

SAN ANTONIO MUNICIPAL UTILITY DISTRICT NO. 1

MAY 10, 2023

MINUTES

**STATE OF TEXAS
COUNTY OF BEXAR**

The Board of Directors of the San Antonio Municipal Utility District No. 1 convened in Special Session, open to the public and pursuant to Notice duly given at 6:30 p.m., at 16450 Wildlake Blvd, Helotes, Texas 78023, on the 10th day of May 2023, with the following member's present to-with:

Robert Kuhn, President
Zulema Fuentes-Real, Vice-President
Bill Burn, Treasurer
Dale Ferguson, Secretary
Max Hooti, Assistant Secretary

and no members absent, thus constituting a quorum. Also present were Debra Conkle, Executive Administrator, John Bartholomae, Chris Lauderdale, Craig Hall, Dan Gonzales, Diana Killough and Julie Zapata, San Antonio Ranch residents.

President Kuhn called the meeting to order; recitation of the Pledge of Allegiance and announced that the first item of business would be:

I. CONSENT AGENDA:

- 1. REVIEW AND APPROVAL OF THE MINUTES OF THE MEETING HELD
APRIL 12, 2023**
- 2. REPORT CONCERNING MARCH 2022 TAX COLLECTIONS**
- 3. REVIEW AND APPROVAL OF ACCOUNT BALANCES/BILLINGS
INCURRED AND AUTHORIZATION OF EXPENDITURES**

Director Burn moved that the Board approve the items within the consent agenda as follows. Director Ferguson seconded the motion, which passed by unanimous vote of the Directors present.

II. STATUS REPORTS:

II. (A.) DISCUSSION REGARDING 2022/2023 PROJECTS/PLANS

1. Fence Addition to Control Dumping

President Kuhn stated that this item was for the fence on the south side of Ranch Parkway and NOT the fence to control dumping. He stated that he had received a bid for \$21,996.00 to replace the whole fence in wood material. After a lengthy discussion and many ideas/options, it was the consensus of the Board to investigate different alternatives to repair the fence on the south side of Ranch Parkway.

SAN ANTONIO MUNICIPAL UTILITY DISTRICT NO. 1

APRIL 12, 2023

MINUTES

**STATE OF TEXAS
COUNTY OF BEXAR**

The Board of Directors of the San Antonio Municipal Utility District No. 1 convened in Special Session, open to the public and pursuant to Notice duly given at 6:30 p.m., at 16450 Wildlake Blvd, Helotes, Texas 78023, on the 12th day of April 2023, with the following member's present to-wit:

Robert Kuhn, President
Zulema Fuentes-Real, Vice-President
Bill Burn, Treasurer
Dale Ferguson, Secretary
Max Hooti, Assistant Secretary

and no members absent, thus constituting a quorum. Also present were Debra Conkle, Executive Administrator, John Bartholomae, Chris Lauderdale, Trey Fernandez, Bill Ellison, Victor Alessandro, Denise Slabaugh, Craig Hall, Dan Gonzales and Julie Zapata, San Antonio Ranch residents.

President Kuhn called the meeting to order; recitation of the Pledge of Allegiance and announced that the first item of business would be:

I. CONSENT AGENDA:

- 1. REVIEW AND APPROVAL OF THE MINUTES OF THE MEETING HELD MARCH 8, 2023**
- 2. REPORT CONCERNING FEBRUARY 2022 TAX COLLECTIONS**
- 3. REVIEW AND APPROVAL OF ACCOUNT BALANCES/BILLINGS INCURRED AND AUTHORIZATION OF EXPENDITURES**

Director Ferguson moved that the Board approve the items within the consent agenda as follows. Director Burn seconded the motion, which passed by unanimous vote of the Directors present.

II. STATUS REPORTS:

II. (A.) DISCUSSION REGARDING 2022/2023 PROJECTS/PLANS

1. Fence Addition to Control Dumping

President Kuhn presented an estimate of \$573.54 for this project. Director Burn moved that the Board approve this estimate for this project. Director Hooti seconded the motion, which passed by unanimous vote of the Directors present.

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4-12-2023

2. Bulk Trash Pick Up

Director Ferguson informed the Board that Waste Management will be discontinuing service as of July 28, 2023. The Board would need to require this annual service with whichever contractor is chosen. It was the consensus of the Board that Directors Ferguson and Hooti work together to find a replacement provider.

There was no discussion on Bulk Trash pickup, however, it was reported that the County would provide containers for Brush pick up. The County will only provide this service through the HOA.

