

Notice and Agendas of Open and Closed Meetings of El Paso County Water Improvement District No. 1 (EPCWID) to be held at 13247 Alameda Avenue, Clint, Texas, May 10, 2023 at 9:00 a.m.

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 April 4, 2023 and April 12, 2023 meetings of the Board of Directors.
4. Report and recommendations by Lisa Aguilar, Chief Administrative Officer/Election Officer, concerning office operations and elections.
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 concerning adjustments and corrections, if any, to assessments, taxes, and charges by EPCWID:
 - a. **Review tax report and adjustments**
 - b. **2013-2023 The City of El Paso on behalf of Public Service Board Assignments, 2013-2023 Lower Valley Water District Assignments and Report on tax suits**
 - c. **Comparison of EPCWID tax assessments and collection during 2021 and 2022**
7. General Manager's report concerning the following:
 - a. **Meeting with Congressman Tony Gonzales**
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**
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 EPCWID water users and water available by contract: **None**

FILED FOR RECORD
IN MY OFFICE

2023 MAY 05 PM 8:03

DELIA BRIONES
COUNTY CLERK
EL PASO COUNTY, TEXAS

Notice and Agendas of Open and Closed Meetings of El Paso County Water Improvement District No. 1 (EPCWID) to be held at 13247 Alameda Avenue, Clint, Texas, May 10, 2023 at 9:00 a.m.

12. Subdivision Plats within District Boundary requirement in License Manual:

- a. **Application 3361, by B & B Socorro LLC, for Peaceful Valley Subdivision, being all of tract 2-A and a portion of tract 4C, block 52, Ysleta Grant, City of El Paso, El Paso County, Texas, containing 12.1275 acres**

13. Applications for Licenses and Memorandums of Understanding for Use of District Real Property:

- a. **5 Applications for Conterra Ultra Broadband, LLC**

Application 3262, by Conterra Ultra Broadband LLC, for a 25-year license for a subsurface fiber optic cable system, crossing the Salitral Lateral (an irrigation canal) at Alameda Ave., at approximately station 602+60

Application 3264, by Conterra Ultra Broadband LLC, for a 25-year license for a subsurface fiber optic cable system, crossing the Mesa Drain (an irrigation canal) at Alameda Ave., at approximately station 32+64

Application 3265, by Conterra Ultra Broadband LLC, for a 25-year license for an aerial fiber optic cable system, crossing the Franklin Canal (an irrigation canal) at Alameda Ave., at approximately station 1555+85

Application 3266, by Conterra Ultra Broadband, LLC, for a 25-year license for a subsurface fiber optic cable system, crossing the Franklin Canal (an irrigation canal) at Alameda Ave, at approximately station 1542+85

Application 3347, by Conterra Ultra Broadband, LLC, for a 25-year license for a subsurface fiber optic cable system, crossing Montoya Lateral Branch "A" (an irrigation canal) at Lindbergh Dr., at approximately station 1543+85

- b. **Request for Information 3370, Memorandum of Understanding Between the United States Customs and Border Protection and El Paso County Water Improvement District No. 1 for Vegetation Control in Irrigation and Drainage Canals Adjacent to the Rio Grande in El Paso County, Texas**

14. Approval of Construction Dewatering Licenses for Conveyance Groundwater: **None**

15. Letters of Approval and/or Amendments of existing License Agreement: **None**

16. Agreement to classify Non-irrigable land as irrigable land: **None**

17. Sale of Surplus District Real Property under 49.226 of the Texas Water Code: **None**

18. Grant Agreements involving District Real Property:

- a. **Grant Assistance Agreement Number R19AP00046-00 (as amended by R19AP00046-01) between EPCWID and USBR for La Union East Canal Concrete Lining Design Project**
- b. **Grant Assistance Agreement Number R22AP00052-00 (as amended by R22AP00052-01) between EPCWID and USBR for Montoya Main Lateral Concrete Lining Project: Phase II**

Notice and Agendas of Open and Closed Meetings of El Paso County Water Improvement District No. 1 (EPCWID) to be held at 13247 Alameda Avenue, Clint, Texas, May 10, 2023 at 9:00 a.m.

19. Any or all of the items shown on the attached Closed Meeting Agenda.
20. Consideration of agenda items for next regular board meeting.
21. 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 (EPCWID) to be held at 13247 Alameda Avenue, Clint, Texas, May 10, 2023 at 9:00 a.m.

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 EPCWID 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. **Rogelio Trevizo vs. El Paso County Water Improvement District #1, Cause No. 2019DCV1164**
 - e. **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**
 - f. **Julio F. Cervantes, Plaintiff v. El Paso County Water Improvement District No. 1 and Joshua Nathan Quinn, Defendant, Cause No. 722-00027-CV**
 - g. **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 12, 13, 14, 15, 16, 17 and/or 18.
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 EPCWID 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. **None.**

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.