



## **AGENDA**

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

**May 5, 2014, 9:00 A.M.**

**6th Floor Board Room #609**

**Administrative Offices**

**2800 U. S. 281 North, San Antonio, Texas**

- 1. MEETING CALLED TO ORDER.**
- 2. Announcements.**
  - A. The San Antonio Water System Board of Trustees will, during the Meeting, close the Meeting and hold an Executive Session pursuant to and in accordance with Chapter 551 of the Texas Open Meetings Act. The Board of Trustees may, at any time during the Meeting, close the Meeting and hold an Executive Session for consultation with its attorneys concerning any of the matters to be considered during the Meeting pursuant to Chapter 551 of the Texas Open Meetings Act.**
- 3. Minutes.**
  - A. Approval of the Minutes of the San Antonio Water System Board of Trustees Regular Meeting of April 1, 2014.**
- 4. Ceremonial and Recognition Items.**
- 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 – 32

## 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 Doggett Freightliner of South Texas, LLC to provide: Four 66,000 GVWR Cab and Chassis with installed 8 Cubic Yard On-Site Cement Mixer (Single Cab), Bid No. 14-14024, for a total of \$878,732.00.
  2. Acceptance of the bid of Olympus Technologies, Inc. to provide: One Tube-In-Tube Heat Exchanger and Appurtenances, Bid No. 14-14019, for a total of \$84,700.00.
- 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 ePlus Technology to provide: NetApp Support Edge for V3270A Hardware & Software Maintenance Renewal, DIR-SDD-1458, Bid No. 14-14023, for a total of \$181,742.52.
  2. Acceptance of the bid of Ferguson Waterworks to provide: HDPE DR-19 Pipe, Bid No. 14-1179, for a total of \$154,900.00.
  3. Acceptance of the bid of HD Supply Waterworks, Ltd. to provide: Water Meter Strainers, Bid No. 14-0034, for a total of \$78,862.50.
  4. Acceptance of the bid of Jarco Transport, LLC to provide: Hauling Spoil Material, Bid No. 14-0648, for a total of \$1,098,465.00.
- 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.
1. Acceptance of the bid of Vulcan Materials Co. to provide: Asphalt and Pothole Paving Materials, Bid No. 14-0211, for a total of \$653,333.33.
- 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 Act Pipe & Supply to provide: Fire Hydrants, Bid No. 14-0011, for a total of \$1,285,262.80.

# CAPITAL IMPROVEMENT CONTRACTS

## PROJECTS INVOLVING IMPROVEMENTS, EXTENSIONS AND ADDITIONAL CAPACITY

### Developer Customer Contracts

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

No.	Tract Name	Developer	Acreage	Water EDUs	WW EDUs	COSA / COSA ETJ / Outside	DISTRICT SPECIAL PROJECT (BMWD)	Board Reason	Water CCN	WW CCN
1	Hausman Park A – 6.367 Acres Tract	Cotulla Jap, LLC	6.367	42	31	COSA	NO	EARZ/5-mile	Inside	Inside
<b>Totals</b>			<u>6.367</u>	<u>42</u>	<u>31</u>					
<b>Totals (January – May 2014)</b>			<u>1379.01</u>	<u>4504</u>	<u>3935</u>					

### Production, Transmission and Treatment Improvements

8. A Resolution approving Recapitulation Change Order No. 3 in the decreased amount of \$32,350.65 to the construction contract with RePipe Construction, Ltd. in connection with the Wastewater Collection System Small Main Rehabilitation at Focus Areas – CIPP Lining Method Project; authorizing the return of funds in the amount of \$32,350.65 and the construction contingency balance of \$52,323.10 for a total amount of \$84,673.75. Total decreased amount: \$84,673.75. (KELLEY NEUMANN – FRANCES PLOCEK)
9. A Resolution ratifying the action of the Senior Vice President of Strategic Resources in approving Change Order No. 11, in the amount of \$199,419.03, Change Order No. 12, in the amount of \$61,338.45, and Change Order No. 13, in the amount of \$122,750.52, for a total amount not to exceed \$383,508.00, to the construction contract with S.J. Louis Construction of Texas, Ltd. in connection with the Olmos Basin Central Watershed Sewer Relief Line (C-3) Project. Total expenditures: \$383,508.00. (KELLEY NEUMANN – FRANCES PLOCEK)
10. A Resolution approving Change Order No. 5, in the amount of \$44,467.14, and Change Order No. 6, in the amount of \$141,767.7, for a total amount not to exceed \$186,213.84, to the construction contract with Oscar Renda Contracting, Inc. in connection with the W6: Western Watershed Sewer Relief Line Project 1; approves the correction to Change Order No. 4 from the decreased amount of \$123,576.36 to a revised decreased amount of \$124,576.36. Total expenditures: \$185,213.84. (KELLEY NEUMANN – FRANCES PLOCEK)
11. A Resolution ratifying the actions of the Senior Vice President of Strategic Resources in approving Change Order No. 5 in an amount not to exceed \$48,783.00 to the construction contract with Blastco Texas, Inc. in connection with the Seale Ground Storage Tank No. 1 Painting and Rehabilitation Project and approving additional

construction contingency expenses in the amount not to exceed \$55,000.00 for the project work. Total expenditures: \$48,783.00.

