



# 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, November 19, 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 Regular Meeting Minutes from October 22, 2024.
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 5, 2024, 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 Employee Health, Dental, Disability, and Life Insurance for the year 2025.
10. Take up, consider, and take action on required USDA-RD annual deposit of \$7,965.00 on the short-lived asset account #91-04.
11. Take up, consider, and take action on making changes to the meeting agenda format.
12. Take up, consider, and take action to have Peña, McDaniel & Co. conduct the 2025 financial audit.
13. Take up, consider, and take action to approve the proposed salary raises for budget year 2025.
14. Take up, consider, and take action to approve acquiring a director bond of \$10,000 in coverage for each elected board member as required by the Texas Water Code.
15. Take up, consider, and take action on accepting a \$1,000,000 TDA grant from the County to equip Cypress Well.
16. Discussion and update on the General Manager position.
17. Discussion and update on the claim filed by Luz Marquez, claim #LB211289.
18. Kemp Smith Update.
19. CDM Smith Update.
20. General Manager Report.
21. 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.
22. 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 551.074

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 items(s).
24. Board member availability or date change for the December 17, 2024, Regular Meeting.
25. 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



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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, November 19, 2024

**1. Call Meeting to Order.**

President Juana Gutierrez called meeting to order at 6:02 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		
Ms. Ana M. Sanchez	Member	X		Participated after oath

**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. Beatrice Flores	Ms. Rosamaria Gallo-Avitia
Ms. Magda Flores	Ms. Alicia Carrillo
Ms. Linda Rodriguez	Mr. Armando Rubalcaba
Mr. Jose M. Amaya	Ms. Sylvia Amaya
Ms. Josie Silva	Mr. Roberto Silva
Mr. Angel Ornelas	Ms. Yessenia Sanchez
Ms. Maria Sanchez	Mr. Eleuterio Sanchez
Ms. Ana Sanchez	Mr. Raul Lopez
Ms. Crystal Ramirez	Ms. Julieta Ramirez

**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.

**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				
Mr. M. Madrid	X			

**Motion:** Passed.



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**5. Take up, consider and take action on Special Meeting Minutes for October 22, 2024.**

**Discussion:** No discussion.

**Motion made by Mr. S. Madrid** to approve Special Meeting Minutes for October 22, 2024.

**Seconded by Mr. M. Madrid.**

**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				
Mr. M. Madrid	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.**

Ms. Gallo-Avitia congratulated Ms. Gutierrez and Ms. Sanchez on a calm, calculated and well driven campaign.

**7. Take up, consider, and take action on the November 5, 2024, El Paso County Water Control & Improvement District #4 Board Election.**

**A. Canvas of El Paso County WCID No. 4 Board Election Results**

Mr. S. Madrid 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  
**Ana Mayte Sanchez – 559 votes 26.1%**  
**Juana (Jenny) Gutiérrez – 501 votes 23.4%**  
 Gracie Moore Gutierrez – 228 votes 10.65%  
 Luz Marquez – 155 votes 7.24%  
 Thelma “Tea” Quiñonez – 467 votes 21.82%  
 Moises “Jason” Olmos, Jr. – 230 votes 10.75%

**B. Resolution certifying Election Results**

Mr. S. Madrid 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 Mr. S. Madrid** to approve Resolution Certifying Election Results.

**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				
Mr. M. Madrid	X			

**Motion:** Passed.

**C. Officer Certificate Signing**

The certificates were distributed to the newly elected member, Ms. Ana Mayte Sanchez, and Re-elected member, Ms. Juana Gutierrez, by Mr. S. Madrid.



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**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, Ms. Ana Mayte Sanchez and Ms. Juana Gutierrez read the oath of office.

**F. Election of Board of Directors Officers.**

The new board reorganized the officers.

**Motion made by Mr. S. Madrid to nominate Ms. J. Gutierrez for President.**

**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	_____	_____	_____
Mr. M. Madrid	X	_____	_____	_____
Ms. A. Sanchez	X	_____	_____	_____

**Motion:** Passed.

**Motion made by Mr. J. Carrasco to nominate Mr. S. Madrid for Vice-President.**

**Seconded by Ms. A. Sanchez.**

<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	_____	_____	_____
Mr. M. Madrid	X	_____	_____	_____
Ms. A. Sanchez	X	_____	_____	_____

**Motion:** Passed.

**Motion made by Mr. S. Madrid to nominate Mr. J. Carrasco for Secretary.**

**Seconded by Ms. J. Gutierrez.**

<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	_____	_____	_____
Mr. M. Madrid	X	_____	_____	_____
Ms. A. Sanchez	X	_____	_____	_____

**Motion:** Passed.

**8. Legal Ethics training by Kemp Smith.**

Mr. Estrada presented the required annual ethics training to the board.

**9. Take up, consider and take action on Employee Health, Dental, Disability, and Life Insurance for the year 2025.**

**Discussion:** Ms. Cruz requested the board's approval for the renewal of the district's Employee Health, Dental, Disability, and Life Insurance for 2025. The renewal rate for Health Insurance will be \$17,241.20, an increase of 5.16% from 2024. The Dental Insurance proposed rate of \$675.80 is an increase of 3.95% from last year. Long- and short-term Disability and Life Insurance premiums will remain the same as 2024, for the next 5 years.



