

**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,  
March 29, 2017 at 8:30 a.m.**

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 Agenda**

1. Call to order and establishment of a quorum.
2. Welcome of guests.
3. Minutes of 2/15/2017 meeting of the Board of Directors.
4. Report and recommendations by Mary Cortez, Chief Financial Officer, concerning financial information, expenditures, budget, and investment policy:
  - a. **February Financial Report**
  - b. **\$500.00 Expenditure Report**
  - c. **Legal & Consulting Fees Budget Report**
  - d. **Authorization of signatures for certificate of deposit signature cards with WestStar bank.**
5. Report and recommendations by Rose Rodriguez, Tax Assessor/Collector/Office Manager, 5 concerning adjustments and corrections, if any, to assessments, taxes, and charges by EPCWID:
  - a. **Review tax report and adjustments.**
  - b. **2013-2017 El Paso Public Service Board Assignments.**
  - c. **2015-2017 Lower Valley Water District Assignments.**
  - d. **Comparison of EPCWID tax assessments and collection during 2015 and 2016.**
  - e. **Report on tax suits and interventions filed by EPCWID.**
6. General Manager's items concerning the following:
  - a. **Rio Grande Compact Meeting**
  - b. **Offer of Settlement on USA vs. 0.4585 Acres of Land, et al and EPCWID; Civil No. EP-14-CV-00298-DCG.**
7. District Engineer's reports and recommendations concerning the following:
  - a. **Rio Grande Project Operating Agreement Accounting**
  - b. **Rio Grande Compact Accounting**
  - c. **Rio Grande Project Water Supply and Water Allocations**
  - d. **Status of 3<sup>rd</sup> Party Construction in District Canals and Drains.**
8. Maintenance Manager's reports and recommendations concerning the following:

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

**Water use and availability**
10. Water delivery allocations to EPCWID water users and water available by contract.

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EL PASO COUNTY, TEXAS



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**11. Applications for Licenses for Use of District Real Property:**

- a. **Application 1845, by El Paso Electric Company, for a 25 year license to cross the San Elizario Main Lateral at approximately station 231+32 and Tabasco Road to construct a single (1) phase (7.9 KV) overhead power line (2-1/0 ACSR)**
- b. **Application 1894, by El Paso Water Utilities – Public Service Board, for a 25 year license to cross Schutz Lateral at approximately Station 18+82 at Gomez Road with an 8-inch sanitary sewer line inside a 16- inch steel casing via jack and bore method**
- c. **Application 1902, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Franklin Canal (an irrigation canal) at Tanton Road, approximately Station 1089+26**
- d. **Application 1903, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Franklin Canal (an irrigation canal) and tail end of Bovee Lateral, approximately Station 996+79**
- e. **Application 1904, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Bovee Lateral (an irrigation canal) and the Franklin Canal, approximately Station 10+52**
- f. **Application 1905, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Socorro Lateral (an irrigation canal) and the Franklin Canal, approximately Station 175+68**
- g. **Application 1906, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Franklin Canal (an irrigation canal) near Buford Road, approximately Station 976+58**
- h. **Application 1907, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Franklin Canal (an irrigation canal) at Moon Road, approximately Station 917+67**
- i. **Application 1908, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Ysla Lateral (an irrigation canal) at Moon Road, approximately Station 72+02**
- j. **Application 1909, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Y-147 Lateral (an irrigation canal) adjacent to North Loop, approximately Station 8+32**
- k. **Application 1910, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Mesa Drain (a drainage canal) at Delilah Avenue, approximately Station 651+09**
- l. **Application 1911, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Mesa Spur Drain (a drainage canal) near Horizon Boulevard, approximately Station 180+98**

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- m. Application 1912, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Franklin Feeder Canal (an irrigation canal) at Passmore Road, approximately Station 111+29**
- n. Application 1913, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Franklin Drain (a drainage canal) at Passmore Road, approximately Station 131+61**
- o. Application 1922, by Conterra Ultra Broadband, LLC, for a 25 year license to construct a single fiber aerial line across the Y-147 Lateral (an irrigation canal) adjacent to Delilah Avenue, approximately Station 73+50**

**Construction Dewatering Licenses for Conveying Groundwater:**

- p. Application 1923, by Martinez Bros Contractors, LLC, for construction dewatering into Montoya Lateral Branch "C" to construct Braden Aboud/UTEP Spray Water Park**
12. Sale of Surplus District Real Property under 49.226 of the Texas Water Code: **None**
13. Any or all of the items shown on the attached Closed Meeting Agenda.
14. Adjournment.

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.

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**Closed Meeting (Executive Session) 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-SSI 97-104.**
  - b. **Suit by State of New Mexico against U.S.A. to invalidate Operating Agreement.**
  - c. **Status of State of Texas v State of New Mexico and State of Colorado, no. 22O141 Original in the United States Supreme Court and Intervention by the United States.**
  - d. **The United States of America v 0.4685 Acres of Land, More or Less, Situate in El Paso County, State of Texas; and 0.1858 Acres of Land, More or Less, Situate of 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.**
  - e. **Condemnations by the United States, pending and expected.**
  - f. **Comanche Trail Pipeline, LLC vs. El Paso County Water Improvement District No. 1, El Paso County Court of Law No. 6, 2016-DCV-0255, intervention by U.S.A. and removal to federal district court.**
  - g. **Comanche Trail Pipeline, LLC vs. El Paso County Water Improvement District No. 1 and The United States of America, United States District Court Western District of Texas El Paso Division, EP-16-CV-00444-FM.**
2. Pursuant to Texas Government Code §551.072, the Board will conduct a closed meeting to discuss the licensing, sale, purchase, exchange, lease or value of real property as shown on the open meeting agenda under items 6, 11 and/or 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**
4. Pursuant to Texas Government Code §551.076, the Board will conduct a closed meeting to deliberate Security Devices or Security Audits: **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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