

MINUTES

REGULAR MEETING OF THE BOARD OF DIRECTORS

SAN ANTONIO RIVER AUTHORITY

June 16, 2010, 2:00 p.m.



**GENERAL AND CEREMONIAL ITEMS:**

1. **CALL TO ORDER WAS MADE BY THE CHAIRMAN, MR. GAYLON J. OEHLKE, AT 2:00 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.
- Hector R. Morales
- Názirite Rubén Pérez
- Roberto G. Rodríguez
- Thomas G. Weaver

**GOLIAD COUNTY:**

- Terry E. Baiamonte (2:22 p.m. arrival)
- Adair R. Sutherland

**KARNES COUNTY:**

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

**WILSON COUNTY:**

- John J. Flieller
- A.D. Kollodziej, Jr. (absent)

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 service pins to William Garcia for his 30 years of service, Cynthia Hernandez for her 10 years of service and Daniel Euresti for his 5 years of service.

**8. THE SAN ANTONIO RIVER AUTHORITY EMPLOYEE VOLUNTEER OF THE YEAR AWARD**

This item was postponed until the next Board meeting.

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

- Operations Committee: a short briefing was given by Committee Chairman Ruckman regarding the last meeting held on June 7, 2010.

***CONSENT AGENDA ITEMS:***

**10. APPROVAL OF THE MINUTES OF THE BOARD OF DIRECTORS' SPECIAL BUDGET WORKSHOP HELD ON JUNE 1, 2010 AND REGULAR MEETING HELD ON MAY 19, 2010**

**11. RESOLUTION NO. R-1404 EXPRESSING OFFICIAL INTENT TO REIMBURSE, WITH TAX-EXEMPT OBLIGATION PROCEEDS, COSTS OF THE SALATRILLO REUSE PROJECT LOCATED IN BEXAR COUNTY, TEXAS**

**12. RESOLUTION NO. R-1405 EXPRESSING OFFICIAL INTENT TO REIMBURSE, WITH TAX-EXEMPT OBLIGATION PROCEEDS, COSTS OF THE ALAMO COMMUNITY COLLEGE DISTRICT (ACCD) FIRST RESPONDER WASTEWATER TREATMENT PLANT (WWTP) PROJECT LOCATED IN BEXAR COUNTY, TEXAS**

Attachment: [Resolution No. R-1405](#)

**13. RESOLUTION NO. R-1406 EXPRESSING OFFICIAL INTENT TO REIMBURSE, WITH TAX-EXEMPT OBLIGATION PROCEEDS, COSTS OF THE MARTINEZ II EXPANSION PROJECT LOCATED IN BEXAR COUNTY, TEXAS**

Attachment: [Resolution No. R-1406](#)

14. **RESOLUTION NO. R-1407 AUTHORIZING THE GENERAL MANAGER TO CONVEY A 0.118 ACRE TRACT OF LAND TO THE CITY OF SAN ANTONIO FOR THE EXPANSION OF JONES MALTSBERGER ROAD IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS**

Attachment: [Resolution No. R-1407](#)

15. **APPROVAL OF THE BID FOR GLOBAL POSITIONING SYSTEM (GPS) EQUIPMENT FOR THE ENGINEERING DEPARTMENT**
16. **APPROVAL OF THE AMENDMENT TO THE PROJECT COOPERATION AGREEMENT WITH THE UNITED STATES ARMY CORPS OF ENGINEERS**

After staff's request for Agenda Item 11 to be pulled for discussion and Mr. Rodríguez's request for Agenda Item 16 to be pulled for discussion, Mr. Oehlke called for a motion that Agenda Items 10, 12, 13, 14 and 15, presented on the consent agenda, be passed and approved collectively.

Motion made by H.B. Ruckman III  
Seconded by Thomas G. Weaver  
Motion passed unanimously

***INDIVIDUAL AGENDA ITEMS:***

11. **RESOLUTION NO. R-1404 EXPRESSING OFFICIAL INTENT TO REIMBURSE, WITH TAX-EXEMPT OBLIGATION PROCEEDS, COSTS OF THE SALATRILLO REUSE PROJECT LOCATED IN BEXAR COUNTY, TEXAS**

Staff recommended a motion that Resolution No. R-1404 be passed and approved.

