

**Minutes of Special Meeting
Board of Directors
El Paso County Water Improvement District No. 1
("EPCWID")
May 17, 2017**

DIRECTORS PRESENT	OTHERS PRESENT
Johnny Stubbs, President	Jesus Reyes, General Manager
Art Ivey, Vice-President	Jim Speer, Attorney At Law
Indar Singh, Secretary	Phil Bowen, Attorney At Law
Larry Ceballos, Director	Maria O'Brien, Attorney At Law
	Jay Ornelas, Assistant District Engineer
DIRECTORS NOT PRESENT	Sharon Atilano, Administrative Assistant
Miguel Teran, Director	Lisa Aguilar, HR Manager
	Mary Cortez, CFO
	Rose Rodriguez, Tax Assessor/Collector/Office Manager
	Robert Rios, Water Master
	Pete Rodriguez, Maintenance Manager
	Robert Kimpel, Visitor
	Ruben Chavez, Visitor

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 March 29, 2017.

Draft minutes of the Special Meeting held on March 29, 2017 of the Board of Directors were presented for approval.

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

RESOLVED: that the draft minutes of the Special Meeting held on March 29, 2017 are approved.

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

- a. **March and April Report for the month ending March 31, 2017 and April 30, 2017 were presented to the Board of Directors.** No action was taken on this item.

- b. **\$500 Expenditure Report for the month of March and April 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 Indar Singh, seconded by Art Ivey, duly considered and carried by unanimous vote of the Board it was:

RESOLVED: that the Board of Directors approve the Quarterly Investment Report.

- e. **Fiscal Year 2016-2017 Budget Amendment**

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

RESOLVED: that the Board of Directors approve the budget amendment for the fiscal year 2016-2017.

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 reports for March and April were presented and reviewed by the Tax Assessor/Collector/Office Manager.**

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 correctly recommends adjustments or corrections to the tax rolls reviewed during the month of March 2017;

NOW, THEREFORE, BE IT RESOLVED: that the adjustments and corrections to the 2017 tax roll for Maria R & Crispin Aguilar have been reviewed during the month of March 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. **Visit by Tom Blaine, State Engineer for New Mexico.** No action was taken on this item.
 - b. **Meeting at Commissioner Pat Gordon's office at 1:30 p.m. May 17, 2017.** No action was taken on this item.
 - c. **Report on surplus vehicle auction through Larry Otten.** No action was taken on this item.

- d. **Reconsideration of License 1071 by the Lower Valley Water District, for an 8-inch sanitary sewer running parallel along Clint Spur Drain at approximately station 19+35 to 27+31.** No action was taken on this item.
- e. **Reconsideration of the policy of EPCWID regarding permits to use EPCWID facilities to transport water resulting from dewatering activities within the town of Clint or it's vicinity.** No action was taken on this item.

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 1882, by Time Warner Cable, Inc., for a 25 year license to construct a Cable Television overhead line**

across Riverside Canal (an irrigation canal) at Pan American Road, approximately station 35+21

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 1882, by Time Warner Cable, Inc., for a 25 year license to construct a Cable Television overhead line across Riverside Canal (an irrigation canal) at Pan American Road, approximately station 35+21 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 1914, by El Paso Water Control and Improvement District #4, for a 25 year license to construct a 4-inch high density polyethylene pipe (HDPE) DR 9 sanitary sewer force main under Riverside Canal Extension (an irrigation canal) at 1st Street in Fabens, approximately station 286+28, via horizontal directional drill (HDD)**

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 1914, by El Paso Water Control and Improvement District #4, for a 25 year license to construct a 4-inch high density polyethylene pipe (HDPE) DR 9 sanitary sewer force main under Riverside Canal Extension (an irrigation canal) at 1st Street in Fabens, approximately station 286+28, via horizontal directional drill (HDD) 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 1915, by El Paso Water Control and Improvement District #4, for a 25 year license to construct a 6-inch high density polyethylene pipe (HDPE) DR 9 water main under Riverside Canal Extension (an irrigation canal) at 1st Street in Fabens, approximately station 286+18, via horizontal directional drill (HDD)**

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 1915, by the El Paso Water Control and Improvement District #4, for a 25 year license to construct a 6-inch high density polyethylene pipe (HDPE) DR 9 water main under Riverside Canal Extension (an irrigation canal) at 1st Street in Fabens, approximately station 286+18, via horizontal directional drill (HDD) 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 1916, by El Paso Water Control and Improvement District #4, for a 25 year license to construct a 4-inch high density polyethylene pipe (HDPE) DR 9 sanitary sewer force main under River Drain Outlet (a drainage canal) at 1st Street in Fabens, approximately station 37+77, via horizontal directional drill (HDD)**

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 1916, by the El Paso Water Control and Improvement District #4, for a 25 year license to construct a 4-inch high density polyethylene pipe (HDPE)

