

MINUTES

MEETING OF THE BOARD OF DIRECTORS' OPERATIONS COMMITTEE AND SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE SAN ANTONIO RIVER AUTHORITY



SAN ANTONIO RIVER AUTHORITY

April 6, 2009, 2:00 p.m.

GENERAL AND CEREMONIAL ITEMS:

1. **CALL TO ORDER WAS MADE BY THE COMMITTEE CHAIRMAN, MR. RUCKMAN AT 2:15 PM**
2. **PLEDGE OF ALLEGIANCE WAS CONDUCTED**
3. **ROLL CALL WAS TAKEN BY THE SECRETARY, MS. ADAIR SUTHERLAND**

**Board members present for this meeting are indicated with a checked box:*

- John J. Flieller**
- Hector R. Morales**
- Názirite Rubén Pérez**
- H.B. Ruckman III**
- Adair R. Sutherland**
- Thomas G. Weaver**

4. **CERTIFICATION OF A QUORUM WAS MADE BY THE ASSISTANT SECRETARY, MR. GRAHAM**

Staff members present were:

Suzanne B. Scott, General Manager
Steve Graham, Assistant General Manager
Steve Raabe, Director of Technical Services
Larry Anderson, Director of Support Services
John Chisholm, Director of Operations
Susan Eason, Internal Resources Director
Sharon McCoy-Huber, Financial Services Manager
Jim Boenig, Engineering Manager
Dale Bransford, Park Services Manager
Steven Schauer, Manager of External Communications
Jim Blair, Watershed Operations Manager

Nefi Garza, Manager of Watershed Management
Russell Persyn, Engineer
Gail Clark, Finance Technician
Colleen Belmore, Finance Coordinator
Hector Villanueva, Real Estate Representative
Gary Heimer, Park Superintendent
Karen Bishop, Executive Services Supervisor
Lupe Moreno, Executive Assistant

Others present were:

David Ross, Legal Counsel

5. INTRODUCTION OF VISITORS

Ms. Moreno announced that there were none.

6. CITIZENS TO BE HEARD

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

7. APPROVAL OF THE MINUTES FOR THE OPERATIONS COMMITTEE MEETING HELD ON MARCH 9, 2009

Staff recommended a motion to approve the minutes of the Operations Committee meeting held on March 9, 2009 as presented to the Committee.

Motion made by Hector Morales
Second by Názirite Rubén Pérez
Motion was passed unanimously

8. MR. RUCKMAN RECESSED THE OPERATIONS COMMITTEE

SPECIAL MEETING CONVENED AT 2:17 PM

9. CALL TO ORDER OF SPECIAL MEETING OF THE BOARD OF DIRECTORS WAS MADE BY MR. WEAVER

10. SPECIAL MEETING ROLL CALL WAS TAKEN BY THE ASSISTANT SECRETARY, MR. GRAHAM

**Board members present for this meeting are indicated with a checked box:*

BEXAR COUNTY:

- Sally Buchanan
- Hector R. Morales
- Jeffrey S. Neathery

- Názirite Rubén Pérez
- Roberto G. Rodríguez
- Thomas G. Weaver

GOLIAD COUNTY:

- Terry E. Baiamonte
- Adair R. Sutherland

KARNES COUNTY:

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

WILSON COUNTY:

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

11. MR. GRAHAM ANNOUNCED THE CERTIFICATION OF A QUORUM

12. PRESENTATION, DISCUSSION AND APPROPRIATE ACTION REGARDING THE RIVER AUTHORITY'S RESPONSE TO THE CPS ENERGY REQUEST FOR PROPOSALS REGARDING OPERATION AND MANAGEMENT OF BRAUNIG AND CALAVERAS LAKE PARKS

Staff recommended that a letter of notification be sent to CPS Energy providing 120-day notice of lease termination, with August 12, 2009, as last day of SARA's operation of the lake parks. Mr. Kollodziej stated that each CPS Energy Board member should receive the letter.

Mr. Kollodziej moved that SARA's staff send CPSE staff a letter.

Seconded by Mr. Ruckman
Motion passed unanimously

Staff also recommended a motion to authorize a budget adjustment and transfer of funds estimated at \$43,000 for payment on previously approved employee retention program effective April 6, 2009.

Motion made by Gaylon Oehlke
Seconded by Jeff Neathery
Motion passed unanimously

13. EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE FOR CONSULTATION WITH ATTORNEY ON THE RIVER AUTHORITY'S RESPONSE TO THE CPS ENERGY REQUEST FOR PROPOSALS REGARDING OPERATION AND MANAGEMENT OF BRAUNIG AND CALAVERAS LAKE PARKS

By consensus, this item was pulled from the agenda. Mr. Weaver reiterated that the letter addressed to CPS Energy should be submitted by April 10th.

14. EXECUTIVE SESSION PURSUANT TO SECTION 551.074 OF THE TEXAS GOVERNMENT CODE FOR DELIBERATION CONCERNING PERSONNEL MATTERS INCLUDING THE ANNUAL EVALUATION OF THE GENERAL MANAGER

After appropriate disclosure in accordance with Chapter 551 of the Texas Government Code, the Open Meetings Act, Section 551.074, Mr. Weaver then recessed to meet in Executive Session at 2:54 pm with the full Board and attorney, David Ross, for deliberation concerning personnel matters including the annual evaluation of the General Manager. The Executive Session having concluded, the Special Meeting of the Board of Directors resumed into Open Session at 3:34 pm.

