

**Minutes of Regular Meeting
Board of Directors
El Paso County Water Improvement District No. 1
("EPCWID")
October 11, 2017**

DIRECTORS PRESENT	OTHERS PRESENT
Art Ivey, Vice-President	Jesus Reyes, General Manager
Indar Singh, Secretary	Jim Speer, Attorney At Law
Larry Ceballos, Director	Phil Bowen, Attorney At Law
DIRECTORS NOT PRESENT	Maria O' Brien, Attorney At Law
Johnny Stubbs, President	Dr. Al Blair, District Engineer
Miguel Teran, Director	Jay Ornelas, Assistant District Engineer
	Sharon Atilano, Administrative Assistant
	Lisa Aguilar, Chief Administrative Officer
	Mary Cortez, Chief Financial Officer
	Robert Rios, Water Master
	Pete Rodriguez, Maintenance Manager
	Robert Kimpel, Visitor
	Kathleen Jackson, Board Member for TWDB
	Ruben Chavez, Visitor
	Lee Huntoon, Team Manager for TWDB
	Mark Evans, Statewide Outreach for TWDB

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 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 Regular Meeting held on September 13, 2017.

Draft minutes of the Regular Meeting held on September 13, 2017 of the Board of Directors were presented for approval.

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 draft minutes of the Regular Meeting held on September 13, 2017 are approved.

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

- a. September Financial Report.** No action was taken on this item.
- b. \$500.00 Expenditure Report.** No action was taken on this item.
- c. Legal & Consulting Fees Budget Report.** No action was taken on this item.
- d. Amendment to Budget for Fiscal Year 2017-2018**

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 amendment to the budget for the fiscal year 2017-2018 is approved.

e. Quarterly Investment Report.

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 Quarterly Investment Report for the period ending September 30, 2017 is approved.

f. Engagement Letter for Bixler & Company.

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 Engagement Letter for Bixler and Company, L.L. P. is approved.

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 August and September were presented and reviewed by the Tax Assessor/Collector/Office Manager.** No action was taken on this item.

After a motion by Indar Singh, seconded by Larry Ceballos, 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 August 2017;

NOW, THEREFORE, BE IT RESOLVED: that the adjustments and corrections to the 2017 tax roll for Samuel Almanzar for the year 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016 and 2017 and Rosemary Lopez for the years 2016 and 2017 have been reviewed during the month of August 2017 and are approved as shown on the exhibit attached to these minutes.

Resolution for September adjustments:

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 2017;

NOW, THEREFORE, BE IT RESOLVED: that the adjustments and corrections to the 2017 tax roll for City of El Paso for the years 2016 and 2017, Victor M and Manuela Silva for the years 2011, 2012 and 2017, and for Carreon Medesto Trustee for Templo Corona de Gloria for the years 2016 and 2017 have been reviewed during the month September 2017 and are approved as shown on the exhibit attached to these minutes.

- b. 2013-2017 City of El Paso Public Service Board Assignments (August and September). No action was taken on this item.**
- c. 2015-2017 Lower Valley Water District Assignments (August and September). No action was taken on this item.**
- d. Comparison of EPCWID tax assessments and collections during 2014 and 2015 (August and September) No action was taken on this item.**
- e. Report on tax suits and interventions filed by EPCWID (August and September). 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 Larry Ceballos, seconded by Indar Singh, 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, 2017 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 account shall be \$12.00 per owner. These assessments are due upon receipt of EPCWID notices and become delinquent on February 1, 2018.

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

g. Setting contract rate is 2017 for water supplied to tax exempt entities.

RESOLVED: that the contract rate for the 2017 calendar year for the 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.

6. General Manager's report concerning the following:

a. Grant funding from the Rio Grande Council of Governments for a Regional Solid Waste Grants Program Grant.

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 Grant Funding from the Rio Grande Council of Governments for Regional Solid Waste Grants Program Grant is approved.

b. Visit and presentation by Kathleen Jackson, Board Member for the Texas Water Development Board. No action was taken on this item.

c. Lower Valley Farmer's Meeting on October 10, 2017 at 11:30 a.m. at EPCWID#1 and Upper Valley Farmer's Meeting on October 12, 2017 at 11:30 at Rivera Restaurant. No action was take 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:

Letters of Approval under existing License Agreements or Transfers of License:

- a. **License No. 14-06-503-2078- State of Texas for Chamizal Border Highway, Reconstruction of Frankiln Canal Heading to place canal underground is dual 6.5' X 6.5' concrete box culverts from heading to 1st Street, approximately 340'.**

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

RESOLVED: that a Letter of Approval for License No. 14-06-503-2078 by the State of Texas for Chamizal Border

Highway, Reconstruction of Franklin Canal heading to place canal underground is dual 6.5' X 6.5' concrete box culverts from heading to 1st Street, approximately 340' is approved.

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

- b. Application 1925, by El Paso Water Utilities- Public Service Board, for a 25 year license to construct a 12-inch water main along the Franklin Canal's northeast right for way line adjacent to Alameda Avenue (SH-20) via open cut 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 1925, by El Paso Water Utilities-Public Service Board is approved under the requirements that the Texas Department of Transportation approves in writing payments of up to \$490,000 for cost of materials to concrete pave 3,500 feet of Franklin Canal, and that the El Paso Water Utilities and 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 1973, by Conterra Ultra Broadband, LLC, for a 20 year license to construct a subsurface fiber optic cable system under Franklin Canal (an irrigation canal) at Little Flower Drive, via horizontal directional drilling, approximately Station 456+13.**

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 1973, by Conterra Ultra Broadband, LLC, for a 20 year license to construct a

subsurface fiber optic cable system under Franklin Canal (an irrigation canal) at Little Flower Drive, via horizontal directional drilling, approximately Station 456+13 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 1975, by Conterra Ultra Broadband, LLC, for a 20 year license to construct an aerial fiber optic cable system across Playa Lateral (an irrigation canal) at Knights Drive, approximately Station 43+00**

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 1975, by Conterra Ultra Broadband, LLC, for a 20 year license to construct an aerial fiber optic cable system across Playa Lateral (an irrigation canal) at Knights Drive, approximately Station 43+00 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 11:00 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 11:19 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 11:20 a.m.



Indar Singh, Secretary