(KELLEY NEUMANN – ASHOK KAJI)

12. A Resolution approving additional construction contingency expenses in the amount not to exceed \$226,250.00 to the construction contract with Pepper-Lawson Waterworks, LLC in connection with the Lift Stations Rehabilitation – Phase 3 Project. Total expenses: \$226,250.00. (KELLEY NEUMANN – ASHOK KAJI)
13. A Resolution approving additional construction contingency expenses in the amount not to exceed \$150,000.00 to the construction contract with Pepper-Lawson Waterworks, LLC in connection with the Dos Rios Water Recycling Center (WRC) Re-Rating Headworks Improvements and Process Enhancements Phase I Project. Total expenses: \$150,000.00. (KELLEY NEUMANN – ASHOK KAJI)

#### Professional Services

14. A Resolution approving Contract Amendment No. 1 in an amount not to exceed \$200,000.00 to the professional services contract with ARCADIS U.S., Inc. in connection with the 2012 Engineering Design Services Contract I. Total expenditures: \$200,000.00. (KELLEY NEUMANN – ASHOK KAJI)
15. A Resolution awarding a professional services contract to S&GE, LLC in an amount not to exceed \$392,196.00 for the Salado Creek Water Recycling Center (WR) Headworks Improvements Project. Total expenditures: \$392,196.00. (KELLEY NEUMANN – ASHOK KAJI)
16. A Resolution approving Contract Amendment No. 1 to the professional services contract with Poznecki Camarillo, Inc. for moving unspent wastewater funds in the contract to water funds in an amount not to exceed \$50,000.00 in connection with the 2012 Engineering Design Services – Replacements and Improvements, Contract III. Total expenditures: \$0.00. (KELLEY NEUMANN – FRANCES PLOCEK)

### REPLACEMENT AND ADJUSTMENT PROJECTS

#### Governmental Relocations and Replacements

17. A Resolution approving the expenditures of funds in the amount of \$150,085.00 for the adjustment of water and sewer facilities by the City of San Antonio in connection with the 2014 Asphalt Overlay and Hot Paver-Laid Micro Surface Package 2. Total expenditures: \$150,085.00. (KELLEY NEUMANN – JOSE CARRENO)
18. A Resolution approving the expenditures of funds in the amount of \$53,600.00 for the adjustment of water and sewer facilities by the City of San Antonio in connection with the 2014 Asphalt Overlay with Rubber Package 5. Total expenditures: \$53,600.00. (KELLEY NEUMANN – JOSE CARRENO)
19. A Resolution approving the expenditures of funds in the amount of \$109,150.00 for the adjustment of water and sewer facilities by the City of San Antonio in connection with the 2014-2015 Asphalt Overlay Package 1. Total expenditures: \$109,150.00. (KELLEY NEUMANN – JOSE CARRENO)

20. A Resolution approving Recapitulation Change Order No. 9 in the decreased amount of \$151,067.26 to the construction contract with Pronto Sandblasting & Coating & Oil Field Services Co., Inc. in connection with the 2011 Water and Sewer Construction Contract, Package IV; authorizing the return of funds in the amount of \$151,067.26 and the construction contingency balance of \$28,927.94 for a total amount of \$179,995.20. Total decreased amount: \$179,995.20.  
(KELLEY NEUMANN – JOSE CARRENO)
21. A Resolution approving Recapitulation Change Order No. 12 in the decreased amount of \$335,066.39 to the construction contract with Pronto Sandblasting & Coating & Oil Field Services Co., Inc. in connection with the 2012 Water and Sewer Construction Contract, Package I; authorizing the return of funds in the amount of \$335,066.39 and the construction contingency balance of \$8,069.40 for a total amount of \$343,135.79. Total decreased amount: \$343,135.79.  
(KELLEY NEUMANN – JOSE CARRENO)

