

**Minutes of Special Meeting
 Board of Directors
 El Paso County Water Improvement District No. 1
 (“EPCWID”)
 February 15, 2017**

DIRECTORS PRESENT	OTHERS PRESENT
Johnny Stubbs, President	Jesus Reyes, General Manager
Art Ivey, Vice-President	Al Blair, District Engineer/Consultant (via skype)
Indar Singh, Secretary	Jim Speer, Attorney At Law
	Maria O’Brien, Attorney At Law
	Jay Ornelas, Assistant District Engineer
DIRECTORS NOT PRESENT	Sharon Atilano, Administrative Assistant
Miguel Teran, Director	Lisa Aguilar, HR Manager
Larry Ceballos, Director	Mary Cortez, CFO
	Rose Rodriguez, Tax Assessor/Collector/Office Manager
	Rueben Chavez, Visitor
	Robert Kimpel, Visitor
	Agent Olivas, Clint Border Patrol
	Agent Yanez, Clint Border Patrol

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 8:30 a.m., and the Directors then proceeded to consider the following:

2. Welcome of guests.

No action was taken on this item.

3. Approval of minutes of Special Meeting held on January 18, 2017.

Draft minutes of the Special Meeting held on January 18, 2017 of the Board of Directors were presented for approval.

After a motion by Indar Singh, seconded by Art Ivey, duly considered and carried by unanimous vote of the Board it was:

RESOLVED: that the draft minutes of the Special Meeting held on January 18, 2017 are approved.

4. Reappointment of General Manager.

After a motion by Indar Singh, seconded by Art Ivey, duly considered and carried by unanimous vote of the Board it was:

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, 2017 through January 31, 2018, at a salary equal to an annual rate of \$176,500.00 for the General Manager, payable bi-weekly, and all other benefits currently provided by the District General Manager shall continue; and

BE IT FURTHER RESOLVED: that EPCWID shall immediately contribute the sum of \$10,000.00 to the Internal Revenue Code §457(b) Deferred Compensation Plan of the General Manager, provided that the District's auditing firm approves the same as being in compliance with the Internal Revenue Code and applicable regulations.

5. Reappointment of Chief Financial Officer.

After a motion by Art Ivey, seconded by Indar Singh, duly considered and carried by unanimous vote of the Board it was:

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 equal to an annual rate of \$95,000.00 for the Chief Financial Officer, payable bi-weekly, and all other benefits

currently provided to Mary Cortez by the District shall continue.

6. Report and recommendations by Mary Cortez, Chief Financial Officer, concerning financial information, expenditures, budget, and investment policy:
 - a. **January Report for the month ending January 30, 2017 were presented to the Board of Directors.** No action was taken on this item.
 - b. **\$500 Expenditure Report for the month of January was presented to the Board of Directors.** No action was taken on this item.
 - c. **Legal & Consulting Fees Budget Report.** No action was taken on this item.
 - d. **EPCWID Annual Audit Report for Fiscal Year 2016.**

After a motion by Art Ivey, seconded by Indar Singh, duly considered and carried by unanimous vote of the Board it was:

RESOLVED: that the EPCWID Annual Audit Report for the Fiscal Year ending October 31, 2016 is approved.

7. 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. **The delinquency report for January were presented and reviewed by the Tax Assessor/Collector/Office Manager.**

After a motion by Art Ivey, seconded by Indar Singh, duly considered and carried by unanimous vote of the Board, the following resolution was adopted:

WHEREAS: Rose Rodriguez, Tax Assessor/Collector/Office Manager for EPCWID recommends adjustments or corrections to the tax rolls reviewed during the month of January 2017;

NOW, THEREFORE, BE IT RESOLVED: that the adjustments and corrections to the 2016, 2015, 2014, 2013, 2012, 2011, 2010, 2009, 2008, 2007, 2006, 2005, 2004, 2003, 2002 and 2001 tax rolls for Alvaro & Benita R. Chacon, Chris Chavirra, The County of El Paso, Isidro Baquera Jr., Silverman John & Rita (TR), Garza Roberto R. Jr. & Jessica C., have been reviewed during the month of January 2017 and are approved as shown on the exhibit attached to these minutes.

