



P.O. Box 683
Clint, Texas 79836

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

MINUTES OF A REGULAR MEETING

Date: Wednesday, June 20, 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, June 15, 2018

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.

1. Call meeting to order.
Meeting was called to order by Adrian Santana at 6:00 P.M.

Pledge of Allegiance

2. Establishment of Quorum
Present was President Adrian Santana, Vice President Michael Diaz, Secretary Jacqueline Butler, Commissioner Michael Barnes. Absent was Treasurer Rick Avalos. Also present was the District Attorney, Ken Campbell.
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 regular meeting held on May 16, 2018 and May 24, 2018.
5. Discuss and take action on the financial report by Mariana Navarrete.



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- a. Report on the bank balances.
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 Jaqueline Butler

Members Voting Aye: Diaz, Santana, Barnes, Butler

Members Voting Nay: None

Members Not Present: Avalos

Regular Agenda

6. 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 Jaqueline Butler

Members Voting Aye: Diaz, Santana, Barnes, Butler

Members Voting Nay: None

Members Not Present: Avalos

7. Discuss and provide updates on the First Responder Organization (FRO).

Submitted By: Ray Trevizo, FRO Administrator

No Motion Needed, Informational Purposes Only

8. Discuss Communications Manager report/information.

Submitted By: Bill Adler, Communications Manager

No Motion Needed, Informational Purposes Only

9. Postponed on May 16, 2018 by Mike Diaz to consider and take action on proposed Interlocal Agreement to provide Fire and Emergency Services to the Tigua Reservation.

Submitted By: Ken Campbell, Legal

Motion: APPROVED

Motioned by Mike Diaz

Seconded by Jaqueline Butler

Members Voting Aye: Diaz, Santana, Barnes, Butler

Members Voting Nay: None

Members Not Present: Avalos



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10. Postponed on May 16, 2018 by Jacqueline Butler to consider and take action on Resolution Adopting Regulations Affecting the Outside Storage of Combustible Material and Penalties for Violations of Same.

Submitted By: Ken Campbell, Legal

Motion: POSTPONED

Motioned by Jacqueline Butler

Seconded by Mike Diaz

Members Voting Aye: Diaz, Santana, Barnes, Butler

Members Voting Nay: None

Members Not Present: Avalos

11. Postponed on May 16, 2018 by Jacqueline Butler to discuss and review current charges for the yearly Agricultural burn permit for farmers.

Submitted By: Mike Diaz, Commissioner

Motion: APPROVED for farmers to register their Texas Agriculture or Timber Registration permit to the ESD #2 at no cost or a fine of five hundred dollars (\$500) will be assessed to farmers burning without registration.

Motioned by Mike Diaz

Seconded by Mike Barnes

Members Voting Aye: Diaz, Santana, Barnes, Butler

Members Voting Nay: None

Members Not Present: Avalos

12. Discuss and take action on the Texas Mutual Insurance outstanding claim filed by Life Ambulance.

Submitted By: Roger Esparza, Fire Marshal Department

Motion: APPROVED: Life Ambulance will write off balance of five hundred sixty three dollars and thirty cents (\$563.30) pending new policy from district office stating insurance will be contacted 24 hours to next business day to insure that life ambulance will get paid.

Motioned by Jacqueline Butler

Seconded by Mike Diaz

Members Voting Aye: Diaz, Santana, Barnes, Butler

Members Voting Nay: None

Members Not Present: Avalos

13. Discuss and take action on awarding West Valley FD special projects training prop metal work contract.

Submitted By: Roger Esparza, Fire Marshal Department

Motion: APPROVED for Jose Loya Construction, INC. for the amount of seven thousand three hundred dollars. (\$7,300)

Motioned by Mike Barnes

Seconded by Jacqueline Butler

Members Voting Aye: Diaz, Santana, Barnes, Butler

Members Voting Nay: None

Members Not Present: Avalos



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14. Discuss and take action on awarding of Montana Vista FD special projects purchase of two (2) Altair 5X Multi Gas Detectors.
Submitted By: Roger Esparza, Fire Marshal Department
Motion: APPROVED for Casco Industries, Inc. for the amount of four thousand eight hundred eleven Dollars. (\$4,800)
Motioned by Mike Diaz
Seconded by Mike Barnes
Members Voting Aye: Diaz, Santana, Barnes, Butler
Members Voting Nay: None
Members Not Present: Avalos