Motion made by Sally Buchanan  
Seconded by H.B. Ruckman III  
Motion passed unanimously

Attachment: [Resolution R-1404](#)

16. **APPROVAL OF THE AMENDMENT TO THE PROJECT COOPERATION AGREEMENT WITH THE UNITED STATES ARMY CORPS OF ENGINEERS**

Having answered Mr. Rodriguez' question, staff recommended a motion authorizing the General Manager to proceed with execution of the Amendment to the Project Cooperation Agreement with the United States Army Corps of Engineers on the Mission Reach Ecosystem Restoration and Recreation Project.

Motion made by Roberto G. Rodríguez  
Seconded by Sally Buchanan  
Motion passed unanimously

**17. PRESENTATION, DISCUSSION AND APPROPRIATE ACTION REGARDING THE ADOPTION OF FISCAL YEAR 2010/11 BUDGET AND THE FIVE YEAR SERVICE AND FINANCIAL PLAN**

Staff recommended a motion approving the fiscal year 2010/11 Annual Budget based on the expenditures and revenue projections calculated on the proposed tax rate of 0.016652, as presented. The tax rate is to be approved in September, 2010, pursuant to public notice and public hearing and acceptance of the 5-yr service and financial plan for the fiscal year 2011-2015.

Mr. Rodriguez went on record to say, "This money, when we first went to the previous General Manager, this was in the 2002/2003 budget and we had no committees and we kept going back and forth. So this money was just moving from year to year. So, this is not new money that had been approved but, rather, money that had been coming down from the previous years. Now this other new \$540,000, that's a new figure right?" GM answered yes and gave a brief explanation.

Regarding the West Side Creeks project, Mr. Rodriguez went on to say, "It would behoove the US Army Corps of Engineers to be apart of this process because they came in and channelized those creeks, and I believe at that time was just to dig them out and forget about the ecosystem. So, now, it seems that the concept is changing and also because of the huge environmental impact that is going to impact four or five states with that oil spill but I'm glad that the River Authority staff is actively pursuing this and it makes me very happy that we're going forward with this project because it's been long overdue. So, I am elated and happy that my colleague, Mr. Lackey, brought this up but I hope we can continue forward with this project and that it not be cut from the budget as it had been alleged to me that it would. This is a very important project and I want to make a statement further in the record from Victor Hugo and I learned this from one of my older brothers who had landed in Normandy but he said, 'No nation or Army can withstand the strength of an idea whose time has come.' The projects of the Westside, the time has come to do these projects. So, if the Board feels that this project is not warranted then watch out with Victor Hugo."

Motion made by Thomas G. Weaver

Seconded by John J. Flieller

Mr. Oehlke then asked for a show of hands. All Board members present having raised their hands, the motion passed unanimously.

**18. PRESENTATION, DISCUSSION, AND APPROPRIATE ACTION REGARDING 2010/11 PROGRAMS AND PROJECTS**

Mr. Rodriguez went on record to state that "this past week, I received a very uncomfortable phone call that if I did not support the tax rate, that the funding for the Westside Creeks would be cut-off. Now that's a very serious threat and I'm beginning now to believe where it came from. It came from Mr. Weaver. So, this is serious business. We're talking about an area that historically has been neglected. Recall the Corps came in here in 1954 and they mapped out and told the City and the County, 'We're going to have to channelize the river,' and then they said, 'and the four creeks on the Westside,' and mentioned them by name: the Alazan, Apache, Martinez and San Pedro. They didn't mention the Cibolo and the Salado. They didn't mention the Leon Creek. They mentioned these four creeks byname and it's in the record and I submit that for the record. "

Mr. Rodriguez commented further that "the only reason I was against the tax hike was because

the people that attacked me when I ran for re-election two and half years ago, accused *me* that I had voted to raise the taxes and it was not true. The minutes reflected that. So, that died down but there comes a time that we need to raise the taxes. We have some very good projects. I saw some of the projects there and they need to continue to go forward but I don't think that cutting back, delaying the Westside Creeks for another year, after we've been waiting for forty-five years is the solution to this budget. Thank you."

