

# AGENDA

## MEETING OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES

Tuesday, April 1, 2008, 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 March 4, 2008.
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– 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.**

**No items for this Meeting.**

- 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 Hayworth c/o Wittigs to provide: Office Furniture, Bid No. 08-8007, for a total of \$50,000.00. (This contract will be utilized for the purchase of matching miscellaneous office furniture and necessary accessories. This contract will be effective Date of Award (April 1, 2008) through December 31, 2008.)**

- (MBE) 2. Acceptance of the bid of E. I. S., Inc., to provide: Flowmeters and flowmeter parts, Bid No. 08-8001, for a total of \$38,050.00. (This contract will be utilized for the purchase of both complete replacement units and replacement parts for the following ultrasonic liquid flow meters currently utilized throughout the SAWS water distribution system to include a one time procurement of a Panametrics Portable Ultrasonic Liquid Flowmeter Transport PT 878. This contract will be effective Date of Award (April 1, 2008) through December 31, 2008.)**

- 3. Acceptance of the bid of GE Sensing to provide: Flowmeters and flowmeter parts, Bid No. 08-8001, for a total of \$405,013.57. (This contract will be utilized for the purchase of both complete replacement units and replacement parts for the following ultrasonic liquid flow meters currently utilized throughout the SAWS water distribution system to include a one time procurement of a Panametrics Portable Ultrasonic Liquid Flowmeter Transport PT 878. This contract will be effective Date of Award (April 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.**

1. Acceptance of the bid of Petroleum Traders Corp. of San Antonio to provide: Diesel Fuel (A297-08-SC) , Bid No. 08-0038, for a total of \$1,080,218.37 (Est. Annual Usage). (This contract will be utilized for the purchase of an estimated quantity of 467,627 gallons per year of diesel fuel for diesel powered vehicles. This contract will be effective Date of Award (April 1, 2008) through March 31, 2009.)
  2. Acceptance of the bid of Petroleum Traders Corp, to provide: Gasoline Transport Loads, Bid No. 08-0039, for a total of \$1,018,677.80. (This contract will be utilized for the purchase an estimated quantity of 407,879 gallons per year of gasoline transport loads for gasoline-powered vehicles and equipment. This contract will be effective Date of Award (April 1, 2008) through March 31, 2009.)
- 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 AT &T, to provide: Point to Point Data Service Lines, Bid No. 08-8008, for a total of \$100,188.00 annually. (This contract will be utilized to provide a Fiberman, an AT&T point to point circuit, between our datacenters providing a direct connection between our storage area network (SAN) arrays for replication purposes using SAN fiberchannel technology. The Gigaman is an AT&T provided point to point Layer 2 Ethernet connection used for spanning virtual LANs between datacenters as well as moving certain types of traffic between the DMZs and for Microsoft Exchange cluster heartbeats. This contract will be effective Date of Award (April 1, 2008) through December 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 not located over the Edwards Aquifer Recharge or Contributing Zone. (KELLEY NEUMANN – SAM MILLS)

No items for this Meeting.

9. 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. (KELLEY NEUMANN – SAM MILLS)

No.	Tract Name	Developer Name	Acreage	Water EDUs	Waste Water EDUs	Board Reason	Water CCN	Waste Water CCN
1	South Rim	Fourth Quarter Properties, L.P.	97.59	342	465	AC/ EARZ	Inside	Applied for
2	Vista Pointe Prof. Building	BCG Encino Holdings, Ltd.	9.33	150	150	EARZ	Inside	Applied for
3	Bulverde Green Elem. School	Northeast Ind. School Dist.	20.18	30	25	EARZ	Inside	Applied for
4	Craighead Estates	Redland Park, L.P.	4.51	64	18	EARZ	Inside	Applied for
5	Plaza at Encino Commons	North Bexar, L.P.	9	60	60	EARZ	Inside	Inside
<b>Totals</b>			<b><u>141</u></b>	<b><u>646</u></b>	<b><u>718</u></b>			
<b>Year-to-Date Totals ( January-April 2008)</b>			<b><u>1,563</u></b>	<b><u>2,484</u></b>	<b><u>1,843</u></b>			

