

**BEXAR COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. TEN**

8601 MIDCROWN  
SAN ANTONIO, TEXAS 78239-2445

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**SPECIAL BOARD MEETING MINUTES  
DECEMBER 18, 2014**

I. CALL SPECIAL BOARD MEETING TO ORDER AND TAKE ATTENDANCE: The Special Board Meeting of December 18, 2014, was called to order at 7:00 p.m. by President of the Board, Mr. Mark Perry, at City Hall, Council Chambers, 8601 Midcrown Drive, Windcrest, Texas, for the purpose of considering the following agenda. The Board members present were Msrs. Perry, Fagin, Chevalier, Ms. Snead and Ms. Alexander. Also in attendance were Adam Telfer, General Manager, Trey Wilson, Attorney, Ruben Barrera, Attorney and Lyn Cruz, Office Manager.

II. TAKE ATTENDANCE TO CERTIFY THE PRESENCE OF A QUORUM. Quorum present.

Mr. Perry stated that Board would forego Executive Session at this time. The Board would advance to item V "Open Forum – Citizens to be heard".

III. EXECUTIVE / CLOSED SESSION. THE BOARD WILL HOLD A CLOSED MEETING AS AUTHORIZED BY SUBCHAPTER E, CHAPTER 551, TEXAS GOVERNMENT CODE, FOR THE FOLLOWING PURPOSES:

A. TO CONSULT WITH THE DISTRICT'S LEGAL COUNSEL IN A CLOSED SESSION, AS AUTHORIZED BY TEXAS GOVERNMENT CODE § 551.071(2), TO DISCUSS AND SEEK ADVICE OF ITS LEGAL COUNSEL UPON ONE OR MORE MATTER(S) IN WHICH THE DUTY OF THE ATTORNEY TO THE DISTRICT UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH CHAPTER 551, TEXAS GOVERNMENT CODE.

B. TO CONSULT WITH THE DISTRICT'S LEGAL COUNSEL IN A CLOSED SESSION, AS AUTHORIZED BY TEXAS GOVERNMENT CODE § 551.071(1) (A), TO DISCUSS AND SEEK ADVICE OF ITS LEGAL COUNSEL UPON CONTEMPLATED LITIGATION.

C. TO DELIBERATE AND /OR CONSULT WITH ITS ATTORNEYS REGARDING LEGAL ISSUES INVOLVING THE PURCHASE OR VALUE OF REAL PROPERTY LEGALLY DESCRIBED AS LOTS 1-4, BLOCK 1 AND LOTS 14-19, BLOCK 1 NEW CITY BLOCK 13758, BEXAR SUBDIVISION, CITY OF SAN ANTONIO, COUNTY OF BEXAR, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 2805 PAGE 25, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, AS AUTHORIZED BY TEXAS GOVERNMENT CODE § 551.072

AS REQUIRED BY TEXAS GOVERNMENT CODE § 551.102, THE FINAL ACTION, DECISION, OR VOTE ON A MATTER DELIBERATED IN A CLOSED MEETING WILL BE MADE IN AN OPEN MEETING.

IV. THE BOARD WILL RECONVENE IN AN OPEN MEETING

V. OPEN FORUM – CITIZENS TO BE HEARD – A TIME LIMIT OF 3 MINUTES PER INDIVIDUAL ADDRESSING THE BOARD WILL BE STRICTLY ENFORCED AND EACH PERSON DESIRING TO ADDRESS THE BOARD MUST REGISTER PRIOR TO THE MEETING BEING CALLED TO ORDER. A SIGN-IN SHEET WILL BE AVAILABLE AT THE MEETING LOCATION.

VI. POSSIBLE ACTION ITEMS. THE BOARD WILL DISCUSS, DELIBERATE, AND POSSIBLY TAKE ACTION ON THE FOLLOWING ITEMS. Mr. Chevalier requested that this item be tabled at this time. This was seconded by Ms. Alexander. The Board approved.


5 YES    0 ABSTAIN    0 NO

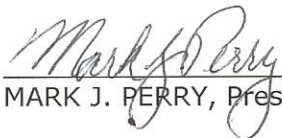
A. CONSIDERATION AND POSSIBLE APPROVAL OF A RESOLUTION DIRECTING THE GENERAL MANAGER AND THE DISTRICT'S LEGAL COUNSEL TO DEMAND RECISSION OF THE DISTRICT'S PRIOR CLOSING UPON THE PURCHASE OF THAT CERTAIN REAL PROPERTY LEGALLY DESCRIBED AS LOTS 1-4, BLOCK 1 AND LOTS 14-19, BLOCK 1, NEW CITY BLOCK 13758, BEXAR SUBDIVISION, CITY OF SAN ANTONIO, COUNTY OF BEXAR, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 2805 PAGE 25, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, AND TO ISSUE A DEMAND THAT THE SELLER OF SUCH REAL PROPERTY REFUND TO THE DISTRICT ALL MONIES PAID BY THE DISTRICT IN CONSIDERATION OF SUCH PURCHASE.

B. CONSIDERATION AND APPROVAL OF A RESOLUTION: (i) DETERMINING THAT IT IS IN THE DISTRICT'S BEST INTEREST TO PURCHASE REAL PROPERTY LEGALLY DESCRIBED AS LOTS 1-4, BLOCK 1 AND LOTS 14-19, BLOCK 1, NEW CITY BLOCK 13758, BEXAR SUBDIVISION, CITY OF SAN ANTONIO, COUNTY OF BEXAR, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 2805 PAGE 25, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS; (ii) AUTHORIZING THE ENTRY INTO A WRITTEN AGREEMENT FOR THE PURCHASE OF SUCH REAL PROPERTY; AND (iii) DELEGATING TO THE GENERAL MANAGER AUTHORITY TO NEGOTIATE AND EXECUTE ALL DOCUMENTS AND INSTRUMENTS NECESSARY, AND TAKE ALL ACTIONS, REQUIRED TO CONSUMMATE AND CLOSE UPON SUCH PURCHASE.

VII. NEW / OTHER BUSINESS BROUGHT BEFORE THE BOARD. DELIBERATION AND DECISION WILL BE TABLED UNTIL NEXT SCHEDULED BOARD MEETING. Mr. Adam Telfer submitted his resignation as General Manager of the District, effective January 16, 2015. Mr. Perry submitted his resignation as a member of the Board of Directors.

VIII. ADJOURN. The meeting was adjourned at 7:25 p.m.

  
EUGENIA SNEAD, Secretary

  
MARK J. PERRY, President

Date: 26 Jan 2015