

MINUTES

REGULAR MEETING OF THE BOARD OF DIRECTORS

SAN ANTONIO RIVER AUTHORITY

May 19, 2010, 2:00 p.m.



GENERAL AND CEREMONIAL ITEMS:

- 1. CALL TO ORDER WAS MADE BY THE CHAIRMAN, MR. GAYLON J. OEHLKE, AT 2:01 P.M.**
- 2. PLEDGE OF ALLEGIANCE WAS RECITED**
- 3. THE BOARD SECRETARY, MR. ROBERTO G. RODRÍGUEZ, CALLED THE ROLL AND REPORTED THE FOLLOWING BOARD MEMBERS PRESENT:**

BEXAR COUNTY:

- Sally Buchanan
- Michael W. Lackey, P. E. (2:08 p.m. arrival)
- Hector R. Morales
- Názirite Rubén Pérez
- Roberto G. Rodríguez
- Thomas G. Weaver

GOLIAD COUNTY:

- Terry E. Baiamonte (2:11 p.m. arrival)
- Adair R. Sutherland (2:06 p.m. arrival)

KARNES COUNTY:

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

WILSON COUNTY:

- John J. Flieller
- A.D. Kollodziej, Jr.

- 4. CERTIFICATION OF A QUORUM WAS ANNOUNCED BY THE SECRETARY, MR. RODRÍGUEZ**

5. INTRODUCTION OF VISITORS

Ms. Sanchez announced the visitors who were present in the audience.

6. CITIZENS TO BE HEARD

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

7. EMPLOYEE RECOGNITIONS: AWARDING OF SERVICE PINS

Chairman Oehlke and Suzanne Scott recognized and presented Marilyn Black with a Certificate of Retirement along with a plaque for her 31 years of service. Service pins were presented to Cecil Rodriguez for his 30 years of service and John Gomez for his 10 years of service. Mr. Oehlke then presented Suzanne Scott with a service pin for her 10 years of service.

8. RECOGNITION OF VARIOUS DEPARTMENTS, PROGRAMS, AND INDIVIDUALS WITHIN THE SAN ANTONIO RIVER AUTHORITY FOR THE FOLLOWING RECENT AWARDS:

- **DOWNTOWN ALLIANCE "BEST OF" 2009 AWARD FOR BEST PUBLIC/PRIVATE PARTNERSHIP FOR THE MUSEUM REACH**
- **DOWNTOWN ALLIANCE "BEST OF" 2009 AWARD FOR BEST DEFEAT OF AN ALGAE MONSTER**
- **AMERICAN SOCIETY OF AGRICULTURAL & BIOLOGICAL ENGINEERS (ASABE), TEXAS SECTION, ENGINEER OF THE YEAR AWARD, AWARDED TO STEVE RAABE**
- **WATER ENVIRONMENT ASSOCIATION OF TEXAS 2010 MUNICIPAL WASTEWATER TREATMENT PLANT OF THE YEAR AWARD, AWARDED TO THE SALATRILLO PLANT AND THE SAN ANTONIO RIVER AUTHORITY UTILITIES DEPARTMENT**

Ms. Scott recognized the River Authority's IGCR Department, Watershed Operations (Museum Reach Operations & Maintenance Staff), the Utilities Department and Steve Raabe for the awards received accordingly.

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

- **Fiscal Committee:** a short briefing was given by Committee Chair Baiamonte regarding the last meeting held on May 3, 2010
- **Communications Committee:** a short briefing was given by Committee Chair Buchanan regarding the last meeting held on May 5, 2010.
- **Operations Committee:** a short briefing was given by Committee Chair Ruckman regarding the last meeting held on May 10, 2010.

