



## **AGENDA**

### **MEETING OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES**

**April 1, 2014, 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 March 4, 2014.**
- 4. Ceremonial and Recognition Items.**
- 5. Individuals to be Heard.**

## **CONSENT AGENDA ITEMS**

**Items 6 – 29**

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

#### **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).

6. **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 Genuine Parts Co. to provide: Two Automobile/Truck Lifts for SAWS Eastside Service Center Floor Garage, Bid No. 14-14008, for a total of \$55,772.00.**
- 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 Aztec Service Group to provide: Best Value Bid for Fencing Repair/Relocation Service for jobs under \$3,000, Bid No. 13-2075, for a total of \$184,800.00.**
  2. **Acceptance of the bid of Southwest Wheel to provide: Medium and Heavy Duty Truck and Trailer Brake Parts, Bid No. 13-0286, for a total of \$70,734.00.**
  3. **Acceptance of the bid of CMC Construction Services to provide: Reinforcing Steel Products, Bid No. 14-0204, for a total of \$70,697.50.**
  4. **Acceptance of the bid of Rosemount Analytical to provide: Rosemount Chlorine and Fluoride Analyzers, Bid No. 14-14001, for a total of \$84,914.00.**
  5. **Acceptance of the bid of Alamo Crane Services to provide: Crane and Equipment Rental Service, Bid No. 14-0296, for a total of \$65,955.00.**
  6. **Acceptance of the bid of San Antonio Armature Works to provide: Electric Motor Repair Small Motors (10-250 HP) and Large Motors (Greater than 250 HP), Bid No. 14-8073, for a total of \$887,756.00.**
  7. **Acceptance of the bid of Medical Audit Consultants, Inc. to provide: Best Value Bid for Medical Cost Containment, Bid No. 14-1007, for a total of \$63,530.00.**
  8. **Acceptance of the bid of P&T Lawn Service to provide: Lawn Maintenance Services for SAWS Non-Escort Properties, Bid No. 14-14005, for a total of \$62,389.80.**
  9. **Acceptance of the bid of Cantu Contracting, Inc. to provide: Lawn Maintenance Services for Non-Escort Lift Stations Properties, Bid No. 14-14006, for a total of \$48,600.00.**
  10. **Acceptance of the bid of Cantu Contracting, Inc. to provide: Lawn Maintenance Services for Escort Required SAWS Properties, Bid No. 14-14007, for a total of \$126,660.00.**
  11. **Acceptance of the bid of Safety Supply, Inc. to provide: Isotonic Flavored Drinks, Bid No. 14-6000, for a total of \$44,500.00.**
- 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.**

1. **Acceptance of the bid of IPC (USA), Inc. to provide: Diesel Fuel (COSA A297), Bid No. 11-0038, for a total of \$2,205,088.69.**
- D. Authorization to Utilize the City of San Antonio’s Competitive Bidding Process for Biennial Contracts. Estimated annual purchases are based on unit prices bid. Actual totals may vary from estimate.**
- No items for this Meeting.**
- E. Award of Biennial Service and Supply Contracts. Estimated annual purchases are based on unit prices bid. Actual totals may vary from estimate.**
1. **Acceptance of the bid of AT&T Corp. to provide: AT&T Communications Renewal 1 of 3 Voice Account Only (Smart Trunks & DID) State of Texas Contract DID-TEX-AN-NG-CTSA-005, Bid No. 14-9037, for a total of \$205,644.48.**

## **CAPITAL IMPROVEMENT CONTRACTS**

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

#### **Developer Customer Contracts**

- 7. A Resolution approving Utility Service Agreements to provide water and/or wastewater service to the tracts listed below which are located within the 5-mile (SAWS-DSP) Awareness Zone of Camp Bullis (5-mile) and/or over the Edwards Aquifer Recharge (EARZ) and/or Contributing Zone (CZ) and/or over 50 acres (AC) and/or potential oversizing of mains (OVR). (KELLEY NEUMANN – SAM MILLS)**

