

**AGENDA**  
**MEETING OF THE**  
**SAN ANTONIO WATER SYSTEM**  
**BOARD OF TRUSTEES**  
**Tuesday, February 2, 2010, 9:00 A.M.**  
**6th Floor Board Room #609**  
**Administrative Offices**  
**2800 U. S. 281 North, San Antonio, Texas**

1. **MEETING CALLED TO ORDER.**
2. **Announcements.**
  - A. **The San Antonio Water System Board of Trustees will, during the Meeting, close the Meeting and hold an Executive Session pursuant to and in accordance with Chapter 551 of the Texas Open Meetings Act. The Board of Trustees may, at any time during the Meeting, close the Meeting and hold an Executive Session for consultation with its attorneys concerning any of the matters to be considered during the Meeting pursuant to Chapter 551 of the Texas Open Meetings Act.**
3. **Minutes.**
  - A. **Approval of the Minutes of the San Antonio Water System Board of Trustees Regular Meeting of January 12, 2010.**
4. **PUBLIC HEARING: TO ACCEPT THE FINDINGS OF THE SAN ANTONIO REGIONAL BUSINESS DISPARITY CAUSATION ANALYSIS STUDY.**

**PUBLIC HEARING OPENS**

- A. **Public Hearing Briefing (RUBY WEBB)**
- B. **Public Hearing on the Following Items:**
  1. **To accept the findings of the 2009 San Antonio Regional Business Disparity Causation Analysis Study.**

**PUBLIC HEARING CLOSES**

5. **Ceremonial Items.**

**No items for this meeting.**

**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. BRIEFING SESSION.**

- A. Briefing and deliberation regarding the Citizens' Advisory Panel Benchmarking for the Brackish Groundwater Desalination Project. (RENE CORTEZ, CHAIRMAN, CITIZENS' ADVISORY PANEL)**

**7. Citizens to be Heard.**

**CONSENT AGENDA ITEMS**

Items 8 – 43

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

- 8. 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.**

(SBE)

- 1. Acceptance of the bid of Sun-Star Electric, L.P., to provide: Submersible Motor for Ramsey Well Pump, Bid No. 09-9065A, for a total of \$57,400.00. (This contract will be utilized for the purchase and delivery of a complete submersible well motor with adaptors and fittings necessary to connect to existing pumps.)**

- 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 Allied Waste Ind., to provide: Grit Hauling Service, Bid No. 07-2043, for a total of \$70,000.00. (This contract will be utilized to provide containers for storage, hauling and disposal of grit generated by SAWS Recycling Centers at specified locations. This contract was originally awarded informally for the period of October 1, 2007 through September 30, 2009. First informal extension was for the period of October 1, 2009 through September 30, 2010. Due to accumulated usage, it is approaching the amount which requires Board Approval. This contract will be effective Date of Award (February 2, 2010) through September 30, 2010.)**

(SBE)

- 2. Acceptance of the bid of Culligan of San Antonio., to provide: Salt-Water Softener, Bid No. 08-0257, for a total of \$81,900.00. (This contract will be utilized to purchase salt for water softener and designed for use to be compatible with sodium zeolite resins. This contract was originally awarded informally for the period of December 11, 2008 through December 31, 2009. First informal extension was for the period of January 1, 2010 through December 31, 2010. Due to accumulated usage, it is approaching the amount which requires Board Approval. This contract will be effective Date of Award (February 2, 2010) through December 31, 2010.)**

- 3. Acceptance of the bid of Wesco Distributors., to provide: Personal Waste Disposal Products, Bid No. 06-6021A, for a total of \$72,120.00. (This**

contract will be utilized for the purchase of personal waste disposal products used by SAWS employees. This contract was originally awarded informally for the period of April 26, 2006 through March 31, 2007. Three informal extensions have been done. Third informal extension was for the period of June 1, 2009 through May 31, 2010. Due to accumulated usage, it is approaching the amount which requires Board Approval. This contract will be effective Date of Award (February 2, 2010) through May 31, 2010.)

4. Acceptance of the bid of Idexx Distribution, Inc., to provide: Colilert Reagent Packs, Bid No. 08-4017, for a total of \$88,000.00. (This contract will be utilized for the purchase of Colilert Reagent Packs for monitoring the presence of Total Coliform and E Coli in potable water. This contract was originally award informally for the period of October 2, 2008 through September 30, 2009. First informal extension was for the period of October 1, 2009 through September 30, 2010. Due to accumulated usage, it is approaching the amount which requires Board Approval. This contract will be effective Date of Award (February 2, 2010) through September 30, 2010)

(MBE)

5. Acceptance of the bid of B&J Transportation., to provide: Hauling Spoil Material, Bid No. 09-0648, for a total of \$560,000.00. (This contract will be utilized to haul and dispose of excess excavated bulk materials resulting from trenching and repair operations in and around Bexar County. This contract extension will be effective Date of Award (February 2, 2010) through December 31, 2010.)

6. Acceptance of the bid of: Pencco, Ind., to provide: Fluorosilicic Acid, Bid No. 10-2008, for a total of \$500,000.00. (The San Antonio Water System has installed fluoridation systems at 14 primary and 13 secondary pump stations. The fluoridation system will utilize hydrofluorosilicic acid to treat the potable water system. This contract will be effective February 2, 2010 through February 1, 2011.)

