

By: Garza

H.B. No. 2145

A BILL TO BE ENTITLED

AN ACT

relating to the Bexar Metropolitan Water District.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

ARTICLE 1. ELECTION; EFFECTIVE DATE OF ARTICLES 2 AND 3

SECTION 1.01. (a) In this section:

(1) "Commission" means the Texas Commission on Environmental Quality.

(2) "District" means the Bexar Metropolitan Water District.

(b) On the next uniform election date following the 60th day after the date of preclearance under Section 5 of the federal Voting Rights Act of 1965 (42 U.S.C. Section 1973c) of all provisions of the Act enacting this section that are subject to that preclearance, the commission shall hold an election in the district on the question of dissolving the district and disposing of the district's assets and obligations. If the commission determines that preclearance under Section 5 of the federal Voting Rights Act of 1965 is not required, the commission shall hold the election on the next uniform election date that falls at least 60 days after the date the commission makes that determination.

(c) The order calling the election must state:

(1) the nature of the election, including the proposition to appear on the ballot;

(2) the date of the election;

1 (3) the hours during which the polls will be open; and

2 (4) the location of the polling places.

3 (d) The commission shall give notice of an election under
4 this section by publishing once a week for two consecutive weeks a
5 substantial copy of the election order in a newspaper with general
6 circulation in the district. The first publication of the notice
7 must appear not later than the 35th day before the date of the
8 election.

9 (e) The ballot for an election under this section must be
10 printed to permit voting for or against the proposition: "The
11 dissolution of the Bexar Metropolitan Water District."

12 SECTION 1.02. (a) On the date on which the election results
13 are officially declared the commission shall certify that result to
14 the secretary of state.

15 (b) If the proposition is approved by a majority of the
16 voters voting at the election:

17 (1) Article 3 of this Act takes effect on the date the
18 results are officially declared; and

19 (2) Article 2 of this Act does not take effect.

20 (c) If a majority of the voters voting at the election do not
21 approve the proposition:

22 (1) Article 2 of this Act takes effect on the date the
23 results are officially declared; and

24 (2) Article 3 of this Act does not take effect.

25 ARTICLE 2. BOARD OF DIRECTORS OF THE BEXAR METROPOLITAN WATER
26 DISTRICT IF VOTERS DO NOT DISSOLVE THE DISTRICT UNDER ARTICLE 1

27 SECTION 2.01. Sections 1 and 8, Chapter 306, Acts of the

1 49th Legislature, Regular Session, 1945, are amended to read as
2 follows:

3 Sec. 1. In obedience to the provisions of Article 16,
4 Section 59 of the Constitution of Texas, there is hereby created
5 Bexar Metropolitan Water District. [~~hereinafter in this Act~~
6 ~~sometimes called the "District."~~]

7 Sec. 8. (a) [~~7~~] The seven [~~five (5)~~] members of the Board of
8 Directors are [~~shall hereafter be~~] elected to staggered two-year
9 terms in an election held on the uniform election date in November.
10 Directors are elected from numbered single-member districts
11 established by the Board. The Board shall revise each
12 single-member district after each decennial census to reflect
13 population changes and to conform with state law, the federal
14 Voting Rights Act of 1965 (42 U.S.C. Section 1973 et seq.), and any
15 applicable court order [~~for a term of six (6) years each, provided~~
16 ~~that an election for two (2) Directors for a term of six (6) years~~
17 ~~shall be held on the first Tuesday in April, 1954, the terms of~~
18 ~~three (3) members of the present Board shall be, and are, hereby,~~
19 ~~extended to the first Tuesday in April, 1957, and the present~~
20 ~~Directors shall determine such three (3) by lot. Three (3)~~
21 ~~Directors shall be elected on the first Tuesday in April, 1957, and~~
22 ~~two (2) Directors and three (3) Directors, alternately, shall be~~
23 ~~elected each three (3) years thereafter on the first Tuesday in~~
24 ~~April as the six-year terms expire]. At an election of Directors,
25 the candidate from each single-member district who receives [~~The~~
26 ~~two (2) or three (3) persons, respectively, receiving]~~ the greatest
27 number of votes is [~~shall be declared~~] elected to represent that~~

1 single-member district. Each Director shall hold office until his
2 successor is [~~shall have been~~] elected or appointed and has [~~shall~~
3 ~~have~~] qualified.

