

BEXAR COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. TEN

8601 MIDCROWN
SAN ANTONIO, TEXAS 78239-2445

**REGULAR BOARD MEETING MINUTES
AUGUST 21, 2025**

CALL REGULAR BOARD MEETING TO ORDER AND TAKE ATTENDANCE AND PLEDGE OF ALLEGIANCE: The Regular Board Meeting of August 21, 2025, 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. The Board members present were, Ms. Alexander, Ms. Snead, Mr. Cockerham, Ms. Arnicar and Mr. Guerrero. Also, in attendance were David Wallace, General Manager, Ruben Barrera, Attorney and Leonard Young, Engineer.

- 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 JULY 17, 2025.

Mr. Guerrero made a motion to approve the minutes as written. Ms. Arnicar seconded this motion. Motion carried.

5 YES 0 ABSTAIN 0 NO 0 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 APPROVING THE RATIFICATION OF THE DISTRICT GENERAL MANAGER'S PAYMENT TO FERGUSON WATERWORKS IN THE AMOUNT OF \$1,389.20 FOR THE PURCHASE OF KAMSTRUP AUTOMATIC READ METERS THAT WILL BECOME PART OF THE DISTRICT'S WATER UTILITY SYSTEM WHICH IS INCLUDED IN THE DISTRICT'S 2025 CAPITAL IMPROVEMENTS PLAN. (BCWCID10 CIP)

Mr. Guerrero made a motion to approve the Consent Agenda Items. This was seconded by Ms. Snead. Motion Carried.

5 YES 0 ABSTAIN 0 NO 0 ABSENT

V. ITEMS FOR INDIVIDUAL CONSIDERATION:

A. A PRESENTATION BY THE GENERAL MANAGER AND THE DISTRICT'S ENGINEER REGARDING THE DISTRICT'S 2025 CAPITAL IMPROVEMENTS PLAN; AND BOARD DELIBERATION REGARDING THE DISTRICT'S 2025 CAPITAL IMPROVEMENTS PLAN

B. THE BOARD WILL DELIBERATE AND MAY TAKE ACTION REGARDING PENDING NEGOTIATIONS BETWEEN THE CITY OF WINDCREST AND THE DISTRICT CONCERNING THE LEASE AND INTERLOCAL AGREEMENT. Mr. Cockerham made a motion to table this item until next month. This was seconded by Mr. Guerrero. Motion Carried

5 YES 0 ABSTAIN 0 NO 0 ABSENT

C. THE BOARD WILL DELIBERATE AND MAY TAKE ACTION ON A RESOLUTION APPROVING AND ACCEPTING THE ASSIGNMENT, TRANSFER, AND CONVEYANCE OF, AND RIGHT TO USE TEN POINT NINE (10.9) ACRE-FEET OF EDWARDS AQUIFER AUTHORITY ("EAA") GROUNDWATER WITHDRAWAL RIGHTS OWNED BY THE CITY OF WINDCREST, TEXAS ("CITY") TO THE DISTRICT FOR THE CALENDAR YEAR 2025 SO THAT THE DISTRICT MAY PUMP ALL OR A PORTION OF THE TEN POINT NINE (10.9) ACRE-FEET OF EAA GROUNDWATER DURING 2025 FOR THE BENEFIT OF THE CITY

WHEN NOTIFIED IN WRITING BY THE CITY THAT THE CITY NEEDS TO USE ALL OR A PORTION OF THE TEN POINT NINE (10.9) ACRE-FEET OF EAA GROUNDWATER FOR MUNICIPAL USES DURING 2025; AND REPEALING ALL PRIOR RESOLUTIONS RELATING TO THE ASSIGNMENT, TRANSFER AND CONVEYANCE OF EAA GROUNDWATER WITHDRAWAL RIGHTS FROM THE CITY TO THE DISTRICT. Ms. Snead made a motion to approve. This was seconded by Ms. Arnica. Motion Carried.

5 YES 0 ABSTAIN 0 NO 0 ABSENT

D. THE BOARD WILL DISCUSS AND MAY TAKE ACTION, AUTHORIZING THE GENERAL MANAGER AND DISTRICT'S ATTORNEY TO NEGOTIATE A CONTRACT WITH HYDRANT.COM FOR THE 180 POINT INSPECTION AND FLOW TEST OF THE DISTRICT'S FIRE HYDRANTS THAT THE CITY OF WINDCREST, TEXAS FIRE DEPARTMENT HAS REQUESTED TO BE COMPLETED. Assistant Fire Chief, Robert Weidenbach, addressed the Board regarding this. Mr. Cockerham made a motion to approve. This was seconded by Ms. Snead. Motion carried.

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 AMOUNTS THAN EXPECTED. UPDATE ON INVESTMENTS, INCLUDING BALANCES, RATES OF RETURN, MATURITY DATES, AND MARKET CONDITIONS.

1.	STATEMENT OF OPERATIONS:	<u>JULY 2025</u>
a.	Operating Revenue:	\$ 236,267.70
b.	Operating Expenses:	\$ 195,330.14
c.	Operating Income	\$ 40,937.56
d.	Non-Operating Income	\$ 5,149.76
e.	Total Income	\$ 46,087.32
2.	INVESTMENT REPORT:	
a.	Operating Account Balance	\$ 880,611.27
b.	Investments:	\$1,148,846.66
c.	Grand Total	\$2,214,785.73

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)	<u>JULY 2025</u>
SAWS	Sewer Service /	\$ 65,181.19
EAA	Management / Program Fee	\$ 12,189.94

- Water Usage Update: Our current pumpage for July 2025 was 27,343,000 gals, Total pumpage for the year is 521.00 acre/ft. The District's total Edwards permit is 1625.00 acre/ft. The Edwards Aquifer is currently around 638.50 ft. We are in STAGE III Restrictions. We are currently pumping 1,100,000 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 the replacement of broken and old gate valves throughout the system. Still replacing bad curb-stops on meter change outs.

