

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

<b>DIRECTORS PRESENT</b>	<b>EMPLOYEES PRESENT</b>
<b>Johnny Stubbs, President (via telephone)</b>	<b>Jesus Reyes, General Manager</b>
<b>Art Ivey, Vice-President</b>	<b>Mary Cortez, Chief Financial Officer</b>
<b>Larry Ceballos, Secretary</b>	<b>Lisa Aguilar, Chief Administrative Officer</b>
<b>George Brooks, Assistant Secretary</b>	<b>Rose Rodriguez, Tax Assessor/Collector/Office Manager</b>
<b>Miguel Teran, Director</b>	<b>Pete Rodriguez, Maintenance Manager</b>
	<b>Robert Rios, Water Master</b>
	<b>Bert Cortez, Licensing Manager</b>
<b>LEGAL COUNSEL</b>	<b>Cathy Oyston, Water Records/ Dispatcher Supervisor</b>
<b>Jim Speer, Attorney At Law</b>	<b>Claudia Ruiz, Administrative Assistant</b>
<b>Phil Bowen, Attorney At Law</b>	<b>Omar Martinez, Grant Writer</b>
<b>Maria O Brien, Attorney At Law</b>	
<b>Renea Hicks, Attorney At Law (via zoom)</b>	
	<b>GUESTS</b>
<b>DISTRICT ENGINEER</b>	<b>Larry Vasquez, USBR</b>
<b>Dr. Al Blair, District Engineer (via zoom)</b>	<b>James M. Speer IV</b>
	<b>Danny Chavez, HCCRD#1</b>
	<b>Ponchl Herrera, USBP</b>
	<b>Jennifer Faler, USBR</b>
	<b>Robert Kimpel, Visitor</b>

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 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 February 16, 2022 meeting of the Board of Directors.

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 draft minutes of the special meeting held on February 16, 2022 are approved.**

4. Report and recommendations by Lisa Aguilar, Chief Administrative Officer/Election Officer, concerning office operations, and elections:
  - a. **Cancellation of Election of Board of Directors on May 7, 2022, pursuant to the Texas Election Code 2.053 because of lack of opposition candidates.**

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)**

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.

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 the following are the tax adjustments for the month of March:**

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:

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

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

1. Reference Acct, (\$20.00), 2021;
2. Duran Ernesto to The City of Socorro, (\$23.50), 2021;
3. Duran Ernesto to The City of Socorro, (\$1.55), 2021;
4. State of Texas, (\$23.50), 2021;
5. State of Texas, (\$3.50), 2021.

- b. **2013-2022 The City of El Paso and it's Public Service Board Assignments, 2013-2022 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 2020 and 2021.** No action was taken on this item.

7. General Manager's report concerning the following:

- a. **Resolution approving application to the Texas Water Development Board FY2022 Agricultural Water Conservation**

**Grants program to construct the Riverside Canal Sediment Control Structure**

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

- b. Resolution approving application to the U.S. Bureau of Reclamation FY2022 Small-Scale Water Efficiency Program to concrete line sections of the Montoya Main Lateral and Montoya A Lateral**

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).**

- 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.
  - e. District Policy regarding sale and 3<sup>rd</sup> party use of District property (TGC §551.072 item)** 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:

**a. Application 3077, by Conde Inc., for Rancho Escondido Estates Subdivision, being Tract 2E2, block 11, Socorro Grant, City of Socorro, El Paso County, Texas, containing 7.0390 acres**

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 3077, by Conde Inc., for Rancho Escondido Estates Subdivision, being Tract 2E2, block 11, Socorro Grant, City of Socorro, El Paso County, Texas, containing 7.0390 acres, for submission of an irrigable land exhibit is approved.**

**b. Application 3088, by EPWCV, LLC, for Village at Westside Crossing Phase Two Subdivision, being a portion of Tracts 1H and 1H1, block 10, Upper Valley Grant Surveys, City of El Paso, El Paso County, Texas, containing 35.9663 acres, for submission of an irrigable land exhibit**

**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 Larry Ceballos, seconded by George Brooks, duly considered and carried by a majority vote of the Directors present, with Miguel Teran abstaining and leaving the room, it was:

**RESOLVED: that application 3088, by EPWCV, LLC, for Village at Westside Crossing Phase Two Subdivision, being a portion of Tracts 1H and 1H1, block 10, Upper Valley Grant Surveys, City of El Paso, El Paso County, Texas, containing 35.9663 acres, for submission of an irrigable land exhibit is approved.**

**c. Application 3089, by Lower East Valley Holding Co., LLC/Lower East Valley, LLC, for Valle Nuevo Commercial Center #1 Subdivision, being a portion of tracts 11, 12A, 13A2, 14 and 14-A, block 5, Socorro Grant, City of Socorro, El Paso County Texas, containing 23.56 acres, Submission of Irrigable Land Exhibit**

