

MEMORANDUM

TO: South Texas Water Authority Board of Directors  
FROM: Brandon Barrera, President  
DATE: February 14, 2022  
SUBJECT: Meeting Notice and Agenda for the South Texas Water Authority

A Regular Meeting of the STWA Board of Directors is scheduled for:

**Tuesday, February 22, 2022**  
5:30 p.m.  
South Texas Water Authority  
2302 East Sage Road, Kingsville, Texas

The Board will consider and act upon any lawful subject which may come before it, including among others, the following:

Agenda

1. Call to order.
2. Citizen comments. This is an opportunity for citizens to address the Board of Directors concerning an issue of community interest that is not on the agenda. Comments on the agenda items must be made when the agenda item comes before the Board. The President may place a time limit on all comments. The response of the Board to any comment under this heading is limited to making a statement of specific factual information in response to the inquiry, or, reciting existing policy in response to the inquiry. Any deliberation of the issue is limited to a proposal to place it on the agenda for a later meeting.
3. Approval of Minutes. (Attachment 1)
4. Report Presentation and Approval: (Attachment 2)
  - Treasurer's Report
  - Payment of Bills.
  - O&M Report
  - CP Update
  - Anticipated vs. Actual Water Rate Charged/Net Revenue
5. Discussion and action on Part Time Accountant Assistant. (Attachment 3)
6. Discussion and action on Rebranding of STWA logo and approval of invoice. (Attachment 4)
7. Update of Wholesale Water Supply Contract with the City of Corpus Christi. (Attachment 5)
8. Update on conveyance of section of STWA's 42" waterline to the City of Corpus Christi. (Attachment 6)
9. Report on STWA vehicles. (Attachment 7)

10. Nueces County project for construction of Banquete Pump Station to serve the Nueces County Water Control and Improvement District #5 (Banquete) and Nueces Water Supply Corporation.

- Update on Utility Conveyance Agreement(s) conveying facilities from Nueces County to South Texas Water Authority and Nueces Water Supply Corporation (Attachment 8)

11. Administration Report.

12. Adjournment.

The Board may go into closed session at any time when permitted by Chapter 551, Government Code. Before going into closed session, a quorum of the Board must be assembled in the meeting room, the meeting must be convened as an open meeting pursuant to proper notice, and the presiding officer must announce that a closed session will be held and must identify the sections of Chapter 551, Government Code, authorizing the closed session.

BB/JM/fdl  
Attachments

This meeting notice was posted on  
STWA's website, www.stwa.org, and on  
indoor and outdoor bulletin boards at  
STWA's administrative offices,  
42302 East Sage Road, Kingsville, Texas at  
4:00 p.m. on February 18, 2022  
James DeLeon  
Assistant Secretary

ATTACHMENT 1

Approval of Minutes

SOUTH TEXAS WATER AUTHORITY  
Regular Board of Directors Meeting  
January 25, 2022  
Minutes

Board Members Present:

Brandon Barrera  
Rudy Galvan, Jr.  
Frances Garcia  
Imelda Garza  
Jose Graveley  
Kathleen Lowman  
Joe Morales  
Angela Pena

Board Members Absent:

Patsy Rodgers

Staff Present:

John Marez  
Frances De Leon  
Jo Ella Wagner  
Nigel Gomez  
Patrick Sendejo

Guests Present:

Luke Womack, John Womack & Co.  
Co., P.C.  
Margaret Kelley, John Womack &  
Co., P.C.

1. Call to Order.

Mr. Brandon Barrera, Board President, called the Regular Meeting of the STWA Board of Directors to order at 5:30 p.m. A quorum was present.

2. Citizen Comments.

Mr. Barrera opened the floor to citizen's comments. No comments were made.

3. Proposed Fiscal Year 2021 Audit.

Mr. Luke Womack, John Womack & Co., P.C. reviewed the Fiscal Year 2021 Audit with the Board and reported that all records were in order and the Authority's financial position continued to strengthen. He added that there was nothing negative to report and thanked staff for their work. Mr. Morales questioned numbers in the second paragraph on page 8. Mr. Womack acknowledged that there was an error in the numbers and stated that he would provide correction pages.

4. Resolution 22-01. Resolution accepting the Fiscal Year 2021 Audit prepared by John Womack & Co., P.C. of Kingsville, Texas.

Mr. Galvan made a motion to approve Resolution 22-01. Ms. Garza seconded the motion. All voted in favor.

5. Discussion and action on STWA website by Rural Water Impact.

Mr. Marez stated that he had been in contact with Rural Water Impact about their website services and alert notification system. Shelly Howay with Rural Water Impact provided a brief presentation of their websites. She also provided an estimate of \$728 which includes \$468 for a one-year subscription, \$299 for a one-time set up fee and a \$39 credit for a free month with an annual subscription. After viewing the presentation and discussing the services, Mr. Galvan made a motion to move ahead with the proposal contingent on Ricardo and Nueces Water Supply Corporations also agreeing to the services. Ms. Pena seconded. Mr. Morales stated that he felt that the Corporations' decisions on this should not have an impact on STWA's decision. Mr. Marez noted that the Corporations will be approached about Rural Water Impact's services at future meetings. All voted in favor.

6. Approval of Minutes.

Ms. Lowman made a motion to approve the minutes of the December 7, 2021 Regular Meeting and the January 4, 2022 Special Meeting as presented. Mr. Graveley seconded. The motion passed by unanimous vote.

7. Treasurer's Report/Payment of Bills.

Ms. Wagner presented the October 2021 Treasurer's Report and payment of the bills. She noted that time has not allowed for breaking out all the costs on the financial reports but detailed breakdowns will be provided at a later time. The following reports were presented:

Treasurer's Report for period ending October 31, 2021  
STWA Revenue Fund Balance Sheet – October, 2021  
STWA Balance Sheet for October, 2021  
STWA Debt Service Fund Income Statement for period ending October 31, 2021  
STWA Debt Service Fund Balance Sheet – October, 2021  
STWA Capital Projects Fund Income Statement for period ending October 31, 2021  
STWA Capital Projects Fund Balance Sheet – October, 2021  
Cathodic Protection Expenses Breakdown  
Maintenance & Technical Report from O&M Supervisor  
Cathodic Protection Update

The following outstanding invoice was presented for Board approval:

• Office Systems 2000, Inc.	\$ 5,953.00
• Hach	\$ 7,790.00
• Hach	\$ 2,569.43
• Hach	\$ 2,369.28
• City of Corpus Christi	\$ 85,108.73
• John Womack & Co., P.C.	\$ 5,865.00
• City of Corpus Christi	\$ 96,466.80

Mr. Galvan made a motion to approve the Treasurer's Report, and payment of the bills as presented. Ms. Garza seconded and all voted in favor.

8. Renewal of Management Services Contract with JMAR Management Consulting, LLC.

At Mr. Marez' request, this item was moved to the end of the agenda.

9. Report on purchase of materials to build up STWA stockpile of materials.

Mr. Gomez stated that he has contacted vendors but none have provided quotes for materials for the 42" waterline. He located a company in Corpus Christi that specializes in that size of materials and is available to provide the materials, but for various reasons they have been short-handed and have not been able to provide a quote. Mr. Gomez is also aware of a distributor in the Rio Grande Valley but this company's prices are high.

10. Feasibility of Part Time Accountant Assistant.

Ms. Wagner reported that she had looked at possible savings from current vacancies and found that the budget has about \$10,000 in the FY 2022 budget to put towards hiring a part time accountant assistant. She added that she would like someone to work twenty hours a week at \$13.00 to \$13.50 per hour and is willing to contact the TAMUK accounting or finance departments about a student intern. She explained that Noemi Flores is the Accountant Assistant and Ms. Flores also handles new services and developers. Recently there has been an increase in new accounts and developers seeking service and Ms. Flores has been devoting more time to those tasks. The Board requested that an item for hiring a part time accountant assistant be placed on the next agenda.

