

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 REGULAR MEETING

TUESDAY, March 25 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 meeting agenda.
5. Take up, consider and take action on Regular Meeting Minutes from February 25, 2025.
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 the expenditure report submitted for the Veterans Memorial project, including approving an invoice for \$31,249.53 from the architect and \$9,000.00 to cover the program set-up fee from the Rio Grande Council of Governments.
8. Take up, consider, and take action to approve a Resolution Authorizing Application of Consent from the United States Department of Agriculture; and Making Certain Findings in Connection therewith.
9. Take up, consider, and take action to approve an Order authorizing the Issuance of up to \$9,025,000 for El Paso Water Control and Improvement District no. 4 Unlimited Tax and Revenue Bonds, Series 2025 to Provide Funds for Water and Wastewater System Improvements; Levying Ad Valorem Taxes and Pledging System Revenues in Payment thereof and Providing for the Security for and Payment of said Bonds; approving Notice of Sale, Official Bid Form, Official Statement, and paying Agent/Registrar Agreement; Establishing procedures for Selling and Delivering the Bonds; and Authorizing other matters related to the Issuance of Bonds.
10. Take up, consider, and take action on a new service contract with CDM Smith for ongoing Professional Services in the amount of \$75,000.00.
11. Take up, consider, and take action on District's actions to prevent unlawful disruptions at District Board meetings, including taking legal action to permanently remove repeat offenders.
12. Take up, consider, and take action on the General Manager position and discuss the recruitment process.
13. Kemp Smith Update.
14. CDM Smith Update.
15. General Manager Report.
16. Executive Session.

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

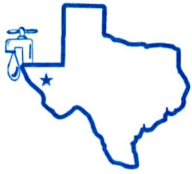
- A. Attorney Consultation Code 551.071
- B. Real Property Code 551.072
- C. Personnel Matters Code 551.074

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

17. Return to open session for possible discussion and action on executive session items(s).
18. Board member availability or date change for the April 22, 2025 Regular Meeting.
19. 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 for discussion in executive session the Board may, as permitted by law, adjourn into executive session to deliberate on the matter.



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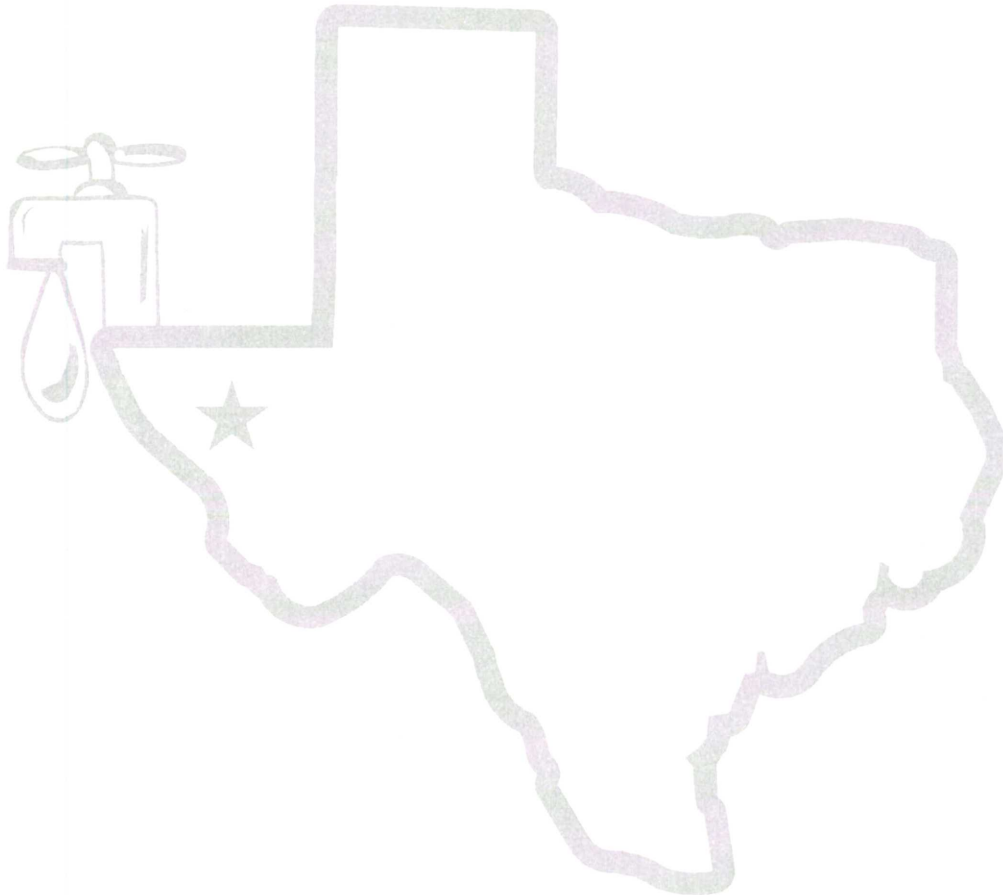
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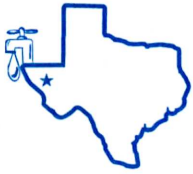


