

AGENDA

MEETING OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES

Tuesday, May 6, 2008, 9:00 A.M.

6th Floor Board Room #609

Administrative Offices

2800 U. S. 281 North

San Antonio, Texas

1. MEETING CALLED TO ORDER.
2. Announcements.
 - A. The San Antonio Water System Board of Trustees will, during the Meeting, close the Meeting and hold an Executive Session pursuant to Chapter 551 of the Texas Open Meetings Act, Texas Government Code, which permits closed meetings for purposes of consulting with its attorneys and deliberating about real property, gifts and donations, personnel matters and security devices. The Board of Trustees may, at any time during the Meeting, close the Meeting and hold an Executive Session for consultation with its attorneys concerning any of the matters to be considered during the Meeting pursuant to Chapter 551 of the Texas Open Meetings Act.
3. Minutes.
 - A. Approval of the Minutes of the San Antonio Water System Board of Trustees Regular Meeting of April 1, 2008.
4. Ceremonial Items.

No items for this Meeting.
5. Citizens to be Heard.
6. Board of Trustees - Committee Reports.
 - A. Audit and Finance Committee.
 - B. Planning and Operations Committee.
 - C. Water Resources Committee.

**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.

CONSENT AGENDA ITEMS

Items 7– 30A

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.**

- (SBE) 1. **Acceptance of the bid of Power Engineering Services, Inc., to provide: MV Protective Relays Maintenance and Calibration, Bid No. 08-8009, for a total of \$83,550.00. (This contract will be utilized for maintenance and calibration services of MV Protective Relays at SAWS medium voltage potable and reuse water pumps stations. This contract will be effective Date of Award (May 6, 2008) through December 31, 2009.**

- (SBE) 2. **Acceptance of the bid of Keller Material, Inc., to provide: Backfill and Landscaping Materials, Bid No. 08-2038, for a total of \$773,925.00. (This contract will be utilized for the purchase of backfill and landscaping materials for the various backfill mixtures on an as needed basis. This contract will be effective Date of Award (May 6, 2008) through May 31, 2009.)**

3. **Acceptance of the bid of Power Pro-Tech to provide: Generator Maintenance, Repair and Services, Bid No. 08-0625, for a total of \$64,921.00. (This contract will be utilized for maintenance, repair and parts for all generators as required at SAWS locations. This contract will be effective Date of Award (May 6, 2008) through May 31, 2009.)**

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

No items for this Meeting.

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

No items for this Meeting.

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

No items for this Meeting.

CAPITAL IMPROVEMENT CONTRACTS

PROJECTS INVOLVING IMPROVEMENTS, EXTENSIONS AND ADDITIONAL CAPACITY

Developer Customer Contracts

8. A Resolution approving a Utility Service Agreement to provide water and/or wastewater service to the tract listed below which is not located over the Edwards Aquifer Recharge or Contributing Zone. (KELLEY NEUMANN – SAM MILLS)

No.	Tract Name	Developer Name	Acreage	Water EDUS	Waste Water EDUS	Board Reason	Water CCN	Waste Water CCN
1	Rosillo Ranch	Rosillo Creek Development, Ltd.	679	2,460	2,460	AC/OVR	Inside	Inside
		Totals	<u>679</u>	<u>2,460</u>	<u>2,460</u>			
		Year to Date Totals January – May 2008)	3,700	4,282	24,600			

9. 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. (KELLEY NEUMANN – SAM MILLS)

No.	Tract Name	Developer Name	Acreage	Water EDUS	Waste Water EDUS	Board Reason	Water CCN
1	Conservatory at Stone Oak	Conservatory Senior Living	15.7	0	121	EARZ	B.M.W.D.
2	Galm Road Tract	Davis-McCrary Property Trust	886	3,400	4,430	AC/EARZ	Outside
3	Matthews & Raymundo Hwy 281 North	Mila Raymundo	0.55	1	2	EARZ	Inside
4	Northwest Costco	Lubbock-TSC, LP	6.47	15	15	EARZ	Inside
5	S.A. Ranch Townhomes	William L Hoover	12.57	157	157	EARZ	Inside
6	Tuscany Heights Elementary School	Northeast Independent School District	22.98	30	25	EARZ	Inside
		Totals	<u>944</u>	<u>3,603</u>	<u>4,750</u>		
		Year to Date Totals January – May 2008)	<u>2,507</u>	<u>6,087</u>	<u>6,593</u>		

