

**Minutes of Regular Meeting
Board of Directors
El Paso County Water Improvement District No. 1
(EPCWID)
August 10, 2022**

DIRECTORS PRESENT	EMPLOYEES PRESENT
Johnny Stubbs, President	Jesus Reyes, General Manager
Art Ivey, Vice-President	Mary Cortez, Chief Financial Officer
Larry Ceballos, Secretary	Lisa Aguilar, Chief Administrative Officer
Miguel Teran, Director	Rose Rodriguez, Tax Assessor/Collector/Office Manager
	Pete Rodriguez, Maintenance Manager
NOT PRESENT	Filberto Cortez, Licensing Manager
George Brooks, Assistant Secretary	Sharon Atilano, Licensing Assistant
	Claudia Ruiz, Administrative Assistant
LEGAL COUNSEL	Cathy Oyston, Water Records/Dispatcher Supervisor
Phil Bowen, Attorney At Law	Omar Martinez, Grant Writer
	David Ortega, Licensing Field Representative
	Sonia Ontiveros, Tax Collector Assistant
DISTRICT ENGINEER	GUESTS
Dr. Al Blair, District Engineer	Woody Irving, U.S. Bureau of Reclamation
	Theresa Jo Maly, Pena Briones McDaniel
	Jaime Cisneros, 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 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 June 8, 2022 and July 27, 2022 regular and special 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 meeting held on June 8, 2022 and Special meeting held on July 27, 2022 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 (June and July). No action was taken on this item.

b. \$500.00 Expenditure Report (June and July). No action was taken on this item.

c. Legal & Consulting Fees Budget Report (June and July). No action was taken on this item.

d. Quarterly Investment Report

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 Quarterly Investment Report for period ending June 30, 2022 is approved.

e. Engagement letter for Pena Briones McDaniel & Co PC

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 Engagement Letter for Pena Briones McDaniel & Co PC is approved.

6. 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. **Review tax report and adjustments (June and July)-** No action was taken on this item.
 - b. **2013-2022 The City of El Paso and it's Public Service Board Assignments, 2013-2022 Lower Valley Water District Assignments and Report on tax suits (June and July).** No action was taken on this item.
 - c. **Comparison of EPCWID1 tax assessments and collection during 2020 and 2021(June and July).** No action was taken on this item.
 - d. **Limitation on Collection of Taxes.** No action was taken on this item.
7. General Manager's report concerning the following:
 - a. **USBR award of grant in the amount of \$1 million for Riverside Canal phase IV concrete lining (District project was the only one selected in Texas).** No action was taken on this item.
 - b. **El Paso Electric tour on August 12, 2022 Riverside Regulating property interested in solar panel project.** 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 3rd 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 EPCWID water users and water available by contract. **No action was taken on this item.**

12. Subdivision Plats within District Boundary requirement in License Manual:

a. Application 3179, by Wade A. Southern & Virginia S. Southern, for Southern Estate Subdivision, Tract 1-A, block 5, Upper Valley Surveys, in the City of El Paso, El Paso County, Texas, containing 86,942.15 or 1.996 acres

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 application 3179, by Wade A. Southern & Virginia S. Southern, for Southern Estate Subdivision, Tract 1-A, block 5, Upper Valley Surveys, in the City of El Paso, El Paso County, Texas, containing 86,942.15 or 1.996 acres for a submission of an irrigable land exhibit is approved.

b. Application 3186, by Icon Homes, for Socorro Estates Subdivision, being a portion of Tracts 16A and 16C, and all of Tract 16B, block 14, San Elizario Grant, City of San Elizario, El Paso County, Texas containing 5.045 acres

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

RESOLVED: that application 3186, by Icon Homes, for Socorro Estates Subdivision, being a portion of Tracts 16A and 16C, and all of Tract 16B, block 14, San Elizario Grant, City of San Elizario, El Paso County, Texas containing 5.045 acres for a submission of an irrigable land exhibit is approved.

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

a. Agreement and Stipulation Regarding Pipeline Easement and Eminent Domain Damages executed August 19, 1997 between EPCWID and El Paso Natural Gas Company.