Mr. Weaver then recommended a motion to delay, for one year, the funding for the Westside Creeks proportion that goes to contracts, \$465,000, and that the money, instead, for the upcoming one year period, be spent on projects such as Flood Warning and Flood Alert, Flood Debris Removal and Tributary Modeling Effort and Historic Flood Event Imagery and, in that interim time, the residual monies that stay in the Westside Creeks project be used to advance the project and that the Board look at the project again next year to see how it ranks.

Motion made by Thomas G. Weaver

Seconded by John J. Flieller

At the request of Mr. Rodríguez, Mr. Oehlke then asked for a show of hands in favor or against. The motion failed by a vote of two to eight with one Board member abstaining.

At the request of staff needing to catch a flight, Mr. Oehlke called for Agenda Item 20.

**20. PRESENTATION AND DISCUSSION REGARDING THE 2010 CLEAN RIVERS PROGRAM BASIN HIGHLIGHTS REPORT**

There being no action taken on this item, Mr. Oehlke returned to Agenda Item 19.

**19. PRESENTATION AND DISCUSSION REGARDING DEPRESSED DISSOLVED OXYGEN VERIFICATION FOR THE LOWER LEON CREEK SEGMENT 1906 ASSESSMENT UNITS 1906\_02, 1906\_04, AND 1906\_05**

There being no action taken on this item and having already addressed Agenda Item 20, Mr. Oehlke returned to the regular order of business and called for Agenda Item 21.

**21. PRESENTATION, DISCUSSION AND APPROPRIATE ACTION REGARDING RESOLUTION NO. R-1403 AUTHORIZING THE GENERAL MANAGER TO REVIEW BIDS, NEGOTIATE, AWARD AND EXECUTE A CONTRACT FOR THE MEDINA DAM UPGRADES PROJECT IN AN AMOUNT NOT TO EXCEED THE BUDGETED AMOUNT OF \$9,093,766.89 AND AUTHORIZING THE GENERAL MANAGER OR HER DESIGNEE TO AMEND THE CONTRACT IF FIELD CHANGES ARE REQUIRED**

Mr. Lackey recommended a motion that staff proceed with this item allowing the General Manager to sign the contract should it come in underneath the budgeted amount and with the stipulation that if the contracted amount is higher than budgeted, the Board will meet again to discuss before moving forward.

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

Seconded by Sally Buchanan

Motion passed unanimously

Attachment: [Resolution R-1403](#)

**22. PRESENTATION, DISCUSSION AND APPROPRIATE ACTION REGARDING AN INTERLOCAL AGREEMENT WITH THE UNIVERSITY OF TEXAS AT SAN ANTONIO (UTSA) TO PROVIDE ARCHAEOLOGICAL MONITORING OF THE MISSION REACH PROJECT**

Staff recommended a motion of the Board of Directors authorizing the General Manager to negotiate and execute the Interlocal Agreement for Archaeological Monitoring Services between the San Antonio River Authority and the University of Texas at San Antonio.

Motion made by Sally Buchanan

Seconded by Roberto G. Rodríguez

Motion passed unanimously

Mr. Rodriguez requested to submit, for the record, an article regarding the relics of the Battle of Conception 100 years ago. He went on to request that staff research the Native American Graves Protection and Repatriation Act, known as NAGPRA law, saying, "This is the law that protects all the Native American graves, artifacts, anything that is found. There's a permit that we're supposed to have to be able to be doing that. I just hope that we find it because you could have problems down the road, not from me, but some people would be very concerned and I'm speaking on behalf of myself."

Attachment: [Relic Article](#)

**23. PRESENTATION, DISCUSSION, APPROPRIATE ACTION REGARDING A DESIGN BUILD CONSTRUCTION CONTRACT FOR THE MISSION REACH ECOSYSTEM PROJECT - PACKAGE 3**

Staff announced that there would not be any action or recommendation at this time until final deliberations with the contractor can be made in the upcoming weeks.

