

MINUTES OF THE REGULAR MEETING  
OF THE  
BOARD OF DIRECTORS  
OF THE  
SAN ANTONIO RIVER AUTHORITY  
SEPTEMBER 17, 2008

The regular meeting of the Board of Directors of the SAN ANTONIO RIVER AUTHORITY was called to order by the Chairman, Thomas G. Weaver, at 2:00 p.m., Wednesday, September 17, 2008, at the General Offices of the San Antonio River Authority, 100 East Guenther Street, San Antonio, Bexar County, Texas.

Mr. Weaver called on Sally Buchanan for the roll call and certified a quorum present as follows:

BEXAR COUNTY:

Sally Buchanan	Present
Hector Morales	Present
Jeff Neathery	Present
Názirite Rubén Pérez	Present
Roberto G. Rodríguez	Present
Thomas G. Weaver	Present

GOLIAD COUNTY:

Terry E. Baiamonte	Absent
Adair R. Sutherland	Present

KARNES COUNTY:

Gaylon J. Oehlke	Absent
H.B. Ruckman III	Present

WILSON COUNTY:

John Flieller	Present
A.D. Kollodziej, Jr.	Present

Staff members present were:

Suzanne Scott, General Manager  
Steve Graham, Assistant General Manager  
Steve Raabe, Director of Technical Services  
Susan Eason, Director of Internal Resources  
John Chisholm, Director of Operations  
Larry Anderson, Director of Support Services  
Sharon McCoy-Huber, Financial Services Manager  
Claude Harding, Real Estate Manager  
Al Astran, Utilities System Manager  
Rudy Farias, Water Resources and Community Development Manager  
Steven Schauer, Manager of External Communications  
Nefi Garza, Watershed Management Manager

Mike Gonzales, Environmental Sciences Manager  
Jim Blair, Watershed Operations Manager  
Jim Boenig, Engineering Manager  
Melissa Bryant, Engineer III  
Landon Yosko, Project Administrator  
Ronnie Hernandez, Environmental Investigations Coordinator  
Karen Bishop, Executive Services Supervisor  
Lupe Moreno, Executive Assistant

Other individuals present were:

David Ross, Legal Counsel  
Jerry Needhan, San Antonio Express-News

**Mr. Weaver called for Agenda Item 5: INTRODUCTION OF VISITORS.** Ms. Moreno announced that Jerry Needham with San Antonio Express-News was present.

**Mr. Weaver called for Agenda Item 6: CITIZENS TO BE HEARD.** Ms. Moreno reported that there were none.

**Mr. Weaver called on Suzanne Scott for Agenda Item 7: EMPLOYEE RECOGNITIONS.** Ms. Scott presented Service Pins to Al Astran, Dustin Krueger, William Huizar, Eugene Ibrom, Karen Opiela, Gloria Rodriguez, and Mark Sorenson.

**Mr. Weaver called for Agenda Item 8: APPROVAL OF THE MINUTES OF THE FOLLOWING MEETINGS:**

- a. REGULAR MEETING OF THE BOARD OF DIRECTORS HELD AUGUST 20, 2008;
- b. SPECIAL MEETING OF THE BOARD OF DIRECTORS HELD AUGUST 13, 2007;
- c. SPECIAL MEETING OF THE BOARD OF DIRECTORS HELD AUGUST 14, 2007.

Mr. Weaver called for approval of the minutes for the August 20<sup>th</sup> Regular Board meeting. Ms. Buchanan so moved, seconded by Mr. Morales. The minutes were approved unanimously.

After a brief explanation by the General Manager, Mr. Weaver called for approval of the minutes for the Special Meeting held on August 13, 2008. Mr. Ruckman so moved, seconded by Ms. Buchanan. The minutes were approved unanimously.

Mr. Weaver called for approval of the minutes for the Special Meeting held on August 14, 2008. Ms. Buchanan so moved, seconded by Mr. Ruckman. The minutes were approved unanimously.

