



# 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, July 12, 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 Meeting minutes from May 24, 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. Introduction and Discussion with Mr. Rodrigo Estrada from Congressman Tony Gonzales's Office.
8. Take up, consider and take action on 2021 El Paso County Water Control & Improvement District No. 4 Financial Audit as presented by Pena, Briones, McDaniel & Co.
9. Take up, consider and take action on request of Lower Valley Water District (LVWD) to develop an Interlocal Agreement for the District to accept and treat wastewater from certain areas within LVWD.
10. Take up, consider and take action on adopting Resolution No. 2022- 01 and Order for the Board of Directors of the El Paso County WCID #4 calling for the election of 3 Board Members to the Board of Directors of the District, to be held on November 8, 2022 and providing for matters incidental to the holding of said election in accordance with applicable laws.
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 551.074
- Any final action as a result of this closed discussion will be held at the opening of the meeting or at any subsequent meeting
16. Return to open session for possible discussion and action on executive session item(s).
17. Board member availability or date change for the August 23, 2022 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.

  
Jose Ramirez

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



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## SPECIAL MEETING MINUTES Tuesday, July 12, 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:**

Mr. Jose Ramirez.	General Manager
Ms. Patty Cruz	Office Manager
Ms. Romie Martinez	Inventory Control Manager
Mr. Israel Martinez	Field Manager

**Consultants:**

Mr. Sergio Estrada	Kemp Smith
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**Visitors:**

Mr. Rafael Ramirez	Ms. Teresa Jo May
Mr. Gustavo Gallo	Ms. Jeanette Ribail
Mr. Martin Madrid	Mr. Ruben Corral
Ms. Alicia Carrillo	Mr. Alexander Cadet
Mr. Rey Pena	Mr. Rodrigo Estrada

**3. Pledge of Allegiance.**

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

**Discussion:** No discussion.

**Motion made by Ms. Flores to approve meeting agenda.**

**Seconded by Mr. Madrid.**

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

**Motion:** Passed

**5. Take up, consider and take action on Regular Meeting Minutes from May 24, 2022.**

**Discussion:** No discussion.

**Motion made by Mr. Madrid to approve Regular Meeting Minutes from May 24, 2022.**

**Seconded by Ms. Flores.**

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



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Mr. J. Carrasco

X

Mr. S. 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 Comments at Board Meetings, adopted on August 27, 2019.**  
N/A

7. **Introduction and Discussion with Mr. Rodrigo Estrada from Congressman Tony Gonzales's Office.**  
**Discussion:** Mr. Rodrigo Estrada introduced himself to the Board and updated them on funding opportunities available to the water district.

8. **Take up, consider and take action on 2021 El Paso County Water Control & Improvement District No. 4 Financial Audit as presented by Peña, Briones, McDaniel & Co.**

**Discussion:** Mr. Pena presented the 2021 El Paso County Water Control & Improvement District No.4 Financial Audit to the Board.

**Motion made by Ms. Flores** to approve the 2021 El Paso County Water Control & Improvement District No. 4 Financial Audit as presented.

**Seconded by Mr. Carrasco.**

**Vote:**

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

Motion: Passed

9. **Take up, consider and take action on request of Lower Valley Water District (LVWD) to develop an Interlocal Agreement for the District to accept and treat wastewater from certain areas within LVWD.**

**Discussion:** Discussed in Executive Session.

**Motion made by Ms. Flores** to authorize the executive director to meet with Lower Valley Water District to obtain additional information regarding Lower Valley Water District's proposal for an interlocal agreement to accept and treat wastewater from certain areas within LVWD.

**Seconded by Mr. Carrasco.**

**Vote:**

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

Motion: Passed

10. **Take up, consider and take action on adopting Resolution No. 2022-01 and Order for the Board of Directors of El Paso County WCID #4 calling for the election of 3 Board Members to the Board of Directors of the District, to be held on November 8, 2022 and providing for matters incidental to the holding of said election in accordance with applicable laws.**

**Discussion:** Mr. Ramirez reminded the board that every election year the board must approve a resolution calling for election.

