

**Minutes of Regular Meeting
 Board of Directors
 El Paso County Water Improvement District No. 1
 (EPCWID)
 May 8, 2024**

DIRECTORS PRESENT	EMPLOYEES PRESENT
Johnny Stubbs, President	Jay Ornelas, PE General Manager
Art Ivey, Vice-President	Lisa Aguilar, Chief Administrative Officer
Larry Ceballos, Secretary	Mary Cortez, Chief Financial Officer
Miguel Teran, Director	Sharon Atilano, Licensing Manager
George Brooks, Director	Rose Rodriguez, Tax Assessor Collector
	Jorge Escobedo, Maintenance Supervisor
	Robert Rios, Water Master
LEGAL COUNSEL	Enrique Perez, Operations Supervisor
Renea Hicks, Attorney At Law	Luis Almeraz, Shop Supervisor
Maria O'Brien, Attorney At Law	Claudia Ruiz, Administrative Assistant
	Sonia Ontiveros, Tax Collector Assistant
DISTRICT ENGINEER	
Dr. Al Blair, PE District Engineer	GUESTS
	Robert Kimpel, Guest
	Michelle Estrada Lopez, Reclamation
	Monique Marquez, Reclamation
	Jennifer Faler, Reclamation

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 April 10, 2024 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 April 10, 2024 are approved.

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

- a. Recognition and Swearing-In of Re-elected Directors to New Terms**

Lisa Aguilar, Chief Administrative Officer/Election Officer, administered the Oath of Office to George Brooks, Johnny Stubbs and Larry Ceballos.

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. Amendment of Budget for 2023-2024**

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 Amendment of Budget for 2023-2024 is approved.

6. Report and recommendations by Rose Rodriguez, Tax Assessor Collector, 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 April:

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:

WHEREAS: Rose Rodriguez, Tax Assessor/Collector for EPCWID1 recommends adjustments or corrections to the tax rolls reviewed during the month of April 2024;

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

1. Sparks Peyton N Et al to KS Real Estate & Agra Properties LLC, (\$743.22), 2012.

b. 2013-2023 The City of El Paso and it's Public Service Board Assignments, 2013-2023 Lower Valley Water District Assignments and Report on tax suits. No action was taken on this item.

c. Comparison of EPCWID tax assessments and collection during 2022 and 2023. No action was taken on this item.

7. General Manager's report concerning the following:

a. USBR- Albuquerque Area Office Drought Resilience Presentation. No action was taken on this item.

b. Discuss attending USBR meeting on May 10, 2024, in Albuquerque, NM. No action was taken on this item.

- c. **Discuss letters of support to governmental entities for various projects.** No action was taken on this item.
- d. **General Manager authorization to execute temporary (6 month term or less) licenses for construction easements and use of District facilities to convey groundwater from construction dewatering**

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 authorize the General Manager to execute temporary (6 month term or less) licenses for construction easements and use of District facilities to convey groundwater from construction dewatering licenses.

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

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

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

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

11. Water delivery allocations to EPCWID water users and water available by contract. **None.**
12. Subdivision Plats within District Boundary requirement in License Manual (irrigable land exhibit):

- a. **Application 3477, by Horizone Properties, LLC, for Horizone Subdivision, being a portion of tract 24E, block 9, City of Socorro, El Paso County, Texas, containing 3.766 acres**

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 3477, by Horizone Properties, LLC, for Horizone Subdivision, being a portion of tract 24E, block 9, City of Socorro, El Paso County, Texas, containing 3.766 acres for a submission of an irrigable land exhibit is approved.

- b. **Application 3478, by ARH Horizon Estates, LLC, for Horizon Estates Subdivision, being a portion of lot 1, block 1, City of Socorro, El Paso County, Texas, containing 19.97 acres**

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 3478, by ARH Horizon Estates, LLC, for Horizon Estates Subdivision, being a portion of lot 1, block 1, City of Socorro, El Paso County, Texas, containing 19.97 acres for a submission of an irrigable land exhibit is approved.

- c. **Application 3482, by Xynergy Holdings & Investments, LLC, for Dekko Del Vista Replat A, being a portion of lot 1, block 1, Dekko Del Vista Subdivision, City of El Paso, El Paso County, Texas, containing 15.5922 acres**

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 3482, by Xynergy Holdings & Investments, LLC, for Dekko Del Vista Replat A, being a portion of lot 1, block 1, Dekko Del Vista Subdivision, City of El Paso, El Paso County, Texas, containing 15.5922 acres for a submission of an irrigable land exhibit is approved.

d. Application 3483, by Mr. Francisco Rivas, for Villagran Subdivision, being a portion of tract 4C-16, block 3, City of Socorro, El Paso County, containing 0.902 acres.

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 3483, by Mr. Francisco Rivas, for Villagran Subdivision, being a portion of tract 4C-16, block 3, City of Socorro, El Paso County, containing 0.902 acres for a submission of an irrigable land exhibit is approved.

e. Application 3484, by Ben Ivey, for Rancho Del Rey Logistics Park Phase 1 Subdivision, being a portion of lots 1 and 2, block 2, A&M addition, Abstract No. 214, City of El Paso, El Paso County, Texas, containing 63.0447 acres out of section 42

Vice-President Art Ivey 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 Miguel Teran, seconded by George Brooks, duly considered and carried by a majority vote of the Directors present, with Art Ivey abstaining it was:

RESOLVED: that application 3484, by Ben Ivey, for Rancho Del Rey Logistics Park Phase 1 Subdivision, being a portion of lots 1 and 2, block 2, A&M addition, Abstract No. 214, City of El Paso, El Paso County, Texas, containing 63.0447 acres out of section 42 for a submission of an irrigable land exhibit is approved.