CONSENT AGENDA ITEMS:

10. **APPROVAL OF THE MINUTES OF THE BOARD OF DIRECTORS' SPECIAL MEETING HELD ON APRIL 12, 2010 AND REGULAR MEETING HELD ON APRIL 21, 2010**
11. **APPROVAL OF AN AMENDMENT TO THE COOPERATIVE AGREEMENT WITH BEXAR COUNTY AND THE CITY OF SAN ANTONIO FOR THE SAN ANTONIO RIVER IMPROVEMENTS PROJECT**
12. **APPROVAL OF THE SUBMISSION OF A PROPOSAL TO THE NATURAL RESOURCES CONSERVATION SERVICE UNDER THE AGRICULTURAL WATER ENHANCEMENT PROGRAM (AWEP)**
13. **APPROVAL OF AN AGREEMENT BETWEEN THE SAN ANTONIO RIVER AUTHORITY AND THE ALAMO COMMUNITY COLLEGE DISTRICT (ACCD) TO PROVIDE PERMITTING, PROJECT MANAGEMENT, CONSTRUCTION, AND ONGOING OPERATIONS AND MAINTENANCE SERVICES FOR A NEW WASTEWATER TREATMENT PLANT AT THE ACCD FIRST RESPONDERS ACADEMY CAMPUS**
14. **RESOLUTION NO. R-1400 AUTHORIZING THE GENERAL MANAGER TO EXECUTE A PERMANENT EASEMENT UNDER AND ACROSS THE SAN ANTONIO RIVER TO MURPHY EXPLORATION & PRODUCTION COMPANY – USA, FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF AN UNDERGROUND PIPELINE CROSSING TO BE LOCATED WEST OF THE CONFLUENCE OF THE SAN ANTONIO RIVER AND CIBOLO CREEK, IN KARNES COUNTY**
15. **RESOLUTION R-1402 AUTHORIZING AMENDMENT OF ARTICLE XVIII OF THE SAN ANTONIO RIVER AUTHORITY BYLAWS RELATING TO DIRECTOR CONFERENCES, EXPENSE REIMBURSEMENTS, AND FEES**

Mr. Oehlke called for a motion that all of the items presented on the consent agenda be passed and approved collectively.

Motion made by Michael W. Lackey, P.E.

Seconded by H.B. Ruckman III

Motion passed unanimously

INDIVIDUAL AGENDA ITEMS:

16. **PRESENTATION AND DISCUSSION REGARDING THE DRAFT FISCAL YEAR 2010/11 BUDGET AND THE FIVE YEAR SERVICE AND FINANCIAL PLAN**

Mr. Weaver recommended a motion to change the original date of the Budget Workshop from June 2nd to June 1st, 2010.

Seconded by Sally Buchanan

Motion passed unanimously

17. PRESENTATION, DISCUSSION AND DISTRIBUTION OF FINANCIAL STATEMENTS FOR THE PERIOD ENDING MARCH 31, 2010

There being no action taken on this item, Mr. Oehlke called for Agenda Item 18.

18. DISCUSSION AND APPROPRIATE ACTION REGARDING ORDINANCE O-1334 APPROVING AMENDMENT NO. 41 TO SEWAGE TRANSPORTATION, TREATMENT AND DISPOSAL CONTRACTS ESTABLISHING RATES/FEEES FOR THE SALATRILLO CREEK WHOLESALE WASTEWATER SYSTEM FOR FISCAL YEAR 2010/11

Staff recommended a motion that Ordinance No. O-1334 be passed and approved.

Motion made by A.D. Kollodziej, Jr.

Seconded by Thomas G. Weaver

Motion passed unanimously

19. DISCUSSION AND APPROPRIATE ACTION REGARDING ORDINANCE O-1335 ESTABLISHING RATES/FEEES FOR THE SALATRILLO CREEK RETAIL WASTEWATER SYSTEM FOR FISCAL YEAR 2010/11

Staff recommended a motion that Ordinance O-1335 be passed and approved.

Motion made by H.B. Ruckman III

Seconded by Sally Buchanan

Motion passed unanimously

20. DISCUSSION AND APPROPRIATE ACTION REGARDING ORDINANCE O-1336 ESTABLISHING A CHARGE FOR RECLAIMED WATER AT THE SALATRILLO WASTEWATER TREATMENT PLANT

Staff recommended a motion that Ordinance No. O-1336 be passed and approved.

