



16001 Socorro Road  
Fabens, Texas 79838  
Phone (915) 851-0304 • Fax (915) 851-9000

## MINUTES OF A SPECIAL MEETING

**Date:** Tuesday, October 26, 2021  
**Time:** 6:00 PM  
**Place:** El Paso County Emergency Services District #2 – Board Room  
16001 Socorro Road  
Fabens, Texas 79838

**DUE TO THE STATE OF EMERGENCY AND/OR LOCAL DISASTER CAUSED BY THE COVID-19 PANDEMIC AND THE FEDERAL, STATE, AND LOCAL GUIDANCES, ORDERS AND DECLARATIONS OF DISASTER RELATED THERETO, THE DISTRICT MAY EXERCISE ITS AUTHORITY TO HOLD THE MEETING VIA VIDEOCONFERENCE AND/OR TELEPHONE CONFERENCE CALL OR OTHER REMOTE PROCEDURES BECAUSE OF THE DIFFICULTY AND RISKS OF CONVENING A QUORUM IN ONE LOCATION. THE MEETING MAY BE ACCESSED BY THE PUBLIC VIA WEB:**

<https://hype.onescreensolutions.com/epcountyesd2>

**Posted:** Thursday, October 21, 2021

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 **Chief Esparza at 6:00 P.M**

Pledge of Allegiance

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Prayer

2. Establishment of Quorum

**Present:** President Adrian Santana, Vice President Diaz, Treasurer Rick Avalos, and Commissioner Mike Barnes

**Absent:** Secretary Jaquelin Butler

3. Public comments: must notify the board to speak on certain agenda items.

(5 minutes) Public can comment by calling: **(915) 213-3008**

**Pin Code: 556 010 456#**

No public comments.



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### Consent Agenda

4. Discuss and approve the minutes of the regular meeting held on October 19, 2021.  
**Motion:** Approved.  
**Motioned by:** Commissioner Barnes   **Seconded by:** President Santana  
**Members Voting Aye:** President Santana, Vice President Diaz, Treasurer Avalos, and Commissioner Barnes  
**Members Voting Nay:** None  
**Members not present:** Secretary Butler

### Regular Agenda

5. Discussion and action on postponed item on not paying the Fire Departments when there is a duplication of expenses paid by Department's Discretionary Account and District's account.  
*Submitted By: Chief Esparza*

*At 6:02 PM President Santana motioned to go into executive session.*

*At 7:05 PM Board came out of executive session.*

*Board went into recess from 7:05 PM to 9:54 PM.*

*9:54 PM Board went back into executive session.*

*10:16 PM Board came out of executive session.*

**Motion:** Move for the District not to disburse money not in conformance with District policy with applicable law.  
**Motioned by:** President Santana   **Seconded by:** Commissioner Barnes  
**Members Voting Aye:** President Santana, Vice President Diaz, Treasurer Avalos, and Commissioner Barnes  
**Members Voting Nay:** None  
**Members not present:** Secretary Butler

### Executive Session

6. Discussion on legal matters.  
*Submitted By: Chief Esparza*

### Regular Session

7. Take action on legal matters.  
*Submitted By: Chief Esparza*  
**Motion:** To delete item  
**Motioned by:** Treasurer Avalos   **Seconded by:** Vice President Diaz  
**Members Voting Aye:** President Santana, Vice President Diaz, Treasurer Avalos, and Commissioner Barnes  
**Members Voting Nay:** None  
**Members not present:** Secretary Butler



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8. Discuss and approve the next meeting to take place on \_\_\_\_\_ at 6:00P.M via Web to the public and in person for ESD2 Board of Commissioners.

*Submitted By: Chief Esparza*

**Motion:** Regular Meeting Tuesday, November 16, 2021, no meeting with be held in December till January 2022.

**Motioned by:** Vice President Diaz **Seconded by:** Commissioner Barnes

**Members Voting Aye:** President Santana, Vice President Diaz, Treasurer Avalos, and Commissioner Barnes

**Members Voting Nay:** None

**Members not present:** Secretary Butler

### 9. Adjournment at 10:17 PM.

\* 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/he 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 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.