10. A Resolution approving Utility Service Agreements to provide water and/or wastewater service to the tracts listed herein which are proposed participants in the Medina River Outfall Participation Group. (KELLEY NEUMANN – SAM MILLS)

No.	Tract Name	Developer Name	Acreage	Water EDUS	Waste Water EDUS	Board Reason	Water CCN	Waste Water CCN
1	Fernandez Tract	Mario Fernandez	747	0	2,800	AC/OVR	B.M.W.D.	Applied for
2	Garcia Tract	Kestrel Development Inc.	154	0	200	AC/OVR	B.M.W.D.	Applied for
3	McCombs Tract	McCombs Family Partners, Ltd.	138	1,100	1,100	AC/OVR	Inside	Applied for
4	Medina Bailey Partnership	Bailey Commercial, Inc.	319	360	300	AC/OVR	Inside/Outside	Applied for
5	Mountain Laurel West	SFR Briggs LP	487	0	1,375	AC/OVR	B.M.W.D.	Applied for
6	Shovlin Tract	San Isidro North, Ltd.	290	1,450	1,450	AC/OVR	Inside	Applied for
		Totals	<u>2,135</u>	<u>2,910</u>	<u>7,225</u>			
		Medina River Outfall Totals	4,817	2,910	14,575			

11. A Resolution approving a partial reimbursement in the amount of \$5,651.00 to F.C. Properties One Ltd., for the Stone Oak One On-Site Oversize Improvements as required by the Third Addendum to the Mud Creek Participation Agreement, pursuant to City of San Antonio Ordinance No. 71800; authorizing the expenditure of \$5,651.00 from the System’s Fund Service Recovery Account within the System’s Fund Renewal and Replacement Fund for such reimbursement; authorizing the President/Chief Executive Officer to pay such partial reimbursement in the amount of \$5,651.00 to F.C. Properties One Ltd., for the Stone Oak One On-Site Oversize Improvements. Total expenditures are: \$5,651.00. (KELLEY NEUMANN – SAM MILLS)

Production, Transmission and Treatment Improvements

12. A Resolution amending Resolution No. 07-336 by approving the expenditure of additional funds in an amount not to exceed \$52,000.00 payable to S.J. Louis Construction of Texas, Ltd., for additional construction contingency expenses in connection with the Talley Road (FM 471 to Ray Lieck Road) Project; approving an additional amount not to exceed \$52,000.00 be made available from the System’s Project Fund for the additional construction contingency expenses; ratifying the actions of the Vice-President of Facilities Engineering & Construction in approving Change Order No. 3 in the amount of \$77,689.54; authorizing the President/Chief Executive Officer to pay to S.J. Louis Construction of Texas, Ltd., an additional amount not to exceed \$52,000.00 for the additional project work and additional construction contingency expenses. Total expenditures are: \$52,000.00. (KELLEY NEUMANN – FRANCES PLOCEK)
13. A Resolution approving Recapitulation Change Order No. 8 in the decreased amount of \$37,940.50 to the construction contract with Lambda Construction I, Ltd., in

connection with the construction of the Dos Rios Water Recycling Center Wastehauler Station Project; returning the amount of \$37,940.50 and the construction contingency balance of \$43,683.74 for a total amount of \$81,624.24 to the System's Project Fund; authorizing the President/Chief Executive Officer to execute Recapitulation Change Order No. 8 and close the contract with Lambda Construction I, Ltd. Total decreased amount is: \$81,624.24.(KELLEY NEUMANN–ASHOK KAJI)

14. A Resolution ratifying the action of the Vice-President of Facilities Engineering & Construction in approving Recapitulation Change Order No. 1 in the increased amount of \$36,563.66 to the construction contract with Key Enterprises, Inc., in connection with the construction of the Marnoch: Scenic Loop To Rafter S Trail Water Transmission Main Project; returning the construction contingency balance of \$5,436.34 for a total amount of \$5,436.34 to the System's Project Fund; authorizing the President/Chief Executive Officer to execute Recapitulation Change Order No. 1 and close the contract with Key Enterprises, Inc. Returning the total amount of \$5,436.34 to the System's Project Fund. (KELLEY NEUMANN – ASHOK KAJI)