Motion made by Sally Buchanan

Seconded by Názirite Rubén Pérez

Motion passed unanimously

21. DISCUSSION AND APPROPRIATE ACTION REGARDING ORDINANCE O-1337 ESTABLISHING RATES/FEEES FOR THE SAN ANTONIO RIVER AUTHORITY WATER SYSTEM FOR FISCAL YEAR 2010/11

Staff recommended a motion that Ordinance No. O-1337 be passed and approved.

Motion made by Sally Buchanan

Seconded by H.B. Ruckman III

Motion passed unanimously

22. DISCUSSION AND APPROPRIATE ACTION REGARDING ORDINANCE O-1338 ESTABLISHING RATES/FEEES FOR THE SAN ANTONIO RIVER AUTHORITY WASTEWATER SYSTEM FOR FISCAL YEAR 2010/11

Staff recommended a motion that Ordinance O-1338 be passed and approved.

Motion made by Thomas G. Weaver

Seconded by Sally Buchanan

Motion passed unanimously

23. PRESENTATION, DISCUSSION AND APPROPRIATE ACTION REGARDING RESOLUTION NO. R-1401 AUTHORIZING THE EXECUTION OF INTERLOCAL AGREEMENTS WITH UNIVERSAL CITY AND THE ALAMO COMMUNITY COLLEGE DISTRICT FOR REUSE WATER FROM THE SALATRILLO WASTEWATER TREATMENT PLANT

Staff recommended a motion that Resolution R-1401 be passed and approved.

Motion made by Adair R. Sutherland

Seconded by John J. Flieller

Motion passed unanimously

24. EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 FOR CONSULTATION WITH ATTORNEY FOR A BRIEFING ON PENDING OR CONTEMPLATED LITIGATION UNDER THE ENDANGERED SPECIES ACT REGARDING AN ALLEGED TAKE OF WHOOPING CRANES

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 4:02 p.m. for consultation with attorney for a briefing on pending or contemplated litigation under The Endangered Species Act regarding an alleged take of Whooping Cranes. The Executive Session having concluded, the Regular Meeting of the Board of Directors resumed into Open Session at 5:06 p.m.

25. PRESENTATION, DISCUSSION AND APPROPRIATE ACTION ON PENDING OR CONTEMPLATED LITIGATION UNDER THE ENDANGERED SPECIES ACT REGARDING AN ALLEGED TAKE OF WHOOPING CRANES

Staff recommended a motion that the San Antonio River Authority intervene in the Whooping Crane lawsuit filed by The Aransas Project.

Motion made by Michael W. Lackey, P.E.

Seconded by Thomas G. Weaver

Motion approved unanimously

26. UPDATE ON THE MEMORANDUM OF UNDERSTANDING WITH THE CITY OF SAN ANTONIO AND DEVELOPMENT OF THE MASTER PLAN FOR MIDTOWN

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

27. STATUS REPORT ON THE SAN ANTONIO RIVER IMPROVEMENTS PROJECT

There being no action taken on this item, Mr. Oehlke called for Agenda Item 28.

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

There being no action taken on this item, Mr. Oehlke called for Agenda Item 30.

30. NEXT MEETING DATE

Mr. Oehlke announced that the next Regular meeting of the Board of Directors will be Wednesday, June 16, 2010, at 2:00 p.m. and a Special Budget Workshop will be held on June 1, 2010, at 12 noon.

31. ADJOURN

There being nothing further to report, Ms. Sutherland moved to adjourn, and therefore, Mr. Oehlke called the meeting adjourned at 5:16 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 MEETING HELD ON JUNE 16, 2010.

GAYLON J. OEHLKE, Board Chairman

ATTEST:

ROBERTO RODRÍGUEZ, Board Secretary