

MINUTES OF THE REGULAR MEETING  
OF THE  
BOARD OF DIRECTORS  
OF THE  
SAN ANTONIO RIVER AUTHORITY  
JANUARY 16, 2008

The regular meeting of the Board of Directors of the SAN ANTONIO RIVER AUTHORITY was called to order by the Chairman, Louis E. Rowe, at 2:15 p.m., Wednesday, January 16, 2008, at the General Offices of the San Antonio River Authority, 100 East Guenther Street, San Antonio, Bexar County, Texas.

Sally Buchanan, Secretary, called the roll and certified a quorum present as follows:

BEXAR COUNTY

Sally Buchanan	Present
Hector Morales	Present
Názirite Rubén Pérez	Present
Roberto G. Rodríguez	Present
Louis E. Rowe	Present
Thomas G. Weaver	Present

GOLIAD COUNTY

Terry E. Baiamonte	Present
Adair R. Sutherland	Present

KARNES COUNTY

H. B. Ruckman III	Present
Gaylon Oehlke	Present

WILSON COUNTY

A. D. Kollodziej, Jr.	Present
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Staff members present were:

Suzanne Scott, General Manager  
Steve Graham, Assistant General Manager  
Sharon McCoy-Huber, Director of Finance and Administration  
Steve Raabe, Director of Planning and Development  
Susan Eason, Director of Human Resources  
Karen Bishop, Communications Program Developer  
Claude Harding, Real Estate Manger  
Hector Villanueva, Real Estate  
Michael Gonzalez, Environmental Services Manager  
Dale Bransford, Park Services Manager  
Jim Boenig, Engineering Manager  
Al Astran, Utilities Manager  
Rudy Farias, Planning Manager

Kenneth Englehart, IT Manager  
Gregory M. Cordova, Park Maintenance Supervisor  
Steven Schauer, Manager of External Communications  
Steve Lusk, Environmental Services  
Tom Pardue, Engineering  
Brian Mast, Intergovernmental and Community Relations  
Durmus Cesur, Floodplain Management  
Rosy Anguiano, Executive Assistant

Other individuals present were:

David Ross, Legal Counsel  
Jose E. Martinez, The Loeffler Group  
Katherine Smelko, The Loeffler Group  
Darren Thompson, San Antonio Water System

Mr. Rowe called for a Motion for **Approval of the Minutes of the Regular Board Meeting of the Board of Directors Held on December 19, 2007.** Mr. Oehlke so moved and seconded by Ms. Buchanan, Motion carried unanimously.

Mr. Rowe called on Rosy Anguiano for **Introduction of Visitors:** Jose E. Martinez, The Loeffler Group; Katherine Smelko, The Loeffler Group; Darren Thompson, San Antonio Water System.

Mr. Rowe asked if there were any **Citizens to be Heard.** Ms. Anguiano reported there were none.

Mr. Rowe continued with **Agenda Item 9: service pins to recently-elected Board members for their recent election to the 2007 – 2013 term of office:**

Názarite Rubén Pérez, First Term  
Gaylon Oehlke, Second Term  
Roberto Rodríguez, Second Term  
Adair Sutherland, Second Term  
A. D. Kollodziej, Jr., Second Term

Mr. Rowe moved ahead to **Recognitions:**

- Ms. Scott recognized Durmus Cesur for completing 10 years of service and presented him with the appropriate service pin.
- Ms. Scott recognized Gregory M. Cordova for completing 10 years of service and presented him with the appropriate service pin.
- Ms. Scott recognized Rudy Farias for completing 5 years of service and presented him with the appropriate pin.

Mr. Rowe moved to **Agenda Item 10: San Antonio River Authority Board of Directors Executive, Communications, Fiscal and Operations Committee and Board Member Conference Attendance Reports.**

Executive Committee: Mr. Rowe indicated there was nothing new to report regarding the Executive Committee.

