

**Minutes of Special Meeting
Board of Directors
El Paso County Water Improvement District No. 1
("EPCWID")
March 29, 2017**

DIRECTORS PRESENT	OTHERS PRESENT
Johnny Stubbs, President	Jesus Reyes, General Manager
Art Ivey, Vice-President	Al Blair, District Engineer/Consultant (via skype)
Indar Singh, Secretary	Jim Speer, Attorney At Law
	Phil Bowen, Attorney At Law
	Jay Ornelas, Assistant District Engineer
DIRECTORS NOT PRESENT	Sharon Atilano, Administrative Assistant
Miguel Teran, Director	Lisa Aguilar, HR Manager
Larry Ceballos, Director	Mary Cortez, CFO
	Rose Rodriguez, Tax Assessor/Collector/Office Manager
	Robert Kimpel, Visitor
	Agent Olivas, Clint Border Patrol
	Agent Yanez, Clint Border Patrol

1. Call to order and establishment of a quorum.

There being a quorum of Directors present, the meeting was called to order by President Johnny Stubbs at 8:30 a.m., and the Directors then proceeded to consider the following:

2. Welcome of guests.

No action was taken on this item.

3. Approval of minutes of Special Meeting held on February 15, 2017.

Draft minutes of the Special Meeting held on February 15, 2017 of the Board of Directors were presented for approval.

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

RESOLVED: that the draft minutes of the Special Meeting held on February 15, 2017 are approved.

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

- a. **January Report for the month ending January 30, 2017 were presented to the Board of Directors.** No action was taken on this item.
- b. **\$500 Expenditure Report for the month of January 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. **Authorization of signatures for certificate of deposit signature cards with WestStar bank.**

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

RESOLVED: that the Board of Directors authorizes the General Manager, Jesus Reyes and the Office Manager/Tax Assessor/Collector, Rose Rodriguez to jointly sign the certificates of deposit with WestStar bank.

5. 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. **The delinquency report for February were presented and reviewed by the Tax Assessor/Collector/Office Manager.**

After a motion by Indar Singh, seconded by Art Ivey, 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 correctly recommends adjustments or corrections to the tax rolls reviewed during the month of February 2017;

NOW, THEREFORE, BE IT RESOLVED: that the adjustments and corrections to the 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011 and 2016 for Jose Castillo, Salvador and Dora Villanueva and Cesar and Maria S. Lopez have been reviewed during the month of February 2017 and are approved as shown on the exhibit attached to these minutes.

- b. 2013-2017 City of El Paso Public Service Board Assignments.**
No action was taken on this item.
- c. 2015-2017 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.

6. General Manager's report concerning the following:

- a. Rio Grande Compact Meeting.** No action was taken on this item.
- b. Offer of Settlement on USA vs. 0.4585 Acres of Land, et al and EPCWID; Civil No. EP-14-CV-00298-DCG.**

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

RESOLVED: that the Board of Directors accept the Offer of Settlement on USA vs. 0.4585 Acres of Land, et al and EPCWID; Civil No. EP-14-CV-00298-DCG.

7. 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. **Rio Grande Project Water Supply and Water Allocations.** No action was taken on this item.
 - d. **Status of 3rd Party Construction in District Canals and Drains.** No action was taken on this item.
- 8. Maintenance Manager's report and recommendations concerning the following:

Drain maintenance program and water delivery system. No action was taken on this item.
- 9. Water master's report and recommendations concerning the following:

Water use and availability. No action was taken on this item.
- 10. Water delivery allocations to EPCWID water users and water available by contract.

No action was taken on this item.
- 11. Applications for Licenses for Use of District Real Property:
 - a. **Application 1845, by El Paso Electric Company, for a 25 year license to cross the San Elizario Main Lateral at approximately station 231+32 and Tabasco Road to construct a single (1) phase (7.9 KV) overhead power line (2-1/0 ACSR)**

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

RESOLVED: that Application 1845, by the El Paso Electric Company, for a 25 year license to cross the San Elizario Main Lateral at approximately station 231+32 and Tabasco Road to construct a single (1) phase (7.9 KV) overhead

power line (2-1/0 ACSR) 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 1894, by El Paso Water Utilities – Public Service Board, for a 25 year license to cross Schutz Lateral at approximately Station 18+82 at Gomez Road with an 8-inch sanitary sewer line inside a 16-inch steel casing via jack and bore method**

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

RESOLVED: that Application 1894, by the El Paso Water Utilities-Public Service Board, for a 25 year license to cross the Schutz Lateral at approximately Station 18+82 at Gomez Road with an 8-inch sanitary sewer line inside a 16-inch steel casing via jack and bore 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.

