



EL PASO COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 4

P.O. BOX 3880
(915) 764-2212



117 E. MAIN ST.

FAX (915) 764-4840



FABENS, TX 79838-3880

BOARD OF DIRECTORS SPECIAL MEETING

Tuesday, November 15, 2022 at 6:00 P.M.

117 EAST MAIN ST., IN FABENS, TEXAS

Zoom Meeting Link: <https://us02web.zoom.us/j/7098341122?pwd=N09xeTFNUTDBScDAxSnBxUT09>

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 meeting agenda..
5. Take up, consider and take action on Special Meeting minutes from October 19, 2022.
6. 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:
7. Take up, consider and take action on November 8, 2022 El Paso County Water Control & Improvement District #4 Election.
 - A. Canvas of El Paso County Water Control & Improvement District #4 Board election results.
 - B. Resolution Certifying Election Results.
 - C. Officer certificate signing.
 - D. Statement of Officer
 - E. Administer Oath of office.
 - F. Election of Board of Directors Officers
8. Legal Ethics training by Kemp Smith.
9. Take up, consider and take action on the annual Simplified Employee Pension (SEP) matching percent for 2023.
10. Take up, consider and take action on Employee Health, Dental, Disability and Life Insurance for year 2023.
11. Take up, consider and take action on required USDA-RD annual deposit of \$7,965.00 on the short-lived asset account #91-04.
12. Take up, consider and take action to have a new rate study done by GDS Associated Inc. to include all projected district projects.
13. Take up, consider and take action to have Peña, McDaniel & Co. conduct the 2022 financial audit.
14. Take up, consider and take action on purchasing a plaque to thank Ms. Magda Flores for 16 years of service to the El Paso County Water Control & Improvement District #4 Board,
15. Take up, consider and take action to approve re-routing and upgrading from a 2" to a 6" water line from 3rd to 1st Street And adding a new fire hydrant at the corner of 1st street.
16. Take up, consider and take action to approve purchasing safety work boots in the amount of \$175 twice a year.
17. Take up, consider and take action to approve the proposed salary raises for budget year 2023.
18. Kemp Smith Update.
19. CDM Smith Update.
20. General Manager Report.
21. Public comments on issues of general concern - 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:
22. Executive Session.

Meeting 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 551.074

Any final action as a result of this closed discussion will be held at the opening of the meeting or at any subsequent meeting
23. Return to open session for possible discussion and action on executive session item(s).
24. Board member availability or date change for the December 27, 2022, Regular Meeting.
25. Adjourn.



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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 at 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 open session is not intended to limit or require discussion of that matter in open session if it is otherwise appropriate to discuss the matter in executive session. If during the discussion of any agenda item, a matter is raised that is appropriate for discussion in executive session the Board may, as permitted by law, adjourn into executive session to deliberate on the matter.

The posting of an agenda item as a matter of law to be discussed in executive session is not intended to limit or require discussion of that matter in 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 posted for executive session. In no event; however, will the board take action on any agenda item in executive session.

Romie Martinez

El Paso County Water Control & Improvement District #4
Interim General Manager



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SPECIAL MEETING MINUTES Tuesday, November 15, 2022

1. **Call Meeting to Order.**

President Juana Gutierrez called meeting to order at 6:00 p.m.

2. **Roll Call & Determination of Quorum.**

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

District Staff:

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

Consultants:

Sergio Estrada	Legal Counsel, Kemp Smith
Horacio Juarez	CDM Smith

Visitors:

Priscilla Casillas	Alicia Carrillo
Estela Escobar	Estela Ontiveros
Letty Martinez	Linda Rodriguez
Rosemary Gallo-Avitia	Luz Marquez
Leonor Fabela	Jeanette Ribail
Ray Calzadias	Martin Madrid

3. **Pledge of Allegiance.**

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

Discussion: No discussion.

Motion made by Mr. Madrid to approve meeting agenda.

Seconded by Mr. Carrasco.

Vote:

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

Motion: Passed.

5. **Take up, consider and take action on Special Meeting Minutes for October 19, 2022.**

Discussion: No discussion.

Motion made by Mr. Madrid to approve Special Meeting Minutes for October 19, 2022.

Seconded by Ms. Quiñonez.