Fiscal Committee: Mr. Oehlke reported there was nothing to report regarding the Fiscal Committee.

Communications Committee: Mr. Rodriguez indicated there was nothing new to report regarding the Communications Committee.

Operations Committee: Mr. Ruckman reported that the Third Party Utility Billing item is in the process of hiring an auditor to help resolve the situation, and also reported that the payment issue with Randolph Base is still ongoing.

Mr. Rowe called for the **Consent Agenda** consisting of **Agenda Items 11 through 15.**

**Agenda Item 11: Action Regarding Park Land Acquisition Guideline, Including Briefing on Its Relationship to the San Antonio River Basin Plan for Nature-Based Park Resources.**

The adopted “San Antonio River Basin Plan for Nature-Based Park Resources” identifies the need for additional park land in each county of the River Authority’s District. While cities and counties of the District have a role in meeting these needs, the River Authority also has a role where park land acquisition would benefit the public on a regional scale and further the objectives of nurturing parks and natural resources, and protecting people and the environment through proper watershed management.

This Guideline uses scoring criteria in six categories for consideration of land acquisition by donation, conservation easement, lease, or purchase for inclusion in the River Authority’s park system throughout the District. Candidate properties must score a minimum of 50% of the point values in each category, and merit a favorable staff analysis of cost and conditions of acquisition before being recommended to the Board of Directors. The scoring and analysis would be performed by the Real Estate Manager, Planning Manager, Environmental Services Manager, Flood Control Infrastructure Manager, External Communications Manager, Park Services Manager, and Park Projects Specialist.

This Guideline has been endorsed by the Board of Directors’ Operations Committee during its January 2008 meeting, as well as by the River Authority’s Regional Park Coordinating Council.

Staff recommended a Motion indicating Board of Directors’ approval for staff use of the Park Land Acquisition Guideline when properties are being considered for park land acquisition by the San Antonio River Authority.

**Agenda Item 12: Action Regarding Participation by the San Antonio River Authority in the Installation of a Fiber Optic Conduit in the Museum Reach Urban Segment and the Approval of the Associated Budget Authorization.**

A fiber optic communication line will assist the River Authority in installing equipment for and collecting rain, flow, and flood stage data along the San Antonio River channel. In addition, it will allow us to maintain the Brooklyn Street Lock-n-Dam controls locally and, if required, remotely.

The City of San Antonio has expressed a vested interest in the installation of the conduit and fiber lines; they are requesting to use this line to assist in data acquisition along the river channel.

The River Authority's projected activity to install a conduit in the river channel is to secure River Authority owned and maintained fiber optic communications between our offices at Guenther and Euclid. Currently the River Authority pays an annual fee of \$45,000 to Grande Communications for the right to use their fiber optic communication lines.

Installation of Fiber Optic Conduit from Josephine Street to Lexington Street.

Total conduit installation cost	\$350,000
River Authority cost	\$100,000
City of San Antonio proposed cost	\$250,000
Approximate future cost of fiber once all conduit connections are complete (pulled and spliced)	\$104,000
A budget authorization is proposed to the SACIP Land Sales Fund 4911330-8130	\$100,000

This item was presented to and supported by the Operations Committee at its January 2008 meeting.

Staff recommended a Motion authorizing approval and installation of fiber optic conduit from Josephine Street to Lexington Street in the Museum Reach Urban Segment of the San Antonio River Improvements Project and the approval of the budget authorization as supported by the Operations Committee.