4 (a-1) A person is not eligible to serve as a Director for
5 more than three terms or for more than a total of seven years of
6 service.[+]

7 (b) Such [~~such~~] elections shall be called, conducted and
8 canvassed in the manner provided by the Election Code. [~~Chapter 25,~~
9 ~~General Laws of the Thirty-ninth Legislature, Regular Session,~~
10 ~~1925, and any amendments thereto,~~]

11 (c) The [~~the~~] Board of Directors shall fill all vacancies on
12 the Board by appointment and such appointees shall hold office
13 until a successor elected at the next scheduled election date has
14 qualified. [~~for the unexpired term for which they were appointed,~~]

15 (d) Any four [~~any three~~] members of the Board are [~~shall~~
16 ~~constitute~~] a quorum for the adoption or [~~of~~] passage of any
17 resolution or order or the transaction of any business of the
18 District.[+]

19 (e) A Director must [~~Directors succeeding the first Board,~~
20 ~~whether now or hereafter elected, shall~~] be a qualified voter of the
21 single-member district from which the Director is elected [~~resident~~
22 ~~electors of Bexar County, Texas, and owners of taxable property~~
23 ~~within the area comprising said District, and shall organize in~~
24 ~~like manner~~].

25 (f) A payment to a Director for fees of office under Section
26 49.060, Water Code, may not be made for a meeting that occurs in a
27 different fiscal year from the one in which the payment is made.

1 SECTION 2.02. Section 33A, Chapter 306, Acts of the 49th
2 Legislature, Regular Session, 1945, is amended by amending
3 Subsection (c) and adding Subsection (g) to read as follows:

4 (c) The oversight committee is comprised of seven ~~[5]~~
5 members appointed as follows ~~[to represent the following members]~~:

6 (1) two Senators who represent Senate districts that
7 include territory within the Bexar Metropolitan Water District,
8 ~~[the Senator sponsor of this Act, or, in the event this Senator~~
9 ~~cannot serve, a Senator]~~ appointed by the Lieutenant Governor;

10 (2) two Representatives who represent ~~[the]~~ House
11 districts that include territory within the District, ~~[author of~~
12 ~~this Act, or, in the event this Representative cannot serve, a~~
13 ~~Representative]~~ appointed by the Speaker of the Texas House of
14 Representatives;

15 (3) one member with special expertise in the operation
16 of public water utilities appointed by the Governor;

17 (4) one member appointed by the Governor to represent
18 the public; and

19 (5) one ~~[a]~~ member of the Bexar County Commissioners
20 Court who represents a precinct in which customers of the District
21 reside.

22 (g) On or before December 31, 2012, the oversight committee
23 shall provide a report under Subsection (e) of this section to the
24 legislature. The committee is abolished and this section expires
25 January 1, 2013.

26 SECTION 2.03. Chapter 306, Acts of the 49th Legislature,
27 Regular Session, 1945, is amended by adding Sections 1A, 8A, 8B, 8C,

1 10A, and 10B to read as follows:

2 Sec. 1A. In this Act:

3 (1) "Board" means the District's Board of Directors.

4 (2) "Commission" means the Texas Commission on
5 Environmental Quality.

6 (3) "Director" means a Board member.

7 (4) "District" means the Bexar Metropolitan Water
8 District.

9 Sec. 8A. (a) To be eligible to be a candidate for or to be
10 elected or appointed as a Director, a person must have:

11 (1) resided continuously in the single-member
12 district that the person seeks to represent for 12 months
13 immediately preceding the date of the regular filing deadline for
14 the candidate's application for a place on the ballot;

15 (2) viewed the open government training video provided
16 by the attorney general and provided to the Board a signed affidavit
17 stating that the candidate viewed the video;

18 (3) obtained 200 signatures from individuals living in
19 the District; and

20 (4) paid a filing fee of \$250 or filed a petition in
21 lieu of the filing fee that satisfies the requirements prescribed
22 by Section 141.062, Election Code.

