

MINUTES
PUBLIC SERVICE BOARD
CITY OF EL PASO
May 13, 2015

The regular meeting of the Public Service Board was held Wednesday, May 13, 2015, at the El Paso Water Utilities Public Service Board Meeting Room located at 1154 Hawkins Boulevard, El Paso, Texas.

PSB MEMBERS PRESENT

Dr. Richard T. Schoephoerster, Chair
Terri Garcia, Secretary-Treasurer
Henry Gallardo, Member
Christopher Antcliff, Member
Bradley Roe, Member

PSB MEMBERS ABSENT

Ruth Katherine Brennand, Vice Chair
Mayor Oscar Leeser, Ex-Officio Member

PSB EMPLOYEES PRESENT

John E. Balliew, P.E., President and Chief Executive Officer
Robert Andron, General Counsel

EPWU EMPLOYEES PRESENT

Lowell Stokes, Assistant General Counsel
Alan Shubert, Vice President
Gretchen Byram, Computer Media Specialist
Art Duran, Chief Financial Officer
Javier Camacho, Public Information Specialist
Gilbert Trejo, Chief Technical Officer
Michelle LePage, Purchasing Agent
Scott Reinert, Water Resources Manager
Anai Padilla, Water Conservation/TecH₂O Manager
Angel Bustamante, Water Systems Division Manager
Manuel Perez, Energy Management Coordinator
Armando Renteria, Chief Information Officer
Christina Montoya, Marketing and Communications Manager
Edgar Chacon, Network Systems Manager
Lupe Cuellar, Real Estate Manager/Counsel
Paula Apodaca, Intergovernmental Affairs Coordinator
Victor Guzman, Water Production Superintendent
Ralph Castro, Utility Construction Supervisor
Robert Hernandez, Wastewater Plant Superintendent
Richard Wilcox, Quality Control Chemist
Georgette Webber, Executive Secretary

GUESTS

Sanaan Villalobas, ARCADIS US
Phil Rothstein, Bath Engineering
Malynda Cappelle, UTEP
Robert Navarro, Robert Navarro and Associates
Dr. Shane Walker, UTEP

Dr. Tom Davis, UTEP
Craig Pederson, EWM
Huble Hausman, EWM
Anthony Below, Painted Dunes
Pam Farone, Citizen
Chris Roberts, Touchstone Golf
Charlie Wakeem, Frontera Land Alliance
Janae Reneaufield, Frontera Land Alliance
Scott Winton, Frontera Land Alliance
Ruben Chavez, CEA Group
Jorge Azcarate, CEA Group
Ulises Estrada, CEA Group
Skip Bambrook, Robert Navarro and Associates
Carmen Arrieta Candelaria, Integrity Asset Management
Victor Morales, Freese & Nichols, Inc.
Emile Couroux, ESSCO Environmental, Inc.
Pamela Bel, TWBC
Michael Delgado, TWBC
Chris Kasper, TWBC
Ray Aduato, El Paso Association of Builders
Mario Chavez, Globe Builders, LLC

MEDIA

El Paso Times

The Public Service Board meeting was called to order by Dr. Schoephoerster at 8:01 a.m. A quorum of its members was present. After a moment of silence, those in attendance joined Dr. Shane Walker from the University of Texas at El Paso, in reciting the Pledge of Allegiance.

CONSENT AGENDA

On a motion made by Ms. Garica, seconded by Mr. Antcliff, and unanimously carried, the Board took action on the following consent agenda items:

APPROVED THE MINUTES OF THE REGULARLY SCHEDULED MEETING HELD ON APRIL 8, 2015.

The Board approved the minutes of the regularly scheduled meeting held on April 8, 2015.

RATIFIED A PURCHASE ORDER INCLUDING CHANGE ORDER NUMBER ONE FOR EMERGENCY RELOCATION OF A 8-INCH WATER MAIN AND A 16-INCH STEEL CASING TO DANNY SANDER CONSTRUCTION, INCORPORATED, FOR AN INCREASED AMOUNT OF \$8,540 FOR A TOTAL AMOUNT OF \$57,450.

The Board ratified a purchase order including Change Order Number One for emergency relocation of a 8-inch water main and a 16-inch steel casing to Danny Sander Construction, Incorporated, for an increased amount of \$8,540 for a total amount of \$57,450.

RATIFIED A PURCHASE ORDER INCLUDING CHANGE ORDER NUMBER ONE FOR EMERGENCY RELOCATION OF A 24-INCH STEEL CASING AND 12-INCH WATER MAIN TO DANNY SANDER CONSTRUCTION, INCORPORATED, FOR AN INCREASED AMOUNT OF \$4050 FOR A TOTAL AMOUNT OF \$53,550.

The Board ratified a purchase order including Change Order Number One for emergency relocation of a 24-

inch steel casing and 12-inch water main to Danny Sander Construction, Incorporated, for an increased amount of \$4050 for a total amount of \$53,550.

RATIFIED CHANGE ORDER NUMBER ONE FOR EMERGENCY RELOCATION OF A 15-INCH WASTEWATER LINE AND A 30-INCH CASING TO DANNY SANDER CONSTRUCTION, INCORPORATED, FOR AN INCREASED AMOUNT OF \$24,820 FOR A TOTAL AMOUNT OF \$99,710.

The Board ratified Change Order Number One for emergency relocation of a 15-inch wastewater line and a 30-inch casing to Danny Sander Construction, Incorporated, for an increased amount of \$24,820 for a total amount of \$99,710.

REGULAR AGENDA

PRESENTATION OF THE SAFEST SECTION OF THE QUARTER AWARDS (FIRST QUARTER 2015).

Mr. John Balliew, President & CEO, presented information to the Board regarding this item. The Safest Section of the Quarter Awards are for the sections with the lowest accident rate for the months of January, February and March. The winning sections were "Accident Free" during the first quarter of 2015. All of the members of the sections have performed their jobs safely as a group and as individuals. In accordance with the Board's Award Policy, the winners of the Safest Section of the Quarter Awards for the first quarter of 2015 are as follows: Plant Facilities – Haskell Street Wastewater Treatment Plant; Field/Construction – Installation Services; Support Services – Water Production; and Compliance/Materials – Laboratory Services. Mr. Balliew and Mr. Roe presented the awards to the following representatives: Robert Hernandez, Wastewater Plant Superintendent – Haskell Street Wastewater Treatment Plant; Ralph Castro, Construction Supervisor; Victor Guzman, Superintendent - Water Production; and Richard Wilcox, Laboratory Quality Control Chemist.

PRESENTATION OF THE GOVERNMENT FINANCE OFFICERS ASSOCIATION'S (GFOA) CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING TO EL PASO WATER UTILITIES FOR THE FISCAL YEAR 2013-14 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR).

Mr. Balliew presented the Government Finance Officers Association's (GFOA) Certificate of Achievement for Excellence in Financial Reporting to Mr. Art Duran, Chief Financial Officer, for the Fiscal Year 2013-14 Comprehensive Annual Financial Report (CAFR). The GFOA's Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management. The Utility first received this award for its Fiscal Year ending February 29, 1996. The Utility has now received this award for 19 consecutive years. The CAFR is judged by an impartial panel to meet the high standards of the program including demonstrating a constructive "spirit of full disclosure" to clearly communicate its financial story and motivate potential users and user groups to read the CAFR.

PRESENTATION OF THE FOLLOWING 2015 WATERMARK AWARDS FROM THE TEXAS SECTION OF THE AMERICAN WATER WORKS ASSOCIATION AND THE WATER ENVIRONMENT ASSOCIATION OF TEXAS TO EL PASO WATER UTILITIES: FIRST PLACE: "EPWU WISE ACTIONS! URBAN WETLANDS PROGRAM" – SCHOOL CURRICULUMS CATEGORY; FIRST PLACE: " EPWU PAISANO WATERLINE REPLACEMENT PROJECT VIDEO" – AUDIO AND VISUAL CATEGORY; FIRST PLACE: " EPWU STORMWATER SYSTEM TOUR" – MISCELLANEOUS CATEGORY

Mr. Balliew made comments regarding the awards Watermark Awards. The Watermark Award for communications excellence recognizes Texas section AWWA and WEAT members who have produced top quality communications. Effective external and internal communication is essential to a member's ability to

provide excellent service. Today's water resource professionals must communicate with a variety of audiences to achieve success.

Overall, EPWU received three Watermark awards for programs completed in 2014. EPWU was awarded a first place Watermark Award for the "WISE Actions! Urban Wetlands Program," which focuses on outdoor activities to promote and increase the awareness of urban wetland ecosystems and how EPWU manages regional water issues. EPWU also received first place Watermark awards for the Utility produced video "EPWU Paisano Waterline Replacement Project," which explains the complex construction process of the drought relief project; and for the "EPWU Stormwater System Tour" which gave citizens a first-hand look at the improvements EPWU has made to the stormwater system and the challenges that lie ahead. The awards were presented to EPWU staff last month at the annual Texas Water conference in Corpus Christi, Texas. Mr. Balliew presented the awards to Ms. Karol Parker, Public Information Officer, Ms. Anai Padilla, Water Conservation/TechH₂O Manager and Mr. Javier Camacho, Public Information Coordinator.

PRESENTATION OF THE 2015 ACEC TEXAS ENGINEERING EXCELLENCE AWARD IN THE CATEGORY OF WATER RESOURCES- SMALL FIRM FOR THE CHIHUAHUITA STORM WATER SEWER PUMP STATION AND SYSTEM IMPROVEMENTS PROJECT BY CEA GROUP.

Mr. Alan Shubert, Vice President, introduced Mr. Ruben Chavez, Mr. Jorge Azcarate and Ulises Estrada of CEA Group to make a PowerPoint and award presentation to the Board regarding this item (copy on file in Central Files). The Engineering Excellence Awards Competition has been held by the American Council of Engineering Companies of Texas since its inception in 1975 to honor and recognize outstanding achievements within the engineering community. The distinguished panel of judges from around the state selected 13 Gold Medal and 5 Silver Medal winning projects from 25 entries based on uniqueness, originality, technical, value to the engineering profession, complexity and how successfully the project met the needs of the client. CEA Group submitted its work on EPWU's Chihuahuita Storm Water Sewer Pump Station and System Improvements Project as an entry in the 2015 competition and was awarded the Gold Medal in the Water Resources-Small Firm category. Mr. Chavez, Mr. Azcarate and Mr. Estrada presented the award to Mr. Balliew.

PRESENTATION OF THE SOLAR DESALINATION PLANT PRIZE BY UNIVERSITY OF TEXAS AT EL PASO PROFESSORS, DR. THOMAS A. DAVIS AND DR. SHANE WALKER AND MALYNDA CAPPELLE.

Ms. Malynnda Cappelle from the University of Texas at El Paso, made a PowerPoint Presentation to the Board regarding this item (copy on file in Central Files). El Paso Water Utilities is a continued supporter of UTEP's innovative programs. The Desal Prize aims to incentivize the creation of an environmentally sustainable small-scale brackish water desalination system that can provide potable water for humans, as well as water appropriate for crops in developing countries. The Desal Prize offers innovators the opportunity to prove technological performance via a head-to-head competition and to demonstrate agricultural context functionality through pilot demonstrations. Finalists competed for a total of \$200,000 in prize funds during a head-to-head competition at the Brackish Groundwater National Desalination Research Center in Alamogordo, NM. Submittals are evaluated/judged base on their fulfillment of the following criteria: powered solely by renewable energy; high system water % recovery and concentrate minimization; minimizes environmental impact; and is cost efficient, durable, and easy to maintain. More than 60 teams from 29 countries originally entered the worldwide competition. The UTEP team received 2nd Place in the competition and won \$60,000. The team is now eligible to receive grant funds totaling \$400,000 to implement pilot projects to showcase the technologies to small-holder rural farmers in a USAID mission region. For the competition, a team comprised of Dr. Thomas Davis, Dr. Shane Walker, Ms. Malynnda Cappelle and several UTEP students, applied their patented Zero Discharge Desalination (ZDD) technology, which reduces water waste in the desalination of groundwater by conventional processes. ZDD employs reverse osmosis to produce high-quality product water and electro dialysis metathesis to remove undesirable ions from the water and improve desalination efficiency. Ms. Cappelle presented the

Board with pictures of the team members and the prototype submitted into the competition. Mr. Balliew congratulated the team and thanked Ms. Cappelle for her presentation.

RATIFY CUMULATIVE CHANGE ORDER NUMBERS 1 AND 2 TO BAIN CONSTRUCTION, L.P., FOR THE EASTSIDE INTERCEPTOR PHASE 5 – PART 2B, INCREASING THE CONTRACT AMOUNT BY \$267,384.64 FOR A FINAL CONTRACT AMOUNT OF \$2,584,961.64, SUBJECT TO THE APPROVAL OF THE TEXAS WATER DEVELOPMENT BOARD.

Mr. Shubert made a PowerPoint presentation to the Board regarding this item (copy on file in Central Files). The Eastside Interceptor Phase 5 Part 2B project was awarded to Bain Construction on January 8, 2014. The project was completed on April 20, 2015. Throughout construction, two change orders were issued resulting in a cumulative increase of \$267,384.64 (11.5%) to the original contract amount of \$2,317,577.00. Final contract amount with all approved change orders is \$2,584,961.64. Final quantity adjustments were based on contract unit bid costs and resident project representative's records. Items requiring an increase in scope and cost were negotiated and are in line with the level of effort required for similar work done recently.

On a motion made by Ms. Garica, seconded by Ms. Brennand, and unanimously carried, the Board ratified cumulative Change Order Numbers 1 and 2 to Bain Construction, L.P., for the Eastside Interceptor Phase 5 – Part 2B, increasing the contract amount by \$267,384.64 for a final contract amount of \$2,584,961.64, subject to the approval of the Texas Water Development Board.

ADOPTED A RESOLUTION TO APPROVE AND ACCEPT EASTSIDE INTERCEPTOR PHASE 5 – PART 2B, BID NO. 80-13, FOR INCLUSION INTO THE EL PASO WATER UTILITIES SYSTEM, SUBJECT TO THE APPROVAL OF THE TEXAS WATER DEVELOPMENT BOARD.

Mr. Shubert presented information to the Board regarding this item. The project was awarded to Bain Construction on January 8, 2014, and the construction started on February 17, 2014 with an original contract amount of \$2,317,577.00. Final contract amount with all approved change orders is \$2,584,961.64, an increase of \$267,384.64 to the original contract amount. The project consultant, Parkhill, Smith & Cooper certified the project as complete and the construction meets all plans and specification requirements of the contract documents. Approval of final payment and release of the project retainage is pending review and approval by the El Paso Water Utilities' Contracts Department.

On a motion made by Mr. Gallardo, seconded by Ms. Garcia, and unanimously carried, the Board adopted a resolution to approve and accept Eastside Interceptor Phase 5 – Part 2B, Bid No. 80-13, for inclusion into the El Paso Water Utilities System, subject to the approval of the Texas Water Development Board. **(Resolution attached)**

AWARDED BID NUMBER 21-15, VISTA DEL SOL PUMP STATION 24-INCH TRANSMISSION WATER LINE, TO THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER, CMD ENDEAVORS, INCORPORATED, IN THE AMOUNT OF \$1,857,930; AND AUTHORIZED FUNDING THROUGH THE COMMERCIAL PAPER PROGRAM.

Mr. Shubert made a PowerPoint presentation to the Board regarding this item (copy on file in Central Files). This project is located in far east El Paso, north of Vista Del Sol Drive, along Loop 375 and south of Montwood Drive. The project is needed to convey water from the Vista Del Sol Pump Station to annexed areas east of Loop 375. The Vista Del Sol Pump Station and associated transmission main will immediately serve as a backup to the Pebble Hills Pump Station. With the continued development of areas east of Loop 375, this water system is needed to meet demand. El Paso Water Utilities (EPWU) received six bids for this project ranging from \$1,857,930.00 to \$2,553,036.93. The Engineer's Estimate was \$2,196,238.00. The project consulting engineer, Moreno Cardenas, evaluated the qualifications of the apparent low bidder and determined that CMD Endeavors met the minimum general requirements as well as the minimum project specific criteria as specified on the bid documents. EPWU's Project Administration Department evaluated the Engineer's Evaluation Matrix and

recommended award of Bid Number 21-15, Vista Del Sol Pump Station 24-Inch Transmission Water Line, to CMD Endeavors as the lowest responsive, responsible bidder, in the amount of \$1,857,930.00.

