

**BEXAR METROPOLITAN WATER DISTRICT
2047 W. MALONE, SAN ANTONIO, TEXAS 78225
P.O. BOX 245994, SAN ANTONIO, TEXAS 78224
REGULAR BOARD MEETING
NOVEMBER 26, 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 **26th day of November 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.

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. General litigation matters involving ongoing, pending or contemplated litigation and settlement offers (Olivares/Ruiz).
- b. To declare as surplus the following BexarMet properties: Straus Medina Ranch, Uptmore Tracts, Kearney Reservoir, Applewhite Road, Malone two (2) acres located in Bexar County, Texas and Cole Farm located in Uvalde County, Texas.
- c. To authorize the General Manager and the Real Estate Committee to negotiate a Purchase and Sale Agreement with Galo Inc., for the sale of the Straus Medina Ranch Property to include the Uptmore Tracts in Bexar County, Texas.
- d. To authorize the General Manager and the Real Estate Committee to negotiate a Purchase and Sale Agreement with Gran Van for the sale of the Kearney Reservoir Property in Bexar County, Texas.

- e. To authorize the General Manager and the Real Estate Committee to negotiate a Purchase and Sale Agreement with Kenneth Cole/Cole Farms and Ranch for the sale of the Cole Farm Property in Uvalde County, Texas.
 - f. To authorize the General Manager and the Real Estate Committee to negotiate a Purchase and Sale Agreement with the City of San Antonio for the sale of the Applewhite Road Property in Bexar County, Texas.
 - g. Real Estate Matters (Olivares/Ruiz).
 - h. Ratification of extension and amendment to General Manager's Contract (Olivares).
3. The Board will reconvene in Open Session.
 4. Pledge of Allegiance.
 5. Invocation.
 6. The Board may take ACTION on any item discussed in Executive Session.
 7. Request by interested citizens to address the Board.

ACTION ITEMS:

THE BOARD WILL BE ASKED TO CONSIDER AND TAKE ACTION:

8. Election of Vice President for the BexarMet Board of Directors (Olivares/Ruiz).
9. To amend the March 27, 2006 Resolution of the BexarMet Board of Directors to withdraw its uniform impact fee application submission to the TCEQ and to commence with the process for adoption of new impact fees pursuant to V.T.C.A., Local Government Code Section 395 and to direct staff to initiate all required procedures pursuant to Section 395 to implement and levy said fees (Olivares/Ruiz).
10. To approve an expenditure as per task order with Brown and Caldwell for engineering design services at Lost Pond (Colorspot) Water Transmission Facilities for an amount not to exceed \$48,319.00 and to reallocate funds from Capital Budget BP# 070824 (Olivares).
11. To authorize the expenditure of funds for a 12" main extension along Borgfeld Road in an amount not to exceed \$260,000.00 and to reallocate funds from BP# 070824 (District 6) (Non-Budgeted Project) (Olivares).
12. To authorize the General Manager to negotiate and execute a contract with N.G. Painting, L.P., the low bidder based on Request for Proposal #07295 as advertised for the rehabilitation of an elevated storage tank at Vestal Facility #013 for an amount not to exceed \$1,128,000.00 and to approve reallocation of \$266,700.00 from Capital Budget BP# 070824 (District 5) (BP# 070830) (Olivares).

13. To authorize the General Manager to execute a six year agreement to lease 7 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 \$902.06 per year (Olivares).
14. To authorize the General Manager to execute a six year agreement to lease 80 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 \$10,309.20 per year (Olivares).
15. To authorize the General Manager to execute a six year agreement to lease 200 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 \$25,773.00 per year (Olivares).
16. To authorize the General Manager to execute a six year agreement to lease 200 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 \$25,773.00 per year (Olivares).
17. To authorize the General Manager to execute a ten year agreement to lease 65 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 \$7,960.88 per year for the first to fifth years and \$9,691.50 per year for the sixth to tenth years (Olivares).
18. To authorize the General Manager to execute a ten year agreement to lease 252.09 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 \$30,874.72 per year for the first to fifth years and \$37,586.62 per year for the sixth to tenth years (Olivares).
19. To authorize the General Manager to execute a ten year agreement to lease 670.73 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 \$96,091.33 per year (Olivares).
20. To approve the nomination of F. Gilbert Olivares, BexarMet General Manger, to the South Central Texas Regional Water Planning Group (RWPG) (Olivares).
21. 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) (Item tabled on October 29, 2007) (Olivares).
22. To approve the proposed 2008 BexarMet Holiday Schedule (Olivares/Wigfall Cruté).
23. To approve the adoption of the revised derivatives policy (Swap Policy) (Olivares/Morin).

24. **CONSENT ITEMS:**

THE BOARD WILL BE ASKED TO CONSIDER AND TAKE ACTION:

- a. To accept the Financial Report for month ending October 31, 2007 and year-to-date (Olivares/Vasquez).
- b. On the approval of payment for legal fees for professional services provided to the District (Olivares/Ruiz).
- c. To ratify the purchase of a pump for Lost Pond (Colorspot) Water Transmission Facilities from Dynamic Pump Systems, LLC, the low bidder based on Request for Proposal #07256 as advertised for an amount not to exceed \$8,600.00 and to reallocate funds from Capital Budget BP# 070824 (Olivares/Ruiz).
- d. To approve and execute a Utility Service Agreement with Galo, Inc. for the Pantheon Way Development (District 6) (Olivares/Ruiz).
- e. To ratify payment to C & C Groundwater Services for emergency well replacement and purchase of all appurtenances needed to replace and reinstall this well for 095WP3 Facility # 095 25734 Wild Turkey Drive, for an amount not to exceed \$29,726.90 (District 6)(Olivares).
- f. To ratify payment to Alsay, Inc. for emergency well replacement and purchase of all appurtenances needed to replace and reinstall this well for 180WP1 Facility #180, for an amount not to exceed \$23,195.79 (District 6) (Olivares).
- g. To approve an increase to BexarMet's Fire Hydrant Meter Rate (Olivares/Stryjewski).
- h. To approve the contract with Xerox Corp. to replace the DP4850 HighLight Color printer with a DocuTech 128 HighLight Color printer (Olivares/Hopkins).
- i. To approve the Renewal of Dental, Medical Stop Loss Carrier and Administrative Services contracts for the period from January 1, 2008 to December 31, 2008 with Verity National and ING.(Olivares/Wigfall Cruté).
- j. To approve a change in the life insurance carrier from Unum Life Insurance Company of America to Lafayette Life effective January 1, 2008 (Olivares/Wigfall Cruté).
- k. To approve a change to the renewal date of the Long Term Disability Policy from May 1, 2008 to January 1, 2008 (Olivares/Wigfall Cruté).

25. **ACTION ITEMS ADMINISTRATION:**

THE BOARD WILL BE ASKED TO REVIEW AND APPROVE:

- a. Regular Board Minutes, October 29, 2007
- b. Amendment to Minutes: February 26, 2007, March 26, 2007, April 30, 2007, May 14, 2007, May 30, 2007

26. **REPORT ITEMS:**

- a. The purchase of materials necessary for store's inventory or for on-going projects for the month of October 2007 (Olivares/Vasquez).
- b. The exceptional expenditures and professional fees for the month October 2007 (Olivares/Vasquez).
- c. Top 25 Delinquent accounts (Olivares/Vasquez).
- d. General Manager's monthly reports (Information only).

I. Directors' Fee

- e. Professional Services Monthly Reports (Olivares/Ruiz).

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 meeting and/or Special meeting.

28. The Board will adjourn.