23 (b) In this subsection, "political contribution" and
24 "specific-purpose committee" have the meanings assigned by Section
25 251.001, Election Code. A Director or a candidate for the office of
26 Director may not knowingly accept political contributions from a
27 person that in the aggregate exceed \$500 in connection with each

1 election in which the person is involved. For purposes of this
2 subsection, a contribution to a specific-purpose committee for the
3 purpose of supporting a candidate for the office of Director,
4 opposing the candidate's opponent, or assisting the candidate as an
5 officeholder is considered to be a contribution to the candidate.

6 Sec. 8B. (a) A person who is elected or appointed to and
7 qualifies for office as a Director on or after the effective date of
8 this section may not vote, deliberate, or be counted as a member in
9 attendance at a meeting of the Board until the person completes a
10 training program on District management issues. The training
11 program must provide information to the person regarding:

12 (1) the enabling legislation that created the
13 District;

14 (2) the operation of the District;

15 (3) the role and functions of the Board;

16 (4) the rules of the Board;

17 (5) the current budget for the Board;

18 (6) the results of the most recent formal audit of the
19 Board;

20 (7) the requirements of the:

21 (A) open meetings law, Chapter 551, Government
22 Code;

23 (B) open records law, Chapter 552, Government
24 Code; and

25 (C) administrative procedure law, Chapter 2001,
26 Government Code;

27 (8) the requirements of the conflict of interest laws

1 and other laws relating to public officials; and

2 (9) any applicable ethics policies adopted by the
3 Board or the Texas Ethics Commission.

4 (b) The Texas Commission on Environmental Quality may
5 create an advanced training program designed for a person who has
6 previously completed a training program described by Subsection (a)
7 of this section. If the commission creates an advanced training
8 program under this subsection, a person who completes that advanced
9 training program is considered to have met the person's obligation
10 under Subsection (a) of this section.

11 (c) Each Director who is elected or appointed on or after
12 the effective date of this section shall complete a training
13 program described by Subsection (a) or (b) of this section at least
14 once in each term the Director serves.

15 (d) The Board shall adopt rules regarding the completion of
16 the training program described by Subsection (a) or (b) of this
17 section by a person who is elected or appointed to and qualifies for
18 office as a Director before the effective date of this section. A
19 Director described by this subsection who does not comply with
20 Board rules is considered incompetent as to the performance of the
21 duties of a Director in any action to remove the Director from
22 office.

23 (e) A Director may not:

24 (1) accept or solicit a gift, favor, or service, the
25 value of which exceeds \$25 per gift, favor, or service, that:

26 (A) might reasonably influence the Director in
27 the discharge of an official duty; or

1 (B) the Director knows or should know is being
2 offered with the intent to influence the Director's official
3 conduct;

4 (2) accept other employment or engage in a business or
5 professional activity that the Director might reasonably expect
6 would require or induce the Director to disclose confidential
7 information acquired by reason of the official position;

8 (3) accept other employment or compensation that could
9 reasonably be expected to impair the Director's independence of
10 judgment in the performance of the Director's official duties;

11 (4) make personal investments that could reasonably be
12 expected to create a substantial conflict between the Director's
13 private interest and the interest of the District;

14 (5) intentionally or knowingly solicit, accept, or
15 agree to accept any benefit for having exercised the Director's
16 official powers or performed the Director's official duties in
17 favor of another; or

18 (6) have a personal interest in an agreement executed
19 by the District.

20 (f) Not later than April 30 each year, a Director shall file
21 with the Bexar County clerk a verified financial statement
22 complying with Sections 572.022, 572.023, 572.024, and 572.0252,
23 Government Code. The District shall keep a copy of a financial
24 statement filed under this section in the main office of the
25 District.