On a motion made by Mr. Antcliff, seconded by Mr. Gallardo, and unanimously carried, the Board awarded Bid Number 21-15, Vista Del Sol Pump Station 24-inch Transmission Water Line, to the lowest responsive, responsible bidder, CMD Endeavors, Incorporated, in the amount of \$1,857,930; and authorized funding through the Commercial Paper Program. **(Resolution attached)**

AWARDED BID NUMBER 13-15, EMERGENCY BACKUP POWER – PACKAGE 2 INSTALLATION REBID, TO THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER, GLOBE BUILDERS, LLC, IN THE AMOUNT OF \$1,299,434.

Mr. Shubert made a PowerPoint presentation to the Board regarding this item (copy on file in Central Files). On November 12, 2014, the Public Service Board approved the pre-purchase of generators and automatic transfer switches to provide emergency power capacity at a total of thirteen well sites located mostly in the northeast side of El Paso, plus three support facilities, otherwise known as Package 2. This bid is for the selection of a contractor to install the pre-purchased equipment and required site improvements at the sixteen facilities. During the January 21, 2015 meeting, the PSB voted to reject all bids received under Bid 85-14, Emergency Backup Power – Package 2 Installation, because the majority of the bids were non-responsive.

A rebid for this project was held and four (4) bids were received ranging from \$1,299,434 to \$1,735,618. The Engineer's Estimate was \$1,664,849. EP Temp Line was disqualified for submitting an incomplete bid. EPWU's Energy Management Coordinator and the Consulting Engineer, Black and Veatch evaluated the bids and determined that Globe Builders met the minimum general requirements as well as the minimum project specific criteria as specified on the bid documents. EPWU staff evaluated the Engineer's Evaluation Matrix and recommended award of the contract for Bid Number 13-15, Emergency Backup Power – Package 2 Installation Rebid, to Globe Builders as the lowest responsive, responsive bidder, in the amount of \$1,299,434. Mr. Shubert and Mr. Balliew addressed questions from the Board regarding this item.

On a motion made by Mr. Roe, seconded by Ms. Garcia, and unanimously carried, the Board awarded Bid Number 13-15, Emergency Backup Power – Package 2 Installation Rebid, to the lowest responsive, responsible bidder, Globe Builders, LLC, in the amount of \$1,299,434.

AUTHORIZE THE PRESIDENT/CEO TO EXECUTE A CONTRACT WITH CMD ENDEAVORS FOR THE URGENT PUBLIC NECESSITY OF REPAIRS TO THE AMERICAS PUMP STATION TANK NUMBER 1 UP TO A GUARANTEED MAXIMUM COST OF \$650,000.

Mr. Shubert made a PowerPoint presentation to the Board regarding this item (copy on file in Central Files). On February 11, 2015, EPWU awarded Bid Number 07-15 to CMD Endeavors for repairs to Americas Pump Station Tank Number 1 in the amount of \$782,000. CMD Endeavors subcontracted the tank work to D&R Tank Company who has started the repairs. During the repairs it became evident that additional work to the roof of the tank was needed or else the tank itself would be in imminent danger of collapse. The State of Texas bidding statutes provide an exception to bidding at Section 252.022 for a procurement made due to an urgent public necessity to preserve this asset. Robert Navarro and Associates was retained to inspect, evaluate and report back their findings regarding the tank facility. Based on the report provided by Robert Navarro and Associates on April 23, 2015, EPWU staff determined that an urgent public necessity existed to make the repairs to the roof structure of the tank.

D&R Tank Company has been on site since March, 2015 and is well qualified by way of experience and expertise to accomplish the necessary repairs in a timely manner. D&R Tank Company is willing to do the work. Bidding out this work to another qualified contractor would require a significant delay in making the necessary repairs in a timely manner to protect and preserve this asset. Mr. Shubert and Mr. Balliew addressed questions from the Board regarding this item.

On a motion made by Ms. Garcia, seconded by Mr. Roe, and unanimously carried, the Board authorized the President/CEO to execute a contract with CMD Endeavors for the urgent public necessity of repairs to the Americas Pump Station Tank Number 1 up to a guaranteed maximum cost of \$650,000.

AWARDED BID NUMBER 17-15, BIO-SCRUBBER SYSTEM FOR THE HASKELL R. STREET WASTEWATER TREATMENT PLANT PRIMARY CLARIFIERS, TO THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER, BIOAIR SOLUTIONS, LLC, IN THE AMOUNT OF \$805,750; AND AUTHORIZED FUNDING THROUGH THE COMMERCIAL PAPER PROGRAM.

Mr. Shubert made a PowerPoint presentation to the Board regarding this item (copy on file in Central Files). El Paso Water Utilities (EPWU) is replacing the chemical scrubbers that were damaged during the fire that occurred in May 2014 at the Haskell R Street Wastewater Treatment Plant with new biological scrubbers to remove odors at the plant. The purpose of the bid was to pre-purchase Bio-Scrubber equipment with a total capacity of 99% removal of hydrogen sulfide gas and 80% odor removal and to expedite delivery of the equipment.

EPWU received five bids for this project ranging from \$592,863 to \$957,600. The Engineer's estimate was \$800,000. The project consulting engineer, CDM Smith, evaluated the qualifications of the apparent low bidder and determined that Daniel Mechanical was non-responsive due to the number of exceptions and exclusions taken. The second low bidder, BioAir Solutions, was evaluated and met the minimum general requirements as well as the minimum project specific criteria as specified on the bid documents. EPWU Project Administration evaluated the Engineer's evaluation matrix and recommended award of Bid Number 17-15, Bio-Scrubber System for the Haskell R. Street Wastewater Treatment Plant Primary Clarifiers, to BioAir Solutions as the lowest responsive, responsible bidder in the amount of \$805,750. Mr. Shubert addressed questions from the Board regarding this item.

On a motion made by Mr. Gallardo, seconded by Mr. Roe and unanimously carried, the Board awarded Bid Number 17-15, Bio-Scrubber System for the Haskell R. Street Wastewater Treatment Plant Primary Clarifiers, to the lowest responsive, responsible bidder, BioAir Solutions, LLC, in the amount of \$805,750; and authorized funding through the Commercial Paper Program. **(Resolution attached)**

APPROVED A 48-MONTH LEASE AGREEMENT FOR GOLF CARTS WITH EZGO THROUGH PNC EQUIPMENT FINANCE, LLC, THROUGH TEXAS BUY BOARD CONTRACT NUMBER 447-14, FOR A MONTHLY AMOUNT OF \$7,207.

Mr. Balliew presented information to the Board regarding this item. The current golf cart lease with EZGO expired May 1, 2015. EZGO has a Texas Buy Board contract for golf carts and EPWU is able to use the contract to lease the golf carts for Painted Dunes. EPWU will lease 100 golf carts for 48 months which is standard best management practice in the industry. Touchstone Golf currently manages Painted Dunes for El Paso Water Utilities (EPWU). Touchstone Golf evaluated the quote from EZGO submitted under Texas Buy Board Contract #447-14 and were able to further reduce the cost by negotiating a discount because of Touchstone's National accounts with EZGO. Mr. Anthony Below and Mr. Chris Robertson from Painted Dunes Golf Course addressed questions from the Board regarding this item.

On a motion made by Mr. Gallardo, seconded by Mr. Roe and unanimously carried, the Board approved a 48-month lease agreement for golf carts with EZGO through PNC Equipment Finance, LLC, through Texas Buy Board Contract Number 447-14, for a monthly amount of \$7,207. **(Resolution attached)**

APPROVED THE PURCHASE OF AVAYA SYSTEM MAINTENANCE SERVICES AND A THREE-YEAR SUPPORT AGREEMENT WITH BUY BOARD PRICING THROUGH TEXAS DIR CONTRACT NUMBER DIR-TSO-2687 IN THE AMOUNT OF \$192,796.56.

Mr. Armando Renteria, Chief Information Officer, presented the Board with information regarding this item. EPWU currently utilizes an Avaya telephone system and related equipment for telephone service to all Utility departments. The services include hardware support, repairs, replacement parts, help line support, software fixes, security patches and software version upgrades. The services are required to ensure the continuity of telephone and voice network services for the Utility. A quotation for a three year Avaya maintenance services agreement was requested from Avaya with buy board pricing through Texas DIR (Department of Information Resources) Contract No. DIR-TSO-2687.

On a motion made by Ms. Garcia, seconded by Mr. Gallardo and unanimously carried, the Board approved the purchase of Avaya System Maintenance Services and a three-year support agreement with buy board pricing through Texas DIR Contract Number DIR-TSO-2687 in the amount of \$192,796.56.

APPROVED THE PURCHASE OF TIME WARNER NETWORK SERVICES AND THREE-YEAR AGREEMENT WITH BUY BOARD PRICING THROUGH TEXAS DIR CONTRACT NO. DIR-TEX-AN-NG-CTSA-008 IN THE AMOUNT OF \$778,488.

Mr. Renteria made a PowerPoint presentation to the Board regarding this item (copy on file in Central Files). EPWU currently utilizes Time Warner network services to provide Internet, fiber network, and network recovery support to the Hawkins Office, Customer Service Center, Field Office, Haskell Plant, Tech2O Center, Desalination Plant, and the Stormwater facility. Due to increased data and voice network traffic the current services in place have been outgrown and need to be upgraded. The proposed upgrade is a three phased approach comprised of increased Internet bandwidth, the addition of five facilities, and improvements to the inbound/outbound Avaya telephone system. A quotation for a three-year contract for these additional services and upgrade plan was requested from Time Warner Cable with buy board pricing through Texas DIR (Department of Information Resources) Contract No. DIR-TEX-AN-NG-CTSA-008. Mr. Renteria presented a diagram of the network design and addressed questions from the Board regarding this item.

On a motion made by Mr. Antcliff, seconded by Ms. Garcia and unanimously carried, the Board approved the purchase of Time Warner Network Services and three-year agreement with buy board pricing through Texas DIR Contract No. DIR-TEX-AN-NG-CTSA-008 in the amount of \$778,488.

AWARDED PROFESSIONAL SERVICES CONTRACTS FOR ON-CALL PROFESSIONAL ENGINEERING SERVICES FOR ENVIRONMENTAL PERMITTING, ANALYSIS, AND ASSESSMENTS TO ARCADIS U.S., INCORPORATED AND ESSCO ENVIRONMENTAL, INCORPORATED AND AUTHORIZED FUNDING THROUGH THE COMMERCIAL PAPER PROGRAM, AS REQUIRED.

Mr. Gilbert Trejo, Chief Technical Officer, made a PowerPoint presentation to the Board regarding this item (copy on file in Central Files). Many of the EPWU facilities and new projects require environmental permitting, analysis, and assessments. The environmental permitting, analysis, and assessments need to be performed by qualified professional environmental engineers. The Architectural/Engineering Selection Advisory Committee met on April 24, 2015 to review and recommend selection of the engineering firms for these services. Proposals were scored in the areas of technical competence, project approach, team organization and availability, and project management and quality control. ARCADIS U.S. and Essco Environmental were selected as the most qualified firms that best met the needs of the Utility for these important services and demonstrated excellent abilities in all the evaluated categories. Each consultant will be issued a professional services contract for a maximum amount of \$500,000 and each contract will be limited to no more than two years. Mr. Trejo addressed questions from the Board regarding this item.

On a motion made by Mr. Antcliff, seconded by Ms. Garcia and unanimously carried, the Board awarded Professional Services Contracts for On-Call Professional Engineering Services for Environmental Permitting, Analysis, and Assessments to ARCADIS U.S., Incorporated and Essco Environmental, Incorporated and authorized funding through the Commercial Paper Program, as required. **(Resolution attached)**

AWARDED PROFESSIONAL SERVICES CONTRACTS FOR ON-CALL PROFESSIONAL SERVICES FOR WATER, WASTEWATER, RECLAIMED WATER, AND STORMWATER PIPELINES GREATER THAN 24-INCHES TO CDM SMITH, INCORPORATED, AND ARCADIS U.S., INCORPORATED; AND AUTHORIZED FUNDING THROUGH THE COMMERCIAL PAPER PROGRAM, AS REQUIRED.

Mr. Trejo made a PowerPoint presentation to the Board regarding this item (copy on file in Central Files). El Paso Water Utilities has miles of water, sewer, reclaimed, and stormwater pipelines greater than 24 inches throughout the city. As the pipeline systems age and expand, there is a need for upgrading the existing pipelines and designing new pipelines. The major upgrades and designs need to be performed by qualified professional engineers. The Architectural/Engineering Selection Advisory Committee met on April 24, 2015 to review and recommend selection of the engineering firms for these services. Proposals were scored in the areas of technical competence, project approach, team organization and availability, and project management and quality control. CDM Smith and ARCADIS U.S. were selected as the most qualified firms that best met the needs of the Utility for these important services and demonstrated excellent abilities in all the evaluated categories. Each consultant will be issued a professional services contract for a maximum amount of \$500,000 and each contract will be limited to no more than two years. Mr. Trejo addressed questions from the Board regarding this item.

On a motion made by Mr. Gallardo, seconded by Mr. Antcliff and unanimously carried with Mr. Roe abstaining from the vote, the Board awarded Professional Services Contracts for On-Call Professional Services for Water, Wastewater, Reclaimed Water, and Stormwater Pipelines Greater than 24-Inches to CDM Smith, Incorporated, and ARCADIS U.S., Incorporated; and authorized funding through the Commercial Paper Program, as required. **(Resolution attached)**

AWARDED PROFESSIONAL SERVICES CONTRACTS FOR ON-CALL PROFESSIONAL SERVICES FOR WATER, WASTEWATER, RECLAIMED WATER, AND STORMWATER PIPELINES 24-INCHES AND SMALLER TO CEA GROUP AND CSA DESIGN GROUP, INCORPORATED; AND AUTHORIZED FUNDING THROUGH THE COMMERCIAL PAPER PROGRAM, AS REQUIRED.

Mr. Trejo made a PowerPoint presentation to the Board regarding this item (copy on file in Central Files). El Paso Water Utilities has miles of water, sewer, reclaimed water, and stormwater pipelines 24 inches and smaller throughout the city. As these pipeline systems age and expand, there is a need for upgrading the existing pipelines and designing new pipelines. The major upgrades and designs need to be performed by qualified professional engineers. The Architectural/Engineering Selection Advisory Committee met on April 24, 2015 to review and recommend selection of the engineering firms for these services. Proposals were scored in the areas of technical competence, project approach, team organization and availability, and project management and quality control. CEA Group and CSA Design Group were selected as the most qualified firms that best met the needs of the Utility for these important services and demonstrated excellent abilities in all the evaluated categories. Each consultant will be issued a professional services contract for a maximum amount of \$500,000 and each contract will be limited to no more than two years. Mr. Trejo addressed questions from the Board regarding this item.

On a motion made by Mr. Gallardo, seconded by Mr. Roe and unanimously carried, the Board awarded Professional Services Contracts for On-Call Professional Services for Water, Wastewater, Reclaimed Water, and Stormwater Pipelines 24-Inches and Smaller to CEA Group and CSA Design Group, Incorporated; and authorized funding through the Commercial Paper Program, as required. **(Resolution attached)**

AWARDED PROFESSIONAL SERVICES CONTRACTS FOR ON-CALL PROFESSIONAL SERVICES FOR WATER AND RECLAIMED WATER DISTRIBUTION PUMP STATIONS TO BATH ENGINEERING CORPORATION AND PARKHILL, SMITH AND COOPER,

INCORPORATED; AND AUTHORIZED FUNDING THROUGH THE COMMERCIAL PAPER PROGRAM, AS REQUIRED.