C. Authorization to Utilize the City of San Antonio's Competitive Bidding Process for Annual Contracts. Estimated annual purchases are based on unit prices bid. Actual totals may vary from estimate.

No items for this Meeting.

D. Authorization to Utilize the City of San Antonio's Competitive Bidding Process for Biennial Contracts. Estimated annual purchases are based on unit prices bid. Actual totals may vary from estimate.

No items for this Meeting.

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

1. Acceptance of the bid of Xerox, to provide: Xerox Multifunctional Printers (State of Texas Contract) DIR-SDD-515, Bid No. 09-9077, for a total of \$782,892.00. (This contract will be utilized to upgrade replacement for the two current high speed highlight color printing systems. Price reflects a trade value of \$108,000.00. This will allow SAWS to upgrade the current bill printing system which is over 6 years

old. Machine and parts reliability is critical. This critical upgrade will assure reliability of customer bill printing and meet the growing demands for larger volumes of highlight color printing. Copies under 500,000 each per unit will not be charged. Maintenance price is fixed for 48 months. This contract will be effective Date of Award (February 2, 2010) through December 31, 2013.)

## CAPITAL IMPROVEMENT CONTRACTS

### PROJECTS INVOLVING IMPROVEMENTS, EXTENSIONS AND ADDITIONAL CAPACITY

#### Developer Customer Contracts

9. A Resolution approving Utility Service Agreements for water and/or wastewater services which are located over the Edwards Aquifer Recharge or Contributing Zone, are located within the 5-Mile Awareness Zone of Camp Bullis and meet all of these criteria: tracts are less than 2-acres, require less than 50 Equivalent Dwelling Units, and require less than 1/4-mile of main extension.  
(KELLEY NEUMANN – SAM MILLS)

No.	Tract Name	Developer Name	Acreage	Water EDUs	WW EDUs	Board Reason	Water CCN	WW CCN
1	CVS Store 75829	Suburban Group Development	2.10	4	4	5-mile Awareness Zone/ CZ	Inside	Applied for
2	Lot 4 Lake Side Acres Subdivision	Craig Wilson	0.78	5	0	5-mile Awareness Zone/ CZ	Inside	Applied for
3	Lot 4 Lake Side Acres Subdivision	David Erfort	0.46	2	0	5-mile Awareness Zone/ CZ	Inside	Applied for
4	Monte Cristo Unit 1	Borgfeld & Blanco Holdings, LLC	91.26	115	0	5-mile Awareness Zone/ CZ	Applied for	Applied for
<b>Totals</b>			<u>94.60</u>	<u>126</u>	<u>4</u>			
<b>Year-to-Date Totals ( January – February 2010)</b>			<u>136.81</u>	<u>273</u>	<u>216</u>			

#### EDU/Acreage Comparison Totals 2010 - 2009

EDU/Acreage Comparison Totals 2010 - 2009 (Year to Date - All Categories)	Total Acreage	Total Water EDU's	Total WW EDU's
Total ( January - February 2010)	136.81	273	216
Total ( January – February 2009)	536	856	1,722

10. **A Resolution approving Final Recapitulation Change Order No. 2 in the decreased amount of \$64,426.17 to the construction contract with Pipelayers, Inc., in connection with the Cielo Vista 30-Inch and 24-Inch Oversize Approach Water Main Project; authorizing the return of funds in the amount of \$48,319.63 and the construction contingency of \$19,288.66 for a total amount of \$67,608.29 to the Project Fund; authorizing the President/Chief Executive Officer to execute the Final Recapitulation Change Order No. 2 and to close the contract. Total decreased amount is: \$64,426.17 for a revised contract amount of: \$1,332,305.58. (KELLEY NEUMANN – SAM MILLS)**
11. **A Resolution approving Final Recapitulation Change Order No. 8 in the decreased amount of \$25,581.73 to the construction contract with S.J. Louis Construction of Texas, Ltd., in connection with the Alamo Ranch/Medio Creek South Sanitary Sewer Outfall Project; authorizing the return of funds in the amount of \$24,010.65 and the construction contingency of \$47,509.63 for a total amount of \$71,520.28 to the project fund; authorizing the President/Chief Executive Officer to execute the Final Recapitulation Change Order No. 8 and to close the contract. Total decreased amount is: \$25,581.73 for a revised contract amount of: \$2,158,908.16. (KELLEY NEUMANN – SAM MILLS)**
12. **A Resolution approving Change Order No. 9 resulting in an increase of the project cost of \$93,646.72 to Holloman Corporation in connection with the Shields High Service Level 12 Pump Station Project; authorizing additional expenditures in an amount not to exceed \$93,646.72 for Change Order No. 9 from the System's 2010 Capital Improvements Plan Oversize Project Fund; authorizing the President/Chief Executive Officer to execute Change Order No. 9 resulting in an increase of project cost of \$93,646.72 for the additional project work in connection with the Shields High Service Level 12 Pump Station Project. Total expenditures are: \$93,646.72 for a revised contract amount of: \$3,860,359.56. (KELLEY NEUMANN – SAM MILLS)**

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

13. **A Resolution ratifying the action of the Senior Vice-President of Strategic Resources in approving Change Order No. 3 in the increased amount of \$12,000.00 to Davenport Drilling and Pump Service, Inc., in connection with the Culebra Pump Station Well #4 Project; approving the expenditure of funds in the amount of \$12,000.00 for Change Order No. 3 to Davenport Drilling and Pump Service, Inc.; authorizing the additional expenditure of funds in the amount of \$12,000.00 for Change Order No. 3 to Davenport Drilling and Pump Service, Inc.; amending Resolution No. 09-201 by increasing the authorization of the construction contingency by \$9,200.00 for a total construction contingency of \$69,200.00; authorizing additional funds in the amount not to exceed \$9,200.00 from the System's Project Fund for additional contingency expenses associated with the project work; authorizing the President/Chief Executive Officer to execute Change Order No. 3 and to pay to Davenport Drilling and Pump Service, Inc., the amount of \$12,000.00 from the project construction contingency fund for the additional project work associated with Change Order No. 3. Total expenditures are: \$12,000.00 for a revised contract amount of: \$23,298,627.25. (KELLEY NEUMANN – ASHOK KAJI)**
14. **A Resolution amending Resolution No. 07-430, as amended by Resolution No. 09-145, by approving the authorization of additional water work construction contingency funds in the amount of \$15,105.37, returning remaining wastewater work construction contingency funds in the amount of \$15,093.66 in connection with the San Fernando Sewer and Water Main Replacement, Phase III Project; approving an additional amount not to exceed \$15,105.37 be made available from the System's**

Project Fund for the additional water work construction contingency expenses. Located is Council District 5. Total expenditures are: \$15,105.37 for a revised contract amount of: \$3,231,442.01.

(KELLEY NEUMANN – FRANCES PLOCEK)

15. A Resolution ratifying the actions of the Senior Vice-President of Strategic Resources in approving Change Order No. 3 in the decreased amount of \$39,570.93 to the contract with S.J. Louis Construction of Texas Ltd., L.L.P., in connection with the Salado Sanitary Sewer Outfall Siphons, #8, #9, & #10 Project; authorizing the return of funds in the amount of \$39,570.93 to the Project Fund; and approving Change Order No. 3 in the decreased amount of \$39,570.93; authorizing the President/Chief Executive Officer to execute Change Order No. 3 in connection with the Salado Sanitary Sewer Outfall Siphons, #8, #9, & #10 Project. Total decreased amount is: \$39,570.93 for a revised contract amount of: \$8,985,845.87. (KELLEY NEUMANN – FRANCES PLOCEK)

## **REPLACEMENT AND ADJUSTMENT PROJECTS**

### **Governmental Relocations and Replacements**

16. A Resolution amending Resolution No. 08-091, as previously amended by Resolution Nos. 08-243, 09-009, 09-035, 09-108, and 09-232 by approving the expenditure of additional funds in an amount not to exceed \$427,151.82 payable to Bexar County for additional construction contingency expenses in connection with the F.M. 3487 (Culebra Road): Loop 410 to F.M. 471 (Grissom Road) Project; approving an additional amount not to exceed \$427,151.82 be made available and expended from the System's Project Fund for additional construction contingency expenses; ratifying the actions of the Senior Vice President of Strategic Resources in approving Change Order No. 13 in the amount of \$427,151.82; authorizing the President/Chief Executive Officer to pay to Bexar County an additional amount not to exceed \$427,151.82 for the additional project work and additional construction contingency. Located in Council District 6. Total expenditures are: \$427,151.82 for a revised contract amount of \$3,774,434.83. (KELLEY NEUMANN – CINDY KOVACIC)
17. A Resolution authorizing the President/Chief Executive Officer to execute an Interlocal Agreement with the Texas Department of Transportation for the reimbursement of project work costs in an amount not to exceed \$396,249.62 in connection with the IH 10: Loop 1604 to Huebner Road Project. Located in Council District #8. Total expenditures are: \$396,249.62. (KELLEY NEUMANN – CINDY KOVACIC)
18. A Resolution approving Final Recapitulation Change Order No. 2 in the decreased amount of \$47,890.50 to the construction contract with Austin Engineering Co., Inc., in connection with the US Hwy 281: Mud Creek to Stone Oak Pkwy (Lift Station Removal No. 158) Project; authorizing the return of funds in the amount of \$47,890.50 and the construction contingency balance of \$63,959.25 for a total amount of \$111,849.75 to the Project Fund; authorizing the President/Chief Executive Officer to execute Final Recapitulation Change Order No. 2. Located in Council District 9. Total decreased amount is: \$47,890.50 for a revised contract amount of \$629,480.25. (KELLEY NEUMANN – CINDY KOVACIC)
19. A Resolution authorizing the President/Chief Executive Officer to execute a Funding Agreement to reimburse an amount not to exceed \$36,626.59 with the City of San Antonio in connection with the Jones-Maltsberger: US 281 to East of UPRR Project. Located in Council District 9. Total expenditures are: \$36,626.59. (KELLEY NEUMANN – CINDY KOVACIC)

