

BEXAR COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. TEN

8601 MIDCROWN
SAN ANTONIO, TEXAS 78239-2445

REGULAR BOARD MEETING MINUTES
OCTOBER 17, 2019

- I. CALL REGULAR BOARD MEETING TO ORDER AND TAKE ATTENDANCE AND PLEDGE OF ALLEGIANCE: The Regular Board Meeting of October 17, 2019, was called to order at 6:00 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, Mr. Richards and Mr. Guerrero. Also, in attendance were Ruben Barrera, Attorney, Leonard Young, Engineer and David Wallace, General Manager. Ms. Scheibler was absent. Mr. Richards made a motion to excuse Ms. Scheibler's absence. This was seconded by Ms. Snead. Motion Passes.

4 YES 0 ABSTAIN 0 NO 1 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 SEPTEMBER 19, 2019. Mr. Guerrero made a motion to approve the minutes as written. This was seconded by Mr. Richards. 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 COMMENTS WILL NOT BE ALLOWED / ACCEPTED AFTER THIS TIME. No public comments at this time.

PUBLIC COMMENT STANDARD STATEMENT

The Board will now open the floor to members of the public for public comment. 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. Comments may relate to general matters involving the District or a specific item(s) on the Board's agenda.*
- 2. Comments shall be limited to five (5) minutes per individual.*
- 3. Comments relating to general matters involving the District shall be presented during the Public Comment Session at the beginning of the meeting.*
- 4. Comments relating to a specific item(s) on the Board's agenda may be presented either (a) during the Public Comment Session at the beginning of the meeting; or (b) during consideration of the specific agenda item(s).*
- 5. An individual shall register (by including name and address) on the sign-in sheet prior to the beginning of the meeting his/her choice to either comment (a) during*

the Public Comment Session at the beginning of the meeting or (b) during consideration of each specific agenda item(s).

- 6. At the Board's discretion, if five (5) or more individuals desire to comment on a specific item, such comments shall be limited to two (2) minutes per individual.*
- 7. No individual shall transfer his/her allotted time to comment to another individual.*
- 8. If (a) an individual needs a translator to translate his/her public comments, and (b) the Board is not providing translation equipment that allows the Board to hear translated public comments simultaneously, the comments of an individual using a translator shall be limited to ten (10) minutes per individual.*
- 9. Comments should be directed to the entire Board and not to one individual member of the Board.*
- 10. The Board strives to maintain open, courteous and respectful communications with the public. Please extend the same courtesy to the Board when addressing your comments.*
- 11. While individuals are free to express their opinions, whether positive or critical of any act, omission, policy, procedure, program, or service of the District and/or the Board, the Board does expect that all individuals 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, and/or preventing, interfering, or otherwise obstructing a lawfully called meeting, 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 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 TO RECOMMEND AN AMENDMENT OF THE DISTRICT'S 2018 AND 2019 CAPITAL IMPROVEMENTS PLAN TO INCLUDE THE INSTALLATION OF THREE (3) NEW FIRE HYDRANTS WITHIN THE DISTRICT AND CITY OF WINDCREST; AND BOARD DELIBERATION REGARDING THE GENERAL MANAGER AND DISTRICT'S ENGINEER'S RECOMMENDATION ON AN AMENDMENT OF THE DISTRICT'S 2018 AND 2019 CAPITAL IMPROVEMENTS PLAN TO INSTALL THREE (3) NEW FIRE HYDRANTS WITHIN THE DISTRICT AND CITY OF WINDCREST. Fire Chief, Dan Kramer, requested that these three fire hydrants be installed to provide better coverage for the City of Windcrest. These would be located as follows: The Northwest corner of Windcrest Drive and Windsong Drive, the Southwest corner of Faircrest Drive and Cleardrift Drive and the last would be somewhere near the East corner of Windway Drive and Crestwind Drive. The District's General Manager and Engineer stated that the cost would be approximately \$20,000 for all three (3) hydrant installation.

B. THE BOARD WILL DELIBERATE AND MAY TAKE ACTION ON A RESOLUTION APPROVING THE RECOMMENDATION BY THE GENERAL MANAGER AND THE DISTRICT'S ENGINEER TO AMEND THE DISTRICT'S 2018 AND 2019 CAPITAL IMPROVEMENTS PLAN TO INCLUDE THE INSTALLATION OF THREE (3) NEW FIRE HYDRANTS WITHIN THE DISTRICT AND CITY OF WINDCREST. Ms. Snead made a motion to approve this resolution. This was seconded by Mr. Richards. Motion Passes.

4 YES 0 ABSTAIN 0 NO 1 ABSENT

C. 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.

D. THE BOARD WILL DELIBERATE AND MAY TAKE ACTION ON A RESOLUTION RATIFYING THE GENERAL MANAGER'S PAYMENT TO HSC ENGINEERING INC. IN THE AMOUNT OF \$5,554.42 FOR ELECTRICAL WORK COMPLETED ON THE DISTRICT'S WELL #4 WHICH IS 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

4 YES 0 ABSTAIN 0 NO 1 ABSENT

E. THE BOARD WILL DELIBERATE AND MAY TAKE ACTION ON A RESOLUTION RATIFYING THE GENERAL MANAGER'S PAYMENT TO B&S CONTRACTING SERVICE, LLC IN THE AMOUNT OF \$12,950.00 FOR THE INSTALLATION OF A CONCRETE DRIVEWAY INSTALLED AT THE DISTRICT'S WELL #3 AND WELL #4 SITES TO PROVIDE ACCESS FOR THE PORTABLE GENERATOR WHICH IS INCLUDED IN THE DISTRICT'S 2018 - 2019 CAPITAL IMPROVEMENTS PLAN. (*REVENUE NOTE CIP*) Mr. Guerrero made a motion to approve this resolution. This was seconded by Ms. Snead. Motion Passes

