

In accordance with the Texas Open Meetings Act, notice is hereby given that the Board of Directors of the El Paso County Water Improvement District No. 1 ("EPCWID") will meet in open and closed meetings at the above location, date, and time to consider and act upon the following:

Open Meeting Amended Agenda

1. Call to order and establishment of a quorum.
2. Welcome of guests and invitation for comments from members of the general public.
3. Approval of minutes of 4/10/2013 meeting of the Board of Directors.
4. Report and recommendations by Mary Cortez, Accountant, concerning financial information, expenditures, budget, investment policy and General Manager's 457(b) deferred compensation plan:
 - a. **April Financial Reports**
 - b. **\$500.00 Expenditure Report**
5. Report and recommendations by Rose Rodriguez, Tax Collector/Office Manager, concerning adjustments and corrections, if any, to assessments, taxes, and charges by EPCWID:
 - a. **Review tax report and approval of adjustments.**
6. General Manager's reports concerning the following:
 - a. **Update on lower valley and upper valley water users meeting.**
 - b. **Auction update on following vehicles: 2005 Tahoe (\$8,500.00), five ditch rider trucks, D-8 Caterpillar and 2004 Tahoe.**
 - c. **Allocation to water users as recommended by District Engineer Al Blair and water budget.**
 - d. **Discuss and take action on pumping EPCWID's wells.**
7. District Engineer's report and recommendations concerning the following:
 - a. **Rio Grande Project Operating Agreement Accounting**
 - b. **Rio Grande Compact Accounting**
8. Maintenance Manager's reports and recommendations concerning the following:

Drain maintenance program and water delivery system
9. Water master's report and recommendations concerning the following:

Water use and availability
10. Well Manager's reports and recommendations concerning the following:

Well program status report
11. Water delivery allocations to EPCWID water users and water available by contract.
12. Consideration of Applications to Use District Property or Request for approval of subdivision plats meeting requirements of License Manual:
 - a. **Application 1446, Rio Bravo Subdivision, Submission of Irrigable Land Exhibit Letters of Approval under existing License Agreements or Transfers of License: None**Request for approval applications for Licenses for use of District Real property:

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Notice and Agendas of Open and Closed Meetings of El Paso County Water Improvement District No. 1 ("EPCWID") to be held at 13247 Alameda Avenue, Clint, Texas on Wednesday, May 8, 2013 at 8:30 a.m.

- b. Application 1475, by Tropicana Development, Inc., a for-profit business corporation in the State of Texas, to construct one (1) 4' x 3' x 51' reinforced, cast-in-place concrete box culvert within a portion of the Green Lateral (an irrigation canal) at approximately Station 63+22 for proposed Red River Road and Herring Road intersection**

Approval of Construction Dewatering Licenses for conveying groundwater: **None**

Application to Classify Land within EPCWID as Irrigable: **None**

License for use of District facilities for conveyance of treated wastewater or purchase of El Paso Valley Drainage Water: **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 property:

- a. Authorize General Manager, Jesus Reyes and Legal Counsel, Phil Bowen, to negotiate with First Fabens Joint Venture to exchange real property owned by EPCWID for property owned by First Fabens Joint Venture with final contract to be approved by Board of Directors.**

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

15. Adjournment.

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Debra D. Bowen

At any time during the open meeting, the Board of Directors may retire into a closed meeting to discuss the subjects shown on the Closed Meeting Agenda after the presiding officer publicly announces that a closed meeting will be held; and identifies the section or sections of Chapter 551 of the Texas Government Code under which the closed meeting is held.

Closed Meeting (Executive Session) Amended Agenda

1. Pursuant to Texas Gov. Code §551.071 the Board of Directors will conduct a private consultation with its attorneys seeking advice of such attorneys regarding the following pending or contemplated litigation; or settlement offer(s); or on the following matter(s) in which the duty of the attorneys to EPCWID under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflict with chapter 551 of the Texas Government Code:

- a. **New Mexico Lower Rio Grande Water Rights Adjudication No. CV-96-888**
- b. **Suit by State of New Mexico against U.S.A. to invalidate Operating Agreement.**
- c. **Status of Texas v New Mexico and State of Colorado, no. 220141-Original in the United States Supreme Court.**
- d. **New lawsuit against EPCWID filed by numerous plaintiffs in Cause No. DCV01925 in the 205th District Court of El Paso County, Texas, and preliminary results from Canal Freeboard Survey.**
- e. **Possible lawsuit by Claimant, Eric Villanueva**
- f. **New lawsuit against EPCWID filed by Lee Daniell in Cause No. 2012DCV02921 in the 448th District Court of El Paso County, Texas.**
- g. **Suggestion that EPCWID pursue damages claims against ASARCO and/or CEMEX.**

2. Pursuant to Texas Government Code §551.072, the Board will conduct a closed meeting to deliberate the sale, purchase, exchange, lease or value of real property as shown on the open meeting agenda:

Any of the items under the open agenda under item 12.

3. Pursuant to Texas Government Code §551.074, the Board will conduct a closed meeting to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the below indicated officer(s) or employee(s) of EPCWID indicated below:

None

In accordance with §551.102, Texas Gov. Code, during the closed meeting there will be no final action, decision, or vote on any of the above closed meeting agenda items. The Board of Directors may move any of the closed meeting agenda items to the open meeting for consideration and action.

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