

AGENDA

MEETING OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES

Tuesday, June 3, 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 May 6, 2008.
4. Ceremonial Items.
 - A. Recognition of Dr. Keith Russell, for his contributions to San Antonio, SAWS and the Audit and Finance Committee.
(ALEXANDER E. BRISEÑO, CHAIRMAN)
 - B. Recognition of SAWS' Award Winners at the Texas Water Conference held in San Antonio on March 25-28, 2008.
(GREG FLORES – VAL RUIZ – STEVE CLOUSE)
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– 33

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 Hewlett-Packard Co., to provide: Primary and Secondary Disk Array and Implementation Solutions, Bid No. 08-8016A, for a total of \$572,618.36. (This contract will be utilized for purchase, installation and configuration of two-tier enterprise-class tier 1 network storage arrays replacing and adding to existing Storage Area Network infrastructure).
- 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 LBL Technology Partners, to provide: Network Security Assessment, Bid No. 08-6077, for a total of \$54,500.00. (This contract will be utilized to perform an external and internal security assessment audit. This contract will establish a network security program that will provide the organization an ongoing and ever-improving security for critical data and computing assets. This contract will be effective Date of Award (June 3, 2008) through May 31, 2009).
 2. Acceptance of the bid of Municipal Water Works Supply, Inc., to provide: PVC Pipe, Series (C900), (C905) and (C909), Bid No. 06-0069, for a total of \$150,000.00. (This contract will be utilized for the purchase of PVC C900, C905 and C909 pipe on an as needed basis. This contract extension will be effective Date of Award (June 3, 2008) through May 31, 2009).
 3. Acceptance of the bid of HD Supply to provide: Service Saddles, Bid No. 06-0361, for a total of \$100,000.00. (This contract will be utilized for the purchase of Service Saddles on an as needed basis. Service Saddles are mechanically attached bands over the pipe that allows copper service piping to be repaired at the water mains. This contract extension will be effective Date of Award (June 3, 2008) through May 31, 2009).
 - (SBE) 4. Acceptance of the bid of American Signal Equipment Co. to provide: Traffic Control Devices Rental, Bid No. 04-0214, for a total of \$150,000.00. (This contract will be utilized for the rental of traffic control devices such as traffic signs, barricades, flashers, warning devices and allied items on an as needed basis. This contract extension will be effective Date of Award (June 3, 2008) through May 31, 2009).
 5. Acceptance of the bid of Act Pipe & Supply to provide: Fire Hydrants, Bid No. 04-0011, for a total of \$175,000.00. (This contract will be

utilized for the purchase of fire hydrants on an as needed basis. This contract extension will be effective Date of Award (June 3, 2008) through May 31, 2009).

6. Acceptance of the bid of Coastline, Ltd. to provide: Water Treatment Chemicals, Bid No. 06-6014, for a total of \$190,000.00. (This contract will be utilized for a comprehensive water treatment program for SAWS Heating & Cooling Plant and SAWS Headquarters operating at four major areas. The water treatment program will include all cooling towers, chillers, steam boilers and distribution system(s). This contract extension will be effective Date of Award (June 3, 2008) through May 31, 2009.

- 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.

- (MBE) 1. Acceptance of the bid of Automatic Gate, Cameras & More to provide: Gate Operator Maintenance Repairs & Replacement Parts, Bid No. 08-3043, for a total of \$60,172.00. (This contract will provide quarterly inspections, preventive and scheduled maintenance to gate operator systems at SAWS locations. This contract will be effective Date of Award (June 3, 2008) through May 31, 2010).

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.	Tract Name	Developer Name	Acreage	Water EDUs	WW EDUs	Board Reason	Water CCN	WW CCN
1	Espada Conservation Subdivision	Terramark Communities, Ltd.	1839	7,360	7,360	AC	Inside	Inside
2	Legacy Trails	Legacy Trails Development JV	67.5	1,140	1,014	AC	Inside	Inside/ Applied for

3	NEC Culebra 211	HEB Grocery Company, LP	30	120	120	OVR	Outside/ Applied for	Inside
4	Rosillo Ranch	Rosillo Creek Development, Ltd.	679	3,220	3,500	AC/OVR	Inside	Inside
5	Wolf Creek Retail	Concord West Corporation	53.8	0	403	AC	B.M.W.D.	Inside
Totals			<u>2,669</u>	<u>11,840</u>	<u>12,397</u>			
Year-to-Date Totals (January-June 2008)			<u>6,369</u>	<u>16,122</u>	<u>36,997</u>			

