

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

REGULAR MEETING MINUTES Tuesday, July 25, 2023

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		

District Staff:

Ms. Romie Martinez	Interim General Manager
Ms. Patty Cruz	Office Manager
Mr. Israel Martinez	Field Manager

Consultants:

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

Visitors:

Mr. Roberto Silva	Ms. Linda Rodriguez
Ms. Estella Ontiveros	Mr. Ruben Villagran
Mr. Raul Lopez	Ms. Josie Silva
Mr. Luz Marquez	

3. Pledge of Allegiance.

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

Discussion: No discussion.

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

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	X			
Mr. M. Madrid	X			

Motion: Passed.

5. Take up, consider and take action on Regular Meeting Minutes for June 27, 2023.

Discussion: No discussion.

Motion made by Mr. S. Madrid to approve Regular Meeting Minutes for June 27, 2023.

Seconded by Ms. T. Quiñonez.

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			



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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 comment made.

7. **Take up, consider and take action to approve the amended Interlocal Agreement for administrative services with the Rio Grande Council of Governments to include reimbursement of funds paid up front by them to acquire an Architect/Engineer for the Veterans Park Memorial.**

Discussion: Ms. Martinez presented the amended Interlocal Agreement for administrative services with the Rio Grande Council of Governments.

Motion made by Mr. S. Madrid to approve the amended Interlocal Agreement for administrative services with the Rio Grande Council of Governments to include reimbursement of funds paid up front by them to acquire an Architect/Engineer for the Veterans Park Memorial.

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	X			
Mr. M. Madrid	X			

Motion: Passed.

8. **Take up, consider and take action to approve CDM Smith's Engineering fees for the design of the Ikard Lift Station and the new 10th Street blending/storage tank.**

Discussion: Mr. Horacio Juarez presented the breakdown of CDM Smith's Engineering fees for the design of the Ikard Lift Station totaling \$498,414.00 and 10th Street blending/storage tank totaling \$324,290.00.

Motion made by Mr. S. Madrid to approve CDM Smith's Engineering fees for the design of the Ikard Lift Station and the new 10th Street blending/storage tank as presented by engineer.

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		X		
Mr. M. Madrid		X		

Motion: Passed.

9. **Discuss personnel matters regarding General Manager.**

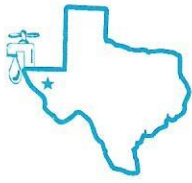
Item taken into executive session. No action taken.

10. **Kemp Smith Update**

N/A

11. **CDM Smith Update**

N/A



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12. General Manager Update

- The collection rate for June was 98%, 51 cut offs, 14 remain unpaid.
- The County of El Paso is working to obtain a solar farm to help the Fabens School District, El Paso County WCID #4 and County residents lower their electricity costs. They are asking the school district and the water district to be co-applicants along with them.
- Ms. Martinez will meet with Mr. Sublasky and a Veterans Affairs Coordinator for Representative Tony Gonzalez at Veterans Park to look over the architectural renditions for the proposed memorial park.
- On July 18th, Texas Tech Medical/Dental students came by to speak about healthcare, or lack thereof, in our community.
- On Saturday, the 29th of July, there will be a back-to-school fair at Veterans Park from 2:00 p.m. to 9:00 p.m. Fourth street will be closed due to the activities.
- Legal counsel, Drew Miller, continues to work on the interlocal agreement with Lower Valley Water District to service out of district customers.
- Rate increases will be starting with the August usage. The district is in the process of switching over to a new billing system and it may be ready to implement by September billing.

13. 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.

Mr. Silva asked the Board how much longer they were going to give the general manager. He wants to apply for the job.

Ms. Rodriguez commented that it is time to fill the general manager position, adding that Mr. Ramirez needs to face responsibility and report to the office.

Ms. Ontiveros stated that the community is kept in the dark regarding the general manager's status. She knows of an employee who had been on sick leave with cancer and was not treated as well as the general manager. The employee was given only 8 months' sick leave; the general manager has been out for a year. Ms. Ontiveros feels all the employees should be treated equally. The community members that come to the meetings no longer have trust in the Board. She stated that the Board needs to keep them informed.

Mr. Sergio Estrada, legal counsel, as a courtesy to the board and members of the public, reminded them that the position of general manager is an employee of the board and the board only and therefore by law the board is prohibited from discussing his employment situation and any health issues in public; which is why it has not been discussed at any of the meetings.

14. 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



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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 6:38 p.m.
Time in Executive Session 89 minutes.
From 6:38 p.m. to 8:07 p.m.

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

Motion: Passed.

15. Return to open session at 8:07 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. M. Madrid.

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

Motion: Passed.

16. Board member availability for the August 22, 2023, Regular Meeting

All board members present available for the August 22, 2023, Regular Meeting.

17. 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	_____	_____	_____
Ms. T. Quiñonez	X	_____	_____	_____
Mr. M. Madrid	X	_____	_____	_____
Mr. J. Carrasco	X	_____	_____	_____
Mr. S. Madrid	X	_____	_____	_____

Motion: Passed.

Meeting Adjourned at 8:09 p.m.

Juana Gutierrez
Signature

8/22/2023
Date/Approved