11. Presentation – Rebranding of STWA logo.

Mr. Marez stated that a presentation would not be made but several logos designed by Carson Bourque were emailed to the board. After reviewing these logos, the Board asked for more options. Mr. Marez agreed to contact Mr. Bourque for additional logos.

12. Update on Nueces County project for construction of Banquete Pump Station to serve the Nueces County Water Control and Improvement District #5 (Banquete) and Nueces Water Supply Corporation – Utility Conveyance Agreement(s) conveying facilities from Nueces County to South Texas Water Authority and Nueces Water Supply Corporation

Mr. Marez stated that there was no updated information to provide. The Board took no action

13. Update of Wholesale Water Supply Contract with the City of Corpus Christi.

14. Update on conveyance of section of STWA's 42" waterline to the City of Corpus Christi.

Mr. Marez reported that Corpus Christi City Attorney Lisa Aguilar has retired and he has attempted to contact her replacement; however, at this time he had nothing to report on these items. No action was taken by the Board.

15. Nueces County Water Control and Improvement District #5 Wholesale Water Supply Contract and Contract for Operations and Maintenance of Facilities.

There has been no activity on these contracts and no communication with the Banquete District. No Board action was taken.

16. Administration Report.

Mr. Marez stated that Nigel Gomez and Patrick Sendejo have been working on continuing operations for STWA, NWSC and RWSC. They have interviewed applicants for the Field Technician and Cathodic Protection Technician positions and the screening process has begun on the selected applicants.

Mr. Graveley asked about implementing a better system for after hour emergencies. He was contacted about a water leak this weekend and was not able to contact the answering service to leave a message. Ms. Wagner replied that staff can look into that.

8. Renewal of Management Services Contract with JMAR Management Consulting, LLC.


Mr. Barrera announced that the Board would convene in Closed Session at 6:54 p.m. pursuant to Section 551.074 of the Government Code to discuss the renewal of Management Services Contract with JMAR Management Consulting, LLC. The Board reconvened in Open Session at 7:24 p.m. No action was taken during Closed Session.

Mr. Morales made a motion to renew the Management Services Contract with JMAR Management Consulting, LLC. Ms. Garcia seconded. Mr. Barrera noted that the contract will be up for renewal in six months. All voted in favor.

17. Adjournment.

With no further business to discuss, Mr. Barrera adjourned the meeting at 7:25 p.m.

Respectfully submitted,

  
Frances De Leon  
Assistant Secretary

ATTACHMENT 2

Treasurer's Report/Payment of Bills

The Treasurer's Report will be provided by email next week.



## Memorandum

To: South Texas Water Authority Board of Directors and John Marez, Administrator  
From: Nigel Gomez, O&M Supervisor  
Date: February 17, 2022  
Re: O&M Activities

### During the Week of January 3rd:

- Exercised generators, reviewed GPS records and performed line locates.
- Collected/monitored NAP samples.
- Took residuals (Total, Mono, FAA, Free) for the Driscoll Booster Station on the 42" line, CR 16 and Kingsville Meter Run.
- Held weekly safety meeting.
- Collected Bac-T & TTHM Samples
- Weekly equipment test @ office.
- Disinfect Pump Stations
- New Years Day Holiday
- Read Meters- RWSC & Remote Readings- NWSC
- Triple T Farm Extension – Highway 77
- Inventory list for materials
- Completed service orders for NWSC and RWSC:
  - CSI – Eddie Farias Acct #1318 & Richard Vela Acct #1312
  - Meter Lockout – Emma Jean Hernandez Acct #873 – Paperwork incomplete

### During the Week of January 10th:

- Exercised generators, reviewed GPS records and performed line locates.
- Collected/monitored NAP samples.
- Took residuals (Total, Mono, FAA, Free) for the Driscoll Booster Station on the 42" line, CR 16 and Kingsville Meter Run.
- Held weekly safety meeting.
- Weekly equipment test @ office.
- Disinfect Pump Stations
- Collected Bac-T Samples
- Read Meters – RWSC
- Remote Readings - NWSC
- Locates – STWA, RWSC, NWSC
- Flushing – NWSC & RWSC
- Completed service orders for NWSC and RWSC:
  - Lock Meter – Vaquero Ventures LLC – FM 665 New owner pending
  - Meter Change out – Juan Herrera Acct #1116 & Peralta Acct #744– Temp. placement
  - CSI – Robstown Hardware Acct #1274
  - Developer Analysis – Silva Ranch Subdivision
  - Reservice – Ron Keiper Acct #1290
  - Field Verify – Daniel Almeida, possible reservice
  - Meter Unlock – William Cumberland

- Take Final Reading – Luis Olivarez Acct #1204

During the Week of January 17th:

- Exercised generators, reviewed GPS records and performed line locates.
- Collected/monitored NAP samples.
- Took residuals (Total, Mono, FAA, Free) for the Driscoll Booster Station on the 42” line, CR 16 and Kingsville Meter Run.
- Held weekly safety meeting.
- Collected Bac-T Samples & TTHM Samples
- Weekly equipment test @ office.
- Disinfect Pump Stations
- MLK Holiday
- Flushing – NWSC & RWSC
- Lockouts
- Mow grass & Spray Weed Killer @ Pump Stations
- Replace lights at Pump Stations
- TRWA Valve & Hydrant Presentation
- Deliver LAS to Pump Stations
- Completed service orders for NWSC and RWSC:
  - CSI – Sherri Garcia Acct #1278
  - Meter Reading, High Usage – Janie Garza Acct #922 & Erik Garza Acct #205

During the Week of January 24th:

- Exercised generators, reviewed GPS records and performed line locates.
- Collected/monitored NAP samples.
- Took residuals (Total, Mono, FAA, Free) for the Driscoll Booster Station on the 42” line, CR 16 and Kingsville Meter Run.
- Held weekly safety meeting.
- Weekly equipment test @ office.
- Disinfect Pump Stations
- Calls for “Earthy Smell” – Continued Flushing @ several locations
- Field Tech & CP Tech Interviews
- Check Insulations @ Pump Stations
- Chlorine count
- Third Coast Environmental Samples
- Completed service orders for NWSC and RWSC:
  - Field Verify – Maria Galvan Acct #1183
  - 2<sup>nd</sup> CSI – Robstown Hardware Acct #1274
  - Take Final Reading – Johnny Orosco Acct #536
  - Field Verify - Bob Dimler, possible reservice
  - Multiple tap check – Bobby Castaneda Acct #30
  - CSI – Jeremy Carpenter Acct #1304
  - Reservice – Ashley Martinez Acct #1292

To: John Marez,

From: Oscar Ortegon, CP Technician

Date: February 18, 2022

Re: CP Update

From the end of January to the beginning of February, CP installed 560 anodes on 384 joints on the 42" water line as compared to January report with 540 anodes on 368 joints. We have replaced 44 old test stations since then. In January, the footage was 43,603 LF. We have completed 45,259 feet out of 51,511 feet in Contract 2. Due to the frequent rain weather in the area CP left off at on Contract 2, we will need to hold off until area is dry enough for us to continue our efforts to complete contract 2. CP has had to relocate starting on Contract 3 in Calallen south of Hummingbird Lane. In which we have installed 24 anodes on 21 joints on the 42" water line. No test stations have been replaced. We have completed 1088 feet out of 46,324 feet in Contract 3. Work continues on getting permits for TX DOT on CR 36 to perform anode installation. In addition to this work, we are still assisting all 3 entities. As of today, I have estimated 3 years until contract is completed based on information gathered by calculating a total of 162 joints that need anodes installed and 6 test stations to be redone to complete Contract 2. 570 joints that need anodes installed and 18 test stations to be redone for Contract 3 to be completed. Once Contracts are complete need survey from Corrpro to determine continuity throughout Waterline. As of January 12<sup>th</sup>, 2022 Patrick is working as Field Foreman and a cp replacement is being considered.

