

AGENDA

MEETING OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES

Tuesday, July 10, 2012, 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 June 5, 2012.**
 - B. **Approval of the Minutes of the San Antonio Water System Board of Trustees Policy and Planning Meeting of May 21, 2012.**
4. **Citizens to be Heard.**

CONSENT AGENDA ITEMS

Items 5 – 33

ITEMS CONCERNING THE PURCHASE OF EQUIPMENT, MATERIALS AND SUPPLIES

5. **A Resolution accepting recommendations regarding the contracting for certain services, equipment, materials, and supplies, and authorizing the acceptance of bids as follows: (DOUG EVANSON – YVONNE TORRES)**
 - A. **Award of Contracts for the Purchase of Materials, Equipment and Services.**
 1. **Acceptance of the bid of Kinloch Equipment & Supply, Inc. to provide: one set of bucket machines that consist of two trailer mounted winch systems, Bid No. 12-1227A, for a total of \$155,786.00.**

SAN ANTONIO WATER SYSTEM HANDICAPPED ACCESSIBILITY STATEMENT

The San Antonio Water System Buildings and Meeting Rooms are accessible to individuals with disabilities. Accessible visitor parking spaces as well as the accessible entrance and ramp are located at the west side main entrance of the SAWS Headquarters Building, Tower I, 2800 U.S. Highway 281 North. Individuals with disabilities in need of auxiliary aids and services, including Deaf interpreters, must request such aids and services forty-eight (48) hours prior to the meeting. For assistance, contact the Board Administrator at 210-233-3690 or 711 (Texas Relay Service for the Deaf).

2. **Acceptance of the bid of Grande Truck Center to provide: seven (7) each – 9,000 GVWR 4x4 wide and short type bed crew cab/quad cab pickup trucks, Bid No. 12-1243, for a total of \$283,654.00.**
3. **Acceptance of the bid of French Ellison Truck Center to provide: three (3) each – 37,000 GVWR conventional cab-chassis with mounted high pressure sewer cleaner, Bid No. 12-1235, for a total of \$552,795.00.**
4. **Acceptance of the bid of Grande Truck Center to provide: one (1) each – 13,000 GVWR 4x4 wide and long bed pickup with 1,300 liftgate, Bid No. 12-1234, for a total of \$36,431.00.**
5. **Acceptance of the bid of Grande Truck Center to provide: four (4) each – 9,000 GVWR 4x4 wide and short type bed super cab pickup truck, Bid No. 12-1234, for a total of \$138,204.00.**
6. **Acceptance of the bid of Grande Truck Center to provide: two (2) each – 9,000 GVWR 4x2 wide and long type bed crew cab/quad cab pickup truck, Bid No. 12-1234, for a total of \$64,982.00.**
7. **Acceptance of the bid of Grande Truck Center to provide: one (1) each – 9,000 GVWR 4x4 wide and long type bed extended, club, super cab pickup truck, Bid No. 12-1234, for a total of \$34,589.00.**
8. **Acceptance of the bid of Grande Truck Center to provide: one (1) each – 9,000 GVWR 4x4 wide and short type bed extended, club, super cab pickup truck with 12,000 lb. Winch and accessories, Bid No. 12-1234, for a total of \$31,225.00.**
9. **Acceptance of the bid of Associated Supply Co. to provide: one (1) each – excavator track crawler mounted, hinge boom, minimum 47,000 lbs. Operating weight with attachments, Bid No. 12-1257, for a total of \$239,912.00.**
10. **Acceptance of the bid of Associated Supply Co. to provide: one (1) each – four-wheel drive, rubber tire articulated loader, Bid No. 12-1257, for a total of \$183,779.00.**
11. **Acceptance of the bid of Maverick Pump Services to provide: bypass around three barrel siphon, Bid No. 12-1236, for a total of \$68,882.02.**
12. **Acceptance of the bid of Grande Truck Center to provide: two (2) each – 13,500 GVWR 16' cut-away van with installed close circuit TV inspection system mounted, Bid No. 12-1256, for a total of \$680,254.00.**
- (SAWS-DSP) 13. **Acceptance of the bid of PerkinElmer Health Services, Inc. to provide: WaterLIMS & Labworks Software and Maintenance, Bid No. 12-1261, for a total of \$58,650.00.**
- (DSP) 14. **Acceptance of the bid of Presidio INX, LLC to provide: IT Hardware UCS Blades, Bid No. 12-1268, for a total of \$85,503.28.**

