

AGENDA

MEETING OF THE BOARD OF DIRECTORS' EXECUTIVE COMMITTEE AND/OR OF THE BOARD OF DIRECTORS



SAN ANTONIO RIVER AUTHORITY

June 8, 2011, 2:00 p.m.

**Estimated Presentation Time: 2.5 Hours*

GENERAL AND CEREMONIAL ITEMS:

Estimated Presentation Time: 5 minutes

1. **CALL TO ORDER BY THE CHAIRMAN, MR. GAYLON J. OEHLKE**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL BY THE SECRETARY, MR. ROBERTO G. RODRÍGUEZ**
 - Terry E. Baiamonte
 - Sally Buchanan
 - A.D. Kollodziej, Jr.
 - Hector R. Morales
 - Gaylon J. Oehlke
 - Roberto G. Rodríguez
4. **CERTIFICATION OF A QUORUM BY THE SECRETARY**
5. **INTRODUCTION OF VISITORS**
6. **CITIZENS TO BE HEARD**

**Represents the time staff anticipate that it will take to make presentations or give briefings; does not include an estimate of the time required for discussions generated by Board members.*

7. **APPROVAL OF THE MINUTES OF THE BOARD OF DIRECTORS' EXECUTIVE COMMITTEE MEETING HELD ON MAY 11, 2011**
8. **PRESENTATION, DISCUSSION AND APPROPRIATE ACTION REGARDING FISCAL YEARS 2011/12 THROUGH 2014 JOINT ACTION PLAN BETWEEN THE SAN ANTONIO RIVER AUTHORITY AND THE SAN ANTONIO RIVER FOUNDATION**
9. **PRESENTATION, DISCUSSION, AND APPROPRIATE ACTION REGARDING THE UPDATE OF THE SAN ANTONIO RIVER AUTHORITY'S STRATEGIC PLAN FOR FISCAL YEAR 2012**
10. **PRESENTATION, DISCUSSION AND APPROPRIATE ACTION REGARDING ACTIVITIES ASSOCIATED WITH THE 82ND SESSION OF THE STATE LEGISLATURE AND THE 112th CONGRESS**
11. **EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 FOR CONSULTATION WITH ATTORNEY REGARDING THE ARANSAS PROJECT V. SHAW, ET. AL., CASE NO. 2:10-CV-00075 IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS**
12. **PRESENTATION, DISCUSSION, AND APPROPRIATE ACTION REGARDING THE ARANSAS PROJECT V. SHAW, ET. AL., CASE NO. 2:10-CV-00075 IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS**
13. **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**
14. **ITEMS FOR FUTURE CONSIDERATION**
15. **NEXT MEETING DATE**
16. **ADJOURN**

Estimated Presentation Time: 2.5 Hours

SAN ANTONIO RIVER AUTHORITY
General Statements

This meeting is wheelchair accessible. Accessible parking is located at 100 E. Guenther Street. Requests for an interpreter for the hearing impaired must be received at least 48 hours prior to the meeting, or, to arrange for special assistance to attend this meeting, please call the Operator at 210-227-1373.

The Board of Directors' Executive Committee of the San Antonio River Authority may discuss and/or take action on any item listed in this agenda while convened in open session. The Board of Directors of the San Antonio River Authority may also meet in Executive Session, pursuant to Section 551.071 of the Texas Government Code, to receive advice from legal counsel on any item listed in this agenda.

Executive Committee

Date: 06/08/2011

Approval of the Minutes

Submitted For: Suzanne B. Scott

Submitted By: Lupe Sanchez

Division: Executive Offices

CAPTION

APPROVAL OF THE MINUTES OF THE BOARD OF DIRECTORS' EXECUTIVE COMMITTEE MEETING HELD ON MAY 11, 2011

Presenter

Mr. Oehlke, Committee Chairman

Estimated Presentation Time: 5 minutes

Recommendation

Motion that the minutes of the Executive Committee meeting held on May 11, 2011, be passed and approved, as presented.

Discussion

Vote

Attachments

May 11, 2011, Executive Committee Meeting Minutes

MINUTES

**MEETING OF THE BOARD OF DIRECTORS'
EXECUTIVE COMMITTEE**



SAN ANTONIO RIVER AUTHORITY

May 11, 2011, 1:00 p.m.

