BEXAR COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. TEN
8601 MIDCROWN
SAN ANTONIO, TEXAS 78239-2445

REGULAR BOARD MEETING MINUTES
SEPTEMBER 15, 2022

CALL REGULAR BOARD MEETING TO ORDER AND TAKE ATTENDANCE AND PLEDGE OF ALLEGIANCE: The Regular Board Meeting of September 15, 2022, was called to order at 6:00 p.m. by the President of the Board, Ms. Alexander, at the City of Windcrest's 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, Mr. Richards, and Mr. Cockerham. Also, in attendance was David Wallace, General Manager, Ruben Barrera, Attorney and Leonard Young, Engineer. Ms. Snead and Ms. Tuttle were absent. Mr. Richards made a motion to approve Ms. Snead and Ms. Tuttle's absence. This was seconded by Mr. Cockerham. Motion carried.

3 YES 0 ABSTAIN 0 NO 2 ABSENT

I. 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.

II. READ, CORRECT/AMEND, AND APPROVE THE REGULAR BOARD MEETING MINUTES OF AUGUST 18, 2022.

Mr. Cockerham made a motion to approve the minutes as written. This was seconded by Mr. Richards. Motion carried.

3 YES 0 ABSTAIN 0 NO 2 ABSENT

III. 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 visitors spoke.

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.

IV. CONSENT ITEMS:

A. THE BOARD WILL DELIBERATE AND MAY TAKE ACTION ON A RESOLUTION RATIFYING THE DISTRICT GENERAL MANAGER'S PAYMENT TO CORE & MAIN IN THE AMOUNT OF $3,824.46 FOR THE PURCHASE OF NEW AND REPLACEMENT VALVES THAT WILL BECOME PART OF THE DISTRICT'S WATER UTILITY SYSTEM AND WHICH IS INCLUDED IN THE DISTRICT'S 2022-2023 CAPITAL IMPROVEMENTS PLAN. *(BCWCID10 CIP)*

B. THE BOARD WILL DELIBERATE AND MAY TAKE ACTION ON A RESOLUTION RATIFYING THE DISTRICT GENERAL MANAGER'S PAYMENT TO REPUBLIC SERVICES IN THE AMOUNT OF $3,305.96 FOR EQUIPMENT RENTAL FOR THE REMOVAL OF SOIL FROM THE WATER LINE CROSSINGS ON WINDROCK DRIVE IN CONNECTION WITH THE INSTALLATION OF NEW WATER LINES ON WINDROCK DRIVE THAT WILL BECOME PART OF THE DISTRICT'S WATER UTILITY SYSTEM AND WHICH IS INCLUDED IN THE DISTRICT'S 2021-2022 CAPITAL IMPROVEMENTS PLAN. *(BCWCID10 CIP)*

C. THE BOARD WILL DELIBERATE AND MAY TAKE ACTION ON A RESOLUTION RATIFYING THE DISTRICT GENERAL MANAGER'S PAYMENT TO FUTURE ELECTRIC IN THE AMOUNT OF $2,230.74 FOR LIGHTING UPDATES ON THE DISTRICT'S ELEVATED 750 STORAGE TANK THAT IS PART OF THE DISTRICT'S WATER UTILITY SYSTEM AND WHICH IS INCLUDED IN THE DISTRICT'S 2022 - 2023 CAPITAL IMPROVEMENTS PLAN. *(BCWCID10 CIP)*

D. THE BOARD WILL DELIBERATE AND MAY TAKE ACTION ON A RESOLUTION RATIFYING THE DISTRICT GENERAL MANAGER'S PAYMENT TO FUTURE ELECTRIC IN THE AMOUNT OF $1,016.41 FOR THE INSTALLATION OF A SOLAR VENT AT THE CONNEX TRAILER AT THE MAINTENANCE SHOP THAT IS PART OF THE DISTRICT'S WATER UTILITY SYSTEM AND WHICH IS INCLUDED IN THE DISTRICT'S 2022 – 2023 CAPITAL IMPROVEMENTS PLAN. *(BCWCID10 CIP)*

Mr. Richards made a motion to approve the consent agenda items. This was seconded by Mr. Cockerham. Motion carried.

3 YES 0 ABSTAIN 0 NO 2 ABSENT

V. ITEMS FOR INDIVIDUAL CONSIDERATION:

A. THE BOARD WILL DELIBERATE AND MAY TAKE ACTION TO ACCEPT THE RESIGNATION OF DIANE TUTTLE AS BOARD DIRECTOR.

Mr. Cockerham made a motion to approve Ms. Tuttle's resignation. This was seconded by Mr. Richards. Motion carried.

3 YES 0 ABSTAIN 0 NO 2 ABSENT

B. THE BOARD WILL DELIBERATE AND MAY TAKE ACTION TO FILL THE VACANT BOARD OF DIRECTOR POSITION.

Ms. Alexander made a motion to have interested residents submit an application for the vacant Board position. The application will be available on the District website and in the District Office. The application will need to be received by the District no later than Thursday, October 13, 2022 by 12:00 (noon) to be considered. The Board will then decide at the November Board meeting the candidate to fill the vacancy. This was seconded by Mr. Richards. Motion carried.