**Agenda Item 13: Action Concerning the Request by Zachry Construction Corporation to Assign the Museum Reach Urban Segment Construction Contract Associated with Zachry Construction Corporation's Business Unit Realignment.**

Zachry Construction Corporation has contracted with San Antonio River Authority to construct the Museum Reach Urban Segment of the San Antonio River Improvement Project. Zachry Construction Corporation currently has five business units, which are the Power Division, the Industrial Process Division, the Industrial Services Division, the Heavy Division and the Building Division. Zachry Construction Corporation is in the process of realigning those five divisions into two divisions, one of which focuses on industrial construction and maintenance and the other that focuses on civil construction. This realignment requires the assignment of the Museum Reach Urban Segment contract from Zachry Industrial, Inc., formerly known as Zachry Construction Corporation, to Zachry Construction Corporation, formerly known as ZCC Corporation. The Zachry family continues to own the enterprise, including the realigned business units. The proposed assignment expressly provides that it does not release the assigning entity from any of its obligations and that it remains fully liable to San Antonio River Authority

for those obligations. The proposed assignment will not affect construction of the Museum Reach Urban Segment.

This assignment was presented to and supported by the Operations Committee at its January 2008 meeting.

Staff recommended a Motion requesting approval of the assignment of the Museum Reach Urban Segment construction contract as requested by Zachry Construction Corporation.

**Agenda Item 14: Action Regarding San Antonio River Authority Board of Directors Appointment of San Antonio River Industrial Development Authority Directors.**

On February 24, 2004, the Board of Directors appointed Gregory E. Rothe, Steven P. Ramsey and Sharon McCoy to six-year terms as directors of the San Antonio River Industrial Development Authority (SARIDA), said terms being effective through February of 2010. Since that time Greg Rothe and Steve Ramsey have retired from the River Authority and it is necessary that their positions on the SARIDA Board be re-appointed by the River Authority's governing Board for the unexpired terms.

As established by the guidelines of the San Antonio River Industrial Development Authority, the board of directors shall be appointed and composed in its entirety by the governing body of the San Antonio River Authority.

The future role of SARIDA in support of SARA's mission is currently under review by the River Authority's Executive Management team with recommendations to be presented in the future to the River Authority board. Currently the main activity of the SARIDA board is to allocate annual contributions to support economic development agencies within the basin.

Section 2.02 of the bylaws states: *Vacancies in the Board, including vacancies to be filled by reason of an increase in the number of directors, shall be filled for the unexpired term by the appointment of successor directors by the governing body of the Authority.*

The Executive Management team recommends appointing Suzanne Scott and Stephen Graham to fill the unexpired terms on the SARIDA board.

Staff recommended a Motion that Suzanne B. Scott and Stephen T. Graham be appointed Directors of the San Antonio River Industrial Development Authority for the unexpired terms ending in February 2010.

**Agenda Item 15: Acceptance of the Canoe Trail Goliad Committee's Invitation for the San Antonio River Authority to Serve on the Board of Directors of Canoe Trail Goliad, Inc., and Designating Karen Bishop to Fill the Board Position on Behalf of the San Antonio River Authority.**

The Canoe Trail Goliad Committee's mission is to promote enjoyment and conservation of the natural, cultural, and historical resources of the San Antonio River in Goliad County by encouraging responsible, quality, public access opportunity through citizen-led partnerships.

In keeping with that mission, the Canoe Trail Goliad Committee recently sought and has received approval of its articles of incorporation. Canoe Trail Goliad, Inc. proceeded to apply for 501(c)3 status and will hold its first annual meeting on February 19, 2008.

During the meeting, Canoe Trail Goliad, Inc. (CTG) will select its board of directors. In accordance with its newly-adopted bylaws, CTG may invite non-voting, ex officio board members including representatives of the San Antonio River Authority, Texas Parks and Wildlife Department, elected government officers, and donors to serve on its Board.

Staff presented a letter to Suzanne Scott from Leah Huth, the Canoe Trail Goliad Committee's Secretary, requesting that the San Antonio River Authority accept an invitation to serve as an ex officio, non-voting member of the CTG board. The letter also recommends that the River Authority designate Karen Bishop to fill the position. At the selection of the original board, the board members will draw for one year and two year terms. From that time, the staggered Board terms will be two years.

