

**Minutes of Regular Meeting
Board of Directors
El Paso County Water Improvement District No. 1
(EPCWID)
December 7, 2022**

DIRECTORS PRESENT	EMPLOYEES PRESENT
Johnny Stubbs, President via zoom	Lisa Aguilar, Interim General Manager
Art Ivey, Vice-President	Mary Cortez, Chief Financial Officer
Larry Ceballos, Secretary	Sharon Atilano, Licensing Manager
George Brooks, Assistant Secretary via zoom	Claudia Ruiz, Administrative Assistant
Miguel Teran, Director	Cathy Oyston, Water Records/ Dispatcher Supervisor
LEGAL COUNSEL	GUESTS
Phil Bowen, Attorney At Law	Joe Concha, ESSCO
	Robert Concha, ESSCO
DISTRICT ENGINEER	Jerry Melendez, USBR
Dr. Al Blair, Interim General Manager/ District Engineer	

1. Call to order and establishment of a quorum.

There being a quorum of Directors present, the meeting was called to order by Vice-President Art Ivey 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. Subdivision Plats within District Boundary requirement in License Manual.

- a. Application 3108, by Cuatro Land Holdings LLC c/o Del Rio Engineering Inc., for River View Estates Subdivision, being all of tract 15-C and 15-G, a portion of tract 15-D, block 13,**

Upper Valley Surveys, and Lot 25, Block 1, Edmundo Kauffmann Estates Replat "A" El Paso County, Texas

Director Miguel Teran left the room and announced that he would abstain from discussion of this item and any vote taken regarding the item, and he proceeded to sign an affidavit pursuant to Texas Local Government Code, §171.004.

After a motion by Larry Ceballos, seconded by George Brooks, duly considered and carried by a majority vote of the Directors present, with Miguel Teran abstaining and leaving the room, it was:

RESOLVED: that the Application 3108, by Cuatro Land Holdings LLC c/o Del Rio Engineering Inc., for River View Estates Subdivision, being all of tract 15-C and 15-G, a portion of tract 15-D, block 13, Upper Valley Surveys, and Lot 25, Block 1, Edmundo Kauffmann Estates Replat "A" El Paso County, Texas, submission of an irrigable land exhibit is approved.

- b. Application 3235, by CAD Consulting, for Pendale Acres No. 3 Replat "A", being the north 150 feet of the South 300 feet of tract 25, Map of Pendale Acres No. 3, City of El Paso, El Paso County, Texas, containing 0.5517 acres**

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

RESOLVED: that the Application 3235, by CAD Consulting, for Pendale Acres No. 3 Replat "A", being the north 150 feet of the South 300 feet of tract 25, Map of Pendale Acres No. 3, City of El Paso, El Paso County, Texas, containing 0.5517 acres, submission of an irrigable land exhibit is approved.

- c. Application 3267, by JCGAR Ventures, LLC, for Upper Valley Ranch Unit One Subdivision, being tracts 9A-1, 9B-1 and 9B-2, Block 13, Upper Valley Survey, El Paso County, Texas, containing 33.323 acres**

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

RESOLVED: that the Application 3267, by JCGAR Ventures, LLC, for Upper Valley Ranch Unit One Subdivision, being tracts 9A-1, 9B-1 and 9B-2, Block 13, Upper Valley Survey, El Paso County, Texas, containing 33.323 acres, submission of an irrigable land exhibit is approved.

- d. Application 3284, by Horizonte Residencial Developers, LLC, Horizonte Residencial Phase II, being a portion of tract 5A, block 8, Upper Valley Surveys, City of El Paso, El Paso County, Texas, containing 2.290 acres**

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

RESOLVED: that the Application 3284, by Horizonte Residencial Developers, LLC, Horizonte Residencial Phase II, being a portion of tract 5A, block 8, Upper Valley Surveys, City of El Paso, El Paso County, Texas, containing 2.290 acres, submission of an irrigable land exhibit is approved.

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

- a. Application 3172, by the City of El Paso, for a 5-year license for use of District's Drains within the limits of the City of El Paso for conveyance of Storm Water and Groundwater, and Subsurface installation of Water or Sewer Pipeline Crossings**

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: that the Application 3172, by the City of El Paso, for a 5-year license for use of District's Drains within the limits of the City of El Paso for conveyance of Storm Water and Groundwater, and Subsurface installation of Water or Sewer Pipeline Crossings, 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 EPCWID are authorized and directed to execute such license, a copy of which is attached hereto.

- b. Application 3181, by El Paso Water, for 25-year license to construct a free-span bridge, crossing the Riverside Canal near Robert Bustamante Wastewater Treatment Plant, approximately station 54+36**

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 Application 3181, by El Paso Water, for 25-year license to construct a free-span bridge, crossing the Riverside Canal near Robert Bustamante Wastewater Treatment Plant, approximately station 54+36, 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 EPCWID are authorized and directed to execute such license, a copy of which is attached hereto.