Mr. Trejo made a PowerPoint presentation to the Board regarding this item (copy on file in Central Files). El Paso Water Utilities has 54 potable water pump stations and six reclaimed water pump stations throughout the City. The pump stations vary both in age and size. This On-Call Services contract will be used for upgrades and/or repairs to these pump stations. The Architectural/Engineering Selection Advisory Committee met on April 24, 2015 to review and recommend selection of the engineering firms for these services. Proposals were scored in the areas of technical competence, project approach, team organization and availability, and project management and quality control. Bath Engineering and Parkhill, Smith, and Cooper were selected as the most qualified firms that best met the needs of the Utility for these important services and demonstrated excellent abilities in all the evaluated categories. Each consultant will be issued a professional services contract for a maximum amount of \$500,000 and each contract will be limited to no more than two years.

On a motion made by Ms. Garcia, seconded by Mr. Gallardo and unanimously carried, the Board awarded Professional Services Contracts for On-Call Professional Services for Water and Reclaimed Water Distribution Pump Stations to Bath Engineering Corporation and Parkhill, Smith and Cooper, Incorporated; and authorized funding through the Commercial Paper Program, as required. **(Resolution attached)**

AWARDED A PROFESSIONAL SERVICES CONTRACT FOR JONATHAN ROGERS WATER TREATMENT PLANT OZONE SYSTEM AND SUPPORT FACILITIES TO HAZEN AND SAWYER, PC; AND AUTHORIZED FUNDING THROUGH THE COMMERCIAL PAPER PROGRAM.

Mr. Trejo made a PowerPoint presentation to the Board regarding this item (copy on file in Central Files). The Jonathan Rogers Water Treatment Plant uses ozone to treat surface water. Ozone must be generated on site, which is an energy intensive process. The industry has made improvements to their systems so that they are more energy-efficient and smaller. The ozone generators currently used are the original generators. The Architectural/Engineering Selection Advisory Committee met on April 24, 2015 to review and recommend selection of the engineering firms for these services. Proposals were scored in the areas of technical competence, project approach, team organization and availability, and project management and quality control. Hazen and Sawyer was selected as the most qualified firm that best met the needs of the Utility for these important services and demonstrated excellent abilities in all the evaluated categories. The selected firm is the most qualified.

On a motion made by Mr. Antcliff, seconded by Mr. Gallardo and unanimously carried with Mr. Roe abstaining, the Board awarded a Professional Services Contract for Jonathan Rogers Water Treatment Plant Ozone System and Support Facilities to Hazen and Sawyer, PC; and authorized funding through the Commercial Paper Program. **(Resolution attached)**

AWARDED A PROFESSIONAL SERVICES CONTRACT FOR THE DEVELOPMENT OF A WATER RESOURCES PLANNING TOOL TO CH2M HILL ENGINEERS, INCORPORATED.

Mr. Balliew made introductory comments prior to Mr. Trejo making a PowerPoint presentation to the Board regarding this item (copy on file in Central Files). Sustainability and innovation is a strategic objective identified in the strategic plan. Through the latest technological advances and alternative resources, EPWU will provide a sustainable water supply for its community. To assist in accomplishing this goal a water resources planning tool is needed to assist EPWU in making the best choices for the Utility. The water resources planning tool will be used to make decisions related to development of new water supply and depletion analysis of local supply before importation is needed. CH2M HILL Engineers has been serving EPWU in various water management planning, design, construction services, and operational optimization services for the past 30 years and are very familiar with the water supply landscape of our region. CH2M HILL has developed a proprietary trademarked software that they have used for resource management in similar geographic and climatic regions. CH2M HILL will prepare a design and cost estimating tool to allow rapid construction and life cycle cost

evaluation of alternative EPWU groundwater importation project concepts. CH2M HILL is the most qualified firm to develop this resource tool for EPWU. Mr. Trejo and Mr. Balliew addressed questions from the Board regarding this item.

On a motion made by Mr. Antcliff, seconded by Ms. Garcia and unanimously carried, the Board awarded a Professional Services Contract for the Development of a Water Resources Planning Tool to CH2M HILL Engineers, Incorporated.

APPROVED ADDITIONAL DESIGN AND CONSTRUCTION SERVICES FOR THE MEMPHIS 2.5 MG ELEVATED STORAGE RESERVOIR TO ARCADIS, U.S., INCORPORATED.

Mr. Trejo made a PowerPoint presentation to the Board regarding this item (copy on file in Central Files). An existing 10 MGD booster station is located in central El Paso along Sparkman and Memphis Streets and serves the East High Pressure Zone. This booster station is supplied from the Robertson/Umbenhauer Water Treatment Plant (Canal Plant), which treats surface water from the Rio Grande or groundwater from the Canal Plant wells. Due to the disinfection by-products in surface water treatment, EPWU determined that a Packed Tower Air Stripper is necessary, therefore increasing the scope of the engineering services required. These additional fees will cover this design and additional construction services. ARCADIS U.S. was approved by the Public Service Board on April 10, 2013 for the design and construction phase services of the above mentioned project. In addition, ARCADIS U.S. has previously designed two air stripper units for EPWU. A fee proposal associated with this scope of services was submitted, reviewed, and negotiated with the Consultant to come to an agreement on the value to be received for the costs proposed to complete a design. Mr. Trejo and Mr. Balliew addressed questions from the Board regarding this item.

On a motion made by Mr. Gallardo, seconded by Mr. Roe and unanimously carried, the Board approved additional design and construction services for the Memphis 2.5 MG Elevated Storage Reservoir to ARCADIS, U.S., Incorporated.

APPROVED TASK ORDER NUMBER 4 – CONSTRUCTION ADMINISTRATION SERVICES FOR IH-10 COMMUTER-DISTRIBUTOR LANES PROJECT – WATER, SEWER, AND RECLAIMED WATER RELOCATIONS TO MORENO CARDENAS, INCORPORATED.

Mr. Trejo made a PowerPoint presentation to the Board regarding this item (copy on file in Central Files). This project was bid by the Texas Department of Transportation (TXDOT) and required the relocation of water, wastewater, and reclaimed water lines along IH-10, between Mesa Street and Executive Center Boulevard. EPWU relocations are funded by TXDOT and are included in the project for concurrent construction. EPWU Project Management worked with the consultant, Moreno Cardenas, to develop the scope of work for the project. A fee proposal associated with the scope of services was submitted, reviewed, and negotiated with the Consultant to come to an agreement on the cost to complete the project. Mr. Trejo and Mr. Balliew addressed questions from the Board regarding this item.

On a motion made by Ms. Garcia, seconded by Mr. Roe and unanimously carried, the Board approved Task Order Number 4 – Construction Administration Services for IH-10 Commuter-Distributor Lanes Project – Water, Sewer, and Reclaimed Water Relocations to Moreno Cardenas, Incorporated.

TOOK ACTION ON WHETHER STAFF SHOULD PURSUE THE POSSIBILITY OF PLACING CONSERVATION EASEMENTS ON CERTAIN OPEN SPACE AND DRAINAGE PROPERTIES AND CONVEYING THE CONSERVATION EASEMENTS TO FRONTERA LAND ALLIANCE (FRONTERA).

Ms. Lupe Cuellar, Real Estate Manager/Counsel, made a PowerPoint presentation to the Board regarding this item (copy on file in Central Files). Land Management staff has been meeting and coordinating with Frontera's executive director and land committee on the possibility of placing conservation easements on properties acquired for open space and drainage. Frontera is open to the acceptance of the conservation easements.

Granting conservation easements shifts the maintenance costs to Frontera. The Cloudview Arroyo and the Wildwood II arroyo are two properties that, due to their size and location, have been discussed and considered. Staff has also been working with Frontera on grants that Frontera is trying to secure to restore Charl Ann Pond and Redd Road Pond and the conservation easements may improve the chances of Frontera obtaining the grants. Ms. Cuellar and Ms. Janae Reneaudfield from the Frontera Land Alliance addresses questions from the Board regarding this item. The Board also heard comments from Mr. Scott Winton.

On a motion made by Mr. Gallardo, seconded by Mr. Antcliff and unanimously carried, the Board authorized staff to pursue the possibility of placing conservation easements on certain open space and drainage properties and conveying the conservation easements to Frontera Land Alliance (Frontera). **(Resolution attached)**

TOOK ACTION TO EXECUTE A SECOND AMENDMENT TO THE WHOLESALE WATER SUPPLY CONTRACT BETWEEN EL PASO WATER UTILITIES PUBLIC SERVICE BOARD AND THE HACIENDAS DEL NORTE WATER IMPROVEMENT DISTRICT.

Mr. Bob Andron, General Counsel, presented information to the Board regarding this item. El Paso Water Utilities, in accordance with its Rules and Regulations Number 11, entered into a Wholesale Water Supply Agreement with Haciendas del Norte Water Improvement District (Haciendas) in 1997. Haciendas desired to amend the agreement so as to commit to comply with El Paso Water Utilities' water conservation plan and add the remaining agreed upon 196 connections so as to reach the total contract allowed 550 connections to the water system. In agreeing to this second amendment to the Wholesale Water Supply Agreement, El Paso Water Utilities would complete its overall commitment to Haciendas to supply quality water in accordance with its Rules and Regulations Number 11 under its contract and allow the total connections to reach the agreed upon number of 550. Mr. Andron and Mr. Balliew addressed questions from the Board regarding this item.

On a motion made by Mr. Antcliff, seconded by Ms. Garcia and unanimously carried with Mr. Gallardo absent from the vote, the Board approved a Second Amendment to the Wholesale Water Supply Contract between El Paso Water Utilities Public Service Board and the Haciendas Del Norte Water Improvement District. **(Resolution attached)**

ADOPTED THE PROPOSED CHANGES TO RULES AND REGULATIONS NUMBER 8, CONCERNING THE RIGHT OF APPEAL.

Mr. Andron presented information to the Board regarding this item. Rules and Regulations Number 8 was last updated in 2007. Since that time it has become necessary to rewrite the Rule so as to clarify its application and provide for appeals to the Public Service Board in certain circumstances, set out a process for administrative appeals and make provision for the grant of variances as appropriate. It is important for the Utility to have a due process appeals system for its customers. This system is set out to provide a fair and equitable method for treating concerns of the Utility ratepayers over provision of service and billing issues as relates to the customers of the Utility. Mr. Andron addressed questions from the Board regarding this item.

On a motion made by Mr. Roe, seconded by Ms. Garcia unanimously carried, the Board adopted the proposed changes to Rules and Regulations Number 8, Concerning the Right of Appeal. **(Resolution attached)**

APPROVED A PROFESSIONAL SERVICES CONTRACT WITH SBC AND ASSOCIATES, INCORPORATED FOR COACHING AND DEVELOPMENT OF KEY POSITIONS, ASSESSMENT AND RECOMMENDATIONS ON STAFFING, REPORTING STRUCTURES, AND OTHER SERVICES AS DIRECTED.

Mr. Balliew presented info to the Board regarding this item. Key management and supervisory positions will undergo personalized coaching and development to assist them in improving their skills in effectively managing their staff. The consultant will also facilitate meetings with senior management to increase their effectiveness in working together and addressing strategic issues. The existing organizational structure in various areas will be analyzed to determine where efficiencies and improvements can be realized. Recommendations will also

include improving performance based work in various sections of the organization. The consultant will assist in the identification and selection process for key recruitments. Based on the outcome of the assessments and coaching, additional services may be assigned. The Consultant, Michael Smith of SBC and Associates, Incorporated has worked with EPWU for over three years providing coaching and development to the President/CEO, Vice President and other key management positions. Mr. Smith's executive management and consulting career spans over 40 years in the areas of strategic planning, organizational assessment, executive coaching and consolidations and mergers. He has diverse experience in management consulting in industries such as water and sanitation districts, law, real estate, architecture, aviation, governmental agencies, nonprofit organizations and manufacturing. He also worked with the Board of Directors of Water For People and assisted in a total reorganization of this international water organization developing fresh water projects world-wide.

On a motion made by Ms. Garcia, seconded by Mr. Roe unanimously carried, the Board approved a professional services contract with SBC and Associates, Incorporated for coaching and development of key positions, assessment and recommendations on staffing, reporting structures, and other services as directed.

AUTHORIZED THE PRESIDENT/CEO TO SIGN A BRINE WATER TREATMENT SERVICES AND SALES AGREEMENT BETWEEN ENVIRO WATER MINERALS COMPANY, INCORPORATED, AND THE EL PASO WATER UTILITIES PUBLIC SERVICE BOARD.

Mr. Balliew made a PowerPoint presentation to the Board regarding this item (copy on file in Central Files). El Paso Water Utilities (EPWU) has been working with Enviro Water Minerals Company, Incorporated (EWM) towards a long-term agreement where EPWU would provide desalination brine from its Kay Bailey Hutchison desalination plant to EWM which would process the brine to extract certain minerals and chemical elements. The resulting treated water will be sold back to EPWU at a very reasonable rate. Based on studies and a pilot project, the conveyance of desalination brine to EWM for its processing and the return of the resulting treated water would provide a "new" supply of drinkable water to EPWU. Mr. Balliew and Mr. Andron addressed questions from the Board regarding this item. The Board also heard comments from Mr. Craig Pederson and Mr. Hubble Hausman of Enviro Water Minerals Company.

On a motion made by Mr. Antcliff, seconded by Mr. Roe unanimously carried, the Board authorized the President/CEO to sign a Brine Water Treatment Services and Sales Agreement between Enviro Water Minerals Company, Incorporated, and the El Paso Water Utilities Public Service Board.

ADOPTED PROPOSED CHANGES AND FEE SCHEDULE TO PUBLIC SERVICE BOARD'S RULES AND REGULATIONS NUMBER 5, ESTABLISHING A RATE FOR THE FURNISHING OF WATER SERVICE BY THE EL PASO WATER UTILITIES, TO INCLUDE THE 10% MONTHLY WATER SALES PAYMENT TO THE CITY AND THE CITY IMPOSED FRANCHISE FEE AS MAY BE AMENDED FROM TIME TO TIME IN THE RATES COLLECTED FROM ALL CUSTOMERS.

Mr. Balliew presented info to the Board regarding this item. Effective September 1, 2014, City Council established a franchise fee to be paid by El Paso Water Utilities to compensate the City of El Paso for the use of city streets and rights of way for utility lines and wear and tear on City streets in a total amount of \$3,550,000.00. Effective September 1, 2014 a \$15.82 fee was assessed to all non-residential customers. Effective May 2015 all franchise fees previously billed to all non-residential customers are being credited. Effective June 2015 the Utility will start billing the franchise fee to all residential, non-residential and standby fire protection accounts. In addition, the separate charge that is paid to the City per bond ordinance for the 10 percent of all water sales will be included within the water rates. The new proposed franchise fee is based on the historic water used by meter size and by customer class. Mr. Balliew addressed several questions from the Board regarding this item. The Board also heard comments on this item from Ms. Carmen Arrieta-Candelaria of Integrity Asset Management and Mr. Ray Aduato of the El Paso Association of Builders.

On a motion made by Mr. Antcliff, seconded by Ms. Garcia unanimously carried, the Board moved this item to Executive Session for further discussion.

MANAGEMENT REPORT

- **Staff Presentations** – Mr. Balliew made a PowerPoint presentation to review the following list of staff presentations and meetings (copy on file in Central Files): ACEC Luncheon - Speaker: John Balliew; Downtown Rotary Club - Speaker: John Balliew; 2015 Texas Water Conference - Speaker: Javier Camacho & Aide Zamarron; Water Environmental Federation Systems Conference - Speaker: David Ornelas; Meeting with IMCOM Regional Director - Staff Members: Hector Gonzalez & Gilbert Trejo; Board Selection – WRRF Board of Directors - Staff Member: Gilbert Trejo.

PUBLIC COMMENT: THE PSB WILL PERMIT PUBLIC COMMENT ON ANY ITEM NOT ON THE AGENDA. THE CHAIR MAY IMPOSE REASONABLE TIME LIMITS FOR EACH SPEAKER.

No additional comments were heard from the public.

