



EL PASO COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 4

P.O. BOX 3880



117 E. MAIN ST.



FABENS, TX 79838-3880

(915) 764-2212

FAX (915) 764-4840

BOARD OF DIRECTORS REGULAR MEETING

TUESDAY, October 22, 2024 at 6:00 P.M.

117 EAST MAIN ST., IN FABENS, TEXAS

The El Paso County W.C.I.D. #4 will convene as posted to consider and/or take action on the following agenda items: (Items do not have to be taken in the same order as shown on this meeting notice.)

AGENDA

1. Call meeting to order.
2. Roll Call and Determination of Quorum.
3. Pledge of Allegiance.
4. Take up, consider, and take action on the meeting agenda.
5. Take up, consider, and take action on Special Meeting Minutes from September 17, 2024.
6. Take up, consider, and take action on Regular Meeting Minutes from September 17, 2024.
7. Public Comments on Agenda Items. Each speaker is allowed 3 minutes and must comply with the Policies and Procedures for public comment at board meetings adopted on August 27, 2019.
8. Discussion, update and possible action on the TCEQ bond application and projects.
9. Take up, consider, and take action on the Simplified Employee Pension (SEP) matching percent for 2025.
10. Discussion and update on digital meters. 6
11. Discussion and update on the General Manager position.
12. Take up, consider, and take action on the claim filed by Luz Marquez, claim #LB211289.
13. Kemp Smith Update.
14. CDM Smith Update.
15. General Manager Report.
16. Public comments on issues of general concern that relate to the district's operations. Each speaker is allowed 3 minutes and must comply with the Policies and Procedures for Public Comment at board meetings adopted on August 27, 2019.
17. Executive Session.
The meeting is to be closed under the following Texas Government Code of the Open Meetings Act for discussion as follows:
 - A. Attorney Consultation Code 551.071
 - B. Real Property Code 551.072
 - C. Personnel Matters Code 551.074Any final action as a result of this closed discussion will be held at the opening of the meeting or at any subsequent meeting.
18. Return to open session for possible discussion and action on executive session items(s).
19. Board member availability or date change for the November 12, 2024, Regular Meeting.
20. Adjourn.

I, the undersigned authority, hereby certify that the above Notice of Meeting of the Board of Directors of the El Paso County Water Control & Improvement District No. 4 is a correct copy of the Notice and that I posted the Notice at the Fabens Post Office and the District Office Bulletin board located at 117 E. Main Street, Fabens, Texas 79838, and provided a notice to the El Paso County Clerk for posting in accordance with the Texas Open Meetings Act as required by law.

In this Notice of Open Meeting, the posting of an agenda item as a matter to be discussed in an open session is not intended to limit or require discussion of that matter in an open session. If it is otherwise appropriate for discussion in executive session, the Board may, as permitted by law, adjourn in executive session to deliberate on the matter.

The posting of an agenda item as a matter of law to be discussed in an executive session is not intended to limit or require discussion of that matter in an executive session. The Board may discuss in open session any matter for which notice has been given in this Notice of Open Meeting, including an agenda item in executive session.

The El Paso County W.C.I.D. #4 will convene as posted to consider and/or take action on the following agenda items: (Items do not have to be taken in the same order as shown on this meeting notice.)

Romie Martinez, Interim General Manager

El Paso County Water Control & Improvement District #4



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REGULAR MEETING MINUTES

Tuesday, October 22, 2024

1. Call Meeting to Order.

President Juana Gutierrez called meeting to order at 6:01 p.m.

2. Roll Call & Determination of Quorum.

		<u>Present</u>	<u>Absent</u>	<u>Comments</u>
Ms. Juana Gutierrez	President	X		
Mr. Samuel Madrid	Vice President	X		
Mr. Jorge Carrasco	Secretary	X		
Ms. Thelma Quiñonez	Member	X		
Mr. Martin Madrid	Member	X		

District Staff:

Ms. Romie Martinez	Interim General Manager
Ms. Patty Cruz	Office Manager
Mr. Israel Martinez	Field Operations Manager

Consultants:

Mr. Sergio Estrada	Kemp Smith
Mr. Horacio Juarez	CDM Smith

Visitors:

Ms. Alicia Carrillo	Ms. Linda Rodriguez
Mr. Roberto Silva	Ms. Grace Moore
Ms. Josie Silva	Mr. Luz Marquez
Mr. Raul Lopez	Mr. Mike Lopez

3. Pledge of Allegiance.

4. Take up, consider and take action on the meeting agenda.

Discussion: No discussion.

