

**AGENDA**  
**MEETING OF THE**  
**SAN ANTONIO WATER SYSTEM**  
**BOARD OF TRUSTEES**  
**Tuesday, March 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 February 2, 2010.**
  - B. **Approval of the Minutes of the San Antonio Water System Board of Trustees Policy and Planning Meeting of December 16, 2009.**
  - C. **Approval of the Minutes of the San Antonio Water System Board of Trustees Workshop Meeting of February 3, 2010.**
4. **Ceremonial Items.**
  - A. **Recognition of the retirement of Sharron White, Customer Service Associate and SAWS employee since 1974. (STACEY ISENBERG)**
5. **PUBLIC HEARING: RECOMMENDATIONS OF THE COMPREHENSIVE COST OF SERVICE RATE DESIGN STUDY.**

**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.

## **PUBLIC HEARING OPENS**

- A. Public Hearing Briefing (DOUG EVANSON – DAN CROWLEY)**
- B. Public Hearing on the Following Items:**
  - 1. Recommendations of the Comprehensive Cost of Service Rate Design Study.**

## **PUBLIC HEARING CLOSES**

- 6. Citizens to be Heard.**

## **CONSENT AGENDA ITEMS**

**Items 7 – 43**

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

- 7. A Resolution accepting recommendations regarding the contracting for certain services, equipment, materials, and supplies, and authorizing the acceptance of bids as follows: (DOUG EVANSON - VICK GARMON)**

- A. Award of Contracts for the Purchase of Materials, Equipment and Services.**

**No items for this Meeting.**

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

**(MBE**

- 1. Acceptance of the bid of A-Ram Plumbing, to provide: Plumbing Contractors for the Conservation Make-Over Program, Bid No. 10-9046, for a total of \$400,000.00. (This contract will be utilized to conduct water related plumber repairs for low-income residential customers who qualify through the Conservation Make-Over Program. This contract will be effective Date of Award (March 2, 2010) through October 6, 2010.)**
- 2. Acceptance of the bid of INX, Inc., to provide: Inline Duplication Storage System (State of Texas Contract) DIR-SDD-1062, Bid No. 10-1005, for a total of \$240,640.71(Hardware & Training), and for a total of \$62,138.27 (Software). (This contract will be utilized to provide an inline, replicated duplication storage system at SAWS' Disaster Recovery Site that will dramatically reduce the amount of disk storage needed to retain and protect SAWS' enterprise data. This contract will be effective Date of Award (March 2, 2010) through May 31, 2010.)**
- 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.

No items for this Meeting.

## CAPITAL IMPROVEMENT CONTRACTS

### PROJECTS INVOLVING IMPROVEMENTS, EXTENSIONS AND ADDITIONAL CAPACITY

#### Developer Customer Contracts

8. 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 one or more of the following 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	Eisenhauer Building	Eisenhauer Investments, Inc.	2.00	21	15	5-mile Awareness Zone/ EARZ	Inside	Inside
<b>Totals</b>			<u>2.00</u>	<u>21</u>	<u>15</u>			
<b>Year-to-Date Totals ( January – March 2010)</b>			<u>138.81</u>	<u>294</u>	<u>231</u>			

9. 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 are 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	Lampazos Development	Northern Hills Management Corporation	112.58	1,858	1,858	AC	Inside	Inside
<b>Totals</b>			<u>112.58</u>	<u>1,858</u>	<u>1,858</u>			
<b>Year-to-Date Totals ( January - March 2010)</b>			<u>112.58</u>	<u>1,858</u>	<u>1,858</u>			

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

<b>EDU/Acreage Comparison Totals 2010 - 2009 (Year to Date - All Categories)</b>	<b>Total Acreage</b>	<b>Total Water EDU's</b>	<b>Total WW EDU's</b>
<b>Total (January - March 2010)</b>	<b>423.19</b>	<b>2,286</b>	<b>2,089</b>
<b>Total (January - March 2009)</b>	<b>575.80</b>	<b>1,110</b>	<b>1,963</b>

10. A Resolution approving Final Recapitulation Change Order No. 3 in the decreased amount of \$47,794.10 to the construction contract with Holloman Corporation in connection with The Sanctuary Oversize Approach and Border 24-Inch Water Main (12" Required - 24" Oversize) Project; authorizing the return of funds in the amount of \$35,845.57 and the construction contingency of \$21,396.81 for a total amount of \$57,242.38 to the Project Fund; authorizing the President/Chief Executive Officer to execute the Final Recapitulation Change Order No. 3 and to close the contract. Total decreased amount is: \$57,242.38 for a revised contract amount of: \$1,395,712.49. (KELLEY NEUMANN – SAM MILLS)

