

# AGENDA

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

December 4, 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 November 6, 2012.**
  - B. **Approval of the Minutes of the San Antonio Water System Board of Trustees Policy and Planning Meeting of October 22, 2012.**
4. **Ceremonial Items.**
  - A. **Recognition of retiring SAWS employees for their services to the citizens of San Antonio. (KELLEY NEUMANN – DOUG EVANSON – VAL RUIZ)**
5. **Individuals to be Heard.**

**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).

# CONSENT AGENDA ITEMS

Items 6 – 52

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

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 Myers Tire Supply to provide: one (1) each – Column Mobile Lift for service of medium and heavy duty trucks, Bid No. 12-1325, for a total of \$55,250.00.**
    2. **Acceptance of the bid of Xylem, Inc., to provide: two (2) each – Horizontal Centrifugal Screw Pumps, Bid No. 12-1332, for a total of \$50,588.72.**
    3. **Acceptance of the bid of Hartwell Environmental to provide: three (3) each – Dual Shaft Grinder, Bid No. 12-1323, for a total of \$53,835.00.**
  - 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 Lhoist North America to provide: Hydrated Lime for use in treatment of potable water supplies, Bid No. 12-9009, for a total of \$70,425.00.**
    2. **Acceptance of the bid of Commonwealth Computers Co., to provide: Dell Desktops, Laptops & Monitors, State of Texas Contract DIR-SDD-890 and Bid No. 12-6023, for a total of \$812,607.75.**
    3. **Acceptance of the bid of Commonwealth Computers Co., to provide: Dell Desktops, Laptops & Monitors, State of Texas Contract DIR-SDD-890 and Bid No. 09-6023, for a total of \$144,666.00.**
    4. **Acceptance of the bid of Polydyne, Inc., to provide: Thickening and Dewatering Polymer for the System, Bid No. 10-1107, for a total of \$842,582.40.**
    5. **Acceptance of the bid of Wach Valve and Hydrant Services, LLC, to provide: Water Valve Assessment, Rehabilitation and Information Management Program, Bid No. 10-9051, for a total of \$172,186.00.**
- (SAWS-DSP) 6. **Acceptance of the bid of Capitol Aggregates, Ltd., to provide: Portland Cement (Bulk Powder), Bid No. 12-6069, for a total of \$76,769.00.**
- (SAWS-DSP) 7. **Acceptance of the bid of DXI Industries, Inc., to provide: Liquid Chlorine, Bid No. 12-0338, for a total of \$980,500.00.**
- (SAWS-DSP) 8. **Acceptance of the bid of Electric Motor Rewind, LLP, to provide: Electric Motor Repair Small Motors (3-250 HP) and Large Motors (300 HP and greater), Bid No. 12-8073, for a total of \$892,624.00.**

(SAWS-DSP) 9. **Acceptance of the bid of Sunbelt Mill Supply to provide: Saw Blades (segmented and abrasive), Bid No. 10-6062, for a total of \$71,280.00.**

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.**

**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 BFI Waste Systems of North America, LLC dba Tessman Rd. Landfill to provide: Landfilling of Biosolids, Bid No. 10-0791, for a total of \$2,210,000.00.**

## **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 over the Edwards Aquifer Recharge or Contributing Zone and are within the 5-mile Awareness Zone of Camp Bullis. (KELLEY NEUMANN – SAM MILLS)**

(SAWS-DSP)

No.	Tract Name	Developer	Acreage	Water EDUs	WW EDUs	DISTRICT SPECIAL PROJECT (BMWD)	Board Reason	Water CCN	WW CCN
1	Cross Mountain Church	Cross Mountain Church	12.28	19	15	NO	EA/B	Inside	Outside
2	Epoch Properties 15-Acre Stone Oak	Calle Stone Oak I, Ltd.	15	230	215	YES	EA/B	Inside	Outside
3	Fuddrucker-Loop 1604 & Blanco Rd	Luby’s Fuddrucker Restaurants, LLC	2.25	19	15	YES	EA/B	Inside	Outside
4	Korey Stone Oak	1604 West Land LLC.	3.3	3.5	3.0	YES	EA/B	Inside	Outside
5	NRP Apartments-UTSA Blvd.	Santikos Rawland, Ltd.	12	111	212	NO	CZ/B	Inside	Inside
6	Rahaei Tract Subdivision	Landquest Acquisitions, LLC	27.188	35	0	NO	EA/B	Inside	Outside

7	Rio Sol Addition	Lenz Real Estate LLC	0.94	3.0	0	NO	EA/B	Inside	Inside
8	Krause-Timberwood Park (Revised 2012)	Centex Homes, Inc.	51.00	175	160	NO	EA/B	Inside	Outside
<b>Totals</b>			<b><u>123.958</u></b>	<b><u>595.5</u></b>	<b><u>620</u></b>				
<b>Totals (January 2012 - December 2012)</b>			<b><u>2,110.598</u></b>	<b><u>7,353</u></b>	<b><u>6,817.03</u></b>				

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

No.	Tract Name	Developer	Acreage	Water EDUs	WW EDUs	DISTRICT SPECIAL PROJECT (BMWD)	Board Reason	Water CCN	WW CCN
1	Dominion Grand Partners FM 1560 Tract	Dominion Grand Partners I, Ltd.	22	109	110	NO	OVR	Inside	Outside
2	Mission Del Lago	Mission Del Lago, Ltd.	465	1962	1962	YES	AC	Inside	Inside
3	Notting Hill	RCG&I NH, L.L.C	108.48	524	0	YES	AC	Inside	Outside
4	Southwest ISD Watson Road Campus	Southwest ISD.	204	340	200	YES	AC	Inside	Inside
<b>Totals</b>			<b><u>799.48</u></b>	<b><u>2,935</u></b>	<b><u>2,272</u></b>				
<b>Totals (January 2012 - December 2012)</b>			<b><u>2,108.667</u></b>	<b><u>7,793</u></b>	<b><u>6,906</u></b>				

