

**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, September 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 August 10, 2022 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**
 - d. **Budget for Fiscal Year 2022-2023**
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**
 - d. **Consideration of cancelation of taxes for properties with delinquent taxes for 20 or more years as allowed under Texas Property Tax Code Section 33.05(c).**
7. General Manager's report concerning the following:
 - a. **Meeting with El Paso Water**
 - b. **Scheduled meeting with Deputy Commissioner Michael Brain and Chief of Staff Sean Torpey, United States Bureau of Reclamation**
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 SEP -9 AM 8:50
D. L. K. K. K. K. K.
CLINT, TEXAS

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- d. Consideration of water allocation pursuant to Section 7.B.1 of the 2001 Implementing 3rd Party Contract**
 - e. 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. 2 Applications by Texas Gas Service Company, a division of ONEGas, Inc.**

Application 3184, by Texas Gas Service Company, a division of ONEGas, Inc. for a 25-year license to construct a 4-inch PPE gas line encased in an 8-inch steel pipe, crossing the River Spur Drain at Herring Rd., approximately station 69+66.93

Application 3185, by Texas Gas Service Company, a division of ONEGas, Inc. for a 25-year license to construct a 4-inch PPE gas line encased in an 8-inch steel pipe, crossing the Bernal Lateral at Herring Rd., approximately station 33+32
 - b. 9 Applications by MCImetro Access Transmission Services LLC**

Application 3205, by MCImetro Access Transmission Services LLC, for a 25-year license for a subsurface fiber optic cable system, crossing Mesa Drain (an irrigation canal) at Zaragoza Rd., at approximately station 922+11.09

Application 3211, by MCImetro Access Transmission Services LLC, for a 25-year license for a subsurface fiber optic cable system, crossing Socorro Lateral (an irrigation canal) at Socorro Rd., at approximately station 97+99.75

Application 3227, by MCImetro Access Transmission Services LLC, for a 25-year license for a subsurface fiber optic cable system, crossing Franklin Canal (an irrigation canal) at Moon Rd., at approximately station 918+31.11

Application 3228, by MCImetro Access Transmission Services LLC, for a 25-year license for an aerial fiber optic cable system, crossing Juan De Herrera Branch B Lateral (an irrigation canal) at North Loop Rd., at approximately station 172+91.70

Application 3229, by MCImetro Access Transmission Services LLC, for a 25-year license for an aerial fiber optic cable system, crossing Riverside Canal (an irrigation canal) at Pan American Dr., at approximately station 36+13.76

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Application 3231, by MCImetro Access Transmission Services LLC, for a 25-year license for an aerial fiber optic cable system, crossing Green Lateral (an irrigation canal) at Alameda Ave., at approximately station 54+60.65

Application 3239, by MCImetro Access Transmission Services LLC, for a 25-year license for an aerial fiber optic cable system, crossing Mesa Drain (an irrigation canal) at Lomaland Dr., at approximately station 1030+62.74

Application 3240, by MCImetro Access Transmission Services LLC, for a 25-year license for an aerial fiber optic cable system, crossing Juan De Herrera Branch A (an irrigation canal) at Lomaland Dr., at approximately station 48+15.66

Application 3241, by MCImetro Access Transmission Services LLC, for a 25-year license for an aerial fiber optic cable system, crossing Combined La Union Lateral (an irrigation canal) at Upper Valley Rd., at approximately station 536+57.22

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.**
 - g. **Julio F. Cervantes, Plaintiff v. El Paso County Water Improvement District No. 1 and Joshua Nathan Quinn, Defendant, Cause No. 722-00027-CV**
 - h. **Julio F. Cervantes, Plaintiff v. El Paso County Water Improvement District No. 1 and Lisa Aguilar, Defendant, Cause No. 722-00028-CV**
 - i. **Carlos Rangel, Plaintiff v. Pedro Sarinana and El Paso County Water Improvement District No. 1, Defendant, Cause No. 2022DCV0546**
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

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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.

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.