

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

8601 MIDCROWN  
SAN ANTONIO, TEXAS 78239-2445

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REGULAR BOARD MEETING MINUTES  
AUGUST 16, 2018

- I. CALL REGULAR BOARD MEETING TO ORDER AND TAKE ATTENDANCE AND PLEDGE OF ALLEGIANCE: The Regular Board Meeting of August 16, 2018, was called to order at 4:30 p.m. by the President of the Board, Ms. 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 Mr. Richards. Also, in attendance were Ruben Barrera, Attorney, David Wallace, General Manager and Leonard Young, Engineer. Ms. Scheibler and Mr. Fagin arrived several minutes later.
- 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 19, 2018. Ms. Snead made a motion to approve the minutes as written. Mr. Richards seconded. 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.

**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.

V. CONSENT AGENDA ITEMS:

A. THE BOARD WILL DELIBERATE AND MAY TAKE ACTION ON A RESOLUTION (1) AUTHORIZING A FINAL PAYMENT TO HSC ELECTRIC COMPANY, INC. IN THE AMOUNT OF \$12,778.50 FOR WORK PERFORMED ON THE DISTRICT'S 2018 CIP, WELL #3 ELECTRICAL IMPROVEMENT PROJECT, BASED ON THE RECOMMENDATIONS OF THE DISTRICT'S ENGINEER AND THE DISTRICT'S GENERAL MANAGER; AND (2) AUTHORIZING AND DIRECTING THE GENERAL MANAGER TO PAY HSC ELECTRIC COMPANY, INC. THE AMOUNT OF \$12,778.50 AS A FINAL PAYMENT FOR WORK PERFORMED ON THE PROJECT.

B. THE BOARD WILL DISCUSS AND MAY TAKE ACTION ON A RESOLUTION APPROVING THE ORDER OF A GENERAL ELECTION ON NOVEMBER 6, 2018, FOR THE PURPOSE OF ELECTING THREE (3) DIRECTORS TO THE BOARD OF DIRECTORS OF THE DISTRICT; APPROVING A CONTRACT WITH THE BEXAR COUNTY ELECTIONS ADMINISTRATOR ("JOINT ELECTION CONTRACT"); AUTHORIZING AND DIRECTING THE DISTRICT'S GENERAL MANAGER TO SIGN THE JOINT ELECTION CONTRACT; MAKING PROVISIONS FOR THE CONDUCT OF SUCH ELECTION AND RESOLVING OTHER MATTERS RELATED TO THE CONDUCT OF SUCH ELECTION; AUTHORIZING, DESIGNATING AND APPOINTING THE DISTRICT'S GENERAL MANAGER AS THE EARLY VOTING CLERK.

Mr. Richard's made a motion to accept the Consent Agenda items. This was seconded by Ms. Snead. Motion Passes.

3 YES 0 ABSTAIN 0 NO 2 ABSENT

Mr. Fagin and Ms. Scheibler joined the meeting.

VI. ITEMS FOR INDIVIDUAL CONSIDERATION:

A. A PRESENTATION BY THE GENERAL MANAGER AND THE DISTRICT'S ENGINEER REGARDING AN UPDATE OF THE DISTRICT'S 2018 AND 2019 CAPITAL IMPROVEMENTS PLAN; AND BOARD DELIBERATION REGARDING AN UPDATE OF THE DISTRICT'S 2018 AND 2019 CAPITAL IMPROVEMENTS PLAN.

B. THE BOARD WILL DISCUSS AND MAY TAKE ACTION ON A RESOLUTION ACCEPTING A BID FOR THE PURCHASE OF A GENERATOR FOR THE DISTRICT; AWARDED A CONTRACT FOR THE PURCHASE OF A GENERATOR FOR THE DISTRICT; APPROVING A CONTRACT BETWEEN THE DISTRICT AND THE SELECTED BIDDER FOR THE PURCHASE OF A GENERATOR; AUTHORIZING AND DIRECTING THE DISTRICT'S GENERAL MANAGER TO SIGN THE CONTRACT AND ANY OTHER REQUIRED DOCUMENTS INVOLVING THE PURCHASE OF A GENERATOR FOR THE DISTRICT, AND TO CARRY OUT ALL OF THE DISTRICT'S OBLIGATIONS UNDER THE CONTRACT. Ms. Scheibler made a motion to table this item. This was seconded by Mr. Richards. Motion Passes.

5 YES 0 ABSTAIN 0 NO 0 ABSENT

C. THE BOARD WILL DISCUSS AND MAY TAKE ACTION ON A RESOLUTION AUTHORIZING AND DIRECTING THE DISTRICT'S ENGINEER TO PROCEED WITH THE DESIGN OF, AND ADVERTISE AND SEEK COMPETITIVE BIDS FOR THE ELECTRICAL WORK TO BE COMPLETED ON THE WELL #2 AND WELL #4 ELECTRICAL IMPROVEMENT PROJECT; AUTHORIZING AND DIRECTING THE DISTRICT'S GENERAL MANAGER AND

ENGINEER TO EVALUATE ALL RESPONSIVE BIDS AND PRESENT A RECOMMENDATION TO THE BOARD OF THE BID RESPONSE DEEMED TO BE MOST ADVANTAGEOUS TO THE DISTRICT FOR SUBSEQUENT CONSIDERATION AND ACTION BY THE DISTRICT'S BOARD. Ms. Snead made a motion to approve this Resolution. This was seconded by Mr. Fagin. Motion Passes.

