

BEXAR COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. TEN

8601 MIDCROWN
SAN ANTONIO, TEXAS 78239-2445

REGULAR BOARD MEETING MINUTES
JULY 20, 2017

- I. CALL REGULAR BOARD MEETING TO ORDER AND TAKE ATTENDANCE AND PLEDGE OF ALLEGIANCE: The Regular Board Meeting of July 20, 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, Ms. Snead and Ms. Scheibler, Mr. Fagin and Mr. Reese. Also in attendance were Ruben Barrera, Attorney, Leonard Young, Engineer and David Wallace, General Manager.
- 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 JUNE 15, 2017. Ms. Scheibler made a motion to approve the minutes as written. This was seconded by Ms. Snead. Motion Passes.

5 YES 0 ABSTAIN 0 NO 0 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.

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:

Irv Gerrow, 642 Candleglo, Mr. Gerrow wanted to address the Consent Agenda Items V. A&B. He was wondering why the Board President and General Manager only requested reimbursement for two (2) Meals rather than three (3)? The Board President and the General Manager stated that this was sufficient reimbursement.

V. CONSENT AGENA ITEMS:

A. THE BOARD WILL DISCUSS AND MAY TAKE ACTION TO APPROVE THE GENERAL MANAGER'S ATTENDANCE AT THE T.C.E.Q. ANNUAL WATER DISTRICT SEMINAR LOCATED IN AUSTIN, TEXAS; AND REIMBURSE THE GENERAL MANAGER FOR THE COST OF THE TWO (2) NIGHT STAY, TWO (2) MEALS AND TRAVEL EXPENSES (MILEAGE: 53.5 CENTS PER MILE, AS PER "IRS 2017 STANDARD MILEAGE RATE FOR BUSINESSES").

B. THE BOARD WILL DISCUSS AND MAY TAKE ACTION TO APPROVE THE BOARD PRESIDENT'S ATTENDANCE AT THE TEXAS COUNTY & DISTRICT RETIREMENT SYSTEM (TCDRS) ANNUAL CONFERENCE ON JULY 26TH & 27TH IN AUSTIN, TEXAS: AND REIMBURSE THE BOARD PRESIDENT FOR THE COST OF THE CONFERENCE, TWO (2) NIGHT STAY, THREE (3) MEALS AND TRAVEL EXPENSES (MILEAGE: 53.5 CENTS PER MILE, AS PER "IRS 2017 STANDARD MILEAGE RATE FOR BUSINESSES"). Ms. Scheibler made a motion to approve the Reimbursements for the Board President, Sue Alexander and General Manager, David Wallace. This was seconded by Ms. Snead. Board Approved.

5 YES 0 ABSTAIN 0 NO 0 ABSENT

VI. ITEMS FOR INDIVIDUAL CONSIDERATION:

A. THE BOARD WILL DISCUSS THE TOTAL OF COSTS CANCELLING THE BUILDING PROJECT, LOCATED AT 5507 RANDOLPH BOULEVARD, SAN ANTONIO, TEXAS ("PROPERTY). The Board Discussed the total cost of cancelling the building project. The total cost was \$136,288.07.

B. THE BOARD WILL DISCUSS THE SPACE AT THE DISTRICT'S MAINTENANCE FACILITY AT 9319 JIM SEAL DR. AS PRESENTED BY THE GENERAL MANAGER AT THE JUNE BOARD MEETING. The Board Discussed the District space located at 9319 Jim Seal Drive. The General Manager clarified this space for the Board.

C. THE BOARD WILL DISCUSS AND MAY TAKE ACTION ON A RESOLUTION APPROVING THE EMPLOYMENT OF A REAL ESTATE / LEASING AGENT / BROKER TO ASSIST THE GENERAL MANAGER IN EXPLORING THE DISTRICT'S OPTIONS IN LEASING OR SELLING THE PROPERTY LOCATED AT 5507 RANDOLPH BOULEVARD, SAN ANTONIO, TEXAS ("PROPERTY"); APPROVING A REAL ESTATE SERVICES AGREEMENT BETWEEN THE DISTRICT AND THE REAL ESTATE / LEASING AGENT / BROKER; AUTHORIZING THE GENERAL MANAGER TO EXECUTE THE REAL ESTATE SERVICES AGREEMENT BETWEEN THE DISTRICT AND THE REAL ESTATE / LEASING AGENT / BROKER AND TO CARRY OUT ALL OBLIGATIONS UNDER THE AGREEMENT; AND INSTRUCTING AND DIRECTING THE GENERAL MANAGER TO REPORT THE RECOMMENDATIONS OF THE REAL ESTATE / LEASING AGENT / BROKER TO THE BOARD FOR THEIR CONSIDERATION AND POSSIBLE ACTION AT A FUTURE MEETING. Ms. Scheibler made a motion to approve a real estate services agreement with REOC; and authorizing the General Manager to execute the real estate services agreement between the District and REOC; and for the General Manager to report the recommendations of REOC for Board consideration and possible action at a

future meeting. This was seconded by Mr. Fagin. Board Approved.