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

EDU/Acreage Comparison Totals 2012 - 2011 (Year to Date - All Categories)	Total Acreage	Total Water EDUs	Total WW EDUs
<b>TOTAL (January – December 2012)</b>	<b>5,130.27</b>	<b>17,853</b>	<b>16,430.03</b>
<b>TOTAL (January – December 2011)</b>	<b>6,309.28</b>	<b>17,415</b>	<b>22,703</b>

9. A Resolution approving the Settlement Agreement and Release with the Cibolo Creek Municipal Authority for wastewater treatment services; authorizing the payment of \$465,422.35 to the Cibolo Creek Municipal Authority for wastewater treatment services; authorizing the President/Chief Executive Officer or his duly appointed designee to execute the Settlement Agreement and Release, and to pay Cibolo Creek Municipal Authority the amount of \$465,422.35 for wastewater treatment services. Total expenditures are: \$465,422.35. (KELLEY NEUMANN – SAM MILLS)

## Production, Transmission and Treatment Improvements

10. A Resolution amending Resolution No. 09-401 by increasing the authorization of the construction contingency of the construction contract with S. J. Louis Construction of Texas, Ltd, by \$40,000.00 for a total construction contingency not to exceed \$292,000.00 in connection with the Medio Creek Water Recycling Center Recycled Water Pump Station and Line Project; authorizing additional funds in the amount not to exceed \$40,000.00 from the System's Project Fund for additional contingency expenses associated with the project work. Total expenditures are: \$40,000.00. (KELLEY NEUMANN – ASHOK KAJI)
11. A Resolution approving Change Order No. 6 in the amount of \$40,569.56 in connection with the Anderson Pump Station Improvements Project; approving total payment in the amount of \$40,569.56 to MGC Contractors, Inc., for the additional project work associated with Change Order No. 6; authorizing the additional expenditure of funds in the amount of \$40,569.56 for Change Order No. 6 from the Project Construction Contingency Fund; amending Resolution No. 11-177 by increasing the authorization of the construction contingency by \$52,000.00 for a total construction contingency amount of \$230,000.00; authorizing additional funds in the amount not to exceed \$52,000.00 from the System Project Fund for additional construction contingency expenses associated with the project work; authorizing the President/Chief Executive Officer or his duly appointed designee to execute Change Order No. 6 and to pay MGC Contractors, Inc., the additional sum of \$40,569.56 from the project construction contingency fund for the additional project work. Total expenditures are: \$40,569.56. (KELLEY NEUMANN – ASHOK KAJI)
12. A Resolution approving Recapitulation Change Order No. 7 in the decreased amount of \$147,081.24 in connection with the Twin 72 Sewer Replacement Project; authorizing the return of funds in the amount of \$147,081.24 and the construction contingency of \$190,286.37 for a total amount of \$337,367.61 to the System's Project Fund; authorizing the President/Chief Executive Officer or his duly appointed designee to execute Recapitulation Change Order No. 7 and to return funds for in the total amount of \$337,367.61 to the Project Fund, and to close the contract. Total decreased amount is: \$337,367.61. (KELLEY NEUMANN – FRANCES PLOCEK)
13. A Resolution approving Change Order No. 3 in the amount of \$221,912.53 and Recapitulation Change Order No. 4 in the decreased amount of \$33,465.27 in connection with the Kelly USA Water Infrastructure Improvements Project; amending Resolution No. 09-051 to authorize expenditures for additional construction contingency funds in the amount of \$214,868.08 from the Project Fund in connection with Change Order No. 3; authorizing the return of funds in the amount of \$33,465.27 to the Project Fund in connection with Recapitulation Change Order No. 4; authorizing the President/Chief Executive Officer or his duly appointed designee to execute Change Order No. 3 and Recapitulation Change Order No. 4, to pay Principle Contracting Services the amount of \$221,912.53 for the additional services associated with Change Order No. 3, to return funds for Recapitulation Change Order No. 4 in the total amount of \$33,465.27 to the Project Fund, and to close the contract. Total expenditures are: \$188,447.26. (KELLEY NEUMANN – FRANCES PLOCEK)

## Professional Services

14. The Resolution approving the Contract Amendment No. 1 to the professional service contract to Chiang, Patel & Yerby in an amount not to exceed \$253,610.00 in connection with the C\_5\_Culebra and Castroville to Laredo & C\_28\_ Zarzamora Creek\_N San Gabriel to NW 23<sup>rd</sup> Street Project; amending Resolution No. 11-269 to approve

additional expenditures in an amount not to exceed \$253,610.00 from the System's Project Fund for the project engineering work; authorizing the President/Chief Executive Officer or his duly appointed designee to execute Contract Amendment No. 1 to the professional services contract with Chiang, Patel & Yerby and to pay Chiang, Patel & Yerby an amount not to exceed \$253,610.00 for the project engineering work. Total expenditures are: \$253,610.00. (KELLEY NEUMANN – FRANCES PLOCEK)

15. A Resolution approving Contract Amendment No. 3 in the amount of \$42,822.00 in connection with the Olmos Basin Central Watershed Sewer Relief Line (C-3) Project; amending Resolution No. 09-025, by approving additional expenditures in an amount not to exceed \$42,822.00 for additional engineering services by Weston Solutions, Inc.; approving that an amount not to exceed \$42,822.00 be made available and expended from the System's Project Fund for the sewer related additional engineering services; authorizing the President/Chief Executive Officer or his duly appointed designee to execute Contract Amendment No. 3 and to pay Weston Solutions, Inc., an additional amount not to exceed \$42,822.00 for engineering services in connection with the project. Total expenditures are: \$42,822.00. (KELLEY NEUMANN – FRANCES PLOCEK)
16. A Resolution approving Contract Amendment No. 4 in the amount of \$155,955.00 in connection with the Western Watershed Sewer Relief Line – Upper Segment Project; amending Resolution No. 09-337, as amended by Resolution Nos. 10-328, 11-282 and 12-216, by approving additional expenditures in an amount not to exceed \$155,955.00 for additional engineering services by Weston Solutions, Inc., in connection with the project; approving that an amount not to exceed \$155,955.00 be made available and expended from the System's Project Fund for the wastewater related additional engineering services; authorizing the President/Chief Executive Officer or his duly appointed designee to execute Contract Amendment No. 4 and to pay Weston Solutions, Inc., an additional amount not to exceed \$155,955.00 for additional engineering services in connection with the project. Total expenditures are: \$155,955.00. (KELLEY NEUMANN – FRANCES PLOCEK)

