

**Minutes of Regular Meeting  
 Board of Directors  
 El Paso County Water Improvement District No. 1  
 (EPCWID1)  
 May 12, 2021**

<b>DIRECTORS PRESENT</b>	<b>EMPLOYEES PRESENT</b>
<b>Johnny Stubbs, President</b>	<b>Jesus Reyes, General Manager</b>
<b>Art Ivey, Vice-President</b>	<b>Jay Ornelas, Assistant District Engineer</b>
<b>Larry Ceballos, Secretary</b>	<b>Mary Cortez, Chief Financial Officer</b>
<b>George Brooks, Assistant Secretary</b>	<b>Lisa Aguilar, Chief Administrative Officer</b>
<b>Miguel Teran, Director (via zoom)</b>	<b>Sonia Ontiveros, Tax Collector Assistant</b>
	<b>Rose Rodriguez, Office Manager/Tax Collector</b>
	<b>Pete Rodriguez, Maintenance Manager</b>
	<b>Robert Rios, Water Master</b>
<b>LEGAL COUNSEL</b>	<b>Sharon Atilano, Engineering Assistant</b>
<b>Jim Speer, Attorney At Law</b>	
<b>Phil Bowen, Attorney At Law</b>	<b>GUESTS</b>
<b>Maria O'Brien Attorney At Law</b>	<b>Robert Kimpel, Visitor</b>
<b>Renea Hicks, Attorney At Law (via zoom)</b>	<b>Alfonso Herrera, USBP</b>
	<b>Jerry Melendez, USBR</b>
<b>DISTRICT ENGINEER</b>	
<b>Dr. Al Blair, District Engineer</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 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 14, 2021 and April 19, 2021 meetings 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 held on April 14, 2021 and Special meeting held on April 19, 2021 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 & Consulting Fees Budget Report.** No action was taken on this item.
6. Report and recommendations by Rose Rodriguez, Tax Assessor/Collector/Office Manager, concerning adjustments and corrections, if any, to assessments, taxes, and charges by EPCWID1.
  - 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 George Brooks, duly considered and carried by unanimous vote of the Board, the following resolution was adopted:

**WHEREAS: Rose Rodriguez, Tax Assessor/Collector/Office Manager for EPCWID1 recommends adjustments or corrections to the tax rolls reviewed during the month of April 2021;**

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

- 1. Soto Jose Emmanuel & Figueroa Monica Bertha, 2020.**
  - b. 2013-2020 City of El Paso Texas on behalf of El Paso Public Service Board Assignments, 2013-2019 Lower Valley Water District Assignments and Report on tax suits.** No action was taken on this item.
  - c. Comparison of EPCWID1 Tax assessments and collection during 2019 and 2020 for the month.** No action was taken on this item.
- 7. General Manager's report concerning the following:**
  - a. Presentation on grant funding and documentation.** No action was taken on this item.
  - b. Update on proposed County of El Paso projects.** No action was taken on this item.
  - c. Proposed MOU with 5 entities on purchase and agreement on use of tire shredder.** No action was taken on this item.
  - d. Farmers meeting through zoom scheduled for 1:00 p.m. today.** No action was taken on this item.
- 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. Maintenance Manager's report and recommendations concerning the following:

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

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

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

11. Water delivery allocations to EPCWID1 water users and water available by contract.

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

**RESOLVED: that the District's initial irrigation allocation is 18 inches per acre of irrigable land for the 2021 irrigation season, including without limitation tax-exempt entities and the tracts under 2 acres in size will receive four irrigations.**

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

**RESOLVED: that the amount available for delivery to the City of El Paso in 2021 is set at 19,811-acre feet under paragraph 7B of the 2001 Rio Grande Project Implementing Third-Party Contract among the United States of America Department of the Interior Bureau of Reclamation, the El**

**Paso County Water Improvement District No. 1, and the City of El Paso joined by its Public Service Board.**

12. Subdivision Plats within District Boundary requirement in License Manual: **None**

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

- a. Application 2236, by Conterra Ultra Broadband, LLC, for a 20-year license to construct a subsurface fiber optic cable system across Lowenstein Lateral (an irrigation canal) at Alameda Avenue, approximately Station 0+76**

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 2236, by Conterra Ultra Broadband LLC, for a 20-year license to construct a subsurface fiber optic cable system across Lowenstein Lateral (an irrigation canal), at Alameda Avenue, approximately Station 0+76 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 EPCWID1 are authorized and directed to execute such license, a copy of which is attached hereto.**

- b. Application 2237, by Conterra Ultra Broadband, LLC, for a 20-year license to construct an aerial fiber optic cable system across Franklin Canal (an irrigation canal) at Carnes Road, approximately Station 816+48**

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 2237, by Conterra Ultra Broadband, LLC, for a 20-year license to construct an aerial fiber optic cable system across Franklin Canal (an irrigation canal) at Carnes Road, approximately Station 816+48 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 EPCWID1 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: None
15. Any or all of the items shown on the attached Closed Meeting Agenda. **The Board then entered into a closed session at 10:43 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 11:32 a.m. with no action having been taken in the closed session.**
16. Consideration of agenda items for next regular board meeting.
17. **Adjournment.** On motion duly made, seconded and carried, the Board Meeting adjourned at 11:33 a.m.

  
Larry Ceballos, Secretary