**Mr. Weaver called for Agenda Item 9: SAN ANTONIO RIVER AUTHORITY BOARD OF DIRECTORS EXECUTIVE, COMMUNICATIONS, FISCAL AND OPERATIONS COMMITTEE AND BOARD MEMBER CONFERENCE ATTENDANCE REPORTS:**

- Executive Committee briefing was given by Committee Chairman Weaver.
- Fiscal Committee member Mr. Ruckman informed the Board that there had been a lack of a quorum on September 8, 2008 for the Fiscal Committee meeting.

- Communications Committee Chairman Rodriguez informed that Board that there has not been a meeting since May but there will be an upcoming meeting on September 25, 2008.
- Operations Committee briefing was given by Committee Chairman Ruckman.
- Ms. Buchanan gave the Board a briefing on the National Association of Flood & Stormwater Management Agencies (NAFSMA) Conference held in Napa, California.

**Mr. Weaver called for Agenda Item 10: APPOINTMENT OF A SPECIAL PURPOSE COMMITTEE BY THE CHAIRMAN OF THE BOARD OF DIRECTORS FOR THE DEVELOPMENT OF A GENERAL MANAGER'S EVALUATION**

Mr. Weaver appointed each Chairperson of each Committee of the San Antonio River Authority to serve on the Special Purpose Committee and requested that staff recommend a time, place and date for a future meeting set tentatively in November.

***CONSENT AGENDA ITEMS (ITEMS 11 – 13):***

Mr. Weaver called for a motion to accept the Consent Agenda, Items 11 – 13, as follows:

**Agenda Item 11: ORDINANCE DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF FEE SIMPLE TITLE ON CERTAIN PROPERTY WITHIN NEW CITY BLOCK 10933, IN BEXAR COUNTY, TEXAS, TO PERFORM THE PROGRAMMATIC AGREEMENT DATED MAY 10, 2006, BETWEEN THE US ARMY CORPS OF ENGINEERS, THE NATIONAL PARK SERVICE, THE SAN ANTONIO RIVER AUTHORITY AND THE STATE HISTORIC PRESERVATION OFFICER REGARDING THE IMPLEMENTATION OF THE MISSION REACH ECOSYSTEM RESTORATION AND RECREATION SAN ANTONIO CHANNEL IMPROVEMENT PROJECT IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, 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**

**Agenda Item 12: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN ANTONIO RIVER AUTHORITY AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE 2007/2008 JOINT FUNDING AGREEMENT WITH THE UNITED STATES GEOLOGICAL SURVEY FOR STREAM MONITORING AND WATER RESOURCE PROJECTS**

**Agenda Item 13: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN ANTONIO RIVER AUTHORITY AUTHORIZING THE EXECUTION OF A JOINT**

## **FUNDING AGREEMENT WITH THE UNITED STATES GEOLOGICAL SURVEY FOR STREAM MONITORING AND WATER RESOURCE PROJECTS**

Mr. Ruckman so moved, seconded by Ms. Buchanan, motion carried unanimously.

### ***ITEMS FOR INDIVIDUAL CONSIDERATION (Items 14 -28):***

Mr. Weaver called on Sharon McCoy-Huber for **Agenda Item 14: PUBLIC HEARING ON THE 2008 PROPOSED TAX RATE**

There being no action taken nor comments made by citizens, Mr. Weaver declared the Public Hearing closed and then called on Sharon McCoy-Huber for **Agenda Item 15: ORDINANCE AUTHORIZING AD VALOREM TAX.**

Staff recommended a motion that Ordinance No. O-1319 be passed and approved setting a tax rate of \$0.015951 per \$100 valuation as supported by the Fiscal Committee.

Mr. Weaver called for said motion, Ms. Buchanan so moved, seconded by Mr. Ruckman.