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 South Western Environmental Equipment Technicians to provide: Penn Valley Pump Parts, Bid No. 10-1011, for a total of \$82,440.00.**
2. **Acceptance of the bid of Commonwealth Computer Co. to provide: Dell printer ink, toner & printer supplies, Bid No. 12-1202, for a total of \$58,867.68.**
3. **Acceptance of the bid of San Antonio Armature Works, Inc. to provide: pump repairs, submersible sump pump and centrifugal pumps, Bid No. 12-5053A, for a total of \$268,800.00.**
4. **Acceptance of the bid of Maldonado Nursery and Landscaping, Inc. to provide: Best Value Bid for landscape services for SAWS Headquarters, Bid No. 12-5067, for a total of \$78,025.00.**
5. **Acceptance of the bid of IPC (USA), Inc. to provide: diesel fuel, Bid No. 11-0038, for a total of \$2,500,000.00.**
- (SAWS-DSP) 6. **Acceptance of the bid of Volvo Rents Construction Equipment to provide: D-Series Compact Excavator Volvo EC35, Compact Excavator Volvo EC35, Compact Excavator Skid Loader ECR48C, Excavator Tracked Volvo EC460, Rubber Tire Trencher Vermeer RT 1250, Bid No. 11-1016A, for a total of \$93,315.00.**
- (SAWS-DSP) 7. **Acceptance of the bid of Matera Paper Co. to provide: janitorial supplies, disinfectants, cleaners & paper supplies, Bid No. 11-9055, for a total of \$68,163.59.**
- (SAWS-DSP) 8. **Acceptance of the bid of Martin Marietta Materials to provide: cement aggregates (bulk materials), Bid No. 12-6024, for a total of \$216,680.00.**
- (SAWS-DSP) 9. **Acceptance of the bid of Act Pipe & Supply to provide: PVC pipe series (C900), (C905) and (C909), Bid No. 12-0069, for a total of \$510,355.00.**
- (SAWS-DSP) 10. **Acceptance of the bid of A.Y. McDonald Mfg. Co. to provide: threaded brass fittings, Bid No. 12-0021, for a total of \$81,326.10.**
- (SAWS-DSP) 11. **Acceptance of the bid of Ferguson Water Works to provide: joint restraints, Bid No. 12-0017, for a total of \$85,330.50.**

- 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.**

- (SAWS-DSP) 1. Acceptance of the bid of Ferguson to provide: Best Value Bid for Toilet and Urinal Distribution program, Bid No. 12-3081, for a total of \$2,170,307.75.

CAPITAL IMPROVEMENT CONTRACTS

PROJECTS INVOLVING IMPROVEMENTS, EXTENSIONS AND ADDITIONAL CAPACITY

Developer Customer Contracts

- (SAWS-DSP) 6. A Resolution approving Utility Service Agreements to provide water and/or wastewater service to the tracts listed below which are located over the Edwards Aquifer Recharge or Contributing Zone and are within the 5-mile Awareness Zone of Camp Bullis. (KELLEY NEUMANN – SAM MILLS)

No.	Tract Name	Developer	Acreage	Water EDUs	WW EDUs	DISTRICT SPECIAL PROJECT (BMWD)	Board Reason	Water CCN	WW CCN
1	American Bank of Texas Tract	American Bank of Texas	12	45	45	NO	CZ/B	Inside	Outside
2	Fischer 86.73-Acre Tract	FCS Fischer, Ltd.	86.73	510	510	NO	EA/B	Inside	Inside
3	Frost National Bank at Fair Oaks Ranch	Frost National Bank of San Antonio	7.1	20	20	NO	CZ/B	Outside	Outside
4	Methodist Stone Oak Hospital Additions	Methodist Stone Oak Hospital	37.39	0	15.625	NO	EA/B	Inside	Outside
5	Raising Cane's	MAC 68 LTD Partnership	3.3	3.5	4.4	YES	EA/B	DSP	Outside
6	Vineyard Retail 10	Loop 1604 Group	6.35	5	3	YES	EA/B	DSP	Outside
7	Woldhagen Tract	Katherine B. Woldhagen Family Trust	41.46	506	500	NO	EA/B	Inside	Inside
Totals			<u>194.33</u>	<u>1,089.5</u>	<u>1,098.025</u>				
Totals (January 2012 - July 2012)			<u>1,138.90</u>	<u>5,306.5</u>	<u>4,793.025</u>				

7. A Resolution approving Utility Service Agreements to provide water and/or wastewater service to the tracts listed below which are located over the Edwards Aquifer Recharge or Contributing Zone and are not within the 5-mile Awareness Zone of Camp Bullis. (KELLEY NEUMANN – SAM MILLS)

No.	Tract Name	Developer	Acreage	Water EDUs	WW EDUs	Board Reason	Water CCN	WW CCN
1	San Antonio Ranch Townhomes	William L. Hoover	12.57	157	157	EA	Inside	Inside
Totals			<u>12.57</u>	<u>157</u>	<u>157</u>			
Totals (January 2011 - July 2012)			<u>1,155.06</u>	<u>4,704</u>	<u>4,572</u>			

