

MINUTES
Regular Meeting
Laguna Madre Water District
Board of Directors
Wednesday, January 23, 2019
5:30 PM – 6:25 PM
Board Room

ITEM #1 QUORUM

PRESENT: Chairman, Scott Friedman
 Vice Chairman, Herb Houston
 Secretary, Alex Avalos
 Director, Jason Starkey
 Director, Adam Lalonde

ADMINISTRATIVE STAFF: General Manager, Carlos J. Galvan, Jr.
 Director of Operations, Robert Gomez
 District Engineer, Charles Ortiz
 Purchasing Agent, Enrique Samaniego
 Director of Finance, Eddie Salazar
 Interim Attorney, Kathy Cunningham

ITEM #2 INVOCATION AND PLEDGE OF ALLEGIANCE.

The Pledge Allegiance and Opening Prayer were given at the 4 PM Workshop.

ITEM #3 INVITATION TO THE AUDIENCE FOR PUBLIC COMMENTS

COMMENTS FROM STAFF:

- R. Gomez: Meter Program installed over 1,000 meters
- N. Cantu. Water Plant Manager: TCEQ Inspections, passed inspection with 0 violations. Congratulate the Water Department and Customer Service.
- C. Galvan: For Board Members who would like to attend, the Texas Water Conference 2019 will be on April 2-5, 2019, contact the office

ITEM #4 CONSIDER AND DISCUSS FOR POSSIBLE APPROVAL THE MINUTES OF THE REGULAR MEETING ON JANUARY 9, 2019. (C. GALVAN) ♣

DISCUSSION:

- No comments or discussion

Moved by **H. HOUSTON**, seconded by **J. STARKEY**.

Move to approve.

MOTION CARRIED

ITEM #5

CONSIDER AND DISCUSS FOR POSSIBLE APPROVAL OF THE BID(S) RECEIVED ON THE FOLLOWING PROPERTIES STRUCK OFF TO CAMERON COUNTY, FOR ITSELF AND THE OTHER TAXING JURISDICTIONS FROM A TAX RESALE CONDUCTED ON NOVEMBER 6, 2018. (C. GALVAN) ♣

LEGAL DESCRIPTION: LOT 7, BLOCK 492, ORIGINAL TOWNSITE TO THE CITY OF LAGUNA VISTA, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OF PLAT THEREOF, RECORDED IN VOLUME 1, PAGE 13, MAP RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 31-0000-4920-0070-00)

DISCUSSION:

- Monica Solis, Attorney with Linebarger Goggan Blair & Sampson, LLP presented the item

Moved by **H. HOUSTON**, seconded by **A. AVALOS**.

Motion to approve.

MOTION CARRIED

ITEM #6

CONSIDER AND DISCUSS FOR POSSIBLE APPROVAL OF THE RESOLUTION APPROVING THE BIDS(S) RECEIVED ON THE TAX RESALE CONDUCTED ON NOVEMBER 6, 2018, FOR THE PROPERTIES MENTIONED ABOVE. (C. GALVAN) ♣

DISCUSSION:

- Monica Solis, Attorney with Linebarger Goggan Blair & Sampson, LLP available for any questions

Moved by **H. HOUSTON**, seconded by **A. AVALOS**.

Move to approve.

MOTION CARRIED

ITEM #7

CONSIDER AND ACCEPT A LETTER OF RESIGNATION FROM BEATTY BANGLE STRAMA / BEATTY NAVARRE LUCIO AS LEGAL COUNSEL FOR LAGUNA MADRE WATER DISTRICT. (C. GALVAN) ♣

DISCUSSION:

- Questions ensued regarding the resignation letter
- Mr. Lucio was not present at the meeting

Moved by **H. HOUSTON**, seconded by **A. AVALOS**.

Move to accept resignation from legal counsel.