5 YES 0 ABSTAIN 0 NO 0 ABSENT

D. THE BOARD WILL DISCUSS AND MAY TAKE ACTION ON A RESOLUTION AUTHORIZING AND DIRECTING THE DISTRICT'S GENERAL MANAGER TO PROCEED TO ADVERTISE AND SEEK COMPETITIVE BIDS FOR THE LEASE OR PURCHASE OF A NEW BACKHOE FOR THE DISTRICT; AUTHORIZING AND DIRECTING THE DISTRICT'S GENERAL MANAGER TO EVALUATE ALL RESPONSIVE BIDS AND PRESENT A RECOMMENDATION TO THE BOARD OF THE BID RESPONSE DEEMED TO BE MOST ADVANTAGEOUS TO THE DISTRICT FOR SUBSEQUENT CONSIDERATION AND ACTION BY THE DISTRICT'S BOARD. Ms. Scheibler made a motion to approve this Resolution with the inclusion of "Lease And / Or Purchase". This was seconded by Mr. Fagin. Motion Passes.

5 YES 0 ABSTAIN 0 NO 0 ABSENT

E. THE BOARD WILL DISCUSS AND MAY TAKE ACTION ON A RESOLUTION DECLARING THAT THE DISTRICT'S EXISTING BACKHOE BE DESIGNATED AS SURPLUS PROPERTY AS IT IS NO LONGER NEEDED BY THE DISTRICT AND ORDERING THAT THE EXISTING BACKHOE BE DISPOSED OF IN A PRIVATE SALE IN ACCORDANCE WITH SECTION 49.226 OF THE TEXAS WATER CODE; AUTHORIZING AND DIRECTING THE DISTRICT'S GENERAL MANAGER TO PROCEED TO DISPOSE OF THE DISTRICT'S EXISTING BACKHOE IN A PRIVATE SALE IN ACCORDANCE WITH SECTION 49.226 OF THE TEXAS WATER CODE. Mr. Fagin made a motion to approve this Resolution with the inclusion of "Private And / Or Public Sale". This was seconded by Ms. Scheibler. Motion Passes.

5 YES 0 ABSTAIN 0 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: JULY 2018
  - a. Operating Revenue: \$189,514.93
  - b. Operating Expenses: \$170,422.50
  - c. Operating Income \$19,092.43
  - d. Non-Operating Income \$1,126.63 (Interest Income)
  - e. Total Income \$20,219.06
  
2. INVESTMENT REPORT:
  - a. Operating Account Balance \$ 759,008.58
  - b. Investments: \$ 788,954.43
  - c. Grand Total \$1,640,649.30

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 2018	\$62,631.00
EAA	Management / Program Fee	\$ 9,275.00
2. Water Usage Update: We are now in Normal Water Restrictions. Our current pumpage for July 2018 was 34,385,000 gals, Total pumpage for the year is 563.72 acre/ft. Total Edwards permit 1625.00 acre/ft. The Edwards Aquifer is currently around 641.2 ft. We are in STAGE II Restrictions. We are currently pumping 1,000,000 gal/per/day.
3. We are still replacing old water meters that no longer function. This will be a normal operational procedure. The meter change-out program is on schedule to replace 400 residential meters this year. Still replacing bad curb-stops on meter change outs.
4. Working with the Engineers, Financial Advisors and Bond Counsel on 2018 - 2019 Capital Improvement Project plans. The Well 3 project, is finished.
5. Have ordered protective glass for our office. Waiting on the glass company.
6. New Car Wash under construction, possible finish by 9/1/2018. Steel building arrived today.

X. THE REGULAR SESSION OF THE AUGUST 16, 2018, 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 did not go into Executive Session.

XI. EXECUTIVE SESSION

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

B. 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\*\*

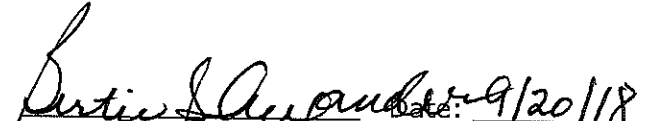
XII. THE REGULAR SESSION OF THE REGULAR BOARD MEETING OF AUGUST 16, 2018, IS HEREBY RECONVENED. The Board did not go into Executive Session.

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. Ms. Alexander stated that the October meeting will be moved

from Thursday, October 18<sup>th</sup> to Wednesday, October 24<sup>th</sup> at 6:30 p.m. due to a scheduling issue.

- XII. ADJOURNMENT. The Bexar County Water Control and Improvement District No. 10 Board of Directors Meeting of August 16, 2018 is hereby adjourned at 5:10 p.m.

  
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JOHN E FAGIN, Secretary

  
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BERTIE S ALEXANDER, President

Date: 9/20/18