

AMENDED*
MINUTES OF THE MEETING
OF THE
BOARD OF DIRECTORS OPERATIONS COMMITTEE
OF THE
SAN ANTONIO RIVER AUTHORITY
AUGUST 11, 2008

The Operations Committee of the SAN ANTONIO RIVER AUTHORITY Board of Directors was called to order by H. B. Ruckman III, Chairman, at 2:15 p.m., Monday, August 11, 2008, in the Boardroom of the San Antonio River Authority, 100 E. Guenther, Bexar County, Texas.

Secretary, Adair Sutherland, called the roll and certified a quorum for the Operations Committee Meeting as follows:

John Flieller	Absent
Hector Morales	Present
Názirite Rubén Pérez	Present
H.B. Ruckman III	Present
Adair R. Sutherland	Present
Thomas G. Weaver	Present

Staff members present were:

Suzanne B. Scott, General Manager
Steve Graham, Assistant General Manager
Steve Raabe, Director of Technical Services
John Chisholm, Director of Operations
Sharon McCoy-Huber, Finance Manager
Al Astran, Utilities System Manager
Jim Blair, Watershed Operations Manager
Jim Boenig, Engineering Manager
Nefi Garza, Watershed Management Manager
Dale Bransford, Park Services Manager
Mike Gonzales, Environmental Sciences Manager
Claude Harding, Real Estate Manager
Georgia Snodgrass, Real Estate Rep II
Gilbert Jimenez, Real Estate Rep II
Tom Pardue, Engineer
Jim Doersam, Engineer
Lupe Moreno, Executive Assistant

Others present were:

David Ross, Legal Counsel

*The amended segment is in italics on page 5.

Mr. Ruckman called for Agenda Item 5: **INTRODUCTION OF VISITORS:** Ms. Moreno announced Jane Macon with Fulbright & Jaworski, Marcus Jahns, Dode Harvey and Mike Mazur with Diamond T Ranch, and David McBeth with Jacobs, Carter & Burgess.

Mr. Ruckman called for **Agenda Item 6: CITIZENS TO BE HEARD:** Ms. Moreno announced that there were no citizens signed up to speak.

Mr. Ruckman called for **Agenda Item 7: APPROVAL OF THE MINUTES OF THE OPERATIONS COMMITTEE MEETING HELD ON JUNE 9, 2008:** Mr. Weaver moved to approve the minutes as written, and, seconded by Mr. Morales, the minutes were approved unanimously.

Mr. Ruckman called on Jim Boenig for **Agenda Item 8: PRESENTATION, DISCUSSION AND APPROPRIATE ACTION REGARDING THE AWARD OF A CONSTRUCTION CONTRACT FOR THE BRAUNIG LAKE COURTESY DOCK PROJECT.**

Staff recommended a motion indicating Operations Committee support for San Antonio River Authority (SARA) staff to proceed in seeking Board approval for the execution of a contract with Lehne Construction in the amount of \$202,139 and contingency of \$20,200 for the Braunig Lake Courtesy Dock Project.

Ms. Sutherland moved to approve said motion, seconded by Mr. Morales, the motion was approved unanimously.

Due to visitors present, Mr. Ruckman called on Claude Harding and asked that, if there were no objections, the Committee move to **Agenda Item #13: BRIEFING, DISCUSSION, AND APPROPRIATE ACTION REGARDING PARTIAL RELEASE OF INUNDATION EASEMENT AT STONE OAK PARK DAM IN THE SALADO CREEK WATERSHED TO DIAMOND T RANCH DEVELOPMENT, IN SAN ANTONIO, BEXAR COUNTY, TEXAS.**

Staff recommended a motion indicating Operations Committee support for presenting to the River Authority Board of Directors a recommendation to grant a partial release of easement for 20.24 acres of the inundation easement at Stone Oak Park Dam to Diamond T Ranch Development, in San Antonio, Bexar County, Texas.

Mr. Weaver moved to approve said motion, seconded by Mr. Pérez, the motion was approved unanimously.

Mr. Ruckman returned to the regular order of business and called on Jim Boenig for **Agenda Item 9: PRESENTATION, DISCUSSION AND APPROPRIATE ACTION REGARDING THE AWARD OF A CONSTRUCTION CONTRACT FOR THE MILLER RIDGE SANITARY SEWER LINE REPLACEMENT PROJECT PHASE 2.**

Staff recommended a Motion indicating Operations Committee support for SARA staff to proceed in seeking Board approval for the execution of a contract with Pipelayers, Inc. in the amount of \$432,151.08 and contingency of \$43,200 for the Miller Ridge Sanitary Sewer Line Replacement Project Phase 2.

Mr. Weaver moved to approve said motion, seconded by Mr. Morales, the motion was approved unanimously.

Mr. Ruckman called on Claude Harding for **Agenda Item 10: BRIEFING ON LAND RIGHTS ACQUISITION STATUS.**

Mr. Harding recommended no Committee action.

