

**Minutes of Special Meeting  
 Board of Directors  
 El Paso County Water Improvement District No. 1  
 (EPCWID)  
 July 15, 2020**

<b>DIRECTORS PRESENT</b>	<b>OTHERS PRESENT</b>
<b>Johnny Stubbs, President</b>	<b>Jesus Reyes, General Manager</b>
<b>Art Ivey, Vice-President</b>	<b>Dr. Al Blair, District Engineer (via skype)</b>
<b>Larry Ceballos, Secretary</b>	<b>Jim Speer, Attorney At Law (via telephone)</b>
<b>Miguel Teran, Director</b>	<b>Phil Bowen, Attorney At Law (via telephone)</b>
<b>DIRECTORS NOT PRESENT</b>	<b>Maria O'Brien Attorney At Law (via skype)</b>
<b>George Brooks, Assistant Secretary</b>	<b>Jay Ornelas, Assistant District Engineer</b>
	<b>Mary Cortez, Chief Financial Officer</b>
	<b>Lisa Aguilar, Chief Administrative Officer</b>
	<b>Rose Rodriguez, Tax Assessor/Collector/Office Manager</b>
	<b>Pete Rodriguez, Maintenance Manager</b>
	<b>Robert Rios, Water Master</b>
	<b>Sharon Atilano, Engineering Assistant</b>
	<b>Danny Chavez, HCCRD #1</b>
	<b>Amador Valenzuela, Ministerios Encuentro &amp; Con.</b>
	<b>Eva Grijalva Simons</b>
	<b>Stella Grijalva-Moeller</b>
	<b>Federico Fernandez, Micca Builders</b>
	<b>Ponchi Herrera, USBP</b>
	<b>Eugenio Mesta, Valle De Colibri</b>

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 9:00 a.m., and the Directors then proceeded to consider the following.**

2. Welcome of guests. No action was taken on this item.
3. Minutes of June 10, 2020 meeting of the Board of Directors.

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

**RESOLVED: that the draft minutes of the Regular Meeting held on June 10, 2020 are approved.**

4. Report and recommendations by Lisa Aguilar, Chief Administrative Officer/Election Officer, concerning office operations, and elections:  
**None**
5. Report and recommendations by Mary Cortez, Chief Financial Officer, concerning financial information, expenditures, budget, and investment policy:
  - a. **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. **Quarterly Investment Report.**

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

**RESOLVED: that the Quarterly Investment Report for period ending June 30, 2020 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 report and adjustments-The tax report was reviewed, and tax adjustments for the months of May and June.**

After a motion by Miguel Teran, 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 months of May and June 2020;**

**NOW, THEREFORE, BE IT RESOLVED: that the following adjustments and corrections have been reviewed, approved and are attached to these minutes:**

- 1. Escobedo Raul & Melanie to City of El Paso for 2019;**
- 2. El Paso Education Initiative Inc. for 2019; and**
- 3. Acosta Manuel & Martha to City of El Paso for 2018 and 2019.**

- a. Review tax report and adjustments-The tax report was reviewed, and there were no tax adjustments for the months of May and June. No action was taken on this item.**
- b. 2013-2019 El Paso Public Service Board Assignments, 2013-2019 Lower Valley Water District Assignments and Report on tax suits for the months of May and June. No action was taken on this item.**
- c. Comparison of EPCWID Tax assessments and collection during 2018 and 2019 for the months of May and June. No action was taken on this item.**

7. General Manager's report concerning the following:

- a. **Update on EPCWID operations during COVID 19.** No action was taken on this item.
- b. **Resolution approving applications for concrete lining Franklin Canal from San Antonio St. to Fox Plaza. Total amount \$2 million and District will match 50% USBR application.**

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

**RESOLVED: (as shown in full on the attached exhibit).**

- c. **USBR awarded EPCWID a grant for \$75,000 to concrete line the Ysla Lateral from Old Hueco Tanks Rd. to Rio Vista Rd.** No action was taken on this item.
- d. **Email from John Balliew, EPW, on our joint efforts assisting IBWC to receive an increase of \$12,000,000 to continue efforts of cleaning and maintenance of the Rio Grande River.** No action was taken on this item.
- e. **Discuss and consider purchase of Socorro Ponds for use as regulating reservoir.**