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

Motion: Passed.

6. 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.

No public comments made.

7. Take up, consider and take action on November 8, 2022, El Paso County Water Control & Improvement District #4 Board Election.

A. Canvass of El Paso County W.C.I.D. No. 4 Board Election Results

Ms. Gutierrez addressed the Board and read the official election results as certified by the El Paso County Elections Administrator, Ms. Lisa Wise.

EPCWCID #4 Board of Directors at Large

Moises "Jason" Olmos – 312 votes

Samuel Madrid -- 366 votes

Jorge Carrasco – 340 votes

Luz "Little Lou" Marquez -- 201 votes

Martin "Mito" Madrid -- 378 votes

Magda C. Flores -- 309 votes

B. Resolution certifying Election Results

Ms. Gutierrez read off the Resolution certifying the Election Results.

Take up, consider and take action on Resolution Certifying Election Results.

Discussion: No discussion.

Motion made by Ms. Quiñonez to approve Resolution Certifying Election Results.

Seconded by Mr. Madrid.

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

Motion: Passed

C. Officer Certificate Signing

Ms. Gutierrez distributed the certificates to the newly elected members, Mr. Jorge Carrasco, Mr. Martin Madrid, and Mr. Samuel Madrid.

D. Statement of Officer

The newly elected members read and signed the paperwork regarding the Statement of Officers.

E. Administrative Oath of Office

The newly elected members, Mr. Jorge Carrasco, Mr. Martin Madrid, and Mr. Samuel Madrid read the oath of office.

F. Election of Board of Directors Officers.

The new board reorganized the officers.



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Motion made by Mr. Samuel Madrid to nominate Ms. Juana Gutierrez for President.

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

Motion: Passed.

Motion made by Mr. Jorge Carrasco to nominate Mr. Samuel Madrid for Vice President.

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

Motion: Passed.

Motion made by Ms. Juana Gutierrez to nominate Mr. Jorge Carrasco for Secretary.

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

Motion: Passed.

8. Legal Ethics training by Kemp Smith.

Mr. Sergio Estrada conducted legal ethics training for the board.

9. Take up, consider and take action on the annual Simplified Employee Pension (SEP) matching percent for 2023.

Discussion: Ms. Martinez is asking the board to approve the 5% matching percent for 2023.

Motion made by Mr. Samuel Madrid to take up, consider and take action on the annual Simplified Employee Pension (SEP) matching percent for 2023 to remain at 5%.

Seconded by Mr. Carrasco.

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

Motion: Passed.

10. Take up, consider and take action on Employee Health, Dental, Disability and Life Insurance for year 2023.

Discussion: Ms. Cruz presented the board with the renewal rates for employee health, dental, disability and life insurance.

Motion made by Mr. Martin Madrid to approve renewal of Employee Health, Dental, Disability and Life Insurance for year 2023.



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Seconded by Mr. Samuel Madrid

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

Motion: Passed.

11. **Take up, consider and take action on required USDA-RD annual deposit of \$ 7,965.00 on short-lived asset account #91-04.**

Discussion: Ms. Martinez is requesting the board's approval of the annual deposit of \$7,965.00 on short-lived asset account.

Motion made by Mr. Samuel Madrid to approve required USDA-RA annual deposit of \$7965.00 on short-lived asset account #91-04.

Seconded by Ms. Gutierrez.

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

Motion: Passed.

12. **Take up, consider and take action to have a new rate study done by GDS Associates Inc. to include all projected district projects.**

Discussion: Mr. Juarez presented the board with a letter from USDA requiring that the proposed rate schedules must match the estimated cost of district projects in order to cover the costs of each project. Costs for all projects have increased. Approval of a new rate study is needed by the board in order to comply with USDA requirements for possible loan approval.

Motion made by Mr. Samuel Madrid to approve a new rate study to be done by GDS Associates Inc. to include all projected district projects.

Seconded by Mr. Carrasco.

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

Motion: Passed.

13. **Take up, consider and take action to have Peña, Mc Daniel & Co, conduct the 2022 financial audit.**

Discussion: Ms. Martinez is requesting the board's approval to contract Peña, McDaniel & Co. to conduct the 2022 financial audit.

