

**Minutes of Special Meeting  
Board of Directors  
El Paso County Water Improvement District No. 1  
("EPCWID")  
August 27, 2014**

<b>DIRECTORS PRESENT</b>	<b>OTHERS PRESENT</b>
<b>Johnny Stubbs, President</b>	<b>Jesus Reyes, General Manager</b>
<b>Art Ivey, Vice-President</b>	<b>Phil Bowen, Attorney At Law</b>
<b>Indar Singh, Secretary</b>	<b>Jim Speer, Attorney At Law</b>
<b>Larry Ceballos, Director</b>	<b>Al Blair, District Engineer/Consultant</b>
<b>Miguel Teran, Director</b>	<b>Mary Cortez, Accountant</b>
	<b>Sharon Atilano, Administrative Assistant</b>
	<b>Robert Rios, Water Master</b>
	<b>Pete Rodriguez, Maintenance Manager</b>
	<b>Lisa Aguilar, HR Manager</b>
	<b>Robert Kimpel, Visitor</b>
	<b>Rueben Chavez, Visitor</b>
	<b>Michael K. O'Donnell, Bixler &amp; Co.</b>
	<b>John Sproul, UTEP, Rio Bosque</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 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 July 9, 2014 and August 19, 2014 meeting of the Board of Directors.

Draft minutes of the Regular Meeting on July 9, 2014 and Telephonic Emergency Meeting on August 19, 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 July 9, 2014 and the Telephonic Emergency Meeting held on August 19, 2014 are approved.**

4. Report and recommendations by Mary Cortez, Accountant, concerning financial information, expenditures, budget, and investment policy:
  - a. **July Report for the month ending July 31, 2014 were presented to the Board of Directors.** No action was taken on this item.
  - b. **\$500 Expenditure Report for the month of July 2014 was presented to the Board of Directors.** No action was taken on this item.
  - c. **EPCWID Budget for Fiscal Year 2014-2015**

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

**RESOLVED: that the Budget for Fiscal Year 2014-1015 is approved, a copy of which is attached hereto.**

**d. Engagement Letter with Bixler & Co LLP**

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

**RESOLVED: that the Engagement Letter with Bixler & Co LLP 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 and approval of adjustments.**

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

**Adjustments and corrections for July to 2014 tax roll.**

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

**WHEREAS:** Rose Rodriguez, Tax Assessor/Collector/Office Manager for EPCWID recommends adjustments or corrections to the tax rolls for July 2010, 2011, 2012, 2013 and 2014.

**NOW, THEREFORE, BE IT RESOLVED: that the adjustments and corrections to the 2010, 2011, 2012, 2013 and 2014; tax rolls for the month of July are approved as shown on the exhibit attached to these minutes.**

- 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.

6. General Manager's report concerning the following:

- a. Report on irrigation season 2014, and water release budget.** No action was taken on this item.
- b. Deed from El Paso County Water Improvement District No. 1 to City of El Paso, Texas on behalf of the El Paso Water Utilities Public Service Board for the Playa Drain.**

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 sale of the Playa Drain and the Deed Without Warranty from El Paso County Water Improvement District No. 1 to the City of El Paso, (a copy of which is attached to minutes) of this meeting is**

**approved, and the officers of El Paso County Water Improvement District No. 1 shall execute and deliver such Deed to the City of El Paso simultaneously with the payment by the City of El Paso of \$2.75 million.**

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. **Report on El Paso Water Utilities proposal to use a portion of Franklin Canal for Urban Storm Water Storage.** No action was taken on this item. The Board of Directors gave Engineering and Management direction to pursue the project.
- d. **Report on progress of replacement of existing siphons and culverts at 11 sites by Union Pacific Railroad.** No action was taken on this item.

8. The United States of America v 0.4685 Acres of Land, More of Less, Situate in El Paso County, State of Texas; and 0.1858 Acres of Land, More or Less, Situate in El Paso County State of Texas; and 0.2387 Acres of Land, More or Less, Situate in El Paso County, State of Texas; and El Paso County Water Improvement District No. 1 in Cause No. EP14CV0298.

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

- a. Application 1622, Rosalba Estates Subdivision (8.0616 acres), Submission of Irrigable Land Exhibit**

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

**RESOLVED: that Application 1622 by Rosalba Estates Subdivision, for approval of an irrigable land exhibit for Rosalba Estates Subdivision (8.0616 acres) 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**

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

**Mr. Teran left the room and did not return until after closed session.**

- b. Application 1633, by El Paso Water Utilities- Public Service Board, for a 25 year license to construct an 8-inch water main inside a 16-inch steel casing crossing the Franklin Canal at approximately Station 326+06 and TX HWY 20 (Alameda Avenue)**

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

**RESOLVED: that Application 1633, by the El Paso Water Utilities- Public Service Board, for a 25 year license to construct an 8-inch water main inside a 16-inch steel casing crossing the Franklin Canal at approximately Station 326+06 and TX HWY 20 (Alameda Avenue) 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.**

- c. Application 1637, by Socorro Health Realty, L.L.C., a domestic limited liability company in the State of Texas, for a 50 year license to cross the Franklin Canal, at approximately Station 928+42, to construct a bridge for a new roadway to access a new rehabilitation/nursing facility from Alameda Avenue. No action was taken on this item.**
- d. Application 1639, by El Paso Electric Company, for a 50 year license to construct a 13.8 kV distribution overhead line crossing the Y-147 Lateral at approximately Station 7+97 and FM-76 (North Loop Road)**

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 1639, by the El Paso Electric Company, for a 50 year license to construct a 13.8 kV distribution overhead line crossing the Y-147 Lateral at approximately Station 7+97 and FM-76 (North Loop 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.**

- e. Application 1640, by El Paso Electric Company, for a 50 year license to construct a 13.8 kV distribution overhead line crossing the Y-65 Lateral at approximately Station 34+36 and FM-76 (North Loop Road)**

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 1640, by the El Paso Electric Company, for a 50 year license to construct a 13.8 kV distribution overhead line crossing the Y-65 Lateral at approximately Station 34+36 and FM-76 (North Loop 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.