REPLACEMENT PROJECTS

Governmental Relocations and Replacements

15. A Resolution authorizing the President/Chief Executive Officer to execute an Interlocal Agreement with the Texas Department of Transportation for the project work in connection with the IH 35: New Braunfels Avenue to AT&T Parkway Project. (KELLEY NEUMANN – CINDY KOVACIC)
16. A Resolution approving the expenditure of funds in the amount of \$185,908.35 for the replacement and adjustment of water and wastewater facilities by the City of San Antonio in connection with the Edwards, Finton, Gifford, and San Jacinto Project; approving construction contingency expenses related to the project work in an amount not to exceed \$19,091.65; approving an amount not to exceed \$59,000.00 be made available and expended from the System's Project Fund for the water project work and related construction contingencies; approving an amount not to exceed \$146,000.00 be made available and expended from the System's Project Fund for the sewer project work and related construction contingencies; authorizing the President/Chief Executive Officer to pay to the City of San Antonio an amount not to exceed \$205,000.00 for the project work and related construction contingencies. Located in Council District 5. Total expenditures are: \$205,000.00. (KELLEY NEUMANN – CINDY KOVACIC)
17. A Resolution approving the expenditure of funds in the amount of \$338,992.59 for the replacement and adjustment of water and wastewater facilities by the City of San Antonio in connection with the Paso Hondo Street: Gevers Street to Walters Street Project; approving construction contingency expenses related to the project work in an amount not to exceed \$37,007.41; approving an amount not to exceed \$193,000.00 be made available and expended from the System's Project Fund for the water project work and related construction contingencies; approving an amount not to exceed \$181,000.00 be made available and expended from the System's Project Fund for the sewer project work and related construction contingencies; authorizing the President/Chief Executive Officer to pay to the City of San Antonio an amount not to exceed \$374,000.00 for the project work and related construction contingencies. Located in Council District 2. Total expenditures are: \$374,000.00. (KELLEY NEUMANN – CINDY KOVACIC)
18. A Resolution amending Resolution No. 07-392 by approving the expenditure of additional funds in the amount of \$159,441.50 for the adjustment of water and sewer

facilities by the City of San Antonio in connection with the Redland Road: U.S. 281 to 3600 Feet East Project; approving additional construction contingency expenses in an amount not to exceed \$16,558.50 for the project work; approving an amount not to exceed \$175,000.00 be made available and expended from the System's Project Fund for the water project work and related construction contingencies; approving an amount not to exceed \$1,000.00 be made available and expended from the System's Project Fund for the sewer project work and related construction contingencies; authorizing that an additional amount not to exceed \$176,000.00 be made available and expended from the System's Project Fund for the project work and related construction contingencies; authorizing the President/Chief Executive Officer to pay an additional amount not to exceed \$176,000.00 to the City of San Antonio for the project work and related construction contingencies.. Total expenditures are: \$176,000.00.
(KELLEY NEUMANN – CINDY KOVACIC)

Water and Sewer Line Improvements

19. A Resolution ratifying the actions of the Vice-President of Facilities Engineering & Construction in approving Change Order No. 4 and Change Order No. 5 in the increased amount of \$90,266.91; approving an additional amount not to exceed \$72,940.94 be made available from the System's Project Fund for the additional construction contingency expenses; amending Resolution No. 05-205 by approving the expenditure of an additional amount not to exceed \$90,266.91 payable to KGME, Inc., for additional construction work in connection with Change Order Nos. 4 and 5; approving the Recapitulation Change Order No. 6 in the decreased amount of \$379,151.79 to the construction contract with KGME, Inc., in connection with the Espada Unsewered Area Sanitary Sewer Project; authorizing the return of funds in the amount of \$379,151.79 to the System's Project Fund; authorizing the President/Chief Executive Officer to pay to KGME, Inc., an additional amount not to exceed \$90,266.91 for additional project work and to execute Recapitulation Change Order No. 6 and to close the contract. Total decreased amount is: \$379,151.79.
(KELLEY NEUMANN –FRANCES PLOCEK)