GENERAL AND CEREMONIAL ITEMS:

1. **CALL TO ORDER WAS MADE BY THE CHAIRMAN, MR. GAYLON J. OEHLKE, AT 1:02 P.M.**
2. **PLEDGE OF ALLEGIANCE WAS RECITED**
3. **THE COMMITTEE SECRETARY, MR. ROBERTO G. RODRÍGUEZ, CALLED THE ROLL AND REPORTED THE FOLLOWING COMMITTEE MEMBERS PRESENT:**
 - Terry E. Baiamonte
 - Sally Buchanan
 - A.D. Kollodziej, Jr. (Absent)
 - Hector R. Morales
 - Gaylon J. Oehlke
 - Roberto G. Rodríguez
4. **CERTIFICATION OF A QUORUM WAS ANNOUNCED BY THE SECRETARY, MR. RODRÍGUEZ**
5. **INTRODUCTION OF VISITORS**

Ms. Sanchez reported that there were none.
6. **CITIZENS TO BE HEARD**

Ms. Sanchez announced that there were no citizens signed up to speak.
7. **APPROVAL OF THE MINUTES OF THE BOARD OF DIRECTORS' EXECUTIVE COMMITTEE MEETING HELD ON APRIL 13, 2011**

Staff recommended a motion that the minutes of the Executive Committee meeting held on April 13, 2011, be passed and approved, as presented.

Motion made by Sally Buchanan

Seconded by Hector R. Morales

Vote: 5 - 0 Passed

Other: A.D. Kollodziej, Jr. (Absent)

8. PRESENTATION, DISCUSSION, AND APPROPRIATE ACTION REGARDING THE DEVELOPMENT, APPLICATION, BASE LINING, AND REPORTING OF THE RIVER HEALTH INDEX

There being no action taken on this item, Mr. Oehlke called for Agenda Item 9.

9. PRESENTATION, DISCUSSION AND APPROPRIATE ACTION REGARDING A RESOLUTION TO AMEND THE BOARD OF DIRECTOR BYLAWS, ARTICLE XVIII, SECTION 5, DIRECTORS FEES

Staff recommended a motion of Executive Committee support for presentation to the Board of Directors of a resolution recommending adoption of the amended language, as discussed by the Committee, under Bylaws Article XVIII, Section 5, Directors Fees, subsections a(vi) and a(vii).

Motion made by Sally Buchanan

Seconded by Hector R. Morales

Vote: 5 - 0 Passed

Other: A.D. Kollodziej, Jr. (Absent)

Attachments:

Amended Language

10. PRESENTATION, DISCUSSION AND APPROPRIATE ACTION REGARDING ACTIVITIES ASSOCIATED WITH THE 82ND SESSION OF THE STATE LEGISLATURE AND THE 112TH CONGRESS

There being no action taken on this item and after appropriate disclosure in accordance with Chapter 551 of the Texas Government Code, the Open Meetings Act, Section 551.071, Mr. Oehlke then recessed to meet in Executive Session at 2:25 p.m. for deliberation concerning Agenda Item 11.

11. EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 FOR CONSULTATION WITH ATTORNEY REGARDING THE ARANSAS PROJECT V. SHAW, ET. AL., CASE NO. 2:10-CV-00075 IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS

The Executive Session having concluded, the Executive Committee Meeting resumed into Open Session at 3:19 p.m.

12. PRESENTATION, DISCUSSION, AND APPROPRIATE ACTION REGARDING THE ARANSAS PROJECT V. SHAW, ET. AL., CASE NO. 2:10-CV-00075 IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS

Legal Counsel recommended a motion to authorize the attorneys representing the San Antonio River Authority to execute the Joint Defense, Common Interest and Confidentiality Agreement.

Motion made by Sally Buchanan

Seconded by Roberto G. Rodríguez

Vote: 5 - 0 Passed

Other: A.D. Kollodziej, Jr. (Absent)

13. BRIEFING REGARDING THE SURFACE WATER RIGHT LEASE WITH OIL AND GAS COMPANIES

There being no action taken on this item, Mr. Oehlke called for Agenda Item 14.

14. 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 15.

15. ITEMS FOR FUTURE CONSIDERATION

There being no action taken on this item, Mr. Oehlke called for Agenda Item 16.

16. NEXT MEETING DATE

Mr. Oehlke announced that the next Executive Committee meeting will be Wednesday, June 8, 2011, and that this and future meetings will revert back to the standanrd 2:00 p.m. start time.

17. ADJOURN

There being nothing further to report, Mr. Oehlke adjourned the Executive meeting at 3:43 p.m.

PREPARED AND RECOMMENDED FOR COMMITTEE APPROVAL BY THE MANAGER.

SUZANNE B. SCOTT, General Manager

APPROVED BY THE BOARD OF DIRECTORS' EXECUTIVE COMMITTEE AT THE MEETING HELD ON JUNE 8, 2011.