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	WW EDUs	Board Reason	Water CCN	WW CCN
1	Agora Palms	B & M Ventana, Ltd.	79.4	528	528	EARZ	Inside	Applied for
2	Bulverde and Jones Maltsberger	Peak-Howe Real Estate	17	240	212	EARZ	Inside	Inside
3	Franklin Tract	Larry Franklin	23.9	200	200	AC/EARZ	Inside	Applied for
4	NEC IH-10 and Stonewall Parkway	Cencor Realty	16.43	89	89	EARZ	Inside	Applied for
Totals			<u>137</u>	<u>1,057</u>	<u>1,029</u>			
Year-to-Date Totals (January-June 2008)			<u>1,758</u>	<u>3,744</u>	<u>3,192</u>			

10. A Resolution authorizing an Agreement with Prue Road Ltd., Inc., to construct a twelve inch (12-inch) water main along the proposed extension of Prue Road, which begins at the north on the existing Prue Road and extends south and connects to Huebner Road; and authorizing the appropriation of up to \$372,624.37 to construct and install the 12-inch water main so long as Prue Road Ltd., Inc., will reimburse all of the System's costs prior to execution of the construction contract by the System. (KELLEY NEUMANN – SAM MILLS)

Production, Transmission and Treatment Improvements

11. A Resolution accepting the proposal of Associated Construction Partners, LTD., in the amount of \$132,725.09 for the construction of the Dos Rios Water Recycling Center New Laboratory Irrigation Project; awarding a construction contract in the amount of \$132,725.09 to Associated Construction Partners, LTD., for the project work; authorizing the expenditure of funds in an amount not to exceed \$132,725.09 for the project work; authorizing construction contingency expenses in an amount not to exceed \$6,650.00 in connection with the project work; authorizing total expenditures in an

amount not to exceed \$139,725.09 from the System's Project Fund for the project work and construction contingency expenses; authorizing the Interim President/Chief Executive Officer to execute a contract with Associated Construction Partners, LTD., and to pay Associated Construction Partners, LTD., the amount of \$132,725.09 for the project work. Total expenditures are: \$139,725.09.
(KELLEY NEUMANN – ASHOK KAJI)

REPLACEMENT PROJECTS

Governmental Relocations and Replacements

12. A Resolution ratifying the actions of the Vice-President of Facilities Engineering and Construction in approving Change Order No. 1 in the amount of \$56,358.70 in connection with the Bulverde Road Phase III: Evans to Marshall Project. Total expenditures are: \$56,358.70. (KELLEY NEUMANN – CINDY KOVACIC)
13. A Resolution approving the expenditure of funds in the amount of \$90,749.66 for the adjustment of water and sewer facilities by Bexar County in connection with the Mid-Beitel Creek Channel Restoration Project; approving construction contingency expenses related to the project work in an amount not to exceed \$15,250.34; approving an amount not to exceed \$33,000.00 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 \$73,000.00 be made available and expended from the System's Project Fund for the water project work and related construction contingencies; authorizing the Interim President/Chief Executive Officer to execute an Interlocal Agreement and to pay in advance to Bexar County an amount not to exceed \$106,000.00 for the project work and related construction contingencies. Total expenditures are: \$106,000.00. (KELLEY NEUMANN – CINDY KOVACIC)
14. A Resolution amending Resolution No. 07-138 by approving the expenditure of additional funds in an amount not to exceed \$80,470.00 payable to the City of San Antonio for additional construction contingency expenses in connection with the Callaghan Road: Ingram to Hemphill Project; approving an additional amount not to exceed \$80,470.00 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 \$100,466.00; authorizing the Interim President/Chief Executive Officer to pay the City of San Antonio an additional amount not to exceed \$80,470.00 for the additional project work and additional construction contingency expenses. This project is located in Council District 6. Total expenditures are: \$80,470.00.
(KELLEY NEUMANN – CINDY KOVACIC)
15. A Resolution approving Change Order No. 162 in the amount of \$106,289.10 payable to the Texas Department of Transportation in connection with the Loop 1604: Culebra to U.S. 90 Project. This project is located in Council District 5. Total expenditures are: \$106,289.10. (KELLEY NEUMANN – CINDY KOVACIC)
16. A Resolution ratifying the actions of the Vice-President of Facilities Engineering & Construction in accepting the proposal of Civil Engineering Consultants, Inc., in the amount of \$128,933.40 for the design of sewer and water facility replacements and adjustments in connection with the City of San Antonio's Goliad Phase II: Lasses to Pecan Valley Project; awarding a professional services contract to Civil Engineering Consultants, Inc., in the amount of \$128,933.40 for engineering services in connection with the project; approving the expenditure of funds in the amount of \$68,284.10 from the System's Project Fund for the water project engineering work; approving the

