

**Minutes of Special Meeting
Board of Directors
El Paso County Water Improvement District No. 1
("EPCWID")
January 17, 2018**

DIRECTORS PRESENT	OTHERS PRESENT
Johnny Stubbs, President	Jesus Reyes, General Manager
Art Ivey, Vice-President	Maria O' Brien, Attorney at Law
Indar Singh, Secretary	Phil Bowen, Attorney At Law
Larry Ceballos, Director	Jay Ornelas, Assistant District Engineer
Miguel Teran, Director	Dr Al Blair, District Engineer
	Sharon Atilano, Administrative Assistant
	Adriana Avila, Receptionist
	Lisa Aguilar, Chief Administrative Officer
	Mary Cortez, Chief Financial Officer
	Rose Rodriguez, Tax Assessor/Collector/Office Manager
	Robert Rios, Water Master
	Pete Rodriguez, Maintenance Manager
	Robert Kimpel, Visitor
	Danny Chavez, HCCRD General Manager
	Jim Ed Miller, HCCRD
	Renata Manning, NADB
	Gerald Grijalva, General Manager, LVWD
	Ulises Estrada, CEA Group
	John Irizarry, USBR

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 Regular Meeting held on November 8, 2017.

Draft minutes of the Regular Meeting held on November 8 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 Regular Meeting held on November 8, 2017 are approved.

4. Report and recommendations by Mary Cortez, Chief Financial Officer, concerning financial information, expenditures, budget, and investment policy:

- a. **November and December Report for the month ending November 30, 2016 and December 31, 2016 were presented to the Board of Directors.** No action was taken on this item.
- b. **\$500 Expenditure Report for the month of November and December 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. **Quarterly Investment Report.**

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

RESOLVED: that the Board of Directors approve the Quarterly Investment Report.

- e. Authorization for signature on main account with WestStar bank for Mary Cortez, Chief Financial Officer.**

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

RESOLVED: (as shown in full on the attached exhibit)

- 5. 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 reports for November and December were presented and reviewed by the Tax Assessor/Collector/Office Manager.**

After a motion by Indar Singh, 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/Office Manager for EPCWID recommends adjustments or corrections to the tax rolls reviewed during the months of November and December 2017;

NOW, THEREFORE, BE IT RESOLVED: that the adjustments and corrections to the 2017 tax roll for Alfredo & Lucina Alvarez, Celia Aguirre, Maureen Ponce Singleton Revocable Trust and Town of Clint for the year 2017, have been reviewed during the months of November and December 2017 and are approved as shown on the exhibit attached to these minutes.

- b. 2013-2017 City of El Paso Public Service Board Assignments (October, November and December). No action was taken on this item.**

- c. **2015-2017 Lower Valley Water District Assignments (October, November and December).** No action was taken on this item.
- d. **Comparison of EPCWID tax assessments and collections during 2015 and 2016 (October, November and December).** No action was taken on this item.
- e. **Report on tax suits and interventions filed by EPCWID (October, November and December).** No action was taken on this item.

6. General Manager's report concerning the following:

- a. **Lower Valley Water District request to discharge treated sewage effluent into the District Middle Drain near Cuadrilla, Texas.** No action was taken on this item.
- b. **Resolutions of support for water conservation grant applications to the Texas Water Development Board.**

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

RESOLVED: (as shown in full on the attached exhibit)

- c. **Approval of the District's Water Conservation and Drought Contingency Plan**

After a motion by Miguel Teran, seconded by Larry Ceballos, duly considered and carried by unanimous vote of the Board it was:

RESOLVED: (as shown in full on the attached exhibit)

- d. **Resolution of support of a joint grant application with EBID to the U.S. Bureau of Reclamation regarding Reservoir Operations Alternatives study.**

After a motion by Miguel Teran, seconded by Larry Ceballos, duly considered and carried by unanimous vote of the Board it was:

RESOLVED: (as shown in full on the attached exhibit)

- e. **Farmers Meetings on Monday, January 22 at 6:00 p.m. in upper valley at Canutillo Administration Office and Tuesday, January 23 at 1:30 p.m. in lower valley at Texas A&M Facility.** No action was taken on this item
 - f. **Meeting on amendments to 2001 Contract with El Paso Water.** No action was taken on this item
7. District Engineer's report and recommendations concerning the following:
- a. **Rio Grande Project Operating Agreement Accounting and Approval of Canutillo Well Field Adjustments to Allocation Charges**

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 Canutillo well field adjustments to allocation charges are approved.