8. **A Resolution approving Utility Service Agreements to provide water and/or wastewater service to the tracts listed below which are not located over the Edwards Aquifer Recharge or Contributing Zone and are not within the 5-mile Awareness Zone of Camp Bullis. (KELLEY NEUMANN – SAM MILLS)**
 (SAWS-DSP)

No.	Tract Name	Developer	Acreage	Water EDUs	WW EDUs	Board Reason	Water CCN	WW CCN
1	Ciudad De Las Palomas	J D Properties	197.177	595	750	AC	DSP	Inside
2	Green Mountain	Green Mountain Construction, Co.	91.75	120	120	AC	Inside	Outside
3	Hickory Hollow Unit 6	McFadin Family, LP	137.05	97	0	AC	DSP	Outside
4	Sawyers Ridge	D.R. Horton	127.7	347	319	AC	Inside	Outside
5	Weatherford Hilltop	Weatherford Artificial Liftstation and WFT Pinpoint	150	280	28	AC	Inside	Outside
Totals - July 2012			<u>703.677</u>	<u>1,439</u>	<u>1,217</u>			
Totals (January 2012 - July 2012)			<u>947.657</u>	<u>3,436</u>	<u>3,082</u>			

**EDU/Acreage Comparison Totals
2012 – 2011**

EDU/Acreage Comparison Totals 2012 - 2011 (Year to Date - All Categories)	Total Acreage	Total Water EDU's	Total WW EDU's
TOTAL (January – July 2012)	3,241.62	13,446.50	12,447.03
TOTAL (January – July 2011)	3,367.80	10,493.00	9,707.00

Production, Transmission and Treatment Improvements

9. **A Resolution approving Final Recapitulation Change Order No. 4 in the decreased amount of \$52,125.25 to the construction contract with Lewis Contractors, Inc., in connection with the South Presa Street 48-Inch Siphon No. 6 Project; authorizing the return of funds in the amount of \$52,125.25 and the construction contingency balance of \$42,160.89 for a total amount of \$94,286.14 to the Project Fund; authorizing the President/Chief Executive Officer to execute Final Recapitulation Change Order No. 4 and close the contract. Total expenditures are: \$94,286.14.
 (KELLEY NEUMANN – FRANCES PLOCEK)**
10. **A Resolution approving the correction of Change Order No. 14 from \$51,202.00 to \$51,293.00; approving Recapitulation Change Order No. 21 in the decreased amount of \$172,461.11 to the construction contract with Laughlin-Thyssen, Inc., in connection with the Old Salado Creek Siphon Replacement Project; authorizing the return of funds in the amount of \$172,461.11 and the construction contingency funds in the amount of \$16,862.25 for a total amount of \$189,323.36 to the System's Project Fund; authorizing the President/Chief Executive Officer to execute Recapitulation Change Order No. 21 and close the contract. Total expenditures are: \$189,323.36.
 (KELLEY NEUMANN – FRANCES PLOCEK)**
11. **A Resolution approving Recapitulation Change Order No. 4 in the decreased amount of \$67,208.60 to the construction contract with BRH Garver Construction, LP, in**

connection with the Southwest Bexar Sewer Pipeline – Segment 6 Project; authorizing the return of funds in the amount of \$67,208.60 and the construction contingency funds in the amount of \$166,608.55 for a total amount of \$233,817.15 to the System’s Project Fund; authorizing the President/Chief Executive Officer to execute Recapitulation Change Order No. 4 and close the contract. Total expenditures are: \$233,817.15.
(KELLEY NEUMANN – FRANCES PLOCEK)

Professional Services Contracts

12. A Resolution approving Contract Amendment No. 2 in the amount of \$441,350.00 in connection with the Olmos Basin Central Watershed Sewer Relief Line (C-3) Project; Amending Resolution No. 09-025, by approving additional expenditures in an amount not to exceed \$441,350.00 for additional engineering services by Weston Solutions, Inc., in connection with the project; approving that an amount not to exceed \$441,350.00 be made available and expended from the System’s Project Fund for the sewer related additional engineering services; authorizing the President/Chief Executive Officer to execute Contract Amendment No. 2 and to pay Weston Solutions, Inc., an additional amount not to exceed \$441,350.00 for engineering services in connection with the project. Total expenditures are: \$441,350.00.
(KELLEY NEUMANN – FRANCES PLOCEK)

13. A Resolution approving Contract Amendment No. 1 in the amount of \$351,585.20 in connection with the C-13 Broadway Corridor – Josephine Street to South Alamo Street Project; amending Resolution No. 09-025, by approving additional expenditures in an amount not to exceed \$351,585.20 for additional engineering services by CH2M Hill Engineers, Inc., in connection with the project; approving that an amount not to exceed \$351,585.20 be made available and expended from the System’s Project Fund for the sewer related additional engineering services; authorizing the President/Chief Executive Officer to execute Contract Amendment No. 1 and to pay CH2M Hill Engineers, Inc., an additional amount not to exceed \$351,585.20 for engineering services in connection with the project. Total expenditures are: \$351,585.20.
(KELLEY NEUMANN – FRANCES PLOCEK)