### **EASEMENTS AND REAL PROPERTY**

22. A Resolution approving the acquisition of a permanent water line easement from SFD/Medio Creek Land Partnership, Ltd, affecting 7.014 acres, located near the northwest side of Interstate Highway 35 south at Medio Creek, in the southwest quadrant of Bexar County, Texas, in connection with the Water Resources Integration Program, Project 1: Pipeline, Segment II in a total amount not to exceed \$167,050.00 for the acquisition of the easement and related closing costs. Total expenditures: \$167,050.00. (NANCY BELINSKY – BRUCE HABY)
23. A Resolution approving the acquisition of a permanent water line easement affecting 6.978 acres and a permanent access easement affecting 1.318 acres from Lorraine Marie Pruski, located near the southeast of Interstate Highway 35 South on Neighborhood Road, in the southwest quadrant of Bexar County, Texas, in connection with the Water Resources Integration Program, Project 1: Pipeline, Segment II in a total amount not to exceed \$102,500.00 for the acquisition of the easement and related closing costs. Total expenditures: \$102,500.00. (NANCY BELINSKY – BRUCE HABY)
24. A Resolution approving the acquisition of a permanent water line easement from Gloria Jean Duhaime affecting 5.130 acres, located on West Military, between Creek Pebble and North Grosenbacher Road, in the northwest quadrant of Bexar County, Texas, in connection with the Water Resources Integration Program, Project 1: Pipeline, Segment III in a total amount not to exceed \$102,550.00 for the acquisition of the easement and related closing costs. Total expenditures: \$102,550.00.  
(NANCY BELINSKY – BRUCE HABY)
25. A Resolution declaring a public necessity for public use, the acquisition of certain privately owned real property in the City of San Antonio being permanent sewer line easements and temporary construction easements, this project being generally located along a 4.2-mile alignment beginning near the intersection of Elegante Way and Mandolino Lane, terminating near the intersection of Judson Road at Lookout Road in northeast quadrant of Bexar County, Texas, which easements shall be acquired by negotiation and/or condemnation, if necessary, for the public use of the expansion and operation of the System through the construction of the Cibolo Creek Sewer Shed Flow Diversion Project; requesting that the City Council of the City of San Antonio to adopt an ordinance: (i) reaffirming and declaring that the project is for a public use and a

public necessity exists for the acquisition of the easements, (ii) authorize the System to take all appropriate action to acquire the easements by negotiation and/or condemnation, (iii) declare that the conveyance of the easements shall be to the City of San Antonio for the use, benefit and control of the System, and (iv) authorizing the General Counsel and/or designated Special Counsel to file eminent domain proceedings, if necessary; providing and approving funding for the project. Affecting property located in New City Blocks: 15724, 14049, 17810, 17813, 16587, 16588, 16589.  
(NANCY BELINSKY – BRUCE HABY)

### **WATER RESOURCES ITEMS**

26. A Resolution approving a Lease Agreement with City Public Service Energy for 1,000 acre-feet per annum of Edwards Aquifer Groundwater Rights at a cost of \$130,000.00 per year for up to each of the next five years for a total obligation of this Lease Agreement not to exceed \$650,000.00. Total expenditures: \$650,000.00.  
(CHARLES AHRENS – DARREN THOMPSON)
27. A Resolution approving a Purchase Agreement with Bobby Dale Derusha, Cody Bob Derusha, Bobby Derusha individually, and as executor of the estate of Deloyce M. Derusha for 230 acre-feet of Edwards Aquifer Groundwater Rights at a cost of \$1,150,000.00. Total expenditures: \$1,150,000.00.  
(CHARLES AHRENS – DARREN THOMPSON)
28. A Resolution approving a Purchase Agreement with Elizabeth A. Knippa, Kathleen C. Knippa, and Rosemary K. Perkins for 200 acre-feet of Edwards Aquifer Groundwater Rights at a cost of \$1,000,000.00. Total expenditures: \$1,000,000.00.  
(CHARLES AHRENS – DARREN THOMPSON)

### **MISCELLANEOUS ITEMS**

29. A Resolution approving nomination(s) for membership for the Rate Advisory Committee. (DOUG EVANSON)
30. A Resolution ratifying the actions of the Chief of Information Systems in authorizing the renewal of International Business Machines Corporation (IBM) software maintenance and support through June 30, 2014 in a total amount not to exceed \$79,980.00 under Texas DIR-SDD-2108. Total expenditures: \$79,980.00. (DOUG EVANSON – JOE SAMPLES)
31. A Resolution approving settlement of the lawsuit of Estella Contero against the San Antonio Water System; approving the System's financial obligation under the settlement and authorizing expenditures in the total amount of \$52,500.00 for the purposes of the settlement. Total expenditures: \$52,500.00.  
(NANCY BELINSKY)
32. A Resolution approving an agreement between the San Antonio Water System and the University of Texas at San Antonio providing that the System shall fund an amount not to exceed \$85,000.00 for fiscal year 2014 to the University of Texas at San Antonio for the support of the Pre-Freshman Engineering Program, Hydrologic Modeling and GIS Laboratory, and College of Engineering. Total expenditures: \$85,000.00. (GREG FLORES)