15. MR. WEARVER ADJOURNED THE SPECIAL MEETING OF THE BOARD OF DIRECTORS AT 3:35 PM

AT 3:35 P.M. THE OPERATIONS COMMITTEE WAS *RESUMED*

16. THE OPERATIONS COMMITTEE RECONVENED

As requested by the General Manager, Mr. Ruckman moved on to agenda item 25.

25. GENERAL MANAGER'S REPORT CONCERNING THE FOLLOWING:

- UPCOMING EVENTS CALENDAR,
- FUTURE BOARD AND/OR COMMITTEE MEETINGS,
- MEETINGS INVOLVING THE ATTENDANCE OF ONE OR MORE BOARD MEMBERS.

Ms. Scott passed out and discussed a list of the new employees in response to Mr. Kollodziej's request.

Ms. Scott discussed future due diligence action that will need to be scheduled in connection with a potential donation of land by Liz Branch.

17. PRESENTATION, DISCUSSION AND APPROPRIATE ACTION REGARDING AUTHORIZATION TO SUBMIT THE MAPPING ACTIVITY STATEMENT #4 TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY TO FUND THE DELEGATION OF THE TECHNICAL REVIEWS OF ALL LETTERS OF MAP REVISION AND CONDITIONAL LETTERS OF MAP REVISION IN THE SAN ANTONIO RIVER BASIN, BEXAR, WILSON, KARNES AND GOLIAD COUNTIES, TO THE SAN ANTONIO RIVER AUTHORITY

Staff recommended a motion indicating Operations Committee support for presenting to the San Antonio River Authority Board a recommendation to submit the Mapping Activity Statement #4 to the Federal Emergency Management Agency to fund the delegation of the technical reviews of all Letters of Map Revision and conditional Letters of Map Revision in the San Antonio River Basin, in Bexar, Wilson, Karnes and Goliad counties, to the San Antonio River Authority.

Motion made by Thomas G. Weaver

Second by Hector Morales

Motion was passed unanimously

18. PRESENTATION, DISCUSSION AND APPROPRIATE ACTION REGARDING THE AWARD OF A CONSTRUCTION CONTRACT FOR THE PARK AT CROFTON & CONSTANCE STREETS

Staff recommended a motion indicating Operations Committee support for San Antonio River Authority staff to proceed in seeking Board approval for the execution of a construction contract for the Crofton & Constance Park.

Motion made by Thomas G. Weaver

Second by John Flieller

Motion was passed unanimously

19. PRESENTATION, DISCUSSION AND APPROPRIATE ACTION REGARDING A REQUEST FOR AUTHORIZATION BY THE BOARD OF DIRECTORS OF THE SAN ANTONIO RIVER AUTHORITY DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF FEE SIMPLE TITLE TO AND PERMANENT AND TEMPORARY EASEMENTS ON CERTAIN PROPERTY WITHIN NEW CITY BLOCKS 10916, 10932, 10933, 11173, 11174, 11175 AND COUNTY BLOCKS 4002-1 AND 4002-2, IN BEXAR COUNTY, TEXAS TO CONSTRUCT, MODIFY, OPERATE, MAINTAIN AND REPAIR THE MISSION REACH OF THE SAN ANTONIO RIVER IMPROVEMENTS PROJECT MISSION REACH PHASE IV, 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 a recommendation to approve and authorize the acquisition of all land rights identified and required under the San Antonio River Improvements Project Mission Reach Phase IV.

Motion made by John Flieller

Second by Hector Morales

Motion was passed unanimously

20. PRESENTATION, DISCUSSION AND APPROPRIATE ACTION REGARDING THE AUTHORIZATION OF THE GENERAL MANAGER TO CONVEY AN EASEMENT TO CANYON REGIONAL WATER AUTHORITY ACROSS THE BED AND BANK OF CIBOLO CREEK SOUTH OF IH 10 IN BEXAR COUNTY, TEXAS

Staff recommended a motion indicating Operations Committee support for presenting to the San Antonio River Authority Board a recommendation to authorize the General Manager to convey a permanent easement to Canyon Regional Water Authority for the purpose of installing and maintaining a water pipeline across the bed and bank of Cibolo Creek in Bexar County, Texas.

Motion made by Thomas G. Weaver

Second by John Flieller

Motion passed unanimously

21. BRIEFING ON LAND RIGHTS ACQUISITION STATUS

There being no action taken on this item, Mr. Ruckman called for Agenda Item 22.

22. STATUS REPORT ON THE SAN ANTONIO RIVER IMPROVEMENTS PROJECT, INCLUDING A REPORT ON THE OPERATION & MAINTENANCE FOR MUSEUM REACH, URBAN SEGMENT

There being no action taken on this item, Mr. Ruckman called for Agenda Item 23.

23. BRIEFING ON WATER RESOURCES AND DEVELOPMENT ACTIVITIES

There being no action taken on this item, Mr. Ruckman called for Agenda Item 24.

24. ITEMS FOR FUTURE CONSIDERATION

No items were reported and therefore, Mr. Ruckman called for Agenda Item 26.

26. NEXT MEETING DATE

The next Operations Committee meeting will be held on May 11, 2009 at 2:00 p.m.

27. ADJOURN

There being nothing further to report, Ms. Sutherland moved to adjourn, and therefore, Mr. Ruckman called the meeting adjourned at 4:56 p.m.

PREPARED AND RECOMMENDED FOR BOARD APPROVAL BY THE MANAGER.

SUZANNE B. SCOTT, General Manager

**APPROVED BY THE BOARD OF DIRECTORS' OPERATIONS COMMITTEE AT
THE MEETING HELD ON MAY 11, 2009.**

H.B. RUCKMAN III, Committee Chairman

ATTEST:

STEPHEN T. GRAHAM, Assistant Secretary