

BEXAR COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. TEN

8601 MIDCROWN
SAN ANTONIO, TEXAS 78239-2445

REGULAR BOARD MEETING MINUTES
MARCH 16, 2017

- I. CALL REGULAR BOARD MEETING TO ORDER AND TAKE ATTENDANCE AND PLEDGE OF ALLEGIANCE: The Regular Board Meeting of March 16, 2017, was called to order at 6:30 p.m. by the President of the Board, Ms. Sue Alexander, at the City of Windcrest Council Chambers, 8601 Midcrown Drive, Windcrest, Texas, for the purpose of considering the following agenda. The Board's President determined that a quorum was present. Board members present were Ms. Alexander, Snead and Ms. Scheibler. Mr. Reese joined the meeting during Agenda item IV. "Accept Public Comments". Also in attendance were Ruben Barrera, Attorney and David Wallace, General Manager. Mr. Fagin was absent.
- II. ANNOUNCEMENTS: The Board of Directors of the Bexar County Water Control and Improvement District No. 10 will, during the Meeting, close the Meeting and hold an Executive Session pursuant to and in accordance with Chapter 551 of the Texas Open Meetings Act. The Board of Directors may, at any time during the Meeting, close the Meeting and hold an Executive Session for consultation with its attorneys concerning any of the matters to be considered during the Meeting pursuant to Chapter 441 of the Texas Open Meetings Act.
- III. READ, CORRECT/AMEND, AND APPROVE THE REGULAR BOARD MEETING MINUTES OF February 22, 2017. Motion was made by Ms. Snead to accept the minutes of February 22, 2017 as written. This was seconded by Ms. Scheibler. Motion passes.

3 YES 0 ABSTAIN 0 NO 2 ABSENT

- IV. ACCEPT VISITOR COMMENTS (STRICT 5 MINUTE TIME LIMIT PER VISITOR). VISITORS THAT WISH TO SPEAK MUST SIGN IN ON THE SIGN-UP SHEET LOCATED AT THE DOORWAY. VISITORS MUST SIGN IN BEFORE THE MEETING BEGINS. VISITOR COMMENT WILL NOT BE ALLOWED / ACCEPTED AFTER THIS TIME.

ANNOUNCEMENT REGARDING
PUBLIC COMMENT SESSION OF MEETING

The Board will now open the floor to members of the public for the "Open Form – Citizens to be Heard" portion of our meeting. Individuals will be called in the order they registered on the sign-in sheet prior to the beginning of the meeting. While the Board welcomes comments and participation from the public, please be advised of the following guidelines:

1. Remarks shall be limited to five (5) minutes per individual.
2. Remarks or comments should be directed to the entire Board and not to one individual member of the Board.
3. The Board strives to maintain open, courteous and respectful communications with the public. Please extend the same courtesy to the Board when addressing your remarks.

The Board further expects that all members of the public shall exercise decorum during the conduct of the meeting. Any individual engaging in disruptive behavior, including shouting, the use of vulgar language or gestures, or derogatory comments and statements intended to incite a breach of the peace, may be asked to leave the meeting.

Pursuant to Section 551.042 of the Texas Open Meetings Act, the Board may not deliberate or decide on any inquiry or concern raised by a member of the public or member of the board that has not been posted on the agenda. The Board may, however, consider a proposal to place the subject on the agenda item for a future meeting, or respond to a question presented to the Board if the response is limited to either a statement of specific factual, information or a recitation of existing policy.

VISITOR SPEAKERS:

1. Rita Davis, 701 Fenwick Drive, made a statement that the reason to cancel the contract to build the maintenance facility was due to the need for more information. She stated that this information had been presented over several years to the board members, and the canceling of this contract was not a well thought out and a waste money for the rate payers.
 2. Henry Berman, 409 Windcrest, asked if anyone has a record of new people who move into the City. The staff informed him that we do. This list is shared monthly with the City of Windcrest finance office and is available for those who fill out a FOIA form at the District' office.
- V. Irv Gerrow, 642 Candleglo, stated that there was no due diligence and no fore thought in the purchase of the property located at 5507 Randolph Blvd. One final comment, a board member has said on the building and design of this property it was a 5 / 0 in going ahead I checked the minutes of April 20, 2016 it was a 2 / 1 decision. Let's clarify that for the record. It was not 5 / 0.