26 Sec. 8C. (a) A Director may be recalled for:

27 (1) incompetency or official misconduct as defined by

1 Section 21.022, Local Government Code;

2 (2) conviction of a felony;

3 (3) incapacity;

4 (4) failure to file a financial statement as required
5 by Section 8B(f) of this Act;

6 (5) failure to complete a training program described
7 by Section 8B(a) or (b) of this Act; or

8 (6) failure to maintain residency in the District.

9 (b) If at least 10 percent of the voters in the District
10 submit a petition to the Board requesting the recall of a Director,
11 the Board, not later than the 10th day after the date the petition
12 is submitted, shall mail a written notice of the petition and the
13 date of its submission to each registered voter in the District.

14 (c) Not later than the 30th day after the date a petition
15 requesting the recall of a Director is submitted, the Board shall
16 order an election on the question of recalling the Director.

17 (d) A recall election under this section may be held on any
18 uniform election date.

19 (e) If a majority of the District voters voting at an
20 election held under this section favor the recall of the Director,
21 the Director is recalled and ceases to be a Director.

22 Sec. 10A. All Board reimbursements and expenditures must be
23 approved by the Board in a regularly scheduled meeting.

24 Sec. 10B. The Board may not select the same auditor to
25 conduct an audit required by Section 49.191, Water Code, for more
26 than three consecutive annual audits.

27 SECTION 2.04. (a) Section 8, Chapter 306, Acts of the 49th

1 Legislature, Regular Session, 1945, as amended by this Act, applies
2 only to a member of the board of directors of the Bexar Metropolitan
3 Water District who is elected to the board on or after the effective
4 date of this Act.

5 (b) Section 8A, Chapter 306, Acts of the 49th Legislature,
6 Regular Session, 1945, as added by this Act, applies only to a
7 member of the board of directors of the Bexar Metropolitan Water
8 District who is elected to the board on or after the effective date
9 of this Act. A director who is elected before the effective date of
10 this Act is governed by the law in effect when the director was
11 elected, and the former law is continued in effect for that purpose.

12 (c) For two of the numbered single-member district
13 director's positions that expire in 2012, the district shall call
14 and hold an election on a uniform election date in that year to
15 elect the directors for those positions for terms that expire on the
16 uniform election date in November 2013. For the other two
17 director's positions that expire in 2012, the district shall call
18 and hold an election on the same uniform election date in that year
19 to elect the directors for those positions for terms that expire on
20 the uniform election date in November 2014. The district shall
21 determine by lot which single-member districts shall elect
22 directors to serve one-year terms and which shall elect directors
23 to serve two-year terms.

24 ARTICLE 3. CREATION OF THE ALAMO WATER DISTRICT IF VOTERS DISSOLVE
25 THE BEXAR METROPOLITAN WATER DISTRICT UNDER ARTICLE 1

26 SECTION 3.01. (a) The Bexar Metropolitan Water District is
27 dissolved. The district shall stay in effect to complete the

1 transfer under Section 3.05 of this article.

2 (b) The Texas Commission on Environmental Quality shall
3 enter an order dissolving the Bexar Metropolitan Water District.

4 SECTION 3.02. Sections 1 and 8, Chapter 306, Acts of the
5 49th Legislature, Regular Session, 1945, are amended to read as
6 follows:

7 Sec. 1. Under [~~In obedience to the provisions of~~] Article
8 16, Section 59 of the Constitution of Texas, there is [~~hereby~~]
9 created the Alamo Water District. [~~Bexar Metropolitan Water~~
10 ~~District, hereinafter in this Act sometimes called the "District."~~]

