

**Minutes of Regular Meeting
Board of Directors
El Paso County Water Improvement District No. 1
("EPCWID")
November 12, 2014**

DIRECTORS PRESENT	OTHERS PRESENT
Johnny Stubbs, President	Jesus Reyes, General Manager
Art Ivey, Vice-President	Phil Bowen, Attorney At Law
Indar Singh, Secretary	Jim Speer, Attorney At Law
Larry Ceballos, Director	Al Blair, District Engineer/Consultant
Miguel Teran, Director	Mary Cortez, Accountant
	Jay Ornelas, Assistant District Engineer
	Sharon Atilano, Administrative Assistant
	Robert Rios, Water Master
	Pete Rodriguez, Maintenance Manager
	Lisa Aguilar, HR Manager

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 8:30 a.m., and the Directors then proceeded to consider the following:

2. Welcome of guests.

No action was taken on this item.

3. Approval of minutes of October 8, 2014 meeting of the Board of Directors.

Draft minutes of the Regular Meeting on October 8, 2014 of the Board of Directors were presented for approval.

After a motion by Larry Ceballos, seconded by Indar Singh, duly considered and carried by unanimous vote of the Board it was:

RESOLVED: that the draft minutes of the Regular Meeting held on October 8, 2014 are approved.

4. Report and recommendations by Mary Cortez, Accountant, concerning financial information, expenditures, budget, and investment policy:
 - a. **October Financial Reports for the month ending October 31, 2014 were presented to the Board of Directors.** No action was taken on this item.
 - b. **\$500 Expenditure Report for the month of October 2014 was presented to the Board of Directors.** No action was taken on this item.
 - c. **EPCWID Annual Audit Report for Fiscal Year 2014**

After a motion by Art Ivey, seconded by Indar Singh, duly considered and carried by unanimous vote of the Board it was:

RESOLVED: that the EPCWID Annual Audit Report for Fiscal Year ending August 31, 2014 is approved, a copy of which is attached hereto.

5. 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.**

The delinquency report was presented and reviewed by the Tax Assessor/Collector/Office Manager.

 - b. **2013 El Paso Public Service Board leases and assignments.** No action was taken on this item.
 - c. **Comparison of EPCWID tax assessments and collection and during 2012 and 2013.** No action was taken on this item.
 - d. **Report on tax suits and interventions filed by EPCWID.** No action was taken on this item.
 - e. **Certify Tax Roll**

After a motion by Indar Singh, seconded by Larry Ceballos, duly considered and carried by unanimous vote of the Board it was:

RESOLVED: that the tax roll for the calendar year of 2014, is approved and certified.

6. General Manager's report concerning the following:
 - a. **Proposed routes for FM 1110 from I-10 to Texas 20 (Alameda) and extending to Border Highway east extension.** No action was taken on this item.
 - b. **Concerns regarding American Canal Extension construction work.** No action was taken on this item.
 - c. **Appointment of A. Gregory Grimsal as Special Master for Supreme Court case Texas vs. New Mexico.** No action was taken on this item.

7. 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. **Replacement of existing siphons and culverts at 11 sites by Union Pacific Railroad.** No action was taken on this item.
- d. **Status of Computer Workstation, Software, and Server Upgrades.** No action was taken on this item.
- e. **Administrative Fees charged for processing Applications for License to Use District Property, and reimbursement of District for cost associated with technical and field review of 3rd Party Construction Work on District Facilities.** No action was taken on this item.

Miguel Teran was out of the room for the discussion on item 7(f) and did not vote.

- f. **Cost Share Grant with Bureau of Reclamation for Water Conservation Project.**

After a motion by Art Ivey, seconded by Larry Ceballos, duly considered and carried by unanimous vote of the Board it was:

Whereas, the El Paso County Water Improvement District No. 1 (the District) is a political subdivision of the State of Texas and was organized under Chapter 59, Article 16 of the Texas Constitution and operates under Chapter 55 and Chapter 49, in part, of the Texas Water Code; Now Therefore, the Board of Directors of the District hereby resolve to support the District's application for a water conservation grant that authorizes the District Engineer to submit and take any administrative action required to complete the application to the United States Bureau of Reclamation and further resolved, if selected for the grant under the grant program, that the District has the ability to fund \$500,000.00 in expenses and labor, and is requesting the remaining project costs in the amount of \$500,000.00 from the U.S. Department of the Interior Bureau of Reclamation in the form of a water conservation grant.