Mr. Rodriguez stated, "After careful review and restudying of this issue and based on further research on information that was not available at that time for me on my initial recommendation, I have found it necessary to reconsider my position on this issue. I just feel that we're being used like a Trojan horse by the appraisal district whereas the taxes are not going up here at the River Authority. I think they're just waiting since the City and the County did not raise their taxes that they're going to raise up the appraisal on the properties and everybody knows that the economy is extremely bad with what we're seeing on the news in the last few days where the Government is having to bail out the largest corporations. So, therefore, I want to go on record that I am voting no on this issue and have given you my reasons. The people that I represent, especially on the West side, are having an extremely hard time and as I'm seeing these things on the news everyday, I'm just wondering what other new surprises are going to come. I'm also concerned that if the taxes on the average residences' homestead increase by more than 8%, and they could, we don't know what the appraisals are going to do.

Chairman Weaver asked Mr. Rodriguez which projects he would like to cut from the budget to achieve a balanced budget if he wanted a lower tax rate.

Mr. Rodriguez stated that he would need time for further review of a list of the projects before he could respond appropriately.

Mr. Weaver added that all the projects are listed in our budget documents given to the board in June and that each Director has the right to propose and vote for any tax rate that he/she sees fit. However, if the tax rate yields insufficient revenue and is not enough or too low to maintain our budget, then that Board member has the responsibility to identify projects or budget elements that need to be cut to balance the budget. Conversely, if a Board member proposes a tax rate higher than what is necessary to balance the budget, then that director should identify what additional projects will be funded.

Ms. Buchanan asked to go on record and expressed her support to maintain the tax rate currently being discussed based on her interest for the continuation of the FEMA mapping and the flood control projects, continuing and expanding the Westside Creeks Project, and the River Improvements Project, all of which SARA is able to accomplish with the proposed tax rate.

Mr. Weaver then called on Ms. Buchanan for a roll call vote on staff's aforementioned recommendation. The results were as follows:

Sally Buchanan	Aye
Hector Morales	Aye
Jeff Neathery	Aye
Názirite Rubén Pérez	Nay
Roberto G. Rodríguez	Nay
Thomas G. Weaver	Aye
Adair R. Sutherland	Aye
H.B. Ruckman III	Aye
John Flieller	Aye
A.D. Kollodziej, Jr.	Aye

Ms. Buchanan announced 8 in favor and 2 against. Mr. Weaver stated that the motion passes.

Mr. Weaver called on Steve Graham for **Agenda Item 16: RESOLUTION AUTHORIZING THE GENERAL MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT AMONG THE CITY OF SAN ANTONIO, TEXAS; BEXAR COUNTY, TEXAS; THE SAN ANTONIO RIVER AUTHORITY; AND THE CITY OF GREY FOREST FOR PARTICIPATION IN THE BEXAR REGIONAL WATERSHED MANAGEMENT PROGRAM IN BEXAR COUNTY, TEXAS**

Staff recommended a motion that Resolution No. R-1352 be passed and approved.

Mr. Weaver called for said motion, Ms. Buchanan so moved, seconded by Mr. Morales, motion carried unanimously.

Mr. Weaver called on Steve Graham for **Agenda Item 17: RESOLUTION AUTHORIZING THE GENERAL MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SAN ANTONIO, TEXAS; BEXAR COUNTY, TEXAS; AND THE SAN ANTONIO RIVER AUTHORITY TO UPDATE THE BEXAR REGIONAL WATERSHED MANAGEMENT PROGRAM IN BEXAR COUNTY**

Staff recommended a motion that Resolution No. R-1353 authorizing the General Manager to execute an Interlocal Agreement between the City of San Antonio, Texas; Bexar County, Texas; and the San Antonio River Authority to update the Bexar Regional Watershed Management Program in Bexar County be passed and approved.

Mr. Weaver called for said motion, Ms. Buchanan so moved, seconded by Mr. Morales, motion carried unanimously.

