

AGENDA

**MEETING OF THE
SAN ANTONIO WATER SYSTEM
BOARD OF TRUSTEES
Tuesday, November 6, 2007, 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 Chapter 551 of the Texas Open Meetings Act, Texas Government Code, which permits closed meetings for purposes of consulting with its attorneys and deliberating about real property, gifts and donations, personnel matters and security devices. 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 October 2, 2007.**
- 4. Ceremonial Items.**

No items for this Meeting.
- 5. Citizens to be Heard.**
- 6. Board of Trustees - Committee Reports.**
 - A. Audit and Finance Committee.**
 - B. Planning and Operations Committee.**
 - C. Water Resources Committee.**

**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 – 42

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 Pitts Enterprise dba Pitts Trailers to provide: One each – Trailer 50 tons, Bid No. 07-7055A, for a total of \$52,440.00. (This unit is part of the vehicle equipment replacement program and will be assigned to Mission Water Maintenance.)**
2. **Acceptance of the bid of Coleman Technologies, Inc., to provide: Network Storage Space Equipment, Bid No. 07-7061, for a total of \$91,005.76. (This contract will be utilized for the purchase of a storage switch technology that provides a fibrechannel connection between SAWS enterprise servers and the storage array.)**

B. Award of Annual 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 Green Mountain Equipment & Rental to provide: JCB Tractor Loader Backhoe Parts and Service, Bid No. 07-6055, for a total of \$115,000.00. (This contract will be utilized for JCB Tractor Loader Backhoe Parts and Service. This contract will be effective Date of Award November 6, 2007 through December 31, 2008.)**

(WBE) 2. **Acceptance of the bid of Acme Security Service, Inc., to provide: Security Services for the San Antonio Water System, Bid No. 04-0195, for a total of \$900,876.00. (This contract will be utilized for security services for various SAWS locations. This contract will be effective Date of Award January 1, 2008 through December 31, 2008.)**

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.

(SME) 1. **Acceptance of the bid of INX, Inc., to provide: Cisco Networking Equipment Maintenance, Bid No. 07-5087, for a total of \$530,640.97.**

(This contract will be utilized for the maintenance of all Cisco Networking Equipment. This contract will be effective January 1, 2008 through December 31, 2008.)

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. (KELLEY NEUMANN – SAM MILLS)

No.	Tract Name	Developer Name	Acreage	Water EDUs	WW EDUs	No.
1	Anderson Tract	Anaqua Springs Ranch, Inc.	148.22	174	0	1
2	Ciri Tract	Ciri Apartments, Ltd.	21.56	359	276	2
3	Dominion Phase XII	Into Properties II, LP	119	360	0	3
4	Fischer	FCS Fischer, Ltd.	86.73	510	510	4
5	Freeport	Harvard Investments, Inc.	483	3,220	3,021	5
6	Hedad Tract	Hedad, Inc.	14.7	243	243	6
7	Milam Tract	Cadence Development, LP	568	0	2,000	7
8	Mountain Lodge Unit 8A	Canyon Partners, Ltd.	46.92	56	51	8
9	Sandbar Commercial	B & M Marshall Road, Ltd.	1.18	14	18	9
10	Tundra Town Home Village	HTG Real Property Management	62.38	156	0	10
11	Union Pacific Intermodal Facility	Union Pacific Railroad Company	220	34	18	11
Totals			<u>1,156</u>	<u>2,690</u>	<u>2,030</u>	
Year-to-Date Totals (January-November 2007)			<u>14,350</u>	<u>30,545</u>	<u>35,848</u>	

9. A Resolution approving a partial reimbursement in the amount of \$5,591.00 to F.C. Properties One Ltd., for the Stone Oak One On-Site Oversize Improvements as required by the Third Addendum to the Mud Creek Participation Agreement, pursuant to City of San Antonio Ordinance No. 71800; authorizing the expenditure of \$5,591.00 from the System Fund Service Recovery Account within the System Fund Renewal and Replacement Fund for such reimbursement; authorizing the President/Chief Executive Officer to pay such partial reimbursement in the amount of \$5,591.00 to F. C. Properties One Ltd., for the Stone Oak One On-Site Oversize Improvements. Total expenditures are: \$5,591.00. (KELLEY NEUMANN – SAM MILLS)

10. A Resolution approving the reimbursement of \$100,000.00 of water and sewer impact fees to the Franklin Development Company. Total expenditures are: \$100,000.00. (KELLEY NEUMANN – SAM MILLS)
11. A Resolution approving and authorizing the President/Chief Executive Officer or his designated representative to negotiate and execute an Interlocal Agreement with the Bexar Metropolitan Water District to provide temporary water service to the proposed Toyota automotive dealership and the baseball stadium being developed by North Park Enterprises at the southwest corner of the intersection of Loop 410 and Interstate Highway 35 South; authorizing this Interlocal Agreement for a period not to exceed eighteen (18) months; authorizing the President/ Chief Executive Officer or his designated representative to collect all applicable impact fees and monthly service charges under the provisions of the Interlocal Agreement; authorizing the President/Chief Executive Officer or his designated representative to execute all documents and perform all duties and obligations under the Interlocal Agreement. (KELLEY NEUMANN –SAM MILLS)

