



P.O. Box 683  
Clint, Texas 79836

Phone (915) 851-0304 • Fax (915) 851-9000

## **MINUTES OF A SPECIAL MEETING**

**Date:** Wednesday, December 12, 2018  
**Time:** 6:00 PM  
**Place:** El Paso County Emergency Services District #2 – Board Room  
100 S. San Elizario Rd., Suite N  
Clint, Texas 79836  
**Posted:** Friday, December 7, 2018

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All matters listed on this agenda may be discussed in executive session at the option of the El Paso County Emergency Services District #2 Commissioners following verbal announcement if an appropriate exception to the open meeting requirement of the Texas Open Meetings Act is applicable.

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1. Call meeting to order.  
Meeting was called to order by Mariana Navarrete at 6:03 P.M.

Pledge of Allegiance  
&  
Prayer

2. Establishment of Quorum  
Present Vice President Mike Diaz, Treasurer Rick Avalos and Commissioner Michael Barnes. Absent President Adrian Santana and Secretary Jacqueline Butler.
3. Public comments, must notify the board to speak on certain agenda items.  
(5 minutes) Sign-in sheet provided.

### Consent Agenda

4. Discuss and approve the minutes of the special meeting held on November 14, 2018.
5. Discuss and take action on the financial report by Mariana Navarrete.
  - a. Report on the bank balances.



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Money market, operation account, inspection account

- Bank reconciliations
- Check registers attached
  
- Department profit & loss budget vs. actual

b. Approve for payment of the monthly bills and the request for reimbursement.

Motion: APPROVED

Motioned by Mike Diaz

Seconded by Mike Barnes

Members Voting Aye: Diaz, Barnes, Avalos

Members Voting Nay: None

Members Not Present: Santana, Butler

### Regular Agenda

6. Discussion and action on report from FRO coordinator Ray Trevizo, and possible action on the removal of him from this position.

*Submitted By: Rick Avalos, Commissioner*

Motion: DELETE

Motioned by Rick Avalos

Seconded by Mike Diaz

Members Voting Aye: Diaz, Barnes, Avalos

Members Voting Nay: None

Members Not Present: Santana, Butler

7. Discuss and approve the pension report for the 502's, 503's, 504's and retirement.

*Submitted By: Boyd Smith, Pension Chair*

Motion: APPROVED

Motioned by Mike Diaz

Seconded by Mike Barnes

Members Voting Aye: Diaz, Barnes, Avalos

Members Voting Nay: None

Members Not Present: Santana, Butler

8. Discuss Communications Manager report/information.

*Submitted By: Bill Adler, Communications Manager*

No Motion Needed, Informational Purposes Only

9. Discuss and take action on all unassigned vehicles must be brought back to the ESD # 2 office by January 1, 2019.

*Submitted By: Rick Avalos, Commissioner*

Motion: APPROVED

Motioned by Rick Avalos

Seconded by Mike Diaz

Members Voting Aye: Diaz, Barnes, Avalos

Members Voting Nay: None

Members Not Present: Santana, Butler

10. Discuss and take action on all unmarked/travel vehicles shall be stored at the ESD



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# 2 office and be available for all District fire stations and personnel to use.

*Submitted By: Rick Avalos, Commissioner*

Motion: APPROVED at the District's discretion.

Motioned by Rick Avalos

Seconded by Mike Barnes

Members Voting Aye: Diaz, Barnes, Avalos

Members Voting Nay: None

Members Not Present: Santana, Butler

11. Discuss and take action on all volunteer firefighters who have take home vehicles must meet a minimum standard of thirty percent (30%) of calls per year.

*Submitted By: Rick Avalos, Commissioner*

Motion: POSTPONED

Motioned by Rick Avalos

Seconded by Mike Diaz

Members Voting Aye: Diaz, Barnes, Avalos

Members Voting Nay: None

Members Not Present: Santana, Butler

12. Discuss and take action on all volunteer firefighters must respond to at least fifteen percent (15%) of calls that come in.

*Submitted By: Rick Avalos, Commissioner*

Motion: POSTPONED

Motioned by Rick Avalos

Seconded by Mike Diaz

Members Voting Aye: Diaz, Barnes, Avalos

Members Voting Nay: None

Members Not Present: Santana, Butler

13. Discuss and take action on opening the bids and awarding the bids for water at the Montana Vista and Socorro Fire Stations.

*Submitted By: Roger Esparza, Fire Marshal*

Motion: APPROVED for the Bid from Bain Construction for Socorro Fire Department in the amount of \$51,619.92 (fifty-one thousand six hundred nineteen dollars with ninety-two cents) and Bain Construction for Montana Vista Fire Department in the amount of \$114,917.57 (one hundred fourteen thousand, nine hundred seventeen dollars with fifty-seven cents). The balance of \$13,022.25 (thirteen thousand twenty-two dollars with twenty-five cents) will come out of the Building Improvement Expense Account.