MISCELLANEOUS PROJECTS

20. A Resolution ratifying the actions of the President/Chief Executive Officer in executing a contract in the amount of \$95,040.00 with Wiking Demolition, Inc., for the construction of the Dos Rios Recycled Water Pump Station Pedestal Improvements Project; awarding a construction contract to Wiking Demolition, Inc., in the amount of \$95,040.00 for the project work; authorizing the expenditure of funds in the amount of \$95,040.00 for the project work; authorizing construction contingency expenses in an amount not to exceed \$5,000.00 in connection with the project work; authorizing total expenditures in an amount not to exceed \$100,040.00 from the System's Project Fund for the project work and related construction contingency expenses; authorizing the President/Chief Executive Officer to execute a contract with Wiking Demolition, Inc., and to pay Wiking Demolition, Inc., the amount of \$95,040.00 for the project work in connection with the Dos Rios Recycled Water Pump Station Pedestal Improvements Project. Total expenditures are: \$100,040.00.
(KELLEY NEUMANN –ASHOK KAJI)

Professional Services

- (WBE) 21. A Resolution accepting the proposal of Grubb Engineering, Inc., in an amount not to exceed \$155,500.00 for the Lift Stations SCADA Project; awarding a professional services contract to Grubb Engineering, Inc., in an amount not to exceed \$155,500.00 for engineering services in connection with this project; authorizing the expenditure of funds in an amount not to exceed \$155,500.00 from the System's Project Fund for the project engineering services in connection with this project; authorizing the President/Chief Executive Officer to execute a professional services contract with Grubb Engineering, Inc., and to pay Grubb Engineering, Inc., an amount not to exceed \$155,500.00 for project engineering services in connection with this project.. Total expenditures are: \$155,500.00. (KELLEY NEUMANN –ASHOK KAJI)
22. A Resolution accepting the proposal of Weston Solutions, Inc., in an amount not to exceed \$336,546.00 for the Lift Stations Assessment – Phase 3 Project; awarding a professional services contract to Weston Solutions, Inc., in an amount not to exceed \$336,546.00 for engineering services in connection with this project; authorizing the expenditure of funds in an amount not to exceed \$336,546.00 from the System's Project Fund for the project engineering services in connection with this project; authorizing the President/Chief Executive Officer to execute a professional services contract with Weston Solutions, Inc., and to pay Weston Solutions, Inc., an amount not to exceed \$336,546.00 for project engineering services in connection with this project. Total expenditures are: \$336,546.00. (KELLEY NEUMANN –ASHOK KAJI)

WATER RESOURCES PROJECTS

Professional Services

23. A Resolution further amending Resolution No. 01-038, as previously amended by Resolution Nos. 02-020, 02-216, 03-234, 05-021, and 06-231 to provide for additional engineering services to the existing professional services contract with HDR Engineering, Inc., in an amount not to exceed \$278,851.00 in connection with the Aquifer Storage and Recovery Water Treatment Plant Project; approving additional expenditures in an amount not to exceed \$278,851.00 for a total authorization not to exceed \$4,307,686.49; approving the expenditure of funds in an amount not to exceed \$278,851.00 from the System's Project Fund for additional engineering services; authorizing the President/Chief Executive Officer or his designee to execute an Amendment to the existing professional services contract with HDR Engineering, Inc., and to pay HDR Engineering, Inc., an additional amount not to exceed \$278,851.00 for additional engineering services. Total expenditures are: \$278,851.00. (KELLEY NEUMANN –CALVIN FINCH)

WATER RESOURCES ITEMS

24. A Resolution approving a Water Sales Agreement between the San Antonio Water System and Allen Ted Reiley, providing for the sale of 179.5 acre-feet of water out of 179.5 surface acres from Gonzales County for the Gonzales Water Supply Project at a cost of \$62.50 per acre-foot plus an escalator comprised of the average of the Producers Price Index and the Consumers Price Index from the previous year as well as a right of first refusal for the purchase of 179.5 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, \$17,950.00 bonus payment to Allen Ted Reiley and \$3,500.00 in closing costs; authorizing the President/Chief Executive Officer to execute the Water

Sales Agreement with Allen Ted Reiley, and to pay the required amounts in succeeding years in accordance with the terms of the Water Sales Agreement for the duration of the Water Sales Agreement and take such steps necessary to implement the Water Sales Agreement. Total expenditures are: \$100.00 initial consideration payment, \$17,950.00 bonus payment and \$3,500.00 in closing costs.
(KELLEY NEUMANN – CALVIN FINCH)

