



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 27, 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 Special Meeting minutes from August 23, 2022.
6. Take up, consider and take action on Regular Meeting minutes from August 23, 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 adoption of Resolution No. 2022-04 to adopt the tax rate of 0.157857 for tax year 2022.
9. Take up, consider and take action on appointing an Interim General Manager until General Manager returns from Medical Leave.
10. Take up, consider and take action on providing water to Veterans Park for grass landscaping.
11. Take up, consider and take action to allow the Interim General Manager to be the certifier/signer for the USDA loans and grants applications.
12. Kemp Smith Update.
13. CDM Smith Update.
14. General Manager Report.
15. 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:
16. 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

17. Return to open session for possible discussion and action on executive session item(s).
18. Board member availability or date change for the October 25, 2022 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 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.

R. Ramirez

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



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REGULAR MEETING MINUTES

Tuesday September 27, 2022

1. Call Meeting to Order.

Secretary Magda C. Flores 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		Via Zoom
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. Israel Martinez	Field Manager
Ms. Patty Cruz	Office Manager
Ms. Romie Martinez	Inventory Control Manager

Consultants:

Mr. Sergio Estrada	Legal Counsel-Kemp Smith
Mr. Horacio Juarez	CDM Smith

Visitors:

Mr. Luz Marquez	Mr. Martin Madrid
Mr. Joaquin Mendoza	Mr. Julian Cordero
Ms. Alicia Carrillo	

3. Pledge of Allegiance.

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

Discussion: No discussion.

Motion made by Mr. Madrid to approve meeting agenda.

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

5. Take up, consider and take action on Special Meeting Minutes from August 23, 2022.

Discussion: No discussion.

Motion made by Ms. Gutierrez to approve Special Meeting Minutes from August 23, 2022.

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			



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Motion: Passed

6. Take up, consider and take action on Regular Meeting Minutes from August 23, 2022.

Discussion: No discussion.

Motion made by Mr. Carrasco to approve Regular Meeting Minutes from August 23, 2022.

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

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.

No public comments made.

8. Take up, consider and take action on adoption of Resolution No. 2022-04 to adopt the tax rate of 0.157857 for tax year 2022.

Discussion: No discussion.

Motion made by Ms. Gutierrez to approve Resolution No. 2022-04 to adopt the tax rate of 0.157857 for tax year 2022.

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 appointing an Interim General Manager until General Manager returns from medical leave.

Discussion: Item discussed in executive session.

Motion made by Mr. Carrasco to appoint Ms Romie Martinez as Interim General Manager of El Paso County WCID #4 and approving her compensation be increased by \$250.00 weekly while she acts as Interim General Manager.

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

10. Take up, consider and take action on providing water to Veterans Park for grass landscaping.

Discussion: Ms. Martinez presented to the Board the County of El Paso's request that the District provide water to Veteran's Park for grass landscaping. She suggested that the well at Veteran's Park needs flushing every other week and that water could be used for watering as it is untreated raw water.



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Motion made by Mr. Madrid to provide water to Veteran's Park for grass landscaping.

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				
Ms. M. Flores	X			
Mr. I Martinez	X			
Mr. J. Carrasco	X			

Motion: Passed

11. Take up, consider and take action to allow the Interim General Manager to be the certifier/signer for the USDA loans and grants applications.

Discussion: Ms. Martinez presented to the board the request from Daila McAnally from USDA for the board to allow the Interim General Manager to be the certifier and signer for loans and grants applications. Ms. McAnally said a letter from the board president would suffice. Item was discussed in executive session.

Motion made by Mr. Madrid to allow the Interim General Manager to be the certifier/signer for the USDA loans and grants applications.

Seconded by Mr. Carrasco.

<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

12. Kemp Smith Update

N/A

13. CDM Smith Update

N/A

14. General Manager Update

Collection rate for August was 98%, 43 cut offs, 8 remained unpaid

Collection rate for September was 99%, 13 cut offs, 3 remained unpaid

Yesterday it was announced that the project the District submitted for design and engineering cost of the solar farm is being recommended for funding to the El Paso County Commissioners Court under the American Rescue Plan Act. The Electric Company has submitted a grant application with the Department of Energy for the construction side of it and are awaiting to hear if they will be awarded the grant.

There are two possible locations for the solar farm site, both on university lands. One is on Fabens ISD leased land close to the elementary school. The second location also on university lands is just on the other side of the arroyo adjacent to the school district's land.

The Texas Water Foundation is pursuing federal funding from the EPA to launch the Texas Border Region Infrastructure Development Program. This program will include a training program and curriculum designed to support staff working in rural and small systems. Should they receive the grant, we



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have expressed our interest to the Texas Water Foundation in receiving direct technical assistance and training for our staff and possibly the board.

The District purchased a Safety training program from JJ Keller in August. The program is web based and has many capabilities.

Aside from training, it also provides a variety of safety policies and procedures that we can adopt and implement. Another great feature it offers is digital safety data sheets.

Field Manager Report

Water loss report

The District produced just under 29.5 million gallons for the month of August

Water loss for August was at 10%

Currently water loss is 8% thru the first 8 months of the year

Field Staff installed all 3/4" digital meters that were allotted. A total of 460. The District is still working on the big meters---2", 3", 4" and 6" meters which are mostly commercial with fire protection systems.

Community Outreach Update---Took place at the end of August.

Successful walk through of our Wastewater Treatment Plant,

10th Street Booster and R.O. System with representatives from El Paso Electric.

15. 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 stated that he had requested information on a termination and rehiring relating to an employee under the open records act and he said he received kangaroo documents that were just somebody's opinion printed off a computer. He considers it a violation of the open records act and that falls on the president of the board.

Ms. Alicia Carrillo is upset with the board that they hired an employee that had been terminated. She also stated that she is afraid to drink the water or shower.

Mr. Martin Madrid began by stating that he witnessed an employee being terminated. He then brought up that he is a candidate in the next board election. Mr. Sergio Estrada, legal counsel, explained to him that he cannot make political statements or issues regarding political races. To which Mr. Madrid responded that he is not prejudiced. Mr. Estrada told him that the law states that you cannot give any political speeches from the dais.

16. Executive Session.

Meeting to be closed under the following Texas Government Code of the Open Meeting Act for discussion as follows:

A. 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 6:08 p.m.

Time in Executive Session 14 minutes.

From 6:08 p.m. to 6:22 p.m.



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Motion made by Mr. Madrid to enter executive session on agenda items 9 and 11.

Seconded by Mr. Carrasco.

<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

17. Return to open session at 6:23 p.m. for possible discussion and action on Executive Session item(s). Refer to Agenda Items 9 and 11.

Motion made by Mr. Madrid to return to open session.

Seconded by Mr. Carrasco.

<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

18. Board member availability for the October 19, 2022 Special Meeting.

Board members agreed to change the date of the next Regular Board Meeting from October 25, 2022 to October 19, 2022. All board members present will be available.

19. Motion to adjourn.

Discussion: No discussion.

Motion made by Ms. Gutierrez to adjourn.

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

Meeting Adjourned at 6:50 p.m.


Signature

10/19/22
Date Approved