In anticipation of receiving this request from CTG, staff consulted with and received support from the River Authority Board members representing Goliad County. Legal counsel for the River Authority has also reviewed and has no concerns regarding either the acceptance or the designation.

Karen Bishop has worked with the Canoe Trail Goliad Committee since its formation in September 2001 and is a co-chair of its PR subcommittee. She is familiar with the goals, mission, and direction of the Committee. She utilized this knowledge to draft, compile, and design the Committee's Phased Development Plan and to assist the Committee during its incorporation process. Further, she supports many other Goliad community programs and events that are consistent with the vision of the Canoe Trail Goliad Committee.

The Committee's vision for six public access sites along the San Antonio River in Goliad County is in alignment with the River Authority's mission to preserve and protect our basin's natural resources and has been incorporated into the San Antonio River Basin Plan for Nature-based Park Resources. In addition, on behalf of the Canoe Trail Goliad Committee, the San Antonio River Authority Park Services Department sought and achieved Texas Parks and Wildlife Department Texas Paddling Trail designation for a 6.5 mile segment of the San Antonio River within the Committee's proposed project scope, and that segment has been named the Goliad Paddling Trail. The River Authority's Park Services Department maintains the Goliad Paddling Trail.

Staff recommended a Motion of the San Antonio River Authority Board accepting the Canoe Trail Goliad Committee's invitation for the San Antonio River Authority to serve on the Canoe Trail Goliad, Inc., Board of Directors as an ex officio, non-voting member and designating Karen Bishop to fill the position on behalf of the San Antonio River Authority.

Mr. Rowe called for a Motion to approve Consent Agenda Items 11 through 15 as presented. Mr. Kollodziej so moved and seconded by Ms. Buchanan, Motion carried unanimously.

Mr. Rowe called on Steve Graham and Steven Schauer regarding **Agenda Item 16: Review and Discussion of Consultant Selection Activities and/or Consultant Contract Authorization, Renewals, Amendments or Extensions:**

## **Professional Services Contract for Federal Legislative Consultant**

Mr. Graham explained that Board Policy Number EO-0003 regarding the Selection, Monitoring and Evaluation of Professional Services / Consultants has defined Board notification requirements. For services expected to exceed \$50,000 staff shall notify the Board Operations Committee or other appropriate Board Committee prior to initiation of the selection process for consultant professional services to receive Board input. Upon completion of the selection process, staff shall report on: solicitation, evaluation, contract negotiation and the consultant selected. Staff shall also report the increase and total cost each time a consultant's services are renewed, amended or extended initially exceeding \$50,000 in total cost or exceeding \$50,000 for the amended service.

Mr. Schauer continued explaining that staff reviewed with the Board of Directors consultant selection activities and/or consultant contract authorizations, renewals, amendments or extensions. Specifically, current activities for the following consultant services:

### Professional services contract for Federal Legislative Consultant

The River Authority is seeking professional assistance in developing strategies and programs to inform and educate elected and non-elected representatives of the executive and legislative branches of the federal government regarding River Authority services, projects and programs. Specifically, the River Authority desires to continue federal funding for existing projects and programs and identify new federal funding opportunities to support River Authority initiatives. In addition, the River Authority desires to expand its knowledge of legislation and administrative rules affecting the River Authority and water and wastewater issues and ensure that legislation of interest effectively supports the River Authority's service goals and promotes efficient and responsive operations.

A Request for Proposal (RFP) seeking a Federal Legislative Consultant was released January 7, 2008 with a proposal due date of January 25, 2008. It is anticipated that a consultant will be selected and a contract executed by February 20, 2008.

The previous contract for federal legislative services with The Loeffler Group LLP ended on December 31, 2007. However, in order to ensure continued services during the RFP process, a month-to-month extension agreement was reached to retain the services of The Loeffler Group LLP through March 2008.

