

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, December 13, 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 No. 1 (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 November 15, 2023 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 (October and November)**
 - b. **\$500.00 Expenditure Report (October and November)**
 - c. **Legal and Consulting Fees Budget Report (October and November)**
6. Report and recommendations by Rose Rodriguez, Tax Collector, concerning adjustments and corrections, if any, to assessments, taxes, and charges by EPCWID:
 - a. **Review tax report and limitation on the collection of taxes for real-property that are delinquent for more than 20 years pursuant to Texas Property Tax Code Sec. 33.05 (2)**
 - b. **Adjustment of assessments**
 - c. **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.**
 - d. **Comparison of EPCWID tax assessments and collection during 2022 and 2023**
7. General Manager's report concerning the following:
 - a. **Letter to Reclamation regarding participation in Drought Resilience Team**
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. Water Master's reports and recommendations concerning the following:
 - a. **Water use and availability**
10. Maintenance Manager's reports and recommendations concerning the following:

**FILED FOR RECORD
IN MY OFFICE**

2023 DEC 08 AM 10:05

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

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, December 13, 2023 at 9:00 a.m.

a. Drain maintenance program and water delivery system

11. Water delivery allocations to EPCWID water users and water available by contract.

12. Subdivision Plats within District Boundary requirement in License Manual (irrigable land exhibit): **None**

13. Applications for Licenses and Memorandums of Understanding for Use of District Real Property:

a. 4 Applications by Lower Valley Water District

Application 3395, by Lower Valley Water District, for a 25-year license to place an 8-inch sanitary sewer line inside a 16-inch steel casing across the Dolan Drain (a drainage canal), at Melton Place, at approximately station 70+93

Application 3396, by Lower Valley Water District, for a 25-year license to place a 4-inch sanitary sewer line inside an 8-inch steel casing across the Dolan Drain (a drainage canal), at Melton Place, at approximately station 70+93

Application 3397, by Lower Valley Water District, for a 25-year license to place an 8-inch sanitary sewer line inside a 16-inch steel casing across the Franklin Canal (an irrigation canal), at Melton Place, at approximately station 1129+42

Application 3398, by Lower Valley Water District, for a 25-year license to place a 4-inch sanitary sewer line inside an 8-inch steel casing across the Franklin Canal (an irrigation canal), at Melton Place, at approximately station 1129+42

b. Application 3411, by Odin Environmental Solutions, LLC, for temporary private ingress and egress construction license to field along the banks of the Borderland Spur Drain (a drainage canal), from Station 121+53 to 144+90

c. Application 3442, by Tactical Infrastructure Maintenance Solutions, LLC, for Temporary Construction Easement on various District facilities from Riverside Canal heading to Hudspeth Feeder Canal, to include bed and banks of canals and drains, adjacent to the Rio Grande in El Paso County, Texas

d. Application 3454, by Vickrey & Associates, LLC, for a Temporary Construction Easement for temporary private ingress and egress within the Franklin Canal for right of way mapping and design, from US 54 to Alameda Avenue

14. Letters of No Objection for Natural Gas Service installed with the Rights-of-Ways of Public Roads: **None**

15. Approval of Construction Dewatering Licenses for Conveyance Groundwater:

a. Application 3456, by Spiess Construction Co., Inc., for a license for use of District facilities for conveyance of groundwater from construction dewatering into the Mesa Drain

16. Letters of Approval and/or Amendments of existing License Agreement: **None**

17. Agreement to classify Non-irrigable land as irrigable land. **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, December 13, 2023 at 9:00 a.m.

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

19. Grant Agreements involving District Real Property:

- a. Proposed alignment of County of El Paso multi-use path adjacent to Texas 20 from Fabens to Tornillo (information only)**

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

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

22. 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, December 13, 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.

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 11, 12, 13, 14, 15, 16, 17, 18 and/or 19.

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:

Consideration of new Annual Contract for General Manager

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.