We continue to work on CP related work and helping the other field personnel as follows:

- Continue to perform maintenance and test rectifiers/test stations.
- Continue to maintain grass with herbicide around vaults, manholes, test stations and rectifiers along 42" line.
- Continue to assist O&M with ongoing operations.
- Exercised valves on 42" water main @ FM 2826, Driscoll, and Bishop.
- Performed locates for the 42" water main.
- Performed locates for Nueces WSC and Ricardo WSC.
- Performed flushing for Nueces WSC and Ricardo WSC.
- Performed NAP samples for Nueces WSC, Ricardo WSC and STWA.
- Performed CSI's/multiple tap inspections/cross connections/low usage/water taps/leaks/service orders for Ricardo WSC/Nueces WSC.
- Change-out Chlorine bottles for NWSC/RWSC
- Work on extensions.
- Work with Max under ground contractor to relocate 6in water main off of Hwy 77 frontage road from CR2150 to FM772 for Tex Dot right away.

ATTACHMENT 3

Part-Time Accountant Assistant

## Memorandum

To: South Texas Water Authority Board of Directors  
From: John Marez, Administrator  
Date: February 18, 2022  
Re: Discussion and Action on Part-Time Accountant Assistant

### Background:

As previously discussed during the January 25, 2022 board meeting the item to add a part-time Accountant Assistant was addressed and the board directed staff to bring back as an action item to create a new, part-time position to support our Finance Manager. The need for this role has been evident for quite some time based on the amount of work placed mainly on the Finance Manager to verify our financial reports, transactions, etc. for the Water Authority and both Water Supply Corporations. The amount proposed at this meeting was for a 20-hour a week position with an hourly rate between \$13.00 to \$13.50 per hour. The Finance Manager reported to have an available budget of approximately \$10,000 for the remainder of the fiscal year.

### Analysis:

This new position is actually separating two roles originally assigned to one person on our staff that handled New Accounts and served as the Accountant Assistant. Based on a sizeable increase in residential, commercial and industrial interest in both the Nueces and Ricardo Water Supply Corporations the New Accounts position has transformed to a sole position thus creating the need for a PT Accountant Assistant, without other job responsibilities, that can help our Finance Manager.

### Staff Recommendation:

Accept the creation of a Part-Time Accountant Assistant to aid with the bookkeeping and creation of financial reports to the Authority at an amount of \$10,000 until the end of our fiscal year.

### Board Action:

Determine whether to accept this position in the middle of the Fiscal Year (FY) since this original amount was not originally proposed during the adopted FY 2021/2022 budget.

### Summary:

As the Board is aware our Finance Manager is in need of a direct assistant to help with the timely reception and distribution of our financial reports. The creation of this Part-Time position will assist the Finance Manager with the producing of reports especially during specific times of the year where multiple audits, budgets, Treasurer Reports and Payment of Bills become too difficult to provide for all three companies concurrently.

## Joella Wagner

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**From:** Joella Wagner <jwagner@stwa.org>  
**Sent:** Friday, February 18, 2022 10:32 AM  
**To:** cba@tamuk.edu  
**Subject:** Finance or Accounting Intern

I am wanting to know if TAMUK College of Business would have a student majoring in Finance and/or Accounting that would be interested in a part-time/internship opportunity at South Texas Water Authority (STWA). STWA is a Conservation/Reclamation district in Kingsville created by the State of Texas in 1979. Governmental Accounting practices are followed when creating the Financials for STWA.

Besides STWA, our office manages by contract 2 non-profit member owned water supply corporations – Ricardo Water Supply Corporation and Nueces Water Supply Corporation. Our office provides all outside and business services for the Corporations.

Currently I have an assistant helping with the Accounts Payable and Payroll along with a few other financial tasks but she is also utilized doing new services and extension projects. On the other hand I have taken on many of the Managerial functions and need assistance in keeping up with the financial needs of the 3 entities.

Ideally I would like for the individual to put in no more than 20 hours per week, be classified as a Sophomore or Junior in the business program, and completed the first 2 accounting courses.

Please let me know if business students are looking for employment opportunities.

Thank You and I look forward to hearing back from the College of Business. I can be reached at 361-592-9323 x113 or you can email me at [jwagner@stwa.org](mailto:jwagner@stwa.org).

Jo Ella (Pawlik) Wagner  
Assistant Executive Director/ Finance Manager

Texas A & I Alum  
BBA – 1982  
MBA - 1987

ATTACHMENT 4

STWA Logo

## Memorandum

To: South Texas Water Authority Board of Directors  
From: John Marez, Administrator  
Date: February 18, 2022  
Re: Discussion and Action on Rebranding of STWA Logo and Approval of Invoice

### Background:

During last month's board meeting I introduced the item approving a new, digitized STWA logo. A digitized logo allows for the easier use to transfer to artwork displayed on STWA property, stationary, signage, etc. Beginning in the Fall 2021 semester I have been in contact with a Graphic Design Professor and Senior level student to produce a modernized logo. Carson Bourque submitted to me and I distributed to our board a survey to gather any new suggestions on what an enhanced logo should look like. Ultimately, I receive minimal feedback and the logo options that were presented to the board did not match the consensus for what a new emblem should resemble. After receiving your feedback during the meeting and subsequently sharing with Carson it was agreed to provide the STWA with a digitized logo that matches what is only on display for our STWA vehicles. Carson is currently working to finalize this assignment and should provide to staff within the next week or two. Since utilizing a Senior level student greatly reduced the overall cost of a graphic design the STWA was able to authorize the down payment of the first invoice for \$250 with the final remaining balance to match the same amount.

### Analysis:

The logo being digitized will allow for a more professional appearance, will stand out amongst other government or business logos and will easily transfer to our new proposed website, allow for new signage and replace existing stationary.

### Staff Recommendation:

Accept this proposal and motion to approve payment of the finalized invoice for the work produced.

### Board Action:

Determine whether to accept the digitized logo and work produced for the amount invoiced.

### Summary:

This modernized design will allow the STWA to match other entities that use crisp, identifiable logos. This rebranding will allow us to showcase who we are and recognize the standard of professional services that we are striving to achieve.



## John Marez

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**From:** Bourque, Carson <cbourque@islander.tamucc.edu>  
**Sent:** Sunday, February 13, 2022 12:31 PM  
**To:** John Marez  
**Subject:** Re: STWA Logo Sample

Good afternoon John,

I hope you are doing well. I just wanted to clarify so we are on the same page. After our last meeting on the phone, you want me to simply digitize your current logo and do not want me to expand on any of the proposed designs. If this is correct, I can begin digitizing your current logo and produce a file library for you upon the second payment.