REPLACEMENT AND ADJUSTMENT PROJECTS

Governmental Relocations and Replacements

14. A Resolution ratifying the actions of the Senior Vice President of Strategic Resources in approving Change Order No. 7 in the amount of \$35,926.00 in connection with the 2011 Water And Sewer Construction Contract, Package IV; authorizing the President/Chief Executive Officer to pay Pronto Sandblasting & Coating & Oil Field Services, Inc. an additional amount not to exceed \$35,926.00 for the additional project work. Total expenditures are: \$35,926.00.
(KELLEY NEUMANN – CINDY KOVACIC)

Professional Services

15. A Resolution, concerning both the San Antonio Water System (System) and the District Special Project (DSP), ratifying the actions of the Senior Vice President of Strategic Resources in approving Contract Amendment No. 2 in an amount not to exceed \$43,010.00 in connection with the 2010 Engineering Design Services-Governmental, Contract I; Amending Resolution No. 11-072 by approving additional expenditures in an amount not to exceed \$43,010.00 for the additional engineering design services by Bain Medina Bain, Inc.; approving that an additional amount not to exceed \$43,010.00 be made available and expended from both System’s and DSP’s
(SAWS-DSP)

Project Funds for the additional engineering design services; authorizing the President/Chief Executive Officer to execute Contract Amendment No. 2 and to pay Bain Medina Bain, Inc. an amount not to exceed \$43,010.00 for the additional engineering design services for both the System and the DSP in connection with the project. Total expenditures are: \$43,010.00.
(KELLEY NEUMANN – CINDY KOVACIC)

EASEMENTS AND REAL PROPERTY

16. A Resolution authorizing the acquisition of a permanent sewer easement and expenditure from the Project Fund of an additional amount of \$33,825.00 from C&I Timms Real Estate, L.P., together with related title insurance and closing costs; said permanent easement being described as a 9.921-acre tract located along Fischer Road, between Somerset Road and I. H. 35 South in the southwest quadrant of Bexar County, Texas, for the Southwest Bexar Sewer Pipeline Project; authorizing the payment of \$33,825.00 to the owner directly or via Alamo Title as Escrow Agent as additional consideration for execution of the easement for total consideration to the landowners of \$137,500.00, being the \$33,825.00 payment in addition to the \$103,675.00 previously awarded by Special Commissioners Hearing and, as previously authorized by the Board, deposited by the System into the Registry of the Court; authorizing the payment to Alamo Title Company of up to \$4,000.00 for title insurance and related closing costs; ratifying that acquisition of the easement results in conclusion of the subject matter of condemnation litigation between the System and owner and dismissal of said litigation. Total expenditures are: \$33,825.00.
(MIKE BRINKMANN – BRUCE HABY)
17. A Resolution amending Resolution No. 12-260 by authorizing payment of the approved purchase amount of \$160,500.00 for the purchase of a permanent water line easement and two temporary construction easements located on the northwest side of Lookout Road, northeast of Jordan Lane, in Selma, Comal County, Texas, being out of the Vincente Micheli Survey No. 114, Abstract No. 383, Comal County, Texas, in connection with the Regional Carrizo Program, Water Delivery Pipeline, either directly or through AmeriPoint Title as escrow agent, to Elgin B. Friesenhahn Living Trust U/A/D/ May 19, 2004, Garry Friesenhahn, individually and Janice Friesenhahn, individually and/or as independent executrix of the Estate of Michael W. Friesenhahn, or such parties as determined to be the legal owners of the applicable property upon which the easements are located; authorizing the President/Chief Executive Officer or his designated representative to execute all documents and take all actions necessary to effectuate the acquisition of the easements.
(MIKE BRINKMANN – BRUCE HABY)
18. A Resolution authorizing the expenditure and making available from the Project Fund in the amount of \$55,000.00 for possession by the System of the foregoing described easements during the pendency of litigation between the San Antonio Water System and Matthew H. Walsh in connection with the condemnation of the permanent waterline easement containing approximately 0.231 of an acre and a temporary construction easement containing approximately 0.138 of an acre located at 15497 Lookout Road, in Selma, Bexar County, Texas, owned by Matthew H. Walsh in connection with the Regional Carrizo Program, Water Delivery Pipeline Project; authorizing the execution by the President/Chief Executive Officer or his designees of a Possession-Use Agreement for the easements; authorizing payment to the Registry of the Court in the amount of \$55,000.00 as consideration for the Possession-Use Agreement; authorizing the System's legal counsel to continue to prosecute the

litigation through final judgment and any appeals, if deemed necessary. Total expenditures are: \$55,000.00. (MIKE BRINKMANN – BRUCE HABY)

