	\$318,000	\$318,000
Transfer to Reserve Fund	\$272,500	\$327,056
Reserve Fund Balance 85/86	\$0	\$0
Reserve Fund Balance 86/87	\$272,500	\$327,056

* 85/86 CC Water Bill Refund

CAPITAL PROJECTS SCHEDULE

Sources:

Fund Balance - Beginning of Year	\$573,000
Committed Funds:	
Office & Lab Building	(\$161,000)
Available Carryover	\$412,000
1986/87 Transfers	\$233,056
Total Available	\$645,056

Expenditures:

Tarrant St. Sewer Imp.	\$35,000
Channelview St. Sewer Imp.	\$80,000
Avenue A Sewer Imp.	\$81,000
Park Road 53 Force Main Repair	\$16,200
Lift Station #5 Renovation	\$54,000
Lift Station #2 Control Panel	\$7,600
M.I. Elevated Tank Telemetry	\$8,700
North WWTP Telemetry	\$13,000
Lift Station Fencing	\$5,500
Lower Lift Station Ave G & 11th	\$11,000
Sewer Plant Lab Equip & Furniture	\$6,000

Total Expenditures	\$318,000
Transfer to Reserve Fund	\$327,056
Reserve Fund Balance 85/86	\$0
Reserve Fund Balance 86/87	\$327,056

STATE OF TEXAS **S**

COUNTY OF NUECES **S**

On the 19th day of February, 1987, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in a Special meeting at 5:00 P.M. at the District office, 315 South 9th Street, Port Aransas, Texas, there being present and in attendance the following to wit:

	President	George Hawn
	Vice President	Ed Manning
	Secretary	Jim Edmonson
	Secretary Pro-tem	Jay Sanders
	Director	Al Mora
Absent:	None	
Staff:	Manager	Nona Sherrill
	Engineer	Jim Urban
	Executive Secretary	Mary Moss
	Superintendent	Rudy Vela
Visitors:	Action Force Reps	Charlie Zahn Barbara Sheppard
	Property Owner	John Roberts

The meeting was called to order at 5:00 P.M. by the presiding officer, George Hawn, pursuant to the notice posted.

Minutes

A motion was made by Al Mora and seconded by Ed Manning to approve the minutes of January 13 and February 2, 1987. The motion carried unanimously.

1987 Sewer Improvement Project

The bids for the 1987 Sewer Improvement Project were presented by Jim Urban, District Engineer. Mr. Urban recommended that the bid be awarded to the low bidder, Claude Chapman, Inc. for \$212,734.80. Mr. Edmonson made a motion to award the bid to Claude Chapman, Inc. and instructed the engineer to increase the paving repair to include the full width of Channelview, Tarrant and Avenue A., subject to the approval of the City of Port Aransas. The motion was seconded by Jay Sanders. The motion carried unanimously.

**Roberts
Point
Park**

Charlie Zahn and Barbara Sheppard, representatives of the Port Aransas Action Force, gave a presentation on the Roberts Point Park. A motion was made by Ed Manning and seconded by Jim Edmonson to support Roberts Point Park by providing water and sewer needs and all services within the District's capabilities. The motion carried unanimously.

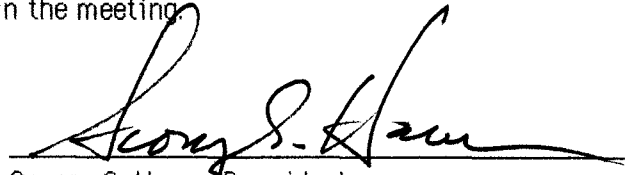
Financial Report

The manager presented the January financial report. A motion was made by Jim Edmonson and seconded by Ed Manning to approve the report as presented. The motion carried unanimously.

**Manager's
Report**

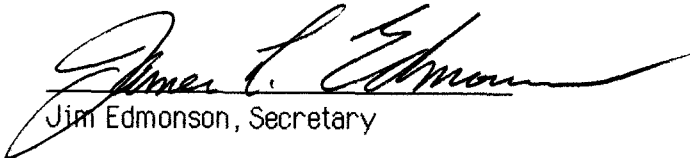
The manager's report was presented by Mrs. Sherrill. (A copy of this report is on file in the District office)

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn the meeting.



George S. Hawn, President
Nueces County Water Control &
Improvement District No. 4

ATTEST:




Jim Edmonson, Secretary

STATE OF TEXAS S

COUNTY OF NUECES S

	President	George Hawn
	Vice President	Ed Manning
	Secretary	Jim Edmonson
	Director	Al Mora
Absent:	Secretary Pro-tem	Jay Sanders
Staff:	Engineer	Jim Urban
	Executive Secretary	Mary Moss
	Auditor	Gary Davenport
Visitors:	Island State Bank	Jim Guenter
	American Bank	Al Jones


Jim Edmonson, Secretary

RESOLUTION ON MEETING FUTURE DEMAND FOR WASTEWATER TREATMENT

WHEREAS, NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4 (hereinafter referred to as the "District") is a Water Control and Improvement District organized pursuant to Article 16, Section 59, of the Texas Constitution; and

WHEREAS, the District boundaries encompass the City of Port Aransas and portions of Mustang Island in Nueces County, Texas; and

WHEREAS, sanitary sewers and wastewater treatment facilities are provided and maintained by the District within its boundaries, and the District is presently in the process of seeking a grant from the United States Environmental Protection Agency (hereinafter referred to as the "EPA") to make necessary improvements to increase the capacity of the District's North Wastewater Treatment Plant so as to accomodate all present needs for wastewater treatment within the District; and

WHEREAS, the District has also promulgated a plan to accomodate future wastewater treatment demand within its boundaries, and in this regard has on hand a discharge permit, approved construction plans, and \$600,000.00 in escrow to be applied toward the cost of construction of a 1.2 MGD plant which will be designated as the "South Wastewater Treatment Plant"; and

WHEREAS, as a condition of approving the grant being sought by the District, the EPA has requested a commitment from the District that the District will utilize all means at its disposal to provide for additional wastewater treatment capacity if future needs exceed the capacity of the North Wastewater Treatment Plant as expanded;

NOW, THEREFORE, be it resolved by the Board of Directors of the District at a duly called and constituted meeting that if in the future, subsequent to the completion of the improvements now being contemplated, the average daily flow to the North Wastewater Treatment Plant should reach 90 percent of the permitted average daily flow for three consecutive months, the District must obtain as required in 31 Texas Administrative Code 305.126 necessary authorization from the Texas Water Commission to commence construction of the necessary additional treatment and/or collection facility. Additional


treatment facilities shall be constructed in a timely manner so as to preclude violation of permitted flows and effluent limits prescribed for the North Wastewater Treatment Plant.

PASSED AND APPROVED this 2nd day of February, 1987.

NUECES COUNTY WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 4

ATTEST:

By:


Ed Manning, Vice President


Jay Sanders, Secretary Pro Tem

APPROVED AS TO FORM:


C. Edwin Prichard, Jr.
Attorney for District

STATE OF TEXAS **S**

COUNTY OF NUECES **S**

	President	George Hawn
	Secretary	Jim Edmonson
	Secretary Pro-tem	Jay Sanders
	Director	Al Mora
Absent:	Vice President	Ed Manning
Staff:	Manager	Nona Sherrill
	Engineer	Jim Urban
	Executive Secretary	Mary Moss
	Superintendent	Rudy Vela
	Auditor	Gary Davenport

The meeting was called to order at 5:00 P.M. by the presiding officer, George Hawn, pursuant to notice posted. A motion was made by Jim Edmonson and seconded by Jay Sanders to approve the minutes of November 3rd and December 22nd, 1986. The motion carried unanimously.

Gary Davenport, representing Kosarek and Davenport, CPA's, presented the 1985-86 Audit. A motion was made by Jay Sanders and seconded by Jim Edmonson to approve the 1985-86 audit as presented. The motion carried unanimously.

A motion was made by Jay Sanders and seconded by Al Mora to approve the employee contract for C. Edwin Prichard, Jr., attorney for the District for 1987. The motion carried unanimously.

After discussion of 1987 Sewer Improvement Project regarding repair and replacing lines on Avenue A, Tarrant Street, Channelview Street, Park Road 53 and an extension of sewer line on Park Road 53, a motion was made by Jim Edmonson and seconded by Al Mora to authorize the staff to proceed with the bid process for construction of project. The motion carried unanimously.

After discussion of request by Franklin Flato for water service for cattle only, the Board instructed the staff to proceed with negotiation with Mr. Flato offering an agreement for water on a non-permanent basis.

Jim Urban presented the Engineering Contract between the District and Urban Engineering on the expansion of the Nueces County WC&ID#4 Treatment Plant for Step 2 Design and Step 3 Construction as designated by Environmental Protection Agency as Project No. C-48-1558-03. A motion was made by Jim Edmonson and seconded by Jay Sanders to approve the contract as presented. The motion carried unanimously.

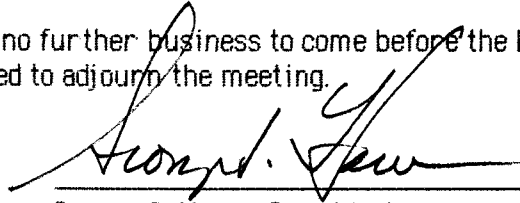
The financial report was presented by Nona Sherrill for October and November 1986. A motion was made by Jim Edmonson and seconded by Jay Sanders to approve the financial report as presented. The motion carried unanimously.

Special Meeting
January 13, 1987
Page 2

**Manager's
Report**

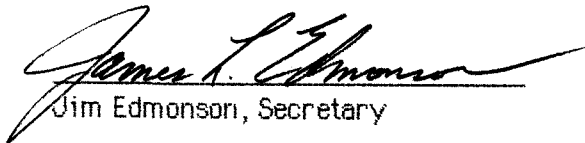
The manager's report was given by Mrs. Sherrill. (A copy of this report is on file in the District's office)

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn the meeting.



George S. Hawn, President
Nueces County Water Control &
Improvement District No. 4

ATTEST:


Jim Edmonson, Secretary

MINUTES OF
SPECIAL MEETING
DECEMBER 22, 1986

STATE OF TEXAS §

COUNTY OF NUECES §

On the 22nd day of December, 1986, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in a Special meeting at 10:00 A. M. at the District office, 315 South 9th Street, Port Aransas, Texas, there being present and in attendance the following to wit:

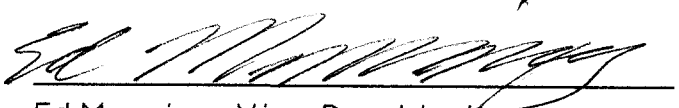
	Vice President	Ed Manning
	Secretary Pro-tem	Jay Sanders
	Director	Al Mora
Absent:	President	George Hawn
	Secretary	Jim Edmonson
Staff:	Manager	Nona Sherrill
	Engineer	Jim Urban
	Executive Secretary	Mary Moss

The meeting was called to order at 10:00 A.M. by the presiding officer, Ed Manning, pursuant to notice posted.

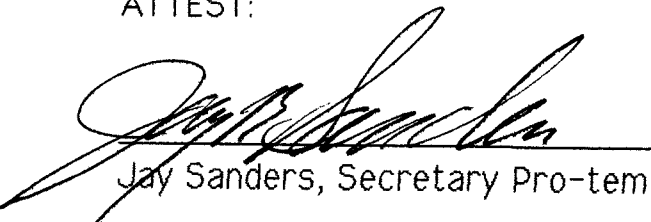
EPA Grant After discussion, a motion was made by Jay Sanders to
Resolution approve a Resolution to escrow funds for the Mid-Island Wasterwater Plant as per EPA request. The motion was seconded by Al Mora. The motion carried unanimously. (The Resolution is attached and becomes a permanent part of these minutes)

1987-89 A motion was made by Jay Sanders and seconded by Al
Depos- Mora to authorize the staff to proceed with the legal publication
itory to advertise for Depository for 1987-89.

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn the meeting.


Ed Manning, Vice President
Nueces County Water Control &
Improvement District No. 4

ATTEST:


Jay Sanders, Secretary Pro-tem

RESOLUTION ON MEETING FUTURE DEMAND FOR WASTEWATER TREATMENT

WHEREAS, NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4 (hereinafter referred to as the "District") is a Water Control and Improvement District organized pursuant to Article 16, Section 59, of the Texas Constitution; and

WHEREAS, the District boundaries encompass the City of Port Aransas and portions of Mustang Island in Nueces County, Texas; and

WHEREAS, sanitary sewers and wastewater treatment facilities are provided and maintained by the District within its boundaries, and the District is presently in the process of seeking a grant from the United States Environmental Protection Agency (hereinafter referred to as the "EPA") to make necessary improvements to increase the capacity of the District's North Wastewater Treatment Plant so as to accomodate all present needs for wastewater treatment within the District; and

WHEREAS, the District has also promulgated a plan to accomodate future wastewater treatment demand within its boundaries, and in this regard has on hand a discharge permit, approved construction plans, and \$600,000.00 in escrow to be applied toward the cost of construction of a 1.2 MGD plant which will be designated as the "South Wastewater Treatment Plant"; and

WHEREAS, as a condition of approving the grant being sought by the District, the EPA has requested a commitment from the District that the District will utilize all means at its disposal to provide for additional wastewater treatment capacity if future needs exceed the capacity of the North Wastewater Treatment Plant as expanded;

NOW, THEREFORE, be it resolved by the Board of Directors of the District at a duly called and constituted meeting that if in the future, subsequent to the completion of the improvements now being contemplated, the North Wastewater Treatment Plant should become non-compliant for four consecutive months, and if sufficient funds are not then available for the construction of the planned 1.2 MGD South Wastewater Treatment Plant, the District will then take immediate action as may be approved by the EPA and the Texas Water Development Board, utilizing the aforementioned escrowed funds to

construct a smaller facility.