**Production, Transmission and Treatment Improvements**

11. A Resolution amending Resolution No. 07-430 by approving Recapitulation Change Order No. 16 in the decreased amount of \$322,363.87, returning funds in the amount of \$322,363.87 to the System's Project Fund in connection with the San Fernando Sewer and Water Main Replacement, Phase III Project. Located is Council District 5. Total decreased amount is: \$322,363.87 for a revised contract amount of: \$2,887,134.65 . (KELLEY NEUMANN – FRANCES PLOCEK)
12. A Resolution approving Change Order No. 12 in the amount of \$74,572.00 in connection with the Eastern Watershed Sewer Relief Line E-03 Project; authorizing the President/Chief Executive Officer to pay to S.J. Louis Construction of Texas, Ltd., an additional amount not to exceed \$74,572.00 for the additional project work. Total expenditures are: \$74,572.00 for a revised contract amount of: \$24,655,245.55. (KELLEY NEUMANN – FRANCES PLOCEK)
13. A Resolution approving Change Order No. 3 in the amount of \$43,525.00 in connection with the Old Salado Creek Siphon Replacement Project; approving the expenditure of additional funds in an amount not to exceed \$43,525.00 payable to Laughlin-Thyssen, Inc., for Change Order No. 3; approving an additional amount not to exceed \$75,000.00 be made available from the System's Project Fund for additional construction contingency funds; authorizing the President/Chief Executive Officer to pay to Laughlin-Thyssen, Inc., an additional amount not to exceed \$43,525.00 for the additional project work associated with Change Orders No. 3; authorizing the President/ Chief Executive Officer to pay Laughlin-Thyssen, Inc., an amount not to exceed \$75,000.00 for the additional project work and additional construction contingency expenses. Located is Council District 3. Total expenditures are: \$47,000.00 for a revised contract amount of: \$7,049,699.58. (KELLEY NEUMANN – FRANCES PLOCEK)
14. A Resolution amending Resolution No. 07-429 by approving Recapitulation Change Order No. 9 in the decreased amount of \$87,085.20 in connection with the Lakeside

Village Water and Sewer Main Replacement Project; approving the return of construction contingency funds in the amount of \$18,145.18 for a total returned amount of \$105,230.38 to the Project Fund. Located is Council District 4. Total decreased amount is: \$105,230.38 for a revised contract amount of: \$1,221,817.80.

(KELLEY NEUMANN – FRANCES PLOCEK)

15. A Resolution amending Resolution No. 08-439 by approving the expenditure of additional funds in an amount not to exceed \$88,622.00 payable to San Antonio Constructors, Ltd., for additional construction contingency expenses in connection with the Lackland Terrace Water and Sewer Main Replacement Project; approving an additional amount not to exceed \$88,622.00 be made available from the System's Project Fund for the additional construction contingency expenses; ratifying the actions of the Senior Vice President of Strategic Resources and Construction in approving Change Order No. 8 in the amount of \$152,500.00; authorizing the President/Chief Executive Officer to pay San Antonio Constructors, Ltd., an amount not to exceed \$88,622.00 for the additional project work and additional construction contingency expenses. Located is Council District 4. Total expenditures are: \$88,622.00 for a revised contract amount of: \$6,830,501.08.  
(KELLEY NEUMANN – FRANCES PLOCEK)

#### Professional Services Contracts

16. A Resolution approving Contract Amendment No. 4 in the amount of \$32,389.00 in connection with the Lackland Terrace Water and Sewer Main Replacement Phase I Project; amending Resolution No. 05-018, as amended by Resolution No. 08-112, as amended by Resolution No. 08-246, as amended by Resolution No. 09-083 by approving additional expenditures in an amount not to exceed \$32,389.00 for additional engineering services by Chiang, Patel & Yerby, Inc., in connection with the Lackland Terrace Water and Sewer Main Replacement Phase I Project; approving an amount not to exceed \$32,389.00 be made available and expended from the System's Project Fund for the related additional engineering services; authorizing the President/Chief Executive Officer to execute Contract Amendment No. 4 and to pay Chiang, Patel & Yerby, Inc., an additional amount not to exceed \$32,389.00 for the additional engineering services in connection with the project. Located is Council District 4. Total expenditures are: \$32,389.00 for a revised contract amount of: \$667,750.50. (KELLEY NEUMANN – FRANCES PLOCEK)
17. A Resolution approving Contract Amendment No. 1 for additional professional services in the amount of \$203,937.75 to Raba Kistner Consultants, Inc., in an amount not to exceed \$203,937.75 for the 2008 Geotechnical and Construction Materials Testing Services Contract IV; approving the additional expenditure of funds in an amount not to exceed \$203,937.75 from the System's Project Fund for the sewer project engineering work; approving the additional expenditure of funds in an amount not to exceed \$203,937.75 from the System's Project Fund for the water project engineering work; authorizing the President/Chief Executive Officer to execute Contract Amendment No. 1 for additional professional services with Raba Kistner Consultants, Inc., and to pay Raba Kistner Consultants, Inc., an additional amount not to exceed \$203,937.75 for the additional project engineering work. Total expenditures are: \$203,937.75 for a revised contract amount of: \$503,937.75.  
(KELLEY NEUMANN – FRANCES PLOCEK)

