

# 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, September 17, 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 August 27, 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 on the adoption of Resolution No. 2024-03 to adopt the tax rate of 0.133970.
8. Take up, consider, and take action to approve an additional design mechanical drawing fee for the Ikard lift station not to exceed \$5000.
9. Take up, consider, and take action on approving the personnel handbook.
10. Discussion of matters pertaining to digital meters
11. Take up, consider, and take action on the General Manager position.
12. Kemp Smith Update.
13. CDM Smith Update.
14. General Manager Report.
15. Public comments on issues of general concern that relate to the district's operations. 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.
16. 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.
17. Return to open session for possible discussion and action on executive session items(s).
18. Board member availability or date change for the October 22, 2024, Regular Meeting.
19. Adjourn.

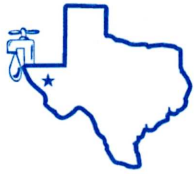
I, the undersigned authority, hereby certify that the above Notice of Meeting of the Board of Directors of the El Paso County Water Control & Improvement District No. 4 is a correct copy of the Notice and that I posted the Notice at the Fabens Post Office and the District Office Bulletin board located 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 an open session is not intended to limit or require discussion of that matter in an open session. If it is otherwise appropriate for discussion in executive session, the Board may, as permitted by law, adjourn in executive session to deliberate on the matter.

The posting of an agenda item as a matter of law to be discussed in an executive session is not intended to limit or require discussion of that matter in an 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**



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## REGULAR MEETING MINUTES Tuesday, September 17, 2024

1. **Call Meeting to Order.**

President Juana Gutierrez called the 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
Mr. Horacio Juarez	CDM Smith

**Visitors:**

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

3. **Pledge of Allegiance.**

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

**Discussion:** Ms. Gutierrez requested an amendment to the meeting agenda; the movement of item 13 to after item 8 and item 15 to after item 12.

**Motion made by Mr. S. Madrid** to approve the meeting agenda be amended as stated.

**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.

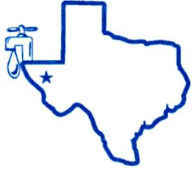
5. **Take up, consider and take action on Regular Meeting Minutes for August 27, 2024.**

**Discussion:** No discussion.

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

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





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<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.

**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 thinks the agenda item for public comment should be placed on the agenda after the agenda items have been discussed. Referring to agenda item 8, he stated that it should have been included in the original bond approval.

Ms. Grace Moore considers herself the voice of the people and feels that customer service should be the priority. She commented that the office staff is well paid and only has one window open with one person who is not even doing her job.

**7. Take up, consider, and take action on the adoption of Resolution No. 2024-03 to adopt the tax rate of 0.133970.**

**Discussion:** The tax rate was presented at the Public Hearing held earlier this day.

**Motion made by Mr. S. Madrid** to approve the adoption of Resolution No. 2024-03 to adopt the tax rate of 0.133970.

**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.

**8. Take up, consider, and take action to approve an additional design mechanical drawing fee for the Ikard lift station not to exceed \$5000.**

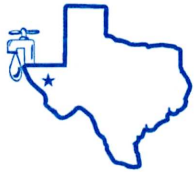
**Discussion:** Mr. Juarez explained to the board that the additional design mechanical drawing fee is to include the installation of water lines to the lift station, as requested by staff, for safety purposes. It is not a requirement by TCEQ.

**Motion made by Mr. S. Madrid** to approve an additional design mechanical drawing fee for the Ikard Lift station not to exceed \$5000.00.

**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.



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**9. Take up, consider, and take action on approving the personnel handbook.**

**Discussion:** No discussion.

**Motion made by** Mr. S. Madrid to approve the personnel handbook.

**Seconded by** Ms. T. Quiñonez.

<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.

**10. Discussion of matters pertaining to digital meters.**

**Discussion:** Item discussed in executive session.

**Motion made by** Mr. S. Madrid to approve and authorize staff and legal counsel to take all appropriate necessary action to protect the district's interests with regard to digital meter issues discussed in 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.

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

**Discussion:** Ms. Martinez presented the board with options for different employment agencies as well as an independent consultant the district could contract with to hire a General Manager. She gave specifics on their rates and processes of hiring.

**Motion made by** Mr. S. Madrid to take action on the General Manager position and authorize the interim general manager to negotiate a contract up to 18% of the salary.

**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.

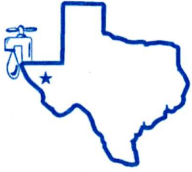
**12. Kemp Smith Update**

Mr. Estrada updated the board about the ongoing FAA issue regarding the I-10 tank as an obstruction to the Fabens Airport runway. Counsel is actively appealing the decision and providing more information regarding the tank.

**13. CDM Smith Update**

Mr. Juarez informed the board that he had received the letter from TCEQ, approving the raw storage tank design. It is ready to go to bid, once the district receives letters from financial and bond counsels.





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## 14. General Manager Report

- Water notice---reached out to the news media to make the public aware that the water notice customers received was not from the district and our water is in fact safe to drink.

### Field Manager Report

- Water Loss at 6%, pumped 34 million gallons in August
- TDS 750, PH 724, Cl 1.2, PSI 68-72
- Lead and copper samples were distributed, collected and shipped out last week.

## 15. Public comments on issues of general concern that relate to the district's operations. 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. Mike Lopez is concerned that the district does not have HR; suggests they look into creating an HR Department. He would like there to be complaint protocol as well.

Ms. Alicia Carrillo is disgusted with the board members, attorney and general manager and is going to have them investigated on the matter of leaking information discussed in executive session.

Ms. Gracie Moore suggested the office open both windows during business hours and that the district provide comfortable seating such as a sofa in order to offer the best customer service.

## 16. 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 6:31 pm

Time in Executive Session 35 minutes.

From 6:31 pm to 7:06 pm.

Motion made by Mr. S. Madrid to enter executive session.

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.

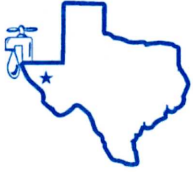
## 17. Return to open session at 7:06 p.m. for possible discussion and action on Executive Session item(s).

Motion made by Mr. J. Carrasco to return to open session.

Seconded by Ms. T. Quiñonez.

<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.



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**18. Board member availability for the October 22, 2024 Regular Meeting**

All board members present are available for the October 22, 2024, Regular Meeting.

**19. Motion to adjourn.**

**Discussion:** No discussion.

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

**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.

Meeting Adjourned at 7:38 p.m.

  
\_\_\_\_\_  
Signature

10-22-24  
Date Approved