

COMMENTS TO PUC NOVEMBER 20, 2025

Good morning. My name is Joe Gimenez.

I volunteered for the Board of Directors of the Windermere Oaks Water Supply Corporation beginning in 2019 and served as President until 2023.

I was also a testifying party in the three-year rate appeal, Docket 50788.

I have described to you how PUC Staff invented laws, defamed volunteers with hyperbolic analogies, and even commented on Board legal strategies without appropriate background or training.

Sadly, the same disregard for propriety has carried into 2025.

I'm going to play a short audio clip from a January 28 event posted online as a record of a Windermere meeting.

The two people you will hear are Danny Flunker and his spouse Patti Flunker as they are walking into the meeting. This is their own video.

<https://youtu.be/Xqvae3xAr2U>

"It doesn't matter, they already talked to Merritt. They have the authority to do it."

Here's the context.

The duly elected and appointed Board of Directors had posted proper notice of their January 28 meeting.

At around 3 p.m. on January 28, a water company email informed members that the meeting was cancelled for lack of quorum.

A director was ill.

At 4 p.m., another company email said the meeting had been reinstated.

This was confusing to people who know the Open Meetings Act.

I am certified by the Texas Attorney General as having taken their course on the Texas Open Meetings Act.

TOMA says that once a meeting is formally cancelled, it cannot simply be reinstated the same day.

Cancellation has *absolute effect*—meaning the meeting is legally prohibited from being held at the originally noticed time and place.

Yet, as Ms. Flunker said while walking into the re-instated meeting, “They’ve already talked to Merritt” to hold the meeting and appoint a shadow board.

The ‘they’ she referred to was the Temporary Manager, from Anser, appointed by the Commission at Mr. and Ms. Flunker’s request.

The Jan 28 meeting included votes on pending business

The shadow board had wide-ranging discussions far outside the posted agenda—covering real estate transactions, tariffs, loans, litigation, and even matters pending before this Commission.

Just to be clear, I believe you would be hard pressed to find a statute enabling volunteers to step in for a Board when a duly noticed meeting had been officially cancelled.

So I am adding this to the list of Staff improprieties with regards to Windermere Oaks Water Supply Corporation.

Thank you for your consideration of this report.