



P.O. Box 683  
Clint, Texas 79836

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

## **MINUTES OF A SPECIAL MEETING**

**Date:** Tuesday, August 14, 2018  
**Time:** 10:00 AM  
**Place:** El Paso County Emergency Services District #2 – Board Room  
100 S. San Elizario Rd., Suite N  
Clint, Texas 79836  
**Posted:** Friday, August 10, 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 10:00 A.M.  

Pledge of Allegiance
2. Establishment of Quorum  
President Adrian Santana, Vice President Michael Diaz, Commissioner Michael Barnes. Absent was Commissioner Rick Avalos and Secretary Jacqueline Butler. 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 July 18, 2018 and special meeting August 8, 2018.
5. Discuss and take action on the financial report by Mariana Navarrete.
  - a. Report on the bank balances.  
Money market, operation account, inspection account
    - Bank reconciliations
    - Check registers attached



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- Department profit & loss budget vs. actual

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

Motion: APPROVED

Motioned by Mike Barnes

Seconded by Mike Diaz

Members Voting Aye: Diaz, Santana, Barnes

Members Voting Nay: None

Members Not Present: Avalos, Butler

### 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*

No Motion Needed, Informational Purposes Only

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

*Submitted By: Ray Trevizo, FRO Administrator*

Motion: APPROVED; Subject to legal review of the MOU for Life Ambulance.

Motioned by Adrian Santana

Seconded by Mike Diaz

Members Voting Aye: Diaz, Santana, Barnes

Members Voting Nay: None

Members Not Present: Avalos, Butler

8. Discuss Communications Manager report/information.

*Submitted By: Bill Adler, Communications Manager*

No Motion Needed, Informational Purposes Only

9. Discuss and develop chain of command for Volunteer Chiefs, FRO, Communication Manager and Pension Board Chairman.

*Submitted By: Tommy Cano, Human Resources*

Motion: APPROVED in conjunction with item #17.

Motioned by Adrian Santana

Seconded by Mike Diaz

Members Voting Aye: Diaz, Santana, Barnes

Members Voting Nay: None

Members Not Present: Avalos, Butler

10. Postponed on July 18, 2018 by Mike Diaz to discuss and take action on the Interlocal agreement with the Town of Horizon City for FY '18-'19.

*Submitted By: Mariana Navarrete, District Administrator*

Motion: APPROVED for the MOU with the Town of Horizon in the amount of three hundred forty three thousand eight hundred eighty seven dollars and fifty five cents. (\$343,887.55)

Motioned by Mike Diaz

Seconded by Mike Barnes

Members Voting Aye: Diaz, Santana, Barnes

Members Voting Nay: None

Members Not Present: Avalos, Butler



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11. Postponed on August 8, 2018 by Rick Avalos to discuss and take action on additional work requested by Chief Trevizo to current restroom remodel. The additional amount is \$6,153.

*Submitted By: Roger Esparza, Fire Marshal*

Motion: APPROVED for Master Team USA for restroom remodel for the amount of six thousand one hundred fifty three dollars. (\$6,153)

Motioned by Mike Barnes

Members Voting Aye: Diaz, Santana, Barnes

Members Voting Nay: None

Seconded by Mike Diaz

Members Not Present: Avalos, Butler

12. Discuss and take action on 300 Scott SCBA flow tests for the District.

*Submitted By: Roger Esparza, Fire Marshal*

Motion: APPROVED for re-bid of 300 Scott SCBA flow test for the District.

Motioned by Mike Diaz

Members Voting Aye: Diaz, Santana, Barnes

Members Voting Nay: None

Seconded by Mike Barnes

Members Not Present: Avalos, Butler

13. Discuss and take action on responses to La Tuna Federal Jail.

*Submitted By: Bill Adler, Communications Manager*

Motion: For Legal and Chief Esparza to get more information on the responses to La Tuna Federal Jail.

Motioned by Mike Diaz

Members Voting Aye: Diaz, Santana, Barnes

Members Voting Nay: None

Seconded by Adrian Santana

Members Not Present: Avalos, Butler

14. Discuss and take action on replacing the HVAC unit at Socorro Fire station.

*Submitted By: Roger Esparza, Fire Marshal*

Motion: Approved for Southern Air Conditioning, Inc. for seventeen thousand dollars. (\$17,000)

Motioned by Mike Diaz

Members Voting Aye: Diaz, Santana, Barnes

Members Voting Nay: None

Seconded by Mike Barnes

Members Not Present: Avalos, Butler

15. Discuss and take action on the disposal of miscellaneous, broken and outdated equipment from multiple stations.

*Submitted By: Roger Esparza, Fire Marshal*

Motion: Approved to dispose of miscellaneous, broken and outdated equipment

Motioned by Mike Diaz

Members Voting Aye: Diaz, Santana, Barnes

Members Voting Nay: None

Seconded by Mike Barnes

Members Not Present: Avalos, Butler



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16. Discuss and take action on reinstating drug and urine screening anytime a vehicle accident or personal injury. Report to ESD Chief must be done as soon as possible so he can get report from person and submit to Legal for documentation.

*Submitted By: Mike Diaz, Commissioner*

Motion: Approved for Legal, Chief and Mariana to reinstate and establish a policy for drug and urine screening after a vehicle accident or personal injury.

