

**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, August 09, 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 July 12, 2023 meeting 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 Sonia Ontiveros, Tax Collector Assistant 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. **Renewal of agreement with Linebarger Goggan Blair & Sampson, LLP**
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 3<sup>rd</sup> 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.

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IN MY OFFICE

2023 AUG 04 AM 9:21

DELIA BRIONES  
COUNTY CLERK  
EL PASO COUNTY, TEXAS

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

- a. **Application 3329, by Revocable Trust Rodolfo A. Resendez & Emma Catherine Resendez, for Ranchos Resendez Subdivision, being all of tract 4C145A, block 3, Socorro Grant, El Paso County, Texas, containing 1.21 acres**
- b. **Application 3369, by Donald E. Simpson, for Cottonwood Springs Replat "A" Subdivision, being replat of lot 19, block 1, Cottonwood Springs, El Paso County, Texas, containing 2.00 acres**

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

- a. **License 3172, by the City of El Paso for conveyance of Storm Water and Groundwater, and Subsurface installation of Water or Sewer Pipeline Crossings**
- b. **3 applications by Odin Construction LLC**

**Application 3320, by Odin Construction LLC, for temporary ingress & egress construction license to construct a temporary bridge crossing the Montoya Main Lateral (an irrigation lateral) at Artcraft Rd. to access Rio Grande Levee, at approximately station 21+30**

**Application 3321, by the Odin Construction LLC, for temporary ingress & egress construction license to construct a temporary bridge crossing the Montoya Main Lateral (an irrigation lateral) at Artcraft Rd. to access Rio Grande Levee, at approximately station 17+25**

**Application 3411, by Odin Construction LLC, for temporary ingress & egress construction license to field along the banks of the Borderland Spur Drain (an irrigation drain), at approximately station 121+53**

- c. **Application 3371A, by MCImetro Access Transmission Services, for a 25-year license for a subsurface fiber optic cable system, crossing the Wadlington Lateral (an irrigation lateral) at Alameda Ave., at approximately station 1+57**
- d. **4 applications for Conterra Networks**

**Application 3399, by Conterra Networks, for a 25-year license for a subsurface fiber optic cable system, crossing the Franklin Feeder Canal (an irrigation canal) at Vineyard Rd., at approximately station 70+90**

**Application 3400, by Conterra Networks, for a 25-year license for a subsurface fiber optic cable system, crossing the Mesa Drain (an irrigation drain) at Rio Vista Rd., at approximately station 695+22**

**Application 3401, by Conterra Networks, for a 25-year license for a aerial fiber optic cable system, crossing the Ysla Lateral (an irrigation lateral) at Horizon Blvd., at approximately station 152+31**

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**Application 3415, by Conterra Networks, for a 25-year license for a subsurface fiber optic cable system, crossing the Juan De Herrera Branch B Lateral (an irrigation lateral) at North Loop Dr., at approximately station 36+91**

- e. Application 3407, by WANRack, for a 25-year license for a subsurface fiber optic cable system, crossing the Middle Drain (an irrigation drain) at Herring Rd., at approximately station 212+40**

14. Letters of No Objection for Natural Gas Service installed with the Rights-of-Ways of Public Roads:

- a. 3 applications by Texas Gas Service**

**Application 3028, by Texas Gas Service, for an approval letter for installation of a 6-inch pipe underground gas line crossing the Middle Drain at Tanton Road, at approximately station 448+46**

**Application 3378, by Texas Gas Service, for an approval letter for installation of an 8-inch steel pipe underground gas line crossing the Webb Lateral at Alameda Ave., at approximately station 26+27**

**Application 3379, by Texas Gas Service, for an approval letter for installation of an 8-inch steel pipe underground gas line crossing the Clint Lateral at Alameda Ave., at approximately station 380+36**

15. Approval of Construction Dewatering Licenses for Conveyance Groundwater.

16. Letters of Approval and/or Amendments of existing License Agreement:

- a. License 1300 - Application 3149A, by El Paso Water, to place Southside Feeder Lateral underground in 36-inch pvc irrigation pipe for roadway crossing on Southside Road, at approximately station 71+68**

17. Agreement to classify Non-irrigable land as irrigable land:

- a. Application 3406, by Georgina Carmona, for classification of Block 38, Tract 19J, Ysleta Grant, 8808 Old County, (.20 ac), in the City of El Paso, El Paso County, Texas as irrigable land**

18. Sale of Surplus District Real Property under 49.226 of the Texas Water Code.

19. Grant Agreements involving District Real Property:

- a. TWDB Contract No. 2013582447 for Agricultural Water Conservation Fund Construction Project Grant between EPCWID and TWDB for design and construction of concrete lining of a portion of the Franklin Canal adjacent to the El Paso Zoo.**
- b. Grant Assistance Agreement No. R23AP00055-00 between EPCWID and USBR for Water Conservation Field Services Program Financial Assistance for Fiscal Years 2022 and 2023-2022**

20. Any or all of the items shown on the attached Closed Meeting Agenda.

21. Consideration of agenda items for next regular board meeting.

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22. 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 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. **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, 18 and/or 19.
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.