- f. Application 1641, by El Paso Electric Company, for a 50 year license to construct a 13.8 kV distribution overhead line crossing the Juan de Herrera Lateral Branch "C" Lateral at approximately Station 11+93 and FM-76 (North Loop Road)

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 1641, by the El Paso Electric Company, for a 50 year license to construct a 13.8 kV distribution overhead line crossing the Juan De Herrera Lateral Branch "C" Lateral at approximately Station 11+93 and FM-76 (North Loop 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.

- g. Application 1547, by the City of Socorro, Texas, for 50 year license to cross the Franklin Canal, at approximately Station 1111+69, to construct a bridge for a new roadway, Wilton Conners Way for access to Las Margaritas Subdivision from Alameda Avenue

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 1547, by the City of Socorro, Texas, for a 50 year license to cross the Franklin Canal, Station 1111+69, to construct a bridge for a new roadway, Wilton Conners Way for access to Las Margaritas Subdivision from Alameda Avenue 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.

- h. Application 1548, by the City of Socorro, Texas, for 50 year license to cross the Dolan Drain, at approximately Station 89+62, to construct a new roadway, Wilton Conners Way for access to Las Margaritas Subdivision from Alameda Avenue

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 1548, by the City of Socorro, Texas, for a 50 year license to cross the Dolan Drain, at approximately Station 89+62, to construct a new roadway, Wilton Conners Way for access to Las Margaritas Subdivision from Alameda Avenue 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.

- i. Application 1667, by Time Warner Cable, Inc., for a 25 year license to construct a new CATV overhead line across the Alamo Alto Drain and TX HWY 20 (Alameda Avenue) at approximately station 505+27



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

**RESOLVED:** that Application 1667, by Time Warner Cable, Inc., for a 25 year license to construct a new CATV overhead line across the Alamo Alto Drain and TX HWY 20(Alameda Avenue) at approximately station 505+27 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.

- j. Application 1673, by El Paso Electric Company, for a 50 year license to construct a 3-phase 14 kV distribution overhead line crossing the Franklin Canal at approximately Station 324+86 and TX HWY 20 (Alameda Avenue)

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 1673, by El Paso Electric Company, for a 50 year license to construct a 3-phase 14kV distribution overhead line crossing the Franklin Canal at approximately Station 324+86 and TX HWY 20 (Alameda Avenue) 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.

- k. Application 1674, by El Paso Electric Company, for a 50 year license to construct a 3-phase 14 kV distribution overhead line crossing La Union East Lateral at approximately Station 471+04 and Westside Road for Artcraft Estates Subdivision

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 1674, by El Paso Electric Company, for a 50 year license to construct a 3-phase 14kV distribution overhead line crossing La Union East Lateral at approximately Station 471+04 and Westside Road for Arcraft Estates Subdivision 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.

1. **Application 1677, by El Paso Electric Company, for a 50 year license to construct a 3-phase 14 kV distribution overhead line crossing La Union East Lateral at approximately Station 459+57 and Westside Road for Arcraft Estates Subdivision**

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 1677, by El Paso Electric Company, for a 50 year license to construct a 3-phase 14 kV distribution overhead line crossing La Union East Lateral at approximately Station 459+57 and Westside Road for Arcraft Estates Subdivision 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:  
**None**

Agreement to Classify Non-Irrigable Land within EPCWID No. 1 as Irrigable Land and to Establish Covenants Running with Such Land:

- m. **Application 1670, by Jeffrey A. Blackwell, for classification of a portion of Tract 15T, Block 6, Upper Valley Survey, approximately (0.73 ac), in the City of El Paso, Texas, El Paso County, Texas, as irrigable lands.** No action was taken on this item.

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**

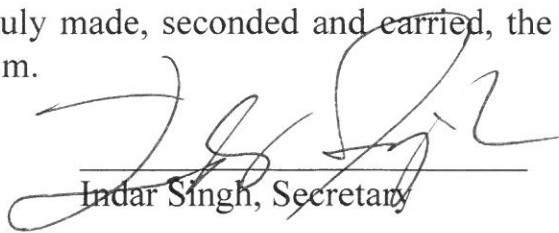
Letters of No Objection for utilities installed with Rights-of-Ways of Public Roads: **None**

13. Status of and/or action on bids for purchases or sale and/or easements of real property: **None**

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

**The Board then entered into a closed session at 11:16 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 11:56 a.m. with no action having been taken in the closed session.**

15. **Adjournment.** On motion duly made, seconded and carried, the Board Meeting adjourned at 11:59 a.m.

  
Indar Singh, Secretary