<b>No.</b>	<b>Tract Name</b>	<b>Developer</b>	<b>Acreage</b>	<b>Water EDUs</b>	<b>WW EDUs</b>	<b>COSA / COSA ETJ / Outside</b>	<b>DISTRICT SPECIAL PROJECT (BMWWD)</b>	<b>Board Reason</b>	<b>Water CCN</b>	<b>WW CCN</b>
1	Anaqua Springs Ranch Unit VI-C1 Tract	Anaqua Springs Ranch, Inc.	26.63	8	0	COSA ETJ	YES	CZ /5-mile	Inside	Outside
2	Davis Ranch /Galm Road Tract	Sullivan Commercial Realty	870	2900	2800	COSA ETJ	NO	AC /OVR	Inside	Outside
3	Helotes Canyon – 68-acre Tract	McMillin Texas Land Development, LLC	68	150	0	COSA ETJ	NO	EARZ /AC	Inside	Outside
4	San Antonio Christian Schools 9.1 Acre	San Antonio Christian Schools	9.1	120	100	COSA	NO	EARZ /5-mile	Inside	Inside
5	Vinyard LA Fitness Tract	Loop 1604 Group	2.81	45	40	COSA	YES	EARZ /5-mile	Inside	Inside
<b>Totals</b>			<b><u>976.54</u></b>	<b><u>3223</u></b>	<b><u>2940</u></b>					
<b>Totals (January – April 2014)</b>			<b><u>1372.64</u></b>	<b><u>4462</u></b>	<b><u>3904</u></b>					

8. A Resolution approving Utility Service Agreements to provide water and/or wastewater service to the tracts listed below which are located within the 5-mile Awareness Zone of Camp Bullis (5-mile) and/or over the Edwards Aquifer Recharge (EARZ) and/or Contributing Zone (CZ) and/or over 50 acres (AC) and/or potential oversizing of mains (OVR). (KELLEY NEUMANN – SAM MILLS)

No.	Tract Name	Developer	Acreage	Water EDUs	WW EDUs	COSA / COSA ETJ / Outside	DISTRICT SPECIAL PROJECT (BMWD)	Board Reason	Water CCN	WW CCN
1	Elkhorn Bend Subdivision	Bitterblue Properties	106	315	315	Outside	NO	EARZ/5-mile/AC	Outside	Outside
<b>Totals</b>			<u>106</u>	<u>315</u>	<u>315</u>					
<b>Totals (January – April 2014)</b>			<u>1372.64</u>	<u>4462</u>	<u>3904</u>					

### Production, Transmission and Treatment Improvements

9. A Resolution approving Recapitulation Change Order No. 19 in the decreased amount of \$70,175.03 to the construction contract with Pepper-Lawson Waterworks, LLC, in connection with the Dos Rios Water Recycling Center Digester Mixing and System Enhancements Phase I Project; authorizing the return of funds in the amount of \$70,175.03 and the construction contingency balance of \$3,214.23 for a total amount of \$73,389.26. Total decreased amount: \$73,389.26. (KELLEY NEUMANN – ASHOK KAJI)
10. A Resolution approving Recapitulation Change Order No. 13 in the decreased amount of \$159,265.64 to the construction contract with Don Kelly Construction, Inc., in connection with the Central Watershed Sewer Relief Line, C-01 Project; authorizing the return of funds in the amount of \$159,265.64 and the construction contingency balance of \$9,767.25 for a total amount of \$169,032.89. Total decreased amount: \$169,032.89. (KELLEY NEUMANN – FRANCES PLOCEK)
11. A Resolution approving Recapitulation Change Order No. 4 in the decreased amount of \$27,825.78 to the construction contract with PM Construction & Rehab, L.P., in connection with the Annual 2012 Rehabilitation Work Order Construction Contract Project; authorizing the return of funds in the amount of \$27,825.78. Total decreased amount: \$27,825.78. (KELLEY NEUMANN – FRANCES PLOCEK)
12. A Resolution approving Change Order No. 10 in the amount of \$51,412.80 to the construction contract with S.J. Louis Construction of Texas, LTD., in connection with the Olmos Basin Central Watershed Sewer Relief Line (C-3) Project and approving additional construction contingency expenses in an amount not to exceed \$200,000.00. Total expenditures: \$51,412.80. (KELLEY NEUMANN – FRANCES PLOCEK)
13. A Resolution approving Change Order No. 3 in the amount of \$285,727.18 to the construction contract with Oscar Renda Contracting, Inc., in connection with the W6: Western Watershed Sewer Relief Line Project 1; ratifying the actions of the Senior Vice President of Strategic Resources in approving Change Order No. 4 in a decreased amount of \$123,576.36 in connection with the project work; approving construction contingency expenses in an amount not to exceed \$238,536.04 for the project work. Total expenditures: \$162,150.82. (KELLEY NEUMANN – FRANCES PLOCEK)