EASEMENTS AND REAL PROPERTY

25. A Resolution approving the Purchase Agreement in the amount of \$217,800.00 with Speedway Business Park Partners, L.P., for the purchase by the City of San Antonio, acting by and through the San Antonio Water System, of a 1.103 Acre tract of land out of that called 56.20 Acre tract as recorded in volume 12658, page 1832 of the official public records of real property of Bexar County, Texas, which is a portion out of that called 130.87 acre tract as recorded of real property of Bexar County, Texas situated in the City of San Antonio, Bexar County, Texas, which property is located approximately 800' west of Hwy 16 on the north side of Watson Road in San Antonio, Bexar County, Texas, for the construction of an elevated water storage tank for Pressure Zone 2; authorizing the acquisition of the property in accordance with the terms of the Purchase Agreement and the expenditure of funds from the System's Project Fund in a total amount not to exceed \$233,800.00 for the acquisition of the property and related closing costs; authorizing the President/Chief Executive Officer or his designated representative to execute all documents necessary to effectuate the acquisition of the property and to pay the amount not to exceed \$233,800.00 to First American Title Insurance Company for the acquisition of the property and related closing costs. Total expenditures are: 233,800.00. (MIKE BRINKMANN – BRUCE HABY)
26. A Resolution authorizing the President/Chief Executive Officer or his designated representative to execute an Amendment to the Purchase Agreement with the Alamo Community College District for the sale of the Playland Park Property (12.644 acres) located at 2222 N. Alamo, San Antonio, Bexar County Texas.
(MIKE BRINKMANN – BRUCE HABY)

INFORMATION SYSTEMS ITEMS

27. A Resolution ratifying the actions of the President/Chief Executive Officer in amending the personal services contracts with Jonathan Epperson and Robert Bingham in an amount not to exceed \$66,000.00 for computer programming services in relation to the Enterprise Resource Software System Project; authorizing that an amount not to exceed \$66,000.00 (\$35,500.00 to Jonathan Epperson and \$30,500.00 to Robert Bingham) be made available from the Project Fund for the computer programming services; authorizing that the President/Chief Executive Officer execute the Contract Amendments with Jonathan Epperson and Robert Bingham and pay Jonathan Epperson and Robert Bingham an amount not to exceed \$66,000.00 for the computer programming services. Total expenditures are: \$66,000.00.
(STACEY ISENBERG – JOE SAMPLES)
28. A Resolution approving Change Order No. 12 in the amount of \$774,227.00 in connection with the Enterprise Resource Software System (ERSS) Project; authorizing the President/Chief Executive Officer to pay to Infor Global Solutions, formerly Hansen Information Technologies, Inc., an additional amount not to exceed \$774,227.00 for the additional project work. Total expenditures are: \$774,227 .00.
(STACEY ISENBERG – JOE SAMPLES)

29. A Resolution accepting the sole source proposal from and awarding a contract to Infor Global Solutions, formerly Hansen Information Technologies, Inc., in a total amount not to exceed \$684,083.00 for the software purchase, licensing, and implementation of Dynamic Portal; authorizing the expenditure of an amount not to exceed \$684,083.00 from the Project Fund for the acquisition and implementation of Dynamic Portal; authorizing the President/Chief Executive Officer or his designated representative to complete negotiations and to execute a binding contract with Infor Global Solutions for Dynamic Portal, and to pay Infor Global Solutions an amount not to exceed \$684,083.00 for the project work. Total expenditures are: \$684,083.00.
(STACEY ISENBERG – JOE SAMPLES)

FINANCIAL SERVICES ITEMS

30. A Resolution requesting the City Council of San Antonio to approve an Ordinance to adopt an Amendment to the Revolving Credit Agreement relating to the City of San Antonio, Texas Water System Commercial Paper Notes, Series A; and other matters in connection therewith. (DOUG EVANSON)

MISCELLANEOUS ITEMS

- 30A. A Resolution authorizing the President/Chief Executive Officer or his authorized representative to execute an Agreement regarding reconciliation of wastewater revenues with the San Antonio River Authority; approving expenditures from the Renewal and Replacement Fund in an amount of \$150,184.75 to the San Antonio River Authority; authorizing the President/Chief Executive Officer to pay the San Antonio River Authority an amount of \$150,184.75 as reconciliation of wastewater revenues that should not have been received by the System. Total expenditures are: \$150,184.75.
(GREG FLORES)