Professional Services

- (WBE) 12. A Resolution approving a Contract Amendment to the existing professional services contract with Bain Medina Bain, for additional funds in an amount not to exceed \$130,000.00 for additional engineering services in connection with the FM 1937: Loop 410 to Pleasanton Road Project; amending Resolution No. 98-154, as previously amended by Resolution No. 06-058, by approving additional expenditures in an amount not to exceed \$130,000.00 from the System’s Project Fund in connection with the project; authorizing the President/Chief Executive Officer to execute an amendment to the professional services contract with Bain Medina Bain, and to pay an additional amount not to exceed \$130,000.00 to Bain Medina Bain, for additional engineering services. Total expenditures are: \$130,000.00. (KELLEY NEUMANN –ASHOK KAJI)
13. A Resolution approving Contract Amendment No. 2 in the amount of \$6,905.00 in connection with the Kelly USA Pressure Zone (PZ) 4 Improvements Project; amending Resolution No. 07-003, as previously amended by Resolution No. 07-235, by approving additional expenditures in an amount not to exceed \$6,905.00 for additional engineering services by Lockwood, Andrews, Newnam, Inc., in connection with the Kelly USA Pressure Zone (PZ) 4 Improvements Project; approving that an amount not to exceed \$6,905.00 be made available and expended from the System’s Project Fund for the additional engineering services; authorizing the President/Chief Executive Officer to execute Contract Amendment No. 2 and to pay Lockwood, Andrews & Newnam, Inc., an additional amount not to exceed \$6,905.00 for the additional engineering services in connection with the project. Total expenditures are: \$6,905.00. (KELLEY NEUMANN –FRANCES PLOCEK)

REPLACEMENT PROJECTS

Governmental Relocations and Replacements

14. A Resolution approving Change Order No. 4 in the amount of \$107,769.42 payable to the Texas Department of Transportation in connection with the Spur 421 (Bandera Road): IH-10 to Evers Road Project; authorizing the President/Chief Executive Officer to pay to the Texas Department of Transportation an amount not to exceed \$107,769.42 for the additional project work. Located in Council Districts 1 and 4. Total expenditures

are: \$107,769.42, bringing the total project cost to: \$16,326,737.40.
(KELLEY NEUMANN – CINDY KOVACIC)

15. A Resolution accepting the bid of Holloman Corporation in the amount of \$732,246.00 for the Loop 1604 @ SH 151 Project; awarding a construction contract to Holloman Corporation in the amount of \$732,246.00 for the project work; approving the expenditure of funds in the amount of \$732,246.00 for the project work; approving construction contingency expenses in an amount not to exceed \$73,234.00 in connection with the project work; approving that an amount not to exceed \$805,480.00 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 Holloman Corporation and to pay Holloman Corporation an amount not to exceed \$805,480.00 for the project work and related construction contingencies. Located in Council District 6. Total expenditures are: \$805,480.00. (KELLEY NEUMANN – CINDY KOVACIC)
16. A Resolution accepting the bid of Bay Builders Company in the amount of \$223,798.00 for the US 87 at Salado Creek Project; awarding a construction contract to Bay Builders Company in the amount of \$223,798.00 for the project work; approving the expenditure of funds in the amount of \$223,798.00 for the project work; approving construction contingency expenses in an amount not to exceed \$22,372.00 in connection with the project work; approving an amount not to exceed \$246,080.00 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 Bay Builders Company and to pay Bay Builders Company an amount not to exceed \$246,080.00 for the project work and related construction contingencies. Located in Council District 2. Total expenditures are: \$246,080.00. (KELLEY NEUMANN – CINDY KOVACIC)
17. A Resolution accepting the bid of Pipelayers, Inc., in the amount of \$880,578.00 for the US Hwy 281: Mud Creek to Stone Oak Pkwy (Lift Station Removal) Project; awarding a construction contract to Pipelayers, Inc., in the amount of \$880,578.00 for the project work; approving the expenditure of funds in the amount of \$880,578.00 for the project work; approving construction contingency expenses in an amount not to exceed \$88,062.00 in connection with the project work; approving an amount not to exceed \$968,640.00 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 Pipelayers, Inc., and to pay Pipelayers, Inc., an amount not to exceed \$968,640.00 for the project work and related construction contingencies. Located in Council District 9. Total expenditures are: \$968,640.00. (KELLEY NEUMANN – CINDY KOVACIC)
18. A Resolution amending Resolution No. 06-195 by approving the expenditure of additional funds in an amount not to exceed \$61,504.42 payable to the City of San Antonio for additional construction contingency expenses in connection with the Semlinger: Lord to Rigsby Project; approving an additional amount not to exceed \$61,504.42 be made available and expended from the System's Project Fund for the additional construction contingency expenses; ratifying the actions of the Vice-President of Facilities Engineering and Construction in approving Change Order No. 1 in the amount of \$98,806.05; authorizing the President/Chief Executive Officer to pay to the City of San Antonio an additional amount not to exceed \$61,504.42 for the additional project work and additional construction contingency expenses. Located in

