

MINUTES  
Regular Meeting  
Laguna Madre Water District Board of Directors  
October 11, 2017  
5:30 -7:27 PM  
Board Room

The REGULAR MEETING of the LAGUNA MADRE WATER DISTRICT was held at the Administration Office of the District at 105 Port Road, Port Isabel, Texas on the 11<sup>TH</sup> day of October 2017, at the hour of 5:30 P.M., pursuant to written notice as prescribed by law.

ITEM #1        QUORUM

The CHAIRMAN called the meeting to order and he determined the Notice of the Meeting had been duly posted in accordance with the law and the following present constituted a quorum:

PRESENT:        Chairman, Scott D. Friedman  
                    Vice Chairman, Rick A. Wells  
                    Secretary, Doyle Wells  
                    Director, Herb Houston  
                    Director, Alex Avalos

ADMINISTRATIVE STAFF:        General Manager, Carlos J. Galvan, Jr.  
   District Engineer, Charles Ortiz  
   Director of Finance, Sanjuana Garcia  
   Attorney, Eddie Lucio, III

ITEM #2        INVOCATION AND PLEDGE ALLEGIANCE

The meeting began with the Pledge Allegiance and an Opening Prayer.

ITEM #3        INVITATION TO THE AUDIENCE FOR PUBLIC COMMENTS

Wastewater Plant Manager, Mark Garza thanked the BOARD for authorizing a group of District Staff to attend the Water Environment Federation Technical Exhibition and Conference it was a good experience.

ITEM #4        CONSIDER AND APPROVE MINUTES OF WORKSHOP MEETING AND REGULAR MEETING ON SEPTEMBER 27, 2017. (C. GALVAN)

The BOARD agreed to approve Minutes with corrections for the Workshop Meeting and Regular Meeting of September 27, 2017. Corrections to item #1 of the minutes for Workshop Meeting and Regular Meeting.

R. WELLS made a motion to approve, seconded by D. WELLS with the amendment. MOTION CARRIED UNANIMOUSLY.

ITEM #5            CONSIDERATION AND DISCUSSION WITH LEGAL COUNSEL ON OPTIONS FOR STRUCTURING AGENDA ITEMS. (C. GALVAN)

There was a discussion on possibly structuring an open agenda item intended for Board Members use of any subject matters. E. LUCIO addressed questions concerning permissible options as permitted by the Attorney General and the Texas Open Meetings Act. It was noted, of items that are not properly noticed or included on the agenda cannot be discussed. If at a meeting of a governmental body a member of the public or a member of the governmental body raises a subject that has not been properly noticed in the agenda the government body may only state specific factual information as a response or of existing policy. Any Deliberation or discussion about the subject raised must be limited to a proposal to place the subject on the agenda to a subsequent meeting. The BOARD agreed when necessary to place a request as an agenda item and presented at a regular meeting.

This item was for discussion only, no action taken.

ITEM #6            CONSIDERATION AND DISCUSSION WITH LEGAL COUNSEL ON TCEQ COMPLIANCE WITH THE TEXAS ADMINISTRATIVE CODE, CHAPTER 290. (C. GALVAN)

As a result of a concern raised at the Regular Meeting of September 27, 2017, there was a discussion on Texas Commission Environmental Quality (TCEQ) compliance on the Water Plants presently being operated by "D" License Water Plant Operators without supervision. E. LUCIO and STAFF addressed the Board of Directors questions and provided clarification of the Texas Administrative Codes. The Water Plant Manager ensured confirmation via email from TCEQ permitting "D" license Water Plant Operators to operate the Plants without direct supervision (as long as the Water Plant Manager is in contact 24/7-at all times).

The BOARD agreed (with one member not in agreement) to contact the TCEQ Office to schedule a presentation at a Board of Directors Regular Meeting.

This item was for discussion only, no action taken.

ITEM #7 GENERAL MANAGER'S REPORT

- PURCHASING AGENT
- AUDIT COMMITTEE MEETING
- LAKES AT SPI GOLF COURSE

C. GALVAN reported on the following:

- A new Purchasing Agent will begin sometime this week
- Audit Committee met with the Auditors on October 4, 2017, went over requirements and audit completion date possibly by December 15, 2017
- A question asked at the last meeting on September 27, of the Golf Course lakes being dry. A call made to the Golf Course, confirming lakes are dry due to no rain. Discussion and questions ensued regarding SPI Golf Course's contract agreement. A request made for an Engineer's Report at the next regularly scheduled meeting on October 25, 2017, for an update on the raw water and effluent agreements with the Golf Course.