4 YES 0 ABSTAIN 0 NO 1 ABSENT

F. THE BOARD WILL DELIBERATE AND MAY TAKE ACTION ON A RESOLUTION RATIFYING THE GENERAL MANAGER'S PAYMENT TO PRONTO SANDBLASTING & COATING IN THE AMOUNT OF \$71,270.10 FOR THEIR THIRD PAYMENT FOR WORK ON THE DISTRICT'S EAGLECREST, CRESTWAY AND SHADY CREEK PROJECT WHICH IS 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.

4 YES 0 ABSTAIN 0 NO 1 ABSENT

G. THE BOARD WILL DELIBERATE AND MAY TAKE ACTION ON A RESOLUTION RATIFYING THE GENERAL MANAGER'S PAYMENT TO PRONTO SANDBLASTING & COATING IN THE AMOUNT OF \$113,168.70 FOR THEIR FOURTH PAYMENT FOR WORK ON THE DISTRICT'S EAGLECREST, CRESTWAY AND SHADY CREEK PROJECT WHICH IS INCLUDED IN THE DISTRICT'S 2018-2019 CAPITAL IMPROVEMENTS PLAN. (*REVENUE NOTE CIP*) Mr. Guerrero made a motion to approve this resolution. This was seconded by Ms. Snead. Motion Passes.

4 YES 0 ABSTAIN 0 NO 1 ABSENT

H. THE BOARD WILL DELIBERATE AND MAY TAKE ACTION ON A RESOLUTION RATIFYING THE GENERAL MANAGER'S PAYMENT TO QRO MEX CONSTRUCTION COMPANY, INC. IN THE AMOUNT OF \$327,852.84 FOR THEIR SECOND PAYMENT FOR WORK ON THE DISTRICT'S PHASE 1 PROJECT WHICH IS 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. Richards. Motion Passes.

4 YES 0 ABSTAIN 0 NO 1 ABSENT

I. THE BOARD WILL DELIBERATE AND MAY TAKE ACTION ON A RESOLUTION AMENDING SECTION 4.01 (WATER AND SEWER CONNECTIONS AND EXTENSIONS) ITEMS A AND B IN THE DISTRICT'S POLICY AND PROCEDURES MANUAL, REGARDING WATER RIGHTS AND WATER RIGHTS FEES. Ms. Snead made a motion to approve this resolution, amending Section 4.01 (Water and Sewer Connections and Extensions) items A and B in the District's Policy and Procedures Manual as distributed to the Board. This was seconded by Mr. Richards. Motion Passes.

4 YES 0 ABSTAIN 0 NO 1 ABSENT

J. A PRESENTATION BY THE GENERAL MANAGER REGARDING THE DISTRICT'S PROPOSED 2020 BUDGET AND BOARD DELIBERATION REGARDING THE DISTRICT'S PROPOSED 2020 BUDGET.

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 2019
	a. Operating Revenue:	\$ 280,238.74
	b. Operating Expenses:	\$ 290,521.03
	c. Operating Income	(\$ 10,282.29)
	d. Non-Operating Income	\$ 4,779.91 (Interest Income)
	e. Total Income	(\$ 5,502.38)
2.	INVESTMENT REPORT:	
	a. Operating Account Balance	\$ 562,914.02
	b. Investments:	\$ 753,949.68
	c. Grand Total	\$5,352,225.10

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 2019	\$70,447.00
EAA	Management / Program Fee	\$ 7,830.58
2. Water Usage Update: Our current pumpage for September 2019 was 36,596,000 gals, Total pumpage for the year is 773.40 acre/ft. The District's total Edwards permit is 1625.00 acre/ft. The Edwards Aquifer is currently around 667 ft. We are in NORMAL 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 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 are working in the District and doing well. They are on schedule. Pronto will be finished this month on the water and sewer project that they were contracted to do. Qro Mex is on schedule with their work.

VII. THE REGULAR SESSION OF THE OCTOBER 17, 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

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.

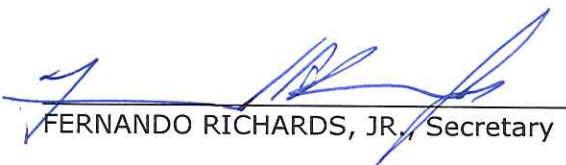
B. THE BOARD WILL CONSULT WITH THE DISTRICT'S LEGAL COUNSEL IN A CLOSED SESSION, AS AUTHORIZED BY TEXAS GOVERNMENT CODE § 551.071(2), TO DISCUSS AND SEEK ADVICE UPON ONE OR MORE MATTER(S) IN WHICH THE DUTY OF THE ATTORNEY TO THE DISTRICT UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE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

THE REGULAR SESSION OF THE REGULAR BOARD MEETING OF OCTOBER 17, 2019, IS HEREBY RECONVENED.

IX. 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.

X. ADJOURNMENT. The Bexar County Water Control and Improvement District No. 10 Board of Directors Meeting of October 17, 2019 is hereby adjourned at 7:23 p.m.


FERNANDO RICHARDS, JR., Secretary


BERTIE S ALEXANDER, President

Date: 12/12/2019