8. Maintenance Manager's report and recommendations concerning the following:

Drain maintenance program and water delivery system. No action was taken on this item.

9. Water master's report and recommendations concerning the following:

Water use and availability. No action was taken on this item.

10. Water delivery allocations to EPCWID water users and water available by contract. **No action was taken on this item.**

Johnny Stubbs was out of the room for items 11(a) and (b) and did not vote.

11. Consideration of Applications to Use District Property or
Approval of Subdivision Plats meeting requirements of License Manual:

**a. Application 1682, Whataburger, Block 8 Tract 29-F (3.108 acres),
Submission of Irrigable Land Exhibit**

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

RESOLVED: that Application 1682 by Whataburger, Block 8 Tract 29-F (3.108 acres) has been submitted for approval of an irrigable land exhibit, and it is hereby approved.

b. Application 1691, Athena West Subdivision Replat "E" (2.82 acres), Submission of Irrigable Land Exhibit

After a motion by Indar Singh, seconded by Larry Ceballos, duly considered and carried by unanimous vote of the Board it was:

RESOLVED: that Application 1691 by Athena West Subdivision Replat "E" (2.82 acres), for approval of an irrigable land exhibit for has been submitted, and it is hereby approved.

Letters of Approval or Termination under existing License Agreements or Transfers of License: **None**

Letters of Approval under existing License Agreements or Transfers of License: **None**

Miguel Teran was out of the room for the discussion on item (c) and (d) and did not vote.

Requests for approval of Applications for Licenses for use of District property:

c. Application 1638, by El Paso Electric Company, for a one year license to access EPCWID right of way, district wide, for operation and maintenance of existing El Paso Electric Company electrical system

After a motion by Indar Singh, seconded by Larry Ceballos, duly considered and carried by unanimous vote of the Board it was:

RESOLVED: that Application 1638, by El Paso Electric Company, for a 1 year license to access EPCWID right of way, district wide, for operation and maintenance of existing El Paso Electric Company electrical system is approved upon the condition that the applicant meets all requirements of the license, including paying all fees and costs 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 No. 1 are authorized and directed to execute such license, a copy of which is attached hereto.

- d. Application 1685, by Mr. Ramon Tirres, Jr., for a license to cross the Crismore Irrigation Lateral at approximately Station 75+60 with one 2" PVC water line inside a 4" high density polyethylene pipe (HDPE) casing via jack/bore method for domestic use

After a motion by Art Ivey, seconded by Larry Ceballos, duly considered and carried by unanimous vote of the Board it was:

RESOLVED: that Application 1685, by Mr. Ramon Tirres, Jr., for a license to cross the Crismore Irrigation Lateral at approximately station 75+60 with one 2" PVC water line inside a 4" high density polyethylene pipe (HDPE) casing via jack/bore method for domestic use is approved upon the condition that the applicant meets all requirements of the license, including paying all fees and costs 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 No. 1 are authorized and directed to execute such license, a copy of which is attached hereto.

- e. Application 1700, by Canutillo Independent School District, for a 50 year license for ingress and egress across La Union East Lateral at approximately Station 436+43 and Westside Drive

After a motion by Indar Singh, seconded by Larry Ceballos, duly considered and carried by unanimous vote of the Board it was:

RESOLVED: that Application 1700, by Canutillo Independent School District, for a 50 year license for ingress and egress across La Union East Lateral at approximately station 436+43 and Westside Drive is approved upon the condition that the applicant meets all requirements of the license, including paying all fees and costs 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 No. 1 are authorized and directed to execute such license, a copy of which is attached hereto.

