

**MINUTES OF REGULAR MEETING**  
**BOARD OF DIRECTORS**  
**LAGUNA MADRE WATER DISTRICT**

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 March 2009** at the hour of **6:00 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: Scott D. Friedman-Chairman  
Jeff Keplinger-Director  
Rudy H. Garcia-Secretary  
R. Kevin Tenison-Director  
Absent: Clifford Rowell-Vice Chairman

LMWD: Gavino Sotelo, General Manager; Arturo Martinez, Director of Operations; Pete Capistran, Finance Director; Maribel Hinojosa, Assistant to General Manager; J.A. Magallanes, Attorney.

**ITEM #2** **PLEDGE OF ALLEGIANCE**

The **CHAIRMAN** asked everyone to recite the Pledge of Allegiance.

**ITEM#3** **INVITATION TO AUDIENCE FOR DISCUSSION**

The **CHAIRMAN** asked if there was anyone in the audience, not already on the agenda, who would like to address the board. No one responded.

**ITEM#4** **CONSIDER AND APPROVE MINUTES FOR REGULAR MEETING OF FEBRUARY 25, 2009**

The **CHAIRMAN** stated to consider and approve minutes for Regular Meeting of February 25, 2009. A motion was made by **MR. GARCIA** to approve minutes and the motion was seconded by **MR. KEPLINGER**. **MOTION CARRIED UNANIMOUSLY.**

**ITEM#5** **CONSIDER AND APPROVE WATER TANK REHAB BID**

The **CHAIRMAN** stated to consider and approve Water Tank Rehab Bid. **MR. MARTINEZ** stated that the **DISTRICT** had advertised and solicited sealed bids in conjunction with **DUNHAM ENGINEERS** for the Rehabilitation of Water Storage Tank. He said that **DUNHAM ENGINEERS** sent a letter with their recommendations. He indicated that **WHITEHEAD BROTHER PAINTING, INC.** had a total base bid of \$68,500.00 and recommended for the project. He also said that recommendation was made after performing a tiebreaking coin-toss agreed to by both **WHITEHEAR BROTHERS PAINTING, INC.** and **L.C. UNITED PAINTING COMPANY** on March 12, 2998. He also said that the lowest responsive bidder, **M.K. PAINTING, INC.** failed to adequately review the specifications before bidding and in turn submitted an unreasonably low bid and they requested to be released from the project. **MR. SOTELO** reminded the board that this project would only bring the tanks up to **TCEQ** requirements and still needed major repairs to all five tanks. A motion was made by **MR. TENISON** and the motion was seconded by **MR. KEPLINGER**. **MOTION CARRIED UNANIMOUSLY.**

**ITEM#6** **CONSIDER AND APPROVE A ONE-YEAR EXTENSION TO THE GROUND MAINTENANCE CONTRACT**

The **CHAIRMAN** stated to consider and approve a one-year extension to the Ground Maintenance Contract. **MR. MARTINEZ** stated that the contract was to be extended for the Ground Maintenance Contract with **R & R GENERAL CONTRACTORS** for one more year for \$59,600.00. A motion was made by **MR. GARCIA** to approve and extend contract for one more year and the motion was seconded by **MR. TENISON**. **MOTION CARRIED UNANIMOUSLY.**

**ITEM#7      CONSIDER AND APPROVE AN ORDER ADDING LAND BEING THE  
LAS CAROLINAS AND QUIXOTE DUNES TRACTS ON SOUTH PADRE ISLAND**

The **CHAIRMAN** stated to consider and approve an Order Adding Land being the Las Carolinas and Quixote Dunes Tracts on South Padre Island. **MR. SOTELO** indicated that this was the final tract to be annexed. He said that the documents would then be sent to the state and a map was still being worked on as of this date. He said that the next step was for review by attorney would probably hear back from the Justice Department soon. A motion was made by **MR. KEPLINGER** to approve Order Adding Land and the motion was seconded by **MR. GARCIA**. **MOTION CARRIED UNANIMOUSLY.**

**ITEM#8      CONSIDER AND APPROVE AMENDED INFORMATION  
FORM PERTAINING TO LAND ADDED TO THE DISTRICT**

The **CHAIRMAN** stated to consider and approve Amended Information Form pertaining to land added to the District. **MR. SOTELO** stated that this form included the changes on the number of acres in the **DISTRICT** by adding the above mentioned tracts. A motion was made by **MR. KEPLINGER** to approve amended information form and the motion was seconded by **MR. TENISON**. **MOTION CARRIED UNANIMOUSLY.**