10. A Resolution approving Change Order No. 1 in the amount of \$70,585.00, Change Order No. 3 in the decreased amount of \$25,760.00, and Change Order No. 4 in the amount of \$75,600.00 to the construction contract with Pipelayers, Inc., in connection with the Sundance Ranch 16-Inch Approach Main and 16-Inch Border Main Project; authorizing the President/Chief Executive Officer to execute Change Order No. 1, Change Order No. 3, and Change Order No. 4 resulting in a developer funded increase of the project cost of \$120,425.00 for the additional project work in connection with Sundance Ranch 16-Inch Approach Main and 16-Inch Border Main Project to pay the amount of \$120,425.00 to Pipelayers, Inc., for the additional project work associated with Change Order Nos. 1, 3 and 4. Total expenditures are: \$120,425.00. (KELLEY NEUMANN – SAM MILLS)
  
11. A Resolution ratifying the actions of the Vice-President of Facilities Engineering & Construction in approving Change Order No. 4 resulting in an increase of the project cost of \$85,345.43 to Holloman Corporation; amending Resolution No. 07-184 by increasing the authorization of construction contingency of the construction contract with 685 Cedar Creek Group, LLC and Holloman Corporation by \$70,000.00 in connection with the Shields High Service Level 12 Pump Station Project; approving an amount not to exceed \$70,000.00 from the System's 2008 Capital Improvements Plan Oversize Project Fund for the additional construction contingency expenses; authorizing the President/Chief Executive Officer to execute Change Order No. 4 resulting in a developer funded increase of project cost of \$85,345.43 for the additional project work in connection with the Shields High Service Level 12 Pump Station Project and to pay the amount of \$85,345.43 to Holloman Corporation for the additional project work associated with Change Order No. 4. Located in Council District 8. Total expenditures are: \$85,345.43. (KELLEY NEUMANN – SAM MILLS)
  
12. A Resolution ratifying the actions of the Vice-President of Facilities Engineering & Construction in approving Change Order No. 7 resulting in an increase of the project cost of \$50,564.17 to Pipelayers, Inc.; amending Resolution No. 06-320 by approving

the expenditure of additional funds in the amount of \$40,671.82 for the additional project work; approving an amount not to exceed \$40,671.82 from the System's 2008 Capital Improvements Plan Oversize Project Fund; authorizing the President/Chief Executive Officer to execute Change Order No. 7 resulting in a developer funded increase of project cost of \$50,564.17 for the additional project work in connection with the Werner Tract – 24" Oversize Border Main (16" Required) and 30" Oversize (16" Required) Approach Water Main Project to pay the amount of \$50,564.17 to Pipelayers, Inc., for the additional project work associated with Change Order No. 7. Total expenditures are: \$50,564.17. (KELLEY NEUMANN – SAM MILLS)

13. A Resolution approving an Interlocal Agreement with Bexar County for the purpose of right-of-way acquisition on Borgfeld Drive Phase II (Timberline Drive to Blanco Road) for seven parcels required for the System's water main installation on the project; authorizing the expenditure of funds in the amount of \$19,800.00 for the project work from the Oversize Water Mains Fund; authorizing the President/Chief Executive Officer or his designee to execute the Interlocal Agreement with Bexar County and to pay the amount of \$19,800.00 to Bexar County in connection with the project work. (KELLEY NEUMANN – SAM MILLS)

#### Production, Transmission and Treatment Improvements

14. A Resolution approving Recapitulation Change Order No. 10 in the decreased amount of \$62,895.68 to the construction contract with Greystar EIG, LP in connection with the construction of the Oliver Ranch Facility Expansion Project; returning the amount of \$62,895.68 and the construction contingency balance of \$35,835.33 for a total amount of \$98,731.01 to the System's Project Fund; authorizing the President/Chief Executive Officer to execute Recapitulation Change Order No. 10 and close the contract with Greystar EIG, LP. Returning the amount of \$62,895.68 and the construction contingency balance of \$35,835.33 for a total amount of \$98,731.0. (KELLEY NEUMANN – ASHOK KAJI)