## **REPLACEMENT AND ADJUSTMENT PROJECTS**

### **Governmental Relocations and Replacements**

17. A Resolution accepting the bid of and awarding a construction contract to R.L. Jones, LP, in the amount of \$1,068,500.00 for the 2012 Water And Sewer Construction Contract, Package V; approving the expenditure of funds in an amount not to exceed \$1,068,500.00 for the project work; approving construction contingency expenses in an amount not to exceed \$106,850.00 in connection with the project work; approving a total amount not to exceed \$1,175,350.00 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 or his duly appointed designee to execute a construction contract with R.L. Jones, LP, and to pay R.L. Jones, LP, an amount not to exceed \$1,175,350.00 for the project work and related construction contingencies. Total expenditures are: \$1,175,350.00. (KELLEY NEUMANN – JOSE CARRENO)
18. A Resolution accepting the bid of and awarding a construction contract to Pronto Sandblasting & Coating & Oil-Field Service Co., in the amount of \$1,065,563.00 for the 2012 Water And Sewer Construction Contract, Package VI; approving the expenditure of funds in an amount not to exceed \$1,065,563.00 for the project work; approving construction contingency expenses in an amount not to exceed \$106,556.30 in connection with the project work; approving a total amount not to exceed

**\$1,172,119.30 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 or his duly appointed designee to execute a construction contract with Pronto Sandblasting & Coating & Oil-Field Service Co., and to pay Pronto Sandblasting & Coating & Oil-Field Service Co., an amount not to exceed \$1,172,119.30 for the project work and related construction contingencies. Total expenditures are: \$1,172,119.30. (KELLEY NEUMANN – JOSE CARRENO)**

- 19. A Resolution accepting the bid of and awarding a construction contract to San Antonio Constructors, Ltd., in the amount of \$1,054,152.00 for the 2012 Water And Sewer Construction Contract, Package VII; approving the expenditure of funds in an amount not to exceed \$1,054,152.00 for the project work; approving construction contingency expenses in an amount not to exceed \$105,415.20 in connection with the project work; approving a total amount not to exceed \$1,159,567.20 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 or his duly appointed designee to execute a construction contract with San Antonio Constructors, Ltd., and to pay San Antonio Constructors, Ltd., an amount not to exceed \$1,159,567.20 for the project work and related construction contingencies. Total expenditures are: \$1,159,567.20. (KELLEY NEUMANN – JOSE CARRENO)**
- 20. A Resolution accepting the bid of and awarding a construction contract to Pronto Sandblasting & Coating & Oil-Field Service Co., in the amount of \$1,041,363.00 for the 2012 Water And Sewer Construction Contract, Package VIII; approving the expenditure of funds in an amount not to exceed \$1,041,363.00 for the project work; approving construction contingency expenses in an amount not to exceed \$104,136.30 in connection with the project work; approving a total amount not to exceed \$1,145,499.30 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 or his duly appointed designee to execute a construction contract with Pronto Sandblasting & Coating & Oil-Field Service Co., and to pay Pronto Sandblasting & Coating & Oil-Field Service Co., an amount not to exceed \$1,145,499.30 for the project work and related construction contingencies. Total expenditures are: \$1,145,499.30. (KELLEY NEUMANN – JOSE CARRENO)**
- 21. A Resolution approving Final Recapitulation Change Order No. 1 in the decreased amount of \$25,401.00 to the construction contract with Atlas Construction Corporation in connection with the 2011 SAWS Water And Sewer Construction Contract, Package VIII; authorizing the return of funds in the amount of \$25,401.00 and the construction contingency balance of \$84,637.30 for a total amount of \$110,038.30 to the Project Fund; authorizing the President/Chief Executive Officer or his duly appointed designee to execute Final Recapitulation Change Order No. 1. Total decreased amount is: \$110,038.30. (KELLEY NEUMANN – JOSE CARRENO)**

#### **Professional Services**

- 22. A Resolution approving Contract Amendment No. 1 in the amount of \$250,560.00 in connection with the Hemisfair Park Area Streets Project; amending Resolution No. 12-086 to approve additional expenditures in an amount not to exceed \$250,560.00 for additional engineering design services by HDR Engineering, Inc. in connection with the project; approving that an additional amount not to exceed \$250,560.00 be made available and expended from the System's Project Fund for the additional engineering design services; authorizing the President/Chief Executive Officer or his duly appointed designee to execute Contract Amendment No. 1 and to pay HDR**

Engineering, Inc. an amount not to exceed \$250,560.00 for the additional engineering design services. Total expenditures are: \$250,560.00.  
(KELLEY NEUMANN – JOSE CARRENO)

### MISCELLANEOUS PROJECTS

23. A Resolution accepting the bid of and awarding a construction contract to Atlas Construction, Corp., in the amount of \$946,750.00 for the Annual 2012 Open Cut Water Work Order Construction Contract; approving the expenditure of funds in an amount not to exceed \$946,750.00 for the project work; approving construction contingency expenses in an amount not to exceed \$90,000.00; approving a total amount not to exceed \$1,036,750.00 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 or his duly appointed designee to execute a construction contract with Atlas Construction, Corp., and to pay Atlas Construction, Corp., an amount not to exceed \$1,036,750.00 for the project work and related construction contingencies. Total expenditures are: \$1,036,750.00.  
(KELLEY NEUMANN – FRANCE PLOCEK)
24. A Resolution ratifying the actions of the Senior Vice President of Strategic Resources by approving Change Order No. 3 in the amount of \$94,900.00 in connection with the Annual 2011 Open Cut Sewer Work Order Construction Contract; approving the expenditure of additional funds in an amount not to exceed \$94,900.00 payable to PM Construction & Rehab, LLC, for Change Order No. 3; authorizing the President/Chief Executive Officer or his duly appointed designee to execute Change Order No. 3 and to pay PM Construction & Rehab, LLC, an additional amount not to exceed \$94,900.00 for the additional project work associated with Change Order No. 3. Total expenditures are: \$94,900.00. (KELLEY NEUMANN – FRANCE PLOCEK)