Motion made by Mr. S. Madrid to approve the meeting agenda.

Seconded by Mr. J. Carrasco.

<u>Vote:</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Other</u>
Ms. J Gutierrez	X			
Mr. S. Madrid	X			
Mr. J. Carrasco	X			
Ms. T. Quiñonez	X			
Mr. M. Madrid	X			

Motion: Passed.

5. Take up, consider and take action on Special Meeting Minutes for September 17, 2024.

Discussion: No discussion.

Motion made by Mr. S. Madrid to approve the Special Meeting Minutes for September 17, 2024.

Seconded by Mr. J. Carrasco.



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<u>Vote:</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Other</u>
Ms. J Gutierrez	X	_____	_____	_____
Mr. S. Madrid	X	_____	_____	_____
Mr. J. Carrasco	X	_____	_____	_____
Ms. T. Quiñonez	X	_____	_____	_____
Mr. M. Madrid	X	_____	_____	_____

Motion: Passed.

6. Take up, consider and take action on Regular Meeting Minutes from September 17, 2024

Discussion: No discussion.

Motion made by Mr. S. Madrid to approve the Regular Meeting Minutes from September 17, 2024.

Seconded by Mr. J. Carrasco.

<u>Vote:</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Other</u>
Ms. J Gutierrez	X	_____	_____	_____
Mr. S. Madrid	X	_____	_____	_____
Mr. J. Carrasco	X	_____	_____	_____
Ms. T. Quiñonez	X	_____	_____	_____
Mr. M. Madrid	X	_____	_____	_____

Motion: Passed.

7. Public comments on Agenda Items- Each speaker is allowed 3 minutes and must comply with the Policies and Procedures for Public comment at Board Meetings, adopted on August 27, 2019.

Ms. Carrillo wonders why agenda items 7 and 16 are worded differently but are the same. She stated that they can only speak on agenda items; does not feel it's proper to be told what to speak about. They need to speak on what district is doing wrong.

8. Discussion, update and possible action on the TCEQ bond application and projects.

Discussion: Mr. Juarez asked the board to amend the TCEQ bond application to include the equipping of the Cypress Well in order for TCEQ and the Attorney General to approve the district's application to sell the bonds in the amount of \$9,025,000.00 on the open market

Motion made by Mr. S. Madrid to amend the TCEQ bond application to include the equipping of the Cypress Well in order for TCEQ to approve the district's application to sell the bonds in the amount of \$9,025,000.00 on the open market.

Seconded by Mr. J. Carrasco.

<u>Vote:</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Other</u>
Ms. J Gutierrez	X	_____	_____	_____
Mr. S. Madrid	X	_____	_____	_____
Mr. J. Carrasco	X	_____	_____	_____
Ms. T. Quiñonez	_____	X	_____	_____
Mr. M. Madrid	_____	X	_____	_____

Motion: Passed.

9. Take up, consider and take action on the Simplified Employee Pension (SEP) matching percent for 2025.

Discussion: Ms. Martinez asked the board to approve the 5% matching rate for the Simplified Employee Pension.

Motion made by Mr. S. Madrid to approve the Simplified Employee Pension (SEP) matching percentage rate of 5% for 2025.

Seconded by Mr. J. Carrasco.



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<u>Vote:</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Other</u>
Ms. J Gutierrez	X			
Mr. S. Madrid	X			
Mr. J. Carrasco	X			
Ms. T. Quiñonez		X		
Mr. M. Madrid		X		

Motion: Passed.

10. Discussion and update on digital meters.

Item discussed in executive session. No action was taken.

11. Discussion and update on the General Manager position.

Item discussed in executive session. No action was taken.

12. Take up, consider, and take action on the claim filed by Luz Marquez, claim #LB211289.

Item discussed in executive session. No action was taken.