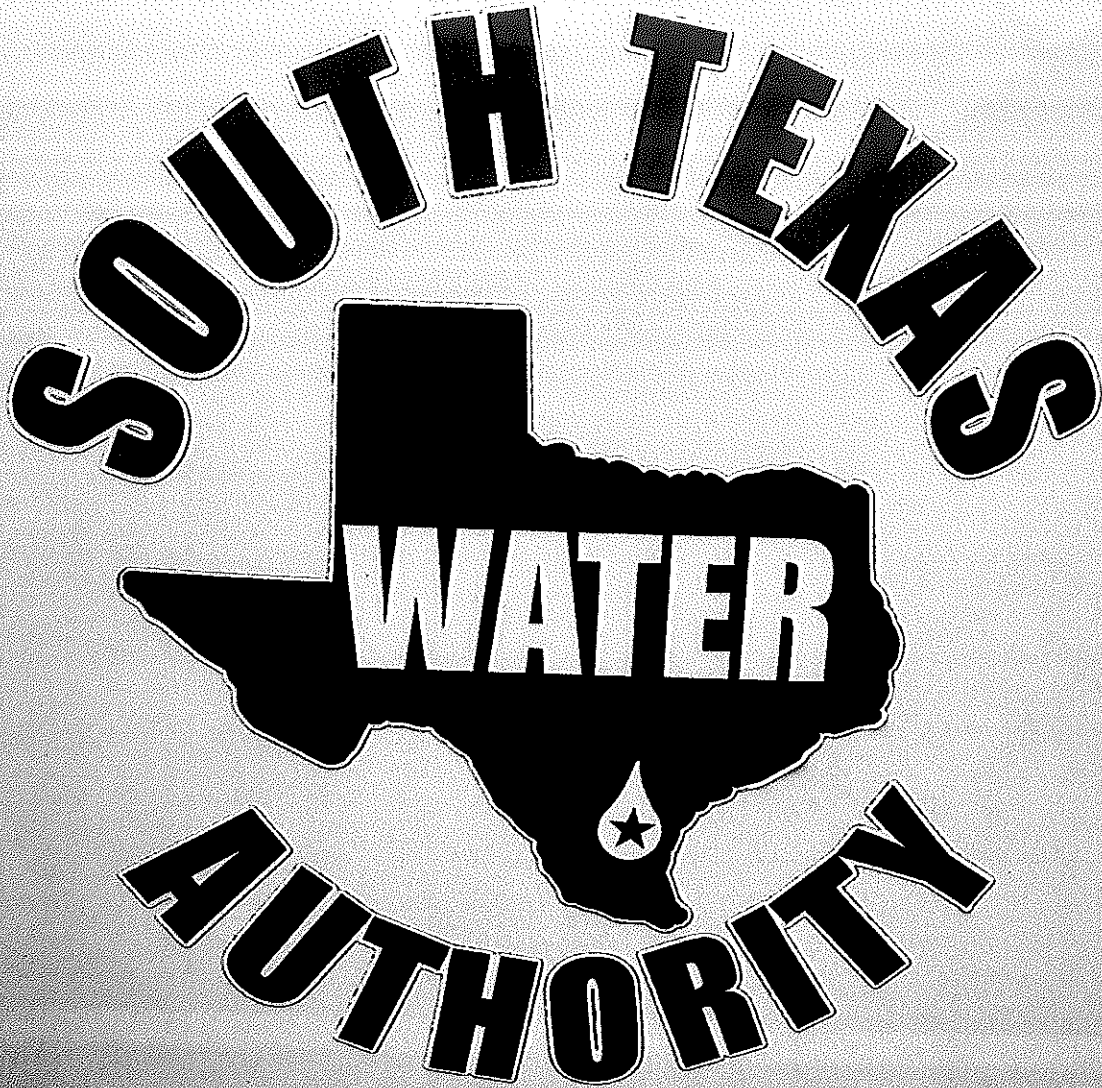
Thank you,  
Carson

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**From:** John Marez <jmarez@stwa.org>  
**Sent:** Friday, February 4, 2022 1:38 PM  
**To:** Bourque, Carson <cbourque@islander.tamucc.edu>  
**Subject:** STWA Logo Sample

Carson attached is what we currently use for our vehicles and would want a similar look.

John  
361-813-2105



ATTACHMENT 5

City of Corpus Christi Water Supply Contract

## Memorandum

To: South Texas Water Authority Board of Directors  
From: John Marez, Administrator  
Date: February 18, 2022  
Re: Update on Wholesale Water Supply Contract with the City of Corpus Christi

### Background:

The STWA and City of Corpus Christi have maintained frequent discussion on the pending Wholesale Water Supply Contract for the STWA. Since August 2021 the City's representatives have not responded to STWA staff or Attorney's correspondence. This lack of contact has delayed or ability to receive feedback on the pending water contract. Approximately two weeks ago, I made contact with the City's new Assistant City Attorney to set up an introductory meeting since several individuals have changed from the negotiating teams for both parties. Both sides agreed to meet by mid-March to set up a timeframe for review and finalizing the Water Supply Contract.

### Analysis:

The Water Contract was last provided with red line corrections from STWA attorney Bill Flickinger on August 11, 2021 without reply from the City. Now that contacts have been made and next meeting agreed to our team will negotiate for swift resolve for the contract that protects our interest and recognizes the City's perspective.

### Staff Recommendation:

Allow the City to begin a review of the contract language and respond to our red line corrections submitted in August.

### Board Action:

This is for informational purposes.

### Summary:

We have met with the new City team and anticipate their response to our corrections. We believe the City will address our red lines and participate in good faith with a speedy timeline to resolve this contract.

## John Marez

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**From:** Aimee Alcorn-Reed <AimeeL@cctexas.com>  
**Sent:** Thursday, February 10, 2022 11:52 AM  
**To:** John Marez  
**Cc:** 'Bill Flickinger'  
**Subject:** RE: Attorney Contact Info for Water Contract

Thank you. You and Mr. Flickinger should receive a WebEx invite shortly.

Aimee Alcorn-Reed  
Assistant City Attorney  
City of Corpus Christi  
1201 Leopard St  
Corpus Christi, TX 78401  
Phone (361) 826-3374

**From:** John Marez <jmarez@stwa.org>  
**Sent:** Thursday, February 10, 2022 11:48 AM  
**To:** Aimee Alcorn-Reed <AimeeL@cctexas.com>  
**Cc:** 'Bill Flickinger' <bflickinger@wfaustin.com>  
**Subject:** RE: Attorney Contact Info for Water Contract

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Aimee,

Yes we have attorney representation with Bill Flickinger who I have included on this email as well as provided his contact information.

Willatt & Flickinger, PLLC  
Attorneys at Law  
12912 Hill Country Blvd., Suite F-232  
Austin, Texas 78738  
Phone: (512) 476-6604

**Cc:** Bill Flickinger  
**Bcc:** Allison Nix, Legal Assistant - Willatt & Flickinger

John

John Marez  
**South Texas Water Authority**  
2302 E Sage Rd  
Kingsville, Texas 78363

W: 361-592-9323  
C: 361-813-2105

**From:** Aimee Alcorn-Reed <[AimeeL@cctexas.com](mailto:AimeeL@cctexas.com)>  
**Sent:** Thursday, February 10, 2022 10:57 AM  
**To:** John Marez <[jmarez@stwa.org](mailto:jmarez@stwa.org)>  
**Subject:** RE: Attorney Contact Info for Water Contract

Thanks, John. Is STWA represented by an attorney on this matter? If so, can you please provide contact information so that I can include him/her as well?

Aimee Alcorn-Reed  
Assistant City Attorney  
City of Corpus Christi  
1201 Leopard St  
Corpus Christi, TX 78401  
Phone (361) 826-3374

**From:** John Marez <[jmarez@stwa.org](mailto:jmarez@stwa.org)>  
**Sent:** Thursday, February 10, 2022 10:54 AM  
**To:** Aimee Alcorn-Reed <[AimeeL@cctexas.com](mailto:AimeeL@cctexas.com)>  
**Subject:** Re: Attorney Contact Info for Water Contract

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Aimee,

Thanks for the reply it looks like Wednesday at 10am would work best for me. Just send me the link or let me know if you want me to send you one.

Thanks,  
John

On Feb 10, 2022, at 9:58 AM, Aimee Alcorn-Reed <[AimeeL@cctexas.com](mailto:AimeeL@cctexas.com)> wrote:

John,

What does your schedule look like next week? Gabriel Ramirez and I would like to set a meeting with you, probably via WebEx, to discuss. Looking at his calendar and mine, I would say Monday at 9:00 or 2:00, Wednesday or Thursday at 10:00, or Friday afternoon would work the best for us. Tuesday is pretty booked because of City Council.

Thanks,

Aimee

Aimee Alcorn-Reed  
Assistant City Attorney  
City of Corpus Christi  
1201 Leopard St  
Corpus Christi, TX 78401  
Phone (361) 826-3374

**From:** John Marez <[jmarez@stwa.org](mailto:jmarez@stwa.org)>  
**Sent:** Tuesday, February 8, 2022 10:12 AM  
**To:** Aimee Alcorn-Reed <[AimeeL@cctexas.com](mailto:AimeeL@cctexas.com)>  
**Subject:** Re: Attorney Contact Info for Water Contract

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That works out for me, thanks.

On Feb 8, 2022, at 9:18 AM, Aimee Alcorn-Reed <[AimeeL@cctexas.com](mailto:AimeeL@cctexas.com)> wrote:

John,

I was out yesterday and I'm circling around internally to make sure I have all the information I need on this. I'll let you know what time works, but it will probably be Friday or early next week.

