

**Notice and Agendas of Open and Closed Regular Meeting of El Paso County Water Improvement District No. 1 (EPCWID1) to be held at 13247 Alameda Avenue, Clint, Texas, and telephonically on Wednesday, May 12, 2021 at 9:00 a.m. MDT**

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IN MY OFFICE

**Telephonic Call in Number: 1-800-444-2801**

2021 MAY 6 PM 3:03

**Pass Code: 514 0173**

DELIA BRIONES  
COUNTY CLERK  
EL PASO COUNTY, TEXAS

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 EPCWID1 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 Agenda**

1. Call to order and establishment of a quorum.
2. Welcome of guests and public comments.
3. Minutes of April 14, 2021 and April 19, 2021 meetings 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**
6. Report and recommendations by Rose Rodriguez, Tax Assessor/Collector/Office Manager, concerning adjustments and corrections, if any, to assessments, taxes, and charges by EPCWID1:
  - a. **Review tax report and adjustments**
  - b. **2013-2020 The City of El Paso on behalf of Public Service Board Assignments, 2013-2020 Lower Valley Water District Assignments and Report on tax suits**
  - c. **Comparison of EPCWID1 tax assessments and collection during 2019 and 2020**
7. General Manager's report concerning the following:
  - a. **Presentation on grant funding and documentation.**
  - b. **Update on proposed County of El Paso projects.**
  - c. **Proposed MOU with 5 entities on purchase and agreement on use of tire shredder.**
  - d. **Farmers meeting through zoom scheduled for 1:00 p.m. today.**
8. District Engineer's reports and recommendations concerning the following:
  - a. **Rio Grande Project Operating Agreement Accounting**

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- b. Rio Grande Project Compact Accounting**
  - c. Rio Grande Project Water Supply and Water Allocations**
  - d. Status of 3<sup>rd</sup> 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 EPCWID1 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 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 Socorro Road, approximately Station 16+12**
  - b. 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: **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) 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 EPCWID1 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 COUNTY 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:
  - a. **Assistant District Engineer**
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.