

Notice and Agendas of Open and Closed Special Meeting of El Paso County Water Improvement District No. 1 (EPCWID) to be held at 13247 Alameda Avenue, Clint, Texas, and telephonically on Friday, April 17, 2020 at 9:00 a.m. MDT

Telephonic Call in Number: 1-800-444-2801
Pass Code: 514 0173

In accordance with the Texas Open Meetings Act (Texas Government Code Chapter 551), notice is hereby given that, acting pursuant to Texas Government Code Chapter 551, as well as the March 16, 2020, order of the Governor of Texas suspending certain provisions of the Open Meetings Act, the EPCWID Board of Directors will convene in open session at the above specified date and time for a special meeting to be conducted by telephone or in person at the above location.

Open Meeting Agenda

1. Call to order and establishment of a quorum.
2. Welcome of guests and public comments.
3. Minutes of March 5, 2020, March 23, 2020 and April 11, 2020 meetings of the Board of Directors.
4. Report and recommendations by Mary Cortez, Chief Financial Officer, concerning financial information, expenditures, budget, and investment policy:
 - a. **Financial Report (February and March)**
 - b. **\$500.00 Expenditure Report (February and March)**
 - c. **Legal & Consulting Fees Budget Report (February and March)**
 - d. **Quarterly Investment Report**
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 adjustments**
 - b. **2013-2019 El Paso Public Service Board Assignments, 2013-2019 Lower Valley Water District Assignments and Report on tax suits**
 - c. **Comparison of EPCWID tax assessments and collection during 2018 and 2019**
6. General Manager's report concerning the following:
 - a. **Update on EPCWID operations during COVID 19.**
 - b. **Resolution approving application for concrete lining Franklin Canal from San Antonio St. to Fox Plaza. Total amount \$1.5 million and District will match 50% USBR application.**
7. District Engineer's reports and recommendations concerning the following:
 - a. **Rio Grande Project Operating Agreement Accounting**

FILED FOR RECORD
IN MY OFFICE
2020 APR 13 PM 3:41
Dulce B. Hernandez
COUNTY CLERK
EL PASO COUNTY, TEXAS

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- b. Rio Grande Compact Accounting**
 - c. Rio Grande Project Water Supply and Water Allocations**
 - d. Status of 3rd Party Construction in District Canals and Drains**
8. Maintenance Manager's reports and recommendations concerning the following:
- a. Drain maintenance program and water delivery system**
9. Water Master's reports and recommendations concerning the following:
- a. Water use and availability**
10. Water delivery allocations to EPCWID water users and water available by contract.
11. Subdivision Plats within District Boundary requirement in License Manual:
- a. Application 2008, by Issa Khalayel, for Strahan Village Estates Subdivision, being all of Tract 2D and a portion of Tract 2G, Block 13, Upper Valley Survey, El Paso County, Texas, containing 7.9337 acres, Submission of Irrigable Land Exhibit**
 - b. Application 2153, by Enrique Escobar, for Eastlake Valley Unit 4 Subdivision, being all of Tract 13-A and Tract 14, Block 4 Socorro Grant and a replat of lots 26, 27, 28, and 52, Block 1, Eastlake Valley Subdivision, City of Socorro, El Paso County, Texas, containing 9.5675 acres, Submission of Irrigable Land Exhibit**
12. Applications for Licenses for Use of District Real Property:
- a. Application 2150, by the County of El Paso, for a 25 year license to cross the Madre Lateral for ingress and egress to Casa Ronquillo in San Elizario, Texas**
 - b. Application 2187, by Lower Valley Water District, for a 25 year license to cross the Salitral Lateral at FM-76, approximately Station 580+31 with an 8-inch sanitary sewer main inside a 16-inch steel casing via horizontal conventional bore method**
 - c. Application 2188, by Lower Valley Water District, for a 25 year license to cross the Salitral Lateral at FM-76, approximately Station 580+16 with an 2-inch potable water line inside a 4-inch hdpe casing via horizontal conventional bore method**
 - d. Application 2202, by El Paso Electric Company, for a 50 year license to cross the San Elizario Main Lateral at approximately station 225+95 at Alarcon Road to construct a three (3) phase (14KV) overhead power line**
13. Sale of Surplus District Real Property under 49.226 of the Texas Water Code:
- a. Application 2174A, by Enrique Escobar, sale of triangle of land at tail end of Juan de Herrera Lateral Branch "C", downstream from Old Hueco Tanks Road, adjacent to Mesa Drain in Block 4 of Socorro Grant, approximately 1.255 acres of surplus land**
 - b. Application 2174B, by Enrique Escobar, sale of tail end of Juan de Herrera Lateral Branch "C", downstream from Old Hueco Tanks Road, Block 4 of Socorro Grant, approximately 0.275 acres of surplus land**

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14. Any or all of the items shown on the attached Closed Meeting Agenda.
15. Consideration of agenda items for next regular board meeting.
16. 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 97-104/107.**
 - b. **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.**
 - c. **State of New Mexico ex rel. Office of The New Mexico State Engineer, Plaintiff-Appellee, v. Margie Garcia Oscar v. Butler, Rose Marie Arispe Butler and Sammie Singh, Defendants-Appellants, and Elephant Butte Irrigation District, et. al., Defendants No. A-1-CA-36269.**
 - d. **Albert Lopez & Lexby Lopez vs. City of El Paso, Texas, EPCWID#1, Mid-West Textile Company and Union Pacific Railroad Company, Cause # 2017-DCV0065.**
 - e. **Rogelio Trevizo vs. El Paso County Water Improvement District #1, Cause # 2019DCV1164.**
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, 12, and/or 13.
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 EPCWID1 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.
5. Pursuant to Texas Government Code §551, the Board will conduct a closed meeting to receive advice regarding professional service contracts.

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.