

**Minutes of Special Meeting
Board of Directors
El Paso County Water Improvement District No. 1
(EPCWID)
February 16, 2022**

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	Cathy Oyston, Water Records/ Dispatcher Supervisor
Jim Speer, Attorney At Law	Claudia Ruiz, Administrative Assistant
Phil Bowen, Attorney At Law	
Maria O Brien, Attorney At Law	
Renea Hicks, Attorney At Law (via zoom)	
	GUESTS
DISTRICT ENGINEER	Larry Vasquez, USBR
Dr. Al Blair, District Engineer	William "Wes" Navidomskis, Balcar, LLC
	Isaac Villareal, USBP
	Victor Acosta, USBP
	Ivonne Padilla, USBP
	Carlisle Coldwell Navidomskis, Balcar, LLC

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. Reappointment of General Manager.

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 the Board of Directors renews the appointment and employment of Jesus Reyes as the General Manager of the El Paso County Water Improvement District No. 1 on an at will basis, commencing February 1, 2022 through January 31, 2023, at a salary equal to an annual rate of the \$205,000.00 for the General Manager, payable bi-weekly, and all other benefits currently provided by the District to the General Manager shall continue.

4. Reappointment of Chief Financial Officer.

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 renews the appointment and employment of Mary Cortez as the Chief Financial Officer of the El Paso County Water Improvement District No. 1 on an at will basis, commencing February 1, 2022 through January 31, 2023, at a salary equal to an annual rate of the \$121,000.00 for the Chief Financial Officer, payable bi-weekly, and all other benefits currently provided by the District to the Chief Financial Officer shall continue.

5. Minutes of January 12, 2022 and January 28, 2022 meeting of the Board of Directors.

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 the draft minutes of the regular meeting held on January 12, 2022 and telephonic emergency meeting held on January 28, 2022 are approved.

6. Report and recommendations by Lisa Aguilar, Chief Administrative Officer/Election Officer, concerning office operations, and elections:

a. Ordering election of directors in divisions 2 and 5.

After a motion by George Brooks, 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)

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

a. Financial Report (November, December and January). No action was taken on this item.

b. \$500.00 Expenditure Report (November, December and January). No action was taken on this item.

c. Legal & Consulting Fees Budget Report (November, December and January) No action was taken on this item.

d. Quarterly Investment Report

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 the Quarterly Investment Report for period ending November 30, 2021 is approved.

8. 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 the following are the tax adjustments for the month of December and January.**

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:

WHEREAS: Rose Rodriguez, Tax Assessor/Collector/Office Manager for EPCWID1 recommends adjustments or corrections to the tax rolls reviewed during the month of December 2021.

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:

WHEREAS: Rose Rodriguez, Tax Assessor/Collector/Office Manager for EPCWID1 recommends adjustments or corrections to the tax rolls reviewed during the month of January 2022.

- b. **2013-2022 The City of El Paso on behalf of Public Service Board through El Paso Water Assignments, 2013-2022 Lower Valley Water District Assignments and Report on tax suits (November, December and January) No action was taken on this item.**
- c. **Comparison of EPCWID1 tax assessments and collection during 2020 and 2021 (November, December and January). No action was taken on this item.**

9. General Manager's report concerning the following:

- a. **Report on Riverside Canal clean up.** No action was taken on this item.
- b. **Farmer's meeting on zoom.** No action was taken on this item.
- c. **Start of return flow deliveries.** No action was taken on this item.

10. 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.
- e. **District Policy regarding sale and 3rd party use of District property (TGC §551.072 item)** No action was taken on this item.

11. Maintenance Manager's report and recommendations concerning the following:

- Drain maintenance program and water delivery system.** No action was taken on this item.

12. Water Master's report and recommendations concerning the following:

- Water use and availability.** No action was taken on this item.

13. Water delivery allocations to EPCWID water users and water available by contract. **No action was taken on this item.**

14. Subdivision Plats within District Boundary requirement in License Manual:

- a. **Application 3090 by SOCORRO LOGISTICS LAND, LLC**

for Socorro Logistics Center Unit One for subdivision of irrigable land located near Nuevo Hueco Tanks Blvd and Mesa Drain.

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 3090 by SOCORRO LOGISTICS LAND, LLC for Socorro Logistics Center Unit One for subdivision of irrigable land located near Nuevo Hueco Tanks Blvd and Mesa Drain for a submission of an irrigable land exhibit is approved.

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

- a. **Application 1853, by the City of Socorro, for a 50-year license to construct a free-span bridge across Franklin Canal (an irrigation canal), at Bovee Rd., approximately station 1044+39**

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 1853, by the City of Socorro, for an approval letter under License 1990 to construct a free-span bridge across Franklin Canal (an irrigation canal), at Bovee Rd., approximately station 1044+39 is approved upon the condition that the applicant meets all requirements of the approval letter, 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 1854, by the City of Socorro, for a 50-year license to construct a free-span bridge across Franklin Canal (an irrigation canal), at Rio Vista Rd., approximately station 951+83**

