

BEXAR COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. TEN

8601 MIDCROWN
SAN ANTONIO, TEXAS 78239-2445

REGULAR BOARD MEETING MINUTES
JULY 18, 2019

- I. CALL REGULAR BOARD MEETING TO ORDER AND TAKE ATTENDANCE AND PLEDGE OF ALLEGIANCE: The Regular Board Meeting of July 18, 2019, was called to order at 6:29 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. Richards and Mr. Guerrero. 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 JUNE 20, 2019. Mr. Guerrero made a motion to approve the minutes as written. This was seconded by Mr. Richards. 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 COMMENTS 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 Forum - 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 communication 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.

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.

B. THE BOARD WILL DELIBERATE AND MAY TAKE ACTION ON A RESOLUTION RATIFYING THE GENERAL MANAGER'S PAYMENT TO WATER WELL SERVICES IN THE AMOUNT OF \$1,790.00 FOR THE PURCHASE OF A NEW BOOSTER PUMP FOR THE DISTRICT'S WELL #4 INCLUDED IN THE DISTRICT'S 2018 - 2019 CAPITAL IMPROVEMENTS PLAN. (*Revenue Note CIP*) Mr. Richards made a motion to approve this resolution. This was seconded by Ms. Scheibler. Motion Passes

5 YES 0 ABSTAIN 0 NO 0 ABSENT

C. THE BOARD WILL DELIBERATE AND MAY TAKE ACTION ON A RESOLUTION RATIFYING THE GENERAL MANAGER'S PAYMENT TO HSC ELECTRIC COMPANY, INC. IN THE AMOUNT OF \$5,544.00 FOR THE REPAIR OF THE DISTRICT'S WELL #4 ELECTRICAL SYSTEM INCLUDED IN THE DISTRICT'S 2018 - 2019 CAPITAL IMPROVEMENTS PLAN. (*Revenue Note CIP*). Ms. Scheibler made a motion to approve this resolution. This was seconded by Ms. Snead. Motion Passes.

5 YES 0 ABSTAIN 0 NO 0 ABSENT

D. THE BOARD WILL DELIBERATE AND MAY TAKE ACTION ON A RESOLUTION RATIFYING THE GENERAL MANAGER'S PAYMENT TO HSC ELECTRIC COMPANY, INC. IN THE AMOUNT OF \$15,724.70 AS THE FINAL PAYMENT INCLUDING THE DISTRICT'S RETAINAGE AMOUNT FOR THE REPAIR OF THE DISTRICT'S WELL #4 ELECTRICAL SYSTEM INCLUDED IN THE DISTRICT'S 2018 - 2019 CAPITAL IMPROVEMENTS PLAN. (*Revenue Note CIP*). Ms. Snead made a motion to approve this resolution. This was seconded by Mr. Guerrero. Motion Passes.

5 YES 0 ABSTAIN 0 NO 0 ABSENT

E. THE BOARD WILL DELIBERATE AND MAY TAKE ACTION ON A RESOLUTION RATIFYING THE GENERAL MANAGER'S PAYMENT TO CORE & MAIN IN THE AMOUNT OF \$10,466.40 FOR THE PURCHASE OF WATER METERS FOR THE DISTRICT INCLUDED IN THE DISTRICT'S 2018 - 2019 CAPITAL IMPROVEMENTS PLAN. (*Revenue Note CIP*). Mr. Richards made a motion to approve this resolution. This was seconded by Ms. Snead. Motion Passes.

5 YES 0 ABSTAIN 0 NO 0 ABSENT

F. THE BOARD WILL DELIBERATE AND MAY TAKE ACTION ON A RESOLUTION TO INCREASE THE SECURITY DEPOSIT FOR ALL NEW RESIDENT CUSTOMERS FROM \$90.00 TO \$125.00; AUTHORIZING AND DIRECTING THE GENERAL MANAGER TO IMPLEMENT THE INCREASE IN THE DISTRICT'S SECURITY DEPOSIT FOR ALL NEW RESIDENT CUSTOMERS FROM \$90.00 TO \$125.00. Ms. Snead made a motion to approve this resolution. This was seconded by Ms. Scheibler. Motion Passes.

5 YES 0 ABSTAIN 0 NO 0 ABSENT

G. THE BOARD WILL DELIBERATE AND MAY TAKE ACTION TO CHANGE THE START TIME FOR ALL REGULAR BOARD MEETINGS BEGINNING IN AUGUST 2019, FROM 6:30 P.M. TO 6:00 P.M. Ms. Snead made a motion to approve this resolution. This was seconded by Mr. Richards. Motion Passes.

5 YES 0 ABSTAIN 0 NO 0 ABSENT

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: JUNE 2019
 - a. Operating Revenue: \$187,472.07
 - b. Operating Expenses: \$177,064.63
 - c. Operating Income \$ 10,407.44
 - d. Non-Operating Income \$ 7,875.16 (Interest Income)
 - e. Total Income \$ 18,282.60
2. INVESTMENT REPORT:
 - a. Operating Account Balance \$ 417,181.73
 - b. Investments: \$ 750,482.71
 - c. Grand Total \$6,167,271.47

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 / June 2019	\$65,228.50
EAA	Management / Program Fee	\$ 9,163.55
2. Water Usage Update: Our current pumpage for June 2019 was 25,660,000 gals, Total pumpage for the year is 413.84 acre/ft. Total Edwards permit 1625.00 acre/ft. The Edwards Aquifer is currently around 680 ft. We are in NORMAL RESTRICTIONS. We are currently pumping 995,000 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. Both Contractors should be working in the District by July 1, 2019.

VIII. THE REGULAR SESSION OF THE JULY 18, 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 JULY 18, 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. General Manager requested that Dusty Traylor be added to agenda to discuss the issuance of the remaining 2MM of Revenue Notes. General Manager requested a discussion of possible new car wash coming to Windcrest. Discussion of the delinquent amount that AT&T owes the District and possible action to be taken. Ruben Barrera, Attorney requested that there have been some changes in the law regarding the Open Meetings Act and how it is to be presented on the agenda going forward.

XII. ADJOURNMENT. The Bexar County Water Control and Improvement District No. 10 Board of Directors Meeting of July 18, 2019 is hereby adjourned at 7:21 p.m.


FERNANDO RICHARDS, JR., Secretary


BERTIE S ALEXANDER, President

Date: 8/15/19