

# Texas Water Districts

## A General Guide

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(revised 12/04)

Not all water districts in Texas are the same. Though most are subject to the Water Code, they can vary in size, type, services offered, customer policies, and customer base as well as the authority to manage their operations. That's why it's important for customers to have a general understanding of their water district and its obligations to them and their service coverage area.

If you're a customer, resident, or simply an interested citizen, this guide will give you a general overview of Texas water districts. It offers you helpful tips for handling common customer problems and answers a number of related questions.

### Terms We Use

We use the term *water districts* (or *districts*) to establish a common term among the various types of "general law" and "special law" districts.

The terms *board* and *director* refer to the individual boards and directors who oversee these districts.

The pronoun *we* means staff of the Water Permits and Resource Management Division of the Texas Commission on Environmental Quality (TCEQ).

The phrase *TCEQ rules* means the regulations found in Title 30 of the Texas Administrative Code (TAC).

All codes mentioned in this guide are Texas statutory codes—for example, the "Water Code" is the Texas Water Code. We do not refer to any federal or city codes or regulations in this guide.

## The Basics

### What Is a Water District?

A water district is a local, governmental entity that provides limited services to its customers and residents, depending on the district's type. See "Types of Districts" on page 2 to find out more about the services each type of district provides.

### How Are Districts Created?

Through "general law," a district may be created by the Texas Commission on Environmental Quality (TCEQ) or the county commissioners court. "Special law" districts have been either created by or altered by an act of the Legislature. In the rest of this guide, you'll learn how these two categories of districts differ and how these differences affect customers.

### Who Regulates a District?

Although the Water Code gives the TCEQ a continuing right of supervision over all districts and authorities, we do not control a district's daily operations. TCEQ staff helps district board members and their consultants to understand the complex and varied laws and regulations under which a district must operate.

Districts also must comply with state and federal regulations before they can engage in various activities. For example, the TCEQ regulates drinking water quality and wastewater discharges.

## Districts and the Law

### What Laws Apply to Districts?

"General law" districts must follow Chapters 49 through 66 of the Water Code. These laws describe the powers and duties of each type of district and give administrative rules that districts must follow.

These districts must also comply with other laws. For example, when holding elections for board positions, districts must follow the Election Code. Districts also may have to comply with the Government Code, Health and Safety Code, Local Government Code, Penal Code, and Tax Code. See Table 1, "Finding Legal References" on page 2 for a short list of the laws that may affect a "general law" district.

A "special law" district must comply with its enabling legislation—that is, the act that created the district or altered its powers and functions. The enabling legislation will also indicate other laws that the district must follow—for example, by referring to "the general laws of water districts," which are found in Chapter 49 of the Water Code. Consequently, you will have to research individual legislative acts to determine all the powers and duties of a "special law" district or an authority.

### Where Can I Find Copies of These Laws?

Generally, you can find state laws on the Legislature's Web site ([www.capitol.state.tx.us](http://www.capitol.state.tx.us)) or in a number of libraries. If you don't have access to the Internet, try the library that serves your local school, county, city, community college, university, or law school. Many of these libraries offer Internet access to the public for free.

For laws that affect "general law" districts, click on "Texas Statutes" from the Legislature's home page. A community college, university, or law school library may also have hard copies of these laws. Use the citations given in Table 1 on page 2 to look up the law you need.

**Table 1. Finding Legal References**

Find this “general law” topic ...	In ...
TCEQ rules (official version)	Title 30 TAC at <a href="http://www.sos.state.tx.us">www.sos.state.tx.us</a>
“General law” districts (administrative provisions)	TWC Chapter 49
Municipal utility districts	TWC Chapters 49 and 54
Water control and improvement districts	TWC Chapters 49 and 51
Special utility districts	TWC Chapters 49 and 65
Open Meetings Act	TGC Chapter 551
Public Information Act (Open Records)	TGC Chapter 552
Public Funds Investment Act	TGC Chapter 2256, Subchapter A
Public Funds Collateral Act	TGC Chapter 2257
Contract award (competitive bidding)	TWC Chapter 49
Financial activity levels (audits of districts)	TWC Chapter 49
Taxes	Texas Tax Code
Uniform election dates	TEC Chapter 41
Conflicts of interest	TLGC Chapter 171
Impact fees	TLGC Chapter 395
Eminent domain	TPC Chapter 21 TWC Chapter 49