19. A Resolution authorizing the expenditure and making available from the Project Fund in the amount of \$52,170.00 for possession by the System of the foregoing described easements during the pendency of litigation between the San Antonio Water System and JTL JV, LLC, in connection with the condemnation of the permanent waterline easement containing approximately 3.833 acres and a temporary construction easement containing approximately 2.245 acres located on Toepperwein Road, south of Lookout Road, in San Antonio, Bexar County, Texas, owned by JTL JV, LLC in connection with the Regional Carrizo Program, Water Delivery Pipeline Project; authorizing the execution by the President/Chief Executive Officer or his designees of a Possession-Use Agreement for the easements; authorizing payment to the Owner in the amount of \$52,170.00 as consideration for the Possession-Use Agreement; authorizing the legal counsel to continue to prosecute the litigation through final judgment and any appeals, if deemed necessary. Total expenditures are: \$52,170.00. (MIKE BRINKMANN – BRUCE HABY)

20. A Resolution approving the acquisition of a permanent water line easement affecting 3.497 acres, located at the northeast corner of Old Pearsall Road (F. M. 2536) and Covell Road in Bexar County, being out of NCB 15248, Lot P-7, Bexar County, Texas, in connection with the Water Resources Integration Program, Project 1: Pipeline, Segment II; authorizing the expenditure of funds from the Project Fund in a total amount not to exceed \$116,000.00 for the acquisition of the easement and related closing and title insurance costs; authorizing the President/Chief Executive Officer or his designated representative to execute all documents necessary to effectuate the acquisition of the easement and to pay the amount not to exceed \$112,500.00 to Laurine Marie Van Hecke and up to \$3,500.00 to AmeriPoint Title Company for related closing and title insurance costs. Total expenditures are: \$116,000.00. (MIKE BRINKMANN – BRUCE HABY)

21. A Resolution declaring seven tracts of land in Bexar County, Texas and Atascosa County, Texas as surplus to 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 Texas 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:

Property	Property Description
163 Babcock Road	Being a portion of two tracts of land approximately 0.0706 acres acquired in October, 1946 and April, 1948; located at 163 Babcock Road.
855 Old Hwy 90 West	Being a portion of two platted residential lots acquired in February, 1947; located at 855 Old Hwy 90 West.
454 Furnish Ave.	Being a tract of land approximately 0.0561 acquired in October, 1986; located at 454 Furnish Ave.
2400 Henderson Court	Being a tract of land approximately 0.3201 acquired in September, 1992; located at 2400 Henderson Court.
Ransleben	Being a tract of land approximately 39.929 acres acquired in March, 2007; located on FM 3175 and south east of the City of Lytle in Atascosa County.
15619 White Fawn Dr.	Being a platted residential lot acquired in October, 1973; located at 15619 White Fawn Dr.
149 Faith Dr.	Being a tract of land approximately 0.846 acres acquired in January, 1946; located at 149 Faith Dr.

WATER RESOURCES ITEMS

22. **A Resolution approval of Interlocal Cooperation Agreement with the Edwards Aquifer Authority to share studies relating to the Nueces River and associated watersheds; authorizing the President/Chief Executive Officer to execute an Interlocal Cooperation Agreement with the Edwards Aquifer Authority. (CHARLES AHRENS – DARREN THOMPSON)**
23. **A Resolution approving a Water Sales Agreement between the San Antonio Water System and Otis Scott And Erna Pattillo, providing for the sale of 5.248 acre-feet of water out of 5.248 surface acres from Gonzales County for the Regional Carrizo Program at a cost of \$95,481 per acre-foot plus an escalator comprised of the average of the producer price index and the consumer price index from the previous year as well as a right-of-first refusal for the purchase of 5.248 surface acres; approving the expenditure of funds for the System’s obligation under the Water Sales Agreement from the Water Supply Fee Revenues of the Project Fund; approving the payment of \$100.00 initial consideration payment, \$524.80 bonus payment to Otis Scott and Erna Pattillo and \$3,500.00 in closing costs; authorizing the President/Chief Executive Officer to execute the Water Sales Agreement with Otis Scott and Erna Pattillo, and to pay the required amounts in succeeding years in accordance with the terms of the Water Sales Agreement for the duration of the Water Sales Agreement and take such steps necessary to implement the Water Sales Agreement. Total 2012 expenditures are: \$4,124.80. (CHARLES AHRENS – GARY GUY)**
24. **A Resolution approving Change Order No. 1 in the decreased amount of \$2,114,500.00 to the construction contract with Layne Christensen Company in connection with the Brackish Groundwater Desalination Program Class I Test Injection Well Project; returning the amount of \$2,114,500.00 to the System’s Project Fund; authorizing the President/Chief Executive Officer to execute Change Order No. 1. Total expenditures are: \$2,114,500.00. (KELLEY NEUMANN – ASHOK KAJI – ESTHER HARRAH)**

