

**Minutes of Regular Meeting
 Board of Directors
 El Paso County Water Improvement District No. 1
 (EPCWID)
 October 9, 2024**

DIRECTORS PRESENT	EMPLOYEES PRESENT
Art Ivey, President	Jay Ornelas, PE General Manager
Larry Ceballos, Vice-President	Lisa Aguilar, Chief Administrative Officer
George Brooks, Secretary	Mary Cortez, Chief Financial Officer
Miguel Teran, Director	Rose Rodriguez, Tax Assessor Collector
Jarett Rogers, Director	Pete Rodriguez, Maintenance Manager
	Robert Rios, Water Master
	Cathy Oyston, Water Records/ Dispatch Supervisor
	Claudia Ruiz, Administrative Assistant
LEGAL COUNSEL	
Maria O'Brien, Attorney At Law (via zoom)	Sonia Ontiveros, Tax Collector Assistant
Renea Hicks, Attorney At Law (via zoom)	
	GUESTS
	Robert Kimpel, Guest
DISTRICT ENGINEER	Kathryn Joaquin, Digdeep
Dr. Al Blair, PE 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 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 September 11, 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 September 11, 2024 are approved.

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

- a. **Recognition of Employee Appreciation Day.** No action was taken on this item.
- b. **Zoom phone system.** No action was taken on this item.

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. **\$1,000.00 Expenditure Report.** No action was taken on this item.
- c. **Legal and Consulting Fees Budget Report.** No action was taken on this item.
- d. **Quarterly Investment Report**

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 Quarterly Investment Report for period ending September 30, 2024 is approved.

- e. **Budget for Fiscal Year 2024-2025**

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 Budget for Fiscal Year 2024-2025 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.
 - 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 Miguel Teran, seconded by Larry Ceballos, 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, 2024 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, 2025.

e. Setting contract rate in 2024 for water supplied to tax exempt entities

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 the contract rate for the 2024 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: **None.**
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): **None.**
13. Applications for Licenses and Memorandums of Understanding for Use of District Real Property:
 - a. **Application 3335, by Lower Valley Water District, for a 25-year license to construct a 12-inch PVC C-900 water line a 24-inch steel casing, crossing Clint Lateral (an irrigation lateral) at FM 1110, at approximately station 151+50**

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 3335, by Lower Valley Water District, for a 25-year license to construct a 12-inch PVC C-900 water line a 24-inch steel casing, crossing Clint Lateral (an irrigation lateral) at FM 1110, at approximately station 151+50, 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 3427, by Ysleta Del Sur Pueblo, for a 25-year license to construct a free-span bridge across Franklin Canal (an irrigation canal), at YDSP Clinic, at approximately station 821+00**

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 it was:

RESOLVED: that Application 3427, by Ysleta Del Sur Pueblo, for a 25-year license to construct a free-span bridge across Franklin Canal (an irrigation canal), at YDSP Clinic, at approximately station 821+00, 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 3513, by City of El Paso Water Utilities Public Service Board, for a 25-year license to construct a 12-inch PVC C-900 water line inside a 24-inch steel casing crossing Franklin Canal (an irrigation canal), at Fresno Dr, from approximately station 611+01

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 3513, by City of El Paso Water Utilities Public Service Board, for a 25-year license to construct a 12-inch PVC C-900 water line inside a 24-inch steel casing crossing Franklin Canal (an irrigation canal), at Fresno Dr, from approximately station 611+01, 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.

- d. Application 3526, by Bain Construction, Inc., for a Temporary Ingress & Egress Construction License on the Mesa Spur Drain (a drainage canal), from approximately station 167+50 to 106+00

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 3526, by Bain Construction, Inc., for a Temporary Ingress & Egress Construction License on the Mesa Spur Drain (a drainage canal), from approximately station 167+50 to 106+00, 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 3514, by Texas Gas Service Company, a division of ONE Gas, for installation of a 6-inch PPE steel main natural gas pipeline encased in 10-inch steel pipe, crossing the Juan De Herrera Lateral (an irrigation lateral) at Inglewood Rd., at approximately 342+82

Application 3525, by Texas Gas Service Company, a division of ONE Gas, for installation of a 2-inch PPE steel main natural gas pipeline encased in 4-inch steel casing, crossing the Y-147 Lateral (an irrigation lateral) at Francisco Vaquera Dr., at approximately station 85+99

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 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: **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. Sale of Surplus District Real Property under 49.226 of the Texas Water Code:
 - a. **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 Jarett Rogers, seconded by George Brooks, 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.

- b. **Declaration of surplus land and authorization to sell a portion of block 45, tract 3, San Elizario grant in El Paso County approximately \pm 2 acres**

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 block 45, tract 3, San Elizario grant in El Paso County approximately \pm 2 acres is declared surplus and is approved for authorization to sell.

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 10:54 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 11:57 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 11:59 a.m.

George Brooks, Secretary

**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 9th day of **October, 2024**, the following matter came before the Board for consideration:

13b. Application 3427, by Ysleta Del Sur Pueblo, for a 25-year license to construct a free-span bridge across Franklin Canal (an irrigation canal), at YDSP Clinic, at approximately station 821+00

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 9th day of October, 2024, by Miguel Teran.



Notary Public, State of Texas

My commission expires: 1/13/2027

