

# AGENDA

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

Tuesday, April 3, 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 March 5, 2012.

4. **Ceremonial Items.**

No Items for this Meeting.

5. **PUBLIC HEARING: AMENDMENT OF 2012  
ANNUAL BUDGET OF THE SAN ANTONIO  
WATER SYSTEM**

### PUBLIC HEARING OPENS

- A. **Public Hearing Briefing (ROBERT R. PUENTE)**
- B. **Public Hearing on Amendment of the Annual Budget of the San Antonio Water System for the Fiscal Year Ending December 31, 2012**

### PUBLIC HEARING CLOSES

#### 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 amending of the Annual Budget for the Fiscal Year ending December 31, 2012; directing the President/Chief Executive Officer to provide notification of such amendments to The City Council. (DOUG EVANSON – DAN CROWLEY)**

7. **PUBLIC HEARING: 2012 ANNUAL BUDGET  
FOR THE SAN ANTONIO WATER SYSTEM  
DISTRICT SPECIAL PROJECT**  
(DSP)

**PUBLIC HEARING OPENS**

- A. **Public Hearing Briefing (ROBERT R. PUENTE)**
- B. **Public Hearing on the Annual Budget for the San Antonio Water System District Special Project for the Fiscal Year Beginning February 1, 2012 and Ending December 31, 2012**

**PUBLIC HEARING CLOSES**

- 8A. **A Resolution, concerning the District Special Project, changing the Fiscal Year of the San Antonio Water System District Special Project to a Fiscal Year ending on December 31. (DOUG EVANSON – DAN CROWLEY)**  
(DSP)
- 8B. **A Resolution approving the initial budget of the District Special Project of the San Antonio Water System for the operating period beginning February 1, 2012 and ending December 31, 2012; authorizing the approved initial budget of the District Special Project of the San Antonio Water System for the operating period beginning February 1, 2012 and ending December 31, 2012 be submitted to the City Council for review and consultation. (DOUG EVANSON – DAN CROWLEY)**  
(DSP)

**ITEM FOR INDIVIDUAL CONSIDERATION**

9. **A Resolution, concerning the District Special Project, appointing Marty Bartlett, Tony Cadena, Tina Lopez, The Honorable Kirk Francis, Steve Gonzales, David Kincaid, Rudy Laque, Albert Ochoa, Kennon Sellers, Velma Pena, Robbie Robinette, Ruben Sepulveda, The Honorable Bruce Smiley-Kaliff, Stephanie Suarez, Betty Sutherland and Ralph Zendejas as BexarMet Integration Advisory Committee new members for a two-year term expiring April 3, 2014; appointing Betty Sutherland as the Chair of the BexarMet Integration Advisory Committee for a one-year term expiring April 3, 2013. (GREG FLORES – ALLISON GREER)**  
(DSP)
10. **Citizens to be Heard.**

# CONSENT AGENDA ITEMS

Items 11 – 35

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

11. 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 Grapevine Dodge Chrysler Jeep, LLC to provide: Three (3) each – 4,300 GVWR 4x2 Sport Utility Type Vehicles, Bid No. 12-1208, for a total of \$51,891.00. (These units are part of the vehicle equipment replacement program and will be assigned to System locations.)
  2. Acceptance of the bid of Custom Media Services to provide: Emergency Operations Center Video Wall System, Bid No. 12-1201, for a total of \$127,980.86. (This contract will be utilized for the purchase of full video wall system and its installation for System Emergency Operations Center.)
  - (DSP) 3. Acceptance of the bid of Freeit Solutions, Inc., to provide: NetApp SAN Equipment & Services, Bid No. 12-1206, for a total of \$107,825.90. (This contract will be utilized for DSP for NetAPP SAN equipment and service to meet additional file storage requirements.)
- B. Award of Annual 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 HD Waterworks, Ltd., to provide: Hardeners, Bid No. 11-6022, for a total of \$95,938.20. (This contract will be utilized for the purchase of plastic sewer joint hardener and hydraulic cement hardener to be purchased in five gallon pails for System and DSP. Cumulative total through May 31, 2013 is \$95,938.20. This contract extension will be effective June 1, 2012 through May 31, 2013.)
  - (SAWS-DSP) 2. Acceptance of the bid of TAD Technical Services to provide: Laboratory Temporary Employee Services, Bid No. 12-1001, for a total of \$159,120.00. (This contract will be utilized for high quality laboratory personnel to perform analytical testing for the Environment Laboratory to support the System and DSP. This contract will be effective Date of Award (April 3, 2012) through December 31, 2012. If determined that an extension is favorable to System and DSP, price and service considered, the award includes the availability of a month to month basis to extend as provided for and approved in future years budgets.)
  - (SAWS-DSP) 3. Acceptance of the bid of Alfred Conhagen, Inc., to provide: High Service Pumps, Machining and Technical/Field Support Services, Bid No. 12-7033, for a total of \$417,597.00. (This contract will be utilized to provide repair, machining shop and field support services for potable and reuse