VI. CONSENT AGENDA ITEMS:

None At This Time.

VI. ITEMS FOR INDIVIDUAL CONSIDERATION:

A. THE BOARD WILL DISCUSS AND MAY TAKE ACTION ON A RESOLUTION APPROVING A SETTLEMENT AMOUNT WITH HELMKE + ASSOCIATES, LLC, IN CONNECTION WITH THE TERMINATION OF THE AGREEMENT BETWEEN THE DISTRICT AND HELMKE + ASSOCIATES, LLC INVOLVING THE PROPOSED CONSTRUCTION OF A MAINTENANCE BUILDING ON THE DISTRICT PROPERTY LOCATED AT 5507 RANDOLPH BLVD, SAN ANTONIO, TEXAS. Ms. Alexander made a motion that this item be tabled. This was seconded by Ms. Scheibler. Motion Passed

4 YES 0 ABSTAIN 0 NO 1 ABSENT

B. THE BOARD WILL DISCUSS AND MAY TAKE ACTION ON A RESOLUTION APPROVING A "CONSULTING AGREEMENT" WITH YOUNG & ASSOCIATES ENGINEERING FIRM. Ms. Scheibler made a motion to approve the Professional Services Agreement between the District and Young Professional Resources and authorize the General Manager and the District's Attorney to work out the final details but the substance in the resolution will remain the same. This was seconded by Ms. Snead. Motion Passed.

4 YES 0 ABSTAIN 0 NO 1 ABSENT

C. THE BOARD WILL DISCUSS AND MAY TAKE ACTION ON AUTHORIZING THE GENERAL MANAGER TO WORK WITH THE DISTRICT'S ENGINEER ON CORRECTING THE SEWER LINE PROBLEM AT 8810 & 8806 SPANISH MOSS. Mr. Reese made a motion to allow the General Manager to work with the Engineer on drawings and to proceed with the correction of the problem at 8810 & 8806 Spanish Moss. This was seconded by Ms. Snead. Motion Passed.

4 YES 0 ABSTAIN 0 NO 1 ABSENT

D. THE BOARD WILL DISCUSS AND MAY TAKE ACTION TO AUTHORIZE THE GENERAL MANAGER TO WORK WITH THE DISTRICT ENGINEER ON REPAIRING AND / OR REPLACING THE DIESEL DRIVE UNIT AT WELL #6 LOCATED AT 9316 JIM SEAL DRIVE. THIS ITEM WILL COME BACK TO THE BOARD FOR FINAL APPROVAL. Ms. Snead made a motion authorizing the General Manager to work with the District's Engineer to work on repairing and/or replacing the diesel drive unit at Well #6 located at 9316 Jim Seal Drive. This was seconded by Ms. Scheibler. Motion Passed.

4 YES 0 ABSTAIN 0 NO 1 ABSENT

VII. BRIEFING SESSION

A. STATEMENT OF OPERATIONS AND INVESTMENT REPORT. SUMMARY OF INCOME AND EXPENSES FOR PREVIOUS MONTH. IN-DEPTH REPORT ON AREAS THAT EXPERIENCED SIGNIFICANTLY HIGHER OR LOWER LEVELS THAN EXPECTED. UPDATE ON INVESTMENTS, INCLUDING BALANCES, RATES OF RETURN, MATURITY DATES, AND MARKET CONDITIONS.

1. STATEMENT OF OPERATIONS: FEBRUARY 2017
 - a. Operating Revenue: \$147,221.26
 - b. Operating Expenses: \$170,365.95
 - c. Operating Income \$(23,144.69)
 - d. Non-Operating Income \$972.46 (Interest Income)
 - e. Total Income \$(22,172.23)

2. INVESTMENT REPORT:
 - a. Operating Account Balance \$216,995.71
 - b. Investments: \$1,008,272.05
 - c. Grand Total \$1,314,525.27

B. MANAGER'S REPORT. SUMMARY OF SIGNIFICANT ACTIVITY THAT AFFECTED OPERATIONS OR HAS POTENTIAL OF AFFECTING OPERATIONS. INCLUDES PERSONNEL UPDATE, SIGNIFICANT EXPENDITURES, WEATHER CONDITIONS, CAPITAL IMPROVEMENT PROJECT STATUS, OPERATIONAL STATISTICS, AND RESPONSES TO INQUIRIES FROM THE BOARD AND / OR VISITORS.