3 YES 0 ABSTAIN 0 NO 2 ABSENT

C. PRESENTATION BY THE DISTRICT'S GENERAL MANAGER AND THE DISTRICT'S ENGINEER REGARDING THE DISTRICT'S 2022 AND 2023 CAPITAL IMPROVEMENTS PLAN; AND BOARD DELIBERATION REGARDING THE DISTRICT'S 2022 AND 2023 CAPITAL IMPROVEMENTS PLAN.

Mr. Young stated that the City of Windcrest would like to add additional brackets for lights on the District's Well #2 (Standpipe) once painting is completed. The City of Windcrest would like to put the City Logo or flag on this as well as the caption "City of Lights". This would ultimately need to be approved by the Board first. Mr. Young stated that the bid has been posted on the District's website. All bids are to be submitted no later than October 13, 2022. Mr. Young will make his recommendation of which contractor he chose to the Board at the October 20, 2020 Board meeting.

D. THE BOARD WILL DISCUSS AND MAY TAKE ACTION ON A RESOLUTION APPROVING THE RENEWAL OF A CERTIFICATE OF DEPOSIT IN THE AMOUNT OF $125,388.21 (AS OF AUGUST 31, 2022) FOR ONE (1) YEAR WITH FIRST MARK FEDERAL CREDIT UNION; AUTHORIZING AND DIRECTING THE GENERAL MANAGER TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY FOR THE RENEWAL OF A

CERTIFICATE OF DEPOSIT IN THE AMOUNT OF $125,388.21 (AS OF AUGUST 31, 2022) FOR ONE (1) YEAR WITH FIRST MARK FEDERAL CREDIT UNION.

Mr. Richards made a motion to approve this Resolution for either 11 or 12 months whichever rate is higher. This was seconded by Mr. Cockerham. Motion carried.

3 YES 0 ABSTAIN 0 NO 2 ABSENT

E. THE BOARD WILL DISCUSS AND MAY TAKE ACTION ON A RESOLUTION APPROVING THE RENEWAL OF A CERTIFICATE OF DEPOSIT IN THE AMOUNT OF $125,000 (AS OF AUGUST 31, 2022) FOR ONE (1) YEAR WITH FROST BANK; AUTHORIZING AND DIRECTING THE GENERAL MANAGER TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY FOR THE RENEWAL OF A CERTIFICATE OF DEPOSIT IN THE AMOUNT OF $125,000 (AS OF AUGUST 31, 2022) FOR ONE (1) YEAR WITH FROST BANK.

Mr. Cockerham made a motion to approve this resolution. This was seconded by Mr. Richards. Motion carried.

3 YES 0 ABSTAIN 0 NO 2 ABSENT

F. THE BOARD WILL DISCUSS THE 2023 PROPOSED 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 AMOUNTS THAN EXPECTED. UPDATE ON INVESTMENTS, INCLUDING BALANCES, RATES OF RETURN, MATURITY DATES, AND MARKET CONDITIONS.

		AUGUST 2022
1.	STATEMENT OF OPERATIONS:	
	a. Operating Revenue:	$ 330,213.82
	b. Operating Expenses:	$ 186,136.33
	c. Operating Income	$ 144,077.49
	d. Non-Operating Income	$ 411.81
	e. Total Income	$ 144,489.30
2.	INVESTMENT REPORT:	
	a. Operating Account Balance	$1,134,648.69
	b. Investments:	$ 836,546.22
	c. Grand Total	$2,088,847.90

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.

			AUGUST 2022
1.	SIGNIFICANT EXPENDITURES: (OVER $5,000)		
	SAWS	Sewer Service /July	$76,802.25
	EAA	Management / Program Fee	$ 9,275.00

2. Water Usage Update: Our current pumpage for August 2022 was 34,185,000 gals, Total pumpage for the year is 713.84 acre/ft. The District's total Edwards permit is 1625.00 acre/ft. The Edwards Aquifer is currently around 636.5 ft. We are in STAGE I 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. We are starting replacement of broken and old gate valves throughout the system. Still replace bad curb-stops on meter change outs.

4. Working with the Engineers, on 2022-2023 Capital Improvement Projects. We have completed the pipe crossings on Windrock before the City of Windcrest repaves it. We are working on replacing service connections on Crescent Falls.

VII. THE REGULAR SESSION OF THE SEPTEMBER 15, 2022, REGULAR BOARD MEETING IS HEREBY RECESSED TO HOLD AN EXECUTIVE SESSION AND DISCUSS THE MATTERS LISTED BELOW PURSUANT TO SECTIONS 551.071 AND 552.074 OF THE TEXAS OPEN MEETINGS ACT. 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, INCLUDING THE DISTRICT'S GENERAL MANAGER 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 SEPTMEBER 15, 2022, IS HEREBY RECONVENED. The Board did not go into Executive Session.

X. 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.

XI. ADJOURNMENT. The Bexar County Water Control and Improvement District No. 10 Board of Directors Meeting of August 18, 2022, is hereby adjourned at 6:45 p.m.

FERNANDO RICHARDS, JR., Vice President

BERTIE S ALEXANDER, President

Date: 10/20/2022