In addition to placing the RFP on the River Authority's web site, solicitations were sent to The Loeffler Group LLP; Tuggey Rosenthal Pauerstein Sandoloski Agather LLP; Holland & Knight LLP; Patton Boggs LLP; Ogilvy Government Relations; Meyers & Associates; Mike Parker; Baltazar R. Serna, Jr.; Patrice Parsons Marshall; Carmen Group Inc.; Beveridge & Diamond PC; Bracewell & Giuliani; Marlowe and Company; The Ferguson Group; Sonnenschein, Nath & Rosenthal, LLP; The LeMunyon Group; and Natural Resources Results LLC.

Mr. Rowe called on Dale Bransford regarding **Agenda Item 17: Presentation, Discussion, and Appropriate Action Regarding the Award of a Construction Contract for the Calaveras Lake Park Parking Lot Improvement Project.**

Mr. Bransford stated that Calaveras Lake Park Parking Lot Improvement Project has been included in the overall Park improvement funding provided by CPS Energy. The parking lot improvement is included in the 2008 fiscal year program for the Park. The existing parking lot is over 30 years old. The life cycle of the new work is projected to be 30 – 40 years.

The scope of work includes relocating the water service to the fish cleaning station, re-routing the electric service under the parking area, removing a median strip and extending the sides of the parking area, overlaying the existing asphalt, removing and adding perimeter bollards, and adding new light poles and lights. This work will result in 2,750 square yards of new parking and related driving lanes at the parking lot serving the central area of the park and the south boat ramp. The improvements will accommodate 91 vehicles with marked spaces.

Solicitations for bids were advertised as required by statute, and were received until January 3, 2008. Nine bids were received for the project. The lowest and best base bid was submitted by Alamo City Constructors in the amount of \$287,907.86. A contingency amount of \$71,976.97, based on 25% of the bid, is requested to cover field alterations and changes.

The Operations Committee reviewed this item during its January 2008 meeting and supported presenting the Alamo City Constructors bid to the Board for approval.

Staff recommended a Motion authorizing the General Manager to execute a construction contract with Alamo City Constructors in the amount of \$287,907.86 for the Calaveras Lake Park Parking Lot Improvement Project and authorizing any required field changes not to exceed \$71,976.97.

Ms. Sutherland recommended that the design needs to include landscaping,

Following discussion, Mr. Rowe called for said Motion. Mr. Kollodziej so moved and seconded by Mr. Perez, Motion carried unanimously.

Mr. Rowe called on Michael Gonzales and Steve Lusk regarding **Agenda Item 18: Update on the Upper San Antonio River Watershed Protection Plan Implementation.**

Mr. Gonzales stated that in January 2007 the Watershed Protection Plan (WPP) for the Upper San Antonio River was approved by the Texas Commission on Environmental Quality. The River Authority, City of San Antonio, San Antonio Water System, San Antonio Zoo and other stakeholders have been working to implement the various Best Management Practices (BMPs) recommended in the WPP. The River Authority Board of Directors was provided a presentation featuring some of the BMPs that have been accomplished or are being initiated under the Upper San Antonio River WPP. (*The WPP is available for review on the SARA web site, [www.sara-tx.org](http://www.sara-tx.org).*)

Ms. Baiamonte recommended that Mr. Gonzales take this PowerPoint presentation to the downstream counties.

Mr. Rowe called on Michael Gonzales regarding **Agenda Item 19: Presentation, Discussion, and Appropriate Action Regarding Approval of a State Funded Grant Agreement Between the San Antonio River Authority and the Texas Commission on Environmental Quality to Administer an Implementation Project in the San Antonio River Loop Area as Part of the Upper San Antonio River Watershed Protection Plan.**

