

Elephant Butte Irrigation District
Board of Directors' Meeting
April 14, 2021
9:00 am

Duration-From/To	Item # - Item Description	Presenter	Page												
OPEN SESSION	REGULAR SCHEDULED BOARD MEETING														
09:00 0915	1. Roll Call 2. Mtg called to order 3. Invocation 4. Pledge of Allegiance 5. Introduction of Guests 6. Approval of Board minutes 02/13/2021 7. Approval of Board minutes 03/10/2021 8. Calendar of Events 9. Employee Recognition		3 7 11												
	<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th style="text-align: center;"><u>04/01/2020</u></th> <th style="text-align: center;"><u>04/01/2021</u></th> </tr> </thead> <tbody> <tr> <td>Elephant Butte</td> <td style="text-align: center;">547,172</td> <td style="text-align: center;">213,304</td> </tr> <tr> <td>Caballo</td> <td style="text-align: center;">77,095</td> <td style="text-align: center;">30,292</td> </tr> <tr> <td>Total Storage</td> <td style="text-align: center;">624,267</td> <td style="text-align: center;">243,596</td> </tr> </tbody> </table>		<u>04/01/2020</u>	<u>04/01/2021</u>	Elephant Butte	547,172	213,304	Caballo	77,095	30,292	Total Storage	624,267	243,596		
	<u>04/01/2020</u>	<u>04/01/2021</u>													
Elephant Butte	547,172	213,304													
Caballo	77,095	30,292													
Total Storage	624,267	243,596													
.30 0915 0945	10. Water Resource A. Weather/Runoff Forecast B. Board approval of technical memos from Allocation Committee to correct 2018,2019, and 2020 accounting C. Board approval to modify Operating Manual procedures for charging excess Mexico allocation deliveries to the US districts	P. King/J. Narvaez	13 22												
.15 0945 1000	11. USDA Funding Project Update	W. Hargrove													
.30 1000 1030	12. Engineering A. Special Use Permits 1. 2020-L-00L-051 Lorenzo Perea 2. 2021-L-012 Hill Farms LLC 3. 2021-L-013 La Union MDS&WA 4. 2021-L-018 El Paso Electric 5. 2021-L-019 El Paso Electric B. Kinder Morgan spill update	Z. Libbin/ L. Barrett	25												
.15 1030 1045	13. General & Administrative A. Financial Report B. Contract - Professional Legal Services C. Contract - Professional Surveying Services D. Contract – Materials Testing Services E. BOR Est. O&M Costs FY 2022 F. BOR Grant Awarded “Renovating efficient Access to RG Project Surface Water for the Mesilla Valley”		42 48												
.15 1045 1100	14. Managers Update A. Resolution 2021-02 for the Dona Ana All-Hazards Mitigation Plan B. EBID Comments re Draft EA for aquatic habitat within RGP C. EBID Response letter to Town of Mesilla re permitting questions D. Letter to Compact Commissioner Gordon re Abiquiu water storage request		50 52 56 58												
STAFF REPORT															
	1. HR/Safety Update 2. Legislative Update A. Water Strategies Briefing B. Family Farm Alliance Monthly Briefing		65 67												

OPEN SESSION SUSPENSION AND TRANSFER HEARING

60

**2021-WTS-004 Kopp to Kopp & Baumann 1.00 acre
2021-WTS-005 Pax Investments to Jurado Trust 1.46 acres**

TOTAL ACRES 2.46 WRA

PURSUANT TO SECTION 10-15-1-H, NMSA OF THE NEW MEXICO OPEN MEETINGS ACT, THE FOLLOWING TOPICS SHALL BE DISCUSSED IN CLOSED SESSION:

Motion to go into CLOSED SESSION

2.00 1130 0130 15. Legal Update -S. Salopek/ G. Esslinger
A. Texas v. NM (USSC)
B. Rodriguez v. DACC, D-307-CV-2019-02775
C. Discussion regarding purchase, acquisition, or disposal of real property or water rights
D. Motion to come out of closed session

In accordance with the Elephant Butte Irrigation District resolution directing compliance with Open Meetings Act, a final version of the agenda will be available 72 hours in advance of the meeting at the EBID office at 530 S Melendres, Las Cruces, NM; and will be emailed to persons making a specific request for the final agenda by calling EBID's office 575-993-2429.