ITEM #8 DISTRICT ENGINEER'S REPORT

- WATER ENVIRONMENT FEDERATION TECHNICAL EXHIBITION AND CONFERENCE
- REVISED CT STUDY AT WATER PLANT NO. 1

C. ORTIZ reported on the following:

- C. Ortiz and three other District Operators attended a conference in Chicago and noted it was effective and got to see the current technology. Attendees also got to see a grit removal system with hands experience on equipment through vendors that were at the exhibit and odor control for the plants.
- Will revise CT Study at Water Plant No. 1 in-house to update and reviewing draft to send to TCEQ to run a pilot study. Last revision was on March 2, 2007.

ITEM #9 DIRECTOR OF FINANCE REPORT

- ELECTIONS UPDATE- CAMERON COUNTY
- DEPOSITORY AGREEMENT CALENDAR

S. GARCIA reported on the following:

- Elections advertisement for November 2017 Bond Election in 3 locations: City of Port Isabel, Port Isabel Library, Post office. The District's website also has information regarding the Elections.
- Met with Professional Services Committee on RFP process for Depository Agreement Services for the District. Professional Services Committee scheduled the next meeting on October 17, 2017.

ITEM #10      CONSIDER AND REMOVE FROM THE TABLE THE FOLLOWING ITEM TABLED AT REGULAR MEETING ON SEPTEMBER 27, 2017:

CONSIDER AND DISCUSS FOR POSSIBLE APPROVAL OF DISTRICT'S COUNSEL AND GENERAL MANAGER'S RECOMMENDATIONS FOR AGREEMENT WITH VERIZON WIRELESS ANTENNA AT ANDY BOWIE.

The BOARD agreed to remove the item from the table for discussion.

A. AVALOS made a motion and seconded by D. WELLS. MOTION CARRIED UNANIMOUSLY.

ITEM #11      CONSIDER AND DISCUSS FOR POSSIBLE APPROVAL OF DISTRICT'S COUNSEL AND GENERAL MANAGER'S RECOMMENDATIONS FOR AGREEMENT WITH VERIZON WIRELESS ANTENNA AT ANDY BOWIE. (C. GALVAN)

C. GALVAN recommended for the document to remain tabled. C. GALVAN reported meeting on October 3, 2017, with D. Wells, E. Lucio, Verizon Wireless Representative, and the Attorney for Verizon Wireless attended through teleconference, to thoroughly review and discuss the recommendations on the agreement. This item was deferred to the next regularly scheduled meeting on October 25, 2017.

R. WELLS made a motion to table and seconded by A. AVALOS. MOTION CARRIED UNANIMOUSLY. ITEM TABLED.

ITEM #12      CONSIDER AND REMOVE FROM THE TABLE THE FOLLOWING ITEM TABLED AT REGULAR MEETING ON SEPTEMBER 27, 2017:

CONSIDER AND AWARD CONTRACT FOR SEDIMENT REMOVAL SERVICES AT THE RIVER PUMP STATION (BID 17-06-15).

The BOARD agreed to remove the item from the table for discussion.

D. WELLS made a motion and seconded by R. WELLS. MOTION CARRIED UNANIMOUSLY.

ITEM #13        CONSIDER AND AWARD CONTRACT FOR SEDIMENT REMOVAL SERVICES AT THE RIVER PUMP STATION (BID 17-06-15). (C. ORTIZ)

The Bid Tabulation Summary for dredging at the river pump station showed Bullock Construction as the lowest bidder with a price of 48,500.00. C. GALVAN reported a discount of \$2,000.00 because the District plans on keeping the soil and sediment for fill material. Discussion and questions ensued. The BOARD agreed to approve the amended contract amount of \$46,500.00

A. AVALOS motion to approve the amendment of \$2,000.00 and seconded by R. WELLS. MOTION CARRIED UNANIMOUSLY.

ITEM #14        CONSIDER AND REMOVE FROM THE TABLE THE FOLLOWING ITEM TABLED AT REGULAR MEETING ON SEPTEMBER 27, 2017:

CONSIDER AND AWARD GROUND MAINTENANCE SERVICES CONTRACT (BID # GMS-17-08-05).

The BOARD agreed to remove the item from the table for discussion.

D. WELLS made a motion and seconded by A. AVALOS. MOTION CARRIED UNANIMOUSLY.

ITEM #15        CONSIDER AND AWARD GROUND MAINTENANCE SERVICES CONTRACT (BID # GMS-17-08-05). (C. GALVAN)

C. GALVAN recommended M. H. Mowing Services, the second-lowest bidder for the Ground Maintenance Services Contract. Discussion and questions ensued regarding certain requirements on the contract. It was determined to amend the existing contract to include the upkeep on the inside and outside of a fence with the permission of the adjacent property owner. The BOARD agreed to award the recommended bidder and to amend the contract to include the Contractor will ask the adjacent property owner permission to cut on the owner's side of the property.

