

**MINUTES OF  
SPECIAL MEETING**

**SEPTEMBER 5, 1985**

**STATE OF TEXAS           §**

**COUNTY OF NUECES       §**

On the 5th day of September, 1985, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened in a Special 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 S. 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
	Financial Advisor	Gary Davenport
	Bookkeeper	Mary Moss
Visitors:	Property Owner	Mr. Lilly
	Island News	Raymond Cushing

The meeting was postponed due to lack of quorum at 3:00 p.m. and set for 6:00 p.m. the same day. The meeting was call to order at 6:00 p.m. by the presiding officer, George Hawn, pursuant to the notice posted.

**Minutes:**                   A motion was made by Jay Sanders and seconded by Ed Manning to waive the reading of the minutes of August 5 and 16, 1985 and approve the same. The motion passed unanimously.

**CRF**                       The staff presented their study on proposed  
**Amend-**                   adjustments to the Capital Recovery Cost in regards to  
**ments:**                   restaurants, cocktail lounges, self-service laundries and bath  
houses. A motion was made by Jim Edmonson and seconded by Jay Sanders to pass a Resolution and Order to approve the following adjustments effective date of October 1, 1985 ;

Water Capital Recovery Fee Amendment:

Exhibit A, Section 3, Paragraph B, Table #1

Item #1	Restaurants	33 GPD	1 Customer seat
Item #2	Cocktail lounge	7 GPD	1 Customer seat

Item #5	Self-service laundry	280 GPD	1 Washing machine
Item #6	Bath house	25 GPD	1 Water fixture

Sewer Capital Recovery Fee Amendment:

Exhibit A, Section 3, Paragraph B, Table #1

Item #1	Restaurants	33 GPD	1 Customer seat
Item #2	Cocktail lounge	7 GPD	1 Customer seat
Item #5	Self-service laundry	280 GPD	1 Washing machine
Item #6	Bath house	25 GPD	1 Water fixture

The motion carried by 3 to 1 vote. (The Resolution and Order is attached and becomes a permanent part of these minutes)

**Water &  
Sewer  
Rate  
Decrease:**

A study on the water and sewer rate structure was presented by the staff. After discussion, a motion was made by Ed Manning and seconded by Jay Sanders to pass a Resolution and Order to reduce the water rate from \$2.10/M to \$1.90/M and to revise the sewer rate structure by putting a maximum charge of 10,000 gallons on single family residents. The new rates will become effective with October 1985 consumption. The motion carried unanimously. (A copy of the Resolution and Order are attached and becomes a permanent part of these minutes)

**Financial  
Report:**

The financial statement for July 1985 was presented to the Board. A motion was made by Ed Manning and seconded by Jim Edmonson to approve the July Statement as submitted. The motion carried unanimously. (A copy of the statement is on file in the District office)

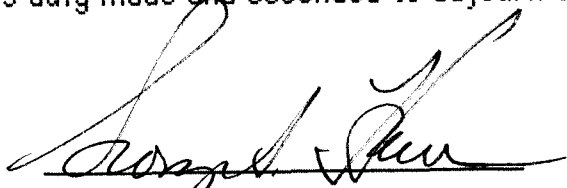
The staff proposed to the Board to amend the 1984/85 Budget and transfer \$483,988.00 as Capital Outlay Fund to the Capital Improvement Fund. Mr. Manning made a motion to approve the staff's recommendation. Mr. Sanders seconded the motion. The motion carried unanimously. (A copy of the amended 1984/85 Budget is attached and becomes a permanent part of these minutes)

**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)

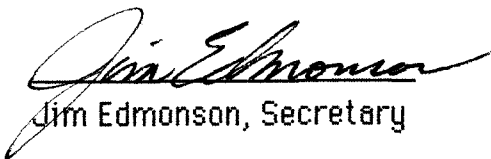
Special Meeting  
Page 3  
September 5, 1985

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

A handwritten signature in cursive script, 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 cursive script, appearing to read "Jim Edmonson", written over a horizontal line.

Jim Edmonson, Secretary

**RESOLUTION AND ORDER EXECUTING A DECREASE IN THE WATER  
RATE AND IN THE SEWER RATE STRUCTURE FOR THE NUECES  
COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4**

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ON THE 5TH DAY OF SEPTEMBER, 1985, 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:

PRESIDENT	GEORGE HAWN
VICE PRESIDENT	ED MANNING
SECRETARY	JIM EDMONSON
SECRETARY PRO-TEM	JAY SANDERS

AND THE FOLLOWING ABSENT:

DIRECTOR	AL MORA
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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  
DECREASING WATER RATES AND A NEW SEWER RATE STRUCTURE.

MINUTES OF SEPTEMBER 5TH, 1985 MEETING REFLECT THE DECREASE IN THE  
WATER RATE AND A NEW SEWER RATE STRUCTURE.

THEREFORE, THE PRESIDENT OF THE BOARD OF DIRECTORS PRESENTED A  
RESOLUTION TO LEGALLY ESTABLISH THE DECREASE IN THE WATER RATE AND A NEW SEWER RATE  
STRUCTURE.

THE RESOLUTION AND ORDER WAS READ IN FULL AND, AFTER FULL DISCUSSION  
THEREOF, ED MANNING 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 RATES AND SEWER RATE STRUCTURE WERE REVISED ON SEPTEMBER 5TH,  
1985, EFFECTIVE WITH OCTOBER 1985 CONSUMPTION.

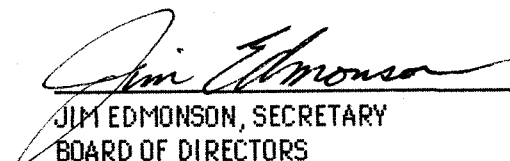
WATER RATES REDUCED FROM \$2.10/M TO \$1.90/M.

SEWER RATE STRUCTURE HAS A MAXIMUM CHARGE OF 10,000 GALLONS ON  
SINGLE FAMILY RESIDENTS.

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 DECREASE THE WATER RATE AND REVISE THE SEWER 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.

WITNESS 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)

**RESOLUTION AND ORDER AMENDING THE INSTALLATION OF  
MEASURING DEVICES AND ESTABLISHING A CAPITAL RECOVERY FEE  
FOR INITIAL WATER SERVICE AND TAPPING THE SANITARY SEWER  
SYSTEM FOR THE NUECES COUNTY WATER CONTROL AND  
IMPROVEMENT DISTRICT NO. 4**

---

ON THE 5TH DAY OF SEPTEMBER, 1985, 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:

PRESIDENT	GEORGE HAWN
VICE PRESIDENT	ED MANNING
SECRETARY	JIM EDMONSON
SECRETARY PRO-TEM	JAY SANDERS

AND THE FOLLOWING ABSENT:

DIRECTOR	AL MORA
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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 INSTALLATION OF MEASURING DEVICES AND ESTABLISHING A CAPITAL RECOVERY FEE FOR INITIAL WATER SERVICE AND TAPPING THE SANITARY SEWER SYSTEM.

MINUTES OF SEPTEMBER 5TH, 1985 MEETING REFLECT AMENDING THE INSTALLATION OF MEASURING DEVICES AND ESTABLISHING A CAPITAL RECOVERY FEE FOR INITIAL WATER SERVICE AND TAPPING THE SANITARY SEWER SYSTEM.

THEREFORE, THE PRESIDENT OF THE BOARD OF DIRECTORS PRESENTED A RESOLUTION TO LEGALLY ESTABLISH AMENDING THE INSTALLATION OF MEASURING DEVICES AND ESTABLISHING A CAPITAL RECOVERY FEE FOR INITIAL WATER SERVICE AND TAPPING THE SANITARY SEWER SYSTEM.

THE RESOLUTION AND ORDER WAS READ IN FULL AND, AFTER FULL DISCUSSION THEREOF, ED MANNING 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: 3

NAYES: 1

THE PRESIDENT THEN DECLARED THE RESOLUTION AND ORDER FINALLY PASSED AND ADOPTED.

THE RESOLUTION AND ORDER AS FOLLOWS:

Water Capital Recovery Fee Amendment:  
Exhibit A, Section 3, Paragraph B, Table #1

Item #1 Restaurants	33 GPD	1 Customer seat
Item #2 Cocktail lounge	7 GPD	1 Customer seat
Item #5 Self-service laundry	280 GPD	1 Washing machine
Item #6 Bath house	25 GPD	1 Water fixture

Sewer Capital Recovery Fee Amendment:

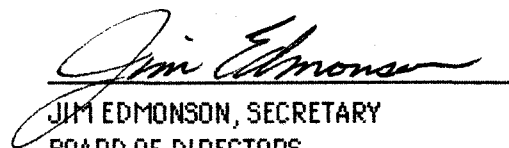
Exhibit A, Section 3, Paragraph B, Table #1

Item #1	Restaurants	33 GPD	1 Customer seat
Item #2	Cocktail lounge	7 GPD	1 Customer seat
Item #5	Self-service laundry	280 GPD	1 Washing machine
Item #6	Bath house	25 GPD	1 Water fixture

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 INSTALLATION OF MEASURING DEVICES AND ESTABLISHING A CAPITAL RECOVERY FEE FOR INITIAL WATER SERVICE AND TAPPING THE SANITARY SEWER SYSTEM 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.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE 5TH DAY OF SEPTEMBER, 1985.

  
JIM EDMONSON, SECRETARY  
BOARD OF DIRECTORS  
NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

(SEAL)

September 5, 1985

## WATER EXHIBIT

### HISTORICAL FLOW DATA AND 1985 CAPITAL RECOVERY COST

<u>CATEGORY OF USE</u>	<u>FLOW/UNIT</u>		<u>UNIT</u>	<u>COST/UNIT</u> <u>@ CRF \$.749</u>	
		<b>PROPOSED ADJUSTMENTS</b>			<b>PROPOSED ADJUSTMENTS</b>
1. Restaurants	100. GPD	<b>33 GPD</b>	1 Customer seat	74.90	<b>24.70</b>
2. Cocktail lounge	20. GPD	<b>7 GPD</b>	1 Customer seat	11.22	<b>5.24</b>
3. Stores - shops	50. GPD		1 Water fixture	37.45	
4. Convenience store with service station	1200. GPD		1 Store	898.80	
5. Self-service laundry	500. GPD	<b>280 GPD</b>	1 Washing machine	374.50	<b>209.72</b>
6. Bath house	100. GPD	<b>25 GPD</b>	1 Water Fixture	74.90	<b>18.72</b>
Hospital	200. GPD		1 Bed	149.80	
8. Warehouse	50. GPD		1 Water fixture	37.45	
9. Service station	900. GPD		1 Station	674.10	
10. Schools	20. GPD		1 Student	11.22	
11. Office buildings	20. GPD		150 Square feet	11.22	
12. Car wash	1000. GPD		1 Stall	749.00	
13. Movie theater	10. GPD		1 Seat	7.49	
14. Recreational vehicle park	100. GPD		1 Space	74.90	

## SEWER EXHIBIT

### HISTORICAL FLOW DATA AND 1985 CAPITAL RECOVERY COST

<u>CATEGORY OF USE</u>	<u>FLOW/UNIT</u>		<u>UNIT</u>	<u>COST/UNIT</u> <u>@ CRF \$ 1.72</u>	
		<b>PROPOSED ADJUSTMENTS</b>			<b>PROPOSED ADJUSTMENTS</b>
1. Restaurants	80. GPD	<b>33 GPD</b>	1 Customer seat	137.60	<b>56.76</b>
2. Cocktail lounge	20. GPD	<b>7 GPD</b>	1 Customer seat	34.40	<b>12.04</b>
3. Stores - shops	50. GPD		1 Water fixture	86.00	
4. Convenience store with service station	1000. GPD		1 Store	1720.00	
5. Self-service laundry	500. GPD	<b>280 GPD</b>	1 Washing machine	860.00	<b>418.60</b>
6. Bath house	100. GPD	<b>25 GPD</b>	1 Water fixture	172.00	<b>43.00</b>
7. Hospital	200. GPD		1 Bed	344.00	
8. Warehouse	50. GPD		1 Water fixture	86.00	
9. Service station	900. GPD		1 Station	154.00	
10. Schools	20. GPD		1 Student	34.40	
11. Office buildings	20. GPD		150 Square feet	34.40	
12. Car wash	1000. GPD		1 Stall	17.20	
13. Movie theater	10. GPD		1 Seat	17.20	
14. Recreational vehicle park	200. GPD		1 Space	344.00	

**NUECES COUNTY WATER CONTROL  
AND IMPROVEMENT DISTRICT NO. 4  
PROPOSED AMENDED BUDGET**

	<b>CURRENT 1984/85 BUDGET</b>	<b>PROPOSED AMENDED BUDGET 1984/85</b>
<b><u>REVENUES:</u></b>		
WATER & WASTEWATER	\$1,320,777.00	\$1,585,000.00
RECONNECTS	5,000.00	7,500.00
SERVICE INSPECTIONS	20,000.00	5,000.00
TAP FEES	30,000.00	18,000.00
MISCELLANEOUS SERVICES	10,000.00	2,500.00
CITY PERMITS	10,000.00	6,500.00
INTEREST	10,000.00	19,000.00
SALE OF ASSETS AND SUPPLIES	-0-	13,600.00
<b>TOTAL REVENUES</b>	<b>1,405,777.00</b>	<b>1,657,100.00</b>
<b><u>EXPENDITURES:</u></b>		
WATER PURCHASES	400,000.00	355,000.00
PAYROLL	373,807.00	366,000.00
PROFESSIONAL FEES	87,000.00	80,000.00
PURCHASED & CONTRACT SRVS	158,078.00	46,000.00
CONSUMABLE SUPPLIES & SRVS	98,260.00	80,000.00
RECURRING OPERATIONS	174,432.00	157,000.00
CAPITAL OUTLAY	114,200.00	70,000.00
<b>TOTAL EXPENDITURES</b>	<b>1,405,777.00</b>	<b>1,154,000.00</b>
<b><u>OTHER USES:</u></b>		
TRANSFER TO CAPITAL IMPROVEMENTS FUND	-0-	477,788.00
NCR PRINCIPAL PAYMENT	-0-	6,200.00
<b>TOTAL OTHER USES</b>	<b>-0-</b>	<b>483,988.00</b>
<b>PROJECTED INCREASE IN FUND BALANCE</b>	<b>-0-</b>	<b>19,112.00</b>
<b>FUND BALANCE-OCT 1, 1984</b>	<b>230,888.00</b>	<b>230,888.00</b>
<b>PROJECTED FUND BALANCE SEPT 30, 1985</b>	<b>\$ 230,888.00</b>	<b>\$ 250,000.00</b>

**MINUTES OF**  
**SPECIAL MEETING**  
**AUGUST 16, 1985**

**STATE OF TEXAS        §**

**COUNTY OF NUECES     §**

On the 16th day of August, 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 S. 9th Street, Port Aransas, Texas, there being present and in attendance the following to wit:

President	George S. Hawn
Vice President	Ed Manning
Secretary Pro-tem	Jay Sanders
Director	Al Mora
Secretary	Jim Edmonson

Absent:        None

Staff:	District Engineer	Jim Urban
	Ass't Administrator	Nona Sherrill
	Superintendent	Rudy Vela

Visitors:	First Southwest Co.	Robert V. Henderson
	Property Owner	Mr. Lilly

The meeting was called to order at 4:00 p.m. by the presiding officer, George Hawn, pursuant to the notice posted.

**Cotter**                                The following bids for the Cotter Street Sanitary  
**Street**                                Sewer Improvement Project were received August 16, 1985 at  
**Contract:**                            8:30 a.m. at the District office;

1. Cactus Utility	\$196,957.00
2. Larson Plumbing	\$160,738.00
3. Vermillion Const.	\$124,767.30
4. Asphalt Concrete Co.	\$140,792.23
5. King Construction	\$140,687.75

After discussion, the District's engineer, Jim Urban, recommended that the low bid from Vermillion Construction be awarded. A motion was made by Jay Sanders and seconded by Ed Manning to approve the District engineer's recommendation and award the contract to Vermillion Construction. The motion passed unanimously.

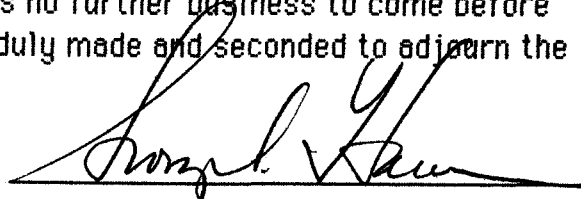
**Brown &**                                A motion was made by Jay Sanders and seconded  
**Root 1985** by Jim Edmonson to approve the 1985 Brown & Root Marine  
**Contract:**                            Contract as submitted. The motion carried unanimously.

Special Meeting  
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August 16, 1985

**Rescind**  
**Motion to**  
**Payoff**  
**Bond:** Mr. Robert Henderson, representing First Southwest Company, discussed the decision the Board of Directors made August 5, 1985, to pay off the \$120,000 Series 1971 Sewer System General Obligation Bonds. It was found that this particular bond could not be paid off. In light of this information, Jim Edmonson moved that the Board rescind the motion made August 5, 1985 to pay off the 1971 Sewer System General Obligation Bonds. Jay Sanders seconded the motion. The motion carried unanimously.

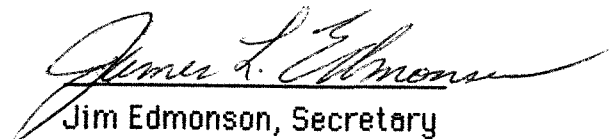
**Engineer's**  
**Report:** Jim Urban, District Engineer, reported to the Board on general information of the District. (A copy of the report is on file in the District office)

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



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

ATTEST:



Jim Edmonson, Secretary

**MINUTES OF  
REGULAR MEETING**

**AUGUST 5, 1985**

**STATE OF TEXAS        §**

**COUNTY OF NUECES     §**

On the 5th day of August, 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 S. 9th Street, Port Aransas, Texas, there being present and in attendance the following to wit:

President	George S. Hawn
Vice President	Ed Manning
Secretary Pro-tem	Jay Sanders
Director	Al Mora
Secretary	Jim Edmonson

Absent:        None

Staff:	District Engineers	Jim Urban Eugene C. Urban, Sr.
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Ass't Administrator	Nona Sherrill
Attorney	C. Edwin Prichard, Jr.
Bookkeeper	Mary Moss
Consultant	Don Roy Farley

Visitors:	Island News	Raymond Cushing
	South Jetty News	Mary Judson
	Realtor	Mark Grosse

The meeting was called to order at 10:00 a.m. by the presiding officer, George Hawn, pursuant to the notice posted.

**Surplus  
Land  
Sale:**

There was one bid received July 26, 1985 at 10:00 a.m. for the Surplus Property as advertised. After discussion, a motion was made by Jim Edmonson and seconded by Al Mora to accept the bid from James O. Wiggins, Jr. and R. Mark Grosse with a cashier's check in the amount of \$11,555.00. Mr. Manning abstaining from the vote, the motion carried ;

Ayes: \_\_\_\_\_4\_\_\_\_\_

Nays: \_\_\_\_\_0\_\_\_\_\_

**Cotter  
Street  
Project:**

The Cotter Street Sewer Line Project Bid was postponed by publication until August 16, 1985 at 10:00 a.m. at the District office with a meeting scheduled to follow at 4:00 p.m. to award the bid.

**Magcobar**                      The Magcobar Renewal, Extension and Modification  
**Renewal:**                      Contract was received by the District to be effective April 18, 1985 through August 31, 1985. The renewal of the Magcobar Contract was also received effective September 1, 1985 to August 31, 1986. A motion was made by Jay Sanders and seconded by Jim Edmonson to approve both contracts as submitted. The motion carried unanimously.

**Grasso**                              The Grasso Oilfield Services, Inc., now Harbor  
**Renewal:**                      Island Terminal, Inc. Contract was received by the District for extension, effective dates of September 1, 1985 to August 31, 1986. A motion was made by Jay Sanders and seconded by Jim Edmonson to approve the contract as submitted. The motion carried unanimously.

**Brown &**                              After discussion concerning the Brown & Root, Inc.  
**Root, Inc.:**                      Contract, the Board instructed the District's attorney to draft a letter to Brown & Root, Inc., regarding default and right to terminate contract.

**La Concha:**                      Eugene C. Urban, Sr., District Engineer, presented a review to the Board on the La Concha water and sewer requirements. No action.

**1985 Tax:**                              After staff's presentation of the 1985 tax rate study, a motion was made by Jay Sanders to pass a Resolution and Order setting the 1985 tax rate to be \$0.075 per \$100.00 valuation. The motion was seconded by Ed Manning. The motion carried unanimously. (A copy of the Resolution and Order is attached and becomes a permanent part of these minutes)

Mr. Sanders also moved that \$120,000 Series 1971 Sewer System General Obligation Bonds be paid as recommended by Robert Henderson, Ass't Vice President with First Southwest Company. The motion was seconded by Ed Manning. The motion carried unanimously.

**Coastal**                              Jim Urban read a Resolution that the Department of  
**Barrier**                              the Interior and the United States Congress are encouraged and  
**Resources**                              urged to retain the "developed" designation for all of Mustang  
**Act:**                                      Island as was declared under the Coastal Barrier Resources Act in 1982 and delete from consideration the 1985 proposed revisions of such designation for Mustang Island. A motion was made by Jay Sanders and seconded by Ed Manning to pass the Resolution. The motion passed unanimously. (A copy of the Resolution is attached and becomes a permanent part of these minutes)

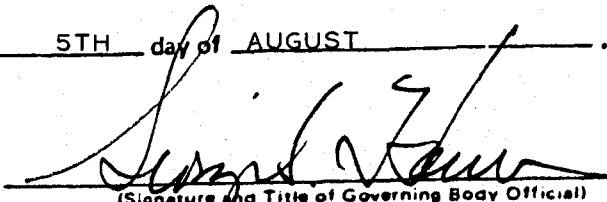
RESOLUTION

WHEREAS, the NUECES COUNTY WATER CONTROL & ID#4 deems it necessary and proper  
(Legal Name of Applicant)  
to apply for Federal grant assistance under the Federal Water Pollution Control Act and rules and regulations  
pursuant thereto.

NOW, THEREFORE, BE IT RESOLVED by the above-named Applicant that

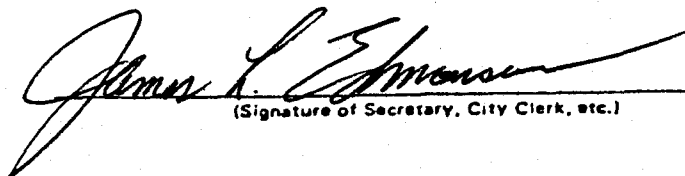
JIM URBAN, DISTRICT ENGINEER, as the Signatory Agent of the Applicant,  
(Name and Title of Signatory Agent)  
or the successor of said Agent, is hereby authorized and directed to make application for grant assistance  
under the Federal Water Pollution Control Act and the rules and regulations pursuant thereto, specifically  
40 CFR 30.315-1 (1980); and to sign the acceptance of the grant assistance, when made, and any other  
documents required to complete the project, on behalf of the above-named Applicant.

PASSED, APPROVED, AND ADOPTED this 5TH day of AUGUST, 1985.

  
(Signature and Title of Governing Body Official)

(SEAL)

ATTEST:

  
(Signature of Secretary, City Clerk, etc.)

**Wellpoint System:** After discussion regarding the need of a new wellpoint system by Rudy Vela, Superintendent, the Board instructed the staff to negotiate for price.

**MINUTES:** A motion was made by Ed Manning and seconded by Jay Sanders to waive the reading of the minutes of June 18, 1985 and approve the same. The motion passed unanimously.

**Consultant** After discussion for consultant services to the District, a motion was made by Jay Sanders and seconded by Jim Edmonson to approve a attorney employment contract with James H. Atwill to be retained as attorney for the District as needed. The motion carried unanimously.

Don Roy Farley, consultant for the District, requested an indication from the District as to his time requirements. After discussion, it was determined that there would be a minimum of two days a week of consultant time available through the end of the year. As of the first of the year, consultant time would be called on **as needed** basis.

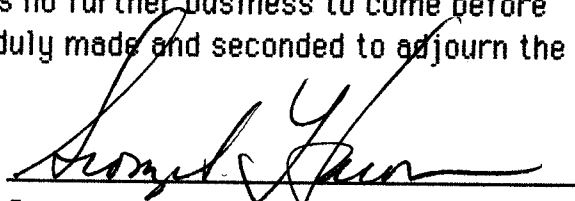
**Sewer System Capacity Expansion:** Jim Urban, District Engineer, reported to the Board on the necessary sewer system capacity expansion. No action.

**EPA Grant:** After discussion, a motion was made by Ed Manning to authorize Jim Urban's signature for the EPA Grant 40 CRF 30.315-1 (1980). The motion was seconded by Jay Sanders. The motion carried unanimously.


**Financial Report:** A motion was made by Jay Sanders and seconded by Ed Manning to approve the May and June financial statement. The motion carried unanimously. (A copy of the statements is on file in the District office).

**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

STATE OF TEXAS §

COUNTY OF NUECES §

RESOLUTION

WHEREAS, the Nueces County Water Control and Improvement District No. 4 (the "District") is a political subdivision of the State of Texas and provides water and sewer service for Mustang Island; and

WHEREAS, all of Mustang Island was declared "developed" under the Coastal Barrier Resources Act in 1982; and

WHEREAS, the 1985 recommended boundaries for "undeveloped" coastal barrier lands includes a large portion of Mustang Island which is within the area now served and to be served by the District; and

WHEREAS, there has not been an appreciable change in development or habitat in the area in question since the original designations; and

WHEREAS, the District has made significant financial investments and commitments for water and sewer mains and treatment plants required for the development of state-owned and private lands in said area which are being completed at this time; and

WHEREAS, to designate said land "undeveloped" would severely restrict the revenues of the District required for the amortization of the costs of said facilities; and

WHEREAS, all development of said land will comply with all applicable building codes, zoning and elevation requirements as set by FEMA:

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Nueces County Water Control and Improvement District No. 4 that the Department of the Interior and the United States Congress are encouraged and urged to retain the "developed" designation for all of Mustang Island as was declared under the Coastal Barrier Resources Act in 1982 and delete from consideration the 1985 proposed revisions of such designation for Mustang Island.

RESOLVED this 5<sup>th</sup> day of August, 1985.

NUECES COUNTY WATER CONTROL AND  
IMPROVEMENT DISTRICT NO. 4

By: James L. Edwards

President

ATTEST:

James L. Edwards  
Secretary

APPROVED AS TO FORM:

C. Edwin Prichard, Jr.  
C. Edwin Prichard, Jr.  
Attorney for District

**RESOLUTION AND ORDER SETTING NEW TAX RATE FOR YEAR  
1985 FOR THE NUECES COUNTY WATER CONTROL AND  
IMPROVEMENT DISTRICT NO. 4**

---

ON THE 5TH DAY OF AUGUST, 1985, THE BOARD OF DIRECTORS FOR THE NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4, CONVENED IN A REGULAR SESSION BEING OPEN TO THE PUBLIC AT THE REGULAR MEETING PLACE THEREOF IN SAID DISTRICT, WITH THE FOLLOWING MEMBERS OF THE BOARD PRESENT:

GEORGE S. HAWN	PRESIDENT
ED MANNING	VICE PRESIDENT
JIM EDMONSON	SECRETARY
JAY SANDERS	SECRETARY PRO-TEM
AL MORA	DIRECTOR

AND THE FOLLOWING ABSENT: NONE

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 1985.

MINUTES OF AUGUST 5TH, 1985, REFLECT THE TAX RATE FOR THE YEAR 1985.

THEREFORE, THE BOARD OF DIRECTORS ORGANIZED A RESOLUTION TO LEGALLY ESTABLISH THE NEW TAX RATE FOR 1985.

THE RESOLUTION AND ORDER WAS READ IN FULL AND, AFTER FULL DISCUSSION THEREOF, JAY SANDERS, MADE A MOTION THAT IT BE ADOPTED. 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 ORDER IS AS FOLLOWS:

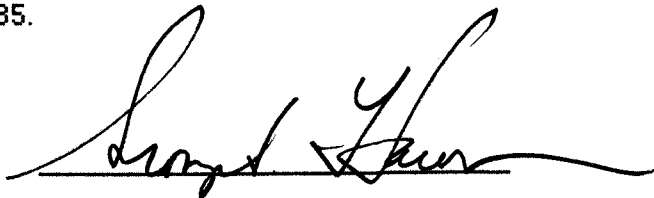
WHEREAS, NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4 SET TAX RATE FOR 1985 AT \_\_\_\_\_\$0.075\_\_\_\_\_ PER EACH ONE HUNDRED DOLLARS ASSESSED VALUATION.

**AN ORDER LEYYING 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:**

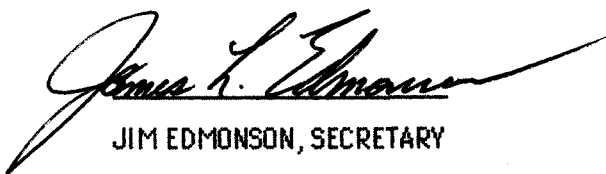
THERE IS HEREBY LEVIED ON EACH ONE HUNDRED DOLLARS OF  
THE ASSESSED VALUE OF ALL PROPERTY, BOTH REAL AND PERSONAL,  
WITHIN THE BOUNDARIES OF THE NUECES COUNTY WATER CONTROL AND  
IMPROVEMENT DISTRICT NO. 4, EXCEPT SUCH PROPERTY AS MAY BE BY  
LAW EXEMPT FROM TAXATION, A TAX RATE OF .075 PER EACH  
ONE HUNDRED DOLLARS ASSESSED VALUATION FOR THE PURPOSE OF  
MEETING THE REQUIREMENTS OF SAID DISTRICT FOR THE FISCAL YEAR  
ENDING 1985.

PASSED AND APPROVED BY THE BOARD OF DIRECTORS OF THE  
NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4 ON  
THE 5TH DAY OF AUGUST, 1985.



GEORGE S. HAWYN, PRESIDENT  
BOARD OF DIRECTORS

ATTEST:



JIM EDMONSON, SECRETARY

MINUTES OF  
SPECIAL MEETING  
JUNE 18, 1985

STATE OF TEXAS \*

COUNTY OF NUECES \*

On the 18th day of June, 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 S. 9th Street, Port Aransas, Texas, there being present and in attendance the following to wit:

	President	George S. Hawn
	Vice President	Ed Manning
	Secretary Pro-tem	Jay Sanders
	Director	Al Mora
Absent:	Secretary	Jim Edmonson
Staff:	District Engineer	Jim Urban
	Ass't Administrator	Nona Sherrill
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 Al Mora to waive the reading of the minutes of May 6, 1985 and approve the same. The motion passed unanimously.

AUDIT LETTER: A motion was made by Ed Manning and seconded by Jay Sanders to approve the 1985 audit engagement letter from Kosarek & Davenport, Certified Public Accountants. The motion passed unanimously.

ELEVATED & GROUND STORAGE TANK R&M: A motion was made by Al Mora and seconded by Ed Manning to accept the low bid of \$26,000.00 from Lupton Painting Co. for the repair & maintenance of the elevated tower in Port Aransas and the Beasley Street ground storage tank in Aransas Pass. The motion carried unanimously.

SURPLUS SALE: A motion was made by Jay Sanders and seconded by Ed Manning to accept the high bid of \$1,100.00 from Jerry Allen for the 1969 International Backhoe. The motion carried unanimously.

COTTER STREET SEWER IMPVTS: After discussion, a motion was made by Ed Manning and seconded by Al Mora to authorize the staff to proceed with legal publication on the Cotter Street Sewer Improvements. The motion passed unanimously.

C R F                      After discussion on the Capital Recovery Fee on  
AMENDMENT: recreational vehicle park, a motion was made by Ed Manning  
and seconded by Jay Sanders to amend:

Water Capital Recovery Fee:  
Exhibit A, Section 3, Paragraph B, Table #1, Item #14:  
Recreational vehicle park      100 GPD      1 Space

Sewer Capital Recovery Fee:  
Exhibit A, Section 3, Paragraph B, Table #1, Item #14:  
Recreational vehicle park      200 GPD      1 Space

The motion passed unanimously.

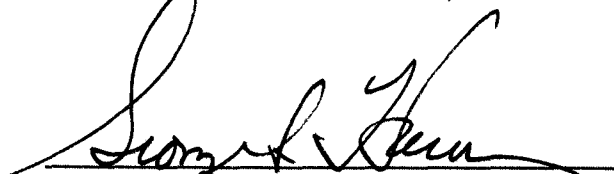
NEW SEWER                      Following a discussion on new sewer improve-  
IMPROVE-                      ments within the district, a motion was made by Al Mora and  
MENTS                      seconded by Jay Sanders that any individual within the district  
WITHIN THE                      being served with water but in an area that sewer has not  
DISTRICT:                      previously been available, shall be required to connect into the  
sewer system when it is extended to within 100 feet of their  
property line. The tie-in will be accomplished within 90 days  
of notice by the district and the cost for the tap will be born  
by the owner. However, a Capital Recovery Fee will not be  
charged if the tap is made within the 90 day period. The motion  
carried unanimously.

No action on Brown & Root, Inc.

No action on amendment to budget.


APRIL                      A motion was made by Jay Sanders and seconded by  
FINANCIAL                      Ed Manning to approve the April financial statement. The  
REPORT:                      motion carried unanimously. (A copy of the statement is on file  
in the district office).

ENGINEER'S                      Jim Urban, district engineer, reported to the Board  
REPORT:                      on general information of the district.  
(A copy of the report is on file in the district office)



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

ATTEST:



Jim Edmonson, Secretary

MINUTES OF  
REGULAR MEETING

MAY 6, 1985

STATE OF TEXAS                   ↓

COUNTY OF NUECES               ↓

ON THE 6TH DAY OF MAY, 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 S. 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 S. HAWN
SECRETARY	JIM EDMONSON

STAFF:

DISTRICT ENGINEER	JIM URBAN
ASS'T ADMINISTRATOR	NONA E. SHERRILL
BOOKKEEPER	MARY MOSS

THE MEETING WAS CALLED TO ORDER AT 10:00 A.M. BY  
THE PRESIDING OFFICER, ED MANNING, VICE PRESIDENT, 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 APRIL 12 AND  
17, 1985 AND APPROVE THE SAME. THE MOTION PASSED UNANIMOUSLY.

AS THERE WAS NO FURTHER BUSINESS TO COME BEFORE THE  
BOARD, A MOTION WAS DULY MADE AND SECONDED TO ADJOURN THE  
MEETING. THE MOTION PASSED UNANIMOUSLY.

NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

  
ED MANNING, VICE PRESIDENT

ATTEST:

  
JAY SANDERS, SECRETARY PRO-TEM

MINUTES OF  
SPECIAL MEETING

APRIL 17, 1985

STATE OF TEXAS

COUNTY OF NUECES

ON THE 17TH DAY OF APRIL, 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 S. 9TH STREET, PORT ARANSAS,  
TEXAS, THERE BEING PRESENT AND IN ATTENDANCE THE FOLLOWING  
TO WIT:

PRESIDENT  
VICE PRESIDENT  
SECRETARY  
SECRETARY PRO-TEM  
DIRECTOR

ED MANNING  
JAY SANDERS  
JIM EDMONSON  
GEORGE S. HAWN  
AL MORA

STAFF:

DISTRICT ENGINEER  
ASS'T ADMINISTRATOR  
BOOKKEEPER  
ATTORNEY

JIM URBAN  
NONA E. SHERRILL  
MARY MOSS  
C. EDWIN PRICHARD

VISITORS:

ISLAND NEWS  
DRESSER/MAGCOBAR  
REPRESENTATIVES

RAYMOND CUSHING  
ORVILLE WELCH  
MARVIN PADGETT

BROWN & ROOT, INC.  
REPRESENTATIVE

BOWEN SHAW

GRASSO SERVICES  
REPRESENTATIVE

JOE MOSELEY

THE MEETING WAS CALLED TO ORDER AT 4:00 P.M. BY  
THE PRESIDING OFFICER, ED MANNING, PRESIDENT, PURSUANT  
TO THE NOTICE POSTED.

OATH OF  
OFFICE:

THE OATH OF OFFICE WAS ADMINISTERED TO GEORGE S.  
HAWN AND JAY SANDERS BY NONA E. SHERRILL, NOTARY FOR THE  
DISTRICT.

REORGANIZATION  
OF BOARD:

MR. MANNING, PRESIDENT OF THE BOARD, OPENED NOMINATIONS  
TO REORGANIZE THE BOARD OF DIRECTORS. MR. MANNING EXPRESSED  
HIS DESIRE TO RESIGN AS PRESIDENT OF THE BOARD AND NOMINATED

SPECIAL MEETING  
PAGE 2  
APRIL 17, 1985

GEORGE HAWN AS PRESIDENT. THERE BEING NO OTHER NOMINATIONS, ED MANNING DECLARED GEORGE HAWN ELECTED AS PRESIDENT OF THE BOARD OF DIRECTORS BY ACCLAMATION.

MR. HAWN THEN TOOK HIS PLACE AS PRESIDENT OF THE BOARD OF DIRECTORS AND CALLED FOR NOMINATIONS FOR THE VICE PRESIDENT. MR. HAWN NOMINATED ED MANNING FOR THE OFFICE OF VICE PRESIDENT. THERE BEING NO OTHER NOMINATIONS, MR. HAWN DECLARED MR. MANNING ELECTED AS VICE PRESIDENT OF THE BOARD OF DIRECTORS BY ACCLAMATION.

MR. HAWN CALLED FOR NOMINATIONS FOR SECRETARY PRO-TEM. MR. HAWN NOMINATED JAY SANDERS FOR THE OFFICE OF SECRETARY PRO-TEM. THERE BEING NO OTHER NOMINATIONS, MR. HAWN DECLARED MR. SANDERS ELECTED AS SECRETARY PRO-TEM BY ACCLAMATION.

MINUTES:

A MOTION WAS MADE BY ED MANNING AND SECONDED BY JAY SANDERS TO WAIVE THE READING OF THE MINUTES OF FEBRUARY 4TH, 1985 AND APPROVE THE SAME. THE MOTION CARRIED UNANIMOUSLY.

DRESSER/  
MAGCOBAR  
& BROWN &  
ROOT, INC.:

AFTER MUCH DISCUSSION ON THE REQUEST FROM DRESSER/MAGCOBAR AND BROWN & ROOT, INC. TO REDUCE MONTHLY TAKE, THE BOARD INSTRUCTED THE STAFF TO PROCEED WITH RENEGOTIATIONS OF THE DRESSER/MAGCOBAR AND BROWN & ROOT, INC. CONTRACTS.

GROSSO OIL  
FIELD SERVICES  
CONTRACT:

MR. JOE MOSELEY, REPRESENTATIVE OF GRASSO SERVICES REQUESTED THAT THE INITIATION OF SERVICE AND PAYMENT BE DEFERRED UNTIL SEPTEMBER 1, 1985. AFTER DISCUSSION, A MOTION WAS MADE BY JIM EDMONSON AND SECONDED BY JAY SANDERS THAT THE CONTRACT BE AMENDED TO READ SEPTEMBER 1, 1985.

R & M ON  
WATER STORAGE  
TANKS:

AFTER DISCUSSION ON MAINTENANCE AND REPAIR OF THE ELEVATED WATER TOWER, 315 S. 9TH STREET AND THE GROUND STORAGE TANK AT BEASLEY STREET IN ARANSAS PASS, A MOTION WAS MADE BY JAY SANDERS AND SECONDED BY ED MANNING TO PROCEED WITH BIDS ON TANK MAINTENANCE. THE MOTION CARRIED UNANIMOUSLY.

DISTRICT  
POLICIES:

A MOTION WAS MADE BY JIM EDMONSON AND SECONDED BY ED MANNING TO APPROVE THE STAFF'S RECOMMENDATIONS ON DISTRICT'S OFFICE POLICIES AS FOLLOWS;

1. RETURNED CHECKS: A \$10.00 SERVICE CHARGE WILL BE ASSESSED TO ANY ACCOUNT WHEN A CHECK FOR PAYMENT ON THE SUBJECT ACCOUNT IS RETURNED.

2. DELINQUENT SERVICE CHARGE:

A \$15.00 SERVICE CHARGE WILL BE ASSESSED TO ALL ACCOUNTS WHICH FAIL TO MAKE PAYMENT ON OR BEFORE 5:00 P.M. ON THE AUTOMATIC SHUT OFF DATE WHICH IS PRINTED ON THE FINAL NOTICE.

3. VACATION LEAVE:

VACATION LEAVE CREDIT MAY NOT BE ALLOWED TO ACCUMULATE TO MORE THAN ONE AND ONE-HALF (1 & 1/2) TIMES THE EMPLOYEE'S CURRENT LEAVE PERIOD AND SUCH LEAVE MAY BE GRANTED IN PERIODS OF NOT LESS THAN ONE (1) DAY NOR MORE THAN FIFTEEN (15) DAYS.

THE MOTION CARRIED UNANIMOUSLY.

BLUE CROSS  
INCREASE:

A MOTION WAS MADE BY JAY SANDERS AND SECONDED BY ED MANNING TO APPROVE THE 1985 INCREASE IN BLUE CROSS & BLUE SHIELD EMPLOYEE INSURANCE FROM \$79.40 TO \$79.97 FOR EACH EMPLOYEE. THE MOTION CARRIED UNANIMOUSLY.

FINANCIAL  
REPORT:

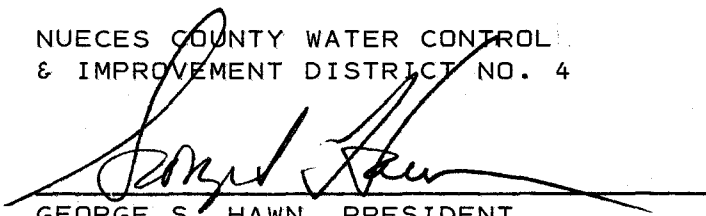
A MOTION WAS MADE BY JAY SANDERS AND SECONDED BY ED MANNING TO APPROVE THE JANUARY, FEBRUARY AND MARCH FINANCIAL REPORTS. THE MOTION CARRIED UNANIMOUSLY. ( A COPY OF THE REPORTS IS ON FILE IN THE DISTRICT OFFICE)

ENGINEER'S  
REPORT:

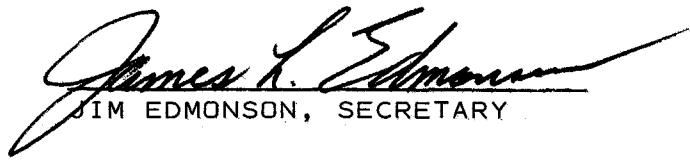
JIM URBAN, DISTRICT ENGINEER, GAVE HIS REPORT. ( A COPY OF THE REPORT IS ON FILE IN THE DISTRICT OFFICE)

THERE BEING NO FURTHER BUSINESS, A MOTION WAS MADE AND SECONDED TO ADJOURN THE MEETING.

NUECES COUNTY WATER CONTROL  
& IMPROVEMENT DISTRICT NO. 4

  
GEORGE S. HAWN, PRESIDENT

ATTEST:

  
JIM EDMONSON, SECRETARY

MINUTES OF  
SPECIAL MEETING

APRIL 12, 1985

STATE OF TEXAS

§

COUNTY OF TEXAS

§

ON THE 12TH DAY OF APRIL, 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 S. 9TH STREET, PORT ARANSAS, TEXAS, THERE BEING PRESENT AND IN ATTENDANCE THE FOLLOWING TO WIT:

PRESIDENT  
SECRETARY  
DIRECTOR

ED MANNING  
JIM EDMONSON  
AL MORA

ABSENT:

VICE PRESIDENT  
SECRETARY PRO-TEM

JAY SANDERS  
GEORGE S. HAWN

STAFF:

DISTRICT ENGINEER  
ASS'T ADMINISTRATOR


JIM URBAN  
NONA E. SHERRILL

THE MEETING WAS CALLED TO ORDER AT 4:00 P.M. BY THE PRESIDING OFFICER, ED MANNING, PRESIDENT, PURSUANT TO THE NOTICE POSTED.


MR. MANNING READ THE ORDER DECLARING RESULTS OF THE 1985 DIRECTORS ELECTION. A MOTION WAS MADE BY JIM EDMONSON AND SECONDED BY AL MORA TO APPROVE THE RESULTS AS SUBMITTED. (A COPY OF THE RESULTS IS ATTACHED AND BECOMES A PERMANENT PART OF THESE MINUTES)

THE MOTION CARRIED UNANIMOUSLY.

THERE BEING NO FURTHER BUSINESS, A MOTION WAS DULY MADE AND SECONDED TO ADJOURN THE MEETING.

  
ED MANNING, PRESIDENT  
NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

ATTEST:

  
JIM EDMONSON, SECRETARY

Order Declaring Result of Directors Election

THE STATE OF TEXAS }  
COUNTY of NUECES }

On this the 12TH day of APRIL, the Board of Directors of NUECES  
County Water Control and Improvement District No. 4 convened in SPECIAL session  
open to the public, with the following members present, to-wit:

ED MANNING, President  
Vice-President  
AL MORA, DIRECTOR  
JIM EDMONSON, Secretary,

and the following absent: GEORGE S. HAWN & JAY SANDERS, constituting a quorum,  
and among other proceedings had by said Board of Directors was the following:

There came on to be considered the returns of an election held on the 6TH day of APRIL,  
1985 for the purpose of electing TWO Directors to the Board of Directors  
of said District, and it appearing that said returns were duly and legally made and that there were cast at said  
election 543 valid and legal votes; that each of the  
candidates in said election received the following votes:

NAMES OF CANDIDATES	TOTAL NUMBER OF VOTES RECEIVED
GEORGE S. HAWN	417
JAY SANDERS	410

IT IS, THEREFORE, FOUND, DECLARED AND SO ORDERED by the Board of Directors of said  
District that GEORGE S. HAWN AND JAY SANDERS

received the highest number of votes at said election and are hereby declared duly elected members of the  
Board of Directors of said District, subject to taking their oaths and qualifying as provided under the laws of  
the State of Texas.  
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, AL MORA,  
JIM EDMONSON,  
, and the following voted NO:

PASSED, APPROVED AND ADOPTED this the 12TH day of APRIL, 1985.

Ed Manning  
President, Board of Directors of  
NUECES County Water Control  
and Improvement District No. 4

ATTEST:  
James L. Edmonson  
Secretary

MINUTES OF  
REGULAR MEETING  
FEBRUARY 4, 1985

STATE OF TEXAS            ↓  
COUNTY OF TEXAS         ↓

ON THE 4TH DAY OF FEBRUARY, 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 S. 9TH STREET, PORT ARANSAS,  
TEXAS, THERE BEING PRESENT AND IN ATTENDANCE THE FOLLOWING  
TO WIT:

PRESIDENT	ED MANNING
VICE PRESIDENT	JAY SANDERS
SECRETARY PRO-TEM	GEORGE S. HAWN
DIRECTOR	AL MORA

ABSENT:

SECRETARY	JIM EDMONSON
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STAFF:

DISTRICT ENGINEER	JIM URBAN
ASS'T ADMINISTRATOR	NONA SHERRILL
BOOKKEEPER	MARY MOSS
CONSULTANT	DON ROY FARLEY

VISITORS:

ISLAND NEWS	JUDY FUHRMAN
L & L OIL COMPANY	CAPT. GUS WINTERS

THE MEETING WAS CALLED TO ORDER AT 10:00 A.M. BY THE  
PRESIDING OFFICER, ED MANNING, PRESIDENT, PURSUANT TO THE  
NOTICE POSTED.

MINUTES:

A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY  
JAY SANDERS TO WAIVE THE READING OF THE MINUTES OF JANUARY 15,  
1985 AND APPROVE THE SAME. THE MOTION CARRIED UNANIMOUSLY.

CALL  
DIRECTOR'S  
ELECTION:

A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY  
JAY SANDERS TO CALLED AN ORDER FOR DIRECTORS ELECTION, APRIL  
6TH, 1985, TO ELECT TWO (2) DIRECTORS. THE MOTION CARRIED  
UNANIMOUSLY.(ORDER IS ATTACHED AND BECOMES A PERMANENT PART OF  
THESE MINUTES).

REGULAR MEETING  
PAGE 2  
FEBRUARY 4, 1985

DECEMBER  
FINANCIAL  
REPORT:

THE DECEMBER FINANCIAL STATEMENT WAS PRESENTED TO THE BOARD. A MOTION WAS MADE BY AL MORA AND SECONDED BY JAY SANDERS TO APPROVE AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY. (A COPY OF THE FINANCIAL STATEMENT IS ON FILE IN THE DISTRICT OFFICE.)


DISTRICT  
ENGINEER'S  
REPORT:

THE DISTRICT ENGINEER DISCUSSED SEVERAL ISSUES WITH THE BOARD, ONE BEING THE REQUEST FROM L & L OIL COMPANY FOR A SANITARY SEWER APPLICATION FOR SEPTIC TANK. THIS ITEM WAS TABLED AT THE LAST MEETING. AFTER MUCH DISCUSSION, A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY AL MORA TO APPROVE THE APPLICATION FOR SEPTIC TANK. THE MOTION CARRIED UNANIMOUSLY. (A COPY OF THE REPORT IS ON FILE IN THE DISTRICT OFFICE).

RESOLUTION  
OPPOSING  
RADIO-ACTIVE  
WASTE DISPOSAL  
SITE:

A MOTION WAS MADE BY AL MORA AND SECONDED BY JAY SANDERS TO PASS A RESOLUTION OPPOSING THE LOCATION OF RADIOACTIVE WASTE DISPOSAL SITES BY THE TEXAS LOW-LEVEL RADIO-ACTIVE WASTE DISPOSAL AUTHORITY (TLL) WITHIN THE NUECES RIVER BASIN. THE MOTION PASSED UNANIMOUSLY. (THE RESOLUTION IS ATTACHED AND BECOMES A PERMANENT PART OF THESE MINUTES).

THERE BEING NO FURTHER BUSINESS, A MOTION WAS DULY MADE AND SECONDED TO ADJOURN THE MEETING.

  
ED MANNING, PRESIDENT  
NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

ATTEST;

  
JIM EDMONSON, SECRETARY

NUECES COUNTY WATER CONTROL  
AND IMPROVEMENT DISTRICT NO. 4

RESOLUTION

RESOLUTION OF THE NUECES COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 4 BOARD OF DIRECTORS OPPOSING THE LOCATION OF RADIOACTIVE WASTE DISPOSAL SITES BY THE TEXAS LOW-LEVEL RADIOACTIVE WASTE DISPOSAL AUTHORITY (TLL) WITHIN THE NUECES RIVER BASIN.

WHEREAS, THE NUECES COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 4 IS A CONTROL AND IMPROVEMENT DISTRICT ESTABLISHED BY THE TEXAS LEGISLATURE, AND

WHEREAS, THE DISTRICT IS OBLIGATED TO SUPPLY PORT ARANSAS, MUSTANG ISLAND AND HARBOR ISLAND A SUPPLY OF FRESH POTABLE WATER, AND,

WHEREAS, THE SURFACE WATER SUPPLY FOR THE REGION COMES FROM CHOKE CANYON DAM AND LAKE CORPUS CHRISTI, WHICH ARE PART OF THE NUECES RIVER BASIN, AND


WHEREAS, THE TLL HAS PROPOSED TO LOCATE A LOW-LEVEL RADIOACTIVE DUMP WITHIN THE NUECES RIVER BASIN BOUNDARIES, AND

WHEREAS, IF THE DISPOSAL AREA IS LOCATED AT EITHER OF THESE PROPOSED SITES WITHIN THE BASIN THERE IS A SERIOUS POTENTIAL FOR RADIOACTIVE CONTAMINATION OF THE PUBLIC DRINKING WATER SUPPLY, AND

WHEREAS, ALTERNATIVE SITES ARE AVAILABLE OUTSIDE THE NUECES RIVER BASIN WHICH WOULD NOT HAVE ANY POTENTIAL EFFECT UPON PUBLIC WATER SUPPLIES.

NOW, THEREFORE, BE IT RESOLVED THAT THE NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4 BOARD OF DIRECTORS OPPOSES THE LOCATION OF A LOW-LEVEL RADIOACTIVE DISPOSAL SITE WITHIN THE NUECES RIVER BASIN.

DULY ADOPTED THIS 4TH DAY OF FEBRUARY, 1985.

  
ED MANNING, PRESIDENT

ATTEST:

  
JIM EDMONSON, SECRETARY

# Order For Election Procedure In Water District Directors Election

THE STATE OF TEXAS

COUNTY OF NUECES

}

On this the 4TH day of FEBRUARY, 19 85, 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:

ED MANNING

President,

JAY SANDERS

Vice-President,

AL MORA

GEORGE S. HAWN

Secretary,

and the following absent: JIM EDMONSON, SECRETARY,

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 6, 19 85 for the purpose of electing TWO members to the Board of Directors;<sup>1</sup>

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 Director 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.

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 S. 9TH at least PT ARANSAS, TX. 20 days before the date of said election.

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

<sup>1</sup> See Sec. 51.076, 51.0731, 50.024 of Water Code and Art. 2.01b of Election Code.

I hereby 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, I am a resident of the State of Texas, and I own land subject to taxation in said District, and that I meet 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.<sup>2</sup>

My residence address is \_\_\_\_\_ My mailing address (if different) is \_\_\_\_\_

Please place my name on the official ballot as follows: \_\_\_\_\_

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_

\_\_\_\_\_  
Signature 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 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.

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: \_\_\_\_\_

\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_, and the following voted NO: \_\_\_\_\_

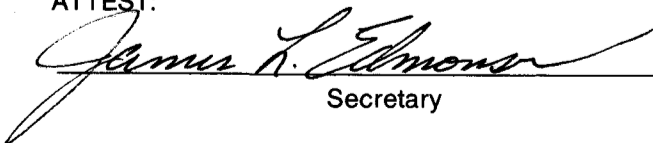
PASSED, APPROVED AND ADOPTED this the 4TH day of FEBRUARY, 19 85



President, Board of Directors of NUECES

County Water Control and Improvement District No. 4

ATTEST:

  
Secretary

<sup>2</sup> See Sec. 51.072 of Water Code and Art. 1.05 of Election Code.

Order for Directors Election

THE STATE OF TEXAS }  
COUNTY OF NUECES }  
On this the 4TH day of FEBRUARY, 19 85, 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:

- ED MANNING, President
- JAY SANDERS, Vice-President
- AL MORA
- GEORGE S. HAWN, SECRETARY PRO-TEM
- Secretary

and the following absent: JIM EDMONSON, SECRETARY, constituting a quorum, and among other proceedings had by said Board of Directors was the following:  
Whereas on the 6TH day of APRIL, 19 85, there will be elected  
2 directors for this district;

Whereas this Board by order dated the 4TH day of FEBRUARY, 19 85, 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 6TH day of APRIL, 19 85, for the purpose of electing 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 and  
ESTHER ARZOLA and DENA HODGES, Clerks.

2. For Election Precinct No. at Building, in  
Texas, within said District with as Presiding Judge and  
Clerks.

3. For Election Precinct No. at Building, in  
Texas, within said District with as Presiding Judge, 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.<sup>1</sup>

NONA SHERRILL is hereby appointed Clerk for absentee voting, and MARY MOSS & 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

JAY SANDERS, AL MORA, GEORGE S. HAWN

and the following voted NO: 0

PASSED, APPROVED AND ADOPTED this the 4TH day of FEBRUARY, 19 85.

Ed Manning  
President, Board of Directors of

NUECES County Water Control

ATTEST:

James L. Edmonson  
Secretary

and Improvement District No. 4

<sup>1</sup>AFT. 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.

Los sitios de votación en cada uno de los lugares arriba designados se mantendrán abiertos el día de elección de las 7:00 a.m. a las 7:00 p.m.<sup>1</sup>

NONA SHERRILL

es nombrado Secretario para la Votación en Ausencia, y

MARY MOSS & BETTY HARGROVE

son nombrados

Secretarios Delegados para la Votación en Ausencia. La Votación en Ausencia para la elección arriba citada se TEXAS

llevará a cabo en 315 S 9TH ST, PORT ARANSAS 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

anterior a la fecha de dicha elección. Dicho lugar de votación permanecerá abierto entre las horas de 8:00 AM

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

JAY SANDERS


AL MORA

GEORGE S. HAWN

\_\_\_\_\_, y los siguientes votaron negativamente:

0

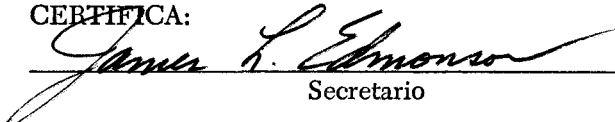
PASADA, APROBADA Y ADOPTADA este 4TH día de FEBRERO de 1985.

  
Presidente, Junta Directiva del Distrito de Control

y Mejoramiento de Aguas del Condado de NUECES

CERTIFICA:

Distrito Núm. 4

  
Secretario

<sup>1</sup>El 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.