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 renewal of a 25-year Agreement and Stipulation Regarding Pipeline Easement and Eminent Domain Damages executed August 19, 1997 between EPCWID and El Paso Natural Gas Company is approved.

b. Application 3044, by City of Socorro, for 25-year license for a free-span pedestrian bridge across Franklin Feeder Canal (an irrigation canal) at Passmore Rd., at approximately station 102+10

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 Application 3044, by City of Socorro, for 25-year license for a free-span pedestrian bridge across Franklin Feeder Canal (an irrigation canal) at Passmore Rd., at approximately station 102+10 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 3045, by City of Socorro, for a 25-year license for a 48" RCP culvert, shared use path over culvert, within Upper Clint Lateral (an irrigation canal) at Passmore Rd., at approximately station 29+49.53

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 Application 3045, by City of Socorro, for a 25 year license for a 48" RCP culvert, shared use path over culvert, within Upper Clint Lateral (an irrigation canal) at Passmore Rd., at approximately station 29+49.53 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 3149, by the City of El Paso through its El Paso Water for a 25-year license for a 5x5.5-foot cast in place, concrete culvert crossing Southside Feeder Lateral at Southside Rd., at approximately station 72+21

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 Application 3149, by the City of El Paso through its El Paso Water for a 25-year license for a 5x5.5-foot cast in place, concrete culvert crossing Southside Feeder Lateral at Southside Rd., at approximately station 72+21 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.

- e. Application 3150, by the City of El Paso through its El Paso Water for a 25-year license for a 24-inch R.C.P. culvert crossing Southside Feeder lateral at Southside Rd., at approximately station 116+25**

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 Application 3150, by the City of El Paso through its El Paso Water for a 25-year license for a 24-inch R.C.P. culvert crossing Southside Feeder lateral at Southside Rd., at approximately station 116+25 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.

- f. Application 3183, by the City of El Paso through its El Paso Water for a 25-year license for a 12-inch PVC water line crossing Southside Feeder Lateral at Southside Rd., at approximately station 72+21**

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 Application 3183, by the City of El Paso through its El Paso Water for a 25-year license for a 12-inch PVC water line crossing Southside Feeder Lateral at Southside Rd., at approximately station 72+21 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.

- g. Application 3206, by Lower Valley Water District, for a 25-year license for an 8-inch water line inside a 16-inch steel casing installed by cut/trench method crossing the Franklin Canal (an irrigation canal) at Bovee Rd., approximately station 1044+74**

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

RESOLVED: that Application 3206, by Lower Valley Water District, for a 25-year license for an 8-inch water line inside a 16-inch steel casing installed by cut/trench method crossing the Franklin Canal (an irrigation canal) at Bovee Rd., approximately station 1044+74 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.

- h. Application 3198, by El Paso Electric Company, for a 50-year license for an overhead new installation 45' wood pole and anchors parallel to Franklin Canal (an irrigation canal) at Moon Rd., at approximately station 917+25.2**

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 Application 3198, by El Paso Electric Company, for a 50-year license for an overhead new installation 45' wood pole and anchors parallel to Franklin Canal (an irrigation canal) at Moon Rd., at approximately station 917+25.2 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.

i. 19 Applications by MCImetro Access Transmission Services LLC

Application 3177, by MCImetro Access Transmission Services LLC, for a 25-year license for an aerial fiber optic cable system, crossing Ascarate Waste Way (an irrigation canal) at Alameda Ave., at approximately station 5+64.32

Application 3192, by MCImetro Access Transmission Services LLC, for a 25-year license for an aerial fiber optic cable system, crossing Nemexas Drain (an irrigation canal) at Country Club Rd., at approximately station 149+46.98

Application 3193, by MCImetro Access Transmission Services, LLC., for a 25-year license for an aerial fiber optic cable system, crossing Schultz lateral (an irrigation canal), at Country Club Rd., at approximately station 84+45.63

Application 3194, by MCImetro Access Transmission Services, LLC., for a 25-year license for a subsurface fiber optic cable system, crossing Middle Drain (an irrigation canal), at Zaragoza Rd., at approximately station 787+48.39

