

**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 14, 2024 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**

FILED FOR RECORD  
IN MY OFFICE

2024 FEB 09 AM 11:11

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 January 17, 2024 meeting of the Board of Directors.
4. Report and recommendations by Lisa Aguilar, Chief Administrative Officer/Election Officer, concerning office operations and elections:
  - a. **Ordering election of directors in divisions 1, 3 and 4.**
  - b. **Resolution on Assignment of Board of Director Secretary's election duties.**
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 and Consulting Fees Budget Report**
  - d. **Comparison Expenses and Revenue for 2022, 2023, and 2024**
  - e. **EPCWID FY 2022-2023 Audit**
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 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 2022 and 2023**
7. General Manager's report concerning the following:
  - a. **Status of Sediment Removal Projects – Franklin Canal and Riverside Canal**
  - b. **Proposed Change to Purchase Order 28556 by increasing the amount of Sediment Removed from Franklin Canal and dollar amount by 25%.**
  - c. **Rio Grande Compact meeting in El Paso, Texas, on Friday, April 26, 2024**
8. District Engineer's reports and recommendations concerning the following:
  - a. **Rio Grande Project Operating Agreement Accounting**
  - b. **Rio Grande Project Compact Accounting**

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- c. Rio Grande Project Water Supply and Water Allocations**
  - d. Status of 3<sup>rd</sup> 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:
- 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):
- a. Application 3166, by ESCO Development, LLC, for Horizon Park Unit One Subdivision, being all of tracts 2A, 2A1, 3B1, 3B1A, 4C1L, 4C1LA, 4C1LB and 9A2, block 3, Socorro Grant, El Paso County, Texas, Submission of Irrigable Land Exhibit**
13. Applications for Licenses and Memorandums of Understanding for Use of District Real Property:
- a. License 1638, by El Paso Electric Company, for a renewal on a 1-year license to access EPCWID right of way, district wide, for operation and maintenance of existing El Paso Electric Company electrical system**
  - b. 3 Applications for Lower Valley Water District**
    - Application 3420, by Lower Valley Water District, for a 25-year license to place a 6-inch sanitary sewer line inside 12-inch steel casing across the Mesa Drain (a drainage canal), at North Loop Rd., at approximately station 436+50**
    - Application 3421, by Lower Valley Water District, for a 25-year license to place a 6-inch sanitary sewer line inside a 12-inch steel casing across the Salitral Lateral (an irrigation lateral), at Estate Drive, at approximately station 121+64**
    - Application 3422, by Lower Valley Water District, for a 25-year license to place a 6-inch sanitary sewer line inside a 12-inch steel casing across the Ysla Lateral (an irrigation lateral), at North Loop Rd., at approximately stations 379+68**
  - c. 3 Applications for Spectrum Gulf Coast, L.L.C.**
    - Application 3439, by Spectrum Gulf Coast, L.L.C., for a 25-year license for an aerial fiber optic cable system crossing the Fabens Drain (a drainage canal), at Island Road, at approximate station 264+15**
    - Application 3440, by Spectrum Gulf Coast, L.L.C., for a 25-year license for an aerial fiber optic cable system crossing the Island Drain (a drainage canal), at Island Road, at approximately station 269+72**

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**Application 3441, by Spectrum Gulf Coast, L.L.C., for a 25-year license for an aerial fiber optic cable system crossing the Hansen Lateral (an irrigation lateral), at Island Road, at approximately station 192+46**

**d. 2 Applications for El Paso Electric**

**Application 3465, by El Paso Electric, for a 50-year license to construct a three phase 14kv overhead power line crossing the Guadalupe lateral (an irrigation lateral), at Wingo Reserve Road, at approximately station 143+45**

**Application 3466, by El Paso Electric for a 50-year license to construct a three phase 14kv overhead power line crossing the Barrial lateral (an irrigation lateral), at Chicken Ranch Road, at approximately station 68+85**

**e. Application 3469, by Bowling Brothers Development Co, LLC, for 25-year license for surface use of approximately 0.75 acres of the Y-147 lateral (an irrigation lateral), from approximately station 80+68 to 86+68**

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: **None**

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

17. Agreement to classify Non-irrigable land as irrigable land. **None**

18. Sale of Surplus District Real Property under 49.226 of the Texas Water Code.

**a. Declaration of approximately 9 acres of surplus land for the Rio Intercepting Drain located near Bustamante WWTP**

19. Grant Agreements involving District Real Property:

**a. Termination of USBR Grant R19AP00150 for environmental work and concrete lining of the New Mexico portion of the upper La Union East Canal.**

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.

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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. 220141 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:

**Mary Cortez, Chief Financial Officer - Annual Employment Agreement**

**Lisa Aguilar, Chief Administrative Officer - Annual Employment Agreement**
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.