expenditure of funds in the amount of \$60,649.30 from the System's Project Fund for the sewer project engineering work; authorizing the Interim President/Chief Executive Officer to execute a professional services contract with Civil Engineering Consultants, Inc., and to pay Civil Engineering Consultants, Inc., the amount of \$128,933.40 for the project engineering work in connection with the Goliad Phase II: Lasses to Pecan Valley Project. This project is located in Council District 3. Total expenditures are: \$128,933.40. (KELLEY NEUMANN – CINDY KOVACIC)

17. A Resolution authorizing the Interim President/Chief Executive Officer to execute an Interlocal Agreement with the Texas Department of Transportation for the project work in connection with the IH 35: IH 410 @ Binz-Engleman Road to Rittiman Road Project. This project is located in Council District 2. (KELLEY NEUMANN – CINDY KOVACIC)
18. A Resolution accepting the bid of A.J. Commercial Services d.b.a. ASC Paving. in the amount of \$170,414.79 for the IH 35: IH 410 @ Binz-Engleman Road to Rittiman Road Project; awarding a construction contract to A.J. Commercial Services d.b.a. ASC Paving in the amount of \$170,414.79 for the project work; approving the expenditure of funds in the amount of \$170,414.79 for the project work; approving construction contingency expenses in an amount not to exceed \$25,565.21 in connection with the project work; approving an amount not to exceed \$195,980.00 be made available and expended from the System's Project Fund for the water project work and related construction contingencies; authorizing the Interim President/Chief Executive Officer to execute a construction contract with A.J. Commercial Services d.b.a. ASC Paving and to pay A.J. Commercial Services d.b.a. ASC Paving an amount not to exceed \$195,980.00 for the project work and related construction contingencies. This project is located in Council District 2. Total expenditures are: \$195,980.00. (KELLEY NEUMANN – CINDY KOVACIC)
19. A Resolution ratifying the actions of the Vice-President of Facilities Engineering & Construction in approving additional expenditures in an amount not to exceed \$7,500.00 in connection with the Paso Hondo: Gevers Street to Walters Project; amending Resolution No. 96-120 by approving additional expenditures in an amount not to exceed \$7,500.00 for additional engineering design services by GGI Engineers, Inc., in connection with the Paso Hondo: Gevers Street to Walters Project; approving that an amount not to exceed \$7,500.00 be made available and expended from the System's Project Fund for the water related additional engineering design services; authorizing the Interim President/Chief Executive Officer to reimburse the City of San Antonio an additional amount not to exceed \$7,500.00 for the additional engineering design services in connection with the project. This project is located in Council District 2. Total expenditures are: \$7,500.00. (KELLEY NEUMANN – CINDY KOVACIC)

Production, Transmission and Treatment Improvements

20. A Resolution ratifying the actions of the Vice President of Facilities Engineering and Construction in approving Change Order No. 3 in the decreased amount of \$320,123.56 to the construction contract with BRH-Garver Construction, LP., in connection with the Western Watershed Sewer Relief Line W-04 Project; authorizing the return of funds for Change Order No. 3 in the total amount of \$320,123.56 to the Project Fund.. This project is located in Council District 6. Total decreased amount is: \$320,123.56. (KELLEY NEUMANN – FRANCES PLOCEK)