13. Kemp Smith Update

N/A

14. CDM Smith Update

N/A

15. General Manager Update

- The collection rate for August was 98% with 68 cut offs; 6 remained unpaid.
- The collection rate for September was 99% with 38 cut offs; 18 remained unpaid.
- October 1st-Social media posts about discolored water were uploaded. The incidents appeared to be isolated; it was determined the district was not at fault.
- October 4th—Attended a free EP Grants Network training provided by the Rio Grande Council of Governments. Mr. Omar Martinez gave the training; he has prepared many successful grants and prepared the district's grant application for the digital meters which we were recently awarded.
- October 17th—the EDA approved the site certification for the Veterans Memorial. We may now begin the bidding process.
- October 31st—the El Paso County Sheriff's office will host a Trunk or Treat event at the Peter J. Herrera Patrol Station in Clint from 6:00 to 9:00 p.m. All the surrounding communities are invited. The district will set up a table to provide water cycle materials as well as hand out candy to the children.
- The Veterans' Day ceremony will be held at 7:30 a.m. on Friday, November 8th, at Veterans Park. All veterans from Fabens and the surrounding areas are encouraged to attend. Breakfast will be provided after the ceremony.

Field Manager Update

- Water loss at end of September was 11%; current water TDS is at 700, Ph averaging 7.3, and cl is at 1.7.
- Lead samples shipped back on September 10th and 11th. Results confirmed NO POSITIVE Lead & Copper readings in the samples. 20 samples were taken from throughout the district.
- Lead Service Line Inventory was due on October 9th. Reported just under 2500 service line connections. Report covered meter number, location, identification of type of service line up to meter, identification of service line after meter. Identified just under 40 service lines up to meter with copper to pvc, copper to copper and plastic to copper. All tested lead free.



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16. Public comments on issues of general concern that relate to the district’s operations – Each speaker is allowed 3 minutes and must comply with the Policies and Procedures for Public comment at Board Meetings, adopted on August 27, 2019.

Mr. Marquez was going to speak about campaign signs. Legal counsel notified him that was not allowed. He yielded his time.

Ms. Carrillo refrained from speaking; stating she was afraid of being unlawfully removed.

Ms. Moore was thankful the chairs were changed in the lobby after her comments at last month’s meeting. She also mentioned she had posted on Facebook regarding the proposed waste treatment plant and admits she did not have all the information regarding the issue.

17. Executive Session.

Meeting to be closed under the following Texas Government Code of the Open Meeting Act for discussion as follows:

A. Attorney Consultation Code 551.071

B. Personnel Matters Code 551.074

Any final action as a result of this closed discussion will be held at the opening of the meeting or at any subsequent meeting.

Board convened into Executive Session at 6:23 pm

Time in Executive Session 59 minutes.

From 6:23 pm to 7:22 pm.

Motion made by Mr. S. Madrid to enter executive session to discuss agenda items 10, 11, and 12.

Seconded by Mr. Madrid.

<u>Vote:</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Other</u>
Ms. J. Gutierrez	X			
Mr. S. Madrid	X			
Mr. J. Carrasco	X			
Ms. T. Quiñonez	X			
Mr. M. Madrid	X			

Motion: Passed.

18. Return to open session at 7:22 p.m. for possible discussion and action on Executive Session item(s).

Motion made by Mr. S. Madrid to return to open session.

Seconded by Mr. M. Madrid.

<u>Vote:</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Other</u>
Ms. J. Gutierrez	X			
Mr. S. Madrid	X			
Mr. J. Carrasco	X			
Ms. T. Quiñonez	X			
Mr. M. Madrid	X			

Motion: Passed.

19. Board member availability for the November 12, 2024, Regular Meeting

All board members present are available for the November 12, 2024, Regular Meeting.



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20. Motion to adjourn.

Discussion: No discussion.

Motion made by Mr. S. Madrid to adjourn.

Seconded by Mr. J. Carrasco.

Vote:

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Other</u>
Ms. J. Gutierrez	X			
Mr. S. Madrid	X			
Mr. J. Carrasco	X			
Ms. T. Quiñonez	X			
Mr. M. Madrid	X			

Motion: Passed.

Meeting Adjourned at 7:40 p.m.



Signature

11-19-24

Date Approved