FINANCIAL ITEMS

25. **A Resolution, concerning both the San Antonio Water System (System) and the District Special Project (DSP), authorizing an Engagement Letter be entered into with Fulbright & Jaworski, L.L.P. to act as Bond Counsel for debt related legal services for a three year term with an option to renew for one additional two-year term; directing the President/Chief Executive Officer to execute such engagement letter and any documents related thereto. (DOUG EVANSON)**
(SAWS-DSP)

MISCELLANEOUS ITEMS

26. **A Resolution authorizing the President/Chief Executive Officer or his authorized representative to execute an amendment to the Interlocal Agreement between the San Antonio Water System and the City of Castle Hills to provide billing services. (STACEY ISENBERG)**
27. **A Resolution approving the renewal of an agreement with Bentley Systems, Inc., in an amount not to exceed \$71,338.50 for the SELECT Program to provide software licensing and related services for the period March 27, 2012 through March 26, 2013; authorizing a one time expenditure from the System Fund in an amount not to exceed \$71,338.50 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 to pay Bentley Systems, Inc., an amount not to exceed \$71,338.50 for software licensing and related products. Total expenditures are: \$71,338.50. (DOUG EVANSON – JOE SAMPLES)

28. A Resolution ratifying the actions of the Senior Vice President/Chief Operating Officer in authorizing an amendment of a professional services contract with Energy Engineering Associates, Inc., in the amount of \$36,500.00 for additional engineering services associated with the Heating and Cooling Facilities Assessment and Master Plan Project; authorizing the expenditure of funds not to exceed \$36,500.00 from the System Fund in connection with the project work; authorizing the President/Chief Executive Officer or his designee to pay Energy Engineering Associates, Inc., the amount of \$36,500.00 for the project work. Total expenditures are: \$36,500.00. (MIKE BRINKMANN – DANIEL MYERS)
29. A Resolution accepting the bid of and awarding a two year construction contract to Austin Constructors, LLC in the amount of \$803,965.00 in connection with the 2012 Annual Sanitary Sewer Main Point Repair and Manhole Adjustments – Package 1 Construction Contract; approving the expenditure of funds in the amount of \$803,965.00 for the project work; approving construction contingency expenses in an amount not to exceed \$80,396.50 in connection with the project work; authorizing the total expenditures in the amount of \$884,361.50 from the System Fund for the project work and construction contingency expenses, and that the subsequent years' expenditures 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 Austin Constructors, LLC and to pay Austin Constructors, LLC the amount of \$884,361.50 for the project work. Total expenditures are: \$884,361.50. (VAL RUIZ – JEFF BROWN)
30. A Resolution accepting the bid of and awarding a two year construction contract to Austin Constructors, LLC in the amount of \$799,335.00 in connection with the 2012 Annual Sanitary Sewer Main Point Repair and Manhole Adjustments – Package 2 Construction Contract; approving the expenditure of funds in the amount of \$799,335.00 for the project work; approving construction contingency expenses in an amount not to exceed \$79,933.50 in connection with the project work; authorizing the total expenditures in the amount of \$879,268.50 from the System Fund for the project work and construction contingency expenses, and that the subsequent years' expenditures 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 Austin Constructors, LLC and to pay Austin Constructors, LLC the amount of \$879,268.50 for the project work. Total expenditures are: \$879,268.50. (VAL RUIZ – JEFF BROWN)
31. A Resolution accepting the bid of and awarding a two year construction contract to PM Construction & Rehab, LLC in the amount of \$777,777.00 in connection with the 2012 Annual Sanitary Sewer Main Point Repair and Manhole Adjustments – Package 3 Construction Contract; approving the expenditure of funds in the amount of \$777,777.00 for the project work; approving construction contingency expenses in an amount not to exceed \$77,777.70 in connection with the project work; authorizing the total expenditures in the amount of \$855,554.70 from the System Fund for the project work and construction contingency expenses, and that the subsequent years' expenditures 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, LLC and to pay PM Construction & Rehab, LLC the amount of \$855,554.70 for the project work. Total expenditures are: \$855,554.70. (VAL RUIZ – JEFF BROWN)