Mr. Weaver called on Steve Graham and Jim Boenig for **Agenda Item 18: REVIEW AND DISCUSSION OF CONSULTANT SELECTION ACTIVITIES AND/OR CONSULTANT CONTRACT AUTHORIZATION, RENEWALS, AMENDMENTS OR EXTENSIONS:**

**I. NOTIFICATION OF REQUEST FOR PROPOSALS FOR LAND SURVEYING PROFESSIONAL SERVICES AGREEMENT**

**II. REQUEST FOR QUALIFICATIONS OF CONSULTANT ENGINEERING FIRM TO PROVIDE DESIGN AND CONSTRUCTION ADMINISTRATION SUPPORT OF MISCELLANEOUS SANITARY SEWER, POTABLE WATER AND PARK SERVICES PROJECTS**

There being no action taken on Agenda Item 18, Mr. Weaver called on Mike Gonzales and Ronnie Hernandez for **Agenda Item 19: PRESENTATION AND DISCUSSION REGARDING THE SAN ANTONIO RIVER AUTHORITY ENVIRONMENTAL SCIENCES DEPARTMENT ENVIRONMENTAL INVESTIGATION AND RESPONSE ACTIVITIES FEBRUARY 2008 TO JULY 2008**

There being no action taken on Agenda Item 19, Mr. Weaver called on Mike Gonzales for **Agenda Item 20: PRESENTATION, DISCUSSION AND APPROPRIATE ACTION CONCERNING A SAND AND GRAVEL MINING OPERATION ALONG THE SAN ANTONIO RIVER IN SOUTH BEXAR COUNTY**

There being no action needed for Agenda Item 20, Mr. Weaver called on Steve Raabe for **Agenda Item 21: BRIEFING ON WATER RESOURCES AND DEVELOPMENT ACTIVITIES**

There being no action needed for Agenda Item 21, Mr. Weaver called on Suzanne Scott for **Agenda Item 22: STATUS REPORT ON THE SAN ANTONIO RIVER IMPROVEMENTS PROJECT**

There being no action needed for Agenda Item 22, Mr. Weaver called on Karen Bishop for **Agenda Item 23: DISCUSSION AND APPROPRIATE ACTION TO CHANGE THE DATE AND TIME OF AND TO HOLD THE OCTOBER 2008 REGULAR MEETING OF THE SAN ANTONIO RIVER AUTHORITY BOARD OF DIRECTORS IN KARNES COUNTY, TEXAS**

Staff recommended a motion that the October, 2008, Regular Meeting of the San Antonio River Authority Board of Directors be held at the Kenedy City Hall in Karnes County, Texas, on Wednesday, October 15<sup>th</sup> at 2:00 p.m.

Mr. Weaver called for said motion, Ms. Buchanan so moved, seconded by Mr. Ruckman, motion carried unanimously.

Mr. Weaver called on Karen Bishop and Joe Shannon for **Agenda Item 24: DISCUSSION AND TRAINING ON CONNECTING TO AND NAVIGATING THE SARA WEB SITE**

After the discussion and training session, Mr. Weaver called for **Agenda Item 25: ITEMS FOR FUTURE CONSIDERATION**

There being no action taken for Agenda Item 25, Mr. Weaver called on Ms. Scott, who introduced John Chisholm under **Agenda Item 26: GENERAL MANAGER'S REPORT**

Mr. Chisholm informed the Board of the staff's efforts providing aid to the City of Alvin during the recent hurricane.

Ms. Scott informed the Board about the calendar of events regarding upcoming meetings of interest.

The next meeting date having been discussed under Agenda Item 22 above, **Mr. Weaver passed over Agenda Item 27: NEXT MEETING DATE**, and called for **Agenda Item 28: ADJOURN**

There being no further business, Ms. Sutherland moved to adjourn the meeting at 4:35 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 OCTOBER 15, 2008.

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THOMAS G. WEAVER, Board Chairman

ATTEST:

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SALLY BUCHANAN, Secretary