## Professional Services

14. A Resolution approving Contract Amendment No. 1 to the professional services contract with Ford Engineering, Inc. for moving unspent wastewater funds in the contract to water funds in an amount not to exceed \$50,000.00 in connection with the 2011 Engineering Design Services – Replacements and Improvements, Contract II. Total expenditures: \$0.00. (KELLEY NEUMANN – FRANCES PLOCEK)
15. A Resolution awarding a professional services contract to Lockwood, Andrews, & Newnam, Inc., in an amount not to exceed \$650,000.00 for the 2013 Engineering Design Services – Contract I. Total expenditures: \$650,000.00. (KELLEY NEUMANN – FRANCES PLOCEK)
16. A Resolution awarding a professional services contract to LNV, Inc., in an amount not to exceed \$650,000.00 for the 2013 Engineering Design Services – Contract II. Total expenditures: \$650,000.00. (KELLEY NEUMANN – FRANCES PLOCEK)
17. A Resolution awarding a professional services contract to Bain Medina Bain, Inc., in an amount not to exceed \$650,000.00 for the 2013 Engineering Design Services – Contract III. Total expenditures: \$650,000.00. (KELLEY NEUMANN – FRANCES PLOCEK)
18. A Resolution awarding a professional services contract to K. Friese & Associates, Inc., in an amount not to exceed \$400,000.00 for the 2013 Engineering Design Services – Contract IV. Total expenditures: \$400,000.00. (KELLEY NEUMANN – FRANCES PLOCEK)
19. A Resolution awarding a professional services contract to Arredondo, Zepeda & Brunz, LLC, in an amount not to exceed \$650,000.00 for the 2013 Engineering Design Services – Contract V. Total expenditures: \$650,000.00. (KELLEY NEUMANN – FRANCES PLOCEK)

## REPLACEMENT AND ADJUSTMENT PROJECTS

### Governmental Relocations and Replacements

20. A Resolution approving the expenditures of funds in the amount of \$1,015,042.00 for the adjustment and replacement of water and sewer facilities by the City of San Antonio in connection with the Goliad Road Drainage Improvements: SE Military to Loop 410 Project and approving construction contingency expenses in an amount not to exceed \$20,300.84 in connection with the project work. Total expenditures: \$1,035,342.84. (KELLEY NEUMANN – JOSE CARRENO)

## EASEMENTS AND REAL PROPERTY

21. A Resolution authorizing the President/Chief Executive Officer and the System's General Counsel and appointed attorneys to take all lawful actions, including, but not limited to, the filing of legal proceedings seeking injunctive relief, being incident to the System's power of eminent domain, to survey, specify, clarify, define, inspect, and determine the suitability of real property within a certain area located along Potranco Road, west of Empresario Drive in the Northwestern quadrant of Bexar County in furtherance of the Water Resources Integration Program, Project 1: Pipeline, Segment III. (NANCY BELINSKY – BRUCE HABY)