- c. Application 1902, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Franklin Canal (an irrigation canal) at Tanton Road, approximately Station 1089+26**

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

RESOLVED: that Application 1902, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single

fiber aerial line across the Franklin Canal (an irrigation canal) at Tanton Road, approximately Station 1089+26 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 1903, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Franklin Canal (an irrigation canal) and tail end of Bovee Lateral, approximately Station 996+79**

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

RESOLVED: that Application 1903, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial across the Franklin Canal (an irrigation canal) and tail end of Bovee Lateral, approximately Station 996+79 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 1904, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Bovee Lateral (an irrigation canal) and the Franklin Canal, approximately Station 10+52**

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

RESOLVED: that Application 1904, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Bovee Lateral (an irrigation canal) and the Franklin Canal, approximately Station 10+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.

- f. Application 1905, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Socorro Lateral (an irrigation canal) and the Franklin Canal, approximately Station 175+68**

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

RESOLVED: that Application 1905, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Socorro Lateral (an irrigation canal) and the Franklin Canal, approximately Station 175+68 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.

- g. Application 1906, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Franklin Canal (an irrigation canal) near Buford Road, approximately Station 976+58**

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

RESOLVED: that Application 1906, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Franklin Canal (an irrigation canal) near Buford Road, approximately Station 976+58 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.

- h. Application 1907, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Franklin Canal (an irrigation canal) at Moon Road, approximately Station 917+67**

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

RESOLVED: that Application 1907, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Franklin Canal (an irrigation canal) at Mood Road, approximately Station 917+67 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.

- i. Application 1908, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Ysla Lateral (an irrigation canal) at Moon Road, approximately Station 72+02**

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

RESOLVED: that Application 1908, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Ysla Lateral (an irrigation canal) at Mood Road, approximately Station 72+02 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.

- j. **Application 1909, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Y-147 Lateral (an irrigation canal) adjacent to North Loop, approximately Station 8+32**

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

RESOLVED: that Application 1909, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Y-147 Lateral (an irrigation canal) adjacent to North Loop, approximately Station 8+32 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.

- k. **Application 1910, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Mesa Drain (a drainage canal) at Delilah Avenue, approximately Station 651+09**

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

RESOLVED: that Application 1910, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Mesa Drain (an drainage canal) at Delilah Avenue, approximately Station 651+09 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.

- 1. Application 1911, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Mesa Spur Drain (a drainage canal) near Horizon Boulevard, approximately Station 180+98**

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

RESOLVED: that Application 1911, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Mesa Spur Drain (a drainage canal) near Horizon Boulevard, approximately Station 180+98 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.

- m. Application 1912, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Franklin Feeder Canal (an irrigation canal) at Passmore Road, approximately Station 111+29**

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

RESOLVED: that Application 1912, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Franklin Feeder Canal (an irrigation canal) at Passmore Road, approximately Station 111+29 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.

- n. Application 1913, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Franklin Drain (a drainage canal) at Passmore Road, approximately Station 131+61**

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

RESOLVED: that Application 1913, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Franklin Canal (a drainage canal) at Passmore Road, approximately Station 131+61 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.

- o. Application 1922, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Y-147 Lateral (an irrigation canal) adjacent to Delilah Avenue, approximately Station 73+50**

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

RESOLVED: that Application 1922, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Y-147 Lateral (an irrigation canal) adjacent to Delilah Avenue, approximately Station 73+50 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.

Construction Dewatering Licenses for Conveying Groundwater:

- p. Application 1923, by Martinez Bros Contractors, LLC, for construction dewatering into Montoya Lateral Branch "C" to construct Braden Aboud/UTEP Spray Water Park**

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

RESOLVED: that Application 1923 by Martinez Bros Contractors, LLC, for construction dewatering into Montoya Lateral Branch "C" to construct Braden Aboud/UTEP Spray Water Park 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.

12. Sale of Surplus District Real Property under 49.226 of the Texas Water Code: **None**

13. Any or all of the items shown on the attached Closed Meeting Agenda. **The Board then entered into a closed session at 9:39 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 10:01 a.m. with no action having been taken in the closed session.**

14. **Adjournment.** On motion duly made, seconded and carried, the Board Meeting adjourned at 10:03 a.m.


Indar Singh, Secretary