

Notice and Agendas of Open and Closed Regular Meeting of El Paso County Water Improvement District No. 1 (EPCWID1) to be held at 13247 Alameda Avenue, Clint, Texas, and telephonically on Wednesday, August 11, 2021 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 EPCWID1 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

FILED FOR RECORD
IN MY OFFICE
2021 AUG - 6 AM 9:11
CLINT
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 July 14, 2021 meeting 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**
6. Report and recommendations by Rose Rodriguez, Tax Assessor/Collector/Office Manager, concerning adjustments and corrections, if any, to assessments, taxes, and charges by EPCWID1:
 - a. **Review tax report and adjustments**
 - b. **2013-2020 The City of El Paso on behalf of Public Service Board Assignments, 2013-2020 Lower Valley Water District Assignments and Report on tax suits**
 - c. **Comparison of EPCWID1 tax assessments and collection during 2019 and 2020**
7. General Manager's report concerning the following:
 - a. **Request from County of El Paso for the purchase of 24,000 sq. ft. of River Drain bank located in Cuadarilla (600'x40')**
 - b. **Grant Funding Projects for 2021 report**
 - c. **Grant Applications for 2022 1-million-dollars Riverside Canal, 7,000 feet complete, 80% completed, seepage test completed, engineering completed, 3-year timeline**

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- d. **Franklin Canal, 500 thousand dollars, section continued Loop 375 to Franklin Feeder, seepage test completed, engineering to be completed, 3-year timeline**
 - e. **Salitral Lateral, 300 thousand dollars, seepage test needed, engineering needed, 2-year timeline**
 - f. **Telemetry Automation, 200 thousand dollars, project review needed**
 - g. **Proposed license or sale of bank on I-341 lateral land lock issue for farmers**
 - h. **Update on EPCWID1 operations during COVID 19**
 - i. **Renaming of Engineering Department as Licensing Department and designation of Bert Cortez as manager of Licensing Department reporting directly to General Manager on organizational chart**
 - j. **Presentation of proposed design of Riverside Regulating Reservoir and possible options for interim storage of flood and treated sewage water for next year**
8. District Engineer's reports and recommendations concerning the following:
- a. **Rio Grande Project Operating Agreement Accounting**
 - b. **Rio Grande Project 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 EPCWID1 water users and water available by contract: **None**
12. Subdivision Plats within District Boundary requirement in License Manual: **None**
13. Applications for Licenses for Use of District Real Property:
- a. **Application 2285, by Inglewood Properties, LLC, for a 25-year-license to construct box culvert within Juan De Herrera Main Lateral, approximately station 326+17.32, for private ingress and egress to adjacent trailer yard, Block 2, Ysleta Grant, El Paso County, Texas**
 - b. **Application 3031, by Transtelco, Inc., for a 25-year-license to construct an aerial fiber optic cable system across Juan De Herrera Branch "B" Lateral (an irrigation canal) at Warwick, approximately station 101+34.70**
 - c. **Application 3032, by Transtelco, Inc., for a 25-year-license to construct a subsurface fiber optic cable system across Juan De Herrera Branch "B" Lateral (an irrigation canal) at N. Loop Dr., approximately station 171+21.14**

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- d. Application 3033, by Transtelco, Inc., for a 25-year-license to construct a subsurface fiber optic cable system across Mesa Drain (an irrigation canal) at Ivey Rd., approximately station 835+99.23**
 - e. Application 3034, by Transtelco, Inc., for a 25-year-license to construct a subsurface fiber optic cable system across Mesa Drain (an irrigation canal) at Bordeaux Dr., approximately station 851+43.43**
 - f. Application 3035, by Transtelco, Inc., for a 25-year-license to construct an aerial fiber optic cable system across Mesa Drain (an irrigation canal) at Zaragoza Rd., approximately station 920+92.74**
 - g. Application 3036, by Transtelco, Inc., for a 25-year-license to construct an aerial fiber optic cable system across Juan De Herrera Branch "B" Lateral (an irrigation canal) at Zaragoza Rd., approximately station 44+95.23**
 - h. Application 3037, by Transtelco, Inc., for a 25-year-license to construct an aerial fiber optic cable system across Juan De Herrera Branch "B" Lateral (an irrigation canal) at N. Loop Dr., approximately station 12+96.25**
 - i. Application 3038, by Transtelco, Inc., for a 25-year-license to construct an aerial fiber optic cable system across Juan De Herrera Main Lateral (an irrigation canal) at Zaragoza Rd., approximately station 203+43.84**
 - j. Application 3039, by Transtelco, Inc., for a 25-year-license to construct a subsurface fiber optic cable system across Middle Drain (an irrigation canal) at Presa Pl., approximately station 753+95.85**
- 14. Agreement to classify Non-irrigable land as irrigable land:**
- a. Application 3051, by Joe Garcia, for classification of Lot 30, Block 01, Green Brock #01 Subdivision, approximately (0.31 ac), in the City of El Paso, El Paso County, Texas, as irrigable land**
 - b. Application 3052, by Macias Ezequiel, Jr., for classification of Tract 17A, Block 20, San Elizario Grant, approximately (0.61 ac), in the Town of Clint, El Paso County, Texas, as irrigable land**
- 15. Sale of Surplus District Real Property under 49.226 of the Texas Water Code: None**
- 16. Any or all of the items shown on the attached Closed Meeting Agenda.**
- 17. Consideration of agenda items for next regular board meeting.**
- 18. Adjournment.**

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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 EPCWID1 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 COUNTY 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, 14 and/or 15.
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.