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**Motion made by Mr. S. Madrid to approve the renewal of the Employee Health, Dental, Disability, and Life Insurance for the year 2025 as presented.**

**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			
Mr. M. Madrid	X			
Ms. A. Sanchez	X			

**Motion:** Passed.

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

**Discussion:** Ms. Martinez requested the board's approval of the required USDA-RA annual deposit of \$7,965.00.

**Motion made by Mr. S. Madrid to approve the required USDA-RA annual deposit of \$7,965.00 on the short-lived asset account #91-04.**

**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			
Mr. M. Madrid	X			
Ms. A. Sanchez	X			

**Motion:** Passed.

11. **Take up, consider and take action on making changes to the meeting agenda format.**

**Discussion:** Item discussed in executive session.

**Motion made by Mr. J. Carrasco to approve changing the meeting agenda format to remove the section for public comments on issues of general concern.**

**Seconded by Mr. S. 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			
Mr. M. Madrid		X		
Ms. A. Sanchez	X			

**Motion:** Passed.

12. **Take up, consider and take action to have Peña, Mc Daniel & Co. conduct the 2025 financial audit.**

**Discussion:** Ms. Martinez requested the board's approval to contract with Peña, McDaniel & Co. to conduct the 2025 financial audit.

**Motion made by Mr. S. Madrid to approve contracting with Peña, McDaniel & Co. to conduct the 2025 financial audit.**

**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			
Mr. M. Madrid	X			
Ms. A. Sanchez	X			





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**Motion:** Passed.

**13. Take up, consider, and take action to approve the proposed salary raises for budget year 2025.**

**Discussion:** Item discussed in executive session.

**Motion #1 made by Mr. J. Carrasco** to approve a proposed salary raise for the budget year 2025 of 5% for all district employees except for the 3 employees who have been considered for a merit raise.

**Seconded by Mr. S. 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			
Mr. M. Madrid		X		
Ms. A. Sanchez			X	

**Motion:** Passed.

**Motion #2 made by Mr. J. Carrasco** to approve a proposed salary raise for the budget year of 2025 of 6% for the 3 employees discussed in executive session.

**Seconded by Mr. S. 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			
Mr. M. Madrid		X		
Ms. A. Sanchez	X			

**Motion:** Passed.

**14. Take up, consider and take action to approve acquiring a director bond of \$10,000 in coverage for each elected board member as required by the Texas Water Code.**

**Discussion:** Ms. Martinez requested the board approve acquiring a director bond of \$10,000 in coverage for each elected board member at a cost of \$130.00 for 3 years, per director.

**Motion made by Mr. S. Madrid** to approve acquiring a director bond of \$10,000 in coverage for each elected board member as required by the Texas Water Code, at a cost of \$130.00 for 3 years per director.

**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			
Mr. M. Madrid	X			
Ms. A. Sanchez	X			

**Motion:** Passed.

**15. Take up, consider and take action on accepting a \$1,000,000 TDA grant from the County to equip Cypress Well.**

**Discussion:** Mr. Juarez addressed the board regarding the stipulations of a \$1,000,000.00 Texas Department of Agriculture grant from the County; the district must acquire a construction management firm through RFP, reimbursement of grant is on a monthly basis and, if the cost of equipping of the well exceeds the grant amount, the district will be responsible to pay the difference out of pocket.

**Motion made by Mr. S. Madrid** to accept a \$1,000,000.00 TDA grant from the County to equip Cypress well.

**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			
Mr. M. Madrid	X			
Ms. A. Sanchez	X			

Motion: Passed.

**16. Discussion and update on the General Manager position.**

Item discussed in executive session. Directives were given to staff to start scheduling interviews for the next board meeting.

**17. Discussion and update on the claim filed by Luz Marquez, claim #LB211289.**

Item discussed in executive summary. No action was taken.

**18. Kemp Smith Update**

N/A

**19. CDM Smith Update**

N/A

**20. General Manager Update**

- No collection rate.
- TCEQ water inspection was completed October 28<sup>th</sup> and 29<sup>th</sup>. No citations were issued and inspector said district exceeded expectations and was impressed with the water system and the field employees' knowledge.
- Proposition A was passed on November 5<sup>th</sup>. Veterans Park will be receiving \$8,487,662.00 for improvements. The neighborhood association will decide what to build and where.
- The office will be closed on Thursday, November 21<sup>st</sup> for the Thanksgiving luncheon.
- Ms. A. Sanchez thanked all supporters during the election.

**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.**

No public comments made.

**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

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 7:08 pm

Time in Executive Session 51 minutes.

From 7:08 pm to 7:59 pm.

Motion made by Mr. S. Madrid to enter into executive session.

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			
Mr. M. Madrid	X			
Ms. A. Sanchez	X			

Motion: Passed.

**23. Return to open session at 7:59 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. 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			
Mr. M. Madrid	X			
Ms. A. Sanchez	X			

Motion: Passed.

**24. Board member availability for the December 17, 2024 Regular Meeting**

All board members present are available for a December 10, 2024, Regular Meeting.

**25. Motion to adjourn.**

Discussion: No discussion.

Motion made by Mr. S. Madrid.

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			
Mr. M. Madrid	X			
Ms. A. Sanchez	X			

Motion: Passed.

Meeting Adjourned at 8:05 p.m.

  
\_\_\_\_\_  
Signature

12/10/24  
\_\_\_\_\_  
Date Approved