water High Service Pumps for the System and DSP. This contract will be effective Date of Award (April 3, 2012) through September 30, 2013. If determined that an extension is favorable to System and DSP, price and service considered, the award includes the availability of three (3) additional one-year options to extend as provided for and approved in future years budgets.)

- (SAWS-DSP) 4. Acceptance of the bid of Gruene Environmental Co., to provide: “Best Value” Bid for Hazardous Non-Hazardous Waste Transportation, Bid No. 11-3012, for a total of \$126,715.00. (This contract will be utilized for hazardous and non-hazardous waste transportation and disposal services for the System and DSP including but not limited to handling, collection, containing and packaging, transporting, disposing and managing of all waste materials. This contract will be effective Date of Award (April 3, 2012) through December 31, 2012. If determined that an extension is favorable to the System and DSP, price and service considered, the award includes the availability of three (3) additional one-year options to extend as provided for and approved in future years budgets.)

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

No items for this Meeting.

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

No items for this Meeting.

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

1. Acceptance of the bid of Holman Boiler Works, Inc., to provide: Maintenance Repair and Calibration Services of Boiler Instrument & Combustion Controls & Associated Components, Bid No. 12-9058, for a total of \$415,100.00. (This contract will be utilized for the maintenance, repair and calibration services of boiler instrument and combustion controls and associated components. This contract will be effective Date of Award (April 3, 2012) through December 31, 2013. If determined that an extension is favorable to the System, price and service considered, the award includes the availability of three (3) additional one-year options to extend as provided for and approved in future years budgets.)

- (SAWS-DSP) 2. Acceptance of the bid of PDME to provide: Fasteners, Stainless Steel, Bolts, Screws, Anchors & Rivets, Bid No. 12-5043, for a total of \$116,343.82. (This contract will be utilized for the purchase of fasteners, stainless steel, bolts, screws, anchors & Rivets on an as needed basis for System and DSP maintenance crews. This contract will be effective Date of Award (April 3, 2012) through December 31, 2013. If determined that an extension is favorable to the System and DSP, price and service considered, the award includes the availability of

two (2) additional one-year options to extend as provided for and approved in future years budgets.)

## CAPITAL IMPROVEMENT CONTRACTS

### PROJECTS INVOLVING IMPROVEMENTS, EXTENSIONS AND ADDITIONAL CAPACITY

#### Developer Customer Contracts

12. 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	26256 U.S. Hwy 281 N.	Pac Enterprises, Inc.	0.533	1	0	NO	EA/B	Inside	Applied for
2	Existing Shell Gas Station	Highway 90 Real Estate, LLC	1.5	2	0	NO	CZ/B	Inside	Applied for
3	Fallbrook	Continental Homes of Texas, L.P.	152	384	370	NO	CZ/B	Inside	Outside
4	Venado Creek	Venado Creek, LLC	49.95	72	0	NO	CZ/B/OVR	Inside	Applied for
5	Clementson Ranch Unit 4	Trinity Oaks, Inc.	40.62	56	0	YES	CZ/B	DSP	Applied for
6	HW-10 Subdivision	M2G Stone Oak, Ltd.	8.484	50	50	YES	EA/B	DSP	Applied for
7	Tacara Project	Crosswinds I, Partnership Ltd.	52	369	448	YES	EA/B	DSP	Applied for
8	Wilderness Oak Commercial	HEB Grocery Company, LP	13.591	34	29	YES	EA/B	DSP	Applied for
<b>Totals</b>			<b><u>318.678</u></b>	<b><u>968</u></b>	<b><u>897</u></b>				
<b>Totals (January 2012 - April 2012)</b>			<b><u>655.045</u></b>	<b><u>2,982</u></b>	<b><u>2,633</u></b>				