GAYLON J. OEHLKE, Board Chairman

ATTEST:

ROBERTO G. RODRÍGUEZ, Board Secretary

5. Directors Fees: Directors may receive a director fee for attendance at eligible District Directors meetings.

a. Eligible Directors Meetings: The following lists the types of meeting/activities eligible for Director **per diem** fee claim:

- i. Regular Board Meeting
- ii. Special Board Meeting
- iii. Budget Workshop
- iv. Directors Planning Workshop
- v. Committee Meetings (Executive, Fiscal, Communications, Operations, Special, etc.)
- vi. Activity attended at a public meeting **of another entity which has an agenda and with an agenda** where the ~~Board member~~ **Director** is the District's **appointed delegate at the direction of the Board by official action** ~~Delegated member.~~
- vii. Other ~~A~~activity ~~A~~attended **at the direction of the Board by official action or at the Request of the Board Chair or General Manager with ratification by the full Board.**

To the extent possible, Committee meetings or other eligible activities will be scheduled on the day of a regular or other Board meeting. If two or more of the eligible activities occur on one day, a Director will be eligible to claim only one day of service.

b. Payment Amount: The per diem eligible payment amount is \$150.

Executive Committee

Date: 06/08/2011

SARA/SARF Action Plan

Submitted By: Steven Schauer

Division: Intergovernmental and Comm Relations

CAPTION

PRESENTATION, DISCUSSION AND APPROPRIATE ACTION REGARDING FISCAL YEARS 2011/12 THROUGH 2014 JOINT ACTION PLAN BETWEEN THE SAN ANTONIO RIVER AUTHORITY AND THE SAN ANTONIO RIVER FOUNDATION

Presenter

Suzanne Scott

Estimated Presentation Time: 10 minutes

On February 8, 2011, the San Antonio River Authority and San Antonio River Foundation signed a Memorandum of Understanding (MOU) committing both entities to work in unison under the terms of the MOU, while maintaining each entity's independence and governance. Article III (A) of the MOU calls for the development of a three-year rolling River Authority and River Foundation Action Plan (Action Plan) to identify and agree upon projects and activities throughout the four-county River Authority district of Bexar, Wilson, Karnes and Goliad counties for which River Foundation private funding and/or collaboration with public funding could be used to enhance the natural beauty, recreational use and public appreciation of the San Antonio River and its tributaries. Article III (B) calls for the board of each respective entity to approval the Action Plan for the 2011-12 Fiscal Year by no later than June 30, 2011, and then subsequently by March 30 of each following year.

The attached document is the rolling Action Plan for the 2011-12 fiscal year for review and approval by the San Antonio River Authority Executive Committee. With Executive Committee approval, the Action Plan will be taken to the full Board of Directors for approval at the June 15, 2011, Regular Board Meeting. A revised Action Plan will be provided to the Executive Committee at the June 8, 2011, meeting if staff makes any changes to the Action Plan prior to the Executive Committee meeting.

Recommendation

Motion indicating Executive Committee support for presenting to the San Antonio River Authority Board of Directors a recommendation to approve the Three-Year Rolling Action Plan between the San Antonio River Authority and the San Antonio River Foundation.

Discussion

Vote

Attachments

SARA-SARF Action Plan

San Antonio River Authority/San Antonio River Foundation

Three-Year Rolling Action Plan

July 2011 – June 2014

NOTE: PRE-YEAR ONE AND YEAR ONE IN BLACK, YEAR TWO IN BLUE AND YEAR THREE IN RED.

Pre-Year One (prior to July 1, 2011)

I. Projects

- a. Mission Reach Concepción Portal Art Installation Phase A
 - i. Complete nine (9) art walls along with base portal construction
- b. Mission Reach Roosevelt Park Tree Signage
 - i. Design, create and install signage related to SARF funded trees planted in Roosevelt Park

II. Activities

- a. Confluence Park Site Planning Workshop (May 24, 2011)
- b. Co-host Museum Reach Fun 5K and Health Expo (May 28, 2011)
- c. Plan and implement Mission Reach Phases 1 and 2 Grand Opening (as of May 19, 2011 – tentatively scheduled for June 25, 2011)
- d. SARF Art Bench Event (Date TBD)

Year One (July 1, 2011 – June 30, 2012)

I. Projects

- a. Mission Reach Concepción Portal Art Installation Phase B
 - i. Enhance Plaza Floor
 1. SARF acquire appropriate approvals
 - a. Internal approvals from SARA and County
 - b. External approvals from ROC Mission Reach subcommittee, full ROC, PASA Board and HDRC
 2. Install enhancements
 - a. Estimated to begin by October 2011 – SARF to secure internal/external approvals prior to installation
 - b. SARF coordinate installation with SARA (and possibly COSA) to ensure continued public use of portal and trails
 - c. SARF/SARA coordinate efforts to promote installation to local community and media
 3. Operations and Maintenance
 - a. SARA to pressure wash and ensure public access/use of area
 - ii. Enhance former San Antonio River Oxbow
 1. Project still under consideration – if project moves forward, then see items 2 – 4 below
 2. SARF acquire appropriate approvals