Orden de Eleccion de Directores

EL ESTADO DE TEXAS

CONDADO DE NUECES

En este día 4TH de FEBRERO de 19 85, 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:

ED MANNING  
Presidente  
JAY SANDERS  
Vice Presidente  
AL MORA

GEORGE S. HAWN, SECRETARY PRO-TEM

Secretario

y los siguientes ausentes: JIM EDMONSON, SECRETARY, constituyendo un quórum, y entre otras actas tomadas por dicha Junta Directiva se encontró la siguiente:

En vista de que en este día 6TH de ABRIL de 19 85, serán elegidos 2 directores para este distrito;

En vista de que esta Junta por orden fechada el 4TH día de FEBRERO de 19 85, 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 6TH día de ABRIL de 19 85, 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 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 DENA HODGES y ESTHER ARZOLA 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.

MINUTES OF  
SPECIAL MEETING  
JANUARY 15, 1985

STATE OF TEXAS

COUNTY OF NUECES

ON THE 15TH DAY OF JANUARY 1985, 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 S. 9TH STREET, PORT ARANSAS,  
TEXAS, THERE BEING PRESENT AND IN ATTENDANCE THE FOLLOWING  
TO WIT:

PRESIDENT	ED MANNING
VICE PRESIDENT	JAY SANDERS
SECRETARY	JIM EDMONSON
SECRETARY PRO-TEM	GEORGE S. HAWN
DIRECTOR	AL MORA

STAFF:

DISTRICT ENGINEER	JIM URBAN
ASS'T ADMINISTRATOR	NONA SHERRILL
BOOKKEEPER	MARY MOSS
AUDITOR	GARY DAVENPORT

VISITORS:

NUECES FORD TRACTOR	CLIFF UNGER
---------------------	-------------

THE MEETING WAS CALLED TO ORDER AT 5:00 P.M. BY  
THE PRESIDING OFFICER, ED MANNING, PRESIDENT, 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 18, 1984  
AND APPROVE THE SAME. THE MOTION CARRIED UNANIMOUSLY.

1985  
FORD  
BACKHOE:

MR. URBAN PRESENTED THE JANUARY 4TH, 1985 BIDS FOR  
A BACKHOE AS FOLLOWS;

	BID	ALT. 1.
1. NUECES FORD	\$29,397.00	\$1,200.00
2. KUENSTLER MACHINERY	29,438.00	1,375.00
3. GULFSIDE	36,498.50	N/A
4. PRECO MACHINERY	31,607.00	N/A

AFTER DISCUSSION, A MOTION WAS MADE BY JAY SANDERS AND SECONDED  
BY GEORGE HAWN TO ACCEPT THE BID FROM NUECES FORD FOR \$29,397.00.  
THE MOTION CARRIED UNANIMOUSLY.

SPECIAL MEETING  
PAGE 2  
JANUARY 15, 1985

1984 AUDIT:

1984 AUDIT WAS PRESENTED BY GARY DAVENPORT, KOSAREK AND DAVENPORT, CPA'S FOR THE DISTRICT. AFTER DISCUSSION, A MOTION WAS MADE BY JIM EDMONSON AND SECONDED BY JAY SANDERS TO APPROVE THE AUDIT AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.

NEW TERM  
OF OFFICE  
FOR DIRECTOR:

AFTER DISCUSSION OF THE NEW TERMS OF OFFICE FOR BOARD WATER BOARD DIRECTORS, A MOTION WAS MADE BY JAY SANDERS AND SECONDED BY JIM EDMONSON TO PASS A RESOLUTION STATING HOUSE BILL 1858, ACTS 1983, 68TH LEGISLATURE, PAGE 5212, CHAPTER 951, EFFECTIVE JANUARY 1, 1984, WHICH AMENDED S51.073, SUPRA, PROVIDED IN S51.073 IN VERNON'S EDITION OF THE WATER CODE, AS FOLLOWS:

DIRECTORS OF DISTRICTS COVERED BY THIS ACT WHO ARE ELECTED IN 1984 SHALL SERVE FOUR-YEAR TERMS.  
DIRECTORS WHO WERE SCHEDULE TO BE ELECTED IN 1985 SHALL BE ELECTED IN 1985 TO SERVE A ONE-YEAR TERM.  
DIRECTORS WHO ARE ELECTED IN 1986 SHALL SERVE FOR FOUR-YEAR TERMS.

THE MOTION CARRIED UNANIMOUSLY. THE RESOLUTION AND ORDER IS ATTACHED AND BECOMES A PERMANENT PART OF THESE MINUTES.

NOVEMBER  
FINANCIAL  
STATEMENT:

THE NOVEMBER FINANCIAL STATEMENT WAS PRESENTED TO THE BOARD. AFTER DISCUSSION, A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY JAY SANDERS TO APPROVE AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.

TAX SUIT  
ISLAND  
STATE  
BANK &  
ETC.:

MR. URBAN PRESENTED INTERNATIONAL BANK AND ISLAND STATE BANK PETITION SUING THE DISTRICT FOR REFUND OF TAXES. AFTER DISCUSSION, A MOTION WAS MADE BY JAY SANDERS AND SECONDED BY JIM EDMONSON TO ACCEPT THE INTERLOCAL COOPERATION AGREEMENT WITH THE CITY OF PORT ARANSAS, THE PORT ARANSAS INDEPENDENT SCHOOL DISTRICT AND THE CITY OF CORPUS CHRISTI. THE MOTION PASSED WITH A VOTE OF 4 AYES AND GEORGE HAWN ABSTAINING.

DISTRICT  
ENGINEER'S  
REPORT:

THE DISTRICT ENGINEER'S REPORT WAS GIVEN BY MR. URBAN. (A COPY OF THIS REPORT IS ON FILE IN THE DISTRICT OFFICE)


SPECIAL MEETING  
PAGE 3  
JANUARY 15, 1985

AS THERE WAS NO FURTHER BUSINESS TO COME BEFORE THE  
BOARD, A MOTION WAS DULY MADE AND SECONDED TO ADJOURN.



ED MANNING, PRESIDENT  
NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

ATTEST:

  
JIM EDMONSON, SECRETARY

RESOLUTION AND ORDER EXECUTING A CHANGE IN THE TERM OF OFFICE  
FOR THE APRIL 7, 1984 BOARD OF DIRECTORS ELECTION.

---

ON THE 15TH DAY OF JANURAY, 1985, 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:

PRESIDENT  
VICE PRESIDENT  
SECRETARY  
SECRETARY PRO-TEM  
DIRECTOR

ED MANNING  
JAY SANDERS  
JIM EDMONSON  
GEORGE HAWN  
AL MORA

AND THE FOLLOWING ABSENT:

NONE

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

THE PRESIDENT OF THE BOARD PRESENTED A RESOLUTION AND ORDER  
EXECUTING A CHANGE IN THE TERM OF OFFICE FOR THE APRIL 7, 1984  
BOARD OF DIRECTORS ELECTION.

MINUTES OF THE JANUARY 15TH, 1985 REFLECT THE CHANGE IN  
THE TERM OF OFFICE FOR THE APRIL 7, 1974 BOARD OF DIRECTORS ELECTION.

THEREFORE, PRESIDENT OF THE BOARD OF DIRECTORS PRESENTED  
A RESOLUTION THEREOF, JAY SANDERS MADE A MOTION THAT IT  
BE ADOPTED. THE MOTION WAS SECONDED BY JIM EDMONSON.  
THE MOTION, CARRING WITH IT THE ADOPTION OF THE RESOLUTION AND ORDER,  
PREVAILED BY THE FOLLOWING VOTE;

AYES 4  
NAYES 0

AND GEORGE HAWN ABSTAINING FROM THE VOTE.

THE PRESIDENT THEN DECLARED THE RESOLUTION AND ORDER FINALLY  
PASSED AND ADOPTED.

THE RESOLUTION AND ORDER AS FOLLOWS:

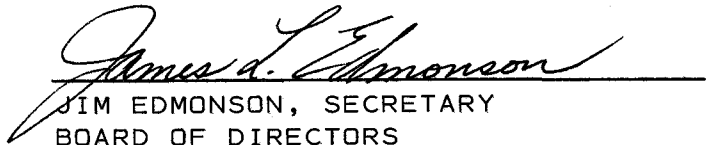
HOUSE BILL 1858, ACTS 1983, 68TH LEGISLATURE, PAGE 5212,  
CHAPTER 951, EFFECTIVE JANUARY 1, 1984, WHICH AMENDED §51.073, SUPRA,  
PROVIDED IN §51.073 IN VERNON'S EDITION OF THE WATER CODE, AS  
FOLLOWS:

DIRECTORS OF DISTRICTS COVERED BY THIS ACT WHO ARE  
ELECTED IN 1984 SHALL SERVE FOUR-YEAR TERMS.

DIRECTORS WHO WERE SCHEDULE TO BE ELECTED IN 1985  
SHALL BE ELECTED IN 1985 TO SERVE A ONE-YEAR TERM.  
DIRECTORS WHO ARE ELECTED IN 1986 SHALL SERVE FOR  
FOUR-YEAR TERMS.

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  
EXECUTE A CHANGE IN THE TERM OF OFFICE FOR THE APRIL 7, 1984  
BOARD OF DIRECTORS ELECTION 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 15TH DAY OF JANUARY,  
1985.

  
JIM EDMONSON, SECRETARY  
BOARD OF DIRECTORS  
NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

(SEAL)

begun holding director elections prior to January 1, 1984.  
§15 does not specify how many directors should be elected at  
The numbers of direc-

## OFFICE OF THE SECRETARY OF STATE



MYRA A. McDANIEL  
SECRETARY OF STATE

January 3, 1984

EXECUTIVE DIVISION  
P.O. Box 12697  
Austin, Texas 78711  
512 475-2015

Publications  
P.O. Box 13824  
512 475-7886

ELECTIONS DIVISION  
P.O. Box 12887  
512 475-3091

Disclosure Filings Section  
P.O. Box 12887  
512 475-5619

DATA SERVICES  
P.O. Box 12887  
512 475-7881

SUPPORT SERVICES  
DIVISION

Financial Management  
P.O. Box 12887  
512 475-0271

Staff Services  
P.O. Box 12887  
512 475-5995

STATUTORY FILINGS  
DIVISION

Corporations  
P.O. Box 13697  
512 475-3551

Business Opportunities  
P.O. Box 13563  
512 475-1769

Trademarks  
P.O. Box 12887  
512 475-1362

Statutory Documents  
P.O. Box 12887  
512 475-3061

Notary Public  
P.O. Box 12079  
512 475-2703

Uniform Commercial Code  
P.O. Box 13193  
512 475-3457

Mr. James H. Atwill  
Attorney at Law  
P. O. Box 8  
Port Aransas, Texas 78373

Dear Mr. Atwill:

This is in response to your letter of December 13, 1984 regarding director elections in the Nueces County Water Control and Improvement District No. 4.

As you noted in your letter, Tex. Water Code Ann. §51.073 (Vernon Supp. 1984) provides for converting the terms of directors of general law water control and improvement Districts, such as the Nueces County District No. 4, from two to four years. H.B. 1858, Acts 1983, 68th Legislature, p. 5212, Chapter 951, effective January 1, 1984, which amended §51.073, supra, provided in §15, which appears as a footnote under §51.073 in Vernon's edition of the Water Code, as follows:

Directors of districts covered by this Act who are elected in 1984 shall serve four-year terms.  
Directors who were scheduled to be elected in 1985 shall be elected in 1985 to serve a one-year term.  
Directors who are elected in 1986 shall serve for four-year terms.

§51.0731 of the Water Code provides that districts "proposing to provide or actually providing waste and sewer services to household users as the principal functions of the district," such as the Nueces County District No. 4, shall hold director elections on the first Saturday in April.

You stated in your letter that the district had held director elections on the first Saturday of April, 1984 but that "all notices, ballots and advertisements" for the election stated that the terms of the director elected at that

MINUTES OF  
SPECIAL MEETING

DECEMBER 18, 1984

STATE OF TEXAS

COUNTY OF NUECES

ON THE 18TH DAY OF DECEMBER, 1984, 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 9TH STREET, PORT ARANSAS, TEXAS, THERE BEING PRESENT AND IN ATTENDANCE THE FOLLOWING TO WIT:

PRESIDENT  
VICE PRESIDENT  
SECRETARY  
DIRECTOR

ED MANNING  
JAY SANDERS  
JIM EDMONSON  
AL MORA

ABSENT:

SECRETARY PRO-TEM

GEORGE HAWN

STAFF:

DISTRICT ENGINEER  
ASS'T ADMINISTRATOR  
BOOKKEEPER  
CONSULTANT

JIM URBAN  
NONA SHERRILL  
MARY MOSS  
DON ROY FARLEY

VISITORS:

ISLAND NEWS

JUDY FUHRMAN

THE MEETING WAS CALLED TO ORDER AT 8:30 A.M. BY THE PRESIDING OFFICER, ED MANNING, PURSUANT TO THE NOTICE POSTED.

MINUTES:

A MOTION WAS MADE BY JIM EDMONSON AND SECONDED BY JAY SANDERS TO WAIVE THE READING OF THE MINUTES OF DECEMBER 12TH, 1984 AND APPROVE THE SAME. THE MOTION CARRIED UNANIMOUSLY.

1984-85  
BUDGET:

THE PROPOSED 1984-85 BUDGET WAS PRESENTED BY THE STAFF. AFTER DISCUSSION, A MOTION WAS MADE BY JIM EDMONSON AND SECONDED BY JAY SANDERS TO APPROVE THE BUDGET AS PROPOSED. (A COPY OF THE BUDGET IS ATTACHED AND BECOMES A PERMANENT PART OF THESE MINUTES).

WATER &  
SEWER RATES  
& CONSTRUCTION  
RATES  
INCREASE:

JIM URBAN, DISTRICT ENGINEER, GAVE HIS REPORT ON THE STUDY OF WATER AND SEWER RATE INCREASES. AFTER MUCH DISCUSSION, A MOTION WAS MADE BY JAY SANDERS AND SECONDED

PAGE 2  
SPECIAL MEETING  
DECEMBER 18, 1984

BY AL MORA TO PASS THE RESOLUTION AND ORDER TO INCREASE  
WATER AND SEWER RATES, EFFECTIVE FEBRUARY 1, 1984 BILLING  
AND TO INCREASE CONSTRUCTION WATER RATES, EFFECTIVE MARCH  
1, 1984 BILLING. (THE ATTACHED RESOLUTION AND ORDER IS  
ATTACHED AND BECOMES A PERMANENT PART OF THESE MINUTES).  
THE MOTION CARRIED UNANIMOUSLY.

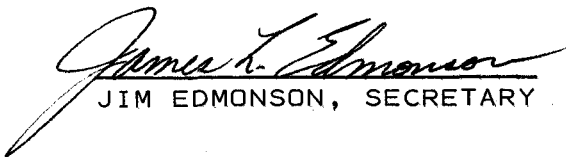
OCTOBER  
FINANCIAL  
REPORT:

A MOTION WAS MADE BY JIM EDMONSON AND SECONDED BY  
JAY SANDERS TO APPROVE THE OCTOBER FINANCIAL STATEMENT FOR  
GENERAL OPERATING FUND, TAX FUND AND CAPITAL RECOVERY FUND.  
THE MOTION CARRIED UNANIMOUSLY. ( A COPY OF THE FINANCIAL  
REPORT IS ON FILE IN THE DISTRICT OFFICE.)

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE  
BOARD, A MOTION WAS DULY MADE AND SECONDED TO ADJOURN THE  
MEETING.

  
ED MANNING, PRESIDENT  
NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

ATTEST:

  
JIM EDMONSON, SECRETARY

RESOLUTION AND ORDER EXECUTING INCREASE IN WATER AND SEWER RATES AND  
CONSTRUCTION RATES FOR THE NUECES COUNTY WATER CONTROL AND IMPROVEMENT  
DISTRICT NO. 4

---

ON THE 18TH DAY OF DECEMBER, 1984, 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:

PRESIDENT  
VICE PRESIDENT  
SECRETARY  
DIRECTOR

ED MANNING  
JAY SANDERS  
JIM EDMONSON  
AL MORA

AND THE FOLLOWING ABSENT:

SECRETARY PRO-TEM

GEORGE HAWN

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

THE PRESIDENT OF THE BOARD PRESENTED A RESOLUTION AND ORDER INCREASING WATER AND SEWER RATES AND CONSTRUCTION WATER RATE.

MINUTES OF DECEMBER 18TH, 1984 MINUTES REFLECT INCREASE IN WATER AND SEWER RATES AND CONSTRUCTION WATER RATE.

THEREFORE, PRESIDENT OF THE BOARD OF DIRECTORS PRESENTED A RESOLUTION TO LEGALLY ESTABLISH THE INCREASE IN WATER AND SEWER RATES AND CONSTRUCTION WATER RATE.

THE RESOLUTION AND ORDER WAS READ IN FULL AND, AFTER FULL DISCUSSION THEREOF, JAY SANDERS 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: 4

NAYES: 0

THE PRESIDENT THEN DECLARED THE RESOLUTION AND ORDER FINALLY PASSED AND ADOPTED.

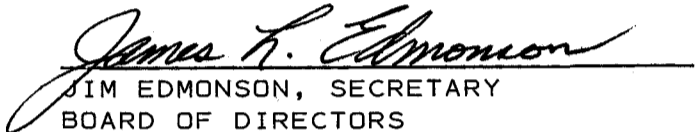
THE RESOLUTION AND ORDER AS FOLLOWS:

WATER AND SEWER RATES WERE REVISED ON DECEMBER 18TH, 1984, EFFECTIVE FEBRUARY 1985 BILLING. CONSTRUCTION WATER RATES WERE REVISED ON DECEMBER 18, 1984, EFFECTIVE MARCH, 1985 BILLING.

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 INCREASE WATER AND SEWER RATES AND CONSTRUCTION WATER RATE 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.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE 18TH DAY OF DECEMBER, 1984.

  
JIM EDMONSON, SECRETARY  
BOARD OF DIRECTORS  
NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

(SEAL)

WATER AND SEWER RATES AS AMENDED;

WATER RATE:

<u>METER SIZE</u>	<u>AMOUNT</u>	<u>METER SIZE</u>	<u>AMOUNT</u>
5/8"	\$ 9.00	2"	\$ 84.00
3/4"	9.00	3"	166.00
1"	21.00	4"	331.00
1-1/2"	42.00	6"	517.00

RATE PER 1,000 GALLONS FOR ALL OVER 3,000 GALLONS  
IS \$2.10.

SEWER RATE:

RESIDENTIAL - \$ 9.00 MINIMUM PER MONTH PLUS \$ .94  
FOR EACH ADDITIONAL 1,000 GALLONS OF  
WATER USED IN EXCESS OF 3,000 GALLONS.

OTHER - \$15.00 MINIMUM PER MONTH PLUS \$ .94  
FOR EACH ADDITIONAL 1,000 GALLONS OF  
WATER USED IN EXCESS OF 3,000 GALLONS.

CONSTRUCTION RATES: - MONTHLY MINIMUM FOR THE FIRST 3,000  
GALLONS ACCORDING TO THE SIZE OF THE  
METER PLUS \$ 3.00 FOR EACH ADDITIONAL  
1,000 GALLONS OF WATER USED IN EXCESS  
OF 3,000 GALLONS.

**NUECES COUNTY WATER CONTROL  
AND IMPROVEMENT DISTRICT NO. 4  
PROPOSED AMMENDED BUDGET  
1984-1985**

	YEAR END 1984	PROPOSED BUDGET 1984/1985
<b><u>REVENUES:</u></b>		
CUSTOMER SERVICE FEES:		
WATER & WASTE WATER	\$ 1,178,930.	\$ 1,320,777.
RECONNECTS	\$ 4,577.	\$ 5,000.
SERVICE INSPECTIONS	\$ 19,461.	\$ 20,000.
TAP FEES	\$ 35,070.	\$ 30,000.
CITY PERMITS	\$ 16,898.	\$ 10,000.
INTEREST	\$ 7,053.	\$ 10,000.
MISCELLANEOUS	\$ 8606.	\$ 10,000.
TOTAL REVENUES	\$ 1,270,595.	\$ 1,405,777.
<b><u>EXPENDITURES:</u></b>		
WATER PURCHASES	\$ 338,790.	\$ 400,000.
PAYROLL	\$ 370,587.	\$ 373,807.
PROFFESIONAL FEES	\$ 69,638.	\$ 87,000.
PURCHASED & CONTRACTED SERVICES	\$ 113,408.	\$ 158,078.
CONSUMABLE SUPPLIES AND SERVICES	\$ 89,163.	\$ 98,260.
RECURRING OPERATIONS	\$ 157,478.	\$ 174,432.
CAPITAL OUTLAY FUND	\$ 104,418.	\$ 114,200.
TOTAL EXPENDITURES	\$ 1,243,482.	\$ 1,405,777.
<b><u>PROFESSIONAL FEES:</u></b>		
ENGINEERING	\$ 25,524.	\$ 35,000.
AUDITING	\$ 21,340.	\$ 12,000.
ATTORNEY	\$ 8,819.	\$ 10,000.
OTHER CONSULTANTS	\$ 13,956.	\$ 30,000.
TOTAL PROFESSIONAL FEES	\$ 69,639.	\$ 87,000.
<b><u>CAPITAL OUTLAY FUND:</u></b>		
BACKHOE		\$ 35,000.
TRUCK		\$ 10,000.
PAVING		\$ 8,000.
WATER METER TAPS		\$ 12,000.
WASTEWATER TAPS		\$ 2,000.
EQUIPMENT & TOOLS		\$ 10,000.
COMPUTER		\$ 5,000.
FURNITURE		\$ 1,000.
NCR PRINCIPAL PAYMENT		\$ 6,200.
LONG TERM R&M FUND		\$ 25,000.
TOTAL CAPITAL OUTLAY		\$ 114,200.

MINUTES OF  
SPECIAL MEETING  
DECEMBER 12, 1984

STATE OF TEXAS           ↓  
COUNTY OF NUECES       ↓

ON THE 12TH DAY OF DECEMBER, 1984, THE BOARD  
OF DIRECTORS FOR THE NUECES COUNTY WATER CONTROL & IMPROVE-  
MENT 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	ED MANNING
VICE PRESIDENT	JAY SANDERS
SECRETARY	JIM EDMONSON

ABSENT:

SECRETARY PRO-TEM	GEORGE S. HAWN
DIRECTOR	AL MORA

STAFF:

DISTRICT ENGINEER	JIM URBAN
ASS'T ADMINISTRATOR	NONA SHERRILL
BOOKKEEPER	MARY MOSS

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 JAY SANDERS AND SECONDED  
BY JIM EDMONSON TO WAIVE THE READING OF THE MINUTES OF  
NOVEMBER 16, 1984 AND APPROVE THE SAME. THE MOTION  
CARRIED UNANIMOUSLY.

ATTORNEY  
CONTRACT:

A MOTION BY JAY SANDERS AND SECONDED BY JIM  
EDMONSON TO RENEW THE CONTRACT WITH C. EDWIN PRICHARD, JR.  
AS ATTORNEY FOR THE DISTRICT, EFFECTIVE DECEMBER 18, 1984.  
THE MOTION CARRIED UNANIMOUSLY.

WATER &  
SEWER  
RATE  
INCREASE:

AFTER MUCH DISCUSSION, A MOTION WAS MADE BY  
JAY SANDERS AND SECONDED BY JIM EDMONSON TO TABLE THE  
INCREASE IN WATER AND SEWER RATES UNTIL FURTHER STUDIES  
ARE MADE BY THE DISTRICT STAFF. THE MOTION CARRIED UNANIMOUSLY.

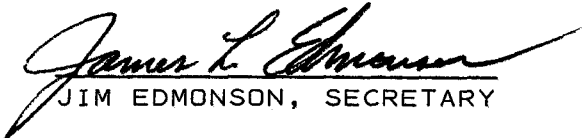
PAGE 2  
SPECIAL MEETING  
DECEMBER 12, 1984

THERE BEING NO FURTHER BUSINESS, A MOTION  
WAS DULY MADE AND SECONDED TO ADJOURN THE MEETING.



ED MANNING, PRESIDENT  
NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

ATTEST:

  
JIM EDMONSON, SECRETARY

MINUTES OF  
SPECIAL MEETING  
NOVEMBER 16, 1984

STATE OF TEXAS                    †  
COUNTY OF NUECES               †

ON THE 15TH DAY OF NOVEMBER, 1984, 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 S. 9TH STREET, PORT ARANSAS,  
TEXAS, THERE BEING PRESENT AND IN ATTENDANCE THE FOLLOWING  
TO WIT:

PRESIDENT	ED MANNING
VICE PRESIDENT	JAY SANDERS
SECRETARY	JIM EDMONSON
SECRETARY PRO-TEM	GEORGE S. HAWN

ABSENT:

DIRECTOR	AL MORA
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STAFF:

DISTRICT ENGINEER	JIM URBAN
ASS'T ADMINISTRATOR	NONA E. SHERRILL
BOOKKEEPER	MARY MOSS

VISITORS:

ISLAND NEWS	RAYMOND CUSHING
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THE MEETING WAS CALLED TO ORDER AT 5:00 P.M. BY  
THE PRESIDING OFFICER, ED MANNING, PRESIDENT, PURSUANT  
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  
5, 1984 AND APPROVE THE SAME. THE MOTION CARRIED UNANIMOUSLY.

PURCHASE OF  
NEW BACKHOE:

AFTER DISCUSSION, A MOTION WAS MADE BY JAY SANDERS  
AND SECONDED BY GEORGE HAWN TO AUTHORIZE THE DISTRICT  
ENGINEER TO PROCEED WITH LEGAL PUBLICATION FOR ADVERTISEMENT  
FOR BIDS FOR A BACKHOE. THE MOTION CARRIED UNANIMOUSLY.

SURPLUS  
DISTRICT  
LAND:

AFTER DISCUSSION, A MOTION WAS MADE BY JAY SANDERS  
AND SECONDED BY JIM EDMONSON TO PROCEED WITH LEGAL PUBLICATION  
FOR THE SALE OF SURPLUS DISTRICT LAND. THE MOTION CARRIED  
UNANIMOUSLY.

PAGE 2  
SPECIAL MEETING  
NOVEMBER 15, 1984

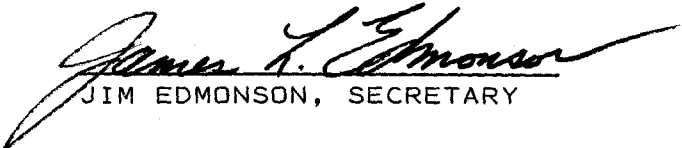
DISTRICT  
ENGINEER'S  
REPORT:

THE DISTRICT ENGINEER GAVE HIS REPORT. NO  
ACTION WAS TAKEN. ( A COPY OF THE REPORT IS ON FILE IN THE  
DISTRICT OFFICE).

THERE BEING NO FURTHER BUSINESS, A MOTION WAS  
DULY MADE AND SECONDED TO ADJOURN THE MEETING.

  
ED MANNING, PRESIDENT  
NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

ATTEST:

  
JIM EDMONSON, SECRETARY

MINUTES OF  
REGULAR MEETING  
NOVEMBER 5, 1984

STATE OF TEXAS                    ↓  
COUNTY OF NUECES               ↓

ON THE 5TH DAY OF NOVEMBER, 1984, 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 S. 9TH STREET, PORT ARANSAS,  
TEXAS, THERE BEING PRESENT AND IN ATTENDANCE THE FOLLOWING  
TO WIT:

VICE PRESIDENT	JAY SANDERS
SECRETARY	JIM EDMONSON
DIRECTOR	AL MORA

ABSENT:

PRESIDENT	ED MANNING
SECRETARY PRO-TEM	GEORGE S. HAWN

STAFF:

ASS'T ADMINISTRATOR	NONA E. SHERRILL
BOOKKEEPER	MARY MOSS
CONSULTANT	DON ROY FARLEY

VISITORS:

ISLAND NEWS	JUDY FURMAN
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THE MEETING WAS CALLED TO ORDER AT 10:00 A.M.  
BY THE PRESIDING OFFICER, JAY SANDERS, VICE PRESIDENT,  
PURSUANT TO THE NOTICE POSTED.

MINUTES:

A MOTION WAS MADE BY JIM EDMONSON AND SECONDED  
BY AL MORA TO WAIVE THE READING OF THE MINUTES OF OCTOBER  
5, 1984 AND APPROVE THE SAME. THE MOTION CARRIED UNANIMOUSLY.

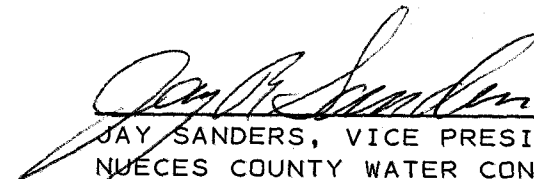
FINANCIAL  
REPORT:

A MOTION WAS MADE BY JIM EDMONSON AND SECONDED  
BY AL MORA TO APPROVE THE SEPTEMBER FINANCIAL STATEMENT  
AND TO APPROVE PAYMENT TO BATH & ASSOCIATES, INC. IN THE  
AMOUNT OF \$1840.00 FOR TELEMETRY MODIFICATIONS TO PORT  
ARANSAS WATER SYSTEM FROM THE CAPITAL RECOVERY FUND. THE  
MOTION PASSED UNANIMOUSLY. (A COPY OF THE FINANCIAL STATEMENT

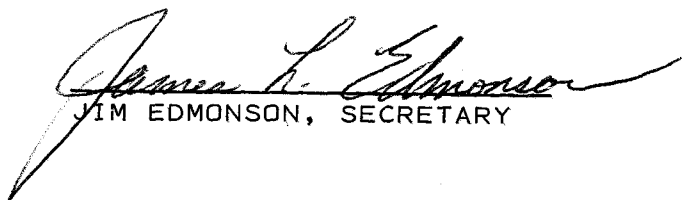
PAGE 2  
REGULAR MEETING  
NOVEMBER 5, 1984

IS ON FILE IN THE DISTRICT OFFICE.

THERE BEING NO FURTHER BUSINESS, A MOTION WAS  
DULY MADE AND SECONDED TO ADJOURN THE MEETING.

  
JAY SANDERS, VICE PRESIDENT  
NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

ATTEST:

  
JIM EDMONSON, SECRETARY

MINUTES OF  
SPECIAL MEETING  
OCTOBER 5, 1984

STATE OF TEXAS                    ↓

COUNTY OF NUECES                 ↓

ON THE 5TH DAY OF OCTOBER, 1984, 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 S. 9TH STREET, PORT ARANSAS,  
TEXAS, THERE BEING PRESENT AND IN ATTENDANCE THE FOLLOWING  
TO WIT:

VICE PRESIDENT	JAY SANDERS
SECRETARY	ED MANNING
SECRETARY PRO-TEM	GEORGE S. HAWN

ABSENT:

DIRECTOR	AL MORA
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STAFF:

DISTRICT ENGINEER	JIM URBAN
ASS'T DISTRICT ENGINEER	DON ROY FARLEY
ASS'T ADMINISTRATOR	NONA E. SHERRILL
BOOKKEEPER	MARY MOSS

VISITORS:

SOUTH JETTY NEWS	MARY JUDSON
	JIM EDMONSON

THE MEETING WAS CALLED TO ORDER AT 4:00 P.M. BY  
THE PRESIDING OFFICER, JAY SANDERS, VICE PRESIDENT, PURSUANT  
TO THE NOTICE POSTED.

APPOINT  
EDMONSON  
DIRECTOR:

A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY  
ED MANNING TO APPOINT JIM EDMONSON AS THE NEW DIRECTOR TO  
FILL THE VACANCY OF JAMES H. ATWILL. THE MOTION CARRIED  
UNANIMOUSLY.

OATH OF  
OFFICE:

THE OATH OF OFFICE WAS ADMINISTERED TO JIM EDMONSON  
BY NONA E. SHERRILL, NOTARY FOR THE DISTRICT.

REORGANIZATION  
OF BOARD OF  
DIRECTORS:

JAY SANDERS CALLED FOR NOMINATIONS FOR THE OFFICE  
OF PRESIDENT.

GEORGE HAWN NOMINATED ED MANNING FOR THE OFFICE  
OF PRESIDENT. THERE BEING NO OTHER NOMINATIONS, JAY SANDERS  
DECLARED ED MANNING ELECTED AS PRESIDENT OF THE BOARD OF  
DIRECTORS BY ACCLAMATION.

PAGE 2  
SPECIAL MEETING  
OCTOBER 5, 1984

ED MANNING THEN TOOK HIS PLACE AS PRESIDENT OF THE BOARD OF DIRECTORS AND CALLED FOR NOMINATIONS FOR THE OFFICE OF SECRETARY.

GEORGE HAWN NOMINATED JIM EDMONSON FOR THE OFFICE OF SECRETARY. THERE BEING NO OTHER NOMINATIONS, ED MANNING DECLARED JIM EDMONSON ELECTED AS SECRETARY OF THE BOARD OF DIRECTORS BY ACCLAMATION.

WATER & SEWER  
RATE INCREASE:

THE NEXT ITEM OF BUSINESS WAS CONSIDERATION OF THE WATER AND SEWER RATE INCREASE. NO ACTION WAS TAKEN.

MINUTES:

A MOTION WAS MADE BY JAY SANDERS AND SECONDED BY GEORGE HAWN TO WAIVE THE READING OF THE MINUTES OF SEPTEMBER 26, 1984 AND APPROVE THE SAME. THE MOTION CARRIED UNANIMOUSLY.


FINANCIAL  
REPORT:

NO ACTION ON THE FINANCIAL REPORT.

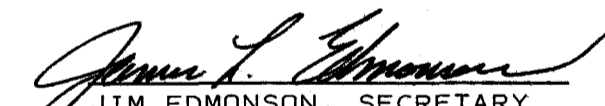
ENGINEER'S  
REPORT:

THE DISTRICT ENGINEER GAVE A REPORT. NO ACTION.  
(A COPY OF THE REPORT IS ON FILE IN THE DISTRICT OFFICE).

THERE BEING NO FURTHER BUSINESS, A MOTION WAS DULY MADE AND SECONDED TO ADJOURN THE MEETING.

  
ED MANNING, PRESIDENT  
NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

ATTEST:

  
JIM EDMONSON, SECRETARY

MINUTES OF  
SPECIAL MEETING  
SEPTEMBER 26, 1984

STATE OF TEXAS

COUNTY OF NUECES

ON THE 26TH DAY OF SEPTEMBER, 1984, 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 S. 9TH STREET, PORT ARANSAS,  
TEXAS, THERE BEING PRESENT AND IN ATTENDANCE THE FOLLOWING  
TO WIT:

VICE PRESIDENT  
SECRETARY  
SECRETARY PRO-TEM  
DIRECTOR

JAY SANDERS  
ED MANNING  
GEORGE S. HAWN  
AL MORA

ABSENT:

NONE

STAFF:

DISTRICT ENGINEER  
ASS'T DISTRICT ENGINEER  
ASS'T ADMINISTRATOR  
BOOKKEEPER

JIM URBAN  
DON ROY FARLEY  
NONA E. SHERRILL  
MARY MOSS

VISITORS:

AMERICAN BANK

AL JONES  
DAVE MCCracken

ISLAND NEWS

JUDY FURMAN

THE MEETING WAS CALLED TO ORDER AT 10:00 A.M.  
BY THE PRESIDING OFFICER, JAY SANDERS, VICE PRESIDENT, PURSUANT  
TO THE NOTICE POSTED.

1984-1986  
DEPOSITORY:

A MOTION WAS MADE BY ED MANNING AND SECONDED BY AL  
MORA TO ACCEPT THE BID FROM AMERICAN BANK FOR THE 1984-1986  
DISTRICT DEPOSITORY UPON APPROVAL FROM THE NUECES COUNTY JUDGE  
ROBERT N. BARNES. AMERICAN BANK WAS THE ONLY BANK TO PRESENT  
A BID TO THE DISTRICT. GEORGE HAWN ABSTAINING FROM THE VOTE,  
THE MOTION PASSED UNANIMOUSLY.

LETTER OF  
RESIGNATION  
ATWILL:

A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY ED  
MANNING TO ACCEPT THE RESIGNATION FROM JAMES H. ATWILL AND  
INSTRUCTED THE STAFF TO WRITE A LETTER OF APPRECIATION FROM THE  
BOARD AND STAFF TO MR. ATWILL. THE MOTION PASSED UNANIMOUSLY.

GRASSO OIL  
FIELD

CONTRACT:

A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY AL MORA TO ACCEPT THE EXECUTED GRASSO OIL FIELD CONTRACT AS SUBMITTED BY LETTER FROM JOE C. MOSLEY, P.E. UPON APPROVAL BY THE DISTRICT'S ATTORNEY. THE MOTION PASSED UNANIMOUSLY.

AMEND  
CAPITAL  
RECOVERY  
WATER &  
SEWER:

A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY ED MANNING TO APPROVE THE AMENDMENT OF THE WATER AND SEWER CAPITAL RECOVERY FEE RATE SCHEDULE AS PER ATTACHED SCHEDULE. THE MOTION PASSED UNANIMOUSLY.

CONDEMNATION  
ON STATION ST.  
WITH CITY:

AFTER DISCUSSION, A MOTION BY ED MANNING AND SECONDED BY AL MORA THAT THE WATER DISTRICT ENTER INTO A CONTRACT AGREEMENT FOR CONDEMNATION WITH THE CITY OF PORT ARANSAS ON OBTAINING A R.O.W. ON STATION STREET. THE MOTION PASSED UNANIMOUSLY.

MINUTES:

A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY ED MANNING TO APPROVE THE MINUTES OF AUGUST 24, 1984 MEETING. THE MOTION PASSED UNANIMOUSLY.

FINANCIAL  
STATEMENT  
JULY &  
AUGUST:

A MOTION WAS MADE BY AL MORA AND SECONDED BY GEORGE HAWN TO APPROVE THE JULY AND AUGUST FINANCIAL REPORT. THE MOTION PASSED UNANIMOUSLY. (A COPY OF THE STATEMENTS IS ON FILE IN THE DISTRICT OFFICE).

AMEND  
1984  
BUDGET:

A MOTION WAS MADE BY ED MANNING AND SECONDED BY AL MORA TO AMEND THE 1984 BUDGET AS ATTACHED. THE MOTION PASSED UNANIMOUSLY.

1984-85  
BUDGET:

A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY ED MANNING TO APPROVE THE 1983-84 BUDGET AS THE 1984-85 BUDGET UNTIL FURTHER STUDY IS MADE. THE MOTION PASSED UNANIMOUSLY. (COPY OF THE 1984-85 BUDGET IS ATTACHED).

1984-85  
AUDIT  
CONTRACT:

A MOTION WAS MADE BY ED MANNING AND SECONDED BY GEORGE HAWN TO APPROVE THE 1984-85 AUDIT CONTRACT FROM KOSAREK & DAVENPORT. THE MOTION PASSED UNANIMOUSLY.

WATER &  
SEWER RATE  
STUDY:

A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY ED MANNING TO DIRECT THE STAFF TO PROCEED WITH THE STUDY AND RECOMMENDATION FOR A WATER AND SEWER RATE INCREASE AND SET A MEETING FOR FRIDAY, OCTOBER 5TH, 1984 AT 4:00 P.M. THE MOTION PASSED UNANIMOUSLY.

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PAGE 3  
SPECIAL MEETING  
AUGUST 26, 1984


DISTRICT  
ENGINEER'S  
REPORT:

JIM URBAN, DISTRICT ENGINEER, GAVE HIS REPORT. THERE  
WAS NO ACTION TAKEN. (A COPY OF THE REPORT IS ON FILE IN THE  
DISTRICT OFFICE)

THERE BEING NO FURTHER BUSINESS, A MOTION WAS DULY  
MADE AND SECONDED TO ADJOURN THE MEETING.

  
JAY SANDERS, VICE PRESIDENT  
NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

ATTEST:

  
ED MANNING, SECRETARY

LIVING QUARTER WITHIN A MULTIPLE FAMILY DWELLING SHALL BE CONSIDERED AS A SEPARATE UNIT.

NO. OF UNITS X 3 PERSON/UNIT X 100 GAL/PERSON = FLOW (GPD)

B. COMMERCIAL CUSTOMER:

COMMERCIAL FLOW SHALL BE DETERMINED FROM THE HISTORICAL INFORMATION ON TABLE A AND THE EQUATION BELOW:

FLOW/UNIT X NO. OF UNITS = FLOW (GPD)

TABLE A  
HISTORICAL FLOW DATA

<u>CATEGORY OF USE</u>	<u>FLOW/UNIT</u>	
1. RESTAURANTS	80 GPD	1 CUSTOMER SEAT
2. COCKTAIL LOUNGE	20 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	500 GPD	1 WASHING MACHINE
6. BATH HOUSE	100 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
14. OTHER - TO BE DETERMINED BY DISTRICT MANAGER FROM HISTORICAL INFORMATION.		

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 DISTRICT MANAGER BASED ON THE CUSTOMERS PROJECTED USE AND ANY AVAILABLE HISTORICAL DATA.

IV. CALCULATE THE EXISTING FLOW

NOTE: IF THERE IS NO EXISTING FLOW (EXISTING FLOW = 0 GPD)

A. GOVERNING DOCUMENTS IN ORDER OF PRECEDENCE:

1. INDIVIDUAL CONTRACTS.

UNIT EQUIVALENT MAY INCLUDE ONE FAMILY, TWO FAMILY, OR MULTIPLE FAMILY DWELLINGS. A MULTI-FAMILY DWELLING MAY INCLUDE DUPLEX, TRIPLEX, CONDOMINIUM, MOTEL, APARTMENT, OR TOWNHOUSE. EACH SEPARATE LIVING QUARTER WITHIN A MULTIPLE FAMILY DWELLING SHALL BE CONSIDERED A SEPARATE UNIT.

NO. OF LIVING UNIT EQUIVALENTS X 650 GPD = FLOW (GPD)

*Water*  
B. COMMERCIAL CUSTOMER:

COMMERCIAL FLOW SHALL BE DETERMINED FROM THE HISTORICAL INFORMATION ON TABLE #1 AND THE EQUATION BELOW:

FLOW UNIT X NO. OF UNITS = FLOW (GPD) (SEE TABLE #1)

TABLE #1

<u>CATEGORY OF USE</u>	<u>FLOW/UNIT</u>	<u>UNITS</u>
1. <i>decrease</i> RESTAURANTS	100 GPD <i>for 200</i>	1 CUSTOMER SEAT
2. COCKTAIL LOUNGE	22 GPD	1 CUSTOMER SEAT
3. STORES - SHOPS	55 GPD	1 WATER FIXTURE
<i>add</i> 4. CONVENIENCE STORE WITH SERVICE STATION	1200 GPD	1 STORE
5. SELF-SERVICE LAUNDRY	550 GPD	1 WASHING MACHINE
6. BATH HOUSE	110 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
<i>add</i> 13. MOVIE THEATER	12 GPD	1 SEAT
14. OTHER - TO BE DETERMINED BY DISTRICT MANAGER FROM HISTORICAL INFORMATION.		

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 DISTRICT MANAGER BASED ON THE CUSTOMERS PROJECTED USE AND ANY AVAILABLE HISTORICAL DATA.

IV. CALCULATE THE EXISTING FLOW

NOTE: IF THERE IS NO EXISTING FLOW (EXISTING FLOW = 0 GPD)

A. GOVERNING DOCUMENTS IN ORDER OF PRECEDENCE:

1. INDIVIDUAL CONTRACTS.

NUECES COUNTY WATER CONTROL AND  
IMPROVEMENT DISTRICT NO. 4  
PROPOSED AMENDED BUDGET  
FOR THE YEAR ENDING SEPTEMBER 30, 1984

REVENUES:

CUSTOMER SERVICES FEES:

WATER	\$ 725,400
WASTEWATER	280,400
RECONNECTIONS	4,400
SERVICE INSPECTIONS	23,500
TAP FEES	30,000
BULKWATER - MAGCOBAR	138,300
BULKWATER - BROWN & ROOT	<u>119,700</u>

TOTAL SERVICE FEES	<u>1,321,700</u>
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INTERGOVERNMENTAL:

CITY PERMITS	<u>10,000</u>
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OTHER:

INTEREST	6,000
MISCELLANEOUS	<u>3,000</u>

TOTAL OTHER	<u>9,000</u>
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TOTAL REVENUES	<u>1,340,700</u>
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EXPENDITURES:

WATER PURCHASES	389,000
PAYROLL	378,000
PROFESSIONAL FEES	80,000
PURCHASED AND CONTRACTED SERVICES	127,000
CONSUMABLE SUPPLIES AND SERVICES	<del>78,000</del>
RECURRING OPERATIONS	168,400
CAPITAL OUTLAY	72,000

OTHER FINANCING USES:

REFUND OF PRIOR YEARS REVENUE	15,687
TRANSFER TO CAPITAL PROJECTS	<u>25,000</u>

TOTAL EXPENDITURES AND OTHER USES	<u>1,353,687</u>
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EXCESS OF REVENUES OVER (UNDER) EXPENDITURES AND OTHER USES	(12,987)
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FUND BALANCES - BEGINNING OF YEAR	<u>185,078</u>
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FUND BALANCES - END OF YEAR	<u>\$ 172,091</u>
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NUECES COUNTY WATER CONTROL AND  
IMPROVEMENT DISTRICT NO. 4  
BUDGET

FOR THE YEAR ENDING SEPTEMBER 30, 1985

REVENUES:

CUSTOMERS SERVICE FEES:

WATER	\$ 725,400.00
WASTEWATER	280,400.00
RECONNECTIONS	4,400.00
SERVICE INSPECTIONS	23,500.00
TAP FEES	30,000.00
BULKWATER - MAGCOBAR	138,300.00
BULKWATER - BROWN & ROOT	<u>119,700.00</u>

TOTAL SERVICE FEES 1,321,700.00

INTERGOVERNMENTAL:

CITY PERMITS	<u>10,000.00</u>
--------------	------------------

OTHER:

INTEREST	6,000.00
MISCELLANEOUS	<u>3,000.00</u>

TOTAL OTHER 9,000.00

TOTAL REVENUES 1,340,700.00

EXPENDITURES:

WATER PURCHASES	389,000.00
PAYROLL	378,000.00
PROFESSIONAL FEES	80,000.00
PURCHASED AND CONTRACTED SERVICES	127,000.00
CONSUMABLE SUPPLIES AND SERVICES	<sup>1/5</sup> 78,000.00
RECURRING OPERATIONS	188,400.00
CAPITAL OUTLAY	<u>72,000.00</u>

TOTAL EXPENDITURES AND OTHER USES 1,313,000.00

EXCESS OF REVENUES OVER (UNDER)	27,700.00
EXPENDITURES AND OTHER USES	

FUND BALANCES - BEGINNING OF YEAR 185,078.00

FUND BALANCES - END OF YEAR \$ 212,778.00

MINUTES OF  
SPECIAL MEETING

AUGUST 24, 1984

STATE OF TEXAS

§

COUNTY OF NUECES

§

ON THE 24TH DAY OF AUGUST, 1984, 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:

PRESIDENT  
VICE PRESIDENT  
SECRETARY  
SECRETARY PRO-TEM  
DIRECTOR

JAMES H. ATWILL  
JAY SANDERS  
ED MANNING  
GEORGE HAWN  
A.A. MORA

STAFF:

DISTRICT ENGINEER  
ASS'T DISTRICT ENGINEER  
ASS'T ADMINISTRATOR  
BOOKKEEPER

JIM URBAN  
DON ROY FARLEY  
NONA E. SHERRILL  
MARY MOSS

VISITORS:

ISLAND NEWS

RAYMOND CUSHING

THE MEETING WAS CALLED TO ORDER AT 10:00 A.M.  
BY THE PRESIDING OFFICER, JAMES ATWILL, PURSUANT TO THE  
NOTICE POSTED.

MINUTES:

A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY  
AL MORA TO APPROVE THE MINUTES OF AUGUST 6TH, 1984 MEETING.  
THE MOTION CARRIED UNANIMOUSLY.

AMENDING  
RULES  
OF WATER  
RATIONING:

A MOTION WAS MADE BY ED MANNING AND SECONDED BY  
JAY SANDERS TO APPROVE THE AMENDMENTS TO RULES AND REGULATIONS  
OF THE NUECES COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 4  
TO PREVENT THE WASTE AND/OR THE UNAUTHORIZED USE OF WATER.  
THE MOTION CARRIED UNANIMOUSLY.

16" WATER  
LINE  
EASEMENT:

AFTER DISCUSSION, A MOTION WAS MADE BY JAY SANDERS  
AND SECONDED BY AL MORA TO APPROVE THE RESOLUTION AND ORDER  
FOR THE ACQUISITION OF AN EASEMENT FOR THE 16" WATER LINE.

THE MOTION CARRIED UNANIMOUSLY. (A COPY OF THE RESOLUTION  
AND ORDER IS ATTACHED AND BECOMES A PERMANENT PART OF THESE  
MINUTES).

RESOLUTION AND ORDER FOR THE ACQUISITION OF AN EASEMENT FOR THE  
16" WATER LINE FOR THE NUECES COUNTY WATER CONTROL & IMPROVEMENT NO. 4

ON THE 24TH DAY OF AUGUST, 1984, THE BOARD OF DIRECTORS  
FOR THE NUECES COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 4,  
CONVENED IN A SPECIAL MEETING PLACE THEREOF IN SAID DISTRICT,  
WITH THE FOLLOWING MEMBERS OF THE BOARD PRESENT:

PRESIDENT	JAMES H. ATWILL
VICE PRESIDENT	JAY SANDERS
SECRETARY	ED MANNING
SECRETARY PRO-TEM	GEORGE S. HAWN
DIRECTOR	A.A. MORA

AND THE FOLLOWING ABSENT:

CONSTITUTING A QUORUM, AND AMONG PROCEEDINGS HAD WERE THE  
FOLLOWING,

THE PRESIDENT OF THE BOARD PRESENTED A RESOLUTION AND  
ORDER FOR THE ACQUISITION OF AN EASEMENT FOR THE 16" WATER LINE.

MINUTES OF AUGUST 24TH, 1984, REFLECT THE ACQUISITION  
OF AN EASEMENT FOR THE 16" WATER LINE.

THEREFORE, THE BOARD OF DIRECTORS ORGANIZED A RESOLUTION  
TO LEGALLY ACQUIRE EASEMENTS FOR THE 16" WATER LINE.

THE RESOLUTION AND ORDER WAS READ IN FULL AND, AFTER  
FULL DISCUSSION THEREOF, JAY SANDERS 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: -5-

NAYES: -0-

THE PRESIDENT THAN DECLARED THE RESOLUTION AND ORDER  
FINALLY PASSED AND ADOPTED.

THE REOLUTION AND ORDER IS AS FOLLOWS,

RESOLVED, THAT THE BOARD OF DIRECTORS OF THE NUECES  
COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4, IN THE  
COURSE OF ITS BUSINESS OF PROVIDING WATER AND SEWER SERVICE TO  
ITS CUSTOMERS, HAS FOUND AND DETERMINED THAT PUBLIC NECESSITY  
REQUIRES, FOR THE PURPOSE OF TRANSPORTING WATER AND/OR SEWAGE,  
THE NUECES COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 4 TO  
LAY, BUILD AND CONSTRUCT A PIPELINE SYSTEM AND THE NECESSARY

APPURTENANCES THERETO OVER, THROUGH AND ACROSS CERTAIN LANDS ON MUSTANG ISLAND, NUECES COUNTY, TEXAS, GENERALLY DESCRIBED AS SURVEY 593, LAND SCRIPT 325; SURVEY 594, LAND SCRIPT 59; SURVEY 595, LAND SCRIPT 66, SURVEY 596, LAND SCRIPT 167; AND SURVEY 599, LAND SCRIPT 150, ALL ON MUSTANG ISLAND, NUECES COUNTY, TEXAS, NORTHWEST OF AND GENERALLY PARALLEL TO NUECES COUNTY PARK ROAD NUMBER 53, AND THAT IT IS NECESSARY TO ACQUIRE A PERMANENT 10' EASEMENT PLUS A TEMPORARY 15' CONSTRUCTION EASEMENT ALONG THE ROUTE OF SAID PIPELINE SYSTEM FOR THE CONSTRUCTION, INSPECTION, OPERATION, MAINTENANCE, REPAIR AND REPLACEMENT AND REMOVAL OF THE PIPELINES AND APPURTENANCES THERETO AND FOR INGRESS AND EGRESS ACROSS SAME.

RESOLVED, FURTHER, THAT THE DISTRICT ENGINEER OF THE NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER 4. BE AUTHORIZED TO NEGOTIATE WITH EACH LANDOWNER ALONG THE ROUTE OF SAID PIPELINE FOR THE PURCHASE OF SAID EASEMENTS AND IF SAID NEGOTIATIONS ARE UNSUCCESSFUL THAT THE FIRM OF PRICHARD, PEELER, CARTWRIGHT & HALL, ATTORNEYS AT LAW, 140 GUARANTY PLAZA, CORPUS CHRISTI, TEXAS, BE EMPLOYED TO INSTITUTE PROCEEDINGS IN EMINENT DOMAIN ON BEHALF OF THE NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4 FOR THE ACQUISITION OF SAID EASEMENTS.

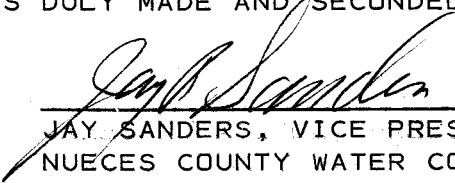
PAGE 2  
SPECIAL MEETING  
AUGUST 24, 1984

GRASSO  
OILFIELD  
SERVICES,  
INC.:

AFTER DISCUSSION A MOTION WAS MADE BY JAY SANDERS  
AND SECONDED BY ED MANNING TO APPROVE THE EXECUTION OF THE  
CONTRACT WITH GRASSO OILFIELD SERVICES, INC., SUBJECT TO  
THE SIGNATURE OF THE APPLICANT AS WELL AS THE CAPITAL RECOVERY  
FEE IS SUBMITTED. THE MOTION CARRIED UNANIMOUSLY.

JIM URBAN, THE DISTRICT ENGINEER, GAVE HIS REPORT.  
THERE WAS NO ACTION TAKEN. (A COPY OF THE REPORT IS ON FILE  
IN THE DISTRICT OFFICE).

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN  
THE MEETING.

  
\_\_\_\_\_  
JAY SANDERS, VICE PRESIDENT  
NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

ATTEST:

  
\_\_\_\_\_  
ED MANNING, SECRETARY

AN ORDER FOR THE ACQUISITION OF AN EASEMENT FOR THE  
FOR THE 16" WATER LINE WITHIN THE  
NUECES COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NUMBER 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 DIRECTED THAT THE NUECES COUNTY WATER  
CONTROL & IMPROVEMENT DISTRICT NO. 4 ACQUIRE EASEMENT FOR THE  
16" WATER LINE ALONG PARK ROAD 53 WITHIN THE BOUNDARIES OF THE  
DISTRICT.

PASSED AND APPROVED BY THE BOARD OF DIRECTORS OF THE  
NUECES COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 4 ON THE  
24TH DAY OF AUGUST, 1984.

  
JAY SANDERS, VICE PRESIDENT  
BOARD OF DIRECTORS

ATTEST:

  
ED MANNING, SECRETARY

**AMENDMENTS TO RULES AND REGULATIONS OF THE NUECES COUNTY  
WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER 4 TO PREVENT  
THE WASTE AND/OR THE UNAUTHORIZED USE OF WATER**

WHEREAS, on the 6th day of July 1984 at a Special Meeting of the Board of Directors of the Nueces County Water Control and Improvement District Number 4 (the "District"), by the authority vested in them through the Water Code of the State of Texas, and in cooperation with the City of Corpus Christi which supplies the District's water, Rules and Regulations were adopted to prevent the waste and/or the unauthorized use of water by the District's customers; and

WHEREAS, the City of Corpus Christi has since amended its ordinances dealing with the same matter and has requested the District to likewise amend its Rules and Regulations and the District is agreeable:

NOW, THEREFORE, considering the request of the City of Corpus Christi and the continuing critical shortage of water in the area, the District hereby adopts the following amendments to its Rules and Regulations to prevent the waste and/or the unauthorized use of water:

1. Paragraphs B and C of SECTION 1 are amended to read:

"SECTION 1.

"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 Engineer, 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."

2. Paragraphs 1 and 2 of SECTION 2 are amended to read:

"SECTION 2. Prohibited uses of water during water shortage periods; exceptions; presumption of violation.

- "1. 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.
- "2. 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 Engineer 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."

3. Paragraph C of SECTION 2 is amended to read:

"SECTION 2. Prohibited uses of water during water shortage periods; exceptions; presumption of violation.

"C. Condition III - Water Shortage Warning.

"On the effective date after public announcement by the District Engineer, the following restrictions shall apply to all persons. All elements of Condition II shall remain in effect in Condition III.