FABENS, TX 79838-3880

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 in executive session.

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





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REGULAR MEETING MINUTES

Tuesday, March 25, 2025

1. Call Meeting to Order.

President Juana Gutierrez called meeting to order at 6:03 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		
Mr. Martin Madrid	Member	X		
Ms. Ana M. Sanchez	Member	X		

District Staff:

Ms. Romie Martinez
Ms. Patty Cruz
Mr. Israel Martinez

Interim General Manager
Office Manager
Field Operations Manager

Consultants:

Mr. Sergio Estrada
Mr. Horacio Juarez
Mr. Rudy Segura, Bond Counsel
Mr. Thomas Lestrapes

Kemp Smith
CDM Smith
McCall, Parkhurst & Horton, L.L.P., via Zoom
Tijerina Financial Consulting, LLC, via Zoom

Visitors:

Mr. Jose Gallo
Mr. Roberto Silva
Ms. Linda Rodriguez
Ms. Sylvia Amaya
Mr. Alejandro Cardenas
Ms. Rosemaria Gallo-Avitia
Ms. Octavio Cortez
Mr. Moises Olmos Jr.
Ms. Alicia Carrillo

Ms. Josie Silva
Mr. Armando Rubalcaba
Mr. Angel Ornelas
Mr. Jose Amaya
Ms. Rosa Cortez
Ms. Annette Gutierrez, via Zoom
Mr. Luz Marquez
Mr. Joe Solis
Mr. Raul Lopez

3. Pledge of Allegiance.

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

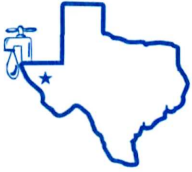
Discussion: No discussion.

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

Seconded by 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.



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Regular Meeting
March 25, 2025

5. Take up, consider and take action on Regular Meeting Minutes for February 25, 2025.

Discussion: No discussion.

Motion made by Mr. S. Madrid to approve the Regular Meeting Minutes for February 25, 2025.

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.

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.

Mr. Luz Marquez feels the board needs to be replaced so the district can be run the way the citizens want.

7. Take up, consider, and take action on the expenditure report submitted for the Veterans Memorial project, including approving an invoice for \$31,249.53 from the architect and \$9000.00 to cover the program set-up fee from the Rio Grande Council of Governments.

Discussion: Ms. Annette Gutierrez requested the board's approval of the expenditures submitted for the Veterans Memorial project; the \$31,249.53 invoice from the architect representing the final charge for the design and \$9,000.00 reimbursement to the Rio Grande Council of Governments for the program set-up fee. The reimbursement request had been delayed to ensure everything had been approved by EDA up to this point.

Motion made by Mr. S. Madrid to approve the expenditure report submitted for the Veterans Memorial project for an invoice for \$31,249.53 from the architect and \$9,000.00 to cover the program set-up fee from the Rio Grande Council of Governments.

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.

8. Take up, consider, and take action to approve a Resolution Authorizing Application of Consent from the United States Department of Agriculture; and Making Certain Findings in Connection therewith.