Motion made by Mr. Martin Madrid to have Peña, McDaniel & Co. conduct the 2022 financial audit.

Seconded by Ms. Quiñonez.

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



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Motion: Passed.

14. **Take up, consider and take action on purchasing a plaque to thank Ms. Magda Flores for 16 years of service to the El Paso County Water Control & Improvement District #4 Board.**

Discussion: Ms. Martinez asked the board to approve the purchase of a plaque to thank Ms. Magda Flores for 16 years of service.

Motion made by Mr. Martin Madrid to approve the purchase of a plaque to thank Ms. Magda Flores for 16 years of service to the El Paso County Water Control & Improvement District #4 Board.

Seconded by Mr. Samuel Madrid.

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

Motion: Passed.

15. **Take up, consider and take action to approve re-routing and upgrading from a 2" to a 6" water line from 3rd to 1st Street and adding a new fire hydrant at the corner of 1st street.**

Discussion: Ms. Martinez explained to the board the issue with the current water line and requested the board's approval for re-routing and upgrading new line and adding two fire hydrants.

Motion made by Mr. Samuel Madrid to approve re-routing and upgrading from a 2" to a 6" water line from 3rd to 1st Street NW and adding a new fire hydrant at the corner of 1st Street as well as an additional fire hydrant.

Seconded by Mr. Martin Madrid.

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

Motion: Passed.

16. **Take up, consider and take action to approve purchasing safety work boots in the amount of \$175 twice a year.**

Discussion: Ms. Martinez explained to the board the issue with the safety work boot's durability and requested the board's approval to purchase safety work boots in the amount of \$175 twice a year.

Motion made by Mr. Samuel Madrid to approve purchasing safety work boots in the amount of \$205 twice a year for each district employee required to wear safety work boots.

Seconded by Mr. Carrasco.

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

Motion: Passed.

17. **Take up, consider and take action to approve the proposed salary raises for budget year 2023.**

Discussion: Ms. Martinez asked the board to approve the proposed across-the-board raise of 4%, 5% or 6% for all employees.



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Motion made by Mr. Samuel Madrid to approve an across the board raise of 6% for all employees for the budget year of 2023.

Seconded by Mr. Carrasco.

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

Motion: Passed.

18. Kemp Smith Update
N/A

19. CDM Smith Update
N/A

20. General Manager Update

- Collection rate for October was 98%. There were 45 cut-offs, 3 remain unpaid.
- Ms. Martinez provided a quick update on RV connections.
- The field operators took down and rebuilt the cylinder wall at Veterans Park. It had been deemed too high and unsafe.
- Ms. Martinez updated the board on the groundbreaking ceremony and Veteran's Day celebration.

Field Manager Update

- Mr. Martinez updated the board on the January thru October 2022 water loss percentage which is at 7%.
- Mr. Martinez also updated the board on the annual DMR QA study, the analytical report on the water that is disposed of into the river.

21. Public comments on issues of general concern – 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. Luz Marquez again spoke about not receiving information he requested back in 2019. If he does not receive information within 10 days, he will take Ms. Gutierrez to civil court. Ms. Gutierrez told Mr. Marquez to turn in a written request. She also reminded Mr. Marquez that he has repeatedly brought up the same topic.

Ms. Alicia Carrillo congratulated all those who won the election. She wants the water board to lower all water rates, eliminate the late fee and help the elderly and disabled with their water bills.

22. 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

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 7:51 p.m.

Time in Executive Session 38 minutes.



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From 7:51 p.m. to 8:29 p.m.

Motion made by Mr. Samuel Madrid to enter executive session.

Seconded by Mr. Carrasco

Vote:

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

Motion: Passed.

23. Return to open session at 8:30 p.m. for possible discussion and action on Executive Session item(s).

24. Board member availability for the December 27, 2022 Special Meeting.

Mr. Samuel Madrid suggested the meeting be changed to December 20, 2022. All members present are available for December 20, 2022 Special Meeting.

25. Motion to adjourn.

Discussion: No discussion.

Motion made by Mr. Carrasco to adjourn.

Seconded by Mr. Martin Madrid.

Vote:

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

Motion: Passed.

Meeting Adjourned at 8:49 p.m.



Signature

12-20-22

Date Approved