

**BEXAR METROPOLITAN WATER DISTRICT
2047 W. MALONE, SAN ANTONIO, TEXAS 78225
P.O. BOX 245994, SAN ANTONIO, TEXAS 78224
REGULAR BOARD MEETING
May 30, 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 **30th day of May, 2007**. **The meeting will be called to order at 4:00 p.m., with an Election of Officers and an Executive Session to follow thereafter. Open Session will begin again at 6:00 p.m.** The meeting will be held in the Bexar Metropolitan Water District Board Room, 2047 W. Malone, San Antonio, Texas 78225.

The District provides unrestricted access for the disabled.

1. Meeting Called to Order.
2. The Board will elect its Officers.

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. To authorize the General Manager to negotiate, approve and execute 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).
 - c. To approve a Ground Lease Agreement with The City of Hill Country Village ("HCV") to lease property in order to construct additional water wells (District 6) (Olivares/Ruiz).

- d. To approve a settlement in Timberwood Development Company, L.P. v. Bexar Metropolitan Water District; in the 150th Judicial District, Bexar County, Texas, Cause No. 2003-CI-18314 (Olivares/Ruiz).
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 ratify an emergency purchase of a spare replacement motor (U.S. 300 HP 4160V) from Loyd Armature Works, Inc. for Facility 91, Bitters Road (District 6) Well Pump #1 funded by funds in the amount of \$20,797.35 from Fiscal Year 2006-2007 Budget Number BE-5504 (Olivares/Bittle).
7. To authorize the General Manager to negotiate and execute a contract with Cleary Engineering Inc., for electrical engineering services to upgrade Facility 65, Bitters Road (District 6) for a budgeted amount (BP-070811) not to exceed \$20,850.00 (Olivares/Bittle).
8. To authorize the General Manager to purchase a well pump from C & C Groundwater Services as a spare for emergency use for Facility 65 Bitters Road, (District 6) for a budgeted amount (BP-070831) not to exceed \$13,220.00 (Olivares/Bittle).
9. To authorize the General Manager to negotiate and approve a contract with Bain Medina Bain, Inc. (BMB), engineer selection by City of San Antonio, to complete the design of the replacement of water mains for the Rip Rap #69, Phase II D Project (BP# 070808) (District 3) for an amount not to exceed \$159,133.00. It is also required to reallocate funds from the Capital Budget No. (BP# 070806) (District 2) in the amount of \$9,133.00 (Olivares).
10. To approve an amendment to the contract with S.J. Lewis Construction, for installation of water transmission pipeline at the Stein Tract for an amount not to exceed \$1,813,908.77 (District 6) (BP# 070822) (Olivares).
11. To authorize the General Manager to negotiate and execute a contract with Tonka Equipment Company, to provide well treatment filter equipment at Dym Tract for an amount not to exceed \$300,000.00 (District 6) (BP# 070822) (Olivares).
12. To authorize the General Manager to execute a one year agreement to lease 73.80 acre-feet annually of Edwards water rights from the Regional Water

- Resource Development Group in order to meet BexarMet's 2007 Order Request; for an amount not to exceed \$10,721.06 (Olivares).
13. To authorize the General Manager to execute a one year agreement to lease 119.19 acre-feet annually of Edwards water rights from the Regional Water Resource Development Group in order to meet BexarMet's 2007 Order Request; for an amount not to exceed \$ 16,167.86 (Olivares).
 14. To authorize the General Manager to execute a one year agreement to lease 500 acre-feet annually of Edwards water rights from the Regional Water Resource Development Group in order to meet BexarMet's 2007 Order Request; for an amount not to exceed \$ 61,865.06 (Olivares).
 15. To authorize the General Manager to execute a five-year agreement to lease 346.01 acre-feet annually of Edwards water rights from the Regional Water Resource Development Group in order to meet BexarMet's 2007 Order Request; for an amount not to exceed \$ 36,481.56 per year (Olivares).
 16. To authorize the General Manager to execute a one year agreement to lease 263.45 acre-feet annually of Edwards water rights from the Regional Water Resource Development Group in order to meet BexarMet's 2007 Order Request; for an amount not to exceed \$ 33,479.06 (Olivares).
 17. **CONSENT ITEMS:**
THE BOARD WILL BE ASKED TO CONSIDER AND TAKE ACTION:
 - a. To approve the revisions to the District's Employee Handbook including certain corrections, additions, clarifications, and a general reorganization of material to reflect best practices (Olivares/Wigfall Cruté). [Tabled on April 30, 2007 Regular Board Meeting]
 - b. Approve a Resolution that the BexarMet Board of Directors highly discourage any Board Member from communicating with an accuser of any single allegation and/or their agents or representatives during a pending investigation or litigation and to refrain from directly communicating with an accuser of any single allegation and/or their agents or representatives during a pending investigation or litigation matter (Olivares/Ruiz). [Tabled on April 30, 2007 Regular Board Meeting]
 - c. On the approval of payment for legal fees for professional services provided to the District (Olivares/Ruiz).
 - d. To authorize the General Manager to negotiate, approve and execute a Utility Service Agreement with Talley Ho 220 for the Cagnon Hollow Subdivision (District 2) (Olivares/Ruiz).

