

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, February 13, 2013 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 an invitation for comments from members of the general public.
3. Approval of minutes of 1/11/2013 meeting of the Board of Directors.
4. Reappointment of terms and benefits for General Manager.
5. Report and recommendations by Mary Cortez, Accountant, concerning financial information, expenditures, budget, and investment policy:
 - a. **December Financial Reports**
 - b. **\$500.00 Expenditure Report**
6. Report and recommendations by Rose Rodriguez, Tax Collector/Office Manager, concerning adjustments and corrections, if any, to assessments, taxes, and charges by EPCWID:
 - a. **Review tax report and approval of adjustments.**
7. General Manager's reports concerning the following:
 - a. **Rio Grande Compact Meeting on March 20th and 21st in Alamosa Colorado.**
 - b. **Adjustment of budget for purchase of a new vehicle for General Manager, with the two Tahoes to be auctioned.**
 - c. **Briefing on meeting with Senator Rodriguez.**
 - d. **Texas Ag Water Forum on February 25, 2013 from 9 a.m. to 3 p.m. in Austin, TX**
8. District Engineer's report and recommendations concerning the following:
 - a. **Rio Grande Project Operating Agreement Accounting**
 - b. **Rio Grande Compact Accounting**
9. Maintenance Manager's reports and recommendations concerning the following:
 - a. **Drain maintenance program and water delivery system**
10. Water master's report and recommendations concerning the following:
 - a. **Water use and availability**
11. Well Manager's reports and recommendations concerning the following:
 - a. **Well program status report**
12. Water delivery allocations to EPCWID water users and water available by contract.
13. Consideration of Applications to Use District Property or
Request for approval of subdivision plats meeting requirements of License Manual: None
Letters of Approval under existing License Agreements or Transfers of License: None

FILED FOR RECORD
IN MY OFFICE
2013 FEB - 8 A 9 21
COUNTY CLERK
EL PASO COUNTY, TEXAS

At least 72 hours prior to the time of said meeting this notice was posted at the office of El Paso County Water Improvement District No. 1 located at 13247 Alameda, El Paso, Texas and a copy of this notice was provided to the El Paso County Clerk for posting by the Clerk on the bulletin board at the El Paso County courthouse, as required by §§ 551.041, 551.043 and 551.054 of the Texas Government Code.

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, February 13, 2013 at 8:30 a.m.

Request for approval applications for Licenses for use of District Real property:

- a. **Application 1173, by Texas Department of Transportation, for proposed roadway widening of TX 20 (Alameda Avenue) crossing over the Franklin Irrigation Canal at approximately Station 325+75**
- b. **Application 1174, by Texas Department of Transportation, for proposed roadway widening of TX 20 (Alameda Avenue) crossing over the Franklin Irrigation Canal at approximately Station 322+67**
- c. **Application 1496, by Robert Foster, for a temporary construction license for ingress and egress across La Union East Lateral Canal at approximately Station 468+00 to construct Artercraft Estates Subdivision**

Approval of Construction Dewatering Licenses for conveying groundwater:

- d. **Application 1499, by El Paso Natural Gas, a Delaware business corporation authorized to do business in the State of Texas, for dewatering into the Riverside Intercepting Drainage Canal, for construction of a 36-inch high pressure natural gas pipeline via horizontal directional drill method**

Application to Classify Land within EPCWID as Irrigable: **None**

License for use of District 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**

14. Status of and/or action on bids for purchases or sale and/or easements of property: **None**

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

16. 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.

At least 72 hours prior to the time of said meeting this notice was posted at the office of El Paso County Water Improvement District No. 1 located at 13247 Alameda, El Paso, Texas and a copy of this notice was provided to the El Paso County Clerk for posting by the Clerk on the bulletin board at the El Paso County courthouse, as required by §§ 551.041, 551.043 and 551.054 of the Texas Government Code.

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, February 13, 2013 at 8:30 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
 - b. Suit by State of New Mexico against U.S.A. to invalidate Operating Agreement.
 - c. Litigation in the U.S. Supreme Court by The States of New Mexico and Colorado, by the New Mexico Attorney General, and Texas, represented the Texas Attorney General, affecting the water rights of EPCWID.
 - d. New lawsuit against EPCWID filed by numerous plaintiffs in Cause No. DCV01925 in the 205th District Court of El Paso County, Texas, and preliminary results from Canal Freeboard Survey.
 - e. Possible lawsuit by Claimant, Eric Villanueva
 - f. New lawsuit against EPCWID filed by Lee Daniell in Cause No. 2012DCV02921 in the 448th District Court of El Paso County, Texas.
 - g. Lawsuit against EPCWID filed by The State of Texas in Cause No. 2012DCV-06100 in the County Court at Law Number Six of El Paso County, Texas.
2. Pursuant to Texas Government Code §551.072, the Board will conduct a closed meeting to deliberate the sale, purchase, exchange, lease or value of real property as shown on the open meeting agenda:

Any of the items under the open agenda under item 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

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.

At least 72 hours prior to the time of said meeting this notice was posted at the office of El Paso County Water Improvement District No. 1 located at 13247 Alameda, El Paso, Texas and a copy of this notice was provided to the El Paso County Clerk for posting by the Clerk on the bulletin board at the El Paso County courthouse, as required by §§ 551.041, 551.043 and 551.054 of the Texas Government Code.