#### 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
<b>Total (January- April 2012)</b>	<b>899</b>	<b>4,979</b>	<b>4,498</b>
<b>Total ( January – April 2011)</b>	<b>2,882</b>	<b>8,580</b>	<b>8,045</b>

13. A Resolution approving the request from SA 151-Tex Ltd located at 222 Bertetti St. for a Hardship Extension Agreement to allow payment of impact fees over a 60-month period; waiving the requirement that the property be residential for qualification under the Hardship Extension Program; authorizing the President/Chief Executive Officer to execute a mechanic's lien contract with the petitioner to secure payment of an installment payment agreement. (KELLEY NEUMANN – SAM MILLS)

**Production, Transmission and Treatment Improvements**

14. A Resolution determining that the Competitive Sealed Proposal Method provided under Section 2267.151 of the Texas Government Code provides the “Best Value” for the Lift Stations Rehabilitation Design - Phase 3 Project; authorizing the President/Chief Executive Officer to utilize the Competitive Sealed Proposal Method in connection with this project. (KELLEY NEUMANN – ASHOK KAJI)
15. A Resolution approving Change Order No. 17 in the amount of \$39,589.00 in connection with the Leon Creek Water Recycling Center (WRC) Improvements Project; approving total payment in the amount of \$39,589.00 to Pepper-Lawson Construction, LP., for the additional project work associated with Change Order No. 17; authorizing the additional expenditure of funds in the amount of \$39,589.00 for Change Order No. 17 from the project construction contingency fund; amending Resolution No. 11-065 by increasing the authorization of the construction contingency expenses by \$10,000.00 for a total construction contingency funds amount of \$890,000.00; authorizing additional funds in the amount not to exceed \$10,000.00 from the System's Project Fund for additional contingency expenses associated with the project work; authorizing the President/Chief Executive Officer to execute Change Order No. 17 and to pay Pepper-Lawson Construction, LP., the additional sum of \$39,589.00 from the Project Construction Contingency Fund for the additional project work associated with Change Order No. 17. Total expenditures are: \$39,589.00 for a revised contract amount of \$22,863,617.06. (KELLEY NEUMANN – ASHOK KAJI)
16. A Resolution ratifying the actions of the Senior Vice President of Strategic Resources in approving Change Order No. 20 in the amount of \$48,448.14 to Laughlin-Thyssen, Inc., in connection with the Old Salado Creek Siphon Replacement Project; approving an additional amount not to exceed \$40,000.00 to be made available from the System's Project Fund for additional construction contingency expenses; authorizing the President/Chief Executive Officer to pay an amount not to exceed \$48,448.14 to Laughlin-Thyssen, Inc., for the additional project work associated with Change Order No. 20. Located in Council District 3. Total expenditures are: \$48,448.14 for a revised contract amount of \$7,849,559.87. (KELLEY NEUMANN – FRANCES PLOCEK)
17. A Resolution approving Recapitulation Change Order No. 5 in the decreased amount of \$658,398.00; returning construction contingency funds in the amount of \$12,790.77; returning funds in the total amount of \$671,188.77 to the System's Project Fund in connection with the Central Watershed Sewer Relief Line, C-02 Phase II Project; authorizing the President/Chief Executive Officer to execute Recapitulation Change Order No. 5, to return remaining construction contingency funds in the amount of \$12,790.77 for a total returned amount of \$671,188.77 to the Project Fund, and close the contract with Reynolds Inliner, LLC. Located in Council District 4. Total expenditures are: \$671,188.77 for a revised contract amount of \$2,225,708.23. (KELLEY NEUMANN – FRANCES PLOCEK)

