

BEXAR COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. TEN

8601 MIDCROWN
SAN ANTONIO, TEXAS 78239-2445

REGULAR BOARD MEETING MINUTES
OCTOBER 24, 2018

- I. CALL REGULAR BOARD MEETING TO ORDER AND TAKE ATTENDANCE AND PLEDGE OF ALLEGIANCE: The Regular Board Meeting of October 24, 2018, was called to order at 6:30 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, Ms. Scheibler, Mr. Fagin and Mr. Richards. Also, in attendance were Erica Valladares, Attorney, David Wallace, General Manager and Leonard Young, Engineer.
- 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 SEPTEMBER 20, 2018. Ms. Snead made a motion to approve the minutes as written. Mr. Richards seconded. 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: Ms. Gayle Baker spoke to the Board.

V. 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. Mr. Young updated the Board on the Application for Revenue Notes with the T.C.E.Q. he said that the approval process should be completed with them sometime within first week of November. The Water / Sewer plans are on schedule.

B. THE BOARD WILL DISCUSS AND MAY TAKE ACTION ON A RESOLUTION APPROVING AND ADOPTING THE DISTRICT'S 2018 BUDGET. Ms. Scheibler made a motion to approve Resolution 2018-25, the District's 2019 budget. This was seconded by Ms. Snead. Motion Passes.

5 YES 0 ABSTAIN 0 NO 0 ABSENT

C. THE BOARD WILL DISCUSS AND MAY TAKE ACTION ON A RESOLUTION APPROVING THE RATE WITH THE TEXAS COUNTY DISTRICT RETIREMENT SYSTEM FOR THE DISTRICT'S EMPLOYEE RETIREMENT PLAN FOR 2019. Mr. Fagin made a motion to continue with the 2018 current rate for 2019 and approve Resolution 2018-26. This was seconded by Ms. Snead. Motion Passes.

5 YES 0 ABSTAIN 0 NO 0 ABSENT

D. 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. Snead made a motion to table this item. This was seconded by Mr. Richards. Motion Passes.

5 YES 0 ABSTAIN 0 NO 0 ABSENT

E. THE BOARD WILL DISCUSS AND MAY TAKE ACTION ON A RESOLUTION ACCEPTING A BID FOR THE PURCHASE OF A BACKHOE FOR THE DISTRICT; AWARDED A CONTRACT FOR THE PURCHASE OF A BACKHOE FOR THE DISTRICT; APPROVING A CONTRACT BETWEEN THE DISTRICT AND THE SELECTED BIDDER FOR THE PURCHASE OF A BACKHOE FOR THE DISTRICT; AUTHORIZING AND DIRECTING THE DISTRICT'S GENERAL MANAGER TO NEGOTIATE, FINALIZE AND SIGN A CONTRACT AND ANY OTHER REQUIRED DOCUMENTS INVOLVING THE PURCHASE OF A BACKHOE FOR THE DISTRICT AND TO CARRY OUT ALL OF THE DISTRICT'S OBLIGATIONS UNDER THE CONTRACT. Mr. Young stated that three (3) bids were submitted. The Engineer and General Manager recommended that the District select the bid from ASCO. Mr. Richards made a motion to approve Resolution 2018-27 with the recommendation of the Engineer and General Manager and go with ASCO. This was seconded by Ms. Scheibler. Motion Passes.

5 YES 0 ABSTAIN 0 NO 0 ABSENT

F. THE BOARD WILL DISCUSS AND MAY TAKE ACTION ON A RESOLUTION AUTHORIZING THE DISTRICT'S ENGINEER TO PROCEED WITH ADVERTISING AND SEEKING COMPETITIVE BIDS FOR THE ELECTRICAL WORK TO BE COMPLETED ON DISTRICT WELLS #2 AND #4. 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. Mr. Fagin made a motion to approve Resolution 2018-28. This was seconded by Ms. Scheibler. Motion Passes.

5 YES 0 ABSTAIN 0 NO 0 ABSENT

Board President requested that the Board go into Executive Session at this time. (see item VII.)

G. THE BOARD WILL DISCUSS AND MAY TAKE ACTION ON A RESOLUTION APPROVING THE 2018 SUSTAINED SUPERIOR PERFORMANCE (SSP) AWARDS FOR THE DISTRICT'S EMPLOYEES AS DETERMINED BY THE DISTRICT'S GENERAL MANAGER AUTHORIZING AND DIRECTING THE GENERAL MANAGER TO PAY SUCH SUSTAINED SUPERIOR PERFORMANCE (SSP) AWARDS TO THE DISTRICT'S EMPLOYEES. Ms. Scheibler made a motion to approve Resolution 2018-29 with the recommendations by the General Manager as well as \$1,000 SSP amount for David Wallace, General Manager. This was seconded by Ms. Snead. Motion Passes.

5 YES 0 ABSTAIN 0 NO 0 ABSENT

VI. 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: SEPTEMBER 2018
 - a. Operating Revenue: \$196,740.28
 - b. Operating Expenses: \$175,964.95
 - c. Operating Income \$20,775.33
 - d. Non-Operating Income \$1,091.26 (Interest Income)
 - e. Total Income \$21,866.59

2. INVESTMENT REPORT:
 - a. Operating Account Balance \$ 504,114.57
 - b. Investments: \$ 890,811.48
 - c. Grand Total \$1,861,181.06

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 / September 2018 \$64,608.98
EAA Management / Program Fee \$ 9,275.00
2. Water Usage Update: Our current pump age for September 2018 was 24,790,000-gals, Total pump age for the year is 761.23 acre/ft. Total Edwards permit 1625.00 acre/ft. The Edwards Aquifer is currently around 674.5 ft. We are in NORMAL Restrictions. We are currently pumping 750,000 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. Meet with AT&T and CPS on new CIP Plan.
5. Have ordered protective glass for our office. Waiting on the glass company. The window at the front office was framed to hold new glass.

VII. THE REGULAR SESSION OF THE SEPTEMBER 20, 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 went into Executive Session at 7:31 p.m.

VIII. EXECUTIVE SESSION

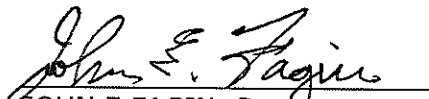
A. TO DELIBERATE THE EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF THE DISTRICT'S EMPLOYEES, AS AUTHORIZED BY TEXAS GOVERNMENT CODE 551.074.


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

IX. THE REGULAR SESSION OF THE REGULAR BOARD MEETING OF SEPTEMBER 20, 2018, IS HEREBY RECONVENED. The Board reconvened into open session at 8:01 p.m.

- X. 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 Sewer Averaging is coming up. November 19th through February 23rd. The District suggests that you shut your sprinklers off during this time. Also, if you have a leak, please contact the office.
- XI. ADJOURNMENT. The Bexar County Water Control and Improvement District No. 10 Board of Directors Meeting of September 20, 2018 is hereby adjourned at 8:21 p.m.


JOHN E FAGIN, Secretary


BERTIE S ALEXANDER, President 11/14/18