

**Minutes of Regular Meeting  
Board of Directors  
El Paso County Water Improvement District No. 1  
(EPCWID)  
September 11, 2024**

<b>DIRECTORS PRESENT</b>	<b>EMPLOYEES PRESENT</b>
<b>Art Ivey, President</b>	<b>Jay Ornelas, PE General Manager</b>
<b>Larry Ceballos, Vice-President</b>	<b>Lisa Aguilar, Chief Administrative Officer</b>
<b>George Brooks, Secretary</b>	<b>Mary Cortez, Chief Financial Officer</b>
<b>Miguel Teran, Director</b>	<b>Sharon Atilano, Licensing Manager</b>
<b>Jarett Rogers, Director</b>	<b>Rose Rodriguez, Tax Assessor Collector</b>
	<b>Pete Rodriguez, Maintenance Manager</b>
	<b>Robert Rios, Water Master</b>
	<b>Enrique Perez, Operations Supervisor</b>
	<b>Cathy Oyston, Water Records/ Dispatch Supervisor</b>
<b>LEGAL COUNSEL</b>	<b>Claudia Ruiz, Administrative Assistant</b>
<b>Maria O'Brien, Attorney At Law (via zoom)</b>	<b>Sonia Ontiveros, Tax Collector Assistant</b>
<b>Renea Hicks, Attorney At Law (via zoom)</b>	
	<b>GUESTS</b>
<b>DISTRICT ENGINEER</b>	<b>Robert Kimpel, Guest</b>
<b>Dr. Al Blair, PE District Engineer (via zoom)</b>	<b>Danny Chavez, HCCRD</b>
	<b>Ernesto Madrid, US Border Patrol</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 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 August 14, 2024 meeting of the Board of Directors.

After a motion by Jarett Rogers, 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 regular meeting held on August 14, 2024 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 and Consulting Fees Budget Report.** No action was taken on this item.
  - d. **Engagement Letter for FY2023-2024 audit by Pena Briones McDaniel & Co PC**

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 Engagement Letter for FY2023-2024 audit by Pena Briones McDaniel & Co PC is approved.**

- e. **Purchasing policy change**

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

**RESOLVED: that the Purchasing policy change 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.** No action was taken on this item.

b. **2013-2024 The City of El Paso and it's Public Service Board Assignments, 2013-2024 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. **Resolution approving 2024 TCEQ Drought Conservation Plan for Irrigation Use and 2024 TCEQ Water Conservation Plan and Implementation Report**

After a motion by Larry Ceballos, seconded by Jarett Rogers, 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.

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 3520, by Cuatro Land Holding, LLC c/o Del Rio Engineering, Inc., for Rio Vista Estates Unit II, being a portion of tracts 15-C-1 and 15-D, block 13, Upper Valley Surveys, and a remnant portion of lot 25, block 1, Edmundo Kauffman Estates Replat "A", El Paso County, Texas, containing 14.33 acres**

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 3520, by Cuatro Land Holding, LLC c/o Del Rio Engineering, Inc., for Rio Vista Estates Unit II, being a portion of tracts 15-C-1 and 15-D, block 13, Upper Valley Surveys, and a remnant portion of lot 25, block 1, Edmundo Kauffman Estates Replat "A", El Paso County, Texas, containing 14.33 acres for a submission of an irrigable land exhibit is approved.**

- b. Application 3522, by Bertha A. Martinez, for Athena West Replat G, being a portion of lot 17 and 18, block 09, Athena West, El Paso County, Texas, containing 5.08 acres**

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 3522, by Bertha A. Martinez, for Athena West Replat G, being a portion of lot 17 and 18, block 09, Athena West, El Paso County, Texas, containing 5.08 acres 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. Application 3391, by City of El Paso on behalf of Public Service Board, for a 25-year license to construct a 24-inch reinforced concrete pipe from storm water discharge into the right bank of Mesa Drain (a drainage canal) at Gilmore Way, at approximately station 948+65**

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 3391, by City of El Paso on behalf of Public Service Board, for a 25-year license to construct a 24-inch reinforced concrete pipe from storm water discharge into the right bank of Mesa Drain (a drainage canal) at Gilmore Way, at approximately station 948+65, 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.**

- b. Application 3462, by Texas Gas Service Company, a division of ONE Gas, for a 25-year license to replace an existing 4” steel main natural gas pipeline encased in 8” hdpe casing, crossing the Upper Clint Lateral (an irrigation lateral) at Passmore Rd., at approximately station 29+05**