Council District 2. Total expenditures are: \$61,504.42, bringing the total project cost to: \$865,504.40. (KELLEY NEUMANN – CINDY KOVACIC)

19. A Resolution amending Resolution No. 07-081 by approving the expenditure of additional funds in an amount not to exceed \$188,000.00 payable to the City of San Antonio for additional construction contingency expenses in connection with the 2006-2007 Street Maintenance Program-Package No. 2 Project; approving an additional amount not to exceed \$188,000.00 be made available and expended from the System's Project Fund for the additional construction contingency expenses; ratifying the actions of the Vice-President of Facilities Engineering and Construction in approving Change Order No. 2 in the amount of \$170,511.60; authorizing the President/Chief Executive Officer to pay the City of San Antonio an additional amount not to exceed \$188,000.00 for the additional project work and additional construction contingency expenses. Located in Council Districts 2 and 3. Total expenditures are: \$188,000.00, bringing the total project cost to: \$690,565.82. (KELLEY NEUMANN – CINDY KOVACIC)
20. A Resolution approving the expenditure of funds in the amount of \$155,475.00 for the adjustment of water, wastewater, and recycled water facilities by the City of San Antonio in connection with the Broadway Corridor Phase I, Part II Project; approving the expenditure of funds in an amount not to exceed \$23,568.00 for engineering services related to the project work; approving construction contingency expenses related to the project work in an amount not to exceed \$21,525.00; approving an amount not to exceed \$78,191.52 be made available and expended from the System's Project Fund for the water project work, engineering services and related construction contingencies; approving an amount not to exceed \$61,188.24 be made available and expended from the System's Project Fund for the sewer project work, engineering services and related construction contingencies; approving an amount not to exceed \$61,188.24 be made available and expended from the System's Project Fund for the recycled water project work, engineering services and related construction contingencies; authorizing the President/Chief Executive Officer to execute a Funding Agreement and to pay to the City of San Antonio an amount not to exceed \$200,568.00 for the project work, engineering services and related construction contingencies. Located in Council District 2 Total expenditures are: \$200,568.00. (KELLEY NEUMANN – CINDY KOVACIC)
21. A Resolution amending Resolution No. 07-006 by approving the expenditure of additional funds in the amount of \$25,043.77 for the adjustment of water facilities by Bexar County in connection with the Braun Road: Loop 1604 to F.M. 1560 Project; approving additional construction contingency expenses in an amount not to exceed \$7,456.23 for the project work; authorizing that an additional amount not to exceed \$32,500.00 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 pay an additional amount not to exceed \$32,500.00 to Bexar County for the project work and related construction contingencies. Total expenditures are: \$32,500.00. (KELLEY NEUMANN – CINDY KOVACIC)

Professional Services

- (MBE) 22. A Resolution ratifying the actions of the Vice-President of Facilities Engineering & Construction in approving Contract Amendment No. 1 in the amount of \$45,014.09 in connection with the Historic Mission Reach Project, Phase I; amending Resolution No. 06-355 by approving additional expenditures in an amount not to exceed \$45,014.09 for additional engineering design services by K.M. Ng & Associates in

connection with the Historic Mission Reach Project, Phase I; approving that an additional amount not to exceed \$9,741.05 be made available and expended from the System's Project Fund for the additional water engineering design work; approving that an additional amount not to exceed \$35,273.04 be made available and expended from the System's Project Fund for the additional sewer engineering design work; authorizing the President/Chief Executive Officer to execute Contract Amendment No. 1 and to pay K.M. Ng & Associates an additional amount not to exceed \$45,014.09 for the additional engineering design services in connection with the project. Located in Council District 5. Total expenditures are: \$45,014.09.
(KELLEY NEUMANN –CINDY KOVACIC)

