

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, February 8, 2023 at 9:00 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 (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 January 18, 2023 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 concerning adjustments and corrections, if any, to assessments, taxes, and charges by EPCWID:
 - a. **Review tax report and adjustments**
 - b. **2013-2023 The City of El Paso on behalf of Public Service Board Assignments, 2013-2023 Lower Valley Water District Assignments and Report on tax suits**
 - c. **Comparison of EPCWID tax assessments and collection during 2021 and 2022**
7. General Manager's report concerning the following:
 - a. **Farmer's meetings on Wednesday, February 8, 2023, at 1:00 p.m. and 3:30 p.m.**
 - b. **HJR79/SJR31 Taxation resolution filed on January 20, 2023, in Texas Legislature**
 - c. **Operations meeting with EBID**
8. District Engineer's reports and recommendations concerning the following:
 - a. **Rio Grande Project Operating Agreement Accounting**
 - 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**
 - e. **Engineering work related to grants and proposals**
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:

**FILED FOR RECORD
IN MY OFFICE**

2023 FEB 03 AM 10:45

**DELIA BRIONES
COUNTY CLERK
EL PASO COUNTY, TEXAS**

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a. Water use and availability

11. Water delivery allocations to EPCWID water users and water available by contract: **None**

12. Subdivision Plats within District Boundary requirement in License Manual:

- a. Application 3167, by ESCO Development, LLC, for Valle Nuevo Unit One Subdivision, a portion of tracts 1B, 1B1, 1C, 1D, 1D3, 1H, 2A, 2C1, 4A2B, 4B2, 4C, 6A, 6B, and 6C, block 6, Socorro Grant, City of Socorro, El Paso County, Texas, containing 55.32 acres**
- b. Application 3259, by Socorro Capristo Reza, for Capristo Subdivision, block 13, Tract 8-B, Socorro Grant, City of Socorro, El Paso County, Texas, containing 13.45 acres**
- c. Application 3281, by McNutt Land Partners LLC, for Monte Vista No. 4 Replat "B" Subdivision, tracts 18, 19, and the east ½ of tract 20 Monte Vista No. 4, City of El Pas, El Paso County, Texas, containing 2.7772 acres**

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

- a. Application 3149A, by El Paso Water, for a 25-year license to place Southside Feeder Lateral underground in 36-inch pvc irrigation pipe for roadway crossing on Southside Road, at approximately station 71+68**

b. 2 Applications by CenturyLink Communications, LLC

Application 3220, by CenturyLink Communications, LLC, for a 25-year license for a subsurface fiber optic cable system, crossing the Mesa Drain (an irrigation canal), at Yarbrough Dr., at approximately station 1053+92

Application 3221, by CenturyLink Communications, LLC, for a 25-year license for a subsurface fiber optic cable system, crossing the Juan De Herrera Main Lateral (an irrigation canal), at Rosedale Dr., at approximately station 16+50

c. Applications by MCImetro Access Transmission Services, LLC

Application 3275, by MCImetro Access Transmission Services, LLC, for a 25-year license for a subsurface fiber optic cable system, crossing the Y-197 Lateral (an irrigation canal), at North Loop Dr., at approximately station 0+14

Application 3293, by MCImetro Access Transmission Services, LLC, for a 25-year license for a subsurface fiber optic cable system, crossing the Middle Drain (an irrigation canal), at Presa Pl., at approximately station 753+97

Application 3300, by MCImetro Access Transmission Services, LLC., for a 25-year license for an aerial fiber optic cable system, crossing the La Union East Lateral (an irrigation canal), at Westside Dr., at approximately station 434+99

Application 3314, by MCImetro Access Transmission Services, LLC., for a 25-year license for an aerial fiber optic cable system, crossing the Ysla Lateral (an irrigation canal), at Bauman Rd., at approximately station 241+47

d. 2 Applications by El Paso Electric Company

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Application 3309, by El Paso Electric Company, for a 50-year license for a three-phase overhead power line, crossing the Mesa Drain (an irrigation canal), at Nuevo Hueco Tanks Road, at approximately station 761+41

Application 3310, by El Paso Electric Company, for a 50-year license for a three-phase overhead power line, crossing the Juan De Herrera Lateral Branch “C” (an irrigation canal), at Nuevo Hueco Tanks Road, at approximately station 34+37

Approval of Construction Dewatering Licenses for Conveyance Groundwater:

- e. Application 3339, by Texas Gas Service, a division of One Gas, for a license for use of District facilities for conveyance of groundwater from construction dewatering into the River Spur Drain at Herring Rd.**

Letters of Approval under existing License Agreements:

- f. License 1990- Application 3340, by The City of Socorro, for a new public roadway, crossing Juan De Herrera Main Lateral (an irrigation canal), at Barbara Avenue, at approximately station 357+01**

14. Sale of Surplus District Real Property under 49.226 of the Texas Water Code: **None**

15. Grant Agreements involving District Real Property

- a. USBR Grant for environmental and seepage studies for Riverside and Franklin canal systems and Riverside Reservoir**
- b. USBR Grant for concrete lining of 3,465 feet of a portion of Montoya Main Lateral**
- c. USBR and TWDB Grants allowing 3rd Party or Public use of District Real Property located on the La Union East, Riverside, Franklin, Montoya, Franklin Feeder, Tornillo canal systems**

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

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

18. 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. 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., efendants No. A-1-CA-36269**
 - d. **Rogelio Trevizo vs. El Paso County Water Improvement District #1, Cause No. 2019DCV1164**
 - e. **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**
 - f. **Julio F. Cervantes, Plaintiff v. El Paso County Water Improvement District No. 1 and Joshua Nathan Quinn, Defendant, Cause No. 722-00027-CV**
 - g. **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, 14 and/or 15.
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.**
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. **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.