- a. Internal approvals from SARA and County
 - b. External approvals from ROC Mission Reach subcommittee, full ROC, PASA Board and HDRC
 - 3. Install enhancements
 - a. TBD – SARF to secure internal/external approvals prior to installation
 - b. SARF coordinate installation with SARA (and possibly COSA) to ensure continued public use of portal and trails
 - c. SARF/SARA coordinate efforts to promote installation to local community and media
 - 4. Operations and Maintenance
 - a. SARF develop agreement with COSA

- b. Mission Reach Art Solicitation for San Jose, San Juan and Espada Portals
 - i. SARA provide SARF portal footprints
 - ii. SARA provide SARF base portal designs and construction schedule when that information is available
 - iii. SARF creates RFQ using ROC approved themes and to include language identifying that efforts will be make to select a local artist for at least one portal project (specific language to be developed when RFQ is drafted)
 - iv. SARA review RFQ prior to its release
 - v. SARF issues RFQ
 - vi. SARF awards projects

- c. Mission Reach San Jose Portal Art Installation
 - i. Project still under development (see item b above)
 - ii. SARF acquire appropriate approvals
 - 1. Internal approvals from SARA and County
 - 2. External approvals from ROC Mission Reach subcommittee, full ROC, PASA Board and HDRC
 - iii. Install enhancements
 - 1. TBD – SARF to secure internal/external approvals prior to installation
 - 2. SARF coordinate installation with SARA (and possibly County, COSA and NPS) to ensure continued public use of portal and trails
 - 3. SARF/SARA coordinate efforts to promote installation to local community and media
 - iv. Operations and Maintenance
 - 1. SARA O&M TBD

- d. Mission Reach Art Bench Installation
 - i. Initial installation to include five (5) benches
 - ii. SARA/SARF to coordinate installation locations in Phase 1 and possibly Phase 2
 - iii. SARF acquire appropriate approvals
 - 1. Internal approvals from SARA and County
 - 2. External approvals from ROC Mission Reach subcommittee, full ROC, PASA Board and HDRC
 - iv. Install enhancements

1. TBD – SARF to secure internal/external approvals prior to installation
 2. SARF coordinate installation with SARA to ensure continued public use of Mission Reach trails
 3. SARF/SARA coordinate efforts to promote installation to local community and media
 - v. SARF identify/secure bench sponsors
 - vi. Operations and Maintenance
 1. SARA to pressure wash and ensure public access/use of area
- e. Museum Reach Bridge Railings Art Installation on Camden St., Newell St., Brooklyn Ave. and McCullough Ave.
- i. SARF acquire appropriate approvals
 1. Internal approvals from SARA
 2. External approvals from ROC Museum Reach subcommittee, full ROC, PASA Board, HDRC and COSA
 - ii. Install enhancements
 1. TBD as reflected in the prior approvals of design plans as executed by SARF
 2. SARF coordinate installation with COSA and SARA to ensure continued public use of Museum Reach trails
 3. SARF/SARA coordinate efforts to promote installation to local community and media
 - iii. Operations and Maintenance
 1. SARF develop agreement with COSA in coordination with SARA
- f. Museum Reach Asian Panels Art Installation
- i. Project still under consideration – if project moves forward, then see items ii – iv below
 - ii. SARF acquire appropriate approvals
 1. Internal approvals from SARA
 2. External approvals from ROC Museum Reach subcommittee, full ROC, PASA Board and HDRC
 - iii. Install enhancements
 1. TBD – SARF to secure internal/external approvals prior to installation
 2. SARF coordinate installation with SARA to ensure continued public use of Museum Reach trails
 3. SARF/SARA coordinate efforts to promote installation to local community and media
 - iv. Operations and Maintenance
 1. Consistent with existing SARA O&M of SARF Museum Reach projects
- g. Mission Reach Confluence Park Concept Plan Development
- i. SARF/SARA/stakeholders to further develop project scope and design into a phased plan for use in fundraising efforts
 - ii. Scope and design elements to include:
 1. Blending of art/science
 2. Environmental education opportunities
 3. Health equipment
 4. Concession concept

- iii. Operations and Maintenance
 - 1. SARA O&M TBD
- h. Mission Reach Espada Property
 - i. Operations and Maintenance
 - 1. SARA to secure property
 - 2. SARA to conduct initial clean-up of property
- i. Lower Basin Projects
 - i. Explore options and develop capital improvement implementation plan for the following areas:
 - 1. Helton-San Antonio River Nature Park in Wilson County
 - 2. Branch River Park in Goliad County
 - 3. Goliad Paddling Trail in Goliad County
 - 4. Saspamco Paddling Trail in Bexar and Wilson Counties
 - 5. Jackson Nature Park in Wilson County