II. (B.) DISCUSSION REGARDING MAINTENANCE AND APPEARANCE OF DISTRICT PROPERTY

1. PROPERTY MAINTENANCE

a. MUD Building/Tennis Court Parking Lot Reseal

President Kuhn presented an estimate of \$5,234.00 for this project. Director Hooti reminded the Board that SAWS uses the MUD Building parking lot as an easement to the property beyond the gate and that their trucks are doing much of the damage to the parking lot. He volunteered to contact SAWS to see if they could help with some of the cost of the repaving of the MUD Building parking lot. It was also the consensus of the Board that President Kuhn contact the SAWS engineer on their Lift Station Project to inform them that the paved road out to Highway 16 would need to remain as it is an emergency exit.

b. Motion Light for Tennie Court

c. Install Gate at Tennis Court

President Kuhn stated that these items are on hold at the present time.

2. UNLAWFUL DUMPING

There was no unlawful dumping to report at this time.

II. (C.) DISCUSSION REGARDING BUILDING MAINTENANCE

1. Ceiling Repair

President Kuhn stated that he was having a hard time finding contractors for this project.

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- II. (D.) BRIEFING REGARDING DISTRICT INSURANCE STATUS
- II. (E.) DISCUSSION REGARDING REQUESTS FOR USE OF THE MUD BUILDING
- II. (F.) SECURITY - GENERAL
- II. (G.) PUBLIC RELATIONS

There was nothing to report on these items at this time.

III. UNFINISHED BUSINESS

- III. (A.) DISCUSSION AND POSSIBLE ACTION REGARDING PREPARATION FOR DISSOLUTION OF THE SAN ANTONIO MUNICIPAL UTILITY DISTRICT NO. 1

- III. (B.) DISCUSSION AND ACTION REGARDING TRANSITION TO HOA

President Kuhn stated that the Board is working on these items.

- III. (C.) DISCUSSION AND POSSIBLE ACTION REGARDING TRANSFERRING TENNIS COURTS PROPERTY AND OTHER SAN ANTONIO MUNICIPAL UTILITY DISTRICT NO. 1 PROPERTIES TO THE CONSERVATION EASEMENT

President Kuhn stated that the Conservation Board is drawing up the documents and preparing for survey and appraisal.

- III. (D.) DISCUSSION AND POSSIBLE ACTION REGARDING WASTE MANAGEMENT'S INTENT TO PROVIDE 96 GALLON CONTAINERS OR END THE CURRENT CONTRACT AT THE TERM END

Director Burn suggested that the District not require a recycling program with a new provider due to the cost and instead propose two (2) service days per week. He also stated that the 96-gallon container would not be a requirement.

IV. NEW BUSINESS

- IV. (A.) UPDATE ON SAN ANTONIO RANCH HOA REQUEST TO USE MUD TAX DOLLARS FOR PRIVATE ROAD REPAIR

Director Ferguson stated that he had asked the question to legal counsel and their response was "A MUD only has those powers granted to it by statute and as provided for in its formation documents. San Antonio MUD #1 was not granted road powers. As such, the District is not authorized to spend its revenue on roads".

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4-12-2023**

Director Hooti stated that he thinks it is a matter of interpretation and would like to discuss it more in Executive Session.

Director Hooti also informed the Board that he was presented some information on this subject from a gentleman from Bexar County. Bexar County may have a program to have streets reviewed or nominated for repair.

**IV. (B.) DISCUSSION AND POSSIBLE ACTION REGARDING
CITIZEN' CONCERNS AND CUSTOMER CORRESPONDENCE**

President Kuhn reminded the Board that some Los Reyes residents are having problems with people getting off the walking trails and trespassing onto private property. He stated that he had contacted the Conservation Board to see if they could put up signs and was told that they would not install any signage. He further stated that he had received an estimate from Flasher Equipment for 4 signs at a cost of \$48.00 each and suggested the cost be split with the resident and that the resident be required to install them. After a lengthy discussion, it was the consensus of the Board to not do anything for this private property but will look into refurbishment of the existing signs.

It was noted that the Apacheria street sign had been stolen.

V. EXECUTIVE SESSION:

- A. EXECUTIVE SESSION. The Regular Session of the April 12, 2023 Regular Board Meeting is hereby recessed to hold an Executive Session and discuss matters pursuant to Sections 551.071 and 551.072 of the Texas Open Meetings Act to deliberate the purchase, exchange, lease, or value of real property as listed in Section III above for the purpose of avoiding a detrimental effect on the position of the Board of Directors in negotiations with third parties and to discuss such matters with legal counsel and to discuss certain other legal matters with legal counsel pursuant to section 551.071 at 7:29 p.m.**

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An Executive Session was called to have a conversion regarding actions taken by the President of the Board.

V. B. RECONVENE REGULAR SESSION. The Regular Session of the Regular Board Meeting of April 12, 2023, is hereby reconvened at 7:51 p.m.

There being no further business, the meeting was adjourned at 7:51 p.m.