## REPLACEMENT AND ADJUSTMENT PROJECTS

### Governmental Relocations and Replacements

18. A Resolution amending Resolution No. 08-280 by approving the expenditure of additional funds in an amount not to exceed \$76,193.42 payable to the City of San Antonio for additional construction contingency expenses in connection with the Ansley Boulevard – Phase 1: Commercial Avenue to Moursund Boulevard and Commercial Tributary – Phase 1: Six Mile Creek to Petaluma Boulevard Project; approving an additional amount not to exceed \$76,193.42 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. 4 in the amount of \$56,263.75 and Change Order No. 5 in the amount of \$28,975.00; authorizing the President/Chief Executive Officer to pay to the City of San Antonio an additional amount not to exceed \$76,193.42 for the additional project work and additional construction contingency expenses. Located in Council Districts 3 and 4. Total expenditures are: \$76,193.42 for a revised contract amount of \$668,036,87. (KELLEY NEUMANN – CINDY KOVACIC)
19. A Resolution approving the expenditure of funds in the amount of \$449,069.00 for the replacement and adjustment of water and sewer facilities by the City of San Antonio in connection with the Indian Creek: Five Palms Drive to Godek Street and War Cloud Drive: Running Horse Drive to Rain Dance Drive Project; approving an amount not to exceed \$44,906.90 for construction contingency expenses related to the project work; approving an amount not to exceed \$493,975.90 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 \$493,975.90 for the project work and related construction contingency expenses. Located in Council District 4. Total expenditures are: \$493,975.90. (KELLEY NEUMANN – CINDY KOVACIC)

**Professional Services Contracts**

- (MBE) 20. A Resolution awarding a professional services contract to Poznecki-Camarillo, Inc., in an amount not to exceed \$400,000.00 in connection with the 2010 Unspecified Engineering Design Services Contracts; approving the expenditure of a total amount not to exceed \$400,000.00 for the water and sewer project engineering work; approving the expenditure of funds in an amount not to exceed \$400,000.00 from the System’s Project Fund for the project engineering work; authorizing the President/Chief Executive Officer to execute a professional services contract with Poznecki-Camarillo, Inc., and to pay Poznecki-Camarillo, Inc., an amount not to exceed \$400,000.00 for the project engineering work. Total expenditures are: \$400,000.00. (KELLEY NEUMANN – CINDY KOVACIC)
- (MBE) 21. A Resolution awarding a professional services contract to Young Professional Resources in an amount not to exceed \$500,000.00 in connection with the 2010 Unspecified Engineering Design Services Contracts; approving the expenditure of a total amount not to exceed \$500,000.00 for the water and sewer project engineering work; approving the expenditure of funds in an amount not to exceed \$500,000.00 from the System’s Project Fund for the project engineering work; authorizing the President/Chief Executive Officer to execute a professional services contract with Young Professional Resources and to pay Young Professional Resources an amount not to exceed \$500,000.00 for the project engineering work. Total expenditures are: \$500,000.00. (KELLEY NEUMANN – CINDY KOVACIC)
- (WBE) 22. A Resolution awarding a professional services contract to Bain Medina Bain, Inc., in an amount not to exceed \$500,000.00 in connection with the 2010 Unspecified Engineering Design Services Contracts; approving the expenditure of a total amount

not to exceed \$500,000.00 for the water and sewer project engineering work; approving the expenditure of funds in an amount not to exceed \$500,000.00 from the System's Project Fund for the project engineering work; authorizing the President/Chief Executive Officer to execute a professional services contract with Bain Medina Bain, Inc., and to pay Bain Medina Bain, Inc., an amount not to exceed \$500,000.00 for the project engineering work. Total expenditures are: \$500,000.00. (KELLEY NEUMANN – CINDY KOVACIC)

23. A Resolution awarding a professional services contract to RJN Group, Inc., in an amount not to exceed \$600,000.00 in connection with the 2010 Unspecified Engineering Design Services Contracts; approving the expenditure of a total amount not to exceed \$600,000.00 for the water and sewer project engineering work; approving the expenditure of funds in an amount not to exceed \$600,000.00 from the System's Project Fund for the project engineering work; authorizing the President/Chief Executive Officer to execute a professional services contract with RJN Group, Inc., and to pay RJN Group, Inc., an amount not to exceed \$600,000.00 for the project engineering work. . Total expenditures are: \$600,000.00. (KELLEY NEUMANN – CINDY KOVACIC)

- (MBE) 24. A Resolution awarding a professional services contract to Omega Engineering, Inc., in an amount not to exceed \$600,000.00 in connection with the 2010 Unspecified Engineering Design Services Contracts; approving the expenditure of a total amount not to exceed \$600,000.00 for the water and sewer project engineering work; approving the expenditure of funds in an amount not to exceed \$600,000.00 from the System's Project Fund for the project engineering work; authorizing the President/Chief Executive Officer to execute a professional services contract with Omega Engineering, Inc., and to pay Omega Engineering, Inc., an amount not to exceed \$600,000.00 for the project engineering work. Total expenditures are: \$600,000.00. (KELLEY NEUMANN – CINDY KOVACIC)

25. A Resolution ratifying the actions of the Senior Vice President of Strategic Resources in approving Contract Amendment No. 1 in the amount of \$45,000.00 in connection with the 2008 Engineering Design Services - Governmental; amending Resolution No. 08-193, by approving additional expenditures in an amount not to exceed \$45,000.00 for additional engineering design services by Greg Gomez Inc., dba GGI Engineers in connection with the 2008 Engineering Design Services – Governmental; approving that an additional amount not to exceed \$45,000.00 be made available and expended from the System's Project Fund for the additional engineering design services; authorizing the President/Chief Executive Officer to execute Contract Amendment No. 1 and to pay Greg Gomez Inc., dba GGI Engineers an additional amount not to exceed \$45,000.00 for the additional engineering design services in connection with the project. Total expenditures are: \$45,000.00 for a revised contract amount of: \$795,000.00. (KELLEY NEUMANN – CINDY KOVACIC)