Water and Sewer Line Improvements

21. **A Resolution approving Contract Amendment No. 2 in the amount of \$8,068.96 in connection with the Espada Unsewered Area Sanitary Sewer Project; amending Resolution No. 03-052, as amended by Resolution No. 05-299 by approving additional expenditures in an amount not to exceed \$8,068.96 for additional engineering services by Civil Engineering Consultants in connection with the Espada Unsewered Area Sanitary Sewer Project; approving that an amount not to exceed \$8,068.96 be made available and expended from the System's Project Fund for the related additional engineering services; authorizing the Interim President/Chief Executive Officer to execute Contract Amendment No. 2 and to pay Civil Engineering Consultants an additional amount not to exceed \$8,068.96 for the additional engineering services in connection with the project. This project is located in Council District 3. Total expenditures are: \$8,068.96. (KELLEY NEUMANN – FRANCES PLOCEK)**
22. **A Resolution amending Resolution No. 07-335, by approving the expenditure of additional funds in an amount not to exceed \$50,000.00 payable to Holloman Corporation for additional construction contingency expenses in connection with the San Antonio River Improvements Historic Mission Reach Phase I Project; approving an additional amount not to exceed \$50,000.00 be made available 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. 7 in the amount of \$50,805.18; authorizing the Interim President/Chief Executive Officer to pay Holloman Corporation an amount not to exceed \$50,000.00 for the additional project work and additional construction contingency expenses. This project is located in Council District 3. Total expenditures are: \$50,000.00. (KELLEY NEUMANN –CINDY KOVACIC)**

Professional Services

23. **A Resolution accepting the proposal of and awarding a professional services contract to Terracon Consultants, Inc., in an amount not to exceed \$300,000.00 for the 2008 Geotechnical and Construction Materials Testing Services Contract I; approving the expenditure of funds in an amount not to exceed \$150,000.00 from the System's Project Fund for the sewer project engineering work; approving the expenditure of funds in an amount not to exceed \$150,000.00 from the System's Project Fund for the water project engineering work; authorizing the Interim President/Chief Executive Officer to execute a professional services contract with Terracon Constultants, Inc., and to pay Terracon Consultants, Inc., an amount not to exceed \$300,000.00 for the project engineering work. Total expenditures are: \$300,000.00. (KELLEY NEUMANN – FRANCES PLOCEK)**
24. **A Resolution accepting the proposal of and awarding a professional services contract to Fugro Consultants, Inc., in an amount not to exceed \$300,000.00 for the 2008 Geotechnical and Construction Materials Testing Services Contract II; approving the expenditure of funds in an amount not to exceed \$150,000.00 from the System's Project Fund for the sewer project engineering work; approving the expenditure of funds in an amount not to exceed \$150,000.00 from the System's Project Fund for the water project engineering work; authorizing the Interim President/Chief Executive Officer to execute a professional services contract with Fugro Consultants, Inc., and to pay Fugro Consultants, Inc., an amount not to exceed \$300,000.00 for the project engineering work. Total expenditures are: \$300,000.00. (KELLEY NEUMANN – FRANCES PLOCEK)**

- (SBE) 25. A Resolution accepting the proposal of and awarding a professional services contract to Burge Martinez Consulting in an amount not to exceed \$300,000.00 for the 2008 Geotechnical and Construction Materials Testing Services Contract III; approving the expenditure of funds in an amount not to exceed \$150,000.00 from the System's Project Fund for the sewer project engineering work; approving the expenditure of funds in an amount not to exceed \$150,000.00 from the System's Project Fund for the water project engineering work; authorizing the Interim President/Chief Executive Officer to execute a professional services contract with Burge Martinez Consulting and to pay Burge Martinez Consulting an amount not to exceed \$300,000.00 for the project engineering work. Total expenditures are: \$300,000.00. (KELLEY NEUMANN – FRANCES PLOCEK)
26. A Resolution accepting the proposal of and awarding a professional services contract to Raba Kistner Consultants, Inc., in an amount not to exceed \$300,000.00 for the 2008 Geotechnical and Construction Materials Testing Services Contract IV; approving the expenditure of funds in an amount not to exceed \$150,000.00 from the System's Project Fund for the sewer project engineering work; approving the expenditure of funds in an amount not to exceed \$150,000.00 from the System's Project Fund for the water project engineering work; authorizing the Interim President/Chief Executive Officer to execute a professional services contract with Raba Kistner Consultants, Inc., and to pay Raba Kistner Consultants, Inc., an amount not to exceed \$300,000.00 for the project engineering work. Total expenditures are: \$300,000.00. (KELLEY NEUMANN – FRANCES PLOCEK)