DR 9 sanitary sewer force main under River Drain Outlet (a drainage canal) at 1st Street in Fabens, approximately station 37+77, via horizontal directional drill (HDD) 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 1917, by El Paso Water Control and Improvement District #4, for a 25 year license to construct a 6-inch high density polyethylene pipe (HDPE) DR 9 water main under River Drain Outlet (a drainage canal) at 1st Street in Fabens, approximately station 37+87, via horizontal directional drill (HDD)**

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 1917, by the El Paso Water Control and Improvement District #4, for a 25 year license to construct a 6-inch high density polyethylene pipe (HDPE) DR 9 water main under River Drain Outlet (a drainage canal) at 1st Street in Fabens, approximately station 37+87, via horizontal directional drill (HDD) 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 1918, by El Paso Water Control and Improvement District #4, for a 25 year license to construct a 4-inch high density polyethylene pipe (HDPE) DR 9 sanitary sewer force main under Mesa Drain Outlet (a**

drainage canal) at 1st Street in Fabens, approximately station 2+75, via horizontal directional drill (HDD)

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 1918, by the El Paso Water Control and Improvement District #4, for a 25 year license to construct a 4-inch high density polyethylene pipe (HDPE) DR 9 sanitary sewer force main under Mesa Drain Outlet (a drainage canal) at 1st Street in Fabens, approximately station 2+75, via horizontal directional drill (HDD) 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 1919, by El Paso Water Control and Improvement District #4, for a 25 year license to construct a 6-inch high density polyethylene pipe (HDPE) DR 9 water main under Mesa Drain Outlet (a drainage canal) at 1st Street in Fabens, approximately station 2+85 via horizontal directional drill (HDD)**

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 1919, by the El Paso Water Control and Improvement District #4, for a 25 year license to construct a 6-inch high density polyethylene pipe (HDPE) DR 9 water main under Mesa Drain Outlet (a drainage canal) at 1st Street in Fabens, approximately station 2+85, via horizontal directional drill (HDD) 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 1920, by El Paso Water Control and Improvement District #4, for a 25 year license to construct a 4-inch high density polyethylene pipe (HDPE) DR 9 sanitary sewer force main under I-243 Lateral (an irrigation canal) at 1st Street in Fabens, approximately station 87+91, via horizontal directional drill (HDD)**

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 1920, by the El Paso Water Control Improvement District #4, for a 25 year license to construct a 4-inch high density polyethylene pipe (HDPE) DR 9 sanitary sewer force main under I-243 Lateral (an irrigation canal) at 1st Street in Fabens, approximately station 87+91, via horizontal directional drill (HDD) 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 1921, by El Paso Water Control and Improvement District #4, for a 25 year license to construct a 6-inch high density polyethylene pipe (HDPE) DR 9 water main under I-243 Lateral (an irrigation canal) at 1st Street in Fabens, approximately station 87+81, via horizontal directional drill (HDD)**

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 1921, by the El Paso Water Control and Improvement District #4, for a 25 year license to construct a 6-inch high density polyethylene pipe (HDPE) DR 9 water main under I-243 Lateral (an irrigation canal) at 1st Street in Fabens, approximately station 87+81, via horizontal directional drill (HDD) 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 1930, by Conterra Ultra Broadband, LLC, for a 20 year license to construct an aerial fiber optic cable system across Franklin Canal (an irrigation canal) at Carolina Drive, approximately Station 536+56

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 1930, by Conterra Ultra Broadband, LLC, for a 20 year license to construct an aerial fiber optic cable system across Franklin Canal (an irrigation canal) at Carolina Drive, approximately station 536+56, 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 1931, by Conterra Ultra Broadband, LLC, for a 20 year license to construct an aerial fiber optic cable system across Ysla Lateral (an irrigation canal) at Rio Vista Road, approximately Station 77+92

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 1931, by Conterra Ultra Broadband, LLC, for a 20 year license to construct an aerial fiber optic cable system across Ysla Lateral (an irrigation canal) at Rio Vista Road, approximately station 77+92, 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 1932, by Conterra Ultra Broadband, LLC, for a 20 year license to construct an aerial fiber optic cable system across Bowman Lateral (an irrigation canal) at North Loop Drive (FM-76), approximately Station 34+04**

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 1932, by Conterra Ultra Broadband, LLC, for a 20 year license to construct an aerial fiber optic cable system across Bowan Lateral (an irrigation canal) at North Loop Drive (FM-76), approximately station 34+04, 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 1933, by Conterra Ultra Broadband, LLC, for a 20 year license to construct an aerial fiber optic cable system across Mesa Drain (a drainage canal) at Caliche Drive, approximately Station 1118+83**

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 1933, by Conterra Ultra Broadband, LLC, for a 20 year license to construct an aerial fiber optic cable system across Mesa Drain (a drainage canal) at Caliche Drive, approximately Station 1118+83, 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 10:00 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 11:04 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 11:05 a.m.


Indar Singh, Secretary