26. A Resolution ratifying the actions of the Senior Vice President of Strategic Resources in approving Contract Amendment No. 1 in the amount of \$30,000.00 in connection with the 2009 Engineering Design Services - Governmental; amending Resolution No. 09-058, by approving additional expenditures in an amount not to exceed \$30,000.00 for additional engineering design services by Maestas & Bailey, Inc., in connection with the 2009 Engineering Design Services – Governmental; approving that an additional amount not to exceed \$30,000.00 be made available and expended from the System's Project Fund for the additional engineering design services; authorizing the President/Chief Executive Officer to execute Contract Amendment No. 1 and to pay Maestas & Bailey, Inc., an additional amount not to exceed \$30,000.00 for the additional

engineering design services in connection with the project. Total expenditures are: \$30,000.0000 for a revised contract amount of: \$330,000.00.  
(KELLEY NEUMANN – CINDY KOVACIC)

27. A Resolution ratifying the actions of the Senior Vice President of Strategic Resources in approving Contract Amendment No. 1 in the amount of \$99,838.80 in connection with the Engineering Services - Governmental (City HUD 108 Program) Contract; amending Resolution No. 07-164 by approving additional expenditures in an amount not to exceed \$99,838.80 for additional engineering design services by PBS&J in connection with the Engineering Services - Governmental (City HUD 108 Program) Contract; approving that an additional amount not to exceed \$99,838.80 be made available and expended from the System's Project Fund for the additional engineering design work; authorizing the President/Chief Executive Officer to execute Contract Amendment No. 1 and to pay PBS&J an additional amount not to exceed \$99,838.80 for the additional engineering design services. Total expenditures are: \$99,838.80 for a revised contract amount of \$799,838.80.  
(KELLEY NEUMANN – CINDY KOVACIC)
- (SBE) 28. A Resolution accepting the proposal of Civil Engineering Consultants in an amount not to exceed \$135,762.99 for the design of water and sewer facility replacements, adjustments and installation in connection with the Roland Road Bridge Project; awarding a professional services contract to Civil Engineering Consultants in an amount not to exceed \$135,762.99 for engineering services in connection with the project; approving the expenditure of funds in an amount not to exceed \$135,762.99 from the System's Project Fund for the project engineering work; approving an amount not to exceed \$135,762.99 be made available and expended from the System's Project Fund for the project engineering work; authorizing the President/Chief Executive Officer to execute a professional services contract with Civil Engineering Consultants and to pay Civil Engineering Consultants an amount not to exceed \$135,762.99 for the project engineering work. Total expenditures are: \$135,762.99.  
(KELLEY NEUMANN – CINDY KOVACIC)
29. A Resolution ratifying the actions of the Senior Vice President of Strategic Resources in approving Contract Amendment No. 4 in the amount of \$80,293.74 in connection with the 2004/2005 City Street Overlay/Maintenance Water and Sewer Replacement Project; amending Resolution No. 03-123, as previously amended by Resolution Nos. 08-010 and 08-069 by approving additional expenditures in an amount not to exceed \$80,293.74 for additional engineering design services by Vickrey and Associates, Inc., in connection with the 2004/2005 City Street Overlay/Maintenance Water and Sewer Replacement Project; approving that an additional amount not to exceed \$80,293.74 be made available and expended from the System's Project Fund for the additional engineering design services; authorizing the President/Chief Executive Officer to execute Contract Amendment No. 4 and to pay Vickrey and Associates, Inc., an additional amount not to exceed \$80,293.74 for the additional engineering design services in connection with the project. Located in Council District 7. Total expenditures are: \$80,293.74 for a revised contract amount of \$2,816,649.00.  
(KELLEY NEUMANN – CINDY KOVACIC)

## **WATER RESOURCES PROJECTS**

30. A Resolution amending Resolution No. 03-393 as previously amended by Resolution Nos. 04-304, 04-355, 06-043, and 06-269 by approving Contract Amendment No. 6 to the existing professional services contract with Black & Veatch Corporation in connection with the Regional Carrizo Project and Water Resources Integration Pipeline Program

by reallocating \$210,855.00 from the Contract Program Management Task to Investigation and Design Services and by extending the professional services contract through December 31, 2013; authorizing the President/Chief Executive Officer or his designee to execute Contract Amendment No. 6 in connection with the Regional Carrizo Project and Water Resources Integration Pipeline Program by reallocating the \$210,855.00 from the Contract Program Management Task to Investigation and Design Services and by extending the professional services contract through December 31, 2013; authorizing the President/Chief Executive Officer or his designee to approve the payment of reallocated funds to Black & Veatch Corporation in an amount of \$210,855.00 for the additional engineering services related to the project work. Total amount reallocated is: \$210,855.00. (CHUCK AHRENS – GARY GUY)