- b. 2013-2017 City of El Paso Public Service Board Assignments.**
No action was taken on this item.
- c. 2015-2017 Lower Valley Water District Assignments.** No action was taken on this item.
- d. Comparison of EPCWID tax assessments and collections during 2014 and 2015.** No action was taken on this item.
- e. Report on tax suits and interventions filed by EPCWID.** No action was taken on this item.
- f. Reclassification of 304.03 acres of land within the District in the Rio Bosque Park as irrigable.**

After a motion by Indar Singh, seconded by Art Ivey, duly considered and carried by unanimous vote of the Board it was:

RESOLVED: that Application 1901, by the El Paso Water Utilities-Public Service Board, for a contract for reclassification of land within the District in the Rio Bosque Park, approximately (304.03 ac), in the City of El Paso, El Paso County Texas, as irrigable land is approved upon the condition that the applicant meets all requirements of the contract, including paying all fees and costs required by the contract and providing the District with three signed originals of the contract, both within 60 days hereafter, and the officers of EPCWID No. 1 are authorized and directed to execute such contract, a copy of which is attached hereto.

- 8. General Manager's report concerning the following:

- a. **Recognition of Bert Cortez for decades of dedication to and expert management of the Rio Grande Project and the promotion of water conservation and protection of El Paso's surface water supply.** No action was taken on this item.
- b. **Farmers meetings on February 21st at 1:00 p.m. at Texas A&M and 6:00 p.m. at Canutillo School Administration office.** No action was taken on this item.
- c. **Rio Grande Compact Meeting schedule: reception on April 4th and meeting on April 5th in Santa Fe, New Mexico.** No action was taken on this item.
- d. **Offer of Settlement on USA vs. 0.4585 Acres of Land, et al and EPCWID; Civil No. EP-14-CV-00298-DCG.**

After a motion by Indar Singh, seconded by Art Ivey, duly considered and carried by unanimous vote of the Board it was:

RESOLVED: that the Board of Directors give the General Manager, Jesus Reyes, the authority to sign the Settlement Agreement with the USA in USA vs. 0.4585 Acres of Land, et al and EPCWID; Civil No. EP-14-CV-00298-DCG.

- e. **Meeting with EBID Board President Robert Faubion and General Manager Gary Esslinger.** No action was taken on this item.

9. 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.**
- d. **Status of 3rd Party Construction in District Canals and Drains.** 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 master's report and recommendations concerning the following:

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

12. Water delivery allocations to EPCWID water users and water available by contract.

After a motion by Art Ivey, seconded by Indar Singh, duly considered and carried by unanimous vote of the Board it was:

RESOLVED: that the Board of Directors give the General Manager, Jesus Reyes, authorization to set the allocation at 2 acre feet per acre of irrigable land for the 2017 irrigation season and the release date is scheduled for March 31, 2017.

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

License for Use of District Drains within the City Limits of El Paso for conveyance of storm and construction groundwater, subsurface utility crossings, and reimbursement of maintenance and operation.

After a motion by Art Ivey, seconded by Indar Singh, duly considered and carried by unanimous vote of the Board it was:

RESOLVED: that Application 1900, by the City of El Paso, for a license for use of District drains within the City limits of El Paso for conveyance of storm and construction groundwater, subsurface utility crossings, and reimbursement of maintenance and operation is approved upon the condition that the applicant meets all requirements of the license, including paying all fees and costs 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 No. 1 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:

Sale of approximately 17.345 acres located near the heading of the Riverside Canal to the City of El Paso acting through the El Paso Water Utilities Public Service Board.

After a motion by Indar Singh, seconded by Art Ivey, duly considered and carried by unanimous vote of the Board it was:

RESOLVED: that the sale of approximately 17.345 acres located near the heading of the Riverside Canal to the City of El Paso acting through the El Paso Water Utilities Public Service Board is approved.

15. Any or all of the items shown on the attached Closed Meeting Agenda. **The Board then entered into a closed session at 9:48 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 11:03 a.m. with no action having been taken in the closed session.**

16. **Adjournment.** On motion duly made, seconded and carried, the Board Meeting adjourned at 11:09 a.m.


Indar Singh, Secretary