EXECUTIVE SESSION

On a motion made by Mr. Gallardo, seconded by Mr. Roe, and unanimously carried, the Board retired into Executive Session at 10:38 a.m., May 13, 2015, pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 through 551.076 to discuss any of the following:

Section 551.071	Consultation with Attorney
Section 551.072	Deliberation Regarding Real Property
Section 551.074	Personnel Matters

- a. **Section 551.072. Deliberation regarding Real Property**
The Board will deliberate regarding the purchase of property located at 3619 Aurora Avenue, generally described as Lots 6 thru 11 and a portion of Lots 3, 4 & 5, all of Lots 15 thru 24, Block 7, Altura Park, an addition to the City of El Paso, El Paso County, Texas consisting of approximately 54,923 square feet of land include a dwelling of 1,564 square feet.
- b. **Section 551.071. Consultation with Attorney**
The Board will consult with its attorney and deliberate regarding the legal and financial impact of the franchise fee imposed on the Utility by the El Paso City Council effective September 1, 2014.

On a motion made by Mr. Antcliff, seconded by Ms. Garcia, and carried, the Board reconvened in open session at 11:21 a.m., May 13, 2015.

DELIBERATED REGARDING THE PURCHASE OF PROPERTY LOCATED AT 3619 AURORA AVENUE, GENERALLY DESCRIBED AS LOTS 6 THRU 11 AND A PORTION OF LOTS 3, 4 & 5, ALL OF LOTS 15 THRU 24, BLOCK 7, ALTURA PARK, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS CONSISTING OF APPROXIMATELY 54,923 SQUARE FEET OF LAND INCLUDE A DWELLING OF 1,564 SQUARE FEET.

On a motion made by Ms. Garcia, seconded by Mr. Gallardo and unanimously carried, the Board authorized the President/CEO to purchase, and sign any and all documents necessary to complete the purchase of approximately 54,923 square feet of land including a dwelling approximately 1,564 square feet, generally described as Lots 6 thru 11 and a portion of Lots 3, 4 and 5, all of Lots 15 thru 24, Block 7, Altura Park, and

addition to the City of El Paso, El Paso County, Texas located at 3619 Aurora Avenue, for the purchase price of \$388,000.00.

CONSULTED WITH ITS ATTORNEY AND DELIBERATE REGARDING THE LEGAL AND FINANCIAL IMPACT OF THE FRANCHISE FEE IMPOSED ON THE UTILITY BY THE EL PASO CITY COUNCIL EFFECTIVE SEPTEMBER 1, 2014.

No action taken on this item.

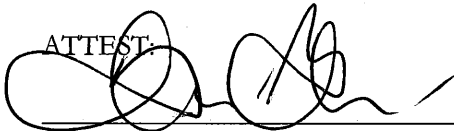
ADOPTED PROPOSED CHANGES AND FEE SCHEDULE TO PUBLIC SERVICE BOARD'S RULES AND REGULATIONS NUMBER 5, ESTABLISHING A RATE FOR THE FURNISHING OF WATER SERVICE BY THE EL PASO WATER UTILITIES, TO INCLUDE THE 10% MONTHLY WATER SALES PAYMENT TO THE CITY AND THE CITY IMPOSED FRANCHISE FEE AS MAY BE AMENDED FROM TIME TO TIME IN THE RATES COLLECTED FROM ALL CUSTOMERS.

On a motion made by Mr. Roe, seconded by Mr. Gallardo and unanimously carried, the Board adopted proposed changes and fee schedule to Public Service Board's Rules and Regulations Number 5, Establishing a Rate for the Furnishing of Water Service by the El Paso Water Utilities, to include the 10% monthly water sales payment to the City and the City imposed franchise fee as may be amended from time to time in the rates collected from all customers. **(Resolution attached)**


ADJOURNMENT

The meeting was adjourned at 11:23 a.m., May 13, 2015.

ATTEST:



Secretary-Treasurer



Chair

RESOLUTION

A RESOLUTION APPROVING AND ACCEPTING THE EASTSIDE INTERCEPTOR PHASE 5 – PART 2B PROJECT, BID NO. 80-13; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, EL PASO WATER UTILITIES PUBLIC SERVICE BOARD has completed the construction of the Eastside Interceptor Phase 5 – Part 2B, Bid No. 80-13, located in the City of El Paso, Texas, for which funding has been provided by TEXAS WATER DEVELOPMENT BOARD; and

WHEREAS, Parkhill, Smith & Cooper, Inc., the consulting engineers for the design and construction management of the Eastside Interceptor Phase 5 – Part 2B Project, Bid No. 80-13, have certified that the project is complete and in accordance with the approved plans and specifications.

NOW, THEREFORE, BE IT RESOLVED by the Public Service Board of the City of El Paso, Texas:

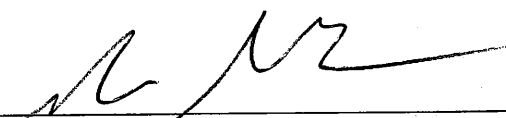
Section 1. The findings and recitations set out in the preambles of this Resolution are found to be true and correct, and they are hereby adopted by the PUBLIC SERVICE BOARD.

Section 2. The PUBLIC SERVICE BOARD, subject to the approval of the Texas Water Development Board, hereby approves and accepts the Eastside Interceptor Phase 5 – Part 2B Project, Bid No. 80-13, as of April 20, 2015 and finds that pursuant to its consulting engineers' findings, the construction meets all the specifications of the contract documents.


Section 3. That a true and correct copy of this Resolution shall be immediately forwarded to appropriate officials of the Texas Water Development Board.

PASSED AND APPROVED at a regular meeting of the Public Service Board of the City of El Paso, Texas, this 13th day of May, 2015, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A. Government Code, Sections 551.001, et. seq.

EL PASO WATER UTILITIES
PUBLIC SERVICE BOARD


Chair

ATTEST:


Secretary-Treasurer

APPROVED


Robert Andron, General Counsel



RESOLUTION

A RESOLUTION AWARDING BID NUMBER 21-15 FOR THE VISTA DEL SOL PUMP STATION AND 24-INCH WATER TRANSMISSION LINE TO CMD ENDEAVORS, INCORPORATED AND AUTHORIZING THE PRESIDENT/CEO TO SIGN A CONSTRUCTION CONTRACT WITH CMD ENDEAVORS, INCORPORATED; AND, AUTHORIZING FUNDING THROUGH THE COMMERCIAL PAPER PROGRAM AS NEEDED.

WHEREAS, this Project is located in the far east area of El Paso, north of Vista Del Sol Drive, along Loop 375 and south of Montwood Drive. It is needed to convey water from the Vista Del Sol Pump Station to annexed areas east of Loop 375. The Vista Del Sol Pump Station and associated transmission main will also immediately serve as a backup to the Pebble Hills Pump Station; and,

WHEREAS, the limits of the Project will extend from the Vista Del Sol Pump Station located near the County of El Paso's Sport Complex, then east across Joe Battle Boulevard (Loop 375), then north along the east side of Loop 375, routing east on Windemere Avenue, turning north behind the El Paso Marketplace Shopping Center and connecting to an existing 24-inch pipeline along Montwood Drive; and,

WHEREAS, El Paso Water Utilities received six (6) bids for this Project on April 21, 2015. The Project consulting engineer, Moreno Cardenas, evaluated the qualifications of the apparent low bidder and determined that CMD Endeavors, Incorporated met the minimum general requirements as well as the minimum Project specific criteria as specified in the bid documents. EPWU Project Administration evaluated the Engineer's Evaluation Matrix and recommends award of this Project to CMD Endeavors, Incorporated as the lowest, responsible, bidder; and,

WHEREAS, in order to take advantage of favorable interest rates and reduce financing costs, the Public Service Board (PSB) and City Council have authorized a Commercial Paper Program to finance PSB construction projects and engineering services, and the Project is eligible for financing through the authorized Commercial Paper Program;

NOW, THEREFORE, BE IT RESOLVED by the Public Service Board of the City of El Paso, El Paso Water Utilities:

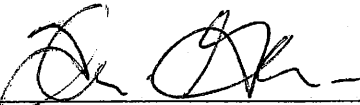
Section 1. The findings and recitations set out in the preamble to this Resolution are true and correct and are hereby adopted by the Public Service Board and made a part of this Resolution for all purposes.

Section 2. That the Public Service Board hereby awards Bid 21-15, the Vista Del Sol Pump Station and 24-inch Transmission line Project to CMD Endeavors, Incorporated and authorizes the President/CEO to enter into a construction contract with CMD Endeavors, Incorporated in the amount not to exceed \$1,857,930.00

Section 3. That the Public Service Board hereby authorizes funding of the Project through the PSB tax-exempt Commercial Paper Program from Commercial Paper Funds as approved in CIP#W4076, Account 1215-021, Budget 2015-2016 FY.

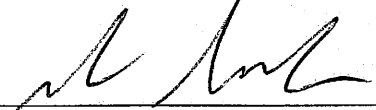
PASSED AND APPROVED at a regular meeting of the Public Service Board of the City of El Paso, Texas, this 13th day of May 2015, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A. Government Code, Sections 551.001, et. seq.

ATTEST:




Terri Garcia
Secretary-Treasurer

EL PASO WATER UTILITIES
PUBLIC SERVICE BOARD



Chair, Dr. Richard T. Schoephoerster

APPROVED AS TO FORM:



Robert D. Andron, General Counsel

RESOLUTION

A RESOLUTION AUTHORIZING THE PRESIDENT AND CEO TO SIGN A CONTRACT AWARDING BID NUMBER 17-15 FOR BIO-SCRUBBER SYSTEM FOR THE HASKELL R. STREET WASTEWATER TREATMENT PLANT PRIMARY CLARIFIERS; AND AUTHORIZING FUNDING THROUGH THE COMMERCIAL PAPER PROGRAM AS NEEDED.

WHEREAS, El Paso Water Utilities is replacing the chemical scrubbers that were damaged during the fire that occurred on May 2014 at the Haskell R. Street Wastewater Treatment Plant with new biological scrubbers to remove odors at this plant. The purpose of the bid was to pre-purchase Bio-Scrubber equipment with a total capacity of 99% removal of hydrogen sulfide gas and 80% odor removal and to expedite delivery of equipment; and,

WHEREAS, El Paso Water Utilities received five (5) bids for this Project on March 9, 2015. The bids ranged from \$592,863 to \$957,600 or 25.9% below to 19.7% above the Engineer's estimate of \$800,000. The Project consulting engineer, CDM Smith, evaluated the qualifications of the apparent low bidder and determined the bidder was non-responsive due to the number of exceptions and exclusions taken. The second low bidder, BioAir Solutions was evaluated and meets the minimum general requirements as well as the minimum project specific criteria as specified on the bid documents. EPWU Project Administration has evaluated the Engineer's Evaluation Matrix and also recommends Bid 17-15, Bio-Scrubber to BioAir Solutions as the lowest responsive, responsible bidder in the amount of \$805,750.00; and

WHEREAS, in order to take advantage of favorable interest rates and reduce financing costs, the Public Service Board (PSB) and City Council have authorized a Commercial Paper Program to finance PSB construction projects and engineering services, and the Project is eligible for financing through the authorized Commercial Paper Program;

NOW, THEREFORE, BE IT RESOLVED by the Public Service Board of the City of El Paso, El Paso Water Utilities:

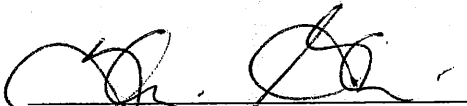
Section 1. The findings and recitations set out in the preamble to this Resolution are true and correct and are hereby adopted by the Public Service Board and made a part of this Resolution for all purposes.

Section 2. That the Public Service Board hereby authorizes the President and CEO to contract, Bid 17-15 Bio-Scrubber System for the Haskell R. Street Wastewater Treatment Plant Primary Clarifiers to BioAir Solutions, LLC the lowest, responsive, responsible bidder in the amount not to exceed \$805,705.00.


Section 3. That the Public Service Board hereby authorizes funding of the Project through the PSB tax-exempt Commercial Paper Program from Commercial Paper Funds as approved in CIP#S3021, Account# 1913-042, Budget 2011-2012 FY.

PASSED AND APPROVED at a regular meeting of the Public Service Board of the City of El Paso, Texas, this 13th day of May 2015, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A. Government Code, Sections 551.001, et. seq.


ATTEST:


Terri Garcia
Secretary-Treasurer

EL PASO WATER UTILITIES
PUBLIC SERVICE BOARD


Chair, Dr. Richard T. Schoephoerster

APPROVED AS TO FORM:


Robert D. Andron, General Counsel

RESOLUTION

A RESOLUTION AWARDING ON-CALL PROFESSIONAL ENGINEERING SERVICES CONTRACTS FOR ENVIRONMENTAL PERMITTING, ANALYSIS AND ASSESSMENTS TO ARCADIS U.S., INCORPORATED AND ESSCO ENVIRONMENTAL, INCORPORATED AND AUTHORIZING THE PRESIDENT/CEO TO ENTER INTO SAID CONTRACTS; AND, AUTHORIZING FUNDING THROUGH THE COMMERCIAL PAPER PROGRAM AS NEEDED.

WHEREAS, El Paso Water Utilities (EPWU) existing facilities and new projects require environmental permitting, analysis, and assessments which need to be performed by qualified professional environmental engineers. The on-call professional engineering services contract will be used for providing and assisting with environmental site assessments, hazardous waste management, various environmental programs, asbestos and mold-related surveys, environmental issues abatement related activities, National Environmental Policy Act documentation and National Ambient Air Quality Standard as they pertain to the City of EL Paso and the Texas Commission on Environmental Quality air permitting requirements; and,

WHEREAS, the Architectural/Engineering Selection Advisory Committee met on April 24, 2015 to review and recommend selection of the on-call engineering firms for the permitting, analysis and assessments. Proposals were scored in the areas of technical competence, project approach, team organization and availability, project management and quality control. ARCADIS U.S., Incorporated and Essco Environmental, Incorporated were selected as two most qualified firms that best meet the needs of El Paso Water Utilities for these specific services and demonstrated excellent abilities in all the evaluated categories; and,

WHEREAS, in order to take advantage of favorable interest rates and reduce financing costs, the Public Service Board (PSB) and City Council have authorized a Commercial Paper Program to finance PSB construction projects and engineering services, and the Project is eligible for financing through the authorized Commercial Paper Program;

NOW, THEREFORE, BE IT RESOLVED by the Public Service Board of the City of El Paso, El Paso Water Utilities:

Section 1. The findings and recitations set out in the preamble to this Resolution are true and correct and are hereby adopted by the Public Service Board and made a part of this Resolution for all purposes.

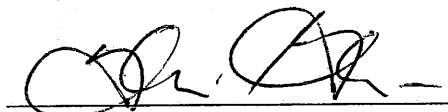
Section 2. That the Public Service Board awards on-call professional environmental engineering services contracts to ARCADIS US, Incorporated and Essco Environmental, Incorporated and hereby authorizes the President/CEO to enter into contracts with ARCADIS U.S., Incorporated and Essco Environmental, Incorporated, to provide on-call professional engineering services for environmental permitting, analysis, and assessments as needed. The contract for each firm utilized shall not exceed a total sum of \$500,000 and each contract will be limited to no more than two (2) years.

Section 3. That the Public Service Board hereby authorizes funding of the project through the PSB tax-exempt Commercial Paper Program from Commercial Paper Funds as approved as needed.


PASSED AND APPROVED at a regular meeting of the Public Service Board of the City of El Paso, Texas, this 13th day of May 2015, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A. Government Code, Sections 551.001, et. seq.

EL PASO WATER UTILITIES
PUBLIC SERVICE BOARD


ATTEST:



Terri Garcia
Secretary-Treasurer


Chair, Dr. Richard T. Schoephoerster

APPROVED AS TO FORM:


Robert D. Andron, General Counsel

RESOLUTION

A RESOLUTION AWARDDING ON-CALL PROFESSIONAL ENGINEERING SERVICES CONTRACTS FOR WATER, WASTEWATER, RECLAIMED WATER AND STORMWATER PIPELINES GREATER THAN 24-INCHES TO CDM SMITH INCORPORATED AND ARCADIS U.S., INCORPORATED AND AUTHORIZING THE PRESIDENT/CEO TO ENTER INTO SAID CONTRACTS; AND, AUTHORIZING FUNDING THROUGH THE COMMERCIAL PAPER PROGRAM AS NEEDED.