### MISCELLANEOUS PROJECTS

31. A Resolution rescinding Resolution No. 08-135 and approving additional contingency funds in the amount of \$66,316.26 and approving Change Order No. 9 in the amount of \$96,682.32 to the construction contract with Lambda Construction I, Ltd., in connection with the construction of the Dos Rios Water Recycling Center Wastehauler Station Project; approving total additional expenditures in an amount not to exceed \$110,000.00 authorizing the President/Chief Executive Officer to approve an additional amount of \$13,317.68 for a total amount not to exceed \$110,000.00 to be made available from the System's Project Fund for additional construction contingency expenses. Total expenditures are: \$110,000.00 for a revised contract amount of \$2,556,286.26.  
(KELLEY NEUMANN – JORGE MONSERRATE)
32. A Resolution accepting the bid of PM Construction & Rehab, L.P., for a two year construction contract in the amount of \$586,250.00 with in connection with the 2010 Annual Sanitary Sewer Main Point Repair and Manhole Adjustments – Package 3 Construction Contract; awarding a two year construction contract in the amount of \$586,250.00 to PM Construction & Rehab, L.P., in connection with the 2010 Annual Sanitary Sewer Main Point Repair and Manhole Adjustments – Package 3 Construction Contract; approving the expenditure of funds in the amount of \$293,125.00 for the project work for Fiscal Year 2010; approving construction contingency expenses in an amount not to exceed \$29,312.50 in connection with the project work for Fiscal Year 2010; authorizing the total expenditures in the amount of \$322,437.50 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 \$322,437.50 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, L.P., and to pay PM Construction & Rehab, L.P., the amount of \$644,875.00 for the project work. Total expenditures are: \$644,875.00. (VAL RUIZ – JEFF BROWN)
33. A Resolution accepting the bid of PM Construction & Rehab, L.P., for a two year construction contract in the amount of \$589,250.00 with in connection with the 2010 Annual Sanitary Sewer Main Point Repair and Manhole Adjustments – Package 4 Construction Contract; awarding a two year construction contract in the amount of \$589,250.00 to PM Construction & Rehab, L.P., in connection with the 2010 Annual Sanitary Sewer Main Point Repair and Manhole Adjustments – Package 4 Construction Contract; approving the expenditure of funds in the amount of \$294,625.00 for the project work for Fiscal Year 2010; approving construction contingency expenses in an amount not to exceed \$29,462.50 in connection with the project work for Fiscal Year

2010; authorizing the total expenditures in the amount of \$324,087.50 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 \$324,087.50 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, L.P., and to pay PM Construction & Rehab, L.P., the amount of \$648,175.00 for the project work. Total expenditures are: \$648,175.00.

(VAL RUIZ – JEFF BROWN)

#### Professional Services Contracts

34. A Resolution accepting the bid of Alsay, Inc., in an amount not to exceed \$694,062.50 as part of the System's Large Capacity Well Mitigation Program to provide diagnostic and well services for private large capacity water wells; awarding a contract to Alsay, Inc., in the amount not to exceed \$694,662.50 for the project work; authorizing expenditure of funds in an amount not to exceed \$694,662.50 for the project work; approving construction contingency expenses in an amount not to exceed \$34,703.13 in connection with the project work; authorizing total expenditures in an amount not to exceed \$728,765.63 from the Project Fund for the project work and related construction contingencies; authorizing the President/Chief Executive Officer and/or his designee to negotiate and execute a construction contract with Alsay, Inc., and to pay Alsay, Inc., an amount not to exceed \$694,662.00 for the project work. Total expenditures are: \$694,062.50. (MIKE BRINKMANN – SCOTT HALTY)

#### EASEMENTS AND REAL PROPERTY

35. A Resolution authorizing the acquisition of a permanent sewer easement affecting approximately 4.40 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 38.804 acre tract described in conveyance to David Berry et al per instrument recorded in volume 10358, pages 183-186 of the official public records of real property of Bexar County Texas, being out of the Cruz Landin Survey No. 46, Abstract No. 421, County Block No. 4298, 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 \$56,500.00 to David Berry et al for the purchase price of the easement. Total expenditures are: \$56,500.00. (MIKE BRINKMANN – BRUCE HABY)
36. A Resolution declaring seven tracts of land deemed no longer necessary for the efficient operation of the System located in Bexar County, Texas, to be declared surplus to the needs of the System as required by City Ordinance No. 75686; recommending that the San Antonio Planning Commission and City Council consent to such declaration as required by City Ordinance No. 75686; authorizing the President/Chief Executive Officer or his designated representative to dispose of said properties pursuant to chapter 272 of the Local Government Code and applicable City of San Antonio and System policies and procedures. (MIKE BRINKMANN – BRUCE HABY)

The properties to be declared surplus are described below:

<b>PROPERTY</b>	<b>PROPERTY DESCRIPTION</b>
San Fernando # 1 Tank Site	Being a .2137 acre tract of land acquired in July, 2000; located at 449 and 501 Harriman.
Rainbow Hills # 1 Well Site	Being a .2307 acre tract of land acquired in February, 1994 located at 359 Demya Drive.
Rainbow Hills #2 Well Site	Being a .2379 acre tract of land acquired in February, 1994; located at 347 Stimmel Street.
Zoeller Tank Site	Being approximately a 4,312.50 sq. ft tract of land acquired in January, 2001; approximately 11,500 sq. ft. tract of land in February, 2001 and an approximately 5,750 sq. ft tract of land acquired in March, 2001; located at 101, 109, and 113 Laredo Avenue.
San Geronimo Air Park Pump Station	Being a .340 acre tract of land acquired in February, 2000; located off Geronimo Street.
Basse Road Pump Station	Being a 6,500 sq. ft. lot acquired in March, 1950; located at 1330 Basse Road.
Bandera Road Pump Station	Being a .780 acre tract of land acquired in October, 1953; located at 101 Bloomfield.

