

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, June 15, 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

FILED FOR RECORD
IN MY OFFICE

2023 JUNE 09 AM 11:26

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 10, 2023 meeting of the Board of Directors.
4. Report and recommendations by Lisa Aguilar, Chief Administrative Officer/Election Officer, concerning office operations and elections.
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 Sonia Ontiveros, Tax Collector Assistant 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. **Region E Far West Texas Water Planning Group meeting**
 - b. **June 6, 2023 USBR tour of EPCWID facilities**
 - c. **Automation of Fuel Accounting for Equipment and Vehicles**
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**
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:

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, June 15, 2023 at 9:00 a.m.

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:
13. Applications for Licenses and Memorandums of Understanding for Use of District Real Property:
 - a. **License 1778, by Time Warner Cable Texas, LLC, for the renewal of a 1-year license to operate and maintain Time Warner Cable Texas LLC's system and facilities crossing EPCWID District Wide**
 - b. **Application 3018, by JCGAR Ventures, LLC, for a 25-year license to construct a roadway for proposed Upper Valley Unit 1 subdivision for ingress and egress across La Union East Lateral, approximately station 431+93**
 - c. **2 Applications by MCImetro**

Application 3249A, by MCImetro, for a 25-year license for a subsurface fiber optic cable system, crossing the Juan De Herrera Main Lateral (an irrigation canal) at Rosedale St., at approximately station 16+80

Application 3276A, by MCImetro, for a 25-year license for a subsurface fiber optic cable system, crossing the Franklin Canal (an irrigation canal), at Rosedale St., at approximately station 587+76
 - d. **2 Applications by Conterra Networks**

Application 3348, by Conterra Networks, for a 25-year license for an aerial fiber optic cable system, crossing the Montoya Lateral Branch A (an irrigation canal), at Country Club Rd., at approximately station 45+10

Application 3349, by Conterra Networks, for a 25-year license for an aerial fiber optic cable system, crossing the Montoya Drain (an irrigation canal), at Lindbergh Ave., at approximately station 240+94
 - e. **Application 3390, by Bain Construction, Inc., for a Temporary Ingress & Egress Construction Easement to use the right bank to access south portion of Horizon Park subdivision, crossing the Mesa Spur Drain (a drainage canal), at approximately station 180+90 to 183+77**
 - f. **Application 3392, by Texas Gas Service Company, a division of ONE Gas, for a temporary license for access to EPCWID right of way to allow maintenance of Texas Gas Service pipelines, for ingress and egress to Franklin Canal at Rosedale Road.**
 - g. **Application 3393, by Consor Engineers, LLC, for a Temporary Ingress & Egress Construction Easement to conduct survey on the Franklin Canal (an irrigation canal) at Delta Dr.**
14. Approval of Construction Dewatering Licenses for Conveyance Groundwater: **None**
15. Letters of Approval and/or Amendments of existing License Agreement: **None**

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, June 15, 2023 at 9:00 a.m.

16. Agreement to classify Non-irrigable land as irrigable land:

a. 3 Applications by Alejandro Diaz-Jacquez

Application 3354, by Alejandro C. Diaz-Jacquez, for classification of Lot 01 EXC NE PT, Block 08, Rosedale Farms #3 Replat Subdivision, 7512 N. Loop, (0.12 ac), in the City of El Paso, El Paso County, Texas as irrigable land

Application 3355, by Alejandro C. Diaz-Jacquez, for classification of Lot 03 EXC NE PT, Block 08, Rosedale Farms #3 Replat Subdivision, 7504 N. Loop, (0.14 ac), in the City of El Paso, El Paso County, Texas as irrigable land

Application 3356, by Alejandro C. Diaz-Jacquez, for classification of Lot 02 EXC NE PT, Block 08, Rosedale Farms #3 Replat Subdivision, 7508 N. Loop, (0.11 ac), in the City of El Paso, El Paso County, Texas as irrigable land

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

18. Grant Agreements involving District Real Property:

a. TWDB Contract No. 1913582343 Agricultural Water Conservation Fund Construction Project Grant between EPCWID and TWDB for concrete lining of a portion of the Franklin Feeder Canal Lining Project involves lining 5,500 feet of canal using reinforced concrete

b. TWDB Contract No. 2013582447 for Agricultural Water Conservation Fund Construction Project Grant between EPCWID and TWDB for design and construction of concrete lining of a portion of the Franklin Canal adjacent to the El Paso Zoo.

c. TWDB Contract No. 2213582644 for Agricultural Water Conservation Fund Construction Project Grant between EPCWID and TWDB for design and construction of sediment control on the Riverside Canal.

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

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

21. 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.

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, June 15, 2023 at 9:00 a.m.

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., defendants 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, 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 12, 13, 14, 15, 16, 17 and/or 18.
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.