

MINUTES

REGULAR MEETING OF THE BOARD OF DIRECTORS

SAN ANTONIO RIVER AUTHORITY

December 16, 2009, 2:00 p.m.



GENERAL AND CEREMONIAL ITEMS:

1. **CALL TO ORDER WAS MADE BY THE CHAIRMAN, MR. THOMAS G. WEAVER, AT 2:01 PM**
2. **PLEDGE OF ALLEGIANCE WAS CONDUCTED**
3. **THE SECRETARY, MS. SALLY BUCHANAN, CALLED THE ROLL AND REPORTED THE FOLLOWING BOARD MEMBERS PRESENT:**

BEXAR COUNTY:

- Sally Buchanan
- Michael W. Lackey, P.E.
- Hector R. Morales
- Názirite Rubén Pérez
- Roberto G. Rodríguez (3:59 p.m. arrival)
- Thomas G. Weaver

GOLIAD COUNTY:

- Terry E. Baiamonte
- Adair R. Sutherland

KARNES COUNTY:

- Gaylon J. Oehlke
- H. B. Ruckman III

WILSON COUNTY:

- John J. Flieller (2:04 p.m. arrival)
- A.D. Kollodziej, Jr.

4. CERTIFICATION OF A QUORUM WAS ANNOUNCED BY THE SECRETARY, MS. BUCHANAN

5. INTRODUCTION OF VISITORS

Ms. Sanchez announced the visitors present in the audience.

6. CITIZENS TO BE HEARD

Ms. Sanchez announced that no citizens were signed up to speak.

7. EMPLOYEE RECOGNITIONS

AWARDING OF SERVICE PINS

Mr. Weaver and Ms. Scott recognized Stella Renee Luna for her 10 years of service as an employee of the River Authority and awarded her with a service pin.

8. SAN ANTONIO RIVER AUTHORITY BOARD OF DIRECTORS EXECUTIVE, COMMUNICATIONS, FISCAL AND OPERATIONS COMMITTEE; SPECIAL PURPOSE COMMITTEE; AND BOARD MEMBER CONFERENCE ATTENDANCE REPORTS

- Operations Committee: a short briefing was given by Committee Chairman, Mr. Ruckman, regarding the last meeting held on December 7, 2009.
- Mr. Weaver announced that the briefing for the Communications Committee meeting held on December 10th would be postponed, pending arrival of Committee Chairman, Mr. Rodríguez, who was anticipated to arrive after a prior engagement involving River Authority interests.
- A Board member conference report was given by Mr. Oehlke for his attendance at the National Water Resources Association (NWRA) conference in San Antonio.
- Steve Graham gave a short briefing on his attendance at the National Association of Flood & Stormwater Management Agencies (NAFSMA) Conference.
- *No reports needed to be given for the Fiscal or Executive Committee meetings.*

CONSENT AGENDA ITEMS:

9. APPROVAL OF THE FOLLOWING MINUTES:

- **THE SPECIAL JOINT MEETING OF THE SAN ANTONIO RIVER AUTHORITY BOARD OF DIRECTORS AND THE SAN ANTONIO RIVER FOUNDATION BOARD OF DIRECTORS HELD ON AUGUST 27, 2009;**
- **THE SPECIAL MEETING OF THE BOARD OF DIRECTORS HELD ON AUGUST 27, 2009;**
- **THE SPECIAL MEETING OF THE BOARD OF DIRECTORS HELD ON NOVEMBER 12, 2009; AND**
- **THE REGULAR MEETING OF THE BOARD OF DIRECTORS HELD ON NOVEMBER 12, 2009**