The item was not get discussed; the BOARD agreed to remove this item from the agenda.

The CHAIRMAN made a motion to withdraw the item from the agenda, seconded by H. HOUSTON.  
MOTION CARRIED UNANIMOUSLY. ITEM REJECTED.

ITEM #20      CONSIDER AND APPROVE DISBURSEMENTS. (S. GARCIA)

There was a discussion regarding a question asked on the wording on the agenda for the approval of the disbursements, and if the checks are mailed out before the Board's approval. The BOARD suggested rephrasing the wording for the approval of the disbursements item given that the checks get sent before the Board's approval.

H. HOUSTON made a motion to approve and seconded by R. WELLS. MOTION CARRIED UNANIMOUSLY.

ITEM #21      CONSIDER AND REMOVE FROM THE TABLE THE FOLLOWING EXECUTIVE SESSION ITEM  
TABLED AT REGULAR MEETING ON SEPTEMBER 27, 2017:

EXECUTIVE SESSION PERMITTED BY THE OPEN MEETING ACT, V.T.C.A., GOVERNMENT  
CODE SECTION 51.001 ET. SEQ., UNDER SECTION 551.071, CONSULTATION WITH  
ATTORNEY; SECTION 551.074 (A) (1), AUTHORIZING CERTAIN DELIBERATIONS ABOUT  
OFFICERS AND EMPLOYEES OF THE DISTRICT TO BE HELD IN EXECUTIVE SESSION

TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT,  
DUTIES, DISCIPLINE, OR DISMISSAL OF DISTRICT EMPLOYEES TO WIT: DISTRICT ENGINEER

The BOARD agreed to remove the item from the table for discussion.

A. AVALOS made a motion to remove from the table and seconded by D. WELLS. MOTION CARRIED  
UNANIMOUSLY.

ITEM #22      EXECUTIVE SESSION PERMITTED BY THE OPEN MEETING ACT, V.T.C.A., GOVERNMENT  
CODE SECTION 551.001 ET. SEQ., UNDER SECTION 551.071, CONSULTATION WITH  
ATTORNEY; SECTION 551.074 (A) (1), AUTHORIZING CERTAIN DELIBERATIONS ABOUT  
OFFICERS AND EMPLOYEES OF THE DISTRICT TO BE HELD IN EXECUTIVE SESSION

A. TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT,  
DUTIES, DISCIPLINE, OR DISMISSAL OF DISTRICT EMPLOYEES TO WIT: DISTRICT ENGINEER

B. TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF DISTRICT EMPLOYEES TO WIT: DIRECTOR OF FINANCE

D. WELLS made a motion for the BOARD to go into executive session at 6:47 PM, seconded by R. WELLS. MOTION CARRIED UNANIMOUSLY.

The BOARD took a short recess before going into Executive Session.

R. WELLS made a motion for the BOARD to come out of executive session at 7:26 PM, seconded by A. AVALOS. MOTION CARRIED UNANIMOUSLY.

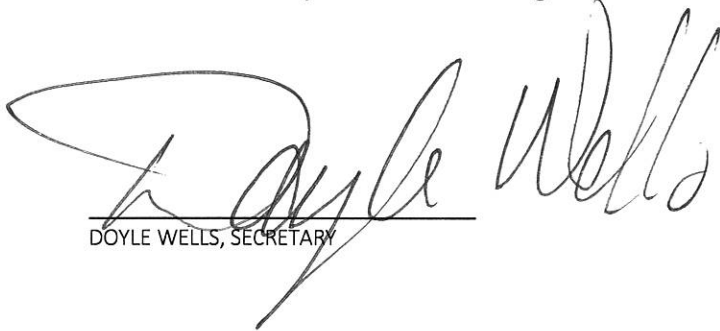
ITEM #23 CONSIDERATION AND ACTION ON EXECUTIVE SESSION ITEMS, IF NECESSARY.

A. The CHAIRMAN stated, for the GENERAL MANAGER to proceed as directed.

B. The CHAIRMAN stated, for the GENERAL MANAGER to proceed as directed.

ITEM #24 ADJOURNMENT

The CHAIRMAN adjourned the meeting at 7:27 PM.



DOYLE WELLS, SECRETARY



SCOTT FRIEDMAN, CHAIRMAN

MINUTES APPROVED THIS 25<sup>TH</sup> DAY OF OCTOBER 2017.