

**AGENDA**  
**MEETING OF THE**  
**SAN ANTONIO WATER SYSTEM**  
**BOARD OF TRUSTEES**  
**Tuesday, September 1, 2009, 9:00 A.M.**  
**6th Floor Board Room #609**  
**Administrative Offices**  
**2800 U. S. 281 North, San Antonio, Texas**

1. **MEETING CALLED TO ORDER.**
2. **Announcements.**
  - A. **The San Antonio Water System Board of Trustees will, during the Meeting, close the Meeting and hold an Executive Session pursuant to and in accordance with Chapter 551 of the Texas Open Meetings Act. The Board of Trustees may, at any time during the Meeting, close the Meeting and hold an Executive Session for consultation with its attorneys concerning any of the matters to be considered during the Meeting pursuant to Chapter 551 of the Texas Open Meetings Act.**
3. **Minutes.**
  - A. **Approval of the Minutes of the San Antonio Water System Board of Trustees Regular Meeting of August 4, 2009.**
  - B. **Approval of the Minutes of the San Antonio Water System Board of Trustees Policy and Planning Meeting of July 20, 2009.**
  - C. **Approval of the Minutes of the San Antonio Water System Board of Trustees Special Meeting of July 20, 2009.**
4. **Ceremonial Items.**
  - A. **Recognition of the SAWS Financial Planning Division, for receiving the GFOA Distinguished Budget Award for the 2009 Budget Document.  
(DOUG EVANSON)**
  - B. **Recognition of the SAWS' Fleet Department being named one of the top "100 Best Fleets" in the United States by Fleet Equipment Magazine.  
(MIKE BRINKMANN)**
5. **BRIEFING SESSION.**
  - A. **Briefing and deliberation regarding the Citizens' Advisory Panel Benchmarking for the Edwards Acquisition Program.  
(THE HONORABLE HOWARD PEAK, CAP CHAIRMAN)**
6. **Citizens to be Heard.**

**SAN ANTONIO WATER SYSTEM**  
**HANDICAPPED ACCESSIBILITY STATEMENT**

The San Antonio Water System building and meeting rooms are handicapped accessible. Individuals with disabilities that may require special accommodations are requested to contact the Board Administrator at 210.233.3859 for assistance.

# CONSENT AGENDA ITEMS

Items 7 – 34

## ITEMS CONCERNING THE PURCHASE OF EQUIPMENT, MATERIALS AND SUPPLIES

7. A Resolution accepting recommendations regarding the contracting for certain services, equipment, materials, and supplies, and authorizing the acceptance of bids as follows: (DOUG EVANSON - VICK GARMON)

A. Award of Contracts for the Purchase of Materials, Equipment and Services.

1. Acceptance of the bid of Engineered Fluid, Inc., to provide: Portable Fabricated Pump Station Improvements (SASSE), Bid No. 09-9050, for a total of \$114,520.00. (This contract will be utilized for a Portable Fabricated Pump Station Improvements complete, skid mounted, fully automatic pumping system for the existing SASSE Booster pump station.)
2. Acceptance of the bid of Alstra Industries, LLC, to provide: Submersible Motor for Micron Well No. 1, Bid No. 09-9044A, for a total of \$86,913.50. (This contract will be utilized for the purchase and delivery of a complete submersible well motor with cable, components, adaptors and fittings necessary to connect to an existing pump.)

B. Award of Annual Service and Supply Contracts. Estimated annual purchases are based on unit prices bid. Actual totals may vary from estimate.

- (MBE, SBE, VBE)
1. Acceptance of the bid of J.R.'s Plumbing, to provide: Plumbing Contractors for the Conservation Make-Over Program, Bid No. 09-9046, for a total of \$200,000.00. (This contract will be utilized for a qualified plumbing contractor to conduct water related plumber repairs for low income residential customers who qualify through the Conservation Make-Over Program. This contract will be effective Date of Award (September 1, 2009) through December 31, 2009.)
  2. Acceptance of the bid of Corrpro Co., Inc., to provide: ASR Cathodic Protection Maintenance Services, Bid No. 09-9045, for a total of \$57,320.00. (This contract will be utilized for a Cathodic Protection System Maintenances Services to monitor and evaluate the Aquifer Storage and Recovery CP Systems. This contract will be effective Date of Award (September 1, 2009) through December 31, 2010.)
- (SBE)
3. Acceptance of the bid of Wittigs Office Interiors, to provide: Modular Furniture Installation and Reconfiguration Services, Bid No. 09-6068, for a total of \$150,000.00. (This contract will be utilized for modular reconfiguration services for existing furniture owned by SAWS. This contract will be effective October 1, 2009 through September 30, 2010.)
- (MBE)
4. Acceptance of the bid of P&T Lawn Service, to provide: Lawn Maintenance Services to Secondaries Pump Stations and Lift Stations, Bid No. 09-7006, for a total of \$58,000.00. (This contract will be utilized to perform routine and non-routine services on Lawn and Maintenance

Service for various SAWS Stations. This contract will be effective Date of Award (September 1, 2009) through December 31, 2009.)