4. Working with the Engineers, on 2025 Capital Improvement Projects.

VII. THE REGULAR SESSION OF AUGUST 21, 2025, 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. The Board of Directors went into Executive Session at 6:23 p.m.

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, AND CONSULTATION WITH THE DISTRICT'S LEGAL COUNSEL REGARDING LEGAL ISSUES INVOLVING 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 § 551.071(2).

B. TO CONSULT WITH AND SEEK ADVICE FROM THE DISTRICT'S ATTORNEYS REGARDING PENDING LITIGATION STYLED AS CAUSE NO. 2025CV02705; FIT SCHOOL OF TENNIS, LLC. VS. BEXAR COUNTY WCID NO. 10; IN THE COUNTY COURT AT LAW NO. 3; BEXAR COUNTY, TEXAS; AS AUTHORIZED BY SECTION 551.071(1) OF THE TEXAS GOVERNMENT CODE.

C. TO CONSULT WITH AND SEEK ADVICE FROM THE DISTRICT'S ATTORNEY(S) REGARDING LEGAL ISSUES INVOLVING APPLYING FOR AND OBTAINING FROM THE APPROPRIATE CITY OF WINDCREST, TEXAS CITY COUNCIL, PLANNING AND ZONING COMMISSION, BOARD OF ADJUSTMENT, ZONING ENFORCEMENT AND ADMINISTRATION OFFICIAL, AND/OR DIRECTOR OF BUILDING SERVICES, IF REQUIRED, A CITY OF WINDCREST, TEXAS ZONING DISTRICT AMENDMENT, ANY VARIANCE(S) OF REGULATIONS AND/OR SPECIAL EXCEPTION(S), APPROVAL(S), AND/OR ANY PERMIT(S) INCLUDING BUT NOT LIMITED TO A SPECIAL USE PERMIT FOR THE ERECTION, SITING AND CONSTRUCTION OF AN ACCESSORY (STORAGE) BUILDING AS AN ACCESSORY USE AT THE BEXAR COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 10'S STORAGE TANK SITE LOCATED AT CB 5474A, BLOCK 28, LOT 5, BEXAR CAD PROPERTY ID 342858 IN THE CITY OF WINDCREST, TEXAS AND SITUATED IN A CITY OF WINDCREST, TEXAS R-1 SINGLE FAMILY DWELLING DISTRICT; AS AUTHORIZED BY SECTION 551.071(2) OF THE TEXAS GOVERNMENT CODE.

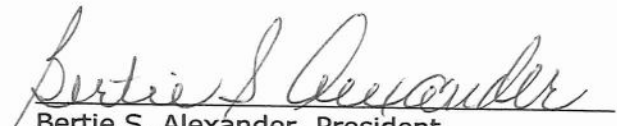
D. THE BOARD WILL CONSULT WITH THE DISTRICT'S LEGAL COUNSEL IN A CLOSED SESSION, AS AUTHORIZED BY TEXAS GOVERNMENT CODE § 551.071(2), TO DISCUSS AND SEEK ADVICE UPON ONE OR MORE MATTER(S) IN WHICH THE DUTY OF THE ATTORNEY TO THE DISTRICT UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH CHAPTER 551, TEXAS GOVERNMENT CODE.

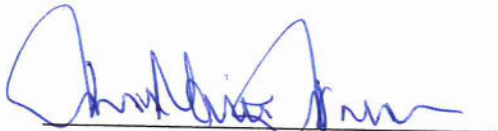
****AS USED HEREIN, "CLOSED MEETING" SHALL HAVE THE DEFINITION ASCRIBED TO THAT TERM BY TEXAS GOVERNMENT CODE § 551.001. AS REQUIRED BY TEXAS GOVERNMENT CODE § 551.102, THE FINAL ACTION, DECISION, OR VOTE ON A MATTER DELIBERATED IN A CLOSED MEETING WILL BE MADE IN AN OPEN MEETING****

- IX. THE REGULAR SESSION OF THE REGULAR BOARD MEETING OF AUGUST 21, 2025, IS HEREBY RECONVENED. The Board of Directors reconvened into Regular Session at 7.17 p.m.
- X. THE BOARD WILL DISCUSS AND MAY TAKE ACTION ON PENDING LITIGATION STYLED AS CAUSE NO. 2025CV02705; FIT SCHOOL OF TENNIS, LLC. VS. BEXAR COUNTY WCID NO. 10; IN THE COUNTY COURT AT LAW NO. 3; BEXAR COUNTY, TEXAS. Ms. Snead made a motion to table this item. This was seconded by Mr. Guerrero.

5 YES 0 ABSTAIN 0 NO 0 ABSENT

- 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 Board President reminded Residents that all Backflow devices for sprinkler systems, pools, etc. need to be inspected by September 1, 2025.
- XII. ADJOURNMENT. The Bexar County Water Control and Improvement District No. 10 Board of Directors Meeting of August 21, 2025, is hereby adjourned at 7:32 p.m.


Bertie S. Alexander, President


Ann Marie Arnicar, Secretary

Date: 18 Sept 25