## Professional Services Contracts

18. A Resolution approving Contract Amendment No. 3 in the amount of \$35,312.00 in connection with the Western Watershed Relief Line – Upper Segment Project; amending Resolution No. 09-337 as amended by Resolution No. 10-328 as amended by Resolution No. 11-282 by approving additional expenditures in an amount not to exceed \$35,312.00 for additional engineering services by Weston Solutions, Inc., in connection with the Western Watershed Relief Line – Upper Segment Project; approving that an amount not to exceed \$35,312.00 be made available and expended from the System’s Project Fund for the wastewater related additional engineering services; authorizing the President/Chief Executive Officer to execute Contract Amendment No. 3 and to pay Weston Solutions, Inc., an additional amount not to exceed \$35,312.00 for additional engineering services in connection with the project. Located in Council District 4. Total expenditures are: \$35,312.00 for a revised contract amount of \$2,105,964.00. (KELLEY NEUMANN – FRANCES PLOCEK)
19. A Resolution, concerning both the San Antonio Water System (System) and the District Special Project (DSP), accepting the proposal of and awarding a professional services contract to Weston Solutions, Inc., in an amount not to exceed \$900,000.00 for the 2012 Engineering Design Services – Replacements and Improvements, Contract II; approving the expenditure of funds in an amount not to exceed \$700,000.00 from the System's Project Fund for the sewer project engineering work; approving the expenditure of funds in an amount not to exceed \$200,000.00 from the DSP fund for the water project engineering work; 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 \$900,000.00 for both the System and DSP project engineering work. Total expenditures are: \$900,000.00. (KELLEY NEUMANN – FRANCES PLOCEK)
- (SAWS-DSP)
20. A Resolution, concerning both the San Antonio Water System (System) and the District Special Project (DSP), accepting the proposal of and awarding a professional services contract to Poznecki Camarillo, Inc., in an amount not to exceed \$600,000.00 for the 2012 Engineering Design Services – Replacements and Improvements, Contract III; approving the expenditure of funds in an amount not to exceed \$500,000.00 from the System's Project Fund for the sewer project engineering work; approving the expenditure of funds in an amount not to exceed \$100,000.00 from the DSP Fund for the water project engineering work; authorizing the President/Chief Executive Officer to execute a professional services contract with Poznecki Camarillo, Inc., and to pay Poznecki Camarillo, Inc., an amount not to exceed \$600,000.00 for both the System and DSP project engineering work. Total expenditures are: \$600,000.00. (KELLEY NEUMANN – FRANCES PLOCEK)
- (SAWS-DSP)

## REPLACEMENT AND ADJUSTMENT PROJECTS

### Governmental Relocations and Replacements

21. A Resolution amending Resolution No. 10-344, as amended by Resolution No. 11-286 and Resolution No. 11-372, by approving the expenditure of additional funds in an amount not to exceed \$272,875.28 payable to the City of San Antonio for additional construction contingency expenses in connection with the Commercial Tributary Phase II: Petaluma to IH-35 Project; approving an additional amount not to exceed \$272,875.28 be made available and expended from the System’s Project Fund for the additional construction contingency expenses; ratifying the actions of the Senior Vice President of Strategic Resources in approving Change Order No. 8 in the amount of

**\$263,903.73; authorizing the President/Chief Executive Officer to pay the City of San Antonio an additional amount not to exceed \$272,875.28 for additional construction contingency expenses. Located in Council Districts 3 and 4. Total expenditures are: \$272,875.28. (KELLEY NEUMANN – CINDY KOVACIC)**

- 22. A Resolution amending Resolution No. 09-126 by approving the expenditure of additional funds in an amount not to exceed \$11,961.82 payable to Pronto Sandblasting & Coating & Oil Field Services, Inc., for additional construction contingency expenses in connection with the 2009 SAWS Water and Sewer Construction Contract, Package II; approving an additional amount not to exceed \$11,961.82 be made available and expended from the System’s Project Fund for additional construction contingency expenses; ratifying the actions of the Senior Vice President of Strategic Resources in approving additional construction contingency funds in an amount not to exceed \$11,961.82; authorizing the President/Chief Executive Officer to pay Pronto Sandblasting & Coating & Oil Field Services, Inc., an additional amount not to exceed \$11,961.82 for additional construction contingency expenses. Total expenditures are: \$11,961.82. (KELLEY NEUMANN – CINDY KOVACIC)**

#### **Professional Services Contracts**

- 23. A Resolution accepting the proposal of Civil Engineering Consultants, Inc., in an amount not to exceed \$131,502.50 for the design of water and sewer facility replacements and installations in connection with the 36<sup>th</sup> Street Extension: Billy Mitchell to General Hudnell Project; awarding a professional services contract to Civil Engineering Consultants, Inc., in an amount not to exceed \$131,502.50 for engineering services in connection with the project; approving an amount not to exceed \$131,502.50 be made available and expended from the System’s Project Fund for the project engineering work; authorizing the President/Chief Executive Officer to execute a professional services contract with Civil Engineering Consultants, Inc., and to pay Civil Engineering Consultants, Inc., an amount not to exceed \$131,502.50 for the project engineering work. Located in Council District 4. Total expenditures are: \$131,502.50. (KELLEY NEUMANN – CINDY KOVACIC)**