**Key:** TAC—Texas Administrative Code  
 TEC—Texas Election Code  
 TGC—Texas Government Code  
 TLGC—Texas Local Government Code  
 TPC—Texas Property Code  
 TWC—Texas Water Code

If you need to find the enabling legislation for a “special law” district, see if your library has the law books for the legislative session in which the law was passed. You can also search the Legislature’s Web site for specific legislation from the most recent legislative sessions.

## Types of Districts

Texas has many types of districts. The four most common types of districts that provide services to residential customers are municipal utility districts (MUDs), water control and

improvement districts (WCIDs), special utility districts (SUDs), and river authorities.

### MUDs

MUDs engage in the supply of water, conservation, irrigation, drainage, fire fighting, solid waste (garbage) collection and disposal (including recycling activities), wastewater (sewage) treatment, and recreational facilities.

A MUD can require its customers to use its solid waste services as a condition for receiving other MUD services. A MUD may provide solid waste and recycling services through a private company.

While they can develop, maintain, or acquire parks or recreational facilities, MUDs are prohibited from issuing bonds to pay for these facilities. They can, however, set and charge user fees.

### WCIDs

WCIDs have broad authority to supply and store water for domestic, commercial, and industrial use; to operate sanitary wastewater systems; and to provide irrigation, drainage, and water quality services.

### SUDs

SUDs provide water, wastewater, and fire-fighting services, but cannot levy taxes.

### River Authorities

River authorities are “special law” districts that operate major reservoirs and sell untreated water on a wholesale basis. They may have responsibility for flood control, soil conservation, and protecting water quality. Many river authorities also generate hydroelectric power, provide retail water and wastewater services, and develop recreational facilities.

Most river authorities have no authority to levy a tax, but can issue revenue bonds based on the revenues projected to be received from the sale of water or electric power. River authorities often encompass entire river basins, reaching many counties.

## What Districts Can Do

State law gives districts the power to establish the authority, rights, and duties necessary to accomplish the specific purposes for which they are created. The powers of districts created under general law are determined by the type of district. A “special law” district’s powers are determined by its enabling legislation. Most districts have the following powers:

- to incur debt
- to levy taxes
- to charge for services and adopt rules for those services
- to enter contracts
- to obtain easements
- to condemn property

## **Incurring Debt**

Many districts can issue bonds and other forms of debt. The Texas Constitution requires that all debt secured by tax revenues must be approved by district voters. Except for bonds issued by river authorities or bonds sold to a state or federal agency, the TCEQ must approve most district bonds.

## **Levying Taxes**

Not all districts have the power to levy taxes. For example, most river authorities cannot levy a tax. With voter approval, other districts may levy a maintenance tax to cover the costs of operating and maintaining the district's water and sanitary sewer system. The maintenance tax rate authorized by voters cannot be exceeded without additional voter approval.

Districts may also ask voters to authorize unlimited tax bonds. In authorizing these bonds, the voters also approve an unlimited debt service tax to pay off the bonds. After these bonds are issued, the district's board of directors must levy an annual property tax sufficient to cover the district's outstanding debt. This tax is levied on all property in the district based on appraised value—regardless of the services received by each landowner.

To find out how you can learn more about your district's taxing authority, see "Notice of Tax Rate" on page 7.

## **Charging for Services and Adopting Rules**

Districts may adopt rules to govern their methods, terms, and conditions of service. These rules also may address water distribution, conservation, and the safety and sanitation of sewer systems. Districts must keep their rules on file at their main office.

Persons who violate a district's rules can be subject to penalties. Also, a district can stop providing its services for nonpayment of an authorized charge. Districts may employ peace officers who can arrest individuals whose actions violate district rules on land owned or controlled by the district. These peace officers can also make arrests to prevent violations of state laws.

