

Vernon's Texas Statutes and Codes Annotated
Water Code (Refs & Annos)
Title 4. General Law Districts
Chapter 49. Provisions Applicable to All Districts (Refs & Annos)
Subchapter C. Administrative Provisions

V.T.C.A., Water Code § 49.057

§ 49.057. Management of District

Effective: January 1, 2020

Currentness

(a) The board shall be responsible for the management of all the affairs of the district. The district shall employ or contract with all persons, firms, partnerships, corporations, or other entities, public or private, deemed necessary by the board for the conduct of the affairs of the district, including, but not limited to, engineers, attorneys, financial advisors, operators, bookkeepers, tax assessors and collectors, auditors, and administrative staff.

(b) The board shall adopt an annual budget. The board of a developed district, as defined by [Section 49.23602](#), shall include as an appendix to the budget the district's:

- (1) audited financial statements;
- (2) bond transcripts; and
- (3) engineer's reports required by [Section 49.106](#).

(b-1) All district employees are employed at the will of the district unless the district and employee execute a written employment contract.

(c) The board shall set the compensation and terms for consultants.

(d) In selecting attorneys, engineers, auditors, financial advisors, or other professional consultants, the district shall follow the procedures provided in Subchapter A, Chapter 2254, Government Code¹ (Professional Services Procurement Act).

(e) Except as provided by Subsection (i), the board shall require an officer, employee, or consultant, including a bookkeeper, financial advisor, or system operator, who routinely collects, pays, or handles any funds of the district to furnish good and sufficient bond, payable to the district, in an amount determined by the board to be sufficient to safeguard the district. The board may require a consultant who does not routinely collect, pay, or handle funds of the district to furnish a bond. The bond shall be conditioned on the faithful performance of that person's duties and on accounting for all funds and property of the district. Such bond shall be signed or endorsed by a surety company authorized to do business in the state.

(f) The board may pay the premium on surety bonds required of officials, employees, or consultants of the district out of any available funds of the district, including proceeds from the sale of bonds.

(g) The board may adopt bylaws to govern the affairs of the district to perform its purposes. The board may by resolution authorize its general manager or other employee to execute documents on behalf of the district.

(h) The board shall also have the right to purchase all materials, supplies, equipment, vehicles, and machinery needed by the district to perform its purposes.

(i) The board may obtain or require an officer, employee, or consultant of the district to obtain insurance or coverage under an interlocal agreement that covers theft of district funds by officers, employees, or consultants of the district in lieu of requiring a bond under Subsection (e) if the board determines that the insurance or coverage under an interlocal agreement would adequately protect the interests of the district.

Credits

Added by Acts 1995, 74th Leg., ch. 715, § 2, eff. Sept. 1, 1995. Amended by Acts 1997, 75th Leg., ch. 1070, § 3, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 1354, § 7, eff. Sept. 1, 1999; Acts 2001, 77th Leg., ch. 69, § 2, eff. May 14, 2001; Acts 2001, 77th Leg., ch. 1423, § 2, eff. June 17, 2001; Acts 2003, 78th Leg., ch. 1276, § 18.008, eff. Sept. 1, 2003; Acts 2005, 79th Leg., ch. 868, § 1, eff. June 17, 2005; Acts 2019, 86th Leg., ch. 944 (S.B. 2), § 85, eff. Jan. 1, 2020.

Notes of Decisions (1)

Footnotes

1 V.T.C.A., Government Code § 2254.001 et seq.

V. T. C. A., Water Code § 49.057, TX WATER § 49.057

Current through the end of the 2019 Regular Session of the 86th Legislature

AT 11:30 FILED O'CLOCK A. M
DEC 18 2020
ARTHUR VILLARREAL, JR. COUNTY CLERK
HIDALGO COUNTY, TEXAS
BY _____

OLD REPUBLIC SURETY COMPANY

(800) 217-1792

PUBLIC OFFICIAL BOND

Bond Number POB2049383

KNOW ALL PERSONS BY THESE PRESENTS:

That we, PABLO VILLARREAL JR.
of 2804 S BUS. HWY 281, EDINBURG, State of Texas, as Principal, and
the Old Republic Surety Company organized under the Laws of the State of
Wisconsin, as Surety, with its Home Office in
Brookfield in said state, are held and firmly bound unto
HIDALGO COUNTY
DRAINAGE DISTRICT #1 EDINBURG, TX 78539,
as Obligee, in the penal sum of Fifty Thousand Dollars (\$ 50,000.00),
for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors,
administrators, successors and assigns, jointly and severally, firmly by these presents.

SIGNED, SEALED AND DATED this 18th day of December, 2020.

WHEREAS, the above-named Principal has been duly appointed or elected
Tax Assessor-Collector of the HIDALGO COUNTY
State of Texas for the definite/indefinite term beginning on the
January 1, 2021 and ending on the January 1, 2025.