MOTION CARRIED

OPPOSED: J. STARKEY
A. LALONDE

FOR: S. FRIEDMAN

ITEM #8 CONSIDER AND DISCUSS FOR POSSIBLE APPROVAL OF AUTHORIZING THE GENERAL MANAGER TO BEGIN THE REQUEST FOR PROPOSALS PROCESS FOR LEGAL SERVICES FIRM FOR THE DISTRICT. (C. GALVAN)

DISCUSSION:

- Discussion and questions ensued
- How did we get an interim counsel before board agreeing to have an interim counsel?
- Legal counsel should always represent the board at all times
- Attorney, Kathy Cunningham was present and was the Interim Attorney for tonight's meeting
- Advertisement for proposals gets reviewed by the Professional Services Committee and presented at a Regular Meeting for Board Approval.

Moved by H. HOUSTON, seconded by A. AVALOS.

Move to approve.

MOTION CARRIED

ITEM #9 CONSIDER AND DISCUSS FOR POSSIBLE APPROVAL OF AUTHORIZING THE GENERAL MANAGER TO ENTER INTO NEGOTIATIONS FOR AN INTERIM LEGAL SERVICE FIRM FOR THE DISTRICT. (C. GALVAN)

DISCUSSION:

- Discussion and questions ensued regarding the resignation from legal counsel
- Ms. Cunningham was invited by the Chairman to act as interim for tonight's meeting

Moved by H. HOUSTON, seconded by A. AVALOS.

Motion to authorize the General Manager to seek interim services for the District.

MOTION CARRIED

ABSTAINED: J. STARKEY

FOR: A. LALONDE
 S. FRIEDMAN

ITEM #10 CONSIDER AND AWARD ENGINEERING SERVICES FOR PORT ISABEL WWTF SLUDGE HOLDING TANK – BID SERVICES AND CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES; DESIGN AND CONSTRUCTION PHASE SERVICES FOR REHABILITATION OF 18 LIFT STATIONS & UPGRADE TO LIFT STATION #11 FORCE MAIN (RFQ NO. WW-18-11-01). (C. ORTIZ) ♣

DISCUSSION:

- Professional Services Committee recommends award to Freese and Nichols
- SWG Engineering is ranked second
- Only concern is the cost of travel that's paid out of the project

Moved by J. STARKEY, seconded by A. AVALOS.

Motion to support recommendation fully.

MOTION CARRIED

ITEM #11 CONSIDER AND DISCUSS FOR POSSIBLE APPROVAL OF BUDGET TRANSFERS FOR ODOR CONTROL. (C. ORTIZ) ♣

DISCUSSION:

- Request for the Budget Changes presented at the regular meeting on January 9th
- Four additional manholes added for the Island
- Budget Increase \$118,500.00 for Odor Control

Moved by J. STARKEY, seconded by A. AVALOS.

Move to approve.

MOTION CARRIED

ITEM #12 CONSIDER AND DISCUSS FOR POSSIBLE APPROVAL THE PURCHASE OF PODZ HORIZON ODOR CONTROL COVERS FOR LAGUNA VISTA, ISLA BLANCA, AND ANDY BOWIE WASTEWATER TREATMENT FACILITIES. (C. ORTIZ) ♣

DISCUSSION:

- Requesting approval for Proposal not to exceed \$32,500.00

Moved by J. STARKEY, seconded by A. AVALOS.

Move to approve.

MOTION CARRIED

ITEM #13 CONSIDER AND DISCUSS FOR POSSIBLE APPROVAL THE PURCHASE OF PEACEMAKER ODOR CONTROL MANHOLE SCRUBBERS AND DRY AIR SCRUBBER FROM SYNECO SYSTEMS INCORPORATED. (C. ORTIZ) ♣

DISCUSSION:

- Two different products
- Quote revised from what got presented to the Board in the packets
- 11 Peacemaker Scrubbers for \$3,345.00
- 10X7 Dry Air Scrubber for 67,230.00
- Since the item was posted Several Vendors offering a better price
- Strikeout dry air scrubber purchase (at this time). Looking for a better price

Moved by A. AVALOS, seconded by J. STARKEY.