II. Activities

- a. Events
 - i. Finalize event sponsorship funds sharing agreement
 - ii. Event Co-Hosting responsibilities:
 - 1. SARA lead event planning with SARF assistance unless identified otherwise
 - 2. SARF lead event fundraising with SARA assistance unless identified otherwise
 - iii. Co-Host the following events:
 - 1. Museum Reach River of Lights Festival (December 3, 2011)
 - 2. Mission Reach La Posada (TBD December 2011)
 - 3. Get Outdoors – associated with Mission Reach. NPS is also co-host and will assist with planning/funding (March 3, 2012)
 - 4. RiverTini. SARF will lead event planning and fundraising with support from SARA (Spring 2012)
 - 5. Museum Reach Fun 5K and Health Expo (May 26, 2012)
 - 6. Mission Reach Annual Event. Likely to be scheduled in June to correspond with National Rivers Month.
 - 7. Photo contest/event (Date TBD)
 - 8. Museum Reach concert series at Pearl amphitheater (Dates TBD)
 - 9. Discuss creation of new SARF Annual Fundraising Event. SARF will lead event planning and fundraising with support from SARA.
 - 10. Discuss River Rocks music event to determine feasibility
 - 11. Other events as necessary
- b. Environmental Education
 - i. Develop a coordinated environmental education program to include, but not limited to:

1. Coordinate environmental education messaging
 2. If/when needed, SARF Environmental Committee members may be utilized to deliver Mission Reach ecosystem restoration presentation and serve as Mission Reach walking tour docents or Roots in the River instructors. Appropriate discussions between SARA and SARF Environmental Committee members may be required to ensure message continuity
 3. Coordinate environmental education grant opportunities
- c. Tours
- i. SARA/SARF will inform the other when scheduling SARIP tours
 - ii. SARA/SARF will attend and/or assist tours scheduled by the other as necessary
- d. Lower Basin Activities
- i. Explore options and develop events and environmental educational implementation plan for in the following areas:
 1. Helton-San Antonio River Nature Park in Wilson County
 - a. Tentative annual event (TBD)
 - b. Tentative nature walks and other environmental education programs
 2. Branch River Park in Goliad County
 - a. Tentative annual disc golf event (TBD – likely in August 2011)
 - b. Tentative nature walks and other environmental education programs
 3. Goliad Paddling Trail in Goliad County
 - a. Fall flotilla (November 5, 2011)
 - b. Summer flotilla (June 2, 2012)
 4. Saspamco Paddling Trail in Bexar and Wilson Counties
 - a. Annual flotilla (TBD)
 5. Jackson Nature Park in Wilson County
 - a. Tentative nature walks and other environmental education programs

Year Two (July 1, 2012 – June 30, 2013)

I. Projects

- a. Mission Reach San Juan Portal Art Installation
 - i. Project still under development – further details to be included in next year’s SARA/SARF Action Plan
- b. Mission Reach Confluence Park Construction Phase 1
 - i. Project still under development – further details to be included in next year’s SARA/SARF Action Plan
- c. Mission Reach Espada Portal and Property Concept Development
 - i. Project still under development – further details to be included in next year’s SARA/SARF Action Plan

- d. Mission Reach Concessions
 - i. Project still under development – further details to be included in next year’s SARA/SARF Action Plan
 - ii. SARA/SARF to determine possible funding mechanisms to construct concession stations
 - iii. SARA/SARF to determine possible role for SARF to operate concessions
- e. Mission Reach Art Bench Installation Phase 2
 - i. Project still under development – further details to be included in next year’s SARA/SARF Action Plan
- f. Lower Basin Projects
 - i. Pursue, as feasible, projects from the lower basin capital improvement implementation plan as developed in year one of the SARA/SARF Action Plan
 - ii. Project still under development – further details to be included in next year’s SARA/SARF Action Plan

II. Activities

- a. Events
 - i. Event Co-Hosting responsibilities:
 - 1. Anticipated to be similar to year one –any changes will be included in next year’s SARA/SARF Action Plan
 - ii. Co-Host events
 - 1. Anticipated to be similar to year one, with the addition of the new SARF Annual Fundraising Event
 - 2. Any changes to the event list will be included in next year’s SARA/SARF Action Plan
- b. Environmental Education
 - i. Implement, as feasible, the coordinated environmental education program as developed in year one of the SARA/SARF Action Plan
 - ii. Coordinated environmental education program still under development – further details to be included in next year’s SARA/SARF Action Plan
- c. Tours
 - i. Continue tour coordination as defined in year one of the SARA/SARF Action Plan
- d. Lower Basin Activities
 - i. Implement, as feasible, the lower basin events and environmental education implementation plan as developed in year one of the SARA/SARF Action Plan
 - ii. Lower basin events and environmental education implementation plan still under development – further details to be included in next year’s SARA/SARF Action Plan