WHEREAS, the El Paso Water Utilities (EPWU) has many miles of water, sewer, reclaimed water and stormwater pipelines greater than 24-inches throughout the City. As these pipelines age and require expansion, there is a need for upgrading the existing pipelines and designing new pipelines. The major upgrades and designs must be performed by qualified professional engineers. The on-call professional engineering services contracts will be used for the upgrading of existing pipeline systems and designing new pipeline systems. The contracts will include, but not be limited to, surveying services, preparing legal descriptions for easements or purchasing of property, geotechnical investigations, cost estimating, and other services required in the design or rehabilitation of pipelines greater than 24-inches; and,

WHEREAS, the Architectural/Engineering Selection Advisory Committee met on April 24, 2015 to review and recommend selection of the on-call engineering firms for the 24-inch and greater pipelines. Proposals were scored in the areas of technical competence, project approach, team organization and availability, project management and quality control. CDM Smith, Incorporated and ARCADIS U.S., Incorporated, were selected as the two most qualified firms that best meet the needs of El Paso Water Utilities for these specific services and demonstrated excellent abilities in all the evaluated categories; and,

WHEREAS, in order to take advantage of favorable interest rates and reduce financing costs, the Public Service Board (PSB) and City Council have authorized a Commercial Paper Program to finance PSB construction projects and engineering services, and the Project is eligible for financing through the authorized Commercial Paper Program;

NOW, THEREFORE, BE IT RESOLVED by the Public Service Board of the City of El Paso, El Paso Water Utilities:

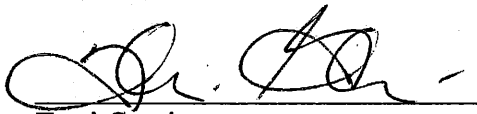
Section 1. The findings and recitations set out in the preamble to this Resolution are true and correct and are hereby adopted by the Public Service Board and made a part of this Resolution for all purposes.

Section 2. That the Public Service Board hereby authorizes the President/CEO to enter into contracts with CDM Smith, Incorporated and ARCADIS U.S., Incorporated, to provide on-call professional engineering services for water, wastewater, reclaimed water and stormwater pipelines greater than 24-inch as needed. The contract for each firm utilized shall not exceed a total sum of \$500,000 and each contract will be limited to no more than two (2) years.

Section 3. That the Public Service Board hereby authorizes funding of the project through the PSB tax-exempt Commercial Paper Program from Commercial Paper Funds as approved as needed.


PASSED AND APPROVED at a regular meeting of the Public Service Board of the City of El Paso, Texas, this 13th day of May 2015, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A. Government Code, Sections 551.001, et. seq.

ATTEST:




Terri Garcia
Secretary-Treasurer

EL PASO WATER UTILITIES
PUBLIC SERVICE BOARD


Chair, Dr. Richard T. Schoephoerster

APPROVED AS TO FORM:


Robert D. Andron, General Counsel

RESOLUTION

A RESOLUTION AWARDING ON-CALL PROFESSIONAL ENGINEERING SERVICES CONTRACTS FOR WATER, WASTEWATER, RECLAIMED WATER AND STORMWATER PIPELINES 24-INCH AND SMALLER TO CEA GROUP AND CSA DESIGN GROUP, INCORPORATED AND AUTHORIZING THE PRESIDENT/CEO TO ENTER INTO SUCH AGREEMENTS; AND, AUTHORIZING FUNDING THROUGH THE COMMERCIAL PAPER PROGRAM AS NEEDED.

WHEREAS, the El Paso Water Utilities (EPWU) has many miles of water, sewer, reclaimed water and Stormwater pipelines 24-inches and smaller throughout the City. As these pipelines system age and require expanding, there is a need for upgrading existing pipelines and designing new ones. The major upgrades and designs require qualified professional engineers. The on-call professional engineering services contracts will be used for the upgrading of existing pipeline systems and designing new pipeline systems. The contracts will include, but not be limited to, surveying services, preparing legal descriptions for easements or purchasing of property, geotechnical investigations, cost estimating, and all other services required in the design or rehabilitation of pipelines 24-inches and smaller; and,

WHEREAS, the Architectural/Engineering Selection Advisory Committee met on April 24, 2015 to review and recommend selection of the on-call engineering firms for the 24-inch and smaller pipelines. Proposals were scored in the areas of technical competence, project approach, team organization and availability, project management and quality control. CEA Group and CSA Design Group were selected as the two most qualified firms that best meet the needs of El Paso Water Utilities for these specific services and demonstrated excellent abilities in all the evaluated categories; and,

WHEREAS, in order to take advantage of favorable interest rates and reduce financing costs, the Public Service Board (PSB) and City Council have authorized a Commercial Paper Program to finance PSB construction projects and engineering services, and the Project is eligible for financing through the authorized Commercial Paper Program;

NOW, THEREFORE, BE IT RESOLVED by the Public Service Board of the City of El Paso, El Paso Water Utilities:

Section 1. The findings and recitations set out in the preamble to this Resolution are true and correct and are hereby adopted by the Public Service Board and made a part of this Resolution for all purposes.

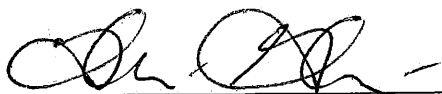
Section 2. That the Public Service Board hereby awards on-call professional engineering services contracts to Brown and Caldwell and Hazen and Sawyer, P.C. to provide on-call professional engineering services for water, wastewater, reclaimed water and Stormwater pipelines 24-inch and smaller as needed. The President/CEO is hereby authorized to enter into the contracts as stated. The contract for each firm utilized shall not exceed a total sum of \$500,000 for each contract and will be limited to no more than two (2) years.

Section 3. That the Public Service Board hereby authorizes funding of the project through the PSB tax-exempt Commercial Paper Program from Commercial Paper Funds as approved as needed.


PASSED AND APPROVED at a regular meeting of the Public Service Board of the City of El Paso, Texas, this 13th day of May 2015, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A. Government Code, Sections 551.001, et. seq.

EL PASO WATER UTILITIES
PUBLIC SERVICE BOARD

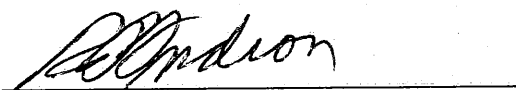
ATTEST:



Terri Garcia
Secretary-Treasurer


Chair, Dr. Richard T. Schoephoerster

APPROVED AS TO FORM:


Robert D. Andron, General Counsel

28

RESOLUTION

A RESOLUTION AWARDING ON-CALL PROFESSIONAL ENGINEERING SERVICES CONTRACTS FOR WATER, WASTEWATER AND RECLAIMED WATER DISTRIBUTION PUMP STATIONS TO BATH ENGINEERING CORPORATION AND PARKHILL, SMITH AND COOPER, INCORPORATED AND AUTHORIZING THE PRESIDENT/CEO TO ENTER INTO PROFESSIONAL SERVICES CONTRACTS WITH BATH ENGINEERING CORPORATION AND PARKHILL, SMITH, AND COOPER, INCORPORATED; AND, AUTHORIZING FUNDING THROUGH THE COMMERCIAL PAPER PROGRAM AS NEEDED.

WHEREAS, the El Paso Water Utilities (EPWU) has 54 potable water pump stations and six reclaimed water pump stations throughout the City. These pump stations vary both in age and size. All of these pump stations need to be maintained properly and when there is a need for an upgrade or major repair, qualified engineers must be hired. The on-call services contract will be used for upgrades and/or major repairs to these pump stations; and,

WHEREAS, the Architectural/Engineering Selection Advisory Committee met on April 24, 2015 to review and recommend selection of the on-call engineering firms for the water distribution pump stations. Proposals were scored in the areas of technical competence, project approach, team organization and availability, project management and quality control. Bath Engineering Corporation and Parkhill, Smith and Cooper, Incorporated, were selected as the two most qualified firms, from those that submitted qualifications, that best meet the needs of El Paso Water Utilities for these specific services and demonstrate excellent abilities in all the evaluated categories; and,

WHEREAS, in order to take advantage of favorable interest rates and reduce financing costs, the Public Service Board (PSB) and City Council have authorized a Commercial Paper Program to finance PSB construction projects and engineering services, and the Project is eligible for financing through the authorized Commercial Paper Program;

NOW, THEREFORE, BE IT RESOLVED by the Public Service Board of the City of El Paso, El Paso Water Utilities:

Section 1. The findings and recitations set out in the preamble to this Resolution are true and correct and are hereby adopted by the Public Service Board and made a part of this Resolution for all purposes.

Section 2. That the Public Service Board hereby authorizes the President/CEO to enter into contracts with Bath Engineering Corporation and Parkhill, Smith and Cooper, Incorporated, to provide on-call professional engineering services for water and reclaimed water distribution pump stations as necessary. The contract for each firm utilized shall not exceed a total sum of \$500,000 and each contract will be limited to no more than two (2) years.

Section 3. That the Public Service Board hereby authorizes funding of the project through the PSB tax-exempt Commercial Paper Program from Commercial Paper Funds as approved as needed.

PASSED AND APPROVED at a regular meeting of the Public Service Board of the City of El Paso, Texas, this 13th day of May 2015, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A. Government Code, Sections 551.001, et. seq.

ATTEST:



Terri Garcia
Secretary-Treasurer

EL PASO WATER UTILITIES
PUBLIC SERVICE BOARD


Chair, Dr. Richard T. Schoephoerster

APPROVED AS TO FORM:


Robert D. Andron, General Counsel

#23

RESOLUTION

A RESOLUTION AWARDING A PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR THE JONATHAN ROGERS WATER TREATMENT PLANT OZONE SYSTEM WITH SUPPORT FACILITIES TO HAZEN AND SAWYER, P.C. AND AUTHORIZING THE PRESIDENT/CEO TO ENTER INTO A CONTRACT WITH HAZEN AND SAWYER, PC; AND, AUTHORIZING FUNDING THROUGH THE COMMERCIAL PAPER PROGRAM AS NEEDED.

WHEREAS, the Jonathan Rogers Water Treatment Plant uses ozone as a part of its treatment of surface water. Ozone treatment has beneficial qualities such as being a strong disinfectant, removing algae caused odors, and improving water filter performance. The equipment used to generate ozone is required to be located on-site and is energy intensive. The ozone generators currently in use are the original generators. The industry has made significant improvements to their equipment making them more energy efficient and smaller in size; and,

WHEREAS, the Architectural/Engineering Selection Advisory Committee met on April 24, 2015 to review and recommend selection of engineering firms for the improvement to the ozone system and its support facilities at the Jonathan Rogers Water Treatment Plant. Proposals were scored in the areas of technical competence, project approach, team organization and availability, project management and quality control. Hazen and Sawyer was selected as the most qualified firm that best meets the needs of El Paso Water Utilities for these specific services and demonstrated excellent abilities in all the evaluated categories ; and,

WHEREAS, the fee for the on-call professional engineering services contract was negotiated based on similar projects and was in line with the level of effort and hours required to complete the project.

WHEREAS, in order to take advantage of favorable interest rates and reduce financing costs, the Public Service Board (PSB) and City Council have authorized a Commercial Paper Program to finance PSB construction projects and engineering services, and the Project is eligible for financing through the authorized Commercial Paper Program;

NOW, THEREFORE, BE IT RESOLVED by the Public Service Board of the City of El Paso, El Paso Water Utilities:


Section 1. The findings and recitations set out in the preamble to this Resolution are true and correct and are hereby adopted by the Public Service Board and made a part of this Resolution for all purposes.

Section 2. That the Public Service Board hereby authorizes the President/CEO to enter into a professional engineering services contract with Hazen and Sawyer, PC to provide professional engineering services for the Jonathan Rogers Water Treatment Plant ozone system and support facilities project in the amount not to exceed \$350,000.00.

Section 3. That the Public Service Board hereby authorizes funding of the project through the PSB tax-exempt Commercial Paper Program from Commercial Paper Funds as approved in CIP#W1201, Account #1214-09, Budget 2015-2016 FY in the amount not to exceed \$350,000.00.


PASSED AND APPROVED at a regular meeting of the Public Service Board of the City of El Paso, Texas, this 13th day of May 2015, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A. Government Code, Sections 551.001, et. seq.

ATTEST:




Terri Garcia
Secretary-Treasurer

EL PASO WATER UTILITIES
PUBLIC SERVICE BOARD



Chair, Dr. Richard T. Schoephoerster

APPROVED AS TO FORM:



Robert D. Andron, General Counsel

RESOLUTION

A RESOLUTION OF THE EL PASO WATER UTILITIES PUBLIC SERVICE BOARD (EPWU/PSB) TO RECOMMEND THAT STAFF CONTINUE TO WORK WITH THE FRONTERA LAND ALLIANCE AND CITY STAFF TO DETERMINE WHETHER CONSERVATION EASEMENTS FOR THE CLOUDVIEW AND WILDWOOD II ARROYOS SHOULD BE CONVEYED TO FRONTERA LAND ALLIANCE.

WHEREAS, the Ordinance which created the Municipal Drainage Utility System required the Public Service Board to allocate an amount equal to 10% of the System's annual drainage utility fee revenues for land acquisitions that served a dual purpose of stormwater management and preservation of the City's open spaces and arroyos; and,

WHEREAS, in compliance with the Ordinance, the Public Service Board (EPWU/PSB) acquired certain arroyos known as the Cloudview Arroyo and the Wildwood II Arroyo; and,

WHEREAS, the Frontera Land Alliance is a non-profit organization that works towards the preservation of open space via conservation easements or fee simple conveyance and currently owns a conservation easement for Thunder Canyon and fee simple ownership of Resler Canyon; and,

WHEREAS, EPWU staff has been working with the Frontera Land Alliance to analyze the benefits to Frontera, EPWU/PSB and the City of placing a conservation easement on the Cloudview and Wildwood II arroyos and conveying the easements to Frontera; and,

WHEREAS, EPWU staff is seeking direction from the Board on whether staff should continue to pursue the possibility of placing conservation easements on the Cloudview and Wildwood II arroyos and conveying the easements to Frontera;


NOW, THEREFORE, BE IT RESOLVED BY THE EL PASO WATER UTILITIES PUBLIC SERVICE BOARD OF THE CITY OF EL PASO, TEXAS:

Section 1. The recitations as set out in the preamble above are found to be true and correct, and are hereby adopted by the El Paso Water Utilities Public Service Board and made a part of this Resolution for all purposes.

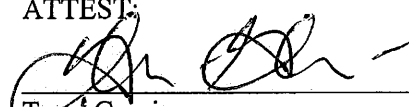
Section 2. That the El Paso Water Utilities Public Service Board (EPWU/PSB) recommends that staff continue to coordinate and work with Frontera Land Alliance and city staff to determine whether conservation easements for the Cloudview and Wildwood II arroyos should be conveyed to Frontera Land Alliance.

PASSED, ADOPTED and APPROVED at a Regular Meeting of the El Paso Water Utilities Public Service Board of the City of El Paso, Texas, this 13th day of May 2015, at which meeting a quorum was present and which meeting was held in accordance with the provisions of V.T.C.A. Government Code, Sections 551.001, et. seq.

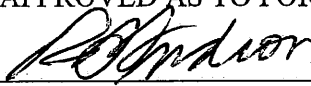
EL PASO WATER UTILITIES
PUBLIC SERVICE BOARD


Richard T. Schoephoerster, PhD., P.E.
Chair

ATTEST:


Terry Garcia
Secretary/Treasurer

APPROVED AS TO FORM:


Robert D. Andron
General Counsel

STATE OF TEXAS

COUNTY OF EL PASO

SECOND AMENDMENT, WHOLESALE WATER SUPPLY CONTRACT BY AND BETWEEN HACIENDAS DEL NORTE WATER IMPROVEMENT DISTRICT AND EL PASO WATER UTILITIES PUBLIC SERVICE BOARD

This Second Amendment to the Wholesale Water Supply Contract Between the Haciendas Del Norte Water Improvement District ("Haciendas") and the El Paso Water Utilities Public Service Board ("EPWU") is made and effective this 13th day of May, 2015.

