

**BEXAR METROPOLITAN WATER DISTRICT
2047 W. MALONE, SAN ANTONIO, TEXAS 78225
P.O. BOX 245994, SAN ANTONIO, TEXAS 78224
REGULAR BOARD MEETING
October 29, 2007**

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 **29th day of October 2007. The meeting will be called to order at 4:30 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.
2. Pledge of Allegiance.



EXECUTIVE SESSION:



3. 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. General litigation matters involving ongoing, pending or contemplated litigation and settlement offers (Olivares/Ruiz).
- b. Real Estate Matters (Olivares/Ruiz).
- c. To approve a Letter of Intent with Aqua Texas, Inc., regarding the sale of the Comal County and Medina County Water Systems (Olivares/Ruiz).
- d. To approve a Letter of Intent with Yancey Water Supply Corporation regarding the sale of the Medina County Water System (Olivares/Ruiz).
- e. To approve an Amended and Restated Water Supply Agreement between Bexar Metropolitan Water District ("BexarMet") and Bexar-Medina-Atascosa Counties W.C.I.D. No.1 ("BMA") (Olivares/Ruiz).
- f. Personnel Issues (Villarreal).

g. Extension and amendment of General Manager's Contract (Olivares).

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

ACTION ITEMS:

THE BOARD WILL BE ASKED TO CONSIDER AND TAKE ACTION:

6. To adopt a practice to begin every Board Meeting with an invocation to begin on a date approved by the Board (Olivares/Ruiz).
7. To authorize General Manager to negotiate and execute an Interlocal Agreement with San Antonio Water System ("SAWS") regarding releasing a portion of BexarMet's CCN to SAWS in the North San Antonio Hills Development area and to bring the executed agreement back to the board for ratification (District 6) (Olivares/Ruiz).
8. To approve a Resolution approving and accepting a policy addressing the interruption of service on unrepaired occupant leaks in support of requests by local authorities (Olivares).
9. To authorize a change order for the placement of fill material at Wild Turkey Facility #095 with Natgun Corporation for an amount not to exceed \$223,630.00 (District 6) (BP #070823) (Olivares).
10. To authorize a change order for the installation, maintenance and removal of ply mats at Kallison Ranch/Canyon Parke Facility #097 with Davenport Drilling and Pump Service for an amount not to exceed \$15,000.00 (District 6) (BP # 060768) (Olivares).
11. To approve expenditure as per task order with Brown and Caldwell, to conduct a Standby Generation and Arc Flash Hazard Analysis at BexarMet's 25 most critical sites for an amount not to exceed \$370,656.00. and to reallocate funds from Capital Budget BP-070824 (Olivares) (Item tabled on September 24, 2007).
12. To approve the renewal of the Joint Funding Agreement with the U.S. Geological Survey for stream gauging and water quality monitoring in the Medina River Basin for the federal fiscal year beginning October 1, 2007 in an amount not to exceed \$77,440.00 (Olivares) (Item tabled on September 24, 2007).
13. To approve BexarMet's participation in a Regional Water Group serving sections of Atascosa, Bexar, Medina and Frio Counties (Olivares).
14. To approve the purchase of an art work package for the BexarMet Customer Service Center (Gallegos).
15. To ratify payment to Alfaro Consulting for construction management for the BexarMet Customer Service Center for the amount of \$16,659.75 (Olivares/Vasquez).

16. To approve a services contract with Merchant Multi-Services, LLC (“MMS”) to serve as a payment services advocate and to include payment processor changes and/or enhancements, technological development and transaction security for BexarMet (Olivares/Vasquez).
17. To authorize the General Manager to execute a six year agreement to lease 794 acre-feet annually of Edwards water rights from the Regional Water Resource Development Group in order to meet BexarMet’s 2008 Order Request; for an amount not to exceed \$105,701.25 per year (Olivares).
18. **CONSENT ITEMS:**
THE BOARD WILL BE ASKED TO CONSIDER AND TAKE ACTION:
 - a. To accept the Financial Report for month ending September 30, 2007 and year-to-date (Olivares/Vasquez).
 - b. On payment of legal fees for professional services provided to the District (Olivares/Ruiz).
 - c. To approve a payment of the October 2007 Texas Municipal League (“TML”) insurance premium of \$13,926.19 (Olivares/Ruiz).
 - d. To approve payment of \$8,000.00 for settlement of a general liability claim for property damage (Olivares/Ruiz).
 - e. To authorize the General Manager to obtain a water line utility easement at Talley Road 16” main extension project from Talley Venture, LLC for an amount not to exceed \$16,908.25 (District 6) (BP #060768) (Olivares).
 - f. To approve an amendment to the contract with LNV Engineering for additional engineering design services for Ansley Blvd. from Commercial Ave. to Moursund Blvd. to include Petaluma Blvd: Drainage Crossing between Ludtke Ave. and Garnett Ave. for an amount not to exceed \$17,016.00 (District 7) (BP# 070808) (Olivares).
 - g. Approval by the Board to revise the current retroactive date of eligibility for the No Wait Rebate Program from January 1, 2006 to September 1, 2002 (Olivares).
 - h. To ratify an Interlocal Agreement with the San Antonio Water System (“SAWS”) regarding SAWS’ request to utilize BexarMet’s water infrastructure to provide temporary water to Monte Cristo Partners and Mann Development off Borgfeld Road (Olivares/Ruiz).
19. **ACTION ITEMS ADMINISTRATION:**
THE BOARD WILL BE ASKED TO REVIEW AND APPROVE:
 - a. September 24, 2007 Regular Board Minutes.
 - b. September 19, 2007 Special Board Minutes.
 - c. September 10, 2007 Special Board Minutes.

20. **REPORT ITEMS:**

- a. The purchase of materials necessary for store's inventory or for on-going projects for the month of September 2007 (Olivares/Vasquez).
 - b. The exceptional expenditures and professional fees for the month September 2007 (Olivares/Vasquez).
 - c. Top 25 Delinquent accounts (Olivares/Vasquez).
 - d. General Manager's monthly reports (Information only).
 - i. Update BexarMet Customer Service Center and removal of old Pay Station.
 - ii. Update on Financial Ledger on expenses.
 - iii. Delinquent residential and commercial accounts.
 - iv. Status of Raw Water Pipeline at BexarMet's Surface Water Facility.
 - e. Professional Services Monthly Reports (Olivares/Ruiz).
21. 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.
22. The Board will adjourn.