23. RESERVED

MISCELLANEOUS PROJECTS

Professional Services

24. A Resolution accepting the proposal of CH2M Hill, Inc., in the amount of \$937,000.00 for the design of the Medio Creek Water Recycling Center Recycled Water Pump Station and Line Project; awarding a professional services contract to CH2M Hill, Inc., in an amount not to exceed \$937,000.00 for engineering services in connection with the project work engineering services in connection with the project work; approving the expenditure of funds in the amount of 937,000.00 from the Project Fund for the engineering services in connection with the project work; authorizing the President/Chief Executive Officer to execute a professional services contract with CH2M Hill, Inc., and to pay CH2M Hill, Inc., an amount not to exceed \$937,000.00 for engineering services in connection with the project work. Total expenditures are: \$937,000.00. (KELLEY NEUMANN –ASHOK KAJI)
25. A Resolution accepting the proposal of Black & Veatch Corporation, in an amount not to exceed \$904,000.00 for the design of the Anderson Pump Station Improvement Project; awarding a professional services contract to Black & Veatch Corporation, in an amount not to exceed \$904,000.00 in connection with this project; authorizing the expenditure of funds in an amount not to exceed \$904,000.00 from the System's Project Fund for the project engineering services in connection with this project; 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 \$904,000.00 for project engineering services in connection with the project. Total expenditures are: \$904,000.00. (KELLEY NEUMANN - ASHOK KAJI)
26. A Resolution accepting the proposal of and extending the term of the existing contract with Leland Verheyen in an amount not to exceed \$87,000.00 for professional engineering services for hydraulic studies and eligible reimbursable expenses; authorizing expenditures in an amount not to exceed \$87,000.00 from the Project Fund for the professional engineering services and eligible reimbursable expenses in connection with the project work; authorizing the President/Chief Executive Officer to execute an Amendment to the professional services contract with Leland Verheyen to extend the term and pay Leland Verheyen a total amount not to exceed \$87,000.00 for professional engineering services and eligible reimbursable expenses. Total expenditures are: \$87,000.00. (KELLEY NEUMANN –SAM MILLS)
27. A Resolution approving Contract Amendment No. 1 in the amount of \$72,207.00 in connection with the Central Watershed Sewer Relief Line (C-01) and (C-02) Phase II

Project; amending Resolution No. 06-185 by approving additional expenditures in an amount not to exceed \$72,207.00 for additional engineering and environmental services by Claunch & Miller, Inc., in connection with the Central Watershed Sewer Relief Line (C-01) and (C-02) Phase II Project; approving that an amount not to exceed \$72,207.00 be made available and expended from the System's Project Fund for the wastewater related additional engineering and environmental services; authorizing the President/Chief Executive Officer to execute Contract Amendment No. 1 and to pay Claunch & Miller, Inc., an additional amount not to exceed \$72,207.00 for additional engineering and environmental services in connection with the project. Total expenditures are: \$72,207.00. (KELLEY NEUMANN –FRANCES PLOCEK)

28. A Resolution approving Contract Amendment No. 1 in the amount of \$76,199.00 in connection with the Central Watershed Sewer Relief Line (C-02) Project; amending Resolution No. 05-410 by approving additional expenditures in an amount not to exceed \$76,199.00 for additional engineering services by CDS/Muery Services in connection with the Central Watershed Sewer Relief Line (C-02) Project; approving that an amount not to exceed \$76,199.00 be made available and expended from the System's Project Fund for the related additional engineering services; authorizing the President/Chief Executive Officer to execute Contract Amendment No. 1 and to pay CDS/Muery Services an additional amount not to exceed \$76,199.00 for the additional engineering services in connection with the project. Located in Council District 3. Total expenditures are: \$76,199.00. (KELLEY NEUMANN – FRANCES PLOCEK)

(MBE) 29. A Resolution accepting the proposal of LNV Engineering, in the amount of \$200,000.00 for the Civil Engineering Design Services Contract I in connection with various Capital Improvement Program Projects; awarding a professional engineering services contract to LNV Engineering, in an amount not to exceed \$200,000.00 in connection with these projects; authorizing the expenditure of funds in an amount not to exceed \$200,000.00 for the Civil Engineering Design Services Contract I from the System's Project Fund for these Capital Improvement Program Projects; authorizing the President/Chief Executive Officer to execute a professional services contract with LNV Engineering, and to pay LNV Engineering, an amount not to exceed \$200,000.00 for the Civil Engineering Design Services Contract I in connection with these Capital Improvement Projects. Total expenditures are: \$200,000.00. (KELLEY NEUMANN – ASHOK KAJI)

(WBE) 30. A Resolution accepting the proposal of Bain Medina Bain, Inc., in the amount of \$200,000.00 for the Civil Engineering Design Services Contract II in connection with various Capital Improvement Program Projects; awarding a professional engineering services contract to Bain Medina Bain, Inc., in an amount not to exceed \$200,000.00 in connection with these projects; authorizing the expenditure of funds in an amount not to exceed \$200,000.00 for the Civil Engineering Design Services Contract II from the System's Project Fund for these Capital Improvement Program Projects; authorizing the President/Chief Executive Officer to execute a professional services contract with Bain Medina Bain, Inc., and to pay Bain Medina Bain, Inc., an amount not to exceed \$200,000.00 for the Civil Engineering Design Services Contract II in connection with these Capital Improvement Program Projects. Total expenditures are: \$200,000.00. (KELLEY NEUMANN – ASHOK KAJI)