#### **EASEMENTS AND REAL PROPERTY**

- 24. A Resolution approving the acquisition of a permanent water line easement affecting 2.645 acre (115,238 square feet) and a temporary construction easement affecting 1.587 acre (69,126 square feet), located on the southeast side of Lookout Road, between Loop 1604 and Toepperwein Road, in Live Oak, Bexar County, Texas, being out of the Jose Maria Ocon Survey No. 279, Abstract No. 864, County Block 5042, Bexar County, Texas, (the “Easements”), in connection with the Regional Carrizo Program, Water Delivery Pipeline Project; authorizing the expenditure of funds from the System’s Project Fund in a total amount not to exceed \$202,100.00 for the acquisition of the Easements 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 Easements and to pay the amount not to exceed \$199,100.00 to Lookout Road Joint Venture and up to \$3,000.00 to Ameripoint Title Company for related closing and title insurance costs. Total expenditures are: \$202,100.00. (MIKE BRINKMANN – BRUCE HABY)**
- 25. A Resolution approving the acquisition of a permanent water line easement affecting 0.485 of an acre (21,144 square feet) and a temporary construction easement affecting 0.290 of an acre (12,654 square feet), located on the west corner of Alamo Parkway**



and Interstate Highway 35 in Selma, Guadalupe County, Texas, being out of the T. Herrera Survey No. 68, Abstract No. 153 in Guadalupe County, Texas, (the “Easements”), in connection with the Regional Carrizo Program, Water Delivery Pipeline Project; authorizing the expenditure of funds from the System’s Project Fund in a total amount not to exceed \$85,500.00 for the acquisition of the Easements 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 Easements and to pay the amount not to exceed \$82,500.00 to Vermeer Equipment of Texas, Inc., and up to \$3,000.00 to Ameripoint Title Company for related closing and title insurance costs. Total expenditures are: \$85,500.00. (MIKE BRINKMANN – BRUCE HABY)

26. A Resolution approving the Purchase Agreement in the amount of \$327,000.00 with Valencia Hills Partners L.P., a Texas limited partnership, (“Purchase Agreement”) for the purchase by the City of San Antonio, acting by and through the San Antonio Water System, of a 2.5920 acre tract located in the northeast quadrant of Bexar County near the intersection of O’Connor Road and Nacogdoches Road inside the city limits of San Antonio (“Property”), for the Naco Pump Station Improvements Project; 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 a total amount not to exceed \$330,500.00 for the acquisition of the property 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 Property and to pay the amount not to exceed \$327,000.00 to Valencia Hills Partners L.P., a Texas limited partnership through Alamo Title Company as escrow agent for the acquisition of the Property, and up to \$3,500.00 to Alamo Title Company for related closing and title insurance costs. Total expenditures are: \$330,500.00. (MIKE BRINKMANN – BRUCE HABY)
27. A Resolution declaring four tracts of land in Bexar County, Texas (the “Properties”), 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
Queenspoint	Being three platted residential lots acquired in May, 1995; located at 11800 Queenspoint.
Fawn Standpipe	Being a platted tract of land approximately 0.107 acres acquired in December, 1975; located at 16236 White Fawn.
Edison Pump Station	Being a portion of platted residential lot acquired in September, 1940; located at 1503 Edison Drive.
Hillcrest Pump Station	Being two platted residential lots acquired in June, 1950; located at 127 Hillcrest Drive.

28. A Resolution, concerning the District Special Project (DSP), declaring six tracts of land in Bexar and Atascosa Counties, Texas (the “Properties”), as surplus to the DSP (DSP) 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 DSP policies and procedures. (MIKE BRINKMANN – BRUCE HABY)**

**The Properties to be declared surplus are described below:**

<b>Property</b>	<b>Property Description</b>
Straus Ranch	Being an approximately 723.65 acre tract of land acquired in April, 1999; located on W T Montgomery Road, south of U.S. Hwy 90.
9823 Marbach Road	Being an approximately 5.02 acre tract of land acquired in February and December, 1994; located at 9823 Marbach Road.
Kye Mask Farm	Being an approximately 268.132 acre tract of land acquired in November, 1998; located northeast of Lytle, TX in Bexar and Atascosa Counties, with I.H. 35 access.
8604 Geronimo Drive	Being an approximately 0.9642 acre tract of land acquired in August, 1999; located at 8604 Geronimo Drive.
15309 Culebra Road	Being an approximately 0.032 acre tract of land acquired in August, 1999; located at 15309 Culebra Road.
Uptmore Tract	Being an approximately 19 acre tract of land acquired in August, 1997; located on U.S. Hwy 90 West near the intersection of Cagnon Road and U.S. Hwy 90 West.