- e. To authorize the General Manager to negotiate, approve and execute a Utility Service Agreement with Tres Laurel, Ltd. for the Tres Laurel Subdivision (District 2) (Olivares/Ruiz).
- f. To authorize the General Manager to negotiate, approve and execute a Utility Service Agreement with Mt. Laurel, Ltd., for the Mt. Laurel Subdivision (District 2) (Olivares/Ruiz).
- g. To authorize the General Manager to negotiate, approve and execute a Utility Service Agreement with BP Highway 90 San Antonio, Ltd., for the Medina Springs Subdivision (District 2) (Olivares/Ruiz).
- h. To authorize the General Manager to negotiate, approve and execute a Utility Service Agreement with Simayof Investments for the Benke Tract (District 2) (Olivares/Ruiz).
- i. To authorize the General Manger to negotiate, approve and execute a Utility Service Agreement with BitterBlue, Inc., for the Lowes IH 35 South Project (District 3) (Olivares/Ruiz).
- j. To approve an insurance deductible reimbursement payment of \$10,000.00 to Travelers for settlement of a property damage loss under the prior insurance policy period (Olivares/Ruiz).
- k. To approve Insurance Renewal with Texas Municipal League Risk Pool("TML") to continue the BexarMet Property, Casualty, General Liability, Automobile Liability, Directors and Officers Liability, Crime, Umbrella, and Workers Compensation insurance coverage effective May 1, 2007 through May 1, 2008 in the amount of \$557,626.00 (Olivares/Ruiz).
- l. To accept the Financial Report for month ending March 2007 and April 2007 (Olivares/ Morin).
- m. To ratify amendment number one to the agreement for consulting services between Bexar Metropolitan Water District and Brown and Caldwell for Rate Design and Bond Feasibility Analysis (Olivares/Morin).
- n. To authorize the purchase of variable frequency drive (VFD) bypasses, fans, filters, spare parts, and other adders from Mission Controls and Supply for electrical switchgear at Dym, Rogers and Stein Tracts for an amount not to exceed \$297,394.00 (District 6) (BP# 070822) (Olivares).
- o. To approve the contract with Motorola to manage radio system "rebanding" at no cost to BexarMet (Olivares/Hopkins).

18. **ACTION ITEMS ADMINISTRATION:**
THE BOARD WILL BE ASKED TO REVIEW AND APPROVE:

- a. February 15, 2007 Special Board Minutes.
[Tabled on April 30, 2007 Regular Board Meeting]
- b. February 26, 2007 Regular Board Minutes.
[Tabled on April 30, 2007 Regular Board Meeting]
- c. March 30, 2007 Regular Board Minutes.
[Tabled on April 30, 2007 Regular Board Meeting]
- d. April 30, 2007 Regular Board Minutes.

19. **REPORT ITEMS:**

- a. The purchase of materials necessary for store's inventory or for on-going projects for the month of April 2007 (Olivares/Morin).
 - b. The exceptional expenditures and professional fees for the month April 2007 (Olivares/Morin).
 - c. Top 25 Delinquent accounts (Olivares/Morin).
 - d. General Manager's monthly reports (Information only).
 - (i) Canyon Regional Water Authority Bond Resolution and Water Supply Contract.
 - (ii) Paystation Update.
 - (iii) Stone Oak Projects.
 - (iv) HB 1565/SB 3.
 - e. Professional Services Monthly Reports (Olivares/Ruiz).
20. 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.
21. The Board will adjourn.