#### Professional Services

15. A Resolution accepting the proposal of Alan Plummer Associates, Inc., in an amount not to exceed \$538,517.00 for the design of the Dos Rios Water Recycling Center Improvements Project; awarding a professional services contract to Alan Plummer Associates, Inc., in an amount not to exceed \$538,517.00 for engineering services in connection with the project work; approving the expenditure of funds in an amount not to exceed \$538,517.00 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 Alan Plummer Associates, Inc., and to pay Alan Plummer Associates, Inc., an amount not to exceed \$538,517.00 for engineering services in connection with the project work;. Total expenditures are: \$538,517.00. (KELLEY NEUMANN –ASHOK KAJI)
16. A Resolution ratifying the actions of the Vice- President of Facilities Engineering & Construction in approving Change Order No. 2 in the amount of \$40,018.50 in connection with the Talley Road (FM 471 to Ray Lieck Road) Project; authorizing the President/Chief Executive Officer to pay to S.J. Louis Construction of Texas Ltd., an additional amount not to exceed \$40,018.50 for the additional project work. Total expenditures are: \$40,018.50. (KELLEY NEUMANN – FRANCES PLOCEK)

# REPLACEMENT PROJECTS

## Governmental Relocations and Replacements

17. A Resolution approving the expenditure of funds in the amount of \$288,611.04 for the adjustment of water, wastewater and recycled water facilities by the City of San Antonio in connection with the South Texas Medical Center Intersection Improvements Phases IV, V, and Part 1 Project; approving construction contingency expenses related to the project work in an amount not to exceed \$30,388.96; approving an amount not to exceed \$279,000.00 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 \$8,000.00 be made available and expended from the System's Project Fund for the sewer project work and related construction contingencies; approving an amount not to exceed \$32,000.00 be made available and expended from the System's Project Fund for the recycled water project work and related construction contingencies; authorizing the President/Chief Executive Officer to pay to the City of San Antonio an amount not to exceed \$319,000.00 for the project work and related construction contingencies. Total expenditures are: \$319,000.00. Located in Council District 8.  
(KELLEY NEUMANN – CINDY KOVACIC)
18. A Resolution accepting the bid of S. A. Constructors, Inc., in the amount of \$62,117.26 for the Ivy Lane: Amesbury Road to Clement Circle Project; awarding a construction contract to S. A. Constructors, Ltd., in the amount of \$62,117.26 for the project work; approving the expenditure of funds in the amount of \$62,117.26 for the project work; approving construction contingency expenses in an amount not to exceed \$12,882.74 in connection with the project work; approving an amount not to exceed \$75,000.00 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 S. A. Constructors, Ltd., and to pay S. A. Constructors, Ltd., an amount not to exceed \$75,000.00 for the project work and related construction contingencies. Total expenditures are: \$75,000.00.  
(KELLEY NEUMANN – CINDY KOVACIC)

## Professional Services

19. A Resolution approving Contract Amendment No. 1 in an amount not to exceed \$400,000.00 in connection with the 2006 and 2007 Engineering Design Services Contract – TXDOT Projects; amending Resolution No. 06-254 by approving additional expenditures in an amount not to exceed \$400,000.00 for additional engineering services by Ford Engineering Inc., in connection with the 2006 and 2007 Engineering Design Services Contract – TXDOT Projects; approving that an amount not to exceed \$400,000.00 be made available and expended from the System's Project Fund for the additional engineering design services; authorizing the President/Chief Executive Officer to execute contract Amendment No. 1 and to pay Ford Engineering, Inc., an additional amount not to exceed \$400,000.00 for engineering design services in connection with the project. Total expenditures are: \$400,000.00.  
(KELLEY NEUMANN – CINDY KOVACIC)
- (MBE) 20. A Resolution accepting the proposal of Chiang, Patel, & Yerby, Inc., in an amount not to exceed \$173,430.00 for the preliminary engineering phase of the Dos Rios and Leon Creek Water Recycling Centers Tertiary Filters Project; awarding a professional services contract to Chiang, Patel, & Yerby, Inc., in an amount not to exceed \$173,430.00 for engineering services in connection with the project work; approving the expenditure of funds in the amount of \$173,430.00 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 Chiang, Patel, & Yerby, Inc., and to pay Chiang, Patel, & Yerby, Inc., an amount not to exceed \$173,430.00 for engineering services in connection with the project work. Total expenditures are: \$173,430.00. (KELLEY NEUMANN – ASHOK KAJI)