PASSED AND APPROVED this 22nd day of December, 1986.

NUECES COUNTY WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 4

ATTEST:

By: Ed Manning
Ed Manning, Vice President

Jay Sanders
Jay Sanders, Secretary Pro Tem

APPROVED AS TO FORM:

C. Edwin Prichard, Jr.
C. Edwin Prichard, Jr.
Attorney for District

MINUTES OF
REGULAR MEETING
NOVEMBER 3, 1986

STATE OF TEXAS S

COUNTY OF NUECES S

On the 3rd day of November, 1986, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in a Regular meeting at 10:00 A. M. at the District office, 315 South 9th Street, Port Aransas, Texas, there being present and in attendance the following to wit:

	Vice President	Ed Manning
	Secretary	Jim Edmonson
	Secretary Pro-tem	Jay Sanders
	Director	Al Mora
Absent:	President	George Hawn
Staff:	Manager	Nona Sherrill
	Engineer	Jim Urban
	Executive Secretary	Mary Moss
Visitor:	Developer	John Roberts

The meeting was postponed due to a lack of quorum and rescheduled for 4:00 P. M. the same day. The meeting was called to order at 4:00 P.M. by the presiding officer, Ed Manning, pursuant to notice posted.

Minutes

A motion was made by Jay Sanders and seconded by Jim Edmonson to waive reading of the minutes of September 26th, 1986 meeting and approve the same. The motion carried unanimously. (A copy of the minutes was sent to each director prior to the meeting.)

EPA
Signatory
Agent

A motion was made by Jim Edmonson and seconded by Ed Manning to approve the manager, Nona E. Sherrill, as the Signatory Agent for the EPA Grant No. C-48-1558. The motion carried unanimously. (A copy of this document is on file in the District office.)

T.P.W.D.
Sewer
Contract
Amendment

A motion was made by Jim Edmonson and seconded by Jay Sanders to approve the Amendment to the Texas Parks & Wildlife Department Sewer Contract as approved by Ed Prichard, the District's attorney. (A copy of the Amendment will be on file in the District office upon execution by the T.P.W.D.)


**Joint
Tax
Office
Contract
Amendment**

Ed Manning, District representative to the Joint Tax Board, reported that the School District requested that an amendment to the Joint Tax Office Contract be approved. The amendment would change the basis of allocating tax office expenses from a percent of net collections to a percent of total evaluation. This change will be effective July 1, 1986. A motion was made by Jay Sanders and seconded by Al Mora to approve the amendment as presented. The motion carried unanimously.

**Manager's
Report**

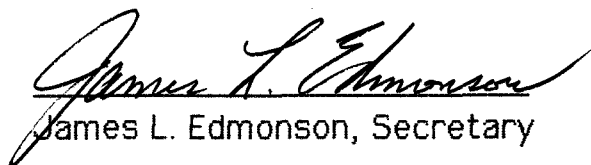
Nona Sherrill gave the Manager's Report which is on file in the District office.

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn the meeting.



Ed Manning, Vice President
Nueces County Water Control
& Improvement District No. 4

ATTEST:



James L. Edmonson, Secretary

MINUTES OF
SPECIAL MEETING
SEPTEMBER 26, 1986

STATE OF TEXAS §

COUNTY OF NUECES §

On the 26TH day of September, 1986, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in a Special meeting at 4:00 P.M. at the District office, 315 South 9th Street, Port Aransas, Texas, there being present and in attendance the following to wit:

	President	George Hawn
	Vice President	Ed Manning
	Secretary	Jim Edmonson
	Secretary Pro-tem	Jay Sanders
Absent:	Director	Al Mora
Staff:	Manager	Nona Sherrill
	Engineer	Jim Urban
	Executive Secretary	Mary Moss
	Superintendent	Rudy Vela

The meeting was called to order at 4:00 P.M. by the presiding officer, George Hawn, pursuant to notice posted.

Minutes

A motion was made by Ed Manning and seconded by Jay Sanders to waive reading of the minutes of August 27th, 1986 meeting and approve the same. The motion carried unanimously.

**Block 63,
Lot 3, Add'l
Fire Dept
Property**

A letter was presented from Gordon Beck, City Manger, requesting an additional lot to be added to the lease agreement on properties located on 9th Street. A motion was made by Jay Sanders and seconded by Ed Manning to amend the existing lease of Lots 1 & 2, Block 63, Subdivision C, Mustang Island which expires June 15, 2019 by adding Lot 3. The motion carried unanimously.

**1985/86
Budget
Amendment**

An amendment to the 1985/86 budget was presented by the Manager. A motion was made by Jim Edmonson and seconded by Jay Sanders to approve the amendment as presented. The motion carried unanimously. (A copy of the 1985/86 amendment is attached and becomes a permanent part of these minutes)

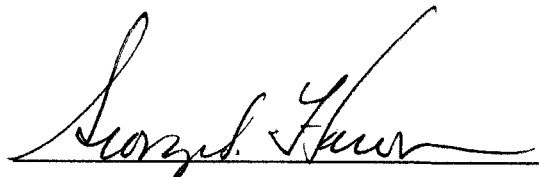
**1986/87
Budget &
Wage Scale**

The 1986/87 proposed budget and wage scale was presented by the Manager. After discussion, a motion was made by Ed Manning and seconded by Jim Edmonson. The motion carried unanimously. (A copy of the 1986/87 budget and wage scale is attached and becomes a permanent part of these minutes)

**Financial
Report**


The Manager presented the August financial report. A motion was made by Jim Edmonson and seconded by Ed Manning to approve the report as presented. The motion carried unanimously.

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn the meeting.



George Hawn, President
Nueces County Water Control &
Improvement District No. 4

ATTEST:


Jim Edmonson, Secretary

86/87 BUDGET SUMMARY

ACCOUNT TITLE	1985/86 BUDGET	ESTIMATED YEAR END	AMENDED 85/86	PROPOSED 86/87 BUDGET

REVENUES				
Service Revenues	\$1,330,000	\$1,521,941	\$1,524,900	\$1,334,500
Tap Connection Fees	\$14,000	\$20,001	\$20,500	\$20,000
Other Revenues	\$17,000	\$21,669	\$22,200	\$11,500
TOTAL REVENUES	\$1,361,000	\$1,563,611	\$1,567,600	\$1,366,000
EXPENDITURES				
WATER PURCHASED	\$388,000	\$407,453	\$408,000	\$391,000
PAYROLL	\$393,000	\$381,227	\$382,000	\$415,500
PROFESSIONAL FEES	\$65,000	\$53,738	\$54,500	\$57,500
PURCHASED & CONTRACTED SERVICES	\$46,000	\$104,118	\$104,500	\$64,300
CONSUMABLE SUPPLIES/MATERIALS	\$85,000	\$113,657	\$114,000	\$67,000
RECURRING OPERATIONS	\$184,000	\$149,300	\$149,600	\$168,200
CAPITAL OUTLAY		\$49,000	\$49,000	\$24,000
OTHER FINANCIAL EXPENDITURES				
Transfer/ Capital Projects	\$193,000	\$193,000	\$283,000	\$178,500
NCR Payment	\$7,000	\$22,118	\$23,000	\$0
TOTAL EXPENSES	\$1,361,000	\$1,473,611	\$1,567,600	\$1,366,000
PROJECTED INCREASE IN				
FUND BALANCE	\$0	\$90,000	\$0	\$0
FUND BAL - BEGINNING OF YEAR	\$250,000	\$250,000	\$250,000	\$250,000
FUND BAL - END OF YEAR	\$250,000	\$340,000	\$250,000	\$250,000

CAPITAL PROJECTS SCHEDULE :

Sources:

Fund Balance - Beginning of Year	\$573,000
Committed Funds	(\$161,000)
Available Carryover	\$412,000
1986/87 Transfers	\$178,500
Total Available	\$590,500
Expenditures	\$318,000
Transfer to Reserve Fund	\$272,500
Reserve Fund Balance 85/86 :	\$0
Reserve Fund Balance 86/87 :	\$272,500

1986/87 PROPOSED BUDGET

Page 1	ACCOUNT TITLE	1985/86 BUDGET	ESTIMATED YEAR END	AMENDED 85/86	PROPOSED 86/87 BUDGET

REVENUES					
	Water Services	\$750,000	\$886,999	\$888,200	\$890,000
	Wastewater Service	\$340,000	\$396,037	\$397,000	\$400,000
	Water Taps	\$8,000	\$9,183	\$9,500	\$9,000
	Wastewater Taps	\$6,000	\$10,818	\$11,000	\$11,000
	Inspections	\$3,000	\$1,880	\$2,000	\$2,000
	Reconnection Fees	\$2,000	\$3,375	\$3,500	\$3,500
	Other Services	\$2,000	(\$55)	\$0	
	Magcobar	\$103,000	\$103,350	\$103,350	\$17,100
	Brown & Root, Inc.	\$103,000	\$103,350	\$103,350	\$17,100
	Harbor Island Serv	\$34,000	\$32,205	\$33,000	\$10,300
	Building Permit Fees	\$5,000	\$586	\$600	\$1,000
	Interest on Investments	\$5,000	\$13,941	\$14,000	\$5,000
	Sale of Mat & Sup		\$267	\$300	
	Sale of GFA		\$1,307	\$1,400	
	Other		\$368	\$400	
	TOTAL REVENUES	\$1,361,000	\$1,563,611	\$1,567,600	\$1,366,000
EXPENDITURES					
	WATER PURCHASES	\$388,000	\$407,453	\$408,000	\$391,000
PERSONNEL COST					
	Salaries & Wages	\$317,000	\$307,649	\$308,000	\$335,000
	Retirement	\$22,000	\$20,759	\$21,000	\$23,500
	Group Insurance	\$17,000	\$17,681	\$18,000	\$17,000
	FICA	\$22,000	\$22,048	\$22,000	\$23,500
	Workman's Comp	\$12,000	\$10,072	\$10,000	\$12,000
	Uniforms	\$1,500	\$1,543	\$1,500	\$3,000
	Tex Emp Com	\$1,500	\$1,475	\$1,500	\$1,500
	TOTAL PAYROLL	\$393,000	\$381,227	\$382,000	\$415,500
LEGAL & PROFESSIONAL					
	Legal	\$10,000	\$9,391	\$9,500	\$10,000
	Engineering	\$35,000	\$29,959	\$30,000	\$35,000
	Auditing	\$12,000	\$11,640	\$12,000	\$10,000
	Consultants	\$8,000	\$2,748	\$3,000	\$2,500
	TOTAL LEGAL & PROF	\$65,000	53,738	\$54,500	\$57,500

1986/87 PROPOSED BUDGET

Page 2	ACCOUNT TITLE	1985/86 BUDGET	ESTIMATED YEAR END	AMENDED 85/86	PROPOSED 86/87 BUDGET
PURCHASED & CONTRACTED					
	R & M System	\$16,000	\$58,851	\$59,000	\$16,000
	R & M Equip	\$13,000	\$23,829	\$24,000	\$27,000
	R & M Truck	\$2,000	\$1,022	\$1,000	\$1,000
	R & M Meters	\$2,000	\$1,377	\$1,400	\$1,000
	R & M Building	\$1,000	\$6,365	\$6,400	\$6,000
	R & M Tools	\$1,000	\$1,251	\$1,000	\$1,000
	Legal Notices/ Pub	\$1,000	\$831	\$1,000	\$1,000
	Elections	\$1,200	\$797	\$800	\$1,000
	Other Contracted Services	\$5,000	\$6,315	\$6,400	\$6,500
	Lab Work	\$3,800	\$3,480	\$3,500	\$3,800
	TOTAL PURCHASED & CONT	\$46,000	\$104,118	\$104,500	\$64,300
CONSUMABLE SUPPLIES					
	Fuel & Lubricants	\$13,000	\$10,500	\$10,500	\$13,000
	R & M System	\$42,000	\$63,467	\$63,500	\$20,000
	R & M Equip	\$12,000	\$17,062	\$17,000	\$12,000
	R & M Truck	\$5,000	\$7,443	\$7,500	\$5,000
	R & M Meters	\$2,000	\$3,479	\$3,500	\$2,000
	R & M Building	\$1,000	\$1,809	\$2,000	\$5,000
	R & M Tools	\$3,000	\$3,409	\$3,500	\$3,000
	Chemicals	\$7,000	\$6,285	\$6,300	\$7,000
	Miscellaneous	\$0	\$203	\$200	
	TOTAL CONSUMABLE SUP	\$85,000	\$113,657	\$114,000	\$67,000
RECURRING OPERATION EXPENSE					
	Insurance	\$20,000	\$28,000	\$28,000	\$28,000
	Electricity	\$124,500	\$90,000	\$90,000	\$100,000
	Telephone	\$8,500	\$6,900	\$7,000	\$6,000
	Sanitation	\$120	\$120	\$120	\$120
	Gas	\$480	\$480	\$480	\$480
	Travel & Per diem	\$5,000	\$4,400	\$4,500	\$5,000
	Permits				\$1,600
	Other Expenses	\$12,000	\$11,000	\$11,000	\$12,000
	Office Supplies	\$13,400	\$8,400	\$8,500	\$15,000
	TOTAL RECURRING EXPENSE	\$184,000	\$149,300	\$149,600	\$168,200