NOW, THEREFORE, the condition of the foregoing obligation is such, that if the above bounded Principal shall faithfully perform such duties as may be imposed on him by law and shall honestly account for all money that may come into his hands in his official capacity during the said term, then his obligation shall be void; otherwise to remain in full force and effect; provided, however, that the Surety shall not be liable hereunder for any loss of public money deposited by or in behalf of the Principal with any bank when such loss is occasioned by the failure of such bank faithfully to account for and pay over such money on legal demand; any law, decision, or statute to the contrary notwithstanding.

This bond is further conditioned that the liability of the Surety shall be fully terminated as to future acts of the Principal thirty (30) days after the receipt by the Obligee, of the Surety's written notice of cancellation.

Witness: _____

By: PABLO VILLARREAL JR. Principal

Old Republic Surety Company
Surety

Witness: Amenda Patz

By: Elise Faust
Attorney-in-fact



**OATH OF OFFICE
(COUNTY COMMISSIONERS AND COUNTY JUDGE)**

I, _____, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of _____ of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly swear (or affirm), that I have not directly nor indirectly paid, offered, or promised to pay, contributed nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward for the giving or withholding a vote at the election at which I was elected; and I furthermore solemnly swear (or affirm) that I will not be, directly or indirectly, interested in any contract with or claim against the County, except such contracts or claims as are expressly authorized by law and except such warrants as may issue to me as fees of office. So help me God.

Signed _____

Sworn to and subscribed before me, at _____, Texas, this _____ day of _____, 20_____.

(Seal)

Notary Public
_____ County, Texas

OATH OF OFFICE

(GENERAL)

I, _____, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of _____ of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly swear (or affirm), that I have not directly nor indirectly paid, offered, or promised to pay, contributed nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward for the giving or withholding a vote at the election at which I was elected. So help me God.

Signed _____

Sworn to and subscribed before me, at _____, Texas, this _____ day of _____, 20_____.

(Seal)

Notary Public
_____ County, Texas

THE STATE OF TEXAS } ss
County of _____

The foregoing bond of _____ as _____ in and for _____ County and State of Texas, this day approved in open Commissioner's Court.

ATTEST:

Date: _____, 20_____.

Clerk
County Court _____ County

County Judge,
_____ County, Texas

THE STATE OF TEXAS } ss
County of _____

I, _____, County Clerk, in and for said County, do hereby certify that the foregoing Bond dated the _____ day of _____, 20____, with its certificates of authentication, was filed for record in my office the _____ day of _____, 20____, at _____ o'clock ____ M., and duly recorded the _____ day of _____, 20____, at _____ o'clock ____ M., in the Records of Official Bonds of said County in Volume _____, on page _____.

WITNESS my hand and the seal of the County Court of said County, at office in _____, Texas, the day and year last above written.

Clerk

By _____ Deputy County Court _____ County

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That OLD REPUBLIC SURETY COMPANY, a Wisconsin stock insurance corporation, does make, constitute and appoint:
Elise Faust of Brookfield, WI

its true and lawful Attorney(s)-in-Fact, with full power and authority, not exceeding \$10,000,000, for and on behalf of the company as surety, to execute and deliver and affix the seal of the company thereto (if a seal is required), bonds, undertakings, recognizances or other written obligations in the nature thereof, **(other than bail bonds, bank depository bonds, mortgage deficiency bonds, mortgage guaranty bonds, guarantees of installment paper and note guaranty bonds, self-insurance workers compensation bonds guaranteeing payment of benefits, asbestos abatement contract bonds, waste management bonds, hazardous waste remediation bonds or black lung bonds)**, as follows: Effective Date: 1/1/2021 12:00:00 AM

Bond Number: POB2049383 Bond Amount: Fifty Thousand Dollars \$ 50,000.00

Principal Name: PABLO VILLARREAL JR.

Obligee Name: HIDALGO COUNTY of EDINBURG, TX

and to bind OLD REPUBLIC SURETY COMPANY thereby, and all of the acts of said Attorneys-in-Fact, pursuant to these presents, are ratified and confirmed. This appointment is made under and by authority of the board of directors at a special meeting held on February 18, 1982.

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following resolutions adopted by the board of directors of the OLD REPUBLIC SURETY COMPANY on February 18, 1982.

RESOLVED that the president, any vice president or assistant vice president, in conjunction with the secretary or any assistant secretary, may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the company to execute and deliver and affix the seal of the company to bonds, undertakings, recognizances, and suretyship obligations of all kinds; and said officers may remove any such attorney-in-fact or agent and revoke any Power of Attorney previously granted to such person.

RESOLVED FURTHER that any bond, undertaking, recognizance, or suretyship obligation shall be valid and binding upon the Company

- (i) when signed by the president, any vice president or assistant vice president, and attested and sealed (if a seal be required) by any secretary or assistant secretary; or
- (ii) when signed by the president, any vice president or assistant vice president, secretary or assistant secretary, and countersigned and sealed (if a seal be required) by a duly authorized attorney-in-fact or agent; or
- (iii) when duly executed and sealed (if a seal be required) by one or more attorneys-in-fact or agents pursuant to and within the limits of the authority evidenced by the Power of Attorney issued by the company to such person or persons.

RESOLVED FURTHER that the signature of any authorized officer and the seal of the company may be affixed by facsimile to any Power of Attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the company; and such signature and seal when so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, OLD REPUBLIC SURETY COMPANY has caused these presents to be signed by its proper officer, and its corporate seal to be affixed this 18th day of December, 2020.


 Assistant Secretary



OLD REPUBLIC SURETY COMPANY


 President

STATE OF WISCONSIN, COUNTY OF WAUKESHA - SS

On this 18th day of December, 2020, personally came before me, Alan Pavlic and Karen J. Haffner, to me known to be the individuals and officers of the OLD REPUBLIC SURETY COMPANY who executed the above instrument, and they each acknowledged the execution of the same, and being by me duly sworn, did severally depose and say: that they are the said officers of the corporation aforesaid, and that the seal affixed to the above instrument is the seal of the corporation, and that said corporate seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority of the board of directors of said corporation.




 Notary Public

My Commission Expires: 09/28/2022

(Expiration of notary's commission does not invalidate this instrument)

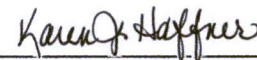
CERTIFICATE

I, the undersigned, assistant secretary of the OLD REPUBLIC SURETY COMPANY, a Wisconsin corporation, CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the Resolutions of the board of directors set forth in the Power of Attorney, are now in force.

0895909



Signed and sealed at the City of Brookfield, WI this 18th day of December, 2020.


 Assistant Secretary

Old Republic Surety Company

PO Box 1635
Milwaukee, WI 53201-1635
www.orsurety.com

NEW BUSINESS – Principal's Copy
Execution Report

PRINCIPAL

PABLO VILLARREAL JR.
2804 S BUS. HWY 281

EDINBURG, TX 78539

OBLIGEE

HIDALGO COUNTY
DRAINAGE DISTRICT #1

EDINBURG, TX 78539

BOND NUMBER: POB2049383

BOND AMOUNT: 50,000.00

BOND DESCRIPTION:

Tax Assessor-Collector

EFFECTIVE DATE: 01/01/2021

EXPIRATION DATE: 01/01/2025

PREMIUM DUE: 888.00

FEES: 0.00

PAYMENT DUE SURETY: 888.00

FULL PREMIUM AND APPLICABLE FEES ARE DUE ON DIRECT BILL BONDS.

BILLING TYPE: D (D-DIRECT BILL, B-AGENCY BILL)

AGENCY 0895909
JESSE TREVINO INS. AGENCY, INC
5835 CALLAGHAN RD STE 320

(210) 521-8803

SAN ANTONIO, TX 78228

REMARKS

None

THANK YOU FOR YOUR BUSINESS.

Old Republic Surety Company

PO Box 1635
Milwaukee, WI 53201-1635
www.orsurety.com

NEW BUSINESS – Agent's Copy
Execution Report

PRINCIPAL

PABLO VILLARREAL JR.
2804 S BUS. HWY 281

EDINBURG, TX 78539

OBLIGEE

HIDALGO COUNTY
DRAINAGE DISTRICT #1

EDINBURG, TX 78539

BOND NUMBER: POB2049383

BOND AMOUNT: 50,000.00

BOND DESCRIPTION:

Tax Assessor-Collector

EFFECTIVE DATE: 01/01/2021

EXPIRATION DATE: 01/01/2025

PREMIUM DUE: 888.00

COMMISSION RATE: 30.0%

FEES: 0.00

COMMISSION DUE AGENT: 266.40

PAYMENT DUE SURETY: 621.60

DIRECT BILL AGENTS – FIRST TERM IS AGENCY BILL AND DIRECT BILL AT RENEWAL.

FULL PREMIUM AND APPLICABLE FEES ARE DUE ON DIRECT BILL BONDS.

BILLING TYPE: D (D-DIRECT BILL, B-AGENCY BILL)

AGENCY 0895909

(210) 521-8803

JESSE TREVINO INS. AGENCY, INC
5835 CALLAGHAN RD STE 320

SAN ANTONIO, TX 78228

REMARKS

None

IF A CONTINUATION CERTIFICATE OR NEW BOND IS REQUIRED AT RENEWAL, IT
WILL BE AVAILABLE ON E-SURETY AT THAT DATE.

THANK YOU FOR YOUR BUSINESS.