

**Minutes of Special Meeting
Board of Directors
El Paso County Water Improvement District No. 1
(EPCWID)
June 15, 2023**

DIRECTORS PRESENT	EMPLOYEES PRESENT
Art Ivey, Vice-President	Jay Ornelas, PE General Manager
Larry Ceballos, Secretary	Lisa Aguilar, Chief Administrative Officer
Miguel Teran, Director	Mary Cortez, Chief Financial Officer
	Pete Rodriguez, Maintenance Manager
NOT PRESENT	Robert Rios, Water Master
Johnny Stubbs, President	Sharon Atilano, Licensing Manager
George Brooks, Assistant Secretary	Cathy Oyston, Water Records/ Dispatcher Supervisor
	Claudia Ruiz, Administrative Assistant
LEGAL COUNSEL	Sonia Ontiveros, Tax Collector Assistant
Phil Bowen, Attorney At Law	Jorge Escobedo, Supervisor
Renea Hicks, Attorney At Law (via zoom)	
	GUESTS
DISTRICT ENGINEER	Jaime Cisneros, USBP
Dr. Al Blair, PE District Engineer (via zoom)	Jerry Melendez, Reclamation
	Robert Kimpel, Guest

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. Minutes of May 10, 2023 meetings of the Board of Directors.

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 draft minutes of the regular meeting held on May 10, 2023 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, concerning adjustments and corrections, if any, to assessments, taxes, and charges by EPCWID.

- a. **Review tax report and adjustments- The tax report was reviewed, and the following are the tax adjustments for the month of May:**

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:

WHEREAS: Rose Rodriguez, Tax Assessor/Collector for EPCWID1 recommends adjustments or corrections to the tax rolls reviewed during the month of May 2023;

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

- 1. Iglesia Apostolica De Le Fe en Cristo Jesus in the Unites States, (\$25.08), 2022;**
- 2. Rodriguez Darlo E & Irene, (\$51.24), 2022;**
- 3. Chavez Francisca, (998.68), 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021 and 2022.**

b. 2013-2023 The City of El Paso and it's Public Service Board Assignments, 2013-2023 Lower Valley Water District Assignments and Report on tax suits. No action was taken on this item.

c. Comparison of EPCWID tax assessments and collection during 2021 and 2022. No action was taken on this item.

7. General Manager's report concerning the following:

- a. Region E Far West Texas Water Planning Group meeting. No action was taken on this item.**
- b. June 6, 2023 USBR tour of EPCWID facilities. No action was taken on this item.**
- c. Automation of Fuel Accounting for Equipment and Vehicles. 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.

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 District's irrigation allocation is increased to 4.0 acre feet per acre of irrigable land for the 2023 irrigation season, including without limitation tax-exempt entities. Tracts under 2 acres in size will receive ten irrigations.

12. Subdivision Plats within District Boundary requirement in License Manual. **No action was taken on this item.**

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

- a. **License 1778, by Time Warner Cable Texas, LLC, for the renewal of a 1-year license to operate and maintain Time Warner Cable Texas LLC's system and facilities crossing EPCWID District Wide**

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

RESOLVED: the License 1778, by Time Warner Cable Texas, LLC, for the renewal of a 1-year license to operate and maintain Time Warner Cable Texas LLC's system and facilities crossing EPCWID District Wide 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.

- b. Application 3018, by JCGAR Ventures, LLC, for a 25-year license to construct a roadway for proposed Upper Valley Unit 1 subdivision for ingress and egress across La Union East Lateral, approximately station 431+93**

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

RESOLVED: that the Application 3018, by JCGAR Ventures, LLC, for a 25-year license to construct a roadway for proposed Upper Valley Unit 1 subdivision for ingress and egress across La Union East Lateral, approximately station 431+93 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. 2 Applications by MCImetro**

Application 3249A, by MCImetro, for a 25-year license for a subsurface fiber optic cable system, crossing the Juan De Herrera Main Lateral (an irrigation canal) at Rosedale St., at approximately station 16+80

Application 3276A, by MCImetro, for a 25-year license for a subsurface fiber optic cable system, crossing the Franklin Canal (an irrigation canal), at Rosedale St., at approximately station 587+76

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 2 Applications by MCImetro, 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.

d. 2 Applications by Conterra Networks

Application 3348, by Conterra Networks, for a 25-year license for an aerial fiber optic cable system, crossing the Montoya Lateral Branch A (an irrigation canal), at Country Club Rd., at approximately station 45+10

Application 3349, by Conterra Networks, for a 25-year license for an aerial fiber optic cable system, crossing the Montoya Drain (an irrigation canal), at Lindbergh Ave., at approximately station 240+94

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

RESOLVED: that the 2 Applications by Conterra Networks, 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.

e. Application 3390, by Bain Construction, Inc., for a Temporary Ingress & Egress Construction Easement to use the right bank to access south portion of Horizon Park subdivision, crossing

the Mesa Spur Drain (a drainage canal), at approximately station 180+90 to 183+77

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 3390, by Bain Construction, Inc., for a Temporary Ingress & Egress Construction Easement to use the right bank to access south portion of Horizon Park subdivision, crossing the Mesa Spur Drain (a drainage canal), at approximately station 180+90 to 183+77, 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 3392, by Texas Gas Service Company, a division of ONE Gas, for a temporary license for access to EPCWID right of way to allow maintenance of Texas Gas Service pipelines, for ingress and egress to Franklin Canal at Rosedale Road.**

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

RESOLVED: that the Application 3392, by Texas Gas Service Company, a division of ONE Gas, for a temporary license for access to EPCWID right of way to allow maintenance of Texas Gas Service pipelines, for ingress and egress to Franklin Canal at Rosedale Road, 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 3393, by Consor Engineers, LLC, for a Temporary Ingress & Egress Construction Easement to conduct survey on the Franklin Canal (an irrigation canal) at Delta Dr.

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 3393, by Consor Engineers, LLC, for a Temporary Ingress & Egress Construction Easement to conduct surveying on the Franklin Canal (an irrigation canal) at Delta Dr., 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.

14. Approval of Construction Dewatering Licenses for Conveyance Groundwater: None.
15. Letters of Approval and/or Amendments of existing License Agreements: None.
16. Agreement to classify Non-irrigable land as irrigable land:

a. 3 Applications by Alejandro Diaz-Jacquez

Application 3354, by Alejandro C. Diaz-Jacquez, for classification of Lot 01 EXC NE PT, Block 08, Rosedale Farms #3 Replat Subdivision, 7512 N. Loop, (0.12 ac), in the City of El Paso, El Paso County, Texas as irrigable land

Application 3355, by Alejandro C. Diaz-Jacquez, for classification of Lot 03 EXC NE PT, Block 08, Rosedale Farms #3 Replat Subdivision, 7504 N. Loop, (0.14 ac), in the City of El Paso, El Paso County, Texas as irrigable land

Application 3356, by Alejandro C. Diaz-Jacquez, for classification of Lot 02 EXC NE PT, Block 08, Rosedale Farms #3 Replat Subdivision, 7508 N. Loop, (0.11 ac), in the City of El Paso, El Paso County, Texas as irrigable land

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

RESOLVED: that the 3 Applications by Alejandro Diaz-Jacquez, are 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.

17. Sale of Surplus District Real Property under 49.226 of the Texas Water Code. None.

18. Grants Agreements involving District Real Property:

- a. **Grant Contract No. 1913582343 Agricultural Water Conservation Fund Construction Project Grant between EPCWID and TWDB for concrete lining of a portion of the Franklin Feeder Canal Lining Project involves lining 5,500 feet of canal using reinforced concrete.**

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 Grant Contract No. 1913582343 Agricultural Water Conservation Fund Construction Project Grant between EPCWID and TWDB for concrete lining of a portion of the Franklin Feeder Canal Lining Project involves lining 5,500 feet of canal using reinforced concrete is approved.

- b. **TWDB Contract No. 2013582447 for Agricultural Water Conservation Fund Construction Project Grant between EPCWID and TWDB for design and construction of concrete lining of a portion of the Franklin Canal adjacent to the El Paso Zoo.** No action was taken on this item.

- c. **TWDB Contract No. 2213582644 for Agricultural Water Conservation Fund Construction Project Grant between EPCWID and TWDB for design and construction of sediment control on the Riverside Canal.**

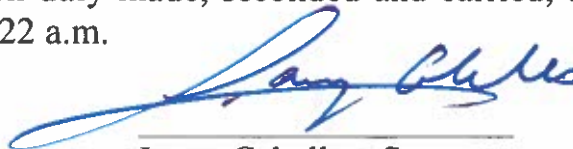
After a motion by Miguel Teran, seconded by Larry Ceballos, duly considered and carried by unanimous vote of the Board the following resolution was adopted:

RESOLVED: that TWDB Contract No. 2213582644 for Agricultural Water Conservation Fund Construction Project Grant between EPCWID and TWDB for design and construction of sediment control on the Riverside Canal is approved.

- 19. Any or all of the items shown on the attached Closed Meeting Agenda.
The Board then entered into a closed session at 10:41 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 11:21 a.m. with no action having been taken in the closed session.

- 20. Consideration of agenda items for next regular board meeting.

- 21. **Adjournment.** On motion duly made, seconded and carried, the Board Meeting adjourned at 11:22 a.m.



Larry Ceballos, Secretary