Mr. Gonzales advised that an Inter-Governmental Cooperative Agreement for an EPA 319 grant, between the San Antonio River Authority (Authority) and the Texas Commission on Environmental Quality (TCEQ) to fund the administration and development of a Total Maximum Daily Load (TMDL) Best Management Practice (BMP) Implementation Project for the River Walk and Downtown area, has been finalized. The purpose of the Implementation Project is to address bacterial water quality impairments, identify non-point source pollution management measures and develop a schedule for their implementation. The Authority will serve as project coordinator to develop and implement a series of collaborative workshops in which the City of San Antonio (CoSA), Bexar County, San Antonio Water Systems, and San Antonio River Authority staff will work in partnership with members of the Paseo del Rio Association, Downtown Alliance / Centro San Antonio, Hotel Motel Association, the Tourism Council and other stakeholders to identify problem areas, recommend solutions, and develop BMPs, including potentially a public awareness / public education campaign.

Improvements to water quality will be documented through on going monitoring conducted under the State of Texas Clean Rivers Program. The grant agreement documents have been reviewed and deemed acceptable by SARA staff and legal counsel. The terms and conditions of the grant agreement are similar to those in other EPA 319 Grant Program contracts previously executed between the Authority and the TCEQ. The grant agreement between the TCEQ and the River Authority is for the term September 1, 2007 to August 31, 2010 with a total project cost of \$320,460 for completion of the tasks specified in the contract attachments. The grant is a 60 / 40 matching EPA 319 grant. SARA would receive \$192,276 in grant funds for the project, with the balance of \$128,184 to be provided by Authority, CoSA, and other government and/or private sources as an in-kind match. In-kind match credit will derived from applicable River Loop water quality monitoring and testing being conducted under the SARA Clean Rivers Program and from Authority and CoSA staff time applied to the project. Additional cash contributions towards the match will be sought from River Loop / Downtown area businesses and stakeholders.

The Operations Committee passed a motion of support to apply for the grant at their meeting held on September 11, 2006.

Staff recommended a Motion authorizing the General Manager to execute an agreement with the Texas Commission on Environmental Quality for the term of September 1, 2007 to August 31, 2010 to perform work associated with the River Walk Implementation Project in the River Loop area as part of the San Antonio River Watershed Protection Plan.

Mr. Rowe called for said Motion. Mr. Ruckman so moved and seconded by Ms. Buchanan, Motion carried unanimously.

Mr. Rowe called on Suzanne Scott regarding **Agenda Item 20: Status Report on the San Antonio River Improvements Project.**

Ms. Scott reported that the Mission Reach project, Phase I, is going out for bid. The advance notice went out January 8; the bid documents will be available February 1, and they are due back March 2. There will be a review of bids received, which is a best value bid. Jim Boenig will travel to Forth Worth to evaluate the bids with the Corps of Engineers and make a recommendation. There will be an announcement of the awarded contractor by the end of March.

Ms. Scott reported that the Museum Reach project is on schedule, and it is 27% complete.

Mr. Rowe called on Steve Raabe regarding **Agenda Item 21: Briefing on Water Resource Development and Planning Activities.**

Ms. Scott presented for Mr. Raabe a briefing on the Water Resource Development and Planning Activities.

**Item 22: Discussion Regarding Items for Future Consideration.**

No items were discussed.

**Agenda Item 23: General Manager's Report.**

Ms. Scott announced the following calendar dates:

- Next Operations Committee meeting, February 11
- Texas Water Day, February 5 and 6
- Downstream Board Tour, February 15
- Possible Washington trip coordinated through The Loeffler Group, March 11 - 14
- NWRA meeting in Washington, D.C., April 14 and 15

There being no further business, the meeting was adjourned by Mr. Rowe, the Chairman, at 3:40 p.m.

PREPARED AND RECOMMENDED FOR BOARD APPROVAL BY THE MANAGER.

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SUZANNE B. SCOTT, General Manager

APPROVED BY THE BOARD OF DIRECTORS AT THE REGULAR MEETING HELD ON FEBRUARY 20, 2008.

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Board Chairman

ATTEST:

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SALLY BUCHANAN, Secretary