### EASEMENTS AND REAL PROPERTY

25. A Resolution declaring three tracts of land in Bexar County, Texas, as surplus to the System as required by City Ordinance No. 75686; recommending that the San Antonio Planning Commission and City Council consent to such declaration as required by City Ordinance No. 75686; authorizing the President/Chief Executive Officer or his duly appointed designee 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
5103 Blanco Road	Being a tract of land approximately 0.175 acres acquired in June 4, 1979, 1946; located at 5103 Blanco Road near the intersection of Blanco Road and Burwood Lane
Blue Wing Road-Otillo Dam Site	Being a tract of land approximately 13.09 acres acquired in January 10, 1996; located at Blue Wing Road, including approximate 2.017 acre ingress/egress easement
2518 SW 21 <sup>st</sup> Street	Being a tract of land approximately 2.96 acres acquired in May 13, 1946; located at 2518 SW 21 <sup>st</sup> Street

26. A Resolution amending Resolution No. 08-080 and authorization of additional funds consisting of rent and operating expenses for the Lone Oak Customer Payment Center to provide for additional funds not budgeted for the November 2012 through March 2013 rent, property taxes, insurance, CAM charges, and annual CAM



reconciliation expenses for the Lone Oak Customer Payment Center; authorizing additional expenditures in an amount not to exceed \$57,500.00 from the System Fund; authorizing the President/Chief Executive Officer or his duly appointed designee to pay an amount not to exceed \$57,500.00 for the additional funds needed for rent and operating expenses. Total expenditures are: \$57,500.00.  
(MIKE BRINKMANN – BRUCE HABY)

27. A Resolution approving a lease agreement with 403 WW White, LLC, for approximately 1,829 sf of office space located at 403 South WW White Road in San Antonio, Texas in a total amount not to exceed \$578,738.12 for the one hundred twenty month lease term; authorizing the expenditure from the System Fund in an amount not to exceed \$3,019.73 as a deposit, and \$45,000 as additional funds for finish-out of the office space; authorizing the expenditure from the System Fund in an amount not to exceed \$44,752.60 for Fiscal Year 2013 and that expenditures in subsequent years shall not exceed \$62,274.36 per year; authorizing that expenditures for future fiscal years are to be made available pursuant to and contingent upon Board approval of future budgets with a line item for such expenditures; authorizing the President/Chief Executive Officer or his duly appointed designee to execute a lease agreement with 403 WW White, LLC, and to pay 403 WW White, LLC, the total amount not to exceed \$626,757.85 during the term of the lease agreement for the lease of the premises, deposit, and finish-out. Total expenditures are: \$626,757.85.  
(MIKE BRINKMANN – BRUCE HABY)
28. A Resolution approving the acquisition of a permanent water line easement affecting 6.629 acres, located near intersection of Wiseman Road and Cottonwood Way in the northwest quadrant of Bexar County, Texas, in connection with the Water Resources Integration Program, Project 1: Pipeline, Segment III; authorizing the expenditure of funds from the Project Fund in a total amount not to exceed \$856,053.00 for the acquisition of the easement and related closing and title insurance costs; authorizing the President/Chief Executive Officer or his duly appointed designee to execute all documents necessary to effectuate the acquisition of the easement and to pay the amount not to exceed \$849,053.00 to Vise Oaks I, Ltd., a Texas limited partnership via Capital Title of Texas as escrow agenda and up to \$7,000.00 to Capital Title of Texas for related closing and title insurance costs. Total expenditures are: \$856,053.00.  
(MIKE BRINKMANN – BRUCE HABY)
29. A Resolution approving the acquisition of a permanent water line easement affecting 5.780 acres located near the north of the intersection of Westcreek Oaks at Wiseman Road, in the northwest quadrant of Bexar County, Texas, in connection with the Water Resources Integration Program, Project 1: Pipeline, Segment III; authorizing the expenditure of funds from the Project Fund in a total amount not to exceed \$699,505.00 for the acquisition of the easement and related closing and title insurance costs; authorizing the President/Chief Executive Officer or his duly appointed designee to execute all documents necessary to effectuate the acquisition of the easement and to pay the amount not to exceed \$693,505.00 to Vise Oaks I, Ltd., a Texas limited partnership via Capital Title of Texas as escrow agent and up to \$6,000.00 to Capital Title of Texas for related closing and title insurance costs. Total expenditures are: \$699,505.00. (MIKE BRINKMANN – BRUCE HABY)
30. A Resolution approving the acquisition of two (2) permanent water line easements affecting 5.742 acres located near the west line of Loop 1604, south of FM 143 in the west northwest quadrant of Bexar County, Texas, in connection with the Water Resources Integration Program, Project 1: Pipeline, Segment III; authorizing the expenditure of funds from the Project Fund in a total amount not to exceed

**\$468,032.00 for the acquisition of the easements and related closing and title insurance costs; authorizing the President/Chief Executive Officer or his duly appointed designee to execute all documents necessary to effectuate the acquisition of the easements and to pay the amount not to exceed \$462,532.00 to People's Verde Ranch Holding Co., Ltd., a Texas limited partnership via Capital Title of Texas as escrow agent and up to \$5,500.00 to Capital Title of Texas for related closing and title insurance costs. Total expenditures are: \$468,032.00.**

