

**BEXAR COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. TEN**

8601 MIDCROWN  
SAN ANTONIO, TEXAS 78239-2445

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REGULAR BOARD MEETING MINUTES  
SEPTEMBER 19, 2019

- I. CALL REGULAR BOARD MEETING TO ORDER AND TAKE ATTENDANCE AND PLEDGE OF ALLEGIANCE: The Regular Board Meeting of September 19, 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, Robert "Dusty" Traylor, Financial Advisor, 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 AUGUST 15, 2019. Mr. Guerrero made a motion to approve the minutes as written. This was seconded by Ms. Snead. 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 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. THE BOARD WILL DELIBERATE AND MAY TAKE ACTION APPROVING NEW PUBLIC COMMENT RULES INCORPORATED IN THE BOARD'S POSTED AGENDA. A Motion was made by Mr. Guerrero to approve these New Public Comment Rules. This was seconded by Ms. Snead. Motion Approved.

4 YES 0 ABSTAIN 0 NO 1 ABSENT

B. 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.

C. THE BOARD WILL DELIBERATE AND MAY TAKE ACTION ON A RESOLUTION RATIFYING THE GENERAL MANAGER'S PAYMENT TO HIERHOLZER ENGINEERING INC. IN THE AMOUNT OF \$2,291.25 FOR THE INSTALLATION OF THREE (3) VOLTAGE TRANSDUCERS IN THE DISTRICT'S WELL #4'S STARTER CABINATE 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

D. THE BOARD WILL DELIBERATE AND MAY TAKE ACTION ON A RESOLUTION RATIFYING THE GENERAL MANAGER'S PAYMENT TO PRONTO SANDBLASTING & COATINGS IN THE AMOUNT OF \$89,363.70 FOR THEIR SECOND PAYMENT FOR WORK ON THE DISTRICT'S EAGLECREST, CRESTWAY AND SHADY BROOK PROJECT 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

E. 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 \$226,775.30 FOR THEIR FIRST PAYMENT FOR WORK ON THE DISTRICT'S PHASE 1 PROJECT 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

F. THE BOARD WILL DELIBERATE THE DISTRICT'S REQUIREMENTS FOR A PROPOSED CAR WASH OPERATION TO BE LOCATED ON 6001 MONTGOMERY IN THE CITY OF WINDCREST, TEXAS

THE BOARD PRESIDENT DETOURED FROM THE AGENDA AND WENT TO ITEM VII:

BOARD PRESIDENT STATED THAT THE BOARD WOULD BE GOING INTO EXECUTIVE SESSION AT THIS TIME TO DISCUSS ITEM V.F. THE GENERAL MANAGER REQUESTED THAT LEONARD YOUNG, DISTRICT'S ENGINEER, BE PRESENT IN THIS SESSION TO ANSWER QUESTIONS. BOARD PRESIDENT APPROVED THIS.

VII. THE REGULAR SESSION OF THE SEPTEMBER 19, 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 went into Executive Session at 6:20 p.m.

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 SEPTEMBER 19, 2019, IS HEREBY RECONVENED. The Board reconvened into regular session at 6:47 p.m. The Board President stated, that no final votes of any kind were taken in Executive Session. Mr. Richards made a motion to table item V.F. until the next scheduled Board Meeting. This was seconded by Ms. Snead. Motion Approved.

4 YES    0 ABSTAIN    0 NO    1 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 LEVELS THAN EXPECTED. UPDATE ON INVESTMENTS, INCLUDING BALANCES, RATES OF RETURN, MATURITY DATES, AND MARKET CONDITIONS.

1.	STATEMENT OF OPERATIONS:	AUGUST 2019
	a. Operating Revenue:	\$ 296,154.10
	b. Operating Expenses:	\$ 164,901.63
	c. Operating Income	\$ 111,252.47

- d. Non-Operating Income           \$ 6,829.14 (Interest Income)
- e. Total Income                   \$ 116,081.61
- 2. INVESTMENT REPORT:
  - a. Operating Account Balance   \$ 473,041.74
  - b. Investments:                   \$ 752,524.34
  - c. Grand Total                   \$5,845,318.44

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 / August 2019       \$72,350.14
  - EAA           Management / Program Fee       \$ 7,830.58
- 2. Water Usage Update: Our current pumpage for August 2019 was 45,732,000 gals, Total pumpage for the year is 661.09 acre/ft. Total Edwards permit 1625.00 acre/ft. The Edwards Aquifer is currently around 665 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.

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 September 19, 2019 is hereby adjourned at 7:06 p.m.

  
 FERNANDO RICHARDS, JR., Secretary

  
 BERTIE S ALEXANDER, President

Date: 10/17/19