WATER RESOURCES PROJECTS

Professional Services

27. A Resolution approving an Amendment to an Agreement in an amount not to exceed \$236,660.00 with the U.S. Army Corps of Engineers for the Feasibility Study of the Cibolo Creek Watershed; authorizing the expenditure in an amount not to exceed \$236,660.00 from the System Fund for the System's appropriate share of the cost pursuant to the Agreement with the U.S. Army Corps of Engineers; authorizing the Interim President/Chief Executive Officer or his designee to execute the Agreement with the U.S. Army Corps of Engineers and to pay the U.S. Army Corps of Engineers an amount not to exceed \$236,660.00 for the System's share of the study. Total expenditures are: \$236,660.00. (KELLEY NEUMANN – CALVIN FINCH)

INFORMATION SYSTEMS ITEMS

28. A Resolution authorizing the extension of the Maintenance Agreement until June 30, 2009 for a total amount not to exceed \$294,285.67 with Lawson Software, Inc., for payment of software maintenance for finance, procurement, and human resource software utilized at the San Antonio Water System; authorizing the expenditure of an amount not to exceed \$294,285.67 from the System Fund for FY 2008 to Lawson Software, Inc.; authorizing the Interim President/Chief Executive Officer or his designee to execute the extension of the Maintenance Renewal Agreement with Lawson Software, Inc., until June 30, 2009 in a total amount not to exceed \$294,285.67 and to pay Lawson Software, Inc., an amount not to exceed \$294,285.67 for software maintenance for finance, procurement, and human resource software utilized at the San Antonio Water System. Total expenditures are: \$294,285.67. (STACEY ISENBERG – JOE SAMPLES)

29. **A Resolution accepting the proposal of and awarding to INX, Inc., for the purchase of the IP Telephony equipment, installation and maintenance of selected aspects of the IP Telephony system providing Call Center operations at the Disaster Recovery Data Center, authorizing funds in an amount not to exceed \$178,571.80 from the project fund payable to INX, Inc., for the purchase of the IP Telephony equipment, installation and maintenance of the IP Telephony system; authorizing that this and future year's expenditures for future year maintenance shall be made pursuant to the appropriations made in the annual budget approved by the Board with a line item for such expenditures; authorizing the Interim President/Chief Executive Officer to pay INX, Inc., an amount not to exceed \$178,571.80 for the purchase, installation and maintenance of IP Telephony system. Total expenditures are: \$178,571 .80. (STACEY ISENBERG – JOE SAMPLES)**

FINANCIAL SERVICES ITEMS

30. **A Resolution recommending and requesting that the San Antonio City Council take certain actions with respect to the issuance and sale of obligations designated as City of San Antonio, Texas Water System Revenue and Refunding Bonds, Series 2008, City of San Antonio, Texas Water System Junior Lien Revenue Bonds, Series 2008, and City of San Antonio, Texas Water System Junior Lien Revenue and Refunding Bonds, Series 2008A; the approval of the official statement relating to certain of these obligations; recommending that the San Antonio City Council adopt a Reimbursement Resolution. (DOUG EVANSON)**
31. **A Resolution authorizing a two year extension through June 18, 2010 on the existing Letter of Engagement with Fulbright & Jaworski L.L.P., Escamilla & Poneck, Inc., and the Law Offices of William T. Avila, P.C., to act as Co-Bond Counsel for the provision of debt related legal services; authorizing the expenditure of funds an amount not to exceed \$300,000.00 from the System or Project Fund, as appropriate, with fees for services rendered in relation to a bond issue being funded with bond proceeds which are approved by the Board of Trustees at the time of issuance; authorizing the Interim President/Chief Executive Officer and/or his designee to execute a two year extension to the Letter of Engagement with Fulbright & Jaworski L.L.P., Escamilla & Poneck, Inc., and the Law Offices of William T. Avila, P.C.; authorizing the Interim President/Chief Executive Officer and/or his designee to pay to the law firms of Fulbright & Jaworski L.L.P., Escamilla & Poneck, Inc., and the Law Offices of William T. Avila, P.C., an amount not to exceed \$300,000.00 to serve as Co-Bond Counsel for the provision of such debt related legal services with fees for services rendered in relation to a bond issue being funded with bond proceeds which are approved by the Board of Trustees at the time of issuance. Total expenditures: \$300,000.00. (DOUG EVANSON)**
32. **A Resolution recommending and requesting that the San Antonio City Council take certain actions with respect to an application to the Texas Water Development Board's Water Infrastructure Fund Loan Program. (DOUG EVANSON)**
33. **A Resolution requesting the City Council of San Antonio to approve an Ordinance to adopt an Amended and Restated Revolving Credit Agreement relating to the City of San Antonio, Texas Water System Commercial Paper Notes, Series A; and other matters therewith. (DOUG EVANSON)**