10. **RESOLUTION AUTHORIZING THE BOARD CHAIRMAN TO EXECUTE AN INTERLOCAL COOPERATIVE AGREEMENT BETWEEN BEXAR-MEDINA-ATASCOSA COUNTIES WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, BEXAR COUNTY, TEXAS, THE SAN ANTONIO RIVER AUTHORITY, THE BEXAR METROPOLITAN WATER DISTRICT, AND THE EDWARDS AQUIFER AUTHORITY RELATING TO A PROJECT TO UPGRADE MEDINA DAM**
11. **MOTION AUTHORIZING THE GENERAL MANAGER TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT BETWEEN EDWARDS AQUIFER AUTHORITY AND SAN ANTONIO RIVER AUTHORITY FOR COOPERATIVE SERVICES AND PROGRAMS**
12. **RESOLUTION AUTHORIZING THE GENERAL MANAGER TO NEGOTIATE AND ENTER INTO AN INTERLOCAL COOPERATION CONTRACT WITH THE UNIVERSITY OF TEXAS AT SAN ANTONIO MAKING THE UNIVERSITY THE PUBLIC REPOSITORY OF SARA'S HISTORICAL ARCHIVES**
13. **RESOLUTION AUTHORIZING THE GENERAL MANAGER TO CONVEY A PERMANENT EASEMENT TO XTO ENERGY INC., ACROSS MANAHUILLA CREEK IN GOLIAD COUNTY, TEXAS**
14. **RESOLUTION AUTHORIZING THE GENERAL MANAGER TO CONVEY TWO PERMANENT EASEMENTS TO NATURAL GAS PIPELINE COMPANY OF AMERICA LLC., DOING BUSINESS AS KINDER MORGAN ENERGY PARTNERS, L.P., ACROSS THE SAN ANTONIO RIVER IN VICTORIA AND REFUGIO COUNTIES, TEXAS**
15. **RESOLUTION AUTHORIZING THE EXECUTION OF A REVISED AGREEMENT FOR REUSE WATER BETWEEN WOODLAKE GOLF CLUB, LLC, AND THE SAN ANTONIO RIVER AUTHORITY**
16. **RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE CITY OF KENEDY BRACKISH GROUNDWATER DESALINATION DEMONSTRATION PROJECT AGREEMENT ENTERED INTO WITH THE TEXAS WATER DEVELOPMENT BOARD, THE CITY OF KENEDY, TEXAS, AND THE SAN ANTONIO RIVER AUTHORITY**
17. **AWARD OF CONTRACT FOR THE UPPER MARTINEZ WASTEWATER TREATMENT PLANT EXPANSION AND DIVERSION STRUCTURE AND FOR THE UPPER MARTINEZ AND SALATRILLO WASTEWATER TREATMENT PLANT SCREW PUMP REPLACEMENTS**

18. **AWARD OF CONSTRUCTION CONTRACT FOR THE LONE STAR STREET CONNECTION PROJECT UNDER THE SAN ANTONIO RIVER IMPROVEMENTS PROJECT**
19. **ORDINANCE APPROVING BOARD POLICY FN 0003 CONCERNING INVESTMENT POLICIES AND STRATEGIES**
20. **APPROVAL OF THE NOMINATION OF KAREN OPIELA TO SERVE A TWO-YEAR TERM AS THE *EX OFFICIO* MEMBER OF THE CANOE TRAIL GOLIAD BOARD OF DIRECTORS REPRESENTING THE SAN ANTONIO RIVER AUTHORITY**

Mr. Weaver called for a motion that all of the items presented on the consent agenda be passed and approved collectively, with the exception of Item 12 which staff requested be postponed in anticipation of Mr. Rodríguez' arrival and Item 16 about which Mr. Oehlke had a question.

Motion made by Sally Buchanan
Seconded by Gaylon J. Oehlke
Motion passed unanimously

INDIVIDUAL AGENDA ITEMS:

Pulled from the Consent Agenda:

16. **RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE CITY OF KENEDY BRACKISH GROUNDWATER DESALINATION DEMONSTRATION PROJECT AGREEMENT ENTERED INTO WITH THE TEXAS WATER DEVELOPMENT BOARD, THE CITY OF KENEDY, TEXAS, AND THE SAN ANTONIO RIVER AUTHORITY**

Mr. Oehlke's question having been answered, staff recommended a motion that R-1385 be passed and approved.

Motion made by Gaylon J. Oehlke
Seconded by Sally Buchanan
Motion passed unanimously

Mr. Weaver postponed Agenda Items 21 and 22 in the absence of Board member Rodríguez, and then called for Agenda Item 23.

23. **DISTRIBUTION OF FINANCIAL STATEMENTS FOR THE PERIOD ENDING SEPTEMBER 30, 2009**

There being no action taken on this item, Mr. Weaver called for Agenda Item 24.

24. BRIEFING AND DISCUSSION ON SARA ENVIRONMENTAL SCIENCES DEPARTMENT ENVIRONMENTAL INVESTIGATION AND RESPONSE ACTIVITIES MAY 2009 TO NOVEMBER 2009

There being no action taken on this item, Mr. Weaver called for Agenda Item 25.

25. BRIEFING ON COMMUNITY DEVELOPMENT ASSISTANCE ACTIVITIES FROM MID-OCTOBER 2009 THROUGH PRESENT

There being no action taken on this item, Mr. Weaver called for Agenda Item 26.

26. BRIEFING ON THE SAN ANTONIO RIVER BASIN CREEK BOOK

There being no action taken on this item, Mr. Weaver called for Agenda Item 27.

27. STATUS REPORT ON THE SAN ANTONIO RIVER IMPROVEMENTS PROJECT

There being no action taken on this item and upon the arrival of Mr. Rodríguez, Mr. Weaver returned to Agenda Item 12, pulled from the Consent Agenda.