(WBE) 31. A Resolution accepting the proposal of Grubb Engineering, Ltd., in an amount not to exceed \$850,000.00 for the design of the Water Production Facility Upgrades Phase III - Mission Pump Station Project; awarding a professional services contract to Grubb Engineering, Ltd., in an amount not to exceed \$850,000.00 in connection with this project; authorizing the expenditure of funds in an amount not to exceed

\$850,000.00 from the System's Project Fund for the project engineering services in connection with this project; authorizing the President/Chief Executive Officer to execute a professional services contract with Grubb Engineering, Ltd., and to pay Grubb Engineering, Ltd., an amount not to exceed \$850,000.00 for project engineering services in connection with the project. Total expenditures are: \$850,000.00. (KELLEY NEUMANN –ASHOK KAJI)

- (WBE) 32. A Resolution accepting the proposal of and awarding a Surveying Contract to Unintech Consulting Engineers, Inc., in an amount not to exceed \$200,000.00 in connection with the 2007 Replacements & Improvements Surveying Services Contract; approving the expenditure of funds in an amount not to exceed \$200,000.00 from the System's Project Fund for the professional surveying work; authorizing the President/Chief Executive Officer to execute a surveying contract with Unintech Consulting Engineers, Inc., and to Pay Unintech Consulting Engineers, Inc., an amount not to exceed \$200,000.00 for the professional surveying work .Total expenditures are: \$200,000.00. (KELLEY NEUMANN –FRANCES PLOCEK)**

EASEMENTS AND REAL PROPERTY

- 33. A Resolution declaring a tract of land consisting of a 37.00 acre tract of land acquired from Mary F. Daughtry in August of 1995 and a 12.396 acre tract of land acquired from RAYCO, Ltd., acting by and through RAYCO Management, L.L.C. in March of 1995, subsequently platted as the 48.842 acre Culebra Creek Wastewater Subdivision in December of 1999 in Volume 9545 Page 161 of the Deed and Plat Records of Bexar County, Texas and located the northwest area of Bexar County, Texas (the "property"), to be surplus to the needs of the System as required by City Ordinance No. 75686; recommending that the San Antonio Planning Commission and City Council consent to such declaration as required by City Ordinance No. 75686; authorizing the President/Chief Executive Officer or his designated representative to dispose of said property pursuant to Chapter 272 of the Local Government Code and applicable City of San Antonio and System policies and procedures. (MIKE BRINKMANN – BRUCE HABY)**

Water Resources

- 34. A Resolution approving the Purchase Agreement and its Amendment (collectively referred to as the "Purchase Agreement") with Antonio R. Aguilar and Aurora O. Aguilar in the amount of \$73,292.00 for the acquisition, by the City of San Antonio for the use and benefit of the San Antonio Water System, of a 9.1615 acre tract of land in Bexar County, Texas generally located on the south side of Hardy Road, east of Interstate Highway 37, being out of the B.F. Shields Survey No. 19³/₄ , Abstract 729, County Block 4112, Bexar County, Texas and being more particularly described in Volume 13107 Page 2280 of the Official Public Records of Real Property, Bexar County, Texas ("property") for the construction of a Carrizo Aquifer Production Well associated with the Local Carrizo Offsite Program; authorizing the acquisition of the property in accordance with the terms of the Purchase Agreement; authorizing the expenditure of funds from the System's Project Fund in an amount not to exceed \$78,292.00 for the acquisition of the property and associated closing costs; authorizing the President/Chief Executive Officer or his designated representative to negotiate and execute all documents necessary to effectuate the acquisition of the property and perform all duties of the buyer under said Purchase Agreement, and to pay a total amount not to exceed \$78,292.00 for the acquisition of the property and associated closing costs to Antonio R. Aguilar and Aurora O. Aguilar and Chicago Title**

Company. Total expenditures are: \$78,292.00 for the acquisition of the property and associated closing costs. (JANELLE OKORIE – CALVIN FINCH)

WATER RESOURCES ITEMS

35. A Resolution approving a one-time special purchase of 1,429 Caroma High-Efficiency Toilets from Morrison Supply Company for distribution of residential-style high-efficiency toilets and accessories as part of the Commercial Toilet Distribution Programs in an amount not to exceed \$77,000.00; authorizing an amount not to exceed \$77,000.00 to be made available from the System Fund for a one-time special purchase of 1,429 residential-style high-efficiency toilets; authorizing the President/Chief Executive Officer or his designee to execute a one-time special purchase with Morrison Supply Company and to pay Morrison Supply Company a total amount not to exceed \$77,000.00 for the purchase of 1,429 residential-style high-efficiency toilets. Total expenditures are: \$77,000.00. (JANELLE OKORIE – KAREN GUZ)

