

Notice and Agendas of Open and Closed Meetings of El Paso County Water Improvement District No. 1 (EPCWID1) to be held at 13247 Alameda Avenue, Clint, Texas, June 8, 2022 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 (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

FILED FOR RECORD
IN MY OFFICE

2022 JUN PM 3:22

DELIA BRIONES
COUNTY CLERK
EL PASO COUNTY, TEXAS

1. Call to order and establishment of a quorum.
2. Welcome of guests and public comments.
3. Minutes of May 11, 2022 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**
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. **2013-2022 The City of El Paso on behalf of Public Service Board Assignments, 2013-2022 Lower Valley Water District Assignments and Report on tax suits**
 - c. **Comparison of EPCWID1 tax assessments and collection during 2020 and 2021**
7. General Manager's report concerning the following:
 - a. **United States Bureau of Reclamation Water Smart grant \$200,000 for Telemetry upgrade supplies and material.**
 - b. **Member of Congress Tony Gonzales has selected the project on the Riverside Canal concrete lining phase VI (1 mile) for funding.**
 - c. **Application 3181, by El Paso Water, for a new bridge crossing Riverside Canal directly in front of the Robert Bustamante Treatment Plant.**
 - d. **Report on grant awards and pending applications.**
 - e. **License 3172, by the City of El Paso, for a 5-year license for use of District's Drains within the limits of the City of El Paso for conveyance of Storm Water and Groundwater, and Subsurface installation of Water or Sewer Pipeline Crossings**
 - f. **Discuss lease of EPCWID1 maintenance yard near Riverside Canal and Southside Rd.**
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 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 EPCWID1 water users and water available by contract: **None**
12. Subdivision Plats within District Boundary requirement in License Manual: **None**
13. Applications for Licenses for Use of District Real Property:
- a. Application 3044, by City of Socorro, for 25-year license for a free-span pedestrian bridge across Franklin Feeder Canal (an irrigation canal) at Passmore Rd., at approximately station 102+30**
 - b. Application 3045, by City of Socorro, for a 25-year license for a 48" RCP culvert, shared use path over culvert, within Upper Clint Lateral (an irrigation canal) at Passmore Rd., at approximately station 29+26**
 - c. Application 3046, by City of Socorro, for an approval letter for a shared use path across the Franklin Drain (an irrigation canal) at Passmore Rd., at approximately station 131+96.61, provisional to License 1990**
 - d. Application 3161, by Spectrum Gulf Coast, L.L.C., for a 25-year license for an aerial fiber optic cable system crossing the I-243 Lateral (an irrigation canal), at approximately station 91+22**
 - e. Application 3178, by El Paso Electric Company, for a 25-year license for a 3 phase 14 KV overhead power line crossing the Montoya Lateral Branch A (an irrigation canal) at Montoya Rd., at approximately station 68+81**
 - f. Application 3180, by MCImetro Access Transmission Services Corp., for a 25-year license for an aerial fiber optic cable system crossing the Franklin Canal (an irrigation canal) at Eucalyptus St., at approximately station 197+03.38**
14. Sale of Surplus District Real Property under 49.226 of the Texas Water Code:
- a. Application 1797, by Ben L. Ivey LTD, consider 2nd offer for approximately 5.522 acres of the Mesa Spur Drain, Ysleta Grant, Block 1, Tract 1-A, City of El Paso, El Paso County, Texas**
 - b. Application 3173, by City of El Paso on behalf of Public Service Board, consider offer for a portion of the Franklin Drain within the City of El Paso**
15. Any or all of the items shown on the attached Closed Meeting Agenda.

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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.

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. 22O141 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.**
 - g. **Julio F. Cervantes, Plaintiff v. El Paso County Water Improvement District No. 1 and Joshua Nathan Quinn, Defendant, Cause No. 722-00027-CV**
 - h. **Julio F. Cervantes, Plaintiff v. El Paso County Water Improvement District No. 1 and Lisa Aguilar, Defendant, Cause No. 722-00028-CV**
 - i. **Carlos Rangel, Plaintiff v. Pedro Sarinana and El Paso County Water Improvement District No. 1, Defendant, Cause No. 2022DCV0546**
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, 8, 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.

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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.