CITY OF HARLINGEN WATERWORKS SYSTEM
Regular Board Meeting Minutes
Thursday, January 31, 2013

The Regular Meeting of the Utility Board of Trustees was conducted on the 31st day of January, 2013 at 5:30 P.M. in the Harlingen Waterworks System's Board Room on the second floor at 134 East Van Buren Avenue, in the City of Harlingen, Texas.

City Commissioners Present: Victor Leal

Board Members Present: Cris Villarreal, Chairman
Rick De Los Santos, Vice Chairman
Richard Uribe, Trustee
Josh Fields, Trustee
Michael Garza, Trustee
Carlos Yerena, City Manager, Ex-Officio

Staff Present: Darrell Gunn, General Manager
Bill Hubbard, System Attorney
Elizabeth G. Soto, HR Director
Joyce Lamon, Customer Service Director
Jim Vallely, Wastewater Services Director
Chris Wilmot, Purchasing Director

City Staff: Dan Serna, Assistant City Manager
Javier Zamora, City Engineer

AGENDA ITEM NO. 1: OPEN MEETING AND WELCOME
Chairman Villarreal called the meeting to order at 5:32 P.M. and asked if the Agenda was posted in accordance with the law, Nilda Sanchez responded yes.

AGENDA ITEM NO. 2: PUBLIC COMMENTS
There were no public comments.

AGENDA ITEM NO. 3: APPROVAL OF MINUTES:

a) From the Regular Board Meeting of December 17, 2012.

With no corrections made, a motion to approve the minutes from the Regular Board Meeting of December 17, 2012 was made.

Motion: Richard Uribe
Second: Josh Fields

Motion to approve was carried by a vote of the Board (5-0).

AGENDA ITEM NO. 4: REPORTS AND PRESENTATIONS

a) Report on Delinquent Accounts in excess of $500.
Darrell Gunn stated this was a fairly routine monthly report. Mr. Bill Hubbard, System Attorney, reported he was still taking action on the inactive delinquent accounts on the list. A brief discussion by the Board ensued.

AGENDA ITEM NO. 5: FINANCIALS

Darrell Gunn gave a brief explanation on the updated Financial Reports, ending December 31, 2012. Discussion by the Board ensued.

AGENDA ITEM NO. 6: APPROVAL OF RESOLUTIONS

a) Resolution No. R1213-13: A resolution to reject the sole bid for the 12” force main from Lift Station #5.
Darrell Gunn reported that there was only one bid regarding the advertisement for the 12” Force Main from Lift Station #5. Mr. Gunn explained that several contractors were contacted by telephone from our Wastewater Department staff, however; the response was not as expected. The month of December may have been a busy month due to the holidays so in fairness for all, it was recommended to re-bid this project out for a better opportunity to have several bid offers to choose from.

A motion was made to approve Resolution No. R1213-13– to reject the award bid for the construction contract for the 12” Force Main from Lift Station #5.

    Motion: Michael Garza
    Second: Josh Fields

Motion to approve was carried by a vote of the Board (5-0).
a) **Resolution No. R1213-14: A resolution for participation in the Cooperative Program of the National Joint Powers Alliance (NJPA).**

Darrell Gunn reported that HWWS was authorized to utilize this purchase option according to Texas Statute Chapter 791 Interlocal Cooperative Contract. HWWS was not obligated to purchase from them, however; being a cooperative member would give HWWS the opportunity to compare prices at a national level, allowing the best purchasing power and savings. This contract would not exclude local vendors. Discussion by the Board ensued.

A motion was made to approve Resolution No. R1213-14— to approve participation in the cooperative purchasing program of the National Joint Powers Alliance (NJPA).

- **Motion:** Richard Uribe
- **Second:** Mike Garza

Motion to approve was carried by a vote of the Board (5-0).

b) **Resolution No. R1213-15: A resolution to approve participation in the Cooperative Purchasing Program of the National Intergovernmental Purchasing Alliance (NIPA).**

Darrell Gunn reported that HWWS was authorized to utilize this purchasing option according to Texas Statute Chapter 791 Interlocal Cooperative Contract. Mr. Gunn reported this cooperative specialized in heavy equipment/machinery and would give HWWS the opportunity to compare prices at a national level, allowing the best purchasing power and savings. Discussion by the Board ensued.

A motion was made to approve Resolution No. R1213-15— to approve participation in the Cooperative Purchasing Program of the National Intergovernmental Purchasing Alliance (NIPA).

- **Motion:** Richard Uribe
- **Second:** Rick De Los Santos

Motion to approve was carried by a vote of the Board (5-0).

c) **Resolution No. R1213-16: A resolution to approve participation in the cooperative purchasing program of the US Communities.**

Darrell Gunn reported that HWWS was authorized to utilize this purchasing option according to Texas Statute Chapter 791.011 Interlocal Cooperative Contract. Mr. Gunn reported this cooperative specialized in electronics and would
give HWWSS the opportunity to compare prices at a national level, allowing the best purchasing power and savings. Discussion by the Board ensued.

A motion was made to approve Resolution No. R1213-16— to approve participation in the cooperative program of US Communities.

Motion: Richard Uribe
Second: Josh Fields

Motion to approve was carried by a vote of the Board (5-0).

d) Resolution No. R1213-17: A resolution to approve or reject an agreement with Daniel Menchaca for the payment of a past due account.

Darrell Gunn reported that Daniel Menchaca, a customer, had a past due account and wanted to establish service at a new location. Mr. Gunn reported Mr. Menchaca submitted a proposal for a 12 month payment plan arrangement. Richard Uribe, Trustee explained the importance of being a business owner and keeping up with the rules and regulations pertaining to running a business. Discussion by the Board ensued and it was agreed that Mr. Menchaca would have to pay the entire balance owed in order to turn services on, therefore; rejecting Mr. Menchaca’s 12 month payment plan proposal.

A motion was made to approve Resolution No. R1213-17— to reject the agreement with Mr. Daniel Menchaca for the payment of a past due account.

Motion: Richard Uribe
Second: Rick De Los Santos

Motion to approve was carried by a vote of the Board (5-0).

AGENDA ITEM NO.7: MANAGER’S REPORT

Darrel Gunn gave a brief explanation of the reports in the Manager’s Report. Discussion by the Board ensued.

AGENDA ITEM NO. 8: EXECUTIVE SESSION
A motion was made to enter into Executive Session.

    Motion:    Richard Uribe
    Second:    Michael Garza

Motion to approve was carried by a vote of the Board (5-0)

(a) The Board convened in Executive Session pursuant to § 551.074, Texas Government Code, to discuss performance evaluation, duties, and personnel action regarding the General Manager.

The Board entered into executive Session at 6:00 P.M.

The Board exited Executive Session at 6:29 P.M.

No action was taken on these items.

AGENDA ITEM NO. 9: ADJOURN

There being no further business to discuss, the meeting adjourned at 6:30 P.M.

    Motion:    Richard Uribe
    Second:    Josh Fields

Motion to approve was carried by a vote of the Board (5-0)

Attest

Nilda Sanchez, Board Secretary