- "1. Prohibit new connections for service to the District water system where other supply service is available.
- "2. A mandatory limit of normal water use by customers without use penalty in amounts as determined by the District Engineer and the Allocation and Review Committee and in coordination with the City of Corpus Christi.
- "3. In connection with the enforcement of paragraph 2 hereof, the District Engineer shall establish a monthly maximum water use beyond which water service will be terminated.
- "4. A rate schedule will be adopted to establish rates and penalties for uses in excess of permitted amounts.
- "5. When watering of plants is authorized by the District Engineer, such watering shall be permitted only between the hours of 6:00 a.m. to 9:00 a.m. and between 6:00 p.m. to 9:00 p.m. on Mondays, Wednesdays, and Fridays.
- "6. The following water uses are prohibited.
  - "(a) The use of water to serve a customer in a restaurant unless requested by the customer.
  - "(b) The use of water for the expansion of commercial nursery facilities.
  - "(c) The use of water for scenic and recreational ponds and lakes.

- "(d) The use of water to put new agricultural land into production.
- "(e) The use of water for new planting or landscaping.
- "(f) The use of water for private, single-family residential swimming pools, wading pools, jacuzzi pools, hot tubs and like or similar uses.
- "(g) The use of water for municipally-owned swimming pools.
- "(h) 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.
- "(i) The use of water for hotel, motel, condominium, apartment and other multi-family, residential-user swimming pools, including commercial and business swimming pools."

4. A paragraph C shall be added to SECTION 4 which shall read:

"SECTION 4. Violations, Penalty and Enforcement.

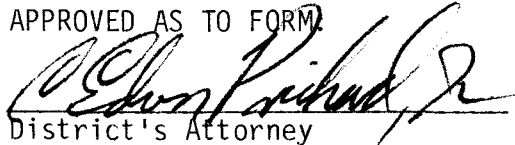
"C. A person in apparent control of the property where the violation occurs or originates shall be presumed to be the violator, and proof of facts showing apparent control by such person of the premises and proof that the violation occurred on the premises shall constitute prima facie evidence that said 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

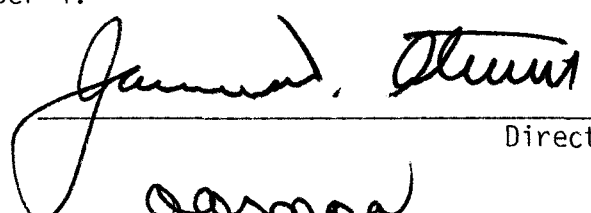
that he had previously directed the child not to use the water as it was used in the violation and that the parent could not have reasonably known of the violation."

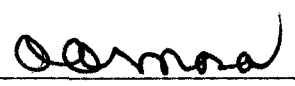
The full text of the Rules and Regulations as amended shall be kept on file in the District's main office in Port Aransas, Texas and shall be available during normal office hours to be read and examined by any interested person.

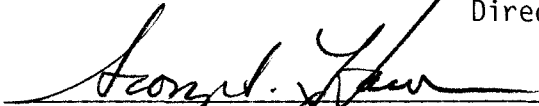
The foregoing Amendments to the Rules and Regulations to prevent the waste and/or unauthorized use of water were adopted this 24 day of August, 1984 at a Special Meeting of the Board of Directors of the Nueces County Water Control and Improvement District Number 4.

APPROVED AS TO FORM

  
District's Attorney

  
Director

  
Director

  
Director

  
Director

  
Director

MINUTES OF  
REGULAR MEETING  
AUGUST 6, 1984

STATE OF TEXAS           ↓  
COUNTY OF NUECES       ↓

ON THE 6TH DAY OF AUGUST, 1984, THE BOARD OF  
DIRECTORS FOR THE NUECES COUNTY WATER CONTROL & IMPROVE-  
MENT 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	JAY SANDERS
SECRETARY PRO-TEM	GEORGE HAWN
DIRECTOR	AL MORA

ABSENT:

PRESIDENT	JAMES H. ATWILL
SECRETARY	ED MANNING

STAFF:

DISTRICT ENGINEER	JIM URBAN
ASS'T DISTRICT ENGINEER	DON ROY FARLEY
ASS'T ADMINISTRATOR	NONA SHERRILL
BOOKKEEPER	MARY MOSS

VISITORS:

SOUTH JETTY NEWS	MARY JUDSON
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THE MEETING WAS CALLED TO ORDER AT 10:00 A.M.  
BY THE PRESIDING OFFICER, JAY SANDERS, PURSUANT TO THE  
NOTICE POSTED.

MINUTES:

A MOTION WAS MADE BY AL MORA AND SECONDED BY  
GEORGE HAWN TO APPROVE THE MINUTES OF JULY 6TH AND JULY 10TH  
1984 MEETINGS. THE MOTION CARRIED UNANIMOUSLY.

1984-86  
DEPOSITORY

AFTER DISCUSSION, A MOTION WAS MADE BY AL MORA  
AND SECONDED BY GEORGE HAWN TO AUTHORIZE THE STAFF TO PROCEED  
WITH THE PUBLICATIONS FOR THE 1984-86 DEPOSITORY. THE MOTION  
CARRIED UNANIMOUSLY.

PAGE 2  
REGULAR MEETING  
AUGUST 6, 1984

1984 TAX  
RATE:

AFTER DISCUSSION, A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY AL MORA TO SET THE 1984 TAX RATE AT THE MAXIMUM RATE OF \$ .10394 PER HUNDRED DOLLARS VALUATION. BASED ON A 100% ASSESSMENT RATE. THE MOTION CARRIED UNANIMOUSLY. (A COPY OF THE RESOLUTION AND ORDER IS ATTACHED AND BECOMES A PERMANENT PART OF THESE MINUTES).  
A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY AL MORA TO APPROVE AND EXECUTE THE RENEWAL AND EXTENSION OF THE DRESSER/MAGCOBAR CONTRACT FROM JULY 1, 1984, TO JULY 1, 1985. THE MOTION CARRIED UNANIMOUSLY.

DRESSER/  
MAGCOBAR  
RENEWAL:

NORTH  
GATE  
MALL:

AFTER DISCUSSION IN REGARDS TO THE NORTH GATE MALL DEVELOPMENT, THE BOARD AUTHORIZED JIM URBAN, DISTRICT ENGINEER TO PROCEED WITH ACQUIRING THE EASEMENT NEEDED AT THIS LOCATION. NO ACTION ON THIS ITEM WAS REQUIRED.

BROWN &  
ROOT, INC.  
RENEWAL:

A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY AL MORA TO APPROVE AND EXECUTE THE RENEWAL AND EXTENSION OF THE BROWN & ROOT, INC. CONTRACT FROM JULY 15, 1984 TO JULY 15, 1985. THE MOTION CARRIED UNANIMOUSLY.

FINANCIAL  
STATEMENT:

A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY AL MORA TO APPROVE THE FINANCIAL STATEMENTS FOR THE GENERAL OPERATING, TAX AND CAPITAL RECOVERY FUNDS AS PRESENTED BY NONA SHERRILL. THIS MOTION INCLUDES THE BOARD'S AUTHORIZATION THAT ED MANNING, REPRESENTING THE DISTRICT ON THE JOINT TAX BOARD, APPROVE THE JANUARY 1, 1984 TO DECEMBER 31, 1984 CONTRACT WITH M.A. CAGE AS ADVALOREM TAX SPECIALIST FOR THE JOINT TAX OFFICE. THE MOTION CARRIED UNANIMOUSLY.

A MOTION WAS MADE BY AL MORA AND SECONDED BY GEORGE HAWN TO ALLOW THE STAFF TO DRAW FROM THE CAPITAL RECOVERY FUND IN THE AMOUNT OF \$6,175.00 FOR WORK PERFORMED ON THE PORT STREET PUMP STATION MODIFICATIONS. THE MOTION

PAGE 3  
REGULAR MEETING  
AUGUST 6, 1984

CARRIED UNANIMOUSLY. (A COPY OF THE FINANCIAL STATEMENT  
IS ON FILE IN THE DISTRICT OFFICE).

DISTRICT  
ENGINEER'S  
REPORT:

JIM URBAN, DISTRICT ENGINEER, GAVE A REPORT  
WHICH IS ON FILE IN THE DISTRICT OFFICE.

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN  
THE MEETING.

  
JAY SANDERS, VICE PRESIDENT  
NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

ATTEST:

  
GEORGE HAWN, SECRETARY PRO-TEM

RESOLUTION AND ORDER SETTING NEW TAX RATE FOR THE YEAR 1984 FOR  
THE NUECES COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NUMBER FOUR

ON THE 6TH DAY OF AUGUST, 1984, THE BOARD OF DIRECTORS  
FOR THE NUECES COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NUMBER  
4, CONVENED IN A REGULAR MEETING PLACE THEREOF IN SAID DISTRICT,  
WITH THE FOLLOWING MEMBERS OF THE BOARD PRESENT:

JAY SANDERS	VICE PRESIDENT
GEORGE HAWN	SECRETARY PRO-TEM
AL MORA	DIRECTOR

AND THE FOLLOWING ABSENT:

JAMES H. ATWILL	PRESIDENT
ED MANNING	SECRETARY

CONSTITUTING A QUORUM, AND AMONG OTHER PROCEEDINGS HAD WERE THE  
FOLLOWING,

THE PRESIDENT OF THE BOARD PRESENTED A RESOLUTION AND  
ORDER SETTING THE NEW TAX RATE FOR THE YEAR 1984.

MINUTES OF AUGUST 6TH, 1984, REFLECT THE NEW TAX RATE  
FOR THE YEAR 1984.

THEREFORE, THE BOARD OF DIRECTORS ORGANIZED A RESOLUTION  
TO LEGALLY ESTABLISH THE NEW TAX RATE FOR 1984.

THE RESOLUTION AND ORDER WAS READ IN FULL AND, AFTER FULL  
DISCUSSION THEREOF, GEORGE HAWN, 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 PRESIDENT THAN DECLARED THE RESOLUTION AND ORDER  
FINALLY PASSED AND ADOPTED.

THE RESOLUTION AND ORDER IS AS FOLLOWS,

WHEREAS, NUECES COUNTY WATER CONTROL AND IMPROVEMENT  
DISTRICT NUMBER 4 SET TAX RATE FOR 1984 AT \$.10394  
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

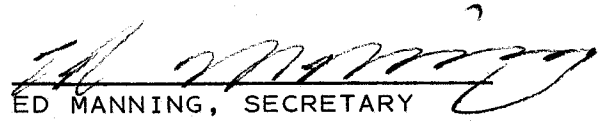
BE IT ORDERED BY THE BOARD OF DIRECTORS OF  
THE NUECES COUNTY WATER CONTROL AND IMPROVEMENT  
DISTRICT NO. 4 AS FOLLOWS:

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 \$ .10394 PER EACH  
ONE HUNDRED DOLLARS ASSESSED VALUATION FOR THE PURPOSE OF MEET-  
ING THE REQUIREMENTS OF SAID DISTRICT FOR THE FISCAL YEAR ENDING  
1984.

PASSED AND APPROVED BY THE BOARD OF DIRECTORS OF THE  
NUECES COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 4 ON THE  
6TH DAY OF AUGUST, 1984.

  
\_\_\_\_\_  
JAMES H. ATWILL, PRESIDENT  
BOARD OF DIRECTORS

ATTEST:

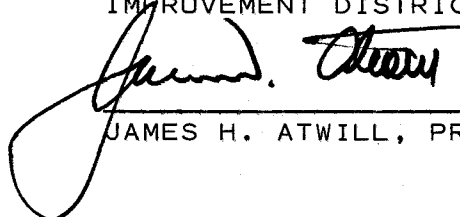
  
\_\_\_\_\_  
ED MANNING, SECRETARY

PAGE 2  
EMERGENCY MEETING  
JULY 10, 1984

JULY 6TH, 1984, ARE TO BE IMMEDIATELY IMPLEMENTED BY THE  
DISTRICT'S ENGINEER AND THAT THE DISTRICT ENGINEER'S PUBLIC  
NOTICE AND THE PUBLICATION OF SAID RULES ARE HEREBY WAIVED.  
THE MOTION CARRIED UNANIMOUSLY.

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN  
THE MEETING.

NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4



JAMES H. ATWILL, PRESIDENT

ATTEST:



ED MANNING, SECRETARY

MINUTES OF  
EMERGENCY MEETING

JULY 10, 1984

STATE OF TEXAS

COUNTY OF NUECES

ON THE 10TH DAY OF JULY, 1984, 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 9TH STREET, PORT ARANSAS,  
TEXAS, THERE BEING PRESENT AND IN ATTENDANCE THE FOLLOWING  
TO-WIT:

PRESIDENT	JAMES H. ATWILL
VICE PRESIDENT	JAY SANDERS
SECRETARY	ED MANNING

ABSENT:

SECRETARY PRO-TEM	GEORGE S. HAWN
DIRECTOR	AL MORA

STAFF:

DISTRICT ENGINEER	JIM URBAN
ASS'T DISTRICT ENGINEER	DON ROY FARLEY
ASS'T ADMINISTRATOR	NONA E. SHERRILL
CLERK	CHARLA WHITESIDE

THE MEETING WAS CALLED TO ORDER AT 5:00 P.M.  
BY THE PRESIDING OFFICER, JAMES ATWILL, PURSUANT TO THE  
NOTICE POSTED.

MANDATORY  
WATER  
RATIONING:

A MOTION BY JAY SANDERS AND SECONDED BY ED MANNING  
THAT DUE TO THE CRITICAL SHORTAGE OF WATER AND IN CONTEMPLATION  
OF THE CURTAILMENT OF THE DISTRICT'S WATER SUPPLY FROM THE  
CITY OF CORPUS CHRISTI, WHICH CURTAILMENT COULD ADVERSELY  
AFFECT THE HEALTH AND WELFARE OF ALL CUSTOMERS WITHIN THE  
DISTRICT, IT IS MOVED THAT AS AN EMERGENCY MEASURE, THE  
RULES AND REGULATIONS OF THE NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4 TO PREVENT THE WASTE AND/OR UNAUTHORIZED  
USE OF WATER PASSED BY THIS BOARD AT ITS SPECIAL MEETING OF

MINUTES OF  
SPECIAL MEETING

JULY 6, 1984

STATE OF TEXAS

COUNTY OF NUECES

ON THE 6TH DAY OF JULY, 1984, THE BOARD OF DIRECTORS  
FOR THE NUECES COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO.  
4, CONVENED IN A SPECIAL MEETING AT 9:00 A.M. AT THE DISTRICT  
OFFICE, 315 SOUTH 9TH STREET, PORT ARANSAS, TEXAS, THERE BEING  
PRESENT AND IN ATTENDANCE THE FOLLOWING TO-WIT:

PRESIDENT	JAMES H. ATWILL
VICE PRESIDENT	JAY SANDERS
SECRETARY	ED MANNING
SECRETARY PRO-TEM	GEORGE HAWN

ABSENT:

DIRECTOR	AL MORA
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STAFF:

DISTRICT ENGINEER	JIM URBAN
ASS'T DISTRICT ENGINEER	DON ROY FARLEY
ASS'T ADMINISTRATOR	NONA E. SHERRILL
BOOKKEEPER	MARY MOSS
ATTORNEY	ED PRICHARD

VISITORS:

JIM RAY & ASSOCIATES MANAGEMENT CONSULTING FIRM	JIM RAY KATHERINE RAY
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SOUTH JETTY NEWS	MARY JUDSON
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THE MEETING WAS CALLED TO ORDER AT 9:00 A.M. BY  
THE PRESIDING OFFICER, JAMES ATWILL, PURSUANT TO THE NOTICE  
POSTED.

MINUTES:

A MOTION WAS MADE BY ED MANNING AND SECONDED BY  
JAY SANDERS TO APPROVE THE MINUTES OF MAY 7TH AND JUNE 27,  
1984 MEETINGS. THE MOTION PASSED UNANIMOUSLY.

WATER  
RATIONING  
RULES &  
REGULATIONS:

AFTER DISCUSSION, A MOTION WAS MADE BY GEORGE  
HAWN AND SECONDED BY JAY SANDERS TO PASS THE RULES AND  
REGULATIONS OF THE WATER DISTRICT TO PREVENT THE WASTE AND/OR  
THE UNAUTHORIZED USE OF WATER TO BE EFFECTIVE ACCORDING TO LEGAL  
PUBLICATION. THE MOTION PASSED UNANIMOUSLY.  
(THE RULES & REGULATIONS ARE ATTACHED AND BECOME A PERMANENT  
PART OF THESE MINUTES)

PAGE 2  
SPECIAL MEETING  
JULY 6, 1984

SERVICE  
PLAN FOR

THE DISTRICT: AFTER DISCUSSION AND A PRESENTATION BY JIM RAY,  
PRESIDENT OF RAY & ASSOCIATES, INC., A MOTION WAS MADE BY  
JAY SANDERS AND SECONDED BY GEORGE HAWN TO HIRE THE FIRM OF  
RAY & ASSOCIATES, INC. FOR PREPARING A PROPOSED SERVICE PLAN  
AS SUBMITTED BY THEIR PROPOSAL FOR A CONSULTING SERVICE.  
THE MOTION PASSED UNANIMOUSLY.

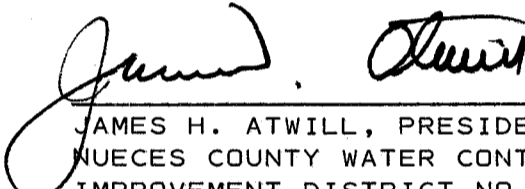
FINANCIAL  
REPORT:

A GENERAL DISCUSSION OF THE BUDGET VARIANCE  
WAS PRESENTED TO THE BOARD FOR STUDY. NO ACTION ON THE  
FINANCIAL REPORT.

DISTRICT  
ENGINEER'S  
REPORT:

JIM URBAN, THE DISTRICT ENGINEER, GAVE A REPORT  
WHICH IS ON FILE IN THE DISTRICT OFFICE. NO ACTION.

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN  
THE MEETING.

  
JAMES H. ATWILL, PRESIDENT  
NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

ATTEST:

  
ED MANNING, SECRETARY

RULES AND REGULATIONS OF THE NUECES COUNTY WATER  
CONTROL AND IMPROVEMENT DISTRICT NUMBER 4 TO PREVENT  
THE WASTE AND/OR THE UNAUTHORIZED USE OF WATER

WHEREAS, due to critical below-normal rainfall in the South Texas watersheds supplying water to the Lake Corpus Christi and Choke Canyon Reservoirs resulting in a severe reduction in the available water supply to the City of Corpus Christi, which in turn supplies water to the Nueces County Water Control and Improvement District Number 4 and area communities, it is hereby deemed essential to the public welfare that the Board of Directors of the Nueces County Water Control and Improvement District Number 4 adopt rules and regulations to prevent the waste and/or the unauthorized use of water and to coordinate such efforts with those of the City of Corpus Christi.

NOW, THEREFORE, BY VIRTUE OF THE AUTHORITY VESTED in them by Sections 51.127 through 51.132 of the Water Code of the State of Texas, the Board of Directors of the Nueces County Water Control and Improvement District Number 4 (the "District") hereby adopts the following Rules and Regulations:

SECTION 1.

A. Scope.

There are hereby established, these Rules and Regulations 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.

C. Authorization.

The District Engineer 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 Engineer 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.

SECTION 2. Prohibited uses of water during water shortage periods; exceptions; presumption of violation.

1. 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.
2. The conservation stage shall be publicly announced by the District Engineer 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.
3. 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 Engineer and the effective date as herein provided and shall continue until such water conservation measures are no longer deemed necessary by the District Engineer in accordance with these Rules and Regulations.

A. Condition I - Water Shortage Possibility

On the effective date after public announcement by the District Engineer, customers of the water system 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 Engineer. In the event the premises have no number, application shall be made to the city building official of the District Engineer (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 Engineer. 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.

B. Condition II - Water Shortage Watch

On the effective date after public announcement by the District Engineer, 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.

1. The sprinkling or watering of lawns is prohibited. Provided, however, the District Engineer 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. 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.

2. 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.
3. The washing of building exteriors and interiors, trailers, trailer houses and railroad cars, except that in the interest of public health the District Engineer may permit limited use of the water as the case may be.
4. 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.

5. The use of fire hydrants for any purpose other than firefighting.
6. The use of water in ornamental fountains or in artificial waterfalls where the water is not reused or recirculated in any manner.
7. The use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts or other hard-surfaced area, or building or structure.
8. The use of water for dust control.
9. The use of potable water by a golf course to irrigate any portion of its grounds except those areas designated as tees and greens and only between the hours of 6:00 a.m. and 10:00 a.m. on the designated watering days.
10. 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 connection was registered was the person who permitted or caused the act of waste charged to occur on the premises.
11. 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.

C. Condition III - Water Shortage Warning.

On the effective date after public announcement by the District Engineer, the following restrictions shall apply to all persons. All elements of Condition II shall remain in effect in Condition III.

1. Prohibit new connections for service to the District water system where other supply service is available.
2. A mandatory limit of normal water use by industrial and commercial customers in amounts as determined by the District Engineer and the Allocation and Review Committee without rate penalty.
3. A mandatory limit to residential customer use to 5,000 gallons per month without rate penalty.
4. A rate schedule will be adopted to establish rates and penalties for uses in excess of permitted amounts.
5. The following water uses are hereby determined to be nonessential and are prohibited.
  - (a) The use of water to serve a customer in a restaurant unless requested by the customer.
  - (b) The use of water for the expansion of commercial nursery facilities.
  - (c) The use of water for scenic and recreational ponds and lakes, except for the minimum amount required to support fish life or for the filling of swimming pools or jacuzzi pools except where the pool is required by a medical doctor's prescription.
  - (d) The use of water to put new agricultural land into production.
  - (e) The use of water for new planting or landscaping.

D. Condition IV - Water Shortage Emergency

On the effective date after public announcement by the District Engineer, the following restrictions shall apply to all persons. All elements of Condition III shall remain in effect in Condition IV.

1. 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.
2. All allocations of water use to industrial and commercial customers in amounts as established by the Allocation and Review Committee.
3. 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.
4. The Board of Directors and the District Engineer take those actions deemed necessary to meet the conditions resulting from the emergency.

SECTION 3. 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 Engineer. 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 of the street number (or front door if there 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.

#### SECTION 4. 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 Engineer shall be authorized to discontinue water service to the premises where such violation occurs.

B. Any District employee designated by the District Engineer, 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.

SECTION 5. Severability Clause.

If for any reason any section, paragraph, subdivision, clause, phrase, word, or provision of these Rules and Regulations shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect another section, paragraph, subdivision, clause, word or provision of these Rules and Regulations, for it is the definite intent of this Board of Directors that every section, paragraph, subdivision, clause, phrase, word, or provision thereof be given full force and effect for its purpose.

SECTION 6. Publication.

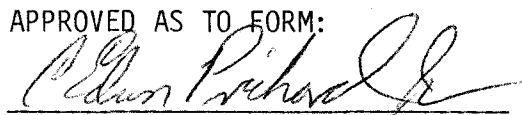
Publication shall be made once a week for two consecutive weeks of a substantive statement of these Rules and Regulations and the penalty for their violation in one or more newspapers with general circulation within the District.

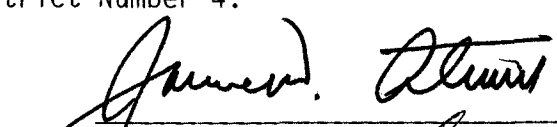
SECTION 7. Rules and Regulations on File.


The full text of these Rules and Regulations shall be kept on file in the District's main office in Port Aransas, Texas and shall be available during normal office hours to be read and examined by any interested person.

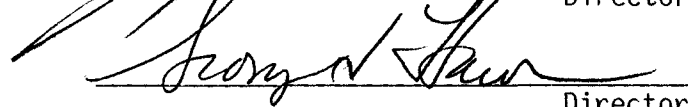
The foregoing Rules and Regulations were adopted this 6TH day of July, 1984 at a Special Meeting of the Board of Directors of the Nueces County Water Control and Improvement District Number 4.


APPROVED AS TO FORM:

  
District's Attorney

  
Director

  
Director

  
Director

  
Director

\_\_\_\_\_  
Director

MINUTES OF  
SPECIAL MEETING

JUNE 27, 1984

STATE OF TEXAS                   ↓

COUNTY OF NUECES               ↓

ON THE 27TH DAY OF JUNE, 1984, 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:

PRESIDENT	JAMES H. ATWILL
VICE PRESIDENT	JAY SANDERS
SECRETARY	ED MANNING
DIRECTOR	AL MORA

ABSENT:

SECRETARY PRO-TEM	GEORGE S. HAWN
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STAFF:

DISTRICT ENGINEER	JIM URBAN
ASS'T DISTRICT ENGINEER	DON ROY FARLEY
ASS'T ADMINISTRATOR	NONA E. SHERRILL
BOOKKEEPER	MARY MOSS
ATTORNEY	ED PRICHARD

VISITORS:

REALTOR	MARK GROSSE
ISLAND NEWS	RAYMOND CUSHING

THE MEETING WAS CALLED TO ORDER AT 10:00 A.M.  
BY THE ~~PRESIDING~~ OFFICER, JAMES ATWILL, PURSUANT TO THE  
NOTICE POSTED.

WATER  
RATIONING:

AFTER MUCH DISCUSSION IN REGARDS TO WATER  
RATIONING, THE BOARD REFERRED TO THE DISTRICT ATTORNEY  
AND THE DISTRICT ENGINEER TO COME FORTH WITH A REGULATION  
AT THE JULY 6TH, 1984, 9:00 A.M. MEETING.

MARK  
GROSSE  
LAND  
REQUEST:

MARK GROSSE ADDRESSED THE BOARD WITH A PROPOSAL  
TO OBTAIN POSSIBLE DISTRICT SURPLUS PROPERTY. ED MANNING  
REMOVED HIMSELF FROM THE DISCUSSION DUE TO BUSINESS CONCERNS  
WITH GROSSE REALTY AND ~~WILL TAKE NO ACTION ON THIS MATTER.~~  
AFTER DISCUSSION ON THIS MATTER, THE CONSENSUS WITHOUT A VOTE,  
THE PROPERTY WOULD NOT BE DECLARED SURPLUS BUT THE BOARD WOULD

ENTERTAIN FURTHER DISCUSSION FROM MARK GROSSE OR ANY  
APPLICANT ABOUT LEASING THE PROPERTY AFTER IT IS DETERMINED  
FROM OUR ATTORNEY THAT IT IS PERMISSIBLE.

FINANCIAL  
REPORT:

A MOTION BY ED MANNING AND SECONDED BY JAY SANDERS  
THAT PAYMENT SHOULD BE MADE TO DIVERSIFIED STRUCTURES IN THE  
AMOUNT OF \$17,385.00 FOR 90% OF CONTRACT AND WHEN FINAL PAYMENT  
IS DUE, APPROVAL OF SAME. ALSO \$1,757.00 TO TRINITY ENGINEERING  
FOR MID ISLAND SEWER PLANT TESTING. THE ABOVE PAYMENTS TO  
BE PAID FROM CAPITAL RECOVERY FUND AS ALLOCATED BY THE STAFF.  
THE MOTION PASSED UNANIMOUSLY.

A MOTION BY JAY SANDERS AND SECONDED BY ED MANNING  
TO APPROVE THE FINANCIAL REPORT FOR APRIL AND MAY, 1984. THE  
MOTION PASSED UNANIMOUSLY.


DISTRICT  
ENGINEER'S  
REPORT:

JIM URBAN, THE DISTRICT ENGINEER GAVE HIS REPORT.  
(A COPY OF THIS REPORT IS ON FILE AT THE DISTRICT OFFICE.)

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN  
THE SPECIAL MEETING.

  
\_\_\_\_\_  
JAMES H. ATWILL, PRESIDENT  
NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

ATTEST:

  
\_\_\_\_\_  
ED MANNING, SECRETARY

MINUTES OF  
REGULAR MEETING  
MAY 7, 1984

STATE OF TEXAS

COUNTY OF NUECES

ON THE 7TH DAY OF MAY, 1984, 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:

PRESIDENT	JAMES H. ATWILL
VICE PRESIDENT	JAY SANDERS
SECRETARY	ED MANNING
DIRECTOR	AL MORA

ABSENT:

SECRETARY PRO-TEM	GEORGE S. HAWN
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STAFF:

DISTRICT ENGINEER	JIM URBAN
ASS'T ADMINISTRATOR	NONA E. SHERRILL
AUDITOR	GARY DAVENPORT
BOOKKEEPER	MARY MOSS

VISITORS:

ISLAND NEWS	RAYMOND CUSHING
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THE MEETING WAS CALLED TO ORDER AT 10:00

THE PRESIDING OFFICER, JAMES ATWILL, PURSUANT T  
POSTED.

MINUTES:

A MOTION BY JAY SANDERS AND SECONDED BY ED MANNING

TO APPROVE THE MINUTES OF APRIL 13TH, 1984. (A COPY OF THE  
MINUTES WAS MAILED TO EACH DIRECTOR PRIOR TO THE MEETING).

THE MOTION CARRIED UNANIMOUSLY.

INCREASE OF  
CONSTRUCTION  
WATER RATES:

AFTER DISCUSSION ON THE INCREASE OF CONSTRUCTION  
WATER COST, A MOTION WAS MADE BY JAY SANDERS AND SECONDED  
BY ED MANNING TO APPROVE A RESOLUTION AND ORDER INCREASING  
THE CONSTRUCTION WATER TO \$2.85 PER THOUSAND GALLONS TO BE  
EFFECTIVE JULY 15, 1984. THE MOTION PASSED UNANIMOUSLY.  
(THE RESOLUTION AND ORDER ARE ATTACHED AND BECOME A PERMANENT  
PART OF THESE MINUTES).

NUECES COUNTY WATER CONTROL AND  
IMPROVEMENT DISTRICT NO. 4

PROPOSED ~~AMENDED~~ BUDGET

FOR THE YEAR ENDING SEPTEMBER 30, 1984

REVENUES:

Customer services fees:

Water	\$ 725,400
Wastewater	280,400
Reconnections	4,400
Service inspections	23,500
Tap fees	30,000
Bulkwater - Magcobar	138,300
Bulkwater - Brown & Root	119,700
Total Service Fees	<u>1,321,700</u>

Intergovernmental:

City permits	<u>10,000</u>
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Other:

Interest	6,000
Miscellaneous	<u>3,000</u>
Total Other	<u>9,000</u>

Total Revenues	<u>1,340,700</u>
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EXPENDITURES:

Water purchases	389,000
Payroll	378,000
Professional fees	80,000
Purchased and contracted services	127,000
Consumable supplies and services	90,000
Recurring operations	177,000
Capital outlay	72,000

Other financing uses:

Refund of prior years revenue	15,687
Transfer to capital projects	<u>25,000</u>

Total Expenditures and Other Uses	<u>1,353,687</u>
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Excess of Revenues Over (Under)

Expenditures and Other Uses	(12,987)
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Fund Balance - Beginning of Year	<u>185,078</u>
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Fund Balance - End of Year	<u>\$ 172,091</u>
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PAGE 2  
REGULAR MEETING  
MAY 7, 1984

1984  
AMENDED  
BUDGET :

AFTER DISCUSSION, A MOTION WAS MADE AL MORA AND  
SECONDED BY JAY SANDERS TO APPROVE THE AMENDED BUDGET AS  
SUBMITTED BY THE STAFF. THE MOTION CARRIED UNANIMOUSLY.  
(A COPY OF THE AMENDED BUDGET IS ATTACHED AND BECOMES A  
PERMANENT PART OF THESE MINUTES). THE MOTION CARRIED  
UNANIMOUSLY.

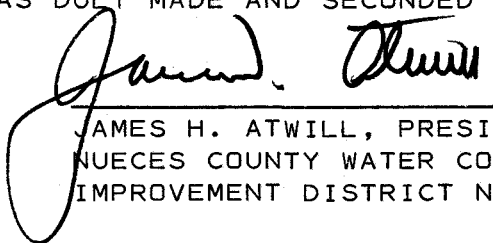
AUTHORIZE  
JIM URBAN'S  
SIGNATURE  
ON ALL  
CHECKING  
ACCOUNTS:

A MOTION WAS MADE BY JAY SANDERS AND SECONDED  
BY ED MANNING TO AUTHORIZE JIM URBAN'S SIGNATURE ON ALL  
CHECKING ACCOUNTS WITH THE DISTRICT'S DEPOSITORY. THE  
MOTION CARRIED UNANIMOUSLY.


DISTRICT  
ENGINEER  
REPORT:

A REPORT WAS GIVEN BY THE DISTRICT ENGINEER,  
JIM URBAN. (A COPY OF THIS REPORT IS KEPT ON FILE IN THE  
DISTRICT OFFICE).

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN  
THE REGULAR MEETING.

  
JAMES H. ATWILL, PRESIDENT  
NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

ATTEST:

  
ED MANNING, SECRETARY

RESOLUTION AND ORDER EXECUTING INCREASE IN CONSTRUCTION WATER RATES  
THE NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4

ON THE 7TH DAY OF MAY, 1984, 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 OF SAID DISTRICT, WITH THE FOLLOWING MEMBERS OF THE BOARD PRESENT:

PRESIDENT	JAMES H. ATWILL
VICE PRESIDENT	JAY SANDERS
SECRETARY	ED MANNING
DIRECTOR	AL MORA

AND THE FOLLOWING ABSENT:

SECRETARY PRO-TEM GEORGE S. HAWN

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

THE PRESIDENT OF THE BOARD PRESENTED A RESOLUTION AND ORDER  
INCREASING THE CONSTRUCTION WATER RATES.

MINUTES OF MAY 7TH, 1984, REFLECT THE INCREASE IN CONSTRUCTION  
WATER RATES.

THEREFORE, THE PRESIDENT OF THE BOARD OF DIRECTORS PRESENTED A  
RESOLUTION TO LEGALLY ESTABLISH THE INCREASE IN CONSTRUCTION WATER RATES.

THE RESOLUTION AND ORDER WAS READ IN FULL AND, AFTER FULL  
DISCUSSION THEREOF, JAY SANDERS MADE A MOTION THAT IT BE ADOPTED. THE  
MOTION WAS SECONDED BY ED MANNING. 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 SET THE FOLLOWING CONSTRUCTION WATER RATE.

CONSTRUCTION WATER RATES WERE REVISED ON MAY 7TH, 1984,  
EFFECTIVE JULY 15, 1984.

CONSTRUCTION WATER RATE CURRENTLY IN EFFECT ARE AS FOLLOWS;

MONTHLY MINIMUM FOR THE FIRST (3) THREE THOUSAND GALLONS  
ACCORDING TO SIZE OF METER PLUS \$2.85 PER THOUSAND ABOVE  
THE MINIMUM.

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  
INCREASE CONSTRUCTION WATER RATES FOR THE NUECES COUNTY WATER  
CONTROL & 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.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE 7TH DAY OF MAY, 1984.



ED MANNING, SECRETARY  
BOARD OF DIRECTORS  
NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

(SEAL)

MINUTES OF  
SPECIAL MEETING  
APRIL 13, 1984

STATE OF TEXAS

COUNTY OF NUECES

ON THE 13TH DAY OF APRIL, 1984, 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	JAMES H. ATWILL
VICE PRESIDENT	JAY SANDERS
SECRETARY	ED MANNING
SECRETARY PRO-TEM	GEORGE S. HAWN
DIRECTOR	AL MORA

STAFF:

MANAGER	DON ROY FARLEY
ASS'T ADMINISTRATOR	NONA SHERRILL
ENGINEER	JIM URBAN
BOOKKEEPER	MARY MOSS
ATTORNEY	C. EDWIN PRICHARD

VISITORS:

DRESSER/MAGCOBAR	MARVIN PADGETT
	ORVILLE WELCH
PORT A RESIDENT	DAVID CEBULKA

THE MEETING WAS CALLED TO ORDER AT 3:00 P.M. BY  
THE PRESIDING OFFICER, JAMES ATWILL, PURSUANT TO THE NOTICE  
POSTED.

1984 DIRECTOR'S  
ELECTION  
CANVAS VOTES:

A MOTION WAS MADE BY JAY SANDERS AND SECONDED BY  
AL MORA TO DECLARE THE RESULTS OF THE DIRECTORS ELECTION  
APPROVED. (THE ORDER DECLARING RESULTS OF DIRECTORS ELECTION  
IS ATTACHED AND BECOMES A PERMANENT PART OF THESE MINUTES)  
THE MOTION CARRIED UNANIMOUSLY.

OATH OF OFFICE:

THE OATH OF OFFICE FOR DIRECTORS WAS ADMINISTERED  
TO JAMES H. ATWILL, AL MORA AND ED MANNING BY MARY MOSS, II  
NOTARY FOR THE DISTRICT.

1984 WATER &  
SEWER RATE  
INCREASE  
(CON'T):

1984 UTILITY RATES AND TAP CONNECTIONS (CON'T)

SEWER RATES:

RESIDENTIAL - \$7.00 MINIMUM PER MONTH PLUS \$.78 FOR  
EACH ADDITIONAL 1,000 GALLONS OF WATER  
USED IN EXCESS OF 3,000 GALLONS.

COMMERCIAL - \$12.00 MINIMUM PER MONTH PLUS \$.78 FOR  
EACH ADDITIONAL 1,000 GALLONS OF WATER  
USED IN EXCESS OF 3,000 GALLONS.

WATER TAPS:

3/4" X 5/8"	\$321.00
3/4" X 3/4"	344.00
1"	450.00
1-1/2"	691.00

SEWER TAPS:

4"	\$461.00
6"	750.00

A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY JAY SANDERS  
TO APPROVE A RESOLUTION AND ORDER INCREASING WATER AND SEWER  
TAPS AND RATES AS RECOMMENDED BY THE STAFF TO BE EFFECTIVE  
APRIL 13, 1984, SUBJECT TO PUBLICATION. THE MOTION CARRIED  
UNANIMOUSLY. ( THE RESOLUTION AND ORDER ARE ATTACHED AND  
BECOME A PERMANENT PART OF THESE MINUTES).

MARCH  
FINANCIAL  
REPORT:

THE FINANCIAL REPORT WAS GIVEN BY NONA SHERRILL AS  
FOLLOWS:

MARCH ACCOUNTS PAYABLE      \$ 97,139.55

MARCH EXPENDITURES          \$ 83,290.27

A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY AL MORA TO  
APPROVE THE MARCH FINANCIAL REPORT ON GENERAL OPERATING FUND,  
CAPITAL RECOVERY FUND AND THE TAX FUND. THE MOTION CARRIED  
UNANIMOUSLY.

PORT ROYAL  
UTILITY  
SERVICE  
AGREEMENT:

AFTER DISCUSSION, A MOTION WAS MADE BY JAY SANDERS TO  
APPROVE AND EXECUTE THE PORT ROYAL UTILITY SERVICE AGREE-  
MENT. THE MOTION WAS SECONDED BY ED MANNING. THE MOTION  
CARRIED UNANIMOUSLY.

RUSS  
R.V. PARK:

BEING MR. RUSS WILEY DID NOT ATTEND THE MEETING, THERE  
WAS NO ACTION TAKEN ON HIS REQUEST.

MANAGER'S  
REPORT:

THE MANAGER'S REPORT WAS GIVEN BY DON ROY FARLEY. (A  
COPY OF THE REPORT IS ON FILE IN THE DISTRICT OFFICE).

PAGE 2  
SPECIAL MEETING  
APRIL 13, 1984

REORGANIZATION  
OF THE BOARD:

A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY JAY SANDERS TO RECONSTITUTE AND REORGANIZE THE OFFICERS OF THE NUECES COUNTY WATER CONTROL & ID#4 AS THEY CURRENTLY ARE; JAMES H. ATWILL, PRESIDENT, JAY SANDERS, VICE PRESIDENT, ED MANNING, SECRETARY, GOERGE HAWN, SECRETARY PRO-TEM, AL MORA, DIRECTOR. THE MOTION PASSED UNANIMOUSLY.

DRESSER/  
MAGCOBAR  
INCREASE  
IN WATER  
TAKE:

AFTER DISCUSSION ON THE REQUEST FROM DRESSER/MAGCOBAR, INC. TO AMMEND THEIR JULY 1, 1983 CONTRACT, A MOTION WAS MADE BY JAY SANDERS AND SECONDED BY ED MANNING TO AMEND THE CONTRACT BETWEEN THE DISTRICT AND DRESSER/MAGCOBAR TO INCREASE THEIR DAILY TAKE FROM 150,000 GPD TO 300,000 GPD AND ADDITIONAL CAPITAL RECOVERY FEE OF \$77,100.00 TO BECOME EFFECTIVE IMMEDIATELY UPON RECEIPT OF FUNDS. THE MOTION CARRIED UNANIMOUSLY.

MINUTES:

A MOTION WAS MADE BY AL MORA AND SECONDED BY JAY SANDERS TO APPROVE THE MINUTES OF MARCH 16TH AND 30TH, 1984. (A COPY OF THE MINUTES WAS MAILED TO EACH DIRECTOR PRIOR TO THE MEETING). THE MOTION CARRIED UNANIMOUSLY.

1984 WATER &  
SEWER RATE &  
TAP INCREASE:

A PRESENTATION FOR THE INCREASE OF WATER AND SEWER RATES AND WATER AND SEWER TAPS WAS GIVEN BY JIM URBAN, DISTRICT ENGINEER AND DON ROY FARLEY, DISTRICT MANAGER AND THE RECOMMENDATION IS AS FOLLOWS:

1984 UTILITY RATES AND TAP CONNECTIONS

WATER RATES:

MINIMUM RATE PER MONTH FOR FIRST 3,000 GALLONS

METER SIZE	AMOUNT -----
5/8"	\$ 7.00
3/4"	7.00
1"	17.00
1-1/2"	34.00
2"	68.00
3"	135.00
4"	269.00
6"	420.00

RATE PER 1,000 GALLONS FOR ALL REMAINING U

RESOLUTION AND ORDER EXECUTING INCREASE IN WATER AND SEWER TAPS AND RATES  
THE NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4

ON THE 13TH DAY OF APRIL, 1984, 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  
ON SAID DISTRICT, WITH THE FOLLOWING MEMBERS OF THE BOARD PRESENT:

PRESIDENT	JAMES H. ATWILL
VICE PRESIDENT	JAY SANDERS
SECRETARY	ED MANNING
SECRETARY PRO-TEM	GEORGE HAWN
DIRECTOR	AL MORA

AND THE FOLLOWING ABSENT: -0-

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

THE PRESIDENT OF THE BOARD PRESENTED A RESOLUTION AND ORDER  
INCREASING WATER AND SEWER TAPS AND RATES.

MINUTES OF APRIL 13TH, 1984, REFLECT INCREASE IN WATER AND SEWER  
TAPS AND RATES.

THEREFORE, PRESIDENT OF THE BOARD OF DIRECTORS PRESENTED A  
RESOLUTION TO LEGALLY ESTABLISH THE INCREASE IN WATER AND SEWER TAPS AND  
RATES.

THE RESOLUTION AND ORDER WAS READ IN FULL AND, AFTER FULL DISCUSSION  
THEREOF, GEORGE HAWN MADE A MOTION THAT IT BE ADOPTED. THE MOTION WAS SECONDED  
BY JAY SANDERS, THE MOTION, CARRING 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 AND ORDER AS FOLLOWS:

WHEREAS, NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT  
NO. 4 SET THE FOLLOWING NEW RATES:

WATER AND SEWER TAPS AND RATES WERE LAST REVISED ON APRIL 13TH,  
1984, EFFECTIVE JUNE 1984 BILLING.

WATER AND SEWER TAPS AND RATES CURRENTLY IN EFFECT ARE AS FOLLOWS:

WATER RATE:

<u>METER SIZE</u>	<u>AMOUNT</u>	<u>METER SIZE</u>	<u>AMOUNT</u>
5/8"	\$ 7.00	2"	\$ 68.00
3/4"	7.00	3"	135.00
1"	17.00	4"	269.00
1-1/2"	34.00	6"	420.00

RATE PER 1,000 GALLONS FOR ALL REMAINING USAGE \$1.76

RESOLUTION AND ORDER (CON'T)  
APRIL 13, 1984

SEWER RATE:

RESIDENTIAL - \$7.00 MINIMUM PER MONTH PLUS \$.78 FOR  
EACH ADDITIONAL 1,000 GALLONS OF WATER  
USED IN EXCESS OF 3,000 GALLONS.

COMMERCIAL - \$12.00 MINIMUM PER MONTH PLUS \$.78 FOR  
EACH ADDITIONAL 1,000 GALLONS OF WATER  
USED IN EXCESS OF 3,000 GALLONS.

WATER TAPS:

3/4" X 5/8"	\$321.00
3/4" X 3/4"	344.00
1"	450.00
1-1/2"	691.00

SEWER TAPS:

4"	\$461.00
6"	750.00

PAGE 4  
SPECIAL MEETING  
APRIL 13, 1984

THERE BEING NO FURTHER BUSINESS AT THIS TIME, A  
MOTION WAS DULY MADE AND SECONDED TO CLOSE THE SPECIAL MEETING  
AND TO OPEN THE EXECUTIVE SESSION AS POSTED.

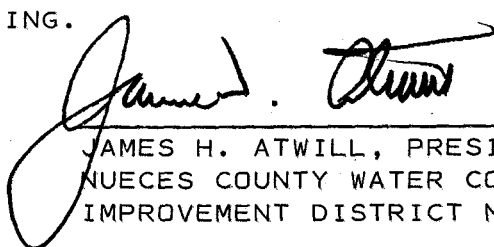
EXECUTIVE  
SESSION:

THE EXECUTIVE SESSION WAS CLOSED AND THE BOARD OF  
DIRECTORS RECONVENED IN THE SPECIAL MEETING FOR THE FOLLOWING  
BUSINESS:

APPOINTING  
DISTRICT  
ENGINEER:

A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY  
JAY SANDERS TO CHANGE THE ORGANIZATION OF THE DISTRICT EMPLOYEES;  
WHEREBY THE TITLE OF THE DISTRICT MANAGER IS OMITTED AND IN ITS  
PLACE THE TITLE OF DISTRICT ENGINEER. THE CHAIN OF RESPONSIBILITY  
WOULD START WITH THE DISTRICT ENGINEER. UNDER THE DISTRICT  
ENGINEER WOULD BE THE ADMINISTRATIVE ASSISTANT, COVERING THE  
DUTIES OF THE OFFICE, THE FIELD SUPERINTENDENT, COVERING THE  
FIELD OPERATIONS AND THE POSITION OF AN ASSISTANT TO THE DISTRICT  
ENGINEER, WHO WILL REPORT DIRECTLY TO THE DISTRICT ENGINEER.  
JIM URBAN, WITH URBAN ENGINEERING, AN INDEPENDENT CONTRACTOR,  
WILL BE THE DISTRICT ENGINEER. THE CHANGE OF POSITION OF  
MANAGER DON ROY FARLEY TO ASSISTANT TO THE DISTRICT ENGINEER  
WILL NECESSITATE A CHANGE IN THE METHOD IN PAYMENT OF SALARY.  
THE SALARY WILL BE ON AN HOURLY BASIS AS OPPOSED TO A STRAIGHT  
SALARY. THE HOURLY AMOUNT WILL TOTAL THE SAME AS THE CURRENT  
SALARY INCLUDING ALL OTHER BENEFITS OF THE DISTRICT. THE  
CHAIN OF RESPONSIBILITY IS IN EFFECT IMMEDIATELY. THE CHANGE  
OF SALARY WILL TAKE EFFECT AS OF MAY 1, 1984.

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN  
THE SPECIAL MEETING.

  
JAMES H. ATWILL, PRESIDENT  
NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

ATTEST:

  
ED MANNING, SECRETARY

THERE BEING NO FURTHER BUSINESS AT THIS TIME, A  
MOTION WAS DULY MADE AND SECONDED TO CLOSE THE SPECIAL MEETING  
AND TO OPEN THE EXECUTIVE SESSION AS POSTED.

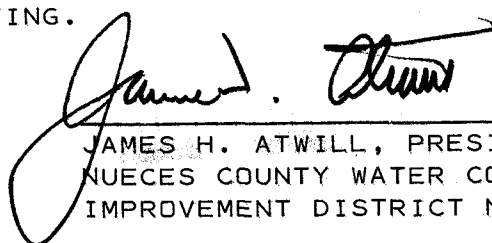
EXECUTIVE  
SESSION:

THE EXECUTIVE SESSION WAS CLOSED AND THE BOARD OF  
DIRECTORS RECONVENED IN THE SPECIAL MEETING FOR THE FOLLOWING  
BUSINESS:


APPOINTING  
DISTRICT  
ENGINEER:

A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY  
JAY SANDERS TO CHANGE THE ORGANIZATION OF THE DISTRICT EMPLOYEES;  
WHEREBY THE TITLE OF THE DISTRICT MANAGER IS OMITTED AND IN ITS  
PLACE THE TITLE OF DISTRICT ENGINEER. THE CHAIN OF RESPONSIBILITY  
WOULD START WITH THE DISTRICT ENGINEER. UNDER THE DISTRICT  
ENGINEER WOULD BE THE ADMINISTRATIVE ASSISTANT, COVERING THE  
DUTIES OF THE OFFICE, THE FIELD SUPERINTENDENT, COVERING THE  
FIELD OPERATIONS AND THE POSITION OF AN ASSISTANT TO THE DISTRICT  
ENGINEER, WHO WILL REPORT DIRECTLY TO THE DISTRICT ENGINEER.  
JIM URBAN, WITH URBAN ENGINEERING, AN INDEPENDENT CONTRACTOR,  
WILL BE THE DISTRICT ENGINEER. THE CHANGE OF POSITION OF  
MANAGER DON ROY FARLEY TO ASSISTANT TO THE DISTRICT ENGINEER  
WILL NECESSITATE A CHANGE IN THE METHOD IN PAYMENT OF SALARY.  
THE SALARY WILL BE ON AN HOURLY BASIS AS OPPOSED TO A STRAIGHT  
SALARY. THE HOURLY AMOUNT WILL TOTAL THE SAME AS THE CURRENT  
SALARY INCLUDING ALL OTHER BENEFITS OF THE DISTRICT. THE  
CHAIN OF RESPONSIBILITY IS IN EFFECT IMMEDIATELY. THE CHANGE  
OF SALARY WILL TAKE EFFECT AS OF MAY 1, 1984.

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN  
THE SPECIAL MEETING.

  
\_\_\_\_\_  
JAMES H. ATWILL, PRESIDENT  
NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4


ATTEST:

  
\_\_\_\_\_  
ED MANNING, SECRETARY

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 INCREASE WATER AND SEWER TAPS AND RATES 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.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE 13TH DAY OF APRIL, 1984.

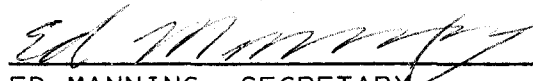
  
ED MANNING, SECRETARY  
BOARD OF DIRECTORS  
NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

(SEAL)

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 INCREASE WATER AND SEWER TAPS AND RATES 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.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE 13TH DAY OF APRIL, 1984.

  
\_\_\_\_\_  
ED MANNING, SECRETARY  
BOARD OF DIRECTORS  
NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

(SEAL)

**Order Declaring Result of Directors Election**

THE STATE OF TEXAS

COUNTY of NUECESOn this the 13TH day of APRIL, the Board of Directors of NUECESCounty Water Control and Improvement District No. #4 convened in SPECIAL session open to the public, with the following members present, to-wit:

JAMES H. ATWILL, President  
JAY SANDERS, Vice-President  
AL MORA,  
GEORGE S. HAWN,  
ED MANNING, Secretary,

and the following absent: 0, constituting a quorum,  
 and among other proceedings had by said Board of Directors was the following:

There came on to be considered the returns of an election held on the 7TH day of APRIL,  
 1984 for the purpose of electing THREE Directors to the Board of Directors  
 of said District, and it appearing that said returns were duly and legally made and that there were cast at said  
 election 575 valid and legal votes; that each of the  
 candidates in said election received the following votes:

NAMES OF CANDIDATES	TOTAL NUMBER OF VOTES RECEIVED
<u>AL MORA</u>	<u>429</u>
<u>ED MANNING</u>	<u>393</u>
<u>JAMES H. ATWILL</u>	<u>439</u>
<u>WRITE INS</u>	<u>10</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

IT IS, THEREFORE, FOUND, DECLARED AND SO ORDERED by the Board of Directors of said  
 District that AL MORA, ED MANNING AND JAMES H. ATWILL

received the highest number of votes at said election and are hereby declared duly elected members of the  
 Board of Directors of said District, subject to taking their oaths and qualifying as provided under the laws of  
 the State of Texas.

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: JAMES H. ATWILL,  
JAY SANDERS, AL MORA, GEORGE S. HAWN,  
ED MANNING, and the following voted NO: -0-

PASSED, APPROVED AND ADOPTED this the 13TH day of APRIL, 1984.

JAMES H. ATWILL  
 President, Board of Directors of

NUECES County Water Control

ATTEST:

and Improvement District No. 4

Ed Manning  
 Secretary

MINUTES OF  
EMERGENCY MEETING

MARCH 30, 1984

STATE OF TEXAS

COUNTY OF NUECES

ON THE 30TH DAY OF MARCH, 1984, THE BOARD OF DIRECTORS FOR THE NUECES COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 4. CONVENED IN A EMERGENCY MEETING AT 12:00 NOON AT THE DISTRICT OFFICE, 315 SOUTH 9TH STREET, PORT ARNASAS, TEXAS THERE BEING PRESENT AND IN ATTENDANCE THE FOLLOWING TO-WIT:

PRESIDENT	JAMES H. ATWILL
SECRETARY	ED MANNING
SECRETARY PRO-TEM	GEORGE S. HAWN
DIRECTOR	AL MORA

ABSENT:

VICE PRESIDENT	JAY SANDERS
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STAFF:

MANAGER	DON ROY FARLEY
ASS'T ADMINISTRATOR	NONA SHERRILL
BOOKKEEPER	MARY MOSS
ENGINEER	JIM URBAN

MR. ATWILL CALLED THE MEETING TO ORDER AT 12:00 NOON.

BROWN & ROOT  
INC. AMEND-  
MENT:

AFTER DISCUSSION ON THE REQUEST BY BROWN & ROOT, INC. TO AMEND THEIR CONTRACT OF JULY 15, 1983 TO INCREASE THEIR WATER TAKE FROM 150,000 GPD TO 300,000 GPD (AN ADDITIONAL 150,000 GPD), A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY ED MANNING TO APPROVE THE RESOLUTION AS AMENDED AND TO BECOME EFFECTIVE MARCH 30, 1984. THE MOTION PASSED UNANIMOUSLY.

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN THE MEETING.

  
JAMES H. ATWILL, PRESIDNET  
NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

ATTEST:

  
ED MANNING, SECRETARY

MINUTES OF  
SPECIAL MEETING

MARCH 16, 1984

STATE OF TEXAS

↓

COUNTY OF NUECES

↓

ON THE 16TH DAY OF MARCH, 1984, THE BOARD OF  
DIRECTORS FOR THE NUECES COUNTY WATER CONTROL & IMPROVE-  
MENT DISTRICT NO. 4, CONVENED IN A SPECIAL 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	JAMES H. ATWILL
SECRETARY	ED MANNING
SECRETARY PRO-TEM	GEORGE S. HAWN
DIRECTOR	AL MORA

ABSENT:

VICE PRESIDENT	JAY SANDERS
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STAFF:

MANAGER	DON ROY FARLEY
ASS'T ADMINISTRATOR	NONA E. SHERRILL
BOOKKEEPER	MARY MOSS
ENGINEER	JIM URBAN
AUDITOR	GARY DAVENPORT
ATTORNEY	ED PRICHARD

MR. ATWILL CALLED THE MEETING TO ORDER AT 4:00 P.M.

SAN PATRICIO  
CONTRACT-1984:

AFTER DISCUSSION OF THE SAN PATRICIO CONTRACT, A  
MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY ED MANNING  
TO APPROVE AND EXECUTE THE CONTRACT BETWEEN THE SAN PATRICIO  
MUNICIPAL WATER DISTRICT AND THE NUECES COUNTY WATER CONTRROL  
AND IMPROVEMENT DISTRICT NO. 4. THE MOTION PASSED UNANIMOUSLY.

MINUTES:

A MOTION WAS MADE BY ED MANNING AND SECONDED  
BY AL MORA TO APPROVE THE MINUTES OF FEBRUARY 6TH, 17TH  
AND 24TH, 1984.(A COPY OF THE MINUTES WAS MAILED TO EACH  
DIRECTOR PRIOR TO THE MEETING). THE MOTION CARRIED UNANIMOUSLY.

AQUIRING  
STATE  
LAND:

AFTER DISCUSSION ON ACQUIRING STATE OWNED LANDS  
ADJACENT TO THE WESTERN CITY LIMITS OF PORT ARANSAS, A MOTION  
TO AMEND THE RESOLUTION OF FEBRUARY 17, 1984, TO THE EFFECT  
OF CHANGING THE EXHIBIT "A" ATTACHED WAS MADE BY ED MANNING  
AND SECONDED BY GEORGE HAWN. THE MOTION CARRIED UNANIMOUSLY.

