

BEXAR COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. TEN

8601 MIDCROWN
SAN ANTONIO, TEXAS 78239-2445

**SPECIAL BOARD MEETING MINUTES
JUNE 6, 2018**

- I. **CALL REGULAR BOARD MEETING TO ORDER AND TAKE ATTENDANCE AND PLEDGE OF ALLEGIANCE:** The Special Board Meeting of June 6, 2018, was called to order at 5:01 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, Ms. Scheibler, Mr. Fagin and Mr. Richards. Also, in attendance were Ruben Barrera, Attorney 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. **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: No Visitors Spoke.

IV. ITEMS FOR INDIVIDUAL CONSIDERATION:

A. THE BOARD WILL DISCUSS AND MAY TAKE ACTION ON A RESOLUTION APPROVING A COMMERCIAL CONTRACT AMENDMENT TO THE COMMERCIAL CONTRACT FOR UNIMPROVED PROPERTY BETWEEN THE DISTRICT AND ROGELIO O. IBARRA & CELINA S. IBARRA ("PURCHASER") INVOLVING THE SALE OF 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") IN ORDER TO EXTEND THE TIME FOR PERFORMANCE AND REAPPORTION THE CASH AND FINANCE TERMS OF THE COMMERCIAL CONTACT FOR UNIMPROVED PROPERTY; AUTHORIZING AND DIRECTING THE GENERAL MANAGER TO NEGOTIATE, FINALIZE AND EXECUTE A COMMERCIAL CONTRACT AMENDMENT TO THE COMMERCIAL CONTRACT FOR UNIMPROVED PROPERTY BETWEEN THE DISTRICT AND THE PURCHASER; AND FURTHER AUTHORIZING AND DIRECTING THE GENERAL MANAGER AND THE DISTRICT'S ATTORNEY TO CARRY OUT ALL OBLIGATIONS UNDER THE COMMERCIAL CONTRACT FOR UNIMPROVED PROPERTY, AS AMENDED BY THE COMMERCIAL CONTRACT AMENDMENT, AND CLOSE THE SALE OF THE PROPERTY TO THE PURCHASER. Mr. Fagin made a motion to approve this Resolution. This was seconded by Mr. Richards. Motion Passes

5 YES 0 ABSTAIN 0 NO 0 ABSENT

X. THE SPECIAL SESSION OF THE JUNE 6, 2018, SPECIAL 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 recessed into executive session at 5:02 p.m.

XI. EXECUTIVE SESSION

A. TO DELIBERATE THE VALUE OF REAL 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 AND / OR RELATED WATER RIGHTS AS AUTHORIZED BY TEXAS GOVERNMENT CODE § 551.072.

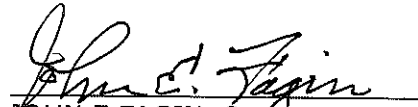
B. TO DELIBERATE THE EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF THE DISTRICT'S EMPLOYEES, AS AUTHORIZED BY TEXAS GOVERNMENT CODE 551.074.


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

XII. THE SPECIAL SESSION OF THE SPECIAL BOARD MEETING OF JUNE 6, 2018, IS HEREBY RECONVENED. The Board returned to open meeting at 5:29 p.m.

- XIII. 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 June 6, 2018 is hereby adjourned at 5:33 p.m.


JOHN E FAGIN, Secretary


BERTIE S ALEXANDER, President

Date: 8/16/18