

**BEXAR METROPOLITAN WATER DISTRICT
2047 W. MALONE, SAN ANTONIO, TEXAS 78225
P.O. BOX 245994, SAN ANTONIO, TEXAS 78224
REGULAR BOARD MEETING
March 27, 2006**

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 March 2006. 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.

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. Personnel issues (Clement/Olivares).
- b. In consideration of the sum of \$4,500, to grant an Option to Purchase 10.979 acres to 4M Realty Company on behalf of Union Pacific Railroad for the period ending June 15, 2006 and to bring back to the board for final approval a Contract to Purchase the 10.979 acres for a negotiated purchase price (Olivares/Ruiz/Albach).
- c. Real Estate Matters (Olivares/Ruiz).
- d. Evaluation of San Jose Water Company's ("San Jose") offer to purchase BexarMet's Comal County Water System (Olivares/Ruiz).
- e. Legislative Lobbyist Services (Clement/Olivares).
- f. Consideration and possible action on September 22, 2000 Interlocal Agreement concerning CCN service areas (Olivares/Ruiz).
- g. General litigation matters involving ongoing, pending or contemplated litigation and settlement offers (Olivares/Ruiz).

3. The Board will reconvene in Open Session and may take ACTION regarding discussion in Executive Session.
4. Requests by interested citizens to address the Board.

ACTION ITEMS:

THE BOARD WILL BE ASKED TO CONSIDER AND TAKE ACTION:

5. To approve a contract with Lockwood, Andrews & Newman, Inc., (“LAN”) for preliminary design plans for the BMA gate valve repair/replacement in an amount not to exceed \$16,000.00 (Olivares/Terrazas).
6. To approve a rebate program for qualified indoor hot water circulating pump systems for \$150.00 each (Olivares/Pfeil).
7. To approve the increase of the fine for theft of service on un-metered fire hydrants to \$2,500.00 plus the cost of a full tank or an estimated usage based on flow rate and time of use (Olivares/Pfeil).
8. To approve Water Conservation Rule 2006-001 for the District, to be in compliance with the Groundwater Conservation Plan required by the Edwards Aquifer Authority (Olivares/Pfeil).
9. Acceptance of the Impact Fee Study and the Water Supply Development Fee Study and approval of a Resolution regarding the update of land use assumptions and capital improvements plan for the water impact fee and the request for review and approval of the application for the impact fee by the Texas Commission on Environmental Quality (Fenimore/Olivares/Albach).
10. To authorize the General Manager to enter a project agreement with an Indefinite Delivery Contractor selected in accordance with District policy for the construction of approximately 500’ of sidewalk along IH-35 from Mayfield to Pyron in connection with the District 3 Mayfield water main project for a budgeted amount not to exceed \$50,000.00 from Capital Budget No. BP-0023 (Olivares/Terrazas).
11. On the approval of a contract with Freese & Nichols, Incorporated for design and engineering consulting services related to the Ventura Phase VII main relocation project (District 4) for an amount not to exceed \$42,720.00 (Olivares/Terrazas).
12. To approve a resolution approving a bond resolution to be adopted by the Board of Directors of the Canyon Regional Water Authority authorizing the issuance of obligations designated as “Canyon Regional Water Authority Tax-Exempt Contract Revenue Refunding Bonds (Lake Dunlap Project), Series 2006”; approving an amendment to the regional tax-exempt water supply contract previously approved and executed between the Bexar Metropolitan Water District and the Canyon Regional Water Authority; authorizing the President, Board of Directors and the General Manager of the Bexar Metropolitan Water District to execute on behalf of the Bexar Metropolitan Water District all documents in connection with this transaction; and other matters in connection therewith (Olivares/Albach).

13. To approve the purchase of four (4) backhoe loaders, selected via invitation for bid per District policy, from TEREX Utilities for the amount of \$241,108.00 and reallocation of funds from Capital Budget No. BP-0032 (U.S. 281: Evans Rd & Stone Oak Parkway (Toll System) in the amount of \$200,000.00 and BE-4004 (Hydro Vac) in the amount of \$41,108.00 (Olivares/Pfeil).
14. To approve the purchase of a single asphalt roller, selected via invitation for bid per District policy, from United Rentals (Von Army) for the amount of \$5,188.82 and reallocation of funds from Capital Budget No. BE-6020 (Sweeper trucks) in the amount of \$5,188.82 (Olivares/Pfeil).
15. To approve the purchase of a double asphalt roller, selected via invitation for bid per District policy, from United Rentals (Von Army) for the amount of \$29,879.08 and reallocation of funds from Capital Budget No. BE-4003 (Valve exercise/maintenance equipment) in the amount of \$29,879.08 (Olivares/Pfeil).
16. To approve the purchase of a sweeper truck, selected via invitation for bid per District policy, from Cooper Equipment for the amount of \$134,462.00 from Capital Budget No. BE-6020 (Olivares/Pfeil).
17. To approve asphalt restoration on various street locations throughout the District, selected via invitation for bids per District policy, from Guzman Paving for the amount of \$147,084.45 (Olivares/Pfeil).
18. To approve the purchase of a Sterling Fuel truck, selected via invitation for bids per District policy, from Grande Truck Center for the amount of \$149,063.00 from Capital Budget No. BE-6024 (Olivares/Jesse Morin).
19. To approve and accept Staff's recommendation, and authorize General Manager to enter into contract negotiations, for Wireless Infrastructure Consulting Services provided to the District as secured via request for qualification (Olivares) [Tabled November 28, 2005]