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

**RESOLVED: that the Board of Directors authorize an approval to proceed with the negotiations of the purchase of the Socorro Ponds for use as regulating reservoir.**

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. **Rio Grande Project Water Supply and Water Allocations.** No action was taken on this item.
- d. **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. Letters of Approval under existing License Agreements or Transfers of License:

- a. **License 1300, by the City of El Paso, addition to license of all city streets crossing the Middle Drain, two streets crossing the Franklin Canal, and one street crossing the Canutillo Lateral within the city limits of El Paso**

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

**RESOLVED: that license 1300, by the City of El Paso, an addition to license of all city streets crossing, the two streets crossing the Franklin Canal, and one street crossing the Canutillo Lateral within the city limits of El Paso is approved, with the exception of the Middle Drain, upon the condition that the applicant meets all requirements of the license, including paying all fees and cost required by the license and providing the District with three signed originals of the license, both within 60 days hereafter, and**

**the officers of EPCWID1 are authorized and directed to execute such license, a copy of which is attached hereto.**

13. Applications for License for Use of District Real Property:

- a. **Application 1943, by Lower Valley Water District, for a 25-year license to cross the Franklin Drain at Flor Bonita Avenue, approximately Station 93+56 with a 12-inch sewer main inside a 16-inch steel casing via open cut method**

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

**RESOLVED: that application 1943, by Lower Valley Water District for a 25-year license to cross the Franklin Drain at Flor Bonita Avenue, approximately Station 93+56 with a 12-inch sewer main inside a 16-inch steel casing via open cut method is approved upon the condition that the applicant meets all requirements of the license, including paying all fees and cost required by the license and providing the District with three signed originals of the license, both within 60 days hereafter, and the officers of EPCWID1 are authorized and directed to execute such license, a copy of which is attached hereto.**

- d. **Application 2177, by Texas Gas Service, a division of ONE Gas, Inc., for a 25-year license for proposed 6-inch polyethylene pipe in a 10-inch steel casing crossing the Ysla Lateral at approximately Station 296+27 at FM-76 and Worsham Road via horizontal directional drilling method**

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

**RESOLVED: that application 2177, by Texas Gas Service, a division of ONE Gas, Inc. for a 25-year license for proposed 6-inch polyethylene pipe in a 10-inch steel casing crossing the Ysla Lateral at approximately Station 296+27 at FM-76**

and Worsham Road via horizontal directional drilling method is approved upon the condition that the applicant meets all requirements of the license, including paying all fees and cost required by the license and providing the District with three signed originals of the license, both within 60 days hereafter, and the officers of EPCWID1 are authorized and directed to execute such license, a copy of which is attached hereto.

- e. **Application 2197, by Stella Grijalva Moeller, Irene Kathleen Latham, Christine P. Grijalva, Abraham J. Grijalva, and Eva Grijalva Simons to cross the San Elizario Main Lateral, approximately Station 385+48, via an existing bridge structure for private ingress and egress to Tract 7-B-1, Block 38 in the San Elizario Grant in the County of El Paso**

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

**RESOLVED: that application 2197, by Stella Grijalva Moeller, Irene Kathleen Latham, Christine P. Grijalva, Abraham J. Grijalva, and Eva Grijalva Simons to cross the San Elizario Main Lateral, approximately Station 385+48, via an existing bridge structure for private ingress and egress to Tract 7-B-1, Block 38 in the San Elizario Grant in the County of El Paso is approved upon the condition that the applicant meets all requirements of the license, including paying all fees and cost required by the license and providing the District with three signed originals of the license, both within 60 days hereafter, and the officers of EPCWID1 are authorized and directed to execute such license, a copy of which is attached hereto.**

14. Sale of Surplus District Real Property under 49.226 of the Texas Water Code:

- a. **Application 2210, by Valle Del Colibri, LLC, consider offer for tail end of Juan de Herrera Lateral Branch "A", downstream**

**from Holmsley Trail, Block 6, Tract 2 of Ysleta Grant, approximately 3 acres of surplus land.**

**Director Miguel Teran left the room and announced that he would abstain from discussion of this item and any vote taken regarding the item, and he proceeded to sign an affidavit pursuant to Texas Local Government Code, §171.004.**

