

**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, March 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**

1. Call to order and establishment of a quorum.
2. Welcome of guests and public comments.
3. Minutes of February 16, 2022 meeting of the Board of Directors.
4. Report and recommendations by Lisa Aguilar, Chief Administrative Officer/Election Officer, concerning office operations, and elections:
  - a. **Cancellation of Election of Board of Directors on May 7, 2022, pursuant to the Texas Election Code 2.053 because of lack of opposition candidates.**
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. **2013-2022 The City of El Paso on behalf of Public Service Board Assignments, 2013-2022 Lower Valley Water District Assignments and Report on tax suits**
  - c. **Comparison of EPCWID1 tax assessments and collection during 2020 and 2021**
7. General Manager's report concerning the following:
  - a. **Resolution approving application to the Texas Water Development Board FY2022 Agricultural Water Conservation Grants program to construct the Riverside Canal Sediment Control Structure.**
  - b. **Resolution approving application to the U.S. Bureau of Reclamation FY2022 Small-Scale Water Efficiency Program to concrete line sections of the Montoya Main Lateral and Montoya A Lateral.**
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**

FILED FOR RECORD  
IN MY OFFICE

2022 MAR 11 AM 9:28

DELIA BRIONES  
COUNTY CLERK  
EL PASO COUNTY, TEXAS

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- d. Status of 3<sup>rd</sup> Party Construction in District Canals and Drains**
  - e. District Policy regarding sale and 3<sup>rd</sup> 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 3077, by Conde Inc., for Rancho Escondido Estates Subdivision, being Tract 2E2, block 11, Socorro Grant, City of Socorro, El Paso County, Texas, containing 7.0390 acres**
  - b. Application 3088, by EPWCV, LLC, for Village at Westside Crossing Phase Two Subdivision, being a portion of Tracts 1H and 1H1, block 10, Upper Valley Grant Surveys, City of El Paso, El Paso County, Texas, containing 35.9663 acres, Submission of Irrigable Land Exhibit**
  - c. Application 3089, by Lower East Valley Holding Co., LLC/Lower East Valley, LLC, for Valle Nuevo Commercial Center #1 Subdivision, being a portion of tracts 11, 12A, 13A2, 14 and 14-A, block 5, Socorro Grant, City of Socorro, El Paso County Texas, containing 23.56 acres, Submission of Irrigable Land Exhibit**
  - d. Application 3109, by EPWCV, LLC, for Village at Westside Crossing Phase Three Subdivision, being a portion of Tracts 1J3, 1J1B, 1K2, and a portion of tracts 1H and 1H1, block 10, Upper Valley Grant Surveys, City of El Paso, El Paso County, Texas, containing 24.9960 acres, Submission of Irrigable Land Exhibit**
13. Applications for Licenses for Use of District Real Property:
- a. Application 3091, by Lower East Valley Holding Co., LLC/Lower East Valley, LLC., for a 25-year license to construct a 10'x6' cast in place box culvert for parking area within the Mesa Drain (an irrigation canal), at approximately station 771+75**
  - b. Application 3092, by Lower East Valley Holding Co., LLC/Lower East Valley, LLC., for a 25-year license to construct a 10'x6' cast in place box culvert within the Mesa Drain (an irrigation canal), for proposed Market Place Road, at approximately station 773+15.71**
  - c. Application 3093, by Lower East Valley Holding Co., LLC/Lower East Valley, LLC., for a 25-year license to construct a 6'x6' cast in place box culvert with the Juan De Herrera Branch C Lateral (an irrigation canal), for proposed Market Place Road, at approximately station 30+66**

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- d. Application 3094, by Lower East Valley Holding Co., LLC/Lower East Valley, LLC., for a 25-year license to construct a 6’x6’ cast in place box culvert within the Juan De Herrera Branch C Lateral (an irrigation canal), at approximately station 30+66.73**
  - e. Application 3097, by Lower Valley Water District, for a 25-year license for an 18-inch sanitary sewer line inside a 36-inch steel casing by open cut/trench method crossing the Mesa Drain (an irrigation canal) at Market Place Rd., approximately station 773+02.16**
  - f. Application 3098, by Lower Valley Water District, for a 25-year license for a 12-inch water line inside a 24-inch steel casing by open cut/trench method crossing the Mesa Drain (an irrigation canal) at Market Place Rd., approximately station 773+19.82**
  - g. Application 3099, by Lower Valley Water District, for a 25-year license for an 18-inch sanitary sewer line inside a 36-inch steel casing by open cut/trench method crossing the Juan De Herrera Lateral Branch C (an irrigation canal) at Market Place Rd., approximately station 30+71.90**
  - h. Application 3100, by Lower Valley Water District, for a 25-year license for a 12-inch water line in a 24-inch steel casing by open cut/trench method crossing the Juan De Herrera Lateral Branch C (an irrigation canal) at Market Place Rd., approximately station 30+56.40**
  - i. 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**
  - j. Application 3140, by El Paso Electric Company, for a 50-year license to cross the Madre Lateral (an irrigation canal) at approximately station 1+34 to construct a single phase (4kV) overhead power line**
  - k. Application 3145, by El Paso Electric Company, for a 50-year license to cross the Franklin Canal (an irrigation canal) at approximately station 936+94 to construct a three phase (14kV) overhead power line**
14. Sale of Surplus District Real Property under 49.226 of the Texas Water Code:
- a. Consideration of offer by City of El Paso on behalf of Public Service Board for a portion of the Franklin Drain**
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.

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No. 1 (EPCWID1) to be held at 13247 Alameda Avenue, Clint, Texas, Wednesday, March 16, 2022 at  
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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, 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.