

**BEXAR METROPOLITAN WATER DISTRICT
2047 W. MALONE, SAN ANTONIO, TEXAS 78225
P.O. BOX 245994, SAN ANTONIO, TEXAS 78224**

**REGULAR BOARD MEETING
July 28, 2008**

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 **28th day of July 2008. The meeting will be called to order at 4:00 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. Consultation with the Board's Attorney, general litigation matters involving ongoing, pending or contemplated litigation and settlement offers-Discussion Items for Executive Session (Olivares/Ruiz).
- b. To authorize the General Manager to negotiate a Purchase and Sale Agreement with SJWTX Water Inc., for the sale of the Comal County Water System as per the terms discussed in Executive Session and to bring a negotiated agreement back to the Board for approval (Olivares/Ruiz).
- c. To authorize the General Manager to execute a sale and purchase agreement with Steves & Sons, Inc., for a three (3) acre tract of the Malone property (Olivares/Ruiz).
- d. SAWS interest in system transfers and cooperative relationship.
- e. To authorize the extension of the deadline of the closing date for the sale of the Berry Ranch property (Olivares/Ruiz).

3. The Board will reconvene in Open Session.
4. Pledge of Allegiance.
5. Invocation.
6. Announcements.
7. The Board may take ACTION on any item discussed in Executive Session.
8. Requests by interested citizens to address the Board.

ACTION ITEMS:

THE BOARD WILL BE ASKED TO CONSIDER AND TAKE ACTION:

ITEMS FOR INDIVIDUAL CONSIDERATION:

9. To enter into a service agreement with SilkRoad Technology for an applicant tracking system (Olivares/ Wigfall Cruté).
10. To approve the purchase of replacing a zero radius mower for an amount not to exceed \$5,759.51 (Olivares/Wigfall Cruté).
11. Approval of advance unlimited tuition payments per fiscal year for all qualified employees, depending on availability of funds (Villarreal/Carr).
12. To approve payment to Victor O. Schinnerer & Co. for renewal of a five (5) year Commercial Pollution Legal Liability policy in an amount not to exceed \$132,486.65 and to amend Operating Budget for fiscal year 2008-2009 to pay \$26,497.33 (20%) of said amount (Olivares/Ruiz).
13. To approve payment to the Texas Municipal League Risk Pool ("TML") for the July 2008 Invoice in an amount not to exceed \$82,250.88 (Olivares/Ruiz).
14. To authorize the General Manager to execute a Support Agreement with Texas A & M University System and Verano Land Group, LP in substantially the form attached hereto (Olivares/Ruiz).
15. To authorize the General Manager to negotiate a Lease Agreement with Steves & Sons, Inc., regarding an approximate three (3) acre tract of the Malone property and to bring back a negotiated agreement for Board approval (Item tabled at the June 30, 2008 Regular Board Meeting) (Olivares/Ruiz).
16. To approve a Resolution adopting a policy regarding BexarMet employees' participation in campaigns of candidates for BexarMet Board of Directors (Wenger).
17. To remove the Invocation from Board Meeting Agendas.
18. To approve a change in the current BexarMet policy for the calculation of leak credit (Wenger).

19. To approve the engagement of Garza/Gonzalez & Associates, to audit the Bexar Metropolitan Water District Retirement Income Plan, in an amount not to exceed \$25,000.00 (Olivares/Vasquez).
20. To approve a Second Amendment to the Agreement with Verstuyft Family Farms LLC for the compensation of water provided by Verstuyft Family Farms LLC to Color Spot Nursery for an amount of \$140.00 per acre-foot (Olivares/Thuss).
21. To authorize an annual financial contribution of \$5,000.00 to assist with the Edwards Aquifer Recovery and Implementation Program to 2012 (Olivares/Thuss).
22. To authorize the General Manager to award the bid #08151 to Grande Ford, for the purchase of 28 fleet vehicles for an amount not to exceed \$578,302.00 allocated from the Capital Budget (Olivares/Thuss).
23. To authorize the General Manager to negotiate and execute an agreement with Western Union Financial Services regarding the cancellation of the service fee currently paid by District customers to Western Union and for District to assume payment of that fee (Atkinson).
24. Consideration and action on retaining the legal services of Mark Anthony Sanchez regarding labor and employment law issues (Olivares/Maldonado).
25. Authorization of cost for staff to mail out Election announcements for Board Elections on November 4, 2008 for Districts 1, 4, 5, and 6 (Villarreal).

