

AGENDA
MEETING OF THE
SAN ANTONIO WATER SYSTEM
BOARD OF TRUSTEES
Tuesday, September 9, 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 August 5, 2008.**
4. **Ceremonial Items.**
 - A. **Presentation of the Government Finance Officers Association's Distinguished Budget Presentation Awards to the San Antonio Water System. (DOUG EVANSON - DAN CROWLEY)**
 - B. **Recognition of SAWS being the Runner-up in the Large Organization Category in the June Corporate Walk & Roll Challenge sponsored by the Alamo Area Council of Governments and the San Antonio-Bexar County Metropolitan Planning Organization. (STEVE CLOUSE)**
 - C. **Recognition of SAWS receiving the Gold and Silver Peak Performance Awards from the National Association of Clean Water Agencies (NACWA) for the year 2007. (STEVE CLOUSE)**
5. **BRIEFING SESSION.**
 - A. **Briefing and deliberation regarding Federal Legislative Activities for the 110th Congress. (GREG FLORES – BILLY PECHE)**

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.

6. **Citizens to be Heard.**
7. **Board of Trustees - Committee Reports.**
 - A. **Audit and Finance Committee.**
 - B. **Planning and Operations Committee.**
 - C. **Water Resources Committee.**
8. **A Resolution approving revisions to the existing Utility Services Regulations to incorporate compliance with Endangered Species Laws and Night Sky Lighting Requirements. (KELLEY NEUMANN – SAM MILLS)**

CONSENT AGENDA ITEMS

Items 9– 50

ITEMS CONCERNING THE PURCHASE OF EQUIPMENT, MATERIALS AND SUPPLIES

9. **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 Caldwell Country Chevrolet to provide: Fifteen each - 4,300 GVWR 4x2 sport utility type vehicle gasoline hybrid engine and One each - 6,200 GVWR 4x4 wide and short type bed crew cab/quad cab/double cab/super crew cab pickup truck, Bid No. 08-8051, for a total of \$711,825.00. (These units are part of the vehicle equipment replacement program and will be assigned to various SAWS locations.)**
 2. **Acceptance of the bid of Grande Truck Center to provide: Five each - 19, 000 GVWR 84" CA cab chassis with installed utility bed and a mounted 300 lb., power lift gate and 6,000 lb. corner mounted crane, Bid No. 08-8051, for a total of \$355,075.00. (These units are part of the vehicle equipment replacement program and will be assigned to various SAWS locations.)**
 3. **Acceptance of the bid of Grande Truck Center to provide: One each - 19,000 GVWR 84" CA cab chassis with installed reinforced utility bed 6,000 lb. corner mounted crane and a mounted air compressor and Two each 25,000 GVWR cab chassis crew cab 84" CA with installed body and 2,000 lb. crane and One each - 33,000 GVWR cab chassis with mounted two main aerial lift body. Bid No. 08-8041, for a total of \$370,520.00. (These units are part of the vehicle equipment replacement program and will be assigned to various SAWS locations.)**
 4. **Acceptance of the bid of Freightliner of San Antonio, Ltd., to provide: Two each - 50,000 GVWR cab chassis with mounted hydraulic dump body and other equipment , Bid No. 08-8041, for a total of \$159,370.00.**

(These units are part of the vehicle equipment replacement program and will be assigned to various SAWS locations.)

5. Acceptance of the bid of Sterling & Western Star of Austin, Ltd., to provide: One each - 65,000 GVWR tractor cab and 5 chassis with installed air slide fifth wheel wet kit (single cab), Bid No. 08-8041, for a total of \$109,519.00. (These units are part of the vehicle equipment replacement program and will be assigned to various SAWS locations.)
6. Acceptance of the bid of Equipment Depot to provide: Seven each - 10,000 lb. forklifts and Two each - Propane forklift with pneumatic tires, 35,000 lb. capacity, Bid No. 08-8040, for a total of \$293,461.00. (These units are part of the vehicle equipment replacement program and will be assigned to various SAWS locations.)
7. Acceptance of the bid of Planet Ford to provide: One each - 9,000 GVWR 4X4 wide and long type bed single rear wheel pickup trucks and One each - 17,950 GVWR regular cab chassis truck with mounted hydraulic dump body, Bid No. 08-8040, for a total of \$76,278.00. (These units are part of the vehicle equipment replacement program and will be assigned to various SAWS locations.)
8. Acceptance of the bid of Genuine Parts Company to provide: Purchase of automobile/truck lifts and other shop equipment for SAWS fleet shops, Bid No. 08-8045, for a total of \$298,056.99. (This contract will be utilized for the purchase of automobile/truck lifts and other shop equipment for SAWS fleet shops. The fleet shop equipment shall be used by SAWS fleet technicians when performing vehicle maintenance)

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

(SBE)

1. Acceptance of the bid of Mr. Transmission to provide: Transmission Repair for Chrysler, General Motors, Ford and Import Products Parts & Service, Bid No. 08-4051A, for a total of \$55,000.00. (This contract will be utilized for transmission repair for Chrysler, General Motors, Ford and Import Products, to include both parts and service. This contract will be effective October 1, 2008 through September 30, 2009.)
2. Acceptance of the bid of Vulcan Construction Materials, LP., to provide: Asphalt for Paving Mixtures, Bid No. 08-0211, for a total of \$2,791,240.00. (This contract will be utilized for the purchase of asphalt for the various paving mixtures on an as needed basis. This contract will be effective Date of Award (September 9, 2008) through February 28, 2009.)
3. Acceptance of the bid of Airgas Southwest to provide: Calibration Gas Cylinders, Bid No. 08-5032, for a total of \$58,420.99. (This contract will be utilized to provide calibration gas for use in gas monitors utilized by SAWS Water Recycle Facilities. This contract will be effective October 1, 2008 through September 30, 2009.)
4. Acceptance of the bid of Davis Calibration to provide: 2008 Instrument Calibration, Bid No. 08-8042, for a total of \$39,750.00. (This contract will be utilized for calibration of approximately 481 level, pressure and flow instruments throughout SAWS Water Production Facilities. This

contract will be effective Date of Award (September 9, 2008) through September 30, 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.