- c. Application 3191, by Texas Gas Service, a division of ONEGas, Inc. for a 25-year license to construct a 4-inch polyethylene natural gas line encased in an 8-inch steel pipe casing, crossing the Franklin Canal at Bovee Rd., approximately station 1044+79.34**

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 Application 3191, by Texas Gas Service, a division of ONEGas, Inc. for a 25-year license to construct a 4-inch polyethylene natural gas line encased in an 8-inch steel pipe casing, crossing the Franklin Canal at Bovee Rd., approximately station 1044+79.34, 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 EPCWID are authorized and directed to execute such license, a copy of which is attached hereto.

- d. Application 3251, by Banes General Contractors, Inc., for a temporary ingress and ingress construction easement to construct a rock wall along the right bank of the Jornado Lateral, approximately station 37+33**

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 Application 3251, by Banes General Contractors, Inc., for a temporary ingress and ingress construction easement to construct a rock wall along the right bank of the Jornado Lateral, approximately station 37+33, 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 EPCWID are authorized and directed to execute such license, a copy of which is attached hereto.

- e. **Application 3291, by El Paso Water, for a dewatering license to dewater into the Montoya Lateral Branch B at Country Club Road, approximately station 20+35.42**

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 Application 3291, by El Paso Water, for a dewatering license to dewater into the Montoya Lateral Branch B at Country Club Road, approximately station 20+35.42, 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 EPCWID are authorized and directed to execute such license, a copy of which is attached hereto.

- f. **Application 3292, by El Paso Water, for a dewatering license to dewater into the Nexemas Drain at West Sunset Rd., approximately station 51+37**

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 Application 3292, by El Paso Water, for a dewatering license to dewater into the Nexemas Drain at West Sunset Rd., approximately station 51+37, 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 EPCWID are authorized and directed to execute such license, a copy of which is attached hereto.

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

Rescind resolution approved on February 10, 2021, Application 2263, by EPW LLC, sale of approximately 2.3 acres of surplus land a portion of the Borderland Spur Drain, located in the vicinity of Arcraft Road to the Combination Lateral, block 10, Upper Valley, El Paso Texas.

Director Miguel Teran left the room and announced that he would abstain from discussion of this item and any vote taken regarding the item, and he proceeded to sign an affidavit pursuant to Texas Local Government Code, §171.004.

After a motion by Larry Ceballos, seconded by George Brooks, duly considered and carried by a majority vote of the Directors present, with Miguel Teran abstaining and leaving the room, it was:

RESOLVED: that the resolution approved on February 10, 2021, Application 2263, by EPW LLC, sale of approximately 2.3 acres of surplus land a portion of the Borderland Spur Drain, located in the vicinity of Arcraft Road to the Combination Lateral, block 10, Upper Valley, El Paso Texas is rescinded.

6. Any or all of the items shown on the attached Closed Meeting Agenda.
No action is taken.

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

8. **Adjournment.** On motion duly made, seconded and carried, the Board Meeting adjourned at 9:41 a.m.


Larry Ceballos, Secretary

**Affidavit of Abstention by Member of the Board of Directors of
El Paso County Water Improvement District No. 1**

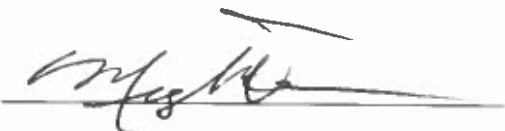
I, **Miguel Teran**, am a member of the Board of Directors of El Paso County Water Improvement District No. 1. At a meeting of such Board of Directors on the 7th day of **December, 2022**, the following matter came before the Board for consideration:

3a. Application 3108, by Cuatro Land Holdings LLC c/o Del Rio Engineering Inc., for River View Estates Subdivision, being all of tract 15-C and 15-G, a portion of tract 15-D, block 13, Upper Valley Surveys, and Lot 25, Block 1, Edmundo Kauffmann Estates Replat "A" El Paso County, Texas.

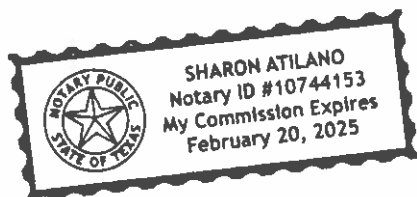
5a. Rescind resolution approved on February 10, 2021, Application 2263, by EPW LLC, sale of approximately 2.3 acres of surplus land a portion of the Borderland Spur Drain, located in the vicinity of Aircraft Road to the Combination Lateral, block 10, Upper Valley, El Paso Texas.


Since the matter involved a business entity or real property in which I have a substantial interest, as defined in Chapter 171 of the Texas Local Government Code, I abstained from participation in the matter. The nature and extent of the interest is the following:

Conflict of interest.

Signature: 

Subscribed and sworn to this 7th day of December, 2022, by Miguel Teran.




Notary Public, State of Texas
My commission expires: 2/20/2025