Robert L. Kuhn, President
San Antonio Municipal Utility District No. 1

ATTEST:

Dale Ferguson, Secretary
San Antonio Municipal Utility District No. 1

(seal)

**SAN ANTONIO MUNICIPAL UTILITY DISTRICT #1
 REPORT OF OPERATIONS
 5/10/2023**

REVENUES

Collections this period (Maint. Tax)	3/23	\$6,578.36
Miscellaneous Revenue:		
TOTAL REVENUE THIS PERIOD		\$6,578.36

EXPENSES

Auditing		
Waste Management		\$5,805.20
AT & T Mobility		\$71.49
AT & T U-Verse		\$96.78
CITY PUBLIC SERVICE:		
# 2096723016 SA MUD OFFICE		\$43.91
SAN ANTONIO WATER SYSTEMS:		
# 0514993248891 SA MUD OFFICE		\$38.47
DIRECTORS FEES:		
B. BURN		
R. KUHN		
Z. FUENTES-REAL		
D. FERGUSON		
M. HOOTI		
PROPERTY MAINTENANCE		
LEGAL FEES		\$336.00
INSURANCE		
EXECUTIVE ADMINISTRATOR JUNE 2023		\$2,077.90 **
PETTY CASH		\$106.60
MISCELLANEOUS:		
City Public Service - Street Light		\$24.13
IRS Payroll Deposit April 2023		\$516.38
Jim Berbiglia - Reimb for weedeater gas		\$29.99
Post Office Box Annual Rent		\$210.00
TOTAL EXPENSES FOR THIS PERIOD:		\$9,356.85
REVENUES MINUS EXPENSES THIS PERIOD		(\$2,778.49)

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 REPORT OF OPERATIONS
 NOTES, TRANSFERS AND DEBT SERVICE EXPENDITURES
 5/10/2023

NOTES:

** Previously Paid

*** Pending Invoice

**** Previously Approved

TAX CLEARING AND FUND TRANSFERS:

FROM	TO		AMOUNT
1. FROST CLEARING	FROST OPERATING	check	\$6,578.36
2. FROST CLEARING	TEX POOL OPERATING	WIRE	
3. FROST CLEARING	TEX POOL DEBT SERVI	WIRE	\$2,442.98
4. TEX POOL OPERATING	FROST OPERATING	WIRE	
5. FROST CLEARING	TEX POOL CLEARING	WIRE	
5. FROST CLEARING	TEX POOL DEBT SERVI	WIRE	
6. FROST DEBT SERVICE	TEX POOL DEBT SERVI	WIRE	
7. TEX POOL CLEARING	TEX POOL OPERATING	\$12,985.42	
8. TEX POOL CLEARING	TEX POOL DEBT SERVI	\$4,771.54	
9. FROST OPERATING	TEX POOL OPERATING	WIRE	
10. TEX POOL DEBT SERVICE	FROST DEBT SERVICE	WIRE	
TOTAL TAX CLEARING & FUND TRANSFERS			----- \$9,021.34

DEBT SERVICE EXPENDITURES:

Total Debt Service Expenditures \$0.00

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5-10-2023

2. Bulk Trash Pick Up

Director Ferguson informed the Board that the new waste service provider would provide bi-annual bulk trash collection and that this item could be removed from the agenda.

There was no discussion on Bulk Trash pickup, however, it was reported that the County would provide containers for Brush pick up. The County will only provide this service through the HOA. This item can also be removed from the agenda.

II. (B.) DISCUSSION REGARDING MAINTENANCE AND APPEARANCE OF DISTRICT PROPERTY

1. PROPERTY MAINTENANCE

a. MUD Building/Tennis Court Parking Lot Reseal

Director Hooti informed the Board that he had contacted SAWS and presented a claim for the parking lot repairs. However, SAWS rejected the claim due to the fact that the parking lot is, in fact, an easement granted to them previously by the Board. President It was the consensus of the Board to postpone the reseal of the MUD building parking lot until the current SAWS project is complete.

It was the further consensus of the Board that President Kuhn contact SAWS regarding the emergency exit.

Director Ferguson moved that the Board approved the Tennis Court Parking Lot Reseal estimate of \$5,365.63. Director Hooti seconded the motion, which passed by unanimous vote of the Directors present.

b. Motion Light for Tennis Court

c. Install Gate at Tennis Court

After a brief discussion, it was the consensus of the Board that these items be removed from the agenda.

2. UNLAWFUL DUMPING

It was reported that pallets had been dumped but will allow time for the contractor to clean up.

S.A. MUD#1
5-10-2023

II. (C.) DISCUSSION REGARDING BUILDING MAINTENANCE

1. Ceiling Repair

President Kuhn stated that he was having a hard time finding contractors for this project.

