

**Minutes of Special Meeting  
Board of Directors  
El Paso County Water Improvement District No. 1  
("EPCWID")  
October 20, 2016**

| <b>DIRECTORS PRESENT</b>        | <b>OTHERS PRESENT</b>  |
|---------------------------------|--|
| <b>Art Ivey, Vice-President</b> | <b>Jesus Reyes, General Manager</b>                              |
| <b>Indar Singh, Secretary</b>   | <b>Al Blair, District<br/>Engineer/Consultant (via skype)</b>    |
| <b>Larry Ceballos, Director</b> | <b>Jim Speer, Attorney At Law</b>                                |
| <b>DIRECTORS NOT PRESENT</b>    | <b>Jay Ornelas, Assistant District<br/>Engineer</b>              |
| <b>Johnny Stubbs, President</b> | <b>Sharon Atilano, Administrative<br/>Assistant</b>              |
| <b>Miguel Teran, Director</b>   | <b>Lisa Aguilar, HR Manager</b>                                  |
|                                 | <b>Mary Cortez, CFO</b>  |
|                                 | <b>Pete Rodriguez, Maintenance<br/>Manager</b>                   |
|                                 | <b>Rose Rodriguez, Tax<br/>Assessor/Collector/Office Manager</b> |
|                                 | <b>Rueben Chavez, Visitor</b>                                    |

1. Call to order and establishment of a quorum.

**There being a quorum of Directors present, the meeting was called to order by Vice-President Art Ivey at 9:30 a.m., and the Directors then proceeded to consider the following:**

2. Welcome of guests.

**No action was taken on this item.**

3. Presentation by William Brady and Rose Gonzalez from WestStar Bank (to be rescheduled for November board meeting).

**No action was taken on this item.**

4. Approval of minutes of Special Meeting held on September 7, 2016, Regular Meeting held on September 14, 2016, Emergency Meeting held

on September 23, 2016 and Emergency Meeting held on September 27, 2016.

Draft minutes of the Special Meeting held on September 7, 2016, Regular Meeting held on September 14, 2016, Emergency Meeting held on September 23, 2016 and Emergency Meeting held on September 27, 2016 of the Board of Directors were presented for approval.

After a motion by Indar Singh, seconded by Larry Ceballos, duly considered and carried by unanimous vote of the Board it was:

**RESOLVED: that the draft minutes of the Special Meeting held on September 7, 2016, Regular Meeting held on September 14, 2016, Emergency Meeting held on September 23, 2016 and Emergency Meeting held on September 27, 2016 are approved.**

5. Report and recommendations by Mary Cortez, Chief Financial Officer, concerning financial information, expenditures, budget, and investment policy:

- a. **September Report for the month ending September 30, 2016 were presented to the Board of Directors.** No action was taken on this item.
- b. **\$500 Expenditure Report for the month of September was presented to the Board of Directors.** No action was taken on this item.
- c. **Legal & Consulting Fees Budget Report.** No action was taken on this item.
- d. **Quarterly Investment Report.**

After a motion by Larry Ceballos, seconded by Indar Singh, duly considered and carried by unanimous vote of the Board it was:

**RESOLVED: that the Quarterly Investment report for the month of September is approved.**

**e. Engagement Letter from Bixler & Company, L.L.P. for FY audit ending October 31, 2016.**

After a motion by Indar Singh, seconded by Larry Ceballos, duly considered and carried by unanimous vote of the Board it was:

**RESOLVED: that the Engagement Letter from Bixler & Company, L.L.P. for FY audit ending October 31, 2016 is approved.**

6. Report and recommendations by Rose Rodriguez, Tax Assessor/Collector/Office Manager, concerning adjustments and corrections, if any, to assessments, taxes, and charges by EPCWID.

**a. Review tax reports for the month of September.**

**The delinquency report for September was presented and reviewed by the Tax Assessor/Collector/Office Manager.**

**Adjustments and corrections for September to 2016 tax roll.**

**After a motion by Larry Ceballos, seconded by Indar Singh, duly considered and carried by unanimous vote of the Board, the following resolution was adopted:**

**WHEREAS: Rose Rodriguez, Tax Assessor/Collector/Office Manager for EPCWID recommends adjustments or corrections to the tax rolls reviewed during the month of September for tax years 2008, 2009, 2010, 2011, 2012, 2013, 2014 and 2015.**

**NOW, THEREFORE, BE IT RESOLVED: that the adjustments and corrections to the 2008, 2009, 2010, 2011, 2012, 2013, 2014 and 2015; tax rolls reviewed during the month of September are approved as shown on the exhibit attached to these minutes.**

- b. 2013-2016 El Paso Public Service Board Assignments. No action was taken on this item.**



- c. **2015-2016 Lower Valley Water District Assignments.** No action was taken on this item.
- d. **Comparison of EPCWID tax assessments and collections during 2014 and 2015.** No action was taken on this item.
- e. **Report on tax suits and interventions filed by EPCWID.** No action was taken on this item.
- f. **Setting of assessments against irrigable land in EPCWID and setting of assessments against persons who use water, in accordance with Texas Water Code.**

After a motion by Indar Singh, seconded by Larry Ceballos, duly considered and carried by unanimous vote of the Board it was:

**RESOLVED: that the tax assessment against all irrigable land for the year from January 1 through December 31, 2016 is set at \$25.00 per acre of irrigable land; that the water assessment for both allocated and non-allocated water is set at \$20.00 per acre-foot of water; and that the account service charge for irrigable land accounts shall be \$12.00 per owner. These assessments are due upon receipt of EPCWID notices and become delinquent on February 1, 2017.**

- g. **Setting contract rate in 2016 for water supplied to tax exempt entities.**

After a motion by Indar Singh, seconded by Larry Ceballos, duly considered and carried by unanimous vote of the Board it was:

**RESOLVED: that the contract rate for the 2016 calendar year for water furnished to irrigable, tax-exempt land except the Public Service Board and the Lower Valley Water District is set at \$45.00 per acre foot.**

- 7. General Manager's report concerning the following:

- a. **EPCWID Deed Without Warranty from the United States Bureau of Reclamation.** No action was taken on this item.
- b. **United States Bureau of Reclamation and Elephant Butte Irrigation District celebration on October 19, 2016.** No action was taken on this item.
- c. **Caballo Dam clean up of gates and outlet.** No action was taken on this item.
- d. **Allocation Report 2015 vs. 2016.** No action was taken on this item.

8. District Engineer's report and recommendations concerning the following:

- a. **Rio Grande Project Operating Agreement Accounting.** No action was taken on this item.
- b. **Rio Grande Compact Accounting.** No action was taken on this item.
- c. **Status of 3<sup>rd</sup> Party Construction in District Canals and Drains.** No action was taken on this item.

9. Maintenance Manager's report and recommendations concerning the following:

**Drain maintenance program and water delivery system.** No action was taken on this item.

10. Water master's report and recommendations concerning the following:

**Water use and availability.** No action was taken on this item.

11. Water delivery allocations to EPCWID water users and water available by contract.

**No action was taken on this item.**

12. Approval of Applications for Licenses for Use of District Real Property:

- a. **Application 1806, Roadrunner Transmission Gas , L.L.C, a Delaware Foreign Limited Liability Company, authorized to do business in the State of Texas, for ingress and egress**

**across San Elizario Main Lateral (an irrigation canal) along Riverside Road, approximately Station 366+52**

After a motion by Larry Ceballos, seconded by Indar Singh, duly considered and carried by unanimous vote of the Board it was:

**RESOLVED: that Application 1806, by Roadrunner Transmisson Gas, L.L.C., a Delaware Foreign Limited Liability Company, authorized to business in the State of Texas, for an ingress and egress across San Elizario Main Lateral (an irrigation canal) along Riverside Road, approximately Station 366+52 is approved upon the condition that the applicant meets all requirements of the license, including paying all fees and costs required by the license and providing the District with three signed originals of the license, both within 60 days hereafter, and the officers of EPCWID No. 1 are authorized and directed to execute such license, a copy of which is attached hereto.**

- b. Application 1849, by Time Warner Cable, Inc., for a 25 year license to construct a Cable Television overhead line across San Elizario Main Lateral (an irrigation canal) at Dindinger Road, approximately station 42+40**

After a motion by Indar Singh, seconded by Larry Ceballos, duly considered and carried by unanimous vote of the Board it was:

**RESOLVED: that Application 1849, by Time Warner Cable, Inc., for a 25 year license to construct a Cable Television overhead line across San Elizario Main Lateral (an irrigation canal) at Dindinger Road, approximately station 42+40 is approved upon the condition that the applicant meets all requirements of the license, including paying all fees and costs required by the license and providing the District with three signed originals of the license, both within 60 days hereafter, and the officers of EPCWID No. 1 are authorized and directed to execute such license, a copy of which is attached hereto.**