Page	ACCOUNT TITLE	1986/87 PROPOSED BUDGET			
		1985/86 BUDGET	ESTIMATED YEAR END	AMENDED 85/86	PROPOSED 86/87 BUDGET
3					

CAPITAL OUTLAY					
	New Taps		\$14,300	\$14,300	\$12,000
	Truck		\$12,000	\$12,000	\$10,000
	Land Leases & ROW				\$2,000
	Major Equipment		\$22,700	\$22,700	
	TOTAL CAPITAL OUTLAY		\$49,000	\$49,000	\$24,000
OTHER FINANCIAL SOURCES					
	Transfer/Capital Projects	\$193,000	\$193,000	\$283,000	\$178,500
	NCR Payment	\$7,000	\$22,118	\$23,000	\$0
	TOTAL EXPENSES	\$1,361,000	\$1,473,611	\$1,567,600	\$1,366,000
PROJECTED INCREASE - FUND BAL					
		\$0	\$90,000	\$0	\$0
FUND BAL - BEGINNING OF YEAR					
		\$250,000	\$250,000	\$250,000	\$250,000
FUND BAL - END OF YEAR					
		\$250,000	\$340,000	\$250,000	\$250,000

1986/87 PROPOSED BUDGET

Page

4

CAPITAL PROJECTS SCHEDULE :

Sources:

Fund Balance - Beginning of Year	\$573,000
Committed Funds:	
Office & Lab Building	(\$161,000)
Available Carryover	\$412,000
1986/87 Transfers	\$178,500
Total Available	\$590,500

Expenditures:

Tarrant St. Sewer Imp.	\$35,000
Channelview St. Sewer Imp. :	\$80,000
Avenue A Sewer Imp.	\$81,000
Park Road 53 Force Main Repair	\$16,200
Lift Station #5 Renovation :	\$54,000
Lift Station #2 Control Panel :	\$7,600
M.I. Elevated Tank Telemetry :	\$8,700
North WWTP Telemetry	\$13,000
Lift Station Fencing	\$5,500
Lower Lift Station Ave G & 11th	\$11,000
Sewer Plant Lab Equip & Furniture	\$6,000
Total Expenditures	\$318,000
Transfer to Reserve Fund	\$272,500
Reserve Fund Balance 85/86 :	\$0
Reserve Fund Balance 86/87 :	\$272,500

86/87 APPROVED WAGE SCHEDULE

Employee	Yrs of Service	Annual	Hour
MAINTENANCE			
13 employees			
Vela, R	19.2	29,690.	(salaried)
Holman, G	9.5	20,670.	9.9375
Esquivel, T (Worker's Comp.)	8.3	20,340.	9.7789
Gomez, A	7.1	18,590.	8.9375
Young, M	2.10	17,805	8.5601
Rochester, Mark	5.1	16,510.	7.9375
Mathews, P	6.	16,140.	7.7597
McMullin, G	3.4	14,300.	6.875
Hinojosa, D	1.5	12,482.	6.001
Talley, T	1.5	12,482.	6.001
Rochester, Marty	.6	11,960.	5.75
Benavidez, M	.2	11,960.	5.75
Yeats, C	.2	11,960.	5.75
WASTEWATER PLANT			
2 employees			
Revell, W	3.7	17,470.	8.3991
Wilcox, L	3.3	13,610.	6.5433
OFFICE			
4 employees			
Sherrill, N	14.2	31,040.	(salaried)
Hargrove, B	8.	18,950.	9.1106
Moss, M	4.4	18,950.	9.1106
Castell, M	.1	11,960.	5.75
Subtotal		326,869.	
Overtime		<u>8,131.</u>	
TOTAL		\$ 335,000.	

MINUTES OF
SPECIAL MEETING
AUGUST 27, 1986

STATE OF TEXAS S

COUNTY OF NUECES S

On the 27th day of August, 1986, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in a Special meeting at 4:00 P. M. at the District office, 315 South 9th Street, Port Aransas, Texas, there being present and in attendance the following to wit:

	Vice President	Ed Manning
	Secretary	Jim Edmonson
	Secretary Pro-tem	Jay Sanders
	Director	Al Mora
Absent:	President	George Hawn
Staff:	Manager	Nona Sherrill
	Engineer	Jim Urban
	Executive Secretary	Mary Moss
	Superintendent	Rudy Vela
Visitors:	Employees	Gary McMullin
		Lewis Wilcox
	Harbor Island	
	Terminal, Inc.	Woody Touchstone

The meeting was called to order at 4 :00 P.M. by the presiding officer, Ed Manning, pursuant to posted notice.

Mr. Manning presented Certificates of Achievement to Gary McMullin and Lewis Wilcox, employees of the District, for obtaining their Graduate Equivalency Diploma.

Minutes

A motion was made by Jay Sanders and seconded by Al Mora to waive reading of the minutes of August 4, 1986 meeting and approve the same. The motion carried unanimously.

Atwill
Contract

A motion was made by Jay Sanders and seconded by Al Mora to renew the contract for James H. Atwill, Attorney at Law, for an additional year ending August 27, 1987.

Depository
Contract
Extension

It was brought to the attention of the Board of Directors by Mrs. Sherrill that the timing in the selection of a bank to act as a depository is not in compliance with

Section 51.356 of the Water Code of Texas. Mrs. Sherrill discussed the matter with the District's attorney, Ed Prichard, who recommended that an extension be requested from American National Bank for an additional four and one-half (4 1/2) months so as to end on February 15, 1987, to be in compliance. A motion was made by Jay Sanders and seconded by Al Mora to approve request for extension as recommended. The motion carried unanimously.

**Capital
Recovery
Amendment
Boat Docks**

A motion was made by Jay Sanders and seconded by Al Mora to approve amending the Capital Recovery Resolution regarding boat docks as presented by the staff. The motion carried unanimously. (The amendment is attached and becomes a permanent part of these minutes.)

**North Waste
Water Treat-
ment Plant
Improvement**

The following bids were received by Mrs. Sherrill, assisted by Mark Marony, Urban Engineering representative, August 22, 1986, at 1:30 P.M. at the District office for the North Wastewater Treatment Plant Improvement Project;

Victory Construction	\$132,223.00
Progressive Structures, Inc.	\$161,950.00
Hallmark Contracting, Inc.	\$174,480.00

The bid to be awarded August 27, 1986.

After recommendation from Jim Urban, District Engineer, Jim Edmonson made a motion to reject Victory Construction bid as per bidder's request by letter to Urban Engineering, dated August 26, 1986 and award the contract to Progressive Structures, Inc., \$161,950.00 contingent upon meeting engineer's specifications. Al Mora seconded the motion. The motion carried unanimously.

**Financial
Report**

Mrs. Sherrill presented the July financial report. A motion was made by Jay Sanders and seconded by Jim Edmonson to approve the report as presented. The motion carried unanimously.

**Manager's
Report**

Mrs. Sherrill gave an update on District's general information. (A copy of the Manager's Report is on file in the District office.)

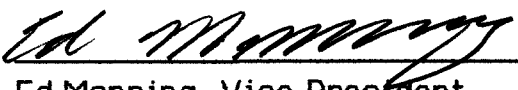
**Harbor
Island
Terminal**

Mr. Touchstone, representative from Harbor Island, Inc., requested that their contract be renewed but decrease daily take from 50,000 GPD to 15,000 GPD due to economic

Special Meeting
August 27, 1986
Page 3

problems associated with the Oilfield Industry. A motion was made by Jim Edmonson and seconded by Jay Sanders to approve renewal of contract as requested contingent upon final inspection of project construction. The motion carried unanimously.

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn the meeting.


Ed Manning, Vice President
Nueces County Water Control &
Improvement District No. 4

ATTEST:

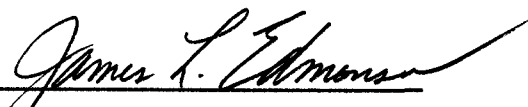

Jim Edmonson, Secretary

TABLE # 1

<u>CATEGORY OF USE</u>	<u>FLOW/UNIT</u>	<u>UNIT</u>
1. Restaurant	33. GPD	1 Customer seat
2. Cocktail lounge	7. GPD	1 Customer seat
3. Store/Shop	55. GPD	1 Water fixture
4. Convenience store with service station	1200. GPD	1 Store
5. Self-service laundry	280. GPD	1 Washing machine
6. Bath house	25. GPD	1 Water fixture
7. Hospital	220. GPD	1 Bed
8. Warehouse	55. GPD	1 Water fixture
9. Service station	1000. GPD	1 Station
10. School	22. GPD	1 Student
11. Office building	22. GPD	150 Square feet
12. Car wash	1100. GPD	1 Stall
13. Movie theater	10. GPD	1 Seat
14. Recreational vehicle park	100. GPD	1 Space
15. Motel/Hotel	385. GPD	1 Unit (without kitchen)
add - 16. Boat Docks	68. GPD	1 Slip
17. Other - To be determined by the Manager from historical data.		

Note: The historical flow data represents averages within each category and although individuals actual flow may vary, the average values will be applied for all applicants.

C. INDUSTRIAL CUSTOMERS:

Industrial flow will be determined by the Manager based on the customers projected use and any available historical data.

IV. CALCULATE THE EXISTING FLOW:

If there is no existing flow (existing flow = 0 GPD)

A. GOVERNING DOCUMENTS IN ORDER OF PRECEDENCE:

1. Individual contracts.
2. The most current approved water application.
3. Existing facilities.

B. PROCEDURE FOR DETERMINING EXISTING FLOW:

1. If the customer holds an individual contract, the capacity is determined by the conditions of the contract, if so stated.
2. If no contract exists or quantities are not defined within the contract, the current application for water service is used to determine the flow. The description of use will be applied to Table # 1, Section III (B) to determine existing flow.
3. If no description is given on the application, or there is no application, the flow will be based on Table # 2 on the following page.

B. COMMERCIAL CUSTOMERS:

Commercial flow shall be determined from the historical flow data on Table #1 below and the following equation:

$$\text{Flow/unit} \times \text{number of units} = \text{flow (GPD)}$$

TABLE # 1

<u>CATEGORY OF USE</u>	<u>FLOW/UNIT</u>	<u>UNIT</u>
1. Restaurant	33. GPD	1 Customer seat
2. Cocktail lounge	7. GPD	1 Customer seat
3. Store/Shop	50. GPD	1 Water fixture
4. Convenience store with service station	1000. GPD	1 Store
5. Self-service laundry	280. GPD	1 Washing machine
6. Bath house	25. GPD	1 Water fixture
7. Hospital	200. GPD	1 Bed
8. Warehouse	50. GPD	1 Water fixture
9. Service station	900. GPD	1 Station
10. School	20. GPD	1 Student
11. Office building	20. GPD	150 Square feet
12. Car wash	1000. GPD	1 Stall
13. Movie theater	10. GPD	1 Seat
14. Recreational vehicle park	200. GPD	1 Space
15. Motel/Hotel	300. GPD	1 Unit (without kitchen)
16. Boat Docks	1.5 GPD	1 Slip
17. Other - To be determined by the Manager from historical data.		

Note: The historical flow data represents averages within each category and although individuals actual flow may vary, the average values will be applied for all applicants.

C. INDUSTRIAL CUSTOMERS:

Industrial flow will be determined by the Manager based on the customers projected use and any available historical data.

IV. CALCULATE THE EXISTING FLOW:

If there is no existing flow (existing flow = 0 GPD)

A. GOVERNING DOCUMENTS IN ORDER OF PRECEDENCE:

1. Individual contracts.
2. The most current approved sewer application.
3. Existing facilities.

B. PROCEDURE FOR DETERMINING EXISTING FLOW:

1. If the customer holds an individual contract, the capacity is determined by the conditions of the contract, if so stated.
2. If no contract exists or quantities are not defined within the contract, the current application for sewer service is used to determine the flow. The description of use will be applied to Table #1, Section III (B) to determine existing flow.
3. If no description is given on the application, or there is no application, the flow will be based on the existing facility applied to Table #1, Section III (B).

**MINUTES OF
REGULAR MEETING**

AUGUST 4, 1986

STATE OF TEXAS §

COUNTY OF NUECES §

On the 4th day of August, 1986, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in an Regular meeting at 10:00 A. M. at the District office, 315 South 9th Street, Port Aransas, Texas, there being present and in attendance the following to wit:

	Vice President	Ed Manning
	Secretary	Jim Edmonson
	Secretary Pro-tem	Jay Sanders
	Director	Al Mora
Absent:	President	George Hawn
Staff:	Manager	Nona Sherrill
	Engineer	Jim Urban
	Executive Secretary	Mary Moss
	Superintendent	Rudy Vela

The meeting was postponed due to lack of quorum and rescheduled to convene at 4:00 P.M. The meeting was called to order at 4:00 P.M. by the presiding officer, Ed Manning, pursuant to posted notice.

Minutes

A motion was made by Jay Sanders and seconded by Jim Edmonson to waive reading of the minutes of July 10, 1986 meeting and approve the same. The motion carried unanimously.

**Atwill
Contract**

The renewal of James H. Atwill contract was tabled until further notice.

**1986 Tax
Rate**

The staff presented a tax rate schedule for the year 1986 and recommended a reduction of \$0.005. A motion was made by Al Mora and seconded by Jay Sanders to pass a Resolution and Order setting the tax rate for the year 1986 at \$0.07 per each one hundred dollars assessed valuation. The motion carried unanimously. (The Resolution and Order is attached and becomes a permanent part of these minutes.)

**Capital
Recovery
Amendment
Motel/Hotel**

A motion was made by Jay Sanders and seconded by Al Mora to approve amending the Capital Recovery Resolution regarding Motel/Hotel as presented by the staff. The motion carried unanimously. (The amendment is attached and becomes a permanent part of these minutes.)

**State Park
Contract**

Mr. Urban presented a method to charge the State Park for their sewage use instead of using a flow meter as previously discussed. The Board instructed Mr. Urban to prepare the amended contract regarding charge of sewage based on 1.75 x rate and proceed with negotiations.