Thanks,

Aimee

Aimee Alcorn-Reed  
Assistant City Attorney  
City of Corpus Christi  
1201 Leopard St  
Corpus Christi, TX 78401  
Phone (361) 826-3374

**From:** John Marez <[jmarez@stwa.org](mailto:jmarez@stwa.org)>  
**Sent:** Friday, February 4, 2022 5:11 PM  
**To:** Aimee Alcorn-Reed <[AimeeL@cctexas.com](mailto:AimeeL@cctexas.com)>  
**Subject:** RE: Attorney Contact Info for Water Contract

[ [ **WARNING:** External e-mail. Avoid clicking on links or attachments. We will **NEVER** ask for a password, username, payment or to take action from an email. When in doubt, please forward to [SecurityAlert@cctexas.com](mailto:SecurityAlert@cctexas.com). ] ]

Aimee,

Yes I would like to set up some time soon to visit. Do you have anything available next Thursday morning or anytime Friday Feb 11<sup>th</sup>? I am amenable to your schedule so just let me know if those options don't work.

Thanks for your response,

*John*

John Marez  
**South Texas Water Authority**  
2302 E Sage Rd  
Kingsville, Texas 78363  
W: 361-592-9323

**From:** Aimee Alcorn-Reed <[AimeeL@cctexas.com](mailto:AimeeL@cctexas.com)>  
**Sent:** Friday, February 4, 2022 4:46 PM  
**To:** John Marez <[jmarrez@stwa.org](mailto:jmarrez@stwa.org)>  
**Cc:** Reba George <[RebaG@cctexas.com](mailto:RebaG@cctexas.com)>  
**Subject:** RE: Attorney Contact Info for Water Contract

John,

Nice to meet you. I have taken over the City's Utilities issues in the Legal Department. I'm happy to work with you.

Lisa did brief me some on where this was in the process before she left. Do you want to set some time to meet and discuss?

Thanks,

Aimee

Aimee Alcorn-Reed  
Assistant City Attorney  
City of Corpus Christi  
1201 Leopard St  
Corpus Christi, TX 78401  
Phone (361) 826-3374

**From:** Reba George <[RebaG@cctexas.com](mailto:RebaG@cctexas.com)>  
**Sent:** Friday, February 4, 2022 4:42 PM  
**To:** John Marez <[jmarrez@stwa.org](mailto:jmarrez@stwa.org)>  
**Cc:** Aimee Alcorn-Reed <[AimeeL@cctexas.com](mailto:AimeeL@cctexas.com)>  
**Subject:** RE: Attorney Contact Info for Water Contract

John,



The City Attorney assigned to this is Aimee Alcorn-Reed.  
I've copied her on this email.

Thank you,  
Reba

Reba George  
Assistant Director of Business & Customer Support  
Water Utilities  
[rebag@cctexas.com](mailto:rebag@cctexas.com)  
361-826-1648

**From:** John Marez <[jmarez@stwa.org](mailto:jmarez@stwa.org)>  
**Sent:** Thursday, February 3, 2022 10:01 AM  
**To:** Reba George <[RebaG@cctexas.com](mailto:RebaG@cctexas.com)>  
**Subject:** Attorney Contact Info for Water Contract

[ [ WARNING: External e-mail. Avoid clicking on links or attachments. We will **NEVER** ask for a password, username, payment or to take action from an email. When in doubt, please forward to [SecurityAlert@cctexas.com](mailto:SecurityAlert@cctexas.com). ] ]

---

Reba,

I have reached out to legal to find the replacement for Lisa Aguilar and have not received a response. The STWA Board has requested I contact the new staff attorney that will handle the negotiations of agreement between the City and the STWA. Thanks in advance for your assistance.

*John*

John Marez  
**South Texas Water Authority**  
2302 E Sage Rd  
Kingsville, Texas 78363  
W: 361-592-9323

ATTACHMENT 6

Conveyance of Section of 42" Waterline to Corpus Christi

Memo

To: South Texas Water Authority Board of Directors  
From: John Marez, Administrator  
Date: February 17, 2022  
Re: Update On Conveyance of Section of 42" Waterline to the City of Corpus Christi

Background:

Prior, the City of Corpus Christi submitted a request for the relocation of the master meter which determines the volumes of water purchased by STWA. The meter is located at the ON Stevens Water Treatment Plant (WTP) located in Calallen near the intersection of US 77/I-69 and Leopard Street. The City has previously proposed to relocate this meter to the intersection of US 77/I-69 and County Road 52. This agreement would convert the ownership title of the approximately 7,000 LF (linear feet) of 42" waterline from the STWA to the City. This shift will allow the City who has determined that the area south of Calallen will likely require water service as a result of increased housing developments in response to new industries locating within our region. In order to avoid extending the City's own lines under a pre-existing railroad track, the City has requested the relocation of STWA's meter thereby acquiring ownership of a portion of the 42" waterline.

Analysis:

After numerous attempts spanning several months, I was able to secure a meeting with the City's new Assistant City Attorney (ACA) assigned to our water contracts, agreements. Earlier this week I, along with our STWA management team and our attorney Bill Flickinger we met with the City's ACA and a representative for the City's Utilities to begin discussions on this item. Because of turnover on both sides, during the past few months, this meeting was merely introductory and used to agree to establishing a meeting in mid-March to discuss and plan our timeline for the possible conveyance and other related water items.

Staff Recommendation:

Based on previous action, City staff will continue to work with Mr. Flickinger and I (and/or designees) to negotiate the terms of transfer for the portion of 42" water line in the STWA's possession. Prior to the approval of a conveyance document, the Board will need to declare the proposed section of line as surplus and approve the relocation of the City's master meter as described above. Previously, Mr. Flickinger advised that all costs related to the transfer of the conveyance would be dependent on being paid in full by the City of Corpus Christi and that delivery of water from the 42" not be interrupted during the relocation project.

Board Action:

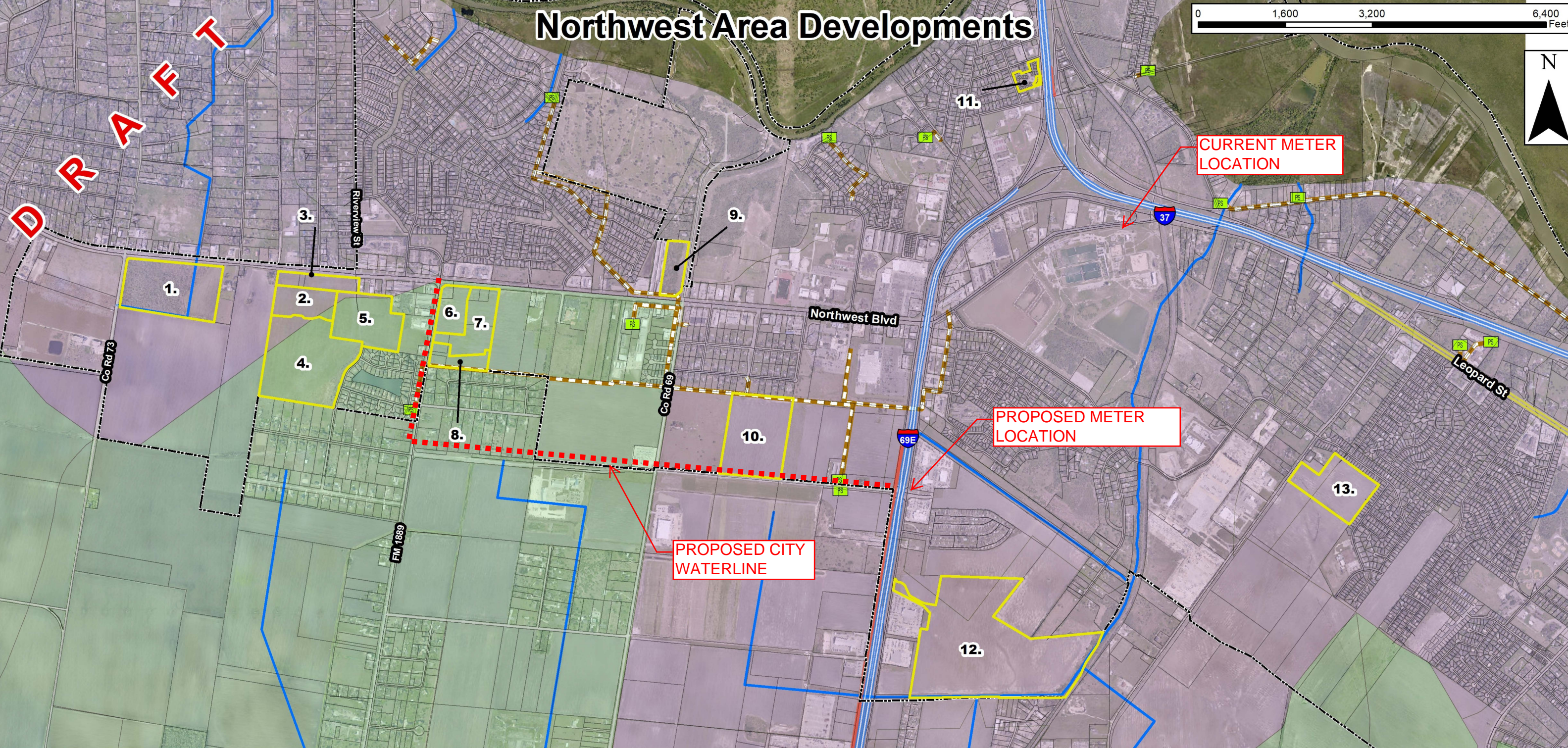
No action is needed at this time. This item is informational only.

