

Notice and Agendas of Open and Closed Meetings of El Paso County Water Improvement District No. 1 (EPCWID1) to be held at 13247 Alameda Avenue, Clint, Texas, Wednesday, January 12, 2022 at 9:00 a.m. MDT

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 (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

FILED FOR RECORD
IN MY OFFICE

2022 JAN 7 AM 9:06

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 November 10, 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: **None**
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 (November, December)**
 - b. **2013-2021 The City of El Paso on behalf of Public Service Board Assignments, 2013-2021 Lower Valley Water District Assignments and Report on tax suits (November, December)**
 - c. **Comparison of EPCWID1 tax assessments and collection during 2020 and 2021 (November, December)**
7. General Manager's report concerning the following:
 - a. **Update on El Paso Water Sewer pipeline replacement and discharge into Rio Grande River**
 - b. **Project updates on Riverside Canal and Ysla lateral lining projects.**
 - c. **Proposed TXDOT funded shared use path along Tornillo Canal by El Paso County property (TGC §551.072 item).**
 - d. **Update on EPCWID operations during COVID-19**
 - e. **Report meeting with EBID executive committee and EPCWID executive committee**
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**

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- e. **District Policy regarding sale and 3rd party use of District property (TGC §551.072 item)**
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:
- a. **Application 3090 by SOCORRO LOGISTICS LAND, LLC for Socorro Logistics Center Unit One for subdivision of irrigable land located near Nuevo Hueco Tanks Blvd and Mesa Drain.**
13. 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 3081, by Transtelco, Inc., for a 25-year-license to construct an aerial fiber optic cable system across the Mesa Drain (an irrigation canal) for approximately at Mauer Rd., approximately station 1074+94.69**
 - c. **Application 3101, by Spectrum Gulf Coast, LLC., for a 25-year license to construct an aerial fiber optic cable system across Tornillo Canal (an irrigation canal) at Shaffer Rd., approximately station 328+61**
 - d. **Application 3102, by Transtelco, Inc., for a 25-year-license to construct an aerial fiber optic cable system across the Alfalfa Lateral (an irrigation canal) for approximately west of Little Flower Rd., approximately station 1+90**
 - e. **Application 3103, by Transtelco, Inc., for a 25-year-license to construct an aerial fiber optic cable system parallel to the Mesa Drain (an irrigation canal) for approximately 444 feet west of Mauer Rd., approximately station 1074+46**
 - f. **Application 3106, by Conterra Ultra Broadband, LLC, for a 25-year license to construct an aerial fiber optic cable system across Franklin Drain (an irrigation canal) at Carl Longuemare Rd, approximately Station 373+97.93**
 - g. **Application 3107, by Conterra Ultra Broadband, LLC, or a 25-year license to construct an aerial fiber optic cable system across Franklin Drain (an irrigation canal) at Loya Rd. and Carl Longuemare Rd., approximately Station 333+63**
 - h. **Application 3112, by Spectrum Gulf Coast, LLC., for a 25-year license to construct an aerial fiber optic cable system across Tornillo Intercepting Drain (an irrigation canal) at Ivey League Rd., approximately station 28+32**

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- i. Application 3113, by Spectrum Gulf Coast, LLC., for a 25-year license to construct an aerial fiber optic cable system across Tornillo Canal (an irrigation canal) at Ivey League Rd., approximately station 517+67**
 - j. Application 3114, by Spectrum Gulf Coast, LLC., for a 25-year license to construct an aerial fiber optic cable system across Tornillo Drain (an irrigation canal) at Ivey League Rd., approximately station 103+58**
 - k. Application 3115, by Spectrum Gulf Coast, LLC., for a 25-year license to construct an aerial fiber optic cable system across Malone Lateral (an irrigation canal) at Alameda Avenue, approximately station 54+30**
 - l. Application 3122, by Spectrum Gulf Coast, LLC., for a 25-year license to construct an aerial fiber optic cable system across Island Drain (an irrigation canal) at Fabens Island Rd., approximately station 305+57.53**
 - m. Application 3123, by Spectrum Gulf Coast, LLC., for a 25-year license to construct an aerial fiber optic cable system across Franklin Canal (an irrigation canal) at Herring Rd., approximately station 1299+74**
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) 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, 8, 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.