

**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 9, 2020 at 9:00 a.m. MDT**

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 and public comments.
3. Minutes of August 19, 2020 meeting of the Board of Directors.
4. Report and recommendations by Lisa Aguilar, Chief Administrative Officer/Election Officer, concerning office operations, and elections: **None**
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**
 - d. **Budget for Fiscal Year 2020-2021**
6. 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. **2013-2019 El Paso Public Service Board Assignments, 2013-2019 Lower Valley Water District Assignments and Report on tax suits**
 - c. **Comparison of EPCWID tax assessments and collection during 2018 and 2019**
7. General Manager's report concerning the following:
 - a. **Discuss and take possible action on Tract "A" assignments.**
 - b. **Consider funding options for concrete lining Island Main Lateral from the heading to the Guadalupe Lateral, approximately 4 miles.**
8. District Engineer's reports and recommendations concerning the following:
 - a. **Rio Grande Project Operating Agreement Accounting**
 - b. **Rio Grande Compact Accounting**
 - c. **Rio Grande Project Water Supply and Water Allocations**
 - d. **Status of 3rd Party Construction in District Canals and Drains**
9. Maintenance Manager's reports and recommendations concerning the following:

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2020 SEP -3 AM 11:08

DELIA BRIONES
COUNTY CLERK
EL PASO COUNTY, TEXAS

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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.

12. Subdivision Plats within District Boundary requirement in License Manual: **None**

13. Applications for Licenses for Use of District Real Property:

- a. Application 2209, by Mario and Sylvana Z. Duran, for a 25-year license to cross the Thompson Spur Drain (a drainage canal), approximately Station 7+94, via natural ground for private ingress and egress to Tracts 5A and 5A2, Block 34 in the San Elizario Grant in the County of El Paso**
- b. Application 2236, by Conterra Ultra Broadband, LLC, for a 20-year license to construct a subsurface fiber optic cable system across Lowenstein Lateral (an irrigation canal) at Alameda Ave., approximately Station 0+76**
- c. Application 2237, by Conterra Ultra Broadband, LLC, for a 20-year license to construct an aerial fiber optic cable system across Franklin Canal (an irrigation canal) at Carnes Road, approximately Station 816+48**

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

- a. Declaration of Surplus Land, a portion of Dolan Drain from heading to Skov Road**
- b. Declaration of Surplus Land, a portion of the Borderland Spur Drain from Artcraft to Combination Lateral, approximately 1,000 linear feet**
- c. Application 2249, by Lower Valley Water District, consider offer for portion of Dolan Drain, from heading to Skov Road, Block 12, Socorro Grant, approximately 15 acres of surplus land**

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

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

17. 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. 220141 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. **Albert Lopez & Lexby Lopez vs. City of El Paso, Texas, EPCWID#1, Mid-West Textile Company and Union Pacific Railroad Company, Cause # 2017-DCV0065.**
 - e. **Rogelio Trevizo vs. El Paso County Water Improvement District #1, Cause # 2019DCV1164.**
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 7, 12, 13 and/or 14.
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 EPCWID1 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.

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.