



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 SPECIAL MEETING

TUESDAY, December 20, 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 Regular Meeting Minutes from November 15, 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. Public Meetings Act training by Kemp Smith.
8. Take up, consider and take action to approve end of year bonuses for employees.
9. Take up, consider and take action to allow District staff to submit a TWDB application to acquire a principal forgiveness loan through the CWSRF for planning, design and construction of the solar farm.
10. Take up, consider and take action on 2021 Budget.
11. Kemp Smith Update.
12. CDM Smith Update.
13. General Manager Report.
14. 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:
15. 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 551.074Any final action on matters addressed in this closed discussion will be taken after the meeting is reopened to the public or at a subsequent meeting.
16. Return to open session for possible discussion and action on executive session item(s).
17. Board member availability or date change for the January 24, 2023 Regular Meeting.
18. 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 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 December 20, 2022

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 Manager
Ms. Laura Olivas	Office Clerk

Consultants:

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

Visitors:

Mr. Raul Gutierrez Jr.	Mr. Rafael Ramirez
Ms. Linda Madrid Rodriguez	Mr. Ruben Corral
Ms. Alicia Carrillo	Mr. Raul Lopez
Mr. Maximo Madrid III	

3. **Pledge of Allegiance.**

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

Discussion: Ms. Gutierrez made an amendment to agenda item #10 changing it from 2021 Budget to read 2023 Budget.

Motion made by Mr. S. Madrid to approve meeting agenda as presented with correction.

Seconded by Mr. 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 November 15, 2022.

Discussion: No discussion.

Motion made by Mr. S. Madrid to approve Special Meeting Minutes for November 15, 2022.

Seconded by Mr. 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				
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. Carrillo does not think it is fair to taxpayers to ask for bonuses for employees on top of raises.

7. Public Meetings Act training by Kemp Smith.

Mr. Sergio Estrada presented on the Open Meetings Act.

8. Take up, consider and take action to approve end of year bonuses for employees.

Discussion: Year end bonuses for employees was discussed in executive session.

Motion made by Mr. S. Madrid to approve end of year bonuses across the board at \$1000.00 for each employee.

Seconded by Mr. 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				
Mr. M. Madrid		X		

Motion: Passed.

9. Take up, consider and take action to allow District staff to submit a TWDB application to acquire a principal forgiveness loan through the CWSRF for planning, design and construction of the solar farm.

Discussion: Mr. Juarez presented alternative energies for the district and the benefits of a solar farm.

Motion made by Mr. S. Madrid to allow district staff to submit a TWDB application to acquire a principal forgiveness loan through the CWSRF for planning, design, and construction of the solar farm.

Seconded by Mr. 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				
Mr. M. Madrid	X			

Motion: Passed.



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10. Take up, consider and take action on 2023 Budget.

Discussion: Ms. Martinez asked the board to approve the 2023 budget as presented earlier during the Budget workshop.

Motion made by Mr. J. Carrasco to approve the 2023 Budget as presented.

Seconded by Mr. S. 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. Quifonez				
Mr. M. Madrid		X		

Motion: Passed.

11. Kemp Smith Update

N/A

12. CDM Smith Update

N/A

13. General Manager Update

- Collection rate for November is not yet in -Cut offs will be on December 27, 2022
- Will not fill job vacancy left by J. Mendoza
- Beginning January 2023, the District will open two field operator positions.
- May need a special meeting for grant from County of El Paso

Field Manager Update

- District produced just under 20 million gallons for November 2022 with a 7% water loss through the last 11 months.
- Major line(asbestos) break during the week...loss of approximately 200,000 gallons
- All digital meters that were allotted are installed.
- Public welcome to set up an appointment to tour the district facilities.

14. 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.

Ms. Carrillo asked for the public to attend the board meetings. She stated that district does not accommodate for executive session. She wants documentation for general manager's salary, who is paying.

15. 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 on matters addressed in this closed discussion will be taken after the meeting is reopened to the public or at a subsequent meeting.

Board convened into Executive Session at 6:58 p.m.

Time in Executive Session 26 minutes.

From 6:58 p.m. to 7:24 p.m.



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

Seconded by Mr. 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				
Mr. M. Madrid		X		

Motion: Passed.

16. Return to open session at 7:24 p.m. for possible discussion and action on Executive Session item(s).

Motion made by Mr. S. Madrid to exit executive 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			
Ms. T. Quiñonez				
Mr. M. Madrid	X			

Motion: Passed.

17. Board member availability for the January 24, 2023, Regular Meeting.

All board members present will be available for the January 24, 2023, Regular Meeting.

18. Motion to adjourn.

Discussion: No discussion.

Motion made by Mr. S. Madrid to adjourn.

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				
Mr. M. Madrid	X			

Motion: Passed.

Meeting Adjourned at 7:38 p.m.



Signature

1-24-23

Date Approved