## **Entering Contracts**

Districts may contract for goods and services. When there is a need to contract for the construction, repair, or purchase of district facilities, a district must seek bids as follows, based on the value of the contract:

- *\$25,000 or more*—advertise the proposed contract and seek competitive bids
- *\$15,000 to \$25,000*—seek written competitive bids from at least three bidders
- *less than \$15,000*—no need to advertise or seek competitive bids

Competitive bidding requirements do not apply to contracts for a utility service operator. State law prohibits districts from considering competitive bids for certain professional services, including the services of engineers, architects, or auditors.

## **Obtaining Easements**

Districts can obtain and use easements to access land owned by another person to install, inspect, repair, and maintain distribution and collection lines.

## **Condemning Property**

Most districts have the right of eminent domain, which gives them the power to condemn any land, easement, or other property inside or outside the district's boundaries when the district needs that property for any district project or purpose—for example, a water, sewer, storm drainage, flood drainage, or flood control project.

## **Your District's Directors**

### **What Do the Directors Do?**

The directors are responsible for the business of the district, including those functions they have contracted to a general manager, operator, or another party. They also manage and control the financial management, employment, and purchasing needs of the district. Directors establish policies to manage this process.

### **How Are Directors Selected?**

The governmental body creating a district usually appoints a temporary board of directors to serve until elections are held. Usually, district voters elect permanent directors. See "Participating in Elections" on page 6 for more information about these elections.

Some "special law" districts are governed by a board of directors appointed by a city or other governmental entities. For example, a river authority's directors may be appointed by the governor, the Texas Water Development Board, or the cities that purchase water from the river authority.

Directors of "general law" districts must meet the qualifications for serving as stated in the Water Code. To view a chart describing these qualifications on our Web site ([www.tceq.state.tx.us](http://www.tceq.state.tx.us)), access our Subject Index and choose "districts." Look through our pages for the link to "District Director Qualifications Chart."

### **How Can I Find Out Who These Directors Are?**

Districts must file a registration form with the TCEQ to identify their directors and key consultants. Consequently, you have these four options for learning who your district's directors are:

- Call the district's office and ask for the directors' names, mailing addresses, and telephone numbers.
- Go to the district's office and ask to view the form that has been filed with the TCEQ.
- Ask for a copy of the form. (The district is allowed to charge you a copying charge.)
- Call the TCEQ at 512/239-6100 to get this information over the phone.

### **Are These Directors Paid?**

Although directors of “general law” districts do not receive a salary, they can choose to be paid a “per diem” or to receive “fees of office” for conducting the affairs of the district. Directors who receive fees of office are also entitled to be reimbursed for the actual expenses they incur while engaging in district activities. District directors may receive \$150 per day the director actually spends working as the director for the district.

Under “Directors’ Pay Statements” on page 7 of this guide, you can find out how you can learn more about the pay your district’s directors receive. If you would like a full explanation of the payments directors can choose to receive, see “Rules for Director Compensation” in the March 1998 issue of *Water District Update*. See “Getting TCEQ Publications” on page 8 of this guide to find out how you can get a copy of this newsletter.

Compensation levels for directors of “special law” districts are usually established by each district’s enabling legislation.

### **Can Directors Be Recalled?**

Texas state law does not provide for the recall of district directors. If you are concerned about this or any other state law, contact your state senator, your state representative, or both.

### **May I Attend the Directors’ Meetings?**

Generally, yes, you may. Contact your district’s office to find out when and where the directors meet. See “Attending Board Meetings” on page 6 to learn more about your right to attend these meetings.

## **Billing, Rates, and Services**

### **Billing**

#### **What Should I Do If I Have a Dispute about My Bill?**

First, direct questions or complaints about your bill to the district’s general manager, operator, or office staff. Make a written note of whom you spoke to, when, and their response. If you can’t get your concerns resolved by working with district staff, approach your district’s board of directors.

#### **May I Delete a Voluntary Payment from My Bill?**

Yes. You may delete any voluntary contribution or donation from your bill without a penalty. Your district cannot cut off your service to “enforce” the payment of a *voluntary* contribution. The voluntary contribution is not subject to late-payment penalties.

