

BEXAR COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. TEN

8601 MIDCROWN
SAN ANTONIO, TEXAS 78239-2445

REGULAR BOARD MEETING MINUTES

August 17, 2017

- I. CALL REGULAR BOARD MEETING TO ORDER AND TAKE ATTENDANCE AND PLEDGE OF ALLEGIANCE: The Regular Board Meeting of August 17, 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 JULY 20, 2017. Ms. Snead made a motion to approve the minutes as written. This was seconded by Ms. Scheibler. 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:

V. CONSENT AGENDA ITEMS:

A. THE BOARD WILL DISCUSS AND MAY TAKE ACTION TO DECLARE LAWN MOWER (MAKE: GRAVELY 36" / MODEL: 888-047 PRO MOWER / SERIAL NO. 003631) AS DISTRICT SURPLUS PROPERTY AND AUTHORIZING THE GENERAL MANAGER TO SELL. Ms. Scheibler made a motion to declare lawn mower (Make: Gravely 26" / Model: 888-047 Pro Mower / Serial No 003631) as District surplus property. This was seconded by Mr. Fagin. Motion Passes.

5 YES 0 ABSTAIN 0 NO 0 ABSENT

VI. ITEMS FOR INDIVIDUAL CONSIDERATION:

A. THE BOARD WILL DISCUSS AND MAY TAKE ACTION ON A RESOLUTION DECLARING THE DISTRICT'S PROPERTY DESCRIBED AS LOTS 1-4, BLOCK 1 AND LOTS 14-19, BLOCK 1, NEW CITY BLOCK 13758, BEXAR SUBDIVISION, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS AND LOCATED AT 5507 RANDOLPH BLVD, SAN ANTONIO, TEXAS 78239 ("PROPERTY") AS SURPLUS DISTRICT PROPERTY SINCE THE PROPERTY IS NO LONGER NEEDED BY THE DISTRICT. Ms. Scheibler made a motion to approve this Resolution Declaring the District's Property describes above as surplus District Property since the property is no longer needed by the District. This was seconded by Ms. Alexander. Motion Passes.

3 YES 0 ABSTAIN 2 NO 0 ABSENT

B. THE BOARD WILL DISCUSS AND MAY TAKE ACTION ON A RESOLUTION ACCEPTING THE RECOMMENDATION OF REOC SAN ANTONIO TO SELL THE DISTRICT'S PROPERTY DESCRIBED AS LOTS 1-4, BLOCK 1 AND LOTS 14-19, BLOCK 1, NEW CITY BLOCK 13758, BEXAR SUBDIVISION, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS AND LOCATED AT 5507 RANDOLPH BLVD, SAN ANTONIO, TEXAS 78239. Ms. Scheibler made a motion to approve this Resolution accepting the recommendation of REOC San Antonio to sell the District's Property described above. This was seconded by Ms. Snead. Motion Passes.

3 YES 0 ABSTAIN 2 NO 0 ABSENT

C. THE BOARD WILL DISCUSS AND MAY TAKE ACTION ON A RESOLUTION DETERMINING WHETHER THE DISTRICT'S PROPERTY DESCRIBED AS LOTS 1-4, BLOCK 1 AND LOTS 14-19, BLOCK 1, NEW CITY BLOCK 13758, BEXAR SUBDIVISION, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS AND LOCATED AT 5507 RANDOLPH BLVD, SAN ANTONIO, TEXAS 78239 ("PROPERTY") SHALL BE SOLD IN A PUBLIC SALE OR A PRIVATE SALE; APPROVING AN AGREEMENT BETWEEN THE DISTRICT AND REOC SAN ANTONIO TO ASSIST THE DISTRICT'S GENERAL MANAGER IN THE SALE OF THE PROPERTY; AND AUTHORIZING THE GENERAL MANAGER TO EXECUTE THE AGREEMENT BETWEEN THE DISTRICT AND REOC SAN ANTONIO AND TO CARRY OUT ALL OF THE DISTRICT'S OBLIGATIONS UNDER THE AGREEMENT WITH REOC SAN ANTONIO. Ms. Scheibler made a motion to approve this Resolution to sell the property above as a "Private Sale" and approving the agreement between the District and REOC San Antonio to assist the District's General Manager in the sale of this described above property and carry out all of the District's obligations under the agreement with REOC San Antonio. This was seconded by Ms. Alexander. Motion Passes.

4 YES 0 ABSTAIN 1 NO 0 ABSENT

D. A REPRESENTATIVE FROM THE TEXAS COUNTY DISTRICT RETIREMENT SYSTEM (TCDRS) WILL PRESENT THE COSTS AND OPTIONS FOR CHANGING THE VESTMENT PERIOD FOR BEXAR COUNTY W.C.I.D. #10 DISTRICT EMPLOYEES. TCDRS Representative Roxanne Aldridge provided a presentation to the Board of the District Retirement Plan for the employees.

E. THE DISTRICT ENGINEER, LEONARD YOUNG, WILL PRESENT THE DRAFT OF THE CAPITAL IMPROVEMENT PROGRAM (C.I.P.) - 2018 TO THE DISTRICT BOARD FOR DISCUSSION AND REVIEW.

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: JULY 2017
 - a. Operating Revenue: \$212,799.01
 - b. Operating Expenses: \$171,333.39
 - c. Operating Income \$41,465.62
 - d. Non-Operating Income \$1,284.24 (Interest Income)
 - e. Total Income \$42,749.86

2. INVESTMENT REPORT:
 - a. Operating Account Balance \$352,305.61
 - b. Investments: \$1,012,947.55
 - c. Grand Total \$1,365,253.16

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 / July 2017	\$63,817.46
EAA	Management / Program Fee	\$ 9,275.00

2. Water Usage Update: We are now in Normal Water Restrictions. Our current pumpage for July 2017 was 39,624,000 gals, Total pumpage for the year was 519.30 acre/ft. Total Edwards permit 1625.00 acre/ft. The Edwards Aquifer is currently around 660.27 ft. We are now in STAGE 1 Restrictions. The Summer dry weather has returned. We are currently pumping 1.278 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. Working with the District Engineer on 2018 Capital Improvement Projects draft plans.
5. Spanish Moss sewer line replacement is completed.
6. Current street repairs on main breaks are being completed by the City Contractor.
7. We have had nine (9) 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 August 17, 2017 is hereby adjourned at 7:53 p.m.


JOHN E FAGIN, Secretary

 Date: 9/20/17
BERTIE S ALEXANDER, President