

**Minutes of Special Meeting
 Board of Directors
 El Paso County Water Improvement District No. 1
 (EPCWID)
 October 20, 2021**

DIRECTORS PRESENT	EMPLOYEES PRESENT
Johnny Stubbs, President	Jesus Reyes, General Manager
Art Ivey, Vice-President	Mary Cortez, Chief Financial Officer
Larry Ceballos, Secretary	Lisa Aguilar, Chief Administrative Officer
George Brooks, Assistant Secretary	Sonia Ontiveros, Tax Collector Assistant
Miguel Teran, Director	Pete Rodriguez, Maintenance Manager
	Bert Cortez, Licensing Manager
	Sharon Atilano, Licensing Assistant
LEGAL COUNSEL	Claudia Ruiz, Administrative Assistant
Jim Speer, Attorney At Law	Cathy Oyston, Water Records/ Dispatcher Supervisor
Phil Bowen, Attorney At Law	
Renea Hicks, Attorney At Law (via zoom)	GUESTS
	Jerry Melendez, Reclamation
	Juanidel Cubeno, USBP
	Alfonso Herrera, USBP
DISTRICT ENGINEER	
Dr. Al Blair, District Engineer (via zoom)	

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 September 15, 2021 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 September 15, 2021 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. **Engagement Letter for Bixler & Company**

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 the Engagement Letter for Bixler & Company is approved.

e. Quarterly Investment Report

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 Quarterly Investment Report for period ending September 30, 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 there were no tax adjustments for the month of September. No action was taken on this item.**
 - b. **2013-2021 The City of El Paso on behalf of Public Service Board Assignments, 2013-2021 Lower Valley Water District Assignments and Report on tax suits. No action was taken on this item.**
 - c. **Comparison of EPCWID1 tax assessments and collection during 2019 and 2020. No action was taken on this item.**
 - d. **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 Art Ivey, duly considered and carried by unanimous vote of the Board the following resolution was adopted:

RESOLVED: that the tax assessment against all irrigable land for the year from January 1 through December 31, 2021 is set at \$25.00 per acre of irrigable land; that the water assessment for both allocated and non-allocated water is set at \$10.00 per acre-foot of water; and that the accounting service charge for irrigable land account shall

be \$20.00 per owner. These assessments are due upon receipt of EPCWID notices and become delinquent on February 1, 2022.

e. Setting contract rate in 2021 for water supplied to exempt entities

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 contract rate for the 2021 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.

7. General Manager's report concerning the following:

- a. Update on District effort to assist City of El Paso to convey water to Bustamante WWTP. No action was taken on this item.**
- b. Discussion on offer letters for a portion of the Clint Spur Drain, in block 19, San Elizario Grant, in El Paso County, Texas, approximately 1.27 acres of surplus land. 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 3rd 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 3075, by Lower Valley Water District, for a 25-year-license to allow to tie-in a proposed sanitary sewer line and install a new manhole to an existing sanitary sewer line within the Franklin Drain (an irrigation canal) at Passmore Rd., approximately station 131+43**

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 3075, by Lower Valley Water District, for a 25-year-license to allow to tie-in a proposed sanitary sewer line and install a new manhole to an existing sanitary sewer line within the Franklin Drain (an irrigation canal) at Passmore Rd., approximately station 131+43 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 EPCWID are authorized and directed to execute such license, a copy of which is attached hereto.

- b. Application 3080, by Transtelco, Inc., for a 25-year-license to construct an aerial fiber optic cable system parallel to the Mesa Drain (an irrigation canal) for approximately 307 feet, downstream of Mauer Rd., approximately station 107+46**

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 3080, by Transtelco, Inc., for a 25-year-license to construct an aerial fiber optic cable system parallel to the Mesa Drain (an irrigation canal) for approximately 307 feet, downstream of Mauer Rd., approximately station 107+46 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 EPCWID are authorized and directed to execute such license, a copy of which is attached hereto.

- c. Application 3082, by Transtelco, Inc., for a 25-year-license to construct an aerial fiber optic cable system across the Bowman Lateral (an irrigation canal) at North Loop Dr., approximately station 33+77.62**

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 3082, by Transtelco, Inc., for a 25-year-license to construct an aerial fiber optic cable system across the Bowman Lateral (an irrigation canal) at North Loop Dr., approximately station 33+77.62 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 EPCWID are authorized and

directed to execute such license, a copy of which is attached hereto.

- d. Application 3083, by Transtelco, Inc., for a 25-year-license to construct an aerial fiber optic cable system parallel to the Bowman Lateral (an irrigation canal) for 227.89 feet, 197 feet upstream of North Loop Dr.**

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 3083, by Transtelco, Inc., for a 25-year-license to construct an aerial fiber optic cable system parallel to the Bowman Lateral (an irrigation canal) for 227.89 feet, 197 feet upstream of North Loop Dr. 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 EPCWID are authorized and directed to execute such license, a copy of which is attached hereto.

- e. Application 3085, by Texas Gas Service Company, a division of ONEOK, Inc., for a 25-year-license to construct a 1-inch steel gas service line cased in a 2-inch steel pipe on Montoya Lateral Branch "D" (an irrigation canal), approximately station 79+82.26**

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 3085, by Texas Gas Service Company, a division of ONEOK, Inc., for a 25-year-license to construct a 1-inch steel gas service line cased in a 2-inch steel pipe on Montoya Lateral Branch "D" (an irrigation canal), approximately station 79+82.26 is approved upon the condition that the applicant meets all requirements of

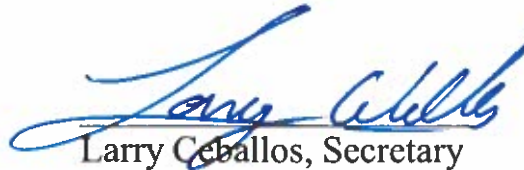
the license, including paying all fees and cost required by the license and providing the District with three signed originals of the license, both within 60 days hereafter, and the officers of EPCWID are authorized and directed to execute such license, a copy of which is attached hereto.

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

15. Any or all of the items shown on the attached Closed Meeting Agenda. **The Board then entered into a closed session at 10:02 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 10:59 a.m. with no action having been taken in the closed session.**

17. Consideration of agenda items for next regular board meeting.

18. **Adjournment.** On motion duly made, seconded and carried, the Board Meeting adjourned at 11:00 a.m.


Larry Ceballos, Secretary