#### **Can They Make Me Pay Another Person’s Bill?**

Usually not. If an earlier customer left an unpaid bill, the district generally must use that customer’s deposit to pay the outstanding balance. However, the district may refuse to serve you until you pay a prior customer’s bill under either one of these circumstances:

- You and the prior customer had a legal relationship that caused you to be liable for the debts of the prior customer.
- You have agreed in writing to be responsible for the charges incurred by the prior customer.

#### **I Used No Water for Months, But Still Got Billed. Why?**

If you did not ask the district to terminate your service, the district may assess a minimum service charge each billing period, regardless of whether you actually use the service. On the other hand, if the district terminated your service—with or without your request—you should not be billed for this minimum service charge.

If you would like to have your service cut off while you are away, remember that your district is allowed to charge you for the cost of disconnecting and reconnecting its services. Although your district must honor your request to terminate service, you should consider which is cheaper if you plan to return—to pay the cost of terminating service plus the related fees to renew services, or to keep an inactive account and pay a minimum charge each billing period.

#### **Am I Responsible for Leaks?**

You are responsible for water lost from leaks at the water meter or in your plumbing—including the pipes leading from the meter to your home. You should get leaks repaired as quickly as possible. Keep records to document the repair.

You may approach your district’s board of directors to see if they will consider adjusting your account. Although the district is not required to adjust your bill, most districts allow for a one-time account adjustment. However, if you did not repair the leak promptly, or if your property has a history of leaks, the directors may choose not to allow you an adjustment on the amount owed.

### **Rates**

#### **Does Anyone Review a District’s Rates?**

Although rates should reflect the true cost of service, the TCEQ does not have the authority to review these rates unless customers appeal a rate change. Usually, a district will have a consultant develop rates that, if appealed, can be demonstrated to be reasonable and not to discriminate against a class of users.

#### **How Can I Appeal a Rate Change?**

To appeal a rate change, you must submit the original petition and four copies to the TCEQ. Also, you must send a copy of the petition to your district within 90 days after the rate change goes into effect. This petition must be signed by 10 percent of the ratepayers *whose rates will change*—or by 10,000 of these ratepayers, whichever is less.

To learn all you would need to know about appealing a recent rate change, read *Appealing a Rate Change Decision* (TCEQ publication GI-24) or call us at 512/239-4691.

### **Can They Make Me Pay a Deposit?**

Yes. The Water Code allows districts to require a deposit for any services or facilities furnished. Districts do not have to pay interest on deposits or return deposits after a set amount of time has passed. Typically, a district will hold a customer's deposit until the account has been terminated and all outstanding balances have been paid.

### **My Lot is Vacant. Why Am I Getting a Bill?**

It depends on who sent you the bill and what type of bill they sent you. First, be sure that the bill actually came from your district. Sometimes a homeowners' association (HOA) or a property owners' association (POA) will charge fees that are easy to confuse with district fees.

If the bill is from your water district, then see what kind of bill it is. In addition to bills for monthly service, many districts can—and do—charge property taxes, standby fees, and other fees.

### **What Is This “Standby Fee”?**

A standby fee could be charged by your district, your HOA, or your POA—so check to see who sent you the bill. To add to the confusion, the meaning of the term “standby fee” is different, depending on whether the bill is from your association (HOA or POA) or your district.

Standby fees charged by HOAs and POAs are typically authorized by deed restrictions and may cover any of a variety of expenses paid by the association. The TCEQ has no authority to review these fees. Be sure to examine your deed restrictions carefully for any mention of these required standby fees.

A standby fee charged by your *district* is a charge, other than a tax, imposed on undeveloped property because water, wastewater, or drainage facilities and services are available. A district that wishes to assess these fees must apply to the TCEQ for permission. To continue assessing these fees, districts must file a new application about every three years.

### **Why Would I Be Charged a Standby Fee?**

These fees are used to allocate the costs associated with the district's facilities and services among property owners who *have* improved their property and those who *have not* improved their property. Since most district taxes are based on property value, the owner of an improved property—a residential lot with a home, for example—will pay more in taxes than someone who owns a vacant lot because of the difference in values. But districts build facilities expecting to provide services to *all* lots. The standby fee is a way to ensure that owners of vacant land pay their fair share of the costs of establishing service.