**Employee
Esquivel
Vacation
Request**

Mrs. Sherrill presented employee Ted Esquivel's request to be paid for his earned vacation as wages, due to his present disability to work, and apply wages toward payment of Family Insurance Plan due District each month. Mr. Esquivel is out on Workman's Compensation until release from doctors. A motion was made by Al Mora and seconded by Jay Sanders to approve employee's request to be paid his earned vacation and apply wages toward Insurance Plan. The motion carried unanimously.

**EPA Grant
Update**

After review by Jim Urban regarding update on EPA Municipal Facilities Construction Grant Priority List Ready To Proceed Portion, a motion was made by Al Mora and seconded by Jay Sanders to authorize Urban Engineering to proceed with EPA Grant Application. The motion carried unanimously.

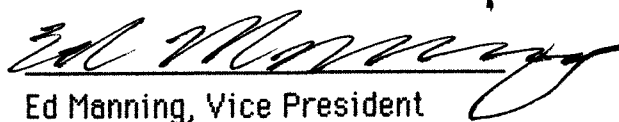
**Financial
Report**

The financial statement for June 1986 was presented by Mrs. Sherrill. A motion was made by Jim Edmonson and seconded by Jay Sanders to approve the statement as submitted. The motion carried unanimously.


**Manager's
Report**

Mrs. Sherrill gave an update on District's general information. (A copy of the Manager's Report is on file in the District office.)

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn the meeting.


Ed Manning, Vice President
Nueces County Water Control &
Improvement District No. 4

ATTEST:


Jim Edmonson, Secretary

**RESOLUTION AND ORDER SETTING THE TAX RATE FOR 1986 FOR THE
NUECES COUNTY WATER CONTROL
AND IMPROVEMENT DISTRICT NO. 4**

ON THE 4th DAY OF AUGUST 1986, THE BOARD OF DIRECTORS OF THE NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4, CONVENED IN A REGULAR MEETING BEING OPEN TO THE PUBLIC AT THE REGULAR MEETING PLACE THEREOF IN SAID DISTRICT, WITH THE FOLLOWING MEMBERS OF THE BOARD PRESENT:

VICE PRESIDENT	ED MANNING
SECRETARY	JIM EDMONSON
SECRETARY PRO-TEM	JAY SANDERS
DIRECTOR	AL MORA

AND THE FOLLOWING ABSENT:

PRESIDENT	GEORGE HAWN
-----------	-------------

CONSTITUTING A QUORUM, AND AMONG OTHER PROCEEDINGS HAD, WERE THE FOLLOWING;

THE VICEPRESIDENT OF THE BOARD PRESENTED A RESOLUTION AND ORDER SETTING THE TAX RATE FOR THE YEAR 1986.

MINUTES OF AUGUST 4TH, 1986 MEETING REFLECT THE TAX RATE FOR THE YEAR 1986.

THEREFORE, THE BOARD OF DIRECTORS ORGANIZED A RESOLUTION TO LEGALLY ESTABLISH THE NEW TAX RATE FOR 1986.

THE RESOLUTION AND ORDER WAS READ IN FULL AND, AFTER FULL DISCUSSION THEREOF, AL MORA MADE A MOTION THAT IT BE ADOPTED. THE MOTION WAS SECONDED BY JAY SANDERS. THE MOTION, CARRYING WITH IT THE ADOPTION OF THE RESOLUTION AND ORDER, PREVAILED BY THE FOLLOWING VOTE:

AYES: _____ 4 _____

NAYES: _____ 0 _____

THE VICE-PRESIDENT THEN DECLARED THE RESOLUTION AND ORDER FINALLY PASSED AND ADOPTED.

THE RESOLUTION AND ORDER AS FOLLOWS:

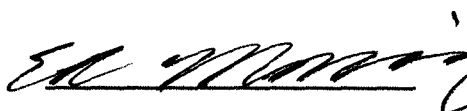
WHEREAS, NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4 SET TAX RATE FOR 1986 AT **\$0.07** PER EACH ONE HUNDRED DOLLARS ASSESSED VALUATION.

**AN ORDER LEYYING UPON THE ASSESSED VALUATION
OF THE PROPERTY WITHIN THE NUECES COUNTY
WATER CONTROL AND IMPROYEMENT DISTRICT NO. 4**


BE IT ORDERED BY THE BOARD OF DIRECTORS OF THE NUECES COUNTY WATER
CONTROL AND IMPROYEMENT DISTRICT NO. 4 AS FOLLOWS:

THERE IS HEREBY LEYIED ON EACH ONE HUNDRED DOLLARS OF THE
ASSESSED VALUE OF ALL PROPERTY, BOTH REAL AND PERSONAL, WITHIN THE
BOUNDARIES OF THE NUECES COUNTY WATER CONTROL AND IMPROYEMENT DISTRICT
NO. 4, EXCEPT SUCH PROPERTY AS MAY BE BY LAW EXEMPT FROM TAXATION, A TAX
RATE OF \$0.07 PER EACH ONE HUNDRED DOLLARS ASSESSED VALUATION FOR
THE PURPOSE OF MEETING THE REQUIREMENTS OF SAID DISTRICT FOR THE FISCAL
YEAR ENDING 1986.

PASSED AND APPROVED BY THE BOARD OF DIRECTORS OF THE
NUECES COUNTY WATER CONTROL AND IMPROYEMENT DISTRICT NO. 4 ON THE 4TH
DAY OF AUGUST, 1986.


ED MANNING, VICE-PRESIDENT
BOARD OF DIRECTORS

ATTEST:


JIM EDMONSON, SECRETARY

Water

B. COMMERCIAL CUSTOMER:

Commercial flow shall be determined from the historical flow data on Table #1 and the equation below:

$$\text{Flow/unit} \times \text{number of units} = \text{flow (GPD)}$$

TABLE # 1

<u>CATEGORY OF USE</u>	<u>FLOW/UNIT</u>	<u>UNIT</u>
1. Restaurants	33. GPD	1 Customer seat
2. Cocktail lounge	7. GPD	1 Customer seat
3. Stores - shops	55. GPD	1 Water fixture
4. Convenience store with service station	1200. GPD	1 Store
5. Self - service laundry	280. GPD	1 Washing machine
6. Bath house	25. GPD	1 Water fixture
7. Hospital	220. GPD	1 Bed
8. Warehouse	55. GPD	1 Water fixture
9. Service station	1000. GPD	1 Station
10. Schools	22. GPD	1 Student
11. Office buildings	22. GPD	150 Square feet
12. Car wash	1100. GPD	1 Stall
13. Movie theater	10. GPD	1 Seat
14. Recreational vehicle park	100. GPD	1 Space
<i>add</i> - 15. Motel/Hotel	385. GPD	1 Unit (without kitchen)
16. Other - To be determined by the Manager from historical data.		

Note: The historical flow data represents averages within each category and although individuals actual flow may vary, the average values will be applied for all applicants.

C. INDUSTRIAL CUSTOMERS:

Industrial flow will be determined by the Manager based on the customers projected use and any available historical data.

IV. CALCULATE THE EXISTING FLOW:

If there is no existing flow (existing flow = 0 GPD)

A. GOVERNING DOCUMENTS IN ORDER OF PRECEDENCE:

1. Individual contracts.
2. The most current approved water application.
3. Existing facilities.

B. PROCEDURE FOR DETERMINING EXISTING FLOW:

1. If the customer holds an individual contract, the capacity is determined by the conditions of the contract if so stated.
2. If no contract exists or quantities are not defined within the contract, the current application for water service is used to determine the flow. The description of use will be applied to Table # 1, Section III (B) to determine existing flow.
3. If no description is given on the application, or there is no application, the flow will be based on Table # 2 on the following page.

B. COMMERCIAL CUSTOMERS:

Commercial flow shall be determined from the historical flow data on Table #1 and the equation below:

$$\text{Flow/unit} \times \text{number of units} = \text{flow (GPD)}$$

Sewer

TABLE #1

<u>CATEGORY OF USE</u>	<u>FLOW/UNIT</u>	<u>UNIT</u>
1. Restaurants	33. GPD	1 Customer seat
2. Cocktail lounge	7. GPD	1 Customer seat
3. Stores - shops	50. GPD	1 Water fixture
4. Convenience store with service station	1000. GPD	1 Store
5. Self-service laundry	280. GPD	1 Washing machine
6. Bath house	25. GPD	1 Water fixture
7. Hospital	200. GPD	1 Bed
8. Warehouse	50. GPD	1 Water fixture
9. Service station	900. GPD	1 Station
10. Schools	20. GPD	1 Student
11. Office buildings	20. GPD	150 Square feet
12. Car wash	1000. GPD	1 Stall
13. Movie theater	10. GPD	1 Seat
add-14. Recreational vehicle park	200. GPD	1 Space
15. Motel/Hotel	300. GPD	1 Unit (without kitchen)
16. Other - to be determined by the Manager from historical data.		

Note: The historical flow data represents averages within each category and although individuals actual flow may vary the average values will be applied for all applicants.

C. INDUSTRIAL CUSTOMERS:

Industrial flow will be determined by the Manager based on the customers projected use and any available historical data.

IV. CALCULATE THE EXISTING FLOW:

If there is no existing flow (existing flow = 0 GPD)

A. GOVERNING DOCUMENTS IN ORDER OF PRECEDENCE:

1. Individual contracts.
2. The most current approved sewer application.
3. Existing facilities.

B. PROCEDURE FOR DETERMINING EXISTING FLOW:

1. If the customer holds an individual contract, the capacity is determined by the conditions of the contract if so stated.
2. If no contract exists or quantities are not defined within the contract, the current application for sewer service is used to determine flow. The description of use will be applied to Table #1, Section III (B) to determine existing flow.
3. If no description is given on the application, or there is no application, the flow will be based on the existing facility applied to Table #1, Section III (B).

MINUTES OF
SPECIAL MEETING

JULY 10, 1986

STATE OF TEXAS §

COUNTY OF NUECES §

On the 10th day of July, 1986, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in an Special meeting at 7:00 P. M. at the District office, 315 South 9th Street, Port Aransas, Texas, there being present and in attendance the following to wit:

	President	George Hawn
	Secretary	Jim Edmonson
	Secretary Pro-tem	Jay Sanders
	Director	Al Mora
Absent:	Vice President	Ed Manning
Staff:	Manager	Nona Sherrill
	Engineer	Jim Urban
	Executive Secretary	Mary Moss
	Superintendent	Rudy Vela
	Attorney	Ed Prichard
Visitors:	Brown & Root, Inc.	Mel Allen Pete Garcia
	Dresser Magcobar, Ind.	Orvil Welch Jeff Ebel
	Texas Parks & Wildlife Department/State Park	Dennis DeWitt Tommy Hicks

The meeting was called to order at 7:00 P.M. by the presiding officer, George Hawn, pursuant to posted notice.

Minutes

A motion was made by Al Mora and seconded by Jim Edmonson to waive reading of the minutes of April 15th and May 5th, 1986 meetings and approve the same. The motion carried unanimously.

**Driftwood
Motel II**

Mr. Carlough, representing the Driftwood Motel, requested that the Capital Recovery Fee for the Driftwood Motel be adjusted due to the history of consumption since construction. The staff recommended that an adjustment be made to the Capital Recovery Resolution regarding motel units based upon their study. A motion was made by Jay Sanders and seconded by Al Mora to approve the staff's

recommendation and proceed with amending the Capital Recovery Resolution to be retroactive to this date. Also to adjust the Capital Recovery Fee paid by Mr. Carlough and refund the difference. The motion carried unanimously.

**Brown & Root
Marine**

Mr. Mel Allen, representing Brown & Root Marine, requested that their contract be amended regarding the maximum daily take of 150,000 GPD to 25,000 GPD due to the economic conditions. The staff presented a review and study of the history of the present contract and recommended that the request be granted with the following conditions;

25,000 GPD to be effective immediately.

Cost of the reduction from Corpus Christi for one (1) year be paid in three monthly installments.

A motion was made by Jim Edmonson and seconded by Jay Sanders to approve the recommendation and instruct the District's Attorney, Ed Prichard, to prepare the contract documents as recommended by the staff. The motion carried unanimously.

**Dresser/
Magcobar**

Mr. Orvil Welch, representing Dresser Magcobar, Ind., requested the same reduction in their contract as Brown & Root Marine. A motion was made by Jim Edmonson and seconded by Jay Sanders to approve the same amendment to Dresser/Magcobar contract as was approved for Brown & Root Marine. The motion carried unanimously.

**Texas Parks
& Wildlife
Department/
State Park**

Jim Urban, District Engineer, reported on the request from TPWD to review their Sewer Service Agreement & Amendment of Agreement. The TPWD also requested that the District purchase a flow meter to keep a more accurate account of the sewage flow. A motion was made by Jay Sanders and seconded by Jim Edmonson to authorize the purchase a flow meter and to have Mr. Urban review the Agreements and report the method of increase in Capital Recovery Fee due to increase in BOD. The motion carried unanimously.

**Kosarek &
Davenport
Agreement**

Mrs. Sherrill was authorized by the Board of Directors to accept the Letter of Agreement for the 1986 Audit from Kosarek & Davenport, CPA's.

**Surplus
Sale**

The staff presented a study on surplus equipment. Jim Edmonson made a motion to proceed with a sale of surplus equipment. The motion was seconded by Jay Sanders and the motion carried unanimously.

**Lease to
City of PA/
Maintenance
Building
Property**

A motion was made by Al Mora and seconded by Jay Sanders to renew the lease with the City of Port Aransas for Lots 9 & 10, Block 64, location of City Maintenance Building, for a period of fifteen (15) years. The motion carried unanimously.

**State Lease
Sewer Plant
Property/
Sublease to
City of PA**

A motion was made by Jay Sanders and seconded by Jim Edmonson to enter into a lease agreement with the City of Port Aransas for Lot 1, Block 150 & Lots 3,4,5, Block 149 for a period of five (5) years at \$880.00 per year. This land is part of a buffer zone for the Wastewater Treatment Plant which the District now leases from the State of Texas. The proposed lease agreement is to be prepared by the District's attorney. The motion carried unanimously.

**Mustang
Joint
Venture
Easement**

A motion was made by Al Mora and seconded by Jim Edmonson to accept the release of easement and approval of conveyance of a new easement from Mustang Joint Venture. The motion carried unanimously.

**Interlocal
Agreement/
City of PA
Fire Main-
tenance**

A motion was made by Jim Edmonson and seconded by Al Mora to approve the Interlocal Agreement for Fire Department Maintenance between the District and the City of Port Aransas for a period of one (1) year and to authorize Mrs. Sherrill to execute the Agreement. The motion carried unanimously.

**North WW
Treatment
Plant
Drying Beds
& Building**

A motion was made by Jim Edmonson and seconded by Al Mora to authorize Jim Urban to proceed with advertising for bids for the North Wastewater Plant Improvements which include a new lab building and additional drying beds. The motion carried unanimously.

**North WW
Treatment
Plant
Expansion**

A motion was made by Jay Sanders and seconded by Al Mora to instruct the District's Engineer to proceed with the plans for the expansion of the North Wastewater Treatment Plant to 1.38 MGD. The motion carried unanimously.

Special Meeting
July 10, 1986
Page 4

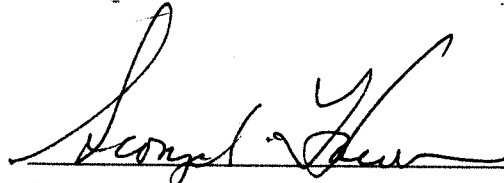
**Financial
Report**

The financial statements for April and May 1986 were presented by Mrs. Sherrill. A motion was made by Jim Edmonson and seconded by Jay Sanders to approve the statements as submitted. The motion carried unanimously.

**Manager's
Report**


Mrs. Sherrill gave an update on District's general information. (A copy of the Manager's Report is on file in the District office).

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn the meeting.



George Hawn, President
Nueces County Water Control &
Improvement District No. 4

ATTEST:


Jim Edmonson, Secretary

**MINUTES OF
REGULAR MEETING**

MAY 5, 1986

STATE OF TEXAS §

COUNTY OF NUECES §

On the 5th day of May, 1986, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in an Regular meeting at 10:00 A.M. at the District office, 315 South 9th Street, Port Aransas, Texas, there being present and in attendance the following to wit:

Vice President	Ed Manning
Secretary	Jim Edmonson
Secretary Pro-tem	Jay Sanders
Director	Al Mora

Absent:	President	George Hawn
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Staff:	Manager	Nona Sherrill
	Executive Secretary	Mary Moss
	Superintendent	Rudy Vela

The meeting was postponed at 10:00 A.M. due to lack of quorum and rescheduled for 5:00 P.M. the same day and place. The meeting was called to order at 5:00 P.M. by the presiding officer, Ed Manning, pursuant to the notice posted.

Minutes: A motion was made by Al Mora and seconded by Jim Edmonson to waive the reading of the minutes of February 11th and 15th, 1986 meeting and approve the same. The motion carried unanimously.

General Land After discussion of General Land Office Lease,
Office Lease LC86-006, a motion was made by Jay Sanders and seconded
LC86-006: by Jim Edmonson to approve the lease as presented by the staff and to negotiate with the City of Port Aransas a sub-lease agreement for their appropriate portion of land being used by the City. The motion carried unanimously.

Financial The financial statement for March 1986 was
Report: presented to the Board by Nona Sherrill. A motion was made by Al Mora and seconded by Jay Sanders to approve the statement as submitted. The motion carried unanimously.

Regular Meeting

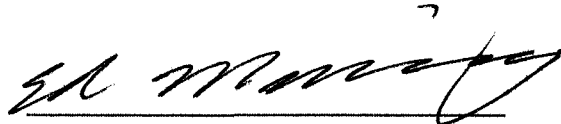
Page 2

May 5, 1986

**Manager's
Report:**

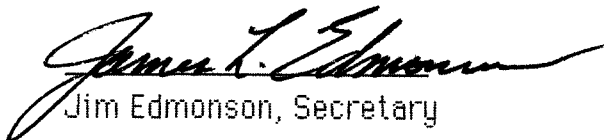
A copy of the Manager's Report is on file in the District office.

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn the meeting.



Ed Manning, Vice President
Nueces County Water Control &
Improvement District No. 4

ATTEST:



Jim Edmonson, Secretary

**MINUTES OF
SPECIAL MEETING**

APRIL 15, 1986

STATE OF TEXAS §

COUNTY OF NUECES §

On the 15th day of April, 1986, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in an Special meeting at 5:00 P. M. at the District office, 315 South 9th Street, Port Aransas, Texas, there being present and in attendance the following to wit:

President	George Hawn
Vice President	Ed Manning
Secretary	Jim Edmonson
Secretary Pro-tem	Jay Sanders
Director	Al Mora

Absent: None

Staff:	District Engineer	Jim Urban
	Ass't Administrator	Nona Sherrill
	Bookkeeper	Mary Moss
	Superintendent	Rudy Vela

The meeting was called to order at 5:00 P.M. by the presiding officer, George Hawn, pursuant to the notice posted.

**Oath of
Office:**

The Oath of Office was administered by Nona Sherrill, Notary for the District, to George Hawn and Jay Sanders.

**Reorgan-
ization:**

Mr. Hawn called for nominations for reorganization of the Board of Directors. A motion was made by Jay Sanders to close nominations and cast a ballot that the slate of officers remain as follows;

President	George Hawn
Vice President	Ed Manning
Secretary	Jim Edmonson
Secretary Pro-tem	Jay Sanders
Director	Al Mora

The motion to close nominations was seconded by Al Mora and carried unanimously.

The motion to elect the slate of officers as above was carried by acclamation.

Minutes:

A motion was made by Al Mora and seconded by Jay Sanders to waive the reading of the minutes of February 3, 1986 meeting and approve the same. The motion carried unanimously.

**General Land
Office Lease
LC86-006:**

After discussion of General Land Office Lease LC86-006, the Board tabled decision until further study.

**Kennedy
Tract:**

A motion was made by Jay Sanders and seconded by Jim Edmonson to accept the Conveyance of Pipeline Easement and Modification of Pipeline Easement with Port Aransas Land Investment Company. The motion carried unanimously.

**Personnel
Policy
Amendment
(Nepotism):**

After discussion and adjustments of Personnel Policy relating to Section VI, Other Employee Relations Program, the staff recommended that the Policy be amendment as follows;

B. Nepotism- No person related within the second degree by affinity or third degree by consanguinity to any member of the Board of Directors or the District Manager shall be appointed to any position of the District. This does not apply to any person continuously employed for two(2) years prior to the election or appointment of the person related in the above degree.

In addition, the District Manager shall report to the Board the necessary appointment to any supervisor's work group any person who is related within the second degree by affinity or third degree by consanguinity to that supervisor.

A motion was made by Jim Edmonson and seconded by Jay Sanders to approve the recommendation. The motion carried unanimously.

**District
Manager
Position:**

Mr. Hawn made a recommendation to the Board that Nona Sherrill be appointed to the position of District Manager with an increase in annual salary of \$30,000. to be effective May 1, 1986. A motion was made by Ed Manning and seconded by Al Mora to approve the recommendation. The motion carried unanimously.

**Financial
Report:**

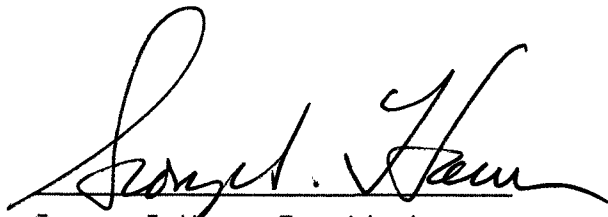
The financial statements for January and February 1986 were presented to the Board by Nona Sherrill. A motion was made by Al Mora and seconded by Jay Sanders to approve the statements as submitted. The motion carried unanimously.

Special Meeting
April 15, 1986
Page 3

**Engineer's
Report:**

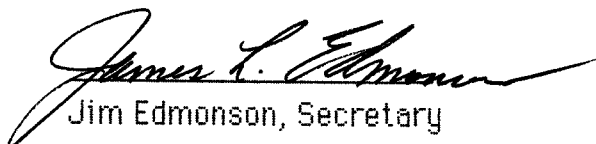
Jim Urban, District Engineer, reported to the Board on general information of the District. (A copy of the report is on file in the District office)

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn the meeting.



George S. Hawn, President
Nueces County Water Control &
Improvement District No. 4

ATTEST:


Jim Edmonson, Secretary

**MINUTES OF
SPECIAL MEETING**

APRIL 11, 1986

STATE OF TEXAS §

COUNTY OF NUECES §

On the 11th day of April, 1986, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in an Special meeting at 4:00 P.M. at the District office, 315 South 9th Street, Port Aransas, Texas, there being present and in attendance the following to wit:

Vice President	Ed Manning
Secretary	Jim Edmonson
Director	Al Mora

Absent:	President	George S. Hawn
	Secretary Pro-tem	Jay Sanders

Staff:	District Engineer	Jim Urban
	Nona Sherrill	Ass't Administrator
	Bookkeeper	Mary Moss

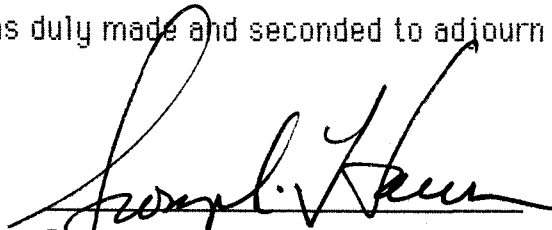
The meeting was called to order at 4:00 P.M. by the presiding officer, Ed Manning, pursuant to the notice posted.

Canvas The summary of returns for the 1986 Director's
1986 Election was presented to the Board. A motion was made by
Director's Jim Edmonson and seconded by Al Mora to approve the
Election: Canvass as presented;

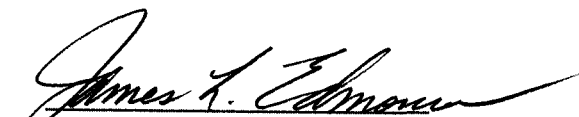
George Hawn - 257
Jay Sanders - 256

The motion carried unanimously.
(The summary of precinct returns is attached and becomes a permanent part of these minutes)

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn the meeting.


George S. Hawn, President
Nueces County Water Control &
Improvement District No. 4

ATTEST:


Jim Edmonson, Secretary

RNS
Yucca Co With Dist #4

or Bellevue Election, held on
Texas, do hereby certify that the follow-

[illegible]

Marie Stewig
Presiding Officer

CANVASS OF DIRECTORS ELECTION

I, ED. MANNING (name) _____, VICE PRESIDENT (office) _____,

of NUECES COUNTY WC&ID, Texas, met with the BOARD OF DIRECTORS (political subdivision holding election) _____ sitting as the canvassing board to canvass the NUECES COUNTY WC&ID#4 DIRECTORS election of

APRIL 5, 19 86, on APRIL 11 19 86, at PORT ARANSAS Texas.

I certify that the figures on the tally sheets correspond with the figures on the returns.

Witness my hand this 11TH day of APRIL 19 86.

Ed Manning
Presiding Officer of Canvassing Authority

MINUTES OF
REGULAR MEETING
FEBRUARY 3, 1986

STATE OF TEXAS §

COUNTY OF NUECES §

On the 3rd day of February, 1986, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in an Regular meeting at 10:00 A.M. at the District office, 315 South 9th Street, Port Aransas, Texas, there being present and in attendance the following to wit:

Vice President	Ed Manning
Secretary	Jim Edmonson
Secretary Pro-tem	Jay Sanders
Director	Al Mora

Absent:	President	George S. Hawn
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Staff:	District Engineer	Jim Urban
	Ass't Administrator	Nona Sherrill
	Bookkeeper	Mary Moss

The meeting was postponed for lack of a quorum at 10:00 A.M. and reconvened at 4:00 P.M. by the presiding officer, Ed Manning, pursuant to the notice posted.

Minutes: A motion was made by Jay Sanders and seconded by Al Mora to waive the reading of the minutes of December 13 and 16, 1985 meeting and approve the same. The motion carried unanimously.

1986 Order of Director's Election: A motion was made by Ed Manning and seconded by Jay Sanders to approve the Order for Director's Election and the Order for Election Procedure in Water District Director's Election to be held April 5, 1986. The motion carried unanimously. (Copies of the Orders are attached and becomes a permanent part of these minutes)

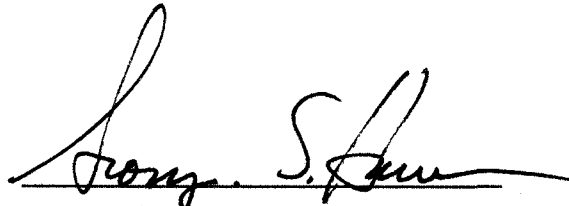
Financial Report: A motion was made by Al Mora and seconded by Jay Sanders to approve the November and December financial statements. The motion carried unanimously.

Regular Meeting
February 3, 1986
Page 2

**Engineer's
Report:**

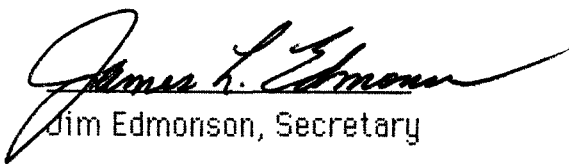
Jim Urban, District Engineer, reported to the Board on general information of the District. (A copy of the report is on file in the District office)

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn the meeting.



George S. Hawn, President
Nueces County Water Control &
Improvement District No. 4

ATTEST:



Jim Edmonson, Secretary

Order For Election Procedure In Water District Directors Election

THE STATE OF TEXAS

COUNTY OF NUECES

On this the 3RD day of FEBRUARY, 19 86, the Board of Directors of NUECES
County Water Control and Improvement District No. 4 convened in
REGULAR session, open to the public, with the following members present, to-wit:

_____, President,
_____ED MANNING_____, Vice-President,
_____JAY SANDERS_____,
_____AL MORA_____,
_____JIM EDMONSON_____, Secretary,

and the following absent: GEORGE HAWN - PRES.,
constituting a quorum, and among other proceedings had by said Board of Directors was the following:

WHEREAS under the terms and provisions of the Texas Water Code and the Texas Election Code an election shall be held in this district on APRIL 5, 19 86 for the purpose of electing TWO (2) members to the Board of Directors;¹

Whereas the laws of the State of Texas do not fully set forth the procedure to be followed by candidates filing for said office of Directors of said District, and this Board has the power and authority to establish said procedure, and in order to comply with the above mentioned provisions, it is reasonable to require that all persons desiring a place on the ballot as a candidate for director of said district must apply at least 20 days prior to the day of said election for his name to be placed on said ballot.

THEREFORE be it ordered by the Board of Directors of NUECES
County Water Control and Improvement District No. 4:

1. That all candidates for the Board of Directors of said District at the above mentioned election shall file their application to become a candidate with the Secretary of this Board at 315 SOUTH 9TH on or before 20 days before the date of said election.
PORT ARANSAS, TEXAS

2. That all of said applications shall be substantially in the following form:

To The Secretary Of The
Board Of Directors Of

NUECES County

Water Control And Improvement District No. 4

¹ See Sec. 51.076, 51.0731, 50.024 of Water Code and Art. 2.01b of Election Code.

Whereby request that my name be placed upon the official ballot for the election to be held on the _____ day of _____, 19_____, as a candidate for director of said District.

I hereby certify that I am _____ years of age, a resident citizen of said District and own land subject to taxation in said District. That I have resided in the State of Texas for a period of at least 12 months and in said district for a period of at least 6 months next preceding said election and I meet and comply with all of the qualifications for holding said office as provided by the Texas Constitution, Texas Water Code and Texas Election Code and I am not ineligible or disqualified to hold said office for any reason.²

My occupation is _____, my Post Office is _____.

Please place my name on the official ballot as follows: _____.

DATED this the _____ day of _____, 19_____.

Name of Candidate

Received this the _____ day of _____, 19_____.

Secretary, Board of Directors

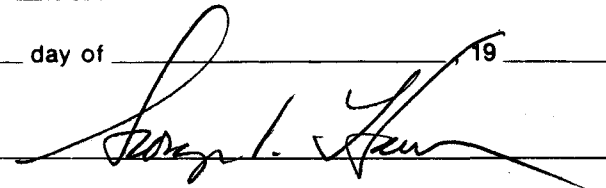
All candidates shall file with said application the loyalty affidavit required by Art. 6.02 of the Election Code.

The Secretary of the Board of Directors shall conduct a drawing for the order in which names of the candidates for the above mentioned election are to be printed on the ballot and shall also post notice of the time and place of said drawing and mail notice of the date, hour and place of the drawing to each candidate at the address stated on the application for a place on the ballot not later than the fourth day before the drawing in accordance with the terms and provisions of Article 6.05c, Subdivision 3 of the Election Code.


It is further found and determined that notice of the date, place and subject of this meeting was posted in accordance with the terms and provisions of Art. 6252-17 at least 72 hours preceding the scheduled time of this meeting and that the terms and provisions of said Article 6252-17 have been complied with and copies of said postings and return shall be attached to this order and become a part thereof.

The above order being read, it was moved and seconded that same do pass. Thereupon the question being called for, the following members of the Board voted AYE: _____ ED MANNING _____,
_____ JIM EDMONSON _____, _____ JAY SANDERS _____, _____ AL MORA _____,
_____, and the following voted NO: _____ NONE _____.

PASSED, APPROVED AND ADOPTED this the _____ day of _____, 19_____.



President, Board of Directors of _____ NUECES _____

ATTEST: _____ County Water Control Improvement District No. _____ 4 _____


Secretary

² See Art. 1.05 of Election Code and Sec. 50.024 and 51.072 of Water Code.

Order for Directors Election

THE STATE OF TEXAS

COUNTY OF NUECES

On this the 3RD day of FEBRUARY, 1986, the Board of Directors of
NUECES County Water Control and Improvement District No. 4 convened in
REGULAR session open to the public with the following members present, to-wit:

_____, President
ED MANNING
_____, Vice-President
JAY SANDERS

AL MORA

JIM EDMONSON, Secretary

and the following absent: GEORGE HAWN - PRES., constituting a quorum, and among other proceedings had by said Board of Directors was the following:

Whereas on the 5TH day of APRIL, 1986, there will be elected
TWO (2) directors for this district;

Whereas this Board by order dated the 3RD day of FEBRUARY, 1986,
established the procedure for candidates who desire to file for said election;

THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF NUECES
COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4:

That an election be held in said district on the 5TH day of APRIL, 1986,
for the purpose of electing TWO (2) directors to the Board of Directors of said District;

COMMUNITY

That said election shall be held at the following places BUILDING in said District, and the following
named persons are hereby appointed officers for said election.

1. For Election Precinct No. 19, at COMMUNITY Building, in
PORT ARANSAS, Texas, within said District with CAROLYN SCALES
as Presiding Judge, MARIE STIEWIG as Assistant Judge and
ESTHER ARZOLA and DENA HODGES Clerks.

2. For Election Precinct No. _____, at _____ Building, in
_____, Texas, within said District with _____
as Presiding Judge, _____ as Assistant Judge and
_____ and _____ Clerks.

3. For Election Precinct No. _____, at _____ Building, in
_____, Texas, within said District with _____
as Presiding Judge, _____ as Assistant Judge and
_____ and _____ Clerks.

The polls at each of the above designated polling places shall on election day be open from 7:00 o'clock a.m. to 7:00 o'clock p.m.¹

NONA SHERRILL is hereby appointed Clerk for absentee voting,

and MARY MOSS AND BETTY HARGROVE

are hereby appointed Deputy Clerks for absentee voting. The absentee voting for the above designated elec-

tion shall be held at 315 S. 9TH ST. PORT ARANSAS, TEXAS within the boundaries of the above named district and said place of absentee voting shall remain open for at least eight hours on each day for absentee voting which is not a Saturday, a Sunday, or an official State holiday, beginning on the 20th day and continuing through the 4th day preceding the date of said election. Said place of voting shall remain

open between the hours of 8:00 AM and 5:00 PM on each day for said absentee voting. The above described place for absentee voting is also the absentee clerk's mailing address to which ballot applications and ballots voted by mail may be sent.

The following named persons have duly filed as candidates for said election in accordance with the above mentioned order for election procedure in Directors Election passed by this Board, and their names shall be placed on the ballot for said election in accordance with a drawing held by the Secretary of this Board in the following order:

Notice of said election shall be given by publication of a copy of this order once a week for three weeks in a newspaper of general circulation published in the county in which the district is located, or if none is published in said county, in the nearest county thereto; the first date of said publication being not more than 35 days nor less than 21 days before the date of the election. Immediately after said election has been held, the officers holding the same shall make returns of the result thereof in triplicate, one being retained by the Presiding Judge, one delivered to the President of this Board, and one delivered to the Secretary. The ballot box and other election records and supplies shall be delivered to the Secretary at the office of the District and be preserved as provided by law in said office.

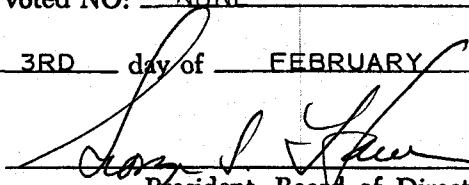
It is further found and determined that notice of the date, place and subject of this meeting was posted in accordance with the terms and provisions of Art. 6252-17 at least 72 hours preceding the scheduled time of this meeting and that the terms and provisions of said Article 6252-17 have been complied with and copies of said postings and return shall be attached to this order and become a part thereof.

The above order being read, it was moved and seconded that same do pass. Thereupon, the question being called for, the following members of the Board voted AYE: ED MANNING,

JIM EDMONSON, JAY SANDERS, AL MORA,

_____, and the following voted NO: NONE


PASSED, APPROVED AND ADOPTED this the 3RD day of FEBRUARY, 1986



President, Board of Directors of

NUECES County Water Control

ATTEST:



Secretary

and Improvement District No. 4

¹Art. 2.01 of the Election Code provides that polls shall be open from 7:00 a.m. to 7:00 p.m., provided that by order of Commissioners' Court in counties having a population of 1,000,000, or more, according to the last preceding Federal Census, polls may be open one hour earlier.

Orden de Eleccion de Directores

EL ESTADO DE TEXAS

CONDADO DE NUECES

En este día 3RD de FEBRERO de 1986, la Junta Directiva del Departamento de Control y Mejoramiento de Aguas del Condado de NUECES, Distrito Núm. 4 se convocó en reunión REGULAR, abierta al público con los siguientes miembros presentes, a saber:

_____, Presidente
 ED MANNING, Vice Presidente
 JAY SANDERS,
 AL MORA,
 JIM EDMONSON, Secretario

y los siguientes ausentes: GEORGE HAWN-PRES., constituyendo un quórum, y entre otras actas tomadas por dicha Junta Directiva se encontró la siguiente:

En vista de que en este día 5TH de ABRIL de 1986, serán elegidos 2 directores para este distrito;

En vista de que esta Junta por orden fechada el 3RD día de FEBRERO de 1986, establece el procedimiento para los candidatos que deseen registrarse para dichas elecciones;

POR LO TANTO, SE ORDENA POR LA JUNTA DIRECTIVA DEL DEPARTAMENTO DE CONTROL Y MEJORAMIENTO DE AGUAS DEL CONDADO DE NUECES, DISTRITO NUM. 4

Que se lleve a cabo una elección en dicho distrito el 5TH día de ABRIL de 1986, con el propósito de elegir 2 directores a la Junta Directiva de dicho Distrito;

Que dicha elección se lleve a cabo en los siguientes lugares COMMUNITY BUILDING en dicho Distrito, y que las siguientes personas son nombradas oficiales para dicha elección.

1. Para el Precinto Electoral Núm. 19, en el Edificio COMMUNITY BUILDING en PORT ARANSAS, Texas, dentro del mismo Distrito con CAROLYN SCALES como Juez Presidente, MARIE STIEWIG como Asistente al Juez y ESTHER ARZOLA y DENA HODGES Escribientes.

~~2. Para el Precinto Electoral Núm. _____, en el Edificio _____ en _____, Texas, dentro del mismo Distrito con _____ como Juez Presidente, _____ como Asistente al Juez y _____ Escribientes.~~

~~3. Para el Precinto Electoral Núm. _____, en el Edificio _____ en _____, Texas, dentro del mismo Distrito con _____ como Juez Presidente, _____ como Asistente al Juez y _____ Escribientes.~~

NONA E. SHERRILL _____ es nombrado Secretario para la Votación en Ausencia, y

llevará a cabo en 315 S. 9TH ST. PORT ARANSAS, TEXAS dentro de los límites del mencionado distrito y dicho lugar de votación en ausencia permanecerá abierto por lo menos ocho horas diarias para la votación en ausencia no siendo sábado o domingo o día festivo oficial del Estado, principiando 20 días y continuando hasta el cuarto día

y 5:00 PM en cada día de la votación en ausencia. El lugar arriba descrito para la votación en ausencia es también la dirección postal del secretario para la votación en ausencia a la cual podrán enviarse las aplicaciones para boletas electorales tanto como las boletas con votos enviadas por correo.

Las personas nombradas abajo se han registrado debidamente como candidatos para dicha elección de acuerdo con la orden arriba mencionada para procedimiento de elección en la Elección de Directores aprobada por esta Junta, y sus nombres aparecerán en la boleta para dicha elección y de acuerdo con un sorteo que se llevó a cabo por el Secretario de esta Junta en la siguiente orden:

Aviso de dicha elección se hará por medio de publicación de una copia de esta orden una vez por semana durante tres semanas consecutivas en un periódico de circulación general publicado en el condado en que se encuentra este distrito, o si no se publica ninguno en dicho condado, en el condado más cercano; la primera publicación deberá ser por lo menos 21 días anteriores a la fecha de elecciones, y no más de 35 días anteriores a la misma. Inmediatamente después de que se haya hecho dicha elección, los oficiales a cargo de la misma deberán reportar los resultados de la misma en triplicado, una copia la deberá retener el Juez Directivo, una copia será entregada al Presidente de esta Junta, y una copia será entregada al Secretario. La urna electoral y demás documentos electorales y provisiones serán entregadas al Secretario en las oficinas del Distrito para ser conservadas como lo estipula la ley en dicha oficina.

Además se ha encontrado y determinado que aviso de la fecha, lugar y asunto de esta junta fue colocado de acuerdo con los términos y provisiones del Artículo 6252-17 por lo menos 72 horas anteriores a la hora programada para esta junta, y que los términos y provisiones de dicho Artículo 6252-17 han sido conformados y que copias de dichos avisos y resultados serán anexadas a esta orden y forman parte de la misma.

Habiéndose dada lectura a la orden arriba mencionada, se hizo la moción y fue secundada para ser aprobada. Después, al llamado sobre esta pregunta, los siguientes miembros de la Junta votaron afirmativamente:

ED MANNING

JIM EDMONSON

JAY SANDERS

AL MORA

-0-

y los siguientes votaron negativamente:

PASADA, APROBADA Y ADOPTADA este 3RD día de FEBRERO de 19 86

Presidente, Junta Directiva del Distrito de Control

y Mejoramiento de Aguas del Condado de NUECES

CERTIFICA:

Distrito Núm. 4

Secretario

¹El Artículo 2.01 del Código Electoral indica que los lugares de votación se mantendrán abiertos de las 7:00 a.m. a las 7:00 p.m., a condición que por orden de la Corte de Comisionados en Condados que tengan una población de 1,000,000 o más habitantes, según el último Censo Federal precedente, los lugares de votación pueden ser abiertos una hora más temprano.

**MINUTES OF
EMERGENCY MEETING**

DECEMBER 16, 1985

STATE OF TEXAS §

COUNTY OF NUECES §

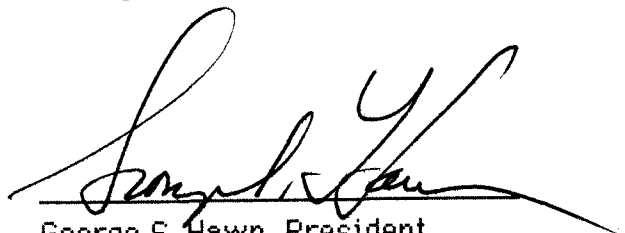
On the 16th day of December, 1985, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in an Emergency meeting at 6:00 P.M. at the District office, 315 South 9th Street, Port Aransas, Texas, there being present and in attendance the following to wit:

	President	George Hawn
	Secretary	Jim Edmonson
	Secretary Pro-tem	Jay Sanders
	Director	Al Mora
Absent:	Vice President	Ed Manning
Staff:	Ass't Administrator	Nona Sherrill
	Bookkeeper	Mary Moss
Visitors:	Island News	Raymond Cushing

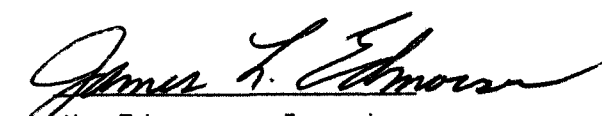
The meeting was called to order at 6:00 P. M. by the presiding officer, George Hawn, pursuant to the notice posted.

**Water &
Wastewater
Rate
Structure
Change:** After discussion of water and wastewater rate structure, a motion was made by Jim Edmonson and seconded by Jay Sanders to pass a Resolution and Order to increase the water and wastewater minimum charge from three (3) thousand gallons to five (5) thousand gallons. The motion passed unanimously. (The Resolution and Order is attached and becomes a permanent part of these minutes)

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn the meeting.


George S. Hawn, President
Nueces County Water Control &
Improvement District No. 4

ATTEST:


Jim Edmonson, Secretary

**RESOLUTION AND ORDER AMENDING THE WATER AND WASTEWATER
RATE STRUCTURE FOR THE NUECES COUNTY WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 4**

ON THE 16TH DAY OF DECEMBER 1985, THE BOARD OF DIRECTORS OF THE NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4, CONVENED IN AN **EMERGENCY** MEETING BEING OPEN TO THE PUBLIC AT THE REGULAR MEETING PLACE THEREOF IN SAID DISTRICT, WITH THE FOLLOWING MEMBERS OF THE BOARD PRESENT:

PRESIDENT	GEORGE HAWN
SECRETARY	JIM EDMONSON
SECRETARY PRO-TEM	JAY SANDERS
DIRECTOR	AL MORA

AND THE FOLLOWING ABSENT:

VICE PRESIDENT	ED MANNING
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CONSTITUTING A QUORUM, AND AMONG OTHER PROCEEDINGS HAD, WERE THE FOLLOWING;

THE PRESIDENT OF THE BOARD PRESENTED A RESOLUTION AND ORDER AMENDING THE WATER AND WASTEWATER RATE STRUCTURE.

MINUTES OF DECEMBER 16, 1985 MEETING REFLECT THE AMENDMENT IN THE WATER AND WASTEWATER RATE STRUCTURE.

THEREFORE, THE PRESIDENT OF THE BOARD OF DIRECTORS PRESENTED A RESOLUTION TO LEGALLY ESTABLISH THE AMENDMENT IN THE WATER AND WASTEWATER RATE STRUCTURE.

THE RESOLUTION AND ORDER WAS READ IN FULL AND, AFTER FULL DISCUSSION THEREOF, **JIM EDMONSON** MADE A MOTION THAT IT BE ADOPTED. THE MOTION WAS SECONDED BY **JAY SANDERS**. THE MOTION, CARRYING WITH IT THE ADOPTION OF THE RESOLUTION AND ORDER, PREVAILED BY THE FOLLOWING VOTE:

AYES: _____4_____

NAYES: _____0_____

THE PRESIDENT THEN DECLARED THE RESOLUTION AND ORDER FINALLY PASSED AND ADOPTED.

THE RESOLUTION AND ORDER AS FOLLOWS:

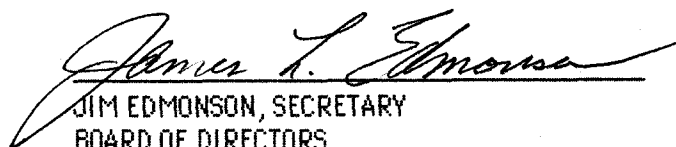
WATER AND WASTEWATER RATE STRUCTURE WAS AMENDED ON DECEMBER 16, 1985, EFFECTIVE JANUARY 1, 1986 UTILITY BILLING;

WATER MINIMUM	5,000 GALLONS
WASTEWATER MINIMUM	5,000 GALLONS

BE IT RESOLVED AND ORDERED BY THE BOARD OF DIRECTORS OF THE NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4, THAT THE PRESIDENT OF THE BOARD OF DIRECTORS BE AUTHORIZED TO AMEND THE WATER AND WASTEWATER RATE STRUCTURE FOR THE NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4.

I, THE UNDERSIGNED, SECRETARY OF THE BOARD OF DIRECTORS OF THE NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4, DO HEREBY CERTIFY; THAT THE FOREGOING RESOLUTION AND ORDER WAS DULY PASSED AND APPROVED AND IS IN FULL FORCE AND EFFECT.

WITHNESS MY HAND AND SEAL OF OFFICE THIS THE 5TH DAY OF SEPTEMBER, 1985.



JIM EDMONSON, SECRETARY
BOARD OF DIRECTORS
NUECES COUNTY WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 4

(SEAL)

**MINUTES OF
SPECIAL MEETING**

DECEMBER 13, 1985

STATE OF TEXAS §

COUNTY OF NUECES §

On the 13th day of December, 1985, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in a Special meeting at 3:00 P.M. at the District office, 315 South 9th Street, Port Aransas, Texas, there being present and in attendance the following to wit:

	President	George Hawn
	Vice President	Ed Manning
	Secretary	Jim Edmonson
	Secretary Pro-tem	Jay Sanders
Absent:	Director	Al Mora
Staff:	District Engineer	Jim Urban
	Ass't Administrator	Nona Sherrill
	Auditor	Gary Davenport
	Attorney	James H. Atwill
	Bookkeeper	Mary Moss
	Superintendent	Rudy Vela

The meeting was called to order at 3:00 P. M. by the presiding officer, George Hawn, pursuant to the notice posted.

Minutes: A motion was made by Jay Sanders and seconded by Jim Edmonson to waive the reading of the minutes of November 4, 1985 meeting and approve the same. The motion passed unanimously.

Request for Attorney General's Opinion: After discussion on the annexation issue, Jim Atwill, attorney for the District, presented a letter to the Attorney General's office to request an opinion on the annexation statute, Article 1182c-5, Sec. 2A(1) VATS. A motion was made by Jay Sanders and seconded by Jim Edmonson to approve letter as submitted. The motion carried unanimously.

1985 Audit: Gary Davenport, CPA, auditor for the District, presented the 1985 Audit of the Nueces County Water Control & Improvement District No. 4. A motion was made by Jim Edmonson and seconded by Ed Manning to the 1985 Audit. The motion carried unanimously.

Regular Meeting
December 13, 1985
Page 2

**Prichard
Contract:**

A motion was made by Jay Sanders and seconded by Jim Edmonson to approve C. Edwin Prichard's contract effective December 18, 1985 for one (1) year. The motion carried unanimously.

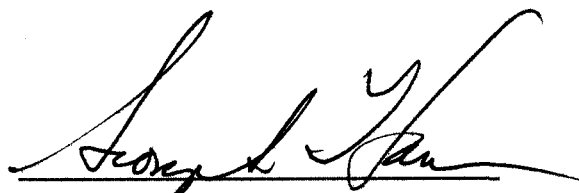
**Urban
Contract:**

A motion was made by Jim Edmonson and seconded by Jay Sanders to approve the up-dated Letter Agreement between Urban Engineering and the Nueces County Water Control & Improvement District No. 4. The motion passed unanimously.

**Financial
Statement:**

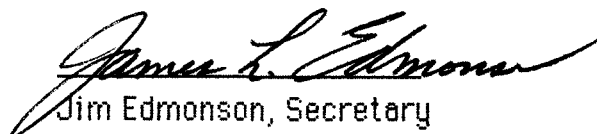
The August, September and October financial statements were presented to the Board. A motion was made by Jay Sanders and seconded by Jim Edmonson to approve the statements as submitted. The motion passed unanimously. The Board instructed the staff to prepare a study on the water and wastewater rate structure and set an emergency meeting for December 16, 1985 at 6:00 P.M.

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn the meeting.



George S. Hawn, President
Nueces County Water Control &
Improvement District No. 4

ATTEST:



Jim Edmonson, Secretary

EMPLOYMENT CONTRACT

THE STATE OF TEXAS §

COUNTY OF NUECES §

This instrument shall serve as a memorandum of the contract entered into by and between the Nueces County Water Control and Improvement District No. 4, P. O. Box 128, Port Aransas, Texas 78373, hereinafter referred to as "The District" and C. Edwin Prichard, Jr., Attorney at Law, 140 Guaranty Bank Plaza, Corpus Christi, Texas 78475, hereinafter referred to as "Prichard".

W I T N E S S E T H:

1. The District hereby employs and retains the services of Prichard as its attorney effective December 18, 1985, for a period of one year unless sooner terminated as provided herein. Prichard agrees to accept such employment as herein provided.

2. Prichard's duties will be to provide The District, upon request, with legal advice and representation in all matters pertaining to the business of The District unless he is otherwise disqualified to do so. Prichard will make himself or one of the members of his firm available for such advice and representation upon reasonable notice and demand.

3. Prichard will invoice The District and The District agrees to pay Prichard monthly for his time expended on the following basis: (1) \$100.00 per hour for routine matters commonly referred to as "office practice" including, but not necessarily limited to, telephone and office conferences, correspondence, attendance of meetings, including any travel time, legal research, review and drafting of documents and review of pending files; (2) matters other than routine office practice, such as representation in litigation will be contracted and billed for on an individual basis to be determined and approved by the parties at the outset of each case.

The District will reimburse Prichard for reasonable and necessary expenses or costs advanced on behalf of The District, not including, however, routine office expense.

4. All requests for legal advice and representation will be made on

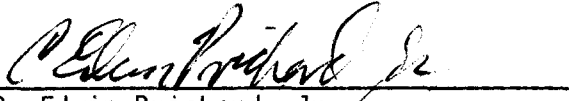
behalf of The District by its Engineer or any of the District's Directors and Prichard may assume any request so made is authorized.

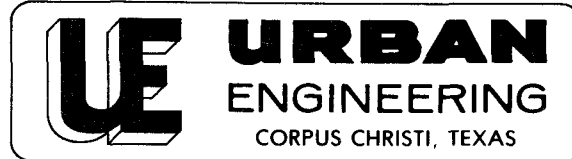
5. Either party may terminate this Contract at any time upon thirty (30) days written notice by certified mail to the address indicated above.

6. This memorandum states the entire agreement between the parties.

NUECES COUNTY WATER CONTROL AND
IMPROVEMENT DISTRICT No. 4

By: 


C. Edwin Prichard, Jr.



P. O. BOX 6355, 2725 SWANTNER
CORPUS CHRISTI, TEXAS 78411 PHONE 854-3101

December 10, 1985

George S. Hawn, President
Nueces County Water Control &
Improvement District No. 4
P. O. Box 128
Port Aransas, Texas 78373

Re: Contract for Professional Services

Dear George,

This letter will confirm the oral agreement presently existing by and between the Nueces County Water Control and Improvement District No. 4 and the undersigned of the firm of Urban Engineering, wherein the District has retained the undersigned to handle all of the engineering business of the District. The District has agreed to pay the principals the sum of \$150.00 per month as a retainer fee and has further agreed to pay the principals the sum of \$75.00 per hour for all work performed by the principals for the District.

The District has also agreed to pay for employees of Urban Engineering utilized in District work the cost of a direct salary times 2.5 and further to reimburse the principals for expenses incurred by the principals in representing the District.

It is also the understanding of the principals and the District that on major construction jobs, the principals will charge the fee set forth in the Texas Society of Professional Engineers Fee Schedule for comparable jobs.