After a motion by Art Ivey, seconded by Larry Ceballos, duly considered and carried by a majority vote of the Directors present, with Miguel Teran abstaining and leaving the room, it was:

**RESOLVED: that the sale of approximately 3 acres of surplus land, block 6, Tract 2 of Ysleta Grant, located at the tail end of Juan de Herrera Lateral Branch “A”, downstream from Holmsley Trail to Valle Del Colibri, LLC is approved and the offer by Valle Del Colibri, LLC is accepted.**

- f. Application 2232, by Ministerios Encuentro & Conexion, consider offer for tail end of Juan de Herrera Lateral Branch “A”, downstream from Holmsley Trail, Block 6, Tract 2, of Ysleta Grant, approximately 3 acres of surplus land. No action was taken on this item.**

14. 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 12:05 p.m. with no action having been taken in the closed session.**
15. Consideration of agenda items for next regular board meeting.  
**No action was taken on this item.**



Special Meeting  
July 15, 2020

16. **Adjournment.** On motion duly made, seconded and carried, the Board Meeting adjourned at 12:08 p.m.

  
Larry Ceballos, Secretary

## RESOLUTION OF THE BOARD OF DIRECTORS

### El Paso County Water Improvement District No.1

El Paso County Water Improvement District No. 1 resolves to authorize the General Manager or the District Engineer to submit and take any Administrative Action required to complete an application to the United States Bureau of Reclamation WaterSMART FY2021 Water and Energy Efficiency Grants program for a Grant totaling \$2,000,000 to conserve water and improve the District's water use efficiency by concrete lining a section of the Franklin Canal.

**Whereas**, the El Paso County Water Improvement District No.1 (the District) is a political subdivision of the State of Texas and was organized under Chapter 59, Article 16 of the Texas Constitution and operates under Chapter 55 and Chapter 49, in part, of the Texas Water Code;

**Now Therefore**, the Board of Directors of the District hereby resolve to support the District's application for a Grant and authorizes the General Manager or the District Engineer to submit and take any administrative action required to complete applications to the United States Bureau of Reclamation, including working with Reclamation to meet established deadlines for entering into a grant or cooperative agreement, and if the District is selected to receive a Grant, to negotiate an agreement to be approved by the District's Board of Directors. The District has the capability to provide the amount of funding and/or in-kind contributions specified in the Funding Plan in the application.

El Paso County Water Improvement District No.1

  
By: Johnny Stubbs, President

**Affidavit of Abstention by Member of the Board of Directors of  
El Paso County Water Improvement District No. 1**

I, Miguel Teran, am a member of the Board of Directors of El Paso County Water Improvement District No. 1. At a meeting of such Board of Directors on the 15<sup>th</sup> day of July, 2020 the following matter came before the Board for consideration:

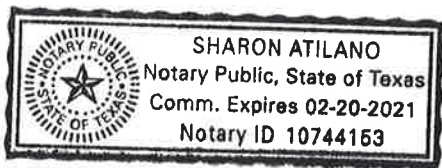
**14(a) Application 2210, by Valle Del Colibri, LLC, consider offer for tail end of Juan de Herrera Lateral Branch "A", downstream from Holmsley Trail, Block 6, Tract 2 of Ysleta Grant, approximately 3 acres of surplus land**

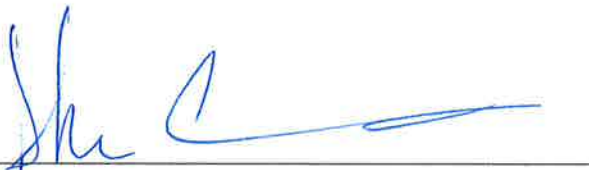
Since the matter involved a business entity or real property in which I have a substantial interest, as defined in Chapter 171 of the Texas Local Government Code, I abstained from participation in the matter. The nature and extent of the interest is the following:

**Conflict of interest**

Signature: 

Subscribed and sworn to this 15th day of July, 2020, by Miguel Teran.



  
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Notary Public, State of Texas  
My commission expires: 2/20/2021