Remember, the district can use these methods to require you to pay a standby fee:

- by placing a lien on the property—and ultimately by foreclosing;
- by charging 1 percent interest per month on any standby fee that is not paid in a timely manner;

- by refusing to provide potable (drinkable) water, sanitary sewer, or drainage services to your property until you pay in full all delinquent standby fees and interest.

## **Services**

### **Can My Service Be Cut Off?**

Yes. Districts have authority to stop providing service to prevent abuses or enforce payment. For example, a district may cut off service to any customer who has not paid a charge, fee, rental, or a six month delinquent tax. However, district directors must ensure that their policies give the customer notice that service is about to be cut off and allow the customer an opportunity to arrange for payment.

### **What Can I Do If I Pay Taxes But the District Won't Serve My Property?**

Paying taxes is not always enough to ensure that you get service. Does the district have enough unreserved capacity available? If so, you may need to pay a charge to hook up to the district's facilities *in addition to* paying your property taxes. On the other hand, if your district does not have enough capacity to serve your property, the TCEQ cannot compel your directors to build a new plant just to serve your property. You should approach your board about planning for future capacity.

Also, although the nearest water or sewer line may be near the edge of your property, you must pay the cost of extending a line to the point where you want your services provided. If this is an issue for you, you should have a discussion with your district about the services needed to accommodate your current and future needs.

### **Must I Connect to the District's Sewer System?**

Usually not, but districts in specific areas of the state can require you to connect to their sewer systems. These districts are in counties in which any political subdivision has received financial assistance for an “economically distressed area.” These areas could be anywhere in the state.

### **Can I Get My Lot Out of the District?**

Not if the district has issued tax bonds in the past—even if those bonds have already been paid off. State law is very strict in this area. If no election has been held authorizing the issuance of bonds payable in whole or in part from taxes, directors may call a hearing to consider the question of excluding your land from the district.

## **Help Your District Succeed: Participate!**

A district's success is determined by the combined efforts of its governing board, local residents, and its customers. The directors are responsible for defining the district's objectives, setting policy, and providing management oversight. The

directors should hire, annually evaluate, and retain knowledgeable and highly skilled employees and consultants to help in the district's operations and management.

As a customer or resident, you can help your district provide efficient and effective services in these ways:

- Become acquainted with your board members. Usually they are your neighbors.
- Educate yourself about your district's powers, duties, and abilities.
- Inform yourself about the issues.
- Attend district board meetings.
- Share your concerns and opinions with the board. Suggest a course of action.
- Be active in your district's election process. Promote and vote for directors who are willing to address your concerns.

Participating is the best way to ensure that your district succeeds.

## Attending Board Meetings

The best way to inform yourself about and participate in your district's business is to attend the district's board meetings. State law—the Texas Open Meetings Act (OMA)—is very specific in stating when and how your board must meet.

### The Open Meetings Act

The OMA requires that all significant actions of the district result from the vote of a quorum of the district's directors in a properly posted open meeting. To "properly post" any meeting, the directors must post a meeting notice in a place that is continually accessible to the public for at least 72 hours before the meeting. This meeting notice must state the date, hour, place, and agenda of the board meeting.

Your district's directors must also follow these rules in their open meetings:

- Allow the public to attend and make any reasonable accommodations necessary.
- Address only those items posted on the agenda.
- Allow any member of the public to videotape or record all or any part of the meeting. (Directors may adopt rules to specify where the recording equipment may be placed and how the recording can be made.)

Although the OMA requires the board to post their agenda and to allow the public to attend meetings, this law does not entitle the public to choose agenda items or speak at the meeting.

To find out about your district's open meetings and where meeting notices are posted, call the district office. If you don't know the district's telephone number, call the TCEQ at 512/239-6100 for assistance.

### Exceptions to the OMA

The OMA is especially strict in requiring that meetings be posted at least 72 hours before the meeting. Exceptions are

allowed to this provision for emergencies only. "Emergencies" typically involve either imminent threats to public health and safety or unforeseeable situations that require immediate action.

Meetings may be closed to the public under limited circumstances—contract negotiations, consultations with the board's attorney about litigation, consideration of personnel matters, real property transactions, and security deployment. However, the board may not take any final action, make any decisions, or vote on these matters during the closed session. These actions must occur in an open meeting. Usually, this open meeting immediately follows the closed session.

### Reporting Violations of the OMA

If you suspect that a public board or commission has violated the OMA, contact your local county attorney or district attorney. Neither the Texas Attorney General's Office nor the TCEQ has legislative authority to enforce the OMA.

### To Find Out More about the OMA ...

Direct any of your questions about the OMA to the Attorney General's Office at 512/478-6736 (478-OPEN). You can get a copy of their publication, *Open Meetings Act Handbook*, in these two ways:

- Contact the Attorney General's Office at 512/463-2100.
- Go to their Web site at [www.oag.state.tx.us](http://www.oag.state.tx.us).

## Participating in Elections

To participate effectively in elections, you must know when they are held and how they should be run. See "How Are Directors Selected?" on page 3 to find out which types of districts hold director elections.

### When Are Director Elections Held?

For "general law" districts and some "special law" districts, director elections are held in even-numbered years on uniform election dates—either the first Saturday in February or the first Saturday in May. The best way to find out where and when elections are held for your district is to contact your district office.

In a district election, voters elect the appropriate number of directors for four-year terms. Most "special law" district directors are appointed by one or more cities or other governmental entities.

### What If the Election Doesn't Seem Right?

If you suspect that anything irregular occurred in a district election, you must file to contest the election with the local district court within 30 days after the election. Before you do, call the Secretary of State's Office at 1-800-252-8683 to discuss what seemed wrong to you. The Secretary of State's Office can answer any questions you may have about how elections should be run.

## Staying Informed

Two easy ways to inform yourself about issues in your water district are to attend the board meetings and, for major issues, to read the local newspapers. But by studying a number of documents that your district must make available to the public, you may be able to learn even more. See “Using the Public Information Act” on this page to find out how you can view or get copies of your district’s open records.

Three documents that can give you useful information about your district are the notice of tax rate, the notice to purchaser form, and your district’s audited financial statements.

### Notice of Tax Rate

Under the Property Tax Code, districts that collect property taxes must publish a notice of the tax rate before they set or change tax rates. Most districts file this form once each year. You can ask your district for a copy of this document.

Also, the district’s board of directors must hold a public hearing if they want to raise the “effective tax rate.” The “effective tax rate” must be high enough to cover all of the district’s debts without any other source of income. This may not be the actual rate that your district charges. You can attend this hearing and offer your comments.

For more information about your property taxes, call the Comptroller of Public Accounts, Property Tax Division, at 1-800-252-9121, and tell them you would like to know more about “ad valorem” taxes.

### Notice to Purchaser Form

Most districts that provide retail utility or drainage services must prepare a form called the “notice to purchaser.” This notice states the name of the district, the total amount of bonds authorized by voters, the amount of tax-backed bonds issued, the current tax rate, the current standby fee, and other pertinent information.

A law that became effective September 1, 1999, added information to the list that districts must disclose in this notice. The notice to purchaser must now state whether the property is located in a city’s boundaries or its extraterritorial jurisdiction and the name of the city in which the district is located. The notice must also disclose that the city can annex and dissolve the district without the consent of the district’s voters or its board of directors.

If you sell property in one of these districts, it is usually your responsibility to provide this information to a prospective buyer when the contract for sale is signed. There is no requirement that the notice be provided both before entering into the contract for sale and at closing. Districts must file this information with the county clerk and must designate an “agent of notice”—usually someone in the district’s office—who you may contact for this information. The name of this agent must also be filed with the TCEQ, so call us at 512/239-6100 if you have trouble finding your district’s agent of notice.