21. A Resolution approving Contract Amendment No. 1 in an amount not to exceed \$ 63,588.00 in connection with the Lackland Terrace Water and Sewer Main Replacement, Phase I Project; amending Resolution No. 05-018, by approving additional expenditures in an amount not to exceed \$63,588.00 for additional professional services by Chiang, Patel & Yerby, Inc., in connection with the Lackland Terrace Water and Sewer Main Replacement, Phase I Project; approving an amount not to exceed \$31,794.00 be made available and expended from the System's Project Fund for the water additional professional services; approving that an amount not to exceed \$31,794.00 be made available and expended from the System's Project Fund for the sewer related additional professional services; authorizing the President/Chief Executive Officer to pay Chiang, Patel & Yerby, Inc., an additional amount not to exceed \$63,588.00 for the additional professional services in connection with the project. Located in Council District 4. Total expenditures are: \$63,588.00. (KELLEY NEUMANN – FRANCES PLOCEK)

#### Water and Sewer Line Improvements

22. A Resolution approving Final Recapitulation Change Order No. 8 in the decreased amount of \$205,565.20 to the construction contract with Insituform Technologies, Inc., in connection with the Annual 2005 Cured-In-Place Pipe Work Order Construction Contract Project; authorizing the return of funds in the amount of \$205,565.20 to the Project Fund; authorizing the President/Chief Executive Officer to execute Final Recapitulation Change Order No. 8 and to close the contract. Total decreased amount is: \$205,565.20. (KELLEY NEUMANN –FRANCES PLOCEK)

#### WATER RESOURCES PROJECTS

23. A Resolution approving Change Order Nos. 4 and 5 resulting in an increase to the contract cost in an amount not to exceed \$72,968.00 for the construction contract with Garney Companies, Inc., in connection with the Local Carrizo Program Onsite Well Collection Project; authorizing the additional expenditure of funds in an amount not to exceed \$72,968.00 for the additional project work associated with Change Order Nos. 4 and 5 from the project construction contingency fund; authorizing the President/Chief Executive Officer to execute Change Order Nos. 4 and 5 and to pay an amount not to exceed \$72,968.00 to Garney Companies, Inc., in connection with Change Order Nos. 4 and 5. Total expenditures are: \$72,968.00. (JANELLE OKORIE –CALVIN FINCH)
24. A Resolution approving Change Order No. 8 resulting in an increase to the contract cost in an amount not to exceed \$44,478.00 for the construction contract with Cajun Constructors, Inc., in connection with the Carrizo Aquifer Storage and Recovery Program, Phase II Well Addition Project – Wellfield Construction Package; authorizing the additional expenditure of funds in an amount not to exceed \$44,478.00 for the additional project work associated with Change Order No. 8 from the project construction contingency fund; authorizing the President/Chief Executive Officer to execute Change Order No. 8 and to pay an amount not to exceed \$44,478.00 to Cajun Constructors, Inc., in connection with Change Order No. 8. Total expenditures are: 44,478.00. (JANELLE OKORIE – CALVIN FINCH)

## **WATER RESOURCES ITEMS**

25. A Resolution approving a Water Sales Agreement between the San Antonio Water System and Jacqueline Scott, Trustee of the Jacqueline Scott 1998 Revocable Trust, providing for the sale of 90 acre-feet of water out of 90 surface acres from Gonzales County for the Gonzales Water Supply Project at a cost of \$62.50 per acre-foot plus an escalator comprised of the average of the Producer Price Index and the Consumer Price Index from the previous year as well as a right of first refusal for the purchase of 90 surface acres; approving the expenditure of funds for the System's obligation under the Water Sales Agreement from the Water Supply Fee Revenues of the Project Fund; approving the payment of \$9,000.00 to Jacqueline Scott, Trustee of the Jacqueline Scott 1998 Revocable Trust, and \$3,500.00 in closing costs; authorizing the President/Chief Executive Officer to execute the Water Sales Agreement with Jacqueline Scott, Trustee of the Jacqueline Scott 1998 Revocable Trust, and to pay the required amounts in succeeding years in accordance with the terms of the Water Sales Agreement for the duration of the Water Sales Agreement and take such steps necessary to implement the Water Sales Agreement. Total expenditures are: \$9,000.00 and \$3,500.00 in closing costs. (JANELLE OKORIE – CALVIN FINCH)

## **HUMAN RESOURCES ITEMS**

26. A Resolution authorizing the approval of the 2008 Affirmative Action Plan from April 1, 2008 through December 31, 2008; authorizing the President/Chief Executive Officer to execute the 2008 Affirmative Action Plan from April 1, 2008 through December 31, 2008. (JERRY BAILEY)
27. A Resolution ratifying the actions taken to fund the San Antonio Water System Retirement Plan administered by Principal Financial Group from January 1 through December, 2007 in an additional amount of \$46,666.00 from the System Fund. Total expenditures are: \$46,666.00. (DOUG EVANSON – JERRY BAILEY – MARY BAILEY)