Motioned by Mike Barnes

Seconded by Rick Avalos

Members Voting Aye: Diaz, Barnes, Avalos

Members Voting Nay: None

Members Not Present: Santana, Butler

14. Discuss and take action on purchase of chemguard class "A" plus foam for West Valley Fire Department.

*Submitted By: Bill Adler, West Valley Fire Department*

Motion: APPROVED

Motioned by Mike Diaz

Seconded by Rick Avalos

Members Voting Aye: Diaz, Barnes, Avalos

Members Voting Nay: None

Members Not Present: Santana, Butler



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15. Discussion and action on VFD compliance with contractual provisions, including, but not limited to, following District orders, resolutions, regulations, standard operating procedures, and standard operating guidelines. VFD obligations to follow same or face suspension of further action as appropriate.

*Submitted By: Ken Campbell, Legal*

No Motion Needed, Informational Purposes Only

### Executive Session

The El Paso County ESD #2 is now entering into a closed meeting, pursuant to the Texas Government code section 551.071; to consult with the District Attorney concerning all matters identified in the agenda. Where the board members seek the advice of their attorney as privileged communications. The date is December 12, 2018 and the time: 7:23 P.M.

16. Discussion on the possible purchase of property for administration.

*Submitted By: Michael Barnes, Commissioner*

17. Discussion on payments from the City of El Paso, Texas related to annexation and removal of District territory per applicable law.

*Submitted By: Ken Campbell, Legal*

18. Discussion regarding pending litigation with the County of El Paso.

*Submitted By: Ken Campbell, Legal*

The El Paso County ESD #2 Board has completed its closed meeting.

The date is **December 12, 2018** and the time is: **8:22 P.M.**

The El Paso County ESD #2 board has reconvened into regular session.

### Regular Session

19. Discuss and take action on the possible purchase of property for administration.



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*Submitted By: Michael Barnes, Commissioner*

Motion: APPROVED to proceed as deliberated and authorize our attorney Ken Campbell and two commissioners Mike Diaz and Rick Avalos on the purchase of Administrative Headquarters.

Motioned by Mike Diaz

Members Voting Aye: Diaz, Barnes, Avalos

Seconded by Mike Barnes

Members Voting Nay: None

Members Not Present: Santana, Butler

20. Discussion and action on payments from the City of El Paso, Texas related to annexation and removal of District territory per applicable law.

No Action Needed, Informational Purposes Only

21. Discussion and action regarding pending litigation with the County of El Paso.

*Submitted By: Ken Campbell, Legal*

Motion: APPROVED to proceed as deliberated.

Motioned by Mike Diaz

Members Voting Aye: Diaz, Barnes, Avalos

Seconded by Mike Barnes

Members Voting Nay: None

Members Not Present: Santana, Butler

22. Discuss and approve the next meeting to take place on January 16, 2019 at 6:00P.M.

*Submitted By: Mariana Navarrete, District Administrator*

Motion: APPROVED to proceed as deliberated.

Motioned by Mike Diaz

Members Voting Aye: Diaz, Barnes, Avalos

Seconded by Mike Barnes

Members Voting Nay: None

Members Not Present: Santana, Butler

23. Adjournment.

\* The District reserves the right to consider and take action on the above agenda items in any order. It also reserves the right to enter into a closed meeting on any agenda item as allowed by law. A Citizens Comment Form must be filed with the Secretary at least 10 minutes prior to the beginning of the meeting for an individual to be allowed to speak during Citizen Comment. By completing the Citizen Comment Form, the individual understands and acknowledges that the public is not entitled to choose the items to be discussed or to speak about items not on the agenda, but that this opportunity is provided as a privilege. The individual executing the Citizen Comment Form understands that he/she is provided a limited amount of time, and that he/she may not be allowed to continue to address the Board of Emergency Services Commissioners if the comments are rude, disparaging or defamatory to any individual or entity, or the comments become disruptive to the good order of the meeting. If at a meeting of a governmental body, a member of the public or of the governmental body inquires about a subject for which notice has not been given as required by the Texas Open Meetings Act, the notice provisions of the Texas Open Meetings Act do not apply to a statement of specific factual information given in response to the inquiry; a recitation of existing policy in response to the inquiry; or, any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting. It should be noted that pursuant to Section 38.13, Texas Penal Code, HINDERING PROCEEDINGS BY DISORDERLY CONDUCT: (a) A person commits an offense if he intentionally hinders an official proceeding by noise or violent or tumultuous behavior or disturbance; (b) A person commits an offense if he recklessly hinders an official proceeding by noise or violent or tumultuous behavior or disturbance and continues after explicit official request to desist; and, (c) An offense under Section 38.15, Texas Penal Code is a Class A misdemeanor.