**Motion made by Ms. Flores** to approve resolution as presented.

**Seconded by Mr. Madrid.**

**Vote:**

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Other</u>
Ms. J Gutierrez	X			



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Ms. T. Quiñonez

Ms. M. Flores

Mr. I Martinez

Mr. J. Carrasco

X			
X			
X			

**Motion:** Passed

### 11. Kemp Smith Update

N/A

### 12. CDM Smith Update

N/A

### 13. General Manager Update

1. Collection rate for May was 97%, 64 cut offs and 2 remain unpaid.
2. Finance Department—No update
3. Purchasing and Warehousing Department—No update
4. Field Services Department—No update
5. Due to shortage of staff, Fabens ISD in not meeting the requirements of the Veterans' Park Interlocal Agreement. On section 5.3 of the 2017 interlocal agreement between the El Paso County, Fabens ISD and EPCWCID#4, it states that the School District will maintain the grounds to include mowing grass and trimming shrubs. On section 5.4, it states that the School District will remove garbage and pick up trash. The support services director has mentioned several times that they will be addressing their Board of Directors to approve the termination of their duties to the Veterans' Park. Superintendent Vigil has scheduled a meeting with County Parks director and us to discuss the interlocal agreement.  
We are currently using our staff to provide these services to the Veterans' Park. We have met with Commissioner Holguin to address this issue and to see if the El Paso County can take over the park with a long-term lease such as the current one for the swimming pool property (pool property is on a 40-year lease at a rate of \$1.00/year).  
We will bring the revised interlocal agreement from the County to the Board of Directors for approval.
6. We have submitted a grant application to County of El Paso for a design of a solar energy farm. If we get awarded this 100% grant, it will be to design a solar farm large enough to produce electricity to pay for our entire electric bill for our facilities, the School District's, and the County buildings here in Fabens. After the design we will start applying for grants to build the solar farm. We are proposing to build the solar farm on university land which is leased by the School District. We will bring to you all the proposed agreement between all the entities involved.
7. We are currently working on a grant from the Bureau of Reclamation (Water Smart Grant) to replace all the remaining existing meters to digital meters and will also include the system to communicate with the office. This grant is a 50/50 match in which we are asking for just under \$500,000.00 in grant funds. We will have to pay out of pocket around \$300,000.00. The remaining \$200,000.00 will be in-kind services.

The total amount that we will have to pay out of pocket, including the \$177,378.14 (\$210,000.00 was budgeted) from this year is \$475,436.36. The total cost that was calculated on the PER is \$1,060,420.00; a savings of \$584,983.64.

We will need to have a special Board meeting in the next two weeks to adopt a required grant resolution.

### 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.

N/A





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**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

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 6:20 p.m.

Time in Executive Session 1 hour 2 minutes.

From 6:20 p.m. to 7:22 p.m.

Motion made by Ms. Flores to enter executive session.

Seconded by Mr. Carrasco

**Vote:**

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

Motion: Passed

**16. Return to open session at 7:22 p.m. for possible discussion and action on Executive Session item(s).**

Motion made by Ms. Flores to return from executive session.

Seconded by Mr. Madrid

**17. Board member availability for the August 23, 2022, Regular Meeting**

All board members present are available for the August 23, 2022, Regular Meeting.

**18. Motion to adjourn.**

Discussion: No discussion.

Motion made by Ms. Flores to adjourn.

Seconded by Mr. Madrid

**Vote:**

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

Motion: Passed



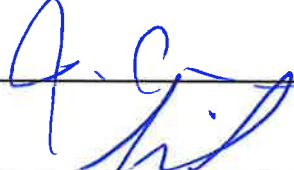
Meeting Adjourned at 7:34 p.m.

  
Signature

8/23/2022  
Date Approved

**EL PASO COUNTY W.C.I.D. #4**  
**SPECIAL BOARD MEETING**  
**SIGN IN SHEET**

MEETING DATE: Tuesday, July 12, 2022

<b>BOARD MEMBERS</b>		
NAME (PLEASE PRINT)		SIGNATURE
Juana Gutierrez	EPCWCID #4 Board President	
Thelma Quinonez	EPCWCID #4 Vice-President	
Magda Flores	EPCWCID #4 Secretary	
Jorge Carrasco	EPCWCID #4 Board Member	
Samuel Madrid	EPCWCID #4 Board Member	