## **FINANCIAL ITEMS**

**29. A Resolution, concerning the District Special Project, accepting the proposal of the Texas Municipal League Intergovernmental Risk Pool for commercial insurance coverage for the twelve month period commencing May 1, 2012; authorizing the expenditure in the amount not to exceed \$575,490.00 and making available from the DSP Fund the amount of \$575,490.00; authorizing the President/Chief Executive Officer or his designee to execute through the Texas Municipal League Intergovernmental Risk Pool all necessary documents and to pay the Texas Municipal League Intergovernmental Risk Pool an amount not to exceed \$575,490.00 for the cost for such insurance coverage. Total expenditures are: \$575,490.00. (DOUG EVANSON)**

**30. A Resolution, concerning the District Special Project, approving Amendment No. 5 in the amount of \$86,500.00 to the Audit Services Agreement with Padgett Stratemann & Co., L.L.P., for additional audit fees for the audit of Bexar Metropolitan Water District for the period ending January 31, 2012; authorizing additional audit fees in the amount of \$86,500.00 to be expended from the District Special Project Fund for the audit of Bexar Metropolitan Water District for the period ending January 31, 2012; authorizing the President/Chief Executive Officer to execute Amendment No. 5 to the Audit Services Agreement with Padgett Stratemann & Co., L.L.P.; and authorizing the expenditure of additional funds of \$86,500.00 payable to Padgett Stratemann & Co., L.L.P., for the audit of Bexar Metropolitan Water District for the period ending January 31, 2012. Total expenditures are: \$86,500.00. (DOUG EVANSON – MARY BAILEY)**

31. **A Resolution, concerning the District Special Project, authorizing a designated financial officer to enter into and execute a Waiver Agreement relating to terms and conditions governing an outstanding Loan Note in favor of Wells Fargo Bank, National Association and assumed by the City through the District Special Project of the San Antonio Water System. (DOUG EVANSON – PHYLLIS GARCIA)**  
(DSP)

### **MISCELLANEOUS ITEMS**

32. **A Resolution authorizing payment to Environmental Systems Research Institute, Inc., (ESRI) in a total amount not to exceed \$106,849.99 for annual geographic information systems (GIS) software maintenance; authorizing that \$106,849.99 be expended from the 2012 System Fund for payment of annual geographic information systems (GIS) software maintenance for GIS applications utilized by the San Antonio Water System; authorizing the President/Chief Executive Officer or his designee to pay ESRI, Inc., an amount not to exceed \$106,849.99 for payment of annual GIS software maintenance for GIS applications utilized at the San Antonio Water System. Total expenditures are: \$106,849.99. (DOUG EVANSON – JOE SAMPLES)**
33. **A Resolution authorizing San Antonio Water System to file an application, and if approved to meet all requirements, of the Alamo Area Council Of Governments (AACOG) Regional Solid Waste Grants Program Grant; authorizing the Vice President of Public Affairs to act on behalf of the San Antonio Water System in all matters related to the application. (GREG FLORES – ANNE HAYDEN)**
34. **A Resolution ratifying the actions of the Senior Vice President/Chief Operating Officer in approving award of an emergency contract to Big State Electric, Ltd., in the amount of \$300,450.00 for emergency repair of the Market Street Heating and Cooling Plant Electrical Project and \$45,067.50 for additional construction contingency expenses, for a total amount not to exceed \$345,517.50; authorizing that an amount not to exceed \$345,517.50 be made available and expended from the System Project Fund; authorizing the President/Chief Executive Officer to pay Big State Electric, Ltd., an amount not to exceed \$345,517.50 for the work associated with the emergency repair of the Market Street Heating and Cooling Plant Electrical Project. Total expenditures are: \$345,517.50. (STEVE CLOUSE – DANIEL MYERS)**
35. **A Resolution, concerning both the San Antonio Water System (System) and the District Special Project (DSP), accepting the bid of Gilbert's Utility & Concrete in the amount of \$295,305.00 for the 2012 Annual Concrete Placement Work Order Construction Contract; awarding a construction contract with an option for one additional one year renewal to Gilbert's Utility & Concrete in the amount of \$295,305.00 for the project work; approving the expenditure of funds and to make available the amount of \$295,305.00 from both the System And DSP Funds for the project work and expenditures for subsequent years be pursuant and contingent upon board approval of subsequent year's budget with a line item for such expenditures; authorizing the President/Chief Executive Officer or his designated representative, to execute a contract with an option for one additional one year renewal with Gilbert's Utility & Concrete and to pay Gilbert's Utility & Concrete the amount of \$295,305.00 for both the System's and DSP's obligations under the terms of the contract for the project work. Total expenditures are: \$295,305.00. (VAL RUIZ – JEFF BROWN)**  
(SAWS-DSP)