- (WBE) 1. **Acceptance of the bid of Texas Integral Security to provide: Maintenance and Repair of Security Systems, Inc., Equipment, Bid No. 08-2073, for a total of \$140,000.00. (This contract will be utilized to install, maintain and repair new security electronic devices for SAWS facilities. This contract will be effective October 1, 2008 through September 30, 2010.)**

- (SBE) 2. **Acceptance of the bid of Safety Shoe Distributors, LLP to provide: Safety Shoes, Bid No. 08-0191, for a total of \$87,750.00. (This contract will be utilized to provide safety footwear for designated SAWS employees. This contract will be effective January 1, 2009 through December 31, 2010.)**

CAPITAL IMPROVEMENT CONTRACTS

PROJECTS INVOLVING IMPROVEMENTS, EXTENSIONS AND ADDITIONAL CAPACITY

Developer Customer Contracts

10. **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 and not within the 5-mile Awareness Zone of Camp Bullis. (KELLEY NEUMANN – SAM MILLS)**

No.	Tract Name	Developer Name	Acreage	Water EDUs	WW EDUs	Board Reason	Water CCN	WW CCN
1	Highway 90 and Hunt Lane	Proportional Prosperity, LLC.	17	290	290	OVR	Inside	Inside
2	Westcreek Tract	McCombs Family Partners, Ltd.	135.12	425	465	AC	Inside	Inside
Totals			<u>152</u>	<u>715</u>	<u>755</u>			

Year-to-Date Totals (January-September 2008)	<u>7,265</u>	<u>18,486</u>	<u>40,790</u>			
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11. A Resolution approving Utility Service Agreements to provide water and/or wastewater service to the tracts listed below which are located within the 5-mile Awareness Zone of Camp Bullis, and are required to comply with the Camp Bullis 5-mile Awareness Zone policies (KELLEY NEUMANN – SAM MILLS)

No.	Tract Name	Developer Name	Acreage	Water EDUs	WW EDUs	Board Reason	Water CCN	WW CCN
1	ACCD North Campus	Alamo Community College District	138	690	535	AC/OVR/EARZ	Inside/ Applied for	Applied for
2	Balcones Crossing	Post Oak Development, Ltd.	108	318	135	AC/OVR/EARZ	Inside/ Applied for	Applied for
3	Hardy Wilderness Oak	B&M Net Lease Funding, LLC.	10	0	53	EARZ	B.M.W.D.	Applied for
4	Highland Estates	Borgfeld Partners, Ltd.	188	177	0	AC/OVR/EARZ	Outside/ Applied for	Outside
5	HRDW Property	Robert Stanley	1.8	9	11	EARZ	Inside	Inside
6	Legend Gardens	Kharia, Inc.	2.58	17	17	EARZ	Inside	Applied for
7	Threshold Ranch	Threshold Ranch, LP	48	75	0	EARZ	Applied for	Applied for
8	Wilderness Oak 21-Acre Commercial	Dominion Advisory Group	21	160	130	EARZ	Inside	Applied for
9	Woodland Baptist Church	Woodland Baptist Church	8	32	32	EARZ	Inside	Inside
Totals			<u>525</u>	<u>1,478</u>	<u>913</u>			
Year-to-Date Totals (August-September 2008)			<u>774</u>	<u>2,402</u>	<u>2,194</u>			

12. A Resolution accepting the bid of SACC, Inc., in the amount of \$826,351.70 for the construction of the 24-inch water main in connection with the Cielo Vista 24-Inch Oversize (12-Inch Required) On-Site Water Main Project; awarding a construction contract to SACC, Inc., for the project work; authorizing the expenditure of System funds in the amount of \$681,740.15 for the System's proportionate share of the project work and engineering design fees; authorizing the System's proportionate share of the construction contingency expenses in an amount not to exceed \$16,527.03 in connection with the project work; authorizing a total amount not to exceed \$698,267.19 from System's 2008 Capital Improvements Plan Oversize Projects Fund for the System's proportionate share of the project work, engineering fees, and construction contingency expenses related to the project work; authorizing the Interim President/Chief Executive

Officer to execute a contract with Laredo Boerne Stage, Ltd., and SACC, Inc., and provide payment in an amount not to exceed \$698,267.19 to SACC, Inc., in care of Laredo Boerne Stage, Ltd., for the System's proportionate share of the cost to oversize the proposed water main. Total expenditures are: \$698,267.19.

(KELLEY NEUMANN – SAM MILLS)

Production, Transmission and Treatment Improvements

13. A Resolution amending Resolution No. 07-336 by approving the expenditure of additional funds in an amount not to exceed \$30,113.48 payable to S.J. Louis Construction of Texas, Ltd., for additional construction contingency expenses in connection with the Talley Road (FM 471 to Ray Lieck Road) Project; approving an additional amount not to exceed \$30,113.48 be made available from the System's Project Fund for the additional construction contingency expenses; ratifying the actions of the Senior Vice President of Facilities Engineering and Construction in approving Change Order No. 5 in the amount of \$45,361.20; approving the Recapitulation Change Order No. 6 in the decreased amount of \$92,499.56 to the construction contract with S.J. Louis Construction of Texas, Ltd.; authorizing return of funds in the amount of \$92,499.56 to the System's Project Fund; authorizing the Interim President/Chief Executive Officer to pay to S.J. Louis Construction of Texas, Ltd., an additional amount not to exceed \$45,361.20 for the additional project work and to execute Recapitulation Change Order No. 6 and to close the contract. Total expenditures are: \$45,361.20.

(KELLEY NEUMANN – FRANCES PLOCEK)

REPLACEMENT AND ADJUSTMENT PROJECTS

14. A Resolution approving Recapitulation Change Order No. 4 in the decreased amount of \$490,538.58 to the construction contract with BRH Graver Construction, L.P., Service in connection with the Six Mile Creek Sewer Replacement Project; authorizing the return of funds in the amount of \$490,538.58 and the construction contingency of \$21,977.80 for a total amount of \$512,516.38 to the Project Fund; authorizing the Interim President/Chief Executive Officer to execute Recapitulation Change Order No. 4 and to close the contract. Total decreased amount is: \$512,516.38.

(KELLEY NEUMANN – FRANCES PLOCEK)

Governmental Relocations and Replacements

15. A Resolution approving the expenditure of funds in the amount of \$565,312.23 for the replacement and adjustment of sewer facilities by the City of San Antonio in connection with the Ansley Boulevard – Phase 1: Commercial Avenue to Moursund Boulevard Project and Commercial Tributary – Phase 1: Six Mile Creek to Petaluma Boulevard Project; approving an amount not to exceed \$56,531.22 for construction contingency expenses related to the project work; approving an amount not to exceed \$621,843.45 be made available and expended from the System's Project Fund for the project work and related construction contingency expenses; authorizing the Interim President/Chief Executive Officer to pay to the City of San Antonio an amount not to exceed \$621,843.45 for the project work and related construction contingency expenses. Located in Council Districts 3 and 4. Total expenditures are: \$621,843.45.