Application 3195, MCImetro Access Transmission Services, LLC., for a 25-year license for a subsurface fiber optic cable system, crossing Franklin Canal (an irrigation canal), at Zaragoza Rd., at approximately station 763+67.24

Application 3196, MCImetro Access Transmission Services, LLC., for a 25-year license for a subsurface fiber optic cable system, crossing Juan De Herrera Main Lateral (an irrigation canal), at Zaragoza Rd., approximately station 203+74.06

Application 3197, MCImetro Access Transmission Services, LLC., for a 25-year license for a subsurface fiber optic cable system, crossing Montoya Drain (an irrigation canal), at Country Club Rd., approximately station 222+49.38

Application 3200, by MCImetro Access Transmission Services, LLC., for a 25-year license for an aerial fiber optic cable system, crossing Mesa Spur Drain (an irrigation canal), at Nuevo Hueco Tanks Rd., at approximately station 314+51.35

Application 3201, by MCImetro Access Transmission Services, LLC., for a 25-year license for a subsurface fiber optic cable system, crossing Mesa Drain (an irrigation canal), at Nuevo Hueco Tanks Rd., at approximately station 769+58.94

Application 3202, by MCImetro Access Transmission Services, LLC., for a 25-year license for a subsurface fiber optic cable system, crossing Juan De Herrera Branch C (an irrigation canal), at Nuevo Hueco Tanks Rd., at approximately station 34+28.67

Application 3204, by MCImetro Access Transmission Services, LLC., for a 25-year license for an aerial fiber optic cable system, crossing West Drain (an irrigation canal), at Country Club Rd., at approximately station 7+82.88

Application 3208, by MCImetro Access Transmission Services, LLC., for a 25-year license for a subsurface fiber optic cable system, crossing Jornada Lateral (an irrigation canal), at Alameda Ave., at approximately station 67+83.33

Application 3209, by MCImetro Access Transmission Services, LLC., for a 25-year license for a subsurface fiber optic cable system, crossing Juan De Herrera Branch A (an irrigation canal), at Zaragoza Rd., at approximately station 165+28.07

Application 3210, by MCImetro Access Transmission Services, LLC., for a 25-year license for a subsurface fiber optic cable system, crossing Juan De Herrera Branch B (an irrigation canal), at Zaragoza Rd., at approximately station 43+83.26

Application 3212, by MCImetro Access Transmission Services, LLC., for a 25-year license for an aerial fiber optic cable system, crossing Y-147 Lateral (an irrigation canal), at North Loop Rd., at approximately station 7+98.25

Application 3213, by MCImetro Access Transmission Services, LLC., for a 25-year license for an aerial fiber optic cable system, crossing Jornado Lateral (an irrigation canal), at Zaragoza Rd., at approximately station 113+74.14

Application 3214, by MCImetro Access Transmission Services, LLC., for a 25-year license for an aerial fiber optic cable system, crossing Ysla Lateral (an irrigation canal), at Moon Rd., at approximately station 72+02.84

Application 3215, by MCImetro Access Transmission Services, LLC., for a 25-year license for a subsurface fiber optic cable system, crossing Socorro Lateral (an irrigation canal), at Winn Rd., at approximately station 55+92.57

Application 3216, by MCImetro Access Transmission Services, LLC., for a 25-year license for a subsurface fiber optic cable system, crossing Franklin Drain (an irrigation canal), at Socorro Rd., at approximately station 236+12.07

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 19 applications by MCImetro Access Transmission Services LLC, 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.

14. Sale of Surplus District Real Property under 49.226 of the Texas Water Code:

a. Consideration of bid(s) received for sale of approximately 1.27 acres of land located on the Clint Spur Drain, in block 19, San Elizario Grant, El Paso County, Texas. No action was taken on this item.

15. Any or all of the items shown on the attached Closed Meeting Agenda.

No action was taken on this item.

16. Consideration of agenda items for next regular board meeting.

17. **Adjournment.** On motion duly made, seconded and carried, the Board Meeting adjourned at 10:50 a.m.


Larry Ceballos, Secretary