



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, August 23, 2022 at 6:00 P.M.

117 EAST MAIN ST., IN FABENS, TEXAS

Zoom Meeting Link: <https://us02web.zoom.us/j/7098341122?pwd=N09xcTFNUTDBScDAxSnBxUT09>

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 Special Meeting minutes from July 12, 2022.
6. Take up, consider and take action on Special Meeting minutes from July 19, 2022.
7. 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:
8. Take up, consider and take action on contracting with the El Paso County Elections Department to hold General Directors Elections on November 08, 2022.
9. Take up, consider and take action on 2022 Proposed Tax Rate
10. Take up, consider and take action on possible change to the Certificate of Deposit maturity period.
11. 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.
12. Take up, consider and take action on Resolution #2022-3, Signatory for loans and grants from USDA.
13. Kemp Smith Update.
14. CDM Smith Update.
15. General Manager Report.
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:
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 the September 27, 2022 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.


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



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REGULAR MEETING MINUTES Tuesday, August 23, 2022

1. Call Meeting to Order.

President Juana Gutierrez called meeting to order at 6:07 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:

| | |
|---------------------|----------------|
| Ms. Patty Cruz | Office Manager |
| Mr. Israel Martinez | Field Manager |
| Ms. Laura Olivas | Office Clerk |

Consultants:

| | |
|--------------------|------------|
| Mr. Horacio Juarez | CDM Smith |
| Mr. Andrew Miller | Kemp Smith |
| Mr. Sergio Estrada | Kemp Smith |

Visitors:

| | |
|---------------------|-----------------|
| Mr. Luz Marquez | Mr. Gus Gallo |
| Mr. Esteban Olivas | Mr. Jason Olmos |
| Mr. Joaquin Mendoza | |

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 Ms. Quiñonez.

Vote:

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

Motion: Passed.

5. Take up, consider and take action on Special Meeting Minutes for July 12, 2022.

Discussion: No discussion.

Motion made by Ms. Flores to approve Special Meeting Minutes for July 12, 2022.

Seconded by Ms. Gutierrez.



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| <u>Vote:</u> | <u>Aye</u> | <u>Nay</u> | <u>Abstain</u> | <u>Other</u> |
|-----------------|------------|------------|----------------|----------------------|
| Ms. J Gutierrez | X | | | |
| Ms. T. Quiñonez | | | X | Absent July 12, 2022 |
| Ms. M. Flores | X | | | |
| Mr. J. Carrasco | | | | |
| Mr. S. Madrid | | | | |

Motion: Passed.

6. Take up, consider and take action on Special Meeting Minutes for July 19, 2022.

Discussion: No discussion.

Motion made by Ms. Flores to approve Special Meeting Minutes for July 19, 2022.

Seconded by Ms. Gutierrez.

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

Motion: Passed.

7. 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.

N/A

8. Take up, consider and take action on contracting with the El Paso County Elections Department to hold General Directors Elections on November 08, 2022.

Discussion: Ms. Cruz asked the board to approve contracting with the El Paso County Elections Department to hold General Directors Elections on November 08, 2022 at an estimated cost of \$13,808.30.

Motion made by Ms. Flores to approve contract with the El Paso County Elections Department to hold General Directors Elections on November 08, 2022.

Seconded by Ms. Quiñonez.

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

Motion: Passed.

9. Take up, consider and take action on 2022 Proposed Tax Rate.

Discussion: Ms. Cruz presented the proposed 2022 Tax Rate and requested the board approve the 2022 Proposed Tax Rate.

Motion made by Ms. Flores to adopt the Proposed Tax Rate of 0.0157857% for 2022.

Seconded by Ms. Quiñonez.

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

Motion: Passed.



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10. Take up, consider and take action on possible change to the Certificate of Deposit maturity period.

Discussion: Ms. Cruz presented the options on the maturity period of the Certificate of Deposit as well as the related interest rates.

Motion made by Ms. Flores to continue maturity period at 12 months for the Certificate of Deposit.

Seconded by Ms. Quiñonez.

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

Motion: Passed.

11. 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: Mr. Miller and Mr. Juarez presented the pros and cons to the board of entering an interlocal agreement with Lower Valley Water District to accept and treat wastewater from certain areas within LVWD. After further discussion the board decided to enter executive session.

Motion made by Ms. Flores to reject Lower Valley Water District's request to develop an interlocal agreement for the District to accept and treat wastewater from certain areas within LVWD and to authorize that a letter be sent to LVWD informing them of the District's decision.

Seconded by Ms. Quiñonez

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

Motion: Passed.

12. Take up, consider and take action on Resolution #2022-3, Signatory for loans and grants from USDA.

Discussion: Mr. Juarez addressed the board regarding Resolution #2022-3 and informed the board the Signatory is a requirement for acquiring loans and grants from USDA.

Motion made by Ms. Flores to approve Resolution #2022-3.

Seconded by Ms. Quiñonez.

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

Motion: Passed.

13. Kemp Smith Update

N/A

14. CDM Smith Update

N/A



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15. General Manager Update

N/A

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.

Mr. Luz Marquez spoke about a petition requesting the removal of Mr. Ramirez. He also questioned the rehiring of a previous employee.

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

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 **6:42 p.m.**

Time in Executive Session **49 minutes.**

From **6:42 p.m. to 7:31 p.m.**

Motion made by Ms. Flores to enter executive session.

Seconded by Ms. Gutierrez.

Vote:

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

Motion: Passed.

18. Return to open session at 7:31 p.m. for possible discussion and action on Executive Session item(s).

Motion made by Ms. Flores to return to open session.

Seconded by Ms. Quiñonez.

Vote:

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

Motion: Passed.

19. Board member availability for the September 27, 2022 Regular Meeting

All board members present are available for the September 27, 2022, meeting.

20. Motion to adjourn.

Discussion: No discussion.

Motion made by Ms. Flores to adjourn.

Seconded by Ms. Quiñonez.



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

Motion: Passed.

Meeting Adjourned at 7:40 p.m.

Magda C. Flores
Signature

9/27/22
Date Approved