11 Sec. 8. (a) [~~-~~] The seven [~~five (5)~~] members of the Board of
12 Directors are [~~shall hereafter be~~] elected to staggered two-year
13 terms in an election held on the uniform election date in November.
14 Directors are elected from numbered single-member districts
15 established by the Board. The Board shall revise each
16 single-member district after each decennial census to reflect
17 population changes and to conform with state law, the federal
18 Voting Rights Act of 1965 (42 U.S.C. Section 1973 et seq.), and any
19 applicable court order [~~for a term of six (6) years each, provided~~
20 ~~that an election for two (2) Directors for a term of six (6) years~~
21 ~~shall be held on the first Tuesday in April, 1954, the terms of~~
22 ~~three (3) members of the present Board shall be, and are, hereby,~~
23 ~~extended to the first Tuesday in April, 1957, and the present~~
24 ~~Directors shall determine such three (3) by lot. Three (3)~~
25 ~~Directors shall be elected on the first Tuesday in April, 1957, and~~
26 ~~two (2) Directors and three (3) Directors, alternately, shall be~~
27 ~~elected each three (3) years thereafter on the first Tuesday in~~

1 ~~April as the six-year terms expire].~~ At an election of Directors,
2 the candidate from each single-member district who receives [~~The~~
3 ~~two (2) or three (3) persons, respectively, receiving]~~ the greatest
4 number of votes is [~~shall be declared]~~ elected to represent that
5 single-member district. Each Director shall hold office until his
6 successor is [~~shall have been]~~ elected or appointed and has [~~shall~~
7 ~~have]~~ qualified.

8 (a-1) A person is not eligible to serve as a Director for
9 more than three terms or for more than a total of seven years of
10 service. [↗]

11 (b) Such [~~such~~] elections shall be called, conducted and
12 canvassed in the manner provided by the Election Code. [~~Chapter 25,~~
13 ~~General Laws of the Thirty-ninth Legislature, Regular Session,~~
14 ~~1925, and any amendments thereto,~~]

15 (c) The [~~the~~] Board of Directors shall fill all vacancies on
16 the Board by appointment and such appointees shall hold office
17 until a successor elected at the next scheduled election date has
18 qualified. [~~for the unexpired term for which they were appointed,~~]

19 (d) Any four [~~any three~~] members of the Board are [~~shall~~
20 ~~constitute]~~ a quorum for the adoption or [~~of~~] passage of any
21 resolution or order or the transaction of any business of the
22 District. [↗]

23 (e) A Director must [~~Directors succeeding the first Board,~~
24 ~~whether now or hereafter elected, shall]~~ be a qualified voter of the
25 single-member district from which the Director is elected [~~resident~~
26 ~~electors of Bexar County, Texas, and owners of taxable property~~
27 ~~within the area comprising said District, and shall organize in~~

1 ~~like manner]~~.

2 (f) A payment to a Director for fees of office under Section
3 49.060, Water Code, may not be made for a meeting that occurs in a
4 different fiscal year from the one in which the payment is made.

5 SECTION 3.03. Chapter 306, Acts of the 49th Legislature,
6 Regular Session, 1945, is amended by adding Sections 1A, 8A, 8B, 8C,
7 10A, and 10B to read as follows:

8 Sec. 1A. In this Act:

9 (1) "Board" means the District's Board of Directors.

10 (2) "Commission" means the Texas Commission on
11 Environmental Quality.

12 (3) "Director" means a Board member.

13 (4) "District" means the Alamo Water District.

14 Sec. 8A. (a) To be eligible to be a candidate for or to be
15 elected or appointed as a Director, a person must have:

16 (1) resided continuously in the single-member
17 district that the person seeks to represent for 12 months
18 immediately preceding the date of the regular filing deadline for
19 the candidate's application for a place on the ballot;

20 (2) viewed the open government training video provided
21 by the attorney general and provided to the Board a signed affidavit
22 stating that the candidate viewed the video;

23 (3) obtained 200 signatures from individuals living in
24 the District; and

25 (4) paid a filing fee of \$250 or filed a petition in
26 lieu of the filing fee that satisfies the requirements prescribed
27 by Section 141.062, Election Code.

1 (b) In this subsection, "political contribution" and
2 "specific-purpose committee" have the meanings assigned by Section
3 251.001, Election Code. A Director or a candidate for the office of
4 Director may not knowingly accept political contributions from a
5 person that in the aggregate exceed \$500 in connection with each
6 election in which the person is involved. For purposes of this
7 subsection, a contribution to a specific-purpose committee for the
8 purpose of supporting a candidate for the office of Director,
9 opposing the candidate's opponent, or assisting the candidate as an
10 officeholder is considered to be a contribution to the candidate.

