

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, September 11, 2013 at 1:00 p.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 Amended 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 8/14/2013 and 8/21/2013 meeting of the Board of Directors.
4. Report and recommendations by Mary Cortez, Accountant, concerning financial information, expenditures, budget, and investment policy:
 - a. **August Financial Reports**
 - b. **\$500.00 Expenditure Report**
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 and during 2011 and 2012.**
 - d. **Report on tax suits filed by EPCWID or interventions.**
6. General Manager's reports concerning the following:
 - a. **FM 1110 Road project phase I.**
 - b. **EPWU land sale request briefing.**
 - c. **Briefing on Senator Rodriguez meeting scheduled for September 12, 2013.**
 - d. **District Advisory to general public.**
 - e. **Discussion and possible action to authorize General Manager to enter into a month to month occupancy of Luis Almeraz and family at 13289 Alameda at no rental for ancillary benefits resulting from tenants proximity to District property.**
7. Suit for declaratory judgment regarding Senate Bill 856.
8. District Engineer's report and recommendations concerning the following:
 - a. **Rio Grande Project Operating Agreement Accounting**
 - b. **Rio Grande Compact Accounting**
 - c. **Application 1537, by City of El Paso Zoo, discussion and possible action to place the Franklin Canal underground in dual concrete box culverts from U.S. 54 to Shelter Place, approximately 2,250 linear feet**
9. Maintenance Manager's reports and recommendations concerning the following:

Drain maintenance program and water delivery system

FILED FOR RECORD
IN MY OFFICE
2013 SEP -6 A 11:08
Doris D. [Signature]
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, Clint, 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.

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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. Consideration of Applications to Use District Property or

Request for approval of subdivision plats meeting requirements of License Manual:

- a. **Application 1574, Jardines de Grijalva Subdivision, Submission of Irrigable Land Exhibit**
- b. **Application 1554, Valley Creek Unit Two Subdivision, Submission of Irrigable Land Exhibit**
- c. **Application 1555, Valley Creek Unit Three Subdivision, Submission of Irrigable Land Exhibit**

Letters of Approval under existing License Agreements or Transfers of License: **None**

Requests for approval of applications for Licenses to use of EPCWID Real property:

- d. **Application 1534, by Ann and Benny Miller, for a 25 year license for a proposed crossing over La Union East Lateral (an irrigation canal) via a 6' x 6' reinforced concrete box culvert at approximately Station 287+64**

Approval of Construction Dewatering Licenses for conveying groundwater: **None**

Application to Classify Land within EPCWID as Irrigable: **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**

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

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 (Executive Session) Amended 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. 22O141-Original in the United States Supreme Court.**
 - d. **Lawsuit against EPCWID filed by Lee Daniell in Cause No. 2012DCV02921 in the 448th District Court of El Paso County, Texas.**
 - e. **Suit for declaratory judgment regarding Senate Bill 856.**

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 12.

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:
 - a. **Evaluation of Sonia Ontiveros**
 - b. **Resignations of Luis Lopez and Roberto Gutierrez**

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.

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