



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 27, 2024 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

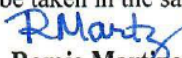
1. Call meeting to order.
2. Roll Call and Determination of Quorum.
3. Pledge of Allegiance.
4. Take up, consider, and take action on the meeting agenda.
5. Take up, consider, and take action on Regular Meeting Minutes from July 23, 2024.
6. Public Comments on Agenda Items. Each speaker is allowed 3 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 to purchase a flight pump for the Ikard lift station not to exceed the amount of \$26,000.00
8. Take up, consider, and take action on contracting with the El Paso County Elections Department to hold General Directors Elections on November 05, 2024.
9. Take up, consider and take action on the 2024 Proposed Tax Rate.
10. Take up, consider, and take action on the renewal of the Certificate of Deposit #300012640.
11. Take up, consider, and take action to approve the proposed Nepotism Policy.
12. Take up, consider and take action on the General Manager position.
13. Update on the lawsuit filed by Luz Marquez.
14. Update on the claim filed by Jose Ramirez.
15. Kemp Smith Update.
16. CDM Smith Update.
17. General Manager Report.
18. 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.
19. Executive Session.
The meeting is 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 551.074Any final action as a result of this closed discussion will be held at the opening of the meeting or at any subsequent meeting.
20. Return to open session for possible discussion and action on executive session item(s).
21. Board member availability or date change for the September 24, 2024 Regular Meeting.
22. 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.

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.

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.)


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



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, August 27, 2024

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		
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 Operations Manager

Consultants:

Mr. Sergio Estrada	Kemp Smith
--------------------	------------

Visitors:

Ms. Alicia Carrillo	Ms. Josie Silva
Ms. Linda Rodriguez	Mr. Roberto Silva
Ms. Grace Moore	Mr. Raul Lopez
Mr. Mike 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 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.

5. Take up, consider, and take action on Regular Meeting Minutes for July 23, 2024.

Discussion: No discussion.

Motion made by Mr. S. Madrid to approve Regular Meeting Minutes for July 23, 2024.

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			



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
July 23, 2024

Mr. J. Carrasco
Ms. T. Quiñonez
Mr. M. Madrid

	X			
	X			
	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. Raul Lopez stated that he is disappointed with the board. The board is trained and should not let an attorney run the meeting. The board is three against two, not what is right and wrong and that needs to change.

7. Take up, consider, and take action to purchase a flygt pump for the Ikard lift station not to exceed the amount of \$26,000.00.

Discussion: Ms. Martinez requested the board approve the purchase of a flygt pump that is needed urgently.

Motion made by Mr. S. Madrid to approve the purchase of a flygt pump for the Ikard lift station not to exceed the amount of \$26,000.00.

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 on contracting with the El Paso County Elections Department to hold General Directors Elections on November 5, 2024.

Discussion: Ms. Martinez informed the board of the requirement to contract with the El Paso County Elections Department to hold the General Directors Elections on November 5, 2024, at a cost of \$8,884.06.

Motion made by Mr. S. Madrid to approve contracting with the El Paso County Elections Department to hold General Directors Elections on November 5, 2024.

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.

9. Take up, consider, and take action on the 2024 proposed tax rate.

Discussion: Ms. Martinez requested the board approve the 2024 tax rate of 0.133970, a decrease of 9% from the 2023 tax rate of 0.140707.

Motion made by Mr. S. Madrid to approve the 2024 tax rate of 0.133970, as presented.

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			



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
July 23, 2024

Motion: Passed.

10. **Take up, consider, and take action on the renewal of the Certificate of Deposit #300012640.**

Discussion: Ms. Martinez presented the board with the renewal options for Certificate of Deposit #300012640; 6-month renewal at a rate of 4.55% APR or 12-month renewal at a rate of \$4.31% APR.

Motion made by Mr. J. Carrasco to renew the Certificate of Deposit #300012640 for a term of 6 months at a rate of 4.55% APR.

Seconded by Mr. S. Madrid.

<u>Vote:</u>	<u>Aye</u>	<u>Nav</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.

11. **Take up, consider, and take action to approve the proposed Nepotism Policy.**

Discussion: Mr. Estrada suggested to the board that the district's proposed Nepotism Policy be a stand-alone policy that will be referenced in the Employee Policies Handbook.

Motion made by Mr. S. Madrid to approve the proposed Nepotism Policy.

Seconded by Ms. T. Quiñonez.

<u>Vote:</u>	<u>Aye</u>	<u>Nav</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.

12. **Take up, consider, and take action on General Manager position.**

Item discussed in executive session. No action taken.

13. **Update on the lawsuit filed by Luz Marquez.**

Item discussed in executive session. No action taken.

14. **Update on the claim filed by Jose Ramirez.**

Item discussed in executive session. No action taken.

15. **Kemp Smith Update**

Item discussed in executive session. No action taken.

16. **CDM Smith Update**

N/A

17. **General Manager Update**

- The collection rate for July was 98% with 38 cut-offs, 12 remain unpaid.
- On August 5th the district received a congratulatory email from the Bureau of Reclamation on the selection of the Advanced Metering Infrastructure Project-Phase II for the Reclamation's WaterSMART Grants. The total project cost is \$400,000.00; the district will pay half that amount. The Rio Grande Council of Governments will be administering the grant.
- We have received TCEQ's approval letter for the blend tank design, however, we are still waiting for a response to the Bond application.



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
July 23, 2024

- A few months back, Mrs. Olivas of Olivas Aviation called the district. After performing an inspection, the FAA requested a permit for our existing tank at I-10. Mr. Horacio Juarez contacted the FAA to provide the documentation. The FAA stated that a study indicated that the structure exceeds obstruction standards, and that further analysis would be necessary to pursue a favorable determination at the initially submitted height. Since we have had a tank there for many years and the electrical poles sit at about the same height as the tank, CDM Smith has already requested further study.

Field Manager Update

- July water loss was 8%
- Work on sewer manhole relining was completed on July 14, 2024. The job began at 4:30 a.m. and was completed at 8:00 a.m.
- Update on blowers approved in May for WWTP:
 - Came without terminal box
 - Size needed modification
 - One installed, waiting on second one to arrive
- Will meet with County and Jordan Foster regarding hangers being built at airport
- Next month will be rolling out copper/lead testing to 20 homes predetermined from a list of 60
- Copper/Lead Revised Rule Data Sheet due in October

18. 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.

Ms. Rodriguez asked if the board members are so incompetent to need legal counsel at every meeting.

Ms. Carrillo was upset that every month the employees request more money. She wants proof of everything that has been fixed. The board needs to start working together.

19. 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. 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.

Board convened into Executive Session at 6:41 pm
Time in Executive Session 59 minutes.
From 6:41 pm to 7:40 pm.

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

Motion: Passed.



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
July 23, 2024

20. Return to open session at 7:40 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			
Mr. S. Madrid	X			
Mr. J. Carrasco	X			
Ms. T. Quiñonez	X			
Mr. M. Madrid	X			

Motion: Passed.

21. Board member availability for the September 17, 2024 Regular Meeting

All board members present available for the September 17, 2024 Regular Meeting.

22. 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			
Mr. S. Madrid	X			
Mr. J. Carrasco	X			
Ms. T. Quiñonez	X			
Mr. M. Madrid	X			

Motion: Passed.

Meeting Adjourned at 7:41 p.m.


Signature

9-17-24
Date Approved