20. CONSENT ITEMS:

THE BOARD WILL BE ASKED TO CONSIDER AND TAKE ACTION:

- a. Reappointing Victor Villarreal to Canyon Regional Water Authority to the Board of Trustees.
- b. On the ratification of a contract with Indefinite Delivery Contractor, Uno Construction Inc., to replace existing 6" and 2" PVC water mains with approximately 269' of 8", 3,903' of 12" and 1,123' of 16" ductile iron water mains in conjunction with the Bexar County Meadow Wood Acres CDBG funded project (District 2) for an amount not to exceed \$153,819.09 (Olivares/Terrazas).
- c. On the ratification of the purchase of office furniture from Office Depot in the amount of \$24,999.21 for the Customer Service Call Center (Olivares/Pfeil).
- d. To ratify an emergency repair of a 75' X 45' X 3" asphalt patch, milled and overlaid, done at the intersection of Somerset Rd. and Mayfield for \$13,125.00 by Guzman's Paving (Olivares/Pfeil).

- e. To approve the purchase of a reversible vibratory plate, selected via invitation for bid per District policy, from United Rentals (Von Ormy) for the amount of \$6,359.67 and reallocation of funds from Capital Budget No. BE-6020 (Sweeper trucks) in the amount of \$6,359.67 (Olivares/Pfeil).
- f. To approve the purchase of a hammerhead mole from Vermeer Equipment of Texas for the amount of \$55,760.00 and reallocation of funds from Capital Budget No. BE-5519 (IT equipment, new property across from 2047 W. Malone) in the amount of \$30,000.00, Capital Budget No. BE-5518 (IT equipment, Marbach pay station) in the amount of \$20,000.00 and Capital Budget No. BE-5517 (IT equipment, new Southside pay station) in the amount of \$5,760.00 (Olivares/Pfeil).
- g. Ratification of Utility Service Agreement (USA) with Continental Homes of Texas, Inc., regarding Redbird Ranch Development (Olivares/Ruiz).
- h. To approve the proposed budget amendments to the Fiscal Year 2005-2006 Operating budget (Olivares/Jesse Morin).
- i. To accept the Financial Report for month ending February 28, 2006 and year-to-date (Olivares/Jesse Morin).
- j. To approve payment of invoice in the amount of \$8,700.00 to Lockwood, Andrews & Newman, Inc., (“LAN”) for assessment of BexarMet’s Comal County Water System (Olivares/Ruiz).
- k. On the approval of payment for financial advisory fees for professional services provided to the District (Olivares/Jesse Morin).
- l. On the approval of payment for legal fees for professional services provided to the District (Olivares/Ruiz).

21. ACTION ITEMS ADMINISTRATION:

THE BOARD WILL BE ASKED TO REVIEW AND APPROVE:

- a. February 27, 2006 Regular Board Minutes.
- b. March 6, 2006 Special Board Minutes.
- c. March 23, 2006 Special Board Minutes.

22. REPORT ITEMS:

- a. Committee Reports
- b. Presentation of Budget FY 06-07 Operating & Capital Budget (Fenimore/Olivares/Jesse Morin).

- c. District participation in the City of San Antonio's Joint Bid Process for the Military Ditch #65 Governmental Relocation Project and related cost considerations (Olivares/Terrazas).
 - d. The purchase of materials necessary for store's inventory or for on-going projects for the month of February 2006 (Olivares/Jesse Morin).
 - e. The exceptional expenditures and professional fees for the month February 2006 (Olivares/Jesse Morin).
 - f. Top 25 Delinquent accounts (Olivares/Jesse Morin).
 - g. Department Manager's monthly reports (Information only).
 - h. Professional Services Monthly Reports (Olivares/Ruiz).
23. 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 and/or Special meeting.
24. The Board will adjourn.