

# AGENDA

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

September 10, 2013, 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 August 13, 2013.**
  - B. **Approval of the Minutes of the San Antonio Water System Board of Trustees Policy and Planning Meeting of August 26, 2013.**
4. **Ceremonial and Recognition Items.**
5. **Individuals to be Heard.**

## CONSENT AGENDA ITEMS

Items 6 – 37

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

#### SAN ANTONIO WATER SYSTEM HANDICAPPED ACCESSIBILITY STATEMENT

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

**6. A Resolution accepting recommendations regarding the contracting for certain services, equipment, materials, and supplies, and authorizing the acceptance of bids as follows: (DOUG EVANSON – YVONNE TORRES)**

**A. Award of Contracts for the Purchase of Materials, Equipment and Services.**

- 1. Acceptance of the bid of Odessa Pumps, Inc. to provide: Purchase of Submersible End Suction Centrifugal Pump, Bid No. 13-1479, for a total of \$59,012.00.**
- 2. Acceptance of the bid of Integrated Power Services to provide: Purchase 3000 HP Aeration Blower Motor for Dos Rios Water Recycling Center, Bid No. 13-1467B, for a total of \$184,010.02.**
- 3. Acceptance of the bid of Walker Process Equipment Div. of McNish Corp. to provide: Purchase of two Tube in Heat Exchanger and Appurtenances, Bid No. 13-1496, for a total of \$148,864.00.**

**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 Hewlett-Packard Co. to provide: HP Hardware and Software Maintenance Support, DIR-SDD-1374, Bid No. 13-1116, for a total of \$109,835.40.**
- (SAWS-DSP) 2. Acceptance of the bid of Capitol Aggregates, Inc. to provide: Cement Aggregates (Bulk Materials), Bid No. 13-6024, for a total of \$330,900.00.**
- (SAWS-DSP) 3. Acceptance of the bid of Dobie Supply, Inc. to provide: Plastic Barricades and Traffic Control Devices, Bid No. 13-0009, for a total of \$113,075.90.**
- (SAWS-DSP) 4. Acceptance of the bid of Tom Benson Chevrolet to provide: GM and Chevrolet Cars and Light Duty Vehicle Parts and Service, Bid No. 13-1057, for a total of \$73,000.00.**
- (SAWS-DSP) 5. Acceptance of the bid of Ancira Motor Co., Inc. to provide: Chrysler Dodge and Jeep Light Duty Vehicles Parts and Service, Bid No. 13-0194A, for a total of \$80,000.00.**
- (SAWS-DSP) 6. Acceptance of the bid of Ferguson Enterprise, Inc. to provide: Ductile Iron Fittings, Bid No. 13-0065, Groups 1, 2, 3, 5 & 6, for a total of \$88,377.78.**
- (SAWS-DSP) 7. Acceptance of the bid of HD Supply Waterworks to provide: Ductile Iron Fittings, Bid No. 13-0065, Groups 4 & 7, for a total of \$14,408.57.**
- (SAWS-DSP) 8. Acceptance of the bid of ACT Pipe & Supply to provide: Ductile Iron Fittings, Bid No. 13-0065, Group 8, for a total of \$18,123.00.**
- (SAWS-DSP) 9. Acceptance of the bid of HD Supply Waterworks, Ltd. to provide: Flex Seal Adjustable Repair Couplings, Bid No. 11-0190, for a total of \$160,774.90.**

**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 Full Spectrum Analytics, Inc. to provide: Laboratory Equipment Maintenance and Repair for Organics Section, Bid No. 13-8037, for a total of \$54,740.00.

## 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. All tracts are located within Bexar County.  
(SAWS-DSP) (KELLEY NEUMANN – SAM MILLS)

No.	Tract Name	Developer	Acreage	Water EDUs	WW EDUs	DISTRICT SPECIAL PROJECT (BMWD)	Board Reason	Water CCN	WW CCN
1	Boerne Stage Road Storage Facility	Leon Springs Storage L.L.C.	6	4	2	NO	EARZ/B	Inside	Outside
2	Elkhorn Bend Subdivision	Bitterblue Properties Inc.	106	300	300	NO	EARZ/B	Outside	Outside
3	Heights at Stone Oak	Jerbo San Ann Land, LP	23.52	72	72	YES	EARZ/B	Inside	Inside
4	Kneaders Bakery	Kneaders Bakery	0.93	7	10	YES	EARZ/B	Inside	Inside
5	NEISD Reagan High School Subdivision	NEISD	86.08	150	150	YES	EA/B/AC	Inside	Inside
6	Starbucks at University Park	Southwest Business Corporation	0.78	10	5	NO	EARZ/B	Inside	Inside
7	Tips Tract	HT Stone Oak Land, LP	113	433	433	YES	EA/B/AC	Inside	Inside
<b>Totals</b>			<b><u>336.31</u></b>	<b><u>976</u></b>	<b><u>972</u></b>				
<b>Totals (January- September 2013)</b>			<b><u>737.42</u></b>	<b><u>2689</u></b>	<b><u>2323</u></b>				

