

NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4

MINUTES OF REGULAR MEETING

February 12, 2024

THE STATE OF TEXAS §
§
COUNTY OF NUECES §

On the 12th of February 12, 2024, the Board of Directors for the Nueces County Water Control & Improvement District No. 4 convened at 9:00 a.m. in a Regular Called Meeting at the District Office, 200 Howard Boulevard, Port Aransas, Texas, there being present and in attendance the following to wit:

	President	Josh Garcia
	Vice President	Walter Sohl
	Secretary	Suzette Freeman
	Secretary Pro-Tem	James Pate
	Director	Ed Reed
Staff:	Manager	Scott Mack
	Finance Director	Larry Mendoza
	Office Manager	Katie Barrett
	Attorney	Charlie Zahn
	Engineer	Mark Maroney

CALL TO ORDER

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

PUBLIC COMMENT

2. Comments were made by Daniel Mazoch, representative of Cinnamon Shore South regarding the requirements to be met to have food trucks placed throughout the subdivision. Comments to be placed for discussion on next meeting agenda.

APPROVAL OF MINUTES

3. A motion was made by Ed Reed and seconded by Walter Sohl to approve the minutes of the November 30, 2023 Regular meeting of the Board of Directors. The motion carried unanimously.

RECESS OPEN MEETING AND CONVENE IN EXECUTIVE SESSION

4. At 9:05 a.m. Mr. Garcia announced that the Board of Directors would go into Executive Session pursuant to §551.071 of the Texas Government Code to deliberate item 4 which was described in the agenda as follows:

4A. The Board of Directors will receive legal advice from Counsel regarding the Texas Commission on Environmental Quality Order's applicability to the District's On-Site Sewage Disposal Policy. (§551.071)

RECONVENE IN OPEN SESSION

5. At 9:21 a.m. the Presiding Officer reconvened the Board of Directors in Open Session.

5a. Upon motion by Ed Reed and second by Suzette Freeman, the Board of Directors approved a Resolution Amending The Sewer Use Resolution of the Nueces County Water Control and Improvement District No. 4. A copy of the Resolution Amending The Sewer Use Resolution of the Nueces County Water Control and Improvement District No. 4 is attached hereto and incorporated herein as-if set forth in full.

DISCUSS AND TAKE ACTION TO CALL AN ELECTION FOR MEMBERS OF THE BOARD OF DIRECTORS, TO BE HELD ON MAY 4, 2024

6. After discussion Ed Reed made a motion to call the Director's Election, to be held on May 4, 2024, in accordance with the Texas Election Code. Walter Sohl seconded the motion and it carried unanimously. A copy of the Notice and Order of Election is attached hereto.

DISCUSS AND TAKE ACTION TO AUTHORIZE THE DISTRICT MANAGER TO ENGAGE URBAN ENGINEERING TO PREPARE PLANS AND SPECIFICATIONS AND SOLICIT BIDS FOR MISCELLANEOUS WATER IMPROVEMENTS IN THE AREAS DISTRICT AFFECTED BY THE CITY OF PORT ARANSAS STREETS AND DRAINAGE BOND PROJECT

7. After discussion a motion was made by Suzette Freeman and seconded by Josh Garcia to authorize the District Manager Scott Mack to engage Urban Engineering to prepare plans and specification and solicit bids for miscellaneous water improvements in areas of the District affected by the City of Port Aransas Streets and Drainage Bond Project. The motion carried unanimously.

DISCUSS AND TAKE ACTION TO ENGAGE THE LAW OFFICES OF CHARLES W ZAHN, JR, AS THE NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4 COUNSEL FOR 2024

8. After discussion a motion was made by Suzette Freeman and seconded by Ed Reed to engage the Law Offices of Charles W Zahn, Jr, as Nueces County Water Control and Improvement District No. 4 counsel for 2024.

ENGINEER REPORT

9. District Engineer, Mark Maroney, reported on status and timeline of District projects: North Waste Water Treatment Plant, Mustang Island pump station, mobile generator project, and South Waste Water Treatment Plant.

FINANCIAL REPORT

11. District Finance Director, Larry Mendoza, presented a Financial Report for previous fiscal quarter.

MANAGER REPORT

12. District Manager, Scott Mack reported on maintenance and operations of the District.

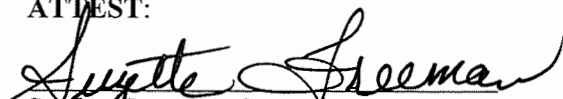
ADJOURN

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

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

By  _____
Josh Garcia, its President

ATTEST:


Suzette Freeman, Secretary

**A RESOLUTION AMENDING THE SEWER USE RESOLUTION OF THE NUECES COUNTY
WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4**

WHEREAS, on or about May 16, 1988, the Board of Directors of the Nueces County Water Control and Improvement District No. 4 adopted a SEWER USE RESOLUTION (the "Resolution"); and,