## Audited Financial Statements

Your district must have an annual audit prepared by an independent auditor if it meets any one of these criteria:

- The district has bonds outstanding.
- The district’s gross receipts for the fiscal year were over \$100,000.
- At any time during the fiscal year, the district’s cash and temporary investments exceeded \$100,000.

Among other information, this audit would tell you the total amount paid to each director and the district’s consultants during the fiscal year.

Copies of this audit are filed in the district’s office and with the TCEQ. To view your district’s audit, contact your district’s office or call the TCEQ’s Records Services at 512/239-2900.

## Directors’ Pay Statements

Regardless of whether your district must prepare an audited statement, each district director must file a verified statement about the work performed for the district to receive either a fee of office or a per diem. This statement must show the number of days the director spent in the service of the district and give a general description of the duties performed for each day.

These statements are kept in each district’s official records. If your district has an office, its official records might be kept at that office. Sometimes, these files are maintained by the district’s attorneys, general manager, operator, or other consultants. We have suggested that districts keep these types of records for five years.

## Using the Public Information Act

The Texas Public Information Act gives you the right to inspect and copy any record that is considered “public” or “open.” Under this act, also known as the “Open Records Act,” your district must promptly allow you to view or duplicate any open record you ask to see. You may not remove the original copies of public records from the district’s office, but you may view and copy them in the district’s office.

Under the Open Records Act, the district may require you to put your request in writing. The district may also charge you for making copies, sometimes including reasonable amounts for labor involved in retrieving and copying the records.

If you have more questions about the Open Records Act, call the Attorney General’s Office at 512/478-6736 (478-OPEN). The Attorney General’s Office also publishes a guide called the *Open Records Act Handbook*, which you can obtain in either of these two ways:

- Call the Attorney General’s Office at 512/463-2100.
- Go to the Attorney General’s Web site at [www.oag.state.tx.us](http://www.oag.state.tx.us).

## Assistance With Concerns

If your concerns aren't resolved to your satisfaction by the district's board of directors, or if you question the board's actions or suspect possible mismanagement of the district, please contact your local county or district attorney's office for assistance with your concerns.

If you would like more information on Texas water districts, please contact us.

*Send your letter to:*

Districts & Utilities Section MC 152  
Water Supply Division  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

*Call:* 512/239-6100

*Send an e-mail to:* [wu@tceq.state.tx.us](mailto:wu@tceq.state.tx.us)

*Or visit our Web site:* [www.tceq.state.tx.us](http://www.tceq.state.tx.us)

Our Web site contains information about our commissioners and their meeting agendas, agency publications, and proposed and adopted rules. You will also find links to the agency's many divisions and programs.

## Getting TCEQ Publications

There are four easy ways to get any TCEQ publication mentioned in this guide:

- Look under "Forms & Publications" on our Web site at [www.tceq.state.tx.us](http://www.tceq.state.tx.us).
- Fax your request to our Publications Unit at 512/239-4488.
- Call our Publications Unit at 512/239-0028.
- Mail your request to:  
Publications MC 195  
TCEQ  
P.O. Box 13087  
Austin TX 78711-3087

Orders are filled as we receive them. Individual copies are free; there may be a charge for multiple copies of the same publication.

## Making Sure Your Concerns Are Addressed

Unless your district's directors are aware of your specific concerns, they cannot respond in an informed, proactive manner. To enable them to respond effectively, you must give them a factual account of your particular situation. Though there's no guarantee, you can improve your chances of having your concerns addressed by taking these steps:

- Briefly outline your situation, concerns, or questions.
- Write a letter based upon that outline.
- Indicate in your letter whom you contacted to resolve the situation—and when.
- Clearly state what outcome or resolution you are seeking from the board.
- Send the letter to the district's board of directors by certified mail.
- Keep a copy of the letter for your records.
- Ask to be placed on the agenda of the next board meeting to have the directors address your concerns. (Remember that directors can make a decision only during a properly posted, open board meeting.)
- Attend the board meeting to present your situation.

If one director is unresponsive to your concerns, try approaching another director. And keep in mind that your district's voters elect the directors to serve the community. If you're not voting in each election, you're giving up your strongest avenue of relief.