Motioned by Mike Barnes

Members Voting Aye: Diaz, Santana, Barnes

Seconded by Mike Diaz

Members Voting Nay: None

Members Not Present: Avalos, Butler

### 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 August 14, 2018 and the time: 11:16 A.M.

17. Discuss and take action on VFD Chiefs acting on behalf of ESD 2. By having discussions with any agencies (i.e. mou, payments).

*Submitted By: Mike Diaz, Commissioner*

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

The date is August 14, 2018 and the time is: 12:04 P.M.

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

### Regular Session

18. Consider and take action on VFD Chiefs acting on behalf of ESD 2. By having discussions with any agencies (i.e. mou, payments).

*Submitted By: Mike Diaz, Commissioner*

Motion: Volunteer Chiefs not to act on behalf of ESD #2 by having discussions with outside agencies without Chief's approval.

Motioned by Mike Diaz

Members Voting Aye: Diaz, Santana, Barnes

Seconded by Adrian Santana

Members Voting Nay: None

Members Not Present: Avalos, Butler

19. Discuss and take action on our Rules and Regulation for Board Members/Commissioners. ESD Legal and HR to work with County Legal and HR on adopting rules in case of a Board Member is accused of inappropriate behavior with any employee or anybody which could result in a lawsuit.



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*Submitted By: Mike Diaz, Commissioner*

Motion: To follow recommendation of legal

Motioned by Mike Diaz

Seconded by Mike Barnes

Members Voting Aye: Diaz, Santana, Barnes

Members Voting Nay: None

Members Not Present: Avalos, Butler

20. Discuss and take action on purchase of GPS system from Verizon Wireless on all ESD 2 fleet.

*Submitted By: Mike Diaz, Commissioner*

Motion: Approved for the purchase of GPS systems on 40 ESD #2 vehicles for the total amount of five thousand one hundred fifty eight dollars. (\$5,158)

Motioned by Mike Diaz

Seconded by Mike Barnes

Members Voting Aye: Diaz, Santana, Barnes

Members Voting Nay: None

Members Not Present: Avalos, Butler

21. Discuss and take action on the dissolution of scrap metal.

*Submitted By: Roger Esparza, Fire Marshal*

Motion: Delete

Motioned by Adrian Santana

Seconded by Mike Barnes

Members Voting Aye: Diaz, Santana, Barnes

Members Voting Nay: None

Members Not Present: Avalos, Butler

22. Discuss and take action on the sale of a 1989 American Eagle fire truck to the Clint ISD. The unit is the old RP801.

*Submitted By: Roger Esparza, Fire Marshal*

Motion: Approved to sell for six thousand dollars. (\$6,000)

Motioned by Mike Diaz

Seconded by Mike Barnes

Members Voting Aye: Diaz, Santana, Barnes

Members Voting Nay: None

Members Not Present: Avalos, Butler

23. Discuss and take action on approval of Fabens Fire Department allowing six (6) members to attend Texas EMS Conference. Total amount exceeds two thousand dollars (\$2,000).

*Submitted By: Tony Reyes, Fabens*

Motion: Approved for six (6) members to attend the Texas EMS Conference. Full conference 3-days at two hundred fifty dollars (\$250) each for a total of one thousand five hundred dollars. (\$1,500) and round trip flights with vehicle rental for a total of two thousand three hundred ninety seven dollars and ninety four cents. (\$2,397.94).

Motioned by Mike Diaz

Seconded by Mike Barnes

Members Voting Aye: Diaz, Santana, Barnes

Members Voting Nay: None

Members Not Present: Avalos, Butler



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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 August 14, 2018 and the time: 12:18 A.M.

24. Discussion on acquisition of property for District administrative offices and authorize appropriate District officials to proceed on same.

*Submitted By: Ken Campbell, Legal*

25. Discussion on Cause No. 2017DCV4249, *Dorantes v. El Paso County Emergency Services District No. 2*, in the County Court at Law No. 3; the District reserves the right to enter into Closed Meeting on this matter pursuant to Section 551.071, Texas Government Code.

*Submitted By: Ken Campbell, Legal*

Regular Session

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

The date is **August 14, 2018** and the time is: **12:53 P.M.**

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

26. Consider and take action on acquisition of property for District administrative offices and authorize appropriate District officials to proceed on same.

*Submitted By: Ken Campbell, Legal*

Motion: Approved for Chief Esparza to proceed with legal and board members direction.

Motioned by Adrian Santana

Members Voting Aye: Diaz, Santana, Barnes

Seconded by Mike Barnes

Members Voting Nay: None

Members Not Present: Avalos, Butler

27. Consider and take action on Cause No. 2017DCV4249, *Dorantes v. El Paso County Emergency Services District No. 2*, in the County Court at Law No. 3; the District reserves the right to enter into Closed Meeting on this matter pursuant to Section 551.071, Texas Government Code.

*Submitted By: Ken Campbell, Legal*

Motion: Approved to proceed with legal recommendation.

Motioned by Adrian Santana

Members Voting Aye: Diaz, Santana, Barnes



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Seconded by Mike Barnes

Members Voting Nay: None  
Members Not Present: Avalos, Butler

28. Discuss and approve the next meeting to take place on August 23, 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

Members Voting Nay: None

Members Not Present: Avalos, Butler

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/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 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.