- b. **Rio Grande Compact Accounting.** No action was taken in this item
- c. **Rio Grande Project Water Supply and Water Allocations.**

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

RESOLVED: that the District's irrigation allocation is set at 3.5 feet per acre of irrigable land for the 2018 irrigation season, including without limitation tax exempt entities and the tracts under 2 acres size will receive eight irrigations and the release date is scheduled for March 16, 2018.

- d. **Status of 3rd Party Construction in District Canals and Drains.** No action was taken on this item.

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

Drain maintenance program and water delivery system. 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. Water delivery allocations to EPCWID water users and water available by contract. No action was taken on this item.

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

- a. **License 1638, by El Paso Electric Company, for renewal of a license to access EPCWID right of way, district wide, for operation and maintenance of existing El Paso Electric Company electrical system**

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

RESOLVED: that License 1638, by El Paso Electric Company, for a renewal of a license to access EPCWID right of way, district wide, for operation and maintenance of existing El Paso Electric Company electrical system 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.

- b. **Application 1949, by Brisco Family Trust II and Geronimo Jordan, for a 25 year license for ingress and egress across La Union East Lateral, approximately Station 403+41 to residence at 6680 Westside Drive in El Paso, Texas**

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

RESOLVED: that Application 1949, by the Brisco Family Trust II and Geronimo Jordan, for a 25 year license for ingress and egress across La Union East Lateral, approximately Station 403+41 to residence at 6680 Westside Drive in El Paso, Texas 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.

- c. **Application 1988, by Conterra Ultra Broadband, LLC, for a 20 year license to construct an aerial fiber optic cable system across Montoya Latera Branch "C" (an irrigation canal) at Frontera Road, approximately Station 61+44**

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

RESOLVED: that Application 1988, by Conterra Ultra Broadband, LLC, for a 20 year license to construct an aerial fiber optic cable system across Montoya Latera Branch "C" (an irrigation canal) at Frontera Road, approximately Station 61+44 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.

- d. **Application 1989, by Conterra Ultra Broadband, LLC, for a 20 year license to construct an aerial fiber optic cable**

system across Montoya Drain (a drainage canal) at Frontera Road, approximately Station 65+71

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

RESOLVED: that Application 1989, by Conterra Ultra Broadband, LLC, for a 20 year license to construct an aerial fiber optic cable system across Montoya Drain (a drainage canal) at Frontera Road, approximately Station 65+71 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.

- e. **Application 1989, by Conterra Ultra Broadband, LLC, for a 20 year license to construct an aerial fiber optic cable system across Jornado Lateral (an irrigation canal) at Davis Drive, approximately Station 34+22**

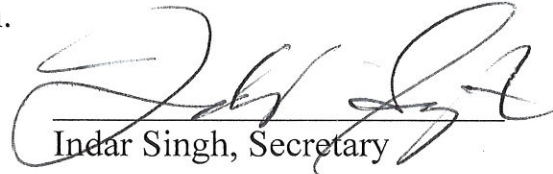
After a motion by Miguel Teran, seconded by Indar Singh, duly considered and carried by unanimous vote of the Board it was:

RESOLVED: that Application 1991, by Conterra Ultra Broadband, LLC, for a 20 year license to construct an aerial fiber optic cable system across Jornado Lateral (an irrigation canal) at Davis Drive, approximately Station 34+22 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.

12. Sale of Surplus District Real Property under 49.226 of the Texas Water Code: **None**

13. Any or all of the items shown on the attached Closed Meeting Agenda. **The Board then entered into a closed session at 10:39 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 11:54 a.m. with no action having been taken in the closed session.**


14. **Adjournment.** On motion duly made, seconded and carried, the Board Meeting adjourned at 11:57 a.m.



Indar Singh, Secretary

**Resolution for Item 4(e) Authorization for signature on main account
with WestStar bank for Mary Cortez, Chief Financial Officer**

Resolved that the Board of Directors authorize the addition of Mary Cortez, Chief Financial Officer, to the main account (151075829) with WestStar bank.



Johnny Stubbs, President

Attest:



Indar Singh, Secretary

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 \$50,000 to conserve water and improve the District's water use efficiency by developing the engineering and design work necessary to concrete line the Riverside Canal.

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 50% of the Project Costs with the total Per Project Cost not to exceed an amount of \$100,000.