II. (D.) BRIEFING REGARDING DISTRICT INSURANCE STATUS

II. (E.) DISCUSSION REGARDING REQUESTS FOR USE OF THE MUD BUILDING

II. (F.) SECURITY - GENERAL

II. (G.) PUBLIC RELATIONS

There was nothing to report on these items at this time.

III. UNFINISHED BUSINESS

III. (A.) DISCUSSION AND POSSIBLE ACTION REGARDING PREPARATION FOR DISSOLUTION OF THE SAN ANTONIO MUNICIPAL UTILITY DISTRICT NO. 1

III. (B.) DISCUSSION AND ACTION REGARDING TRANSITION TO HOA

President Kuhn stated that the Board is working on these items.

III. (C.) DISCUSSION AND POSSIBLE ACTION REGARDING TRANSFERRING TENNIS COURTS PROPERTY AND OTHER SAN ANTONIO MUNICIPAL UTILITY DISTRICT NO. 1 PROPERTIES TO THE CONSERVATION EASEMENT

President Kuhn stated that the Appraisers quit so the Conservation Board will need to hire new appraisers before this can be finalized.

IV. (D.) DISCUSSION AND POSSIBLE ACTION REGARDING REPLACEMENT FOR WASTE MANAGEMENT

Debra Conkle reported that she had received the following correspondence from Waste Management regarding their termination of the service contract.

Directors Hooti and Ferguson informed the Board that they had started out with a list of 6 providers and only found one that was interested in providing a contract to the District. Waste Connections and received the following proposal.



WASTE MANAGEMENT

5324 Old Vista Road
Pasadena, Texas

April 11, 2023

San Antonio Municipal Utility District No 1
PO BOX 696
Helotes, Texas 78023

Re: Municipal Solid Waste Collection and Transportation Agreement with Waste Management of Texas, Inc. ("WM")/Notification of Termination

Dear Directors:

WM is proud to be the current provider of waste collection services for San Antonio MUD 1. We appreciate the trust and confidence you have placed in WM to provide and serve the waste and recycle collection needs of the community.

Although WM would welcome the opportunity to extend our current Agreement with San Antonio MUD 1, due to recent assessments completed by our operations team to your current service route, we regret to inform you that we will no longer be able to provide waste and recycle removal services within San Antonio MUD 1.

This letter will serve as WM's notice to San Antonio MUD 1 of its intent not to renew the Agreement. This means the Agreement will expire at the end of its current term (7/31/2023.) Please note that the last scheduled waste service day in your community will be **Wednesday, July 26, 2023**. The last scheduled recycle service day will be **Friday, July 28, 2023**.

We appreciate the relationship we have held with the community. Please do not hesitate to contact me directly at 832-206-9657 or rvance2@wm.com with any questions.

Sincerely,

Reagan Vance

Reagan Vance
Public Sector Marketing Manager
Waste Management of Texas, Inc.

**S.A. MUD#1
5-10-2023**

They stated it would still be the 96-gallon container but, two of them and, not with the use of the "special truck".

The following questions were raised and would need to be answered before finalization of a contract:

Would every household have to have two (2) 96-gallon Containers?

Would the Condor Pass alley be able to be used?

Will the service provider accept different containers?

After a brief discussion Director Ferguson moved that the Board approve, in concept, to accept this proposal and add approval of the contract to the next regular meeting of the board once these questions are answered. Director Hooti seconded the motion, which passed by unanimous vote of the Directors present.

IV. NEW BUSINESS

(B.) DISCUSSION AND POSSIBLE ACTION REGARDING CITIZEN CONCERNS AND CUSTOMER CORRESPONDENCE

Diana Killough stated that the Apacheria street sign is still missing. Director Burn moved to approve the purchase of a new street sign. Director Hooti seconded the motion, which passed by unanimous vote of the Directors present.

Dan Gonzales stated that his appraisal had gone up and he would be protesting it.

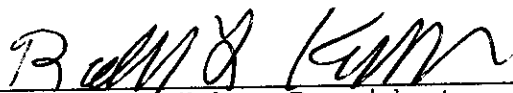
John Bartholomae stated that the HOA is still awaiting a bid for PUD Street repair.

Debra Conkle informed the Board that the Los Reyes resident has threatened legal action if the MUD Board does nothing about those trespassing on this property. It was the consensus of the Board to go ahead and approve the purchase of the signs that had been previously discussed.

Director Ferguson stated that he wants to get updated Aerial Photos for the MUD building.


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5-10-2023

There being no further business, the meeting was adjourned at 7:19 p.m.



Robert L. Kuhn, President
San Antonio Municipal Utility District No. 1

ATTEST:



Dale Ferguson, Secretary
San Antonio Municipal Utility District No. 1

(seal)