22. **A Resolution approving the acquisition of an approximately 0.182 acre permanent sewer easement and an approximately 0.546 acre temporary construction easement from Mary Gayle Finkbeiner Trust, Linda Putman Carlson, John Vick Putman, and James Michael Putman, located near the southeast side of Jones Maltsberger Rd, between US 281 and John Saunders Rd, in the north central quadrant of Bexar County, Texas, in connection with the John Saunders and US 281 Project in a total amount not to exceed \$155,101.00 for the acquisition of the easements. Total expenditures: \$155,101.00.  
(NANCY BELINSKY – BRUCE HABY)**
23. **A Resolution declaring a public necessity for public use the acquisition of certain privately owned real property in the City of San Antonio being permanent water and sewer line easements, this project being generally located along Hausman Road from IH10 West to N Loop 1604 West in the northwest quadrant of San Antonio, Bexar County, Texas, which easements shall be acquired by negotiation and/or condemnation, if necessary, for the public use of the expansion and operation of the System through the construction of the City of San Antonio’s Hausman Road 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 use and a public necessity exists for the acquisition of the easements; (ii) request the City to take all appropriate action to acquire the easements by negotiation and/or condemnation; (iii) declare that the conveyance of the easements shall be to the City of San Antonio for the use, benefit and control of the System; and (iv) requesting the City Attorney and/or designated Special Counsel to file eminent domain proceedings, if necessary and prosecute such proceedings through final judgment and any appeals, if deemed necessary.  
(NANCY BELINSKY – BRUCE HABY)**

### **WATER RESOURCES ITEMS**

24. **A Resolution appointing Diane Lang as a new Community Conservation Committee member for a two-year term expiring December, 31, 2015.  
(CHARLES AHRENS – KAREN GUZ)**

### **MISCELLANEOUS ITEMS**

25. **A Resolution approving the nominations of John Davis and Michael Moore for membership on the Rate Advisory Committee. (DOUG EVANSON)**
26. **A Resolution accepting the proposal of and authorizing the execution of a participation agreement with JP Morgan Chase Bank, N.A. to provide commercial card services for the period April 1, 2014 through June 30, 2018.  
(DOUG EVANSON)**
27. **A Resolution authorizing and approving an amendment and restatement of the SAWS Retirement Plan and resolution to pick up mandatory employee contributions under the plan. (SHARON DE LA GARZA)**
28. **A Resolution awarding a consulting services contract to West Monroe Partners in an amount not to exceed \$188,000.00 for services related to a structure and process optimization study for the Customer Service and Remittance Processing functions. Total expenditures: \$188,000.00. (VAL RUIZ)**

29. A Resolution approving the Utility Service Agreement between the City of San Antonio and the San Antonio Water System for continued chilled water service for a period of five years with options for three additional five-year terms; authorizing the San Antonio Water System to retroactively bill the City of San Antonio for chilled water service through June 1, 2013. (STEVE CLOUSE – DAN MYERS)

## **ITEMS FOR INDIVIDUAL CONSIDERATION**

30. A Resolution accepting and acknowledging the Comprehensive Annual Financial Report of the San Antonio Water System for the fiscal year ending December 31, 2013 including the report of independent accountants, Padgett, Stratemann & Co., L.L.P.; directing that the report be made available for public inspection. (DOUG EVANSON – MARY BAILEY)
31. A Resolution, concerning the District Special Project (DSP) approving the San Antonio Water System District Special Project Financial Report for the year ended (DSP) December 31, 2013 including the report of independent accountants issued by Padgett, Stratemann & Co., L.L.P.; directing that the report be made available for public inspection. (DOUG EVANSON – MARY BAILEY)
32. A Resolution, concerning the San Antonio Water System and the District Special Project, accepting and recommending for City Council approval of the 2014 - 2023 (SAWS-DSP) Land Use Assumptions Plan, the Water Delivery, Water Supply, and Wastewater Capital Improvements Plan and the Maximum Impact Fee Calculations for water delivery, water supply, and wastewater. (KELLEY NEUMANN – SAM MILLS)