PAGE 2  
MINUTES OF SPECIAL MEETING  
MARCH 16, 1984

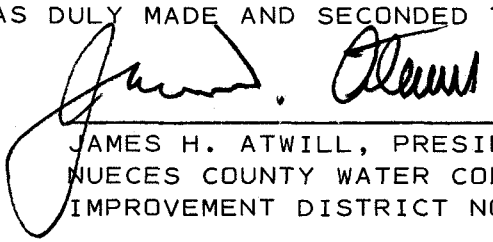
FINANCIAL  
REPORT:

A MOTION WAS MADE BY GEORGE HAWN AND SECONDED  
BY ED MANNING TO APPROVE THE FINANCIAL REPORT FOR THE CAPITAL  
RECOVERY FUND, TAX FUND AND THE GENERAL OPERATING FUND FOR  
JANUARY AND FEBRUARY, 1984. THE MOTION CARRIED UNANIMOUSLY.

MANAGER'S  
REPORT:

DON ROY FARLEY GAVE THE MANAGER'S REPORT. (A COPY  
OF THE REPORT IS ON FILE IN THE DISTRICT OFFICE).

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN THE  
MEETING.

  
\_\_\_\_\_  
JAMES H. ATWILL, PRESIDENT  
NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

ATTEST:

  
\_\_\_\_\_  
ED MANNING, SECRETARY

MINUTES OF  
SPECIAL MEETING  
FEBRUARY 24, 1984

STATE OF TEXAS           ↓  
COUNTY OF NUECES       ↓

ON THE 24TH DAY OF FEBRUARY 1984, 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	JAMES H. ATWILL
VICE PRESIDENT	JAY SANDERS
SECRETARY	ED MANNING
DIRECTOR	AL MORA

ABSENT:

SECRETARY PRO-TEM	GEORGE S. HAWN
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STAFF:

MANAGER	DON ROY FARLEY
ASS'T ADMINISTRATOR	NONA E. SHERRILL
BOOKKEEPER	MARY MOSS

VISITORS:

REP FOR PORTATEX & DIVEST CONSTRUCTION	RETHA NANCE
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ISLAND NEWS	RAYMOND CUSHING
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MR. ATWILL CALLED THE MEETING TO ORDER AT 4:00 P.M.

VEHICLE  
STORAGE  
BUILDING  
BID  
AWARDED:

A MOTION WAS MADE BY JAY SANDERS AND SECONDED BY ED MANNING TO AWARD THE BID OF THE VEHICLE STORAGE BUILDING TO DIVERSIFIED STRUCTURES, INC., OF \$18,664.00 AS RECOMMENDED BY THE DISTRICT'S ENGINEER, JIM URBAN. THE MOTION CARRIED UNANIMOUSLY.

BROWN &  
ROOT, INC  
INCREASE  
FROM 50  
TO 150:

A MOTION WAS MADE BY AL MORA AND SECONDED BY JAY SANDERS TO APPROVE THE AMENDMENT OF THE BROWN & ROOT, INC., CONTRACT TO INCREASE THEIR WATER TAKE FROM 50,000 GALLONS PER DAY TO 150,000 GALLONS PER DAY TO BE EFFECTIVE MARCH 1, 1984. THE MOTION CARRIED UNANIMOUSLY.

MINUTES OF  
EMERGENCY MEETING  
FEBRUARY 17, 1984

STATE OF TEXAS

COUNTY OF NUECES

ON THE 17TH DAY OF FEBRUARY , 1984, 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 9TH STREET, PORT ARANSAS,  
TEXAS, THERE BEING PRESENT AND IN ATTENDANCE THE FOLLOWING TO-WIT:

PRESIDENT  
SECRETARY  
SECRETARY PRO-TEM

JAMES H. ATWILL  
ED MANNING  
GEORGE S. HAWN

ABSENT:

VICE PRESIDENT  
DIRECTOR

JAY SANDERS  
AL MORA

STAFF:

MANAGER  
ASS'T ADMINISTRATOR  
BOOKKEEPER

DON ROY FARLEY  
NONA E. SHERRILL  
MARY MOSS

VISITORS:

SOUTH JETTY NEWS

MARY JUDSON

MR. ATWILL CALLED THE EMERGENCY MEETING TO ORDER AT

10:00 A.M.

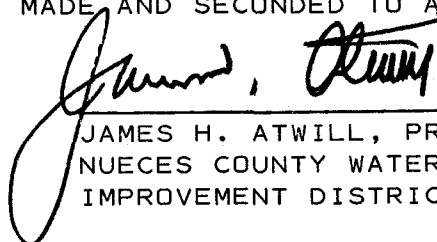
AQUIRING AFTER DISCUSSION ON ACQUIRING STATE OWNED LAND ADJACENT  
STATE

LAND: TO THE WESTERN CITY LIMITS OF PORT ARANSAS, A MOTION WAS MADE BY  
GEORGE HAWN AND SECONDED BY ED MANNING THAT THE DISTRICT WOULD  
JOIN IN THE RESOLUTION FROM THE CITY OF PORT ARANSAS AND THE PORT  
ARANSAS INDEPENDENT SCHOOL DISTRICT TO THE CITY COUNCIL OF CORPUS  
CHRISTI AS OUTLINED IN EXHIBIT "A" ATTACHED. (THE RESOLUTION IS  
ATTACHED AND BECOMES A PERMANENT PART OF THESE MINUTES).

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN THE  
MEETING.

ATTEST:

  
ED MANNING, SECRETARY

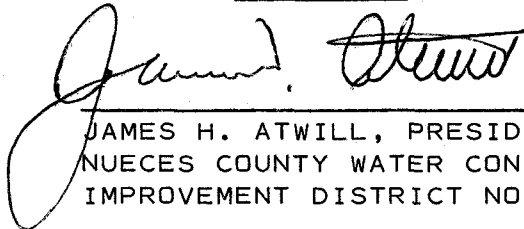
  
JAMES H. ATWILL, PRESIDENT  
NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

RESOLUTION

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

THE BOARD OF DIRECTORS OF THE NUECES COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 4, PORT ARANSAS, TEXAS, AUTHORIZES A JOINT PROPOSAL WITH THE CITY OF PORT ARANSAS, TEXAS AND THE PORT ARANSAS INDEPENDENT SCHOOL DISTRICT TO THE CITY COUNCIL OF CORPUS CHRISTI AS OUTLINED IN EXHIBIT "A" ATTACHED.

PASSED, ORDAINED AND APPROVED THIS THE 17 DAY OF FEBRUARY, 1984.

  
\_\_\_\_\_  
JAMES H. ATWILL, PRESIDENT  
NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

ATTEST:

  
\_\_\_\_\_  
ED MANNING, SECRETARY

TO PROVIDE WATER AND SANITARY SEWAGE SERVICE IN ACCORDANCE WITH THE DISTRICT'S POLICIES, GOVERNING SUCH REQUIREMENTS.

5. PORT ARANSAS WILL UNDERTAKE NO ACTION AND NO FUTURE ZONING TO ABRIDGE OR PRECLUDE DREDGE MATERIAL DISPOSAL ACTIVITIES WITHIN AN AREA WHICH IS 4,500 FEET SOUTHERLY AND PARALLEL TO THE CENTER LINE OF THE CORPUS CHRISTI SHIP CHANNEL AND EAST OF PIPER CANAL.
6. CORPUS CHRISTI WILL NOT ANNEX THE STATE LANDS LYING EAST OF THE PIPER CANAL AND WILL CEDE ITS EXTRA TERRITORIAL JURISDICTION (ETJ) FROM THE EAST SIDE OF THE PIPER CANAL TO THE PORT ARANSAS CITY LIMITS TO THE CITY OF PORT ARANSAS. PORT ARANSAS WILL CEDE THAT AREA KNOWN AS PELONE ISLAND FROM THE EAST SIDE OF THE PIPER CANAL WESTWARD TO THE CITY OF CORPUS CHRISTI.
7. THE CESSION OF ETJ BY THE CITY OF CORPUS CHRISTI WILL BE BY CONTRACT WITH THE PROVISIO THAT SUCH CEDING OF ETJ WILL AUTOMATICALLY BE TERMINATED IF ANY ZONING OR OTHER ACTION BY THE CITY OF PORT ARANSAS PRECLUDES OR LIMITS DISPOSAL OF DREDGE MATERIAL ON LAND WITHIN THE CITY LIMITS OF PORT ARANSAS

EXHIBIT "A"

IN THE SPIRIT OF COMPROMISE AND SETTLEMENT OF THE ANNEXATION PROPOSAL OF THE CITY OF CORPUS CHRISTI AND THE GOVERNMENTAL AGENCIES, THE CITY OF PORT ARANSAS, NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4 AND THE PORT ARANSAS INDEPENDENT SCHOOL DISTRICT WILL BE PLEASED TO SUPPORT THE PORT AUTHORITY'S APPLICATION DATED JANUARY 11, 1984, FOR LEASE OF STATE LAND ON MUSTANG ISLAND WITH AN ADDITIONAL AMENDMENT WHICH WILL CHANGE THE APPLICATION TO BE ONE, EITHER;

(A) FOR LAND EAST OF THE PIPER CANAL BETWEEN LINES WHICH ARE 4,000 AND 4,500 FEET SOUTHERLY FROM AND PARALLEL WITH THE CENTER LINE OF THE CORPUS CHRISTI SHIP CHANNEL AND FOR LAND WEST OF THE PIPER CANAL BETWEEN LINES WHICH ARE 4,000 AND 5,000 FEET SOUTHERLY FROM AND PARALLEL WITH THE CENTER LINE OF SAID SHIP CHANNEL, OR,

(B) ONE FOR LAND WHICH IS STATE-OWNED (EXCLUSIVE OF OTHER OWNERSHIP IN THE AREA) LYING BETWEEN THE CENTERLINE OF CORPUS CHRISTI SHIP CHANNEL AND A LINE 4,500 FEET FROM AND PARALLEL TO THE SAID CENTER LINE EAST OF PIPER CANAL AND A LINE 5,000 FEET FROM AND PARALLEL TO THE SAID CENTER LINE WEST OF PIPER CANAL,

FOR THE PURPOSE OF DISPOSAL OF DREDGE MATERIALS ACCORDING TO GUIDELINES REQUESTED BY THE GENERAL LAND OFFICE. FURTHER, THE PARTIES WILL AGREE THAT:

1. THE PORT AUTHORITY WILL SUPPORT THE ABOVE-NAMED ENTITIES' APPLICATION FOR STATE LANDS ON MUSTANG ISLAND SOUTHERLY OF THE 4,500 FT. LINE, EAST OF PIPER CANAL.
2. RESOLUTION BY BOTH THE CORPUS CHRISTI CITY COUNCIL AND THE PORT AUTHORITY BOARD OF DIRECTORS THAT NO INDUSTRIAL USES ARE PLANNED FOR THE STATE LANDS ON MUSTANG ISLAND AND THAT THIS ASSURANCE BECOME PART OF ANY EASEMENT APPLICATION WITH THE GENERAL LAND OFFICE.
3. THAT PORT AUTHORITY AND CORPS OF ENGINEERS DREDGE MATERIAL DISPOSAL WILL PROVIDE DRAINAGE TO TAKE CARE OF THE NATURAL DRAINAGE PATTERNS AND PRESENT PORT ARANSAS SEWER PLANT OUTFALL.
4. IN THE EVENT OF PORT-RELATED ACTIVITIES ON THE CORPUS CHRISTI SHIP CHANNEL INCLUDING THE BERTHING OF SHIPS AND EXCLUSIVE OF INDUSTRIAL USES, THE WATER DISTRICT WOULD AGREE TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF CORPUS CHRISTI AND/OR PORT OF CORPUS CHRISTI

MINUTES OF  
REGULAR MEETING  
FEBRUARY 6, 1984

STATE OF TEXAS

COUNTY OF NUECES

ON THE 6TH DAY OF FEBRUARY, 1984, 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:

PRESIDENT  
VICE PRESIDENT  
SECRETARY

JAMES H. ATWILL  
JAY SANDERS  
ED MANNING

ABSENT:

SECRETARY PRO-TEM  
DIRECTOR

GEORGE S. HAWN  
AL MORA

STAFF:

MANAGER  
ASS'T ADMIN  
BOOKKEEPER  
ENGINEER  
ATTORNEY  
AUDITOR

DON ROY FARLEY  
NONA E. SHERRILL  
MARY MOSS  
JIM URBAN  
C. EDWIN PRICHARD, JR.  
GARY DAVENPORT

VISITORS:

BROWN & ROOT, INC.

BOWEN SHAW  
MEL ALLEN

DIVERSIFIED STEEL

CRUZ PERALES

BIDS ON THE  
VEHICLE  
STORAGE  
BUILDING:

THREE BIDS WERE SUBMITTED FOR THE VEHICLE STORAGE  
BUILDING AS FOLLOWS;

LYLE CONSTRUCTION	\$ 18,630.00(NO BID BOND)
DIVERSIFIED STR., INC.	18,664.00
PORT-A-TEX CONSTRUCTION	41,650.00

A MOTION BY JAY SANDERS AND SECONDED BY ED MANNING TO  
SUBMIT TO THE MANAGER AND THE DISTRICT ENGINEER FOR REVIEW  
BEFORE ACCEPTANCE OF THE WINNING BID. THE MOTION CARRIED  
UNANIMOUSLY.

1984  
DIRECTORS  
ELECTION:

A MOTION WAS MADE BY JAY SANDERS AND SECONDED BY  
ED MANNING TO CALL AN ELECTION FOR DIRECTORS FOR APRIL 7TH,  
1984. (THREE DIRECTORS) THE MOTION CARRIED UNANIMOUSLY.  
( THE NOTICE AND ORDER OF ELECTION IS ATTACHED TO THESE  
MINUTES AND BECOMES A PERMANENT PART THEREOF)

PAGE 2  
MINUTES OF REGULAR MEETING  
FEBRUARY 6, 1984

MINUTES:

A MOTION WAS MADE JAY SANDERS AND SECONDED BY  
ED MANNING TO APPROVE THE MINUTES OF JANUARY 13 & 23, 1984.

THE MOTION CARRIED UNANIMOUSLY. (A COPY OF THE MINUTES  
WAS MAILED TO EACH DIRECTOR PRIOR TO THE MEETING).

DRESSER/  
MAGCOBAR &  
BROWN & ROOT  
CONTRACT:

AFTER DISCUSSION OF THE DRESSER/MAGCOBAR AND  
BROWN & ROOT, INC. CONTRACTS, THE STAFF WAS DIRECTED TO  
PROCEED WITH THE RENEWAL OF THESE CONTRACTS.

1983 AUDIT:

GARY DAVENPORT, REPRESENTING KOSAREK AND DAVENPORT,  
CERTIFIED PUBLIC ACCOUNTANTS, GAVE THE 1983 AUDIT. A MOTION  
WAS MADE BY JAY SANDERS AND SECONDED BY ED MANNING TO APPROVE  
THE 1983 AUDIT AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.

FINANCIAL  
REPORT:

THE FINANCIAL REPORT WAS GIVEN BY NONA SHERRILL. NO  
ACTION AT THIS TIME.

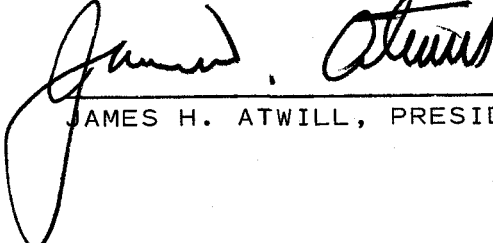
MANAGER'S  
REPORT:

THE MANAGER'S REPORT WAS GIVEN BY DON ROY FARLEY. NO  
ACTION. ( A COPY OF THE MANAGER'S REPORT IS ON FILE IN THE DISTRICT  
OFFICE)

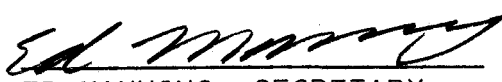
AFTER DISCUSSION ON THE SAN PATRICIO CONTRACT, THE  
STAFF WAS DIRECTED TO PROCEED WITH THE RENEWAL OF THE CONTRACT.

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN THE  
MEETING.

NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

  
JAMES H. ATWILL, PRESIDENT

ATTEST:

  
ED MANNING, SECRETARY

**NOTICE OF WATER CONTROL AND IMPROVEMENT  
DISTRICT DIRECTORS ELECTION  
(AVISO del DISTRITO de CONTROL de AGUAS  
MEJORAS ELECCIÓN de DIRECTORES)**

THE STATE OF TEXAS (EL ESTADO DE TEXAS) )

(CONDADE DE) NUECES COUNTY )

TO THE RESIDENT QUALIFIED VOTERS OF NUECES COUNTY WATER CONTROL  
(A LOS RESIDENTES VOTANTES CAPACITADOS DEL CONDADO DE NUECES DISTRITO NUM

AND IMPROVEMENT DISTRICT NO. 4  
4 CONTROL DE AGUAS Y MEJORAS:)

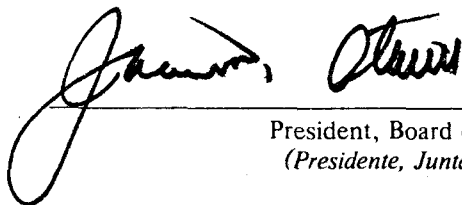
TAKE NOTICE that an election will be held on the 7TH day of APRIL, 1984,  
(TOMEN NOTA que se llevará a cabo una elección el día 7TH de ABRIL de 1984 .

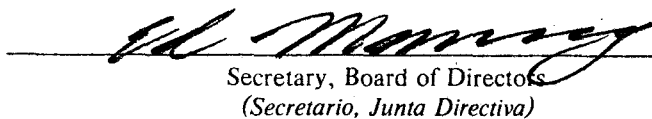
at the places, in the manner, and for the candidates for the office of said district, as set forth in the attached copy of an order for  
en los lugares, en la forma, y por los candidatos al puesto de dicho distrito, como lo indica la copia anexa de la orden de

directors' election, duly entered by the Board of Directors of said above mentioned district on the 6TH day of  
elección de directores, debidamente asentada por la Junta Directiva del arriba mencionado distrito el día 6TH de

FEBRUARY, 1984 Said attached Order for Directors' Election is made a part of this notice for  
FEBRERO, de 1984, Dicha Orden de Elección de Directores anexa se considera en todo caso

all intents and purposes.  
ser parte de este aviso.)

  
\_\_\_\_\_  
President, Board of Directors  
(Presidente, Junta Directiva)

  
\_\_\_\_\_  
Secretary, Board of Directors  
(Secretario, Junta Directiva)

Affidavit of Publication on Back

# Order For Election Procedure In Water District Directors Election

THE STATE OF TEXAS

COUNTY OF NUECES

On this the 6TH day of FEBRUARY, 19 84, 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:

<u>JAMES H. ATWILL</u>	President,
<u>JAY SANDERS</u>	Vice-President,
<u>ED MANNING</u>	
<u>ED MANNING</u>	Secretary,

and the following absent: GEORGE HAWN AND AL MDRA

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 7TH, 19 84 for the purpose of electing THREE (3) members to the Board of Directors;<sup>1</sup>

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 S. 9TH STREET on or before 20 days before the date of said election.  
PORT ARANSAS, TX. 78373

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

<sup>1</sup> See Sec. 51.076, 51.0731, 50.024 of Water Code and Art. 2.01b of Election Code.

Secretary

ATTEST:

County Water Control Improvement District No. 4

President, Board of Directors of NCECS

PASSED, APPROVED AND ADOPTED this the 6TH day of FEBRUARY, 1984

, and the following voted NO: 0

JAY SANDERS ED MANNING

for, the following members of the Board voted AYE: JAMES H. ATWILL

The above order being read, it was moved and seconded that same do pass. Thereupon the question being called

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. 6.05c-17 at least 72 hours preceding the scheduled time of this meeting and that the terms and provisions of said Article 6.05c-17 have been complied with and copies of said postings and return shall be attached to this order and become a part thereof.

All candidates shall file with said application the loyalty affidavit required by Art. 6.02 of the Election Code.

Secretary, Board of Directors

Received this the

day of , 19

Name of Candidate

DATED this the

day of , 19

Please place my name on the official ballot as follows:

My occupation is

, my Post Office is

not ineligible or disqualified to hold said office for any reason.

for holding said office as provided by the Texas Constitution, Texas Water Code and Texas Election Code and I am for a period of at least 6 months next preceding said election and I meet and comply with all of the qualifications in said District. That I have resided in the State of Texas for a period of at least 12 months and in said district I hereby certify that I am years of age, a resident citizen of said District and own land subject to tax.

day of , 19, as a candidate for director of said District.

I hereby request that my name be placed upon the official ballot for the election to be held on the

MINUTES OF  
SPECIAL MEETING  
JANUARY 13, 1984

STATE OF TEXAS

COUNTY OF NUECES

ON THE 13TH DAY OF JANUARY, 1984, 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  
SECRETARY  
SECRETARY PRO-TEM

JAY SANDERS  
ED MANNING  
GEORGE S. HAWN

ABSENT:

PRESIDENT  
DIRECTOR

JAMES H. ATWILL  
AL MORA

STAFF:

MANAGER  
ASS'T ADMINISTRATOR  
BOOKKEEPER  
ENGINEER  
ATTORNEY

DON ROY FARLEY  
NONA E. SHERRILL  
MARY MOSS  
JIM URBAN  
C. EDWIN PRICHARD, JR.

VISITORS:

LEWARD SANDS REP.  
SOUTH JETTY NEWS  
DEVELOPER  
CITY MANAGER  
ISLAND MOORINGS REP.

ALAN DUAINÉ  
MARY JUDSON  
BILL GASKINS  
JOYCE PULICH  
JIM PAIR

PUBLIC  
HEARING:

THE MEETING WAS CALLED TO ORDER AT 10:00 A.M. PURSUANT  
TO THE NOTICE POSTED AND PUBLISHED IN THE LOCAL NEWS OF A PUBLIC  
HEARING ON THE PROPOSAL TO ANNEX ADDITIONAL LANDS INTO THE DISTRICT.  
THERE BEING NO OPPOSITION TO THE ANNEXATION, THE PUBLIC HEARING  
WAS ADJOURNED.

MEETING:

THE SPECIAL MEETING WAS CALLED TO ORDER BY THE VICE  
PRESIDENT, JAY SANDERS.

ANNEX OF  
BENNETT  
INT. LTD:

A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY ED  
MANNING TO APPROVE THE ANNEXATION OF BENNETT INTERESTS, LTD.,  
20.02 ACRES OF LAND OUTSIDE SURVEY 596, L.S. 167, MUSTANG ISLAND,  
NUECES COUNTY, TEXAS. THE MOTION CARRIED UNANIMOUSLY.

MINUTES:

A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY ED MANNING TO APPROVE THE MINUTES OF NOVEMBER 7, 1983 (A COPY OF THE MINUTES WAS MAILED TO EACH DIRECTOR PRIOR TO THE MEETING). THE MOTION CARRIED UNANIMOUSLY.

ENGINEER-  
ING CONTRACT

SANITARY THE ENGINEERING CONTRACT FOR CONSTRUCTION OF THE FUTURE SANITARY SEWER PLANT SEWER PLANT NORTH AND NEAR THE 500,000 GALLON ELEVATED STORAGE TANK. PARK RD  
53: ED MANNING SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

C. EDWIN  
PRICHARD  
1984  
CONTRACT:

A MOTION WAS MADE BY GEORGE HAWN TO APPROVE THE 1984 CONTRACT FOR C. EDWIN PRICHARD, JR., ATTORNEY FOR THE DISTRICT. ED MANNING SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

SAN PAT  
CONTRACT:

AFTER DISCUSSION OF THE PROPOSED SAN PATRICIO CONTRACT FOR FUTURE WATER, THE BOARD DIRECTED THE STAFF TO PROCEED WITH PRELIMINARY NEGOTIATIONS FOR CHANGES OF THE CONTRACT WITH SAN PATRICIO.

J. PAIR'S  
REQUEST:  
ON IN-  
SPECTION  
CHARGES:

JIM PAIR, REPRESENTING ISLAND MOORINGS, ADDRESSED THE BOARD IN REGARDS TO THE INSPECTION CHARGES. THE BOARD DIRECTED THE MANAGER TO CHECK THE SCHEDULE OF THE INSPECTION CHARGES FOR ANY POSSIBLE ERROR IN BILLING---OTHERWISE, THE BILLING WILL BE COLLECTABLE AS BILLED.

LEEWARD  
SAND'S  
LETTER  
OF  
CREDIT:

ALAN DUANE, REPRESENTING LEEWARD SANDS DEVELOPMENT, REQUESTED THE BOARD TO CONSIDER REDUCING THE LETTER OF CREDIT FOR LEEWARD SANDS. A MOTION BY GEORGE HAWN AND SECONDED BY ED MANNING TO REDUCE THE LETTER OF CREDIT AND ADD AN ADDENDUM TO THE ORIGINAL CONTRACT. THE STAFF WILL WORK-UP DATA AS DESCRIBED. THE MOTION CARRIED UNANIMOUSLY.

SANITATION  
BILLING:

AFTER DISCUSSION WITH THE CITY MANAGER, JOYCE PULICH, REGARDING THE CITY SANITATION BILLING, THE DISTRICT AGREED TO FURNISH AT NO CHARGE TO THE CITY A LISTING OF UP-DATE CUSTOMER RECORDS PROVIDED THE CITY PERSONNEL DOES THE PHYSICAL WORK AT THE DISTRICT OFFICE. THE DISTRICT EXPRESSED A CONTINUED EFFORT TO WORK WITH THE CITY TO ACCOMPLISH THE MOST EFFICIENT WAY TO HANDLE THE SANITATION BILLING.

PAGE 3  
SPECIAL MEETING  
JANUARY 13, 1984

FINANCIAL  
REPORT:

THE FINANCIAL REPORT WAS DISCUSSED. A MOTION WAS MADE  
BY GEORGE HAWN AND SECONDED BY ED MANNING TO APPROVE CAPITAL  
RECOVERY FUND EXPENDITURES FOR 1983 AS FOLLOWS:

OFFICE EXPANSION	\$ 20,000.00
6" WATER LINE (UP-GRADED 4")	
CACTUS UTILITY	3,105.22
R. VELA INSPECTION	<u>754.88</u>
	\$ 23,860.00

THE MOTION CARRIED UNANIMOUSLY.

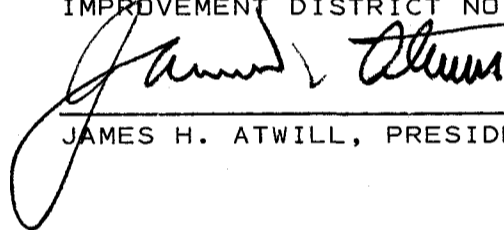
MANAGER'S  
REPORT:

THE MANAGER'S REPORT WAS GIVEN BY DON ROY FARLEY.  
(A COPY OF THE REPORT IS ON FILE IN THE DISTRICT OFFICE).

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN THE MEETING.

THE MOTION CARRIED UNANIMOUSLY.

NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4



JAMES H. ATWILL, PRESIDENT

ATTEST:

  
ED MANNING, SECRETARY

MINUTES OF  
SPECIAL MEETING  
JANUARY 23, 1984

STATE OF TEXAS

COUNTY OF NUECES

ON THE 23RD DAY OF JANUARY, 1984, THE BOARD  
OF DIRECTORS FOR THE NUECES COUNTY WATER CONTROL & IMPROVE-  
MENT DISTRICT NO. 4, CONVENED IN A SPECIAL MEETING AT 7:00 P.M.  
AT THE COUNCIL CHAMBERS, CITY HALL, PORT ARANSAS, TEXAS.  
THERE BEING PRESENT AND IN ATTENDANCE THE FOLLOWING TO-WITT:

PRESIDENT	JAMES H. ATWILL
VICE PRESIDENT	JAY SANDERS
SECRETARY	ED MANNING
SECRETARY PRO-TEM	GEORGE HAWN
DIRECTOR	AL MORA

STAFF:

MANAGER	DON ROY FARLEY
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VISITORS:

MAYOR OF PORT ARANSAS	CHARLIE BROWN
MANAGER OF CITY	JOYCE PULICH
COUNCILMEN:	ED REED
	TOM MCNATT
	RALPH KEENE
	JIM BARR
	DALE BIETENDORF
CITY ATTORNEY	MIKE MORRIS

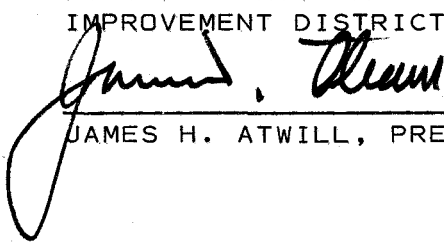
CALL MEETING  
TO ORDER:

MR. ATWILL CALLED THE SPECIAL MEETING TO ORDER  
AT 7:00 P.M. AS THERE WAS NO BUSINESS AT THIS TIME A MOTION  
WAS DULY MADE AND SECONDED TO ADJOURN THE SPECIAL MEETING  
AND CONVENE IS AN EXECUTIVE SESSION. A DISCUSSION WAS HELD  
IN REGARDS TO THE ACQUISITION OF LAND. ~~THERE WAS NO ACTION.~~

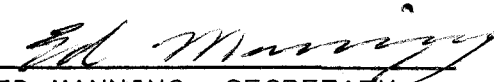
EXECUTIVE  
SESSION:

A MOTION WAS DULY MADE AND SECONDED TO RECONENE  
IN THE SPECIAL MEETING. AS THERE WAS NO ACTION TAKEN, A  
MOTION WAS DULY MADE AND SECONDED TO ADJOURN.

NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

  
JAMES H. ATWILL, PRESIDENT

ATTEST:

  
ED MANNING, SECRETARY

MINUTES OF  
REGULAR MEETING  
NOVEMBER 7, 1983

STATE OF TEXAS           ↓  
COUNTY OF NUECES       ↓

ON THE 7TH DAY OF NOVEMBER, 1983, THE BOARD  
OF DIRECTORS FOR THE NUECES COUNTY WATER CONTROL & IMPROVE-  
MENT 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:

PRESIDENT	JAMES H. ATWILL
SECRETARY	ED MANNING
SECRETARY PRO-TEM	GEORGE S. HAWN

ABSENT:

VICE PRESIDENT	JAY SANDERS
DIRECTOR	AL MORA

STAFF:

MANAGER	DON ROY FARLEY
ASS'T ADMIN	NONA E. SHERRILL
BOOKKEEPER	MARY MOSS
ATTORNEY	C. EDWIN PRICHARD, JR.
ENGINEER	JIM URBAN
AUDITOR	GARY DAVENPORT

VISITORS:

CITY MANAGER	JOYCE PULICH
MARK GROSSE	REALTOR
ED TICHY	CONCERNED CITIZEN
SAM SNELL	CONCERNED CITIZEN

MINUTES  
9/20/83:

A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY  
ED MANNING TO APPROVE THE MINUTES OF SEPTEMBER 30, 1983.  
(A COPY OF THE MINUTES WAS MAILED TO EACH DIRECTOR PRIOR  
TO THE MEETING.  
THE MOTION CARRIED UNANIMOUSLY.

SAM SNELL'S  
REQUEST  
ON CRF:

AFTER DISCUSSION OF MR. SAM SNELL'S REQUEST REGARDING CAPITAL RECOVERY FEE ON PROPERTY IN QUESTION (LOTS 6 & 7, BLOCK 139, STATE LAND SURVEY, MUSTANG ISLAND), GEORGE HAWN MADE A MOTION THAT THE EVIDENCE SUBMITTED BY ED TICHY ON THE PROPERTY IN QUESTION INDICATED THAT THE INTENT OF THE OWNER WAS TO DEVELOP A SEVENTEEN (17) UNIT TRAILER PARK AND THAT AS SUCH IT WAS ACCEPTED BY THE DISTRICT PRIOR TO THE CAPITAL RECOVERY FEE AND THUS A CAPITAL RECOVERY FEE WOULD NOT BE INCURRED AND THAT THE APPLICANT WOULD FILE AN APPLICATION WITH THE DISTRICT SO STATING THAT THE SOLE USE OF THE PROPERTY WOULD BE FOR THE USE OF THE SEVENTEEN (17) UNIT TRAILER PARK AND THAT THE APPLICANT REQUEST A 1" METER AND CAPACITY OF SAME AND AGREE TO PAY FOR ADDITIONAL COSTS FOR THE DIFFERENCE OF A 5/8" TAP TO A 1" TAP AND GRANT TO THE DISTRICT AN EASEMENT OF AN EXISTING WATER LINE CONSTRUCTED ON THE EAST SIDE OF HIS PROPERTY. THE MOTION WAS SECONDED BY ED MANNING. THE MOTION PASSED UNANIMOUSLY.

NUECES COUNTY  
PARK EXPANSION:

AFTER DISCUSSION OF NUECES COUNTY PARK IN REGARDS TO EXPANSION, THE BOARD OF DIRECTORS INSTRUCTED THE STAFF TO CONDUCT A STUDY AS TO THE CURRENT USAGES OF THE PARK IN ORDER TO DEVELOP AN EQUITABLE POLICY.

EMERGENCY  
REPAIR/SEWER  
LINE-AVE. C:

MR. FARLEY DISCUSSED THE POSSIBILITIES OF AN EMERGENCY REPAIR TO THE SEWER LINE ON AVENUE C. A MOTION WAS MADE BY GEORGE HAWN TO REPAIR SEWER LINE ON AVENUE C FROM ALISTER, WEST TO 7TH OR GULF STREET. THE AMOUNT NOT TO EXCEED \$10,000.00 WITHOUT BOARD APPROVAL. THE MOTION WAS SECONDED BY ED MANNING. THE MOTION PASSED UNANIMOUSLY.

LYLE TO  
BUILD OFFICE  
INVENTORY  
BUILDING:

A MOTION WAS MADE BY ED MANNING AND SECONDED BY GEORGE HAWN TO APPROVE THE BID BY HUBERT LYLE OF \$3205.00 TO CONSTRUCT OFFICE SPACE IN THE INVENTORY BUILDING. THE MOTION PASSED UNANIMOUSLY. MR. MANNING MADE A SECOND MOTION TO REQUEST BIDS FOR AN EQUIPMENT BUILDING TO HOUSE VEHICLES AND TO BE SUBMITTED AS SOON AS POSSIBLE. THE MOTION WAS SECONDED BY GEORGE HAWN. THE MOTION PASSED UNANIMOUSLY.

AMENDING RESOLUTION

ON DISCONTINUANCE OF WATER SERVICE

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; AND,

WHEREAS, THE DISTRICT, PURSUANT TO SECTION 51.311 OF THE WATER CODE OF THE STATE OF TEXAS, HAS THE AUTHORITY TO DISCONTINUE WATER SERVICE IF A CUSTOMER FAILS OR REFUSES TO PAY A WATER ASSESSMENT WHEN DUE UNTIL SUCH TIME AS ALL BACK ASSESSMENTS ARE FULLY PAID AS WELL AS ALL CHARGES FOR RECONNECTION ARE PAID; AND,

WHEREAS, THE BOARD OF DIRECTORS OF THE DISTRICT IS DESIRIOUS OF ADOPTING A POLICY FOR NOTICE AND HEARING PRIOR TO DISCONTINUANCE OF WATER SERVICE.

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 AND IMPROVEMENT DISTRICT NO. 4 THAT;

1. ALL CUSTOMERS OF THE DISTRICT SHALL PAY THEIR WATER BILLS AND ASSESSMENTS WHEN DUE. IF A CUSTOMER FAILS OR REFUSES TO PAY HIS WATER BILL AND/OR ASSESSMENT WHEN DUE, HIS WATER SUPPLY SHALL BE CUT OFF AND NO WATER MAY BE FURNISHED TO HIM UNTIL ALL BACK ASSESSMENTS, INCLUDING RECONNECT CHARGES, ARE FULLY PAID.
2. BILLS FOR WATER SERVICE ARE MAILED TO THE CUSTOMER ON THE FIRST WORKING DAY OF EACH MONTH FOR THE PREVIOUS MONTH AND BECOME DELINQUENT IF NOT PAID BY THE 20TH DAY OF THE MONTH BILLED. AFTER DELINQUENCY AND PRIOR TO THE SUSPENSION OF WATER SERVICE BY THE DISTRICT, THE DISTRICT SHALL PROVIDE WRITTEN NOTIFICATION OF THE FACT THAT A WATER ASSESSMENT IS DUE, THAT THE SAME HAS NOT BEEN PAID, AND THAT IF THE SAME IS NOT PAID WITHIN SEVEN (7) DAYS FROM THE DATE OF SAID NOTIFICATION, THE DISTRICT WILL DISCONTINUE WATER SERVICE UNTIL SUCH TIME AS ALL WATER ASSESSMENTS ARE FULLY PAID AND A RECONNECT CHARGE IS PAID. UPON RECEIPT OF THE NOTICE THAT WATER SERVICE IS TO BE DISCONTINUED BY THE DISTRICT, THE CUSTOMER SHALL BE ENTITLED TO A HEARING BEFORE THE MANAGER FOR THE DISTRICT AT 9:00 A.M. ONE (1) WEEK AFTER THE DATE OF THE NOTICE. SAID HEARING SHALL BE BEFORE THE MANAGER FOR THE DISTRICT, AT WHICH TIME EVIDENCE WILL BE HEARD WHICH FORMULATES THE BASIS FOR THE ACTION BY THE DISTRICT. AT THE HEARING, THE CUSTOMER SHALL BE ENTITLED TO HEAR THE EVIDENCE UPON WHICH THE ACTION BY THE DISTRICT IS BASED, TO CROSS EXAMINE ALL ADVERSE WITNESSES, AND TO PRESENT EVIDENCE IN

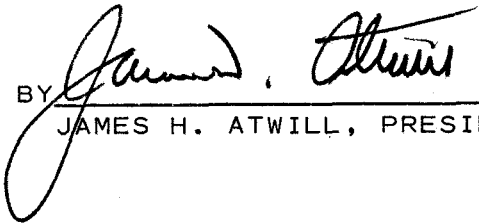
OPPOSITION THERETO OR IN EXTINUATION. IMMEDIATELY FOLLOWING THE HEARING, THE MANAGER SHALL DETERMINE WHETHER OR NOT THE ACTION CONTEMPLATED BY THE DISTRICT IS JUSTIFIED AND SHALL SO INFORM THE CUSTOMER AT THAT TIME. IF THE CUSTOMER, AFTER BEING SO INFORMED, FAILS AT THAT TIME TO PAY ALL WATER BILLS AND/OR ASSESSMENTS DETERMINED TO BE DUE, THE MANAGER SHALL IMMEDIATELY NOTIFY THE SUPERINTENDENT FOR THE DISTRICT TO DISCONTINUE SERVICE UNTIL SUCH TIME AS ALL BACK ASSESSMENTS AND A RECONNECT CHARGE HAVE BEEN PAID.

3. THIS RESOLUTION SHALL NOT AFFECT ANY OTHER VALID RESOLUTION OF THE DISTRICT CONCERNING DISCONTINUANCE OF WATER SERVICE.

PASSED AND APPROVED THIS 7TH DAY OF NOVEMBER, 1983.

NUECES COUNTY WATER CONTROL AND  
IMPROVEMENT DISTRICT NUMBER 4

BY

  
JAMES H. ATWILL, PRESIDENT

ATTEST:

  
ED MANNING, SECRETARY

MINUTES OF  
SPECIAL MEETING  
SEPTEMBER 30, 1983

STATE OF TEXAS        ↓  
COUNTY OF NUECES     ↓

ON THE 30TH DAY OF SEPTEMBER, 1983, 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 FOLLIWING TO-WIT:

PRESIDENT	JAMES H. ATILLL
VICE PRESIDENT	JAY SANDERS
SECRETARY	ED MANNING
SECRETARY PRO-TEM	GEORGE S. HAWN

ABSENT:

DIRECTOR	A.A. MORA
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STAFF:

MANAGER	DON ROY FARLEY
ASS'T ADMIN	NONA E. SHERRILL
BOOKKEEPER	MARY MOSS
ENGINEER	JIM URBAN
ATTORNEY	C. EDWIN PRICHARD, JR.

VISITORS:

SOUTH JETTY NEWS	MARY JUDSON
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16" WATER  
LINE BID  
ACCEPTANCE:

A MOTION WAS MADE BY GEORGE S. HAWN AND  
SECONDED BY JAY SANDERS TO APPROVE THE LOW BID OF CHAPMAN  
CONSTRUCTION COMPANY OF \$442,045.00 BID ON THE 16" WATER  
LINE WITH BUTTERFLY VALVES AND THAT THE MANAGER BE AUTHOR-  
IZED TO EXECUTE THE CONTRACT DOCUMENTS. THE MOTION  
CARRIED UNANIMOUSLY.

MINUTES OF  
SEPT 7 & 22,  
1983:

A MOTION WAS MADE BY JAY SANDERS AND SECONDED  
BY ED MANNING TO APPROVE THE MINUTES OF SEPTEMBER 7, 1983  
AND ALSO THE MEETING OF SEPTEMBER 22, 1983 IN WHICH THERE  
WAS NOT A QUORUM PRESENT. THE BIDS WERE ACCEPTED  
BY THE DISTRICT STAFF AND SENT TO THE DISTRICT ENGINEER'S  
FOR RECOMMENDATION AT THE MEETING SET FOR SEPTEMBER 30,  
1983. THE MOTION PASSED UNANIMOUSLY. (A COPY OF THE MINUTES  
WAS MAILED TO EACH DIRECTOR PRIOR TO THE MEETING).

PAGE 2  
MINUTES OF SPECIAL MEETING  
SEPTEMBER 30, 1983

FINANCIAL  
REPORT:

A MOTION WAS MADE BY JAY SANDERS AND SECONDED BY  
GEORGE S. HAWN TO APPROVE THE FINANCIAL REPORT FOR AUGUST,  
1983:

AUGUST ACCOUNTS PAYABLE	\$ 53,735.93
AUGUST EXPENDITURES	190,870.43

THE MOTION CARRIED UNANIMOUSLY.

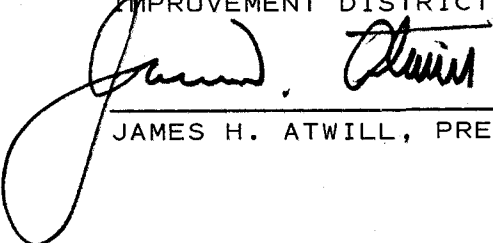
1983-84  
BUDGET:

A MOTION WAS MADE BY GEORGE S. HAWN AND SECONDED  
BY ED MANNING TO APPROVE THE 1983-84 BUDGET PROPOSAL. THE  
MOTION CARRIED UNANIMOUSLY. (BUDGET ATTACHED TO MINUTES)

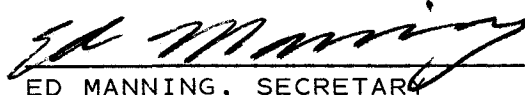
MANAGER'S  
REPORT:

THE MANAGER'S REPORT WAS GIVEN BY DON ROY FARLEY.  
A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY JAY SANDERS  
THAT A TRANSFER OF FUNDS FROM THE CAPITAL RECOVERY FUNDS  
TO THE GENERAL OPERATING FUND FOR THE APPROPRIATE EXPENSES DUE  
TO GENERAL OPERATING FUND FOR ADDITIONAL GROWTH AND EXPANSION  
TO THE DISTRICT FOR THE PAST YEAR AS RECOMMENDED BY KOSAREK  
& DAVENPORT, CPA'S, THE DISTRICT'S AUDITORS. THE MOTION  
PASSED UNANIMOUSLY.(A COPY OF THE MANAGER'S REPORT IS ON FILE  
AT THE DISTRICT OFFICE).

NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

  
JAMES H. ATWILL, PRESIDENT

ATTEST:

  
ED MANNING, SECRETARY

NUECES COUNTY WATER CONTROL AND  
IMPROVEMENT DISTRICT NO. 4  
GENERAL OPERATING  
FUND

PROPOSED BUDGET  
FISCAL YEAR OCTOBER 1, 1983 TO SEPTEMBER 30, 1984

	1982-83 BUDGET	1982-83 ACTUAL BUDGET	1983-84 PROPOSED
<u>EXPENDITURES:</u>			
<u>PURCHASED SERVICES:</u>			
BULK WATER PURCHASES	\$ 207,700.00	\$ 225,000.00	\$ 287,048.00
<u>PAYROLL EXPENSES:</u>			
SALARIES AND WAGES	\$ 263,061.00	\$ 267,057.00	\$ 294,948.00
EMPLOYEE RETIREMENT .07	18,414.00	18,694.00	20,646.00
GROUP INSURE PREM	8,000.00	10,971.00	12,094.00
EMPLOYER'S OASE TAX .07	17,625.00	17,893.00	20,646.00
WORKMAN'S COMP PREM	7,379.00	7,379.00	8,308.00
LESS: LABOR APPLIED TO TAP CONNECTIONS EX	(11,385.00)	(11,500.00)	(13,723.00)
TOTAL PAYROLL EX	\$ 303,094.00	310,494.00	342,919.00
<u>PROFESSIONAL FEES:</u>			
LEGAL	\$ 16,500.00	\$ 16,500.00	\$ 18,150.00
AUDITING	8,100.00	12,500.00	8,910.00
ENGINEERING	6,050.00	20,000.00	15,000.00
TOTAL PROF FEES	\$ 30,650.00	\$ 49,000.00	\$ 42,060.00
<u>PURCHASED AND CONTRACTED SERVICES:</u>			
LEGAL NOTICES & PUBLICATIONS:	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00
DATA PROCESSING SERV	7,000.00	7,000.00	1,250.00
CONTRACT LABOR	600.00	5,000.00	2,000.00
R & MAINTENANCE-SYSTEM	88,600.00	81,000.00	70,000.00
-METERS	300.00	1,031.00	300.00
EQUIPMENT	8,500.00	7,500.00	9,300.00
TRUCKS	4,000.00	3,500.00	5,000.00
BUILD & GROUND	6,930.00	3,000.00	6,930.00
JANITORIAL SERVICES	-0-	75.00	1,200.00
ELECTION EXPENSES	1,200.00	732.00	1,200.00
TOTAL PURCHASES CONTRACTED SERV.	\$ 118,630.00	\$ 110,338.00	\$ 98,680.00

PROPOSED BUDGET (CON'T)

	1982-83 BUDGET	1982-83 ACTUAL BUDGET	1983-84 PROPOSED
<u>CONSUMABLE SUPPLIES AND MATERIALS:</u>			
PRINTING & OFFICE SUPPLY \$	4,000.00	\$ 7,500.00	\$ 5,000.00
FUEL & LUBES	14,564.00	16,500.00	17,000.00
CHEMICALS	8,097.00	5,000.00	8,097.00
SMALL TOOLS	2,200.00	2,200.00	1,900.00
R & M - SYSTEM	14,000.00	38,000.00	15,400.00
- WATER METERS	350.00	95.00	300.00
- EQUIPMENT	8,250.00	12,000.00	12,000.00
- TRUCK	2,100.00	4,500.00	3,000.00
- BUILDING & GRNDS	900.00	900.00	900.00
OTHER CONSUMABLE SUPPLY	900.00	1,650.00	1,500.00
TOTAL CONSUMABLE SUPPLY & MAT	\$ 55,361.00	\$ 88,345.00	\$ 65,097.00
<u>RECURRING EXPENSES:</u>			
POSTAGE	\$ 3,080.00	\$ 3,600.00	\$ 3,900.00
TELEPHONE	5,600.00	5,780.00	6,160.00
UTILITIES	111,000	107,695.00	140,415.00
INSURANCE	9,900.00	9,900.00	10,890.00
TRAVEL & PER DIEM	1,900.00	2,500.00	800.00
FREIGHT EXPENSE	650.00	750.00	650.00
EMPLOYEE UNIFORMS	1,700.00	1,660.00	1,870.00
OTHER EXPENSES	4,950.00	5,665.00	6,465.00
TOTAL RECURRING EXPENSES	138,780.00	137,550.00	171,150.00
TAP CONNECTION EXPENSE	\$ 16,100.00	\$ 18,101.00	\$ 17,710.00
TOTAL ALL EXPENSES	\$ 870,315.00	\$ 938,828.00	\$ 1,024,664.00

PROPOSED BUDGET (CON'T)

	1982-83 BUDGET	1982-83 ACTUAL BUDGET	1983-84 PROPOSED
<u>REVENUE:</u>			
CUSTOMER SERVICE FEE	\$ 827,349.00 CR	\$ 825,617.00 CR	\$ 964,444.00 CR
RECONNECT FEE	2,750.00 CR	2,735.00 CR	3,205.00 CR
SERVICE INSPECTION	400.00 CR	140.00 CR	300.00 CR
DEVELOPERS CONTRIBUTIONS	15,000.00 CR	40,082.00 CR	43,000.00 CR
DEVELOPERS CHARGES	15,000.00 CR	5,302.00 CR	15,000.00 CR
TAP FEES	35,500.00 CR	23,000.00 CR	30,000.00 CR
INTEREST ON TEMP INVST	4,000.00 CR	8,500.00 CR	6,000.00 CR
CITY PERMITS	-0-	23,000.00 CR	10,000.00 CR
SALE OF MATERIAL & SUP	-0-	4,500.00 CR	-0-
SALE OF ASSETS	-0-	-0-	-0-
MISCELLANEOUS REVENUE	3,000.00 CR	6,000.00 CR	3,000.00 CR
TOTAL REVENUE	\$ 902,999.00 CR	\$ 938,876.00 CR	\$1,074,949.00 CR
TOTAL ALL EXPENDITURES	\$ 870,315.00	\$ 938,828.00	\$1,024,664.00
SURPLUS (DEFICIT)	\$ 32,684.00 CR	48.00 CR	50,285.00 CR

CAPITAL OUTLAY:

2-TRUCKS	\$ 16,000.00
STORAGE SHEDS & OFFICE	16,000.00
PUMPS, TOOLS & ETC.	6,000.00
COMPUTER	10,200.00
OTHER	10,000.00
TOTAL	58,200.00

**BIDS TABULATED BY:**  
**URBAN ENGINEERING**  
**2725 SWANTNER**  
**CORPUS CHRISTI, TEXAS 78411**

BID TABULATION FOR  
CONSTRUCTION OF  
MUSTANG ISLAND 16" WATER TRANSMISSION LINE  
PORT ARANSAS, TEXAS

JOB NO.: 9872.49  
BIDS OPENED: September 22, 1983  
@ 10:00 A.M.  
PAGE: 1 of 3

[illegible]

**BIDS TABULATED BY:**  
**URBAN ENGINEERING**  
**2725 SWANTNER**  
**CORPUS CHRISTI, TEXAS 78411**

BID TABULATION FOR  
CONSTRUCTION OF  
MUSTANG ISLAND 16" WATER TRANSMISSION LINE  
PORT ARANSAS, TEXAS

COB NO. : 9872.49  
BIDS OPENED: September 22, 1983  
@ 10:00 A.M.  
PAGE: 2 of 3

DESCRIPTION		QUANTITY	UNIT	UNIT COST	TOTAL AMOUNT	MAVERICK CONSTRUCTION CO. P. O. Box 4141 Corpus Christi, Texas 78468		HELDENFELS BROTHERS, INC. P. O. Box 4957 Corpus Christi, Texas 78408		ROLLINGS CONSTRUCTION INC. P. O. Box 9456 Tulsa, Oklahoma 74157		GARNEY COMPANIES, INC. 1331 N.W. Vivion Rd. Kansas City, Missouri 64118	
						UNIT COST	TOTAL AMOUNT	UNIT COST	TOTAL AMOUNT	UNIT COST	TOTAL AMOUNT	UNIT COST	TOTAL AMOUNT
1.	Move-In and Move-Out	1	LS	5,000.00	5,000.00	5,800.00	5,800.00	6,000.00	60,000.00	5,000.00	5,000.00	4,000.00	4,000.00
2.	Bonds	1	LS	9,000.00	9,000.00	6,575.00	6,575.00	6,500.00	6,500.00	5,000.00	5,000.00	10,000.00	10,000.00
3.	16" A.C. Pipe	23,000	LF	20.00	460,000.00	19.45	447,350.00	17.40	400,200.00	17.00	391,000.00	25.06	576,380.00
4.	16" 90° Bend and Thrust Block	2	EA	550.00	1,100.00	870.00	1,740.00	710.00	1,420.00	640.00	1,280.00	450.00	900.00
5.	16" 45° Bend and Thrust Block	18	EA	450.00	8,100.00	625.00	11,250.00	640.00	11,520.00	350.00	6,300.00	450.00	8,100.00
6.	16" 22½° Bend and Thrust Block	1	EA	450.00	450.00	625.00	625.00	640.00	640.00	550.00	550.00	450.00	450.00
7.	12" x 16" Cross and Thrust Block	1	EA	750.00	750.00	2,200.00	2,200.00	1,560.00	1,560.00	900.00	900.00	650.00	650.00
8.	20" x 16" Tee and Thrust Block	1	EA	1,400.00	1,400.00	1,600.00	1,600.00	1,750.00	1,750.00	1,300.00	1,300.00	1,050.00	1,050.00
9.	16" Gate Valve and Thrust Block	11		2,150.00	23,650.00	3,250.00	35,750.00	2,600.00	28,600.00	2,350.00	25,850.00	1,900.00	20,900.00
10.	12" Gate Valve and Thrust Block	2	LF	850.00	1,700.00	1,500.00	3,000.00	1,025.00	2,050.00	1,020.00	2,040.00	700.00	1,400.00
11.	Welded Steel Casing Installed by Boring	84	LF	105.00	8,820.00	310.00	26,040.00	250.00	21,000.00	98.00	8,232.00	127.00	10,668.00
12.	R.O.W. Clearing and Restoration	1	LS	1,500.00	1,500.00	9,600.00	9,600.00	21,250.00	21,250.00	123,000.00	123,000.00	1,000.00	1,000.00
13.	Testing	1	LS	1,500.00	1,500.00	1,700.00	1,700.00	0.01	0.01	1,000.00	1,000.00	2,000.00	2,000.00
14.	Tie in at Tower	1	LS	5,000.00	5,000.00	800.00	800.00	1,770.00	1,770.00	1,200.00	1,200.00	2,000.00	2,000.00
15.	Tie in at Pump Station	1	LS	5,000.00	5,000.00	400.00	400.00	2,400.00	2,400.00	1,700.00	1,700.00	5,000.00	5,000.00
CONSTRUCTION COST TOTAL (Bid with Gate Valves)					532,970.00		554,430.00		560,660.01		574,352.00		644,498.00
16.	16" Butterfly Valve and Thrust Block	11	EA	2,000.00	22,000.00	2,500.00	27,500.00	1,760.00	19,360.00	1,650.00	18,150.00	1,600.00	17,600.00
17.	12" Butterfly Valve and Thrust Block	1	EA	825.00	825.00	1,400.00	1,400.00	1,060.00	1,060.00	900.00	900.00	700.00	700.00
CONSTRUCTION COST TOTAL* (Bid with Butterfly Valves)					530,445.00		544,580.00		550,430.01		565,512.00		640,498.00
*Note Construction Cost Total includes all bid items except bid items 9 & 10													

BIDS TABULATED BY:  
URBAN ENGINEERING  
2725 SWANTNER  
CORPUS CHRISTI, TEXAS 78411

BID TABULATION FOR  
CONSTRUCTION OF  
MUSTANG ISLAND 16" WATER TRANSMISSION LINE  
PORT ARANSAS, TEXAS

JOB NO.: 9872.49  
BIDS OPENED: September 22, 1983  
@ 10:00 A.M.  
PAGE: 3 of 3

W.T. YOUNG CONSTRUCTION CO. P. O. Box 9197 Corpus Christi, Texas 78469						VERMILLION CONSTRUCTION CO. P. O. Drawer 159 Fulton, Texas 78358						FITZGERALD CONTRACTING, INC P. O. Box 905 Donna, Texas 78537					
ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT COST	TOTAL AMOUNT	UNIT COST	TOTAL AMOUNT	UNIT COST	TOTAL AMOUNT	UNIT COST	TOTAL AMOUNT						
1.	Move-In and Move-Out	1	LS	7,500.00	7,500.00	3,000.00	3,000.00	6,000.00	6,000.00								
2.	Bonds	1	LS	9,000.00	9,000.00	8,500.00	8,500.00	13,100.00	13,100.00								
3.	16" A.C. Pipe	23,000	LF	25.00	575,000.00	27.42	630,660.00	33.00	759,000.00								
4.	16" 90° Bend and Thrust Block	2	EA	1,500.00	3,000.00	928.55	1,857.10	662.00	1,324.00								
5.	16" 45° Bend and Thrust Block	18	EA	960.00	17,280.00	808.48	14,552.64	560.00	10,080.00								
6.	16" 22½° Bend and Thrust Block	1	EA	1,500.00	1,500.00	807.98	807.98	576.00	576.00								
7.	12" x 16" Cross and Thrust Block	1	EA	2,000.00	2,000.00	1,962.28	1,962.28	1,500.00	1,500.00								
8.	20" x 16" Tee and Thrust Block	1	EA	2,200.00	2,200.00	2,515.16	2,515.16	2,300.00	2,300.00								
9.	16" Gate Valve and Thrust Block	11		3,000.00	33,000.00	3,814.68	42,401.48	2,560.00	28,160.00								
10.	12" Gate Valve and Thrust Block	2	LF	1,000.00	2,000.00	1,158.22	2,316.44	858.00	1,716.00								
11.	Welded Steel Casing Installed by Boring	84	LF	290.00	24,360.00	230.00	19,320.00	205.00	17,220.00								
12.	R.O.W. Clearing and Restoration	1	LS	13,500.00	13,500.00	11,500.00	11,500.00	19,100.00	19,100.00								
13.	Testing	1	LS	19,000.00	19,000.00	4,475.00	4,475.00	3,000.00	3,000.00								
14.	Tie in at Tower	1	LS	7,250.00	7,250.00	6,500.00	6,500.00	1,600.00	1,600.00								
15.	Tie in at Pump Station	1	LS	7,000.00	7,000.00	9,500.00	9,500.00	1,500.00	1,500.00								
CONSTRUCTION COST TOTAL (Bid with Gate Valves)					723,590.00	759,868.08					866,176.00						
16.	16" Butterfly Valve and Thrust Block	11	EA	2,500.00	27,500.00	3,224.46	35,469.06	1,658.00	18,238.00								
17.	12" Butterfly Valve and Thrust Block	1	EA	1,000.00	1,000.00	1,143.69	1,143.69	1,814.00	1,814.00								
CONSTRUCTION COST TOTAL* (Bid with Butterfly Valves)					717,090.00	751,762.91					856,352.00						
Alternate No. #3 23,000 DI Pipe				28.50	655,500.00												
*Note Construction Cost Total includes all bid items except bid items 9 & 10																	
					</												

MINUTES OF  
SPECIAL MEETING  
SEPTEMBER 22, 1983

STATE OF TEXAS

↓

COUNTY OF NUECES

↓

ON THE 22ND DAY OF SEPTEMBER, 1983, THE BOARD OF DIRECTORS FOR THE NUECES COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 4, WERE TO CONVENE IN A SPECIAL MEETING AT 10:00 A.M. AT THE DISTRICT OFFICE, 315 SOUTH 9TH STREET, PORT ARANSAS, TEXAS. AS THERE WAS NOT A QUORUM PRESENT, THE MEETING WAS RESCHEDULED FOR SEPTEMBER 30, 1983, AT 10:00 A.M. THE FOLLOWING BUSINESS WAS CONDUCTED BY THE STAFF;

NONA E. SHERRILL  
MARY MOSS  
RUDY VELA  
JIM URBAN

ASS'T ADMINISTRATOR  
BOOKKEEPER  
SUPERINTENDENT  
ENGINEER

VISITORS:

RICK BERRY  
I.H. PERRY  
DAVID CHAPMAN  
W.H. MERCER  
DANNY HALES  
L.D. MCMAHAN  
MARK FARRAR  
MICHAEL BERRY  
R.E. BOWERS  
KEVIN CURRY  
JIM FITZGERALD  
TOMMY MOON  
MIKE DRAHL  
HUGH GUINN  
GLENN FENNER  
GARY R. TEAGUE  
STEVE FORD  
J.C. REEVES  
MILTON SMITH  
RAY GELINAS

HELDENFELS  
PERRY CONSTRUCTION CO.  
CHAPMAN CONSTRUCTION CO.  
MERCER CONSTRUCTION CO.  
W.T. YOUNG  
HOWELL CONSTRUCTION  
HOWELL CONSTRUCTION  
DEBER, INC.  
MCALLEN PIPE  
FITZGERALD CONTRACTING  
FITZGERALD  
VERMILLION CONSTRUCTION CO.  
TRANS-TEX SUPPLY  
TRANS-TEX SUPPLY  
MAVERICK CONSTRUCTION  
TRANS-TEX SUPPLY  
CARNEY COMPANIES, INC.  
ROHAN CO.  
CERTAINTED CORPORATION  
ROLLINGS CONSTRUCTION CO.

THE FOLLOWING BIDS WERE RECEIVED;

T.B.B.-A.C. PIPE & GATE VALVES

T.B.B.-AC PIPE & BUTTERFLY VALVES

CHAPMAN

\$449,449.00

\$442,045.00

MERCER

457,950.00

449,910.00

SPECIAL MEETING (CON'T)  
SEPTEMBER 22, 1983  
PAGE 2

T.B.B.-A.C. PIPE & GATE VALVES

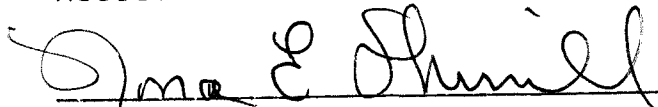
T.B.B.-AC PIPE & BUTTERFLY VALVES

PERRY	\$485,884.00		\$ 478,454.00
HOWELL	517,045.00		508,205.00
DEBER	527,471.00		516,458.00
RHODE	532,970.00		530,445.00
MAVERICK	554,430.00		544,580.00
HELDENFELS	560,660.01		550,430.01
ROLLINGS	574,352.00		565,512.00
GARNEY	644,498.00	DUCTILE IRON & GATE VALVES	640,498.00
YOUNG	723,590.00	\$ 655,500.00	717,090.00
VERMILLION	759,868.08		751,762.91
FITZGERALD	866,176.00		856,352.00

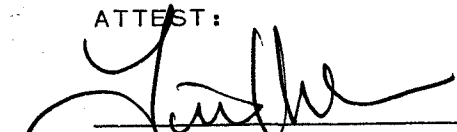
THE STAFF WAS INSTRUCTED TO SEND ALL BIDS TO  
URBAN ENGINEERS FOR STUDY AND RECOMMENDATIONS TO BE PRESENTED  
TO THE BOARD OF DIRECTORS AT THE SEPTEMBER 30, 1983 MEETING.

NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

ASSISTANT ADMINISTRATOR

  
NONA E. SHERRILL

ATTEST:

  
JIM URBAN,  
URBAN ENGINEERING

MUSTANG ISLAND 16" WATER TRANSMISSION LINE  
PORT ARANSAS, TEXAS

BIDS OPENED: September 22, 1983  
@ 10:00 A.M.

JOB NO. 9872.49

Page: 1 of 5

BID TABULATION

	ENGINEER'S ESTIMATE	Aqua Utility, Inc. 300 Westchester Corpus Christi, Texas 78408	Austin Engineering P. O. Box 3255 Austin, Texas 78764	Barnes Plumbing Co., Inc. P. O. Box 146 Killeen, Texas 76541	Brown & Root, Inc. P. O. Box 3 Houston, Texas 77001	Certaineed Corporation 5000 Franklin Avenue Waco, Texas 76710	Claude Chapman Construction 7603 Leopard Corpus Christi, Texas 78410
T.B.B.- A.C. Pipe & Gate Valves							449449
T.B.B.- A.C. Pipe & Butterfly Valves							442045
T.B.B.- Ductile Iron Pipe & Gate Valves							1
T.B.B.- Ductile Iron Pipe & Butterfly Valves							
Bid Security Included							✓
Addendum #1 Received							✓

MUSTANG ISLAND 16" WATER TRANSMISSION LINE  
PORT ARANSAS, TEXAS

BIDS OPENED: September 22, 1983  
@ 10:00 A.M.

JOB NO.: 9872.49

PAGE: 2 of 5

BID TABULATION

DeBer, Inc.  
P. O. Box 4268  
Corpus Christi, Texas 78408

Delta Utilities  
1239 Nile  
Corpus Christi, Texas 78412

Fitzgerald Contracting  
P. O. Box 905  
Donna, Texas 78537

Garney Companies  
1331 N. W. Vivion  
Kansas City, Missouri 64118

Goldston Corporation  
P. O. Box 9668  
Corpus Christi, Texas 78469

H & K Construction  
P. O. Box 1053  
Sinton, Texas 78387

Heldenfels Brothers, Inc.  
P. O. Box 4957  
Corpus Christi, Texas 78408

T.B.B. - A.C. Pipe & Gate Valves	527471		866176	644498		560660	
T.B.B. - A.C. Pipe & Butterfly Valves	516458	6	856352	640498		550430	7
T.B.B. - Ductile Iron Pipe & Gate Valves							
T.B.B. - Ductile Iron Pipe & Butterfly Valves							
Bid Security Included	✓		✓	✓		✓	
Addendum #1 Received	✓		✓	✓		✓	

BID TABULATION

JOB NO. 9872.49

PAGE: 3 of 5

BIDS OPENED: September 22, 1983 @ 10:00 A.M. JOB NO. 9872.49 PAGE: 3 of 5																					
T.B.B.- A.C. Pipe & Gate Valves		517045																			
T.B.B.- A.C. Pipe & Butterfly Valves		508205																			
T.B.B.- Ductile Iron Pipe & Gate Valves		4																			
T.B.B.- Ductile Iron Pipe & Butterfly Valves																					
Bid Security Included		✓																			
Addendum #1 Received		✓																			

HOWELL CONSTRUCTORS  
 3921 AGNES  
 CORPUS CHRISTI, TEXAS

HUSCON, INC.  
 P. O. BOX 365  
 TYLER, TEXAS 76710

IDELA CONSTRUCTION CO.  
 P. O. BOX 444  
 MISSION, TEXAS 78572

ISLES CONSTRUCTION CO.  
 P. O. BOX 8255  
 CORPUS CHRISTI, TEXAS 78412

J.D. MORGAN (H & H CONST.)  
 311 BAYSHORE  
 CORPUS CHRISTI, TEXAS 78412

JIM WILLIAMSON CONST.  
 4218 RAIN TREE  
 CORPUS CHRISTI, TEXAS 78410

MARECON, INC.  
 P. O. BOX 771029  
 HOUSTON, TEXAS 77215

MUSTANG ISLAND 16" WATER TRANSMISSION LINE  
PORT ARANSAS, TEXAS

BID TABULATION

BIDS OPENED: September 22, 1983  
@ 10:00 A.M.

JOB NO.: 9872.49

PAGE: 4 of 5

Maverick Construction Co.  
P. O. Box 4141  
Corpus Christi, Texas 78408

McAllen Pipe & Supply  
P. O. Box 4915  
Corpus Christi, Texas

McKinney Construction Co.  
P. O. Box 3961  
Victoria, Texas 77903

Mercer Construction Co.  
Drawer J  
Edna, Texas 77957

Perry Construction Co.  
P. O. Box 215  
Ingleside, Texas 78362

Rollings Construction Co.  
P. O. Box 9456  
Tulsa, Oklahoma 74157

Saunders Mech. & Eng.  
16950 Dallas Parkway  
Dallas, Texas 75248

T.B.B.- A.C. Pipe & Gate Valves	554430									
T.B.B.- A.C. Pipe & Butterfly Valves	544580	6			449910	478454	565512			
T.B.B.- Ductile Iron Pipe & Gate Valves										
T.B.B.- Ductile Iron Pipe & Butterfly Valves										
Bid Security Included	✓				✓		✓			
Addendum #1 Received	✓				✓	✓	✓			

MUSTANG ISLAND 16" WATER TRANSMISSION LINE  
PORT ARANSAS, TEXAS

BIDS OPENED: September 22, 1983  
@ 10:00 A.M.

JOB NO.: 9872.49

PAGE: 5 of 5

BID TABULATION

South Texas Road Boring  
P. O. Box 129  
Agua Dulce, Texas 78330

South Texas Utility Cont  
P. O. Box 1135  
Mercedes, Texas 78570

Trans-Tex Supply  
4427 Factory Hill Rd.  
San Antonio, Texas 78208

Vermillion Construction  
Drawer 159  
Fulton, Texas 78358

W.T. Young Construction  
P. O. Box 9197  
Corpus Christi, Texas 78408

Wayne J. Wolfe  
#2 Wolfe Drive  
Lamp Passas, Texas 76550

Rhode T.P. Co.  
Hillsboro, Tex  
RT 2 Bx 145

wants  
copy  
of this

T.B.B.- A.C. Pipe & Gate Valves				759868 <sup>28</sup>	723590		532970	
T.B.B.- A.C. Pipe & Butterfly Valves				751762 <sup>31</sup>	717090		530445	
T.B.B.- Ductile Iron Pipe & Gate Valves					655500-2			
T.B.B.- Ductile Iron Pipe & Butterfly Valves								
Bid Security Included				✓	✓		✓	
Addendum #1 Received				✓	✓		✓	

NCWD #4  
ADJUSTMENTS TO BUDGET  
1982-83

	1	2	3	4	5	6	
					DEBIT	CREDIT	
1			(1)				1
2	REPAIR & MAINTENANCE - SYSTEM				11 00000		2
3	CAPITAL OUTLAY					11 00000	3
4	TO RECLASSIFY CATHODIC PROTECTION (3,500)						4
5	& PLANT & SEWER UPKEEP (7,500) ORIGINALLY						5
6	INCLUDED IN THE CAPITAL OUTLAY BUDGET						6
7							7
8			(2)				8
9	FUND BALANCE END OF YEAR				1500000		9
10	DEVELOPERS CHARGES					1500000	10
11	TO RECORD CHARGES FOR SERVICES TO BE RENDERED						11
12	TO DEVELOPERS (ENGINEERING, LEGAL ETC) NOT						12
13	INCLUDED IN BUDGET						13
14							14
15			(3)				15
16	AUDITING/ACCOUNTING SERVICES				150000		16
17	FUND BALANCE - END OF YEAR				250000		17
18	CAPITAL OUTLAY					400000	18
19	TO RECLASSIFY ACCOUNTING SERVICES &						19
20	ENGINEERING FEES INCLUDED IN THE						20
21	CAPITAL OUTLAY BUDGET. THE ENGINEERING						21
22	FEES ARE IN CONNECTION WITH THE CAPITAL						22
23	RECOVERY FUND & WILL BE CHARGED TO						23
24	THAT FUND						24
25							25
26			(4)				26
27	CAPITAL OUTLAY				2450600		27
28	PURCHASED & CONTRACTED SERVICES - DATA PROCESSING				250000		28
29	FUND BALANCE - END OF YEAR				207000		29
30	PROCEEDS FROM LONG-TERM DEBT					2907600	30
31	TO RECORD TOTAL PURCHASE PRICE OF COMPUTER						31
32	SYSTEM, CUSTOMIZATION, TRAINING & PROCEED						32
33	OF LONG-TERM DEBT USED TO FINANCE THE						33
34	COMPUTER.						34
35	COMPUTER SYSTEM & CUSTOMIZATION			3450600			35
36	AMOUNT PREVIOUSLY BUDGETED			1000000			36
37	BALANCE TO BE RECORDED			2450600			37
38							38
39							39
40							40
41							41
42							42
43							43
44					59076	59076	44

NCWD #4

ADJUSTMENTS TO BUDGET

DUE TO CONSOLIDATION OF DEVELOPER & GENERAL FUNDS  
1982-83

1		2		3		4		5		6	
								DEBIT		CREDIT	
1					(A)						1
2					REPAIRS & MAINTENANCE - SYSTEM			7100000			2
3					DEVELOPERS CONTRIBUTIONS					1500000	3
4					FUND BALANCE - END OF YEAR			5600000			4
5					TO RECORD PAINTING OF TANKS BY LUTON						5
6					& PAID OUT OF DEVELOPERS FUNDS & TO						6
7					RECORD THE AMOUNTS CHARGED TO DEVELOPERS						7
8					FOR TIRING ON TO PK RD 53 WATER LINE						8
9											9
10											10
11											11
12											12
13											13
14											14
15											15
16											16
17											17
18											18
19											19
20											20
21											21
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32											32
33											33
34											34
35											35
36											36
37											37
38											38
39											39
40											40
41											41
42											42
43											43
44											44

NCWD #4  
PROPOSED BUDGET AMENDMENT  
1982-83

		1	2	3	4	5
			BUDGET AS LAST AMENDED PR CR	ADJUSTMENTS PR CR		AMENDED BUDGET BEFORE ADDITION OF DEVELOPERS FUND PR (CR)
1	REVENUES:					
2	SERVICES:					
3	WATER/SEWER		827349			827349
4	RECONNECTS		2750			2750
5	TAPS		35500			35500
6	INSPECTIONS		400			400
7						
8	TOTAL SERVICES		865999			865999
9						
10	INTEREST		4000			4000
11						
12	MISCELLANEOUS					
13	\$3.93 SALE OF ASSETS		-			
14	\$3.95 SALE OF MATERIAL		-			
15	\$3.96 DEVELOPERS CONTRIBUTIONS		-			
16	\$3.97 DEVELOPERS CHARGES		-		15000.00	15000
17	OTHER		3000			3000
18						
19	TOTAL MISCELLANEOUS		3000		15000.00	18000
20						
21	TOTAL REVENUES		872999			887999
22						
23						
24						
25						
26						
27						
28						
29						
30						
31						
32						
33						
34						
35						
36						
37						
38						
39						
40						
41						
42						
43						
44					15000.00	



6100.1

payroll water

NCWD #4

6100.2

S

PROPOSED BUDGET AMENDMENT

6100.3

U

1982-83

		1	2	3	4	5
			BUDGET AS LAST AMENDED	ADJUSTMENTS		AMENDED BUDGET BEFORE ADDITION OF DEVELOPERS FUND
			DR (CR)	DR	CR	DR (CR)
1	EXPENDITURES:					
2	WATER PURCHASES		20770000			207700
3						
4	6100 PAYROLL EXPENSES					
5	6101 SALARIES & WAGES		26306100			263061
6	6102 EMPLOYEE RETIREMENT EX		1841400			18414
7	6103 GROUP INSUR PREM		800000			8000
8	6104 EMPLOYER'S OASE TAX EX		1762500			17625
9	6105 WORKMAN'S COMP PREM		737900			7379
10	6106 LESS: LABOR APPLIED TO					
11	TAP CONNECTION EX		(1138500)			(11385)
12						
13	6200 PROFESSIONAL FEES:					
14	6201 LEGAL		1650000			16500
15	6202 AUDITING / ACCOUNTING services		6600000	150000		8100
16	6203 ENGINEERING		605000			6050
17						
18	6300 PURCHASED & CONTRACTED					
19	SERVICES:					
20	LEGAL NOT & PUBL		150000			1500
21	DATA PROCESS SERV.		4500000	250000		7000
22	CONTRACT LABOR		600000	1100000		600
23	R & M - SYSTEM		660000			17600
24	- METERS		30000			300
25	- EQUIPMENT		850000			8500
26	- TRUCK		400000			4000
27	- BUILDING & GROUNDS		693000			6930
28	ELECTION EXPENSES		120000			1200
29						
30	6400 CONSUMABLE SUPPLIES					
31	AND MATERIALS:					
32	PRINTING AND OFFICE		400000			4000
33	FUEL AND LUBES		1456400			14564
34	CHEMICALS		809700			8097
35	SMALL TOOLS		220000			2200
36	R & M - SYSTEM		1400000			14000
37	- WATER METERS		35000			350
38	- EQUIPMENT		825000			8250
39	- TRUCKS		210000			2100
40	- BUILD & GROUND		900			900
41	OTHER CONSUMABLE SUPPLY		900			900
42						
43						
44			629435	15000		644435

6	7	8	9	10	11	12	13	
ADJUSTMENTS TO CONSOLIDATED DEVELOPERS' AND GENERAL FUND		PROPOSED AMENDED BUDGET						
DR	CR	DR < CR >						
								1
		207 700						2
								3
								4
		263 061						5
		18 414						6
		8 000						7
		17 625						8
		73 79						9
								10
		< 11 385 >						11
								12
								13
		16 500						14
		8 100						15
		6 050						16
								17
								18
								19
		1 500						20
		7 000						21
		600						22
71 000		88 600						23
		300						24
		8 500						25
		4 000						26
		6 930						27
		1 200						28
								29
								30
								31
		4 000						32
		14 564						33
		8 097						34
		2 200						35
		14 000						36
		350						37
		8 250						38
		2 100						39
		900						40
		700						41
								42
								43
71 000		715 435						44

NCWD #4

PROPOSED BUDGET AMENDMENT

1982-83

		1	2	3	4	5
		Budget as last amended		Adjustment		Amended Before add at Developers
		DR (CR)		DR	CR	DR (CR)
1	65.00	RECURRING EXPENSES				
2		POSTAGE		508000		3020
3		TELEPHONE		560000		5600
4		UTILITIES		11100000		111000
5		INSURANCE		990000		9900
6		TRAVEL AND PER DIEM		190000		1900
7		FREIGHT EXPENSE		65000		650
8		RENTS & LEASES - EQUIP				
9		EMPLOYEES UNIFORMS		170000		1700
10		OTHER EXPENSES		495000		4950
11						
12		TAP CONNECTION EXPENSES		16100		16100
13						
14						
15						
16						
17						
18	66.00	CAPITAL OUTLAY		9550000	11000000	105006
19		TOTAL EXPENDITURES		87981500	3950600	90432100
20		NEW VEHICLE		\$ 6000.		
21		NEW WATER TRUCK		8500.		
22		PUMPS, TOOLS, ETC.		6000.		
23		OFFICE RENOVATION		40000.		
24		COMPUTER		33700.		
25		OTHER		10000.		
26						
27		TOTAL		\$ 104200.		
28	67.00					
29	OTHER	FINANCING SOURCES (USES)				
30		PROCEEDS FROM LONG-TERM DEBT		-	2907600	29076
31						
32						
33						
34		BUDGETED INCREASE		1500000		
35		<DECREASE> IN FUND BALANCE		6816	250000	12754
36						
37						
38		FUND BALANCE - BEGINNING OF YEAR		83695		83695
39						
40		FUND BALANCE - END OF YEAR				
41				76879		96449
42					59076	5907600
43						
44				250380	4407600	259886

6	7	8	9	10	11	12	13	
Adjustments to Consolidated Development and General Fund DR		Proposed Amended Budget DR (CR)						
								1
		3080						2
		5600						3
		111000						4
		9900						5
		1900						6
		650						7
								8
		1700						9
		4950						10
								11
		16100						12
								13
								14
								15
								16
								17
		105006						18
7100000		975321						19
								20
								21
								22
								23
								24
								25
								26
								27
								28
								29
		< 29076 >						30
								31
								32
								33
								34
5600000		< 43246 >						35
								36
								37
		83695						38
								39
								40
		40449						41
								42
								43
71000	71000	259886						44

NCWD # 4  
JOURNAL ENTRIES

	1	2	3	4	5	6
				ACCT NO	DEBIT	CREDIT
1		(1)				1
2	DUE FROM CAPITAL RECOVERY			1177	773670	2
3	PK ROAD #53			6402		3
4	TO RECLASSIFY PARK ROAD #53 SEWER					4
5	EXTENTION WHICH WILL BE PAID OUT					5
6	OF THE CAPITAL RECOVERY					6
7						7
8						8
9						9
10						10
11						11
12						12
13						13
14						14
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16						16
17						17
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36						36
37						37
38						38
39						39
40						40
41						41
42						42
43						43
44						44

MINUTES OF  
EMERGENCY MEETING

MARCH 11, 1983

STATE OF TEXAS

COUNTY OF NUECES

ON THE 11TH DAY OF MARCH, 1983, 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 9TH STREET, PORT ARANSAS,  
TEXAS, THERE BEING PRESENT AND IN ATTENDANCE THE FOLLOWING  
TO-WIT:

PRESIDENT  
SECRETARY  
SECRETARY PRO-TEM

JAMES H. ATWILL  
ED MANNING  
GEORGE HAWN

ABSENT:

VICE PRESIDENT  
DIRECTOR

JAY SANDERS  
AL MORA

STAFF:

MANAGER  
ASS'T ADMINISTRATOR  
BOOKKEEPER

DON ROY FARLEY  
NONA E. SHERRILL  
MARY MOSS

THE MEETING WAS CALLED TO ORDER AT 8:30 A.M.

BY PRESIDING OFFICER, JAMES ATWILL, PURSUANT TO NOTICE POSTED.

DUAINE  
AGREEMENT:

A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY  
ED MANNING TO ENTER INTO AN AGREEMENT BETWEEN THE BOARD AND  
ALAN DUAINE, REPRESENTATIVE FOR DUAINE DEVELOPMENT CORPORATION,  
LEEWARD SANDS SUBDIVISION AS FOLLOWS;

1. DEVELOPER SHALL SUBMIT A LETTER OF CREDIT IN AN  
AMOUNT TO BE DETERMINED BY OUR ENGINEER FOR THE  
PURPOSE OF SECURING THE COST OF COMPLETION OF ALL  
WATER AND SEWER FACILITIES REQUIRED BY THE PLANS  
AND SPECIFICATIONS TO BE FOR ONE YEAR AND IF THE  
IMPROVEMENTS ARE NOT WITHIN ONE YEAR, THE DISTRICT  
MAY CALL UPON SUCH LETTER OF CREDIT FOR THE PURPOSE  
OF DEVELOPING THE WATER AND SEWER LINES AS PROPOSED.
2. ALL DEVELOPER'S FEES SHALL BE PAID PRIOR TO TIE-IN.
3. ALL CAPITAL RECOVERY FEES SHALL BE PAID PRIOR TO  
TIE-IN, BUT THAT NO CAPITAL RECOVERY FEE IS DUE  
TO EXISTING BUILDING AS APPLICATIONS WERE ON FILE  
PRIOR TO THE EXISTANCE OF THE CAPITAL RECOVERY  
FEE.

PAGE 2

EMERGENCY MEETING

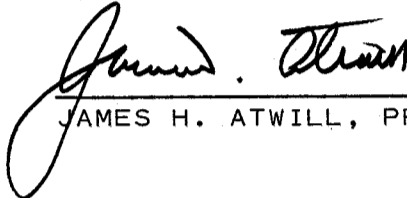
MARCH 11, 1983

4. A CERTIFIED COPY OF THE ORDER OF DISMISSAL OF ALL LAW SUITS BETWEEN THE PARTIES SHALL BE SUBMITTED TO THE ATTORNEY FOR THE DISTRICT.

THE MOTION CARRIED UNANIMOUSLY.

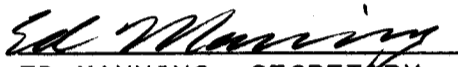
A MOTION WAS DULY MADE AND SECONDED TO ADJOURN THE MEETING.

NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4



JAMES H. ATWILL, PRESIDENT

ATTEST:

  
ED MANNING, SECRETARY

MINUTES OF  
SPECIAL MEETING  
MARCH 9, 1983

STATE OF TEXAS                    ¶

COUNTY OF NUECES                ¶

ON THE 9TH DAY OF MARCH, 1983, 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	JAMES H. ATWILL
VICE PRESIDENT	JAY SANDERS
SECRETARY PRO-TEM	GEORGE S. HAWN

ABSENT:

SECRETARY	ED MANNING
DIRECTOR	AL MORA

STAFF:

MANAGER	DON ROY FARLEY
ASS'T ADMINISTRATOR	NONA E. SHERRILL
BOOKKEEPER	MARY MOSS
ATTORNEY	C. ED PRICHARD

VISITORS:

SOUTH JETTY NEWS	DAVID WALLACE
NCR COMPUTER REP.	DAVID STARLING
SYSTEMS CONTROLLER	NORMA SWANN
LERMA CONSTRUCTION	MR. & MRS. LERMA

THE MEETING WAS CALLED TO ORDER AT 5:00 P.M.

BY PRESIDING OFFICER, JAMES ATWILL, PURSUANT TO NOTICE POSTED.

OFFICE  
RENOVATION:

A MOTION WAS MADE <sup>by</sup> GEORGE HAWN AND SECONDED BY JAY  
SANDERS, AFTER RECEIVING THE BIDS ON THE ADDITION TO THE DISTRICT  
OFFICE OF;

1. BAYSIDE CONSTRUCTION \$37,450.00
2. LERMA COMPANY                   18,890.00

THAT THE BID OF LERMA COMPANY BE ACCEPTED AS PRESENTED. THE  
MOTION CARRIED UNANIMOUSLY.

PAGE 2

SPECIAL MEETING

MARCH 9, 1983

MINUTES:

A MOTION WAS MADE BY JAY SANDERS AND SECONDED BY GEORGE HAWN TO WAIVE THE READING OF THE MINUTES( COPIES OF THE MINUTES WERE MAILED TO EACH DIRECTOR PRIOR TO THE MEETING) FOR FEBRUARY 7, 8 AND 23, 1983 AND APPROVE THE SAME.

THE MOTION CARRIED UNANIMOUSLY.

PURCHASE  
NCR COMPUTER:

A MOTION WAS MADE BY GEORGE HAWN TO ACCEPT THE BID FOR THE COMPUTER FROM NCR FOR A TOTAL COST OF \$36,495.00 AT THE LEASE/PURCHASE TERMS DISCUSSED PLUS THE ACCEPTANCE OF NORMA SWANN'S BID FOR INSTALLATION AND TRAINING AND PROGRAMMING CUSTOMIZING WITH THE FURTHER PROVISION THAT ANY AMOUNTS THAT CAN BE CREDITED TO THE NCR OVERALL COST, WHICH WILL BE TAKEN UP BY NORMA SWANN, WILL BE GIVEN TO THE DISTRICT AT THAT TIME. WITH THE FURTHER PROVISION THAT THE EQUIPMENT BE PURCHASED ON THE PURCHASE PLAN OFFERED BY NCR FOR 60 MONTHS AT 8.5%. THE MOTION WAS SECONDED BY JAY SANDERS. THE MOTION CARRIED UNANIMOUSLY.

SAN PAT WATER  
DISTRICT  
MEETING:

DISCUSSION WAS HELD ON THE MEETING WITH THE SAN PAT WATER DISTRICT WHICH IS TO BE HELD MARCH 22, 1983, 2:00 P.M. NO ACTION AT THIS TIME.

TEXAS COUNTY  
& DISTRICT  
RETIREMENT  
SYSTEM DEATH  
BENEFIT:

A MOTION WAS MADE BY GEORGE HAWN TO ACCEPT THE DEATH BENEFIT COVERAGE PRESENTED BY THE MANAGER WITH THE PROVISIO THAT THE PREMIUM BE SPLIT 50/50 BETWEEN THE EMPLOYER AND EMPLOYEES. THE MOTION WAS SECONDED BY JAY SANDERS. THE MOTION CARRIED UNANIMOUSLY.

GLASS,  
SORENSEN &  
MCDAVID  
RENEWAL:

A MOTION WAS MADE BY JAY SANDERS TO APPROVE THE PROPOSAL FOR TEXAS MULTI-PERIL POLICY INSURANCE FOR THE DISTRICT SUBMITTED BY GLASS, SORENSON & MCDAVID, INC., WITH ONE PROVISIO THAT THE DISTRICT MANAGER DISCUSS THE INDIVIDUAL COVERAGES OF THE AUTOMOBILES, TO SEE WHAT NEEDS TO BE INCLUDED OR NOT INCLUDED AND THAT A CONTINUED EFFORT BE MADE TO OBTAIN DIRECTOR'S LIABILITY INSURANCE. THE MOTION WAS SECONDED BY GEORGE HAWN. THE MOTION CARRIED UNANIMOUSLY.

PAGE 3

SPECIAL MEETING

MARCH 9, 1983

JOINT TAX  
REPORT:

A REPORT WAS GIVEN BY GEORGE HAWN AS REPRESENTATIVE FOR THE DISTRICT TO THE JOINT TAX OFFICE. THE BOARD REQUESTED THE ATTORNEY FOR THE DISTRICT TO CHECK THE REQUIREMENT, IF ANY, THAT THE DISTRICT PUBLISH NOTICE OF DELINQUENT TAX ROLL AND OWNERS OF SUCH LAND.

REQUEST BY  
PAT MCNAMARA:

AFTER DISCUSSION, A MOTION WAS MADE BUT WITHDRAWN.  
NO ACTION.

REQUEST FROM  
JACK GUENTHER  
ON URSCHER  
WATER BILLING:

A RECOMMENDATION BY GEORGE HAWN THAT THE MANAGER WRITE A LETTER TO JACK GUENTHER, ATTORNEY FOR THE ESTATE OF C.F. URSCHER, JR., THAT THE BOARD HAS REVIEWED AND AGREES WITH THE STAFF THAT THE WATER WAS USED AND THE METER WAS CORRECT BUT A CREDIT WILL BE GIVEN FOR ANY SEWER CHARGE AND A LETTER BE SENT TO THAT EFFECT.

GREG BARNES  
REQUEST:

NO ACTION TAKEN ON REQUEST FROM GREG BARNES TO WAIVE CRF ON UPGRADE OF NEW METER.

DUAINE'S  
AGREEMENT:

UNDER THE MANAGER'S REPORT THERE WAS AN INFORMAL AGREEMENT BETWEEN DUAINE DEVELOPMENT CORPORATION, OPERATING AGENT FOR DUAINE & ASSOCIATES CONCERNING THE LEEWARD SANDS SUBDIVISION, FORMALLY CALLED SANDPIPER PLACE SUBDIVISION, A REPLAT OF ROBY SUBDIVISION. THE AGREEMENT BETWEEN THE BOARD AND ALAN DUAINE, REPRESENTATIVE FOR THE DEVELOPER IS AS FOLLOWS:

1. DEVELOPER SHALL SUBMIT A LETTER OF CREDIT IN AN AMOUNT TO BE DETERMINED BY OUR ENGINEER FOR THE PURPOSE OF SECURING THE COST OF COMPLETION OF ALL WATER AND SEWER FACILITIES REQUIRED BY THE PLANS AND SPECIFICATIONS TO BE FOR ONE YEAR AND IF THE IMPROVEMENTS ARE NOT IN WITHIN ONE YEAR, THE DISTRICT MAY CALL UPON SUCH LETTER OF CREDIT FOR THE PURPOSE OF DEVELOPING THE WATER AND SEWER LINES AS PROPOSED.
2. ALL DEVELOPER'S FEES SHALL BE PAID PRIOR TO TIE-IN.
3. ALL CAPITAL RECOVERY FEES SHALL BE PAID PRIOR TO TIE-IN, BUT THAT NO CAPITAL RECOVERY FEE IS DUE TO EXISTING BUILDING AS APPLICATIONS WERE ON FILE PRIOR TO THE EXISTANCE OF THE CAPITAL RECOVERY FEE.

PAGE 4

SPECIAL MEETING

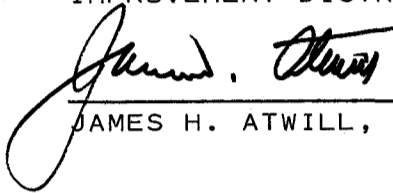
MARCH 9, 1983

4. A CERTIFIED COPY OF THE ORDER OF DISMISSAL OF ALL LAW SUITS BETWEEN THE PARTIES SHALL BE SUBMITTED TO THE ATTORNEY FOR THE DISTRICT.

THIS AGREEMENT WILL BE SET AT AN EMERGENCY MEETING TO BE HELD FRIDAY, 11TH OF MARCH AT 8:30 A.M. AT THE DISTRICT OFFICE. (A COPY OF THE MANAGER'S REPORT IS ON FILE IN THE DISTRICT OFFICE).

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN THE MEETING.

NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4



JAMES H. ATWILL, PRESIDENT

ATTEST:

  
ED MANNING, SECRETARY

MINUTES OF  
SPECIAL MEETING

FEBRUARY 23, 1983

STATE OF TEXAS

COUNTY OF NUECES

ON THE 23RD DAY OF FEBRUARY, 1983, 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  
VICE PRESIDENT  
SECRETARY  
SECRETARY PRO-TEM

JAMES H. ATWILL  
JAY SANDERS  
ED MANNING  
GEORGE S. HAWN

ABSENT:

DIRECTOR

AL MORA

STAFF:

MANAGER  
ASS'T ADMINISTRATOR  
BOOKKEEPER  
ATTORNEY  
ENGINEERS

DON ROY FARLEY  
NONA E. SHERRILL  
MARY MOSS  
C. ED PRICHARD, JR.  
EUGENE C. URBAN, SR., P.E.  
JIM URBAN

VISITORS:

NCR  
COMPU-SOFT  
BURROUGHS  
COMPUTER PROGRAMER  
COMPUTER PROGRAMER  
VISITOR (PROPERTY OWNER)  
PROPERTY OWNER  
PROPERTY OWNER-REP

DAVID STARLING  
MARVIN ALEXANDER  
MARK R. BOURG  
JOHN FAST  
NORMA SWANN  
LEVI MUELLER  
PAT MCNAMARA  
CHARLES ZAHN

THE MEETING WAS CALLED TO ORDER AT 5:00 P.M.  
BY PRESIDING OFFICER, JAMES ATWILL, PURSUANT TO NOTICE  
POSTED.

COMPUTER  
BIDS:

BIDS WERE RECEIVED ON PURCHASE OR LEASE PURCHASE  
OF AN ELECTRONIC DATA PROCESSING SYSTEM AND APPLIED PACKAGES  
FOR UTILITY BILLING, PAYROLL, GENERAL ACCOUNTING AND TAXES.  
BIDS WERE RECEIVED BY EIGHT POTENTIAL BIDDERS AND THE BOARD  
REQUESTED THE STAFF TO REVIEW THE BIDS AND THE WINNING BID  
WILL BE AWARDED AT OUR MARCH 9TH MEETING. (A COPY OF BID  
COMPUTATIONS ARE ATTACHED AND BECOME A PERMANENT PART OF  
THESE MINUTES).

PAGE 2  
SPECIAL MEETING  
FEBRUARY 23, 1983

INSURANCE  
PROPOSAL:

MR. ROBERT C. CROSBY, REPRESENTATIVE OF MARSH  
& MCLENNAN, INC. MADE AN INSURANCE PROPOSAL TO THE BOARD  
OF DIRECTORS. THE BOARD REFERRED THE PROPOSAL TO THE  
STAFF FOR FURTHER STUDY.

HARBOR  
ISLAND  
WATER  
USER'S  
MAXIMUM  
TAKE:

AFTER DISCUSSION, THE DISTRICT'S ATTORNEY AND  
ENGINEER WERE INSTRUCTED TO PREPARE A LETTER TO HARBOR  
ISLAND WATER USERS AND PRESENT TO THE BOARD FOR APPROVAL  
BEFORE FORWARDING.

ANNEXIATION  
ADMIRAL'S  
ROW:

A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY  
JAY SANDERS TO APPROVE THE ANNEXIATION OF ADMIRAL'S ROW  
AND ADOPT THE RESOLUTION OF ANNEXIATION. THE MOTION CARRIED.

PAT MCNAMARA'S  
REQUEST TO  
WAIVE CRF:

AFTER DISCUSSION ON REQUEST OF PAT MCNAMARA'S  
REQUEST TO WAIVE CAPITAL RECOVERY FEE, THE BOARD INSTRUCTED  
THE STAFF TO STUDY FURTHER AND REPORT FINDINGS AT THE  
MARCH 9TH MEETING.

FINANCIAL  
REPORT:

AFTER DISCUSSION, A MOTION WAS MADE BY GEORGE  
HAWN AND SECONDED BY JAY SANDERS THAT ALL MAINTENANCE AND  
REPAIR ON WATER STORAGE TANKS BE PAID FROM RESTRICTED  
GENERAL OPERATING FUNDS (DEVELOPER FUNDS) ~~AND THE FINAL~~  
~~PAYMENT OF THE PARK ROAD #53 CONTRACT.~~ ALSO THAT THE COST  
OF ALL METERS, AFTER PLACING ON DISTRICT LINES, BE REIMBURSED  
TO GENERAL OPERATING FUND. THE MOTION CARRIED.

*corrected  
Mar 22, 83  
MS.*

MANAGER'S  
REPORT:

MANAGER'S REPORT WAS GIVEN BY DON ROY FARLEY. (A  
COPY OF THE REPORT IS ON FILE IN THE DISTRICT OFFICE.)

EXECUTIVE  
SESSION:

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN THE  
THE SPECIAL MEETING AND OPEN EXECUTIVE SESSION AS AUTHORIZED  
BY ARTICLE 6252-17 REVISED CIVIL STATUTES OF TEXAS, SECTION  
2 (E). THE MOTION CARRIED.

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN  
THE EXECUTIVE SESSION AND TO ADJOURN THE SPECIAL MEETING.  
THE MOTION CARRIED.

NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

*James H. Atwill*  
JAMES H. ATWILL, PRESIDENT

ATTEST:

*Ed Manning*  
ED MANNING, SECRETARY

MINUTES OF  
EMERGENCY MEETING

FEBRUARY 8, 1983

STATE OF TEXAS                   ↓

COUNTY OF NUECES               ↓

ON THE 8TH DAY OF FEBRUARY, 1983, 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 9TH STREET, PORT ARANSAS,  
TEXAS, THERE BEING PRESENT AND IN ATTENDANCE THE FOLLOWING  
TO-WIT:

VICE PRESIDENT	JAY SANDERS
SECRETARY	ED MANNING
DIRECTOR	AL MORA

ABSENT:

PRESIDENT	JAMES H. ATWILL
SECRETARY PRO-TEM	GEORGE S. HAWN

STAFF:

MANAGER	DON ROY FARLEY
ASS'T ADMINISTRATOR	NONA E. SHERRILL
BOOKKEEPER	MARY MOSS

VISITOR:

SOUTH JETTY NEWS	DAVID VOGLER
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THE MEETING WAS CALLED TO ORDER AT 10:25 A.M.

BY THE PRESIDING OFFICER, JAY SANDERS PURSANT TO NOTICE POSTED.

BIDS ON REPAIR                   THE BIDS ON THE REPAIR AND MAINTENANCE OF THE  
AND MAINTENANCE  
ELEVATED TOWERELEVATED TOWER WERE OPENED AS FOLLOWS:  
315 S. 9TH  
PORT ARANSAS:

DEAN JONES CONTRACTOR	\$ 31,100.00
-----------------------	--------------

LUPTON PAINTING COMPANY	\$ 29,105.00
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A MOTION WAS MADE BY AL MORA AND SECONDED BY ED MANNING TO  
ACCEPT THE LOW BID OF LUPTON PAINTING COMPANY OF \$29,105.00  
UPON APPROVAL OF ENGINEERS AND STAFF. THE MOTION CARRIED  
UNANIMOUSLY.

RENOVATION  
DISTRICT  
OFFICE:

AFTER DISCUSSION ON THE RENOVATION ON THE DISTRICT  
OFFICE, AL MORA MADE A MOTION TO AUTHORIZE THE STAFF TO  
ADVERTISE FOR BIDS FOR THE ADDITION OF 12' X 42' TO THE  
EXISTING OFFICE BUILDING. ED MANNING SECONDED THE MOTION.

PAGE 2

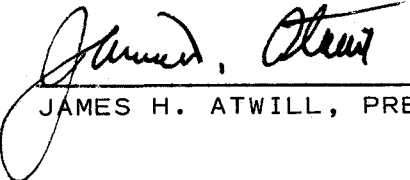
EMERGENCY MEETING

FEBRUARY 8, 1983

THE MOTION CARRIED UNANIMOUSLY.

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN  
THE MEETING.

NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

  
\_\_\_\_\_  
JAMES H. ATWILL, PRESIDENT

ATTEST:

  
\_\_\_\_\_  
ED MANNING, SECRETARY

MINUTES OF  
REGULAR MEETING  
FEBRUARY 7, 1983

STATE OF TEXAS

COUNTY OF NUECES

ON THE 7TH DAY OF FEBRUARY, 1983, 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:

PRESIDENT  
SECRETARY  
DIRECTOR

JAMES H. ATWILL  
ED MANNING  
AL MORA

ABSENT:

VICE PRESIDENT  
SECRETARY PRO-TEM

JAY SANDERS  
GEORGE S. HAWN

STAFF:

MANAGER  
ASS'T ADMINISTRATOR  
BOOKKEEPER  
ATTORNEY  
ENGINEER

DON ROY FARLEY  
NONA E. SHERRILL  
MARY MOSS  
C. ED PRICHARD  
JIM URBAN

VISITORS:

SOUTH JETTY

DAVID VOGLER

THE MEETING WAS CALLED TO ORDER AT 10:00 A.M.

BY PRESIDING OFFICER, JAMES H. ATWILL, PURSUANT TO NOTICE POSTED.

BIDS ON  
REPAIR AND  
MAINTENANCE  
OF ELEVATED  
TOWER 315 S.  
9TH, P.A.:

BIDS WERE ACCEPTED BY THE BOARD OF DIRECTORS. IT WAS DECIDED BY THE BOARD THAT THE OPENING OF THE BIDS WOULD BE POSTPONED UNTIL TUESDAY, FEBRUARY 8, 1983, AT 10:00 A.M. DUE TO AN ERROR IN THE PUBLICATION NOTICE AT WHICH TIME ALL BIDS WILL BE OPENED. NONE OF THE BIDS WERE OPENED AT THIS MEETING.

MINUTES:

A MOTION WAS MADE AL MORA AND SECONDED BY ED MANNING TO WAIVE THE READING OF THE MINUTES (COPYS OF THE MINUTES WERE MAILED TO EACH DIRECTOR PRIOR TO THE MEETING) FOR JANUARY 27, 1983 AND APPROVE THE SAME.

THE MOTION CARRIED UNANIMOUSLY.

PAGE 2

REGULAR MEETING

FEBRUARY 7, 1983

1983 DIRECTOR'S  
ELECTION:

A MOTION WAS MADE BY AL MORA AND SECONDED BY ED MANNING TO CALL THE DIRECTOR'S ELECTION FOR APRIL 2, 1983 AND PUBLISH THE NOTICE OF ELECTION FOR TWO DIRECTORS. THE MOTION CARRIED UNANIMOUSLY.

CONTRACT  
DRESSER/  
MAGCOBAR:

AFTER DISCUSSION OF THE CONTRACTUAL AGREEMENT WITH DRESSER-MAGCOBAR, A MOTION WAS MADE BY AL MORA AND SECONDED BY ED MANNING TO SUBMIT THE CONTRACT PRESENTED TO THE BOARD ON FEBRUARY 7TH, ALONG WITH SUGGESTED CHANGES, TO DRESSER-MAGCOBAR. THE MOTION CARRIED UNANIMOUSLY.

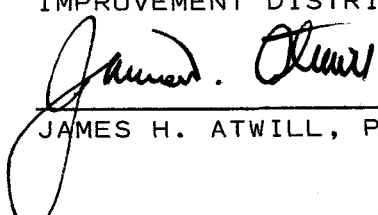
MURRAY'S  
PROPERTY  
ACCEPTED  
TO DISTRICT:

AFTER DISCUSSION ON RESOLUTION TO INCLUDE PROPERTY WITHIN NUECES COUNTY WATER CONTROL & ID#4 AS REQUESTED BY MICHAEL R. MURRAY, A MOTION WAS MADE BY AL MORA AND SECONDED BY ED MANNING TO APPROVE THE RESOLUTION. (A COPY IS ATTACHED AND BECOMES A PERMANENT PART OF THESE MINUTES-THE ORIGINAL WILL BE RECORDED AND IN THE MURRAY FILE)

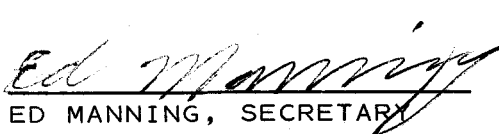
MANAGER'S  
REPORT:

THE MANAGER'S REPORT WAS GIVEN BY DON ROY FARLEY. (A COPY OF THE MANAGER'S REPORT IS ON FILE IN THE DISTRICT OFFICE).

NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

  
JAMES H. ATWILL, PRESIDENT

ATTEST:

  
ED MANNING, SECRETARY

# Orden de Eleccion de Directores

EL ESTADO DE TEXAS

CONDADO DE NUECES

En este día 7TH de FEBRERO de 1983, 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:

JAMES H. ATWILL

Presidente

**Vice Presidente**

AL MORA 2-

ED. MANNING

**Secretario**

y los siguientes ausentes: JAY SANDERS & GEORGE S. HAWK, constituyendo un quórum, y entre otras actas tomadas por dicha Junta Directiva se encontró la siguiente:

En vista de que en este día 2ND de ABRIL, de 1983, serán elegidos

2 directores para este distrito;

En vista de que esta Junta por orden fechada el 7TH día de FEBRERO, de 1983, 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 2ND día de ABRIL de 1983, 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 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 MARIE STIEWIG como Juez Presidente, ESTHER ARZOLA como Asistente al Juez y PAM SNELL y CAROLYN SCALES 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 \_\_\_\_\_ v \_\_\_\_\_ Escribientes.

Los sitios de votación en cada uno de los lugares arriba designados se mantendrán abiertos el día de

elección de las 7:00 a.m. a las 7:00 p.m.

NONA E. SHERILL es nombrado Secretario para la Votación en Ausencia, y

BETTY HARGROVE, MARY MOSS & PAT FARLEY son nombrados

Secretarios Delegados para la Votación en Ausencia. La Votación en Ausencia para la elección citada se

DISTRICT OFFICE IN

PORT ARANSAS

Llevará a cabo en 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 anterior a la fecha de dicha elección. Dicho lugar de votación permanecerá abierto entre las horas de 8:00 A.M.

y 4:30 P.M. en cada día de la votación en ausencia. El lugar arriba descrito para la votación en ausencia es 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 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 formen 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:

JAMES H. ATWILL

AL MORA

ED MANNING

\_\_\_\_\_ y los siguientes votaron negativamente:

0

PASADA, APROBADA Y ADOPTADA este 7TH

FEBRERO

de 19 83

Presidente, Junta Directiva del Distrito de Control

X Mejoramiento de Aguas del Condado de NACES

CERTIFICA:

Secretario

*[Signature]*

Distrito Núm. 4

4

El 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 los lugares de votación pueden ser abiertos una hora más temprano.

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.<sup>1</sup>

NONA E. SHERILL is hereby appointed Clerk for absentee voting.

BETTY HARGROVE, MARY MOSS & PAT FARLEY are hereby appointed Deputy Clerks for absentee voting. The absentee voting for the above designated elec-

tion shall be held at DISTRICT OFFICE IN PORT ARANSAS 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 A.M. and 4:30 P.M. 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 applica-

tions 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 consecutive 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 publication shall be at least 21 days prior to the date of election, and not more than 35 days prior thereto. 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: JAMES H. ATWILL

AL MORA ED MANNING

, and the following voted NO: 0

PASSED, APPROVED AND ADOPTED this the 7TH day of FEBRUARY 19 83

President, Board of Directors of NUCES County Water Control

ATTEST:

Secretary

<sup>1</sup>Art. 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.

# Order for Directors Election

THE STATE OF TEXAS

COUNTY OF NUECES

On this the 7TH day of FEBRUARY, 19 83, 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:

JAMES H. ATWILL, President

, Vice-President

AL MORA

ED MANNING, Secretary

and the following absent: JAY SANDERS & GEORGE S. HAWN, constituting a quorum, and among other proceedings had by said Board of Directors was the following:

Whereas on the 2ND day of APRIL, 19 83, there will be elected TWO directors for this district;

Whereas this Board by order dated the 7TH day of FEBRUARY, 19 83, 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 2ND day of APRIL, 19 83, for the purpose of electing TWO directors to the Board of Directors of said District;

That said election shall be held at the following places COMMUNITY 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 MARIE STIEWIG as Presiding Judge, ESTHER ARZOLA as Assistant Judge and PAM SNELL and CAROLYN SCALES 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.~~

**AFFIDAVIT OF PUBLICATION OF NOTICE OF ELECTION**

THE STATE OF TEXAS

COUNTY OF \_\_\_\_\_

CITY OF \_\_\_\_\_

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_  
\_\_\_\_\_, who being by me duly sworn deposes and says:

1. That he is the \_\_\_\_\_ of the \_\_\_\_\_ Newspaper  
published in \_\_\_\_\_, \_\_\_\_\_ County, Texas, and  
having a general circulation in the District where the Board calling the election mentioned in the attached notice is  
located.

2. That he published a true copy of the Notice of Directors Election  
hereto attached in said papers once each week for three consecutive weeks  
in the issues of \_\_\_\_\_, 1983; \_\_\_\_\_, 1983; \_\_\_\_\_  
\_\_\_\_\_, 1983; the date of the first publication being not less than 21  
days nor more than 35 days before the day of the election.

WITNESS MY HAND this the \_\_\_\_\_ day of \_\_\_\_\_, 1983.

Sworn to and subscribed before me by \_\_\_\_\_ this  
the \_\_\_\_\_ day of \_\_\_\_\_, 1983.

\_\_\_\_\_  
Notary Public, \_\_\_\_\_ County, Texas

**NOTICE OF WATER CONTROL AND IMPROVEMENT  
DISTRICT DIRECTORS ELECTION  
(AVISO del DISTRITO de CONTROL de AGUAS  
MEJORAS ELECCIÓN de DIRECTORES)**

THE STATE OF TEXAS (EL ESTADO DE TEXAS) )

(CONDADE DE) NUECES COUNTY )

TO THE RESIDENT QUALIFIED VOTERS OF NUECES COUNTY WATER CONTROL  
(A LOS RESIDENTES VOTANTES CAPACITADOS DEL CONDADO DE NUECES DISTRITO NUM

AND IMPROVEMENT DISTRICT NO. 4  
4 CONTROL DE AGUAS Y MEJORAS:)

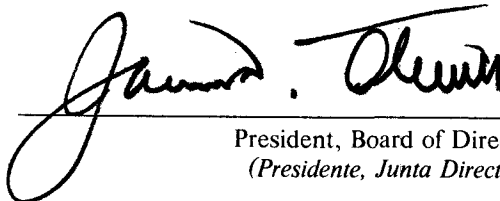
TAKE NOTICE that an election will be held on the 2ND day of APRIL, 19 83,  
(TOMEN NOTA que se llevará a cabo una elección el día 2ND de ABRIL de 19 83,


at the places, in the manner, and for the candidates for the office of said district, as set forth in the attached copy of an order for  
en los lugares, en la forma, y por los candidatos al puesto de dicho distrito, como lo indica la copia anexa de la orden de

directors' election, duly entered by the Board of Directors of said above mentioned district on the 7TH day of  
elección de directores, debidamente asentada por la Junta Directiva del arriba mencionado distrito el día 7TH de

FEBRUARY, 19 83. Said attached Order for Directors' Election is made a part of this notice for  
FEBRERO, de 19 83, Dicha Orden de Elección de Directores anexa se considera en todo caso

all intents and purposes.  
ser parte de este aviso.)

  
\_\_\_\_\_  
President, Board of Directors  
(Presidente, Junta Directiva)

  
\_\_\_\_\_  
Secretary, Board of Directors  
(Secretario, Junta Directiva)

Affidavit of Publication on Back

I hereby 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.<sup>2</sup>

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: \_\_\_\_\_ JAMES H. ATWILL \_\_\_\_\_,

\_\_\_\_\_ AL MORA \_\_\_\_\_, \_\_\_\_\_ ED MANNING \_\_\_\_\_,

\_\_\_\_\_ and the following voted NO: \_\_\_\_\_.

PASSED, APPROVED AND ADOPTED this the \_\_\_\_\_ 7TH \_\_\_\_\_ day of \_\_\_\_\_ FEBRUARY \_\_\_\_\_, 19 83 \_\_\_\_\_

  
\_\_\_\_\_  
President, Board of Directors of \_\_\_\_\_ NUECES \_\_\_\_\_

ATTEST:

County Water Control Improvement District No. \_\_\_\_\_ 4 \_\_\_\_\_

  
\_\_\_\_\_  
Secretary

<sup>2</sup> See Art. 1.05 of Election Code and Sec. 50.024 and 51.072 of Water Code.

# Order For Election Procedure In Water District Directors Election

THE STATE OF TEXAS

COUNTY OF NUECESOn this the 7TH day of FEBRUARY, 19 83, the Board of Directors of NUECESCounty Water Control and Improvement District No. 4 convened inREGULAR

session, open to the public, with the following members present, to-wit:

JAMES H. ATWILL

President,

Vice-President,

AL MORAED MANNING

Secretary,

and the following absent: JAY SANDERS, VICE-PRESIDENT & GEORGE S. HAW

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 2ND, 19 83 for the purpose of electing TWO members to the Board of Directors;<sup>1</sup>

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 DISTRICT OFFICE on or before 20 days before the date of said election.

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

<sup>1</sup> See Sec. 51.076, 51.0731, 50.024 of Water Code and Art. 2.01b of Election Code.


CERTIFICATE OF DIRECTORS' RESOLUTION TO INCLUDE PROPERTY  
WITHIN NUECES COUNTY WATER CONTROL  
AND IMPROVEMENT DISTRICT NUMBER 4

THE UNDERSIGNED, BEING THE SECRETARY OF NUECES COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 4, DOES HEREBY CERTIFY THAT:

AT A MEETING OF THE BOARD OF DIRECTORS OF NUECES COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 4, A POLITICAL SUBDIVISION OF THE STATE OF TEXAS, DULY CALLED AND HELD THIS DATE AT WHICH A QUORUM WAS PRESENT AND ACTED THROUGHOUT, THE BOARD OF DIRECTORS UNANIMOUSLY ADOPTED THE FOLLOWING RESOLUTION WHICH HAS NOT BEEN MODIFIED AS RESCINDED:

RESOLVED, THAT MICHAEL R. MURRAY IN ACCORDANCE WITH §51.714 OF THE TEXAS WATER CODE EXECUTE AND FILE WITH THE NUECES COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 4 A PETITION REQUESTING THAT CERTAIN REAL PROPERTY WHOLLY OWNED BY MICHAEL R. MURRAY, LOCATED IN NUECES COUNTY, TEXAS AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ON EXHIBIT "A" ATTACHED HERETO, BE ADDED TO AND INCLUDED WITHIN SAID DISTRICT; AND THAT MICHAEL R. MURRAY IS HEREBY AUTHORIZED TO EXECUTE AND DELIVER SAID PETITION.

EXECUTED AND CERTIFIED THIS 7TH DAY OF FEBRUARY, 1983.

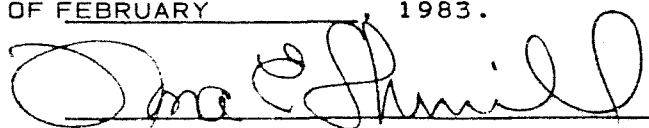
  
ED MANNING,  
SECRETARY,  
NUECES COUNTY WATER CONTROL  
& IMPROVEMENT DISTRICT NO. 4

STATE OF TEXAS        *i*

COUNTY OF NUECES    *i*

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ED MANNING, KNOWN TO ME TO BE THE PERSON AND OFFICER WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THE QUOTED RESOLUTION WAS DULY PASSED BY THE BOARD OF DIRECTORS OF NUECES COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 4 AND APPEARS AMONG THE OFFICIAL MINUTES OF THE DISTRICT AND THAT HE EXECUTED THIS CERTIFICATE FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THERIN STATED.

GIVEN THIS 7TH DAY OF FEBRUARY, 1983.

  
NOTARY PUBLIC IN AND FOR  
NUECES COUNTY, TEXAS

NONA SHERRILL  
Notary Public, State of Texas  
My Commission Expires 5/31/85

MINUTES OF  
SPECIAL MEETING  
JANUARY 27, 1983

STATE OF TEXAS           ↓  
COUNTY OF NUECES       ↓

ON THE 27TH DAY OF JANUARY, 1983, 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:

SECRETARY	ED MANNING
SECRETARY PRO-TEM	GEORGE S. HAWN
DIRECTOR	AL MORA

ABSENT:

PRESIDENT	JAMES H. ATWILL
VICE-PRESIDENT	JAY SANDERS

STAFF:

MANAGER	DON ROY FARLEY
ASS'T ADMINISTRATOR	NONA E. SHERRILL
BOOKKEEPER	MARY MOSS
SECRETARY	BETTY HARGROVE
AUDITOR	WILLIE KOSAREK
ATTORNEY	C. ED PRICHARD
ENGINEER	JIM URBAN
COMPUTER ANALYST	NORMA SWANN

VISITORS:

ATTORNEY FOR FLOYD MCCLANAHAN	WILLIAM L. OTTER, JR.
----------------------------------	-----------------------

MAGCOBAR REPS	ELLIS YODAL PATRICK GRANT LEE WILLIAMS BARRETT ATKINS RANDY THOMPSON
SOUTH JETTY NEWS	DAVID VOGLER

THE MEETING WAS CALLED TO ORDER AT 5:00 P.M.  
BY PRESIDING OFFICER, ED MANNING PURSUANT TO NOTICE POSTED.

1982 AUDIT:           1982 AUDIT REPORT WAS GIVEN BY WILLIE J. KOSAREK,  
AUDITOR FOR THE DISTRICT. A MOTION WAS MADE BY GEORGE HAWN  
TO APPROVE THE 1982 AUDIT AS PRESENTED. THE MOTION WAS SECONDED  
BY AL MORA. THE MOTION CARRIED UNANIMOUSLY.

PAGE 2

SPECIAL MEETING

JANUARY 27, 1983

RENOVATION OF  
DISTRICT  
OFFICE:

AFTER DISCUSSION OF THE RENOVATION OF THE DISTRICT OFFICES, THE BOARD DIRECTED DON ROY FARLEY TO CONTINUE INVESTIGATING OTHER METHODS OF RENOVATION AND GIVE RECOMMENDATIONS TO THE BOARD WHEN PREPARED.

MAGCOBAR  
WATER:

AFTER GENERAL DISCUSSION WAS HELD WITH THE REPRESENTATIVES OF MAGCOBAR AND THE BOARD OF DIRECTOR'S WITH THE ASSISTANCE OF THE DISTRICT'S ATTORNEY AND THE ENGINEER, THE BOARD DIRECTED THE DISTRICT'S ATTORNEY TO REVISE THE CONTRACT BETWEEN THE DISTRICT AND MAGCOBAR ON ITEMS DISCUSSED AND AGREED UPON AND PLACE ITEM ON NEXT AGENDA.

COMPUTER  
ANALYST:

MRS. NORMA SWANN, COMPUTER ANALYST, GAVE HER PRESENTATION TO THE BOARD ON THE BID SPECIFICATIONS FOR A COMPUTER. A MOTION WAS MADE BY ED MANNING TO ACCEPT THE MRS. SWANN'S BID SPECIFICATIONS WITH AN ADDITIONAL ITEM ABOUT BID PRICES BEING GOOD FOR SIXTY (60) DAYS. ALSO TO INSTRUCT THE STAFF TO MAKE PREPARATIONS TO PUBLISH BIDS AND SET A MEETING FOR THE OPENING OF BIDS AS SOON AS POSSIBLE. THE MOTION WAS SECONDED BY AL MORA. THE MOTION CARRIED UNANIMOUSLY.

EASEMENT  
FLOYD MCCLAN-  
NAHAN:

AFTER DISCUSSION WITH BILL OTTEN, ATTORNEY FOR FLOYD MCCLANNAHAN, GEORGE HAWN MADE A MOTION TO INSTRUCT MANAGER DON ROY FARLEY TO WRITE A LETTER TO FLOYD MCCLANNAHAN --UPON HIS DEDICATION OF THE WEST THIRTY (30) FEET OF HIS LOT TO THE CITY OF PORT ARANSAS FOR STREET AND PUBLIC UTILITY RIGHT-OF-WAY THEN THE WATER DISTRICT WOULD WAIVE THE WATER AND SEWER TAP FEES. THE MOTION WAS SECONDED BY ED MANNING. THE MOTION CARRIED UNANIMOUSLY.

WATER SERVICE  
NOT WITHIN THE  
DISTRICT  
BOUNDARYS:

MR. FARLEY DISCUSSED A REQUEST FOR WATER SERVICE FOR LAND NOT WITHIN THE DISTRICT BOUNDARIES. THE BOARD INSTRUCTED MR. FARLEY TO WRITE A LETTER TO THE PARTY ADVISING HOW THE WILSON TRACT WAS ADMITTED TO THE DISTRICT AND THE FEES THAT WERE PAID. ANY OTHER LAND WOULD BE TREATED THE SAME.

PAGE 3

SPECIAL MEETING

JANUARY 27, 1983

VACATION &  
OVERTIME  
POLICY:

MR. FARLEY ASK THE BOARD FOR RECOMMENDATIONS ON VACATION AND OVERTIME OFF POLICY. THE BOARD INSTRUCTED MR. FARLEY TO USE HIS OWN DISCRETION ON THIS POLICY. THE BOARD INSTRUCTED MR. FARLEY TO MAKE A STUDY ON THE OVERTIME AND COMPENSATORY TIME OFF AND PRESENT TO THE BOARD AS SOON AS POSSIBLE.

AMEND  
CAPITAL  
RECOVERY  
FEE:

JIM URBAN PRESENTED TO THE BOARD AN AMENDMENT TO THE THE CAPITAL RECOVERY FEE OF SECTION 4, PARAGRAPH 3 AS ATTACHED TO THESE MINUTES. A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY AL MORA TO APPROVE THE AMENDED CAPITAL RECOVERY FEE AS PRESENTED TO BECOME EFFECTIVE IMMEDIATELY. THE MOTION WAS SECONDED BY AL MORA. THE MOTION CARRIED UNANIMOUSLY.

CAROLYN'S  
REQUEST  
WAIVER  
TO FLATO  
PROPERTY:

AFTER DISCUSSION, THE BOARD INSTRUCTED THE DISTRICT'S ATTORNEY, ED PRICHARD TO WRITE A LETTER TO MR. STEEL, REPRESENTATIVE OF RICHARD <sup>CARLYON</sup> CAROLYN COMPANY, TO GIVE A PROPOSAL TO PAY \$544,016.00 OR WITHDRAW DESIGNATION WITH BENNETT'S APPROVAL.

FINANCIAL  
REPORT:

A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY AL MORA TO APPROVE:

DECEMBER ACCOUNTS PAYABLE \$22,541.28

DECEMBER EXPENDITURES \$58,238.00

THE MOTION CARRIED UNANIMOUSLY.

MANAGER'S  
REPORT:

MR. FARLEY PRESENTED THE MANAGER'S REPORT. (A COPY OF THIS REPORT IS ON FILE IN THE DISTRICT OFFICE).

BROWN & ROOT  
LETTER:

THE BOARD INSTRUCTED DON ROY FARLEY, JIM URBAN AND ED PRICHARD TO WRITE A LETTER TO BROWN AND ROOT ADVISING THAT THEY ARE LIMITED TO THE AMOUNT OF WATER THEY CAN TAKE A DAY TO THE GROUND STORAGE THEY HAVE AT PRESENT AND IF

2. IF NO CONTRACT EXISTS OR QUANTITIES ARE NOT DEFINED WITHIN THE CONTRACT, THE APPLICATION FOR WATER SERVICE IS USED TO DETERMINE DEMAND. THE DESCRIPTION OF USE WILL BE APPLIED TO TABLE #1 (SECTION 111 B) TO DETERMINE EXISTING CAPACITY.

3. IF NO DESCRIPTION IS GIVEN ON THE APPLICATION OR THERE IS NO APPLICATION, THE CAPACITY WILL BE BASED ON THE TABLE BELOW.

*Jan 83*

<u>METER SIZE</u>	<u>FLOW</u>
5/8"	650 GPD
3/4"	1000 GPD
1"	6500 GPD
1 1/2"	13,000 GPD
2"	22,750 GPD
3"	32,500 GPD
4"	97,500 GPD
6"	130,000 GPD

V. CALCULATE THE CAPITAL RECOVERY INDEX.

THE CAPITAL RECOVERY INDEX REPRESENTS THE DISTRICT'S COST PER GALLON TO BUILD GROUND STORAGE. ELEVATED STORAGE AND TRANSMISSION FACILITIES.

THE DISTRICT MANAGER MAY REQUIRE THAT INDUSTRIAL CUSTOMERS BUILD AND MAINTAIN THEIR OWN GROUND STORAGE FACILITY.

IN THE EVENT THE DISTRICT DOES REQUIRE THE CUSTOMER TO PROVIDE THEIR OWN GROUND STORAGE, THE CUSTOMER'S CAPITAL RECOVERY FEE WOULD REFLECT ONLY THE CONSTRUCTION COST OF THE TRANSMISSION FACILITIES.

HARBOR ISLAND CUSTOMERS WILL BE REQUIRED TO PAY AN ADDITIONAL TRANSMISSION FEE EQUAL TO \$0.1/GAL OF DAILY DEMAND.

*Jan 83*  
A. CUSTOMERS NOT PROVIDING GROUND STORAGE

$$\$0.749 = \$0.16 + \$1.175 + \$0.414$$

$$\text{CAPITAL RECOVERY INDEX} = \$0.749$$

B. CUSTOMER PROVIDING GROUND STORAGE

$$\text{CAPITAL RECOVERY INDEX} = \$0.414$$

C. CUSTOMERS NOT PROVIDING GROUND STORAGE (HARBOR ISLAND)

$$\$0.849 = \$0.16 + \$1.175 + \$0.414 + \$0.1$$

D. CUSTOMER PROVIDING GROUND STORAGE (HARBOR ISLAND)

$$\text{CAPITAL RECOVERY INDEX} = \$0.514$$

PAGE 4

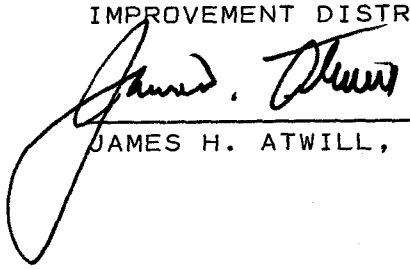
SPECIAL MEETING

JANUARY 27, 1983

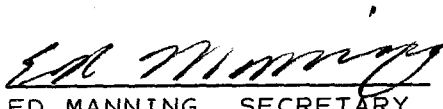
THEY SHOULD REQUIRE A LARGER DUNT, A CAPITAL RECOVERY FEE  
WOULD BE REQUIRED AND MORE GROUND STORAGE WOULD HAVE TO BE  
BUILT.

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN  
THE MEETING AT 9:15 P.M. THE MOTION CARRIED UNANIMOUSLY.

NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

  
JAMES H. ATWILL, PRESIDENT

ATTEST:

  
ED MANNING, SECRETARY



MINUTES OF  
SPECIAL MEETING  
JANUARY 11, 1983

STATE OF TEXAS

COUNTY OF NUECES

ON THE 11TH DAY OF JANUARY, 1983, 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  
VICE PRESIDENT  
SECRETARY  
SECRETARY PRO-TEM  
DIRECTOR

JAMES H. ATWILL  
JAY SANDERS  
ED MANNING  
GEORGE S. HAWN  
AL MORA

STAFF:

MANAGER  
ASS'T ADMINISTRATOR  
BOOKKEEPER  
ATTORNEY  
ENGINEERS

DON ROY FARLEY  
NONA E. SHERR  
MARY MOSS  
C. EDWIN PRI  
EUGENE C. UF  
JIM URBAN  
WILLIE J. KOSAREK

AUDITOR

VISITORS:

ISLAND MOORINGS

JIM PAIR  
CHARLES ZAHN, JR.

MUSTANG BEACH, LTD.

SONNY CASTOR

SOUTH JETTY NEWS

DAVID WALLACE

CITY OF PORT ARANSAS

COUNCILMAN BOB CARLOUGH

RICHARD CAROLYN CO.

HARRY STEEL

PUBLIC HEARING:

MEETING WAS CALLED TO ORDER AT 5:00 P.M. PURSUANT TO NOTICE POSTED AND PUBLISHED IN LOCAL NEWS OF PUBLIC HEARING ON THE PROPOSAL TO INCREASE WATER AND WASTEWATER UTILITY RATES. THE DISTRICT'S AUDITOR, WILLIE J. KOSAREK, GAVE A PRESENTATION TO THE BOARD OF DIRECTORS AS TO HIS RECOMMENDATIONS ON THE PROPOSED INCREASE OF WATER AND WASTEWATER UTILITY RATES. THERE BEING NO OPPOSITION TO THE RECOMMENDATIONS, THE PUBLIC HEARING WAS CLOSED.

MEETING:

THE SPECIAL MEETING WAS CALLED TO ORDER BY PRESIDENT

PAGE 2

SPECIAL MEETING

JANUARY 11, 1983

JAMES H. ATWILL.

WATER &  
WASTEWATER  
INCREASE:

AFTER DISCUSSION ON RECOMMENDATIONS FROM MR. KOSAREK TO INCREASE WATER AND WASTEWATER UTILITY RATES, JAY SANDERS MADE A MOTION TO RAISE THE WATER RATE \$.17 PER THOUSAND AND THE WASTEWATER RATE \$.06 PER THOUSAND TO TAKE EFFECT AS OF THE FEBRUARY BILLING, 1983. THE MOTION WAS SECONDED BY AL MORA. THE MOTION CARRIED UNANIMOUSLY. (A COPY OF THE RESOLUTION AND ORDER IS ATTACHED AND BECOMES A PERMANENT PART OF THESE MINUTES.)

MINUTES:

A MOTION WAS MADE BY GEORGE S. HAWN AND SECONDED BY ED MANNING TO WAIVE THE READING OF THE MINUTES (COPIES OF THE MINUTES WERE MAILED TO EACH DIRECTOR PRIOR TO THE MEETING) FOR NOVEMBER 29 AND DECEMBER 13, 1982 AND APPROVE THE SAME. THE MOTION CARRIED UNANIMOUSLY.

MIKE MURRAY  
UTILITY  
SERVICE  
AGREEMENT:

AFTER DISCUSSION ON THE REQUEST FROM MIKE MURRAY TO BE ANNEXED INTO THE DISTRICT, A MOTION WAS MADE BY ED MANNING AND SECONDED BY AL MORA TO APPROVE THE UTILITY SERVICE AGREEMENT BETWEEN THE DISTRICT AND MIKE R. MURRAY SUBJECT TO ADDITIONAL LANGUAGE TO BE SUBMITTED BY THE DISTRICT'S ATTORNEY, C. ED PRICHARD, JR. THE MOTION CARRIED UNANIMOUSLY.

LATITUDE 27,  
LTD. UTILITY  
SERVICE  
AGREEMENT:

THE UTILITY SERVICE AGREEMENT BETWEEN THE DISTRICT AND LATITUDE 27, LTD. WAS DISCUSSED. A MOTION WAS MADE BY GEORGE S. HAWN THAT THE UTILITY SERVICE AGREEMENT BE APPROVED AS SUBMITTED AND THAT THE EXHIBIT ATTACHED TO THE AGREEMENT PREPARED BY URBAN ENGINEERING, WHICH SHOWS ALL TRACTS COVERED INCLUDING A PORTION OF THE LOTS INCLUDED IN MUSTANG BEACH UNITS 1 AND 2, BUT THE SEWER SERVICE IS TO BE INCLUSIVE OF ALL LOTS IN MUSTANG BEACH UNIT 1 AND 2, EVEN THOUGH THEY ARE NOT A PART OF THE EXHIBIT. THE MOTION WAS SECONDED BY JAY SANDERS. THE MOTION CARRIED UNANIMOUSLY.

LETTER OF  
AGREEMENT  
BETWEEN  
LATITUDE 27  
& SONNY  
CASTOR:

CONTEMPORANEOUSLY WITH THE MOTION ON THE UTILITY SERVICE AGREEMENT WITH LATITUDE 27, LTD., THE DISTRICT WAS PRESENTED A LETTER AGREEMENT DATED JANUARY 11, 1983, WHICH WAS SIGNED BY CHARLES W. ZAHN, JR., AS ATTORNEY FOR LATITUDE 27, LTD., AND APPROVED BY C.L. CASTOR, JR., ON

PAGE 3

SPECIAL MEETING

JANUARY 11, 1983

BEHALF OF MUSTANG BEACH, LTD. GEORGE HAWN MADE A MOTION

TO APPROVE THE AGREEMENT. THE MOTION WAS SECONDED BY

JAY SANDERS. THE MOTION CARRIED UNANIMOUSLY.(A COPY OF THIS AGREEMENT IS ATTACHED AND BECOMES A PERMENT PART OF THESE MINUTES).

SONNY CASTOR MADE A REQUEST TO THE DIRECTORS WITH

MUSTANG BEACH  
REQUEST FOR  
SEPTIC TANKS:

REFERENCE TO MUSTANG BEACH AREA TEMPORARY SEPTIC TANKS. A MOTION BY AL MORA THAT SUBJECT TO THE PERSENTATION TO THE DISTRICT OF A IRREVOCABLE LETTER OF CREDIT FROM MUSTANG BEACH, LTD. IN THE AMOUNT TO BE DETERMINED BY OUR ENGINEERS AND THAT THE DISTRICT WOULD ALLOW TEMPORARY SEPTIC TANKS IN AN AREA TO ALSO BE DESIGNATED BY OUR ENGINEERS AND A LETTER OF CREDIT COULD BE CALLED UPON BY THE DISTRICT FOR THE PURPOSE OF LAYING THE LINE. THE MOTION WAS SECONDED BY JAY SANDERS. THE MOTION PASSED UNANIMOUSLY.

RIDLOFF/  
CAROLYN  
REQUEST TO  
WAIVE ESCROW  
FEES:

AFTER DISCUSSION ON THE REQUEST FROM MR. RIDLOFF TO WAIVE PAYMENT OF ESCROW FEES IN REFENENCE TO THE 77 ACRES DEDICATION OUT OF THE 485 ACRES "FLATO TRACT" SEWER CONTRACT AS PRESENTED BY MR. HARRY STEEL, REPRESENTATIVE OF RICHARD CAROLYN COMPANY, THE BOARD INSTRUCTED THE ATTORNEY AND ENGINEER OF THE DISTRICT TO REVIEW THE "FLATO CONTRACTS" AND TO PRESENT RECOMMENDATIONS AT THE NEXT MEETING, JANUARY 26, WEDNESDAY, 1983 AT 5:00 P.M.

FINANCIAL  
REPORT:

A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY ED MANNING TO APPROVE:

OCTOBER ACCOUNTS PAYABLE	\$ 26,821.19
OCTOBER EXPENDITURES	18,715.15
NOVEMBER ACCOUNTS PAYABLE	22,133.46
NOVEMBER EXPENDITURES	101,127.02

AND FOR THE ADJUSTMENT TO THE ADOPTED BUDGET AS SHOWN BY SCHEDULE 1, WILLIE KOSAREK'S PRESENTATION CONCERNING THE WATER RATE STUDY(COPY OF SCHEDULE 1 IS ON FILE IN THE DISTRICT OFFICE). THE MOTION CARRIED UNANIMOUSLY.

DRESSER/  
MAGCOBAR:

AFTER DISCUSSION OF CONTRACTUAL AND ENGINEERING AGREEMENT TO SUPPLY LARGE QUANTITIES OF WATER TO DRESSER-MAGCOBAR AT HARBOR ISLAND, THE BOARD INSTRUCTED THE STAFF

PAGE 4

SPECIAL MEETING

JANUARY 11, 1983

TO PROCEED FORWARD TO INFORM DRESSER-MAGCOBAR, AS WELL AS BROWN AND ROOT AND TEXAS HARBOR SERVICES OF THE REQUIREMENTS OF THE DISTRICT FOR SERVICING THESE CUSTOMERS.

REVISE CRF  
METHOD OF  
COMPUTATION:

NO ACTION ON REVISE METHOD OF COMPUTATION OF EXISTING OVER CAPACITY OF WATER IN THE CAPITAL RECOVERY FEE FORMULAS. THIS ITEM TO BE PUT ON AGENDA FOR THE NEXT MEETING.

MANAGER'S  
REPORT:

DON ROY FARLEY GAVE THE MANAGER'S REPORT. AFTER

REPAINT ON  
150M ELEVATED  
WATER TANK:

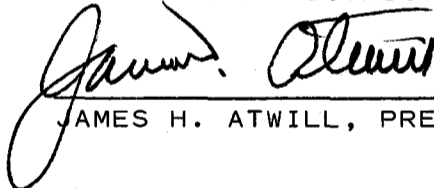
DISCUSSION ON THE REPAINTING OF THE 150M GALLON ELEVATED TANK, GEORGE HAWN MADE A MOTION FOR THE STAFF TO PREPARE THE DOCUMENTS AND ADVERTISE FOR BID FOR PAINT UP-KEEP ON TOWER. THE MOTION WAS SECONDED BY ED MANNING. THE MOTION CARRIED UNANIMOUSLY.

CONTRACT WITH  
STATE PARK:

AFTER DISCUSSION ON THE CONTRACT WITH THE STATE PARK, THE BOARD APPROVED THE STAFF TO SET SEWER FEES FOR THE STATE PARK AND NOTIFY BY LETTER NEW FEES.

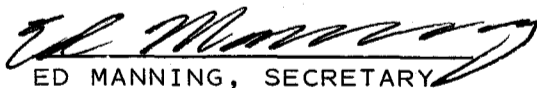
A MOTION WAS DULY MADE AND SECONDED TO ADJOURN THE MEETING AT 9:00 P.M.

NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4



JAMES H. ATWILL, PRESIDENT

ATTEST:

  
ED MANNING, SECRETARY

RESOLUTION AND ORDER EXECUTING INCREASE IN WATER AND SEWER RATES FOR THE  
NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4

ON THE 11TH DAY OF JANUARY, 1983, 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 ON SAID DISTRICT, WITH THE FOLLOWING MEMBERS OF THE BOARD

PRESENT: JAMES H. ATWILL, PRESIDENT  
JAY SANDERS, VICE-PRESIDENT  
ED MANNING, SECRETARY  
GEORGE S. HAWN, SECRETARY PRO-TEM  
AL MORA, DIRECTOR

AND THE FOLLOWING ABSENT: -0-

CONSTITUTING A QUORUM, AND AMONG OTHER PROCEEDINGS HAD, WERE THE FOLLOWING:

THE PRESIDENT OF THE BOARD PRESENTED A RESOLUTION AND ORDER  
INCREASING WATER AND SEWER RATES.

MINUTES OF JANUARY 11TH, 1983, REFLECT INCREASE IN WATER AND  
SEWER RATES.

THEREFORE, PRESIDENT OF THE BOARD OF DIRECTORS PRESENTED A  
RESOLUTION TO LEGALLY ESTABLISH THE INCREASE IN WATER AND SEWER RATES.

THE RESOLUTION AND ORDER WAS READ IN FULL AND, AFTER FULL  
DISCUSSION THEREOF, JAY SANDERS MADE A MOTION THAT IT  
BE ADOPTED. THE MOTION WAS SECONDED BY AL MORA.  
THE MOTION, CARRING 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 AND ORDER AS FOLLOWS:

WHEREAS, NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT  
NO. 4 SET THE FOLLOWING NEW RATES:

WATER AND SEWER RATES WERE LAST REVISED ON JANUARY 11, 1983,  
EFFECTIVE FEBRUARY 1983 BILLING.

WATER AND SEWER RATES CURRENTLY IN EFFECT ARE AS FOLLOWS:

WATER RATES:

MINIMUM RATE PER MONTH FOR FIRST 3,000 GALLONS -

<u>METER SIZE</u>	<u>AMOUNT</u>
3/4"	\$ 6.00
1"	\$ 14.00
1-1/2"	\$ 28.00
2"	\$ 56.00
3"	\$112.00
4"	\$224.00
6"	\$350.00

RATE PER 1,000 FOR ALL REMAINING USAGE \$ 1.51

SEWER RATES:


RESIDENTIAL - \$6.00 MINIMUM PER MONTH PLUS \$.59 FOR EACH ADDITIONAL  
1,000 GALLONS OF WATER USED IN EXCESS OF 6,000 GALLONS.

COMMERCIAL - \$10.00 MINIMUM PER MONTH PLUS \$.59 FOR EACH ADDITIONAL  
1,000 GALLONS OF WATER USED IN EXCESS OF 6,000 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 INCREASE WATER  
AND SEWER RATES FOR THE NUECES COUNTY WATER CONTROL AND IMPROVEMENT  
DISTRICT NO. 4.

I, THE UNDERSIGNED, SECRETARY OF THE BOARD OF DIRECTORS OF  
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 11TH DAY OF JANUARY, 1983.



ED MANNING, SECRETARY  
BOARD OF DIRECTORS  
NUECES COUNTY WATER CONTROL & IMPROVEMENT  
DISTRICT NO. 4.

(SEAL)

LAW OFFICES  
CHARLES W. ZAHN, JR., P.C.

5440 EVERHART - SUITE 1  
CORPUS CHRISTI, TEXAS 78411

(512) 991-7411

January 11, 1983

Nueces County Water Control  
& Improvement District No. 4  
P. O. Box 128  
Port Aransas, Texas 78373

Attention Mr. Don Roy Farley  
Manager

Re: Utility Services Agreement  
With Latitude 27, Ltd. and  
Mustang Beach Ltd.

Gentlemen:

As requested in a letter dated January 6, 1983 from Mr. C. Edwin Prichard, Jr., attorney for the District, to Mr. Sonny Castor, the Utility Services Agreement has been changed to incorporate the suggestions by Mr. Prichard. In reviewing the language requested by Mr. Prichard to be inserted in said Agreement, it provides in Paragraph 11 as follows:

"Such severability, however, shall not apply to the obligation of the parties to furnish their letters of credit, it being understood by all parties that no water or sewer service will be furnished to either Latitude 27, Ltd., or Mustang Beach Ltd., until both the letters of credit as specified in Paragraph 3 and Subparagraph C. of Paragraph 6 hereof have been furnished to the District."

The purpose of this letter is to request that Latitude 27, Ltd. be advised of the failure of Mustang Beach Ltd. to provide a letter of credit as set forth in the Utility Services Agreement so that Latitude 27, Ltd. can supply an additional letter of credit in the amounts required of Mustang Beach Ltd., thereby insuring that Latitude 27, Ltd. will be entitled to

January 11, 1983

receive water and sewer service from the District and further to insure that the Utility Services Agreement is not breached such that Latitude 27, Ltd. would not be entitled to receive such services from the District. If Latitude 27, Ltd. is so advised that Mustang Beach Ltd. has failed to comply with this term and condition of the Utility Services Agreement such that the Agreement is in jeopardy of being breached and neither party is entitled to receive water and sewer service, Latitude 27, Ltd. will provide the additional letter of credit and would request that the District not allow a party other than Latitude 27, Ltd. to make use of the utility lines which we constructed by Latitude 27, Ltd. and dedicated to the District until such time as said third party has reimbursed Latitude 27, Ltd. for any and all sums put up on the behalf of Mustang Beach Ltd. or its successors or assigns.

If this letter is agreeable to the District, please indicate your approval in the space provided below.

Very truly yours,

Charles W. Zah. Jr.

Charles W. Zahn, Jr.,  
Attorney for Latitude 27, Ltd.

CWZjr/gh

Accepted and approved this the 11th day of January, 1983.

NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

By James A. Atwell  
President

approved &  
agreed to.  
1268

B. L. Carter, Jr  
Mustang Beach Ltd  
1/11/83

UTILITY SERVICES AGREEMENT

THE STATE OF TEXAS §

COUNTY OF NUECES §

This Agreement, dated the 11<sup>th</sup> day of January, 1983, by and between Latitude 27, Ltd., A Texas Limited Partnership, with its offices and principal place of business being located in Port Aransas, Nueces County, Texas, (hereinafter called "Latitude 27"), of Mustang Beach Ltd., a Texas Limited Partnership, with its principal offices and place of business located in Port Aransas, Nueces County, Texas (hereinafter called "Mustang Beach Ltd."), and Nueces County Water Control and Improvement District No. 4, a water control and improvement district and political subdivision of the State of Texas, hereinafter referred to as the "District";

W I T N E S S E T H :

WHEREAS, Latitude 27, Ltd. is the owner of approximately one hundred ninety-two (192) acres of land on Mustang Island in the County of Nueces, State of Texas, lying within the boundaries of the Nueces County Water Control and Improvement District No. 4; and as set forth in Exhibit "A" attached hereto and by reference made a part hereof.

WHEREAS, Mustang Beach Ltd. is the owner of approximately nineteen (19) acres of land, more or less, plus nineteen (19) lots out of Mustang Beach Unit 1, lying and being situated on Mustang Island, Nueces County, Texas, said land and lots being more particularly described on Exhibit "B" attached hereto and by reference made a part hereof; and

WHEREAS, Latitude 27, Ltd. and Mustang Beach Ltd. are in the process of developing separate and distinct but adjacent subdivisions on a portion of their said respective lands and, as such, intend to provide an adequate supply of fresh potable water and sewage service to the owners and occupants of the said respective lands; and

WHEREAS, the District and Latitude 27, Ltd. and Mustang Beach Ltd. have had numerous meetings and conferences relating to the providing of utility services to the occupants of the lands being developed by Latitude 27, Ltd. and Mustang Beach Ltd.; and,

WHEREAS, the District has passed and adopted policies for the providing of water and sewage service to the owners and occupants of said respective lands lying within the District; and,

WHEREAS, the District has agreed to supply an adequate supply of fresh potable water and to provide for sewage service to the occupants of the land described in Exhibits "A" and "B" aforesaid upon terms and conditions mutually agreed upon by the parties hereto; and,

WHEREAS, the District now desires to make water and sewage service available to all of the lands aforesaid (Exhibits "A" and "B");

NOW, THEREFORE, for and in consideration of the premises, Latitude 27, Ltd., Mustang Beach Ltd., and the District hereby agree as follows:

1. Subject to the terms and conditions contained herein, the District agrees to furnish, at all times after the date hereof, a supply of fresh potable water to the occupants of the property described in Exhibits "A" and "B" (sometimes hereafter referred to as "said lands"), attached hereto and incorporated herein as if set out in full, regardless of the ownership of said property, and, at all times after the date hereof to take, receive, transmit and treat sewage from said property, the furnishing of water and the taking, receipt and transmission of sewage being subject to the usual and customary charges and fees paid by the users in the District for such services, and subject to interruptions in said service due to normal maintenance, repair and upkeep of the water and sewer system of the District or any other cause beyond the control of the District.

2. Before the District shall actually begin to deliver water to each of the said lands,

(a) transmission and distribution lines of a nature then required under the District's water distribution standards uniformly applicable to subdivisions within the District, sufficient to connect the lands for which said delivery of water is requested to the tap point or points provided for hereinbelow, and to provide for water distribution to users in the said lands for which said delivery of water is requested shall have been installed on the lands for which delivery of water is requested, and without cost to the District by the respective owners thereof.

(b) Sewage collection lines and a lift station or stations of a nature then required under the District's sewage collection and treatment standards uniformly applicable to subdivisions within the District, sufficient to connect the lands for which said delivery of water is requested to the District's collection line and to provide for sewage collection and treatment to users in the said lands for which said delivery of water is requested, shall have been installed without cost to the District by the respective owners requesting delivery of water for said purposes.

3. It is agreed that in further consideration for permitting the owners of the properties described in Exhibits "A" and "B" attached to utilize the District's existing sewer transmission line (the "Terramar line"), the property owners of Exhibits "A" and "B" will pay to District within two (2) years of the date of this Agreement a sum of money equal to Urban Engineering's estimate of the cost to construct a sewer transmission line from the land described in Exhibit "A" herein to the nearest sewage treatment facility of the District. It is agreed that this sum is One Hundred Nineteen Thousand Thirty-Five and 16/100 (\$119,035.16) Dollars based upon today's prices. The District has agreed that said sum may be paid on an acreage basis (\$119,035.16 divided by the total number of acres described in Exhibits "A" and "B" attached) in stages as the plans and specifications for each unit are approved by the District. The parties agree that if the entire amount (\$119,035.16) is not paid to the District within ninety (90) days of the date of this Agreement, the per acre payment will be adjusted by the increase in the Engineering News Record cost index from the date of this Agreement to the date the per acre payment is made to the

District. In order to assure the District that the entire One Hundred Nineteen Thousand Thirty-Five and 16/100 (\$119,035.16) Dollars plus any increase is paid within two (2) years of the date of this Agreement, Latitude 27, Ltd. and Mustang Beach Ltd. will tender to the District their respective letters of credit as hereinafter provided.

4. The District shall, subject to the reservations set forth in Paragraph 1 above, and in compliance with provisions of Paragraph 2 above, make available from the mains constructed by the respective parties, a supply of fresh potable water adequate in amount and pressure at all times to serve the contemplated residential and commercial development upon the said lands (Exhibits "A" and "B"). Taps to said mains shall be made in accordance with then existing policy and the actual cost of the taps shall be borne by the owner requesting said taps. Taps of water or sewer mains shall be requested by the owner requesting the same and shall be subject to the usual and customary charges and fees on a uniform basis as other users within the District.

5. The District may charge for water delivered to users in the said lands and for the collection, transmission and treatment of sewage from the said lands, such regular and customary rates and charges as may be charged by the District to other users within the District, and users within the said lands shall be treated by and subject to the regulations of the District on the same and uniform basis as other users within the District. In the event there is a shortage or decrease in water and/or sewer capacity within the District, then the users within the said lands shall be treated on the same and uniform basis as other users within the District.

6. Latitude 27, Ltd. and Mustang Beach Ltd. agree respectively, at such time as each of said parties makes application for water service is made to the District for all or a portion of their respective property described in Exhibits "A"

and "B", which application must be made prior to the commencement of any construction on the property, that such party upon making said application will do the following:

A. Plat each section in accordance with the platting ordinance of the City of Port Aransas and file the same in the Plat Records of Nueces County, Texas.

B. Pay to the District the sum of Four Hundred Ninety-Six and 02/100 (\$496.02) Dollars per acre (as hereinabove stated, paragraph 3[b], this per acre sum shall be adjusted if the entire One Hundred Nineteen Thousand Thirty-Five and 16/100 [\$119,035.16] Dollars is not paid to the District within ninety [90] days after the date of this agreement) as each acre is allocated the use of the District's sewer line, which sum shall be paid to the District at such time as the District approves plans and specifications for improvements on a portion of the said lands being developed. These sums represent the prorata share of the cost on an acreage basis of constructing a sewer transmission main from the property described on Exhibit "A" to the nearest sewage treatment facility of the District.

C. Latitude 27, Ltd. shall furnish to the District an irrevocable letter of credit issued to the District by a bank acceptable to the District, agreeing to pay to the District the sum of Ninety-Nine Thousand Seven Hundred and 02/100 (\$99,700.02) Dollars or so much thereof as the District may demand in writing under the terms of this Agreement. Mustang Beach Ltd. shall furnish to the District an irrevocable letter of credit issued to the District by a bank acceptable to the District, agreeing to pay to the District the sum of Nineteen Thousand Three Hundred Thirty-Five and 14/100 (\$19,335.14) Dollars or so much thereof as the District may demand in writing under the terms of this Agreement. Both such letters of credit will be furnished to the District prior to any water or sewer service being furnished to any of the property described on Exhibit "A" or Exhibit "B". The

letters of credit will state unequivocally that the District may draw upon them by merely presenting to the bank or banks a written demand at any time during the five (5) last business days prior to the letter's expiration date. Said written demand or demands shall be for any portion of the original One Hundred Nineteen Thousand Thirty-Five and 16/100 (\$119,035.16) Dollars then unpaid plus any adjustment as a result of the application of the Engineering News Record Cost Index. The letters of credit will state that they are good for a period of two (2) years from the date of this Agreement or, at the option of Latitude 27, Ltd., or Mustang Beach Ltd., they may state that each is good for a period of one (1) year from the date of this Agreement; provided, however, if either states that it is good for a period of one (1) year, it will also state that the owners of the lands described in Exhibits "A" and "B" may no later than thirty (30) days before either letters' expiration date tender to the District a substitute letter of credit issued by the same bank, in the same form, good for the period from its date until two (2) years after the date of this Agreement, for an amount equal to the then unpaid prorata portion of the original One Hundred Nineteen Thousand Thirty-Five and 16/100 (\$119,035.16) Dollars, plus any adjustment on said amount due to the application of the Engineering News Record Cost Index, plus fifteen (15%) percent of the total of the two (2) amounts. If the substitute letter or letters of credit are not timely tendered, the District may demand payment on the original letters of credit.

D. To provide to the manager of the District the following:

(1) A set of all current and future construction plans on the proposed improvements, including the location of water distribution and sewage collection lines serving the property, and a set of "as-built" plans showing the location of said lines certified to by the Engineer/Architect for the Developer.

(2) A copy of the approval from the Architectural Control Committee showing that all present and future plans

and specifications for the project are in compliance with the Deed Restrictions established for the respective lands.

(3) A copy of all plats and replats of the property showing approval by the appropriate municipality or governmental agency.

(4) Proof of ownership either by Deed or a title opinion from an attorney licensed to practice law in the State of Texas showing that the property which is the subject matter of this Agreement is in fact owned by the party or parties entering into the same.

7. Latitude 27, Ltd. and Mustang Beach Ltd. agree respectively that at such time as the water distribution lines and sewage trunk lines are completed and tested in accordance with standards acceptable to the District, Latitude 27, Ltd. and Mustang Beach Ltd., to the extent of their respective ownership, will dedicate the said lines, along with exclusive easements, to the District and each will respectively warrant the lines it dedicates to the District for a period of one (1) year, said warranty to be drawn in accordance with standards adopted by the District.

8. Latitude 27, Ltd. and Mustang Beach Ltd. further agree to pay within ten (10) days after billing, all fees and expenses incurred by the District resulting from the project contemplated on their respective lands, including but not limited to, fees and expenses incurred for engineering and legal work by the District relating to said project respectively.

9. Latitude 27, Ltd. and Mustang Beach Ltd. agree that until such time as their respective lands are included within the boundaries of a City, fire district or other governmental entity with fire protection responsibilities, it will maintain, paint, and flush the fireplugs situated within their respective lands in accordance with the schedule and techniques of the fire department serving the City of Port Aransas, Texas, and agrees to pay the District for the water used in such flushing operations, as well as any water used in furnishing fire protection for their respective lands.

10. In the event Latitude 27, Ltd. and/or Mustang Beach Ltd. develop the said lands in two (2) or more phases, or subdivide said property and sells individual lots, then, in that event, it is agreed respectively by Latitude 27, Ltd. and Mustang Beach Ltd., their successors and assigns, that the provisions of this Agreement shall be applicable to each such phase or lot and a reference to this Agreement will be made in each conveyance.

11. Latitude 27, Ltd. and Mustang Beach Ltd. agree respectively that all items required to be furnished by them respectively to the District under the provisions of this Agreement will be delivered to the District as soon as the items are available, but in no event later than thirty (30) days following the completion of their respective improvements. Provided, however, that the provisions of the foregoing sentence shall not apply to the per acre payments required by Subparagraph B of Paragraph 6 hereof, which payments are to be made at the time specified in said Subparagraph B, nor do they apply to letters of credit required by Subparagraph C of Paragraph 6 hereof, which letters of credit are to be delivered to the District at the time the parties make application for water service. Failure to so provide the items required under this Agreement within the time allotted hereunder, shall be deemed a breach of this Agreement and the District shall not be required to provide further water and/or sewage service to that party in such default until such defaulting party has completely has completely fulfilled its obligations hereunder. Such default, however, by one (1) party shall not affect the rights of the party not in default, it being the intent of the parties hereto that this Agreement is severable with respect to the rights and duties by and between the District and Latitude 27, Ltd. and by and between the District and Mustang Beach Ltd. Such severability, however, shall not apply to the obligation of the parties to furnish their letters of credit, it being understood

by all parties that no water or sewer service will be furnished to either Latitude 27, Ltd., or Mustang Beach, Ltd., until both the letters of credit as specified in Paragraph 3 and Subparagraph C of Paragraph 6 hereof have been furnished to the District.

12. The parties hereto specifically agree that before Latitude 27, Ltd. or Mustang Beach Ltd. shall become eligible to receive water and sewer service from the District, they shall pay to the District the sums provided for herein, satisfy the other requirements set forth herein, and provide evidence that they have paid their prorata share of the cost of installing the water and sewer lines and other offsite improvements necessary to develop the lands owned by Latitude 27, Ltd. and Mustang Beach Ltd.

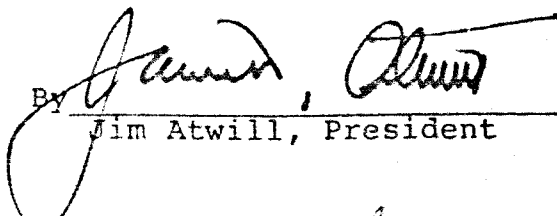
13. In the event any phrase, clause or paragraph in this Agreement is deemed invalid, it is agreed by the parties hereto that the same shall not affect any other phrase, clause of paragraph in the Agreement.

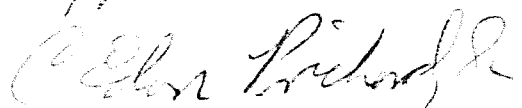
14. This Agreement shall bind and inure to the benefit of the parties hereto, and their respective successors and assigns, it being expressly agreed that the District's Latitude 27, Ltd., and Mustang Beach Ltd.'s rights and obligations hereunder shall be binding upon and inure to the benefit of the future owner or owners of all or a portion of the respective lands.

15. This Agreement shall be governed by the laws of the State of Texas and shall be performable in Nueces County, Texas.

EXECUTED IN MULTIPLE ORIGINALS the day and year first above written.

NUECES COUNTY WATER CONTROL AND  
IMPROVEMENT DISTRICT NO. 4

By   
Jim Atwill, President

Approved:  


ATTEST:

Ed Manning  
Secretary

LATITUDE 27, LTD.

By Jim Pair  
Jim Pair, President of  
Latitude 27, Inc., Its  
General Partner

ATTEST:

Charles W. Zehn, Jr.  
Secretary

MUSTANG BEACH LTD.

By Charles L. Castor, Jr.  
Charles L. Castor, Jr., Its  
General Partner

THE STATE OF TEXAS §

COUNTY OF NUECES §

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Jim Atwill, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said Nueces County Water Control & Improvement District No. 4, a water control and improvement district and political subdivision of the State of Texas, and that he executed the same as the act of such district for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 11<sup>th</sup> day of January, 1983.

Donna E. Sherrill  
Notary Public in and for  
the State of Texas

THE STATE OF TEXAS §


COUNTY OF NUECES §

NONA SHERRILL  
Notary Public, State of Texas  
My Commission Expires 3/31/85

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Jim Pair, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said Latitude 27, Inc., A Texas Corporation, and that he executed the same as the act of such corporation for

the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 11<sup>th</sup> day of January, 1983.



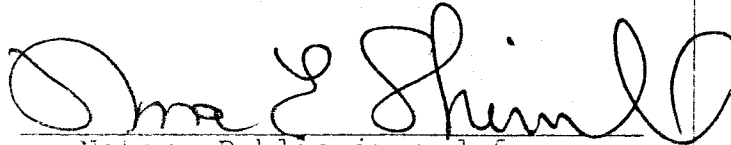
Notary Public in and for  
the State of Texas  
NONA SHERRILL

Notary Public, State of Texas  
My Commission Expires 3/31/85

THE STATE OF TEXAS §  
COUNTY OF NUECES §

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Charles L. Castor, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said Mustang Beach Ltd., a Texas limited partnership, and that he executed the same as the act of said partnership for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 11<sup>th</sup> day of January, 1983.



Notary Public in and for  
the State of Texas

NONA SHERRILL

Notary Public, State of Texas  
My Commission Expires 3/31/85

EXHIBIT "A"

Being a 192.73 acre tract of land out of the Issac W. Boone Survey No. 587, Land Scrip No. 241, Mustang Island, Nueces County, Texas and being described as follows:

TRACT I

Being a 151.80 acre tract of land out of the Issac W. Boone Survey No. 587, Land Scrip No. 241, Mustang Island, Nueces County, Texas and being described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod set at the North corner of said Survey No. 587 in the Southwest boundary of the State of Texas subdivided lands (one acre tracts) for the North corner of this tract;

THENCE South 55°21'20" East, along the common boundary between said Survey No. 587 and said State of Texas subdivided lands, at 3,112.31 feet pass a concrete monument found at the South corner of Lot 5, Block 92 and the West corner of Lot 6, Block 52, State of Texas subdivided lands, in all a distance of 3,775.07 feet to a 5/8" iron rod set on the curved Northwest right-of-way line of Park Road No. 53, for the East corner of this tract, from which corner a railroad spike found in the centerline at Park Road No. 53 bears South 55°21'20" East, 60.04 feet and a concrete monument found at the North corner of the H.O. & R. Co. 380 acre tract bears South 55°21'20" East, 393.31 feet;

THENCE along said curved Northwest right-of-way line in a Southwesterly direction on a curve to the left which has a central angle of 0°44'37" and a radius of 5,789.65 feet for an arc distance of 75.14 feet to the point of tangency;

THENCE South 36°09'50" West continuing along the Northwest right-of-way line of Park Road No. 53, 60 feet Northwesterly from and parallel to the centerline thereof, at a distance of 2,725.17 feet intersect the Northeast boundary of Piper Boulevard as shown on plat of Mustang Beach Unit 1, recorded in Volume 29, Pages 5 and 6, Nueces County Map Records, for the South corner of this tract;

THENCE along the Northeast boundary of Piper Boulevard as found on the ground North 55°21'48" West, 340.56 feet to the point of curvature of a curve to the right which has a central angle of 18°03'08" and a radius of 581.38 feet;

THENCE along said curve in a Northwesterly direction, an arc distance of 183.17 feet to the point of tangency;

THENCE North 37°18'40" West continuing along the Northeast boundary of Piper Boulevard as found on the ground, at 46.46 feet pass a 5/8" iron rod found on line in all a distance of 1,016.52 feet to a 5/8 inch iron rod found at the point of curvature of a curve to the right which has a central angle of 90° and a radius of 15.0 feet;

THENCE along last mentioned curve to the right an arc distance of 23.56 feet to a 5/8 inch iron rod found at the point of tangency on the Southeast boundary of Seahorse Drive;

THENCE North 52°41'20" East, along the Southeast boundary of Seahorse Drive 400.00 feet to its Northeast end for an interior corner of this tract;

THENCE North 37°18'40" West, across the Northeast end of Seahorse Drive, 50.0 feet to a 5/8 inch iron rod found at the end of a curve which has a central angle of 89°56'52" and whose radius point bears North 37°18'40" West 15.0 feet;

THENCE along last mentioned curve, curving to the right for an arc distance of 23.55 feet to a 5/8 inch iron rod found at the point of tangency on the Northeast boundary of Barracuda Street;

THENCE North 37°21'48" West, along the Northeast boundary of Barracuda Street 308.0 feet to a 5/8 inch iron rod found at the point of curvature of a curve to the right which has a central angle of 90° and a radius of 15.0 feet;

THENCE along last mentioned curve 23.56 feet to a 5/8 inch iron rod found at the point of tangency;

THENCE North 37°21'48" West, across a future street, 50.0 feet to a 5/8 inch iron rod found on the Southeast boundary of a 19.795 acre tract of land described in deed recorded in Volume 1784, Pages 216-218 of the Nueces County Deed Records;

THENCE along the Southeast boundary of said 19.795 acre tract North 52°38'12" East, 31.81 feet to the point of curvature of a curve to the left which has a central angle of 19°25'21" and a radius of 280.25 feet;

THENCE along said curve in a Northeasterly direction continuing on the Southeast boundary of said 19.795 acre tract an arc distance of 95.0 feet to the end of said curve;

THENCE North 56°47'09" West, along the Northeast boundary of said 19.795 acre tract, 93.64 feet to an angle point;

THENCE continuing along the Northeast boundary of said 19.795 acre tract, North 18°54'27" West, 1,060.48 feet to the point of curvature of a curve to the right which has a central angle of 53°00'00" and a radius of 1,000.00 feet;

THENCE along last mentioned curve to the right continuing with the Northeasterly and then Easterly boundary of said 19.795 acre tract for an arc distance of 925.02 feet to the point of tangency;

THENCE North 34°05'33" East, 63.76 feet to the upper East corner of said 19.795 acre tract for an interior corner of this tract;

THENCE North 55°54'27" West, along the Northeast boundary of said 19.795 acre tract, at 564.19 feet pass the North corner of said 19.795 acre tract - from which corner a hole drilled in concrete bulkhead at the North corner of Lot 44, Block 1 of above mentioned Mustang Beach Unit 1, bears South 31°57'45" West, 923.94 feet and thence South 58°02'15" East, 105.12 feet - in all a total distance of 566.19 feet to a point in the Northwest boundary of above mentioned Survey No. 587 for the most Westerly corner of this tract;

THENCE North 31°56'50" East, along the Northwest boundary of said Survey No. 587, 317.14 feet to the POINT OF BEGINNING.

TRACT II

Being a 40.93 acre tract of land out of the Issac W. Boone Survey 587, Land Scrip 241, Mustang Island, Nueces County, Texas, described by metes and bounds as follows:

BEGINNING at the intersection of the Southwest boundary of Piper Boulevard as found on the ground with the Southwest boundary of a 200 acre tract owned by Mustang Beach Development Corporation as shown on map of Mustang Beach Unit 1 recorded in Volume 29, Pages 5 & 6 of the Nueces County Map Records for the East corner of this tract from which point a 5/8" iron rod set at the Southern most corner of said Mustang Beach Unit 1 and of Piper Boulevard bears South 55°21'48" East, 339.23 feet;

THENCE North 55°21'48" West along the Southwest boundary of said 200 acre tract, 3,225.50 feet to a 5/8" iron rod set on the North boundary of the Issac W. Boone Survey No. 587 for the West corner of said 200 acre tract and the West corner of this tract, from which corner a concrete monument found at the East corner of Survey No. 589, Land Scrip No. 19, bears South 31°56'50" West, 1,017.37 feet;

THENCE North 31°56'50" East, along the Northwest boundary of the Issac W. Boone Survey No. 587, 930.36 feet to the most Westerly corner of said Mustang Beach Unit 1, for the North corner of this tract;

THENCE along the Southerly boundary of said Mustang Beach Unit 1, South 58°03'10" East, 105.45 feet and North 32°03'45" East, 50.05 feet to a 5/8" iron rod found at the Southwest corner of Lot 1, Block 1, Mustang Beach Unit 1;

THENCE North 89°10'15" East, along the South boundary of said Lot 1, 129.19 feet to a 5/8" iron rod found at the Southeast corner of said Lot 1, which corner is on a curve to the left, which has a central angle of 79°52'10" and a radius of 50.00 feet and whose centerpoint bears North 87°54'50" East;

THENCE along said curve to the left which is also the Southwesterly boundary of Piper Boulevard, in a Southeasterly direction for an arc distance of 69.70 feet to the point of tangency;

THENCE South 81°57'20" East, continuing along the Southwesterly boundary of Piper Boulevard, 15.0 feet to the point of curvature of a curve to the right which has a central angle of 26°47'00" and a radius of 120.00 feet;

THENCE along last mentioned curve to the right continuing along the Southwesterly boundary of Piper Boulevard as found on the ground in a Southeasterly direction for an arc distance of 56.09 feet to the point of tangency;

THENCE South 55°10'20" East, continuing along the Southwesterly boundary of Piper Boulevard as found on the ground at 271.65 feet pass a 5/8" iron rod found on line in all a distance of 275.37 feet to the point of curvature of a curve to the right which has a central angle of 36°23'30" and a radius of 254.48 feet;

THENCE along last mentioned curve to the right in a Southeasterly direction continuing along the Southwesterly boundary of Piper Boulevard as found on the ground, for an arc distance of 161.63 feet to the point of tangency; from which

point a 5/8" iron rod found bears North  $18^{\circ}46'50''$  West, 1.33 feet;

THENCE South  $18^{\circ}46'50''$  East, continuing along the Southwesterly boundary of Piper Boulevard 329.42 feet to the point of curvature of a curve to the left which has a central angle of  $18^{\circ}31'50''$  and a radius of 2,181.64 feet, from which point a curvature to a 5/8" iron rod found bears South  $18^{\circ}46'50''$  East, 8.46 feet;

THENCE along last mentioned curve to the left continuing along the Southwesterly boundary of Piper Boulevard as found on the ground for an arc distance of 705.58 feet to the point of tangency;

THENCE South  $37^{\circ}18'40''$  East, continuing along the Southwesterly boundary of Piper Boulevard as found on the ground at 9.01 feet pass a 5/8" iron rod found on line in all a distance of 1,493.94 feet to the point of curvature of a curve to the left which has a central angle of  $18^{\circ}03'08''$  and a radius of 631.38 feet;

THENCE along last mentioned curve to the left in a Southeasterly direction, continuing along the Southwesterly boundary of Piper Boulevard as found on the ground for an arc distance of 198.93 feet to the POINT OF BEGINNING.

EXHIBIT B

PARCEL I

The surface estate of Lots One (1), Three (3), Four (4), Fifteen (15), Twenty-Four (24), Twenty-Five (25), Twenty-Six (26), Twenty-Seven (27), Twenty-Eight (28), Twenty-Nine (29), Thirty (30), Thirty-One (31), Thirty-Two (32), Thirty-Three (33), Thirty-Four (34), Thirty-Five (35), Thirty-Nine (39), Forty (40), Forty-One (41), Forty-Two (42), Forty-Three (43), and Forty-Four (44) of Block One (1), MUSTANG BEACH UNIT NO. 1, as shown by the map or plat thereof, recorded in Volume 29, Page 5, Map Records of Nueces County, Texas.

18.14

PARCEL II

The surface estate of a  
19.795 acre tract of land, more or less, out of  
State Land Survey 587, Mustang Island, Nueces County, Texas  
and further described by metes and bounds as follows:

BEGINNING at a point in the Easterly bulkhead line of Bahia Channel, Mustang Beach Unit 1, as shown by plat recorded in Volume 29, Pages 5 and 6, Map Records of Nueces County, Texas, said point being the Northernmost corner of Lot 44, Block 1, said Mustang Beach Unit 1, from whence, concrete monument "E.C. 589" in the common boundary line of said State Land Survey 587 and State Land Survey 589 bears N58°02'15"W 105.12 feet and S31°57'45"W 2626.18 feet;

THENCE N58°02'15"W 105.12 feet to a point in said common boundary line of State Land Surveys 587 and 589 for the Westernmost corner of this tract;

THENCE along said common boundary line N31°57'45"E 923.94 feet to a point for the Northernmost corner of this tract;

THENCE S55°54'27"E 564.19 feet to a point for a Northeasterly corner of this tract;

THENCE S34°05'33"W 60.00 feet to the point of curvature of a circular curve to the left having a central angle of 53°00'00", a radius of 1000.00 feet, and a tangent of 498.58 feet for a Northeasterly corner of this tract;

THENCE along the arc of said circular curve to the left, 925.03 feet to a point in the Easterly boundary line of this tract;

THENCE S18°54'27"E 1060.48 feet to a point in the Easterly boundary line of this tract;

THENCE S56°49'20"E 93.64 feet to a point in a circular curve to the right having a central angle of 19°25'21", a radius of 280.25 feet and a tangent of 47.96 feet for the Easternmost corner of this tract;

THENCE along said circular curve to the right 95.00 feet to the point of curvature of said circular curve in the Southerly boundary line of this tract;

THENCE S52°36'01"W 31.81 feet to the point of curvature of a circular curve to the right having a central angle of 90°00'00", a radius of 15.00 feet and a tangent of 15.00 feet, said point and said curve being in the common boundary line of said Mustang Beach Unit I and this tract;

THENCE along the arc of said circular curve to the right 23.56 feet to the point of curvature of a circular curve to the right having a central angle of  $18^{\circ}29'32''$ , a radius of 1736.23 feet, and a tangent of 282.64 feet, said point of curvature being in the Easterly right-of-way line of Barracuda Street, said right-of-way line being said common boundary line of Mustang Beach Unit I and of this tract;

THENCE continuing along the Northeast boundary line of said Mustang Beach Unit I which is the Easterly right-of-way of said Barracuda Street, and the Southwest boundary line of this tract, the following courses:

Along the arc of said circular curve to the right 560.37 feet to a point;

THENCE  $N19^{\circ}05'07''W$  342.46 feet to the point of curvature of a circular curve to the left having a central angle of  $36^{\circ}31'23''$ , a radius of 828.76 feet, and a tangent of 273.47 feet, said curve having an initial tangent bearing of  $N18^{\circ}54'27''W$ ;

Along the arc of said circular curve to the left 528.29 feet to the point of tangency;

$N55^{\circ}25'50''W$  209.11 feet to the point of curvature of a circular curve to the right having a central angle of  $26^{\circ}47'14''$ , a radius of 119.93 feet, and a tangent of 28.56 feet;

Along the arc of said circular curve to the right 56.07 feet to a point;

$N28^{\circ}37'09''W$  15.01 feet to the point of curvature of a circular curve to the left having a central angle of  $85^{\circ}30'58''$ , a radius of 50.00 feet and a tangent of 46.23 feet;

Along the arc of said circular curve to the left 74.63 feet to a point, said point being the most Easterly corner of said Lot 44, Block 1, Mustang Beach Unit I;

THENCE  $N24^{\circ}09'34''W$  139.29 feet along the Easterly boundary line of said Lot 44, Block 1, being the the Northeast boundary line of said Mustang Beach Unit I and the Southwest boundary of this tract, to the POINT OF BEGINNING.

MINUTES OF  
SPECIAL MEETING

NOVEMBER 17, 1982

STATE OF TEXAS       ↓

COUNTY OF NUECES     ↓

ON THE 17TH DAY OF NOVEMBER, 1982, THE BOARD  
OF DIRECTORS FOR THE NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4, CONVENED IN A SPECIAL MEETING  
AT 9:00 A.M. AT THE DISTRICT OFFICE, 315 SOUTH 9TH STREET,  
PORT ARANSAS, TEXAS, THERE BEING PRESENT AND IN ATTENDANCE  
THE FOLLOWING TO-WIT:

PRESIDENT	JAMES H. ATWILL
SECRETARY	ED MANNING
SECRETARY PRO-TEM	GEORGE S. HAWN
DIRECTOR	A.A. MORA

ABSENT:

VICE PRESIDENT	JAY SANDERS
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STAFF:

MANAGER	DON ROY FARLEY
ASS'T ADMIN.	NONA E. SHERRILL
BOOKKEEPER	MARY MOSS
ENGINEER	JIM URBAN
ATTORNEY	C. ED PRICHARD
AUDITOR	WILLIE KOSAREK

VISITORS:

SANDPIPER CONDO	JACK PONTON
SOUTH JETTY	DAVID VOGLER

MEETING WAS CALLED TO ORDER AT 9:00 A.M. BY PRESIDENT  
JAMES H. ATWILL PURSUANT TO NOTICE POSTED.

CAPITAL RECOVERY  
FEE FOR WATER &  
WASTEWATER:

DISCUSSION WAS HELD ON THE NEW CAPITAL RECOVERY  
FEE FOR THE WATER AND WASTEWATER UTILITY. THE BOARD WAS  
PRESENTED THE NEW RESOLUTIONS FOR THE CAPITAL RECOVERY FEE  
FOR THE WATER AND WASTEWATER UTILITY BY ED PRICHARD,  
ATTORNEY FOR THE DISTRICT AND EXHIBITS BY JIM URBAN,  
DISTRICT'S ENGINEER. A MOTION WAS MADE BY GEORGE HAWN  
AND SECONDED BY ED MANNING TO PASS THE RESOLUTIONS ON  
INSTALLATION OF MEASURING DEVICES AND ESTABLISHING A  
CAPITAL RECOVERY FEE FOR INITIAL WATER SERVICE, TOGETHER  
WITH THE ATTACHED EXHIBIT "A", ALSO A CESSATION OF THE  
MORATORIUM.

PAGE 2

MINUTES OF

SPECIAL MEETING

NOVEMBER 17, 1982

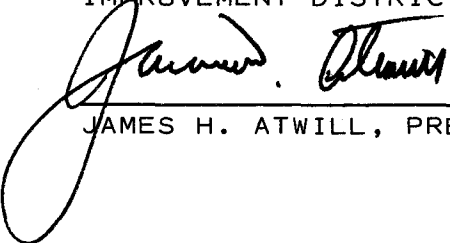
A MOTION WAS MADE BY ED MANNING AND SECONDED BY AL MORA TO PASS THE RESOLUTION ON TAPPING THE SANITARY SEWER SYSTEM AND ESTABLISHING A CAPITAL RECOVERY FEE FOR INITIAL WASTEWATER UTILITY SERVICE, TOGETHER WITH THE ATTACHED EXHIBIT "A". THE MOTION PASSED UNANIMOUSLY. (A COPY OF THESE RESOLUTIONS ARE ATTACHED AND BECOME A PERMANENT PART OF THESE MINUTES)

UNIVERSITY  
OF TEXAS  
ESTIMATED  
UNMETERED  
WATER & SEWER  
AMOUNTS: \_\_\_\_\_

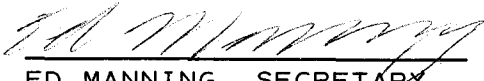
AFTER DISCUSSION ON THE BILLING OF THE UNIVERSITY OF TEXAS FOR ESTIMATED UNMETERED WATER & SEWER AMOUNTS, GEORGE HAWN MADE A MOTION TO DIRECT THE DISTRICT'S MANAGER, DON ROY FARLEY, TO SEND A LETTER TO THE UNIVERSITY OF TEXAS FOR A BILLING OF PREVIOUS WATER AND SEWER THAT HAS NOT BEEN PAID FOR, BASED ON THE CALCULATIONS SUBMITTED BY THE DISTRICT ENGINEER. ED MANNING SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN THE MEETING. THE MOTION CARRIED.

NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

  
\_\_\_\_\_  
JAMES H. ATWILL, PRESIDENT

ATTEST:

  
\_\_\_\_\_  
ED MANNING, SECRETARY

RESOLUTION ON THE INSTALLATION OF MEASURING DEVICES  
AND ESTABLISHING A CAPITAL RECOVERY FEE FOR INITIAL WATER SERVICE

WHEREAS, the 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, pursuant to the applicable sections of the Water Code of the State of Texas, has authority (a) to construct, maintain and operate the necessary improvements and physical facilities for a water system to serve the area within the District's boundaries and to adopt rules and regulations which govern methods, terms, fees for and conditions of such water service, (b) to install proper measuring devices or to require that they be installed, (c) to impose a meter installation fee and such other charges as are necessary to accomplish the authorized objects of the District; and

WHEREAS, the District recognizes that the capacity of its present water supply system is limited and that each customer who applies for "initial water service" as that term is hereinafter defined will place an additional demand on said water system and one of the goals of the District in setting the various fees for water service is to insure the availability of funds to provide for the new and additional capital improvements that will be required in the future because of the increasing demand; and

WHEREAS, the District has determined that the surest and most equitable means of providing funds for such necessary future capital improvements would be to require those parties who will be placing the additional demand upon the system (those applying for "initial water service") and thereby adding to the necessity for additional capital improvements to pay their proportionate part of the anticipated cost of such capital improvements in the form of a "capital recovery fee"; and

WHEREAS, the Board of Directors of the District has previously adopted a policy in this regard (Resolution on the Installation of Measuring Devices for Water Service, passed May 25, 1982) and is now desirous of updating and supplementing its present policy in that regard.

NOW, THEREFORE, be it resolved, by the Board of Directors of the District, that from and after the date of adoption of this resolution, it shall be the policy of the Nueces County Water Control and Improvement District No. 4, that 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 comply with the following requirements before the District will actually begin to deliver water to said tract or parcel of land, to-wit:

1. An Application for Service in the form approved by the Board of Directors shall be submitted to the Manager of the District. If the application involves new construction, it shall be accompanied by a copy of the Building Permit issued therefor by the City of Port Aransas, Texas.

2. Upon receipt of the Application for Service, the Manager shall determine if it is an application for "initial water service" which term is defined as water service to one or more tracts or parcels of land lying within the boundaries of the District which: (a) have not previously been served with water by the District, or (b) although previously served with water by the District, a greater quantity of water will be required under said Application for Service than was supplied to the land previously. If it is determined that the Application does not request "initial water service", neither the payment of a measuring device installation fee nor a capital recovery fee shall be required.

3. The Manager of the District, using generally accepted industry standards, shall determine the size of the meter which shall be used for the requested service, and shall require that such meter be installed. The determination by the Manager shall be considered final.

4. After the determination by the Manager as to the size of the meter that shall be required for the requested service, assuming that there had been no previous water service or the required meter is of larger size than that previously used, the owner, user, or developer of the tract or parcel of land lying within the District who requests said service shall pay the District a meter installation fee in the amount approved by its Board of

Directors. Said fee shall be based on the District's actual gross cost of materials and labor (including overhead and administration) required to install said meter. In the event the Manager determines that the required service will require the installation of a 2" meter or larger, the owner, user or developer may, with the consent of the Manager, utilize a contractor other than the District for the installation, and no meter installation fee shall be required to be submitted to the District.

5. On each Application for Service where it has been determined that such requests "initial water service" as that term is herein defined, a capital recovery fee will be required to be paid by the Applicant in addition to any and all other fees required. The amount of the capital recovery fee shall be calculated using the criterion set out on Exhibit "A" attached hereto. Such capital recovery fees collected by the District pursuant to this paragraph shall be placed in the interest bearing capital improvement account of the District and the fees, together with the interest they earn, shall be used by the District for future capital improvements to the District's water system.

6. All meters installed pursuant to this policy shall be installed in accordance with plans and specifications approved by the District and the installation shall be subjected to inspection by representatives of the District.

7. All criterion for calculating the capital recovery fee set forth on Exhibit "A" shall be subject to change by the Board of Directors of the District at a meeting of the Board of Directors called for that purpose.

8. Because of the potentially large demands that might be made on the system if the Manager determines that the Applicant is an "industrial customer" as that term is defined on Exhibit "A", he may require the industrial customer to enter into an individualized written contract before water service will be furnished.

Passed and approved this the 18 day of NOVEMBER, 1982.

NUECES COUNTY WATER CONTROL AND  
IMPROVEMENT DISTRICT NO. 4

By: James H. Atwill  
James H. Atwill, President

ATTEST:

Ed Manning  
Ed Manning, Secretary

RESOLUTION ON TAPPING THE SANITARY SEWER SYSTEM OF THE  
NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4

WHEREAS, the 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, pursuant to the applicable sections of the Water Code of the State of Texas, has authority (a) to construct, maintain and operate the necessary improvements and physical facilities for a sanitary sewer system to serve the area within the District's boundaries and to adopt rules and regulations which govern methods, terms, fees for and conditions of such sewer service, (b) to impose a tap installation fee and such other charges as are necessary to accomplish the authorized objects of the District; and

WHEREAS, the District recognizes that the capacity of its present sanitary sewer system is limited and that each customer who applies for "initial sewer service" as that term is hereinafter defined will place an additional demand on said sewer system and one of the goals of the District in setting the various fees for sewer service is to insure the availability of funds to provide for the new and additional capital improvements that will be required in the future because of the increasing demand; and

WHEREAS, the District has determined that the surest and most equitable means of providing funds for such necessary future capital improvements would be to require those parties who will be placing the additional demand upon the system (those applying for "initial sewer service") and thereby adding to the necessity for additional capital improvements to pay their proportionate part of the anticipated cost of such capital improvements in the form of a "capital recovery fee"; and

WHEREAS, the Board of Directors of the District has previously adopted a policy in this regard (Resolution on Tapping the Sanitary Sewer System of the Nueces County Water Control and Improvement District No. 4, passed September 14, 1981) and is now desirous of updating and supplementing its present policy in that regard.

NOW, THEREFORE, be it resolved, by the Board of Directors of the District, that from and after the date of adoption of this resolution, it shall be the policy of the Nueces County Water Control and Improvement District No. 4, that 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 sanitary sewer service provided by the District or who proposes to increase the flow of sewage from the land into the District's sanitary sewer system, must comply with the following requirements before the District will actually begin to collect and treat sewage or additional sewage from said tract or parcel of land, to-wit:

1. An Application for Service in the form approved by the Board of Directors shall be submitted to the Manager of the District. If the application involves new construction, it shall be accompanied by a copy of the Building Permit issued therefor by the City of Port Aransas, Texas.

2. Upon receipt of the Application for Service, the Manager shall determine if it is an application for "initial sewer service" which term is defined as sewer service to one or more tracts or parcels of land lying within the boundaries of the District which: (a) have not previously been served by the sanitary sewer system of the District, or (b) although previously served by the sanitary sewer system of the District, a greater quantity of sewage will be required to be taken and treated under said Application for Service than was taken from the land previously. If it is determined that the Application does not request "initial sewer service", neither the payment of a tap installation fee nor a capital recovery fee shall be required.

3. The Manager of the District, using generally accepted industry standards, shall determine the size of the tap which shall be used for the requested service, and shall require that such tap be installed. The determination by the Manager shall be considered final.

4. After the determination by the Manager as to the size of the tap that shall be required for the requested service, assuming that there had been no previous sewer service or a different use will be made of the land or more sewage will be taken from the land than previously taken, the owner, user, or developer of the tract or parcel of land lying within the District who requests said service shall pay the District a tap installation fee in the amount approved by its Board of Directors. Said fee shall be based on

the District's actual gross cost of materials and labor (including overhead and administration) required to install said tap. In the event the Manager determines that the required service will require the installation of an 8" tap or larger, the owner, user or developer may, with the consent of the Manager, utilize a contractor other than the District for the installation, and no tap installation fee shall be required to be submitted to the District.

5. On each Application for Service where it has been determined that such requests "initial sewer service" as that term is herein defined, a capital recovery fee will be required to be paid by the Applicant in addition to any and all other fees required. The amount of the capital recovery fee shall be calculated using the criterion set out on Exhibit "A" attached hereto. Such capital recovery fees collected by the District pursuant to this paragraph shall be placed in the interest bearing capital improvement account of the District and the fees, together with the interest they earn, shall be used by the District for future capital improvements in the District's sewer system.

6. All taps installed pursuant to this policy shall be installed in accordance with plans and specifications approved by the District and the installation shall be subjected to inspection by representatives of the District.

7. All criterion for calculating the capital recovery fee set forth on Exhibit "A" shall be subject to change by the Board of Directors of the District at a meeting of the Board of Directors called for that purpose.

Passed and approved this the 18 day of NOVEMBER, 1982.

NUECES COUNTY WATER CONTROL AND  
IMPROVEMENT DISTRICT NO. 4

By: James H. Atwill  
James H. Atwill, President

ATTEST:

Ed Manning  
Ed Manning, Secretary

## EXHIBIT A

THE METHOD AND CRITERION TO BE USED IN DETERMINING THE CAPITAL RECOVERY FEE FOR INITIAL WATER SERVICE SHALL BE THAT UPON RECEIPT OF A FULLY COMPLETED APPLICATION FOR WATER SERVICE THE DISTRICT MANAGER SHALL COMPLETE THE FOLLOWING STEPS:

### I. CALCULATE THE CAPITAL RECOVERY FEE.

[PROPOSED FLOW (GPD) - EXISTING FLOW (GPD) X CAPITAL RECOVERY INDEX =  
(SEE SECTION II & III) (SEE SECTION IV) (SEE SECTION V)

#### CAPITAL RECOVERY FEE

### 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 RESIDENTS | 4. MOTELS       |
| 2. MULTI-FAMILY RESIDENTS  | 5. HOTELS       |
| 3. APARTMENTS              | 6. CONDOMINIUMS |

IF THE CUSTOMER IS CLASSIFIED AS DOMESTIC, GO TO SECTION III 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 GALLONS OF WATER PER DAY. COMMERCIAL CUSTOMERS INCLUDE BUT ARE NOT LIMITED TO:

- |                            |                     |
|----------------------------|---------------------|
| 1. RESTAURANTS             | 6. SCHOOLS          |
| 2. SERVICE-STATIONS        | 7. WAREHOUSES       |
| 3. STORES - SHOPS          | 8. OFFICE BUILDINGS |
| 4. COCKTAIL LOUNGES        | 9. CAR WASHES       |
| 5. SELF- SERVICE LAUNDRIES |                     |

IF THE 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 WHOSE AVERAGE DAILY FLOW IS OVER 10,000 GALLONS OF WATER PER DAY.

IF THE CUSTOMER IS DEFINED AS INDUSTRIAL, GO TO SECTION III C TO CALCULATE THE PROPOSED FLOW.

### III. CALCULATE THE PROPOSED FLOW.

THE ASSESMENT FOR THE WATER CAPITAL RECOVERY FEE WILL BE BASED ON THE NUMBER OF LIVING UNITS EQUIVALENTS FOR DOMESTIC CUSTOMERS AND FROM HISTORICAL DATA FOR COMMERCIAL AND INDUSTRIAL CUSTOMERS.

#### A. DOMESTIC CUSTOMERS:

A LIVING UNIT EQUIVALENT SHALL BE DEFINED AS A ROOM OR ROOMS OCCUPIED OR INTENDED TO BE OCCUPIED AS A 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. A MULTI-FAMILY DWELLING MAY INCLUDE DUPLEX, TRIPLEX, CONDOMINIUM, MOTEL, APARTMENT, OR TOWNHOUSE. EACH SEPARATE LIVING QUARTER WITHIN A MULTIPLE FAMILY DWELLING SHALL BE CONSIDERED A SEPARATE UNIT.

NO. OF LIVING UNIT EQUIVALENTS X 650 GPD = FLOW (GPD)

B. COMMERCIAL CUSTOMER:

COMMERCIAL FLOW SHALL BE DETERMINED FROM THE HISTORICAL INFORMATION ON TABLE #1 AND THE EQUATION BELOW:

FLOW UNIT X NO. OF UNITS = FLOW (GPD) (SEE TABLE #1)

TABLE #1

<u>CATEGORY OF USE</u>	<u>FLOW/UNIT</u>	<u>UNITS</u>
1. RESTAURANTS	200 GPD	1 CUSTOMER SEAT
2. COCKTAIL LOUNGE	22 GPD	1 CUSTOMER SEAT
3. STORES - SHOPS	55 GPD	1 WATER FIXTURE
4. SELF-SERVICE LAUNDRY	550 GPD	1 WASHING MACHINE
5. BATH HOUSE	110 GPD	1 WATER FIXTURE
6. HOSPITAL	220 GPD	1 BED
7. WAREHOUSE	55 GPD	1 WATER FIXTURE
8. SERVICE STATION	1,000 GPD	1 STATION
9. SCHOOL	22 GPD	1 STUDENT
10. OFFICE BUILDING	22 GPD	150 S.F.
11. CAR WASH	1,100 GPD	STALL
12. OTHER - TO BE DETERMINED BY DISTRICT MANAGER FROM HISTORICAL INFORMATION.		

NOTE: THE HISTORICAL FLOW DATA REPRESENTS AVERAGE WITHIN EACH CATEGORY AND ALTHOUGH INDIVIDUALS ACTUAL FLOW MAY VARY THE AVERAGE VALUES WILL BE APPLIED TO ALL APPLICANTS.

C. INDUSTRIAL CUSTOMER:

INDUSTRIAL FLOW WILL BE DETERMINED BY THE DISTRICT MANAGER BASED ON THE CUSTOMERS PROJECTED USE AND ANY AVAILABLE HISTORICAL INFORMATION.

IV. CALCULATE THE EXISTING FLOW.

NOTE: 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. METER RECORDS AND METER SIZE.

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 APPLICATION FOR WATER SERVICE IS USED TO DETERMINE DEMAND. THE DESCRIPTION OF USE WILL BE APPLIED TO TABLE #1 (SECTION III B) TO DETERMINE EXISTING CAPACITY.
3. IF NO DESCRIPTION IS GIVEN ON THE APPLICATION OR THERE IS NO APPLICATION, THE CAPACITY WILL BE BASED ON 75% OF THE MAXIMUM FLOW FOR THE EXISTING METER.

<u>METER SIZE</u>	<u>MAXIMUM FLOW</u>	<u>75% OF MAXIMUM FLOW</u>
5/8"	20 GPM	15 GPM
3/4"	30 GPM	22.5 GPM
1"	50 GPM	37.5 GPM
1 1/2"	100 GPM	75.0 GPM
2"	200 GPM	150 GPM
3"	300 GPM	225 GPM
4"	500 GPM	375 GPM
6"	1000 GPM	750 GPM

V. CALCULATE THE CAPITAL RECOVERY INDEX.

THE CAPITAL RECOVERY INDEX REPRESENTS THE DISTRICT'S COST PER GALLON TO BUILD GROUND STORAGE, ELEVATED STORAGE AND TRANSMISSION FACILITIES.

THE DISTRICT MANAGER MAY REQUIRE THAT INDUSTRIAL CUSTOMERS BUILD AND MAINTAIN THEIR OWN GROUND STORAGE FACILITY.

IN THE EVENT THE DISTRICT DOES REQUIRE THE CUSTOMER TO PROVIDE THEIR OWN GROUND STORAGE, THE CUSTOMER'S CAPITAL RECOVERY FEE WOULD REFLECT ONLY THE CONSTRUCTION COST OF THE TRANSMISSION FACILITIES.

A. CUSTOMERS NOT PROVIDING GROUND STORAGE

$$\$0.749 = \$0.16 + \$1.175 + \$0.414$$

$$\text{CAPITAL RECOVERY INDEX} = \$0.749$$

B. CUSTOMER PROVIDING GROUND STORAGE

$$\text{CAPITAL RECOVERY INDEX} = \$0.414/\text{GALLON}$$

$$\text{CAPITAL RECOVERY INDEX} = \$0.414$$

WATER  
CAPITAL RECOVERY FEE  
WORKSHEET

I. CAPITAL RECOVERY FEE

\_\_\_\_\_ (GPD) - \_\_\_\_\_ (GPD) X \_\_\_\_\_ = \_\_\_\_\_  
PROPOSED FLOW                  EXISTING FLOW                  C.R. INDEX                  FEE

II. CUSTOMER CLASSIFICATION

- A. DOMESTIC \_\_\_\_\_  
B. COMMERCIAL \_\_\_\_\_  
C. INDUSTRIAL \_\_\_\_\_

III. PROPOSED FLOW

A. DOMESTIC

\_\_\_\_\_ X 650 (GPD) = \_\_\_\_\_ GPD  
LIVING UNITS

B. COMMERCIAL

\_\_\_\_\_ (GPD) X \_\_\_\_\_ = \_\_\_\_\_ GPD  
FLOW/UNIT (TABLE #1)      NO. OF UNITS

C. INDUSTRIAL

PROJECTED FLOW = \_\_\_\_\_ GPD

IV. EXISTING FLOW

A. DOMESTIC

\_\_\_\_\_ X 650 (GPD) = \_\_\_\_\_ GPD  
LIVING UNITS

B. COMMERCIAL

\_\_\_\_\_ (GPD) X \_\_\_\_\_ = \_\_\_\_\_ GPD  
FLOW/UNIT (TABLE #1)      NO. OF UNITS

C. INDUSTRIAL

PROJECTED FLOW = \_\_\_\_\_ GPD

V. CAPITAL RECOVERY INDEX

CUSTOMER WILL/WILL NOT CONSTRUCT GROUND STORAGE  
(CIRCLE ONE)

INDEX = \_\_\_\_\_

CUSTOMER NOT PROVIDING GROUND STORAGE -  
CAPITAL RECOVERY INDEX = \$0.749

CUSTOMER PROVIDING GROUND STORAGE -  
CAPITAL RECOVERY INDEX = \$0.414

## EXHIBIT A

THE METHOD AND CRITERION TO BE USED IN DETERMINING THE SEWER CAPITAL RECOVERY FEE FOR INITIAL SEWER SERVICE SHALL BE THAT UPON RECEIPT OF A FULLY COMPLETED APPLICATION FOR SEWER SERVICE THE DISTRICT MANAGER SHALL COMPLETE THE FOLLOWING STEPS.

### I. CALCULATION OF CAPITAL RECOVERY FEE

[PROPOSED FLOW (GPD)-EXISTING FLOW (GPD)] X CAPITAL RECOVERY INDEX = CAPITAL RECOVERY FEE (SEE SECTION II & III) (SEE SECTION IV) (SEE SECTION V)

### II. CLASSIFY THE CUSTOMER

#### A. DOMESTIC CUSTOMER:

A DOMESTIC CUSTOMER IS DEFINED AS ONE WHOSE PRIMARY USE IS IN RESIDENTIAL DWELLINGS. DOMESTIC CUSTOMERS INCLUDE BUT ARE NOT LIMITED TO:

- |                            |                 |
|----------------------------|-----------------|
| 1. SINGLE-FAMILY DWELLINGS | 4. MOTELS       |
| 2. MULTI-FAMILY DWELLINGS  | 5. HOTELS       |
| 3. APARTMENTS              | 6. CONDOMINIUMS |

IF THE CUSTOMER IS CLASSIFIED AS DOMESTIC GO TO SECTION III. A. TO CALCULATE THE PROPOSED FLOW.

#### B. COMMERCIAL CUSTOMERS:

A COMMERCIAL CUSTOMER IS DEFINED AS ONE WHOSE PRIMARY USE IS IN DIRECT SUPPORT OF DOMESTIC SERVICES OR WHOSE AVERAGE DAILY FLOW OF WASTE WATER DOES NOT EXCEED 9,000 (GPD) IF THE 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 OF WASTE WATER EXCEEDS 9,000 (GPD).

IF THE CUSTOMER IS DEFINED AS INDUSTRIAL GO TO SECTION III. C. TO CALCULATE THE PROPOSED FLOW.

### III. CALCULATE THE PROPOSED FLOW

THE ASSESMENT FOR THE SEWER CAPITAL RECOVERY 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 A 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. A MULTI-FAMILY DWELLING MAY INCLUDE DUPLEX, TRIPLEX, CONDOMINIUM, MOTEL, APARTMENT OR TOWNHOUSE. EACH SEPARATE

LIVING QUARTER WITHIN A MULTIPLE FAMILY DWELLING SHALL BE CONSIDERED AS A SEPARATE UNIT.

NO. OF UNITS X 3 PERSON/UNIT X 100 GAL/PERSON = FLOW (GPD)

B. COMMERCIAL CUSTOMER:

COMMERCIAL FLOW SHALL BE DETERMINED FROM THE HISTORICAL INFORMATION ON TABLE A AND THE EQUATION BELOW.

FLOW/UNIT X NO. OF UNITS = FLOW (GPD)

TABLE A  
HISTORICAL FLOW DATA

<u>CATEGORY OF USE</u>	<u>FLOW/UNIT</u>	<u>UNITS</u>
1. RESTAURANTS	180 GPD	1 CUSTOMER SEAT
2. COCKTAIL LOUNGE	20 GPD	1 CUSTOMER SEAT
3. STORES - SHOPS	50 GPD	1 WATER FIXTURE
4. SELF-SERVICE LAUNDRY	500 GPD	1 WASHING MACHINE
5. BATH HOUSE	100 GPD	1 WATER FIXTURE
6. HOSPITAL	200 GPD	1 BED
7. WAREHOUSE	50 GPD	1 WATER FIXTURE
8. SERVICE STATION	900 GPD	1 STATION
9. SCHOOLS	20 GPD	1 STUDENT
10. OFFICE BUILDING	20 GPD	150 SQUARE FEET
11. CAR WASH	1000 GPD	1 STALL
12. OTHER - TO BE DETERMINED BY DISTRICT MANAGER FROM HISTORICAL INFORMATION.		

NOTE: THE HISTORICAL FLOW DATA REPRESENTS AVERAGES WITHIN EACH CATEGORY AND ALTHOUGH INDIVIDUALS ACTUAL FLOWS MAY VARY THE AVERAGE VALUES WILL BE APPLIED FOR ALL APPLICANTS.

C. INDUSTRIAL CUSTOMERS:

INDUSTRIAL FLOW WILL BE DETERMINED BY THE DISTRICT MANAGER BASED ON THE CUSTOMERS PROJECTED USE AND ANY AVAILABLE HISTORICAL DATA.

IV. CALCULATE THE EXISTING FLOW

NOTE: 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 APPLICATION FOR SEWER SERVICE IS USED TO DETERMINE FLOW. THE DESCRIPTION OF USE WILL BE APPLIED TO TABLE A (SEE SECTION III B) TO DETERMINE EXISTING FLOW.
3. IF NO DESCRIPTION IS GIVEN ON THE APPLICATION, OR THERE IS NO APPLICATION, THE CAPACITY WILL BE BASED ON THE EXISTING FACILITY APPLIED TO TABLE A (SEE SECTION III B).

V. CALCULATE THE CAPITAL RECOVERY INDEX.

THE CAPITAL RECOVERY INDEX REPRESENTS THE DISTRICTS COST/GALLON TO CONSTRUCTION FACILITIES TO TRANSMIT AND TREAT DOMESTIC WASTE WATER. (200 MG/L BOD5)

	<u>CAPACITY</u>	<u>COST OF CONST.</u>	<u>COST/GAL</u>
A. NORTH PLANT PHASE ONE	.5 MGD	1,031,184	\$ 2.06
SOUTH PLANT PHASE ONE	2.1 MGD	1,897,750	\$ 1.58
B. BOTH PLANTS PHASE ONE	1.7 MGD	2,928,934	\$ 1.72

CAPITAL RECOVERY INDEX = \$ 1.72

SEWER  
CAPITAL RECOVERY FEE  
WORKSHEET

I.

$$\frac{\text{_____(GPD)}}{\text{(PROPOSED FLOW)}} - \frac{\text{_____(GPD)}}{\text{(EXISTING FLOW)}} \times \frac{\text{____}}{\text{CRI}} = \$ \frac{\text{____}}{\text{FEE}}$$

II. CUSTOMER CLASSIFICATION

A. DOMESTIC \_\_\_\_\_

B. COMMERCIAL \_\_\_\_\_

C. INDUSTRIAL \_\_\_\_\_

III. PROPOSED FLOW

A. DOMESTIC

$$\frac{\text{____}}{\text{NO. OF UNITS}} \times 3 \text{ PERSON/UNIT} \times 100 \text{ GAL/PERSON} = \frac{\text{____}}{\text{FLOW}} \text{ (GPD)}$$

B. COMMERCIAL

$$\frac{\text{____}}{\text{(FLOW/UNIT TABLE A)}} \text{ GPD} \times \frac{\text{____}}{\text{(NO. OF UNITS)}} = \frac{\text{____}}{\text{FLOW}} \text{ (GPD)}$$

C. INDUSTRIAL

$$\text{PROJECTED FLOW} = \text{____} \text{ (GPD)}$$

IV. EXISTING FLOW

A. DOMESTIC

$$\frac{\text{____}}{\text{NO. OF UNITS}} \times 3 \text{ PERSON/UNIT} \times 700 \text{ GAL/PERSON} = \frac{\text{____}}{\text{FLOW}} \text{ (GPD)}$$

B. COMMERCIAL

$$\frac{\text{____}}{\text{(FLOW/UNIT TABLE A)}} \text{ GPD} \times \frac{\text{____}}{\text{(NO. OF UNITS)}} = \frac{\text{____}}{\text{FLOW}} \text{ (GPD)}$$

C. INDUSTRIAL

$$\text{PROJECTED FLOW} = \text{____} \text{ (GPD)}$$

V. CAPITAL RECOVERY INDEX

$$\text{INDEX} = \$ \underline{1.72}$$

MINUTES OF  
SPECIAL MEETING  
NOVEMBER 10, 1982

STATE OF TEXAS        ¶  
COUNTY OF NUECES     ¶

ON THE 10TH DAY OF NOVEMBER, 1982, THE BOARD OF DIRECTORS FOR THE NUECES COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 4, CONVENED IN A SPECIAL MEETING AT 9:00 A.M. AT THE DISTRICT OFFICE, 315 SOUTH 9TH STREET, PORT ARANSAS, TEXAS, THERE BEING PRESENT AND IN ATTENDANCE THE FOLLOWING TO-WIT:

PRESIDENT	JAMES H. ATWILL
SECRETARY	ED MANNING
DIRECTOR	AL MORA

ABSENT:

VICE PRESIDENT	JAY SANDERS
SECRETARY PRO-TEM	GEORGE S. HAWN

STAFF:

MANAGER	DON ROY FARLEY
ASS'T ADMINISTRATOR	NONA E. SHERRILL
BOOKKEEPER	MARY MOSS
ENGINEER	JIM URBAN
ATTORNEY	C. ED PRICHARD

VISITORS:

SOUTH JETTY NEWS	DAVID WALLACE
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MEETING WAS CALLED TO ORDER AT 9:00 A.M. PURSUANT TO NOTICE POSTED FOR A MEETING SCHEDULED FOR NOVEMBER 8TH, AT 9:00 A.M. THIS MEETING WAS POSPONED DUE TO LACK OF A QUORUM AND A SPECIAL MEETING SET FOR THE 10TH OF NOVEMBER AT 9:00 A.M. MEETING WAS CALLED TO ORDERBY PRESIDENT JAMES H. ATWILL.

CAPITAL  
RECOVERY FEE  
WATER & SEWER:

DISCUSSION WAS HELD ON THE NEW CAPITAL RECOVERY FEE FOR THE WATER AND WASTEWATER UTILITY. THE BOARD WAS PRESENTED THE NEW RESOLUTIONS FOR CAPITAL RECOVERY FEE FOR THE WATER AND WASTEWATER UTILITY BY ATTORNEY, ED PRICHARD AND EXHIBITS BY JIM URBAN, DISTRICT'S ENGINEER. THE BOARD INSTRUCTED THE

PAGE 2

MINUTES OF

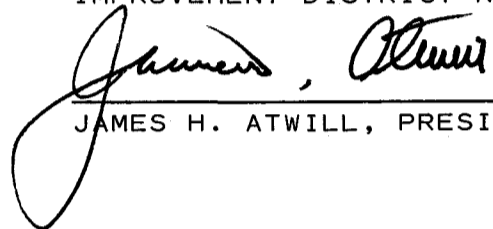
SPECIAL MEETING

NOVEMBER 10, 1982

STAFF TO PROCEED WITH THE DATA ON THE EXHIBIT AND TO PRESENT  
OUTCOME AT THE NEXT MEETING SET ON THE 17TH OF NOVEMBER, 1982,  
AT 9:00 A.M.

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN THE  
MEETING. THE MOTION CARRIED.

NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

  
JAMES H. ATWILL, PRESIDENT

ATTEST:

  
ED MANNING, SECRETARY

MINUTES OF

REGULAR MEETING

NOVEMBER 1 , 1982

STATE OF TEXAS                    0

COUNTY OF NUECES                 0

ON THE 1ST DAY OF NOVEMBER, 1982, 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:

PRESIDENT	JAMES H. ATWILL
SECRETARY	ED MANNING
SECRETARY PRO-TEM	GEORGE S. HAWN
DIRECTOR	AL MORA

ABSENT:

DIRECTOR	JAY SANDERS
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STAFF:

MANAGER	DON ROY FARLEY
ASS'T ADMINISTRATOR	NONA E. SHERRILL
BOOKKEEPER	MARY MOSS
ENGINEERS	EUGENE C. URBAN, SR., P.E. JIM URBAN

VISITORS:

SOUTH JETTY NEWS	DAVID WALLACE
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PUBLIC HEARING:                 MEETING WAS CALLED TO ORDER AT 10:00 A.M. PURSUANT TO PUBLIC NOTICE POSTED AND PUBLISHED IN LOCAL NEWS OF PUBLIC HEARING ON THE PROPOSAL TO INCREASE INVERTED WATER RATE STRUCTURE AND ESTABLISHING A NEW CAPITAL RECOVERY FEE FOR THE WATER AND WASTEWATER UTILITY. EUGENE C. URBAN, SR., P.E. AND JIM URBAN, ENGINEERS FOR THE DISTRICT, GAVE A PRESENTATION TO THE BOARD OF DIRECTORS AS TO THEIR RECOMMENDATION ON PROPOSED CAPITAL RECOVERY FEE FOR WATER AND WASTEWATER. THERE BEING NO PUBLIC ATTENDANCE AND NO STATED OPPOSITION TO THE RECOMMENDATIONS, THE PUBLIC HEARING WAS CLOSED.

THE REGULAR MEETING WAS CALLED TO ORDER BY PRESIDENT JAMES H. ATWILL.

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MINUTES OF  
REGULAR MEETING

NOVEMBER 1, 1982

CAPITAL  
RECOVERY FEE  
& WATER  
RATE STUDY:

AFTER DISCUSSION ON RECOMMENDATIONS FROM EUGENE C. URBAN, SR., P.E. AND JIM URBAN ON PROPOSED CAPITAL RECOVERY FEE FOR WATER AND WASTEWATER UTILITY, THE BOARD OF DIRECTORS INSTRUCTED THE STAFF TO CONTINUE THE WATER RATE STRUCTURE STUDY AND TABLED FINAL ACTION ON THE NEW CAPITAL RECOVERY FEE FOR THE WATER AND WASTEWATER UNTIL THE MEETING, NOVEMBER 8, 1982. GEORGE S. HAWN MADE A MOTION THAT A MORATORIUM BE IMPOSED ON ANY NEW APPLICATION FOR WATER AND SEWER UNTIL THE NEW CAPITAL RECOVERY FEES HAVE BEEN ESTABLISHED BY THE BOARD OF DIRECTORS. THE MOTION WAS SECONDED BY AL MORA. THE MOTION CARRIED UNANIMOUSLY.

RENOVATION  
OF OFFICE  
BUILDING:

DISCUSSION ON THE RENOVATION OF THE DISTRICT OFFICE WAS HELD. THE BOARD OF DIRECTORS INSTRUCTED THE STAFF TO POST NOTICE FOR BIDS FOR THE RENOVATION OF THE DISTRICT OFFICE BUILDING TO BE HELD AT A MEETING NOVEMBER 29TH, 1982, AT 5:00 P.M. AT THE DISTRICT OFFICE.

MINUTES:

A MOTION WAS MADE BY GEORGE S. HAWN AND SECONDED BY ED MANNING TO WAIVE THE READING OF THE MINUTES (COPY OF THE MINUTES MAILED TO EACH DIRECTOR PRIOR TO THE MEETING) FOR OCTOBER 19, 1982 AND APPROVE SAME. THE MOTION CARRIED.

FINANCIAL  
REPORT:

A MOTION WAS MADE BY AL MORA AND SECONDED BY ED MANNING TO APPROVE:

SEPTEMBER ACCOUNTS PAYABLE	\$ 21,838.65
SEPTEMBER EXPENDITURES	125,067.75

THE MOTION CARRIED. (A COPY OF FINANCIAL REPORT OF FILE IN THE DISTRICT OFFICE.)

APPOINT  
REP. TO  
STATELAND  
ACQUISITION  
COMMITTEE:

A MOTION WAS MADE BY AL MORA AND SECONDED BY GEORGE S. HAWN TO APPOINT ED MANNING TO THE STATELAND ACQUISITION COMMITTEE TO REPLACE GEORGE S. HAWN WITH JAMES H. ATWILL AS ALTERNATE. THE MOTION CARRIED.

EASEMENT  
ACQUISITION  
BY EMINENT  
DOMAIN-PARK  
ROAD 53:

AFTER DISCUSSION, A MOTION WAS MADE BY GEORGE S. HAWN AND SECONDED BY ED MANNING TO ADOPT THE RESOLUTION SUBMITTED BY LEGAL COUNCIL FOR THE ACQUISITION BY EMINENT DOMAIN THE EASEMENT ACROSS LOTS 2 & 3, BLOCK 56, MUSTANG

MINUTES OF

REGULAR MEETING

NOVEMBER 1, 1982

PAGE 3

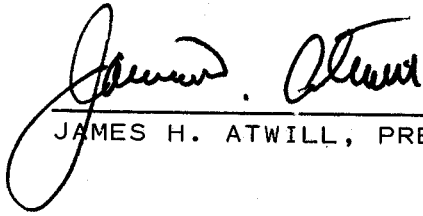
ISLAND STATE LAND SURVEY, NUECES COUNTY, TEXAS, ADJACENT  
TO PARK ROAD 53. ( THE RESOLUTION IS ON FILE IN THE DISTRICT  
OFFICE UNDER PARK ROAD 53 PROJECT).

MANAGER'S  
REPORT:

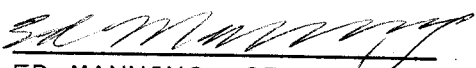
THE MANAGER'S REPORT WAS GIVEN BY DON ROY FARLEY.  
(A COPY IS ON FILE IN THE DISTRICT OFFICE).

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN  
THE MEETING. THE MOTION CARRIED.

NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

  
\_\_\_\_\_  
JAMES H. ATWILL, PRESIDENT

ATTEST:

  
\_\_\_\_\_  
ED MANNING, SECRETARY

MINUTES OF  
SPECIAL MEETING  
DECEMBER 13, 1982

STATE OF TEXAS        ↓  
COUNTY OF NUECES     ↓

ON THE 13TH DAY OF DECEMBER, 1982, THE BOARD OF DIRECTORS FOR THE NUECES COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 4, CONVENED IN A SPECIAL MEETING AT 1:00 P.M. AT THE DISTRICT OFFICE, 315 SOUTH 9TH STREET, PORT ARANSAS, TEXAS, THERE BEING PRESENT AND IN ATTENDANCE THE FOLLOWING TO-WIT:

PRESIDENT	JAMES H. ATWILL
SECRETARY	ED MANNING
SECRETARY PRO-TEM	GEORGE S. HAWN
DIRECTOR	AL MORA
ABSENT:	
VICE PRESIDENT	JAY SANDERS
STAFF:	
MANAGER	DON ROY FARLEY
ASS'T ADMINISTRATOR	NONA E. SHERRILL
BOOKKEEPER	MARY MOSS
ATTORNEY	C. EDWIN PRICHARD, JR.
AUDITOR	GARY DAVENPORT
ENGINEER	JIM URBAN
VISITORS:	
MAYOR, CITY OF PORT ARANSAS	CHARLES BROWN
DRESSER-MAGCOBAR	BARRETT R. ATKINS ELLIS YODAL RONALD R. GENTRY RANDY THOMPSON

THE MEETING WAS CALLED TO ORDER AT 1:00 P.M. BY PRESIDENT JAMES H. ATWILL PURSUANT TO NOTICE POSTED.

DRESSER-  
MAGCOBAR  
REQUEST FOR  
WATER:

AFTER DISCUSSION OF CONTRACTUAL AND ENGINEERING AGREEMENT TO SUPPLY LARGE QUANTITIES OF WATER TO DRESSER-MAGCOBAR AT HARBOR ISLAND, NO ACTION WAS TAKEN. DIRECTION WAS GIVEN TO THE STAFF AND LEGAL COUNSEL TO PREPARE THE PROPOSED DRAFT AGREEMENT, IN CONJUNCTION WITH OUR ENGINEERS, TO BE SUBMITTED TO DRESSER-MAGCOBAR ON OR BEFORE JANUARY 1, 1983.

PAGE 2

SPECIAL MEETING

DECEMBER 13, 1982

TAX OFFICE  
CONTRACT:

AFTER DISCUSSION OF "REVISED EDITION" OF THE TAX OFFICE CONTRACT, A MOTION WAS MADE BY ED MANNING AND SECONDED BY GEORGE HAWN TO ACCEPT THE CONTRACT. THE MOTION CARRIED. (A COPY OF THE CONTRACT IS ON FILE IN THE DISTRICT OFFICE.)

TEXAS COUNTY  
& DISTRICT  
RETIREMENT  
SYSTEM  
PLAN 2:

AFTER DISCUSSION OF THE TEXAS COUNTY & DISTRICT RETIREMENT SYSTEM, A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY AL MORA TO ADOPT PLAN 2 AS OF JANUARY 1ST, 1983. THE MOTION CARRIED.. (A SUMMARY OF PLAN 2 IS ON FILE IN THE DISTRICT OFFICE.)

RENOVATION  
OF DISTRICT  
OFFICE  
BUILDING:

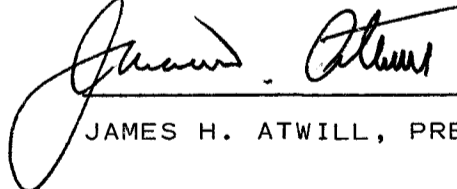
AFTER DISCUSSION OF AWARDING OF THE BID FOR THE RENOVATION OF THE DISTRICT OFFICE BUILDING, AL MORA MADE A MOTION TO TABLE THIS ITEM FOR FURTHER DISCUSSION. ED MANNING SECONDED THE MOTION AND THE MOTION CARRIED. THE BOARD INSTRUCTED THE STAFF TO PLACE THIS ITEM ON THE NEXT AGENDA.

MANAGER'S  
REPORT:

THE MANAGER'S REPORT WAS GIVEN BY DON ROY FARLEY. (A COPY IS ON FILE IN THE DISTRICT OFFICE.)

A MOTION WAS DULY MADE AND SECONDED TO ADJORN THE MEETING. THE MOTION CARRIED.

NUECES COUNTY WATER CONTROL  
& IMPROVEMENT DISTRICT NO. 4

  
JAMES H. ATWILL, PRESIDENT

ATTEST:

  
ED MANNING, SECRETARY

MINUTES OF  
SPECIAL MEETING

NOVEMBER 29, 1982

STATE OF TEXAS        ↓

COUNTY OF NUECES     ↓

ON THE 29TH DAY OF NOVEMBER, 1982, 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	JAMES H. ATWILL
VICE PRESIDENT	JAY SANDERS
SECRETARY	ED MANNING
SECRETARY PRO-TEM	GEORGE S. HAWN
DIRECTOR	AL MORA

STAFF:

MANAGER	DON ROY FARLEY
BOOKKEEPER	MARY MOSS
ATTORNEY	C. EDWIN PRICHARD, JR.
AUDITOR	WILLIE KOSAREK
ENGINEERS	EUGENE C. URBAN, P.E.
	JIM URBAN
	RANDY THOMPSON

VISITORS:

ISLAND SERVICE CO.	RICK ANDREWS
SANDPIPER CONDO	JACK PONTON
MUSTANG BEACH LTD.	C.L. CASTOR
NCR COMPUTER CO.	DAVID STARLING
	BOB RILEY
SANDPIPER PLACE	ALAN DUAINÉ
SOUTH JETTY NEWS	DAVID VOGLER

THE MEETING WAS CALLED TO ORDER AT 5:00 P.M. BY PRESIDENT JAMES ATWILL PURSUANT TO NOTICE POSTED.

OPENING BIDS FOR  
RENOVATION OF  
DISTRICT OFFICE  
BUILDING

MR. ATWILL ACCEPTED BIDS AS PROPOSED FOR THE RENOVATION OF THE DISTRICT OFFICE BUILDING. THE BIDS WERE AS FOLLOWS:

- |                              |              |
|------------------------------|--------------|
| 1. ISLAND SERVICE COMPANY    |              |
| CONTRACTOR, JIM BARR         | \$ 42,491.00 |
| 2. P.A. CONSTRUCTION COMPANY |              |
| CONTRACTOR, WAYNE PEMBERTON  | \$ 59,257.82 |

A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY AL MORA TO TABLE THE BIDS FOR FURTHER CONSIDERATION. THE MOTION CARRIED.

PAGE 2

SPECIAL MEETING

NOVEMBER 29, 1982

NISBET-PONTON'S  
SANDPIPER CONDO  
PROJECT

AFTER DISCUSSION ON NISBET-PONTON'S SANDPIPER CONDOMINIUM PROJECT, A MOTION WAS MADE BY ED MANNING AND SECONDED BY AL MORA TO CONFIRM THAT THE SANDPIPER CONDOMINIUM IS SUBJECT TO THE USER FEES THEN EXISTING ON THE LETTER OF OCTOBER 29, 1982 AND THEREFORE NOT SUBJECT TO THE NEW CAPITAL RECOVERY FEES. THE MOTION CARRIED.

FRANKLIN FLATO'S  
REQUEST FOR  
WATER SERVICE

DISCUSSION WAS HELD ON FRANKLIN FLATO'S REQUEST FOR WATER SERVICE TO THE FLATO RANCH. THE BOARD INSTRUCTED MANAGER, DON ROY FARLEY, TO SEND A LETTER TO MR. FLATO INDICATING THAT THE BOARD HAS TAKEN HIS REQUEST UNDER ADVISEMENT AND OUR ENGINEERS ARE PREPARING SOME STUDIES IN THIS REGARD. THE BOARD WOULD ALSO LIKE TO INVITE MR. FLATO TO OUR NEXT BOARD MEETING.

C.L. CASTOR'S  
REQUEST REGARD-  
ING SEPTIC TANKS

AFTER DISCUSSION REGARDING C.L. CASTOR'S REQUEST FOR TEMPORARY INSTALLATION OF SEPTIC TANKS IN MUSTANG BEACH, NO ACTION WAS TAKEN BY THE BOARD AT THIS TIME.

COMPUTER SERVICE  
FOR THE DISTRICT

DISCUSSION WAS HELD ON A COMPUTER FOR THE DISTRICT AND A PROPOSAL WAS MADE BY THE REPRESENTATIVES FOR NCR COMPUTER COMPANY. A MOTION WAS MADE BY GEORGE HAWN INSTRUCTING THE STAFF, INCLUDING WILLIE KOSAREK, TO HIRE A COMPUTER CONSULTANT FOR THE PREPARATION OF BID SPECIFICATIONS FOR THE DISTRICT NEEDS. A SUGGESTION WAS MADE TO INCLUDE NORMA SWAN AS ONE OF THE CONSULTANTS TO CONTACT. THE MOTION WAS SECONDED BY ED MANNING AND THE MOTION CARRIED.

TAX OFFICE  
CONTRACT

THE REVISED EDITION OF THE TAX OFFICE CONTRACT WAS REFERRED TO ED PRICHARD, DISTRICT'S LEGAL COUNSEL, TO STUDY. NO ACTION WILL BE TAKEN UNTIL THE BOARD MEETING OF DECEMBER 13TH, 1982.

MANAGER'S REPORT

THE MANAGER'S REPORT WAS GIVEN BY DON ROY FARLEY.  
(A COPY IS ON FILE IN THE DISTRICT OFFICE.)

PAGE 3

SPECIAL MEETING

NOVEMBER 29, 1982

EDWIN PRICHARD'S  
CONTRACT

A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY JAY SANDERS TO CONTINUE THE CONTRACT OF EMPLOYMENT OF C. EDWIN PRICHARD, JR. FOR AN ADDITIONAL YEAR AT THE SAME TERMS AND CONDITIONS. THE BOARD INSTRUCTED THE STAFF TO PREPARE A LETTER TO THAT EFFECT. THE MOTION CARRIED.

MINUTES

A MOTION WAS MADE BY AL MORA AND SECONDED BY ED MANNING TO WAIVE THE READING OF THE MINUTES (COPY OF MINUTES MAILED TO EACH DIRECTOR PRIOR TO THE MEETING) FOR NOVEMBER 1ST, NOVEMBER 10TH AND NOVEMBER 17TH AND APPROVE THE SAME. THE MOTION CARRIED.

WATER & SEWER  
RATE INCREASE

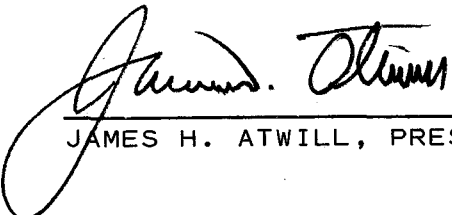
A MOTION WAS MADE BY GEORGE HAWN TO INSTRUCT THE STAFF TO INITIATE WATER AND SEWER RATE INCREASES. THE MOTION WAS SECONDED BY AL MORA AND CARRIED UNANIMOUSLY. THE PUBLIC HEARING WILL BE HELD ON TUESDAY, JANUARY THE 11TH, 1982 AT 5:00 P.M.

RETIREMENT  
BENEFITS  
OFFERED

INFORMATION ON THE BENEFITS OFFERED BY THE TEXAS RETIREMENT SYSTEM WAS REFERRED TO THE DISTRICT'S AUDITOR FOR HIS RECOMMENDATIONS AND PRESENTATION AT THE NEXT DISTRICT BOARD MEETING.

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN THE MEETING. THE MOTION CARRIED.

NUECES COUNTY WATER CONTROL  
& IMPROVEMENT DISTRICT NO. 4

  
JAMES H. ATWILL, PRESIDENT

ATTEST:

  
ED MANNING, SECRETARY

MINUTES OF  
EMERGENCY MEETING  
OCTOBER 19, 1982

STATE OF TEXAS                   ↓  
COUNTY OF NUECES               ↓

ON THE 19TH DAY OF OCTOBER, 1982, THE BOARD  
OF DIRECTORS FOR THE NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4, CONVENED IN AN EMERGENCY MEETING  
AT 9:00 A.M. AT THE DISTRICT OFFICE, 315 SOUTH 9TH STREET,  
PORT ARANSAS, TEXAS, THERE BEING PRESENT AND IN ATTENDANCE  
THE FOLLOWING TO-WIT:

PRESIDENT	JAMES H. ATWILL
VICE PRESIDENT	JAY SANDERS
SECRETARY	ED MANNING

ABSENT:

SECRETARY PRO-TEM	GEORGE S. HAWN
DIRECTOR	A.A. MORA

STAFF:

MANAGER	DON ROY FARLEY
ASS'T ADMINISTRATOR	NONA E. SHERRILL
BOOKKEEPER	MARY MOSS
ENGINEER	JIM URBAN

VISITORS:

SOUTH JETTY	DAVID WALLACE
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BID ON 1 1/2  
MILLION GROUND  
STORAGE TANK: MR. ATWILL ACCEPTED BIDS AS PROPOSED FOR  
REPAINTING THE EXTERIOR OF THE MUSTANG ISLAND ONE-HALF

MILLION ELEVATED WATER STORAGE TANK. THE BIDS WERE

AS FOLLOWS:

- |  |              |
|--|--------------|
| 1. DEAN JONES CONTRACTOR,<br>CLINTON, OKLA.  | \$ 52,200.00 |
| 2. LUPTON PAINTING COMPANY<br>SHAWNEE, OKLA. | 38,964.50    |

THESE BIDS WERE THEN SUBMITTED TO THE DISTRICT ENGINEER,  
JIM URBAN FOR REVIEW AND RECOMMENDATION. AFTER REVIEW  
AND RECOMMENDATION BY MR. URBAN, A MOTION WAS MADE BY JAY  
SANDERS AND SECONDED BY ED MANNING TO ACCEPT THE BID BY  
LUPTON PAINTING COMPANY. THE MOTION CARRIED.

MINUTES OF  
EMERGENCY MEETING

OCTOBER 19, 1982

PAGE 2

MINUTES OF  
SEPTEMBER  
15 & 19:

A MOTION WAS MADE BY JAY SANDERS AND SECONDED BY  
ED MANNING TO WAIVE THE READING OF THE MINUTES OF SEPTEMBER  
15H AND 29TH AND APPROVE THE SAME. THE MOTION CARRIED.  
(COPY OF THE MINUTES MAILED TO EACH DIRECTOR PRIOR TO THE  
MEETING).

STUDY AND  
PUBLISH  
HEARING ON  
CAPITAL  
RECOVERY FEE  
& INVERTED  
WATER RATE  
STRUCTURE:

AFTER DISCUSSION, THE BOARD DIRECTED THE STAFF TO  
PURSUE AND PRESENT A NEW WATER & WASTEWATER CAPITAL RECOVERY  
STRUCTURE AND A NEW INVERTED WATER RATE STRUCTURE IN RESOL-  
UTIONS TO BE PRESENTED AT A PUBLIC HEARING ON NOVEMBER 1,  
1982, AT 10:00 A.M. AT THE DISTRICT OFFICE AND THE BOARD  
FURTHER INSTRUCTED THE STAFF TO CHANGE THE DESIGNATION OF  
THE FEE FROM USER TO CAPITAL RECOVERY FEE.

NUECES COUNTY  
TAX APPRAISAL  
DISTRICT'S  
REQUEST FOR  
ADDITIONAL  
SERVICES:

AFTER DISCUSSION ON REQUEST FROM NUECES COUNTY  
TAX APPRAISAL DISTRICT FOR ADDITIONAL SERVICES , IT WAS  
RECOMMENDED BY THE BOARD THAT GEORGE HAWN OR AN ALTERNATE  
WILL ATTEND THE MEETING OF THE CENTRAL APPRAISAL DISTRICT  
AT 8:30 A.M. ON THURSDAY, OCTOBER 21, 1982 IN THE COMMISSIONER'S  
COURTROOM AT THE NUECES COUNTY COURTHOUSE.

LEGAL ACTION  
RE: NCTAD

AFTER DISCUSSION ON LEGAL ACTION CONCERNING  
NUECES COUNTY TAX APPRAISAL DISTRICT'S APPRAISAL OF CERTAIN  
PROPERTIES, THERE WAS NO ACTION TAKEN.

MUSTANG  
BEACH DEV.

AFTER DISCUSSION ON APPROVAL AND AND/OR ANY CONTRACTED  
ARRANGEMENTS FOR MUSTANG BEACH DEVELOPMENT, THERE WAS NO ACTION  
TAKEN.

ANNEXATION  
ADDITIONAL  
PROPERTY  
TO DISTRICT:

AFTER DISCUSSION ON ANNEXATION OF ADDITIONAL PROPERTY  
INTO THE DISTRICT, THERE WAS NO ACTION TAKEN.

OFFICE RENOVA-  
TION PLANS:

AFTER DISCUSSION ON THE FINAL APPROVAL OF FINISHED  
OFFICE PLANS, THE BOARD INSTRUCTED THE STAFF TO PROCEED WITH  
THE CONSTRUCTION OF THE RENOVATION TO THE OFFICE.  
THE CONSTRUCTION WILL EITHER BE ON A PHASE BASIS OR OVER/ALL  
BID BASIS AS THE STAFF SEES FIT.

MINUTES OF  
EMERGENCY MEETING

OCTOBER 19, 1982

PAGE 3

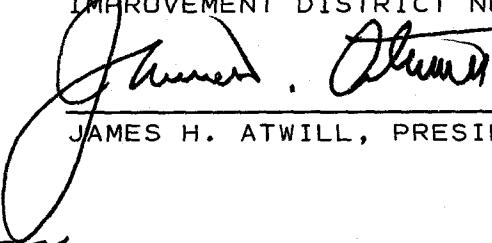
MANAGER'S  
REPORT:

MANAGER'S REPORT WAS GIVEN BY DON ROY FARLEY.

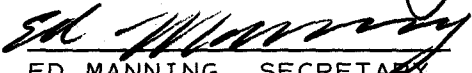
( A COPY OF THE REPORT IS ON FILE IN THE DISTRICT OFFICE.

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN  
THE MEETING.

NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

  
JAMES H. ATWILL, PRESIDENT

ATTEST:

  
ED MANNING, SECRETARY

MINUTES OF  
SPECIAL MEETING  
SEPTEMBER 7, 1983

STATE OF TEXAS           ↓  
COUNTY OF NUECES       ↓

ON THE 7TH DAY OF SEPTEMBER, 1983, 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 AT THE DISTRICT OFFICE, 315 SOUTH 9TH STREET, PORT ARANSAS, TEXAS, THERE BEING PRESENT AND IN ATTENDANCE THE FOLLOWING TO-WIT:

PRESIDENT	JAMES H. ATWILL
VICE PRESIDENT	JAY SANDERS
SECRETARY	ED MANNING
DIRECTOR	AL MORA

ABSENT:

SECRETARY PRO-TEM	GEORGE S. HAWN
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STAFF:

MANAGER	DON ROY FARLEY
ASS'T ADMINISTRATOR	NONA E. SHERRILL
BOOKKEEPER	MARY MOSS
ENGINEER	JIM URBAN
AUDITOR	GARY DAVENPORT

VISITORS:

LAB TECH	DR. CRUSS MIGET
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MINUTES:

A MOTION WAS MADE BY JAY SANDERS AND SECONDED BY AL MORA TO WAIVE THE READING OF THE MINUTES (A COPY OF THE MINUTES WAS MAILED TO EACH DIRECTOR PRIOR TO THE MEETING) OF AUGUST 1, 1983 AND APPROVE THE SAME. THE MOTION CARRIED UNANIMOUSLY.

TAX RATE  
1983-84:

A MOTION WAS MADE BY ED MANNING AND SECONDED BY JAY SANDERS TO PASS A RESOLUTION AND ORDER SETTING THE TAX RATE FOR 1983-1984 AT \$0.125 PER 100% VALUATION. THE MOTION CARRIED UNANIMOUSLY. (THE RESOLUTION AND ORDER IS ATTACHED AND BECOMES A PERMANENT PART OF THESE MINUTES).

WATER & SEWER  
APPLICATION:

AFTER DISCUSSION ON THE PRESENT WATER AND SEWER APPLICATION, THE BOARD AUTHORIZED THE STAFF TO SEND TO THE DISTRICT'S ATTORNEY, C. EDWIN PRICHARD, FOR HIS RECOMMENDATION FOR ANY CHANGES AFTER STUDY.

KOSAREK &  
DAVENPORT  
CONTRACT:

A MOTION WAS MADE BY JAY SANDERS AND SECONDED BY AL MORA TO APPROVE THE CONTRACT PRESENTED BY KOSAREK & DAVENPORT, CERTIFIED PUBLIC ACCOUNTANTS, FOR THE 1983 YEAR ENDING AUDIT. THE MOTION CARRIED UNANIMOUSLY.

JOINT TAX  
REPORT &  
SHARING  
COST OF  
TAX OFFICE:

AFTER DISCUSSION ON A REPORT GIVEN BY ED MANNING, THE DISTRICT'S REPRESENTATIVE TO THE JOINT TAX OFFICE, A MOTION WAS MADE BY ED MANNING AND SECONDED BY JAY SANDERS TO RE-IMBURSE THE CITY OF PORT ARANSAS FOR THE DISTRICT'S PRORATA SHARE OF \$250.00 PER MONTH TO COVER OFFICE SPACE, UTILITIES AND INDIRECT COST OF THE OPERATION OF THE JOINT TAX OFFICE AND SUCH EXPENSE BE RETROACTIVE TO OCTOBER 1, 1982. THE MOTION CARRIED UNANIMOUSLY.

BROWN &  
ROOT, INC.  
REQUEST:

BOWEN SHAW, REPRESENTATIVE FOR BROWN & ROOT, INC. REQUESTED TO ADDRESS THE BOARD IN REGARDS TO THE BROWN & ROOT, INC. CONTRACT FOR DELIVERY OF WATER. MR. SHAW DID NOT ATTEND THE MEETING AND WITH NO POSITIVE INFORMATION THE BOARD DIRECTED THE STAFF TO EXECUTE THE TERMS OF THE CONTRACT.

MONEY  
MORTGAGE  
PAYMENT OF  
FLATO AGREE-  
MENT:

THE STAFF PRESENTED THE BOARD A LETTER DATED AUGUST 24, 1983, FROM THE VICE PRESIDENT OF MONEY MORTGAGE INVESTORS, RICHARD RIDLOFF, INDICATING THAT THE MONEY PURSUANT TO THE FLATO AGREEMENT (\$472,990.59) HAS BEEN PAID AND THEREFORE THE UTILITY SERVICE AGREEMENT IS IN ORDER AT THIS TIME. THIS AGREEMENT WAS APPROVED BY A PREVIOUS MOTION UPON RECEIPT OF THE MONEY.

UP-GRADE  
WASTEWATER  
EFFLUENT  
TESTING:

DR. RUSS MIGET DISCUSSED WITH THE BOARD EPA'S RECOMMENDATIONS FOR UP-GRADING THE TESTING OF THE WASTEWATER EFFLUENT. A MOTION WAS MADE BY ED MANNING AND SECONDED BY AL MORA TO ACCEPT THE RECOMMENDATIONS FROM DR. MIGET AS FOLLOWS:

- 1) INCREASE THE MONTHLY FEE FOR TESTING THE WASTEWATER EFFLUENT FROM \$115.00 TO \$215.00 PER MONTH.
- 2) PURCHASE OF THE TEMPERATURE CONTROL EQUIPMENT AND

PAGE 3  
MINUTES OF SPECIAL MEETING  
SEPTEMBER 7, 1983

A 6 CU FT. REFRIGERATOR WITHOUT FREEZER - TOTAL  
EQUIPMENT NOT TO EXCEED \$600.00.

THE MOTION PASSED UNANIMOUSLY.

FINANCIAL  
REPORT:

A MOTION WAS MADE BY JAY SANDERS AND SECONDED BY  
AL MORA TO APPROVE THE FINANCIAL REPORT AS SUBMITTED. THE  
FINANCIAL REPORT IS AS FOLLOWS:

JULY ACCOUNTS PAYABLE	\$ 48,728.85
JULY EXPENSES	\$ 204,148.13

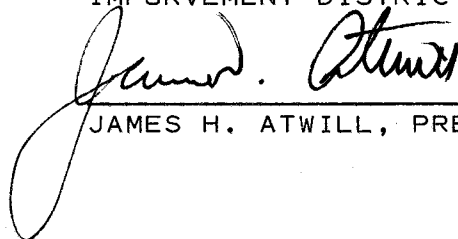
THE MOTION PASSED UNANIMOUSLY.

MANAGER'S  
REPORT:

A MANAGER'S REPORT WAS GIVEN BY DON ROY FARLEY.  
(A COPY OF THE MANAGER'S REPORT IS ON FILE AT THE DISTRICT  
OFFICE).

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN  
THE MEETING.

NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4



JAMES H. ATWILL, PRESIDENT

ATTEST:



ED MANNING, SECRETARY

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 \$0.125 PER EACH  
ONE HUNDRED DOLLARS ASSESSED VALUATION FOR THE PURPOSE OF MEET-  
ING THE REQUIREMENTS OF SAID DISTRICT FOR THE FISCAL YEAR ENDING  
1983-1984.

PASSED AND APPROVED BY THE BOARD OF DIRECTORS OF THE  
NUECES COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 4 ON THE  
7TH DAY OF SEPTEMBER, 1983.

  
\_\_\_\_\_  
JAMES H. ATWILL, PRESIDENT  
BOARD OF DIRECTORS

ATTEST:

  
\_\_\_\_\_  
ED MANNING, SECRETARY

RESOLUTION AND ORDER SETTING NEW TAX RATE FOR YEAR 1983-84 FOR THE  
NUECES COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NUMBER FOUR

---

ON THE 7TH DAY OF AUGUST, 1983, THE BOARD OF DIRECTORS  
FOR THE NUECES COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NUMBER  
4, CONVENED IN A SPECIAL SESSION BEING OPEN TO THE PUBLIC AT THE  
REGULAR MEETING PLACE THEREOF IN SAID DISTRICT, WITH THE FOLLOWING  
MEMBERS OF THE BOARD PRESENT:

JAMES H. ATWILL	PRESIDENT
JAY SANDERS	VICE PRESIDENT
ED MANNING	SECRETARY
AL MORA	DIRECTOR

AND THE FOLLOWING ABSENT:

GEORGE HAWN	SECRETARY PRO-TEM
-------------	-------------------

CONSTITUTING A QUORUM, AND AMONG OTHER PROCEEDINGS HAD WERE THE  
FOLLOWING,

THE PRESIDENT OF THE BOARD PRESENTED A RESOLUTION AND  
ORDER SETTING THE NEW TAX RATE FOR THE YEAR 1983-1984.

MINUTES OF SEPTEMBER 7TH, 1983, REFLECT THE NEW TAX RATE  
FOR THE YEAR 1983-1984.

THEREFORE, THE BOARD OF DIRECTORS ORGANIZED A RESOLUTION  
TO LEGALLY ESTABLISH THE NEW TAX RATE FOR 1983-1984.

THE RESOLUTION AND ORDER WAS READ IN FULL AND, AFTER FULL  
DISCUSSION THEREOF, ED MANNING, 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 THAN DECLARED THE RESOLUTION AND ORDER  
FINALLY PASSED AND ADOPTED.

THE RESOLUTION AND ORDER IS AS FOLLOWS,

WHEREAS, NUECES COUNTY WATER CONTROL AND IMPROVEMENT  
DISTRICT NUMBER 4 SET TAX RATE FOR 1983-1984 AT \$0.125  
PER EACH ONE HUNDRED DOLLARS ASSESSED VALUATION.

MINUTES OF  
REGULAR MEETING  
AUGUST 1, 1983

ON THE 1ST DAY OF AUGUST, 1983, 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 PORT ARANSAS LIBRARY, 700 WEST AVENUE A., PORT ARANSAS, TEXAS, THERE BEING PRESENT AND IN ATTENDANCE THE FOLLOWING TO-WIT;

PRESIDENT	JAMES H. ATWILL
VICE PRESIDENT	JAY SANDERS
SECRETARY	ED MANNING
SECRETARY PRO-TEM	GEORGE S. HAWN

ABSENT:

DIRECTOR	AL MORA
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STAFF:

ASS'T ADMINISTRATOR	NONA E. SHERRILL
DISTRICT ENGINEER REP.	JIM URBAN
BOOKKEEPER	MARY MOSS
SECRETARY	BETTY HARGROVE
AUDITOR	GARY DAVENPORT
ATTORNEY	C. ED PRICHARD

VISITORS:

MAYOR	CHARLIE BROWN
CITY MANAGER	JOYCE PULICH
SOUTH JETTY	MARY JUDSON
CITY CONCILMAN	BOB CARLOUGH
MAYAN PRINCESS REP.	CHARLIE BENNETT
" " "	JERRY MCATEE
ISLAND MOORINGS	JIM PAIR

MINUTES:

A MOTION WAS MADE BY JAY SANDERS AND SECONDED BY GEORGE S. HAWN TO APPROVE TO WAIVE THE READING OF THE MINUTES (A COPY OF THE MINUTES WERE MAILED TO EACH DIRECTOR PRIOR TO THE MEETING) OF MAY 2, JUNE 2, AND JULY 13, 1983 AND APPROVE THE SAME. THE MOTION CARRIED UNANIMOUSLY.

16" WATER  
LINE APPROVAL  
FOR PUBLISH-  
ING FOR BIDS:

A MOTION WAS MADE BY GEORGE S. HAWN AND SECONDED BY JAY SANDERS TO AUTHORIZE THE DISTRICT ENGINEERS TO PROCEED ON PUBLISHING THE NOTICE FOR BIDS ON THE 16" WATER LINE ON PARK ROAD #53 FROM GROUND STORAGE TANK TO ELEVATED TANK. THE MOTION CARRIED UNANIMOUSLY.

MINUTES (CON'T)  
REGULAR MEETING  
AUGUST 1, 1983  
PAGE 2

SANITARY  
REQUEST BY  
CITY OF PORT  
ARANSAS:

AFTER DISCUSSION, THE STAFF FOR THE DISTRICT WAS INSTRUCTED TO CONTINUE ASSEMBLING INFORMATION AND FIGURES IN ORDER TO PROCEED FURTHER TO ENTER INTO AN INTER-GOVERNMENTAL AGENCY AGREEMENT WITH THE CITY FOR SANITATION BILLING.

MAYAN  
PRINCESS:

AFTER DISCUSSION WITH CHARLIE BENNETT AND JERRY MCATEE OF MAYAN PRINCESS, THERE WAS NO ACTION TAKEN.

MS. KURTZ  
DELINQUENT  
NOTICE  
REQUEST:  
FINANCIAL  
REPORT:

THERE WAS NO ACTION TAKEN ON REQUEST FROM MS. B. KURTZ AS SHE DID NOT ATTEND THE MEETING.

A MOTION WAS MADE BY GEORGE S. HAWN AND SECONDED BY JAY SANDERS TO APPROVE:

JUNE ACCOUNTS PAYABLE	\$ 45,269.38
JUNE EXPENDITURES	\$185,867.59

THE MOTION PASSED UNANIMOUSLY.

MANAGER'S  
REPORT:

THE MANAGER'S REPORT WAS PRESENTED BY JIM URBAN DUE TO MR. FARLEY'S ABSENCE. (A COPY OF THE REPORT IS ON FILE IN THE DISTRICT OFFICE). AFTER DISCUSSION BETWEEN THE BOARD OF DIRECTORS AND JIM PAIR, REPRESENTATIVE OF ISLAND MOORINGS, A MOTION WAS MADE BY ED MANNING AND SECONDED BY GEORGE S. HAWN THAT THE APPLICATION FOR THE AIRPORT INDOOR CHANNELED CORPORATION FOR A 3/4" WATER METER BE GRANTED ON THE FOLLOWING BASIS:

1. THAT THE APPLICANT PAY THE USUAL AND CUSTOMARY FEE FOR SUCH METER.
2. THAT THE CAPITAL RECOVERY FEE BE WAIVED.
3. THAT AN APPLICATION FOR WATER TAP BE FILED BY THE APPLICANT INDICATING THAT THE USE OF WATER BE FOR RESTROOM SERVICE AND WASHING DOWN AIRPLANES ONLY AND THAT ANY CHANGE OF USE WOULD NECESSITATE A CAPITAL RECOVERY FEE FOR THE CHANGE OF USE.
4. THE APPLICANT BE GRANTED A TEMPORARY PERMIT FOR A HOLDING TANK FOR SEWER PURPOSES AND THAT THE SEWAGE BE HAULED AND DUMPED OUTSIDE THE DISTRICT AT APPLICANT'S EXPENSE AND THAT HOLDING TANK BE REMOVED (2) TWO YEARS AFTER APPLICATION AND THAT THE SEWER SYSTEM BE TIED ON TO THE DISTRICT'S SEWER SYSTEM FROM ADJACENT DEVELOPMENT OF ISLAND MOORINGS.

THE MOTION PASSED UNANIMOUSLY.

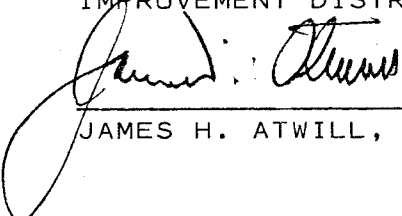
MINUTES  
REGULAR MEETING (CON'T)  
AUGUST 1, 1983  
PAGE 3

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN THE  
REGULAR MEETING AND CONVENE IN AN EXECUTIVE SESSION. THE  
MOTION PASSED UNANIMOUSLY.

AS THERE WAS NO ACTION TAKEN IN THE EXECUTIVE SESSION,  
A MOTION WAS DULY MADE AND SECONDED TO CLOSE THE EXECUTIVE  
SESSION AND RECONVENE THE REGULAR MEETING. THE MOTION PASSED  
UNANIMOUSLY.

AS THERE WAS NO ACTION TAKEN IN THE EXECUTIVE SESSION,  
A MOTION WAS DULY MADE AND SECONDED TO ADJOURN THE REGULAR  
MEETING. THE MOTION PASSED UNANIMOUSLY.

NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

  
JAMES H. ATWILL, PRESIDENT

ATTEST:

  
ED MANNING, SECRETARY

MINUTES OF  
SPECIAL MEETING

JULY 13, 1983

STATE OF TEXAS

COUNTY OF NUECES

ON THE 13TH DAY OF JULY, 1983, 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	JAMES H. ATWILL
SECRETARY	ED MANNING
SECRETARY PRO-TEM	GEORGE S. HAWN
DIRECTOR	AL MORA

ABSENT:

VICE PRESIDENT	JAY SANDERS
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STAFF:

MANAGER	DON ROY FARLEY
ASS'T ADMINISTRATOR	NONA E. SHERRILL
BOOKKEEPER	MARY MOSS
ENGINEER	JIM URBAN
ATTORNEY	C. ED PRICHARD

VISITORS:

GOLDSTON COMPANY	JOE MOSLEY
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A MOTION WAS MADE BY ED MANNING AND SECONDED BY AL MORA TO EXTEND THE DATE TO START THE CONTRACT WITH BROWN AND ROOT, INC. FROM JULY 15, 1983 TO AUGUST 15, 1983, AND TO APPROVE THE CONTRACT AND AUTHORIZE THE PRESIDENT AND THE SECRETARY, ON BEHALF OF THE DISTRICT, TO SIGN THE CONTRACT. THE MOTION CARRIED UNANIMOUSLY. A MOTION WAS MADE BY GEORGE S. HAWN AND SECONDED BY ED MANNING TO APPROVE THE UTILITY SERVICE AGREEMENT WITH GULF COAST CORPORATION, DOING BUSINESS AS DOLPHIN. THE MOTION CARRIED UNANIMOUSLY.

JOE MOSLEY, REPRESENTATIVE FROM GOLDSTON COMPANY, DISCUSSED WITH THE BOARD THE POSSIBLE PLAND OF DEVELOPMENT ON HARBOR ISLAND. NO ACTION TAKEN ON THIS ITEM.

A MOTION WAS MADE BY AL MORA TO APPROVE THE FINANCIAL REPORT AS SUBMITTED. THE MOTION WAS SECONDED BY ED MANNING. THE FINANCIAL REPORT IS AS FOLLOWS;

MAY ACCOUNTS PAYABLE	\$ 40,926.38
MAY EXPENSES	\$188,078.37

PAGE 2

SPECIAL MEETING

JULY 13, 1983

THE MOTION PASSED UNANIMOUSLY.

A MANAGER'S REPORT WAS GIVEN BY DON ROY FARLEY.


(A COPY OF THE MANAGER'S REPORT IS ON FILE AT THE DISTRICT OFFICE.)

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN THE MEETING.

NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

  
\_\_\_\_\_  
JAMES H. ATWILL, PRESIDENT

ATTEST:

  
\_\_\_\_\_  
ED MANNING, SECRETARY

MINUTES OF  
SPECIAL MEETING

JUNE 2, 1983

STATE OF TEXAS

COUNTY OF NUECES

ON THE 2ND DAY OF JUNE, 1983, 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:

VICE PRESIDENT  
SECRETARY  
SECRETARY PRO-TEM  
DIRECTOR

JAY SANDERS  
ED MANNING  
GEORGE S. HAWN  
AL MORA

ABSENT:

PRESIDENT

JAMES H. ATWILL

STAFF:

MANAGER  
ASS'T ADMINISTRATOR  
BOOKKEEPER  
ENGINEER  
ATTORNEY

DON ROY FARLEY  
NONA E. SHERRILL  
MARY MOSS  
JIM URBAN  
C. ED PRICHARD

VISITORS:

BROWN & ROOT, INC.

BOWEN SHAW  
JACK RISINGER

PUBLIC HEARING: THE MEETING WAS CALLED TO ORDER AT 5:00 P.M. PURSUANT TO  
NOTICE POSTED AND PUBLISHED IN LOCAL NEWS OF PUBLIC HEARING ON  
THE PROPOSAL TO ANNEX ADDITIONAL LANDS INTO THE DISTRICT. THERE  
BEING NO OPPOSITION TO THE ANNEXIATION, THE PUBLIC HEARING WAS  
CLOSED.

MEETING: THE SPECIAL MEETING WAS CALLED TO ORDER BY THE VICE  
PRESIDENT, JAY SANDERS.

ANNEX ADMIRAL'S  
ROW: A MOTION WAS MADE BY GEROGE S. HAWN AND SECONDED BY  
ED MANNING TO APPROVE THE ANNEXIATION OF ADMIRAL'S ROW. THE  
MOTION CARRIED.

A MOTION WAS MADE BY AL MORA AND SECONDED BY ED MANNING,  
TO WAIVE THE READING OF THE MINUTES (COPY OF THE MINUTES WERE  
MAILED TO EACH DIRECOTR PRIOR TO THE MEETING) FOR MAY 2, 1983  
AND APPROVE THE SAME. THE MOTION CARRIED UNANIMOUSLY.

PAGE 2

SPECIAL MEETING

JUNE 2, 1983

TAX  
CONSULTANT  
CONTRACT:

MRS. SHERRILL REPORTED TO THE BOARD OF DIRECTORS THAT  
M.A. CAGE TAX CONSULTANT CONTRACT IS DUE TO BE RENEWED. NO ACTION

CHANNEL  
VISTA  
SUB:

NO ACTION ON CHANNEL VISTA SUBDIVISION.

MAYAN  
PRINCESS  
CONDO:

NO ACTION ON MAYAN PRINCESS CONDOMINIUM UTILITY  
SERVICE AGREEMENT.

CRF  
AMEND  
IRRIGATION:

A MOTION WAS MADE BY GEORGE S. HAWN AND SECONDED BY  
ED MANNING TO AMEND THE CAPITAL RECOVERY FEE WITH THE ADDITION  
OF SECTION VI REGARDING IRRIGATION CHARGES. (THE ADDITION IS  
ATTACHED AND BECOMES A PERMANENT PART OF THESE MINUTES). THE  
MOTION CARRIED UNANIMOUSLY. NO ACTION ON THE R.V. TRAILER  
PARKS AT THIS TIME.

SURPLUS  
WATER  
HARBOR  
ISLAND:

A MOTION WAS MADE BY GEORGE S. HAWN AND SECONDED BY  
AL MORA THAT A POLICY BE SET FOR SURPLUS WATER FOR USERS  
ON HARBOR ISLAND. THE MOTION WAS SECONDED BY GEORGE HAWN.  
THE MOTION CARRIED UNANIMOUSLY. (THE POLICY IS ATTACHED AND  
BECOMES A PERMANENT PART OF THESE MINUTES).

BROWN &  
ROOT  
CONTRACT:

A MOTION WAS MADE BY GEORGE S. HAWN AND SECONDED BY  
ED MANNING TO AUTHORIZE ATTORNEY ED PRICHARD TO PREPARE  
THE CONTRACT WITH BROWN & ROOT, INC. WITH CHANGES AS REQUESTED  
BY BROWN & ROOT REGARDING THE DEFAULT PERIOD FOR PAYING BILLS.  
THE MOTION PASSED UNANIMOUSLY. THE BOARD ALSO ADVISED THE  
STAFF TO CONTACT MAGCOBAR OF THE CHANGE IN THE CONTRACT.

UT SPRINKLER  
SYSTEM:

NO ACTION AT THIS TIME ON THE REQUEST FOR A  
SPRINKLER SYSTEM METER INSIDE UNIVERSITY OF TEXAS PROPERTY.

OFFICE  
RENOVATION:

AFTER DISCUSSION ON THE RENOVATION OF THE OFFICE  
BUILDING, GEORGE HAWN MADE A MOTION TO PROCEED WITH THE RENOVATION  
OF THE OFFICE PHASE 1 TO BE COMPLETED AND THE SECOND PHASE TO  
PROCEED ON IMMEDIATELY FOLLOWING. THE MOTION WAS SECONDED BY  
ED MANNING. THE MOTION CARRIED UNANIMOUSLY.

PAGE 3

SPECIAL MEETING

JUNE 2, 1983

INSURANCE: AL MORA MADE A MOTION TO INCREASE THE FIRE AND WINDSTORM FROM \$75,000.00 TO \$120,000.00 AND THE COMPUTER WILL BE INSURED ON THE DAY OF INSTALLATION. THE MOTION WAS SECONDED BY ED MANNING. THE MOTION PASSED UNANIMOUSLY.

TC&DRS A MOTION WAS MADE BY GEORGE HAWN FOR MARY MOSS TO  
AUTHORIZE  
M.MOSS HANDLE THE EMPLOYEES' ACCOUNTS FOR THE TEXAS COUNTY & DISTRICT  
SIGNATURE: RETIREMENT SYSTEM. THE MOTION WAS SECONDED BY ED MANNING. THE MOTION CARRIED UNANIMOUSLY.

FINANCIAL A MOTION WAS MADE BY GEORGE HAWN TO APPROVE THE  
REPORT: FINANCIAL REPORTS FOR MARCH AND APRIL 1983 AS FOLLOWS;

MARCH ACCOUNTS PAYABLE	\$ 36,669.25
MARCH EXPENSES	\$216,788.15
APRIL ACCOUNTS PAYABLE	\$ 37,182.68
APRIL EXPENSES	\$175,037.50

THE MOTION WAS SECONDED BY AL MORA. THE MOTION CARRIED UNANIMOUSLY.

THE MANAGER'S REPORT WAS GIVEN BY DON FARLEY AND A COPY OF THE REPORT IS ON FILE IN THE DISTRICT OFFICE.

A MOTION WAS DULY MADE AND SECONDED THAT THE MEETING ADJOURN.

NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

  
JAY SANDERS, VICE PRESIDENT

ATTEST:

  
ED MANNING, SECRETARY

VI. IRRIGATION METERS

It is assumed that irrigation is included in all domestic customers water use. Our calculations of consumption and capital recovery fees allow for 150 gallons/unit for day irrigation or 300 gallons/unit for night irrigation. If a customer desires an irrigation meter in addition to their domestic meter, an application for water service will be filled out and a meter size picked from Table #2 below. The applicant will be credited 300 gallons/unit or 150 gallons/unit based on time of irrigation registered on the application.

TABLE #2

<u>Meter Size</u>	<u>Irrigation Flow</u>
5/8"	650 Gallons
3/4"	1,000 Gallons
1"	6,500 Gallons
1-1/2"	13,000 Gallons
2"	22,750 Gallons

"No irrigation meters larger than 2" will be allowed"

A. Calculate Capital Recovery Fee:

1. Pick a meter size and flow (Table #2) Size \_\_\_\_\_" Flow \_\_\_\_\_ Gallons

$$\begin{array}{l} \text{Irrigation Flow} - (\text{No. Units} \times \frac{300 \text{ Night}}{150 \text{ Day}}) \times \text{CRI} = \text{CRF} \\ \text{(Table \#2)} \qquad \qquad \qquad \text{(Pick One)} \qquad \qquad \text{(See Section V)} \end{array}$$

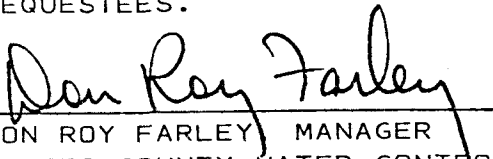
**NUECES COUNTY WATER CONTROL  
AND IMPROVEMENT DISTRICT NO. 4**  
PORT ARANSAS, TEXAS 78373

P. O. BOX 128  
749-5201  
AREA CODE 512

JUNE 2, 1983

**SURPLUS WATER POLICY**

IT IS THE POLICY OF THIS OFFICE TO RECEIVE REQUEST FOR SURPLUS WATER BETWEEN 8:00 A.M. AND 9:00 A.M. EACH WORKING DAY. SURPLUS WATER FOR SATURDAYS AND SUNDAYS AND HOLIDAYS, WILL BE DETERMINED ON THE LAST WORKING DAY PRIOR TO THAT PERIOD. THE AMOUNT OF SURPLUS WATER WILL BE DETERMINED BY THE MANAGER OR HIS REPRESENTATIVE AND THE AMOUNT WILL BE ALLOTTED EQUALLY AMONG ALL PERSONS REQUESTING SURPLUS WATER. IN THE EVENT THAT ONE OR MORE REQUESTEES REQUIRE LESS THAN THE ALLOTMENT, THE BALANCE OF THEIR ALLOTMENT WILL BE DIVIDED AMONG THE REMAINING REQUESTEES. THIS POLICY IS SUBJECT TO CHANGE WITHOUT NOTICE, BUT IT IS THE INTENT OF THE MANAGER OF THE DISTRICT TO PROVIDE, WHEN CHANGING THE POLICY, TO CONTINUE AN EQUABLE DISTRIBUTION TO ALL REQUESTEES.

  
DON ROY FARLEY, MANAGER  
NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

MINUTES OF  
REGULAR MEETING

MAY 2, 1983

STATE OF TEXAS

COUNTY OF NUECES

ON THE 2ND DAY OF MAY, 1983, 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:

PRESIDENT	JAMES H. ATWILL
VICE PRESIDENT	JAY SANDERS
SECRETARY	ED MANNING

ABSENT:

SECRETARY PRO-TEM	GEORGE S. HAWN
DIRECTOR	AL MORA

STAFF:

ASS'T ADMINISTRATOR	NONA E. SHERRILL
BOOKKEEPER	MARY MOSS
ENGINEER	JIM URBAN
ATTORNEY	C. ED PRICHARD

VISITORS:

ATTORNEY FOR MCLANNAHAN	WILLIAM L. OTTEN, JR.
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SOUTH JETTY NEWS	MARY JUDSON
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THE MEETING WAS CALLED TO ORDER AT 10:00 A.M. BY  
THE PRESIDING OFFICER, JAMES ATWILL, PURSUANT TO NOTICE POSTED.

PUBLIC HEAR- A PUBLIC HEARING WAS HELD ON A PROPOSAL BY THE  
ING ON PRO- DISTRICT TO INCREASE THE WATER UTILITY RATES FOR CONSTRUCTION  
POSED RATE METERED WATER USE AND ANNEXATION OF ADDITIONAL LANDS INTO THE  
INCREASE DISTRICT.  
AND ANNEXA-  
TION OF  
ADDITIONAL  
LAND:

THERE BEING NO OPPOSITION TO THE ITEMS OF THE HEARING, MR.  
ATWILL CLOSED THE HEARING.

GEORGE HAWN  
OATH OF  
OFFICE:

NONA SHERRILL INFORMED THE BOARD OF DIRECTORS THAT  
SHE ADMINSTRATED THE OATH OF OFFICE TO GEORGE HAWN APRIL 29,  
1983, BEING HE COULD NOT ATTEND THIS MEETING.

INCREASE IN  
CONSTRUCTION  
WATER RATE:

A MOTION WAS MADE BY JAY SANDERS AND SECONDED BY  
ED MANNING TO PASS A RESOLUTION AND ORDER TO INCREASE WATER  
UTILITY RATES FOR CONSTRUCTION METERS FROM \$2.00 PER THOUSAND  
TO \$2.50 PER THOUSAND AFTER THE \$56.00 MINIMUM CHARGE. THE  
MOTION PASSED UNANIMOUSLY.  
(THE RESOLUTION AND ORDER ARE ATTACHED AND BECOME A PERMANENT  
PART OF THESE MINUTES).

PAGE 2

REGULAR MEETING

MAY 2, 1983

MIKE MURRAY'S A MOTION BY ED MANNING AND SECONDED BY JAY SANDERS  
REQUEST TO  
ANNEX LAND: TO APPROVE ANNEXATION OF THE MIKE MURRAY TRACT INTO THE DISTRICT  
BOUNDARIES. THE MOTION PASSED UNANIMOUSLY.

MCCLANNAHAN DISCUSSION WAS HELD CONCERNING THE REQUEST BY WILLIAM  
REQUEST TO  
WAIVE L. OTTEN, JR., REPRESENTING FLOYD MCCLANNAHAN, TO WAIVE THE  
CRF: CAPITAL RECOVERY FEES FOR A TRAVEL TRAILER PARK. NO ACTION  
TAKEN AFTER PRESENTATION BY MR. OTTEN OTHER THAN THE BOARD'S  
RECOMMENDATION TO THE STAFF TO CONDUCT A STUDY AS TO SPECIFICALLY  
TRAVEL TRAILER PARKS AND THE DAILY USAGES AND/OR PEAK DEMAND.

POLICY FOR DISCUSSION ON A POLICY DETERMINING THE SURPLUS WATER  
SURPLUS  
WATER ON FOR CONTRACTUAL AGREEMENTS OF THE DISTRICT. NO ACTION OTHER  
HARBOR THAN THE BOARD OF DIRECTORS RECOMMENDED MR. FARLEY HANDLE THIS  
ISLAND: POLICY AS HE DETERMINES TO THE DISTRICT'S BEST INTEREST.

BROWN & ROOT DISCUSSION ON A REQUEST BY BROWN & ROOT, INC. FOR A  
REQUEST FOR CONTRACT WITH THE DISTRICT FOR WATER AT THE HARBOR ISLAND  
WATER: FACILITIES. MR. PRICHARD, THE DISTRICT'S ATTORNEY, PRESENTED  
A CONTRACT TO THE BOARD FOR THEIR APPROVAL. THIS ITEM WILL  
BE PLACED ON THE NEXT AGENDA FOR ACTION.

BLUE CROSS DISCUSSION ON THE INCREASE IN THE BLUE CROSS BLUE  
INCREASE : SHIELD INSURANCE RATES. NO ACTION AT THIS TIME.

TCDRS DISCUSSION ON THE TEXAS COUNTY AND DISTRICT RETIREMENT  
DEATH BENEFIT  
COVERAGE: SYSTEM DEATH BENEFIT COVERAGE. JAY SANDERS MADE A MOTION AND  
ED MANNING SECONDED TO APPROVE THE DEATH BENEFIT COVERAGE BE PAID  
COMPLETELY BY THE DISTRICT AND NOT THE EMPLOYEES DUE TO STUDY MADE  
SHOWING ADMINISTRATIVE COST FOR COLLECTION TO BE MORE THEN THE  
AMOUNT SAVED. THE MOTION PASSED UNANIMOUSLY.

ASSIGNMENT A MOTION WAS MADE BY ED MANNING TO APPROVE THE ASSIGN-  
OF COASTAL  
PUBLIC LANDS EASEMENT NO. CE-82-016. THE MOTION  
EASEMENT: WAS SECONDED BY JAY SANDERS. THE MOTION CARRIED UNANIMOUSLY.

MINUTES: A MOTION WAS MADE BY ED MANNING AND SECONDED BY JAY  
SANDERS TO WAIVE THE READING OF THE MINUTES(COPIES OF THE MINUTES  
SENT TO EACH DIRECTOR PRIOR TO THE MEETING) OF APRIL 6TH, 1983  
AND APPROVE THE SAME. THE MOTION PASSED UNANIMOUSLY.

PAGE 3

REGULAR MEETING

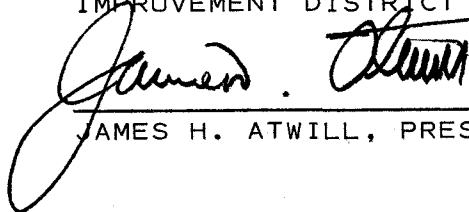
MAY 2, 1983

MANAGER'S  
REPORT:

THE MANAGER'S REPORT WAS GIVEN BY NONA SHERRILL,  
DUE TO MR. FARLEY'S ABSENCE.  
(A COPY OF THE REPORT IS ON FILE IN THE DISTRICT OFFICE.)

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN THE  
MEETING.

NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4



JAMES H. ATWILL, PRESIDENT

ATTEST:



ED MANNING, SECRETARY

RESOLUTION AND ORDER EXECUTING INCREASE IN WATER UTILITY RATES FOR  
CONSTRUCTION WATER FOR THE NUECES COUNTY WATER CONTROL & ID#4

ON THE 2ND DAY OF MAY, 1983, THE BOARD OF DIRECTORS OF  
THE NUECES COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 4, CON-  
VENED 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  
VICE PRESIDENT  
SECRETARY

JAMES H. ATWILL  
JAY SANDERS  
ED MANNING

AND THE FOLLOWING ABSENT:

DIRECTOR  
DIRECTOR

GEORGE HAWN  
AL MORA

CONSTITUTING A QUORUM, AND AMONG OTHER PROCEEDINGS HAD, WERE THE  
FOLLOWING:

THE PRESIDENT OF THE BOARD PRESENTED A RESOLUTION AND ORDER  
INCREASING WATER UTILITY RATES FOR CONSTRUCTION WATER.

MINUTES OF MAY 2ND, 1983, REFLECT INCREASE IN WATER UTILITY  
RATES FOR CONSTRUCTION WATER.

THEREFORE, PRESIDENT OF THE BOARD OF DIRECTORS PRESENTED A  
RESOLUTION TO LEGALLY ESTABLISH THE INCREASE IN WATER UTILITY RATES  
FOR CONSTRUCTION WATER.

THE RESOLUTION AND ORDER WAS READ IN FULL AND, AFTER FULL  
DISCUSSION THEREOF, JAY SANDERS MADE A MOTION THAT IT BE ADOPTED.  
THE MOTION WAS SECONDED BY ED MANNING. THE MOTION, CARRING WITH IT  
THE ADOPTION OF THE RESOLUITON AND ORDER, PREVAILED BY THE FOLLOWING  
VOTE.

AYES 3

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 & IMPROVEMENT DISTRICT  
NO. 4 SET THE FOLLOWING NEW RATE:

UTILITY WATER FOR CONSTRUCTION METERS IS IN EFFECT AS OF  
THE MAY 1983 BILLING.

UTILITY WATER FOR CONSTRUCTION METERS IS AS FOLLOWS:  
RATE PER 1,000 FOR ALL UTILITY WATER FOR CONSTRUCTION IS \$2.50 PER  
THOUSAND.

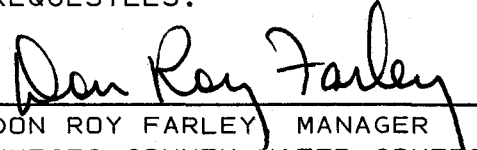
**NUECES COUNTY WATER CONTROL  
AND IMPROVEMENT DISTRICT NO. 4**  
PORT ARANSAS, TEXAS 78373

P. O. BOX 128  
749-5201  
AREA CODE 512

JUNE 2, 1983

**SURPLUS WATER POLICY**


IT IS THE POLICY OF THIS OFFICE TO RECEIVE REQUEST FOR SURPLUS WATER BETWEEN 8:00 A.M. AND 9:00 A.M. EACH WORKING DAY. SURPLUS WATER FOR SATURDAYS AND SUNDAYS AND HOLIDAYS, WILL BE DETERMINED ON THE LAST WORKING DAY PRIOR TO THAT PERIOD. THE AMOUNT OF SURPLUS WATER WILL BE DETERMINED BY THE MANAGER OR HIS REPRESENTATIVE AND THE AMOUNT WILL BE ALLOTTED EQUALLY AMONG ALL PERSONS REQUESTING SURPLUS WATER. IN THE EVENT THAT ONE OR MORE REQUESTEES REQUIRE LESS THAN THE ALLOTMENT, THE BALANCE OF THEIR ALLOTMENT WILL BE DIVIDED AMONG THE REMAINING REQUESTEES. THIS POLICY IS SUBJECT TO CHANGE WITHOUT NOTICE, BUT IT IS THE INTENT OF THE MANAGER OF THE DISTRICT TO PROVIDE, WHEN CHANGING THE POLICY, TO CONTINUE AN EQUABLE DISTRIBUTION TO ALL REQUESTEES.

  
DON ROY FARLEY, MANAGER  
NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

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 INCREASE WATER UTILITY RATES FOR CONSTRUCTION METERS \$2.50 PER THOUSAND FOR THE NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4.

I, THE UNDERSIGNED, SECRETARY OF THE BOARD OF DIRECTORS OF NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4, DO HEREBY CERTIFY; THAT THE FOREGOING RESOLUITON AND ORDER WAS DULY PASSED AND APPROVED AND IS IN FULL FORCE AND EFFECT.

WITHNESS MY HAND AND SEAL OF OFFICE THIS THE 2ND DAY OF MAY, 1983.

  
ED MANNING, SECRETARY  
BOARD OF DIRECTORS  
NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

(SEAL)

MINUTES OF  
SPECIAL MEETING

APRIL 6, 1983

STATE OF TEXAS

COUNTY OF NUECES

ON THE 6TH DAY OF APRIL, 1983, 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  
VICE PRESIDENT  
SECRETARY  
DIRECTOR

JAMES H. ATWILL  
JAY SANDERS  
ED MANNING  
AL MORA

ABSENT:

SECRETARY PRO-TEM

GEORGE S. HAWN

STAFF:

MANAGER  
ASS'T ADMINISTRATOR  
BOOKKEEPER  
ENGINEER

DON ROY FARLEY  
NONA E. SHERRILL  
MARY MOSS  
JIM URBAN

VISITORS:

CITIZEN  
ATTORNEY FOR MCNAMARA  
SOUTH JETTY NEWS

PAT MCNAMARA  
DUNCAN NEBLETT, JR.  
DAVID WALLACE

THE MEETING WAS CALLED TO ORDER AT 5:00 P.M. BY  
PRESIDING OFFICER, JAMES ATWILL, PURSUANT TO NOTICE POSTED.

CANVAS  
VOTES FOR  
1983  
DIRECTOR'S  
ELECTION:

A MOTION WAS MADE BY AL MORA AND SECONDED BY ED MANNING  
TO DECLARE THE RESULTS OF THE DIRECTORS ELECTION APPROVED. THE  
ORDER DECLARING RESULT OF DIRECTORS ELECTION IS ATTACHED AND  
BECOMES A PERMANENT PART OF THESE MINUTES. THE MOTION CARRIED.

OATH OF  
OFFICE:

THE OATH OF OFFICE FOR DIRECTOR WAS ADMINISTERED TO  
JAY SANDERS BY NONA E. SHERRILL, NOTARY FOR THE DISTRICT.

REORGANIZE  
BOARD OF  
DIRECTORS:

A MOTION WAS MADE BY JAY SANDERS AND SECONDED BY  
AL MORA TO RECONSTITUTE AND REORGANIZE THE OFFICERS OF THE  
CORPORATION AS THEY CURRENTLY ARE; JAMES H. ATWILL, PRESIDENT,  
JAY SANDERS, VICE PRESIDENT, ED MANNING, SECRETARY, GEORGE HAWN,  
SECRETARY PRO-TEM, AL MORA, DIRECTOR. THE MOTION PASSED  
UNANIMOUSLY.

PAGE 2

SPECIAL MEETING

APRIL 6, 1983

MINUTES:

A MOTION WAS MADE BY AL MORA AND SECONDED BY ED MANNING TO WAIVE THE READING OF THE MINUTES (COPYS OF THE MINUTES WERE MAILED TO EACH DIRECTOR PRIOR TO THE MEETING) FOR MARCH 9, 11 AND 22, 1983 AND APPROVE THE SAME.  
THE MOTION CARRIED UNANIMOUSLY.

MCNAMARA  
REQUEST:

AFTER DISCUSSION OF REQUEST BY DUNCAN NEBLETT, JR., REPRESENTATIVE FOR PAT MCNAMARA FOR A WAIVER OF CAPITAL RECOVERY FEE ON HIS PROPERTY, THERE WAS NO ACTION TAKEN.

INSURANCE  
STUDY:

AFTER DISCUSSION ON THE STUDY OF HEALTH AND DENTAL PROGRAM OF EMPLOYEES OF THE DISTRICT, THERE WAS NO ACTION TAKEN.

DIRECTOR'S  
INSURANCE  
STUDY:

AFTER DISCUSSION IN REFERENCE TO PROPOSAL ON DIRECTOR'S COVERAGE, THERE WAS NO ACTION TAKEN.

MAYAN PRINCESS  
UTILITY  
SERVICE  
AGREEMENT:

A MOTION WAS MADE BY ED MANNING THAT THE UTILITY SERVICE AGREEMENT WITH MAYAN PRINCESS AND THE NUECES COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 4 BE EXECUTED WITH THE PROVISION THAT BEFORE DELIVERY TO MAYAN PRINCESS, THE AGREEMENT BE SUBMITTED TO THE DISTRICT'S ATTORNEY FOR APPROVAL AND FOR DETERMINATION WHETHER OR NOT WE NEED FEES FROM RIDLOFF PRIOR TO DELIVERING THIS CONTRACT. THE MOTION WAS SECONDED BY AL MORA. THE MOTION CARRIED UNANIMOUSLY.

FINANCIAL  
REPORT:

A MOTION WAS MADE BY JAY SANDERS AND SECONDED BY ED MANNING TO APPROVE:

JANUARY ACCOUNTS PAYABLE	\$ 21,050.91
JANUARY EXPENDITURES	72,965.96
FEBRUARY ACCOUNTS PAYABLE	24,063.55
FEBRUARY EXPENDITURES	196,365.57

THE MOTION CARRIED UNANIMOUSLY.

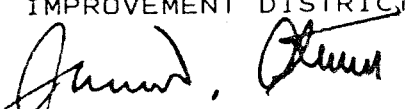
MANAGER'S  
REPORT:


MR. FARLEY GAVE THE MANAGER REPORT. (A COPY OF THE REPORT IS ON FILE IN THE DISTRICT OFFICE.)

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN THE MEETING.

NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

ATTEST:

  
JAMES H. ATWILL, PRESIDENT

  
ED MANNING, SECRETARY

**Order Declaring Result of Directors Election**

THE STATE OF TEXAS

COUNTY of NUECESOn this the 6 day of APRIL, 1983, the Board of Directors of NUECESCounty Water Control and Improvement District No. 4 convened in SPECIAL session open to the public, with the following members present, to-wit:

JAMES H. ATWILL, President  
JAY SANDERS, Vice-President  
A. A. MORA,  
ED MANNING, Secretary,

and the following absent: GEORGE S. HAWN, constituting a quorum,  
 and among other proceedings had by said Board of Directors was the following:

There came on to be considered the returns of an election held on the 2 day of APRIL,  
 19 83 for the purpose of electing TWO Directors to the Board of Directors  
 of said District, and it appearing that said returns were duly and legally made and that there were cast at said  
 election 409 valid and legal votes; that each of the  
 candidates in said election received the following votes:

NAMES OF CANDIDATES	TOTAL NUMBER OF VOTES RECEIVED
<u>GEORGE S. HAWN</u>	<u>329</u>
<u>JAY SANDERS</u>	<u>296</u>
<u>WRITE-INS</u>	<u>7</u>

IT IS, THEREFORE, FOUND, DECLARED AND SO ORDERED by the Board of Directors of said  
 District that GEORGE S. HAWN AND JAY SANDERS

received the highest number of votes at said election and are hereby declared duly elected members of the  
 Board of Directors of said District, subject to taking their oaths and qualifying as provided under the laws of  
 the State of Texas.

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: JAMES H. ATWILL, JAY SANDERS,  
ED MANNING, AL MORA,  
 and the following voted NO: -0-

PASSED, APPROVED AND ADOPTED this the 6 day of APRIL, 19 83.

J. H. Atwill  
 President, Board of Directors of

NUECES County Water Control

ATTEST:

and Improvement District No. 4

Ed Manning  
 Secretary

MINUTES OF  
SPECIAL MEETING  
MARCH 22, 1983

STATE OF TEXAS

COUNTY OF NUECES

ON THE 22ND DAY OF MARCH, 1983, THE BOARD OF  
DIRECTORS FOR THE NUECES COUNTY WATER CONTROL & IMPROVEMENT  
DISTRICT NO. 4, CONVENED IN A SPECIAL MEETING, AT THE  
SAN PATRICIO WATER DISTRICT OFFICE, INGLESIDE, TEXAS, THERE  
BEING PRESENT AND IN ATTENDANCE THE FOLLOWING TO-WIT:

PRESIDENT	JAMES H. ATWILL
VICE PRESIDENT	JAY SANDERS
SECRETARY	ED MANNING
SECRETARY PRO-TEM	GEORGE S. HAWN

ABSENT:

DIRECTOR	AL MORA
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STAFF:

MANAGER	DON ROY FARLEY
ATTORNEY	C. ED PRICHARD, JR.
ENGINEERS	GENE URBAN, SR., P.E.
	JIM URBAN

THE MEETING WAS CALLED TO ORDER FOLLOWING THE  
SAN PATRICIO WATER DISTRICT MEETING BY PRESIDING OFFICER,  
JAMES ATWILL, PURSUANT TO NOTICE POSTED.

MAGCOBAR  
CONTRACT:

A MOTION WAS MADE BY GEORGE HAWN AND SECONDED BY  
JAY SANDERS TO ACCEPT AND EXECUTE THE CONTRACTUAL AGREEMENT  
BETWEEN MAGCOBAR AND THE NUECES COUNTY WATER CONTROL & IMPROVEMENT  
DISTRICT NO. 4. THE MOTION CARRIED UNANIMOUSLY.

DELINQUENT  
TAX INFO:

AFTER DISCUSSION ON PUBLISHING THE DELINQUENT TAX ROLL  
AND OTHER TAX INFORMATION, A MOTION WAS MADE BY GEORGE HAWN AND  
SECONDED BY ED MANNING TO PASS A RESOLUTION IN ACCORDANCE  
WITH SECTION 33.07 OF THE TEXAS PROPERTY TAX CODE. THE RESOLUTION  
IS ATTACHED AND BECOMES A PERMANENT PART OF THESE MINUTES. THE  
MOTION CARRIED UNANIMOUSLY.

PAGE 2

SPECIAL MEETING

MARCH 22, 1983

FINANCIAL  
REPORT:

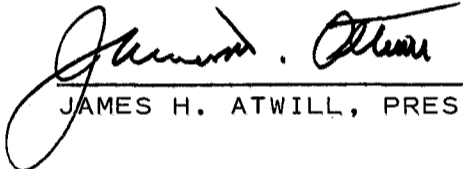
A MOTION WAS MADE BY JAY SANDERS AND SECONDED BY GEORGE HAWN TO CORRECT THE MINUTES OF FEBRUARY 23, 1983, UNDER FINANCIAL REPORT - DELETE FINAL PAYMENT OF PARK ROAD #53 CONTRACT BE PAID FROM DEVELOPER FUNDS AS THIS IS A CAPITAL RECOVERY FUNDED PROJECT. THE MOTION CARRIED UNANIMOUSLY. ALSO A MOTION WAS MADE BY JAY SANDERS AND SECONDED BY ED MANNING TO AMEND THE 1982-83 BUDGET AS PRESENTED BY STAFF. THE MOTION CARRIED UNANIMOUSLY.

MANAGER'S  
REPORT:

THE MANAGER'S REPORT WAS GIVEN BY DON ROY FARLEY. A COPY OF THE REPORT IS ON FILE IN THE DISTRICT OFFICE.

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN THE MEETING. THE MOTION CARRIED UNANIMOUSLY.

NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

  
JAMES H. ATWILL, PRESIDENT

ATTEST:

  
ED MANNING, SECRETARY

RESOLUTION AND ORDER TO COMPLY WITH CHAPTER 33 OF THE TEXAS PROPERTY  
TAX CODE SECTION 33.07

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THE MINUTES OF THE BOARD OF DIRECTORS OF THE NUECES COUNTY  
WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4 REFLECT THAT ON THE 22ND  
DAY OF MARCH, 1983, THE BOARD OF DIRECTORS OF THE NUECES COUNTY WATER  
CONTROL AND IMPROVEMENT DISTRICT NO. 4 CONVENED IN A SPECIAL SESSION  
BEING OPEN TO THE PUBLIC AT THE SAN PATRICIO WATER DISTRICT, INGLESIDE,  
TEXAS WITH THE FOLLOWING MEMBERS OF THE BOARD PRESENT:

PRESIDENT	JAMES H. ATWILL
VICE PRESIDENT	JAY SANDERS
SECRETARY	ED MANNING
SECRETARY PRO-TEM	GEORGE S. HAWN

AND THE FOLLOWING ABSENT:

DIRECTOR	AL MORA
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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  
IN ACCORDANCE WITH CHAPTER 33 OF THE TEXAS PROPERTY TAX CODE SECTION  
33.07.

THE RESOLUTION AND ORDER WAS READ IN FULL AND, AFTER FULL  
DISCUSSION THEREOF, GEORGE HAWN MADE A MOTION THAT IT BE ADOPTED.  
THE MOTION WAS SECONDED BY ED MANNING. THE MOTION, CARRING WITH IT  
THE ADOPTION OF THE RESOLUTION AND ORDER, PREVAILED BY THE FOLLOWING  
VOTE:

AYES	4
NAYES	0

THE PRESIDENT THAN DECLARED THE RESOLUTION AND ORDER FINALLY  
PASSED AND ADOPTED.

THE RESOLUITON AND ORDER IS AS FOLLOWS;

"WHEREAS, THE NUECES COUNTY WATER CONTROL AND IMPROVEMENT  
DISTRICT NO. 4, A TAXING UNIT, HAS CONTRACTED WITH AN ATTORNEY PURSUANT  
TO SECTION 6.30 OF THE TEXAS PROPERTY TAX CODE TO COLLECT ITS TAXES AND  
MAY PROVIDE THAT IN ACCORDANCE WITH SECTION 33.07 OF THE TEXAS PROPERTY  
TAX CODE THAT TAXES THAT REMAIN DELINQUENT ON JULY 1ST OF THE YEAR  
IN WHICH THEY BECOME DELINQUENT WILL INCUR AN ADDITIONAL PENALTY OF  
15 PERCENT OF THE AMOUNT OF TAXES, PENALTY AND INTEREST TO DEFRAY  
COSTS OF COLLECTION, AND IT IS IN THE DISTRICT'S BEST INTEREST TO SO  
PROVIDE."

NOW THEREFORE, BE IT RESOLVED AND ORDERED BY THE BOARD OF DIRECTORS OF THE NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4, THAT ALL TAXES THAT REMAIN DELINQUENT ON JULY 1ST OF THE YEAR IN WHICH THEY BECOME DELINQUENT WILL INCUR AN ADDITIONAL PENALTY OF 15 PERCENT OF THE AMOUNT OF TAXES, PENALTY AND INTEREST TO DEFRAY COST OF COLLECTION AND THAT THE COLLECTOR OF SAID TAXES SHALL DELIVER A NOTICE OF DELINQUENCY AND OF THE PENALTY TO THE PROPERTY OWNER AT LEAST 30 AND NOT MORE THAN 60 DAYS BEFORE JULY 1 IN THE MANNER PROVIDED IN THE PROPERTY TAX CODE.

I, THE UNDERSIGNED, SECRETARY OF THE BOARD OF DIRECTORS OF NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER 4, DO HEREBY CERTIFY, THAT THE FORGOING RESOLUTION AND ORDER WAS DULY PASSED AND APPROVED AND IS IN FULL FORCE AND EFFECT. WITNESS MY HAND AND SEAL OF OFFICE THIS THE 22ND DAY OF MARCH, 1983.



ED MANNING, SECRETARY  
NUECES COUNTY WATER CONTROL &  
IMPROVEMENT DISTRICT NO. 4

(SEAL)