



# Bexar County Water Control and Improvement District #10

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Windcrest TX 78239  
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(Posted August 24, 2020, 4:00 p.m.)

## NOTICE OF REGULAR BOARD MEETING

THE MAYOR OF THE CITY OF WINDCREST, TEXAS DECLARED A STATE OF EMERGENCY FOR THE CITY OF WINDCREST, TEXAS ON MARCH 17, 2020 AS A RESULT OF THE CORONAVIRUS/COVID-19 PANDEMIC AND BASED ON THAT ACTION, HAS IMPOSED STRICT GUIDELINES FOR THOSE ATTENDING ANY MEETING WITHIN CITY HALL.

THEREFORE, NOTICE IS HEREBY GIVEN THAT ALL PERSONS WHO WISH TO ENTER CITY HALL WILL BE REQUIRED TO SUBMIT TO A WELLNESS CHECK PRIOR TO BEING ADMITTED INTO CITY HALL. IN ADDITION, ALL PERSONS ADMITTED INTO CITY HALL WILL BE REQUIRED TO WEAR A FACE MASK AND ADHERE TO THE SOCIAL DISTANCING GUIDELINES OUTLINED BY THE STATE OF TEXAS.

NOTICE IS HEREBY GIVEN THAT THE BOARD OF DIRECTORS ("BOARD"), OF THE BEXAR COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT #10 ("DISTRICT"), WILL HOLD ITS REGULAR MONTHLY BOARD MEETING AT THE CITY OF WINDCREST'S COUNCIL CHAMBERS, 8601 MIDCROWN DRIVE, WINDCREST, TEXAS AT **6:00 P.M., THURSDAY, AUGUST 24, 2020**, FOR THE PURPOSE OF CONSIDERING THE FOLLOWING AGENDA.

Call Meeting To Order, Take Attendance And Pledge Of Allegiance

### 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 551 Of The Texas Open Meetings Act.

### II. Read, Correct/Amend, And Approve The Regular Board Meeting Minutes Of July 16, 2020.

### III. Accept Public 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. Public Comments Will Not Be Allowed/Accepted After 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.*

#### IV. CONSENT ITEMS:

A. The Board Will Deliberate And May Take Action On A Resolution Ratifying The General Manager's Payment To RL Jones, LP In The Amount Of \$57,055.95 For Its Second Payment For Work On The District's Phase II Winfield To Richfield Water Improvement Project Which Is Included In The District's 2019-2020 Capital Improvements Plan. (*Revenue Note CIP*)

B. The Board Will Deliberate And May Take Action On A Resolution Ratifying The General Manager's Payment To RL Jones, LP In The Amount Of \$327,181.95 For Its Third Payment For Work On The District's Phase II Winfield To Richfield Water Improvement Project Which Is Included In The District's 2019-2020 Capital Improvements Plan. (*Revenue Note CIP*)

C. The Board Will Deliberate And May Take Action On A Resolution Ratifying The General Manager's Payment To Core & Main In The Amount Of \$698.88 For The Purchase Of Meter Boxes For The District Which Is Included In The District's 2019-2020 Capital Improvements Plan. (*Revenue Note CIP*)

D. The Board Will Deliberate And May Take Action On A Resolution Ratifying The General Manager's Payment To Pronto Sandblasting & Coatings, Inc. In The Amount Of \$14,465.93 For Its Second Payment For Work On The District's Phase II Windrock Drive & Roughrider Sewer Project Which Is Included In The District's 2019-2020 Capital Improvements Plan. (*Revenue Note CIP*)

E. The Board Will Deliberate And May Take Action On A Resolution Ratifying The General Manager's Payment To Pronto Sandblasting & Coatings, Inc. In The Amount Of \$62,319.21 For Its Third Payment For Work On The District's Phase II Area #3 Utility Improvements Project Which Is Included In The District's 2019-2020 Capital Improvements Plan. (*Revenue Note CIP*)

V. ITEMS FOR INDIVIDUAL CONSIDERATION:

A. The Board Will Deliberate And May Take Action To Accept The Resignation Of Gale Scheibler As Board Treasurer and Board Director.

B. The Board Will Deliberate And May Take Action To Fill The Vacant Board Of Director Position.

C. Oath Of Office – Swear In The Appointed Candidate To Fill The Vacant Board Of Director Position.

D. The Board Will Discuss And May Take Action On A Resolution Canceling The District's November 3, 2020 Election For Two Board Of Director Seats; Accepting The Certification Of David Wallace, The District's General Manager And Elections Administrator, That Fernando Richards, Jr. And Diana Tuttle Are Unopposed In The Election For The Two Board Of Director Seats; Declaring The Unopposed Candidates Elected To The Offices Of The Two Board Of Director Seats; Providing That The District's November 3, 2020 Election For Two Board Of Director Seats Shall Not Be Held; Repealing All Resolutions Or Parts Of Resolutions In Conflict Therewith; And Authorizing And Directing David Wallace To Notify The Bexar County Elections Administrator Of The District's Cancellation Of The November 3, 2020 Election For Two Board Of Director Seats And Providing For Other Matters In Connection With The Cancellation Of The District's November 3, 2020 Election.

E. The Board Will Deliberate And May Take Action On A Resolution Approving The Amendment Of Sections 4.04.A.5 and 4.04.B.15. Of The District's Policy And Procedures Manual To Provide That The Water Rights Fee Shall Be Set At An Amount To Be Determined By And Approved By The Board; And Further Repealing Any Prior Inconsistent Provisions In Sections 4.04.A.5. and 4.04.B.15 Of The District's Policy And Procedures Manual.

F. The Board Will Deliberate And May Take Action On A Resolution Repealing Resolution No. 2020-31; Approving The Sale Of 15 Acre-Foot Of Water To Watershed Carwash At A Water Rights Fee Per Acre-Foot Of Water As Determined By And Approved By The District's Board Of Directors; Authorizing And Directing The General Manager To Negotiate And Execute A Water Supply Agreement With Watershed Carwash For The Sale Of 15 Acre-Foot Of Water By The District To Watershed Carwash At A Water Rights Fee Per Acre-Foot Of Water As Determined By And Approved By The District's Board Of Directors.

G. The Board Will Deliberate And May Take Action On A Resolution Approving The Sale Of 8 Acre-Foot Of Water To Compass Rose Academy At A Water Rights Fee Per Acre-Foot Of Water As Determined By And Approved By The District's Board Of Directors; Authorizing And Directing The General Manager To Negotiate And Execute A Water Supply Agreement With Compass Rose Academy For The Sale Of 8 Acre-Foot Of Water By The District To Compass Rose Academy At A Water Rights Fee Per Acre-Foot Of Water As Determined By And Approved By The District's Board Of Directors.

H. Presentation By The General Manager And The District's Engineer Regarding The District's 2019 And 2020 Capital Improvements Plan; And Board Deliberation Regarding The District's 2019 And 2020 Capital Improvements Plan.

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.

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.

VII. The Regular Session Of The August 27, 2020, 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.

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\*\*

IX. The Regular Session Of The Regular Board Meeting Of August 27, 2020, Is Hereby Reconvened.

X. Other Business Brought Before The Board. (No Deliberations And /Or Decision Will Occur Except To Schedule At Next Scheduled Board Meeting In Order To Place Subject On Agenda 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 27, 2020 Is Hereby Adjourned.