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 4:35 p.m. for consultation with the Attorney concerning the details, legal advice, claims and potential claims that may be involved regarding the contract for the Mission Reach Ecosystem Project - Package 3. The Executive Session having concluded, the Regular Meeting of the Board of Directors resumed into Open Session at 5:10 p.m.

Mr. Weaver recommended a motion that the staff proceed with their current procedures, looking toward a special meeting before June 29 with a proviso that if, for any reason, the staff runs into problems where they are not comfortable with making a recommendation, then we hold a July meeting.

Motion made by Thomas G. Weaver

Seconded by Sally Buchanan

Motion passed unanimously

**24. PRESENTATION AND DISCUSSION REGARDING DRAFT SAN ANTONIO RIVER, SALADO CREEK AND WALZEM CREEK IMPLEMENTATION PROJECT BEST MANAGEMENT PRACTICE REPORT**

There being no action taken on this item, Mr. Oehlke called for Agenda Item 25.

**25. PRESENTATION, DISCUSSION, AND APPROPRIATE ACTION REGARDING THE SAN ANTONIO RIVER AUTHORITY'S FEDERAL LEGISLATIVE AGENDA FOR THE 111th SESSION OF CONGRESS, 2nd SESSION, AND UPDATE ON STATE LEGISLATIVE ISSUES**

Due to time constraints, Mr. Oehlke announced that this item would be tabled and placed on the next meeting's agenda and then called for Agenda Item 26.

**26. EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 FOR CONSULTATION WITH ATTORNEY REGARDING *THE ARANSAS PROJECT V. SHAW, ET. AL.*, CIVIL ACTION NO. 10-75 IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS – CORPUS CHRISTI DIVISION**

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 5:29 p.m. for consultation with attorney regarding *The Aransas Project v. Shaw, Et. Al.*, Civil Action No. 10-75 in the United States District Court for the Southern District of Texas - Corpus Christi Division. The Executive Session having concluded, the Regular Meeting of the Board of Directors resumed into Open Session at 5:41 p.m.

**27. PRESENTATION, DISCUSSION AND APPROPRIATE ACTION REGARDING *THE ARANSAS PROJECT V. SHAW, ET. AL.*, CIVIL ACTION NO. 10-75 IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS – CORPUS CHRISTI DIVISION**

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

**28. DISCUSSION AND APPROPRIATE ACTION REGARDING A JULY BOARD MEETING RECESS AND ESTABLISHING THE NEXT MEETING DATE**

Staff recommended a motion that the July 2010 Regular Meeting of the San Antonio River Authority Board of Directors be canceled, dependent upon urgent business, and that Regular Meetings resume on August 18, 2010.

Motion made by Sally Buchanan  
Seconded by Adair R. Sutherland  
Motion passed unanimously

**29. STATUS REPORT ON THE SAN ANTONIO RIVER IMPROVEMENTS PROJECT**

Having already discussed these issues with Agenda Item 23, Mr. Oehlke called for Agenda Item 30.

**30. GENERAL MANAGER'S REPORT CONCERNING THE FOLLOWING:**

- **REVIEW OF QUARTERLY PERSONNEL REPORT**
- **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 31.

**31. ITEMS FOR FUTURE CONSIDERATION**

Mr. Oehlke reminded the Board and staff that the legislative item would be discussed on a future agenda.

**32. ADJOURN**

There being nothing further to report, Ms. Sutherland moved to adjourn, and therefore, Mr. Oehlke called the meeting adjourned at 5:52 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 AUGUST 18, 2010.**

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**GAYLON J. OEHLKE, Board Chairman**

**ATTEST:**

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**ROBERTO G. RODRÍGUEZ, Board Secretary**

RESOLUTION NO. R- 1405

A RESOLUTION EXPRESSING OFFICIAL INTENT TO REIMBURSE THE COSTS OF THE ALAMO COMMUNITY COLLEGE DISTRICT FIRST RESPONDER WASTEWATER TREATMENT PLANT PROJECT LOCATED IN BEXAR COUNTY, TEXAS WITH TAX-EXEMPT OBLIGATION PROCEEDS