1. SIGNIFICANT EXPENDITURES: (OVER \$5,000)

SAWS	Sewer Service / January 2017	\$61,238.45
EAA	Management / Program Fee	\$ 9,275.00

2. Water Usage Update: We are now in Normal Water Restrictions. Our current pumpage for February 2017 was 17,083,000 gals, Total pumpage for the year was 100.97 acre/ft. Total Edwards permit 1625.00 acre/ft. The Edwards Aquifer is currently around 686 ft. 26 ft. above STAGE 1 Restrictions.

3. We are still replacing old water meters that no longer function. This will be a normal operational procedure. Large Commercial meters are being installed. The meter change-out program is on schedule to replace 400 residential meters this year. We are still replacing bad curb-stops on meter change outs.
 4. We are replacing some of our outdated SCADA system. This is needed to maintain operations of our wells and water storage facility. We did have some antenna damage due to the high winds we received.
- VIII. THE REGULAR SESSION OF THE MARCH 16, 2017, REGULAR BOARD MEETING IS HEREBY RECESSED AT 7:06 P.M. TO HOLD AN EXECUTIVE SESSION AND DISCUSS THE MATTERS LISTED BELOW PURSUANT TO SECTIONS 551.071, 552.072 AND 552.074 OF THE TEXAS OPEN MEETINGS ACT.

IX. EXECUTIVE SESSION

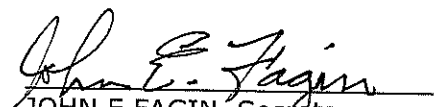
A. TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY AND WATER RIGHTS AS AUTHORIZED BY TEXAS GOVERNMENT CODE § 551.072.

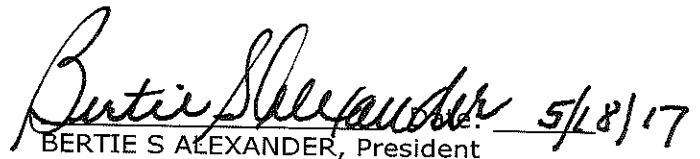
B. TO DELIBERATE THE EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF THE DISTRICT'S EMPLOYEES, AS AUTHORIZED BY TEXAS GOVERNMENT CODE 551.074.

C. THE BOARD WILL 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 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.

AS USED HEREIN, "CLOSED MEETING" SHALL HAVE THE DEFINITION ASCRIBED TO THAT TERM BY TEXAS GOVERNMENT CODE § 551.001. AS REQUIRED BY TEXAS GOVERNMENT CODE § 551.102, THE FINAL ACTION, DECISION, OR VOTE ON A MATER DELIBERATED IN A CLOSED MEETING WILL BE MADE IN AN OPEN MEETING.

- X. THE REGULAR SESSION OF THE REGULAR BOARD MEETING OF FEBRUARY 22, 2017, IS HEREBY RECONVENED AT 7:48 P.M.
- XI. OTHER BUSINESS BROUGHT BEFORE THE BOARD. (NO DELIBERATIONS AND / OR DECISION WILL OCCUR EXCEPT TO SCHEDULE AT NEXT SCHEDULED BOARD MEETING IN ORDER TO PLACE SUBJECT ON AGENDA AND GIVE STAFF TIME TO EVALUATE AND MAKE RECOMMENDATIONS.
- XII. ADJOURNMENT. The Bexar County Water Control and Improvement District No. 10 Board of Directors Meeting of March 16, 2017 is hereby adjourned at 7:49 p.m.


JOHN E FAGIN, Secretary

 5/18/17
BERTIE S ALEXANDER, President