5. Acceptance of the bid of Allied Waste Services to provide: Waste Disposal Site, Bid No. 07-0087, for a total of \$70,000.00. (This contract will be utilized for the disposal of various types of non-hazardous non-regulated solid waste. This contract will be effective Date of Award (September 1, 2009) through December 31, 2009.)
  6. Acceptance of the bid of Santex Truck Center to provide: Navistar International & Crane Carrier Corporation Truck Parts and Service, Bid No. 08-0362, for a total of \$210,000.00. (This contract will be utilized for the purchase of Navistar International Truck and Crane Carrier Corp. Trucks Parts and Service. This contract extension will be effective October 1, 2009 through September 30, 2010.)
  7. Acceptance of the bid of HD Supply Waterworks to provide: Standard/Wide Range Repair Clamps, Tap Clamps and Couplings, Bid No. 08-0019, for a total of \$700,000.00. (This contract will be utilized for the purchase of repair clamps, tap clamps and couplings on an as needed basis for water pipe line repairs. This contract extension will be effective October 1, 2009 through September 30, 2010.)
- C. Authorization to Utilize the City of San Antonio's Competitive Bidding Process for Annual Contracts. Estimated annual purchases are based on unit prices bid. Actual totals may vary from estimate.
- No items for this Meeting.
- D. Authorization to Utilize the City of San Antonio's Competitive Bidding Process for Biennial Contracts. Estimated annual purchases are based on unit prices bid. Actual totals may vary from estimate.
- No items for this Meeting.
- E. Award of Biennial Service and Supply Contracts. Estimated annual purchases are based on unit prices bid. Actual totals may vary from estimate.
1. Acceptance of the bid of Morrison Supply Co., to provide: Residential Tank Style Toilets and Various Industrial Style Urinals. Bid No. 09-9041, for a total of \$793,500.00. (This contract will be utilized for the purchase and distribution of toilets, urinals and related accessories as part of the Commercial Toilet Distribution Program. This contract will be effective Date of Award (September 1, 2009) through July 31, 2011.)
  2. Acceptance of the bid of Ferguson Enterprise, to provide: Residential Tank Style Toilets and Various Industrial Style Urinals. Bid No. 09-9041, for a total of \$2,420,800.00. (This contract will be utilized for the purchase and distribution of toilets, urinals and related accessories as part of the Commercial Toilet Distribution Program. This contract will be effective Date of Award (September 1, 2009) through July 31, 2011.)

# CAPITAL IMPROVEMENT CONTRACTS

## PROJECTS INVOLVING IMPROVEMENTS, EXTENSIONS AND ADDITIONAL CAPACITY

### Developer Customer Contracts

8. A Resolution approving Utility Service Agreements to provide water and/or wastewater service to the tracts listed below which are located over the Edwards Aquifer Recharge or Contributing Zone and within the 5-mile Awareness Zone of Camp Bullis. (KELLEY NEUMANN – SAM MILLS)

No.	Tract Name	Developer Name	Acreage	Water EDUs	WW EDUs	Board Reason	Water CCN	WW CCN
1	New Office Bldg. for Dr. Karen Shimotsu	OH BE JOYFUL, LLC.	1.21	14	8	EARZ	Inside	Inside
2	Parman Tract	B&M Stone Oak Ltd.	22.09	0	300	EARZ	B.M.W.D.	Inside
3	St. Sophia Church at De Zavala	Greek Orthodox Society and Church of St. Sophia	6.50	15	20	EARZ	Inside	Inside
<b>Totals</b>			<b><u>29.80</u></b>	<b><u>29</u></b>	<b><u>328</u></b>			
<b>Year-to-Date Totals ( January - September 2009)</b>			<b><u>1,647</u></b>	<b><u>5,845</u></b>	<b><u>5,880</u></b>			

### EDU/Acreage Comparison Totals 2009 - 2008

EDU/Acreage Comparison Totals 2009 - 2008 (Year to Date - All Categories)	Total Acreage	Total Water EDU's	Total WW EDU's
<b>Total ( January -September 2009)</b>	2,803.1	8,944	7,593
<b>Total ( January -September 2008)</b>	11,439	31,658	53,742

Verano Development had 2,659 acres, 909 W EDU's and 21,558 WW EDU's approved in February 2008.

9. A Resolution authorizing the President/Chief Executive Officer to enter into a Wastewater Service Contract with the Department of the Army, Camp Stanley Storage Activity, Boerne, Texas. (KELLEY NEUMANN – SAN MILLS)
10. A Resolution accepting the bid of Lupe Rubio Construction Co. Inc., in the amount of \$626,942.24 for the construction of the 24-inch water main in connection with the Front Gate At Fair Oaks Ranch Approach Main, 24-Inch Oversize (12-Inch Required) Project; awarding a construction contract to Lupe Rubio Construction Co. Inc., in the amount of \$626,942.24 for the project work; authorizing the expenditure of System funds in the amount of \$463,137.64 for the System's proportionate share of