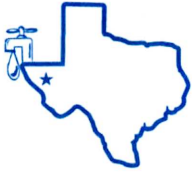
Discussion: Mr. Rudy Segura, of McCall, Parkhurst & Horton, LLP, requested the board approve a resolution authorizing the application of consent from the United States Department of Agriculture, asking them to approve the bonds; a ministerial step between the district and USDA-RD.

Motion made by Mr. S. Madrid to approve a resolution authorizing Application of Consent from the United States Department of Agriculture; and making certain findings in connection therewith.

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.



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9. **Take up, consider, and take action to approve an Order authorizing the Issuance of up to \$9,025,000 for El Paso Water Control and Improvement District No. 4 Unlimited Tax and Revenue Bonds, Series 2025 to Provide Funds for Water and Wastewater System Improvements; Levying Ad Valorem Taxes and Pledging System Revenues in Payment thereof and Providing for the Security for and Payment of said Bonds; approving Notice of Sale, Official Bid From, Official Statement, and paying Agent/Registrar Agreement; Establishing procedures for Selling and Delivering the Bonds; and Authorizing other matters related to the Issuance of Bonds..**

Discussion: Mr. Rudy Segura and Mr. Thomas Lestrapes presented to the board the final pricing on the Unlimited Tax and Revenue Bonds, Series 2025. Sale of bonds was awarded to Samco Capital Markets at a rate of 4.619% on a 25-year loan.

Motion made by Mr. J. Carrasco to approve item #9 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			
Mr. M. Madrid			X	
Ms. A. Sanchez	X			

Motion: Passed.

10. **Take up, consider, and take action on a new service contract with CDM Smith for ongoing Professional Services in the amount of 75,000.**

Discussion: Ms. Martinez requested the board approve a new service contract with CDM Smith for ongoing professional services in the amount of \$75,000.00.

Motion made by Mr. S. Madrid to approve the new service contract with CDM Smith for ongoing professional services in the amount of \$75,000.00.

Seconded by Ms. A. Sanchez.

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

Motion: Passed.

11. **Take up, consider, and take action on District's actions to prevent unlawful disruptions at District Board meetings, including taking legal action to permanently remove repeat offenders.**

Discussion: Item discussed in executive session.

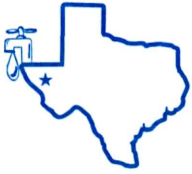
Motion made by Mr. S. Madrid to direct staff and legal counsel to proceed with preparing a policy that addresses public disruptions at board meetings.

Seconded by Ms. A. Sanchez.

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

Motion: Passed.



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12. **Take up, consider, and take action on the General Manager position and discuss the recruitment process.**

Item discussed in executive session. No action taken.

13. **Kemp Smith Update**

N/A

14. **CDM Smith Update**

N/A

15. **General Manager Update**

- The collection rate for February is 99% with 37 cutoffs; 8 remain unpaid.
- The Financial Audit is almost complete, awaiting results from Peña, Briones, McDaniel & Co.

Field Manager Update

- Water Loss---January 1% and February 4%
- Resiliency Class---All field operators completed the resiliency class. Class is required every 3 years in order to renew or apply for a water license.
- Renewal of the Headworks---will be installing a new panel May 19 – May 23, 2025.

16. **Executive Session.**

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

A. Personnel Matters Code 551.074

B. 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 6:39 pm

Time in Executive Session 168 minutes.

From 6:39 pm to 9:27 pm

Motion made by Mr. S. Madrid to enter 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			
Mr. M. Madrid	X			
Ms. A. Sanchez	X			

Motion: Passed.

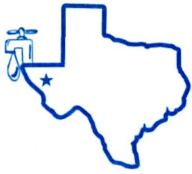
17. **Return to open session at 9:27 for possible discussion and action on Executive Session item(s).**

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.



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18. Board member availability for the April 22, 2025, Regular Meeting

All board members present are available for the April 22, 2025, Regular Meeting and the April 8, 2025, Special Meeting.

19. Motion to adjourn.

Discussion: No discussion.

Motion made by Mr. S. Madrid to adjourn.

Seconded by Ms. A. Sanchez.

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

Motion: Passed.

Meeting Adjourned at 9:31 p.m.


Signature

4-22-25
Date Approved