INFORMATION SERVICES ITEMS

36. A Resolution approving a three-year agreement with SHI-Government Solutions, Inc., and the expenditures for the first year in an amount not to exceed \$375,099.00 from the System Fund for the Microsoft Full Platform Enterprise Agreement and 2007 true-up costs for related software; authorizing the President/Chief Executive Officer or his designee to pay SHI-Government Solutions, Inc., an amount not to exceed \$375,099.00 for the Microsoft Full Platform Enterprise Agreement and 2007 true-up costs for related software; directing the staff of the System to return to the Board of Trustees for authorization of payment of funds for subsequent Fiscal Years. Total expenditures are: \$375,099.00. (STACEY ISENBERG – JOE SAMPLES)

MISCELLANEOUS ITEMS

37. A Resolution accepting the bid of and awarding a Purchasing Contract to Mars Company, a subsidiary of Floyd S. Salser, Jr., and Associates, in an amount not to exceed \$409,552.18 to furnish new water meter testing equipment; authorizing the expenditure of funds in an amount not to exceed \$409,552.18 from the System Fund; authorizing the President/Chief Executive Officer or his designated representative to execute a Purchasing Contract with Mars Company, a subsidiary of Floyd S. Salser, Jr., and Associates, and to pay, Mars Company, a subsidiary of Floyd S. Salser, Jr., and Associates an amount not to exceed \$409,552.18 to furnish new water meter testing equipment. Total expenditures are: \$409,552.18. (DAVID JOHNSON – ALAN WILLIAMS)
38. A Resolution ratifying the actions of the Vice-President of Distribution and Collection Operations in approving a contract with Godwin Pumps of America in the amount of \$63,598.25 in connection with the Buena Vista 33-Inch Sanitary Sewer Main Repair Project; approving the expenditure of funds in the amount of \$63,598.25 for the project work; approving total expenditures in an amount not to exceed \$63,598.25 from the System's Project Fund for the project work; authorizing the President/Chief Executive Officer to execute a contract with Godwin Pumps of America and to pay Godwin Pumps of America an amount not to exceed \$63,598.25 for the project work. Total expenditures are: \$63,598.25. (VAL RUIZ – GORDON MAHAN)
39. A Resolution accepting the bid of and awarding a purchasing contract to Eaton Electrical, in an amount not to exceed \$59,709.00, to provide and install a replacement medium voltage switchgear contactor and to update short-circuit, and coordination

studies at the Twin Oaks (ASR) High Service Pump Station; authorizing the expenditure of funds in an amount not to exceed \$59,709.00 from the System Fund; authorizing the President/Chief Executive Officer or his designated representative to execute a purchasing contract with Eaton Electrical, and to pay Eaton Electrical an amount not to exceed \$59,709.00 to replace a faulted medium voltage switchgear contactor and to update short-circuit, and coordination studies. Total expenditures are: \$59,709.00. (STEVE CLOUSE – PHIL COOK)

40. A Resolution accepting the bid of and awarding a contract to Ace Pipe Cleaning, Inc., in an amount not to exceed \$195,810.00 for cleaning and inspection of the Acequia Lift Station Wet Well; authorizing the expenditure of funds in an amount not to exceed \$195,810.00 from the System Fund for cleaning and inspection of the Acequia Lift Station Wet Well; authorizing the President/Chief Executive Officer to execute a contract with Ace Pipe Cleaning, Inc., and to pay Ace Pipe Cleaning, Inc., an amount not to exceed \$195,810.00 for the cleaning and inspection of the Acequia Lift Station Wet Well. Total expenditures are: \$195,810.00. (STEVE CLOUSE – ANTONIO ALVAREZ)
41. A Resolution approving the proposal submitted by Alamo Title Company to provide real estate title services for an amount not to exceed \$300,000.00 for a three-year period with the option of two, one-year renewals in connection with the acquisition and disposition of real property; authorizing total expenditures in amount not to exceed \$300,000.00 from the System and Project Funds for a three-year period with the option of two, one-year renewals, with the expenditure of funds in subsequent years 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 execute the contract with Alamo Title Company and to pay Alamo Title Company in an amount not to exceed \$300,000.00 to provide real estate title services for a three-year period with the option of two, one-year renewals. Total expenditures are: \$300,000.00. (MIKE BRINKMANN – BRUCE HABY)
42. A Resolution authorizing the President/Chief Executive Officer or his designee to exercise the first option to extend the term of the existing contract with Guerra, Deberry, Coody for public relations and crisis communications services and programs for the period from January 1, 2008 through December 31, 2008 in an amount not to exceed \$110,000.00; authorizing expenditures in an amount not to exceed \$110,000.00 from the System and Project Fund for Fiscal Year 2008 to be made payable to Guerra, Deberry Coody to perform public relations and crisis communications services. Total expenditures are: \$110,000.00. (GREG FLORES)

