

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, January 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 11/13/2013 meeting of the Board of Directors.
4. Report and recommendations by Mary Cortez, Accountant, concerning financial information, expenditures, budget, and investment policy:
  - a. **November and December Financial Reports**
  - b. **\$500.00 Expenditure Report**
  - c. **Quarterly Investment Report**
  - d. **EPCWID Annual Audit Report for Fiscal Year 2013**
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 of 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. **Briefing and discussion on meeting with El Paso Public Service Board President John Balliew and presentation to be given by Al Blair and Jesus Reyes at El Paso Public Service Board meeting on January 15, 2014 in regards to Riverside regulating reservoir and Rio Bosque Park.**
  - b. **United States Bureau of Reclamation figures up to December of project water at Elephant Butte and Caballo.**
  - c. **Briefing on the Montoya drain at El Paso Country Club and their interest in purchasing the section and placing such to function underground and build tennis courts on the top portion.**
  - d. **Meeting with Mayor Oscar Leeser and briefing on EPCWID in regards to Joint contracts and future projects.**

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.

*Delia Duran*  
COUNTY CLERK  
EL PASO COUNTY, TEXAS  
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IN MY OFFICE  
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7. District Engineer's report and recommendations concerning the following:
  - a. **Rio Grande Project Operating Agreement Accounting**
  - b. **Rio Grande Compact Accounting**
  - c. **Rio Bosque Park classification as irrigable land**
8. Maintenance Manager's reports and recommendations concerning the following:
  - Drain maintenance program and water delivery system**
9. Water master's report and recommendations concerning the following:
  - Water use and availability**
10. Water delivery allocations to EPCWID water users and water available by contract.
11. 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**
  - Requests for approval of applications for Licenses to use of EPCWID Real property: **None**
  - Approval of Construction Dewatering Licenses for conveying groundwater:
    - Extension for Application 1535, by Lower Valley Water District, for dewatering into various EPCWID facilities for construction of a sanitary sewer within Haciendas del Valle Subdivision**
  - 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**
12. Status of and/or action on bids for purchases or sale and/or easements of property:
  - Consideration of bids to supply EPCWID a quantity between 1,000 and 2,000 cubic yards of fiber reinforced concrete for use in a shotcrete application and delivered to Franklin feeder canal in the vicinity of Socorro Rd and Alameda Rd.**
13. Any or all of the items shown on the attached Closed Meeting Agenda.
14. 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, 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.

**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. **Status of State of Texas v State of New Mexico and State of Colorado, no. 220141 Original in the United States Supreme Court.**
  - 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.**
  
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. **Briefing on the Montoya Drain at El Paso Country Club and their interest in purchasing the section and placing such to function underground and build tennis courts on the top portion.**
  - b. **Any of the items under the open agenda under item 11.**
  
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.

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