## Elephant Butte Irrigation District Board of Directors' Meeting November 12, 2021 08:15 am

Duration-From/To	Item # - Item Description	Presenter	Page
<b>DEPN SESSION</b> 0815 0820	REGULAR SCHEDULED BOARD MEETING		
015 0020	1. Pledge of Allegiance		
	2. Invocation		
	3. Roll Call & Mtg called to order		
	ECTION 10-15-1-H, NMSA OF THE NEW MEXICO OPEN MEETINGS CLOSED SESSION:	ACT, THE FOLLOWING T	OPICS SHA
820 0900	4. Limited Personnel Matters		
<b>OPEN SESSION</b> 0900 0915	REGULAR SCHEDULED BOARD MEETING		
	5. Introduction of Guests		
	6. Approval of Special Board minutes 09/16/2021		3
	<ol> <li>Approval of Board Minutes 10/15/2021</li> <li>Approval of Special Board Minutes 10/27/2021</li> </ol>		4 7
	9. Calendar of Events		8
			-
	<u>11/01/2020 11/01/2021</u>		
	Elephant Butte 87,491 116,550 Caballo 28,364 14.407		
	Caballo <u>28,364</u> <u>14,407</u> Total Storage 115,855 130,957		
0 0915 0945	10. Water Resource A. Weather/Runoff Forecast	P. King/J. Narvaez	
.30 0945 1015	11. Engineering/Maintenance	Z. Libbin/ L. Barrett	40
	<ul> <li>A. Maintenance/Projects Update</li> <li>B. Special Use Permits</li> </ul>		10 18
	1. 2021-L-043 Buddy Tharp		10
	2. 2021-L-044 Craig Remington		
	3. 2021-L-045 Jorge & Katherine Hernandez/Various		
	4. 2021-L-046 El Paso Electric Company		
	5. 2021-L-047 El Paso Electric Company		
	6. 2021-L-048 El Paso Electric Company		
	<ol> <li>2021-L-049 El Paso Electric Company</li> <li>2021-L-050 El Paso Electric Company</li> </ol>		
	9. 2021-L-051 El Paso Electric Company		
	10. 2021-L-052 El Paso Electric Company		
	11. 2021-L-053 New Mexico Gas Company		
	12. 2021-L-054 El Paso Electric		
	13. 2021-L-056 Conterra Ultra Broadband LLC		
	14. 2021-L-057 Spectrum Gulf Coast LLC 15. 2021-L-058 Spectrum Gulf Coat LLC		
	16. 2021-L-059 Spectrum Gulf Coast LLC		
	17. 2021-L-060 Spectrum Gulf Coast LLC		
	18. 2021-L-061 Spectrum Gulf Coast LLC		
	19. 2021-L-062 Spectrum Gulf Coast LLC		
	20. 2021-L-063 Spectrum Gulf Coast LLC		
	21. 2021-L-064 Spectrum Gulf Coast LLC 22. 2021-L-065 Spectrum Gulf Coast LLC		
	23. 2021-L-066 Spectrum Gulf Coast LLC		
	24. 2021-L-067 Spectrum Gulf Coast LLC		
	25. 2021-L-068 Spectrum Gulf Coast LLC		
	26. 2021-L-069 Spectrum Gulf Coast LLC		
	27. 2021-L-070 Spectrum Gulf Coast LLC		
	28. 2021-L-071 Obed Molina & Various Other Users		
	C. Kinder Morgan Update		

.15 1015 1030	12. General & Administrative       G. Norvell         A. Financial Report       B. Contract: Professional Electrical Engineering Services         C. Contract renewal- Apex Technologies LLC       G. Norvell	21 29 38
15 1030 1045	<ul> <li>Managers Update G. Esslinger</li> <li>A. Change of December Board meeting date due to elections</li> <li>B. Election Notice</li> </ul>	43
STAFF REPORT		
	<ol> <li>Legislative Update         <ul> <li>Family Farm Alliance Monthly Briefing</li> <li>Water Strategies Report</li> </ul> </li> <li>"Satellites reveal the secrets of water-guzzling farms in California"- NPR CPR News</li> <li>HR/Safety Update</li> </ol>	46 57 64 69
OPEN SESSION SUSPENSION AND TRANSFER HEARING		
	2021-WT-013 Mesilla Valley Properties LLC to Amado Rivas 3.43 acres 2021-WTS-014 Jose Olvera & Lilia Hernandez Clark & Betty Sue Neal Revocable Tru	ıst 1.75 acres
	TOTAL 3.66 acres	
	Voluntary Suspensions acres 5.01	73

## 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. Discussion regarding purchase, acquisition, or disposal of real property or water rights
  - C. Potential/threatened litigation
  - D. Discussion regarding all pending Water Right Protests before the Office of the State Engineer
  - E. Motion to come out of closed session

## 2009-ADMIN 9

POLICY SUBJECT: Implementation of Rules of Conduct for Public Meeting and Participation Policy SEPTEMBER 9, 2009

DATE APPROVED: 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.

There is no right to comment by the constituency or public on any agenda item at regularly scheduled board meetings. At the 1. 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.

- Β. 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.
- Requests to place items on the agenda for regularly scheduled board meetings from the constituency or public are subject to the 2 following rules:
  - Α. The request must be made in writing to the Manager at least five days prior to a regularly scheduled meeting.
  - Β. 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.
  - A member of the constituency or the public that is allowed to speak shall treat all persons present with dignity and respect Ε. 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.
- 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 3. Manager at least five days prior to a regularly scheduled meeting, the following rules apply:
  - The Board shall not grant the request at a regular board meeting unless said request is allowed by a majority vote of the Α. Board.
  - В. 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.
  - A member of the constituency or the public that is allowed to speak shall limit the remarks to that issue specifically D. 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.
- This policy shall apply to all subsequent renewals of the District's Public Meeting and Participation Policy. 4.