## **INFORMATION SYSTEMS ITEMS**

28. A Resolution authorizing the extension of the Maintenance Renewal Agreement until May 30, 2009 for a total amount not to exceed \$120,167.82 with Oracle USA, Inc., for payment of annual software maintenance for database software utilized at the San Antonio Water System; authorizing the expenditure of a total amount not to exceed \$120,167.82 from the System Fund for FY 2008 to Oracle USA, Inc., for payment of software maintenance for database software utilized at the San Antonio Water System; authorizing the President/Chief Executive Officer or his designee to execute the extension of the Maintenance Renewal Agreement with Oracle USA, Inc., until May 30, 2009 and to pay Oracle USA, Inc., an amount not to exceed \$120,167.82 for payment of software maintenance for database software utilized at the San Antonio Water System. Total expenditures are: \$120,167.82. (STACEY ISENBERG – JOE SAMPLES)

## **FINANCIAL SERVICES ITEMS**

29. A Resolution accepting and acknowledging the Comprehensive Financial Report of the San Antonio Water System for the Fiscal Year ending December 31, 2007, including the Report of Independent Accountants, Padgett, Stratemann & Co., L.L.P., directing that the report be made available for public inspection. (DOUG EVANSON)

- 29A. A Resolution accepting the recommendation of the Audit & Finance Committee to hire a candidate as Director of Internal Audit and approving the employment of a candidate as Director of Internal Audit. (MIKE LACKEY)

### MISCELLANEOUS ITEMS

30. A Resolution authorizing the purchase of GeoResults Sync and Toolbox Software and Support from Marshall and Associates, Inc., in an amount not to exceed \$125,000.00 authorizing expenditures in an amount not to exceed \$125,000.00 to Marshall and Associates, Inc., for the GeoResults Sync and Toolbox Software and Support from the System Fund; authorizing the President/Chief Executive Officer or his authorized representative to pay Marshall and Associates, Inc., an amount not to exceed \$125,000.00 from the System Fund for such GIS Software. Total expenditures are: \$125,000.00. (KELLEY NEUMANN – SAM MILLS)
- (WBE) 31. A Resolution accepting the proposal of and awarding a contract to Ford Engineering, Incorporated to provide survey 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 an amount not to exceed \$300,000.00 from the System and the 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 Ford Engineering, Incorporated and to pay Ford Engineering, Incorporated an amount not to exceed \$300,000.00 for the project work for a three-year period with the option of two, one-year renewals. Total expenditures are: \$300,000.00. (MIKE BRINKMANN – BRUCE HABY)
- (MBE) 32. A Resolution accepting the proposal of and awarding a contract to Arias and Associates, Incorporated to provide environmental and engineering 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 an amount not to exceed \$300,000.00 from the System and the 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 Arias and Associates, Incorporated and to pay Arias and Associates, Incorporated an amount not to exceed \$300,000.00 for the project work for a three-year period with the option of two, one-year renewals. Total expenditures are: \$300,000.00.  
(MIKE BRINKMANN – BRUCE HABY)
33. A Resolution approving an Agreement between the San Antonio Water System and the University of Texas at San Antonio providing that the San Antonio Water System shall contribute an amount not to exceed \$70,000.00 for Fiscal Year 2008 to the University of Texas at San Antonio and that the program shall include water quality and resource issues in the curriculum; authorizing expenditures from the System Fund in an amount not to exceed \$70,000.00 for the project work; authorizing the President/Chief Executive Officer to execute the Agreement with the University of Texas at San Antonio and to pay the University of Texas at San Antonio an amount not to exceed \$70,000.00 for the support of the Pre-Freshman Engineering Program,

34. A Resolution authorizing the commitment of the San Antonio Water System to the financial and legal obligations associated with the receipt of financial assistance under the Water 2025 Challenge Grant Program administered by the Bureau of Reclamation in furtherance of the Automatic Meter Reading Project Initiative. (GREG FLORES – BRIAN TEGELER)