12. RESOLUTION AUTHORIZING THE GENERAL MANAGER TO NEGOTIATE AND ENTER INTO AN INTERLOCAL COOPERATION CONTRACT WITH THE UNIVERSITY OF TEXAS AT SAN ANTONIO MAKING THE UNIVERSITY THE PUBLIC REPOSITORY OF SARA'S HISTORICAL ARCHIVES

Staff recommended a motion for approval of Resolution R-1387 authorizing the General Manager to execute the Interlocal Cooperation Agreement with the University of Texas at San Antonio, substantially in the form attached to the Resolution as Exhibit A, for housing the San Antonio River Authority Archives, and to do and carry out all other activities necessary to complete such project.

Motion made by H.B. Ruckman III

Seconded by Sally Buchanan

Motion passed unanimously

Mr. Weaver then called for Agenda Item 21, which had been tabled pending Mr. Rodríguez's arrival.

21. PRESENTATION, DISCUSSION, AND APPROPRIATE ACTION TO ELECT SAN ANTONIO RIVER AUTHORITY BOARD OFFICERS, BOARD COMMITTEE MEMBERSHIPS, AND BOARD COMMITTEE OFFICERS FOR THE 2009 - 2011 TERM.

Staff recommended a motion approving, by majority vote, the Nominations Committee's recommendations for the following positions:

–The positions of Board Chair, Vice-chair, Secretary, and Treasurer:

- Board Chair: Gaylon J. Oehlke
- Vice-chair: Sally Buchanan
- Secretary: Roberto G. Rodríguez

- Treasurer: Terry E. Baiamonte

–Executive Committee positions, consisting of the aforesaid Board officer positions plus two at-large positions:

- A. D. “Al” Kollodziej, Jr.
- Hector R. Morales

–Fiscal Committee officer positions and members:

- Chair: Terry E. Baiamonte
- Vice-chair: Hector R. Morales
- Secretary: A. D. “Al” Kollodziej, Jr.
- Members:
 - Michael W. Lackey, P.E.
 - Gaylon J. Oehlke
 - Thomas G. Weaver

–Communications Committee officer positions and members:

- Chair: Sally Buchanan
- Vice-chair: Roberto G. Rodríguez
- Secretary: John J. Flieller
- Members:
 - Názirite Rubén Pérez
 - H. B. “Trip” Ruckman III
 - Adair R. Sutherland

–Operations Committee officer positions and members:

- Chair: Adair R. Sutherland
- Vice-chair: John J. Flieller
- Secretary: Názirite Rubén Pérez
- Members:
 - H. B. “Trip” Ruckman III
 - Michael W. Lackey, P.E.
 - Thomas G. Weaver

Motion made by A.D. Kollodziej, Jr.

Seconded by John J. Flieller

Ms. Sutherland made a motion to ammend the previous motion by nominating Mr. Ruckman as Chairman of the Operations Committee.

Seconded by Hector R. Morales

Motion passed unanimously

Mr. Weaver then passed the gavel to the newly appointed chairman, Mr. Oehlke, who called for Agenda Item 22.

22. PRESENTATION, DISCUSSION AND APPROPRIATE ACTION REGARDING THE ELECTION OF AN ASSISTANT TREASURER AND AN ASSISTANT SECRETARY OF THE BOARD OF DIRECTORS

Staff recommended a motion that Steve Graham and Sharon McCoy-Huber remain the assistant secretary and assistant treasurer of the Board of Directors, respectively, for the 2009 - 2011 term.

Motion made by Thomas G. Weaver
Seconded by Roberto G. Rodríguez
Motion passed unanimously

Mr. Oehlke then returned to the regular order of business.

28. GENERAL MANAGER'S REPORT CONCERNING THE FOLLOWING:

- **UPCOMING EVENTS CALENDAR,**
- **FUTURE BOARD AND/OR COMMITTEE MEETINGS; AND**
- **MEETINGS INVOLVING THE ATTENDANCE OF ONE OR MORE BOARD MEMBERS.**

There being no action taken on this item, Mr. Oehlke called for Agenda Item 29.

29. ITEMS FOR FUTURE CONSIDERATION

Ms. Sutherland expressed a need for the San Antonio River Foundation to give the Board an update on their activities. Mr. Oehlke then called for Agenda Item 30.

30. NEXT MEETING DATE

Ms. Scott announced that the next Regular Board of Directors meeting will be Wednesday, January 20, 2010, at 2:00 p.m. with a Special Board meeting to be held before then at 11 a.m.

31. ADJOURN

There being nothing further to report, Ms. Sutherland moved to adjourn, and therefore, Mr. Oehlke called the meeting adjourned at 4:46 p.m.

PREPARED AND RECOMMENDED FOR BOARD APPROVAL BY THE MANAGER.

SUZANNE B. SCOTT, General Manager

APPROVED BY THE BOARD OF DIRECTORS AT THE REGULAR BOARD OF DIRECTORS MEETING HELD ON JANUARY 20, 2010.

GAYLON J. OEHLKE, Board Chairman

ATTEST:

ROBERTO RODRÍGUEZ, Board Secretary