

Notice and Agendas of Open and Closed Regular Meeting of El Paso County Water Improvement District No. 1 (EPCWID) to be held at 13247 Alameda Avenue, Clint, Texas, and telephonically on Wednesday, October 14, 2020 at 9:00 a.m. MDT

**Telephonic Call in Number: 1-800-444-2801
Pass Code: 514 0173**

In accordance with the Texas Open Meetings Act (Texas Government Code Chapter 551), notice is hereby given that, acting pursuant to Texas Government Code Chapter 551, as well as the March 16, 2020, order of the Governor of Texas suspending certain provisions of the Open Meetings Act, the EPCWID Board of Directors will convene in open session at the above specified date and time for a special meeting to be conducted by telephone or in person at the above location.

Open Meeting Second Amended Agenda

1. Call to order and establishment of a quorum.
2. Welcome of guests and public comments.
3. Minutes of September 9, 2020 meeting of the Board of Directors.
4. Report and recommendations by Lisa Aguilar, Chief Administrative Officer/Election Officer, concerning office operations, and elections:
 - a. **Resolution approving application to the Rio Grande of Government's FY2021 Regional Solid Waste Project Allocation for purchasing two 30 CY roll-off waste containers.**
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. **Quarterly Investment Report**
 - e. **Amendment to 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**
 - d. **Setting of assessments against irrigable land in EPCWID and setting of assessments against persons who use water, in accordance with Texas Water Code.**

FILED FOR RECORD
IN MY OFFICE

2020 OCT 09 AM 10:55

DELIA BRIONES
COUNTY CLERK
EL PASO COUNTY, TEXAS

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- e. **Setting contract rate in 2020 for water supplied to tax exempt entities.**
7. General Manager's report concerning the following:
- a. **Rescheduling of November board meeting to November 18, 2020.**
 - b. **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.**
 - c. **Application 2263, by EPWCV, LLC, consider offer for portion of Borderland Spur Drain, from Arcraft Rd to Combination Lateral, Block 10, Upper Valley, El Paso, Texas, approximately 2.3 acres of surplus land**
 - d. **Employee Appreciation Day on October 22, 2020.**
 - e. **Island Main concrete lining project.**
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:
- 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:
- a. **Application 2243, by CAD Consulting, Inc., for Valley Ranch 2, being a portion of Tract 15A, block 22, Save and Except a Portion Grant of Perpetual Easement Recorded in Volume 230, Page 122, San Elizario Grant, El Paso County, Texas, containing 27.7110 acres, Submission of Irrigable Land Exhibit**
13. Applications for Licenses for Use of District Real Property:
- a. **Application 2198, by Socorro Independent School District, for a 50-year license to cross the Wadlington Lateral (an irrigation canal) with single barrel, 8' X 5' cast-in-place concrete box culvert at approximately Station 15+03 and Rio Vista Road for ingress and egress to Socorro High School**
 - b. **Application 2199, by Socorro Independent School District, for a 50-year license to cross the Wadlington Lateral (an irrigation canal) with single barrel, 8' X 5'**

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cast-in-place concrete box culvert at approximately Station 18+42 and Rio Vista Road for ingress and egress to Socorro High School

- c. Application 2200, by Socorro Independent School District, for a 50-year license to cross the Wadlington Lateral (an irrigation canal) with single barrel, 8' X 5' cast-in-place concrete box culvert at approximately Station 20+70 and Rio Vista Road for ingress and egress to Socorro High School**
- d. Application 2256, by El Paso Water Utilities – Public Service Board, for a 25-year license to cross the Franklin Canal (an irrigation canal) at Davis Drive, approximately Station 755+08 with an 8-inch potable water line inside a 16-inch casing via open cut method**

- 14. Sale of Surplus District Real Property under 49.226 of the Texas Water Code: **None**
- 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) Second 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-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 No. 2017-DCV0065.**
 - e. **Rogelio Trevizo vs. El Paso County Water Improvement District #1, Cause No. 2019DCV1164.**
 - f. **ALLIANCE ESG, LLC d/b/a ALLIANCE ENVIRONMENTAL SERVICES GROUP and GERALD and CHRISTINE GOODWIN, Individually, Plaintiffs, vs. EL PASO WATER IMPROVEMENT DISTRICT NO. 1, Defendant, Cause No. 2020DCV2782.**
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.

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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.