### **INFORMATION RESOURCES ITEMS**

37. A Resolution approving the renewal of an Agreement with Bentley Systems, Inc., in an amount not to exceed \$66,065.99 for the Select Program to provide software licensing and related services for the period March 27, 2010 through March 26, 2011; authorizing a one time expenditure from the System Fund in an amount not to exceed \$66,065.99 to Bentley Systems, Inc., for the Select Program authorizing the President/Chief Executive Officer to execute the renewal of the Agreement with Bentley Systems, Inc., and authorizing the President/Chief Executive Officer or his designee to pay Bentley Systems, Inc., an amount not to exceed \$66,065.99 for software licensing and related products for the period March 27, 2010 through March 26, 2011. Total expenditures are: \$66,065.99. (DOUG EVANSON – JOE SAMPLES) 3835
38. A Resolution approving expenditures in an amount not to exceed \$77,955.00 from the System Fund for the third year of a three-year contract with Levi, Ray & Shoup, Inc., to provide PageCenter and related software licenses for the period February 1, 2008 to January 31, 2011 authorizing the President/Chief Executive Officer or his designee to pay Levi, Ray & Shoup, Inc., an amount not to exceed \$77,955.00 to provide PageCenter and related software licenses. Total expenditures are: \$77,955.00. (DOUG EVANSON – JOE SAMPLES) 3835

### **WATER RESOURCES ITEMS**

39. A Resolution approving the amendment of Bylaws of the Community Conservation Committee and the Citizens' Advisory Panel. (CHARLES AHRENS – KAREN GUZ -CALVIN FINCH)
40. A Resolution ratifying the actions of the Vice President of Water Resources and Conservation in approving Amendment No. 1 to the Water Supply Agreement with Massah Corporation (formerly known as Massah Development Corporation) to exercise the option to extend the term of the Agreement for a period of five years for the purchase of non-Edwards Aquifer groundwater produced from the Oliver Ranch property as authorized by the original contract dated February 15, 2000; authorizing the expenditure from System Funds in an amount of \$550.00 per acre-foot of non-Edwards Aquifer groundwater purchased for the first year of the five-year option period; further authorizing the expenditure from the System Fund of an amount for

non-Edwards Aquifer groundwater purchased during the remainder of the option term based upon percentage increases or decreases in the Producer's Price Index or the Regional Water Resource Development Group's target price for five-year leases of Edwards Aquifer water rights, whichever is higher; authorizing the President/Chief Executive Officer or his designee to execute all documents required to effect the purchase of non-Edwards Aquifer groundwater from Massah Corporation for the renewal term; authorizing the President/Chief Executive Officer or his designee to pay the sums described above to Massah Corporation in accordance with the terms of the Amendment. Total expenditures are: \$550.00 per acre-foot of non-Edwards Aquifer groundwater purchased for the first year of the five-year option period.  
(CHARLES AHRENS – GARY GUY)

## HUMAN RESOURCES ITEMS

41. A Resolution authorizing an Amendment to the contract with Aon Consulting, Inc., to provide additional consulting services for the System's Employee Benefits Program for the period of March 2, 2010 through December 31, 2012 in an amount not to exceed \$120,000.00; authorizing expenditures in an amount not to exceed \$120,000.00 for Fiscal year 2010 from the System Fund, and that future years' expenditures shall be pursuant to and contingent upon Board approval of subsequent year budgets with a line item for such expenditures; authorizing the President/Chief Executive Officer to execute a Contract Amendment with Aon Consulting, Inc., to provide additional consulting services for the System's Employee Benefits Program from March 2, 2010 through December 31, 2012 in an amount not to exceed \$120,000.00 and pay to Aon Consulting, Inc., an amount not to exceed \$120,000.00. Total expenditures are: \$120,000.00 for a revised contract amount of: \$656,038.00. (JERRY BAILEY – NEIRA SOUTH)