Mr. Ruckman called on Claude Harding for **Agenda Item 11: PRESENTATION, DISCUSSION, AND APPROPRIATE ACTION REGARDING APPROVAL TO GRANT A 16-FOOT WIDE UTILITY AND ACCESS EASEMENT TO DOROTHY WALKER OVER, UNDER, AND ACROSS PROPERTY OWNED BY THE SAN ANTONIO RIVER AUTHORITY LOCATED AT 9115 ESPADA ROAD, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, AND WAIVER OF THE PERMIT APPLICATION FEE.**

Staff recommended a motion indicating Operations Committee support for presenting to the River Authority Board of Directors a recommendation to grant a 16-foot wide utility and access easement to Dorothy Walker over, under, and across property owned by the River Authority at 9115 Espada Road, San Antonio, Bexar County, Texas, and to grant a waiver of the Permit Application Fee.

Mr. Weaver moved to approve said motion, seconded by Mr. Morales, the motion was approved unanimously.

Mr. Ruckman called on Claude Harding for **Agenda Item 12: PRESENTATION, DISCUSSION, AND APPROPRIATE ACTION REGARDING APPROVAL TO DECLARE AS SURPLUS APPROXIMATELY 0.263 ACRES OF PROPERTY OWNED BY THE SAN ANTONIO RIVER AUTHORITY LOCATED AT 9115 ESPADA ROAD, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.**

Staff recommended a motion indicating Operations Committee support for presenting to the River Authority Board of Directors a recommendation to declare as surplus property owned by the River Authority at 9115 Espada Road, San Antonio, Bexar County, Texas.

Mr. Morales moved to approve said motion, seconded by Mr. Weaver, the motion was approved unanimously.

Mr. Ruckman called on Claude Harding for **Agenda Item 14: PRESENTATION, DISCUSSION AND APPROPRIATE ACTION REGARDING AN ORDINANCE DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF FEE SIMPLE TITLE TO AND PERMANENT AND TEMPORARY EASEMENTS ON CERTAIN PROPERTY WITHIN NEW CITY BLOCKS A-20, A-24, 20, 2907, 2910, 2911, 3381, 3382, 3400, 3848, 3849, 6102, 6150, 6153, 6155, 6719, 6720, 7649, 7650, 7665, 7666, 7672, 7674, 7675, 7770, 7771, 7772, 8616, 8618, 8619 AND 14330, IN BEXAR COUNTY, TEXAS TO CONSTRUCT, MODIFY, OPERATE, MAINTAIN AND REPAIR THE MISSION REACH OF THE SAN ANTONIO RIVER IMPROVEMENTS PROJECT.**

AUTHORIZING ALL APPROPRIATE ACTION BY THE GENERAL MANAGER, EMPLOYEES, AGENTS AND ATTORNEYS OF SAN ANTONIO RIVER AUTHORITY IN THE INSTITUTION AND PROSECUTION OF EMINENT DOMAIN PROCEEDINGS TO ACQUIRE SAID PROPERTY INTERESTS AND RELATED RIGHTS OF INGRESS AND EGRESS THAT CANNOT BE ACQUIRED THROUGH NEGOTIATION; RATIFYING AND CONFIRMING ALL ACTS AND PROCEEDINGS PREVIOUSLY DONE OR INITIATED BY EMPLOYEES, AGENTS AND ATTORNEYS OF SAN ANTONIO RIVER AUTHORITY TO ACQUIRE SUCH PROPERTY INTERESTS; AND AUTHORIZING SUCH OTHER LAWFUL ACTION NECESSARY AND INCIDENTAL TO SUCH ACQUISITION OR EMINENT DOMAIN PROCEEDINGS TO SURVEY, SPECIFY, DEFINE AND SECURE THE NECESSARY INTERESTS IN REAL PROPERTY.

Staff recommended a motion indicating Operations Committee support for presenting to the San Antonio River Authority Board of Directors a recommendation to approve and authorize the acquisition of all right-of-way or land rights identified and required by the USACE for Phase II of the San Antonio River Improvements Project.

Mr. Morales moved to approve said motion, seconded by Mr. Pérez, the motion carried unanimously.

Mr. Ruckman called on Steve Graham, Claude Harding and Jim Boenig for **Agenda Item 15: REVIEW AND DISCUSSION OF CONSULTANT SELECTION ACTIVITIES AND/OR CONSULTANT CONTRACT AUTHORIZATION, RENEWALS, AMENDMENTS OR EXTENSIONS:**

- I. **REQUEST FOR QUALIFICATIONS FOR REAL ESTATE DUE DILIGENCE SERVICES FOR THE BEXAR COUNTY FLOOD CONTROL CAPITAL IMPROVEMENT PROGRAM IN BEXAR COUNTY, TEXAS**
- II. **SELECTION OF STRUCTURAL AND ELECTRICAL ENGINEERING CONSULTANTS FOR THE MARTINEZ II WASTEWATER TREATMENT PLANT (WWTP) EXPANSION.**

No Committee action was recommended.