Move to approve the purchase of peacemaker odor air control manhole scrubbers only.

MOTION CARRIED

ITEM #14 CONSIDER AND DISCUSS FOR POSSIBLE APPROVAL OF BID AWARD TO PURCHASE THREE UTILITY TRUCKS. (E. SAMANIEGO) ♣

DISCUSSION:

- Advertised and solicited and received only one quote, extended the deadline for a week and still no other bids
- Recommendation for approval: Caldwell Country Chevrolet for three utility trucks
- \$37,775.00 each, total \$107,325.00

Moved by **A. AVALOS**, seconded by **J. STARKEY**.

Move to approve.

MOTION CARRIED

ITEM #15 CONSIDER AND DISCUSS FOR POSSIBLE APPROVAL TO DISPOSE OF SURPLUS EQUIPMENT. (R. GOMEZ) ♣

DISCUSSION:

- No Discussion
- Item approved

Moved by **A. AVALOS**, seconded by **J. STARKEY**.

Move to approve.

MOTION CARRIED

ITEM #16 CONSIDER AND DISCUSS FOR POSSIBLE APPROVAL OF BUDGET TRANSFERS FOR 5% COST OF LIVING ADJUSTMENT (COLA). (E. SALAZAR) ♣

DISCUSSION:

- No discussion
- Item approved

Moved by **H. HOUSTON**, seconded by **A. LALONDE**.

Move to approve.

MOTION CARRIED

ITEM #17 CONSIDER AND DISCUSS FOR POSSIBLE APPROVAL OF BUDGET TRANSFERS FOR ADDITIONAL CAPITAL PROJECTS. (E. SALAZAR) ♣

DISCUSSION:

- No discussion
- Item approved

Moved by **A. AVALOS**, seconded by **J. STARKEY**.

Move to approve.

MOTION CARRIED

ITEM #18

CONSIDER AND DISCUSS FOR POSSIBLE APPROVAL OF FINANCIAL REPORT FOR NOVEMBER 2018.
(E. SALAZAR) ♣

DISCUSSION:

- No discussion
- Item approved

Moved by **A. AVALOS**, seconded by **J. STARKEY**.

Move to approve.

MOTION CARRIED

ITEM #19

CONSIDER AND REVIEW EXPENDITURES FOR JANUARY 1-15, 2019. (C. GALVAN) ♣

DISCUSSION:

- No Discussion
- Expenditures acknowledged by **A. AVALOS** and **H. HOUSTON**.

EXPENDITURES ACKNOWLEDGEMENT

ITEM #20

EXECUTIVE SESSION PERMITTED BY THE OPEN MEETING ACT, V. T. C. A., GOVERNMENT CODE
SECTION 551.001 ET. SEQ., SECTION 551.072, DELIBERATIONS ABOUT REAL PROPERTY

DELIBERATION ON PENDING LITIGATION ON WATER PLANT 2 MICROFILTRATION
ELECTRICAL IMPROVEMENTS

J. STARKEY made a motion for the **BOARD** to go into executive session at **6:08 PM**, seconded by **H. HOUSTON**.

MOTION CARRIED

H. HOUSTON made a motion for the **BOARD** to come out of executive session at **6:24 PM**, seconded by **A. AVALOS**.

MOTION CARRIED.

ITEM #21

CONSIDERATION AND ACTION ON EXECUTIVE SESSION ITEM, IF NECESSARY.

DELIBERATION ON PENDING LITIGATION ON WATER PLANT 2 MICROFILTRATION
ELECTRICAL IMPROVEMENTS


Motion: to proceed as directed

Moved by **A. AVALOS**, seconded by **H. HOUSTON**.

MOTION CARRIED

ITEM #22 ADJOURNMENT

The **CHAIRMAN** adjourned the meeting at **6:25 PM**



SCOTT FRIEDMAN, CHAIRMAN



ALEX AVALOS, SECRETARY

MINUTES APPROVED THIS 13TH DAY OF FEBRUARY 2019.