## ITEMS FOR INDIVIDUAL CONSIDERATION

33. A Resolution, concerning the San Antonio Water System and the District Special Project, accepting and recommending for City Council approval of the 2014 - 2023 Land Use Assumptions Plan, the Water Delivery, Water Supply, and Wastewater Capital Improvements Plan and the Maximum Impact Fee Calculations for water delivery, water supply, and wastewater. (KELLEY NEUMANN – SAM MILLS)  
(SAWS-DSP)
34. A Resolution, concerning the San Antonio Water System and the District Special Project, determining the need to update Chapter 34 of the City Code regarding 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 Drought Management and Drought Surcharge Regulations accordingly. (CHARLES AHRENS – KAREN GUZ)  
(SAWS-DSP)
35. A Resolution recommending and requesting that the San Antonio City Council take certain actions with respect to an application to the Texas Water Development Board for participation in a financial assistance program and adoption of a reimbursement resolution. (DOUG EVANSON)

## CAPITAL IMPROVEMENT CONTRACTS

### PROJECTS INVOLVING IMPROVEMENTS, EXTENSIONS AND ADDITIONAL CAPACITY

#### Developer Customer Contracts

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

No.	Tract Name	Developer	Acreage	Water EDUs	WW EDUs	COSA / COSA ETJ / Outside	DISTRICT SPECIAL PROJECT (BMWD)	Board Reason	Water CCN	WW CCN
1	Elkhorn Bend Subdivision	Bitterblue Properties	106	315	315	Outside	NO	EARZ/5-mile/AC	Outside	Outside
<b>Totals</b>			<b><u>106</u></b>	<b><u>315</u></b>	<b><u>315</u></b>					
<b>Totals (January – May 2014)</b>			<b><u>1379.01</u></b>	<b><u>4504</u></b>	<b><u>3935</u></b>					

#### Production, Transmission and Treatment Improvements

37. A Resolution awarding a construction contract to Archer Western Construction, LLC in the amount of \$19,233,000.00 for the Naco Pump Station Improvements Project and approving construction contingency expenses in an amount not to exceed \$960,000.00 for the project work; authorizing additional expenditures in an amount not to exceed \$90,812.00 to Kimley Horn and Associates, Inc., for construction phase services in connection with the project work. Total expenditures: \$20,283,812.00. (KELLEY NEUMANN – ASHOK KAJI)

**38. BRIEFING SESSION.**

**No items for this Meeting.**

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

**A. Discussions with Vista Ridge on water supply options**

**40. Inquiries.**

**41. The Regular Session of the May 5, 2014, Regular Board Meeting is hereby recessed to hold an Executive Session and discuss the matters listed below pursuant to Sections 551.071, 551.072, 551.073, and 551.074 of the Texas Open Meetings Act.**

**42. 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 the value of real estate relating to the 5.96 acre tract of land generally located in the southeast corner of State Highway 151 and Potranco Road in San Antonio, Bexar County and commonly referred to as the "Albertson's" property. (NANCY BELINSKY – MARK BREWTON)**

**C. Consultation with attorney regarding Cause No. D-1-GN-14-001198 in the 261<sup>st</sup> Judicial District Court of Travis County, Texas; Ex Parte Guadalupe-Blanco River Authority. (NANCY BELINSKY)**

**D. Deliberation regarding the annual evaluation, performance objectives and duties of the President/Chief Executive Officer; and consultation with attorneys concerning legal issues regarding the annual evaluation, performance objectives and duties of the President/Chief Executive Officer. (NANCY BELINSKY)**

**E. 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)**

**43. The Regular Session of the Regular Board Meeting of May 5, 2014, is hereby reconvened.**



44. **A Resolution authorizing the appearance, answer, intervention, participation and/or any other legal action in connection with Cause No. D-1-GN-14-001198 in the 261<sup>st</sup> Judicial District Court of Travis County, Texas; Ex Parte Guadalupe-Blanco River Authority; further authorizing the System's General Counsel and her designated legal counsel to take all necessary legal action relating to such appearance, answer, intervention, participation and/or other activity in connection with the lawsuit through final conclusion. (NANCY BELINSKY)**
45. **Deliberation and possible action regarding the compensation and employment contract provisions for Robert R. Puente, President/Chief Executive Officer.  
(BERTO GUERRA, JR., CHAIRMAN)**
46. **Adjournment. THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES MEETING OF MAY 5, 2014, IS HEREBY ADJOURNED.**