the project work; authorizing the expenditure of System funds in the amount of \$46,313.76 for the System's proportionate share of the engineering design fees; authorizing the system's proportionate share of the construction contingency expenses in an amount not to exceed \$20,000.00 in connection with the project work; authorizing a total amount not to exceed \$529,451.40 from System's 2009 Capital Improvements Plan Oversize Projects Fund for the System's proportionate share of the project work, engineering fees, and construction contingency expenses related to the project work; authorizing the President/Chief Executive Officer to execute a contract with Pfeiffer Land Investments, Ltd., and Lupe Rubio Construction Co. Inc., and provide payment in an amount not to exceed \$529,451.40 to Lupe Rubio Construction Co. Inc., in care of Pfeiffer Land Investments, Ltd., for the System's proportionate share of the cost to oversize the proposed water mains. Total expenditures are: \$529,451.40 for the System's proportionate share of the cost to oversize the proposed water mains. (KELLEY NEUMANN – SAM MILLS)

#### **Production, Transmission and Treatment Improvements**

11. A Resolution ratifying the actions of the Senior Vice President of Strategic Resources in approving Change Order No. 2 in the amount of \$28,725.00 in connection with the Salado Sanitary Sewer Outfall Siphons, No. 8, No. 9, & No. 10 Project; authorizing the President/Chief Executive Officer to pay S.J. Louis Construction, of Texas Ltd., L.L.P., an additional amount not to exceed \$28,725.00 for the additional project work. Total expenditures are: \$28,725.00 for a revised contract amount of: \$9,025,416.80. (KELLEY NEUMANN – FRANCES PLOCEK)

### **REPLACEMENT AND ADJUSTMENT PROJECTS**

#### **Water and Sewer Line Improvements**

12. A Resolution authorizing Change Order No. 4 in the amount of \$29,680.00 in connection with the Lackland Terrace Water and Sewer Main Replacement, Phase I Project; payable to San Antonio Constructors, Ltd., for Change Order No. 4; authorizing the President/Chief Executive Officer to execute Change Order No. 4 and pay San Antonio Constructors, Ltd., an amount not to exceed \$29,680.00 for the additional project work. Located in Council District 4. Total expenditures are: \$29,680.00 for a revised contract amount of: \$6,874,771.80. (KELLEY NEUMANN – FRANCES PLOCEK)

#### **Governmental Relocations and Replacements**

13. A Resolution approving the expenditure of funds in the amount of \$163,500.00 for the adjustment of water and sewer facilities by Bexar County in connection with the Bulverde Road Phase I: US Hwy 281 to Smithson Valley Project; approving construction contingency expenses related to the project work in an amount not to exceed \$17,700.00; approving an amount not to exceed \$165,000.00 be made available and expended from the System's Project Fund for the water project work and related construction contingencies; approving an amount not to exceed \$16,200.00 be made available and expended from the System's Project Fund for the sewer project work and related construction contingencies; authorizing the President/Chief Executive Officer to execute an Interlocal Agreement and to pay in advance to Bexar County a total amount not to exceed \$181,200.00 for the project work and related construction contingencies. Total expenditures are: \$181,200.00. (KELLEY NEUMANN – CINDY KOVACIC)
14. A Resolution amending Resolution No. 08-091, as previously amended by Resolution No. 08-243, Resolution No. 09-009, Resolution No. 09-035, and Resolution No. 09-108 by approving the expenditure of additional funds in an amount not to exceed \$80,000.00

payable to Bexar County for additional construction contingency expenses in connection with the F.M. 3487 (Culebra Road): Loop 410 to F.M. 471 (Grissom Road) Project; approving an additional amount not to exceed \$80,000.00 be made available and expended from the System's Project Fund for additional construction contingency expenses; ratifying the actions of the Senior Vice President of Strategic Resources in approving Change Order No. 9 in the amount of \$60,201.17; authorizing the President/Chief Executive Officer to pay to Bexar County an additional amount not to exceed \$80,000.00 for the additional project work and additional construction contingency. Total expenditures are: \$80,000.00 for a revised contract amount of: \$3,387,950.26. (KELLEY NEUMANN – CINDY KOVACIC)