WHEREAS, the El Paso Water Utilities Public Service Board, in accordance with its Rules and Regulations Number 11, and the Haciendas Del Norte Water Improvement District entered into a Wholesale Water Supply Contract on December 18, 1997 which contract was amended on October 22, 2003 to provide a wholesale water supply to Haciendas.

WHEREAS, as provided for in the Agreements as amended, Haciendas requests that EPWU allow it to reach the previously agreed upon level of connections at 550 less the 354 total current connections for a net additional connections of 196.

WHEREAS, EPWU finds that it is in the best interest of its customers to allow the additional 196 connections to be made provided the Haciendas Del Norte Water Improvement District further amend its Agreements to commit to abide by EPWU's drought and water conservation plan as expressed in its Rules and Regulations.

NOW, THEREFORE, in consideration of the mutual promises and covenants herein expressed by the parties, EPWU and Haciendas agree that the Agreements between them shall be amended as follows:

Section 1. Haciendas shall and hereby is granted the authority to add 196 connections to their system for a total of 550 connections.

Section 2. Haciendas agrees and shall abide by and implement in its system the Drought and Water Conservation Plan as currently set out in the Rules and Regulation of EPWU and as may be amended going forward.


Section 3. Except as modified herein, all other terms and conditions of the existing Agreements as amended shall remain in full force and effect.

In witness hereof, the parties have executed this Amendment Number Two to the Interlocal Agreement between Haciendas and EPWU. This Amendment Number Two is effective on the date first written above.

SIGNATURES FOLLOW ON NEXT PAGE


DULY AUTHORIZED SIGNATURES OF THE PARTIES

**EL PASO WATER UTILITIES
PUBLIC SERVICE BOARD**




Richard T. Schophoerster, PhD, P.E.
Chair

ATTEST:



Fern Garcia
Secretary/Treasurer

APPROVED AS TO FORM:



Robert D. Andron
General Counsel

**HACIENDAS DEL NORTE WATER
IMPROVEMENT DISTRICT**

Joseph McCandless
President

ATTEST:

Robert Lucero
Secretary, Board of Directors

RULES AND REGULATIONS NUMBER 8

RULES AND REGULATIONS REGARDING ADMINISTRATIVE APPEALS, APPEALS TO THE EL PASO WATER UTILITIES PUBLIC SERVICE BOARD OF TRUSTEES, VARIANCES, AND COMPLAINTS

BY THE AUTHORITY GRANTED TO THE EL PASO WATER UTILITIES PUBLIC SERVICE BOARD PURSUANT TO CITY OF EL PASO ORDINANCE NUMBER 752, PASSED AND ADOPTED MAY 22, 1952, ET SEQ AND PURSUANT TO CHAPTER 1502, SECTION 1502.071 OF THE TEXAS LOCAL GOVERNMENT CODE, AND THE LAWS OF THE STATE OF TEXAS, BE IT RESOLVED BY THE EL PASO WATER UTILITIES PUBLIC SERVICE BOARD OF THE CITY OF EL PASO, TEXAS THAT THE FOLLOWING RULES AND REGULATIONS SHALL IN ALL INSTANCES GOVERN THE RIGHT OR RIGHTS REGARDING ADMINISTRATIVE APPEALS, APPEALS TO THE EL PASO WATER UTILITIES PUBLIC SERVICE BOARD, VARIANCES AND COMPLAINTS OF ANY CUSTOMER OF THE EL PASO WATER UTILITIES.

SECTION 1. SCOPE, PURPOSE AND POLICY:

This Rules and Regulations No. 8 of the El Paso Water Utilities Public Service Board ("Utility") is hereby adopted to provide a fair and equitable opportunity for persons to appeal certain decisions of the Utility's President/CEO, or his or her designee; to request an appeal to the El Paso Water Utilities Public Service Board; to request variances from the Rules and Regulations of the Utility, and to file complaints and receive resolution thereof with the Utility, regarding service and billing issues and regarding application of the Rules and Regulations of the Utility.

Rules and Regulations No. 8 is meant to provide an appeal process for an individual customer, person or company, which may be affected by a decision or Rule and Regulation. Rules and Regulations No. 8 is not, never has been and shall not be interpreted in any case to provide a means for a customer or his or her representative or attorney to challenge the overall management policies or governance decisions of the El Paso Water Utilities Public Service Board of Trustees or the President/CEO.

For purposes of this Rule and Regulation a "person" is defined as a customer of the Utility, an individual, corporation, organization, government or governmental subdivision or agency, business, business trust, partnership, association or other legal entity. An appeal must be submitted in written form to the President/CEO.

SECTION 2. ADMINISTRATIVE APPEALS

Prior to any appeal to the El Paso Water Utilities Board of Trustees a person as defined herein shall make his or concern or complaint concerning, rates, charges and/or Rules and Regulations in writing to the Vice President for Strategic, Financial and Management Services at 1154 Hawkins Blvd., El Paso, Texas 79925. An example of such a complaint would be an inquiry or complaint

regarding the interpretation of the Rules and Regulations or the individual application of charges established by the Utility.

- a. Customers desiring to make inquiry or complaint by telephone or in person should initially contact the Utility Customer Service Department or the Utility Department that administers the Rule and Regulation the subject of their objection. For example, if the inquiry or complaint is regarding a billing question, then he or she should contact the Utility Customer Service Department and ask to speak to a customer service representative. If the inquiry or complaint concerns a development action, plan or program, he or she should contact the Utility Development Engineering Service Department. If the inquiry is a storm water question, he or she should contact the Utility Storm Water Engineering Division. Such complaints received in writing shall be investigated by the Utility officials designated by the President/CEO and a written response will be provided to the customer regarding the determination of the Utility within forty-five (45) days of the investigation.
- b. Should a customer not receive a satisfactory explanation and/or resolution of his or her concerns, questions or complaint, he or she should submit that fact in writing to the Vice President for Strategic, Financial and Management Services of the Utility and request an Administrative Hearing. The Utility will schedule an Administrative Hearing with the customer and/or his representative or attorney within thirty (30) days of receipt of the written notice to the Utility of an unsatisfactory resolution to his or her concern. The Administrative Hearing will be conducted during normal business hours at the offices of the Utility before an Administrative Committee consisting of not more than three (3) supervisory employees of the Utility as appointed by the President/CEO. After the Administrative Hearing, the Chair of the Administrative Committee will notify the customer in writing of the determination of the Administrative Committee within thirty (30) days of the conclusion of the hearing itself.
- c. In an instance where the customer has followed the administrative process provided for herein and has determined that the Utility has not satisfactorily resolved his or her concerns as a result of the Administrative Hearing; then, in that event, the customer may request in writing to the President/CEO an appeal to the El Paso Water Utilities Public Service Board of Trustees. Such request will be processed in accordance with this Rule and Regulation Number 8.

SECTION 3. APPEALS TO THE EL PASO WATER UTILITIES PUBLIC SERVICE BOARD OF TRUSTEES.

A. APPLICABILITY.

1. A person may appeal certain decisions, as described in this Rule and Regulation, of the President/CEO to the Utility's Public Service Board of Trustees in accordance with the procedures outlined in this Rule and Regulation.

2. This Rule and Regulation applies only to decisions of the President/CEO regarding the following:
 - a. Customer billing disputes
 - b. Suspension, termination or disconnection of service for non-payment, hazardous conditions, an illicit discharge, or for any other reason the President/CEO is authorized to suspend, terminate, or disconnect service under these Rules and Regulations;
 - c. Denial of service;
 - d. Denial of a permit or authorization issued by the President/CEO on behalf of the Utility;
 - e. Application of a fee or charge;
 - f. Impervious cover determinations; and,
 - g. Administrative penalties or fines.
3. The Chair of the Utility's Public Service Board of Trustees, or his or her designee, will review the request for an appeal hearing as submitted to the President/CEO and determine if the request meets the requirements of this Rule and Regulation. If the request meets the requirements of this Rule and Regulation, the Chair in his or her sole discretion, will set a hearing on the appeal on the next available and regularly-scheduled Utility Board meeting (or in the discretion of the Chair, at a Special Utility Board meeting). The Utility will notify the appellant in writing of the date and time for the appeal hearing before the Utility Board, and the amount of time that will be allowed for the appellant to present his or her or its appeal to the Utility Board.
4. At the appeal hearing, the appellant, or the appellant's authorized attorney or other representative, may appear before the Utility Board and present the appeal. If the appellant or his or her representative does not appear before the Utility Board, appellant's appeal will be decided by the Utility Board on the basis of the written appeal and any materials or information provided by the President/CEO or other Utility staff. The Utility Board will not consider any written materials of the appellant that are not submitted to the Utility Board at least five (5) business days prior to the appeal hearing. The Utility Board may request input or additional information from the President/CEO or other Utility staff, and may confer with its attorney in executive session as provided for in the Texas Open Meetings Act. The Utility Board, by majority vote in open session, may affirm the decision of the President/CEO, modify, limit or condition the President/CEO's decision if the

Utility Board concludes that the President/CEO's decision is not consistent with the applicable Rules and Regulations of the Utility, or may defer final decision on the appeal to allow the person to seek a variance, if available, and as provided by this Rule and Regulation.

5. If the appellant is unable to appear at the date and time designated for the hearing on the appeal, the appellant or the appellant's authorized attorney or representative, may request in writing a continuance. The continuance request must be received by the Chair at least twenty-four (24) hours before the meeting of the Public Service Board of Trustees at which the hearing is to be heard. The Chair will grant the appellant's first written request for continuance upon timely receipt of the request. At the Chair's sole discretion, the Chair may grant or deny any additional continuance requests made after the first continuance request has been granted. If a continuance is granted, the Chair will reschedule the appeal hearing for a subsequent Utility Board meeting and have the appellant notified in writing of the date and time for the appeal hearing.
6. Prior to an appeal hearing, the Chair, in his or her sole discretion, reserves the right to reschedule or continue an appeal hearing to another meeting of the Utility Board. The Utility Board at a meeting on which the appeal hearing is set may, by majority vote, continue an appeal hearing to another meeting of the Utility Board.
7. Except as provided by Rules and Regulations No. 16, Section XIV, the decision of the Utility Board on an appeal is final and non-appealable further.

SECTION 4. VARIANCES

A. APPLICABILITY.

The El Paso Water Utilities Public Service Board may authorize, in specific cases, a variance from the requirements of the Rules and Regulations of the Utility if in the Utility Board's determination, the variance is not contrary to the public interest; will not compromise or threaten to compromise the public health, safety or welfare; will not result in unreasonable public expense or cost to the Utility; will not create or threaten to create a nuisance or potential nuisances, public or private; is not in conflict with the El Paso City Code or Charter, or other applicable law or policy; and/or due to special circumstances or conditions, a literal enforcement of the Rules and Regulations would result in unnecessary hardship to the variance applicant; and the requested variance otherwise would be consistent with the spirit and purpose of the Rules and Regulations from which the variance is sought and substantial justice is done. This Section 3 of this Rule and Regulation does not apply to variances under Rules and Regulations No. 17.

B. Procedure.

1. To request a variance as provided for by this Section, the variance applicant must submit the request in writing to the Vice President, Strategic, Financial and Management Services of the Utility at 1154 Hawkins Boulevard, El Paso, Texas 79925. The request must include the following:
 - a. The name, address, billing address (if applicable), email address (if applicable), and telephone number of the person making the request for the variance.
 - b. A listing of the specific numbers, sections and paragraphs of the Rules and Regulations from which the variance is sought;
 - c. A statement describing why the variance is being requested, including but not limited to, showing (i) there is good and sufficient cause for the variance, (ii) the applicant will suffer unnecessary hardship if the variance is denied, (iii) no other rule, regulation, or law precludes the variance requested, and (iv) the public interest and public health, welfare and safety will be protected; and,
 - d. A check or money order for fifty dollars (\$50.00) made out to the El Paso Water Utilities for the non-refundable administrative costs of review of the requested variance.
2. A request for a variance under this Rule and Regulation may be submitted with and be considered at the same time that an appeal under Section 2 of this Rule and Regulation is considered.
3. Within forty-five (45) days after receipt of a variance request, the Utility Board will hold a public hearing on the request. The President/CEO will give written notice of the public hearing for the variance by mail to the person requesting the variance, at the address as stated in the application, and by posting notice of the appeal in the El Paso Water Utility's Public Service Board's meeting agenda, in accordance with the Texas Open Meetings Act.
4. Utility's Board will act on the request for a variance no later than the next regularly scheduled Utility Board meeting following the public hearing, provided that the next regularly scheduled Utility Board meeting is at least five (5) business days after the public hearing. The Utility Board may act on the request at an earlier Utility Board meeting after the close of the public hearing. In acting on the request for a variance, the Utility Board may by order adopted by the Utility Board:
 - a. Approve the request for a variance.

- b. Approve the request for a variance with modifications or special conditions that the Utility Board deems necessary or appropriate to further the purpose and objectives of the Rules and Regulations and Utility practice and policy, and that is in the public interest, including, but not limited to, limiting the time for which the variance is effective; or
 - c. Deny the request for a variance.
5. Unless otherwise provided by the order granting the variance, the Utility Board's decision on the variance is effective immediately. Unless otherwise provided by the Rules and Regulations, by the City of El Paso Code or Charter, or by other applicable law, there shall be no right to an appeal of the decision of the Utility Board on a variance request. All decisions by the Utility Board on a variance request are final.
6. No variance granted by the Utility Board shall be considered to set a precedent for the Utility or establish a Utility practice or policy unless so stated by the Utility Board in its written order.

SECTION 5. COMPLAINTS GENERALLY

A person may make a complaint to the Utility in person, in writing, or by telephone. Complaints received will be investigated by the Utility personnel designated by the President/CEO, and a written response will be provided to the complainant regarding the results of the investigation unless a verbal response is considered sufficient by the person. Unless provided by the person in writing, complaints will be informally reviewed and investigated with a written or verbal response provided. Unless further allowed for by Sections 2 or 3 of this Rule and Regulation, there is not right of appeal recognized for a decision of the President/CEO regarding the results of a general complaint investigation.

SECTION 6. SEVERABILITY CLAUSE

If any provision of this Rules and Regulations Number 8 or the application of this Rule to any person or under any set of circumstances is, for any reason, found to be void by a court of competent jurisdiction and authority, that provision shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this Rules and Regulations Number 8 or any other of these Rules and Regulations.

SECTION 7. SAVINGS.

This Rules and Regulations Number 8 is part of the other Rules and Regulations of the El Paso Water Utilities Public Service Board and, save and except as amended hereby, the remaining provisions of the Rules and Regulations shall continue and remain in full force and effect.

SECTION 8. REPEALER CLAUSE

The provisions of this Rule and Regulation shall be cumulative of all other Rules and Regulations governing or regulating the same subject matter as that covered herein; provided, however, that all prior Rules and Regulations inconsistent or in conflict with any of the provisions of this Rule and Regulation Number 8 are hereby expressly repealed to the extent that such inconsistency is apparent. This Rule and Regulation Number 8 shall not be construed to require or allow any act that is prohibited by any other Rule and Regulation of the Utility. All Rules and Regulations shall be construed harmoniously in every case.

SECTION 9. EFFECTIVE DATE

This Rule and Regulation Number 8 shall be and become effective from and after its adoption by the Utility's Public Service Board, and shall remain in effect until amended or modified by the action of the Utility's Public Service Board.

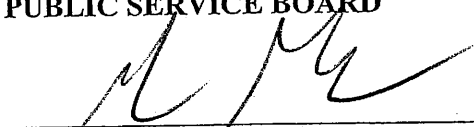
PASSED, APPROVED AND ADOPTED this 23rd day of May, 1979.

RULES AND REGULATIONS NO. 8, SECTION II, REVISED, APPROVED AND ADOPTED this 9th day of December, 1992.