20. **A Resolution authorizing the President/Chief Executive Officer to execute a Funding Agreement with the City of San Antonio for the reimbursement of an amount not to exceed \$1,293,718.82 in connection with the street improvements in the Donaldson Terrace Area, Lackland Terrace Area and Leigh Street Projects. Located in Council Districts 1, 6 and 7. Total expenditures are: \$1,293,718.82. (KELLEY NEUMANN – CINDY KOVACIC)**
21. **A Resolution approving the expenditure of funds in the amount of \$456,766.44 for the adjustment of water and sewer facilities by the City of San Antonio in connection with the 36<sup>th</sup> Street: US 90 to Growden Project; approving an amount not to exceed \$45,676.64 for construction contingency expenses related to the project work; approving an amount not to exceed \$502,443.09 be made available and expended from the System's Project Fund for the project work and related construction contingency expenses; authorizing the President/Chief Executive Officer to execute a Funding Agreement in the amount of \$456,766.44 and to reimburse the City of San Antonio an amount not to exceed \$502,443.09 for the project work and related construction contingency expenses. Located in Council District 4. Total expenditures are: \$502,443.09. (KELLEY NEUMANN – CINDY KOVACIC)**
22. **A Resolution approving the expenditure of funds in the amount of \$237,000.00 for the adjustment of water and sewer facilities by the City of San Antonio in connection with the City's 2009.1 Street Maintenance Asphalt Overlay Project; approving an amount not to exceed \$23,700.00 for construction contingency expenses related to the project work; approving an amount not to exceed \$260,700.00 be made available and expended from the System's Project Fund for the project work and related construction contingency expenses; authorizing the President/Chief Executive Officer to pay to the City of San Antonio an amount not to exceed \$260,700.00 for the project work and related construction contingency expenses. Located in Council District 3. Total expenditures are: \$260,700.00. (KELLEY NEUMANN – CINDY KOVACIC)**
23. **A Resolution approving the expenditure of funds in the amount of \$136,750.00 for the adjustment of water and sewer facilities by the City of San Antonio in connection with the 2010 Asphalt Overlay Project; approving an amount not to exceed \$13,675.00 for construction contingency expenses related to the project work; approving an amount not to exceed \$140,425.00 be made available and expended from the System's Project Fund for the project work and related construction contingency expenses; authorizing the President/Chief Executive Officer to pay the City of San Antonio an amount not to exceed \$140,425.00 for the project work and related construction contingency expenses. Total expenditures are: \$140,425.00. (KELLEY NEUMANN – CINDY KOVACIC)**
24. **A Resolution approving the expenditure of funds in the amount of \$245,581.40 for the replacement and adjustment of water and sewer facilities by the City of San Antonio in connection with the Alamo Farmstead Area Drainage Project; approving an amount not to exceed \$25,370.14 for construction contingency expenses related to the project work; approving an amount not to exceed \$270,951.54 be made available and expended from the System's Project Fund for the project work and related construction contingency expenses; authorizing the President/Chief Executive Officer to pay to the City of San Antonio an amount not to exceed \$270,951.54 for the project work and related construction contingency expenses. Located in Council District 3. Total expenditures are: \$270,951.54. (KELLEY NEUMANN – CINDY KOVACIC)**
25. **A Resolution approving the expenditure of funds in the amount of \$69,647.65 for the replacement and adjustment of water and sewer facilities by the City of San Antonio**

in connection with the Mistletoe Ave.: Lake to San Antonio Ave. Project; approving an amount not to exceed \$11,410.00 for construction contingency expenses related to the project work; approving an amount not to exceed \$81,057.65 be made available and expended from the System's Project Fund for the project work and related construction contingency expenses; authorizing the President/Chief Executive Officer to pay to the City of San Antonio an amount not to exceed \$81,057.65 for the project work and related construction contingency expenses. Located in Council District 7. Total expenditures are: \$81,057.65. (KELLEY NEUMANN – CINDY KOVACIC)

#### Professional Services Contracts

26. A Resolution ratifying the actions of the Senior Vice President of Strategic Resources in approving Contract Amendment No. 1 in an amount not to exceed \$75,000.00 in connection with the 2009 Engineering Design Service-Governmental Contract; amending Resolution No. 09-056 by approving the expenditure of an amount not to exceed \$75,000.00 for the additional engineering services by Kimley-Horn & Assoc., Inc., in connection with the 2009 Engineering Design Services-Governmental Contract; approving the expenditure of funds in an amount not to exceed \$75,000.00 from the System's Project Fund for the additional engineering design services; authorizing the President/Chief Executive Officer to execute Contract Amendment No. 1 and to pay Kimley-Horn & Assoc., Inc., an amount not to exceed \$75,000.00 for the additional engineering design services in connection with the project. Total expenditures are: \$75,900.00 for a revised contract amount of \$375,000.00. (KELLEY NEUMANN – CINDY KOVACIC)

#### MISCELLANEOUS PROJECTS

27. A Resolution accepting the bid of PM Construction & Rehab, L.P., in the amount of \$177,775.00 for the Wastewater Collection System Small Main Rehabilitation at Focus Areas – Pipebursting Method Project; awarding a contract to PM Construction & Rehab, L.P. in the amount of \$177,775.00 for the project work; approving the expenditure of funds in the amount of \$177,775.00 for the project work; approving contingency expenses in the amount of \$10,666.50 in connection with the project work; approving total expenditures in an amount not to exceed \$188,441.50 in connection with the project work; approving total expenditures in an amount not to exceed \$188,441.50 be made available and expended from the System's Project Fund for the project work and related contingencies; authorizing the President/Chief Executive Officer to execute a contract with PM Construction & Rehab, L.P., and to pay PM Construction & Rehab, L.P., the amount of \$188,441.50 for the project work and related contingencies. Total expenditures are: \$188,441.50. (KELLEY NEUMANN – JORGE MONSERRATE)
28. A Resolution accepting the bid of Principle Contracting Services, LLC, in the amount of \$169,875.00 for the Wastewater Collection System Small Main Repairs at Focus Areas Project; awarding a contract to Principle Contracting Services, LLC, in the amount of \$169,875.00 for the project work; approving the expenditure of funds in the amount of \$169,875.00 for the project work; approving contingency expenses in the amount of \$10,192.50 in connection with the project work; approving total expenditures in an amount not to exceed \$180,067.50 in connection with the project work; approving total expenditures in an amount not to exceed \$180,067.50 be made available and expended from the System's Project Fund for the project work and related contingencies; authorizing the President/Chief Executive Officer to execute a contract with Principle Contracting Services, LLC, and to pay Principle Contracting Services, LLC, the amount

of \$180,067.50 for the project work and related contingencies. Total expenditures are: \$180,067.50. (KELLEY NEUMANN – JORGE MONSERRATE)

29. A Resolution accepting the bid of Principle Contracting Services, LLC, for a two year construction contract in the amount of \$546,775.00 in connection with the 2010 Annual Sanitary Sewer Main Point Repair and Manhole Adjustments – Package 1 Construction Contract; awarding a two year construction contract in the amount of \$546,775.00 to Principle Contracting Services, LLC, in connection with the 2010 Annual Sanitary Sewer Main Point Repair and Manhole Adjustments – Package 1 Construction Contract; approving the expenditure of funds in the amount of \$273,387.50 for the project work for fiscal Year 2010; approving construction contingency expenses in an amount not to exceed \$27,338.75 in connection with the project work for Fiscal Year 2010; authorizing the total expenditures in the amount of \$300,726.25 from the System's Project Fund for the project work and construction contingency expenses for Fiscal Year 2010, and that the subsequent years expenditures in the amount of \$300,726.25 are pursuant to and contingent upon Board approval of the subsequent years budget with a line item for such expenditures; authorizing the President/Chief Executive Officer or his designated representative, to execute a two year contract with Principle Contracting Services, LLC, and to pay Principle Contracting Services, LLC, the amount of \$601,452.50 for the project work. Total expenditures are: \$601,452.50. (VAL RUIZ – JEFF BROWN)

30. A Resolution accepting the bid of PM Construction & Rehab, LP, for a two year construction contract in the amount of \$527,730.00 in connection with the 2010 Annual Sanitary Sewer Main Point Repair and Manhole Adjustments – Package 2 Construction Contract; awarding a two year construction contract in the amount of \$527,730.00 to PM Construction & Rehab, LP, in connection with the 2010 Annual Sanitary Sewer Main Point Repair and Manhole Adjustments – Package 2 Construction Contract; approving the expenditure of funds in the amount of \$263,865.00 for the project work for Fiscal Year 2010; approving construction contingency expenses in an amount not to exceed \$26,386.50 in connection with the project work for Fiscal Year 2010; authorizing the total expenditures in the amount of \$290,251.50 from the System's Project Fund for the project work and construction contingency expenses for Fiscal Year 2010, and that the subsequent years expenditures in the amount of \$290,251.50 are pursuant to and contingent upon Board approval of the subsequent years budget with a line item for such expenditures; authorizing the President/Chief Executive Officer or his designated representative, to execute a two year contract with PM Construction & Rehab, LP, and to pay PM Construction & Rehab, LP, the amount of \$580,503.00 for the project work. Total expenditures are: \$580,503.00. (VAL RUIZ – JEFF BROWN)

#### Professional Services Contracts

(SBE) 31. A Resolution accepting the proposal of Grubb Engineering, Inc., in the amount of \$200,000.00 for the 2010 Electrical Engineering Design Services in connection with various Capital Improvement Program Projects; awarding a professional services contract to Grubb Engineering, Inc., in an amount not to exceed \$200,000.00 in connection with these projects; authorizing the expenditure of funds in an amount not to exceed \$200,000.00 for the 2010 Electrical Engineering Design Services from the System's Project Fund for these Capital Improvement Program Projects; authorizing the President/Chief Executive Officer to execute a professional services contract with Grubb Engineering, Inc., and to pay an amount not to exceed \$200,000.00 to Grubb Engineering, Inc., for the 2010 Electrical Engineering Design Services for these Capital Improvement Projects. Total expenditures are: \$200,000.00. (KELLEY NEUMANN – ASHOK KAJI)

# WATER RESOURCES PROJECTS

## Professional Services Contracts

32. A Resolution amending Resolution No. 07-407, as previously amended by Resolution No. 08-418, to provide additional engineering services to the existing professional services contract with LBG-Guyton Associates, in an amount of \$11,681.09 in connection with the Water Resources Engineering Consultant 2008 Contract; approving additional expenditures in an amount of \$11,681.09; approving the expenditure of funds in an amount of \$11,681.09 from the San Antonio Water System's Project Fund for additional engineering services; authorizing the President/Chief Executive Officer or his designee to execute an amendment to the existing professional services agreement with LBG-Guyton Associates and to pay an additional amount of \$11,681.09 for additional engineering services. Total expenditures are: \$11,681.09 for a revised contract amount of: \$327,681.09. (CHARLES AHRENS – ESTHER HARRAH)

## EASEMENTS AND REAL PROPERTY

33. A Resolution accepting the offer of Westley Wright in the amount of \$12,650.00 annually for five years for the lease of the Haby Farm located in Uvalde County, Texas for agricultural purposes and authorizing the President/Chief Executive Officer or his designated representative to negotiate and execute a Lease Agreement with Westley Wright for the Haby Farm located in Uvalde County, Texas. Total revenues are: \$12,650.00 annually for five years. (MIKE BRINKMANN)
34. A Resolution authorizing the acquisition of a permanent sewer easement affecting approximately 5.865 acres located along the northerly side of Nelson Road, approximately 1 mile west of intersection with Old Pearsall Road in the south western quadrant of Bexar County, Texas, being out of a 56.902 acre tract described in conveyance to the James Tayloe Ragland Jr. and Sherrie Deering Ragland De Bord per instrument recorded in volume 5622, pages 722-744 of the official public records of real property of Bexar County Texas, being out of John Barber Survey No. 63, Abstract No. 53, County Block No. 4311, Bexar County, Texas, in connection with the Medina River Sewer Outfall Project; authorizing the expenditure of funds from the System's Project Fund in the amount of \$56,100.00 for acquisition of the easement; authorizing the President/Chief Executive Officer to execute all documents necessary for the acquisition of the easement on behalf of the City of San Antonio for the use and benefit of the San Antonio Water System; authorizing payment of the amount of \$56,100.00 to James Tayloe Ragland Jr. and Sherrie Deering Ragland De Bord for the purchase price of the easement. (Total expenditures are: \$56,100.00. (MIKE BRINKMANN – BRUCE HABY)
35. A Resolution authorizing the acquisition of a permanent sewer easement affecting approximately 7.943 acres located along the westerly side of Loop 1604, approximately 1 mile west of intersection with Pue Road in the south western quadrant of Bexar County, Texas, being out of a 137.38 acre tract and a 116.42 acre tract described in conveyance to the Peoples Verdes Ranch Holdings Co. Ltd., by deed recorded in volume 11397, pages 1015-1029 of the official public records of real property of Bexar County Texas, and out of a 206.87 acre tract described in conveyance to the Peoples Verdes Ranch Holdings Co. Ltd., by deed recorded in volume 12197, pages 750-761 of the official public records of real property of Bexar County Texas, being out of William T. Niel Survey No. 62, Abstract No. 544, County Block No. 5197, Bexar County, Texas, in connection with the Medina River Sewer Outfall Project; authorizing the expenditure of funds from the System's Project Fund in the amount of \$100,000.00 for acquisition of the easement;

authorizing the President/Chief Executive Officer to execute all documents necessary for the acquisition of the easement on behalf of the City of San Antonio for the use and benefit of the San Antonio Water System; authorizing payment of the amount of \$100,000.00 to Peoples Verdes Ranch Holdings Co. Ltd., for the purchase price of the easement. (Total expenditures are: \$100,000.00.

(MIKE BRINKMANN – BRUCE HABY)

## **FINANCIAL SERVICES ITEMS**

36. A Resolution approving an Interlocal Agreement between the San Antonio Water System and the City of Leon Valley, Texas for sewer and stormwater billing services; authorizing the President/Chief Executive Officer or his designated representative to execute the Interlocal Agreement. (DOUG EVANSON – MARY BAILEY)

## **HUMAN RESOURCES ITEMS**

37. A Resolution accepting the best value bids of Lewellyn Technology, New Horizons, Quality Safety Services, Inc., and Cisneros Electric to provide specialized, technical, safety, and other workplace skills training services in a total amount not to exceed \$120,000.00 per year; awarding one-year contracts with options for two one-year extensions to Lewellyn Technology, New Horizons, Quality Safety Services, Inc., and Cisneros Electric to provide specialized, technical, safety, and other workplace skills training services; approving an amount not to exceed \$120,000.00 be available from the System Fund for Fiscal Year 2010 for these training services and that future years' expenditures shall be authorized to be made pursuant to and contingent upon the appropriations made in the annual budgets approved by the Board with a line item for such expenditures; authorizing the President/Chief Executive Officer or his duly-appointed designee to execute one-year service contracts with two one-year extension options with Lewellyn Technology, New Horizons, Quality Safety Services, Inc., and Cisneros Electric and to pay Lewellyn Technology, New Horizons, Quality Safety Services, Inc., and Cisneros Electric for such services in a total amount not to exceed \$120,000.00 per year and for specialized, technical, safety, and other workplace skills training services. Total expenditures are: \$120,000.00 per year. (JERRY BAILEY – DOUG PARTAIN)
38. A Resolution approving the extension of the term of an Interlocal Agreement with the Alamo Community College District for safety, technical skills, and professional development training services in an amount not to exceed \$150,000.00 for Fiscal Year 2010, with an option to extend the term of the contract on an annual basis through 2012, subject to appropriation of funds therefore; authorizing the expenditure from the System Fund of an amount not to exceed \$150,000.00 for these training services for Fiscal Year 2010; authorizing the President/Chief Executive Officer or his designee to extend the term of an Interlocal Agreement with the Alamo Community College District for such services in an amount not to exceed \$150,000.00 for Fiscal Year 2010, and to pay the Alamo Community College District an amount not to exceed \$150,000.00 for Fiscal Year 2010 for such training services for Fiscal Year 2010. Total expenditures are: \$150,000.00 per year. (JERRY BAILEY – DOUG PARTAIN)

## **MISCELLANEOUS ITEMS**

39. A Resolution approving expenditures in an amount not to exceed \$120,341.00 for the third year option (Calendar Year 2009) of the four year extension of the Inter-Jurisdictional Agreement between the San Antonio Water System and the City of San Antonio for the Affordability Discount Program. authorizing the expenditure of funds

in an amount not to exceed \$120,341.00 from the System Fund to reimburse the City of San Antonio Department of Community Initiatives for Program costs related to the certification of eligible ratepayer households through Calendar Year 2009, authorizing the President/Chief Executive Officer or authorized representative to execute the third year option of the Inter-Jurisdictional Agreement for Calendar Year 2009 and any other additional documents to facilitate the Program, and to pay the City of San Antonio Department of Community Initiatives for Program costs related to the certification of eligible ratepayer households through Calendar Year 2009 in an amount not to exceed \$120,341.00. Total expenditures are:\$120,341.00.  
(GREG FLORES – ALLISON GREER)

40. A Resolution approving an Agreement between the San Antonio Water System and the Department of Community Initiatives for the management of Project Agua funds; authorizing expenditure of all current Project Agua funds, as one time payment assistance to the certification of eligible ratepayers household through Calendar Year 2010 under the terms of the Agreement; authorizing the President/Chief Executive Officer or authorized representative to execute the Project Agua Agreement for Calendar Year 2010 and any other additional documents to facilitate the Program. in an amount not to exceed \$100,000.00. (GREG FLORES – ALLISON GREER)
41. A Resolution authorizing payment to Environmental Systems Research Institute, Inc., (ESRI) in a total amount not to exceed \$69,230.40 for Annual Geographic Information Systems (GIS) Software Maintenance; authorizing that \$69,230.40 be expended from the 2010 System Fund for payment of Annual Geographic Information Systems (GIS) Software Maintenance for GIS applications utilized by the San Antonio Water System; authorizing the President/Chief Executive Officer or his designee to pay ESRI, Inc., an amount not to exceed \$69,230.40 for payment of Annual GIS Software Maintenance for GIS applications utilized at the San Antonio Water System. Total expenditures are: \$69,230.40. (DOUG EVANSON – JOE SAMPLES)
42. A Resolution ratifying the actions of the President/Chief Executive Officer in approving a Ninth 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 February 1, 2010 to May 31, 2010; authorizing the President/Chief Executive Officer or his designated representative to execute the Ninth 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 February 1, 2010 to May 31, 2010.  
(STEVE CLOUSE – VICTOR STUCKEY)
43. A Resolution accepting the proposal of and awarding a professional services contract in an amount not to exceed \$172,755.00 to Red Oak Consulting for services related to the Capital Improvements Plan and Maximum Impact Fees for Water, Water Supply, and Sanitary Sewer Systems; authorizing the expenditure of an amount not to exceed \$172,755.00 from the System Fund for the project work; authorizing the President/Chief Executive Officer or his designated representative to execute a professional services contract with Red Oak Consulting in an amount not to exceed \$172,755.00 and to pay Red Oak Consulting an amount not to exceed \$172,755.00 for the services under the contract. Total expenditures are: \$ 172,755.00.  
(KELLEY NEUMANN – SAM MILLS)

# ITEMS FOR INDIVIDUAL CONSIDERATION

## WATER RESOURCES ITEMS

44. A Resolution approving the Mission Verde Center Memorandum of Understanding among City of San Antonio, Alamo Community College District, San Antonio Youth Centers, Texas Engineering Experiment Station, CPS Energy and San Antonio Water System. (CHARLES AHRENS – KAREN GUZ)

## CAPITAL IMPROVEMENT CONTRACTS

### WATER RESOURCES PROJECTS

#### Professional Services Contract

45. A Resolution accepting the proposal of and awarding a professional services contract to LBG-Guyton Associates in an amount not to exceed \$1,107,168.00, for professional engineering services for the Brackish Groundwater Desalination Production Well Design Services – Package 1 Project; approving the expenditure of an amount not to exceed \$1,107,168.00 from the System's Project Fund for professional engineering services; making available the total amount not to exceed \$1,107,168.00 from the System's Project Fund, authorizing the President/Chief Executive Officer or his designee to execute a professional services contract with LBG-Guyton Associates and to pay LBG-Guyton Associates an amount not to exceed \$1,107,168.00 for professional engineering services. Total expenditures are: \$1,107,168.00.  
(CHARLES AHRENS – ESTHER HARRAH)

## REPLACEMENT AND ADJUSTMENT PROJECTS

46. A Resolution accepting the bid of Pipelayers, Inc., in the amount of \$1,019,332.00 for the 2010 Indefinite Delivery Contract for Water and Sewer Construction Package I; awarding a construction contract to Pipelayers, Inc., in the amount of \$1,019,332.00 for the project work; approving the expenditure of funds in an amount not to exceed \$1,019,332.00 for the project work; approving construction contingency expenses in an amount not to exceed \$101,933.20 in connection with the project work; approving an amount not to exceed \$1,121,255.20 be made available and expended from the System's Project Fund for the project work and related construction contingencies; authorizing the President/Chief Executive Officer to execute a construction contract with Pipelayers, Inc., and to pay Pipelayers, Inc., an amount not to exceed \$1,121,255.20 for the project work and related construction contingencies. Located in Council District 3. Total expenditures are: \$1,121,255.20.  
(KELLEY NEUMANN – CINDY KOVACIC)
47. A Resolution accepting the bid of Principle Contracting Services, LLC, in the amount of \$806,517.00 for the 2010 Indefinite Delivery Contract for Water and Sewer Construction Package II; awarding a construction contract to Principle Contracting Services, LLC, in the amount of \$806,517.00 for the project work; approving the expenditure of funds in an amount not to exceed \$806,517.00 for the project work; approving construction contingency expenses in an amount not to exceed \$80,651.70 in connection with the project work; approving an amount not to exceed \$887,168.70 be made available and expended from the System's Project Fund for the project work and related construction contingencies; authorizing the President/Chief Executive Officer to execute a construction contract with Principle Contracting Services, LLC, and to pay Principle Contracting Services, LLC, an amount not to exceed \$887,168.70

for the project work and related construction contingencies. Located in Council District 3. Total expenditures are: \$887,168.70.  
(KELLEY NEUMANN – CINDY KOVACIC)