Year Three (July 1, 2013 – June 30, 2014)

I. Projects

- a. Mission Reach Espada Portal Art Installation and Property Development
 - i. Project still under development – further details to be included in future SARA/SARF Action Plan
- b. Mission Reach Confluence Park Construction Phase 2
 - i. Project still under development – further details to be included in future SARA/SARF Action Plan

II. Activities

- a. Events
 - i. Event Co-Hosting responsibilities:
 - 1. Anticipated to be similar to year one –any changes will be included in future SARA/SARF Action Plan
 - ii. Co-Host events
 - 1. Anticipated to be similar to year two
 - 2. Any changes to the event list will be included in future SARA/SARF Action Plan
- b. Environmental Education
 - i. Implement, as feasible, the coordinated environmental education program as developed in year one of the SARA/SARF Action Plan
 - ii. Coordinated environmental education program still under development – further details to be included in future SARA/SARF Action Plan
- c. Tours
 - i. Continue tour coordination as defined in year one of the SARA/SARF Action Plan
- d. Lower Basin Activities
 - i. Implement, as feasible, the lower basin events and environmental education implementation plan as developed in year one of the SARA/SARF Action Plan
 - ii. Lower basin events and environmental education implementation plan still under development – further details to be included in future SARA/SARF Action Plan

Executive Committee

Date: 06/08/2011

Strategic Plan Update for Fiscal Year 2012

Submitted For: Steve Graham

Submitted By: Lupe Sanchez

Division: Executive Offices

CAPTION

PRESENTATION, DISCUSSION, AND APPROPRIATE ACTION REGARDING THE UPDATE OF THE SAN ANTONIO RIVER AUTHORITY'S STRATEGIC PLAN FOR FISCAL YEAR 2012

Presenter

Suzanne Scott and Stephen Graham

Estimated Presentation Time: 60 minutes

In August 2010, The River Authority's executive and management staff developed the first 12 month strategic plan that identified key initiatives and action objectives that were to be accomplish in FY 2010-11. The plan was built on our corporate philosophy of Good-to-Great and our commitment to having and measuring tangible results. That 12 month plan has now been updated for FY 2011-2012 and is attached for review. This updated strategic plan will be SARA's detailed road map and barometer on how we are progressing and "making a difference" within our district, through the projects and efforts in our departments and programs. The 12 month strategic plan is not intended to be an exhaustive list of every project, initiative, and opportunity being worked on by SARA, instead it is a sampling of key efforts that we hope are indicative of how effective the River Authority has been in advancing its mission that year. A detailed briefing will be given on the updated 12 month strategic plan for FY12.

A copy of the stratigic plan will be sent to the Board under seperate cover.

Recommendation

Motion to be crafted, if necessary, after Committee discussion.

Discussion

Vote

Executive Committee

Date: 06/08/2011

State and Federal Legislative Activities Update

Submitted For: Brian Mast

Submitted By: Lupe Sanchez

Division: Intergovernmental and Comm Relations **Department:** Intergovernmental Relations

CAPTION

PRESENTATION, DISCUSSION AND APPROPRIATE ACTION REGARDING ACTIVITIES ASSOCIATED WITH THE 82ND SESSION OF THE STATE LEGISLATURE AND THE 112th CONGRESS

Presenter

Brian Mast

Estimated Presentation Time: 20 minutes

82nd State Legislature Update:

The session came to a close on May 30th only to have a Special Session begin on May 31st. The Governor called the special session to address:

- Legislation relating to fiscal matters necessary for the implementation of House Bill No. 1 as passed by the 82nd Legislature, Regular Session, including measures that will allow school districts to operate more efficiently,
- Legislation relating to health-care cost containment, access to services through managed care, and the creation of economic and structural incentives to improve the quality of Medicaid services, and
- Legislation relating to congressional redistricting.

The Intergovernmental Relations team worked closely with Allen Beinke, Kimberly Leggett and Tim Tuggey of TFW Strategies, formerly TRPSA, throughout the 82nd Legislative Session.