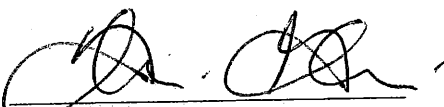
RULES AND REGULATIONS NO. 8, HEADING, SECTION I, SECTION II, REVISED, APPROVED AND ADOPTED this 12th day of December, 2007.

RULES AND REGULATIONS NO. 8 REVISED COMPLETELY, APPROVED AND ADOPTED this 13th day of May, 2015.


**EL PASO WATER UTILITIES
PUBLIC SERVICE BOARD**


Richard T. Schophoerster, PhD, P.E.
Chair

ATTEST:


Terri Garcia
Secretary/Treasurer

APPROVED AS TO FORM:


Robert D. Andron
General Counsel

RULES AND REGULATIONS NO.5

RULES AND REGULATIONS ESTABLISHING A RATE
FOR THE FURNISHING OF WATER SERVICE
BY THE EL PASO WATER UTILITIES

BY THE AUTHORITY GRANTED TO THE PUBLIC SERVICE BOARD BY VIRTUE OF ARTICLES 1111-1118, REVISED CIVIL STATUTES OF TEXAS, AND ORDINANCE 752, PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS ON MAY 22, 1952 NOW THEREFORE, BE IT RESOLVED BY THE PUBLIC SERVICE BOARD OF THE CITY OF EL PASO, THAT THE FOLLOWING WATER RATES SUPERSEDE ALL RATES HERETOFORE FIXED AND ALL ORDINANCES HERETO PASSED WITH REFERENCE TO THE FIXING OF RATES FOR THE FURNISHING OF WATER SERVICE: (KNOWN AS RULES AND REGULATIONS NO.5).

SECTION I

There shall be collected from the users of each and every water service connected to the water system of the El Paso Water Utilities of the City of El Paso, Texas, for use thereof, a monthly charge consisting of a minimum charge plus a commodity charge for water used. For residential customers only, a volume of 4 hundred cubic feet (4 Ccf) will be included in the minimum charge. The following charges shall apply:

A. MONTHLY MINIMUM CHARGES FOR WATER SERVICE. BASED ON SIZE OF METER

<u>Meter Size</u>	<u>Minimum Monthly Bill</u>
Less than 1"	\$5.59
1"	\$8.70
1 1/2"	\$14.93
2"	\$17.96
3"	\$35.87
4"	\$53.55
6"	\$81.19
8"	\$139.07

B. Water used in excess of the volume allowance (4 Ccf) included in the minimum charge shall be billed at the following rates:

<u>Block</u>	<u>Volume</u>	<u>Charge Per Ccf</u>
Block 1	Over 4 Ccf to 150% of AWC*	\$1.68
Block 2	Over 150% to 250% of AWC	\$3.98
Block 3	Over 250% of AWC	\$5.69

C. AVERAGE WINTER CONSUMPTION

*Average Winter Consumption (AWC) is the average amount of water used during the most recent December, January, and February billing periods. Any Customer that at the time of service has not established an AWC will be assigned the class average AWC by meter size for their customer classification. If the customer's calculated AWC is lower than the class average then the customer will be assigned the class average AWC by meter size of their customer classification.

D. WATER SUPPLY REPLACEMENT CHARGE

There shall be collected from the users of each and every service connected to the water system, including Local Government Turf Accounts and Very Large Water Users, a monthly Replacement Charge as follows:

<u>Meter Size</u>	<u>Monthly Charge</u>
Less than 1"	*\$7.94
1"	\$17.25
1 1/2"	\$34.50
2"	\$55.20
3"	\$110.35
4"	\$172.44
6"	\$344.89
8"	\$641.47

* If the monthly water consumption is less than 3 Ccf the monthly charge for Water Supply Replacement Charge will not be charged.

E. Charges for services less than the normal 30-day reading cycle shall be calculated in the same manner as a full reading cycle.

F. LOCAL GOVERNMENT TURF IRRIGATION ACCOUNTS

A uniform rate of \$2.10 per Ccf is hereby established for local government turf irrigation accounts serving only an associated turf area of local governments for all usage per acre that does not exceed a per month Ccf usage based on the evapotranspiration information set forth in the following table:

<u>Month</u>	<u>MaximumCcf Per Acre</u>	<u>Month</u>	<u>Maximum Ccf Per Acre</u>
Jan.	40	July	280
Feb.	40	Aug.	200
March	50	Sep.	180
April	180	Oct.	120
May	200	Nov.	50
June	280	Dec.	40

"Turf irrigation accounts" shall mean an account established for applying water for irrigation and landscaping only, as determined by the PSB's General Manager or his designee.

"Local government" shall mean any county, municipality, village, town, a common or independent school district, hospital district or political subdivision of the State of Texas; excluding from this definition, however, any department, board, or agency of the State of Texas; including, without limitation, any of the following local governmental entities: the City of El Paso, Texas; the County of El Paso, Texas; the El Paso Independent School District; and the El Paso Community College District.

Any usage by the local government turf irrigation accounts in excess of the above monthly allotments shall be billed at the Block 3 rates shown in subsection B above.

Those local government turf irrigation accounts participating in this rate shall be billed at this

special rate commencing with meter readings taken after March 31, 1995. Those local governments that wish to continue participating in this rate shall provide the Water Conservation Department the total acres served by each irrigation only meter, excluding the total areas for parking lots, building, hard surface courts, streets, and any other impervious areas. This information shall be provided to the Water Conservation Department office no later than September 1, 1995. If such information is not provided by this date by those local governments participating on this date, water use for those local governments will be billed in accordance with the procedures and rates shown in subsection B above. Provided, however, any local government participating in the parks and recreation rate on the effective date of this Resolution shall not be required to comply with this paragraph and will continue to be billed under their established allotment, as that allotment may be adjusted in the future. Provided further, this exception shall not exempt any new account for such local government participating in the parks and recreation rate from fully complying with this paragraph.

In the case of multiple yard meters serving one location, the total acreage served must be divided in such a manner as to represent the acreage served per/by each yard meter. If the General Manager, or his designee, after an investigation, determines that an equitable adjustment is required due to pressure variations and other factors, total consumption for meters looped at a single location must not exceed maximum Ccfs per acre allocated for the location.

No local government non-irrigation usage will be included in this special rate, including, without limitation, the use of water for swimming pools, fountains, and for human and animal consumption.

All local government turf irrigation accounts that modify the size of their landscape or turf area must provide the Water Conservation Department with written notice of the modification to allow the Water Conservation Department to recalculate new allotments.

Where reclaimed water is available, and an irrigation customer does not connect to the reclaimed water system, that customer shall pay the rate established in Section 1-K.

Reclaimed water is considered available if the property abuts on an easement or street with a reclaimed water line capable of providing service.

G. VERY LARGE WATER USERS

Section 15.13.05 of the El Paso Municipal Code, also known as The Water Conservation Ordinance, defines a "Very Large Water User" as a person who uses an average of 100,000 gallons per day or more. Monthly metered water consumption for any person or account having daily water use of 100,000 or more gallons shall be charged in accordance with the following table:

	<u>Charge Per Ccf</u>
Block 1	0 Ccf to 5,000 Ccf \$2.10
Block 2	5,001 Ccf to 15,000 Ccf \$2.65
Block 3	15,001 Ccf to 30,000 Ccf \$3.18
Block 4	Over 30,000 Ccf \$3.98

The Monthly Minimum Charge based on the size of the meter and contained in Section I A shall also apply to all Very Large Water Users. No minimum volume will be included in the Monthly Minimum Charge; all metered use will be charged at the rates noted above.

For existing accounts served by the El Paso Water Utilities Public Service Board, daily water use shall be determined each year based on metered water consumption for the twelve month period ending December 31. Annual water use (in gallons) will be divided by 365 to determine daily water use. Any account determined to have used an average of 100,000 or more gallons per day shall be classified as a Very Large Water User, and the rates contained in Section I G of this Rule and Regulation shall apply for the twelve month period beginning March 1 and ending at the end of February of the following fiscal year. This classification shall apply for the full twelve month period regardless of actual water use. The procedure for determining a Very Large Water User shall be repeated each year based on annual metered water use per account for the twelve months ending December 31.

New accounts with an anticipated water use in excess of 100,000 gallons per day will be charged

the rates for Very Large Water Users until sufficient data is available for a consecutive twelve month period. This data shall then be used to calculate average daily water consumption and determine whether an account meets the definition of a Very Large Water User.

Local Government Turf Irrigation accounts will be charged in accordance with Section 1-F of this Rule and Regulation, regardless of average daily water use.

H. INCENTIVES FOR RECYCLING

1. All Customers

In order to encourage the use of recycled water by Very Large Water Users, the Utility will assist industries in evaluating alternatives to potable water use by providing water reuse technology seminars, providing water conservation audits, and assisting in providing water application techniques. Industries who recycle at least 25% of their potable water use or who connect to the Utility's reuse water system will be publicly acknowledged for their conservation efforts.

2. Existing Customers (served prior to July 1, 1995)

Very Large Water Users receiving service on July 1, 1995, who recycle a percentage of potable water, either purchased from the PSB and/or produced by the users from wells, as verified by Utility staff, will receive a recycling rebate as follows:

Percent of Potable Water Recycled	Amount of Recycling Rebate
25% to 29%	5% of water bill only
30% to 50%	10% of water bill only
>50%	15% of water bill only

Recycling rebates will be based on the percentage of recycled water used in comparison with the total potable water usage from January through December of each year. Recycling rebates for 1995 will be based on potable water usage and recycling from July through December, 1995. Rebates to qualifying customers will be paid in February for the prior year's recycled water usage. This program only applies to industries in existence as of July 1, 1995.

Very Large Water Users must complete a recycling rebate program application providing the company name, address, telephone and fax numbers, the names and telephone numbers of the plant manager and the person supervising the daily operation of the water recycling system, and a schematic diagram of the potable water and recycled water systems. The Utility will inspect the system and determine eligibility in accordance with these Rules and Regulations, and certify eligibility in writing. Participation will begin with the receipt of the first flow report submitted by the industry. Applications may be submitted to: Water Reclamation and Biosolids Manager- El Paso Water Utilities.

The following conditions must be met in order to be eligible for recycling rebates:

- a. The account must have been an active account as of July 1, 1995.
- b. Recycling rebates will not apply for new or additional accounts or metered service as a result of expansion or addition of new facilities.
- c. Industries must, at their own expense, purchase and install recycle flow meters and wastewater flow meters. Meters and installation must be Utility approved.
- d. Effluent water, recycle water, and wastewater flow meters must be read each production day and the information recorded in a bound log book and shall be entered into a spreadsheet format. The information in the form of the spreadsheet printouts must be faxed and hand-delivered to the Utility's Water Reclamation and Biosolids Manager every Friday by 5:00pm.

- e. The hydraulic capacity of all treatment equipment will be assessed by Utility staff. The maximum theoretical recycle percentage will be developed from this flow. No higher percentage will be considered unless the equipment capacity is increased.
- f. Recycled water is intended to be used for production of finished products. Wash water, landscape irrigation, and other similar uses will not count toward the recycle percentage unless they are a minor constituent of overall recycle water usage for production purposes.
- g. The type of recycle equipment will be assessed by Utility staff. Equipment designed only to remove solids will not be counted towards the recycle percentage unless such equipment is integral pretreatment for more advanced treatment. The final product of an approved recycle system must be suitable for actual process use.
- h. By participating in the program, customers agree to allow complete access during normal production hours to Utility employees for the purpose of inspecting equipment, water usage, and records. Water recycling records shall be verified a random by Utility staff.
- i. Participating in the recycling rebate program may be terminated under any of the following conditions: falsification of meter readings, tampering with or bypassing meters, violations of the Rules and Regulations of the Public Service Board, refusal of entry to authorized Utility personnel on official business, failure to keep adequate records, failure to properly operate and maintain equipment.

I. CITY OF EL PASO LANDSCAPE AND TURF IRRIGATION RATE

A uniform rate equal to the rate established for Block 1, found in Section I-B is hereby established for the City of El Paso's landscape and turf irrigation accounts.

"Landscape and turf irrigation accounts" shall mean an account established for applying water for irrigation and landscaping only, as determined by the PSB's General Manager or his designee.

No non-irrigation usage will be included in this special rate, including, without limitation, the use of water for swimming pools, fountains, and for human and animal consumption.

Where reclaimed water is available, and an irrigation customer does not connect to the reclaimed water system, that customer shall pay the rate established in Section 1-K.

Reclaimed water is considered available if the property abuts on an easement or street with a reclaimed water line capable of providing service.

J. BRACKISH WATER RATE -Water containing 1000 mg/L or more of Total Dissolved Solids (TDS) and/or 300 mg/L or more of chlorides.

The Utility will supply brackish water at a rate of \$1.18 per ccf (advanced secondary treatment reclaimed water rate).

K. NON-GOVERNMENT LANDSCAPE AND TURF IRRIGATION RATE

A uniform rate of \$3.98 per hundred cubic feet (Ccf) is hereby established for all non-government landscape and turf irrigation accounts.

"Landscape and turf irrigation accounts" shall mean an account established for applying water for landscaping and turf irrigation only, as determined by the PSB's President/CEO or his designee.

Non-irrigation usage will not be included in this special rate, including, without limitation, the use of water for swimming pools, fountains, and for human and animal consumption.

L. CONSTRUCTION METER RATES

A uniform rate equal to the rate established in Section 1-K is hereby established for all construction meter accounts. Reclaimed water used for construction purposes will be billed at the rates established in Rules and Regulations No. 6, Section X-A.

M. ANNEXATION FEES -1999

For property subject to annexation fees pursuant to a contract, a water connection fee shall be paid at the time of application for meter installation, including fireline and irrigation/yard services, for each three-quarter inch (3/4") equivalent water meter that is connected to the City of El Paso's water system as follows:

<u>Meter Size</u>	<u>Eastside Annexation Fee</u>	<u>Westside Annexation Fee</u>
Less than 1"	\$ 621	\$ 897
1"	\$ 1,553	\$ 2,243
1 1/2"	\$ 3,105	\$ 4,485
2"	\$ 4,968	\$ 7,176
3"	\$ 9,936	\$ 14,352
4"	\$15,525	\$ 22,425
6"	\$31,050	\$ 44,850
8"	\$57,753	\$ 83,421
10"	\$82,593	\$119,301

Based on gallons-per-minute (gpm) water flow, El Paso Water Utilities Public Service Board Rules and Regulations No. 1, Section VII-J.

The water connection fee for the Eastside shall be increased by three percent (3%) on December 1, 2000, and each year thereafter, compounded annually, rounded to the nearest dollar, in accordance with City of El Paso Ordinances 014262 and any amendments thereto. The water connection fee for the Westside shall be increased by three percent (3%) on September 1, 2000, and each year thereafter, in accordance with City of El Paso Ordinances 014200 and any amendments thereto. Payment of the water connection fee shall be due at the time of application for water connection to the system.

N. EASTSIDE ANNEXATION FEES- 2005

For property subject to annexation fees pursuant to a contract, a water connection fee shall be paid at the time of application for meter installation, including fireline and irrigation/yard services, for each three-quarter inch (3/4") equivalent water meter that is connected to the City of El Paso's water system as follows:

<u>Meter Size</u>	<u>EASTSIDE Annexation Fee</u> <u>Water(\$)</u>
Less than 1"	\$ 566
1"	\$ 1,396
1 1/2"	\$ 2,830
2"	\$ 4,528
3"	\$ 9,056
4"	\$14,150
6"	\$28,300
8"	\$52,827
10"	\$75,467

The Annexation Fee shall be increased by three (3) percent on March 1, 2006, and each year thereafter, compounded annually, rounded to the nearest dollar. Payment of the water connection fee shall be due at the time of application for water connection to the system.