32. A Resolution accepting the bid of and awarding a two year construction contract to PM Construction & Rehab, LLC in the amount of \$737,737.00 in connection with the 2012 Annual Sanitary Sewer Main Point Repair and Manhole Adjustments – Package 4 Construction Contract; approving the expenditure of funds in the amount of \$737,737.00 for the project work; approving construction contingency expenses in an amount not to exceed \$73,773.70 in connection with the project work; authorizing the total expenditures in the amount of \$811,510.70 from the System Fund for the project work and construction contingency expenses, and that the subsequent years' expenditures 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, LLC and to pay PM Construction & Rehab, LLC the amount of \$811,510.70 for the project work. Total expenditures are: \$811,510.70. (VAL RUIZ – JEFF BROWN)
33. A Resolution authorizing the reappointment of Ms. Dora Salinas, Ms. Helen Dutmer and Mr. Steven Braimer to the Disciplinary Action Appeals Committee from August 1, 2012 through July 31, 2015; authorizing an amount not to exceed \$15,000.00 be expended from the System Fund for Disciplinary Action Appeals Committee hearings, and that expenditures for subsequent years' be pursuant to and contingent upon Board approval of subsequent years' budgets with a line item for such expenditures. Total expenditures are: \$15,000.00. (SHARON DE LA GARZA)

ITEMS FOR INDIVIDUAL CONSIDERATION

EASEMENTS AND REAL PROPERTY

34. A Resolution, concerning the District Special Project (DSP), declaring ten tracts of land in Bexar County and Atascosa County, Texas, as surplus to 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 Texas 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:

Property	Property Description
2047 West Malone Ave.	Being an approximately 10.6952 acre tract of land acquired in September 28, 1995; located at 2047 West Malone Ave.
426 & 428 Carlisle Ave.	Being five platted residential lots acquired in March, 1988; located at 426 & 428 Carlisle Ave.
611 Carlisle Ave.	Being a portion of a platted residential lot acquired in August, 1956; located at 611 Carlisle Ave.
713 & 719 Patton Blvd.	Being two residential lots acquired in April, 1994; located at 713 & 719 Patton Blvd.
922 Vickers Ave.	Being a platted residential lot acquired in May, 1978; located at 922 Vickers Ave.
1314 Big Oak Dr.	Being two platted residential lots acquired in October, 1984; located at 1314 Big Oak Dr.
3185 Cenizo	Being an approximately 0.6767 acre tract of land acquired in June, 1995;

	located at 3185 Cenizo.
1050 Lockhill-Selma Rd.	Being an approximately 0.022 acre tract of land acquired in January, 1956; located at 1050 Lockhill-Selma Rd.
1214 & 1302 Morey Peak	Being one platted residential lot acquired in January, 1965; and one residential lot 100 ft. x 140 ft. acquired in April 1956; located at 1214 & 1302 Morey Peak.
1143 Shalimar Dr.	Being three residential platted lots acquired in March, 1995; located at 1143 Shalimar Dr.

WATER RESOURCES ITEMS

35. **A Resolution for the benefit of itself and the District Special Project, approving a Water Supply Agreement between Water Exploration Co., Ltd., and the San Antonio Water System on behalf of itself and the District Special Project; directing the President/Chief Executive Officer to execute the water supply agreement; directing the President/Chief Executive Officer to include funding for annual water purchases under the water supply agreement as line items in future annual budgets; approving a mutual termination of water supply agreement – Dym Tract between Water Exploration Co., Ltd., and the Bexar Metropolitan Water District; directing the President/Chief Executive Officer to execute the termination document.**
 (SAWS-DSP) **(STEVE CLOUSE – NANCY BELINSKY – STEVE KOSUB)**

CAPITAL IMPROVEMENT CONTRACTS

WATER RESOURCES PROJECTS

36. **A Resolution accepting the bid of and awarding a construction contract to S.J. Louis Construction of Texas, Ltd., in the amount of \$12,416,708.41 for the construction of the Regional Carrizo Program, Water Supply Pipeline Project; authorizing the expenditure of funds in the amount of \$12,416,708.41 for the project work; authorizing construction contingency expenses in an amount not to exceed \$400,000.00 in connection with the project work; authorizing total expenditures of funds in an amount not to exceed \$12,816,708.41 from the System’s Project Fund for the project work and construction contingency expenses; authorizing the President/Chief Executive Officer or his designee to execute a contract with S.J. Louis Construction of Texas, Ltd., and to pay S.J. Louis Construction of Texas, Ltd., the amount of \$12,416,708.41 for the project work. Total expenditures are: \$12,816,708.41.** (CHARLES AHRENS – GARY GUY)

37. **BRIEFING SESSION.**

- A. **Briefing and quarterly consultation with the BexarMet Integration Advisory Committee, pursuant to the requirements of 82R Senate Bill 341.** (BETTY SUTHERLAND, CHAIR, BEXARMET INTEGRATION ADVISORY COMMITTEE)
- B. **Briefing and deliberation regarding Monthly Financial Results and Other Financial Matters.** (DOUG EVANSON – MARY BAILEY)

38. **Ceremonial Items.**

- A. **Recognition of SAWS participants in the Meter Madness and Pipe Tapping Teams at the 2012 Texas and National Conference of the American Water Works Association.** (VAL RUIZ)
- B. **Recognition of retiring SAWS employees for their service to the citizens of San Antonio.** (STEVE CLOUSE)

