

BEXAR METROPOLITAN WATER DISTRICT
2047 W. MALONE, SAN ANTONIO, TEXAS 78225
P.O. BOX 245994, SAN ANTONIO, TEXAS 78224
REGULAR BOARD MEETING
April 27, 2005

In accordance with Chapter 551 of the Texas Government Code, Vernon's Annotated Civil Statutes, Section 31, notice is hereby given to the public that the Board of Directors for the BEXAR METROPOLITAN WATER DISTRICT shall have a Regular Board of Directors Meeting on the **27th day of April, 2005**. **The meeting will be called to order at 5:00 p.m., with an Executive Session to follow thereafter. Open Session will begin at 6:00 p.m.** The meeting will be held in the Bexar Metropolitan Water District Board Room, 2047 W. Malone, San Antonio, Texas.

The District provides unrestricted access for the disabled.

AGENDA

1. Meeting Called to Order.

EXECUTIVE SESSION:

2. Executive Session

The Bexar Metropolitan Board of Directors reserves the right to adjourn into Executive Session at any time to discuss any of the matters listed below, as authorized by Chapter 551 of the Texas Government Code, Vernon's Civil Statutes, Subchapter D, as it pertains to private consultation with the Board's attorneys (§551.071); deliberation about Real Property (§551.072); deliberations about Gifts and Donations (§551.073); as it pertains to Personnel (§551.074); deliberations about Security Devices (§551.076); and Economic Development (§551.087). **EXECUTIVE SESSION ITEMS MAY BE DISCUSSED AND ACTED UPON, IF APPROPRIATE IN OPEN SESSION.**

a. Hilton Valve/Hearn Engineering

b. Guadalupe-Blanco River Authority and related litigation matters:

- (1) *Bexar Metropolitan Water District v. Texas Commission on Environmental Quality*
- (2) *Petition of Bexar Metropolitan Water District to Compel Raw Water Commitment from Guadalupe-Blanco River Authority*
- (3) *Petition of Canyon Regional Water Authority and Bexar Metropolitan Water District to Appeal the Wholesale Water Rate Increase of Guadalupe-Blanco River Authority, Travis County, Texas*
- (4) *Bexar Metropolitan Water District v. City of Bulverde and Guadalupe-Blanco River Authority, Comal County, Texas*

c. BSR and Bitterblue, Inc.

d. *Timberwood Development Company v. BexarMet Water District*

3. The Board will reconvene in Open Session and may take ACTION regarding discussion in Executive Session.

SPECIAL REPORTS

4. Requests by interested citizens to address the Board.

5. CONSENT ITEMS

- A. To authorize the District to purchase based on competitive bids, via contract materials for various pipes, cast iron fittings, hydrants, valves, brass fittings, chlorine and base material for the inventory of BexarMet's Warehouse for Fiscal Year 2005-2006. (Olivares/George)
- B. To authorize the purchase of Automated Barcode Inventory System based on competitive bids from Indatatech in the amount of \$37,752.00 from the capital budget line item "Capital Malone Projects" number BP-0100. (Olivares/George)
- C. To authorize the purchase of a service body based on competitive bids for the F-750 Duel Wheel Truck to Terex Utilities in the amount of \$32,120.00 from the capital budget page 15, line 207 number BE-6028. (Olivares/Bittle)
- D. To award the sale of Surplus Well Drilling equipment based on competitive bids to C.A. Ward for the purchase amount of \$71,250.00 (declared as surplus property during the September, 2004 board meeting). (Olivares/Bittle)
- E. To approve the Health Insurance Portability and Accountability Act (HIPPA) Privacy Policy and Procedures prepared by Akin Gump Strauss & Feld, LLP. (Olivares/Piper)
- F. To approve the Resolution for the District's Bank of America accounts to remove Thomas C. Moreno, General Manager and to approve new signature cards on the District existing account to wit: F. Gilbert Olivares, Interim General Manager, Larry Bittle, Deputy General Manager, Michael J. Albach, Deputy General Manager and/or Jesse Morin, Accounting Manager (as signatories).
- G. To authorize the purchase of Jeep Grand Cherokee in the amount of \$11,352.00 (currently under lease which expires May 24, 2005) for use by BexarMet's Inspection Department. (Olivares/Rush)
- H. The Financial Report for month ending March 31, 2005, and year-to-date. (Olivares/Morin)
- I. The Main Extensions. (Olivares/Terrazas)
- J. The purchase of materials necessary for store's inventory or for on-going projects for the month of March, 2005. (Olivares/Morin)
- K. The exceptional expenditures and professional fees for the month of March, 2005. (Olivares/Morin)
- L. The exceptional expenditures and professional fees for the month of February, 2005. (Olivares/Morin) (*TABLED February 28, 2005, Item 10; March 28th, Item #35*)