ITEMS FOR INDIVIDUAL CONSIDERATION

CAPITAL IMPROVEMENT CONTRACTS

REPLACEMENT PROJECTS

Governmental Relocations and Replacements

43. A Resolution approving the expenditure of funds in the amount of \$1,882,093.80 for the adjustment and replacement of water and sewer facilities by the City of San Antonio in connection with the Woodlawn Avenue: Maiden Lane to Bandera Road Project; approving construction contingency expenses related to the project work in an amount not to exceed \$94,104.69; approving an amount not to exceed \$1,014,782.14 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 \$961,416.35 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 Advance Funding Agreement and to pay in advance to the City of San Antonio an amount not to exceed \$1,976,198.49 for the project work and related construction contingencies. Located in Council Districts 7. Total expenditures are: \$1,976,198.49. (KELLEY NEUMANN – CINDY KOVACIC)

Water and Sewer Line Improvements

- (WBE) 44. A Resolution accepting the bid of Rockin Q Construction LLC, in the amount of \$1,198,795.00 for the South Area Lift Stations Elimination Project; awarding a construction contract to Rockin Q Construction LLC, in the amount of \$1,198,795.00 for the project work; approving the expenditure of funds in the amount of \$1,198,795.00 for the project work; approving construction contingency expenses in an amount not to exceed \$23,976.00 in connection with the project work; approving an amount not to exceed \$1,222,771.00 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 Rockin Q Construction LLC, and to pay Rockin Q Construction LLC, an amount not to exceed \$1,222,771.00 for the project work and related construction contingencies. Located in Council District 3. Total expenditures are: \$1,222,771.00. (KELLEY NEUMANN –FRANCES PLOCEK)
45. A Resolution accepting the bid of Austin Engineering Co., Inc., in the amount of \$7,000,000.00 for the construction of the Lift Stations Rehabilitation – Phase 1 Project; awarding a construction contract in the amount of \$7,000,000.00 Austin Engineering Co., Inc., for the project work; authorizing the expenditure of funds in an amount not to exceed \$7,000,000.00 for the project work; authorizing construction contingency expenses in an amount not to exceed \$140,000.00 in connection with the project work; authorizing total expenditures in an amount not to exceed \$7,140,000.00 from the System's Project Fund for the project work and construction contingency expenses; authorizing the President/Chief Executive Officer to execute a contract with Austin Engineering Co., Inc., and to pay Austin Engineering Co., Inc., the amount of \$7,000,000.00 for the project work. Total expenditures are: \$7,140,000.00. (KELLEY NEUMANN –ASHOK KAJI)

PROJECTS INVOLVING IMPROVEMENTS, EXTENSIONS AND ADDITIONAL CAPACITY

Production, Transmission and Treatment Improvements

46. A Resolution accepting the bid of Shannon-Monk, Inc., in the amount of \$4,780,000.00 for the construction of the Broadview Tank Project; awarding a construction contract in the amount of \$4,780,000.00 to Shannon-Monk, Inc., for the project work; authorizing the expenditure of funds in an amount not to exceed \$4,780,000.00 for the project work; authorizing construction contingency expenses in an amount not to exceed \$100,000.00 in connection with the project work; authorizing total expenditures in an amount not to exceed \$4,880,000.00 from the System's Project Fund for the project work and construction contingency expenses; authorizing the President/Chief Executive Officer or his authorized representative to execute a contract with Shannon-Monk, Inc., and to pay Shannon-Monk, Inc., the amount of

**\$4,780,000.00 for the project work. Total expenditures are: \$4,780,000.00.
(KELLEY NEUMANN – ASHOK KAJI)**

MISCELLANEOUS PROJECTS

- 47. A Resolution determining that the Construction Manager at Risk Delivery Method provides the best value for the Water System to construct the Market Street Pump Station Improvements Project; authorizing the President/Chief Executive Officer to utilize the Construction Manager at Risk Delivery Method in connection with the project. (KELLEY NEUMANN –ASHOK KAJI)**
- 48. A Resolution amending the Wastewater Master Plan and accepting the concept to design and construct the Medina River Outfall with a developer participation group; requesting the Capital Improvements Advisory Committee to consider that Amendment and to revise the impact fees to include the project in the next round of impact fees; encouraging the formation of and committing to work with the participation group to review the design and fund the construction of the outfall, and to develop Utility Service Agreements based on the Medina River Outfall; committing to acquire necessary easements and committing to the construction of the outfall in 2009, 2010, and 2011.
(KELLEY NEUMANN – SAM MILLS)**

