

**Minutes of Emergency Meeting
Board of Directors
El Paso County Water Improvement District No. 1
("EPCWID")
January 28, 2022**

DIRECTORS PRESENT	OTHERS PRESENT
Johnny Stubbs, President (via telephone)	Jesus Reyes, General Manager
Art Ivey, Vice-President (via telephone)	Al Blair, District Engineer/Consultant (via telephone)
Larry Ceballos, Secretary (via telephone)	Sharon Atilano, Licensing Assistant
George Brooks, Assistant Secretary (via telephone)	
Miguel Teran, Director (via telephone)	

1. Call to order and establishment of a quorum.

There being a quorum of Directors present by telephone or in person, the meeting was called to order by President Johnny Stubbs at 9:00 a.m., and the Directors then proceeded to consider the following:

In accordance with the Texas Open Meetings Act, notice is hereby given that the Board of Directors of EPCWID will attend an emergency meeting by telephone or in person pursuant to Texas Government Code §551.125 and §551.045 in open meeting at the above location, date, and time because there is an emergency as a result of an "urgent public necessity because of an unforeseeable situation" which is: cleanup of raw sewage spill in District canal.

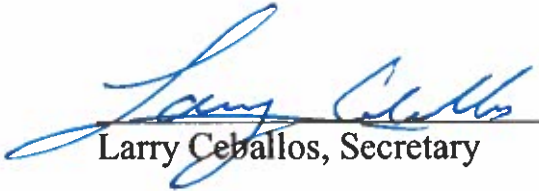
2. Consideration of the above described emergency.

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

The Board of Directors did not enter into closed session.

- 3. Adjournment.** On motion duly made, seconded and carried, the Board Meeting adjourned at 9:09 a.m.



Larry Ceballos, Secretary

**RESOLUTION OF THE BOARD OF DIRECTORS OF EL PASO COUNTY
WATER IMPROVEMENT DISTRICT NO. 1**

January 28, 2022

Whereas, the lands within El Paso County Water Improvement District No. 1 (the District) are a portion of the federal Rio Grande Reclamation Project (the Project);

Whereas, the primary source of water for irrigation in the District is from the Rio Grande;

Whereas, the City of El Paso's primary sewage pipeline has been discharging large amounts of raw sewage to the Rio Grande for several months;

Whereas, the City of El Paso had initially estimated the the pipeline would be repaired and the discharge of sewage stopped in November of 2021;

Whereas, the raw sewage discharge to the Rio Grande did not stop until January 12, 2022;

Whereas, after the sewage discharge was stopped, the District performed a field inspection, which determined that the American Canal, a portion of the American Canal Extension, and a portion of the Riverside Canal were contaminated by raw sewage and contain a large amount of sewage sludge that must be removed from the canals prior to use of the canals for conveyance of irrigation water;

Whereas, the Project water available for release from Project storage by the United States for the benefit of the owners of irrigable land within the District is at a 50-year low, and it is critical that any water in the Rio Grande be diverted into the District's canals as soon as possible for delivery to irrigable land;

Now Therefore be it resolved that the El Paso County Water Improvement District No. 1, Board of Directors (the District Board) does hereby declare that the results of the sewage spill on District conveyance facilities presents an emergency condition that, without immediate corrective action, is likely to create serious health hazard and an unreasonable economic loss to the District and owners of irrigable land within the District, that immediate corrective action by the District is necessary; and be it further resolved that, in light of the foregoing, the District Board instructs the District's General Manager to negotiate limited duration contracts with contractors and vendors to provide the necessary services, equipment, and supplies to clean and disinfect the portions of the District's canals contaminated by raw sewage.

A handwritten signature in blue ink, appearing to read 'Art Ivey', is written over a horizontal line.

Art Ivey Vice-President

§ 49.274. Emergency Approval of District Projects

If a district experiences an emergency condition that may create a serious health hazard or unreasonable economic loss to the district that requires immediate corrective action, the district may negotiate limited duration contracts to make the necessary repairs. The district shall submit to the executive director details describing the specific serious health hazard or unreasonable economic loss as soon as practicable following the issuance of the contracts. Whenever possible, the district should obtain prior approval of the executive director before authorizing the contract, but failure to obtain prior approval shall not void the contract. This section does not apply to special water authorities.