- M. The exceptional expenditures and professional fees for the month of January, 2005. (Olivares/Morin) (*TABLED February 28, 2005, Item 10; March 28th, Item #35a*)

ACTION ITEMS:

THE BOARD WILL BE ASKED TO CONSIDER AND TAKE ACTION:

6. To authorize employment of a General Manager for the District. (Villarreal)
7. To authorize the waiver of impact fees applicable to residential structures/homes constructed by Habitat for Humanity. (Gallegos)
8. To approve the contracts with the Rio Strategy Group and Loeffler Group, to include the addition of a clause allowing for the reimbursement of necessary and reasonable expenses. (Wenger)
9. On options regarding the construction of a building or the purchase of a building to serve as the new Southside paystation. (Gallegos)
10. On appointments to the BexarMet/BMA Water Efficiency Team. (Olivares/Albach)
11. To authorize Community Partner Sponsorship in the Neighborhood Resource Center. (Olivares/Pfeil)
12. To approve the firm Garza/Gonzalez & Associates (as approved in the previous Request for Qualifications in fiscal year 2003-2004) to conduct the audit for Fiscal Year 2004-2005. (Olivares/Morin)
13. To approve the District's Operations and Capital Budget, Business Plan and Financial Plan for Fiscal Year 2005-2006. (Olivares/Morin)
14. To approve the Resolution to select the provider of an Irrevocable Direct Pay Letter of Credit (which irrevocable direct pay Letter of Credit will provide credit support for the District's Commercial Paper Program) and other matters related thereto. (Olivares/Morin)
15. Regarding a feasibility study on operational effectiveness/efficiency of the Marbach paystation.
16. Regarding the purchase of the facility at 2046 Malone currently under lease to BexarMet. (Olivares)
17. Regarding Legislation introduced during the current 79th Legislative Session or proposed Legislation for introduction that may impact Bexar Metropolitan Water District. (Olivares)

TABLED ACTION ITEMS:

THE BOARD WILL BE ASKED TO CONSIDER AND TAKE ACTION:

18. On appointments of new directors to the Bexar Metropolitan Development Corporation. (Olivares/Albach) (*TABLED, MARCH 28th, ITEM #9*)
19. To set a date and time for a meeting for the Board of Directors of the Bexar Metropolitan Water Development Corporation. (Olivares/Albach) (*TABLED, MARCH 28TH, ITEM #10*)
20. To approve the removal of William T. Tyler and Francisco Cantu as Trustees from the District's Retirement Income Plan and appoint three (3) new Trustees for the District's Retirement Income Plan. (Olivares/Piper) (*TABLED, MARCH 28TH, ITEM #12*)
21. On the proposed budget amendments to the Fiscal Year 2004-2005 budget, including an amendment to allow payment of Directors fees retroactive to February 14, 2005. (Olivares/Morin) (*TABLED, MARCH 28TH, ITEM #23*)
22. On the request for a modification of impact fees for Converse Ranch Apartments. (Olivares/Bittle) (*TABLED, MARCH 28TH, ITEM #26*)

REPORT ITEMS:

23. General Manager's Reports:
 - A. Staff report on BMA collections/cleanup, billing and amounts owed. (Olivares/Albach)
 - B. In-House Counsel position. (Olivares)
 - C. Proposed changes regarding Billing & Collections Procedures to include customer notification and past due call reminder, to coincide with H.B. 2445 (Rep. Leibowitz).
 - D. Review Department Manager's Reports. **(information only)**.
24. Hill Country Village (Wenger)
25. City of Somerset Sewer Contract (Olivares)

ACTION ITEMS ADMINISTRATION:

THE BOARD WILL BE ASKED TO REVIEW AND APPROVE:

26. The Minutes for March 21, 2005 and March 28, 2005.
- 26a. The Minutes for January 3, 2005 and January 24, 2005. TABLED (February 28, 2005, Item 6) (*TABLED, MARCH 28TH, ITEM #31*)
- 26b. The Minutes for February 14, 2005, February 18, 2005, February 22, 2005 and February 28, 2005. (*TABLED, MARCH 28TH, ITEM #31A*)

27. The Board will be asked to set the date, time and order of the Open Session/Executive Session for the Board's regular monthly and/or Special Called Board of Directors Meeting.
28. The Board will adjourn.