11 Sec. 8B. (a) A person who is elected or appointed to and
12 qualifies for office as a Director may not vote, deliberate, or be
13 counted as a member in attendance at a meeting of the Board until
14 the person completes a training program on District management
15 issues. The training program must provide information to the
16 person regarding:

17 (1) the enabling legislation that created the
18 District;

19 (2) the operation of the District;

20 (3) the role and functions of the Board;

21 (4) the rules of the Board;

22 (5) the current budget for the Board;

23 (6) the results of the most recent formal audit of the
24 Board;

25 (7) the requirements of the:

26 (A) open meetings law, Chapter 551, Government
27 Code;

1 (B) open records law, Chapter 552, Government
2 Code; and

3 (C) administrative procedure law, Chapter 2001,
4 Government Code;

5 (8) the requirements of the conflict of interest laws
6 and other laws relating to public officials; and

7 (9) any applicable ethics policies adopted by the
8 Board or the Texas Ethics Commission.

9 (b) The Texas Commission on Environmental Quality may
10 create an advanced training program designed for a person who has
11 previously completed a training program described by Subsection (a)
12 of this section. If the commission creates an advanced training
13 program under this subsection, a person who completes that advanced
14 training program is considered to have met the person's obligation
15 under Subsection (a) of this section.

16 (c) Each Director who is elected or appointed shall complete
17 a training program described by Subsection (a) or (b) of this
18 section at least once in each term the Director serves.

19 (d) The Board shall adopt rules regarding the completion of
20 the training program described by Subsection (a) or (b) of this
21 section by a person who is elected or appointed to and qualifies for
22 office as a Director. A Director described by this subsection who
23 does not comply with Board rules is considered incompetent as to the
24 performance of the duties of a Director in any action to remove the
25 Director from office.

26 (e) A Director may not:

27 (1) accept or solicit a gift, favor, or service, the

1 value of which exceeds \$25 per gift, favor, or service, that:

2 (A) might reasonably influence the Director in
3 the discharge of an official duty; or

4 (B) the Director knows or should know is being
5 offered with the intent to influence the Director's official
6 conduct;

7 (2) accept other employment or engage in a business or
8 professional activity that the Director might reasonably expect
9 would require or induce the Director to disclose confidential
10 information acquired by reason of the official position;

11 (3) accept other employment or compensation that could
12 reasonably be expected to impair the Director's independence of
13 judgment in the performance of the Director's official duties;

14 (4) make personal investments that could reasonably be
15 expected to create a substantial conflict between the Director's
16 private interest and the interest of the District;

17 (5) intentionally or knowingly solicit, accept, or
18 agree to accept any benefit for having exercised the Director's
19 official powers or performed the Director's official duties in
20 favor of another; or

21 (6) have a personal interest in an agreement executed
22 by the District.

23 (f) Not later than April 30 each year, a Director shall file
24 with the Bexar County clerk a verified financial statement
25 complying with Sections 572.022, 572.023, 572.024, and 572.0252,
26 Government Code. The District shall keep a copy of a financial
27 statement filed under this section in the main office of the

1 District.

2 Sec. 8C. (a) A Director may be recalled for:

3 (1) incompetency or official misconduct as defined by
4 Section 21.022, Local Government Code;

5 (2) conviction of a felony;

6 (3) incapacity;

7 (4) failure to file a financial statement as required
8 by Section 8B(f) of this Act;

9 (5) failure to complete a training program described
10 by Section 8B(a) or (b) of this Act; or

11 (6) failure to maintain residency in the District.

12 (b) If at least 10 percent of the voters in the District
13 submit a petition to the Board requesting the recall of a Director,
14 the Board, not later than the 10th day after the date the petition
15 is submitted, shall mail a written notice of the petition and the
16 date of its submission to each registered voter in the District.

17 (c) Not later than the 30th day after the date a petition
18 requesting the recall of a Director is submitted, the Board shall
19 order an election on the question of recalling the Director.