WHEREAS, the Resolution regulated the discharge of wastes into the sanitary sewers, unsewered and miscellaneous discharges, private sewers and installation and connection of building sewers, and established a permit system, a system of charges for services rendered and provided for the enforcement of sewer use for the Nueces County Water Control and Improvement District No. 4 (the "District"); and,

WHEREAS, the District has provided facilities for the collection and treatment of wastewater to promote health, safety, and convenience of its people and for the safeguarding of water resources common to all; and,

WHEREAS, the District, in Section P ON-SITE SEWAGE DISPOSAL FACILITIES established criteria that must be met by a developer of a structure located on one or more parcels of land within the boundaries of the District who proposes to install an on-site sewage facility (septic tank), or any person who improves, substantially expands, enlarges or repairs an existing on-site sewage facility, or changes the use of the facility utilizing said system, prior to the installation, improvement, expansion, enlargement or repair to an existing on-site sewage facility or change in use of the facility utilizing said system; and,

WHEREAS, the District is desirous of amending said policy to ensure that any requirements in the policy are not more stringent than the standards found in 30 Texas Administrative Code 285.

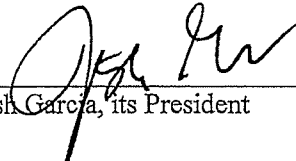
NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4 that Section P ON-SITE SEWAGE DISPOSAL FACILITIES of the District's Policies is hereby amended to add Paragraph 10, to read as follows:

10. Notwithstanding anything to the contrary contained herein, no requirements in this Section P ON-SITE SEWAGE FACILITY shall be more stringent than the standards set forth in 30 Texas Administrative Code 285.


That from and after the date of the adoption of this amendment, the same shall become a part of Policies of the District, as-if originally made a part thereof at the time the Policies were adopted.

PASSED and APPROVED this 12th day of February, 2024.

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

By 
Josh Garcia, its President

ATTEST:


Suzette Freeman, its Secretary

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

An election is hereby ordered to be held on May 4, 2024, for the purpose of electing 3 Directors for the **Nueces County Water Control and Improvement District No. 4**. *(Una eleccion es por este medio ordenada ser sostenida el 4 de Mayo 2024 para la eleccion de 3 directores del Nueces County Water Control and Improvement District No. 4.)*

Notice is hereby given that the polling place listed below will be open from 7:00 a.m. to 7:00 p.m., on May 4, 2024, for voting in the General Election, to elect 3 Directors. *(Dan por este medio el aviso esto el centro electoral puesto en una lista abajo estara abierto de 7:00 a.m. hast alas 7:00 p.m. el 4 de Mayo, 2024 para votar en unas elecciones generals para elegir 2 directores.)*

Location of polling place: *(Direccion de las casillas electorales:)*

408 Alister Street, Port Aransas, Nueces County, Texas.

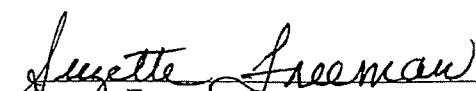
Early voting by personal appearance will be conducted each weekday at the Port Aransas Community Center, 408 N. Alister Street, Port Aransas, Nueces County, Texas between the hours of 8:00 a.m. to 5:00 p.m. beginning on April 22, 2024, and ending on April 26, 2024, 7:00 a.m. to 7:00 p.m. on April 27 and April 28, 2024, and between the hours of 8:00 a.m. to 5:00 p.m. beginning on April 29, 2024, and ending on April 30, 2024. *(La votacion temprano por el aspect (aparicion) personal sera conducida cada dia laborable en el Port Aransas Community Center, 408 N. Alister Street, Port Aransas, Nueces County, Texas entre las horas de las 8:00 a.m. hasta las 5:00 p.m. el principio el 22 Abril, 2024 y terminando el 26 de Abril, 2024, 7:00 a.m. hast alas 7:00 p.m. el 27 de Abril de 2024 y 28 de Abril de 2024, entre las horas de las 8:00 a.m. hasta las 5:00 p.m. el principio el 29 de Abril de 2024 y terminando el 30 de Abril, 2024.)*

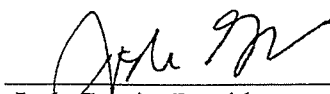
Applications for ballots by mail should be mailed to: *(Las solicitudes de la votacion por el correo deberian ser enviadas a:)*

Scott Mack, Nueces County Water Control and Improvement District No. 4, 200 Howard Blvd., Port Aransas, Texas 78373.

Applications for ballots by mail must be received no later than the close of business on April 23, 2024. *(Las solicitudes de votaciones por el correo no deben ser recibudas mas tarde queal fin de negocios el 23 de Abril, 2024.)*

Issued this 6th day of February 2024. *(Emitada este dia 6 de Febero de 2024.)*


Suzette Freeman, Secretary


Josh Garcia, President