ITEMS FOR INDIVIDUAL CONSIDERATION

CAPITAL IMPROVEMENT CONTRACTS

PROJECTS INVOLVING IMPROVEMENTS, EXTENSIONS AND ADDITIONAL CAPACITY

Developer Customer Contracts

34. A Resolution approving a Utility Service Agreement to provide water and wastewater service to the 883-acre Galm Road Tract located north of Galm Road, west of FM 1560, being developed by Davis-McCrary Property Trust, Developer.
(KELLEY NEUMANN – SAM MILLS)

EASEMENTS AND REAL PROPERTY

Water Resources

35. 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 Interim 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. (KELLEY NEUMANN – CALVIN FINCH)

WATER RESOURCES ITEMS

36. A Resolution determining the need to update Chapter 34 of the City Code; recommending that the City Council of the City of San Antonio adopt such adjustments and amend Chapter 34 of the City Code accordingly; authorizing the implementation of such adjustments if adopted by the City Council.
(KELLEY NEUMANN – KAREN GUZ)

PROJECTS INVOLVING IMPROVEMENTS, EXTENSIONS AND ADDITIONAL CAPACITY

Production, Transmission and Treatment Improvements

37. A Resolution accepting the proposal of Holloman Corporation in the amount of \$1,389,000.00 for construction of the Microsoft Corporation and Northwest Vista College Recycled Water Main Extensions Project; awarding a construction contract in the amount of \$1,389,000.00 to Holloman Corporation for the project work; authorizing the expenditure of funds in an amount not to exceed \$1,389,000.00 for the

project work; authorizing construction contingency expenses in an amount not to exceed \$69,000.00 in connection with the project work; authorizing total expenditures in an amount not to exceed \$1,458,000.00 from the System's Project Fund for the project work and construction contingency expenses; authorizing the Interim President/Chief Executive officer to execute a contract with Holloman Corporation, and to pay Holloman Corporation the amount of \$1,389,000.00 for the project work. Total expenditures are: \$1,458,000.00. (KELLEY NEUMANN–ASHOK KAJI)

REPLACEMENTS

Governmental Relocations and Replacements

38. A Resolution approving the expenditure of funds in the amount of \$2,391,550.00 for the adjustment of water and sewer facilities by the City of San Antonio in connection with the City's 2008-2009 Annual Street Maintenance Contracts; approving construction contingency funds in an amount not to exceed \$120,450.00 in connection with the project work; approving an amount not to exceed \$1,801,000.00 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 \$711,000.00 be made available and expended from the System's Project Fund for the water project work and related construction contingencies; authorizing the Interim President/Chief Executive Officer to reimburse the City of San Antonio an amount not to exceed \$2,512,000.00 for the project work and related construction contingencies. Total expenditures are: \$2,512,000.00. (KELLEY NEUMANN – CINDY KOVACIC)
39. A. Resolution approving the expenditure of funds in the amount of \$917,333.15 for the adjustment and installation of water and sewer facilities by the City of San Antonio in connection with the Callaghan Road: Ingram to Horseshoe Bend and Callaghan Road: Horseshoe Bend to Bandera Road Project; approving construction contingency expenses related to the project work in an amount not to exceed \$91,733.32; approving an amount not to exceed \$587,864.21 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 \$421,202.26 be made available and expended from the System's Project Fund for the sewer project work and related construction contingencies; authorizing the Interim 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 \$1,009,066.47 for the project work and related construction contingencies. This project is located in Council District 7. Total expenditures are: \$1,009,066.47. (KELLEY NEUMANN – CINDY KOVACIC)
40. A Resolution approving the expenditure of funds in the amount of \$939,040.05 for the adjustment and replacement of water and sewer facilities by the City of San Antonio in connection with the Nacogdoches Road: IH 410 to Danbury Road Project; approving construction contingency expenses related to the project work in an amount not to exceed \$93,904.01; approving an amount not to exceed \$521,808.54 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 \$511,135.52 be made available and expended from the System's Project Fund for the sewer project work and related construction contingencies; authorizing the Interim 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 \$1,032,944.06 for the project work and related construction contingencies. This project is located in Council District 10. Total expenditures are: \$1,032,944.06. (KELLEY NEUMANN – CINDY KOVACIC)