## MISCELLANEOUS ITEMS

42. A Resolution accepting the proposal of and awarding a contract to Aon e-Solutions in an amount not to exceed \$434,000.00 with the option of four one-year maintenance extensions for the System's Risk Management Insurance Claims Payment and Reporting System for the period of April 2010 through April 2011; authorizing expenditures of \$434,000.00 for Fiscal Year 2010 from the System Fund, and authorizing expenditures for subsequent years to be pursuant to and contingent upon Board approval of the subsequent years budgets with a line item for such expenditures; authorizing the President/Chief Executive Officer to further negotiate and execute a contract with the option of four one-year extensions and all related documents with Aon e-Solutions for the System's Risk Management Insurance Claims Payment And Reporting System from April 2010 through April 2011 and to pay Aon e-Solutions an amount not to exceed \$434,000.00 with the option of four one-year maintenance extensions for Risk Management Insurance Claims Payment and Reporting System from April 2010 through April 2011. Total expenditures are: \$434,000.00. (JERRY BAILEY – DOUG EVANSON)
43. A Resolution accepting the proposal from Red Oak Consulting in association with LNV Engineering, Inc., in a total not to exceed \$75,000.00 for costs associated with the Biochemical Oxygen Demand To Chemical Oxygen Demand Surcharge Modification And Fats, Oils And Grease Program Fee Development; authorizing that an amount not to exceed the sum of \$75,000.00 be made available from the System Fund for Fiscal Year 2010; authorizing the President/Chief Executive Officer to execute a professional services contract and to pay Red Oaks Consulting in association with, LNV Engineering, Inc., a total amount not to exceed \$75,000.00 for costs associated with the Biochemical

Oxygen Demand To Chemical Oxygen Demand Surcharge Modification And Fats, Oils And Grease Program Fee Development. Total expenditures are: \$75,000.00.  
(STEVE CLOUSE)

## ITEMS FOR INDIVIDUAL CONSIDERATION

### MISCELLANEOUS ITEMS

44. A Resolution accepting the San Antonio Water System’s Regional Business Disparity Causation Analysis Study findings for purposes of policy development; and directing the President/Chief Executive Officer to develop a Small Minority Women Owned Business Program Policy for the San Antonio Water System Board of Trustees’ consideration based on the Regional Business Disparity Causation Analysis Study findings, related public comment and other evidence obtained.  
(DOUG EVANSON – PHILIP CAMPOS – RUBY WEBB)

### CAPITAL IMPROVEMENT CONTRACTS

#### PROJECTS INVOLVING IMPROVEMENTS, EXTENSIONS AND ADDITIONAL CAPACITY

##### Developer Customer Contracts

45. 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 the following criteria: tracts are greater than 2-acres, require more than 50 Equivalent Dwelling Units, and require more than ¼-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	Anderson Tract	Anaqua Springs Ranch, Ltd.	171.80	134	0	5-mile Awareness Zone/ CZ	Inside	Applied for
<b>Totals</b>			<u>171.80</u>	<u>134</u>	<u>0</u>			

##### Production, Transmission and Treatment Improvements

46. A Resolution accepting the bid of Archer Western Contractors, Ltd., in the amount of \$11,842,000.00 for the construction of the Mission Pump Station Improvements Project; awarding a construction contract in the amount of \$11,842,000.00 to Archer Western Contractors, Ltd., for the project work; authorizing construction contingency expenses in an amount not to exceed \$240,000.00 in connection with the project work; authorizing total expenditures in an amount not to exceed \$12,082,000.00 from the System’s Project Fund for the project work and construction contingency expenses; authorizing the President/Chief Executive Officer to execute a contract with Archer Western Contractors, Ltd., and to pay Archer Western Contractors, Ltd., the amount of \$11,842,000.00 for the project work. Total expenditures are: \$12,082,000.00. (KELLEY NEUMANN – ASHOK KAJI)

## Professional Services Contracts

47. A Resolution accepting the proposal of and awarding a professional services contract to Brown and Caldwell, in an amount not to exceed \$1,157,341.00 in connection with the Western Watershed Relief Line – Middle Segment Project; approving the expenditure of funds in an amount not to exceed \$1,157,341.00 from the System's Project Fund for the project engineering work; authorizing the President/Chief Executive Officer to execute a professional services contract with Brown and Caldwell, and to pay Brown and Caldwell, an amount not to exceed \$1,157,341.00 for the project engineering work. Located is Council District 4. Total expenditures are: \$1,157,341.00. (KELLEY NEUMANN – FRANCES PLOCEK)

## MISCELLANEOUS PROJECTS

48. A Resolution ratifying the actions of the Senior Vice President of Strategic Resources in accepting the bid of and approving the award of a construction contract to PM Construction and Rehab, L.P., in the amount of \$3,372,550.00 in connection with the Annual 2010 Pipe Bursting Work Order Construction Contract Project; approving the expenditure of the amount of \$3,372,550.00 from the System Fund for the project work; approving construction contingency expenses in an amount not to exceed \$170,000.00 for the project work; authorizing the President/Chief Executive Officer to execute a construction contract with PM Construction and Rehab, L.P., and to pay PM Construction and Rehab, L.P., the amount of \$3,542,550.00 for the project work and construction contingency expenses. Total expenditures are: \$3,372,550.00. (KELLEY NEUMANN – FRANCES PLOCEK)