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 3089, by Lower East Valley Holding Co., LLC/Lower East Valley, LLC, for Valle Nuevo Commercial Center #1 Subdivision, being a portion of tracts 11, 12A, 13A2, 14 and 14-A, block 5, Socorro Grant, City of Socorro, El Paso County Texas, containing 23.56 acres, for submission of an irrigable land exhibit is approved.**

**d. Application 3109, by EPWCV, LLC, for Village at Westside Crossing Phase Three Subdivision, being a portion of Tracts 1J3, 1J1B, 1K2, and a portion of tracts 1H and 1H1, block 10, Upper Valley Grant Surveys, City of El Paso, El Paso County, Texas, containing 24.9960 acres, Submission of Irrigable Land Exhibit**

**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 Larry Ceballos, seconded by George Brooks, duly considered and carried by a majority vote of the Directors present, with Miguel Teran abstaining and leaving the room, it was:

**RESOLVED: that application 3109, by EPWCV, LLC, for Village at Westside Crossing Phase Three Subdivision, being a portion of Tracts 1J3, 1J1B, 1K2, and a portion of tracts 1H and 1H1, block 10, Upper Valley Grant Surveys, City of El Paso, El Paso County, Texas, containing 24.9960 acres, Submission of Irrigable Land Exhibit is approved.**

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

- a. **Application 3091, by Lower East Valley Holding Co., LLC/Lower East Valley, LLC., for a 25-year license to construct a 10'x6' cast in place box culvert for parking area within the Mesa Drain (an irrigation canal), at approximately station 771+75. No action was taken on this item.**
- b. **Application 3092, by Lower East Valley Holding Co., LLC/Lower East Valley, LLC., for a 25-year license to construct a 10'x6' cast in place box culvert within the Mesa Drain (an irrigation canal), for proposed Market Place Road, at approximately station 773+15.71. No action was taken on this item.**
- c. **Application 3093, by Lower East Valley Holding Co., LLC/Lower East Valley, LLC., for a 25-year license to construct a 6'x6' cast in place box culvert with the Juan De Herrera Branch C Lateral (an irrigation canal), for proposed Market Place Road, at approximately station 30+66. No action was taken on this item.**
- d. **Application 3094, by Lower East Valley Holding Co., LLC/Lower East Valley, LLC., for a 25-year license to construct a 6'x6' cast in place box culvert within the Juan De Herrera Branch C Lateral (an irrigation canal), at**

**approximately station 30+66.73. No action was taken on this item.**

- e. Application 3097, by Lower Valley Water District, for a 25-year license for an 18-inch sanitary sewer line inside a 36-inch steel casing by open cut/trench method crossing the Mesa Drain (an irrigation canal) at Market Place Rd., approximately station 773+02.16. No action was taken on this item.**
- f. Application 3098, by Lower Valley Water District, for a 25-year license for a 12-inch water line inside a 24-inch steel casing by open cut/trench method crossing the Mesa Drain (an irrigation canal) at Market Place Rd., approximately station 773+19.82. No action was taken on this item.**
- g. Application 3099, by Lower Valley Water District, for a 25-year license for an 18-inch sanitary sewer line inside a 36-inch steel casing by open cut/trench method crossing the Juan De Herrera Lateral Branch C (an irrigation canal) at Market Place Rd., approximately station 30+71.90. No action was taken on this item.**
- h. Application 3100, by Lower Valley Water District, for a 25-year license for a 12-inch water line in a 24-inch steel casing by open cut/trench method crossing the Juan De Herrera Lateral Branch C (an irrigation canal) at Market Place Rd., approximately station 30+56.40. No action was taken on this item.**
- i. 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**

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 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 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.

- j. Application 3140, by El Paso Electric Company, for a 50-year license to cross the Madre Lateral (an irrigation canal) at approximately station 1+34 to construct a single phase (4kV) overhead power line**

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:

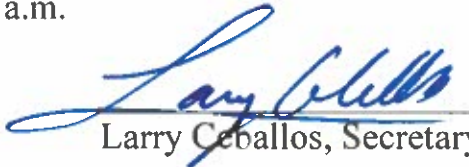
**RESOLVED:** that Application 3140, by El Paso Electric Company, for a 50-year license to cross the Madre Lateral (an irrigation canal) at approximately station 1+34 to construct a single phase (4kV) overhead power line is approved upon the condition that the applicant meets all requirements of the 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.

- k. Application 3145, by El Paso Electric Company, for a 50-year license to cross the Franklin Canal (an irrigation canal) at approximately station 936+94 to construct a three phase (14kV) overhead power line**

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 3145, by El Paso Electric Company, for a 50-year license to cross the Franklin Canal (an irrigation canal) at approximately station 936+94 to construct a three phase (14kV) overhead power line 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:
  - a. **Consideration of offer by City of El Paso and its Public Service Board for a portion of the Franklin Drain.** 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 10:19 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 10:36 a.m. with no action having been taken in the closed session.**
16. Consideration of agenda items for next regular board meeting.
17. **Adjournment.** On motion duly made, seconded and carried, the Board Meeting adjourned at 10:36 a.m.