15. Discuss and take action on awarding of Fabens / Clint special projects purchase of ten (10) each for a total of twenty (20) LDH of 100" (attachment included)
Submitted By: Roger Esparza, Fire Marshal Department
Motion: APPROVED for DACO Fire Equipment for the amount of one hundred two thousand nine hundred thirty two dollars and seventy one cents. (\$102,932.71)
Motioned by Mike Diaz
Seconded by Mike Barnes
Members Voting Aye: Diaz, Santana, Barnes, Butler
Members Voting Nay: None
Members Not Present: Avalos

16. Discuss and take action on awarding San Elizario special projects remodel of Bathrooms.
Submitted By: Roger Esparza, Fire Marshal Department
Motion: APPROVED for Master Team USA, LLC for thirty seven thousand five hundred dollars. (\$37,500)
Motioned by Jaqueline Butler
Seconded by Mike Diaz
Members Voting Aye: Diaz, Santana, Barnes, Butler
Members Voting Nay: None
Members Not Present: Avalos

17. Discuss and take action on awarding Texas Rescue Patrol.
Submitted By: Roger Esparza, Fire Marshal Department
Motion: POSTPONED
Motioned by Mike Diaz
Seconded by Mike Barnes
Members Voting Aye: Diaz, Santana, Barnes, Butler
Members Voting Nay: None
Members Not Present: Avalos

18. Discuss and take action on centralizing ALL purchases for fire departments to be approved and purchased through ESD # 2 District Office. (In order to maintain accountability of District assets).
Submitted By: Mike Diaz, Commissioner
Motion: APPROVED for chief to create policies and procedures and submit to commissioners for review.
Motioned by Jaqueline Butler
Seconded by Mike Barnes
Members Voting Aye: Diaz, Santana, Barnes, Butler
Members Voting Nay: None
Members Not Present: Avalos



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19. Discuss and take action on ratification and approval of Ordinance No. 02-22-17-21 and Ordinance No. 03-22-17-15 confirming the adoption of the District's Fire Code as of February 22, 2017 and the adoption of certain appendices to the Fire Code as of March 22, 2017.

Submitted By: Ken Campbell, Legal

Motion: APPROVED

Motioned by Mike Diaz

Seconded by Mike Barnes

Members Voting Aye: Diaz, Santana, Barnes, Butler

Members Voting Nay: None

Members Not Present: Avalos

20. Discuss and take action on the MOU with the YDSP and all other agencies.

Submitted By: Ken Campbell, Legal

Motion: DELETE

Motioned by Jaqueline Butler

Seconded by Mike Diaz

Members Voting Aye: Diaz, Santana, Barnes, Butler

Members Voting Nay: None

Members Not Present: Avalos

21. Presentation, question and answer, and discussion by new attorney for District, Ken Campbell with District personnel, contractors, and commissioners.

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 June 20, 2018 and the time: 7:45 P.M.

22. Discuss and review with new legal in regards to Richard Contreras's email received.



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Submitted By: Adrian Santana, Commissioner

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

Submitted By: Adrian Santana, Commissioner

The El Paso County ESD #2 Board has completed its closed meeting.
The date is **June 20, 2018** and the time is: **9:10 P.M.**

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

Regular Session

24. Consider and take action with new legal in regards to Richard Contreras's email received.

Submitted By: Adrian Santana, Commissioner

Motion: APPROVED

Motioned by Jaqueline Butler

Seconded by Mike Barnes

Members Voting Aye: Diaz, Santana, Barnes, Butler

Members Voting Nay: None

Members Not Present: Avalos

25. Consider and take action regarding pending litigation with the County of El Paso.

Submitted By: Adrian Santana, Commissioner

Motion: APPROVED

Motioned by Jaqueline Butler

Seconded by Mike Barnes

Members Voting Aye: Diaz, Santana, Barnes, Butler

Members Voting Nay: None

Members Not Present: Avalos

26. Discuss and approve the next meeting to take place on July 18, 2018 at 6:00 P.M.

Submitted By: Mariana Navarrete, District Administrator

Motion: APPROVED

Motioned by Mike Diaz

Seconded by Mike Barnes

Members Voting Aye: Diaz, Santana, Barnes, Butler

Members Voting Nay: None

Members Not Present: Avalos



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27. 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.