El Paso County Water Improvement District No.1



By Johnny Stubbs, President

BEFORE ME, the undersigned authority, Jesus Reyes on this day personally appeared, who after being duly sworn on his oath, said and deposed as follows:

I am the District Manager and authorized to submit an application on behalf of the El Paso County Water Improvement District No. 1 to perform all reasonable actions to support an application to the Texas Water Development Board for an Agricultural Water Conservation Grant requesting funding for the engineering and design work necessary to concrete line the Riverside Canal, and that the District has the ability to fund \$50,000 in expenses and labor, and is requesting the remaining project costs in the amount of \$50,000 from the Texas Water Development Board in the form of an Agricultural Water Conservation Grant, and, if awarded, the District is able to perform the terms and conditions of the award.


District Manager, _____

STATE OF TEXAS

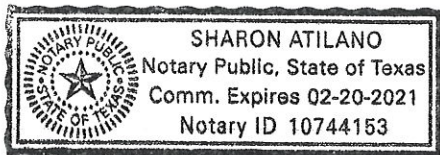
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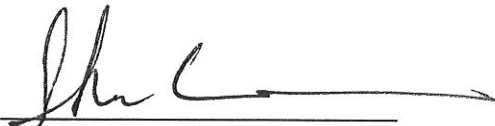
COUNTY OF EL PASO

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Before me, the undersigned authority, Jesus Reyes on this day personally appeared, who stated that he has read the foregoing and to the best of his knowledge the above information is true and accurate.

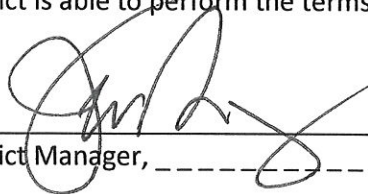
Subscribed and sworn before me on this 17th day of January, 2018




Signed, Notary Public
2/20/2021
My Commission expires on

BEFORE ME, the undersigned authority, Jesus Reyes on this day personally appeared, who after being duly sworn on his oath, said and deposed as follows:

I am the District Manager and authorized to submit an application on behalf of the El Paso County Water Improvement District No. 1 to perform all reasonable actions to support an application to the Texas Water Development Board for an Agricultural Water Conservation Grant requesting funding to expand the District's telemetry system, and that the District has the ability to fund \$75,000 in expenses and labor, and is requesting the remaining project costs in the amount of \$50,000 from the Texas Water Development Board in the form of an Agricultural Water Conservation Grant, and, if awarded, the District is able to perform the terms and conditions of the award.


District Manager, _____

STATE OF TEXAS

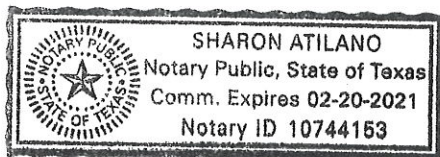
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COUNTY OF EL PASO

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Before me, the undersigned authority, Jesus Reyes on this day personally appeared, who stated that he has read the foregoing and to the best of his knowledge the above information is true and accurate.

Subscribed and sworn before me on this 17th day of January, 2018





Signed, Notary Public
2/20/2021
My Commission expires on

RESOLUTION OF THE BOARD OF DIRECTORS
El Paso County Water Improvement District No.1

January 17, 2018 Meeting

The Board of Directors of El Paso County Water Improvement District No. 1 hereby approves the 2017 revision of the district's 2016 **Water Conservation Plan** and instructs such plan to be submitted by the district's engineer, Dr. A. W. Blair, to the Texas Commission on Environmental Quality (TCEQ).

El Paso County Water Improvement District No.1



By: Johnny Stubbs, President

RESOLUTION OF THE BOARD OF DIRECTORS

El Paso County Water Improvement District No.1

January 17, 2018 Meeting

The Board of Directors of El Paso County Water Improvement District No. 1 hereby approves the 2017 revision of the district's **Drought Contingency Plan** and instructs such plan to be submitted by the district's engineer, Dr. A. W. Blair, to the Texas Commission on Environmental Quality (TCEQ).

El Paso County Water Improvement District No.1



By: Johnny Stubbs, 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 applications to the United States Bureau of Reclamation for a Grant totaling \$150,000 to conserve water and improve the District's water use efficiency.

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;

Whereas, the application to the United States Bureau of Reclamation will be submitted in collaboration with Elephant Butte Irrigation District (EBID) and EBID shall fund 25% of the Project Costs;

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 the application to the United States Bureau of Reclamation 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 25% of the Project Costs with the total Project Cost not to exceed an amount of \$300,000.

El Paso County Water Improvement District No.1



By: Johnny Stubbs, President