(KELLEY NEUMANN – CINDY KOVACIC)

16. A Resolution approving the expenditure of funds in the amount of \$62,171.00 for the adjustment of water facilities by the City of San Antonio in connection with the Guilbeau Drainage at French Creek Phase II Project; approving an amount not to exceed \$12,434.20 for construction contingency expenses related to the project work; approving an amount not to exceed \$74,605.20 be made available and expended from the System's

Project Fund for the project work and related construction contingency expenses; authorizing the Interim President/Chief Executive Officer to pay to the City of San Antonio an amount not to exceed \$74,605.20 for the project work and related construction contingency expenses. Located in Council District 7. Total expenditures are: \$74,605.20. (KELLEY NEUMANN – CINDY KOVACIC)

- 17. A Resolution approving Final Recapitulation Change Order No. 2 in the decreased amount of \$131,468.00 to the construction contract with Texas Sterling Construction in connection with the Goliad Road Outfall Project; authorizing the return of funds in the amount of \$131,468.00 and the construction contingency balance of \$44,547.00 for a total amount of \$179,015.00 to the Project Fund; authorizing the Interim President/Chief Executive Officer to execute Final Recapitulation Change Order No. 2. Located in Council District 3. Total decreased amount is: \$179,015.00. (KELLEY NEUMANN – CINDY KOVACIC)**
- 18. A Resolution approving the expenditure of funds in the amount of \$503,760.00 for the adjustment of water facilities by the City of San Antonio in connection with the Southside Lions Park Dam & Spillway Rehabilitation Project; approving an amount not to exceed \$50,376.00 for construction contingency expenses related to the project work; approving an amount not to exceed \$554,136.00 be made available and expended from the System’s Project Fund for the project work and related construction contingency expenses; authorizing the Interim President/Chief Executive Officer to execute a Funding Agreement and to reimburse the City of San Antonio a total amount not to exceed \$554,136.00 for the project work and related construction contingency expenses. Located in Council District 3. Total expenditures are: \$554,136.00. (KELLEY NEUMANN – CINDY KOVACIC)**
- 19. A Resolution approving the expenditure of funds in the amount of \$293,571.90 for the replacement and adjustment of water and sewer facilities by the City of San Antonio in connection with the Durango: General McMullen to 34th Street Project; approving an amount not to exceed \$29,357.19 for construction contingency expenses related to the project work; approving an amount not to exceed \$179,968.03 be made available and expended from the System’s Project Fund for the water project work and related construction contingency expenses; approving an amount not to exceed \$142,961.06 be made available and expended from the System’s Project Fund for the sewer project work and related construction contingency expenses; authorizing the Interim President/Chief Executive Officer to pay to the City of San Antonio an amount not to exceed \$322,929.09 for the project work and related construction contingency expenses. This project is located in Council District 5. Total expenditures are: \$322,929.09. (KELLEY NEUMANN – CINDY KOVACIC)**
- 20. A Resolution amending Resolution No. 07-081, as previously amended by Resolution No. 07-352, by approving the expenditure of additional funds in an amount not to exceed \$10,000.00 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 \$10,000.00 be made available and expended from the System’s Project Fund for the additional construction contingency expenses; ratifying the actions of the Senior Vice President of Strategic Resources in approving Change Order No. 3 in the amount of \$10,000.00; authorizing the Interim President/Chief Executive Officer to pay the City of San Antonio an additional amount not to exceed \$10,000.00 for the additional project work and additional construction contingency expenses. This project is located in Council Districts 2 and 3. Total expenditures are: \$10,000.00. (KELLEY NEUMANN – CINDY KOVACIC)**

Professional Services

21. **A Resolution ratifying the actions of the Senior Vice President of Strategic Resources in approving Contract Amendment No. 2 in the amount of \$22,010.00 in connection with the Shaenfield Road: Loop 1604 to FM 1560 Project; amending Resolution No. 05-434, as previously amended by Resolution No. 07-400, by approving additional expenditures in an amount not to exceed \$22,010.00 for additional engineering design services by Pape-Dawson Engineers, Inc., in connection with the Shaenfield Road: Loop 1604 to FM 1560 Project; approving that an additional amount not to exceed \$13,545.00 be made available and expended from the System's Project Fund for the additional water engineering design services; approving that an additional amount not to exceed \$8,465.00 be made available and expended from the System's Project Fund for the additional sewer engineering design services; authorizing the Interim President/Chief Executive Officer to execute Contract Amendment No. 2 and to pay Pape-Dawson Engineers, Inc., an additional amount not to exceed \$22,010.00 for the additional engineering design services in connection with the project. Total expenditures are: \$22,010.00. (KELLEY NEUMANN – CINDY KOVACIC)**
22. **A Resolution accepting the proposal of Pape-Dawson Engineers, Inc., in the amount not to exceed \$80,668.00 for the design of wastewater, water, and recycled water facility replacements and adjustments in connection with the City of San Antonio's South Texas Medical Center Intersection Improvements: Phase VI Project; awarding a professional services contract to Pape-Dawson Engineers, Inc., in an amount not to exceed 80,668.00 for engineering services in connection with the project; approving the expenditure of funds in an amount not to exceed \$54,785.00 from the System's Project Fund for the water project engineering work; approving the expenditure of funds in an amount not to exceed \$25,883.00 from the System's Project Fund for the recycled water project engineering work; authorizing the Interim President/Chief Executive Officer to execute a professional services contract with Pape-Dawson Engineers, Inc., and to pay Pape-Dawson Engineers, Inc., an amount not to exceed \$80,668.00 for the project engineering work in connection with the South Texas Medical Center Intersection Improvements: Phase VI Project. Located in Council District 8. Total expenditures are: \$80,668.00. (KELLEY NEUMANN – CINDY KOVACIC)**

MISCELLANEOUS PROJECTS

23. **A Resolution approving Change Order No. 1 in the decreased amount of \$302,743.00 to the construction contract with Austin Engineering Co., Inc., in connection with the Lift Stations Rehabilitation – Phase 1 Project; authorizing the Interim President/Chief Executive Officer to execute Change Order No. 1. Total decreased amount is: \$302,743.00. (KELLEY NEUMANN – ASHOK KAJI)**
24. **A Resolution ratifying the actions of the Senior Vice-President of Strategic Resources in approving Change Order No. 3 in the increased amount of \$114,795.97 to the construction contract with Austin Engineering Co., Inc., in connection with the Lift Stations Rehabilitation – Phase 1 Project; approving total payment in the amount of \$114,795.97 to Austin Engineering Co., Inc., for the additional project work associated with Change Order No. 3; amending Resolution No. 07-377 by increasing the authorization of construction contingency by \$115,000.00 for a total construction contingency of \$255,000.00; authorizing the additional expenditure of funds in the amount of \$114,795.97 for Change Order No. 3; authorizing additional funds in the amount not to exceed \$114,795.97 for Change Order No. 3 from the project construction contingency fund; authorizing additional funds in the amount not to exceed \$115,000.00 from the System's Project Fund for additional contingency expenses associated with the**

project work; authorizing the Interim President/Chief Executive Officer to execute Change Order No. 3, and to pay Austin Engineering Co., Inc., the additional sum of \$114,795.97 from the project construction contingency fund for the additional project work associated with Change Order No. 3. Total expenditures are: \$114,795.97.
(KELLEY NEUMANN – ASHOK KAJI)

25. A Resolution approving Change Order No. 2 in the decreased amount of \$39,449.00 to the construction contract with Lambda Construction I, Ltd., in connection with the Water Recycling Centers Disinfection System Evaluation and Performance Upgrade Project; authorizing the Interim President/Chief Executive Officer to execute Change Order No. 2. Total decreased amount is: \$39,449.00.
(KELLEY NEUMANN – ASHOK KAJI)
26. A Resolution ratifying the actions of the Vice-President of Distribution and Collection Operations in executing a construction contract with an option for a one year renewal in the amount of \$167,980.00 with Principle Contracting Services, LLC in connection with the Excavation and Backfill Work Order Construction Contract; approving the expenditure of funds in the amount of \$167,980.00 for the project work; approving the expenditure of funds in the amount not to exceed \$167,980.00 from the System Fund for the project work; authorizing the Interim President/Chief Executive Officer or his designated representative, to pay Principle Contracting Services, LLC the amount of \$167,980.00 for the project work. Total expenditures are: \$167,980.00.
(VAL RUIZ – GORGON MAHAN)

Professional Services

27. A Resolution accepting the proposal of Freese and Nichols, Inc., in the amount of \$152,750.00 for the 2009 Water Production Facility Painting and Rehabilitation Project – Package I; awarding a professional services contract to Freese and Nichols, Inc., in the amount of \$152,750.00 for engineering services in connection with this project; authorizing the expenditure of funds in an amount not to exceed \$152,750.00 from the System’s Project Fund for the project engineering services in connection with this project; authorizing the Interim President/Chief Executive Officer to execute a professional services contract with Freese and Nichols, Inc., and to pay Freese and Nichols, Inc., an amount not to exceed \$152,750.00 for project engineering services in connection with the project. Total expenditures are: \$152,750.00.
(KELLEY NEUMANN –ASHOK KAJI)

EASEMENTS AND REAL ESTATE

28. A Resolution accepting the bid of Wesley Winn in the amount of \$901,541.00 and authorizing the Interim President/Chief Executive Officer to negotiate and execute a Purchase Agreement with Wesley Winn for the sale of the 253.598 acre Haby Farm generally located near the southwest corner of the intersection of Highway 55 and County Road 405 in Uvalde County, Texas, being that 234.486 acre tract, 19.112 acre tract in the deed from FW Ranchlands L.P. to the City of San Antonio a Texas Municipal Corporation, acting by and through its San Antonio Water System dated may 30, 2000 as recorded in volume 438 page 786 of the official public records of Uvalde County, Texas authorizing the Interim 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 the Purchase Agreement; authorizing the expenditure of funds from the System’s Project Fund in an amount not to exceed \$35,000.00 for the sale of the property; and authorizing the Interim President/Chief Executive Officer to pay an amount not to exceed \$35,000.00 to Alamo Title for the associated closing costs. Total

expenditures are: \$35,000.00. (MIKE BRINKMANN – BRUCE HABY)

29. A Resolution authorizing accepting the bid of Dan McWhorter in the amount of \$2,777,700.00 and authorizing the Interim President/Chief Executive Officer to negotiate and execute a Purchase Agreement with Dan McWhorter for the sale of the 2,026.412 acre Knippa Farm generally located approximately two miles east of the City of Uvalde on the southerly side of U.S. Highway 90, in Uvalde County, Texas being that 2,026.412 acre tract in the deed from FW Ranchlands L.P. to the City of San Antonio a Texas Municipal Corporation, acting by and through its San Antonio Water System dated May 30, 2000 as recorded in volume 382 page 752 of the official public records of Uvalde County, Texas; authorizing the Interim 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 the Purchase Agreement; authorizing the expenditure of funds from the System's Project Fund in an amount not to exceed \$30,000.00 for the sale of the property; and authorizing the Interim President Chief Executive Officer to pay an amount not to exceed \$30,000.00 to Alamo Title for the associated closing costs. Total expenditures are: \$30,000.00. (MIKE BRINKMANN– BRUCE HABY)
30. A Resolution accepting the bid of Sammy Nooner in the amount of \$515,168.48 and authorizing the Interim President/Chief Executive Officer to negotiate and execute a Purchase Agreement with Sammy Nooner for the sale of the 326.056 acre Milward Farm generally located off County Road 6710 in Medina County, Texas being that 62.879 acre tract, 12.922 acre tract, 25.251 acre tract, and 225.004 acre tract in the deed from FW Ranchlands L.P. to the City of San Antonio a Texas Municipal Corporation, acting by and through its San Antonio Water System, dated May 30, 2000 as recorded in volume 378 page 713 of the official public records of Medina County, Texas; authorizing the Interim 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 the Purchase Agreement; authorizing the expenditure of funds from the System's Project Fund in an amount not to exceed \$25,000.00 for the sale of the property; and authorizing the Interim President/Chief Executive Officer to pay an amount not to exceed \$25,000.00 to Alamo Title for the associated closing costs. Total expenditures are: \$25,000.00. (MIKE BRINKMANN– BRUCE HABY)
31. A Resolution declaring a public necessity for the acquisition of certain privately owned real property interests in the City of San Antonio, located near the intersection of Moursund Boulevard and Baetz Boulevard and ending at Roosevelt and Ashley Road in southwest quadrant of Bexar County, Texas by negotiation and/or condemnation, if necessary, for the public purpose of the expansion and operation of the System through the construction of the Central Watershed Sewer Relief Line C-02 Project; requesting that the City Council of the City of San Antonio: (i) adopt an Ordinance reaffirming and declaring that the project is for a public purpose and a public necessity exists for the acquisition of the property; (ii) authorize the System to take all appropriate action to acquire the property by negotiation and/or condemnation; (iii) declare that the conveyance of the property shall be to the City of San Antonio for the use and benefit of the System; authorizing the General Counsel and/or designated Special Counsel to file eminent domain proceedings, if necessary; providing and approving funding for the project. (MIKE BRINKMANN– BRUCE HABY)

The property to be acquired consists of permanent and temporary easements as described below:

1	Being 0.083 (3,615 sq. ft.) out of 1.3836 acres the remainder of Lot 115, Block 11, New City Block 11107, Harlandale Acre No. 8, a Subdivision of record in Volume 980, Page 30, of the Deed and Plat Records of Bexar County, Texas
2	Being 0.020 acre (871 sq. ft.) out of 1.3836 acres the remainder of Lot 115, Block 11, New City Block 11107, Harlandale Acre No. 8, a Subdivision of record in Volume 980, Page 30, of the Deed and Plat Records of Bexar County, Texas
3	Being 0.256 acre (11,151 sq. ft.) out of Lot 165, Block 15, New City Block 11111, Harlandale Acre No. 8, a Subdivision of record in Volume 980, Page 30, of the Deed and Plat Records of Bexar County, Texas

32. A Resolution authorizing the purchase of one permanent and one temporary easement for the Central Watershed Sewer Relief Line C-02 Project; the permanent easement being a 0.273 acre (11,892 sq. ft.), and the temporary being a 0.303 acre (13,199 sq. ft), owned by Beautiful Gate Puerta La Hermosa Baptist Church, Inc., for the purchase price of \$60,400.00 out of lot 117 and 118, block 11, new city block 11107, Harlandale Acres No. 8 in the City of San Antonio, Bexar County, Texas; authorizing total expenditures of \$60,400.00 from the System's Project Fund for the purchase of this permanent and temporary easement; authorizing the Interim President/Chief Executive Officer or his authorized designated representative to pay an amount not to exceed \$60,400.00 to Beautiful Gate Puerta La Hermosa Baptist Church, Inc., for both easements; authorizing the Interim President/Chief Executive Officer or his authorized designated representative to accept the easements. Total expenditures are: \$60,400.00. (MIKE BRINKMANN– BRUCE HABY)

Water Resources Items

33. A Resolution accepting the bid of Lawrence Mollere, Annette Mollere, and Virginia Mollere and authorizes the exchange of a 331.894 acre Deluxe Farm, generally located near the northwest corner of fm 2200 and County Road 5232, being that same property called 331.8988 acres in a deed from FW Ranchlands, L.P. to the City of San Antonio a Texas Municipal Corporation, acting through its San Antonio Water System dated May 30, 2000 as recorded in volume 378 on page 713 of the official public records of Medina County, Texas for 160 acre feet of Edwards permitted irrigation groundwater; authorizing the Interim President/Chief Executive Officer or his designated representative to execute all documents necessary for exchange of the property for water rights and the expenditure of funds related to closing costs of an amount not to exceed \$15,000.00 payable to Stewart Title Company. Total expenditures are: \$15,000.00. (MIKE BRINKMANN– BRUCE HABY)

WATER RESOURCES ITEMS

34. A Resolution approving a Joint Funding Agreement between the San Antonio Water System and the United States Geological Survey for the period of October 1, 2008 to September 30, 2009 in an amount not to exceed \$454,790.00; authorizing the expenditure of funds for Fiscal Year 2008 from the System Fund to pay for obligations incurred pursuant to the Joint Funding Agreement; authorizing the expenditure of funds for Fiscal Year 2009 pursuant to and contingent upon the Board's approval of the Fiscal Year 2009 budget with a line item for such expenditures; authorizing the Interim President/Chief Executive Officer or his designee to execute the Joint Funding Agreement with the United States Geological Survey and to pay an amount not to exceed \$454,790.00 to the United States Geological Survey pursuant to the Joint Funding Agreement. Total expenditures are: \$454,790.00. (MIKE BRINKMANN – SCOTT HALTY)

35. **A Resolution approving a Joint Funding Agreement between the San Antonio Water System and the United States Geological Survey for the period of October 1, 2008 to September 30, 2009, in an amount not to exceed \$592,900.00; authorizing the expenditure of funds for Fiscal Year 2008 from the System Fund to pay for obligations incurred pursuant to the Joint Funding Agreement; authorizing the expenditure of funds for Fiscal Year 2009 pursuant to and contingent upon the San Antonio Water System Board of Trustee's approval of the Fiscal Year 2009 budget with a line item for such expenditures; authorizing the Interim President/Chief Executive Officer or his designee to execute the Joint Funding Agreement with the United States Geological Survey and to pay an amount not to exceed \$592,900.00 to the United States Geological Survey pursuant to the Joint Funding Agreement. Total expenditures are: \$592,900.00. (KELLEY NEUMANN – CHARLES AHRENS)**
36. **A Resolution ratifying the actions of the Interim President/Chief Executive Officer to enter into a Funding Agreement between the Texas A&M AgriLife Research and the San Antonio Water System; approving the expenditure of funds from the Water Supply Fee Revenues of the Project Fund to conduct the facilitation of the Brackish Groundwater Science Committee in 2008 and that expenditures for 2009 are pursuant to and contingent upon Board approval of the 2009 budget with a line item for such expenditures; approving expenditures of an amount not to exceed \$11,162.50 in 2008 and \$11,162.50 in 2009 of the total cost of \$22,325.00 for the facilitation of Brackish Groundwater Science Committee in Calendar Year 2008 and 2009; authorizing the Interim President/Chief Executive Officer to execute the Funding Agreement and to pay the Texas A&M AgriLife Research an amount not to exceed \$11,162.50 in 2008 and \$11,162.50 in 2009. Total expenditures are: \$11,162.50 in 2008 and \$11,162.50 in 2009. (KELLEY NEUMANN – CALVIN FINCH)**
37. **A Resolution approving a Water Sales Agreement between the San Antonio Water System and Gregory Miller, providing for the sale of 11.779 acre-feet of water out of 11.779 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 11.779 surface acres; approving the expenditure of funds for the San Antonio Water System's obligation under the Water Sales Agreement from the Water Supply Fee Revenues of the Project Fund; approving the payment of \$100.00 initial consideration payment, \$1,177.90 bonus payment to Gregory Miller and \$3,500.00 in closing costs; authorizing the Interim President/Chief Executive Officer to execute the Water Sales Agreement with Gregory Miller, 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: \$100.00 initial consideration payment, \$1,177.90 bonus payment, and \$3,500.00 in closing costs. (KELLEY NEUMANN – CALVIN FINCH)**
38. **A Resolution approving a Water Sales Agreement between the San Antonio Water System and William D. Barnett, Sr., providing for the sale of 1,156.587 acre-feet of water out of 1,156.587 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 1,156.587 surface acres; approving the expenditure of funds for the San Antonio Water System's obligation under the Water Sales Agreement from the Water Supply Fee Revenues of the Project Fund; approving the payment of \$100.00 initial consideration payment, \$115,658.70 bonus payment to William D. Barnett, Sr., and \$3,500.00 in closing costs; authorizing the Interim**

President/Chief Executive Officer to execute the Water Sales Agreement with William D. Barnett, Sr., 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: \$100.00 initial consideration payment, \$115,658.70 bonus payment, and \$3,500.00 in closing costs. (KELLEY NEUMANN – CALVIN FINCH)

INFORMATION SERVICES ITEMS

39. A Resolution accepting the proposal of Hewlett Packard Inc., for the purchase of the Hewlett Packard computer equipment, installation and maintenance of selected aspects of the Hewlett Packard Blade Servers, Blade System C Class Fans, the an operating system upgrade 24x7 Support that will be utilized at SAWS' Disaster Recovery Data Center; authorizing funds in an amount not to exceed \$121,442.57 from the System Fund payable to Hewlett Packard, Inc., for this equipment, installation and support and future year's expenditures for future year maintenance and support 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 or his designee to execute an Agreement and to pay Hewlett Packard Inc., an amount not to exceed \$121,442.57 for the purchase, installation and maintenance of Hewlett Packard hardware and software. Total expenditures are: \$121,442.57.
(DOUG EVANSON - STACEY ISENBERG - JOE SAMPLES)

MISCELLANEOUS ITEMS

40. A Resolution approving a temporary contract with WarEagle Security for an estimated fee of \$450,000.00 in connection with providing security services for the System; authorizing total expenditures in an amount not to exceed \$450,000.00 for such services from the System Fund; authorizing the Interim President/Chief Executive Officer or his designated representative to execute the contract with WarEagle Security and to pay WarEagle Security an amount not to exceed \$450,000.00 to provide security. Total expenditures are: \$450,000.00. (MIKE BRINKMANN)
41. A Resolution approving a Settlement and Release Agreement between the San Antonio Water System and Chares O. and Louise K. Massey; authorizing expenditures in the total amount of \$28,387.05 from the System Fund for purposes of the Settlement; authorizing the Interim President/Chief Executive Officer and the System's Legal Counsel to execute the Settlement and Release Agreement and to pay \$28,387.05 to Chares O. and Louise K. Massey. Total expenditures are: \$28,387.05.
(MIKE BRINKMANN – SCOTT HALTY)
42. A Resolution approving the third year of a five-year contract in an amount not to exceed \$829,886.85 with Ashland, Inc., for dewatering polymer; authorizing funds in an amount not to exceed \$829,886.85 for the third year of the five year contract for dewatering polymer be expended from the System Fund; authorizing the Interim President/Chief Executive Officer to execute the contract with Ashland, Inc., and to pay Ashland, Inc., an amount not to exceed \$829,886.85 for the third year of the five year contract for dewatering polymer. Total expenditures are: \$829,886.85.
(STEVE CLOUSE – ROBERT YRLE)
43. A Resolution approving the Seventh Amendment to the Memorandum of Agreement with the Brooks Development Authority to continue providing operations and maintenance services for the Central Heating and Cooling Plant at Brooks City Base

from October 1, 2008 to September 30, 2009; authorizing the Interim President/Chief Executive Officer or his designated representative to execute the Seventh Amendment to the Memorandum of Agreement and all related documents to continue providing operations and maintenance services for the Brooks Central Heating and Cooling Plant from October 1, 2008 to September 30, 2009.

(STEVE CLOUSE – VIC STUCKEY)

44. A Resolution approving an Interlocal Cooperation Agreement with the Edwards Aquifer Authority for the SAWS Meter Project Implementation Agreement; authorizing the Interim President/Chief Executive Officer or his designated representative to execute the Agreement and all related documents with the Edwards Aquifer Authority for modification of SAWS' Edwards Aquifer Well Meters.

(STEVE CLOUSE - PHIL COOK)

45. A Resolution approving the Second Amendment of the professional services contract with Park E. Pearson, CPA, to provide for an extension of the term until December 31, 2008 at no additional cost; authorizing the Chairman of the Board to negotiate and execute an Amendment to the professional services contract with Park E. Pearson, CPA, to extend the term of the contract until December 31, 2008.

(MIKE LACKEY)

FINANCIAL ITEMS

46. A Resolution approving an extension of a pool of investment banking firms appointment by the Board of Trustees on November 15, 2005 to provide underwriting services relating to the issuance of debt by the San Antonio Water System to the later of November 15, 2008 or the closing of the 2008 bond transactions.

(DOUG EVANSON)

47. A Resolution accepting the proposal of and authorizing the negotiation and execution of a contract with Frost National Bank for investment services for the period of three years ending December 31, 2011, and with an option for one, two-year extensions; authorizing the Interim President/Chief Executive Officer to negotiate and execute a contract for investment services for the period of three years ending December 31, 2011, and with an option for one, two-year extensions. (DOUG EVANSON)

48. A Resolution accepting the proposal of and authorizing the negotiation and execution of a contract with Frost National Bank for depository services in a total amount not to exceed \$450,000.00 for the period of three years ending December 31, 2011, and with an option for one, two-year extensions; authorizing the expenditure of an annual amount not to exceed \$150,000.00 for Fiscal Year 2009, and subsequent years expenditures, pursuant to and contingent upon Board approval of the 2009 and subsequent years budgets with a line item for such expenditures; authorizing the Interim President/Chief Executive Officer to negotiate and execute a contract for depository services for the period of three years ending December 31, 2011, and with an option for one, two-year extensions; and to pay Frost National Bank an annual amount not to exceed \$150,000 for such services. Total expenditures are: \$150,000.00 per year. (DOUG EVANSON)

49. A Resolution accepting the proposal of and authorizing the negotiation and execution of a contract with Bank of America for payment processing services in a total amount not to exceed \$1,950,000.00 for the period of three years ending December 31, 2011, and with an option for one, two-year extensions; authorizing the expenditure of an annual amount not to exceed \$650,000.00 for Fiscal Year 2009, and subsequent years expenditures, pursuant to and contingent upon Board approval of the 2009 and

subsequent years budgets with a line item for such expenditures; authorizing the Interim President/Chief Executive Officer to negotiate and execute a contract for payment processing services for the period of three years ending December 31, 2011, and with an option for one, two-year extensions; and to pay Bank of America an annual amount not to exceed \$650,000.00 for such services. Total expenditures are: \$650,000.00 per year. (DOUG EVANSON)

50. 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. (DOUG EVANSON)

ITEMS FOR INDIVIDUAL CONSIDERATION

WATER RESOURCES ITEMS

51. A Resolution approving an Agreement with Spurs Sports and Entertainment for the installation of an onsite recycled water line for the purpose of converting an existing evaporative cooling tower from potable water use to recycled water use at the AT&T Center located at One AT&T Center Parkway for an amount not to exceed \$151,000.00; authorizing the expenditure of an amount not to exceed \$151,000.00 from the System Fund for the installation of an onsite recycled water line at the AT&T Center; authorizing the Interim President/Chief Executive Officer or his designee to execute the Agreement with Spurs Sports and Entertainment and to pay Spurs Sports and Entertainment an amount not to exceed \$151,000.00 for the installation of an onsite recycled water line for the purpose of converting an evaporative cooling tower from potable water use to recycled water use. Total expenditures are: \$151,000.00. (KELLEY NEUMANN – KAREN GUZ)
52. A Resolution approving Contract Amendment No. 2 with Morrison Supply Company for the purchase and distribution of residential-style high-efficiency toilets and accessories as part of the Residential and Commercial Toilet Distribution Programs in an amount not to exceed \$1,600,000.00 per year, and extension of the contract for an additional three-year period from November 9, 2008 to November 9, 2011; amending Resolution No. 06-356, as amended by Resolution No. 07-249, by approving a ten percent fixed price increase and extending the contract for an additional three-year period for the purchase and distribution of up to 16,000 high efficiency toilets to qualifying commercial and residential customers through Morrison Supply Company; approving an additional amount not to exceed \$1,600,000.00 per year be made available and expended for the purchase and distribution of high efficiency toilets through Morrison Supply Company; approving expenditures for Fiscal Year 2008 be made available and expended from the System Fund, and that the expenditure of funds for subsequent Fiscal Years are pursuant to and contingent upon the Board's approval of the budgets for the subsequent Fiscal Years with a line item for such expenditures; authorizing the Interim President/Chief Executive Officer to execute Contract Amendment No. 2 and to pay Morrison Supply Company an additional amount not to exceed \$1,600,000.00 per year for the purchase and distribution of up to 16,000 high efficiency toilets to qualifying commercial and residential customers. Total expenditures are: \$1,600,000.00. (KELLEY NEUMANN – KAREN GUZ)

CAPITAL IMPROVEMENT CONTRACTS

MISCELLANEOUS PROJECTS

Professional Services

53. A Resolution accepting the proposal of Weston Solutions, Inc., in an amount not to exceed \$1,501,000.00 for the design of the Lift Stations Rehabilitation – Phase 2 Project; awarding a professional services contract to Weston Solutions, Inc., in an amount not to exceed \$1,501,000.00 for the engineering services in connection with this project; authorizing the expenditure of funds in an amount not to exceed \$1,501,000.00 from the System’s Project Fund for the engineering services in connection with this project; authorizing the Interim President/Chief Executive Officer to execute a professional services contract with Weston Solutions, Inc., and to pay Weston Solutions, Inc., an amount not to exceed \$1,501,000.00 for the engineering services in connection with this project. Total expenditures are: \$1,501,000.00.
(KELLEY NEUMANN – ASHOK KAJI)

PROJECTS INVOLVING IMPROVEMENTS, EXTENSIONS AND ADDITIONAL CAPACITY

Production, Transmission and Treatment Improvements

54. A Resolution accepting the bid of Holloman Corporation in the amount of \$1,011,991.00 for the construction of the Anderson–Micron 48-Inch Main Segment III Project; awarding a construction contract to Holloman Corporation in the amount of \$1,011,991.00 for the project work; authorizing the expenditure of funds in the amount of \$1,011,991.00 for the project work; authorizing construction contingency expenses in the amount not to exceed \$20,239.00 in connection with the project work; authorizing total expenditures in an amount not to exceed \$1,032,230.00 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 \$1,011,991.00 for the project work. Total expenditures are: \$1,011,991.00.
(KELLEY NEUMANN – ASHOK KAJI)
55. A Resolution accepting the bid of Tank Pro, Inc., in the amount of \$1,276,951.00 for maintenance of water facilities in connection with the 2008 Water Production Facility Painting and Rehabilitation Project- Package I; awarding a contract in the amount of \$1,276,951.00 to Tank Pro, Inc., for the project work; authorizing the expenditure of funds in an amount not to exceed \$1,276,951.00 for the project work; authorizing contingency expenses in an amount not to exceed \$25,540.00 in connection with the project work; amending Resolution No. 07-320 by authorizing additional expenditures of \$225,825.00 for resident inspection and additional phase services; authorizing total expenditures in an amount not to exceed \$1,527,316.00 from the System Fund for the project work, contingency and the resident inspection and additional phase services; authorizing the Interim President/Chief Executive Officer to execute a contract with Tank Pro, Inc, and to pay Tank Pro, Inc, the amount of \$1,276,951.00 for the project work; authorizing the Interim President/Chief Executive Officer to pay an additional amount not to exceed \$225,825.00 to Tetra Tech, Inc., for resident inspection and additional phase services. Total expenditures are: \$1,527,316.00.
(KELLEY NEUMANN – ASHOK KAJI)

Developer Customer Contracts

56. A Resolution approving a Participation Agreement between a group of developers and San Antonio Water System for the purpose of constructing the Medina River Outfall and committing San Antonio Water System to construction of the Medina River Outfall, a proposed major wastewater main comprised of approximately 25 miles of wastewater main running from the far west area in Medina River Watershed to the south and east along Medina River and ultimately flowing into the Dos Rios Water Treatment Center. (KELLEY NEUMANN – SAM MILLS)
57. A Resolution accepting the bid of Pipelayers, Inc., in the amount of \$1,388,255.30 for the construction of the 24-inch and 30-inch water mains in connection with the Cielo Vista 30-Inch and 24-Inch Oversize Approach Water Main Project; awarding a construction contract to Pipelayers, Inc., for the project work; authorizing the expenditure of System funds in the amount of \$1,169,944.59 for the System's proportionate share of the project work and engineering design fees; authorizing the System's proportionate share of the construction contingency expenses in an amount not to exceed \$27,765.11 in connection with the project work; authorizing a total amount not to exceed \$1,197,709.70 from System's 2008 Capital Improvements Plan Oversize Projects Fund for the System's proportionate share of the project work, engineering fees, and construction contingency expenses related to the project work; authorizing the Interim President/Chief Executive Officer to execute a contract with Laredo Boerne Stage, Ltd., and Pipelayers, Inc., and provide payment in an amount not to exceed \$1,197,709.70 to Pipelayers, Inc. in care of Laredo Boerne Stage, Ltd., for the System's proportionate share of the cost to oversize the proposed water mains. Total expenditures are: \$1,197,709.70. (KELLEY NEUMANN – SAM MILLS)

MISCELLANEOUS ITEMS

58. A Resolution approving an Agreement between the San Antonio Water System and Ameresco San Antonio LLC to lease one acre of land at the Dos Rios Water Recycling Center to permit beneficial use of SAWS' biogas; authorizing the Interim President/Chief Executive Officer or his designated representative to execute the Agreement and all related documents to lease one acre of land to Ameresco San Antonio LLC at the Dos Rios Water Recycling Center for the beneficial use of SAWS' biogas. (STEVE CLOUSE - MEG CONNER)

HUMAN RESOURCES ITEMS

59. A Resolution accepting the proposal of and awarding a contract with Blue Cross Blue Shield of Texas for third party medical benefits administration, network access and stop loss insurance for the period of January 1, 2009 through December 31, 2011 with three successive one-year term extensions; authorizing expenditures in an amount not to exceed \$12,290,000.00 in Fiscal Year 2009, and subsequent years expenditures, pursuant to and contingent upon Board approval of the 2009 and subsequent years budgets with a line item for such expenditures; authorizing the Interim President/Chief Executive Officer to further negotiate and execute a new contract and all related documents with Blue Cross Blue Shield of Texas for third party medical benefits administration, network access and stop loss insurance from January 1, 2009 through December 31, 2011 and to pay Blue Cross Blue Shield of Texas an amount not to exceed \$12,290,000.00 for Fiscal Year 2009. Total expenditures are: \$12,290,000.00. (JERRY BAILEY – NEIRA WHITE)