**ITEM#9      CONSIDER AND APPROVE SUBMISSION LETTER TO  
U.S. DEPARTMENT OF JUSTICE**

The **CHAIRMAN** stated to consider and approve Submission Letter to the U.S. Department of Justice. **MR. SOTELO** stated that this letter was required to be sent to the **U.S. DEPARTMENT OF JUSTICE** to include changes that the **DISTRICT** has made. A motion was made by **MR. GARCIA** to approve submission letter and the motion was seconded by **MR. TENISON**. **MOTION CARRIED UNANIMOUSLY.**

**ITEM#10      CONSIDER AND APPROVE DISBURSEMENTS**

The **CHAIRMAN** stated to consider and approve Disbursements. A motion was made by **MR. TENISON** to approve Disbursements including Supplemental List and the motion seconded by **MR. GARCIA**. **MR. KEPLINGER** abstained due to Check #02018. **MOTION CARRIED.**

**ITEM#11      ENGINEER'S REPORT**

- 1.) **DESALINATION PROJECT UPDATE**
- 2.) **FUNDING UPDATE**
- 3.) **NORTH ISLAND UTILITY  
EXTENSION**

**MR. JAKE WHITE** of **NRS ENGINEERS** reported on the **DESALINATION PROJECT** and said that they were on a 24 hour day operation and still in Stage 1 of the **TCEQ** protocols. He said that they were expected to go into Stage 2 within two weeks for testing of reverse osmosis and micro-filtration. He said that Stage 2 was about a minimum of 30-days of operation and then move into Stage 3 with a minimum of 10 days. He also said that they were progressing through the pilot and the system was mechanically sound. He also updated on the discharge and said that the current discharge was north of the **CONVENTION CENTER**. He informed the board that discharged was seized in the area because of a car show the **COUNTY** held but they have since give approval to continue into the area. He indicated that they continued to work with the **ARMY CORPSE OF ENGINEERS** because they would like to replace the swell that was there previously that was washed out by **HURRICANE DOLLY**. He also said that the location was fairly sensitive according to the **CORPSE OF ENGINEERS**. **MR. MEYERS** continued and updated the board on the **FUNDING APPLICATION** for the **TEIP FUNDING** and they made announcements with the **DISTRICT** being in the top third being considered for funding for the \$30 million allocated to fund. He also said that the **NORTH ISLAND UTILITY IMPROVEMENTS** and said they had been making good progress and passed Access No. 6. He said that they had moved about 1/3 of the dune mitigation sand off of the right-of-way off to the east side of the road. He also mentioned the **ISLA BLANCA WWTP IMPROVEMENTS** and said that the clarifiers would be installed by tomorrow to handle the higher load at peak time.

**ITEM#12      GENERAL MANAGER'S REPORT**

- 1.) **MEETING WITH  
CONGRESSMAN ORTIZ**
- 2.) **PROGRESS ON LAGUNA VISTA  
PROJECTS**
- 3.) **BOARD WORKSHOP**
- 4.) **PAPERLESS AGENDA**
- 5.) **LANDSCAPE AT RESERVOIR 4**

**MR. SOTELO** reported that he and the **CHAIRMAN** had met with **CONGRESSMAN ORTIZ** last week and discussed several issues including the desalination project. He also said that they were scheduling several other meetings with other congressmen and representatives. He said that he was confident that they would receive part of stimulus money for replacing some of the lines including the 36" water line in the **LOS FRESNOS** area. He stated that they should be finished with the first phase of the **LAGUNA VISTA PROJECTS** this Friday. He said that they were looking into purchasing or leasing a boring machine to cut and repair driveways for future projects. He also mentioned that he would like to schedule a Workshop for Saturday, April 4, 2009 in the morning. He informed the board that they would be receiving paperless agenda for the next coming meetings. He also that he was looking into providing the board with a small laptop for receiving and sending information for board meetings. He stated that the new owner of Reservoir 4 has planted new trees around the property and looks very good.

**ITEM#13**

**ADJOURNMENT**

The **CHAIRMAN** adjourned the meeting at **6:40 p.m.**

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**SCOTT D. FRIEDMAN, CHAIRMAN**

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**RUDY H. GARCIA, SECRETARY**

**MINUTES APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2009.**