Summary:

Previous board action has authorized Mr. Flickinger and I (and/or designee) to negotiate the terms of a transfer of the 42" water line. Now that our STWA negotiating team has met with the new representatives for the City we will move forward in coordinating and hopefully finalize this item. I will provide updates as frequently as I receive information from our staff, board attorney, or from City staff.



# Northwest Area Developments



Label	Zone	FLU	Development Name	Owner Name	Acres	No. of Units	Res. Type	Devel. Status	Misc.
1	CG-2	COM	Puerto Los Caballeros	Dan Murphy	39.95	n/a	Unknown	Platted	
2	RM-1	MDR			14.1	210	Multi-Family Res.		
3	CG-2	MDR	AL Mostaghasi	Al Mostaghasi	9.24	n/a	Commercial	Pre-lim. Plat	Single/Multi-Family Res. 14 acres of Multi-Family Zoning
4	RS-6	MDR			52.42	210	Single-Family Res.		
5	RS-4.5	MDR			25.53	127	Single-Family Res.		
6	CG-2	MU	n/a	HEB	10.54	n/a	Commercial	Platted	
7	CG-2	MU	Palacio Del Sol Apartments	Calallen Retail Partners	18.39	228	Multi-Family Res.	Platted	
8	CN-1	MU	n/a		7.94	n/a	Commercial		
9	CN-2	COM	n/a	Mostaghasi Investment Tru	8.85	n/a	Commercial	Pre-lim. Plat	Recent Re-Zoning
10	RS-6	MDR	George Mostaghasi	Mostaghasi Investment Tru	38.67	131	Single-Family Res.	Pre-lim. Plat	
11	RS-TF	MDR	n/a	John C. Tamez	3.78	25	Multi-Family Res.	Platted	
12	RS-6	MDR	Calallen South	Hurt, Jon	117.56	408	Single-Family Res.	Pre-lim. Plat	131 lots by year 2021
13	RS-4.5	MDR	Luxury Spec Homes INC	Victor Nazari	24.46	126	Single-Family Res.	Pre-lim. Plat	
<b>Totals</b>					<b>371.43</b>	<b>1465</b>			

**Legend**

- Proposed/Planned Development
- City Limits
- Wastewater Treatment Plant
- Existing Lift Stations
- Force Main
- Storm Water Channel
- Oso Creek Basins
- Nueces River Basins

**Transportation Network**

- Interstate
- US Highway
- State Highway
- County Road
- Local Road



ATTACHMENT 7

STWA Vehicles

## Memorandum

To: South Texas Water Authority Board of Directors  
From: John Marez, Administrator  
Date: February 18, 2022  
Re: Report of STWA Vehicles

### Background:

The STWA has been impacted by the lack of vehicle supplies and amount of mileage placed on our current vehicles. Trucks were in short supply and a limited internal maintenance program has reduced our inventory. The board awarded a bid for a ¾ Ton Double Cab 4x4 to Caldwell Country Chevrolet in November 2020 for a replacement vehicle that has yet to be delivered. Due to supply issues the truck to this point had not been manufactured. Within the past week we have received updates that our first and second vehicles awarded to Caldwell Country Chevrolet.

### Analysis:

We received word that the ¾ Ton Double Cab 4x4 (1<sup>st</sup> truck ordered and awarded) has shipped and is expected to arrive in late February. The second vehicle is expected to begin assembly soon. Our current #2 Unit is in desperate need of repairs and staff are working to find the best price to work on our existing truck.

### Staff Recommendation:

Staff recommends to continue to monitor the current internal maintenance program to achieve longer lasting vehicles.

### Board Action:

Allow for a review of our internal vehicle/equipment maintenance.

### Summary:

We have to opportunity to receive the first of two awarded vehicles with the second reported to begin manufacturing soon. Internally we need to create a formalized maintenance program to help prolong the life of our vehicles.

## John Marez

---

**From:** Ben Laureano <ben@caldwellcountry.com>  
**Sent:** Wednesday, February 9, 2022 9:37 AM  
**To:** ngomez@stwa.org; mcgserrato@stwa.org  
**Cc:** Averyt Knapp; 'Frances Rosales'; 'Jo Ella Wagner'; 'Patrick Sendejo'  
**Subject:** RE: SOUTH TEXAS WATER AUTHORITY - 2022 CHEV 2500 DBL CAB 4WD LWB (CK20953)

Nigel,

Second truck will be built mid-late summer production as 2023 model.

Thank you,

Ben Laureano  
Caldwell Country Chevrolet  
979.567.6155

**From:** ngomez@stwa.org <ngomez@stwa.org>  
**Sent:** Tuesday, February 8, 2022 4:59 PM  
**To:** Ben Laureano <ben@caldwellcountry.com>; mcgserrato@stwa.org  
**Cc:** Averyt Knapp <averyt@caldwellcountry.com>; 'Frances Rosales' <fvrosales@stwa.org>; 'Jo Ella Wagner' <jwagner@stwa.org>; 'Patrick Sendejo' <cp@stwa.org>  
**Subject:** RE: SOUTH TEXAS WATER AUTHORITY - 2022 CHEV 2500 DBL CAB 4WD LWB (CK20953)

Ben,

We appreciate the feedback on the status. Can we also follow up on the additional truck that is connected with PO #14197. I reached out to Averyt previously and it may have been mistake as this current truck that is set for the end of February. Please let us know if any information gave be provided.

Thank You

Nigel M. Gomez  
O&M Supervisor  
361-675-0640

**From:** Ben Laureano <ben@caldwellcountry.com>  
**Sent:** Tuesday, February 8, 2022 3:11 PM  
**To:** mcgserrato@stwa.org; 'Dony Cantu' <dcantu@stwa.org>  
**Cc:** Averyt Knapp <averyt@caldwellcountry.com>; 'Frances Rosales' <fvrosales@stwa.org>; 'Jo Ella Wagner' <jwagner@stwa.org>; ngomez@stwa.org  
**Subject:** RE: SOUTH TEXAS WATER AUTHORITY - 2022 CHEV 2500 DBL CAB 4WD LWB (CK20953)

All,

The ¾ Ton Double Cab 4x4 has shipped. ETA is end of February (VIN - 1GC5YLE75NF235780).