5 YES 0 ABSTAIN 0 NO 0 ABSENT

D. THE BOARD WILL DISCUSS AND MAY TAKE ACTION ON THE RECOMMENDATION OF THE GENERAL MANAGER AND THE DISTRICT'S ENGINEER REGARDING THE 2017-2018 CIP PROJECT. No action taken at this time.

E. THE BOARD WILL DISCUSS AND MAY TAKE ACTION ESTABLISHING A COMMITTEE TO REVIEW AND MAKE RECOMMENDATIONS ON WATER RATES, AND APPOINTING MEMBERS TO THE COMMITTEE. Ms. Alexander made a motion to appoint two (2) Citizens, two (2) Board Members and the General Manager to sit on this committee. This was seconded by Ms. Scheibler.

5 YES 0 ABSTAIN 0 NO 0 ABSENT

Ms. Alexander nominated Ms. Takas and Ms. Pepi to be the citizens on this committee. Ms. Scheibler seconded this.

Comments: Mr. Reese requested that the Board not vote on the citizens at this time and give citizens an opportunity to voice their desire to be part of this committee then vote at a later meeting.

The Board voted to approve Ms. Takas and Ms. Pepi as the citizen representatives to sit on this committee.

3 YES 0 ABSTAIN 2 NO 0 ABSENT

Ms. Snead nominated Ms. Scheibler as one of the Director representatives to sit on this committee. This was seconded by Ms. Alexander. Board Approved.

4 YES 0 ABSTAIN 1 NO 0 ABSENT

Ms. Scheibler nominated Ms. Snead as the other Director representative to sit on this committee. This was seconded by Ms. Alexander. Board Approved.

3 YES 0 ABSTAIN 2 NO 0 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:	JUNE 2017
	a. Operating Revenue:	\$170,813.25
	b. Operating Expenses:	\$161,008.59
	c. Operating Income	\$9,804.66
	d. Non-Operating Income	\$1,149.81 (Interest Income)
	e. Total Income	\$10,954.47

2. INVESTMENT REPORT:
 - a. Operating Account Balance \$272,737.20
 - b. Investments: \$1,011,961.39
 - c. Grand Total \$1,284,698.59

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 / June 2017	\$62,004.32
EAA	Management / Program Fee	\$ 9,275.00

2. Water Usage Update: We are now in Normal Water Restrictions. Our current pumpage for June 2017 was 28,440,000 gals, Total pumpage for the year was 397.70 acre/ft. Total Edwards permit 1625.00 acre/ft. The Edwards Aquifer is currently around 658.3 ft. We are now in STAGE 1 Restrictions. The Summer dry weather has returned. We are currently pumping 1.2 million gals/per/day.
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. I am working with the District Engineer on 2017 Capital Improvement Projects. Consulted with Electrical engineering company on current Electrical equipment owned by the District.
5. Spanish Moss sewer line replacement is completed. Contractor did a great job. Engineer inspector was onsite for the complete job.
6. Current street repairs on main breaks are being completed by the City Contractor.
7. We have had three (3) water main breaks this week due to the dry conditions.

VIII. THE REGULAR SESSION OF THE JULY 20, 2017, REGULAR BOARD MEETING IS HEREBY RECESSED 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. The Board of Directors ***Did Not*** Recess into Executive Session.

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 MATTER DELIBERATED IN A CLOSED MEETING WILL BE MADE IN AN OPEN MEETING.

- X. THE REGULAR SESSION OF THE REGULAR BOARD MEETING OF JULY 20, 2017, IS HEREBY RECONVENED. The Board of Directors ***Did Not*** Recess Into Executive Session.
- 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 July 20, 2017 is hereby adjourned at 7.47 p.m.



JOHN E FAGIN, Secretary



BERTIE S ALEXANDER, President Date: 8/17/17