48. A Resolution accepting the bid of Atlas Construction in the amount of \$1,099,350.00 for the 2010 Indefinite Delivery Contract for Water and Sewer Construction Package III; awarding a construction contract to Atlas Construction in the amount of \$1,099,350.00 for the project work; approving the expenditure of funds in an amount not to exceed \$1,099,350.00 for the project work; approving construction contingency expenses in an amount not to exceed \$109,935.00 in connection with the project work; approving an amount not to exceed \$1,209,285.00 be made available and expended from the System's Project Fund for the project work and related construction contingencies; authorizing the President/Chief Executive Officer to execute a construction contract with Atlas Construction and to pay Atlas Construction an amount not to exceed \$1,209,285.00 for the project work and related construction contingencies. Located in Council District 3. Total expenditures are: \$1,209,285.00.  
(KELLEY NEUMANN – CINDY KOVACIC)

49. **BRIEFING SESSION.**

- A. Briefing and deliberation regarding the Meter Replacement Program Update.  
(STACEY ISENBERG – ALAN WILLIAMS)
- B. Briefing and deliberation regarding the Preliminary Year End 2009 Financial Results. (DOUG EVANSON)
- C. Briefing and deliberation regarding the 2009 Debt Transaction Disclosure Report. (DOUG EVANSON)

50. Inquiries.

51. The Regular Session of the February 2, 2010, 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.

52. **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. 2008-CI-18206; *Jose A. Perez v. San Antonio Water System*, in the 131st Judicial District Court, Bexar County, Texas. (FRANK STENGER-CASTRO - BILL CROW)
- C. Consultation with attorneys and deliberation regarding legal issues related to the Definitive Agreement between the San Antonio Water System and the Lower Colorado River Authority.  
(FRANK STENGER-CASTRO - STEVE KOSUB)
- D. Consultation with attorneys and deliberation regarding pending contested case proceedings before the Gonzales County Underground Water Conservation District in regards to Applications of the San Antonio Water System for Permits to Produce and Transport Groundwater From the Carrizo Aquifer in Gonzales County, Texas. (FRANK STENGER-CASTRO – STEVE KOSUB)

- E. Deliberation about the value of the real property and consultation with attorneys regarding terms and provisions of proposed amendment to Water Sales Agreement affecting approximately 22,000 acres of land in Western Gonzales County, Texas.  
(FRANK STENGER-CASTRO-NANCY BELINSKY)**
  - F. Consultation with attorneys and deliberation regarding potential litigation and legal issues related to the Construction Contract with Cajun Constructors, Inc. for the Carrizo ASR Program Phase II Water Treatment Plant Improvements Project. (FRANK STENGER-CASTRO - NANCY BELINSKY)**
  - G. Deliberation regarding the annual evaluation, performance objectives and duties of the Chief of Internal Audit; and consultation performance with attorneys concerning legal issues regarding the annual evaluation, objectives and duties of the Chief of Internal Audit. (FRANK STENGER-CASTRO)**
  - H. 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)**
- 53. The Regular Session of the Regular Board Meeting of February 2, 2010, is hereby reconvened.**
- 54. A Resolution ratifying the actions of the Vice President of Water Resources and Conservation in approving Change Order No. 15 in the amount of \$19,522.00 to the construction contract with Cajun Constructors, Inc., in connection with the Carrizo Aquifer Storage and Recovery (ASR) Program, Phase II Treatment Plant Project; approving the expenditure of funds in the amount of \$19,522.00 for Change Order No. 15 to Cajun Constructors, Inc.; approving Change Order No. 16 in the amount of \$46,405.78; approving the expenditure of funds in the amount of \$46,405.78 for Change Order No. 16 to Cajun Constructors, Inc.; amending Resolution No. 06-219 as previously amended by Resolution Nos. 07-010, 07-150, 07-212, 07-236, 07-402, 08-012, 08-074 and 09-317 by increasing the authorization of the construction contingency by the amount of \$65,927.78 for a total construction contingency of \$1,083,099.82; authorizing the additional expenditure of funds in the amount of \$65,927.78 for Change Order No. 15 and change order 16 to Cajun Constructors, Inc.; authorizing the President/Chief Executive Officer or his designee to execute Change Order No. 15, Change Order No. 16, and to pay to Cajun Constructors, Inc., the amount of \$65,927.78 from the project construction contingency fund for the additional project work and close the contract with Cajun Constructors, Inc. Total expenditures are: \$65,927.78 for a revised contract amount of: \$21,382,099.82.  
(CHARLES AHRENS – ESTHER HARRAH)**
- 55. Adjournment. THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES MEETING OF FEBRUARY 2, 2010, IS HEREBY ADJOURNED.**