Thank you,

Ben Laureano  
Caldwell Country Chevrolet  
979.567.6155

**From:** [mogserrato@stwa.org](mailto:mogserrato@stwa.org) <[mogserrato@stwa.org](mailto:mogserrato@stwa.org)>  
**Sent:** Tuesday, May 18, 2021 4:44 PM  
**To:** Ben Laureano <[ben@caldwellcountry.com](mailto:ben@caldwellcountry.com)>; 'Dony Cantu' <[dcantu@stwa.org](mailto:dcantu@stwa.org)>  
**Cc:** Adrienne Gattis <[agattis@caldwellcountry.com](mailto:agattis@caldwellcountry.com)>; Averyt Knapp <[averyt@caldwellcountry.com](mailto:averyt@caldwellcountry.com)>; Chris Collins <[chris@caldwellcountry.com](mailto:chris@caldwellcountry.com)>; 'Frances Rosales' <[fvrosales@stwa.org](mailto:fvrosales@stwa.org)>; 'Jo Ella Wagner' <[jwagner@stwa.org](mailto:jwagner@stwa.org)>; [ngomez@stwa.org](mailto:ngomez@stwa.org)  
**Subject:** RE: SOUTH TEXAS WATER AUTHORITY - 2022 CHEV 2500 DBL CAB 4WD LWB (CK20953)  
**Importance:** High

Ben,

What does this mean in terms of price and possible delivery date?

Carola G. Serrato  
Executive Director  
**South Texas Water Authority**  
2302 East Sage Rd  
Kingsville, Texas 78363  
361-592-9323 x112

**From:** Ben Laureano <[ben@caldwellcountry.com](mailto:ben@caldwellcountry.com)>  
**Sent:** Tuesday, May 18, 2021 4:28 PM  
**To:** Dony Cantu <[dcantu@stwa.org](mailto:dcantu@stwa.org)>; [mogserrato@stwa.org](mailto:mogserrato@stwa.org)  
**Cc:** Adrienne Gattis <[agattis@caldwellcountry.com](mailto:agattis@caldwellcountry.com)>; Averyt Knapp <[averyt@caldwellcountry.com](mailto:averyt@caldwellcountry.com)>; Chris Collins <[chris@caldwellcountry.com](mailto:chris@caldwellcountry.com)>  
**Subject:** RE: SOUTH TEXAS WATER AUTHORITY - 2022 CHEV 2500 DBL CAB 4WD LWB (CK20953)

Dony,

GM hasn't assigned an Order # yet. As of now, this order was pushed out to a 2022 model. There's a semiconductor chip shortage which is causing major delays at the production plant.

Thank you for your patience,

**BEN LAUREANO**  
Fleet/Commercial Operations  
979.567.6155

**From:** Dony Cantu <[dcantu@stwa.org](mailto:dcantu@stwa.org)>  
**Sent:** Monday, December 14, 2020 3:14 PM  
**To:** Ben Laureano <[ben@caldwellcountry.com](mailto:ben@caldwellcountry.com)>  
**Subject:** Re: SOUTH TEXAS WATER AUTHORITY

Po 13710

Sent from my iPhone

On Dec 14, 2020, at 3:13 PM, [ben@caldwellcountry.com](mailto:ben@caldwellcountry.com) wrote:

Please confirm email.

**BEN LAUREANO**  
Fleet/Commercial Operations  
979.567.6155

**From:** [ben@caldwellcountry.com](mailto:ben@caldwellcountry.com) <[ben@caldwellcountry.com](mailto:ben@caldwellcountry.com)>  
**Sent:** Wednesday, December 9, 2020 9:45 AM  
**To:** 'Averyt Knapp' <[averyt@caldwellcountry.com](mailto:averyt@caldwellcountry.com)>; [dcantu@stwa.org](mailto:dcantu@stwa.org)  
**Cc:** 'Adrienne Gattis' <[agattis@caldwellcountry.com](mailto:agattis@caldwellcountry.com)>  
**Subject:** RE: SOUTH TEXAS WATER AUTHORITY

Donnie, please confirm receipt of email. PO# 13710

We'll get this unit order.

**BEN LAUREANO**  
Fleet/Commercial Operations  
979.567.6155

**From:** Averyt Knapp <[averyt@caldwellcountry.com](mailto:averyt@caldwellcountry.com)>  
**Sent:** Wednesday, December 9, 2020 9:30 AM  
**To:** Ben <[ben@caldwellcountry.com](mailto:ben@caldwellcountry.com)>  
**Cc:** Adrienne Gattis <[agattis@caldwellcountry.com](mailto:agattis@caldwellcountry.com)>  
**Subject:** RE: SOUTH TEXAS WATER AUTHORITY

I quoted this one. It's in my file drawers under South Texas Water. If they have question, that is where file is. Have them send a PO and I will order Friday or over weekend.

**From:** [ben@caldwellcountry.com](mailto:ben@caldwellcountry.com) <[ben@caldwellcountry.com](mailto:ben@caldwellcountry.com)>  
**Sent:** Wednesday, December 9, 2020 9:28 AM  
**To:** Chris Collins <[chris@caldwellcountry.com](mailto:chris@caldwellcountry.com)>  
**Cc:** Averyt Knapp <[averyt@caldwellcountry.com](mailto:averyt@caldwellcountry.com)>  
**Subject:** SOUTH TEXAS WATER AUTHORITY

Averyt/Chris,

Donnie just called saying we won the bid, not sure who's customer this is. He was quoted on a 2021 2500HD. Let me know if I need to assist w/ anything.

Thank you,

**BEN LAUREANO**

**Fleet/Commercial Operations**

**Caldwell Country Chevrolet**

[ben@caldwellcountry.com](mailto:ben@caldwellcountry.com)

800 State Highway 21 East, Caldwell, TX 77836

979.567.6155

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ATTACHMENT 8

Nueces County Conveyance Agreement – Banquete Project

## Memorandum

To: South Texas Water Authority Board of Directors  
From: John Marez, Administrator  
Date: February 18, 2022  
Re: Update on Utility Conveyance Agreement(s) conveying facilities from Nueces County to South Texas Water Authority and Nueces Water Supply Corporation

### Background:

On the August 3, 2021 board meeting discussion and action was taken on the Utility Conveyance Agreement transferring facilities from Nueces County to South Texas Water Authority and Nueces Water Supply Corporation. This conveyance has been in the works since 2018 when Nueces County and the Nueces County Water Improvement District #5 began an agreement to handover resources based on a county led water development project located in Cyndi Park. This agreement allowed the county to participate in grant funding available to them and allowed them to contract and work on behalf of this project with the eventual goal to transfer assignments of the facilities and resources for all parties involved including STWA, NWSC and NCWID#5. The board's unanimous approval was given based on Nueces County's Grant Department and County Attorney would sort out the assignments of each conveyance. The Nueces County Commissioner's Court approved this action on condition of the conveyance language. After several months of reaching out to Nueces County their finalized version of the Conveyance was given to the STWA this week for final review.

### Analysis:

The conveyance language involves several entities that must review and approve before any conveyance is finalized. This conveyance must also be presented to the Nueces Water Supply Corporation since they are a party to this agreement.

### Staff Recommendation:

Allow staff and the NWSC board to review the finalized language. Since STWA board approval has already been given at the September 2021 meeting the conveyance will be confirmed valid by staff and legal.

### Board Action:

Review the attached conveyance language and allow staff to verify all obligations have been met.

### Summary:

After several months of no response the STWA received the final conveyance language from Nueces County. Board approval has been given and minor details need to be verified before this agreement can be determined complete.

**UTILITY CONVEYANCE AGREEMENT**  
**BETWEEN**  
**NUECES COUNTY**  
**AND**  
**SOUTH TEXAS WATER AUTHORITY**

This Agreement is made and entered into effective \_\_\_\_\_, 2021 by and between the South Texas Water Authority, a Texas Authority organized under Article 1434a of Vernon's Annotated Texas Civil Statutes, (herein referred to as "Authority") and Nueces County, Texas, a political subdivision of the State of Texas, whose address is 901 Leopard, Corpus Christi, Texas 78401 (herein referred to as "County").