WHEREAS, the San Antonio River Authority (SARA) has entered into a contract with the Alamo Community College District (ACCD), pursuant to which SARA can design and construct the ACCD First Responder Wastewater Treatment Plant project (Project) to be located in Bexar County Texas ; and

WHEREAS, SARA expects that it will pay expenditures in connection with the design and construction of the Project prior to issuing bonds or other obligations to finance the Project; and

WHEREAS, SARA finds, considers, and declares that the reimbursement of SARA for the payment of such expenditures will be appropriate and consistent with the lawful objectives of SARA and, as such, chooses to declare its intention, in accordance with the provisions of Section 1.150-2 of the Treasury Regulations, to reimburse itself for such payments at such time as it issues obligations to finance the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SAN ANTONIO RIVER AUTHORITY THAT:

1. EXPECTATION TO INCUR DEBT. SARA reasonably expects to incur debt, as one series of obligations, with an aggregate maximum principal amount currently estimated to be approximately \$980,000, for the purpose of paying the costs of the Project.
2. REIMBURSEMENT OF PRIOR EXPENDITURES. All costs to be reimbursed pursuant hereto will be capital expenditures within the meaning of Section 1.150-2 of the Treasury Regulations. No tax-exempt obligations will be issued by SARA in furtherance of this Resolution after a date which is later than 18 months after the later of (1) the date the expenditures are paid or (2) the date on which the property, with respect to which such expenditures were made, is placed in service.
3. THREE-YEAR LIMITATION FOR REIMBURSEMENT. The foregoing notwithstanding, no tax-exempt obligation will be issued pursuant to this Resolution more than three years after the date any expenditure that is to be reimbursed is paid.



RESOLUTION NO. R- 1406

A RESOLUTION EXPRESSING OFFICIAL INTENT TO REIMBURSE THE COSTS OF THE MARTINEZ II WASTEWATER TREATMENT PLANT EXPANSION PROJECT LOCATED IN BEXAR COUNTY, TEXAS WITH TAX-EXEMPT OBLIGATION PROCEEDS

WHEREAS, the San Antonio River Authority (SARA) owns and operates several wastewater treatment plants and will be expanding its operation; and

WHEREAS, SARA expects that it will pay expenditures in connection with the design and construction of the Martinez II Wastewater Treatment Plant Expansion project (Project) located in Bexar County, Texas, prior to issuing bonds or other obligations to finance the Project; and

WHEREAS, SARA finds, considers, and declares that the reimbursement of SARA for the payment of such expenditures will be appropriate and consistent with the lawful objectives of SARA and, as such, chooses to declare its intention, in accordance with the provisions of Section 1.150-2 of the Treasury Regulations, to reimburse itself for such payments at such time as it issues obligations to finance the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SAN ANTONIO RIVER AUTHORITY THAT:

1. EXPECTATION TO INCUR DEBT. SARA reasonably expects to incur debt, as one series of obligations, with an aggregate maximum principal amount currently estimated to be approximately \$10,000,000, for the purpose of paying the costs of the Project.
2. REIMBURSEMENT OF PRIOR EXPENDITURES. All costs to be reimbursed pursuant hereto will be capital expenditures within the meaning of Section 1.150-2 of the Treasury Regulations. No tax-exempt obligations will be issued by SARA in furtherance of this Resolution after a date which is later than 18 months after the later of (1) the date the expenditures are paid or (2) the date on which the property, with respect to which such expenditures were made, is placed in service.
3. THREE-YEAR LIMITATION FOR REIMBURSEMENT. The foregoing notwithstanding, no tax-exempt obligation will be issued pursuant to this Resolution more than three years after the date any expenditure that is to be reimbursed is paid.

4. PUBLIC RECORD. The Board of Directors directs that this Resolution shall be maintained as a public record available for inspection by all persons in accordance with the provisions of Chapter 552, Texas Government Code, and that no later than 30 days after this date, this Resolution will be made available for inspection by all members of the general public at the offices of SARA.

PASSED AND APPROVED this the 16<sup>th</sup> day of June 2010.