Since no formal written instrument exists between the principals and the District, this memorandum was necessary in order to set forth our oral understanding.

George S. Hawn, President

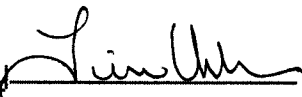
Page 2

December 10, 1985

If this is your understanding of our agreement, please indicate your acceptance by executing a copy of this letter and sending it to my office.

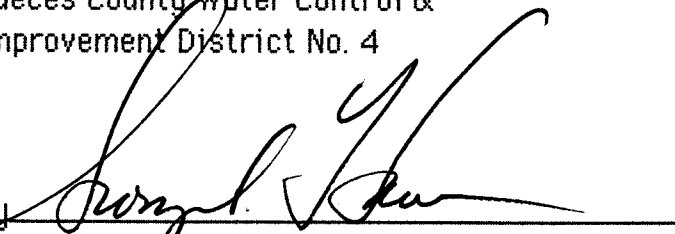
Sincerely,

Urban Engineering

By 
Jim Urban

Accepted this 13th day of December, 1985.

Nueces County Water Control &
Improvement District No. 4

By 
George S. Hawn, President

**MINUTES OF
REGULAR MEETING**

NOVEMBER 4, 1985

STATE OF TEXAS §

COUNTY OF NUECES §

On the 4th day of November, 1985, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in a Regular meeting at 10:00 A.M. at the District office, 315 South 9th Street, Port Aransas, Texas, there being present and in attendance the following to wit:

	Vice President	Ed Manning
	Secretary	Jim Edmonson
	Secretary Pro-tem	Jay Sanders
Absent:	President	George S. Hawn
	Director	Al Mora
Staff:	District Engineer	Jim Urban
	Ass't Administrator	Nona Sherrill
	Attorney	James H. Atwill

The meeting was called to order at 10:00 A.M. by the presiding officer, Ed Manning, pursuant to the notice posted.

Minutes: A motion was made by Jay Sanders and seconded by Jim Edmonson to waive the reading of the minutes of September 20, 1985 and approve the same. The motion passed unanimously.

Martin Request Sewage Adjustment: Mrs. Sherrill presented to the Board the request from W. C. Martin for an adjustment on his sewage charge due to irrigation of a new lawn for a new business with only one living unit on the property at that time. Jim Edmonson made a motion to accept the recommendation and adjust the sewage to 10,000 gallons maximum charge for the month of September. The motion was seconded by Jay Sanders. The motion carried unanimously.

Bailey Request to Extend time of Sewer Tie-in: Mrs. Sherrill presented to the Board the request from Stephen Bailey to extend the time to tie into the sewer line at Mustang Beach due to the misunderstanding of the "Letter of Notice" from the District. A motion was made by Jay Sanders and seconded by Jim Edmonson to approve the request and extend Mr. Bailey's time to tie-in to the sewer line from January 7, 1986 to March 7, 1986. The motion carried unanimously.

Regular Meeting
November 4, 1985
Page 2

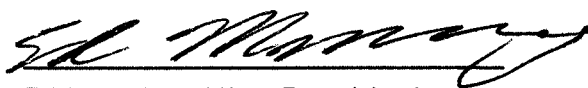
**Financial
Report:**

Mrs. Sherrill requested that the monies left from the Duaine Letter of Credit for the project known as Leeward Sands in the amount of \$3,375.00, be used for completing the project. A motion was made by Jay Sanders and seconded by Jim Edmonson to approve the request as presented. The motion passed unanimously.

**Engineer's
Report:**

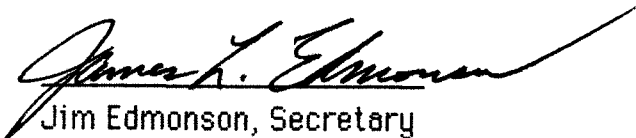
Jim Urban, District Engineer, reported to the Board on general information of the District. (A copy of the report is on file in the District office)

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn the meeting.



Ed Manning, Vice President
Nueces County Water Control &
Improvement District No. 4

ATTEST:


Jim Edmonson, Secretary

**MINUTES OF
SPECIAL MEETING**

SEPTEMBER 20, 1985

STATE OF TEXAS §

COUNTY OF NUECES §

On the 20th day of September, 1985, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in a Special meeting at 4:00 p.m. at the District office, 315 South 9th Street, Port Aransas, Texas, there being present and in attendance the following to wit:

President	George S. Hawn
Vice President	Ed Manning
Secretary	Jim Edmonson
Secretary Pro-tem	Jay Sanders
Director	Al Mora

Absent: None

Staff:	District Engineer	Jim Urban
	Ass't Administrator	Nona Sherrill
	Financial Advisor	Gary Davenport
	Bookkeeper	Mary Moss
	Superintendent	Rudy Vela

Visitors: Island News Raymond Cushing

The meeting was called to order at 4:00 p.m. by the presiding officer, George Hawn, pursuant to the notice posted.

Minutes: A motion was made by Jay Sanders and seconded by Jim Edmonson to waive the reading of the minutes of September 5, 1985 and approve the same. The motion passed unanimously.

1985/86 The staff presented the proposed 1985/1986
Budget & wage schedule with a cost of living increase of 4% minimum
Wage and additional recommendations as follows :
Increase:

Rudy Vela	Salaried	5%
Clifford Ross		1%
Mark Armstrong		2%
David Henojosa		3%
Ted Talley		3%
Mary Moss		6%

Mr. Hawn proposed that Nona Sherrill's wages also be increased an additional 3%. A motion was made by Jay Sanders and seconded by Al Mora to approve the proposed wage schedule for 1985/1986. The motion carried unanimously. (A copy of the wage schedule and recommendations is attached and becomes a permanent part of the minutes.

The staff presented the 1985/1986 Budget. A motion was made by Ed Manning and seconded by Jim Edmonson to approve the 1985/1986 Budget as presented. The motion carried unanimously. (A copy of the 1985/1986 is attached and becomes a permanent part of the minutes)

CRF

Refunds:

Following a discussion on the new rate structure of the Capital Recovery Fee, a motion was made by Jay Sanders and seconded by Jim Edmonson to approve the following refunds plus interest:

Churches Chicken	\$5,502.25
Whataburger	2,720.97
Leon Karr Bath House	4,291.44
Mayan Princess	4,168.45

The motion passed unanimously.

Increase

TCDRS

Benefits:

Following the presentation of changes in Texas County and District Retirement System, a motion was made by Jay Sanders and seconded by Al Mora to approve the Resolution and Order selecting increases in benefits theretofore granted, credit for future retirements or additional coverages allowable under Section 54.201 Subtitle F of Title 110B. The motion passed unanimously. (A copy of the Resolution and Order is attached and becomes a part of these minutes)

Touch

Read

System:

After discussion of the Rockwell Touch Read System, the Board directed the staff to further study this system and present to the Board at a latter meeting.

Personnel

Policy

Overtime

Change:

Because of the US Supreme Court application of Fair Labor Standards Act to local governments, the staff presented to the Board their recommended changes in the personnel policy as follows:

Holidays worked - from compensatory time off to equal pay.

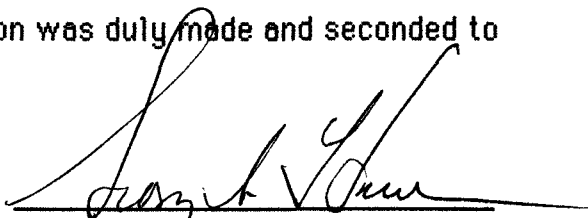
Weekends worked - from compensatory time off to overtime pay if over forty actual work hours per week.

A motion was made by Jay Sanders and seconded by Jim Edmonson to approve the recommendation. The motion carried unanimously.

Harbor Island Terminal Request: Jim Urban read the request from Harbor Island Terminal, Inc. for a second extension to their contract. After discussion, a motion was made by Jay Sanders and seconded by Ed Manning to disallow another extension. The motion carried unanimously. The contract became effective September 1, 1985.

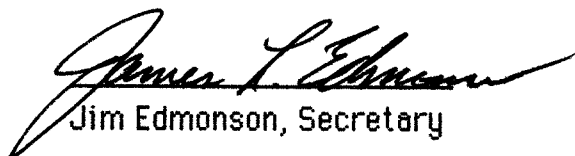
Engineer's Report: Jim Urban, District Engineer, reported to the Board on general information of the District. (A copy of the report is on file in the District office)

As there was no further business to come before the Board, a motion was duly made and seconded to adjourn the meeting.



George S. Hawn, President
Nueces County Water Control &
Improvement District No. 4

ATTEST:



Jim Edmonson, Secretary

1985/1986 PROPOSED WAGE SCHEDULE

Employee	Yrs of Service	Annual	Proposed
MAINTENANCE			4%
Vela, R	18.2	26,043.	28,650.* 9% <i>Salaried</i>
Holman, G	8.5	18,874.	19,630.
Esquivel, T	7.3	18,553.	19,300.
Gomez, A	6.1	16,871.	17,550.
Young, M	1.10	16,120. (5-1)	16,765.
Rochester, M	4.1	14,876.	15,470.
Mathews, P	5.	14,518.	15,100.
Mcmullin, G	2.4	12,750.	13,260.
Ross, C	1.3	10,920.	11,440.* 5%
Armstrong, M	1.6	10,712.	11,440.* 6%
Arzola, P	1.2	10,712.	11,130.
Esquivel, F	3.4	10,299.	10,700.
Hinojosa, D	.5	10,400. (temp.)	11,130.* 7%
Talley, T	.5	10,400. (temp.)	11,130.* 7%
WASTEWATER PLANT			
Revell, W	2.7	15,749.	16,430.
Wilcox, L	2.3	11,585.	12,050.
OFFICE			
Sherrill, N	13.2	24,545. (salaried)	25,526. <i>7% 26263.15</i>
Hargrove, B	7.	17,222.	17,910.
Moss, M	3.3	16,120.	17,910.* 10%
Subtotal			302,521.
Expected overtime			12,000.
TOTAL			314,521.

**NUECES COUNTY WATER CONTROL
AND IMPROVEMENT DISTRICT NO. 4
1985/1986 PROPOSED BUDGET**

	PROPOSED BUDGET 1985/86	BUDGET 1984-85
<u>REVENUES:</u>		
WATER & WASTEWATER	1,330,000.00	1,585,000.00
RECONNECTS	2,000.00	7,500.00
SERVICE INSPECTIONS	3,000.00	5,000.00
TAP FEES	14,000.00	18,000.00
MISCELLANEOUS SERVICES	2,000.00	2,500.00
CITY PERMITS	5,000.00	6,500.00
INTEREST	5,000.00	19,000.00
SALE OF ASSETS AND SUPPLIES	-0-	13,600.00
TOTAL REVENUES	1,361,000.00	1,657,100.00
<u>EXPENDITURES:</u>		
WATER PURCHASE	388,000.00	355,000.00
PAYROLL	393,000.00	366,000.00
PROFESSIONAL FEES	65,000.00	80,000.00
PURCHASED & CONTRACT SRVS	46,000.00	46,000.00
COMSUMABLE SUPPLIES & SRVS	85,000.00	80,000.00
RECURRING OPERATION	184,000.00	157,000.00
CAPITAL OUTLAY	-0-	70,000.00
TOTAL EXPENDITURES	1,161,000.00	1,154,000.00
<u>OTHER USES:</u>		
TRANSFER TO CAPITAL IMPROVEMENTS FUND	193,000.00	477,788.00
NCR PRINCIPAL PAYMENT	7,000.00	6,200.00
TOTAL OTHER USES	200,000.00	483,988.00
PROJECTED INCREASE IN FUND BALANCE	-0-	19,112.00
FUND BALANCE - BEGINNING OF YEAR	250,000.00	230,888.00
PROJECTED FUND - BALANCE END OF YEAR	250,000.00	250,000.00

CAPITAL PROJECTS PRIORITY LIST 1985/86

1.	Cotter Street Improvement	\$130,000.00
2.	Elevated Tower/9th Street-Repair & Maintenance	30,000.00
3.	Telemetry System/Aransas Pass Flow	20,000.00
4.	Two Vehicles	18,000.00
5.	Water Tap	10,000.00
6.	Wastewater Tap	2,000.00
	SUBTOTAL	210,000.00
7.	Wellpoint	10,000.00
8.	North Sewer Plant Office & Lab	80,000.00
9.	Tank Maintenance	20,000.00
10.	Drying Beds	20,000.00
11.	Tarrant Street Sewer Improvement (800')	32,000.00
12.	Channelview Street Sewer Improvement (1855')	74,000.00
13.	Air Compressor	16,000.00
14.	Computer (addition to word processing program)	3,500.00
15.	Avenue A. Sewer Improvement (1616')	64,650.00
	TOTAL	\$ 530,150.00

Rudy Vela

Rudy as superintendent of the Water District has complete supervisor responsibility for field operations. He is currently payed on hourly rate. I feel as senior supervisor that he should be put on an annual salary.

Mark Armstrong

Mark's salary last year was held at \$5.15 because of performance shortfalls. I counceled Mark and told him if he would improve his performance I would reconsider his position at the next years budget.

Rudy has recommended that Mark has improved his performance and that his pay should be equal to his co-workers who have been here the same amount of time.

Hinjosa & Talley

Both of these employees have been working as temporaries. They have both proved to be good employees. Rudy has requested that they be put on permanent status. Our entry level pay last year was \$5.15. I would recommend that we hire both employees at a starting salary of $\$5.15 \times 1.04 = \5.35

I would like to recommend that Mrs. Moss be recognized by the adjustment in her wages to equal her outstanding performance. She is not only outstanding in her job performance but has become aware of the importance of promoting better employee relations within the District as well as the general public.