## ITEMS FOR INDIVIDUAL CONSIDERATION

### MISCELLANEOUS ITEMS

35. A Resolution approving a Sewer System Purchase Agreement with the City of Terrell Hills, Texas, to transfer ownership of the sewer system within the City of Terrell Hills to the San Antonio Water System; approving a Franchise Agreement between the City of Terrell Hills and the San Antonio Water System; approving the expenditure of the amount of \$590,000.00 for the purchase of the Terrell Hills sewer system, authorizing the authorizing the President/Chief Executive Officer to execute the Agreement. Total expenditures are: \$590,000.00. (STACEY ISENBERG – CHRIS POWERS)

### EASEMENTS AND REAL PROPERTY

#### Miscellaneous Items

36. A Resolution authorizing the President/Chief Executive Officer to execute a Purchase Agreement with the Alamo Area Community College District for the sale of the Playland Park Property (12.644 acres) located at 2222 N. Alamo, San Antonio, Texas; authorizing the President/Chief Executive Officer to execute all documents necessary to complete the sale of the property and perform all the duties and obligations of the seller in said Purchase Agreement; closing costs in an amount not to exceed \$21,000.00 to Alamo Title Company shall ne deducted from the purchase price. Purchase price is: \$4,130,000.00. (MIKE BRINKMANN – BRUCE HABY)

#### Water Resources Items

37. Briefing and deliberation regarding the Status of Brackish Groundwater Desalination Feasibility Assessment. (JANELLE OKORIE)
38. A Resolution approving the Purchase Agreement with Zacatecas, Ltd., in the amount of \$1,891,868.40 for the acquisition, by the City of San Antonio for the use and benefit of the San Antonio Water System, of a 233.564 acre tract of land south of Loop 1604 and west of Trumbo Road, in the southwest quadrant of Bexar County, Texas, for the development of a reverse osmosis treatment plant for the Brackish Groundwater Desalination 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 the amount not to exceed \$1,909,368.40 for the property and associated closing costs; authorizing the President/Chief Executive Officer or his designated representative to 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 \$1,909,368.40 for the acquisition of the property, and associated closing costs to Zacatecas, Ltd., and Alamo Title Company. Total expenditures are: \$1,909,368.40. (JANELLE OKORIE)

39. **A Resolution approving the Purchase Agreement with Charlie L. Pattillo and Wanda J. Pattillo in the amount of \$2,112,983.70 for the acquisition, by the City of San Antonio for the use and benefit of the San Antonio Water System, of a 449.571 acre tract of land being part of the residue of 630.000 acres comprised of three, two hundred and ten acre tracts conveyed to seller in three warranty deeds recorded in volume 6243 page 514 of the deed records of Bexar County, Texas, and volume 4903 page 230 of then official public records of real property of Bexar County, Texas, located on the southwesterly side of Farm to Market Highway 1303, for construction of production wells associated with the Brackish Groundwater 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 the amount not to exceed \$2,117,983.70 for the property and associated closing costs; authorizing the President/Chief Executive Officer or his designated representative to 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 \$2,117,983.70 for the acquisition of the property and associated closing costs to seller, and Alamo Title Company. Total expenditures are: \$2,117,983.70. (JANELLE OKORIE – CALVIN FINCH)**

40. **BRIEFING SESSION.**

**No items for this Meeting.**

41. **Chairman of the Board's Initiative.**

42. **President/Chief Executive Officer's Report.**

43. **Inquiries.**

44. **The Regular Session of the April 1, 2008, 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.**

45. **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. **Deliberation regarding the annual evaluation, performance objectives and duties, and employment contract of David E. Chardavoine, President/Chief Executive Officer of the San Antonio Water System; and consultation with attorneys concerning legal issues regarding the annual evaluation, performance objectives and duties, and employment contract of David E. Chardavoine, President/Chief Executive Officer of the San Antonio Water System.**
- C. **Consultation with attorneys regarding Legal Issues related to potential litigation over the use and construction of water and wastewater capital improvement infrastructure. (FRANK STENGER-CASTRO - KEITH MARTIN)**
- D. **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)**

- 46. The Regular Session of the Regular Board Meeting of April 1, 2008, is hereby reconvened.**
- 47. Briefing and deliberation on the annual evaluation, and performance objectives and duties of David E. Chardavoyne, President/Chief Executive Officer of the San Antonio Water System; and possible action on the employment contract of David E. Chardavoyne, President/Chief Executive Officer of the San Antonio Water System.**
- 48. Adjournment.**

**THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES MEETING OF APRIL 1, 2008, IS HEREBY ADJOURNED.**