15. A Resolution accepting the proposal of Bury & Partners-SA, Inc., in an amount not to exceed \$150,989.50 for the design of water and sewer facility replacements and adjustments in connection with the San Pedro Huisache Phase II Project; awarding a professional services contract to Bury & Partners-SA, Inc., in an amount not to exceed \$150,989.50 for engineering services in connection with the project; approving the expenditure of funds in the amount of \$150,989.50 for the project work; approving the expenditure of funds in an amount not to exceed \$61,564.00 from the System's Project Fund for the water project engineering work; approving the expenditure of funds in an amount not to exceed \$89,425.50 from the System's Project Fund for the sewer project engineering work; authorizing the President/Chief Executive Officer to execute a professional services contract with Bury & Partners-SA, Inc., and to pay Bury & Partners-SA, Inc., an amount not to exceed \$150,989.50 for the project engineering work. Total expenditures are: \$150,989.50.  
(KELLEY NEUMANN – CINDY KOVACIC)
16. A Resolution authorizing the President/Chief Executive Officer to execute an Interlocal Agreement with the Texas Department of Transportation for the reimbursement of project costs in a total amount of \$1,385,754.20 in connection with the IH 410: Blanco Road to McCullough Avenue Project. Total expenditures are: \$1,385,754.20.  
(KELLEY NEUMANN – CINDY KOVACIC)
17. A Resolution amending Resolution No. 06-183, as previously amended by Resolution No. 06-224, and Resolution No. 07-237, by approving the expenditure of additional funds in an amount not to exceed \$710.16 payable to the payable to the Texas Department of Transportation for Advance Funding Agreement Amendment No. 1 in connection with the F.M. 1535 (N.W. Military): Braesview Drive to Huebner Road Project; approving an additional amount not to exceed \$710.16 be made available and expended from the System's Project Fund for Advance Funding Agreement Amendment No. 1; ratifying the actions of the Senior Vice President of Strategic Resources in approving Advance Funding Agreement Amendment No. 1 in the amount of \$710.16; authorizing the President/Chief Executive Officer to execute Advance Funding Agreement Amendment No. 1 and to pay to the Texas Department of Transportation an additional amount not to exceed \$710.16 for Advance Funding Agreement Amendment No. 1. Located in Council District 8. Total expenditures are: \$710.16 for a revised contract amount of: \$3,286,208.52. (KELLEY NEUMANN – CINDY KOVACIC)
18. A Resolution amending Resolution No. 06-183, as previously amended by Resolution No. 06-224, and Resolution No. 07-237, by approving the expenditure of additional funds in an amount not to exceed \$106,181.35 payable to the Texas Department of Transportation for additional construction contingency expenses in connection with the F.M. 1535 (N.W. Military Highway): Braesview Drive to Huebner Road Project; approving an additional amount not to exceed \$106,181.35 be made available and expended from the System's Project Fund for additional construction contingency

expenses; ratifying the actions of the Senior Vice President of Strategic Resources in approving Change Order No. 43 in the amount of \$106,181.35; authorizing the President/Chief Executive Officer to pay to the Texas Department of Transportation an additional amount not to exceed \$106,181.35 for the additional project work and additional construction contingency expenses. Located in Council District 8. Total expenditures are: \$106,181.35 for a revised contract amount of: \$3,391,181.35. (KELLEY NEUMANN – CINDY KOVACIC)

#### Professional Services

19. A Resolution accepting the bid of Holloman Corporation in the amount of \$236,849.00 for the F.M. 2252 (Nacogdoches): Loop 1604 to Evans Road, 24-Inch Water Adjustment Project; awarding a construction contract to Holloman Corporation in the amount of \$236,849.00 for the project work; approving the expenditure of funds in the amount of \$236,849.00 for the project work; approving construction contingency expenses in an amount not to exceed \$35,531.00 in connection with the project work; approving an amount not to exceed \$272,380.00 be made available and expended from the System's Project Fund for the water project work and related construction contingencies; authorizing the President/Chief Executive Officer to execute a construction contract with Holloman Corporation and to pay Holloman Corporation an amount not to exceed \$272,380.00 for the project work and related construction contingencies. Located in Council District 2. Total expenditures are: \$272,380.00. (KELLEY NEUMANN – CINDY KOVACIC)

#### MISCELLANEOUS PROJECTS

20. A Resolution accepting the best value bid of Ace Pipe Cleaning, Inc., to provide sanitary sewer line cleaning services in the amount of \$462,968.00 for the Annual Small Diameter Sanitary Sewer Cleaning Project; awarding a contract to Ace Pipe Cleaning, Inc., in the amount of \$462,968.00 for the project work; approving the expenditure of funds in the amount of \$462,968.00 for sanitary sewer line cleaning services from the System Fund for the project work; authorizing the President/Chief Executive Officer or his duly appointed designee to execute a service contract with Ace Pipe Cleaning, Inc., and to pay Ace Pipe Cleaning, Inc., an amount not to exceed \$462,968.00 for sanitary sewer line cleaning services for the project work. Total expenditures are: \$462,968.00. (VAL RUIZ – JEFF BROWN)
21. A Resolution ratifying the actions of the Vice-President of Distribution and Collection Operations in accepting the bid of Pipelayers, Inc., for a two year construction contract in the amount of \$642,625.00 in connection with the 2009 Annual Water Distribution Leak Repair Construction Contract; awarding a two year construction contract in the amount of \$642,625.00 to Pipelayers, Inc., in connection with the 2009 Annual Water Distribution Leak Repair Construction Contract; approving the expenditure of funds in the amount of \$321,312.50 for the project work for Fiscal Year 2009; approving construction contingency expenses in an amount not to exceed \$32,131.25 in connection with the project work for Fiscal Year 2009; authorizing the total expenditures in the amount of \$353,443.75 from the System's Project Fund for the project work and construction contingency expenses for Fiscal Year 2009, and that the subsequent years expenditures in the amount of \$353,443.75 are pursuant to and contingent upon Board approval of the subsequent years budget with a line item for such expenditures; authorizing the President/Chief Executive Officer or his designated representative to execute a two year contract with Pipelayers, Inc., and to pay Pipelayers, Inc., the amount of \$706,887.50 for the project work and construction contingency expenses. Total expenditures are: \$706,887.50. (VAL RUIZ – JEFF BROWN)