- 60. A Resolution accepting the proposal of and awarding a contract to CVS Caremark for the System's pharmacy benefit management services for the Health Benefit Program for the period of January 1, 2009 through December 31, 2011 with three successive one year term extensions; authorizing expenditures in an amount not to exceed \$4,800,000.00 in Fiscal Year 2009, and subsequent years expenditures, pursuant to and contingent upon Board approval of the 2009 and subsequent years budgets with a line item for such expenditures; authorizing the Interim President/Chief Executive Officer to execute a new contract and all related documents with CVS Caremark for the System's pharmacy benefit management services for the Health Benefits Program from January 1, 2009 through December 31, 2011 and to pay CVS Caremark an amount not to exceed \$4,800,000.00 for Fiscal Year 2009. Total expenditures are: \$151,000.00. (JERRY BAILEY – NEIRA WHITE)**
- 61. A Resolution accepting the proposal of and awarding a contract to MetLife for self insured dental benefits program services for the System's Employee Benefit Program for the period of January 1, 2009 through December 31, 2011 with three successive one-year terms; authorizing expenditures in an amount not to exceed \$920,000.00 in Fiscal Year 2009, and subsequent years expenditures, are pursuant to and contingent upon Board approval of the 2009 and subsequent years budgets with a line item for such expenditures; authorizing the Interim President/Chief Executive Officer to further negotiate and execute a contract and all related documents with MetLife in for self insured dental benefits program services for the System's Employee Benefit Program from January 1, 2009 through December 31, 2011 and to pay MetLife an amount not to exceed \$920,000.00 for Fiscal Year 2009. Total expenditures are: \$920,000.00. (JERRY BAILEY – NEIRA WHITE)**
- 62. A Resolution accepting the proposal of and awarding a contract to PayFlex for providing COBRA, HIPAA and flexible spending account administrative services for the System's Self Funded and Insured Employee Health Benefits Programs for the period of January 1, 2009 through December 31, 2011, with three successive one year term extensions; authorizing expenditures in an amount not to exceed \$44,000.00 for Fiscal Year 2009, and subsequent years expenditures, pursuant to and contingent upon Board approval of the 2009 and subsequent years budgets with a line item for such expenditures; authorizing the Interim President/Chief Executive Officer to execute the contract with PayFlex for the System's Self Funded and Insured Employee Health Benefits Programs from January 1, 2009 through December 31, 2011 and to pay PayFlex an amount not to exceed \$44,000.00 for Fiscal Year 2009. Total expenditures are: \$44,000.00. (JERRY BAILEY – NEIRA WHITE)**
- 63. A Resolution accepting the proposal of and awarding a new contract with UHC-Spectera to provide voluntary vision benefit insurance plan for the System's Employee Benefit Program for the period of January 1, 2009 though December 31, 2011 with three successive one year term extensions; authorizing the Interim President/Chief Executive Officer to further negotiate and execute a new contract and all related documents with UHC-Spectera to provide voluntary vision benefit insurance plan for the System's Employee Benefit Program from January 1, 2009 through December 31, 2011. Employee funded. (JERRY BAILEY – NEIRA WHITE)**
- 64. A Resolution authorizing the extension and funding of an insurance policy with Principal Financial Group for basic life, accidental death and dismemberment, long term disability and voluntary life insurance for the for the period of January 1, 2009 through December 31, 2009; authorizing expenditures in an amount not to exceed \$645,000.00 in Fiscal Year 2009 pursuant to and contingent upon Board approval of the 2009 budget with a line item for such expenditures; authorizing the Interim**

President/Chief Executive Officer to execute the extension of an insurance policy with Principal Financial Group and to pay Principal Financial Group for basic life, accidental death and dismemberment, long term disability and voluntary life insurance for the System's Employee Benefit Program in an amount not to exceed \$645,000.00 from January 1, 2009 through December 31, 2009. Total expenditures are: \$645,000.00. (JERRY BAILEY – NEIRA WHITE)

65. A Resolution authorizing the extension of the contract with Deer Oaks EAP to provide employee assistance program services for the System's Employee Benefits Program for the period of January 1, 2009 through December 31, 2009; authorizing expenditures in an amount not to exceed \$26,928.00 in Fiscal Year 2009 pursuant to and contingent upon Board approval of the 2009 budget with a line item for such expenditures; authorizing the Interim President/Chief Executive Officer to execute a contract extension with Deer Oaks EAP to provide employee assistance program services for the System's Employee Benefits Program in an amount not to exceed \$26,928.00 for Fiscal Year 2009 and to pay Dear Oaks EAP an amount not to exceed \$26,928.00 for such services for Fiscal Year 2009. Total expenditures are: \$26,928.00. (JERRY BAILEY – NEIRA WHITE)
66. Chairman of the Board's Initiative.
67. Interim President/Chief Executive Officer's Report.
68. Inquiries.
69. The Regular Session of the September 9, 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.

70. **EXECUTIVE SESSION.**

- A. Consultation with attorneys and deliberation regarding potential litigation relating to matters in connection with wastewater permit compliance issues. (FRANK STENGER-CASTRO)
- B. 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)
- C. Consultation with attorneys and deliberation regarding Cause No. 339826, *Margaret B. Lane v. Sabina Alice Garibay, San Antonio Water System and USAA County Mutual Insurance Co.*, In the County Court at Law No. 7, Bexar County, Texas. (FRANK STENGER-CASTRO - BILL CROW)
- D. Consultation with attorneys and deliberation regarding Case No. SA08CA0407XR; *Gloria Puente v. San Antonio Water System*, In the United States District Court for the Western District of Texas, San Antonio Division. (FRANK STENGER-CASTRO - BILL CROW)
- E. Consultation with attorneys and deliberation regarding Cause No. 2004-CI-15944; *Becker Road, Ltd. Campbelton Road, Ltd. and Vise Oaks, Ltd. v. City of San Antonio, Texas*; In the 150th Judicial District Court of Bexar County, Texas. (FRANK STENGER-CASTRO – KEITH MARTIN)
- F. Consultation with Attorneys regarding legal issues related to a Funding Agreement between the Edwards Aquifer Authority and San Antonio Water

System in connection with the Edwards Aquifer Recovery Implementation Program (RIP) in 2008. (FRANK STENGER-CASTRO/STEVE KOSUB)

G. Consultation with attorneys for the San Antonio Water System and its Board of Trustees, and consideration of matters in which the duty of the attorney to the San Antonio Water System and its Board of Trustees under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of the Texas Open Meetings Act.
(FRANK STENGER-CASTRO)

71. The Regular Session of the Regular Board Meeting of September 9, 2008, is hereby reconvened.
72. A Resolution approving Settlement of the lawsuit of Margaret B. Lane against the San Antonio Water System; approving the System's financial obligation under the Settlement; authorizing expenditures in the total amount of \$5,500.00 from the System Fund for purposes of the Settlement; authorizing the Interim President/Chief Executive Officer and the System's Legal Counsel to execute the Settlement Agreement and to pay \$5,500.00 to Margaret B. Lane and her attorney for the System's obligation under the terms of the Settlement Agreement. Total expenditures are: \$5,500.00. (FRANK STENGER-CASTRO - BILL CROW)
73. A Resolution approving a Settlement Agreement and release of all claims by and between Becker Ranch, Ltd., Campbellton Road, Ltd., and Vise Oaks I, Ltd., and the City of San Antonio, acting by and through the San Antonio Water System ;authorizing the Interim President/Chief Executive Officer to execute the Agreement and three Utility Service Agreements in their final form and to take the steps necessary to implement the agreements.
(FRANK STENGER-CASTRO – KEITH MARTIN)
74. A Resolution authorizing the Interim President/Chief Executive Officer to complete the negotiation and enter into a Funding Agreement between the Edwards Aquifer Recovery Implementation Program Parties represented by their Fiscal Agent the Edwards Aquifer Authority and the San Antonio Water System; approving expenditures of funds from the Water Supply Fee Revenues of the Project Fund to conduct the initial biological modeling of three endangered species; authorizing the Interim President/Chief Executive Officer to execute the Funding Agreement between the Edwards Aquifer Recovery Implementation Program Parties represented by their fiscal agent the Edwards Aquifer Authority and pay the Fiscal Agent Edwards Aquifer Authority for Funding Agreement between the Edwards Aquifer Recovery Implementation Program Parties represented by their Fiscal Agent the Edwards Aquifer Authority and the San Antonio Water System; approving expenditures of an amount not to exceed \$44,367.58.00 of the total cost of \$304,940.00 for the biological modeling in Calendar Year 2008. Total expenditures are: 44,367.58.00.
(KELLEY NEUMANN – CALVIN FINCH)
75. Adjournment. THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES MEETING OF SEPTEMBER 9, 2008, IS HEREBY ADJOURNED.