# **ITEMS FOR INDIVIDUAL CONSIDERATION**

## **CAPITAL IMPROVEMENT CONTRACTS**

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

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

36. A Resolution accepting the bid of Merryman Excavation, Inc., in the amount of \$14,583,616.22 for the Southwest Bexar Sewer Pipeline - Segment 4 Project; awarding a contract to Merryman Excavation, Inc., in the amount of \$14,583,616.22 for the project work; approving the expenditure of funds in the amount of \$14,583,616.22 for the project work; approving construction contingency expenses in an amount not to exceed \$729,180.00 in connection with the project work; approving total expenditures in an amount not to exceed \$15,312,796.22 be made available and expended from the System's Project Fund for the project work and related construction contingencies; authorizing the President/Chief Executive Officer to execute a construction contract with Merryman Excavation, Inc., and to pay Merryman Excavation, Inc., an amount not to exceed \$15,312,796.22 for the project work and related construction contingencies. Located in Council District 4 and County Precinct 1. Total expenditures are: \$15,312,796.22. (KELLEY NEUMANN – FRANCES PLOCEK)

#### **WATER RESOURCES PROJECTS**

37. A Resolution accepting the proposal of Layne Christensen Company, in the amount of \$5,599,606.75 for the construction of the Brackish Groundwater Desalination Program, Well Construction Services Package I – Wells 5 – 8 Project; awarding a construction contract in the amount of \$5,599,606.75 to Layne Christensen Company, for the project work; authorizing the expenditure of funds in the amount of \$5,599,606.75 for the project work; authorizing construction contingency expenses in an amount not to exceed \$112,000.00 in connection with the project work; authorizing total expenditures of funds in an amount not to exceed \$5,711,606.75 from the San Antonio Water 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 Layne Christensen Company, and to pay Layne Christensen Company, the amount of \$5,599,606.75 for the project work. Total expenditures are: \$5,599,606.75. (KELLEY NEUMANN – ASHOK KAJI – ESTHER HARRAH)

#### **FINANCIAL ITEMS**

38. A Resolution accepting and acknowledging the Comprehensive Financial Report of the San Antonio Water System for the Fiscal Year ending December 31, 2011 including the report of independent accountants, Padgett, Stratemann & Co., L.L.P.; directing that the report be made available for public inspection. (DOUG EVNANSON – MARY BAILEY)

#### **MISCELLANEOUS ITEMS**

39. A Resolution approving an agreement between the San Antonio Water System and the University of Texas at San Antonio providing that the San Antonio Water System shall fund an amount not to exceed \$100,000.00 for fiscal year 2012 to the University of Texas at San Antonio and that the program shall include water quality and resource issues in the curriculum; authorizing expenditures from the System Fund in

an amount not to exceed \$100,000.00 for the project work; authorizing the President/Chief Executive Officer to execute the agreement with the University of Texas at San Antonio and to pay the University of Texas at San Antonio an amount not to exceed \$100,000.00 for the support of the Pre-Freshman Engineering Program, Hydrologic Modeling and GIS Laboratory, and College of Engineering for Fiscal Year 2012. Total expenditures are: \$100,000.00. (JERRY BAILEY)