22. A Resolution ratifying the actions of the Vice-President of Distribution and Collection Operations in accepting the bid of RAM II General Contractor, Inc., for a two year construction contract in the amount of \$478,247.99 in connection with the 2009 Annual Water Distribution Leak Repair Package 2 Construction Contract; awarding a two year construction contract in the amount of \$478,247.99 to RAM II General Contractor, Inc., in connection with the 2009 Annual Water Distribution Leak Repair Package 2 Construction Contract; approving the expenditure of funds in the amount of \$239,124.00 for the project work for Fiscal Year 2009; approving construction contingency expenses in an amount not to exceed \$23,912.40 for the project work; authorizing the total expenditures in the amount of \$263,036.40 from the System's Project Fund for the project work and construction contingency expenses for Fiscal Year 2009, and that the subsequent years expenditures in the amount of \$263,036.40 are pursuant to and contingent upon Board approval of the subsequent years budget with a line item for such expenditures; authorizing the President/Chief Executive Officer or his designated representative to execute a two year contract with RAM II General Contractor, Inc., and to pay RAM II General Contractor, Inc., the amount of \$526,072.79 for the project work. Total expenditures are: \$526,072.79.  
(VAL RUIZ – JEFF BROWN)

23. A Resolution accepting the proposal of SimplexGrinnell, L.P., in an amount not to exceed \$316,465.47 for the Dos Rios Water Recycling Center Administration and O&M Buildings Automatic Fire Sprinkler Installation Project; authorizing the expenditure of funds in an amount not to exceed \$316,465.47 from the System's Project Fund for the design and installation services in connection with this project; authorizing the President/Chief Executive Officer to issue a Purchase Order to SimplexGrinnell, L.P., and to pay SimplexGrinnell, L.P., an amount not to exceed \$316,465.47 for design and installation services in connection with the project. Total expenditures are: \$316,465.47.  
(KELLEY NEUMANN – ASHOK KAJI)

#### Professional Services

24. A Resolution accepting the proposal of and awarding a professional services contract to Kimley-Horn and Associates, Inc., in an amount not to exceed \$146,864.00 in connection with the Lift Station Elimination Project, Phase II; approving the expenditure of funds in an amount not to exceed \$146,864.00 from the System's Project Fund for the project engineering work; authorizing the President/Chief Executive Officer to execute a professional services contract with Kimley-Horn and Associates, Inc., and to pay Kimley-Horn and Associates, Inc., an amount not to exceed \$146,864.00 for the project engineering work. Located in Council Districts 3, 7 and 10. Total expenditures are: \$146,864.00. (KELLEY NEUMANN – FRANCES PLOCEK)

### EASEMENTS AND REAL PROPERTY

25. A Resolution authorizing the President/Chief Executive Officer or his designated representative to negotiate and execute a three year Lease Agreement with Texas Medical Association for 1,163 square feet of office space located at 401 w. 15<sup>th</sup> Street in Austin, Texas in a total amount not to exceed \$141,000.00 for the three year lease term; authorizing the expenditure from the System Fund in an amount not to exceed \$20,000.00 for Fiscal Year 2009 and that expenditures in subsequent Fiscal Years shall not exceed \$47,000.00 per year; authorizing the President/Chief Executive Officer or his designated representative to pay the total amount not to exceed \$141,000.00 during the term of the Lease Agreement to the landlord for said lease. Total expenditures are: \$141,000.00 during the term of the lease agreement.  
(GREG FLORES – DONOVAN BURTON)

26. **A Resolution accepting the proposals of and awarding contracts to Ameripoint Title San Antonio, Stewart Title Guaranty Company, Mission Title, LP, G-Wasa Inc., /Pinnacle Title Co./law office of James Stephen Keyser, and Alamo Title Company to provide Real Estate Land Title Services Project 1: acquisition and conveyance of real property in connection with various Capital Improvement Projects for an amount not to exceed \$500,000.00 for a three-year period, with the option of two, one-year renewals; authorizing total expenditures in an amount not to exceed \$500,000.00 from the Project Fund for the three-year period, and the two, one-year renewals, if exercised, with the expenditure of funds in all subsequent years after 2009 pursuant to and contingent upon the Board's approval of the budgets of those years with a line item for such expenditures; authorizing the President/Chief Executive Officer or his designated representative to negotiate and execute contracts with the title companies and to pay the title companies an amount not to exceed \$500,000.00 to provide the project work for the contract term, and to exercise the two, one-year renewal options if it is in the best interest of the System. Total expenditures are: \$500,000.00 for a three-year period with the option of two, one-year renewals. (MIKE BRINKMANN – BRUCE HABY)**
27. **A Resolution accepting the proposals of and awarding contracts to Stewart Title Guaranty Company, Mission Title, LP and Alamo Title Company to provide Real Estate Land Title Services Project 2: acquisition and conveyance of Non-Edwards groundwater in connection with various Capital Improvement Projects for an amount not to exceed \$200,000.00 for a three-year period with the option of two, one-year renewals; authorizing total expenditures in an amount not to exceed \$200,000.00 from the Project Fund for the three-year period and the two, one-year renewals, if exercised with the expenditure of funds in all subsequent years after 2009 pursuant to and contingent upon the Board's approval of the budgets of those years with a line item for such expenditures; authorizing the President/Chief Executive Officer or his designated representative to negotiate and execute a contracts with the title companies and to pay the title companies an amount not to exceed \$200,000.00 to provide the project work for the contract term and to exercise the two, one-year renewal options if it is in the best interest of the System. Total expenditures are: \$200,000.00 for a three-year period with the option of two, one-year renewals. (MIKE BRINKMANN – BRUCE HABY)**
28. **A Resolution accepting the proposal of and awarding a contract to Stewart Title Guaranty Company and Mission Title, LP to provide Real Estate Land Title Services Project 3: title insurance for Edwards Aquifer Authority Permitted Water Rights in connection with various Capital Improvement Projects for title insurance for Edwards Aquifer Authority Permitted Water Rights for an amount not to exceed \$250,000.00 for a three-year period with the option of two, one-year renewals; authorizing total expenditures in an amount not to exceed \$250,000.00 from the Project Fund for the three-year period and the two, one-year renewals, if exercised, with the expenditure of funds in all subsequent years after 2009 pursuant to and contingent upon the Board's approval of the budgets of those years with a line item for such expenditures; authorizing the President/Chief Executive Officer or his designated representative to negotiate and execute contracts with the title companies and to pay the title companies an amount not to exceed \$250,000.00 to provide the project work for the contract term, and to exercise the two, one-year renewal options if it is in the best interest of the System. Total expenditures are: \$\$250,000.00 for a three-year period with the option of two, one-year renewals. (MIKE BRINKMANN – BRUCE HABY)**

## **WATER RESOURCES ITEMS**

29. **A Resolution approving a Joint Funding Agreement between the San Antonio Water System and the United States Geological Survey for research efforts to protect the**

Edwards Aquifer, for the period of October 1, 2009 to December 31, 2010 in an amount not to exceed \$670,450.00; authorizing the expenditure of funds for Fiscal Year 2009 from the System Fund to pay for obligations incurred pursuant to the Joint Funding Agreement; authorizing the expenditure of funds for Fiscal Year 2010 pursuant to and contingent on the Board's approval of the Fiscal Year 2010 budget with a line item for such expenditures; authorizing the President/Chief Executive Officer or his designee to execute the final form of the Joint Funding Agreement with the United States Geological Survey and to pay an amount not to exceed \$670,450.00 to the United States Geological Survey pursuant to the Joint Funding Agreement. Total expenditures are: \$670,450.00. (MIKE BRINKMANN – SCOTT HALTY)

30. A Resolution approving a Joint Funding Agreement between the San Antonio Water System and the United States Geological Survey for research efforts to optimize the Edwards Aquifer, for the period of October 1, 2009 to December 31, 2010, in an amount not to exceed \$643,200.00; authorizing the expenditure of funds for Fiscal Year 2009 from the System Fund to pay for obligations incurred pursuant to the Joint Funding Agreement; authorizing the expenditure of funds for Fiscal Year 2010 pursuant to and contingent on the Board's approval of the Fiscal Year 2010 budget with a line item for such expenditures; authorizing the President/Chief Executive Officer or his designee to execute the final form of the Joint Funding Agreement with the United States Geological Survey and to pay an amount not to exceed \$643,200.00 to the United States Geological Survey pursuant to the Joint Funding Agreement. Total expenditures are: \$643,200.00. (CHARLES AHRENS – DARREN THOMPSON)

## FINANCIAL SERVICES ITEMS

31. A Resolution authorizing expenditures from the System Fund in an amount not to exceed \$181,125.00 for Fiscal Year 2009 under the five year contract with Padgett, Stratemann & Co., LLP, for independent audit services. Total expenditures are: \$181,125.00. (DOUG EVANSON)

## MISCELLANEOUS ITEMS

32. A Resolution ratifying the actions of the Interim Director of Safety and Environmental Health in approving the expenditure of funds in an amount not to exceed \$72,874.54 made to the firm, Springbok, for the San Antonio Water System Annual Safety Incentive Program; approving expenditures to fund the San Antonio Water System 2008 Safety Incentive Program from January 1 through December 31, 2008, in an amount not to exceed \$72,874.54 from the System Fund; authorizing the President/Chief Executive Officer to pay an amount not to exceed \$72,874.54 to the firm, Springbok to fund the San Antonio Water System 2008 Safety Incentive Program from January 1 through December 31, 2008. Total expenditures are: \$72,874.54. (DOUG EVANSON – JERRY BAILEY – RON SCHILLER)
33. A Resolution approving Contract Amendment No. 1 in an amount not to exceed an additional \$250,000.00 in 2009 with Taylor West Advertising Inc., for additional professional advertising and media services in response to an extended drought; amending Resolution No. 07-071 by approving additional expenditures in an amount not to exceed \$250,000.00 in 2009 for the development and placement of an extended period of drought management advertising; authorizing an additional amount not to exceed \$250,000.00 be made available and expended from the System Fund for Fiscal Year 2009 for the development and placement of drought management advertising; and that future years expenditures are pursuant to and contingent upon the Board's approval of subsequent years budgets with a line item for such expenditures; authorizing the

President/Chief Executive Officer to execute Contract Amendment No. 1 and to pay Taylor West Advertising, Inc., an amount not to exceed \$250,000.00 in 2009 for the development and placement of additional advertising in response to an extended period of drought. Total expenditures are: \$250,000.00 per for a revised contract amount of: \$2,650,000.00 for 2009. (GREG FLORES)

34. A Resolution approving a Consent Agreement among the City of San Antonio, Texas, the San Antonio Water System, Verano Land Group, LP, VTLM Texas, LP, and the Board of Directors of Reinvestment Zone Number Twenty-Eight, City of San Antonio, Texas; and an assignment of right to receive reimbursements from Verano Land Group, LP, a Texas Limited Partnership and VTLM Texas, LP, a Texas Limited Partnership and the System; authorizing the President/Chief Executive Officer or the System's General Counsel to execute the Consent Agreement and assignment of right to receive reimbursements. (FRANK STENGER-CASTRO)

## **ITEMS FOR INDIVIDUAL CONSIDERATION**

### **CAPITAL IMPROVEMENT CONTRACTS**

#### **REPLACEMENT AND ADJUSTMENT PROJECTS**

##### **Governmental Relocations and Replacements**

35. A Resolution accepting the bid of Benitez Construction, Inc., in the amount of \$674,894.00 for the Historic Mission Reach, Phase IIC Project; awarding a construction contract to Benitez Construction, Inc., in the amount of \$674,894.00 for the project work; approving the expenditure of funds in the amount of \$674,894.00 for the project work; approving construction contingency expenses in an amount not to exceed \$67,496.00 in connection with the project work; approving an amount not to exceed \$742,390.00 be made available and expended from the System's Project Fund for the project work and related construction contingencies; authorizing the President/Chief Executive Officer to execute a construction contract with Benitez Construction, Inc., and to pay Benitez Construction, Inc., an amount not to exceed \$742,390.00 for the project work and related construction contingencies. Located in Council District 3. Total expenditures are: \$742,390.00. (KELLEY NEUMANN – CINDY KOVACIC)
36. A Resolution accepting the bid of QRO Mex Construction Co., in the amount of \$1,776,994.30 for the Donaldson Terrace Area Phase IIC Project; awarding a construction contract to QRO Mex Construction Co., in the amount of \$1,776,994.30 for the project work; approving the expenditure of funds in the amount of \$1,776,994.30 for the project work; approving construction contingency expenses in an amount not to exceed \$88,855.70 in connection with the project work; approving an amount not to exceed \$1,551,230.00 be made available and expended from the System's Project Fund for the water project work and related construction contingencies; approving an amount not to exceed \$314,620.00 be made available and expended from the System's Project Fund for the sewer project work and related construction contingencies; authorizing the President/Chief Executive Officer to execute a construction contract with QRO Mex Construction Co., and to pay QRO Mex Construction Co., an amount not to exceed \$1,865,850.00 for the project work and related construction contingencies. Located in Council District 7. Total expenditures are: \$1,865,850.00. (KELLEY NEUMANN – CINDY KOVACIC)

## **PROJECTS INVOLVING IMPROVEMENTS, EXTENSIONS AND ADDITIONAL CAPACITY**

### **Professional Services**

37. A Resolution accepting the proposal of and awarding a professional services contract to Pape-Dawson Engineers, Inc., in an amount not to exceed \$2,516,979.00 in connection with the Water Resources Integration Program, Project 1: Water Resources Integration Pipeline Project, Segment I ; approving the expenditure of funds in an amount not to exceed \$2,516,979.00 from the System's Project Fund for the project engineering work; authorizing the President/Chief Executive Officer to execute a professional services contract with Pape-Dawson Engineers, Inc., and to pay Pape-Dawson Engineers, Inc., an amount not to exceed \$2,516,979.00 for the project engineering work. Total expenditures are: \$2,516,979.00. (KELLEY NEUMANN – FRANCES PLOCEK)
38. A Resolution accepting the proposal of and awarding a professional services contract to Civil Engineering Consultants, Inc., in an amount not to exceed \$2,599,894.00 in connection with the Water Resources Integration Program, Project 1: Water Resources Integration Pipeline Project, Segment II; approving the expenditure of funds in an amount not to exceed \$2,599,894.00 from the System's Project Fund for the project engineering work; authorizing the President/Chief Executive Officer to execute a professional services contract with Civil Engineering Consultants, Inc., and to pay Civil Engineering Consultants, Inc., an amount not to exceed \$2,599,894.00 for the project engineering work. Total expenditures are: \$2,599,894.00. (KELLEY NEUMANN – FRANCES PLOCEK)
39. A Resolution accepting the proposal of and awarding a professional services contract to Freese and Nichols, Inc., in an amount not to exceed \$2,489,120.00 in connection with the Water Resources Integration Program, Project 1: Water Resources Integration Pipeline Project, Segment III; approving the expenditure of funds in an amount not to exceed \$2,489,120.00 from the System's Project Fund for the project engineering work; authorizing the President/Chief Executive Officer to execute a professional services contract with Freese and Nichols, Inc., and to pay Freese and Nichols, Inc., an amount not to exceed \$2,489,120.00 for the project engineering work. Total expenditures are: \$2,489,120.00. (KELLEY NEUMANN – FRANCES PLOCEK)
40. A Resolution accepting the proposal of and awarding a professional services contract to Black & Veatch Corporation, in an amount not to exceed \$2,559,286.00 in connection with the Water Resources Integration Program, Project 2: Water Resources Integration Pump Stations Project; approving the expenditure of funds in an amount not to exceed \$2,559,286.00 from the System's Project Fund for the project engineering work; authorizing the President/Chief Executive Officer to execute a professional services contract with Black & Veatch Corporation, and to pay Black & Veatch Corporation, an amount not to exceed \$2,559,286.00 for the project engineering work. Total expenditures are: \$2,559,286.00. (KELLEY NEUMANN – FRANCES PLOCEK)

## **EASEMENTS AND REAL PROPERTY**

41. A Resolution accepting the proposals of and awarding contracts to Ardaga & Associates/Arthur D. Galvan, Spitzer & Associates, Inc., and Contract Land Staff, LLC, to provide real property acquisition services in connection with various Capital Improvement Projects for an amount not to exceed \$1,200,000.00 for a three-year period with the option of two, one-year renewals for real property acquisition services; authorizing total expenditures in an amount not to exceed \$1,200,000.00 from the

Project Fund for the three-year period with the two, one-year renewals, if exercised, with the expenditure of funds in all subsequent years after 2009 pursuant to and contingent upon the Board's approval of the budgets of those years with a line item for such expenditures; authorizing the President/Chief Executive Officer or his designated representative to negotiate and execute contracts with the acquisition companies, and to pay the acquisition companies, an amount not to exceed \$1,200,000.00 to provide the project work for the contract term and to exercise the two, one-year renewal options if it is in the best interest of the System. Total expenditures are: \$\$1,200,000.00 for a three-year period with the option of two, one-year renewals.

(MIKE BRINKMANN – BRUCE HABY)

**42. BRIEFING SESSION.**

**A. Briefing and deliberation regarding SAWS' Small, Minority Women Owned Business Enterprise Program for the 2nd Quarter of 2009.  
(FRANK STENGER-CASTRO – PHILIP CAMPOS)**

**43. President/Chief Executive Officer's Report. Presentation of and deliberation on the following items:**

**A. Mid year recap of SAWS.**

**44. Inquiries.**

**45. The Regular Session of the September 1, 2009, Regular Board Meeting is hereby recessed to hold an Executive Session and discuss the matters listed below pursuant to Sections 551.071, 551.072, 551.073, and 551.074 of the Texas Open Meetings Act.**

**46. EXECUTIVE SESSION.**

**A. Consultation with attorneys and deliberation regarding the appointment, employment, reassignment, duties, discipline, or dismissal of a public officer or employee. (FRANK STENGER-CASTRO – BILL CROW)**

**B. Consultation with attorneys and deliberation regarding potential litigation relating to matters in connection with wastewater permit compliance issues.  
(FRANK STENGER-CASTRO – JOHN REYNOLDS)**

**C. Consultation with attorneys and deliberation regarding legal issues related to the Definitive Agreement between the San Antonio Water System and the Lower Colorado River Authority.  
(FRANK STENGER-CASTRO - STEVE KOSUB)**

**D. Consultation with attorneys and deliberation regarding legal issues related to the SAWS, Information System Agreement, for software applications.  
(FRANK STENGER-CASTRO – SCOTT OLIVER)**

**E. Consultation with attorneys regarding legal issues and deliberation about the acquisition and value of real property near the SAWS Dos Rios Water Recycling Center in Southern Bexar County.  
(FRANK STENGER-CASTRO/NANCY BELINSKY)**

- F. Consultation with attorneys and deliberation regarding Cause No. 2006-CI-12816, *San Antonio Water System Board of Trustees, et al. v. Turner Collie & Braden, Inc., E.E. Hood & Sons, Inc., et al.*, in the 37<sup>th</sup> District Court, Bexar County, Texas. (FRANK STENGER-CASTRO – JOHN REYNOLDS)
- G. Consultation with attorneys for the San Antonio Water System and its Board of Trustees, and consideration of matters in which the duty of the attorney to the San Antonio Water System and its Board of Trustees under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of the Texas Open Meetings Act. (FRANK STENGER-CASTRO)

47. The Regular Session of the Regular Board Meeting of September 1, 2009, is hereby reconvened.

48. Adjournment. THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES MEETING OF SEPTEMBER 1, 2009, IS HEREBY ADJOURNED.