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

No.	Tract Name	Developer	Acreage	Water EDUs	WW EDUs	DISTRICT SPECIAL PROJECT (BMWD)	Board Reason	Water CCN	WW CCN
1	South Hausman	Vickery Modsic TBY, LLC	25	125	120	NO	EARZ	Inside	Inside
<b>Totals</b>			<b><u>25</u></b>	<b><u>125</u></b>	<b><u>120</u></b>				
<b>Totals (January-September 2013)</b>			<b><u>1909.9</u></b>	<b><u>4727</u></b>	<b><u>4287</u></b>				

9. 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. All tracts are located within Bexar County.  
(KELLEY NEUMANN – SAM MILLS)

No.	Tract Name	Developer	Acreage	Water EDUs	WW EDUs	DISTRICT SPECIAL PROJECT (BMWD)	Board Reason	Water CCN	WW CCN
1	Mi Sueno at Monte Viejo	Armadillo Construction Company	58	240	240	NO	AC	Inside	Inside
<b>Totals</b>			<b><u>58</u></b>	<b><u>240</u></b>	<b><u>240</u></b>				
<b>Totals (January- September 2013)</b>			<b><u>7212.1</u></b>	<b><u>35707</u></b>	<b><u>28900</u></b>				

**EDU/Acreage Comparison Totals  
2013 – 2012**

EDU/Acreage Comparison Totals 2013 - 2012 (Year to Date - All Categories)	Total Acreage	Total Water EDU's	Total WW EDU's
<b>TOTAL (September 2013)</b>	<b>9906.34</b>	<b>43609</b>	<b>36042</b>
<b>TOTAL (September 2012)</b>	<b>3370.50</b>	<b>11766.5</b>	<b>10862.03</b>

**Production, Transmission and Treatment Improvements**

10. A Resolution approving Change Order No. 6 in the amount of \$27,779.75 payable to Pepper-Lawson Waterworks, LLC, in connection with the Lift Stations Rehabilitation – Phase 3 Project and approving additional construction contingency expenses in an amount not to exceed \$27,779.75 for the project work. Total expenditures: \$27,779.75. (KELLEY NEUMANN – ASHOK KAJI)
11. A Resolution approving Final Recapitulation Change Order No. 6 in the decreased amount of \$97,016.59 to the construction contract with Wauters Engineering, LLC, in connection with the Forest Crest Water Local Benefit Main Project; authorizing the return of funds in the amount of \$97,016.59 and the construction contingency balance of \$43,232.51 for a total amount of \$140,249.10. Total decreased amount: \$140,249.10.  
(KELLEY NEUMANN – FRANCES PLOCEK)

12. A Resolution ratifying the actions of the Senior Vice President of Strategic Resources in approving Change Order No. 7, in the amount of \$32,348.32, payable to S.J. Louis Construction of Texas, LTD., in connection with the Olmos Basin Central Watershed Sewer Relief Line (C-3) Project. Total expenditures: \$32,348.32. (KELLEY NEUMANN – FRANCES PLOCEK)

#### Professional Services

13. A Resolution approving Contract Amendment No. 4 to provide for additional engineering services to the existing professional services agreement with Weston Solutions, Inc., in an amount not to exceed \$62,568.00 in connection with the Olmos Basin Central Watershed Sewer Relief Line (C-3) Project. Total expenditures: \$62,568.00. (KELLEY NEUMANN – FRANCES PLOCEK)
14. A Resolution approving Contract Amendment No. 6 to provide for additional engineering services to the existing professional services agreement with Civil Engineering Consultants in an amount not to exceed \$300,000.00 in connection with the Water Resources Integration Program, Project 1: Pipeline, Segment II Project. Total expenditures: \$300,000.00. (KELLEY NEUMANN – FRANCES PLOCEK)