20 (d) A recall election under this section may be held on any
21 uniform election date.

22 (e) If a majority of the District voters voting at an
23 election held under this section favor the recall of the Director,
24 the Director is recalled and ceases to be a Director.

25 Sec. 10A. All Board reimbursements and expenditures must be
26 approved by the Board in a regularly scheduled meeting.

27 Sec. 10B. The Board may not select the same auditor to

1 conduct an audit required by Section 49.191, Water Code, for more
2 than three consecutive annual audits.

3 SECTION 3.04. Sections 7, 27A, 27D, 27F, 27G, and 33A,
4 Chapter 306, Acts of the 49th Legislature, Regular Session, 1945,
5 are repealed.

6 SECTION 3.05. Not later than one month after the effective
7 date of this article under Section 1.02 of this Act:

8 (1) all functions and activities performed
9 immediately before that date by the Bexar Metropolitan Water
10 District are transferred to the Alamo Water District;

11 (2) a rule, form, policy, procedure, or decision of
12 the Bexar Metropolitan Water District continues in effect as a
13 rule, form, policy, procedure, or decision of the Alamo Water
14 District and remains in effect until amended or replaced by the
15 Alamo Water District;

16 (3) a reference in law or administrative rule to the
17 Bexar Metropolitan Water District means the Alamo Water District;

18 (4) all money, contracts, leases, rights, property,
19 records, and bonds and other obligations of the Bexar Metropolitan
20 Water District are transferred to the Alamo Water District;

21 (5) a court case, administrative proceeding, contract
22 negotiation, or other proceeding involving the Bexar Metropolitan
23 Water District is transferred without change in status to the Alamo
24 Water District, and the Alamo Water District assumes, without a
25 change in status, the position of the Bexar Metropolitan Water
26 District in a negotiation or proceeding relating to an activity
27 transferred by this article to the Alamo Water District to which the

1 Bexar Metropolitan Water District is a party; and

2 (6) an employee of the Bexar Metropolitan Water
3 District who earns less than \$50,000 per year becomes an employee of
4 the Alamo Water District.

5 SECTION 3.06. (a) Not later than the transfer under Section
6 3.05 of this article, commissioners courts shall appoint the
7 initial board of the Alamo Water District as follows:

8 (1) three members appointed by the Commissioners Court
9 of Bexar County;

10 (2) two members appointed by the Commissioners Court
11 of Atascosa County;

12 (3) two members appointed by the Commissioners Court
13 of Medina County; and

14 (4) two members appointed by the Commissioners Court
15 of Comal County.

16 (b) The initial board serves until directors are elected as
17 provided by Section 8, Chapter 306, Acts of the 49th Legislature,
18 Regular Session, 1945, as amended by this article, on the first
19 uniform election date in November following the date the district
20 is created that allows compliance with that section.

21 (c) The initial board may not include a person serving as a
22 director on the day before the effective date of this article.

23 (d) Sections 8B(a)(1), 8A(a)(3), 8A(a)(4), 8A(b), 8B(a),
24 8B(c), and 8B(f), Chapter 306, Acts of the 49th Legislature,
25 Regular Session, 1945, as added by this article, do not apply to an
26 initial director.

27 (e) The initial board shall draw seven single-member voting

1 districts in the district according to Section 8(a), Chapter 306,
2 Acts of the 49th Legislature, Regular Session, 1945, as amended by
3 this article.

4 SECTION 3.07. The first members of the board of directors of
5 the Alamo Water District elected under the changes in law made by
6 this article shall agree on, or draw lots to determine, which
7 member's term expires one year from the date the term began, and
8 which member's term expires two years from the date the term began.

9 SECTION 3.08. The boundaries of the Alamo Water District
10 are coterminous with the boundaries of the Bexar Metropolitan Water
11 District as they existed immediately before the effective date of
12 this article under Section 1.02 of this Act.

13 ARTICLE 4. EFFECTIVE DATE OF ACT

14 SECTION 4.01. Except as otherwise provided by this Act,
15 this Act takes effect September 1, 2011.