

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 Wednesday, November 18, 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.

FILED FOR RECORD
IN MY OFFICE

2020 NOV 13 PM
1:35

Open Meeting Amended Agenda

DELIA BRIONES
COUNTY CLERK
EL PASO COUNTY, TEXAS

1. Call to order and establishment of a quorum.
2. Welcome of guests and public comments.
3. Minutes of October 14, 2020 and October 20, 2020 meetings of the Board of Directors.
4. Report and recommendations by Lisa Aguilar, Chief Administrative Officer/Election Officer, concerning office operations, and elections: **None**
5. Report and recommendations by Mary Cortez, Chief Financial Officer, concerning financial information, expenditures, budget, and investment policy:
 - a. **Financial Report**
 - b. **\$500.00 Expenditure Report**
 - c. **Legal & Consulting Fees Budget Report**
 - d. **Engagement Letter for Bixler & Company**
6. 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**
 - d. **Certify Tax Roll**
7. General Manager's report concerning the following:
 - a. **Rio Grande Council of Governments Regional Solid Waste Grants Program Funding Report Fiscal Year 2018/2019.**

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- b. Application 2263, by EPWCV, LLC, consider offer for portion of Borderland Spur Drain, from Aircraft Rd to Combination Lateral, Block 10, Upper Valley, El Paso, Texas, approximately 2.3 acres of surplus land**
 - c. Discuss River drain overflow and damage to cotton on Ivey farm.**
 - d. Update on EPCWID operations during COVID 19.**
8. 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 3rd Party Construction in District Canals and Drains**
9. Maintenance Manager's reports and recommendations concerning the following:
- a. Drain maintenance program and water delivery system**
10. Water Master's reports and recommendations concerning the following:
- a. Water use and availability**
11. Water delivery allocations to EPCWID water users and water available by contract.
12. Subdivision Plats within District Boundary requirement in License Manual: **None**
13. Applications for Licenses for Use of District Real Property:
- a. Application 2272, by Lower Valley Water District, for a 25-year license to cross the Ysla Lateral at Anderson Road, approximately Station 332+49 with an 8-inch water main inside a 16-inch steel casing via conventional bore method**
 - b. Application 2273, by Lower Valley Water District, for a 25-year license to cross the Ysla Lateral upstream from Anderson Road, approximately Station 325+97 with an 8-inch sanitary sewer main inside a 16-inch steel casing via conventional bore method**
14. Sale of Surplus District Real Property under 49.226 of the Texas Water Code: **None**
15. Any or all of the items shown on the attached Closed Meeting Agenda.
16. Consideration of agenda items for next regular board meeting.
17. 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) 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-SSI 97-104/107.**
 - b. **Status of State of Texas v State of New Mexico and State of Colorado, No. 220141 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 No. 2017-DCV0065.**
 - e. **Rogelio Trevizo vs. El Paso County Water Improvement District #1, Cause No. 2019DCV1164.**
 - f. **ALLIANCE ESG, LLC d/b/a ALLIANCE ENVIRONMENTAL SERVICES GROUP and GERALD and CHRISTINE GOODWIN, Individually, Plaintiffs, vs. EL PASO WATER IMPROVEMENT DISTRICT NO. 1, Defendant, Cause No. 2020DCV2782.**
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 7, 12, 13 and/or 14.
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.

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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.