**(MIKE BRINKMANN – BRUCE HABY)**

- 31. A Resolution approving the acquisition of a permanent water line easement affecting 4.472 acres located near the intersection of Wiseman Road and Cottonwood Way, in the northwest quadrant of Bexar County, Texas, in connection with the Water Resources Integration Program, Project 1: Pipeline, Segment III; authorizing the expenditure of funds from the Project Fund in a total amount not to exceed \$452,819.00 for the acquisition of the easement and related closing and title insurance costs; authorizing the President/Chief Executive Officer or his duly appointed designee to execute all documents necessary to effectuate the acquisition of the easement and to pay the amount not to exceed \$447,819.00 to Vise Oaks I, Ltd., a Texas limited partnership via Capital Title of Texas as escrow agent and up to \$5,000.00 to Capital Title of Texas for related closing and title insurance costs. Total expenditures are: \$452,819.00. (MIKE BRINKMANN – BRUCE HABY)**
- 32. A Resolution approving the acquisition of a permanent water line easement affecting 3.991 acres located at the western line of Loop 1604, north of Dove Canyon in west northwest Bexar County, Texas, in connection with the Water Resources Integration Program, Project 1: Pipeline, Segment III; authorizing the expenditure of funds from the Project Fund in a total amount not to exceed \$214,201.00 for the acquisition of the easement and related closing and title insurance costs; authorizing the President/Chief Executive Officer or his duly appointed designee to execute all documents necessary to effectuate the acquisition of the easement and to pay the amount not to exceed \$211,201.00 to Dove River Ltd., a Texas limited partnership via Capital Title of Texas as escrow agent and up to \$3,000.00 to Capital Title of Texas for related closing and title insurance costs. Total expenditures are: \$214,201.00. (MIKE BRINKMANN – BRUCE HABY)**
- 33. A Resolution approving the acquisition of a permanent water line easement affecting 2.248 acres located near intersection of Wiseman Road and Cottonwood Way, in the northwest quadrant of Bexar County, Texas, in connection with the Water Resources Integration Program, Project 1: Pipeline, Segment III; authorizing the expenditure of funds from the Project Fund in a total amount not to exceed \$300,597.00 for the acquisition of the easement and related closing and title insurance costs; authorizing the President/Chief Executive Officer or his duly appointed designee to execute all documents necessary to effectuate the acquisition of the easement and to pay the amount not to exceed \$296,597.00 to Vise Oaks I, Ltd., a Texas limited partnership via Capital Title of Texas as escrow agent and up to \$4,000.00 to Capital Title of Texas for related closing and title insurance costs. Total expenditures are: \$300,597.00. (MIKE BRINKMANN – BRUCE HABY)**

### **WATER RESOURCES ITEMS**

- 34. A Resolution approving an increase in the per acre-foot maximum rebate under the San Antonio Water System's Custom Rebate Program from \$400.00 per acre-foot to \$1,100.00 per acre-foot of water saved over the anticipated project life; authorizing the President/Chief Executive Officer or his duly appointed designee to execute**

agreements with participating local businesses under the San Antonio Water System's Custom Rebate Program and to pay participating customers rebates based on a calculation of \$1,100.00 per acre-foot of water saved over the anticipated project life. (CHARLES AHRENS – KAREN GUZ)

## FINANCIAL ITEMS

35. A Resolution, concerning both the San Antonio Water System and the District Special Project, adopting revisions to the Investment Policy of the San Antonio Water System and District Special Project pursuant to the guidelines established in the City of San Antonio's Ordinances No. 75686 and No. 2011-10-20-0845 and the provisions of the Public Funds Investment Act; declaring that the revisions to the System's Investment Policy conform to the requirements of the Public Funds Investment Act. (DOUG EVANSON – PHYLLIS GARCIA)
- (SAWS-DSP)
36. A Resolution, concerning both the San Antonio Water System (System) and the District Special Project (DSP), authorizing a professional services contract with Public Financial Management, Inc., and Estrada Hinojosa & Company, Inc., to serve as co-financial advisors to the System and DSP for a three year term with an option to renew for one additional one-year term; directing the President/Chief Executive Officer or his duly appointed designee to execute such professional services contract. (DOUG EVANSON – PHYLLIS GARCIA)
- (SAWS-DSP)
37. A Resolution, concerning the District Special Project, approving Amendment No. 6 in the amount of \$63,500.00 to the Audit Services Agreement with Padgett Stratemann & Co., for additional audit fees for the audit of District Special Project for the period ending December 31, 2012; authorizing additional audit fees in the amount of \$63,500.00 to be expended from the District Special Project Fund; authorizing the President/Chief Executive Officer or his duly appointed designee to execute Amendment No. 6 to the Audit Services Agreement with Padgett Stratemann & Co. and to pay Padgett Stratemann & Co. the expenditure of additional funds of \$63,500.00 for the audit of District Special Project. Total expenditures are: \$63,500.00. (DOUG EVANSON – MARY BAILEY)
- (DSP)

## MISCELLANEOUS ITEMS

38. A Resolution amending Resolution No. 03-083 to approve revisions to the Utility Service Regulations. (KELLEY NEUMANN – SAM MILLS)
39. A Resolution accepting and approving the recommendation of Marsh USA Inc. for commercial insurance coverage for the twelve month period commencing January 1, 2013; authorizing expenditures in an amount not to exceed \$1,050,316.00 for such insurance from the System Fund, pursuant to and contingent upon Board approval of the 2013 budget with a line item for such expenditures; authorizing The President/Chief Executive Officer or his duly appointed designee to execute through Marsh USA Inc. all necessary documents and to pay Marsh USA Inc. an amount not to exceed \$1,050,316.00 for the cost for such insurance coverage. Total expenditures are: \$1,050,316.00. (NANCY BELINSKEY)
40. A Resolution approving a Settlement Agreement with Fireman's Fund Insurance Company in the amount of \$100,000.00; authorizing expenditure of \$100,000.00 from the System Fund for purposes of the settlement; and authorizing the President/Chief Executive Officer to execute a Settlement Agreement with Fireman's Fund Insurance Company and to pay \$100,000.00 to Fireman's Fund Insurance Company pursuant to such an agreement. Total expenditures are: \$100,000.00. (NANCY BELINSKY)