O. CITY OF EL PASO FRANCHISE FEE

Effective September 1, 2014, City Council established a franchise fee to be paid by the El Paso Water Utilities to compensate the City of El Paso for the use of city streets and rights of way for utility lines and wear and tear on City streets in a total amount of Three Million Five Hundred Fifty Thousand and No/100 Dollars (\$3,550,000.00). Effective June 2015 the City's franchise fee will be assessed to all residential, non-residential and standby fire protection accounts based on meter size as follows:

<u>Meter Size</u>	<u>Residential Monthly Fee</u>	<u>Non-Residential Monthly Fee</u>	<u>Standby Fire Protection Monthly Fee</u>
Less than 1"	\$1.33	\$1.69	N/A
1"	\$2.84	\$3.64	N/A
1 1/2"	\$4.47	\$8.00	\$4.24
2"	\$6.21	\$15.49	\$9.54
3"	\$13.28	\$29.20	\$12.80
4"	N/A	\$49.26	\$18.78
6"	N/A	\$135.66	\$47.32
8"	N/A	\$217.07	\$73.65
10"	N/A	\$312.07	\$76.47
12"	N/A	\$583.39	\$79.40

P. In the interest of transparency, the President/CEO or his designee may determine that customer bills will reflect rate components. Additionally, The President/CEO is expressly authorized to adjust the franchise fee amounts to comply with the franchise fee as it may be amended from time to time by the El Paso City Council.

SECTION II

There shall be collected from each and every user of a connection to the water system for the purpose of providing Standby Fire Protection a monthly standby charge based on the size of the service as follows:

<u>Size of Service</u>	<u>Monthly Charge</u>
1 1/2"	\$7.13
2"	\$9.96
3"	\$14.14
4"	\$18.37
6"	\$25.49
8"	\$42.47

When any water is used through a standby fire service, the charge shall be the Monthly Charge plus \$1.68 for each 100 cubic feet for the first 1,000 cubic feet as measured by the detector meter. Registration of flow in excess of 1,000 cubic feet in any billing cycle shall be used to indicate that large volumes of water are being used that are only partially indicated by the detector meter and the excess volume shall be determined by multiplying the volume measured by the detector meter less 1,000 cubic feet, by two times the ratio of the area of the fire line to the area of the by-pass line, both in inches, and this volume billed at \$1.68 per estimated 100 cubic feet.

If consumption through the fire line is determined to have been caused by an underground leak which the customer could not have reasonably detected, then the Utility shall allow relief to the customer under PSB Rules and Regulations No. 5, Section VII, and the Utility will waive the two times ratio calculation charge. If consumption through the fire line is incurred due to an actual fire on the premises, then only the fixed meter charge will be assessed to the customer.

SECTION III

All of the aforementioned charges apply to water service to property within the City of El Paso. Where the water connection provides service to property outside the City Limits of El Paso, the charge for such service shall be 1.15 times the rates for similar service to customers, whose property is inside the city limits, including the monthly Water Supply Replacement Charge.

SECTION IV

Payment of the monthly service charges is due 14 days after the date of billing. A termination notice will be generated on the 15th day, allowing an additional 7 days from the billing due date. Services will be scheduled for disconnection the following work day unless the billed amount has been paid.

A charge of \$12.00 per \$100 of the delinquent amount or any part thereof will be assessed when the "past due" amount of a bill is not paid before a Field Service Worker is dispatched to disconnect the service for non-payment. If payment is made at the service location prior to the service being disconnected, no other charge shall be made. If the service is turned off for non-payment, an additional charge of \$20.00 will be made to restore the service if the service is restored or the request to restore service is received between 7:00 A.M. and 4:00 P.M. on a normal working day. A charge of \$25.00 will be made for restoration of service under all other circumstances. In the event that service is not restored until after the customer's bill has been finalized, a new guarantee deposit and customer account fee must be paid.

A disconnection charge of \$3.00 per dwelling or business unit, in addition to the charges stated above, will be assessed when the service connection provides water to a building or buildings occupied by two or more individuals, families, or businesses who receive water service from one metered connection. Said special charge, in addition to any delinquent amount or other delinquency charges shall be paid prior to the restoration of service to the premises.

A separate charge of \$100.00 will be made when water service to a property is restored by someone other than an authorized representative of the EL PASO WATER UTILITIES.

A charge of \$25.00 will be added to each customer's account that is affected when the customer makes payment by check and said check has been returned for insufficient funds or other reasons by a financial institution.

SECTION V

No customer or person shall use water from the City system except from a metered connection installed by the Utility. All meters are the property of the Utility and shall not be damaged, removed or altered by the customer or non-utility personnel. A charge of \$15.00 plus the cost of correcting any such damage and the estimated cost of the water used shall be paid before water is reconnected to any customer or property that has or has permitted the meter or service connection to be altered in such a way as to not accurately meter all of the water that flowed through the service connection.

SECTION VI

The Utility shall allow an adjustment on all leaks which the customer could not have reasonably detected. The adjustment will only be allowed on the highest billing (one month consumption) when the Utility, in its sole discretion, determines that the loss of water could not have been reasonably detected by the customer using the service, such as a leak beneath a cement floor and/or running commodes. All other water lost through other causes is the responsibility of the customer using the service. Nothing herein shall relieve the customer from repairing such leaks when the customer has an obligation to do so under the Water Conservation Ordinance, Chapter 15.13. of the City code. The Utility will bear 50% and the customer the other 50% of the water lost. The amount of water lost will be determined by comparing the usage when the leak occurred and the previous year's usage during the same billing cycle. If the customer does not have a previous usage, a monthly average usage before the leak occurred will be considered in

determining the adjustment. If such an adjustment is granted, no such adjustment of this nature will be made on the same property for a period of 24 months from the month in which the adjustment was granted.

SECTION VII

These regulations and charges shall become effective on meter readings after March 31, 1994 and shall remain in effect until amended or changed by the Public Service Board.

SECTION VIII

This Rule and Regulation is a part of the other Rules and Regulations of the Public Service Board and persons accepting service agree to comply with the appropriate provisions and conditions of all of the Rules and Regulations. If any part of the Rules and Regulations be held void, such part shall be deemed severable and invalidity thereof shall not affect the remaining parts of these Rules and Regulations.

PASSED, APPROVED and ADOPTED the 27th day of March, 1991 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO.5, SECTION II REVISED, APPROVED and ADOPTED the 25th of September, 1991 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO. 5, SECTION 1-D REVISED, APPROVED and ADOPTED the 12th of February, 1992 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO. 5, SECTION 1-F PASSED, APPROVED and ADOPTED the 24th of February, 1993 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO. 5, SECTION 1-A, 1-B, 1-F AND SECTION III REVISED, APPROVED and ADOPTED the 23rd of February, 1994 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO.5, SECTION 1-F AND SECTION II REVISED, APPROVED and ADOPTED the 8th of March, 1995 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO. 5, SECTION G AND SECTION H PASSED, APPROVED and ADOPTED the 14th of June, 1995 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO.5, SECTIONS I(A), I(B), I(C), I(D), and SECTION III REVISED, APPROVED, and ADOPTED the 28th of February, 1996, by the Public Service Board of the City of El Paso.

RULES & REGULATIONS NO.5, SECTION I PASSED, APPROVED and ADOPTED the 8th of May, 1996 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO. 5, SECTION J PASSED, APPROVED and ADOPTED the 11th of December, 1996 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO.5, SECTION I(D) and SECTION V, REVISED, APPROVED and ADOPTED the 18th of December, 1997 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO. 5, SECTIONS I(B), I(F), I(G), 1(1), I(J), and V REVISED, APPROVED and ADOPTED the 8th of December, 1999 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO.5, SECTIONS I(K) and I(L) PASSED, APPROVED and ADOPTED the 8th of December, 1999 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO.5, SECTIONS I(A), I(B), I(F), I(G), I(J), and II REVISED, APPROVED and ADOPTED the 24th of January, 2001 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO.5, SECTIONS I(A), I(B), I(D), I(F), I(G), I(J), and II REVISED, APPROVED and ADOPTED the 23rd of January, 2002 by the Public Service Board of the City of El Paso,

Texas.

RULES & REGULATIONS NO. 5, SECTIONS I(L) REVISED, APPROVED and ADOPTED the 13th of February, 2002 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO.5, SECTIONS I (A,B,D,F,G,I,J,& K), and Section II, REVISED, APPROVED and ADOPTED the 8th day of January, 2003 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO.5, SECTIONS I (A,B,D,F,G,I,J,& K), and Section II, REVISED, APPROVED and ADOPTED the 14th day of January, 2004 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO.5, SECTION VII, REVISED, APPROVED and ADOPTED the 12th day of January, 2005 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO.5, SECTIONS I (J,K,L,M,N), REVISED, APPROVED and ADOPTED the 12th day of January, 2005 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO.5, SECTIONS I (J,K,L,M,N), ADDED, REVISED, APPROVED and ADOPTED the 25th day of January, 2006 by the El Paso Water Utilities Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO.5, SECTIONS I (A,B,D,F,G,J,K), SECTION II, ADDED, REVISED, APPROVED and ADOPTED the 13th day of December, 2006, by the El Paso Water Utilities Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO.5, SECTIONS I (A,B,F,G,I,J,L) AND SECTION II, ADDED, REVISED, APPROVED and ADOPTED the 9th day of January, 2008, by the El Paso Water Utilities Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO.5, SECTIONS I (A,B,C,D,F,G,J,& K), Section II, Section V and Section VIREVISED, APPROVED and ADOPTED the 14th day of December, 2011 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO.5, SECTIONS I (A,B,D,F,G,J,K,M,N), Section II and Section V REVISED, APPROVED and ADOPTED the 12th day of December, 2012 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO.5, SECTIONS I (C, J, M, N) REVISED, APPROVED and ADOPTED the 11th day of December, 2013 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO. 5, SECTION I (A,B,D,F,G,J,K,O,P), SECTION II, SECTIONS IV, V, VI, VII, VIII, REVISED, APPROVED and ADOPTED the 10th day of December, 2014 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO. 5, SECTION I (A,B,D,F,G,J,K,O,P), SECTIONS IV, VII, and XI, REVISED, APPROVED and ADOPTED the 13th day of May, 2015 by the Public Service Board of the City of El Paso, Texas.

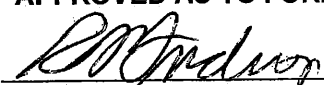
PUBLIC SERVICE BOARD:


Richard Schoephoerster, Chair

ATTEST:


Terri Garcia, Secretary-Treasurer

APPROVED AS TO FORM:


Robert D. Andron, General Counsel

RESOLUTION AND CERTIFICATE OF INCUMBANCY

A RESOLUTION OF THE EL PASO WATER UTILITIES PUBLIC SERVICE BOARD, AUTHORIZING THE PRESIDENT/CEO TO EXECUTE AND DELIVER A MASTER EQUIPMENT LEASE-PURCHASE AGREEMENT WITH PNC EQUIPMENT FINANCE, LLC, AS LESSOR, AND SEPARATE LEASE SCHEDULES THERETO FOR THE ACQUISITION, PURCHASE, FINANCING AND LEASING OF CERTAIN EQUIPMENT FOR THE EL PASO PAINTED DUNES GOLF COURSE WITHIN THE TERMS HEREIN PROVIDED; AUTHORIZING THE EXECUTION AND DELIVERY OF OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AND AUTHORIZING ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANACTIONS CONTEMPLATED BY THIS RESOLUTION.

WHEREAS, the El Paso Water Utilities Public Service Board (EPWU and/or Lessee), was established on May 22, 1952, by Ordinance No. 752 of the City of El Paso, a Texas Home Rule Municipality for the purpose of the governance of the El Paso Water and Wastewater System and the El Paso Water Utilities Public Service Board having been duly vested pursuant to the Texas Utilities Code Section 1502.070 with the complete management and control of the System and its assets to include without limitation the right to enter into contracts or leases for the System; and,

WHEREAS, EPWU owns and operates the El Paso Painted Dunes Golf Course in El Paso, El Paso County, Texas, an asset of the System; and,

WHEREAS, EPWU is authorized by the laws of the State of Texas to acquire, dispose of and encumber real and personal property, including without limitation, rights and interests property, leases and easements necessary to the functions or operations of Lessee; and,

WHEREAS, EPWU hereby finds and determines that the execution of one or more Lease Agreements or Lease Schedules in the amount not exceeding the total lease amount of \$345,936.00 (monthly payment times the 48 month term of the lease) for the purpose of leasing and acquiring the property, 100 2015 RXV Electric Golf Cars (Equipment) to be described in the Leases and schedules is appropriate and necessary to the functions and operations of the Lessee and its assets; and,

WHEREAS, PNC Equipment Finance, LLC (Lessor) shall act as Lessor under the Leases as provided for herein; and,

NOW, THEREFORE, BE IT RESOLVED BY THE PUBLIC SERVICE BOARD OF THE CITY OF EL PASO, TEXAS:

Section 1. That the findings and recitations set out in the preamble to this Resolution are true and correct and are hereby adopted by the Public Service Board and made a part of this Resolution for all purposes.

Section 2. That the El Paso Water Utilities Public Service Board herby authorizes the President/CEO or his designee to negotiate, enter into, execute and deliver one or more Leases in substantially the form set forth in the document presently before the El Paso Water Utilities Public Service Board, which document is available for public inspection at the offices of the Lessee during regular business hours. All other related contracts and agreements necessary and incidental to the Leases are hereby authorized. Lease Number: 190146000


Section 3. By a written instrument signed by the President/CEO or his designee, said person may execute and deliver agreements and documents relating to the Leases on behalf of Lessee.

Section 4. The Lessee's obligations under the Leases shall be subject to annual appropriation or renewal by the El Paso Water Utilities Public Service Board as set forth in each Lease and the Lessee's obligations under the Leases shall not constitute a general obligation of the Lessee or indebtedness under the Constitution or laws of the State of Texas.

Section 5. This Resolution shall take effect immediately upon its adoption and approval.

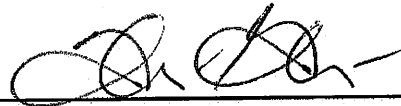
PASSED AND APPROVED at the regular meeting of the Public Service Board, this 13th day of May, 2015 at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A. Government Code, Sections 551.001, et. seq.

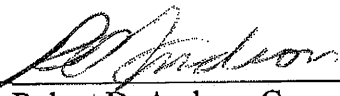
EL PASO WATER UTILITIES
PUBLIC SERVICE BOARD


Richard T. Schoephoerster, Chair

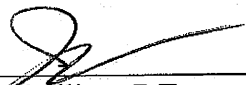
ATTEST:


APPROVED AS TO FORM:


Terri Garcia, Secretary-Treasurer


Robert D. Andron, General Counsel

SIGNATURES AND TITLES OF AUTHORIZED REPRESENTATIVES: AUTHORIZED LEASE SIGNORS ONLY:


John E. Balliew, P.E.
President/CEO


Marcela Navarrete, CPA
Vice-President Strategic,
Financial and Management Services

CERTIFICATE OF INCUMBENCY

I, the undersigned Secretary-Treasurer identified below, do hereby certify that I am the duly appointed Secretary-Treasurer of the above named Lessee, duly organized and existing under the laws of the State of Texas where the Lessee is located, that I have the title stated, and that, as of the date hereof, the individuals named below are the duly appointed officials of the Lessee holding the offices set forth opposite their respective names. The undersigned Secretary-Treasurer of the above named Lessee hereby certifies and attests that the undersigned has access to the official records of the El Paso Water Utilities Public Service Board of the Lessee, that the foregoing Resolution was duly adopted by said Board of the Lessee at a meeting of said Board and that such resolution has not been amended or altered and is in full force and effect on the date below stated.

LESSEE: El Paso Water Utilities Public Service Board dba the Painted Dunes Desert Golf Course



Terri Garcia, Secretary-Treasurer

Officials:

Richard T. Schoephoerster, PhD, P.E.	Chair El Paso Water Utilities Public Service Board
Ruth Katherine Brennand	Vice-Chair
Christopher A. Antcliff	Board Member
Henry Gallardo	Board Member
Terri Garcia	Board Member, Secretary-Treasurer
Oscar V. Leeser	Board Member, Mayor of City of El Paso
Bradley Roe, P.E.	Board Member