

**Minutes of Regular Meeting  
Board of Directors  
El Paso County Water Improvement District No. 1  
(EPCWID)  
September 9, 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 zoom)</b>
<b>Larry Ceballos, Secretary</b>	<b>Jim Speer, Attorney At Law (via telephone)</b>
<b>George Brooks, Assistant Secretary</b>	<b>Phil Bowen, Attorney At Law (via telephone)</b>
<b>Miguel Teran, Director</b>	<b>Maria O'Brien Attorney At Law (via zoom)</b>
	<b>Renea Hicks, Attorney At Law (via zoom)</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>Larry Vasquez, USBR</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 August 19, 2020 meeting of the Board of Directors.

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

**RESOLVED: that the draft minutes of the Special Meeting held on August 19, 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. **Budget for Fiscal Year 2020-2021**

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

**RESOLVED: that the budget for fiscal year 2020-2021 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 month of**



**August.**

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:

**WHEREAS: Rose Rodriguez, Tax Assessor/Collector/Office Manager for EPCWID recommends adjustments or corrections to the tax rolls reviewed during the month of August 2020;**

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

- 1. Elizabeth Veliz to City of El Paso, 2019; and**
  - 2. Paul Surratt to El Paso County as Trustee, 2019.**
- b. 2013-2019 El Paso Public Service Board Assignments, 2013-2019 Lower Valley Water District Assignments and Report on tax suits for the month of August. No action was taken on this item.**
- c. Comparison of EPCWID Tax assessments and collection during 2018 and 2019 for the month of August. No action was taken on this item.**
7. General Manager's report concerning the following:
  - a. Discuss and take possible action on Tract "A" assignments. No action was taken on this item.**
  - b. Consider funding options for concrete lining Island Main Lateral from the heading to the Guadalupe Lateral, approximately 4 miles. 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. 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. Subdivision Plats within District Boundary requirement in License Manual: **None**
- 13. Applications for License for Use of District Real Property:
  - a. Application 2209, by Mario and Sylvana Z. Duran, for a 25-year license to cross the Thompson Spur Drain (a drainage canal), approximately Station 7+94, via natural ground for private ingress and egress to Tracts 5A and 5A2, Block 34 in the San Elizario Grant in the County of El Paso**

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

**RESOLVED: that Application 2209, by Mario and Sylvana Z. Duran, for a 25-year license to cross the Thompson Spur Drain (a drainage canal), approximately Station 7+94, via**



**natural ground for private ingress and egress to Tracts 5A and 5A2, Block 34 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.**

- b. Application 2236, by Conterra Ultra Broadband, LLC, for a 20-year license to construct a subsurface fiber optic cable system across Lowenstein Lateral (an irrigation canal) at Alameda Ave., approximately Station 0+76**

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

**RESOLVED: that Application 2236, by Conterra Ultra Broadband LLC, for a 20-year license to construct a subsurface fiber optic cable system across Lowenstein Lateral (an irrigation canal) at Alameda Ave., approximately Station 0+76 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.**

- c. Application 2237, 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 Carnes Road, approximately Station 816+48**

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

**RESOLVED: that Application 2237, 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 Carnes Road, approximately Staion 816+48 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. Declaration of Surplus Land, a portion of Dolan Drain from heading to Skov Road**

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

**RESOLVED: that a portion of the Dolan Drain from the heading to Skov Road is declared surplus and is approved for authorization to sell said portion of the Dolan Drain from the heading to Skov Road.**

**b. Declaration of Surplus Land, a portion of the Borderland Spur Drain from Artercraft to Combination Lateral, approximately 1,000 linear feet**

**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.**

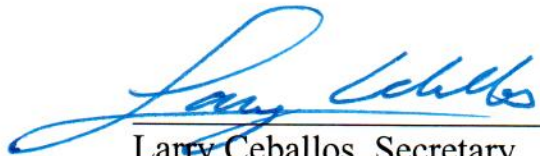


After a motion by Art Ivey, seconded by Larry Ceballos, duly considered and carried by a majority vote of the Directors present, with Miguel Teran abstaining and leaving the room, it was:

**RESOLVED: that a portion of the Borderland Spur Drain from Arcraft to the Combination Lateral, approximately 1,000 linear feet is declared surplus and is approved for authorization to sell said portion of the Borderland Spur Drain from Arcraft to the Combination Lateral, approximately 1,000 linear feet.**

- c. **Application 2249, by Lower Valley Water District, to consider offer for portion of Dolan Drain, from heading to Skov Road, Block 12, Socorro Grant, approximately 15 acres of surplus land.**  
No action was taken on this item.

15. Any or all of the items shown on the attached Closed Meeting Agenda.  
**The Board then entered into a closed session at 10:41 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 11:16 a.m. with no action having been taken in the closed session.**
16. Consideration of agenda items for next regular board meeting.  
**No action was taken on this item.**
17. **Adjournment.** On motion duly made, seconded and carried, the Board Meeting adjourned at 11:17 a.m.

  
Larry Ceballos, Secretary

**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 **9th** day of **September**, the following matter came before the Board for consideration:


**14 (b) Declaration of Surplus Land, a portion of the Borderland Spur Drain from Arcraft to Combination Lateral, approximately 1,000 linear feet**

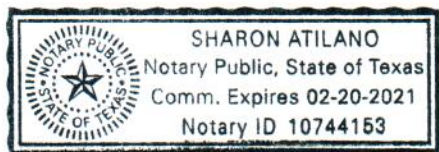
Since the matter involved a business entity or real property in which I have a substantial interest, as defined in Chapter 171 of the Texas Local Government Code, I abstained from participation in the matter. The nature and extent of the interest is the following:

**Possible conflict of interest.**

Signature: 

Subscribed and sworn to this 9th day of September, 2020, by Miguel Teran

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





## RESOLUTION OF THE BOARD OF DIRECTORS

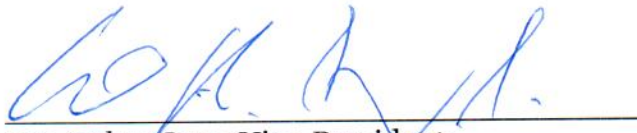
### El Paso County Water Improvement District No. 1

**WHEREAS**, The El Paso County Water Improvement District No. 1 finds it in the best interest of the citizens of El Paso County, that the Increasing Waste Collection Capacity at EPCWID1 Waterways project be operated for 2021; and

**WHEREAS**, El Paso County Water Improvement District No. 1 designates the Chief Administrative Officer as the project's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the project on behalf of the applicant.

**NOW THEREFORE, BE IT RESOLVED** that El Paso County Water Improvement District No. 1 approves submission of the application for the Increasing Waste Collection Capacity at EPCWID1 Waterways project to the Rio Grande Council of Governments.

El Paso County Water Improvement District No.1

  
By: Arthur Ivey, Vice-President

Passed and Approved this 14<sup>th</sup> (Day) of October (Month), 2020 (Year)