- 41. A Resolution approving a contract renewal with Emerson Process Management Power & Water Solutions, in an amount not to exceed \$83,838.00 for component coverage, expert telephone support, software updates without anti-virus, internet information access, remote system diagnostics, guardian support and scheduled on-site service for the Emerson Ovation Control Systems at the Dos Rios, Leon Creek, and Medio Creek Water Recycling Centers; authorizing the expenditure of funds in an amount not to exceed \$83,838.00 from the System Fund, pursuant to and contingent upon Board approval of the 2013 budget with a line item for such expenditures; authorizing the President/Chief Executive Officer or his duly appointed designee to execute the renewal of a contract and to pay Emerson Process Management Power & Water Solutions an amount not to exceed \$83,838.00 for the System's obligations under the terms of the contract. Total expenditures are: \$83,838.00.  
(STEVE CLOUSE – ROGELIO PLACENCIA)**
- 42. A Resolution accepting the bid of and awarding a purchasing contract to Xylem Water Solutions USA, Inc., in the amount of \$79,213.80 for purchase of ceramic disc diffusers and accessories for the Dos Rios Water Recycling Center; approving the expenditure of funds in the amount of \$79,213.80 from the System Fund for the ceramic disc diffusers and accessories; authorizing the President/Chief Executive Officer or his duly appointed designee to execute a purchasing contract and to pay Xylem Water Solutions USA, Inc., an amount not to exceed \$79,213.80 for the ceramic disc diffusers and accessories. Total expenditures are: \$79,213.80. (STEVE CLOUSE – RAYMOND PEREZ)**
- 43. A Resolution accepting the bid of and awarding an equipment contract to Caldwell Country Chevrolet for three 4,600 GVWR (Minimum) Wide and Short Type Bed (No Fender Outside), Extended, Club, Super Cab-Pickup Truck, Bid No. 12-1353 in the amount of \$64,932.00; approving the expenditure of funds in the amount of \$64,932.00 from the System Fund; authorizing the President/Chief Executive Officer or his duly appointed designee to execute a contract and to pay Caldwell Country Chevrolet an amount not to exceed \$64,932.00 for the equipment. Total expenditures are: \$64,932.00.  
(VAL RUIZ – DAVID KILBOURNE)**
- 44. A Resolution accepting the proposal of and awarding a contract to Aramark Services, Inc., to provide cafeteria, vending and related services from January 1, 2013 through December 31, 2017 with the option of three, additional one-year extensions; approving the expenditures from the System Fund for such services in an amount not to exceed \$120,000.00 per operating year from January 1, 2013 through December 31, 2017 and thereafter for each year of the three, one-year extensions, and that subsequent years expenditures are pursuant to and contingent upon Board approval of the subsequent years budget with a line item for such expenditures; authorizing the President/Chief Executive Officer or his duly appointed designee to execute a contract and to pay Aramark Services, Inc., an amount not to exceed \$120,000.00 per operating year from January 1, 2013 through December 31, 2017. Total expenditures are: \$600,000.00.  
(MICHAEL BRINKMANN – KELLY CREEKMORE)**
- 45. A Resolution ratifying the actions of the Senior Vice President/Chief Operating Officer in authorizing expenditures in the amount of \$182,327.69 Holt Caterpillar for generators to provide power to operate boilers and emergency chillers for the continued operation of the Central Heating and Cooling Plant; approving expenditures of \$182,327.69 from the System Fund for generators to provide power to operate boilers and emergency chillers at the Central Heating and Cooling Plant in connection with emergency operation and maintenance; authorizing the President/Chief Executive Officer or his duly appointed designee to Pay Holt Caterpillar \$182,327.69 for generators to provide**

power to operate boilers and emergency chillers for the continued operation of the Central Heating and Cooling Plant. Total expenditures are: \$182,327.69.  
(MIKE BRINKMANN – DAN MYERS)

46. A Resolution ratifying the actions of the Senior Vice President/Chief Operating Officer in authorizing expenditures in the amount of \$264,854.40 to RediFuel Services, Inc., for fuel to operate boilers and emergency chillers for the continued operation of the Central Heating and Cooling Plant; approving expenditures of \$264,854.40 from the System Fund for fuel to operate boilers and emergency chillers at the Central Heating and Cooling Plant in connection with emergency operation and maintenance; authorizing the President/Chief Executive Officer or his duly appointed designee to pay RediFuel Services, Inc., \$264,854.40 for fuel to operate boilers and emergency chillers for the continued operation of the Central Heating and Cooling Plant. Total expenditures are: \$264,854.40. (MIKE BRINKMANN – DAN MYERS)
47. A Resolution approving a reallocation of previously authorized funds in an amount of \$25,000.00 in connection with the Heating and Cooling Department Facility Assessment and Master Plan; authorizing an amendment of a professional services contract with Energy Engineering Associates, Inc. in the amount of \$23,100.00 for additional engineering services associated with the Heating and Cooling Facilities Assessment and Master Plan Project SAWS #09-0117; authorizing the total expenditure of funds in an amount not to exceed \$48,100.00 from the System Fund in connection with the project work; authorizing the President/Chief Executive Officer or his duly appointed designee to execute a contract amendment and to pay Energy Engineering Associates, Inc. the amount of \$48,100.00 for the project work associated with the Heating and Cooling Facilities Assessment and Master Plan Project. Total expenditures are: \$48,100.00. (MIKE BRINKMANN – DAN MYERS)
48. A Resolution approving the second option year extension to the existing contract with Federal Court Reporters of San Antonio in an amount not to exceed \$45,000.00 to provide meeting transcription services for the System’s board meetings from January 1, 2013 through December 31, 2013; approving expenditures from the System Fund in an amount not to exceed \$45,000.00, pursuant to and contingent upon Board approval of the 2013 budget with a line item for such expenditures; authorizing the President/Chief Executive Officer or his duly appointed designee to execute the contract extension and to pay an amount not to exceed \$45,000.00 to Federal Court Reporters of San Antonio for such services. Total expenditures are: \$45,000.00. (LISA MIRELES)
49. A Resolution approving a contract extension with the Deberry Group in the amount of \$150,000.00 for work and assignments related to but not limited to local, regional and national media relations, local and regional public relations, creative content development and crisis communications services; approving the expenditure of funds in a total amount not to exceed \$150,000.00 from the System Fund, pursuant to and contingent upon Board approval of the 2013 budget with a line item for such expenditures; authorizing the President/Chief Executive Officer or his duly appointed designee to execute a contract extension and to pay the Deberry Group an amount not to exceed \$150,000.00 for 2013. Total expenditures are: \$150,000.00. (GREG FLORES)
50. A Resolution, concerning both the San Antonio Water System and the District Special Project, ratifying the actions taken to approve funding of the temporary worker services for the System through December 31, 2012 in an additional amount not to exceed \$206,304.00; amending Resolution No. 11-396 by increasing the authorization of funds in

(SAWS-DSP)

the amount of \$206,304.00; authorizing expenditures in an amount not to exceed \$206,304.00 be made available from both the System and DSP Funds for additional services through December 31, 2012; authorizing the President/Chief Executive Officer or his duly appointed designee to pay an additional amount not to exceed \$206,304.00 to the temporary employment agencies for temporary worker services through December 31, 2012. Total expenditures are: \$206,304.00. (SHARON DE LA GARZA)

51. A Resolution, concerning both the San Antonio Water System and the District Special Project, accepting the proposal and awarding of a new contract with various temporary employment agencies to provide temporary worker services for the System from January 1, 2013 through December 31, 2016 with two successive one-year term extensions; authorizing funds to be expended in FY 2013 in an amount not to exceed \$975,000.00 from both the System and DSP Funds, and that future years' expenditures are pursuant to and contingent up Board approval of the subsequent years' budgets with a line item for such expenditures; authorizing the President/Chief Executive Officer or his duly appointed designee to execute a new contract and to pay various temporary employment agencies an amount not to exceed \$975,000.00 for FY2013. Total expenditures are: \$975,000.00. (SHARON DE LA GARZA)
- (SAWS-DSP)
52. A Resolution, concerning the District Special Project, removing current Trustees and appointing new Trustees for District Special Project Retirement Plans; appointing the persons who hold the titles of (a) Vice President-Human Resources, (b) Senior Vice President/Chief Financial Officer, and (c) Vice President-Customer Service of the San Antonio Water System to serve as Trustees of the District Special Project Retirement Plans. (SHARON DE LA GARZA)
- (DSP)

## CONSENT AGENDA ITEM

### Item 53

53. A Resolution amending the revised guidelines for eligibility and retiree cost sharing for retiree health benefits as outlined in the San Antonio Water System Health and Welfare Benefit Plan Provisions concerning retiree coverage; authorizing the President/Chief Executive Officer or his duly appointed designee to implement the amended revised guidelines for eligibility and cost sharing for retiree health benefits. (SHARON DE LA GARZA)

## CONSENT AGENDA ITEMS

### Items 54 & 55

54. A Resolution ratifying the actions of the Senior Vice President/Chief Operating Officer in authorizing expenditures in the amount of \$746,851.90 to Johnson Controls for rental of emergency chillers for the continued operation of the Central Heating And Cooling Plant; approving expenditures of \$746,851.90 from the System Fund for rental of emergency chillers for the continued operation of the Central Heating And Cooling Plant in connection with emergency operation and maintenance; authorizing the President/Chief Executive Officer or his duly appointed designee to pay Johnson Controls \$746,851.90 for rental of chillers associated with the emergency repair of the Central Heating And Cooling Plant Electrical Project. Total expenditures are: \$746,851.90. (MIKE BRINKMANN – DAN MYERS)
55. A Resolution approving funding in an amount not to exceed \$36,000.00 for the fifth year of a five-year marketing agreement with the San Antonio Economic

Development Foundation, Inc., for the identification and development of potential customers for the San Antonio Water System; authorizing the expenditure of funds in an amount not to exceed \$36,000.00 from the System Fund; authorizing the President/Chief Executive Officer or his duly appointed designee to pay the San Antonio Economic Development Foundation, Inc., an amount not to exceed \$36,000.00 for the fifth year of a five-year marketing agreement. Total expenditures are: \$36,000.00. (GREG FLORES)

## **ITEMS FOR INDIVIDUAL CONSIDERATION**

### **WATER RESOURCES ITEMS**

56. A Resolution approving the San Antonio Water System 2012 Water Management Plan. (CHARLES AHRENS – DARREN THOMPSON)
57. A Resolution determining the need to update Chapter 34 of the City Code regarding Water Conservation and Drought Management Regulations; recommending that the City Council of the City of San Antonio adopt such adjustments and amend Chapter 34 of the City Code regarding Water Conservation and Drought Management Regulations accordingly; authorizing the implementation of such adjustments if adopted by the City Council. (CHARLES AHRENS – KAREN GUZ)
58. A Resolution accepting the bid of and awarding a construction contract to Kickapoo Empire, LLC, in the amount of \$1,267,507.00 for the Regional Carrizo Program, Communications Project; authorizing the expenditure of funds in the amount of \$1,267,507.00 for the project work; authorizing construction contingency expenses in an amount not to exceed \$75,000.00 in connection with the project work; authorizing total expenditures of funds in an amount not to exceed \$1,342,507.00 from the System's Project Fund for the project work and construction contingency expenses; authorizing the President/Chief Executive Officer or his duly appointed designee to execute a contract and to pay Kickapoo Empire, LLC, the amount of \$1,267,507.00 for the project work. Total expenditures are: \$1,267,507.00. (CHARLES AHRENS – DARREN THOMPSON)
59. A Resolution authorizing a financing agreement relating to the placement of an amount not to exceed \$50,000,000.00 Junior Lien Revenue Bonds with the Texas Water Development Board at subsidized interest rates under the Water Infrastructure Fund Program to fund a portion of the Brackish Groundwater Desalination Project. (DOUG EVANSON – PHYLLIS GARCIA)
60. A Resolution accepting the proposal of Zachry Parsons Water Resources Joint Venture in the amount not to exceed \$10,224,000.00 for the pre-construction phase services, general conditions, construction management, and commissioning services; approving a Construction Manager at Risk Contract with Zachry Parsons Water Resources Joint Venture for construction services for the Phase I of the Brackish Groundwater Desalination Program; authorizing the President/Chief Executive Officer or his duly appointed designee to execute the contract; appropriating an additional \$750,000.00 for the contract performance incentive provision; authorizing the expenditure of funds in an amount not to exceed \$10,974,000.00 from the System's Project Fund for the construction manager at risk services and appropriation for the contract performance incentive provision in connection with this program; authorizing the President/Chief Executive Officer or his duly appointed designee to pay Zachry Parsons Water Resources Joint Venture in an amount not to exceed \$10,974,000.00 for Construction Manager at Risk services in connection with the

program and incentive allocation. Total expenditures are: \$10,974,000.00.  
(KELLEY NEUMANN – ASHOK KAJI)

## **CAPITAL IMPROVEMENT CONTRACTS**

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

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

61. The Resolution accepting the bid of and awarding a construction contract to MGC Contractors, Inc., in the amount of \$3,761,951.47 for the Crescent Park Booster Station Project; approving the expenditure of funds in the amount of \$3,761,951.47 for the project work; approving construction contingency expenses in an amount not to exceed \$188,000.00 in connection with the project work; approving total expenditures in an amount not to exceed \$3,949,951.47 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 or his duly appointed designee to execute a construction contract and to pay MGC Contractors, Inc., an amount not to exceed \$3,949,951.47 for the project work and related construction contingencies. Total expenditures are: \$3,949,951.47. (KELLEY NEUMANN – FRANCES PLOCEK)
62. The Resolution accepting the bid of and awarding a construction contract to QRO Mex, Inc., in the amount of \$1,099,009.50 for the Brooks City-Base Waterline Improvements Phase II Project; approving the expenditure of funds in the amount of \$1,099,009.50 for the project work; approving construction contingency expenses in an amount not to exceed \$100,000.00 in connection with the project work; approving a total amount not to exceed \$1,199,009.50 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 or his duly appointed designee to execute a construction contract and to pay QRO Mex, Inc., an amount not to exceed \$1,199,009.50 for the project work and related construction contingencies. Total expenditures are: \$1,199,009.50. (KELLEY NEUMANN – FRANCES PLOCEK)

63. **PUBLIC HEARING: 2013 ANNUAL BUDGET  
FOR THE SAN ANTONIO WATER SYSTEM  
AND THE DISTRICT SPECIAL PROJECT**

#### **PUBLIC HEARING OPENS**

- A. Public Hearing Briefing (DOUG EVANSON – DAN CROWLEY)
- B. Public Hearing on the Following Items:
  1. Annual Budget for the San Antonio Water System for the Fiscal Year ending December 31, 2012.
  2. Annual Budget for the San Antonio Water System's District Special Project for the Fiscal Year ending December 31, 2013.

#### **PUBLIC HEARING CLOSES**



64. A Resolution approving the annual budget for the San Antonio Water System for the Fiscal Year ending December 31, 2013; authorizing the approved annual budget for the Fiscal Year ending December 31, 2013 be submitted to the City Council for review and consultation. (DOUG EVANSON – DAN CROWLEY)
65. A Resolution approving the annual budget for the District Special Project of the San Antonio Water System for the Fiscal Year ending December 31, 2013; authorizing the approved annual budget for the Fiscal Year ending December 31, 2013 be submitted to the City Council for review and consultation. (DOUG EVANSON – DAN CROWLEY)

66. **BRIEFING SESSION.**

No items for this Meeting.

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

No items for this Meeting.

68. Inquiries.

69. The Regular Session of the December 4, 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.

70. **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 and deliberation regarding potential litigation relating to matters in connection with wastewater permit compliance issues. (NANCY BELINSKY – JOHN REYNOLDS)
- C. Consultation with attorneys and deliberation regarding Cause No. 2012-ED-0025, *City of San Antonio by and through its San Antonio Water System vs. Texas Dorado Properties, Ltd. and Southern Acres Properties, Ltd.*, in Probate Court No. 1, Bexar County, Texas. (NANCY BELINSKY – MARK BREWTON)
- D. Consultation with attorneys and deliberation regarding No. 04-12-00009-CV; *Hanford-Southport, LLC, Appellant, v. City of San Antonio, acting by and through the San Antonio Water System, Appellee*; In the Fourth Court of Appeals District of Texas, San Antonio District. (NANCY BELINSKY)
- E. Consultation with attorneys and deliberation regarding Cause No. 2008-CI-02799, *Robert Overby, et al. v. City of San Antonio, et al.*, in the 225<sup>th</sup> Judicial District Court, Bexar County, Texas. (NANCY BELINSKY – BILL CROW)
- F. Consultation with attorneys and deliberation regarding certain personnel matters related to the Chief of Internal Audit pursuant to Texas Open

**Meetings Act Sections 551.071 (consultation with attorneys) and 551.074 (personnel matters). (NANCY BELINSKY)**

**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)**

**71. The Regular Session of the Regular Board Meeting of December 4, 2012, is hereby reconvened.**

**72. A Resolution authorizing the expenditure and making available from the Project Fund the amount of \$342,088.00 being the amount of the Special Commissioners' Award (less prior payments) in litigation between the San Antonio Water System and Texas Dorado Properties, Ltd., and Southern Acres Properties, Ltd., in connection with the acquisition of the permanent waterline easement described as a 0.764 of an acre tract and a temporary construction easement described as 0.534 of an acre tract located on the northwest corner of Loop 1604 and Lookout Road, in San Antonio, Bexar County, Texas, owned by Texas Dorado Properties, Ltd., and Southern Acres Properties, Ltd. for the Regional Carrizo Program, Water Delivery Pipeline Project; authorizing the deposit of the amount of \$342,088.00 in the Registry of the Court to maintain possession of said Easements. Total expenditures are: \$342,088.00.  
(MIKE BRINKMANN – BRUCE HABY)**

**73. Adjournment. THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES MEETING OF DECEMBER 4, 2012, IS HEREBY ADJOURNED.**