## REPLACEMENT AND ADJUSTMENT PROJECTS

### Professional Services Contracts

49. A Resolution accepting the proposal of Kimley-Horn and Associates in an amount not to exceed \$692,615.00 for engineering services in connection with the Huebner Creek Enhanced Conveyance LC 17 Project; awarding a professional services contract to Kimley-Horn and Associates in an amount not to exceed \$692,615.00 for engineering services in connection with the project; approving an amount not to exceed \$692,615.00 be made available and expended from the System's Project Fund for the project engineering work; authorizing the President/Chief Executive Officer to execute a professional services contract with Kimley-Horn and Associates and to pay Kimley-Horn and Associates an amount not to exceed \$692,615.00 for the project engineering work. Total expenditures are: \$692,615.00. (KELLEY NEUMANN – CINDY KOVACIC)

## 50. BRIEFING SESSION.

- A. Briefing and deliberation regarding the status of the Medina River Sewer Outfall Project. (KELLEY NEUMANN - PATRICK O'CONNER – ROSA VALDEZ)
- B. Briefing and deliberation regarding the Brackish Groundwater Desalination Project procurement process. (KELLEY NEUMANN – CHUCK AHRENS – ESTHER HARRAH)

51. **President/Chief Executive Officer's Report. Presentation of and deliberation on the following items:**
  - A. **Partnership Development**
  - B. **Operations**
  - C. **Status on 2015 Strategic Plan**
52. **Inquiries.**
53. **The Regular Session of the March 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.**
54. **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. 347255; *Elias Castillo v. San Antonio Water System*, In the County Court at Law No. 2, Bexar County, Texas. (FRANK STENGER-CASTRO – BILL CROW)**
  - C. **Consultation with attorneys and deliberation regarding Cause No. 2008-CI-18206; *Jose A. Perez v. San Antonio Water System*, In the 131<sup>st</sup> Judicial District Court, Bexar County, Texas. (FRANK STENGER-CASTRO – BILL CROW)**
  - 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 condemnation litigation and the value of a 0.072 acre parcel of land owned by Emerson Vance near the intersection of Six Mile Creek and Formosa Blvd. in the southwest quadrant of Bexar County, Texas, in connection with the Central Watershed Sewer Relief Line Project. (FRANK STENGER-CASTRO – NANCY BELINSKY)**
  - G. **Consultation with attorneys and deliberation regarding legal and real property issues related to the potential purchase of the Forest Glen Water Utility System. (FRANK STENGER-CASTRO – KEITH MARTIN)**

- H. **Deliberation regarding the annual evaluation, performance objectives and duties of the President/CEO; and consultation with attorneys concerning legal issues regarding the annual evaluation, performance objectives and duties of the President/CEO. (FRANK STENGER-CASTRO)**
- I. **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)**

55. **The Regular Session of the Regular Board Meeting of March 2, 2010, is hereby reconvened.**

56. **A Resolution rescinding Resolution No. 10-037 approved January 12, 2010, regarding a Global Amendment to all Gonzales Water Sales Agreements; approving term changes to the Water Sales Agreements for permit area landowners in connection with the Gonzales Water Supply Project; approving the expenditure of additional funds for the San Antonio Water System's obligations under the Amended Water Sales Agreements for the permit area landowners from the Water Supply Fee Revenues of the Project Fund; authorizing the San Antonio Water System's President/Chief Executive Officer or his designee to negotiate and execute amendments to the Water Sales Agreement between the San Antonio Water System and permit area landowners, and to pay the required amounts in accordance with the terms of the Amended Water Sales Agreements for the permit area landowners for the duration of the Water Sales Agreements. (CHARLES AHRENS – GARY GUY)**

57. **A Resolution declaring a public necessity for and authorizing the acquisition of permanent easement to, all or portions of one parcel of privately owned real property located within the Central Watershed Sewer Relief Line (C-01) Project in Bexar County, Texas, which project includes approximately 5.2 miles of new 36-inch sewer main to relieve flows off the existing 33 and 36-inch sanitary sewer mains along Southwest Military Drive near Quintana Road and terminates near the intersection of Garnett and Six Mile Creek, as described hereinbelow; save and except any oil, gas, or other minerals in, on or under or produced from said properties, and save and except any subsurface water rights in and to the property together with any and all appurtenant water rights without any right whatsoever remaining to the owners of said water rights of ingress or egress to or from the surface of said property, shall be acquired by negotiation, and/or condemnation, if necessary, for the public purpose of replacing the existing outfall which is in poor condition due to deterioration. additionally sewer line lacks the capacity to handle the future needs of the sewer shed including the location, construction, operation, repair and maintenance of a sewer pipeline in order to provide adequate sewer capacity for the south and west sides of Bexar County, Texas, which project is sometimes referred to as the Central Watershed Sewer Relief Line (C-01) 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. (MIKE BRINKMANN – BRUCE HABY)**

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

PARCEL No.	SIZE IN ACRES	LEGAL DESCRIPTION
P09-131	0.072 ac.	A 0.072 of an acre (3,134 square feet, more or less) tract of land out of N.C.B. 9445, Harlandale Acres No. 8, 3 <sup>rd</sup> Filing of record in Volume 980, Page 117 of the Deed and Plat Records of Bexar County, Texas, and being out of that certain tract of land granted to Emerson Vance as described in Volume 10437, Page 1698 of the Official Public Records of the Real Property Records of Bexar County, Texas.

58. **Adjournment. THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES MEETING OF MARCH 2, 2010, IS HEREBY ADJOURNED.**