ENGINEERING/IMPROVEMENTS, EXTENSIONS AND ADDITIONAL CAPACITY:

26. To authorize the General Manager to negotiate a professional services agreement with Earth Tech Inc. for design of the Stein Tract Ground Storage Tank and Pumping Station and to bring the contract to the Board for Approval (District 6) (Olivares/Thuss).
27. To authorize the General Manager to negotiate and execute indefinite delivery order contracts with four selected professional real estate firms, said firms selected in response to RFQ#08161, to assist the District in Real Estate Acquisitions (All Districts), including property, easements, and rights of ways (Olivares/Thuss).
28. To approve the City Public Service cost for electrical service at Bitters Facility #065 for an amount not to exceed \$14,058.00 (BP-080963) (District 6) (Olivares/Thuss).
29. To approve and authorize the General Manager to enter into a water line relocation interlocal agreement with the City of San Antonio for joint bidding with the City and accept the selected contractor related to the "Ansley Boulevard" project for an amount not to exceed \$508,370.00, allocated from the FY0809 Capital Budget (District 7) (BP-080933) (Olivares/Thuss).
30. To authorize the General Manager to negotiate and execute a contract with Lambda Construction I, Ltd., selected through Request for Proposal #08173, for the construction of a liquid ammonium sulfate chemical feed systems at King Facility #003, Zarzamora Facility #005, La Rosa Facility #008 and Hickory Hollow Facility #074 for an amount not to exceed \$1,740,000.00 and to allocate \$432,400.00 from BP-080904, \$500,000.00 from BP-080908, \$453,400.00 from BP-080909, reallocate \$27,300.00 from BP-080922 to BP-080908 for Facility

#005, and to reallocate \$326,900 from BP-080922 to BP-080916 for Facility #074 (Districts 1, 3, 5) (Olivares/Thuss).

31. To authorize the General Manager to negotiate and execute a contract with Lambda Construction I, Ltd., selected through Request for Proposal #08174, for the construction of a liquid ammonium sulfate chemical feed system at New World Facility #038 (District 4) for an amount not to exceed \$522,000.00 and to reallocate that amount from BP-080922 (District 6) (Olivares/Thuss).
32. To authorize the General Manager to negotiate and execute a contract amendment with Geodetix, Inc. for aerial mapping for the South to Deep South Interconnecting pipeline in an amount not to exceed \$3,075.00 and to appropriate that amount from the Capital Budget (BP-080953) (District 5) (Olivares/Thuss).
33. To authorize the General Manager to negotiate and execute a contract amendment with Brown and Caldwell for modification of the design of the Staggs Ranch Water Production Facility for an amount not to exceed \$265,540.00 and to reallocate \$265,540.00 from BP-080953 for this purpose (District 5) (Olivares/Thuss).
34. To authorize the General Manager to negotiate and execute a contract with Sun Coast Resources, Inc., the lowest bidder for IFB #08176, for fuel delivery to remote sites for generators and engines and for the purchase of seven fuel tanks (Districts 5 and 6) (Olivares/Thuss).

35. CONSENT ITEMS:

THE BOARD WILL BE ASKED TO CONSIDER AND TAKE ACTION:

- a. To accept the Financial Report for month ending June 30, 2008 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 a temporary term security contract between BexarMet and ACME Security Services, Inc.(Olivares/Ruiz).

36. ACTION ITEMS ADMINISTRATION:

THE BOARD WILL BE ASKED TO REVIEW AND APPROVE:

- a. June 30, 2008, Regular Board Minutes

37. REPORT ITEMS:

- a. General Manager's monthly reports (Information only).
 - I. Customer Service Center feasibility study.
 - II. Pilot Solar Power Project costs for running a booster pump at Meadow Wood Booster Station #169.
 - III. Operations and Engineering Reports.
 - IV. Capital Improvements Advisory Committee Report.
 - V. November 2008 Elections.
 - VI. Validation and Adoption of Mission and Vision Statements.

- b. The purchase of materials necessary for store's inventory or for on-going projects for the month of June 2008 (Olivares/Vasquez).
 - c. The exceptional expenditures and professional fees for the month June 2008 (Olivares/Vasquez).
 - d. Top 25 Delinquent accounts (Olivares/Vasquez).
 - e. Professional Services Monthly Reports (Olivares/Ruiz).
- 38.** 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.
- 39.** The Board will adjourn.