- c. **Application 1850, by Time Warner Cable, Inc., for a 25 year license to construct a Cable Television overhead line across Salatral Lateral (an irrigation canal) at FM 1110, Clint Cut-Off Road, approximately station 168+07**

After a motion by Indar Singh, seconded by Larry Ceballos, duly considered and carried by unanimous vote of the Board it was:

**RESOLVED: that Application 1850, by Time Warner Cable, Inc., for a 25 year license to construct a Cable Television overhead line across Salatral Lateral (an irrigation canal) at FM 1110, Clint Cut-Off Road, approximately station 168+70 is approved upon the condition that the applicant meets all requirements of the license, including paying all fees and costs required by the license and providing the District with three signed originals of the license, both within 60 days hereafter, and the officers of EPCWID No. 1 are authorized and directed to execute such license, a copy of which is attached hereto.**

- d. **Application 1860, by Level 3 Communications, LLC, for a 20 year license to operate an existing Conduit and Fiber Optic Cable System across and under various District Facilities**

After a motion by Indar Singh, seconded by Larry Ceballos, duly considered and carried by unanimous vote of the Board it was:

**RESOLVED: that Application 1860, by Level 3 Communications, LLC, for a 20 year license to operate an existing Conduit and Fiber Optic Cable System across and under various District Facilities is approved upon the condition that the applicant meets all requirements of the license, including paying all fees and costs required by the license and providing the District with three signed originals of the license, both within 60 days hereafter, and the officers of EPCWID No. 1 are authorized and directed to execute such license, a copy of which is attached hereto.**

- e. **Application 1878, by Lower Valley Water District, for a 25 year license to cross the Clint Lateral (an irrigation canal) at near FM 1110 and Fenter Road, approximately Station 149+55 with an 8-inch potable water line inside a 16-inch steel casing via boring method**

After a motion by Larry Ceballos, seconded by Indar Singh, duly considered and carried by unanimous vote of the Board it was:

**RESOLVED: that Application 1878, by the Lower Valley Water District, for a 25 year license to cross the Clint Lateral (an irrigation canal) near FM 1110 and Fenter Road, approximately Station 149+55 with an 8-inch potable water line inside a 16-inch steel casing via boring method is approved upon the condition that the applicant meets all requirements of the license, including paying all fees and costs required by the license and providing the District with three signed originals of the license, both within 60 days hereafter, and the officers of EPCWID No. 1 are authorized and directed to execute such license, a copy of which is attached hereto.**

Applications for Construction Dewatering Licenses for Conveying Groundwater:

- f. **Application 1871, by Lower Valley Water District, for dewatering into River Drainage Canal to repair lift station at Saltillo Road**

After a motion by Larry Ceballos, seconded by Indar Singh, duly considered and carried by unanimous vote of the Board it was:

**RESOLVED: that Application 1871, by the Lower Valley Water District, for dewatering into the River Drainage Canal to repair the lift station at Saltillo Road is approved upon the condition that the applicant meets all requirements of the license, including paying all fees and costs required by the license and providing the District with three signed originals of the license, both within 60 days**



**hereafter, and the officers of EPCWID No. 1 are authorized and directed to execute such license, a copy of which is attached hereto.**

Application for Subdivision Plats as meeting requirement in License Manual:

- g. Application 1872, by Sal Masoud, for Villa Del Valle Unit III, being Tracts 3, 4 and 5, Block 20 Socorro Grant, El Paso County, Texas, containing 14.85 acres, Submission of Irrigable Land Exhibit**

After a motion by Larry Ceballos, seconded by Indar Singh, duly considered and carried by unanimous vote of the Board it was:

**RESOLVED: that Application 1872 by Sal Masoud for Villa Del Valle Unit III, being Tracts 3,4, and 5, Block 20 Socorro Grant, El Paso County, Texas, containing 14.85 acres, Submission of Irrigable Land Exhibit has been submitted for approval of an irrigable land exhibit, and it is hereby approved.**

13. Status of and/or action on for purchases or sale/or easements and/or leases and/or bids of property: **None**

14. Any or all of the items shown on the attached Closed Meeting Agenda. **The Board then entered into a closed session at 10:40 a.m. regarding the items to be considered in closed session as shown on the Notice of Public Meeting. The Board subsequently returned to the open session at 12:22 p.m. with no action having been taken in the closed session.**

17. **Adjournment.** On motion duly made, seconded and carried, the Board Meeting adjourned at 12:23 p.m.

  
Indar Singh, Secretary