

BEXAR COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. TEN

8601 MIDCROWN
SAN ANTONIO, TEXAS 78239-2445

REGULAR BOARD MEETING MINUTES
FEBRUARY 27, 2019

- I. CALL REGULAR BOARD MEETING TO ORDER AND TAKE ATTENDANCE AND PLEDGE OF ALLEGIANCE: The Regular Board Meeting of February 27, 2019, 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. Scheibler, Mr. Richards and Mr. Guerrero. Also, in attendance were Ruben Barrera, Attorney, David Wallace, General Manager, Tom Spurgeon, McCall Parkhurst & Horton and Dusty Traylor, RBC Capital Markets. Ms. Snead was absent.
- 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 JANUARY 30, 2019. Mr. Richards made a motion to approve the minutes as written. This was seconded by Ms. Scheibler. Motion Passes.
- 4 YES 0 ABSTAIN 0 NO 1 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: Mr. Lambrides made comments regarding the alleys and garbage trucks.

V. CONSENT AGENDA ITEMS:

A. The Board Will Deliberate And May Take Action On A Resolution Declaring That The District's Existing Sewer Truck And Hydraulic Press Be Designated As Surplus Property As It Is No Longer Needed By The District And Ordering That The Existing Sewer Truck And Hydraulic Press 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 Sewer Truck And Hydraulic Press In A Private Sale In Accordance With Section 49.226 Of The Texas Water Code.

Ms. Scheibler made a motion to approve the Consent Agenda items. This was seconded by Mr. Guerrero. Motion passes.

4 YES 0 ABSTAIN 0 NO 1 ABSENT

VI. ITEMS FOR INDIVIDUAL CONSIDERATION:

Mr. Wallace asked the President of the Board to skip to Item "VI.B", as Mr. Young, Engineer had not arrived yet. The President concurred.

B. THE BOARD WILL DELIBERATE AND MAY TAKE ACTION ON A RESOLUTION APPROVING AN EDWARDS AQUIFER AUTHORITY (EAA) GROUNDWATER TRUST AGREEMENT BETWEEN THE DISTRICT AND THE EAA ("AGREEMENT") AUTHORIZING AND DIRECTING THE DISTRICT'S GENERAL MANAGER TO NEGOTIATE, FINALIZE AND SIGN THE AGREEMENT AND ANY OTHER REQUIRED DOCUMENTS INVOLVING THE AGREEMENT, AND TO CARRY OUT ALL OF THE DISTRICT'S OBLIGATIONS UNDER THE AGREEMENT. Mr. Richards made a motion to approve this Resolution. This was seconded by Mr. Guerrero. Motion Passes.

4 YES 0 ABSTAIN 0 NO 1 ABSENT

C. THE BOARD WILL DELIBERATE AND MAY TAKE ACTION ON A RESOLUTION AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF UP TO \$5,000,000 IN PRINCIPAL AMOUNT OF BEXAR COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 10 WATERWORKS AND SEWER SYSTEM REVENUE NOTES, SERIES 2019A; ("REVENUE NOTES") APPROVING AND AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, A PURCHASE CONTRACT, AND ALL OTHER INSTRUMENTS AND PROCEDURES RELATED THERETO; APPROVING THE FORM OF AN OFFICIAL STATEMENT; AUTHORIZING AND DIRECTING THE DISTRICT'S STAFF, ATTORNEY, ENGINEER, AND PROFESSIONAL ADVISORS TO TAKE ALL ACTIONS DEEMED NECESSARY FOR THE ISSUANCE, SALE AND DELIVERY OF SUCH REVENUE NOTES; AUTHORIZING AND DIRECTING THE PRESIDENT, SECRETARY AND TREASURER OF THE DISTRICT'S BOARD OF DIRECTORS AND THE DISTRICT'S GENERAL MANAGER TO SIGN ALL AGREEMENTS AND OTHER RELATED DOCUMENTS AND INSTRUMENTS RELATED TO THE ISSUANCE, SALE AND DELIVERY OF THE REVENUE NOTES; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE. Presentation by Dusty Traylor, RBC Capital Markets. Ms. Scheibler made a motion to approve this Resolution. This was seconded by Mr. Richards. Motion Passes.

4 YES 0 ABSTAIN 0 NO 1 ABSENT

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 IMPROVEMENT PLAN. Mr. Wallace provided an update.

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: JANUARY 2019
 - a. Operating Revenue: \$118,287.39
 - b. Operating Expenses: \$192,048.67
 - c. Operating Income (\$73,761.28)
 - d. Non-Operating Income \$1,631.80 (Interest Income)
 - e. Total Income (\$72,129.48)

2. INVESTMENT REPORT:
 - a. Operating Account Balance \$ 547,225.12
 - b. Investments: \$ 694,521.65
 - c. Grand Total \$1,793,436.04

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 / December 2018	\$70,049.61
EAA	Management / Program Fee	\$11,377.27
2. Water Usage Update: Our current pumpage for January 2019 was 19,930,000 gals, Total pumpage for the year is 650.00 acre/ft. Total Edwards permit 1625.00 acre/ft. The Edwards Aquifer is currently around 664.5 ft. We are in NORMAL Restrictions. We are currently pumping 650,000 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 200 residential meters this year. Still replacing bad curb-stops on meter change outs.
4. Working with the Engineers, Financial Advisors and Bond Counsel on 2019 Capital Improvement Project plans.
5. Well #4 is in construction phase now for Electrical upgrades. I believe it will be in service by May 1st.
6. Working with Financial consultation and Attorney on Revenue Notes for 2019 CIP project.

VIII. THE REGULAR SESSION OF THE FEBRUARY 27, 2019, 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.

IX. 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.

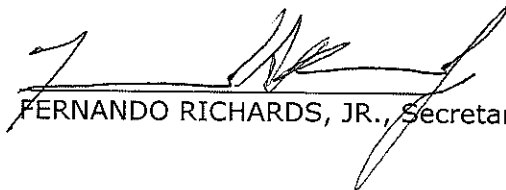
B. THE BOARD WILL CONSULT WITH THE DISTRICT'S LEGAL COUNSEL IN A CLOSED SESSION, AS AUTHORIZED BY TEXAS GOVERNMENT CODE § 551.071(2), TO DISCUSS AND SEEK ADVICE UPON ONE OR MORE MATTER(S) IN WHICH THE DUTY OF THE ATTORNEY TO THE DISTRICT UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE 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

X. THE REGULAR SESSION OF THE REGULAR BOARD MEETING OF FEBRUARY 27, 2019, IS HEREBY RECONVENED. The Board did not go into Executive Session.

XI. OTHER BUSINESS BROUGHT BEFORE THE BOARD. (NO DELIBERATIONS AND / OR DECISION WILL OCCUR EXCEPT TO PLACE THE SUBJECT ON THE AGENDA FOR THE NEXT SCHEDULED BOARD MEETING AND GIVE STAFF TIME TO EVALUATE AND MAKE RECOMMENDATIONS. The March Regular Board meeting will be held on the third Thursday of the month as normal (March 21st). The Auditor will be presenting the 2018 Annual Audit for approval by the Board.

XII. ADJOURNMENT. The Bexar County Water Control and Improvement District No. 10 Board of Directors Meeting of February 27, 2019 is hereby adjourned at 7:20 p.m.


FERNANDO RICHARDS, JR., Secretary

 Date: 3/21/2019
BERTIE S ALEXANDER, President