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 3462, by Texas Gas Service Company, a division of ONE Gas, for a 25-year license to replace an existing 4” steel main natural gas pipeline encased in 8” hdpe casing, crossing the Upper Clint Lateral (an irrigation lateral) at Passmore Rd., at approximately station 29+05, 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. Application 3523, by Vasquez Pools Construction, LLC, for a temporary license on the Montoya Drain (a drainage canal), from Red Road, at approximately station 283+10 to station 269+18 along left bank**

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

**RESOLVED: that Application 3523, by Vasquez Pools Construction, LLC, for a temporary license on the Montoya Drain (a drainage canal), from Red Road, at approximately station 283+10 to station 269+18 along left bank, 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 within the Rights-of-Ways of Public Roads:

**a. 2 letters of No Objection for Natural Gas Service**

**Application 3461, by Texas Gas Service Company, a division of ONE Gas, for replacement of existing 4” steel main natural gas pipeline encased in 8” hdpe casing, crossing the Lowenstein Lateral (an irrigation lateral) at Carnes Rd., at approximately station 14+37**

**Application 3474, by Texas Gas Service Company, a division of ONE Gas, for replacement of existing 4” steel main natural gas pipeline encased in 8” hdpe casing, crossing Jornada Lateral (an irrigation lateral) at Padilla Rd., at approximately station 96+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 2 letters of No Objection for Natural Gas Service, 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.**

15. Approval of Construction Dewatering Licenses for Conveyance Groundwater:

**a. Application 3517, by Lower Valley Water District, for a license for use of District facilities for conveyance of groundwater from construction dewatering into the Franklin Drain**

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 3517, by Lower Valley Water District, for a license for use of District facilities for conveyance of groundwater from construction dewatering into the Franklin Drain, 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 3521, by Cultivate Construction TX, LLC, for a license for use of District facilities for conveyance of groundwater from construction dewatering into the La Union East 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: that Application 3521, by Cultivate Construction TX, LLC, for a license for use of District facilities for conveyance of groundwater from construction dewatering into the La Union East Lateral, 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. Letters of Approval and/or Amendments of existing License Agreements: **None**

- 17. Agreement to classify Non-irrigable land as irrigable land: **None.**



18. Sale of Surplus District Real Property under 49.226 of the Texas Water Code:

- a. **Application 3468, by City of El Paso on behalf of Public Service Board, consider offer to purchase approximately 9 acres of surplus land known as the Rio Intercepting Drain located adjacent to the Roberto Bustamante Wastewater Treatment Plant**

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

**RESOLVED: that Application 3468, by City of El Paso on behalf of Public Service Board, for purchase of approximately 9 acres of surplus land known as the Rio Intercepting Drain located adjacent to the Roberto Bustamante Wastewater Treatment Plant, is approved and the officers of El Paso County Water Improvement District No. 1 shall execute a Deed Without Warranty to City of El Paso on behalf of Public Service Board simultaneously with the payment by City of El Paso on behalf of Public Service Board, of \$215,622 and providing said payment and signed Deed Without Warranty, both within 30 days.**

- b. **Application 3499, by Socorro Logistics Land, LLC, consider offer to purchase a portion of approximately 9.5 acres of the Mesa Spur Drain, all located in Socorro, El Paso County, Texas**

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: that Application 3499, by Socorro Logistics Land, LLC, offer to purchase a portion of approximately 9.5 acres of the Mesa Spur Drain, all located in Socorro, El Paso County, Texas, was not accepted.**

- c. Application 1996, by Del Rio Engineering, consider offer to purchase a portion of approximately 1.2 acres of the Playa Lateral near Craddock Street of surplus land**

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

**RESOLVED: that Application 1996, by Del Rio Engineering, offer to purchase a portion of approximately 1.2 acres of the Playa Lateral near Craddock was not accepted.**

- d. Advertisement for Public Bid for sale of approximately 1.27 acres of surplus land portion of the Clint Spur Drain, San Elizario Grant Block 19, El Paso County.**

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

**RESOLVED: that the solicitation of public bids for the sale of approximately 1.27 acres of surplus land a portion of the Clint Spur Drain, San Elizario Grant Block 19, El Paso County, is approved.**

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 11:33 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 11:38 a.m.

Regular Meeting  
September 11, 2024



George Brooks, Secretary

El Paso County Water Improvement District No. 1

September 11, 2024

Board Meeting

Board Meeting Agenda Item 7a

RESOLUTION

The Board of Directors of El Paso County Water Improvement District No. 1 ("District"), having met in public session with a quorum present on September 11, 2024, hereby RESOLVES that:

*It approves the 2024 Drought Conservation Plan for Irrigation Use and Water Conservation Plan and instructs the District's general manager to submit the plans to the Texas Commission for Environmental Quality after the plans are reviewed by legal counsel for the District.*

The District Board of Directors by:



Art Ivey, President of the Board