### REPLACEMENT AND ADJUSTMENT PROJECTS

#### Governmental Relocations and Replacements

15. A Resolution approving the expenditure of funds in the amount of \$285,986.00 for the adjustment of water and sewer facilities by Bexar County in connection with the Bulverde Road Phase V Project and an amount of \$28,598.60 for related construction contingency expenses. Total expenditures: \$314,584.60. (KELLEY NEUMANN – JOE CARRENO)
16. A Resolution approving the expenditure of additional funds in the amount of \$189,685.26 for the adjustment of water and sewer facilities by Bexar County in connection with the Boerne Stage Road: Cross Mountain Trail to I.H. 10 North Frontage Project and an amount of \$13,608.05 for additional construction contingency expenses. Total expenditures: \$203,293.31. (KELLEY NEUMANN – JOE CARRENO)
17. A Resolution approving Final Recapitulation Change Order No. 4 in the decreased amount of \$78,447.60 to the construction contract with Holloman Corporation in connection with the San Antonio River Improvements Historic Mission Reach Phase IV Project; authorizing the return of funds in the amount of \$78,447.60 and the construction contingency balance of \$20,000.00 for a total amount of \$98,447.60. Total decreased amount: \$98,447.60. (KELLEY NEUMANN – JOE CARRENO)

#### Professional Services

18. A Resolution awarding a professional services contract to Arredondo, Zepeda & Brunz, LLC, in an amount not to exceed \$200,000.00 in connection with the 2013 Unspecified Engineering Design Services Contracts. Total expenditures: \$200,000.00. (KELLEY NEUMANN – JOE CARRENO)
19. A Resolution awarding a professional services contract to Bain Medina Bain, Inc., in an amount not to exceed \$400,000.00 in connection with the 2013 Unspecified Engineering Design Services Contracts. Total expenditures: \$400,000.00. (KELLEY NEUMANN – JOE CARRENO)

20. A Resolution awarding a professional services contract to K.M. Ng & Associates, a Division of Merrick & Company, in an amount not to exceed \$300,000.00 in connection with the 2013 Unspecified Engineering Design Services Contracts. Total expenditures: \$300,000.00. (KELLEY NEUMANN – JOE CARRENO)
21. A Resolution awarding a professional services contract to LNV, Inc., in an amount not to exceed \$200,000.00 in connection with the 2013 Unspecified Engineering Design Services Contracts. Total expenditures: \$200,000.00. (KELLEY NEUMANN – JOE CARRENO)
22. A Resolution awarding a professional services contract to Omega Engineers, Inc., in an amount not to exceed \$300,000.00 in connection with the 2013 Unspecified Engineering Design Services Contracts. Total expenditures: \$300,000.00. (KELLEY NEUMANN – JOE CARRENO)
23. A Resolution awarding a professional services contract to Sherfey Engineering SA, LLC, in an amount not to exceed \$200,000.00 in connection with the 2013 Unspecified Engineering Design Services Contracts. Total expenditures: \$200,000.00. (KELLEY NEUMANN – JOE CARRENO)

## **WATER RESOURCES PROJECTS**

24. A Resolution approving the Recapitulation Change Order No. 2 in the decreased amount of \$537,990.71 to the construction contract with Layne Christensen Company in connection with the Brackish Groundwater Desalination Program, Well Construction Services package I – Wells 5 – 8 Project; authorizing the return of funds in the amount of \$537,990.71 and the construction contingency balance of \$13,677.47 for a total amount of \$551,668.18. Total decreased amount: \$551,668.18. (KELLEY NEUMANN – ASHOK KAJI – ESTHER HARRAH)
25. A Resolution approving the Recapitulation Change Order No. 3 in the increased amount of \$129,838.57 to the construction contract with Alsay, Inc., in connection with the Regional Carrizo Program, Well Drilling Package Project and returning the construction contingency balance of \$96,734.97. Total decreased amount: \$96,734.97. (CHARLES AHRENS – DARREN THOMPSON)

## **MISCELLANEOUS PROJECTS**

### **Professional Services**

26. A Resolution approving Contract Amendment No. 1 to provide for additional professional services to the existing professional services contract with Baer Engineering and Environmental Consulting, Inc., in the amount not to exceed \$100,000.00 in connection with the 2010 Environmental and Archeological Services Contract. Total expenditures: \$100,000.00. (KELLEY NEUMANN – ASHOK KAJI)

## **EASEMENTS AND REAL PROPERTY**

27. A Resolution approving the acquisition of a permanent water line easement affecting 3.251 acres located near the northwest corner of Nelson Road and Reliable Drive, in the southwest quadrant of Bexar County, Texas in connection with the Water Resources Integration Program, Project 1: Pipeline, Segment II; authorizing the expenditure of funds from the Project Fund in a total amount not to exceed \$90,521.00 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 an amount not to exceed \$88,021.00 to Scott Alan Verstuyft, as his sole and separate property, Sherry Kay Knox, as her sole and separate property, and Judy Deanne Foster, as her sole and separate property, a Texas corporation via Capital Title of Texas as escrow agent and up to \$2,500.00 to Capital Title of Texas for related closing and title insurance costs. Total expenditures: \$90,521.00. (VAL RUIZ – BRUCE HABY)

28. A Resolution approving the acquisition of a permanent water line easement affecting 4.688 acres located east of Lone Star Parkway, north of Wise Trail, in the Alamo Ranch Enclave Subdivision, 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 \$57,850.00 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 an amount not to exceed \$54,850.00 to Alamo Ranch HOA, Inc., a Texas non-profit corporation 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: \$57,850.00. (VAL RUIZ – BRUCE HABY)
29. A Resolution, concerning both the System and the District Special Project, awarding contracts to M. W. Cude Engineers, LLC, and Ford Engineering, Inc., in an amount not to exceed \$300,000.00 to provide real estate survey services in connection with the acquisition and disposition of real property and for various capital improvement projects over a three-year period with the option of two, one-year renewals. Total expenditures: \$300,000.00. (VAL RUIZ – BRUCE HABY)
- (SAWS-DSP)
30. A Resolution, concerning the District Special Project, approving the purchase agreement in the amount of \$126,300.00 with William Alan Salyer and Maryjane Margaret Salyer as trustees of the William and Maryjane Salyer Family Trust, Marmack Investors LLC, an Arizona limited liability company and Earl Geller and Joyce Tobe Rocamora Geller as trustees of the Earl and Joyce Geller Family Trust, for the purchase by the City of San Antonio, acting by and through the San Antonio Water System, of an approximate 6.000 acre tract of land, together with a 0.274 acre permanent water line easement and a 0.294 temporary construction easement, located in the southwest quadrant of Bexar County on the south side of south Loop 1604 West between Trumbo and Applewhite Roads, for the future site of the Southeast Tank and Pump Station that will connect to existing water mains and a future water integration pipeline to serve projected growth within service level 830; authorizing the acquisition of the property in accordance with the terms of the purchase agreement, and the expenditure of funds from the DSP's Project Fund in a total amount not to exceed \$127,550.00 for the acquisition of the property and related closing costs; authorizing the President/Chief Executive Officer or his designated representative to execute all documents necessary to effectuate the acquisition of the property and to pay the amount not to exceed \$127,550.00 to Alamo Title Company as escrow agent for the acquisition of the property and related closing costs. Total expenditures: \$127,550.00. (VAL RUIZ – BRUCE HABY)
- (DSP)

#### MISCELLANEOUS ITEMS

31. A Resolution approving the renewal of an agreement with Kronos, Inc., in an amount not to exceed \$57,874.05 for support services to provide maintenance of software, equipment and educational services; authorizing the President/Chief Executive Officer or his duly appointed designee to extend the contract with Kronos, Inc., for

the additional five one-year extensions should the extensions be agreeable to the System and Kronos, Inc., and that future expenditures be pursuant to and contingent on Board approval of future budgets with a line item for such expenditures. Total expenditures: \$57,874.05. (DOUG EVANSON – JOE SAMPLES)

32. A Resolution ratifying the actions of the Vice President of Operations Services in approving the expenditures for emergency back-up generator rental services from Clifford Power Systems, Inc., in the amount of \$50,615.00. Total expenditures: \$50,615.00. (VAL RUIZ)
33. A Resolution ratifying the actions of the Vice President of Operations Services in approving the repair and upgrade of the Energy Manager 2000 System in the amount of \$67,756.00 in connection with Central Heating and Cooling Plant. Total expenditures: \$67,756.00. (VAL RUIZ – DAN MYERS)
34. A Resolution approving a contract amendment to provide for additional engineering services to the existing professional services contract with Energy Engineering Associates, Inc., in the amount not to exceed \$258,000.00 in connection with the Heating and Cooling Facilities Assessment and Master Plan Project. Total expenditures: \$258,000.00. (VAL RUIZ – DAN MYERS)
35. A Resolution awarding a purchasing contract to Peerless Equipment in an amount not to exceed \$267,860.00 to plug Artesia Well No. 2. Total expenditures: \$267,860.00. (VAL RUIZ – SCOTT HALTY)
36. A Resolution awarding a contract to U.S. Peroxide, LLC, to provide demonstration of wastewater collection system odor control technology in the amount not to exceed \$215,014.00. Total expenditures: \$215,014.00. (STEVE CLOUSE – PARVIZ CHAVOL)
37. A Resolution for the benefit of the System and its District Special Project, rescinding Resolution No. 13-197 and approving a First Amendment to Water Supply Agreement (SAWS-DSP) between Water Exploration Co., Ltd., and the San Antonio Water System on behalf of itself and its District Special Project. (STEVE CLOUSE)

## **ITEMS FOR INDIVIDUAL CONSIDERATION**

### **CAPITAL IMPROVEMENT CONTRACTS**

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

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

38. A Resolution awarding a contract to Pesado Construction Company in the amount of \$2,509,996.00 for the Dominion Fire Flow Improvement Project and approving construction contingency expenses in an amount not to exceed \$125,500.00 in connection with the project work. Total expenditures: \$2,635,496.00. (KELLEY NEUMANN – FRANCES PLOCEK)



## Professional Services

39. A Resolution, concerning the District Special Project, awarding a professional services contract to Freese & Nichols, Inc., in an amount not to exceed \$1,028,144.00 for the design of the DSP Southeast Tank and Pump Station Project. Total expenditures: \$1,028,144.00. (KELLEY NEUMANN – ASHOK KAJI)

## MISCELLANEOUS ITEMS

40. A Resolution awarding a professional services contract to MGT of America, Inc., in an amount not to exceed \$223,000.00 for services related to the San Antonio Water System Minority and Woman-Owned Business Enterprise Program Disparity Study. Total expenditures: \$223,000.00. (NANCY BELINSKY – PHILIP CAMPOS)
41. A Resolution recommending and requesting San Antonio City Council approve an application for financial assistance to the Texas Water Development Board for participation in the Clean Water State Revolving Fund Program in an amount not to exceed \$55,800,000.00 and adoption of reimbursement resolution. (DOUG EVANSON – PHYLLIS GARCIA)
42. A Resolution recommending and requesting San Antonio City Council approve an application for financial assistance to the Texas Water Development Board for participation in the Drinking Water State Revolving Fund in an amount not to exceed \$22,400,000.00 and adoption of reimbursement resolution. (DOUG EVANSON – PHYLLIS GARCIA)
43. A Resolution recommending and requesting that the San Antonio City Council take certain actions with respect to the issuance and sale of obligations designated as “City of San Antonio, Texas Water System Junior Lien Revenue Bonds, Series 2013C”; “City of San Antonio, Texas Water System Junior Lien Revenue Bonds, Series 2013D”; “City of San Antonio, Texas Water System Junior Lien Revenue and Refunding Bonds, Series 2013E (No Reserve Fund)”; “City of San Antonio, Texas Water System Junior Lien Variable Rate Revenue and Refunding Bonds, Series 2013F (No Reserve Fund)”; and the approval of offering documents relating to each series of the aforementioned obligations. (DOUG EVANSON – PHYLLIS GARCIA)

## 44. BRIEFING SESSION.

No items for this Meeting.

45. President/Chief Executive Officer’s Report. Presentation of and deliberation on the following Items:
- A. Efficiency Initiatives Update
46. Inquiries.
47. The Regular Session of the September 10, 2013, 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.

**48. 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 *City of San Antonio acting by and through the San Antonio Water System vs. Adara Ceri Properties, LLC*, Cause No. 2012-ED-0044, In the Probate Court No. 2, Bexar County, Texas (NANCY BELINSKY – MARK BREWTON)**
- C. 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)**

**49. The Regular Session of the Regular Board Meeting of September 10, 2013, is hereby reconvened.**

**50. A Resolution authorizing the expenditure and making available from the Project Fund in the amount of \$420,005.27 (being the Special Commissioner’s award less prior payments) in litigation between the City of San Antonio by and through the San Antonio Water System and Adara Ceri Properties, LLC, in connection with the condemnation of a 0.500 of an acre exclusive permanent booster-station easement and the 0.173 of an acre non-exclusive permanent waterline easement located on the northwest corner of Dominion Drive and Crescent Park Drive in San Antonio, Bexar County, Texas, owned by Adara Ceri Properties, LLC, for the Crescent Park Booster Station Project; authorizing the deposit of the amount of \$420,005.27 in the Registry of the Court being the amount of the Special Commissioners award (less prior payments) to maintain possession of the exclusive permanent booster-station easement and the non-exclusive permanent waterline easement; authorizing the System's legal counsel to continue to prosecute this litigation through conclusion. Total expenditures: \$420,005.27. (VAL RUIZ – BRUCE HABY)**

**51. Adjournment. THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES MEETING OF SEPTEMBER 10, 2013, IS HEREBY ADJOURNED.**