

**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 on Wednesday, October 8, 2014 at 8:30 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 No. 1 ("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
3. Approval of minutes of 8/27/2014 meetings of the Board of Directors
4. Report and recommendations by Mary Cortez, Accountant, concerning financial information, expenditures, budget, and investment policy:
  - a. **August and September Financial Reports**
  - b. **\$500.00 Expenditure Report**
  - c. **Quarterly Investment Reports for June and September**
5. Report and recommendations by Rose Rodriguez, Tax Assessor/Collector/Office Manager, concerning adjustments and corrections, if any, to assessments, taxes, and charges by EPCWID:
  - a. **Review tax report and adjustments**
  - b. **2013 El Paso Public Service Board leases and assignments**
  - c. **Comparison of EPCWID tax assessments and collection during 2012 and 2013**
  - d. **Report on tax suits and interventions filed by EPCWID**
  - e. **Setting of assessments against all irrigable land in EPCWID and setting of assessments against persons who use water, in accordance with Texas Water Code.**
  - f. **Setting contract rates in 2014 for water supplied to tax exempt entities.**
6. General Manager's reports concerning the following:
  - a. **Report on Albuquerque, N.M. meeting with USBR, EBID and Rio Compact Engineer reference Environmental Assessment on Operating Agreement.**
  - b. **Trip to attend NWRA conference in San Diego, California on November 12<sup>th</sup>-14<sup>th</sup> and meeting with USBR Commissioner to discuss grant funding.**
  - c. **Proposed routes for FM 1110 from I-10 to Texas 20 (Alameda) and extending to Border Highway east extension.**
  - d. **Approval of Organizational Chart.**
7. District Engineer's report and recommendations concerning the following:
  - a. **Rio Grande Project Operating Agreement Accounting**
  - b. **Rio Grande Compact Accounting**
  - c. **Replacement of existing siphons and culverts at 11 sites by Union Pacific Railroad and reimbursement of Agreement for Salitral Lateral.**

*Rose Rodriguez*  
COUNTY CLERK  
EL PASO COUNTY, TEXAS

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CLERK'S OFFICE

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8. The United States of America v 0.4685 Acres of Land, More or Less, Situate in El Paso County, State of Texas; and 0.1858 Acres of Land, More or Less, Situate in El Paso County State of Texas; and 0.2387 Acres of Land, More or Less, Situate in El Paso County, State of Texas; and El Paso County Water Improvement District No. 1. in Cause No. EP14CV0298.
9. Maintenance Manager's reports and recommendations concerning the following:
  - Drain maintenance program and water delivery system
10. Water master's report and recommendations concerning the following:
  - Water use and availability**
11. Water delivery allocations to EPCWID water users and water available by contract.
12. Applications to Use District Property or
  - Request for approval of subdivision plats meeting requirements of License Manual: **None**
  - Requests for approval of applications for Licenses to use of EPCWID Real property:
    - a. **Application 1637, by Socorro Health Realty, L.L.C., a domestic limited liability company in the State of Texas, for a 50 year license to cross the Franklin Canal, at approximately Station 928+42, to construct a bridge for a roadway to access a new rehabilitation/nursing facility from Alameda Avenue**
    - b. **Application 1686, by Time Warner Cable, Inc., for a 25 year license to construct a new CATV overhead line across the Franklin Canal and TX HWY 20(Alameda Avenue) at approximately station 324+66**
    - c. **Application 1690, by The City of El Paso, for a 60 day temporary construction license to construct a 24-inch storm sewer system in the Montoya Drainage Canal at Country Club Road to Country Club Place**
    - d. **Application 1683, by El Paso Water Utilities- Public Service Board, for a 25 year license to construct a 36-inch reclaimed water main crossing the Rio Intercepting Drainage Canal at approximately Station 39+65**
  - Construction Dewatering Licenses for conveying groundwater: **None**
  - Application to Classify Land within EPCWID as Irrigable: **None**
  - Agreement to Classify Non-irrigable Land as Irrigable Land: **None**
  - License for use of EPCWID facilities for conveyance of treated wastewater or purchase of El Paso Valley Drainage Water: **None**
  - Letter of Approval of Maintenance Work under existing crossings or structures: **None**
  - Letter to City of El Paso regarding preliminary plat for subdivision: **None**
  - Letters of No Objection for utilities installed with Rights-of-Ways of Public Roads: **None**

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13. Status of and/or action on for purchases or sale and/or easements and/or leases of property:
  - a. **Proposal by United States of America to acquire easements from EPCWID over the Franklin Feeder Canal for access near Socorro Ponds and two locations over the San Elizario Lateral for access near Chicken Ranch Road.**
  - b. **Discuss meeting with El Paso Water Utilities in regards to lease of Montoya Drain, Nemexas Drain and Border Spur Drain.**
  - c. **Discuss offer on a portion of Franklin Drain near Loop 375.**
14. Any or all of the items shown on the attached Closed Meeting Agenda
15. 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 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**
  - b. **Suit by State of New Mexico against U.S.A. to invalidate Operating Agreement**
  - c. **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**
  - d. **Lawsuit by Bond Memorial United Methodist Church et al. against "Red Cliff"; Red Cliff, Inc.; CEA Group; CEA Engineering Group Inc.; Ulises Estrada; "Bain Construction"; Bain Construction, Inc.; Bain Enterprises LLC; Jaime Rojas; "CQC"; CQC Testing & Engineering, LLC; "Western Dewatering"; and Western Dewatering, Inc. filed by numerous plaintiffs in Cause No. 2012-DCV07270 in the 384<sup>th</sup> District Court of El Paso County, Texas**
  - e. **Second Amended and Restated Joint Confidentiality Agreement Relating to Rio Grande Litigation**
  - f. **The United States of America v 0.4685 Acres of Land, More or Less, Situate in El Paso County, State of Texas; and 0.1858 Acres of Land, More or Less, Situate in El Paso County State of Texas; and 0.2387 Acres of Land, More or Less, Situate in El Paso County, State of Texas; and El Paso County Water Improvement District No. 1. in Cause No. EP14CV0298.**
2. Pursuant to Texas Government Code §551.072, the Board will conduct a closed meeting to discuss the sale, purchase, exchange, lease or value of real property as shown on the open meeting agenda:
  - a. **Any of the items under the open agenda under item 12 and 13.**
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:

**Security Audit of District Computer and Data Storage**

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.