ITEMS FOR INDIVIDUAL CONSIDERATION

WATER RESOURCES ITEMS

31. A Resolution approving the Purchase Agreement with Zacatecas, Ltd., in the amount of \$1,891,868.40 for the acquisition, by the City of San Antonio for the use and benefit of the San Antonio Water System, of a 233.564 acre tract of land south of Loop 1604 and west of Trumbo Road, in the southwest quadrant of Bexar County, Texas, for the development of a reverse osmosis treatment plant for the Brackish Groundwater Desalination Program; authorizing the acquisition of the property in accordance with the terms of the Purchase Agreement; authorizing the expenditure of funds from the System's Project Fund in the amount not to exceed \$1,909,368.40 for the property and associated closing costs; authorizing the President/Chief Executive Officer or his designated representative to execute all documents necessary to effectuate the acquisition of the property and perform all duties of the buyer under said purchase agreement, and to pay a total amount not to exceed \$1,909,368.40 for the acquisition of the property, and associated closing costs to Zacatecas, Ltd., and Alamo Title Company. Total expenditures are: \$1,909,368.40. (KELLEY NEUMANN – CALVIN FINCH)
32. A Resolution approving the use of land on the ASR Twin Oaks site for the development of a reverse osmosis treatment plant associated with the Brackish Groundwater Desalination Project; authorizing the use of the property; authorizing the

President/Chief Executive Officer or his designated representative to execute all documents necessary to effectuate the use of the property.
(KELLEY NEUMANN – CALVIN FINCH)

33. A Resolution approving the Purchase Agreement with Charlie L. Pattillo and Wanda J. Pattillo in the amount of \$2,112,983.70 for the acquisition, by the City of San Antonio for the use and benefit of the San Antonio Water System, of a 449.571 acre tract of land being part of the residue of 630.000 acres comprised of three, two hundred and ten acre tracts conveyed to seller in three warranty deeds recorded in volume 6243 page 514 of the deed records of Bexar County, Texas, and volume 4903 page 230 of then official public records of real property of Bexar County, Texas, located on the southwesterly side of Farm to Market Highway 1303, for construction of production wells associated with the Brackish Groundwater Program authorizing the acquisition of the property in accordance with the terms of the Purchase Agreement; authorizing the expenditure of funds from the System's Project Fund in the amount not to exceed \$2,117,983.70 for the property and associated closing costs; authorizing the President/Chief Executive Officer or his designated representative to execute all documents necessary to effectuate the acquisition of the property and perform all duties of the buyer under said Purchase Agreement, and to pay a total amount not to exceed \$2,117,983.70 for the acquisition of the property and associated closing costs to seller, and Alamo Title Company. Total expenditures are: \$2,117,983.70. (KELLEY NEUMANN – CALVIN FINCH)

CAPITAL IMPROVEMENT CONTRACTS

WATER RESOURCES PROJECTS

Professional Services

34. A Resolution approving Contract Amendment No. 4 to URS Corporation in a total amount not to exceed \$660,000.00 for the 2008 Scope of Work in connection with the Concept Study for the SAWS Transmission Pipeline and Supporting Facilities for the LCRA-SAWS Water Project; approving the expenditure of funds in an amount not to exceed \$660,000.00 from the Capital Improvements Account; authorizing the President/Chief Executive Officer or his designee to execute the Contract Amendment with URS Corporation and to pay URS Corporation an amount not to exceed \$660,000.00 for the professional services performed; approving the reallocation of \$20,000.00 supplemental services funding to project execution and outreach for the professional service contract with URS Corporation. Total expenditures are: \$660,000.00. (KELLEY NEUMANN – CALVIN FINCH)

PROJECTS INVOLVING IMPROVEMENTS, EXTENSIONS AND ADDITIONAL CAPACITY

Production, Transmission and Treatment Improvements

35. A Resolution accepting the proposal of Camp Dresser & McKee, Inc., in an amount not to exceed \$1,161,240.00 for the design of the Dos Rios Water Recycling Center Re-Rating Phase I Project; awarding a professional services contract to Camp Dresser & McKee, Inc., in an amount not to exceed \$1,161,240.00 for engineering services in connection with the project work; approving the expenditure of funds in an amount not to exceed \$1,161,240.00 from the Project Fund for the engineering services in connection with the project work; authorizing the President/Chief Executive Officer to execute a professional services contract with Camp Dresser & McKee, Inc., and to pay Camp Dresser & McKee, Inc., an amount not to exceed \$1,161,240.00 for engineering services

in connection with the project work. Total expenditures are: \$1,161,240.00.
(KELLEY NEUMANN – ASHOK KAJI)