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 1854, by the City of Socorro, for an approval letter under license 1990 to construct a free-span bridge across Franklin Canal (an irrigation canal), at Rio Vista Rd., approximately station 951+83 is approved upon the condition that the applicant meets all requirements of the approval letter, 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 3131, by Conterra Ultra Broadband, LLC, for a 25-year license to construct a subsurface fiber optic cable system across the Upper Clint Lateral (an irrigation canal), approximately station 1+03

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 Application 3131, by Conterra Ultra Broadband, LLC, for a 25-year license to construct a subsurface fiber optic cable system across the Upper Clint Lateral (an irrigation canal), approximately station 1+03 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 3132, by Conterra Ultra Broadband, LLC, for a 25-year license to construct an aerial fiber optic cable system across the Riverside Canal (an irrigation canal), approximately station 33+47

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 Application 3132, by Conterra Ultra Broadband, LLC, for a 25-year license to construct an aerial fiber optic cable system across the Riverside Canal (an irrigation canal), approximately station 33+47 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 3133, by Conterra Ultra Broadband, LLC, for a 25-year license to construct a subsurface fiber optic cable system across the San Elizario Lateral (an irrigation canal) at Tiwa Boulevard, approximately station 6+92

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 Application 3133, by Conterra Ultra Broadband, LLC, for a 25-year license to construct a subsurface fiber optic cable system across the San Elizario Lateral (an irrigation canal) at Tiwa Boulevard, approximately station 6+92 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.

- f. Application 3134, by J.M. Lutich L.P., for a 50-year license for installation of a 2-inch PVC potable water line in a 6-inch steel pipe casing across the I-341 Lateral (an irrigation canal), approximately station 17+00. No action was taken on this item.

- g. Application 3135, by City of El Paso through its El Paso Water Utilities Public Service Board, for a 25-year license for installation of a 15-inch sanitary sewer line inside a 30-inch casing across the Montoya Main Lateral (an irrigation canal) at Bird Way, approximately station 252+69**

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 3135, by City of El Paso through its El Paso Water Utilities Public Service Board, for a 25-year license for installation of a 15-inch sanitary sewer line inside a 30-inch casing across the Montoya Main Lateral (an irrigation canal) at Bird Way, approximately station 252+69 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.

16. Sale of Surplus District Real Property under 49.226 of the Texas Water Code: None
17. Any or all of the items shown on the attached Closed Meeting Agenda. **The Board then entered into a closed session at 10:35 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 12:09 p.m. with no action having been taken in the closed session.**
18. Consideration of agenda items for next regular board meeting.
19. **Adjournment.** On motion duly made, seconded and carried, the Board Meeting adjourned at 12:11 p.m.


Larry Ceballos, Secretary

**Certified Copy of February 16, 2022 Resolution and Order of the Board of Directors of the
El Paso County Water Improvement District No.1 regarding Ordering Election for
May 7, 2022**

Whereas, EL PASO COUNTY WATER IMPROVEMENT DISTRICT NO. 1 (hereinafter referred to as "District") is a political subdivision of the State of Texas and is organized and existing under and by virtue of Article XVI, Section 59, of the Constitution of the State of Texas, and operates under Chapter 49, in part, and Chapter 55 of the Texas Water Code, and other statutes; and

Whereas, the District by resolution and order of December 14, 2005, acting pursuant to Section 41.001 of the Texas Election code (as amended by House bill 57, which was passed in the regular session of the 79th Texas Legislature and signed into law by the Governor of Texas on June 17, 2005), established the second Saturday in May of even numbered years as the date for elections for District positions; and

Whereas, the second Saturday of May for 2022 is on May 7th, and

Whereas, the terms of the Directors for District Divisions 2 and 5 of the District Board of Directors expire in 2022.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Directors of the District that:

1. An election shall be held by the District on May 7, 2022, to elect Directors for District Divisions 2 and 5.
2. The locations of the early voting places shall be at El Paso County Water Improvement District No.1, 13247 Alameda Avenue, Clint, TX 79836 and El Paso County Water Improvement District No.1, 7254 La Junta, Canutillo, TX 79835. Early voting shall begin on April 25, 2022.
3. Early voting by personal appearance shall be conducted between the hours of 8:00am and 6:00pm (local time) on April 25, 2022 through May 3, 2022.
4. The voting on May 7, 2022, shall be conducted at two designated polling place, within two District Divisions, which shall be as follows:

Division	Polling Location
1	El Paso County Water Improvement District No.1 7254 La Junta, Canutillo, TX 79835 (regular and early voting)
2	El Paso County Water Improvement District No. 1 13247 Alameda Avenue, Clint, Texas 79836 (regular and early voting)

CERTIFICATE

I, LORENZO CEBALLOS, SECRETARY OF THE BOARD OF DIRECTORS FOR THE EL PASO COUNTY WATER IMPROVEMENT DISTRICT NO.1, DO HEARBY CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF A RESOLUTION ADOPTED AT THE MEETING OF THE BOARD OF DIRECTORS OF EL PASO COUNTY WATER IMPROVEMENT DISTRICT NO.1 WHICH WAS HELD ON FEBRUARY 16, 2022.



LORENZO CEBALLOS, SECRETARY
BOARD OF DIRECTORS
EL PASO COUNTY WATER IMPROVEMENT DISTRICT NO.1

DATE: 02/16/2022