Approval of Construction Dewatering Licenses for conveying groundwater:

- f. Extension of License 1474, by El Paso Water Utilities- Public Service Board, for dewatering into EPCWID facilities for construction of Eastside Wastewater Interceptor, Phase I**

After a motion by Miguel Teran, seconded by Indar Singh, duly considered and carried by unanimous vote of the Board it was:

RESOLVED: that Application 1474, by El Paso Water Utilities Public Service Board, for an extension of a license to dewater into EPCWID facilities for construction of Eastside Wastewater Interceptor, Phase I is approved upon the condition that the applicant meets all requirements of the license, including paying all fees and costs 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 No. 1 are authorized and directed to execute such license, a copy of which is attached hereto.

- g. Extension of License 1568, by El Paso Water Utilities- Public Service Board, for dewatering into EPCWID Facilities for construction of potable water and sanitary sewer lines along Country Club Road**

After a motion by Miguel Teran, seconded by Indar Singh, duly considered and carried by unanimous vote of the Board it was:

RESOLVED: that Application 1568, by El Paso Water Utilities-Public Service Board, for an extension of a license to dewater into EPCWID facilities for construction of potable water and sanitary sewer lines along Country Club Road is approved upon the condition that the applicant meets all requirements of the license, including paying all fees and costs 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 No. 1 are authorized and directed to execute such license, a copy of which is attached hereto.

Agreement to Classify Non-Irrigable Land within EPCWID No. 1 as Irrigable Land and to Establish Covenants Running with Such Land: **None**
License for use of District facilities for conveyance of treated wastewater: **None**

Letter of Approval of Maintenance Work under existing crossings or structures: **None**

Letter to City of El Paso regarding preliminary plat for subdivision: **None**

Letters of No Objection for utilities installed with Rights-of-Ways of Public Roads: **None**

Agreements for Payment of Work Performed by District

- h. Reimbursement agreement with Union Pacific Railroad for district work on portion of Salitral Lateral culvert inlets and outlets at Union Pacific Railroad Crossing in the vicinity of Clint, Texas**

After a motion by Indar Singh, seconded by Larry Ceballos, duly considered and carried by unanimous vote of the Board it was:

RESOLVED: that agreement between Union Pacific Railroad and the District providing for the reimbursement to the District for the cost of materials used in constructing culvert inlets and outlets at the Union Pacific Railroad Crossing of the Salitral Lateral Canal in the vicinity of

Clint, Texas is approved and that the Board authorizes the General Manager to sign such agreement. Be it further resolved that the General Manager is authorized to sign additional agreements between the District and Union Pacific Railroad in identical form excepting the location of the construction and the amount of reimbursement.

- i. Interlocal agreement with City of El Paso – El Paso Water Utilities for partial reimbursement of cost for district work construction of a grade control and flow measurement flume near the Riverside Canal**

After a motion by Larry Ceballos, seconded by Art Ivey, duly considered and carried by unanimous vote of the Board it was:

RESOLVED: that the Interlocal agreement with the City of El Paso-El Paso Public Service Board for partial reimbursement of cost for District work construction of a grade control and flow measurement flume near the Riverside Canal is approved and the officers of EPCWID No. 1 are authorized and directed to execute such agreement, a copy of which is attached hereto.

- 12. Status of and/or action on bids for purchases or sale and/or easements of real property:
 - a. Proposal by United States of America to acquire easements from EPCWID over the Franklin Feeder Canal for access near Socorro Ponds and two locations over the San Elizario Lateral for access near Chicken Ranch Road. No action was taken on this item.**
 - b. Proposal by El Paso Water Utilities in regards to lease for use, operation, and maintenance of Montoya and Nemexas drain system in upper El Paso Valley. No action was taken on this item.**
 - c. Sale of Playa Drain and a portion of Playa Intercepting Drain to City of El Paso. No action was taken on this item.**
- 13. Any or all of the items shown on the attached Closed Meeting Agenda.

The Board then entered into a closed session at 11:46 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 1:03 p.m. with no action having been taken in the closed session.

14. **Adjournment.** On motion duly made, seconded and carried, the Board Meeting adjourned at 1:17 p.m.



Indar Singh, Secretary