  
GAYLON J. DEHLKE, Chairman

ATTEST:

  
ROBERTO G. RODRIGUEZ, Secretary

CERTIFICATE OF SECRETARY

SAN ANTONIO RIVER AUTHORITY     §  
  §  
San Antonio, Bexar County, Texas     §

I hereby certify the above and foregoing to be a duplicate original of Resolution No. R-1406 of the Board of Directors of the SAN ANTONIO RIVER AUTHORITY as passed and approved by the members of said Board at a regular meeting of the Board of Directors of said AUTHORITY held on June 16, 2010 in San Antonio, Bexar County, Texas, at which a quorum was present, as shown by the Minutes of said meeting.

IN TESTIMONY WHEREOF, witness my hand and the official seal of the SAN ANTONIO RIVER AUTHORITY on this the 16<sup>th</sup> day of June, A. D., 2010 in San Antonio, Bexar County, Texas.

  
ROBERTO G. RODRIGUEZ, Secretary

RESOLUTION NO. R-1407

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN ANTONIO RIVER AUTHORITY REGARDING THE AUTHORIZATION OF THE GENERAL MANAGER TO CONVEY A 0.118 ACRE TRACT OF LAND TO THE CITY OF SAN ANTONIO FOR THE EXPANSION OF JONES MALTSBERGER ROAD IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS

WHEREAS, The San Antonio River Authority acquired this property in 1989 for the purpose of constructing Salado 10 Dam, now known as Mud Creek Dam; and

WHEREAS, The City of San Antonio is proceeding with its plan to expand Jones Maltzberger Road from Redland Road to Thousand Oaks; and

WHEREAS, The City of San Antonio, has requested that the San Antonio River Authority grant a fee-simple conveyance of a thirty-foot strip of land to accommodate the expansion of Jones Maltzberger Road.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE RIVER AUTHORITY THAT:

It authorizes the General Manager to execute a fee-simple conveyance between the San Antonio River Authority and the City of San Antonio for the expansion of Jones Maltzberger Road in the City of San Antonio, Bexar County, Texas.

PASSED AND APPROVED this the 16<sup>th</sup> day of June, 2010.

  
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GAYLON J. OEHLKE, Board Chairman

ATTEST:

  
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ROBERTO G. RODRÍGUEZ, Board Secretary

**CERTIFICATE OF SECRETARY**

SAN ANTONIO RIVER AUTHORITY           §  
   §  
SAN ANTONIO, BEXAR COUNTY, TEXAS   §

I hereby certify the above and foregoing to be a duplicate original of Resolution No. R-1407 of the Board of Directors of the SAN ANTONIO RIVER AUTHORITY as passed and approved by the members of said Board at a regular meeting of the Board of Directors of said AUTHORITY held on June 16, 2010 in San Antonio, Bexar County, Texas, at which a quorum was present, as shown by the Minutes of said meeting.

IN TESTIMONY WHEREOF, witness my hand and the official seal of the SAN ANTONIO RIVER AUTHORITY on this the 16th day of June, A. D., 2010 in San Antonio, Bexar County, Texas.

  
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ROBERTO G. RODRIGUEZ, Board Secretary

RESOLUTION NO. R- 1404

A RESOLUTION EXPRESSING OFFICIAL INTENT TO REIMBURSE THE COSTS OF THE SALATRILLO REUSE PROJECT LOCATED IN BEXAR COUNTY, TEXAS WITH TAX-EXEMPT OBLIGATION PROCEEDS

WHEREAS, the San Antonio River Authority (SARA) has entered into a contract with the Alamo Community College District (ACCD) and the City of Universal City (City), pursuant to which SARA can design and construct the Salatrillo Reuse project (Project) to be located in Bexar County Texas ; and

WHEREAS, SARA expects that it will pay expenditures in connection with the design and construction of the Project prior to issuing bonds or other obligations to finance the Project; and

WHEREAS, SARA finds, considers, and declares that the reimbursement of SARA for the payment of such expenditures will be appropriate and consistent with the lawful objectives of SARA and, as such, chooses to declare its intention, in accordance with the provisions of Section 1.150-2 of the Treasury Regulations, to reimburse itself for such payments at such time as it issues obligations to finance the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SAN ANTONIO RIVER AUTHORITY THAT:

1. EXPECTATION TO INCUR DEBT. SARA reasonably expects to incur debt, as one series of obligations, with an aggregate maximum principal amount currently estimated to be approximately \$4,600,000, for the purpose of paying the costs of the Project.
2. REIMBURSEMENT OF PRIOR EXPENDITURES. All costs to be reimbursed pursuant hereto will be capital expenditures within the meaning of Section 1.150-2 of the Treasury Regulations. No tax-exempt obligations will be issued by SARA in furtherance of this Resolution after a date which is later than 18 months after the later of (1) the date the expenditures are paid or (2) the date on which the property, with respect to which such expenditures were made, is placed in service.
3. THREE-YEAR LIMITATION FOR REIMBURSEMENT. The foregoing notwithstanding, no tax-exempt obligation will be issued pursuant to this Resolution more than three years after the date any expenditure that is to be reimbursed is paid.



RESOLUTION NO. R-1403

RESOLUTION OF THE SAN ANTONIO RIVER AUTHORITY BOARD OF DIRECTORS AUTHORIZING THE GENERAL MANAGER TO REVIEW BIDS, NEGOTIATE, AWARD AND EXECUTE A CONTRACT FOR THE MEDINA DAM UPGRADES PROJECT IN AN AMOUNT NOT TO EXCEED THE BUDGETED AMOUNT OF \$9,093,766.89 AND AUTHORIZING THE GENERAL MANAGER OR HER DESIGNEE TO AMEND THE CONTRACT IF FIELD CHANGES ARE REQUIRED

Preamble

WHEREAS, Bexar-Medina-Atascosa Counties Water Control and Improvement District No.1 (BMA), plans to install tension anchors and erosion protection on it's Medina Dam Upgrades (PROJECT) to comply with federal and state regulatory requirements relating to dam safety; and

WHEREAS, BMA and Bexar County have funds available, and the State of Texas, acting by and through its Texas Water Development Board (TWDB), have authorized the commitment of grant funds to pay a portion of the estimated cost of the PROJECT; and

WHEREAS, the PARTIES have agreed to cooperate in the management, funding, and construction of the PROJECT.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SAN ANTONIO RIVER AUTHORITY THAT:

The General Manager is hereby authorized to review bids, negotiate, award and execute a contract for the Medina Dam Upgrades project in an amount not to exceed the budgeted amount of \$9,093,766.89 and to also authorize the General Manager or her designee to amend the contract if field changes are required.

PASSED AND APPROVED this the 16<sup>th</sup> day of June 2010.

  
\_\_\_\_\_  
GAYLON J. OEHLKE, Chairman

ATTEST:


  
\_\_\_\_\_  
ROBERTO G. RODRIGUEZ, Secretary

**CERTIFICATE OF SECRETARY**

SAN ANTONIO RIVER AUTHORITY     §  
  §  
San Antonio, Bexar County, Texas     §

I hereby certify the above and foregoing to be a duplicate original of Resolution No. R-1403 of the Board of Directors of the SAN ANTONIO RIVER AUTHORITY as passed and approved by the members of said Board at a regular meeting of the Board of Directors of said AUTHORITY held on June 16<sup>th</sup>, 2010 in San Antonio, Bexar County, Texas, at which a quorum was present, as shown by the Minutes of said meeting.

IN TESTIMONY WHEREOF, witness my hand and the official seal of the SAN ANTONIO RIVER AUTHORITY on this the June 16<sup>th</sup>, 2010, A. D., in San Antonio, Bexar County, Texas.

