

**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, November 9, 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 October 12, 2022 and October 31, 2022 meetings 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 (September and October)**
  - b. **\$500.00 Expenditure Report (September and October)**
  - c. **Legal & Consulting Fees Budget Report (September and October)**
  - d. **Quarterly Investment Report**
  - e. **Summary of current and proposed grant financial obligations**
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, elimination of collection of taxes pursuant to Texas Property Tax Code Sec. 33.05 (2)**
  - b. **Adjustment of assessments**
  - c. **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**
  - d. **Comparison of EPCWID1 tax assessments and collection during 2020 and 2021**
  - e. **Certify Tax Roll**
7. General Manager's report concerning the following:
  - a. **Proposed Changes to Organizational Chart**
  - b. **Rescind resolution approved on May 11, 2022, for application to the El Paso County American Rescue Plan Act Notice of Funding Opportunity to purchase major equipment and complete survey, engineering design and environmental work for the Franklin Canal**
  - c. **Pending grant application and awards**
8. District Engineer's reports and recommendations concerning the following:

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IN MY OFFICE

2022 NOV 4 AM 8:57

DELIA BRIONES  
COUNTY CLERK  
EL PASO COUNTY, TEXAS

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MDT

- 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 3<sup>rd</sup> Party Construction in District Canals and Drains**
  - e. **Engineering work related to grants and proposals**
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 City of Socorro**
    - Application 3044, by City of Socorro, for 25-year license for a free-span pedestrian bridge across Franklin Feeder Canal (an irrigation canal) at Passmore Rd., at approximately station 102+10**
    - Application 3045, by City of Socorro, for a 25-year license for a 48" RCP culvert, shared use path over culvert, within Upper Clint Lateral (an irrigation canal) at Passmore Rd., at approximately station 29+49.53**
  - b. **2 Approval Letters by Texas Gas Service Company, a division of ONEGas, Inc.**
    - Application 3184A, by Texas Gas Service Company, a division of ONEGas, Inc. for an Approval Letter 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 3185A, by Texas Gas Service Company, a division of ONEGas, Inc. for an Approval Letter 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**
  - c. **3 Applications by MCImetro Access Transmission Services LLC**
    - Application 3208, by MCImetro Access Transmission Services, LLC., for a 25-year license for a subsurface fiber optic cable system, crossing Jornada Lateral (an irrigation canal), at Alameda Ave., at approximately station 67+83.33**
    - Application 3212, by MCImetro Access Transmission Services, LLC., for a 25-year license for an aerial fiber optic cable system, crossing Y-147 Lateral (an irrigation canal), at North Loop Rd., at approximately station 7+98.25**

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**Application 3214, by MCImetro Access Transmission Services, LLC., for a 25-year license for an aerial fiber optic cable system, crossing Ysla Lateral (an irrigation canal), at Moon Rd., at approximately station 72+02.84**

- d. Application 3206, by Lower Valley Water District, for a 25-year license for an 8-inch water line inside a 16-inch steel casing installed by cut/trench method crossing the Franklin Canal (an irrigation canal) at Bovee Rd., approximately station 1044+74**
- e. Application 3270, by El Paso Water, for a temporary construction license for a temporary construction access road to conduct subsurface utility engineering test holes on the Southside Feeder Lateral**

- 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. 22O141 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.