Professional Services

41. **A Resolution approving reimbursement to the City of San Antonio in an amount not to exceed \$2,000,000.00 for professional engineering services in connection with the 2007 - 2012 Bond Program; approving the expenditure of funds in an amount not to exceed \$1,000,000.00 from the System's Project Fund for the sewer project engineering work; approving the expenditure of funds in an amount not to exceed \$1,000,000.00 from the System's Project Fund for the water project engineering work; authorizing the Interim President/Chief Executive Officer to execute a Memorandum of Understanding with the City of San Antonio for the project engineering work. Total expenditures are: \$2,000,000.00. (KELLEY NEUMANN – CINDY KOVACIC)**
- (MWBE)42. **A Resolution awarding professional services contracts to Bain Medina Bain, Inc., Ford Engineering, Inc., Greg Gomez Inc., Engineers, and LNV Engineering in a total amount not to exceed \$3,000,000.00 for professional engineering services in connection with the 2008 Engineering Design Service - Governmental Contracts; approving the expenditure of funds in an amount not to exceed \$1,500,000.00 from the System's Project Fund for the sewer project engineering work; approving the expenditure of funds in an amount not to exceed \$1,500,000.00 from the System's Project Fund for the water project engineering work; authorizing the Interim President/Chief Executive Officer to execute professional services contracts with Bain Medina Bain, Inc., Ford Engineering, Inc., Greg Gomez Inc., Engineers, and LNV Engineering and to pay Bain Medina Bain, Inc., Ford Engineering, Inc., Greg Gomez Inc., Engineers, and LNV Engineering a total amount not to exceed \$3,000,000.00 for the project engineering work. Total expenditures are: \$3,000,000.00. (KELLEY NEUMANN – CINDY KOVACIC)**
43. **BRIEFING SESSION.**
 - A. **Briefing and deliberation regarding SAWS' Climate Change Policy. (KELLEY NEUMANN - JOE RIPPOLE)**
44. **Chairman of the Board's Initiative.**
45. **Interim President/Chief Executive Officer's Report.**
46. **Inquiries.**
47. **The Regular Session of the June 3, 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.**
48. **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 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 37th District Court of Bexar County, Texas. (FRANK STENGER-CASTRO – JOE COLE)**

- C. Consultation with attorneys and deliberation regarding final judgment in Cause No. 2002-ED---0040, *City of San Antonio, acting by and through the San Antonio Water System v. En Seguido, Ltd. and Jefferson State Bank*, in the Probate Court No. 2, Bexar County, Texas.
(FRANK STENGER-CASTRO – NANCY BELINSKY)
- D. Consultation with attorneys regarding legal issues related to the Applications to the Gonzales County Underground Water Conservation District for drilling, production, and transportation permits associated with the Regional Carrizo Water Supply Program. (FRANK STENGER-CASTRO - STEVE KOSUB)
- 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)

49. The Regular Session of the Regular Board Meeting of June 3, 2008, is hereby reconvened.

50. A Resolution approving the Final Judgment issued by the Probate Court No. 2 of Bexar County, Texas in Cause No. 2002 ED-0040, *City of San Antonio, acting by and through the San Antonio Water System vs. En Seguido, Ltd. and Jefferson State Bank*; authorizing expenditures in the total amount of \$542,568.04 from the System Fund for payment of the Final Judgment; authorizing the System to pay \$542,568.04 to En Seguido, Ltd. for the System's obligations under the terms of the Final Judgment. Total expenditures are: 542,568.04.
(FRANK STENGER-CASTRO – NANCY BELINSKY)

51. Adjournment.

THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES MEETING OF JUNE 3, 2008, IS HEREBY ADJOURNED.