

**BEXAR METROPOLITAN WATER DISTRICT
2047 W. MALONE, SAN ANTONIO, TEXAS 78225
P.O. BOX 245994, SAN ANTONIO, TEXAS 78224
REGULAR BOARD MEETING
May 31, 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 **31st day of May, 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. 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*

b. Timberwood Development Company v. BexarMet Water District

c. Finalization and implementation of the employment contract with F. Gilbert Olivares.

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.

ACTION ITEMS:

THE BOARD WILL BE ASKED TO CONSIDER AND TAKE ACTION:

5. On the acceptance of the resignation of Director, Ysidro Solis, and the process for appointment of an individual to fill the vacant director position. (Villarreal)
6. On Resolution to amend the “Directors’ Fees of Office Policy” provision in BexarMet’s Administrative Policies to change the amount of fees that a director may receive in a year to an amount not exceed \$7,200.00 per year. (Olivares/Ruiz)
7. On the recommendation from the General Manager and staff to execute a non-binding Letter of Intent by and between BexarMet and Water Exploration Company (“WECO”) which gives BexarMet an exclusive right to negotiate with WECO for a period of 45 days and which obligates BexarMet to investigate the technical feasibility and financial impact of a long-term water supply contract including capital and operating costs for infrastructure and water purchases and provide the Board with a summary of the findings for further consideration. (Olivares/Albach)
8. On the approval of a Utility Service Agreement (USA) to be used as format for providing developers an agreement for providing service and authorization for credits related to designing, building and funding of new facilities and/or improvements to existing facilities. (Olivares/Ruiz/Bittle)
9. Regarding the construction of a building to serve as the new Southside pay station. (Olivares/Terrazas)
10. Regarding Legislation introduced during the current 79th Legislative Session or proposed Legislation for introduction that may impact Bexar Metropolitan Water District. (Olivares)
11. To approve an amendment the contract with Rio Strategy Group, to allow for additional compensation for additional lobbying services during the 79th Legislative Session. (Olivares)
12. On the recommendation by the General Manager and Staff to evaluate the feasibility of a sale of up to 3.38 acres of Bexar Metropolitan Water District property located at 2047 W. Malone and the impact of this potential sale on the District and secure authorization to enter into negotiations for the sale of this property should the transaction prove feasible. (Olivares)
13. On the recommendation by the General Manager and Staff to award a contract to Lockwood, Andrews & Newman, Inc. (LAN) for a Water Distribution System Modeling and Evaluation of the District’s Stone Oak/Hill Country Village/Hollywood Park/Timberwood Park service area pursuant to response to Request for Proposal. (Olivares/Terrazas)

14. On Resolution to change the term of office for Director, District No. 3 from its present expiration date of November 2008 to a November 2006 expiration date. (Ruiz)
15. On the solicitation for a commercial appraiser to appraise and categorize raw/unimproved land including mineral and water rights, owned by BexarMet in order to identify possible surplus property for future sale. (Olivares/Terrazas)

16. CONSENT ITEMS

THE BOARD WILL BE ASKED TO CONSIDER AND TAKE ACTION:

- a. On the approval of SBC Master Agreement to purchase network and telecommunications equipment from SBC for the District. (Olivares/Pfeil/Sandoval)
- b. On the approval of the Microsoft Enterprise Agreement for a period of three (3) years for the District. (Olivares/Pfeil/Sandoval)
- c. The Financial Report for month ending April 30, 2005, and year-to-date. (Olivares/Morin)
- d. The Main Extensions. (Olivares/Terrazas)
- e. The purchase of materials necessary for store's inventory or for on-going projects for the month of April, 2005. (Olivares/Morin)
- f. The exceptional expenditures and professional fees for the month of April, 2005. (Olivares/Morin)
- g. To authorize the District to provide the City of Somerset with an engineering study indicating required facility improvements needed to satisfy permit requirement & to accommodate further growth, with payment for this study made pursuant to CDBG funding from Bexar County. (Olivares/Terrazas)
- h. To approve the firm Ernst & Young LLP to conduct the arbitrage rebate calculations for Bexar Metropolitan Water District Waterworks System Revenue Bond, Series 1995. (Olivares/Morin)
- i. On the Resolution authorizing the Bexar Metropolitan Water District's entering into and executing alternate credit facility in support of its \$50,000.00 Commercial Paper Program; the use of an offering memorandum in connection with the sale of commercial paper notes; and other matter relating to the foregoing. (Olivares/Morin)

REPORT ITEMS:

17. General Manager's Reports:

- A. Regarding a feasibility study on operational effectiveness/efficiency of the Marbach pay station.

- B. Regarding clarification of a voting majority of the Board in order to conduct business. (Ruiz)
- C. Regarding the purchase of the facility at 2046 Malone currently under lease to BexarMet.
- D. Regarding the District's Organizational structure.

ACTION ITEMS ADMINISTRATION:

THE BOARD WILL BE ASKED TO REVIEW AND APPROVE:

- 18. The Minutes for April 4, 2005, April 8, 2005, April 18, 2005 and April 27, 2005.
- 18a. The Minutes for March 21, 2005 and March 28, 2005. *TABLED (April 27, 2005, Item 26)*
- 18b. The Minutes for January 3, 2005 and January 24, 2005. *TABLED (February 28, 2005, Item 6)
(TABLED, MARCH 28TH, ITEM #31)*
- 18c. The Minutes for February 14, 2005, February 18, 2005, February 22, 2005 and February 28, 2005. *(TABLED, MARCH 28TH, ITEM #31A)*
- 19. The Board will be asked to set the date, time and order of the Open Session/Executive Session for the Board's regular monthly meeting.
- 20. The Board will adjourn.