- C. Recognition of the SAWS Fleet Department being named one of the top 100 in North America by the 100 Best Fleets – Government Fleet. (VAL RUIZ)
- D. Recognition of SAWS 5K Run/Walk held on June 2, 2012 to benefit Project Agua. (MARK SCHNUR)

39. **President/Chief Executive Officer’s Report. Presentation of and deliberation on the following Items:**

- A. Status of Brackish Groundwater Desalination Project and field visit to various desalination plants.
- B. Texas Monthly Water Policy Panel and other Public Events

40. **Inquiries.**

41. **The Regular Session of the July 10, 2012, 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.**

42. **EXECUTIVE SESSION.**

- A. Consultation with attorneys and deliberation regarding the appointment, employment, reassignment, duties, discipline, or dismissal of a public officer or employee. (NANCY BELINSKY - BILL CROW)
- B. Consultation with attorney regarding Cause No. 04-11-00018-CV in the Fourth Court of Appeals – San Antonio; *The Edwards Aquifer Authority, et al v Bragg*. (NANCY BELINSKY – STEVE KOSUB)
- C. Consultation with attorney regarding Second Amended and Restated Water Supply Agreement – Stein Tract between Bexar Metropolitan Water District and Water Exploration Co., Ltd., dated April 11, 2011, Amended and Restated Water Supply Agreement – Dym Tract between Bexar Metropolitan Water District and Water Exploration Co., Ltd., dated May 19, 2011, Water Supply Agreement between Bexar Metropolitan Water District and Water Exploration Co., Ltd., dated September 11, 2005, as amended, Termination of Water Supply Agreement by Bexar Metropolitan Water District and Water Exploration Co., Ltd., dated April 11, 2007, proposed termination of Amended and Restated Water Supply Agreement – Dym Tract between Bexar Metropolitan Water District and Water Exploration Co., Ltd., dated May 19, 2011, and proposed Water Supply Agreement between Water Exploration Co., Ltd., and the San Antonio Water System on behalf of itself and its District Special Project, dated July 10, 2011. (NANCY BELINSKY – STEVE KOSUB)
- D. Consultation with attorneys and deliberation regarding Cause No. 2012-ED-0013 in the Probate Court No. 1 of Bexar County, Texas, *City of San Antonio by and through its San Antonio Water System vs. Mary Jo Hauser, Trustee for the John James Survey 73 Cemetery Association*. (NANCY BELINSKY – MARK BREWTON)
- E. Consultation with attorneys and deliberation regarding potential litigation relating to matters in connection with wastewater permit compliance issues. (NANCY BELINSKY – JOHN REYNOLDS)

(SAWS-DSP)

- F. Consultation with attorneys and deliberation regarding Cause No. 2010-CI-17097; *Elizabeth Tesson and Norma Martinez A/N/F of Virginia Martinez v. San Antonio Water System*, in the 37th Judicial District Court, Bexar County, Texas. (NANCY BELINSKY - BILL CROW)
- G. Consultation with attorneys and deliberation regarding Cause No. 356725, *Starla D. Garcia v. Bexar Metropolitan Water District*, In the County Court at Law No. 10, Bexar County, Texas. (NANCY BELINSKY - BILL CROW)
- (DSP)
- H. Consultation with attorneys and deliberation 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. (NANCY BELINSKY)
43. The Regular Session of the Regular Board Meeting of July 10, 2012, is hereby reconvened.
44. A Resolution authorizing the Filing of an Amicus Curiae Brief in Cause No. 04-11-00018-CV, in the Fourth Court of Appeals of San Antonio, Texas; *Edwards Aquifer Authority, et al. v. Glenn and Jolynn Bragg*. (NANCY BELINSKY – STEVE KOSUB)
45. A Resolution authorizing the expenditure and making available from the Project Fund the amount of \$225,000.00 being the amount of the Special Commissioners’ Award in litigation between the San Antonio Water System and Mary Jo Hauser, Trustee for the John James Survey 73 Cemetery Association, in connection with the acquisition of the permanent waterline easement described as a 1.583 acre tract and a temporary construction easement described as 0.896 of an acre tract located on the northwest side of Lookout Road, southwest of Amberly Court in Selma, Bexar County, Texas, owned by Mary Jo Hauser, Trustee for the John James Survey 73 Cemetery Association for the Regional Carrizo Program, Water Delivery Pipeline Project; authorizing the deposit of the amount of \$225,000.00 in the Registry of the Court to take possession of said easements. Total expenditures are: \$225,000.00. (MIKE BRINKMANN – BRUCE HABY)
46. Adjournment. THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES MEETING OF JULY 10, 2012, IS HEREBY ADJOURNED.