2009-ADMIN 9

POLICY SUBJECT: Implementation of Rules of Conduct for Public Meeting and Participation Policy

DATE APPROVED: SEPTEMBER 9, 2009

POLICY:

WHEREAS Elephant Butte Irrigation District (District) has adopted Resolution 2009-1 pursuant to Section 10-15-1(D) of the Open Meetings Act where the Board of Directors annually determines what constitutes reasonable notice of its public meetings;

WHEREAS paragraph 9 of said Resolution sets forth that requests to place items on the agenda from the constituency or public must be made in writing to the manager at least five days prior to a regularly scheduled meeting. Said requests shall specify the topic to be discussed in detail and identify the person and/or group requesting time on the agenda;

WHEREAS paragraph 9 of said Resolution also limits presentations to five minutes unless further time is allowed by a majority vote of the Board;

WHEREAS paragraph 10 of said Resolution allows the Board to adopt at each meeting, depending on the circumstances, rules necessary to conduct said meeting in a way to maintain public order, including but not limited to the removal of persons who are disruptive; and

WHEREAS paragraph 10 of said Resolution also allows the Board to limit or not allow public debate and may take whatever steps are necessary to maintain public order.

NOW THEREFORE, the Board adopts these rules pursuant to paragraph 10 of its Open Meetings Act Public Meeting and Participation Policy.

1. There is no right to comment by the constituency or public on any agenda item at regularly scheduled board meetings. At the discretion of the majority of the Board, members of the constituency or public may comment on a specific agenda item subject to the following rules:
 - A. A three minute comment time shall be imposed unless further time is allowed by a majority vote of the Board.
 - B. A member of the constituency or the public that is allowed to speak shall limit the remarks to that issue specifically identified or shall forfeit their time to address the Board.
 - C. A member of the constituency or the public that is allowed to speak shall treat all persons present with dignity and respect and may provide factual information and recommendations in verbal and/or written form.
 - D. The Board President shall have authority to ask the Manager to remove persons who are disruptive at the meeting.
2. Requests to place items on the agenda for regularly scheduled board meetings from the constituency or public are subject to the following rules:
 - A. The request must be made in writing to the Manager at least five days prior to a regularly scheduled meeting.
 - B. Said requests shall specify the topic to be discussed in detail and identify the person and/or group requesting time on the agenda.
 - C. Presentations shall be limited to five minutes unless further time is allowed by a majority vote of the Board.
 - D. A member of the constituency or the public that is allowed to speak shall limit the remarks to that issue specifically identified or shall forfeit their time to address the Board.
 - E. A member of the constituency or the public that is allowed to speak shall treat all persons present with dignity and respect and may provide factual information and recommendations in verbal and/or written form.
 - F. The Board President shall have authority to ask the Manager to remove persons who are disruptive at the meeting.
3. If a member of the constituency or the public has failed to make a request to place an item(s) on the agenda in writing to the Manager at least five days prior to a regularly scheduled meeting, the following rules apply:
 - A. The Board shall not grant the request at a regular board meeting unless said request is allowed by a majority vote of the Board.
 - B. In making a request to place an item on the agenda, the requestor shall specify the topic to be discussed in detail and identify the person and/or group requesting time on the agenda.
 - C. If the request is granted, presentations shall be limited to five minutes unless further time is allowed by a majority vote of the Board.
 - D. A member of the constituency or the public that is allowed to speak shall limit the remarks to that issue specifically identified or shall forfeit their time to address the Board.
 - E. A member of the constituency or the public that is allowed to speak shall treat all persons present with dignity and respect and may provide factual information and recommendations in verbal and/or written form.
 - F. The Board President shall have authority to ask the Manager to remove persons who are disruptive at the meeting.
4. This policy shall apply to all subsequent renewals of the District's Public Meeting and Participation Policy.