MISCELLANEOUS ITEMS

36. A Resolution approving the extension and funding of a contract with Allied Waste Systems in an amount not to exceed \$1,877,293.00 for the loading, transport and landfill disposal of biosolids for Fiscal Year 2008 through Fiscal Year 2010; approving funding in an amount not to exceed \$1,168,860.00 for the loading, transport and landfill disposal of biosolids for Fiscal Year 2008, and an amount not to exceed \$708,433.00 in Fiscal Years 2009 (\$349,000.00) and 2010 (\$359,433.00) at the option of the System and pursuant to Board approval of the Fiscal Year 2009 through Fiscal Year 2010 budgets with a line item for such expenditures; authorizing the President/Chief Executive Officer or his designated representative to execute the extension and pay Allied Waste Systems an amount not to exceed \$1,168,860.00 from the System Fund for the Fiscal Year 2008 and an amount not to exceed \$708,433.00 in Fiscal Years 2009 (\$349,000.00) and 2010 (\$359,433.00) for the loading, transport and landfill disposal of biosolids under the contract. Total expenditures are: \$1,877,293.00. (STEVE CLOUSE – ROBERT YRLE)

37. BRIEFING SESSION.

No items for this Meeting.

38. Chairman of the Board's Initiative.

39. President/Chief Executive Officer's Report.

40. Inquiries.

41. The Regular Session of the May 6, 2008, Regular Board Meeting is hereby recessed to hold an Executive Session and discuss the matters listed below pursuant to Sections 551.071, 551.072, 551.073, and 551.074 of the Texas Open Meetings Act.

42. 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 legal issues relating to matters associated with Texas Commission on Environmental Quality record review at Mitchell Lake Water Recycling Center.
(FRANK STENGER-CASTRO - JOE COLE)
- C. Consultation with attorneys and deliberation regarding proposed resolution of Cause No. 2004-CI-03264, *VWC, LTD v. City of San Antonio, et al*, in the 225th District Court of Bexar County, Texas.
(FRANK STENGER-CASTRO – KEITH MARTIN)
- D. Consultation with attorneys concerning legal issues regarding the annual evaluation, performance objectives and duties, and employment contract of and related agreement with David E. Chardavoyne, President/Chief Executive Officer of the San Antonio Water System.

- E. Interview possible candidate(s) for employment as the Interim President/Chief Executive Officer designee for the San Antonio Water System; deliberation regarding the possible appointment, employment and duties of an Interim President/Chief Executive Officer designee for the San Antonio Water System; and consultation with attorneys concerning legal issues relating to the possible appointment, employment and duties of an Interim President/Chief Executive Officer designee for the San Antonio Water System.
- F. 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)

43. The Regular Session of the Regular Board Meeting of May 6, 2008, is hereby reconvened.

OPEN MEETING

- 44. A Resolution authorizing payment of \$5,920.00 administrative penalty to the Texas Commission on Environmental Quality as part of an Agreed Order in settlement of an enforcement action related to failure to comply with permitted effluent limitations at the Mitchell Lake Water Recycling Center, and authorizing the President/Chief Executive Officer to execute an Agreed Order with Texas Commission on Environmental Quality and pay the Texas Commission on Environmental Quality the amount of \$5,920.00 for such settlement; authorizing the expenditure of funds in the amount of \$5,920.00 from the System Fund for such payment.
(FRANK STENGER-CASTRO - JOE COLE)
- 45. A Resolution recognizing water impact fee credits in the amount of \$688,424.12 earned by the VWC Ltd., for the construction of general benefit facilities.
(FRANK STENGER-CASTRO – KEITH MARTIN)
- 46. Briefing and deliberation on the annual evaluation, performance objectives and duties, and employment contract of and related agreement with David E. Chardavoyne, President/Chief Executive Officer of the San Antonio Water System; and possible action on the employment contract of and related agreement with David E. Chardavoyne, President/Chief Executive Officer of the San Antonio Water System.
- 47. Approving a resolution discussing the management of the San Antonio Water System by David E. Chardavoyne, President/Chief Executive Officer of the San Antonio Water System.
- 48. Briefing, deliberation, and possible action on a Resolution appointing an Interim President/Chief Executive Officer designee for the San Antonio Water System; and further approving the rights, duties and obligations of an Interim President/Chief Executive Officer designee for the San Antonio Water System.
- 49. Adjournment. THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES MEETING OF MAY 6, 2008, IS HEREBY ADJOURNED.