13. Applications for Licenses and Memorandums of Understanding for Use of District Real Property:

a. 4 Applications for FiberLight

Application 3445, by FiberLight, for a 25-year license for a subsurface fiber optic cable system crossing the Wadlington Lateral (an irrigation lateral), at Alameda Avenue, approximately station 1+36

Application 3446, by FiberLight, for a 25-year license for a subsurface fiber optic cable system crossing the Ysla Lateral (an irrigation lateral), at Alameda Avenue, approximately station 1+14

Application 3447, by FiberLight, for a 25-year license for a subsurface fiber optic cable system crossing the Daugherty Lateral (an irrigation lateral), at Alameda Avenue, approximately station 1+14

Application 3448, by FiberLight, for a 25-year license for a subsurface fiber optic cable system crossing the Salitral Lateral (an irrigation lateral), at Alameda Avenue, approximately station 2+28

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 4 Applications for Fiberlight, are approved upon the condition that the applicant meets all requirements, 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 3457, by Texas Department of Transportation, to extend a 72-inch reinforced concrete pipe within the Nemexas Drain (a drainage canal) at Artercraft Road and Upper Valley Road, approximately station 175+76**

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 application 3457, by Texas Department of Transportation, to extend a 72-inch reinforced concrete pipe within the Nemexas Drain (a drainage canal) at Artercraft Road and Upper Valley Road, approximately station 175+76, is approved upon the condition that the applicant meets all requirements, 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. 2 Applications for Lower Valley Water District**

Application 3463, by Lower Valley Water District, for a 25-year license to place an 8-inch potable water line inside a 16-inch steel casing, crossing the Y-147 Lateral (an irrigation lateral), at Francisco Vaquera Dr., at approximately station 84+80

Application 3464, by Lower Valley Water District, for a 25-year license to place a 12-inch sanitary sewer line inside a 24-inch steel casing, crossing the Y-147 Lateral (an irrigation lateral), at Francisco Vaquera Dr., at approximately station 84+64

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 2 Applications for Lower Valley Water District, are approved upon the condition that the applicant meets all requirements, 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 3479, by City of Socorro, for a renewal of a 25-year license to maintain a public park and associated facilities on the surface of a portion of Mesa Drain (an irrigation drainage canal) at Delilah Ave., between approximate station 633+80 to 644+30. No action was taken on this item.

e. 2 Applications for El Paso Electric

Application 3485, by El Paso Electric Company, for a 50-year license for a three-phase overhead power line, crossing the La Union East Lateral (an irrigation lateral), at Westside Rd., at approximately station 477+12

Application 3489, by El Paso Electric Company, for a 50-year license for a three-phase overhead power line, crossing the Y-147 Lateral (an irrigation lateral), at Francisco Vaquera Dr., at approximately station 84+47

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 2 Applications for El Paso Electric, are approved upon the condition that the applicant meets all requirements, 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 3487, by Conterra Networks, for a 25-year license for an aerial fiber optic cable system crossing the Southside Feeder Lateral (an irrigation lateral), at Southside Rd., at approximately station 72+42**

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 the Application 3487, by Conterra Networks, for a 25-year license for an aerial fiber optic cable system crossing the Southside Feeder Lateral (an irrigation lateral), at Southside Rd., at approximately station 72+42, is approved upon the condition that the applicant meets all requirements, 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. Letters of No Objection for Natural Gas Service installed with the Rights-of-Ways of Public Roads: **None.**
15. Approval of Construction Dewatering Licenses for Conveyance Groundwater: **None.**
16. Letters of Approval and/or Amendments of existing License Agreements: **None.**
17. Agreement to classify Non-irrigable land as irrigable land: **None.**
18. Public Sale of Surplus District Real Property under 49.226 of the Texas Water Code for approximately 1.27 acres of surplus land, within the

Clint Spur Drain, San Elizario Grant, Block 19, El Paso County, Texas.
No action was taken on this item.

19. Grants Agreements involving District Real Property: **None.**
20. Any or all of the items shown on the attached Closed Meeting Agenda.

The Board then entered into a closed session at 10:31 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 11:40 a.m. with no action having been taken in the closed session.

21. Consideration of agenda items for next regular board meeting.
22. **Adjournment.** On motion duly made, seconded and carried, the Board Meeting adjourned at 11:42 a.m.


Lorenzo C. Ceballos, Secretary

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

I, **Art Ivey**, 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 **8th** day of **May, 2024**, the following matter came before the Board for consideration:

12e. Application 3484, by Ben Ivey, for Rancho Del Rey Logistics Park Phase 1 Subdivision, being a portion of lots 1 and 2, block 2, A&M addition, Abstract No. 214, City of El Paso, El Paso County, Texas, containing 63.0447 acres out of section 42

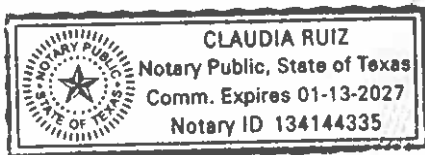
Since the matter involved a business entity or real property in which I have a substantial interest, as defined in Chapter 171 of the Texas Local Government Code, I abstained from participation in the matter. The nature and extent of the interest is the following:

Conflict of interest. He is my first cousin, therefore I need to have no opinion on his action.

Signature: _____



Subscribed and sworn to this 8th day of May, 2024, by Art Ivey.



Notary Public, State of Texas
My commission expires:

