

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, February 16, 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 FEB 11 AM 9:28

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. Reappointment of General Manager.
4. Reappointment of Chief Financial Officer.
5. Minutes of January 12, 2022 and January 28, 2022 meetings of the Board of Directors.
6. Report and recommendations by Lisa Aguilar, Chief Administrative Officer/Election Officer, concerning office operations, and elections:
 - a. **Ordering election of directors in divisions 2 and 5.**
7. Report and recommendations by Mary Cortez, Chief Financial Officer, concerning financial information, expenditures, budget, and investment policy:
 - a. **Financial Report (November, December and January)**
 - b. **\$500.00 Expenditure Report (November, December and January)**
 - c. **Legal & Consulting Fees Budget Report (November, December and January)**
 - d. **Quarterly Investment Report**
8. 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 and January)**
 - b. **2013-2022 The City of El Paso on behalf of Public Service Board through El Paso Water Assignments, 2013-2022 Lower Valley Water District Assignments and Report on tax suits (November, December and January)**
 - c. **Comparison of EPCWID1 tax assessments and collection during 2020 and 2021 (November, December and January)**
9. General Manager's report concerning the following:
 - a. **Report on Riverside Canal clean up**
 - b. **Farmer's meeting on zoom**
 - c. **Start of return flow deliveries**
10. District Engineer's reports and recommendations concerning the following:
 - a. **Rio Grande Project Operating Agreement Accounting**

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, February 16, 2022 at 9:00 a.m. MDT

- 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**
 - e. **District Policy regarding sale and 3rd party use of District property (TGC §551.072 item)**
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 EPCWID1 water users and water available by contract: **None**
14. 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 Huevo Tanks Blvd and Mesa Drain.**
15. Applications for Licenses for Use of District Real Property:
- a. **Application 1853, by the City of Socorro, for a 50-year license to construct a free-span bridge across Franklin Canal (an irrigation canal), at Bovee Rd., approximately station 1044+39**
 - b. **Application 1854, by the City of Socorro, for a 50-year license to construct a free-span bridge across Franklin Canal (an irrigation canal), at Rio Vista Rd., approximately station 951+83**
 - c. **Application 3131, by Conterra Ultra Broadband, LLC, for a 25-year license to construct a subsurface fiber optic cable system across the Upper Clint Lateral (an irrigation canal), approximately station 1+03**
 - d. **Application 3132, by Conterra Ultra Broadband, LLC, for a 25-year license to construct an aerial fiber optic cable system across the Riverside Canal (an irrigation canal), approximately station 33+47**
 - e. **Application 3133, by Conterra Ultra Broadband, LLC, for a 25-year license to construct a subsurface fiber optic cable system across the San Elizario Lateral (an irrigation canal) at Tiwa Boulevard, approximately station 6+92**
 - f. **Application 3134, by J.M. Lutich L.P., for a 50-year license for installation of a 2-inch PVC potable water line in a 6-inch steel pipe casing across the I-341 Lateral (an irrigation canal), approximately station 17+00**
 - g. **Application 3135, by City of El Paso through its El Paso Water Utilities Public Service Board, for a 25-year license for installation of a 15-inch sanitary sewer line inside a 30-**

**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, February 16, 2022
at 9:00 a.m. MDT**

**inch casing across the Montoya Main Lateral (an irrigation canal) at Bird Way,
approximately station 252+69**

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.

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, February 16, 2022 at 9:00 a.m. MDT

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 9, 10, 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:
General Manager
Chief Financial Officer
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.

**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, February 16, 2022
at 9:00 a.m. MDT**

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.