**40. BRIEFING SESSION.**

- A. Briefing and deliberation regarding 4<sup>th</sup> Quarter 2011 SMWB Report.  
(Doug Evanson – Philip Campos – Marisol Robles)
- B. Briefing and deliberation regarding 1<sup>st</sup> Quarter 2012 SMWB Report.  
(Doug Evanson – Philip Campos – Marisol Robles)

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

- (DSP) A. Introduction – Sharon de la Garza, Vice President, Human Resources
- B. District Special Project and SAWS Integration Progress
- C. Brackish Groundwater Desalination Project Update

**42. Inquiries.**

**43. The Regular Session of the April 3, 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.**

**44. 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 - WILLIAM CROW)
- (DSP) B. Consultation with attorneys and deliberation regarding Second Amended and Restated Water Supply Agreement (Stein Tract) between Bexar Metropolitan Water District and Water Exploration Co., Ltd., Dated April 22, 2011, and Amended and Restated Water Supply Contract (Dym Tract) between Bexar Metropolitan Water District and Water Exploration Co., Ltd., Dated May 29, 2011. (NANCY BELINSKY – STEVE KOSUB)
- (DSP) C. Consultation with attorneys and deliberation regarding Cause No. 2012-CI-03086 in the 57<sup>th</sup> Judicial District Court of Bexar County, Texas; *Tom Hall, et al v Dillon Water Resources, Ltd., et al.*  
(NANCY BELINSKY – STEVE KOSUB)
- (DSP) D. Consultation with attorneys and deliberation regarding waiving the Attorney Client Privilege associated with the Gardner Law Firm and the Lloyd, Gosselink Law Firm that would otherwise protect from disclosure Bexar Metropolitan Water District’s confidential communications relating to Water Exploration Co., Ltd. (NANCY BELINSKY – STEVE KOSUB)
- E. Consultation with attorneys and deliberation regarding legal issues related to the SAWS Information System Agreement, software applications.  
(NANCY BELINSKY – SCOTT OLIVER)

- F. Consultation with attorneys and deliberation regarding Cause No. 2009-CI-12912; *Norma Garza v. San Antonio Water System*, in the 408<sup>th</sup> Judicial District Court, Bexar County, Texas. (NANCY BELINSKY – BILL CROW)
  - G. 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)
45. The Regular Session of the Regular Board Meeting of April 3, 2012, is hereby reconvened.
46. A Resolution, for the benefit of the District Special Project, waiving the Attorney Client Privilege associated with the Gardner Law Firm and the Lloyd, Gosselink Law Firm that would otherwise protect from disclosure confidential communications relating to Bexar Metropolitan Water District and the Water Exploration Co., Ltd. (NANCY BELINSKY – STEVE KOSUB)
- (DSP)
47. Adjournment. THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES MEETING OF APRIL 3, 2012, IS HEREBY ADJOURNED.

**AGENDA**  
**MEETING OF THE**  
**SAN ANTONIO WATER SYSTEM**  
**DSP DEVELOPMENT CORPORATION BOARD OF DIRECTORS**  
**Tuesday, April 3, 2012,**  
**11:00 A.M.**

**OR**  
**upon adjournment of the**  
**Regular SAWS Board Meeting**  
**6th Floor Board Room #609**  
**Administrative Offices**  
**2800 U. S. 281 North, San Antonio, Texas**

1. **MEETING CALLED TO ORDER.**
2. **ANNOUNCEMENTS.**

**The San Antonio Water System DSP Development Corporation Board of Directors 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. **Citizens to be Heard.**
4. **A Resolution of the Board of Directors of San Antonio Water System DSP Development Corporation (“Corporation”) (i) amending the Bylaws of the Corporation, (ii) electing Corporation Officers, (iii) authorizing certain Officers of the Corporation to carry out the conveyance of the Corporation Water Treatment Facility (“Project”) to the City of San Antonio by and through the San Antonio Water System Board of Trustees (“System”) upon redemption of Corporation Bonds (“Bonds”) by the System and (iv) finding that, upon conveyance of the Facility to the System (which includes provision for the payment of all of the Corporation’s outstanding liabilities and obligations, including the indebtedness evidenced by the Bonds), the Corporation purpose shall have been fulfilled, the Corporation may be terminated, and requesting and authorizing necessary action to carry out such termination. (DOUG EVANSON)**
5. **ADJOURNMENT.**

**The San Antonio Water System DSP Development Corporation Meeting of April 3, 2012, is hereby adjourned.**

**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).