



# 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, March 26, 2024 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 February 27, 2024.
6. Audience comments on Agenda items: 3-minute speaking time limit per person
7. Take up, consider and take action on 2023 El Paso County Water Control & Improvement District No. 4 financial audit as presented by Peña, Briones, McDaniel & Co.
8. Take up, consider and take action on approving revisions to the District's Personnel Policy.
9. Take up, consider and take action to approve allowing the Interim General Manager or Board President to negotiate and execute a revised Architect/Engineering agreement between El Paso County Water Control & Improvement District #4 and GA Architecture Inc. to include special services not to exceed \$30,000 and to sign all related documents.
10. Take up consider and take action on submitting an application for Fiscal Year 2025 Community Project Funding Request for Cypress Well #6 and allocation of funds to match 25% of the total project cost.
11. Take up, consider and take action on former General Manger's personnel matters.
12. Update on lawsuit filed by Mr. Luz Marquez.
13. Kemp Smith Update.
14. CDM Smith Update.
15. General Manager Report.
16. Audience comments on General Matters: 3-minute speaking time limit per person.
17. 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.
18. Return to open session for possible discussion and action on executive session item(s).
19. Board member availability or date change for April 23, 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 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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## REGULAR MEETING MINUTES

Tuesday, March 26, 2024

**1. Call Meeting to Order.**

Vice President Samuel Madrid 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

**Consultants:**

Mr. Sergio Estrada	Kemp Smith
Ms. Theresa Jo Mally	Peña, Briones, McDaniel & Co.

**Visitors:**

Mr. Roberto Silva	Ms. Alicia Carrillo
Ms. Josie Silva	Ms. Estella Ontiveros
Ms. Linda Rodriguez	Mr. Luz Marquez

**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 as presented.**

**Seconded by Mr. J. Carrasco.**

**Vote:**

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

**Motion: Passed**



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**5. Take up, consider and take action on Regular Meeting Minutes for February 27, 2024.**

**Discussion:** No discussion.

**Motion made by Mr. S. Madrid** to approve the Regular Meeting Minutes for February 27, 2024.

**Seconded by Mr. J. Carrasco.**

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

No public comments made.

**7. Take up, consider and take action on 2023 El Paso County Water Control & Improvement District No. 4 financial audit as presented by Peña, Briones, McDaniel & Co.**

**Discussion:** Ms. Theresa Jo Maly reviewed the 2023 El Paso County Water Control & Improvement District No. 4 Financial Statement Audit Report. All records were in good standing and no internal control deficiencies were found. The only recommendation is to add depreciation to next year's budget.

**Motion made by Mr. M. Madrid** to approve the 2023 El Paso County Water Control & Improvement District No. 4 Financial audit as presented by Peña, Briones, McDaniel & Co.

**Seconded by Ms. T. Quinonez.**

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

**Motion: Passed.**

**8. Take up, consider and take action on approving revisions to the district personnel policy.**

**Discussion:** Ms. Martinez provided the board with the proposed changes to the district personnel policy. After further discussion the Board agreed to take no action on this item.

**9. Take up consider and take action to approve allowing the Interim General manager or Board President to negotiate and execute a revised Architect/Engineering agreement between El Paso County Water Control & Improvement District #4 and GA Architecture Inc. to include special services not to exceed \$30,000 and to sign all related documents.**

**Discussion:** Ms. Annette Gutierrez is requesting the Boards' approval to make modifications to the contract to include surveying and testing of soil to be part of GA Architect scope of work. The cost will come out of the contingency monies that were included in the budget. This will allow them to finalize the revision of the contract after Mr. Sergio Estrada from Kemp Smith reviews it.

**Motion made by Mr. M. Madrid** to approve allowing the Interim General Manager or Board President to negotiate and execute a revised Architect/Engineering agreement between El Paso Water Control & Improvement District #4 and GA Architecture Inc. to include special services not to exceed \$30,000 and to sign all related documents.

**Seconded by Ms. T. Quinonez.**



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

Motion: Passed.

**10. Take up, consider and take action on submitting an application for Fiscal Year 2025 community Project funding request for cypress well #6 and allocation of funds to match 25% of the total project cost.**

**Discussion:** Ms. Martinez is requesting the Boards' approval to apply for Fiscal Year 2025 Community Project funding to help equip Cypress Well #6. It will require a 25% match and the grant application will be written by a grant writer with the Rio Grande Council of Governments at no cost to the district.

**Motion made by** Mr. M. Madrid to approve submitting an application for Fiscal Year 2025 Community Project funding request for Cypress Well #6 and allocation of funds to match 25% of the total project cost.

**Seconded by** Ms. T. Quiñonez.

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

Motion: Passed.

**11. Take up, consider and take action on former General Manager's personnel matters.**

**Discussion:** Item #11 was discussed in Executive Session.

No action taken.

**12. Update on lawsuit filed by Mr. Luz Marquez.**

**Discussion:** Item #12 was 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 2024 was 99% with 35 cut-offs and 10 remain unpaid.
- Watchful Innovation switched over almost everyone to new computers and monitors and is still working on switching the server information and getting new programs installed.
- Deputy Saul Martinez thanks the Water District for allowing them the use of the Veterans Park for their annual Easter egg hunt.
- The County of El Paso will be holding meetings at different locations in the county this week and next week to get peoples' input. They have asked us to pass the word around to get the public's perspective on the level of investment the county should undertake throughout the next five years.



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- Ms. Martinez wanted to make the board aware of a Facebook post on Monday, March 11<sup>th</sup> regarding discolored water at Mesa Del Norte Subdivision. It appeared to be that the fire department had filled up their tankers and that had stirred up the sediments that sit at the bottom of the pipes. It was not lack of maintenance or of any fault of the district when that happen.

### Field Manager Update

- The district pumped 20 million gallons from Well #7; water loss is at 12%.
- The Sewer Manhole Lining Project is complete. The district lined 20 sewer manholes with fiberglass.
- CC Camp Well #1 (raw water) is in service. Currently have 2 customers and the third will be applying this week.
- CC Camp booster pump update.

### 16. 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.

### 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 6:55 pm.

Time in Executive Session 25 minutes.

From 6:55 pm to 7:20 pm.

Motion made by Ms. T. Quiñonez to enter executive session.

Seconded by Mr. M. Madrid.

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

Motion: Passed.

### 18. Return to open session at 7:20 p.m. for possible discussion and action on Executive Session item(s).

Discussion: Refer to Item #11 and Item #12.

Motion made by Ms. T. Quiñonez 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	_____	_____	_____	_____
Mr. S. Madrid	X	_____	_____	_____
Mr. J. Carrasco	X	_____	_____	_____
Ms. T. Quiñonez	X	_____	_____	_____
Mr. M. Madrid	X	_____	_____	_____

Motion: Passed.



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**19. Board member availability for the April 23, 2024 Regular Meeting**

All Board members present will be available for the April 23, 2024, Regular Meeting.

**20. Motion to adjourn.**

**Discussion:** No discussion.

**Motion made by** Mr. M. Madrid to adjourn.

**Seconded by** Ms. T. Quiñonez.

**Vote:**

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

**Motion:**

Meeting Adjourned at 7:22 p.m.

J.C.  
Signature

4-23-24  
Date Approved