The following bills were passed by both chambers and sent to the Governor:

Eminent Domain:

SB 18 - The omnibus eminent domain bill went to conference committee where differences between the House and Senate versions were negotiated. As one of the Governor's priority issues SB 18 has already been signed into law by the Governor. Below are the major issues from the engrossed bill:

1. Board of Directors
 - a. Before we initiate a condemnation proceeding SARA must authorize the initiation in a public meeting by a record vote
 - b. Include in the public meeting notice the consideration of the use of the eminent domain to condemn property as an agenda item
 - c. Motions authorizing initiation of condemnation proceedings must be similar to: "I move that the (SARA) authorize the use of the power of eminent domain to acquire (describe the property) for (describe the public use)."
2. By December 31, 2012, SARA must send the Comptroller a letter stating we are authorized by the

state to exercise eminent domain and identify each provision of law that grants us that authority. (SARA has specific authority in our enabling statute but do we also have general authority in the water code).

3. SARA shall provide a relocation advisory service that is compatible with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C.A. 4601 and we shall pay moving expenses and rental supplements, make relocation payments, provide financial assistance to acquire replacement housing, and compensate for expenses incidental to the transfer of property.
4. Attorney's Fees: a court shall order a condemner who did NOT make a bona fide offer to pay reasonable attorney's fees and other professional fees incurred by owner (this provision previously was tied to whether the special commissioners awarded the owner 110% of a bona fide offer; now the fees can only be awarded if a condemner is found not to have made a bona fide offer).

Environmental Materials:

HB 338 - Relating to disclaimers by certain entities promulgating lists of noxious or invasive terrestrial plant species. The bill would require the following be placed on a published list of invasive species in a conspicuous location and in no smaller than 12 point font:

THIS PLANT LIST IS ONLY A RECOMMENDATION AND HAS NO LEGAL EFFECT IN THE STATE OF TEXAS. IT IS LAWFUL TO SELL, DISTRIBUTE, IMPORT, OR POSSESS A PLANT ON THIS LIST UNLESS THE TEXAS DEPARTMENT OF AGRICULTURE LABELS THE PLANT AS NOXIOUS OR INVASIVE ON THE DEPARTMENT'S PLANT LIST.

SARA was concerned the bill did not provide a waiver for materials printed prior to the passage of the bill. This could have impacted SARA's Creek Book as we have thousands of Creek Books stocked for distribution at future events. The bill was amended per SARA's request and now clearly exempts prior published materials from requiring the disclaimer, pending the Governor's signature.

TCEQ Sunset and Dam Safety:

HB 2694 - The Texas Commission on Environmental Quality (TCEQ) sunset bill was passed following a conference committee negotiated several amendments that had been tacked on in the respective chambers. The TCEQ's Dam Safety Program was addressed by a House floor amendment. The conference committee negotiated settlement exempts rurally located small private dams from the TCEQ Dam Safety program. Dams that impound 500 acre feet or less, are classified as low or significant hazard dams that are located in counties with populations of 215,000 or less will be exempt from the dam safety program. The legislature is tasked to review this exemption in the 84th Legislative Session which begins in 2015.

Tax Increment Finance Boards:

HB 2853 - Relating to tax increment financing. The passed bill has a bracketed amendment to section 311 of the Tax Code that permits SARA to appoint a board or staff member to a TIF board, in which we have chosen to participate, without our appointment being a qualified voter of the municipality where the TIF is located or 18 years of age and own real property in the zone, pending the Governor's signature.

Hydraulic Fracturing (Fracking):

HB 3328 - Relating to the disclosure of the composition of hydraulic fracturing fluids used in hydraulic fracturing treatments. Chemicals subject to OSHA's requirements for Material Safety Data Sheets

(MSDS), the well operator must post the list of chemical ingredients on the internet website maintained by the Ground Water Protection Council and the Interstate Oil and Gas Compact Commission (now found at Fracfocus.org), and also file the list of chemicals with the Railroad Commission of Texas ("Railroad Commission") with the well completion report. Additionally, the total volume of water used to hydraulically fracture a well must be posted and filed with the Railroad Commission.

Second, those non-MSDS chemical ingredients that were intentionally included and used for the purpose of hydraulic fracturing are to be provided to the Railroad Commission, to be made available on a public website. (From Jackson Walker LLP)

Groundwater Ownership:

SB 332 - Relating to the ownership of groundwater below the surface of land, the right to produce that groundwater, and the management of groundwater in this state. This controversial bill was amended considerably in the House. The House bill which was ultimately passed by both chambers and sent to the governor does not recognize a landowners 'vested' property right in groundwater.

Bills of note that did NOT pass:

Illegal Dumping Bills:

HB 405 - Relating to the storage, transportation, and disposal of tires; and providing criminal penalties. This bill provides for criminal penalties for the illegal disposal of tires as well as creates a cradle-to-grave manifest for tire distributors, haulers, recyclers and disposal facilities.

HB 1628 (SB 1345, Wendy Davis) - Relating to the crediting of appropriated funds from the collection of taxes imposed on the sale of sporting goods. Representative Larson asked SARA to draft and submit a letter of support for this bill which we have done. The House Bill has been referred to the House Ways and Means Committee; however, it has not been scheduled for a hearing. The Senate Bill has been referred to Senate Finance, but it has not been scheduled for a hearing.

HB 2025 - Relating to the implementation of county solid waste management programs. This bill filed by Representative McClendon addresses an issue Bexar County requested be addressed. The bill would allow Bexar County to implement mandatory trash collection in San Antonio's ETJ (extra-territorial jurisdiction) where there is a population of at least 3000/square mile. SARA was asked by Bexar County to support this legislation as it supports our efforts to combat illegal dumping through our own programs and the BRWM Illegal Dumping Task Force. SARA submitted a card of support at the House Environmental Regulation Committee hearing on April 30. The bill has been left pending in the House Environmental Regulation Committee.

Edwards Aquifer Authority and Edwards Aquifer Recovery Implementation Program Bills:

HB 1279 (SB 1625, Hegar, is similar but not identical) - Relating to the administration, powers, duties, and operation of the Edwards Aquifer Authority. This bill filed by Representative Doug Miller removes the Edwards Aquifer Authority (EAA) from Chapter 36 of the Water Code and provides other basic updates to the EAA statute. SARA was asked to support this bill so we submitted a card of support for the originally filed bill.

HB 2760 (SB 1595, Wentworth) - Relating to species-protection programs for the Edwards Aquifer, the Guadalupe River Basin, the San Antonio River Basin, and the San Antonio Bay and estuary system. Testimony suggested amendments to the filed bill will be forthcoming, likely excluding SARA and

GBRA's downstream counties.

Environment Bills:

SB 732 (HB 1338, Hopson) - Relating to the prohibition of certain regulations by a municipality in its extraterritorial jurisdiction involving trees and vegetation. This bill ultimately fell victim to a point of order as it was attached to another bill in a late session maneuver by Chairman Fraser. The point of order was sustained because SB 732 was not germane to the bill to which it was attached. During the committee hearings on the bill SARA was part of a large contingent from San Antonio and Bexar County opposing this bill. Former Mayor Hardberger, Mayor Castro, Camp Bullis, SAWS and the San Antonio City Council all opposed the bill.

Recommendation

Motion to be crafted, if necessary, after Board discussion.

Discussion

Vote

Executive Committee

Date: 06/08/2011

Executive Session: Whooping Crane Lawsuit

Submitted For: Karen Bishop

Submitted By: Lupe Sanchez

Division: Executive Offices

CAPTION

**EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071
FOR CONSULTATION WITH ATTORNEY REGARDING THE ARANSAS PROJECT V.
SHAW, ET. AL., CASE NO. 2:10-CV-00075 IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF TEXAS**

Presenter

Steve Raabe and David Ross

Estimated Presentation Time: 10 minutes

Discussion

Executive Committee

Date: 06/08/2011

Whooping Crane Lawsuit Briefing

Submitted For: Karen Bishop

Submitted By: Lupe Sanchez

Division: Executive Offices

CAPTION

PRESENTATION, DISCUSSION, AND APPROPRIATE ACTION REGARDING THE ARANSAS PROJECT V. SHAW, ET. AL., CASE NO. 2:10-CV-00075 IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS

Presenter

Steve Raabe and David Ross

Estimated Presentation Time: 10 minutes

Recommendation

Motion to be crafted, if necessary, after Board discussion.

Discussion

Vote

Executive Committee

Individual Items 13. - 15.

Date: 06/08/2011

GM's Report / Items for Future Consideration / Next Meeting Date

Submitted For: Suzanne B. Scott

Submitted By: Lupe Sanchez

Division: Executive Offices

13.

CAPTION

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**

Presenter

Suzanne B. Scott

Estimated Presentation Time: 10 minutes

Discussion

14.

CAPTION

ITEMS FOR FUTURE CONSIDERATION

Presenter

Mr. Oehlke, Committee Chair

Estimated Presentation Time: 5 minutes

Discussion

15.

CAPTION

NEXT MEETING DATE

Presenter

Mr. Oehlke, Committee Chair

Estimated Presentation Time: 5 minutes

At the May 18, 2011, Regular Meeting of the Board of Directors, the Board voted not to hold a meeting in July. Therefore, the next Executive Committee meeting will be Wednesday, August 10, 2011, at 2:00 p.m.

Discussion

Executive Committee

Item #: 16.

Date: 06/08/2011

Adjourn

Submitted By: Lupe Sanchez

Division: Executive Offices

CAPTION

ADJOURN

Presenter

Mr. Oehlke, Committee Chairman