  
ROBERTO G. RODRÍGUEZ, Secretary

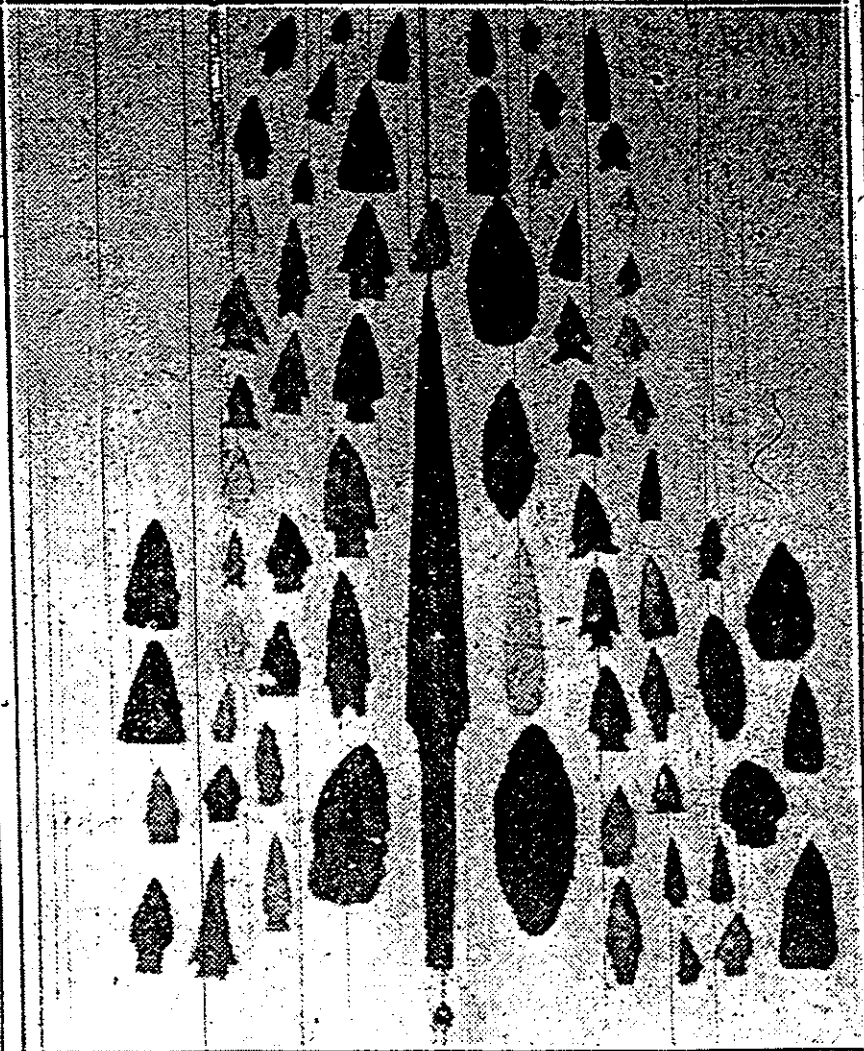
Fries Digs Up Relics of Battle of Concepcion 100 Years Ago



Arrowheads and flintlocks formed an important part in the early battles around San Antonio to blaze the way to civilization and Texas independence. One is a relic of the old Indian raids and the other represents the weapon of defense used by the early settlers against the savage redskins and also in the conflict to establish Texas as a free and independent republic. These relics have been dug up around San Antonio where they had been imbedded in the soil since the day that they had seen service.

In the accompanying picture is seen Walter Fries, son of the late John Fries, pioneer architect, who designed some of the early structures in San Antonio, including the old St. John Lutheran Church in 1856, the old Market Hall of Grecian style in 1858 and the old First Presbyterian Church, corner of West Houston and North Flores Streets. Walter Fries is here shown holding a couple of flintlocks, which he dug up out of the ground in Concepcion Park about 10 years ago while he was operating a city steam roller.

That was on the site of the Battle of Concepcion, the 110th



anniversary of which was commemorated here by the Alamo Chapter of the Daughters of the Republic of Texas last Monday as the initial feature of the Texas Centennial celebration.

Fries removed the dirt and rust from the old flintlocks as best he could so that their design is still visible. At the time he came on the old flintlocks they were almost intact with the stock, but this had been so rotted by the ravages of time that when he tried to take it up it crumbled into dust.

He picked up the arrowheads in that section and in other parts around San Antonio and has added these to his collection of fire arms, some of which date back to the American Revolution.