## **CAPITAL IMPROVEMENT CONTRACTS**

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

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

33. A Resolution awarding a construction contract to Spiess Construction Co., Inc., in an amount of \$3,879,019.59 for the Olmos Basin Central Watershed Sewer Relief (C-3) Project – Line C and approving construction contingency expenses in an amount not to exceed \$195,000.00 for the project work. Total expenditures: \$4,074,019.59. (KELLEY NEUMANN – FRANCES PLOCEK)
34. A Resolution awarding a construction contract to Southland Contracting, Inc., in an amount of \$6,146,960.00 for the C\_13 Broadway Corridor Project – Package A and approving construction contingency expenses in an amount not to exceed \$305,000.00 for the project work. Total expenditures: \$6,451,960.00. (KELLEY NEUMANN – FRANCES PLOCEK)

## **REPLACEMENT AND ADJUSTMENT PROJECTS**

### **Governmental Relocations and Replacements**

35. A Resolution approving the expenditures of funds in the amount of \$3,152,645.18 for the adjustment and replacement of water and sewer facilities by the City of San Antonio in connection with the Hausman Road: Loop 1604 to IH 10 Project and

approving construction contingency expenses in an amount not to exceed \$76,882.00 in connection with the project work. Total expenditures: \$3,229,527.18.

(KELLEY NEUMANN – JOSE CARRENO)

36. A Resolution approving Change Order No. 5 in the amount of \$613,041.30 payable to Pesado Construction Co., Inc., in connection with the Alamo at Guenther PH II – Water & Sewer Siphon Project and approving additional construction contingency expenses in an amount not to exceed \$599,261.41 in connection with the project work. Total expenditures: \$613,041.30. (KELLEY NEUMANN – JOSE CARRENO)

37. **BRIEFING SESSION.**

- A. Briefing and deliberation regarding a Drought Update (CHARLES AHRENS – KAREN GUZ)

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

- A. Public Tour of SAWS Facilities
- B. Discussions with Vista Ridge on water supply options

39. Inquiries.

40. The Regular Session of the April 1, 2014, 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.

41. **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 attorneys regarding Civil Action No. 5:12-CV-620 in the United States District Court for the Western District of Texas – San Antonio Division; League of United Latin American Citizens (LULAC) v Edwards Aquifer Authority, et al. (NANCY BELINSKY – STEVE KOSUB)
- C. Consultation with attorneys regarding *City of Friendswood v. Wight Realty Interests, Ltd.*, Case No. 13-0358 in the Supreme Court of Texas (NANCY BELINSKY – MARK BREWTON)
- D. Consultation with attorneys and deliberation regarding Cause No. 2010-CI-07444, *Debra Nicholas v. San Antonio Water System*, in the 57<sup>th</sup> Judicial District Court, Bexar County, Texas. (NANCY BELINSKY – BILL CROW)
- E. Consultation with attorneys regarding the contract between the San Antonio Water System and Seyah Transportation LLC, d/b/a B&J Transportation. (NANCY BELINSKY)



- F. Consultation with attorneys regarding legal matters related to potential long term water supply contract under the request for competitive sealed proposals for the provision and delivery of alternative water supplies.  
(NANCY BELINSKY- STEVE KOSUB)**
- G. Deliberation regarding the annual evaluation, performance objectives and duties of the President/Chief Executive Officer; and consultation with attorneys concerning legal issues regarding the annual evaluation, performance objectives and duties of the President/Chief Executive Officer.  
(NANCY BELINSKY)**
- 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)**

**42. The Regular Session of the Regular Board Meeting of April 1, 2014, is hereby reconvened.**

**43. A Resolution authorizing the filing of an Amicus Curiae brief(s) in Case No. 13-0358 in the Supreme Court of Texas; City of Friendswood V. Wight Realty Interests, Ltd.  
(NANCY BELINSKY – MARK BREWTON)**

**44. Adjournment. THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES MEETING OF APRIL 1, 2014, IS HEREBY ADJOURNED.**