**Commented [MMBI]:** I know this applies to the Nueces Water Supply Corporation, but I am not sure about South Texas Water Authority.

WHEREAS, the Authority, was created for the purpose of furnishing water to the land within its service area and is recognized as a political subdivision for certain purposes;

WHEREAS, the County, pursuant to Texas Water Development Board Project No. 62622, has installed and acquired ownership of a water distribution system, "Facilities," as outlined in detail in Exhibit A to transport fresh water to the Cindy Park and The Ranch Colonia;

WHEREAS, the County may periodically sell the County's surplus property to another political subdivision with the County in accordance to Chapter 263 of the Texas Local Government Code;

WHEREAS, the County desires to dispose of the Facilities as surplus property as defined by Section 263.151(2) of the Texas Local Government Code to Authority, and

WHEREAS, the Authority is providing water service within the County and Authority shall provide maintenance and repair of the Facilities in exchange for the applicable conveyance of the Facilities; and

WHEREAS, the County wishes to convey and Authority wishes to take title to such Facilities so that Authority can provide fresh water in the service area.

NOW THEREFORE the parties for and in consideration of the premises and of the mutual obligations, covenants, and benefits herein after set forth, agree as follows:

**1. CONVEYANCE OF UTILITY.**

County hereby sells, conveys, transfers and delivers to Authority improvements, Facilities, made as part of Texas Water Development Board Project No. 62622, free and clear of all liens, claims, encumbrances, options, charges, assessments, reservations, or restrictions. The Facilities being conveyed are as described in Exhibit A herein attached.

2. ASSIGNMENT

County hereby assigns all of its rights pertaining to Facilities made as part of Texas Water Development Board Project No. 62622 under Construction Contracts to Authority and agrees to make provisions for the transfer of the performance and payment bonds, and guarantees and warranties executed by the contractors and all other rights of County pursuant to the provisions of the Construction Contracts.

3. REPRESENTATIONS BY COUNTY

Except for the warranties expressly set forth herein, and the express covenants of County set forth herein, there are no warranties given by the County to Authority, expressed or implied, and all such warranties are hereby disclaimed by County and released by Authority. County represents to Authority that:

- (a) The Facilities hereby conveyed to Authority is free and clear of all liens, claims, encumbrances, options, charges, assessments, reservations, and restrictions.
- (b) County warrants and represents that, at the same time of this conveyance, the Facilities meet all requirements of the County and all other state and governmental requirements.
- (c) County represents that the Facilities have been constructed entirely within the dedicated county and public right-of-way, except for easements previously acquired by the County.
- (d) County is in possession of Facilities and no objection to the location or use of the improvements or adverse claims of title to the lands, easements, rights-of-way, licenses, permits, or leases on which the improvements are situated are presently being asserted by any person or persons.
- (e) There are no actions, suits, or proceedings pending or, to the knowledge of County, threatened or affecting the Facilities to be conveyed hereunder and there are no pending condemnation proceedings of which County is aware connected with the improvements being conveyed hereunder.
- (f) This Agreement, the transactions contemplated herein, and the execution and delivery of this Agreement have been duly authorized by County.
- (g) This Agreement, and the warranties, representations, and covenants contained herein, and the consummation of the transactions contemplated herein will not violate or constitute a breach of any contract or other agreement to which County is a party.

4. EXPENSES

Except as specifically set forth herein, each party shall pay its own expenses incident to carrying this Agreement into effect and consummating all transactions contemplated hereby.

5. FURTHER ASSURANCES

In connection with this Agreement as well as the transactions contemplated by this Agreement, each signatory party hereto agrees to execute and deliver additional documents and instruments and to perform such additional acts as may be necessary or appropriate to effectuate, carry out and perform all the terms and provisions and conditions of this Agreement and all such transactions.

6. REPRESENTATIONS SURVIVE CONVEYANCE

The Agreements and representations made in this Agreement by the Parties to this Agreement shall survive the conveyance of the Facilities.

7. MISCELLANEOUS

This agreement shall be governed by, and construed in accordance with the laws of the State of Texas and can be amended or terminated only by an agreement in writing by the parties hereto. This Agreement embodies the agreement in writing signed by the parties hereto. This Agreement embodies the entire understanding between the parties and there are no prior effective representations, warranties, or agreements between the parties.

8. RESPONSIBILITIES OF THE AUTHORITY

Authority shall comply with the TCEQ and EPA water quality standards and shall be responsible for daily operations including but not limited to pumps, motors, tanks, force main, leaks, customer concerns, etc. Further, Authority shall be responsible for all maintenance including but not limited to replacement of equipment.

9. INDEMNITY

AUTHORITY, AS PERMITTED BY LAW, SHALL SAVE HARMLESS THE COUNTY AND ITS OFFICERS AND EMPLOYEES FROM ALL CLAIMS FOR DAMAGES BY PERSONS OR ENTITIES NOT A PARTY TO THIS AGREEMENT, INCLUDING DAMAGES, ATTORNEY'S FEES AND COSTS OF DEFENSE, INSOFAR SUCH CLAIMS ARE BASED ON ANY ACT OR OMISSION BY AUTHORITY AT ANY TIME RELATING TO THIS AGREEMENT.

(SIGNATURE PAGE FOLLOWS)



WITNESS the execution of this Agreement in multiple counterparts, each of equal dignity, as of \_\_\_\_ day of \_\_\_\_\_, 2021.

SOUTH TEXAS WATER AUTHORITY

\_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_

NUECES COUNTY

\_\_\_\_\_  
Barbara Canales  
Nueces County Judge

THE STATE OF TEXAS  
COUNTY OF NUECES

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 2019  
by \_\_\_\_\_ of South Texas Water Authority.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF TEXAS

My Commission expires: \_\_\_\_\_

THE STATE OF TEXAS  
COUNTY OF NUECES

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 2019  
by \_\_\_\_\_ of Nueces County.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF TEXAS

My Commission expires: \_\_\_\_\_

**EXHIBIT A**

DESCRIPTION	QUANTITY	UNIT
NEW ELECTRICAL DISTRIBUTION SYSTEM INCLUDING MAIN BREAKER, MOTOR CONTROL CENTER, AUTOMATIC TRANSFER SWITCH, LIGHTING TRANSFORMER, GROUNDING, LIGHTING PANEL AND ALL ELECTRICAL FOR NEW HYDROPNEUMATIC TANK AT EXISTING BANQUETE PUMP STATION	1	LS
INSTRUMENTATION INCLUDING ALL FLOW, LEVEL, PRESSURE, AND ANALYTICAL DEVICES NOT PROVIDED WITH OTHER SYSTEMS	1	LS
ALL CONDUIT AND WIRE FOR POWER AND INSTRUMENTATION INCLUDING INSTALLATION, WIRING TERMINATION, AND TRENCHING	1	LS
VFD CONTROL PANEL FULLY WIRED AND TESTED	1	EA
COMBINED PUMP SCADA PANEL FULLY WIRED AND TESTED TO FUNCTION AS PUMP CONTROL AND SCADA PANEL, INCLUDING ALL SCADA INTEGRATION AND GRAPHICS	1	EA
DIESEL GENERATOR (80 KW, INCLUDING WEATHER PROOF, SOUND PROOF ENCLOSURE) INCLUDING CONTROLS, CONNECTIONS AND FOUNDATION, MEETING ALL OSHA STANDARDS	1	EA
6" WATERLINE	43	LF
7,500 GALLON HYDRO-PNEUMATIC TANKS INCLUDING ALL PIPING, FITTINGS, TIE-INS, CONTROLS, AIR COMPRESSOR, APPURTENANCES, FOUNDATION, SIGHT GLASS, PRESSURE-LEVEL SENSORS/TRANSMITTERS AND INSTRUMENTATION	1	LS
ELECTRICITY REQUIREMENTS IN BANQUETE BOOSTER PUMP STATION	1	LS