Mr. Ruckman called on Steve Raabe for **Agenda Item 16: DISCUSSION AND APPROPRIATE ACTION REGARDING A REQUEST FOR FUNDING FOR THE EDWARDS AQUIFER RECOVERY IMPLEMENTATION PROGRAM BIOLOGICAL MODELING.**

Staff recommended a motion expressing Operations Committee support to present to the Board of Directors a recommendation to provide funding in the amount of \$45,000 for the Edwards Aquifer Recovery Implementation Program Biological Modeling and to approve the necessary budget amendment.

Mr. Weaver moved to approve said motion, seconded by Mr. Morales, the motion was approved unanimously.

Mr. Ruckman called on Dale Bransford for **Agenda Item 17: BRIEFING REGARDING ESTABLISHMENT OF THE SAN ANTONIO RIVER NATURE PARK IN WILSON COUNTY, TEXAS.**

Following Mr. Bransford's briefing, Mr. Ruckman called on Dale Bransford and Claude Harding for **Agenda Item 18: EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.072 FOR DELIBERATION REGARDING THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY TO BE ACQUIRED IN WILSON COUNTY, TEXAS, AS PART OF THE SAN ANTONIO RIVER NATURE PARK**

After appropriate disclosure in accordance with Chapter 551 of the Texas Government Code, the Open Meetings Act, Section 551.072, Mr. Ruckman then recessed to meet in Executive Session at 3:40 pm for deliberation concerning the purchase, exchange, lease, or value of real property to be acquired in Wilson County, Texas as part of the San Antonio River Nature Park. The Executive Session having concluded, the regular meeting of the Operations Committee resumed into Open Session at 4:00 pm.

Mr. Ruckman called on Dale Bransford for **Agenda Item 19: PRESENTATION, DISCUSSION AND APPROPRIATE ACTION CONCERNING THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY TO BE ACQUIRED IN WILSON COUNTY, TEXAS, AS PART OF THE SAN ANTONIO RIVER NATURE PARK.**

Staff recommended a motion indicating Operations Committee support for presentation to the San Antonio River Authority Board a recommendation to negotiate the acquisition of 76.4 +/- acres owned by J. William Helton and Ruth J. Williams, Trustees of the Helton-Williams Family Trust, located at 2785 County Road 128 in Wilson County, Texas, and the acquisition of 21.6 +/- acres owned by Francisco C. Castillo, located at 15662 FM 775 in Wilson County, Texas.

Mr. Pérez moved to approve said motion, seconded by Mr. Weaver, the motion carried unanimously.

Mr. Ruckman called on Jim Boenig for **Agenda Item 20: PRESENTATION AND DISCUSSION ON THE STATUS OF THE GRAYTOWN ROAD WASTEWATER SYSTEM PROJECT.**

With no action taken following Mr. Boenig's presentation, Mr. Ruckman called on Sharon McCoy-Huber for **Agenda Item 21: BRIEFING ON THE STATUS OF THE RANDOLPH AIR FORCE BASE WASTEWATER COLLECTION SYSTEM CONTRACT.**

Ms. McCoy-Huber briefed the Committee, making no recommendation for action.

Mr. Ruckman called on Steve Raabe for **Agenda Item 22: BRIEFING ON SAGES WHOOPING CRANE STUDY.**

No Committee action was recommended.

Mr. Ruckman called upon Steve Raabe for **Agenda Item 23: BRIEFING ON WATER RESOURCES DEVELOPMENT AND PLANNING ACTIVITIES.**

No Committee action was recommended.

Mr. Ruckman called on Suzanne Scott and Bob Perez for **Agenda Item 24: STATUS REPORT ON THE SAN ANTONIO RIVER IMPROVEMENTS PROJECT, INCLUDING THE INTEGRATION OF THE VISITOR TAX-FUNDED PROJECT ELEMENTS.**

Ms. Scott and Mr. Boenig gave a briefing to the Committee with no action recommended.

Mr. Ruckman called for **Agenda Item 25: ITEMS FOR FUTURE CONSIDERATION.** None were made.

Mr. Ruckman called on Suzanne Scott for **Agenda Item 26: GENERAL MANAGER'S REPORT.**

Following Ms. Scott's report, Mr. Ruckman called for **Agenda Item 27: NEXT MEETING DATE.** The next meeting date will be Monday, September 8, 2008, at 2:00 p.m.

Regarding **Agenda Item #28: Adjourn.** There being nothing further to report, Mr. Ruckman adjourned the meeting at 4:57 p.m.

PREPARED AND RECOMMENDED FOR APPROVAL BY THE GENERAL MANAGER.

SUZANNE B. SCOTT, General Manager

APPROVED BY THE OPERATIONS COMMITTEE AT THE MEETING HELD ON DECEMBER 8, 2008.

H. B. "TRIP" RUCKMAN III, Chairman

ATTEST:

STEPHEN T. GRAHAM, Assistant Secretary