  
Larry Ceballos, Secretary

**ORDER OF CANCELLATION**

The **El Paso County Water Improvement District No. 1** hereby cancels the election to be held on **May 7, 2022**, in accordance with Section 2.053(a) of the Texas Election Code.

The following candidates have been certified as unopposed and are hereby elected as follows:

<b>Candidate</b>	<b>Office Sought</b>
Miguel Teran	Director Division #2
Arthur Ivey	Director Division #5

A copy of this order will be posted on Election Day at each polling place that would have been used in the election.

**CERTIFICATE**

I, **LORENZO CEBALLOS**, SECRETARY OF THE BOARD OF DIRECTORS FOR THE **EL PASO COUNTY WATER IMPROVEMENT DISTRICT NO.1**, DO HEREBY CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE RESOLUTION OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF EL PASO COUNTY WATER IMPROVEMENT DISTRICT NO. 1 WHICH WAS HELD ON MARCH 16, 2022 AT 9:00 O’CLOCK A.M.



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

DATE: 3/16/2022

## ORDEN DE CANCELACIÓN

Por medio de la presente, se da aviso que **El Paso County Water Improvement District No. 1** cancela la elección programada para el **7 de Mayo del 2022**, de acuerdo con la Sección 2.053(a) del Código de Elecciones de Texas. Los siguientes candidatos han sido certificados como candidatos sin oposición y por lo tanto quedan elegidos a las siguientes funciones:

Candidato	Cargo al que presenta candidatura
Miguel Teran	Director, Division Num. dos
Arthur Ivey	Director, Division Num. cinco

Se publicará una copia de esta orden el Día de la Elección en cada modulo de votación que se utilizo como parte de este proceso.

### CERTIFICACIÓN

YO, LORENZO CEBALLOS, COMO SECRETARIO DE LA JUNTA DIRECTIVA DEL **EL PASO COUNTY WATER IMPROVEMENT DISTRICT NO.1**, CERTIFICO QUE EL ANTERIOR ES UNA COPIA VERDADERA Y CORRECTA DE LA RESOLUCIÓN APROVADA DURANTE LA REUNIÓN REGULAR DE LA JUNTA DIRECTIVA DE LA JUNTA DE DIRECTORES DE DISTRITO DEL EL PASO COUNTY WATER IMPROVEMENT DISTRICT NO. 1, QUE SE LLEVÓ A CABO EL 16 DE MARZO DE 2022 EN 9:00 A.M.

  
LORENZO CEBALLOS, SECRETARIO  
DE JUNTA DIRECTIVA  
EL PASO WATER IMPROVEMENT DISTRICT NO.1

DATE: 3/16/2022

## 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 Texas Water Development Board for a Grant totaling \$150,000 to improve the District's water use efficiency by completing the Riverside Canal Sediment Control Structure Project.

**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 Texas Water Development Board 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 shall fund 67% of the Project Costs with the total Project Cost not to exceed an amount of \$407,260.

El Paso County Water Improvement District No.1



By: Arthur Ivey, Vice President

**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 Fiscal Year 2022 WaterSMART Small-Scale Water Efficiency Program for a Grant totaling \$100,000 to conserve water and improve the District's water use efficiency by concrete lining sections of the Montoya Main Lateral and Montoya A Lateral.

**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: Arthur Ivey, Vice 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 16<sup>th</sup> day of **March, 2022**, the following matter came before the Board for consideration:

12b. Application 3088, by EPWCV, LLC, for Village at Westside Crossing Phase Two Subdivision, being a portion of Tracts 1H and 1H1, block 10, Upper Valley Grant Surveys, City of El Paso, El Paso County, Texas, containing 35.9663 acres, Submission of Irrigable Land Exhibit.

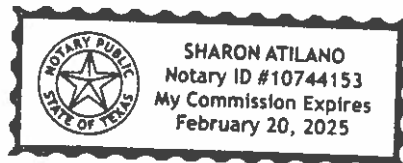
12d. Application 3109, by EPWCV, LLC, for Village at Westside Crossing Phase Three Subdivision, being a portion of Tracts 1J3, 1J1B, 1K2, and a portion of tracts 1H and 1H1, block 10, Upper Valley Grant Surveys, City of El Paso, El Paso County, Texas, containing 24.9960 acres, Submission of Irrigable Land Exhibit.


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 16<sup>th</sup> day of March, 2012, by Miguel Teran.



  
\_\_\_\_\_  
Notary Public, State of Texas  
My commission expires: