

**Minutes of Regular Meeting  
Board of Directors  
El Paso County Water Improvement District No. 1  
(EPCWID)  
August 9, 2023**

<b>DIRECTORS PRESENT</b>	<b>EMPLOYEES PRESENT</b>
<b>Johnny Stubbs, President</b>	<b>Jay Ornelas, PE General Manager</b>
<b>Larry Ceballos, Secretary</b>	<b>Lisa Aguilar, Chief Administrative Officer</b>
<b>George Brooks, Assistant Secretary</b>	<b>Mary Cortez, Chief Financial Officer</b>
<b>Miguel Teran, Director</b>	<b>Pete Rodriguez, Maintenance Manager</b>
	<b>Robert Rios, Water Master</b>
<b>NOT PRESENT</b>	<b>Sharon Atilano, Licensing Manager</b>
<b>Art Ivey, Vice-President</b>	<b>Cathy Oyston, Water Records/ Dispatcher Supervisor</b>
	<b>Claudia Ruiz, Administrative Assistant</b>
<b>LEGAL COUNSEL</b>	<b>Sonia Ontiveros, Tax Collector Assistant</b>
<b>Maria O'Brien, Attorney At Law (via zoom)</b>	
<b>Renea Hicks, Attorney At Law</b>	<b>GUESTS</b>
	<b>Robert Kimpel, Guest</b>
<b>DISTRICT ENGINEER</b>	<b>Daniel Chavez, HCCRD</b>
<b>Dr. Al Blair, PE District Engineer (via zoom)</b>	<b>Larry Vasquez, BOR</b>
	<b>Jaime Cisneros, CBP</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 July 12, 2023 meetings of the Board of Directors.

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 draft minutes of the regular meeting held on July 12, 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.** No action was taken on this item.
- 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. **Renewal of agreement with Linebarger Goggan Blair & Sampson, LLP.** 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 EPCWID water users and water available by contract. **None.**

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

- a. **Application 3329, by Revocable Trust Rodolfo A. Resendez & Emma Catherine Resendez, for Ranchos Resendez Subdivision, being all of tract 4C145A, block 3, Socorro Grant, El Paso County, Texas, containing 1.21 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 application 3329, by Revocable Trust Rodolfo A. Resendez & Emma Catherine Resendez, for Ranchos Resendez Subdivision, being all of tract 4C145A, block 3, Socorro Grant, El Paso County, Texas, containing 1.21 acres, for submission of an irrigable land exhibit is approved.**

- b. Application 3369, by Donald E. Simpson, for Cottonwood Springs Replat "A" Subdivision, being replat of lot 19, block 1, Cottonwood Springs, El Paso County, Texas, containing 2.00 acres**

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 application 3369, by Donald E. Simpson, for Cottonwood Springs Replat "A" Subdivision, being replat of lot 19, block 1, Cottonwood Springs, El Paso County, Texas, containing 2.00 acres, for submission of an irrigable land exhibit is approved.**

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

- a. License 3172, by 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 Miguel Teran, seconded by Larry Ceballos, duly considered and carried by unanimous vote of the Board the following resolution was adopted:

**RESOLVED: that the revision to License 3172, by 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, 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. 3 applications by Odin Construction LLC**

**Application 3320, by Odin Construction LLC, for temporary ingress & egress construction license to construct a temporary bridge crossing the Montoya Main Lateral (an irrigation lateral) at Arcraft Rd. to access Rio Grande Levee, at approximately station 21+30**

**Application 3321, by the Odin Construction LLC, for temporary ingress & egress construction license to construct a temporary bridge crossing the Montoya Main Lateral (an irrigation lateral) at Arcraft Rd. to access Rio Grande Levee, at approximately station 17+25**

**Application 3411, by Odin Construction LLC, for temporary ingress & egress construction license to field along the banks of the Borderland Spur Drain (an irrigation drain), at approximately station 121+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 3 Applications by Odin Construction 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.**

**c. Application 3371A, by MCImetro Access Transmission Services, for a 25-year license for a subsurface fiber optic cable system, crossing the Wadlington Lateral (an irrigation lateral) at Alameda Ave., at approximately station 1+57**

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 3371A, by MCImetro Access Transmission Services, for a 25-year license for a subsurface fiber optic cable system, crossing the Wadlington Lateral (an irrigation lateral) at Alameda Ave., at approximately station 1+57 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. 4 applications for Conterra Networks**

**Application 3399, by Conterra Networks, for a 25-year license for a subsurface fiber optic cable system, crossing the Franklin Feeder Canal (an irrigation canal) at Vineyard Rd., at approximately station 70+90**

**Application 3400, by Conterra Networks, for a 25-year license for a subsurface fiber optic cable system, crossing the Mesa Drain (an irrigation drain) at Rio Vista Rd., at approximately station 695+22**

**Application 3401, by Conterra Networks, for a 25-year license for a aerial fiber optic cable system, crossing the Ysla Lateral (an irrigation lateral) at Horizon Blvd., at approximately station 152+31**

**Application 3415, by Conterra Networks, for a 25-year license for a subsurface fiber optic cable system, crossing the Juan De Herrera Branch B Lateral (an irrigation lateral) at North Loop Dr., at approximately station 36+91**

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 4 applications for 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 3407, by WANRack, for a 25-year license for a subsurface fiber optic cable system, crossing the Middle Drain (an irrigation drain) at Herring Rd., at approximately station 212+40**

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 3407, by WANRack, for a 25-year license for a subsurface fiber optic cable system, crossing the Middle Drain (an irrigation drain) at Herring Rd., at approximately station 212+40 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. Letters of No Objection for Natural Gas Service installed with the Rights-of-Ways of Public Roads:

- a. **3 applications by Texas Gas Service**

**Application 3028, by Texas Gas Service, for an approval letter for installation of a 6-inch pipe underground gas line crossing the Middle Drain at Tanton Road, at approximately station 448+46**

**Application 3378, by Texas Gas Service, for an approval letter for installation of an 8-inch steel pipe underground gas line crossing the Webb Lateral at Alameda Ave., at approximately station 26+27**

**Application 3379, by Texas Gas Service, for an approval letter for installation of an 8-inch steel pipe underground gas line crossing the Clint Lateral at Alameda Ave., at approximately station 380+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 3 applications by Texas Gas Service are approved upon the condition that the applicant meets all requirements of the approval letter, including paying all fees and cost required by the approval letter 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 approval letter, a copy of which is attached hereto.**

15. Approval of Construction Dewatering Licenses for Conveyance Groundwater: None.
16. Letters of Approval and/or Amendments of existing License Agreements:
  - a. **License 1300 - Application 3149A, by El Paso Water, to place Southside Feeder Lateral underground in 36-inch pvc irrigation pipe for roadway crossing on Southside Road, at approximately station 71+68**

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 License 1300 - Application 3149A, by El Paso Water, to place Southside Feeder Lateral underground in 36-inch pvc irrigation pipe for roadway crossing on Southside**



**Road, at approximately station 71+68 is approved upon the condition that the applicant meets all requirements of the approval letter, including paying all fees and cost required by the approval letter 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 approval letter, a copy of which is attached hereto.**

17. Agreement to classify Non-irrigable land as irrigable land:

- a. Application 3406, by Georgina Carmona, for classification of Block 38, Tract 19J, Ysleta Grant, 8808 Old County, (.20 ac), in the City of El Paso, El Paso County, Texas as irrigable land**

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

**RESOLVED: that Application 3406, by Georgina Carmona, for classification of Block 38, Tract 19J, Ysleta Grant, 8808 Old County, (.20 ac), in the City of El Paso, El Paso County, Texas as irrigable land, is approved upon the condition that the applicant meets all requirements of the agreement, including paying all fees and cost required by the agreement 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 agreement, a copy of which is attached hereto.**

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

19. Grants Agreements involving District Real Property:

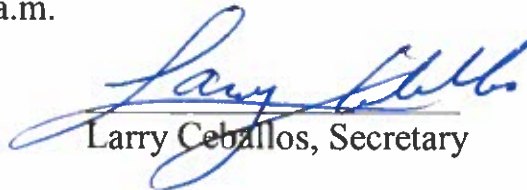
- a. TWDB Contract No. 2013582447 for Agricultural Water Conservation Fund Construction Project Grant between EPCWID and TWDB for design and construction of concrete lining of a portion of the Franklin Canal adjacent to the El Paso Zoo. No action was taken on this item.**

**b. Grant Assistance Agreement No. R23AP00055-00 between EPCWID and USBR for Water Conservation Field Services Program Financial Assistance for Fiscal Years 2022 and 2023-2022**

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 Assistance Agreement No. R23AP00055-00 between EPCWID and USBR for Water Conservation Field Services Program Financial Assistance for Fiscal Years 2022 and 2023-2022 is approved.**

12. Any or all of the items shown on the attached Closed Meeting Agenda.  
**The Board then entered into a closed session at 10:33 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 11:39 a.m. with no action having been taken in the closed session.**
21. Consideration of agenda items for next regular board meeting.
22. **Adjournment.** On motion duly made, seconded and carried, the Board Meeting adjourned at 11:39 a.m.

  
Larry Ceballos, Secretary