WATER RESOURCES ITEMS

- 49. A Resolutions approving establishment of Bylaws of the Community Conservation Committee; approving the recommendations of the Community Conservation Committee regarding establishment of Bylaws. (JANELLE OKORIE – KAREN GUZ)**
- 50. A Resolution approving establishment of Bylaws of the Citizens Advisory Panel; approving the recommendations of the Citizens Advisory Panel regarding establishment of Bylaws. (JANELLE OKORIE – CALVIN FINCH)**
- 51. A Resolution approving the 2008 Annual Study Period Budget and Work Program and Study Period Option Fee in an amount not to exceed \$6,500,000.00 and an amendment to the 2007 Annual Work Program for an amount not to exceed \$247,400.00 for the Lower Colorado River Authority–San Antonio Water System Project; authorizing and approving the expenditure of funds for the 2008 Study Period Work Program and Study Period Option Fee in an amount not to exceed \$6,500,000.00 and additional funds for the 2007 Study Period Work Program in an amount not to exceed \$247,400.00 for the Lower Colorado River Authority–San Antonio Water System Project; authorizing the expenditure of funds for the 2008 Study Period Work Program and Study Period Option Fee in an amount not to exceed \$6,500,000.00 and additional funds for the 2007 Study Period Work Program in an amount not to exceed \$247,400.00 from the Water Supply Fee Revenues of the System Fund for the System’s obligations under the Agreement; authorizing the President/Chief Executive Officer to pay the Lower Colorado River Authority an amount not to exceed \$6,500,000.00 for the CY 2008 Study Period Work Program and Study Period Option Fee and an amount not to exceed \$247,400.00 for additional funding for the 2007 Study Period Work Program. Total expenditures are: \$6,500,000.00 for the CY 2008 Study Period Work Program and Study Period Option Fee and an amount not to exceed \$247,400.00 for additional funding for the 2007 Study Period Work Program.
(JANELLE OKORIE – CALVIN FINCH)**

HUMAN RESOURCES ITEMS

52. A Resolution authorizing expenditures to fund the San Antonio Water System Retirement Plan administered by Principal Financial Group from January 1 through December 31, 2007 in an amount not to exceed \$4,663,169.00 from the System Fund; authorizing the President/Chief Executive Officer to pay Principal Financial Group an amount not to exceed \$4,663,169.00 to fund the San Antonio Water System Retirement Plan from January 1 through December 31, 2007. Total expenditures are: \$4,663,169.00 (DOUG EVANSON - JERRY BAILEY – NEIRA SOUTH)

FINANCIAL ITEMS

53. A Resolution approving the annual budget for the San Antonio Water System for the Fiscal Year ending December 31, 2008, approving Fiscal Year 2008 funding for certain contracts, authorizing the approved annual budget for the Fiscal Year ending December 31, 2008, be submitted to the City Council for review and consultation. (DOUG EVANSON)
54. A Resolution determining the necessity for adjustments and additions to various special services fees; recommending that the City Council of the City of San Antonio adopt such adjustments and additions to various special services fees; further recommending that the City Council adopt certain amendments to Chapter 34 of the City Code of the City of San Antonio and fee schedules incorporated therein; directing that a full report of the basis for the proposed adjustments and additions to various special services fees be submitted to the City Council; authorizing the implementation of such adjustments and additions to various special services fees to be submitted to the City Council; making the fee adjustments and amendments effective on or about January 1, 2008. (DOUG EVANSON)

55. BRIEFING SESSION.

No items for this meeting.

56. Chairman of the Board's Initiative.
57. President/Chief Executive Officer's Report.
58. Inquiries.
59. The Regular Session of the November 6, 2007 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.

60. 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 the lawsuit filed in Cause No. 2006-CI-14077; styled *Rufus Odem v. San Antonio Water System and David Chardavoyne*, in the 45th Judicial District Court, Bexar County, Texas. (FRANK STENGER-CASTRO – BILL CROW)

- C. Consultation with attorneys and deliberation regarding Cause No. 2006-CI-17738; styled *John Albert Hrncir, et al v. John Stuart Sitework, Ltd., et al*, in the 131st Judicial District Court, Bexar County, Texas.
(FRANK STENGER-CASTRO - JOE COLE)
- D. Consultation with attorneys and deliberation regarding Cause No. 2004-CI-07327; *Michael Sarabia and Gloria Valadez v. The City of San Antonio and the San Antonio Water System Board of Trustees*, in the 408th Judicial District Court, Bexar County, Texas. (FRANK STENGER-CASTRO – BILL CROW)
- E. 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)

- 61. The Regular Session of the Regular Board Meeting of November 6, 2007, is hereby reconvened.
- 62. A Resolution approving settlement of the lawsuit of Michael Sarabia and Gloria Valadez against the City of San Antonio and the San Antonio Water System; approving the System's financial obligation under the settlement; authorizing expenditures in the total amount of \$55,000.00 from the System Fund for purposes of the settlement; authorizing the President/Chief Executive Officer and the System's Legal Counsel to execute the Settlement Agreement and to pay \$55,000.00 to Michael Sarabia and Gloria Valadez and their attorney for the System's obligation under the terms of Settlement Agreement. Total expenditures are: \$55,000.00.
(FRANK STENGER-CASTRO - BILL CROW)
- 63. Adjournment. THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES MEETING OF NOVEMBER 6, 2007, IS HEREBY ADJOURNED.