

**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, February 10, 2021 at 9:00 a.m. MDT**

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**Telephonic Call in Number: 1-800-444-2801**  
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DELIA BRIONES  
COUNTY CLERK  
EL PASO COUNTY, TEXAS

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. Reappointment of General Manager.
4. Reappointment of Chief Financial Officer.
5. Minutes of November 18, 2020 and November 25, 2020 and meetings of the Board of Directors.
6. Report and recommendations by Lisa Aguilar, Chief Administrative Officer/Election Officer, concerning office operations, and elections: **None**
7. Report and recommendations by Mary Cortez, Chief Financial Officer, concerning financial information, expenditures, budget, and investment policy:
  - a. **Financial Report (November, December, January)**
  - b. **\$500.00 Expenditure Report (November, December and January)**
  - c. **Legal & Consulting Fees Budget Report (November, December and January)**
  - d. **Quarterly Investment Report**
  - e. **EPCWID Annual Audit Report for Fiscal Year 2019**
8. 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 (November, December and January) and adjustments (December)**
  - b. **2013-2020 El Paso Public Service Board Assignments, 2013-2020 Lower Valley Water District Assignments and Report on tax suits (November, December and January)**
  - c. **Comparison of EPCWID tax assessments and collection during 2019 and 2020 (November, December and January)**
9. General Manager's report concerning the following:

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- a. **Application 2263, by EPWCV, LLC, consider offer for portion of Borderland Spur Drain, from Arcraft Rd to Combination Lateral, Block 10, Upper Valley, El Paso, Texas, approximately 2.3 acres of surplus land**
  - b. **Resolution approving application to the Texas Water Development Board's FY2021 Agricultural Water Conservation Grants Program to complete an Engineering Feasibility Study for the Riverside Regulating Reservoir.**
  - c. **Resolution approving application to the U.S. Bureau of Reclamation FY2021 Water Conservation Field Services Program to perform seepage tests at select canals and laterals and develop a UAS/drone orthomosaic aerial survey and mapping system.**
  - d. **Resolution approving application to the U.S. Bureau of Reclamation FY2021 Small-Scale Water Efficiency Program to concrete line a section of the Montoya Main Lateral.**
  - e. **Socorro Ponds purchase**
  - d. **Update on EPCWID operations during COVID 19.**
10. 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**
11. Maintenance Manager's reports and recommendations concerning the following:
- a. **Drain maintenance program and water delivery system**
12. Water Master's reports and recommendations concerning the following:
- a. **Water use and availability**
13. Water delivery allocations to EPCWID water users and water available by contract.
14. Subdivision Plats within District Boundary requirement in License Manual:
- a. **Application 2267, by Enrique Escobar, for Villas De Socorro Subdivision, being Lot 1, Block 1, Valle Real Subdivision, El Paso County, Texas, According to Vol. 60, PG. 80, Recorded with the Plat Records of El Paso County, Texas, Tract 13-B and Tract 18, Block 12, and Tracts 1, 3-A, and 3-C, block 27, Socorro Grant, El Paso County, Texas, containing 46.2477 acres, Submission of Irrigable Land Exhibit**
  - b. **Application 2282, by Hamilton Peck/North Loop Apartments, L.L.C. for North Loop Apartments Unit 2 Subdivision, being a portion of Tract 5-A and a portion of Tract 4-A-2, Block 3, Ysleta Grant, an addition to the City of El Paso, El Paso County, Texas containing 3.2116 acres, Submission of Irrigable Land Exhibit**

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- c. Application 2288, by Del Rio Engineering, Inc., for Ranchos Escondidos Estates Subdivision, being all of Tract 1 and that portion of Tracts 2 and 3 lying east of the Playa Lateral, Block D, Christy Tract, City of El Paso, El Paso County, Texas, containing 9.8219 acres, Submission of Irrigable Land Exhibit**

15. Applications for Licenses for Use of District Real Property:

- a. Application 1638, by El Paso Electric Company, for a 1-year license to access EPCWID right of way, district wide, for operation and maintenance of existing El Paso Electric Company electrical system**
- b. Application 2258, by Transtelco, Inc., for a 25-year license for existing fiber optic lines crossing the Franklin Canal at approximately station 164+98, at the heading, inside four (4), 1.9-inch HDPE Ducts located above the canal box culvert**
- c. Application 2259, by Transtelco, Inc., for a 25-year license to cross the South Side Feeder Lateral at approximately station 67+80, at Loop 375 to bore a 4-inch HDPE with three (3), 1.25- inch innerducts for fiber optic lines**
- d. Application 2269, by El Paso Electric Company, for a 50-year license to cross the Ysla Lateral at approximately station 278+70 at North Loop to Leonor Estates to construct a three (3) phase (14kVA) overhead power line**
- e. Application 2270, by El Paso Electric Company, for a 50-year license to cross the South Side Feeder Lateral at approximately station 6+67 at Loop 375 to construct a three (3) phase (14kVA) overhead power line**
- f. Application 2271, by El Paso Electric Company, for a 50-year license to cross the South Side Feeder Lateral at approximately station 10+69 at Loop 375 to construct a three (3) phase (14kVA) overhead power line**

16. Sale of Surplus District Real Property under 49.226 of the Texas Water Code: **None**

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

18. Consideration of agenda items for next regular board meeting.

19. 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. 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 9, 14, 15 and/or 16.
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.