

**MINUTES**  
**PUBLIC SERVICE BOARD**  
**CITY OF EL PASO**  
**March 21, 2018**

The regular meeting of the Public Service Board was held Wednesday, March 21, 2018, at the El Paso Water Utilities Public Service Board Meeting Room located at 1154 Hawkins Boulevard, El Paso, Texas.

**PSB MEMBERS PRESENT**

Henry Gallardo, Chair  
Christopher Antcliff, Vice Chair  
Bradley Roe, Member  
Dr. Kristina Mena, Member  
Dr. Ivonne Santiago, Member

**PSB MEMBERS ABSENT**

Mayor Dee Margo, Ex-Officio Member  
Terri Garcia, Secretary-Treasurer

**PSB EMPLOYEES PRESENT**

John E. Balliew, P.E., President and Chief Executive Officer  
Lee Ann Koehler, General Counsel

**EPWU EMPLOYEES PRESENT**

Juan S. Gonzalez, Assistant General Counsel  
Alan Shubert, Vice President  
Marcela Navarrete, Vice President  
Art Duran, Chief Financial Officer  
Jeff Tepsick, Fiscal Operations Manager  
Gilbert Trejo, Chief Technical Officer  
Fernie Rico, Chief Operations Officer  
Lisa Rosendorf, Chief Government Affairs and Communications Officer  
Gretchen Byram, Computer Media Specialist  
Jillian Shipp, Executive Assistant  
Rosemary Guevara, Senior Purchasing Agent  
Levi Chacon, Purchasing Agent  
Robert Davidson, Temp  
Christina Montoya, Marketing and Communications Manager  
Melissa Bell, Lead Public Affairs Coordinator  
Joshua Moniz, Lead Public Information Coordinator  
Chris Rivas, Procurement Analyst  
Israel Chavez, Senior Network Administrator  
Cynthia Osborn, Real Estate Manager/Counsel  
Carlos Dominguez, Utility Engineer

**GUESTS**

Joseph Nester, Kaizen  
Richard Dayoub, Thunder Bird Management  
Brad Kirksey, Freese & Nichols  
Harrison Plaurdo, City of El Paso  
Sharon Bonart, OSAB  
Rick Bonart, BMBA  
Jess Villegas, Clowe & Cowan  
Christi Debates, SOS  
Marilyn Guida, Citizen  
Jonae Reneandfield, Frontera Land Alliance  
Gilberto Carbajae, Citizen  
Lois Balin, TPWD  
Scott Cutler, Frontera Land Alliance  
Pat White, FMWC  
Judy Acjerman, FMWC  
Rick Labello, Zoo  
Pam Farrone, Citizen  
Alex Acosta, Citizen

**MEDIA**

ABC-7

The Public Service Board meeting was called to order by Mr. Gallardo at 8:05 a.m. A quorum of its members was present. After a moment of silence, those in attendance joined Dr. Bonart, in reciting the Pledge of Allegiance.

**CONSENT AGENDA**

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

**CONSIDERED AND APPROVED THE MINUTES OF THE REGULARLY SCHEDULED MEETING HELD ON February 14, 2018.**

The minutes for February 14, 2018 were posted to the April meeting.

**RATIFY AN EMERGENCY PURCHASE ORDER FOR THE REPLACEMENT OF TWO 16-FOOT JOINTS OF 48-INCH PRE-STRESSED WIRE STEEL CYLINDER PIPE TO DANNY SANDER CONSTRUCTION INC., IN THE AMOUNT OF \$59,480.**

The Board approved a Ratify an emergency purchase order for the replacement of two 16-foot joints of 48-inch pre-stressed wire steel cylinder pipe to Danny Sander Construction Inc., in the amount of \$59,480.

**CONSIDERED AWARDED BID NUMBER 08-18, HYDROGEN PEROXIDE, TO THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER, ARSA INDUSTRIES, INC. IN THE ESTIMATED ANNUAL AMOUNT OF \$92,904, WITH THE OPTION FOR TWO ONE-YEAR EXTENSIONS.**

The Board awarded Bid Number 08-18, Hydrogen Peroxide, to the lowest responsive, responsible bidder, ARSA Industries, Inc. in the estimated annual amount of \$92,904, with the option for two one-year extensions.

**REGULAR AGENDA**

**PRESENT THE GOVERNMENT FINANCE OFFICERS ASSOCIATION'S CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING FOR THE FISCAL YEAR 2016-17 COMPREHENSIVE ANNUAL FINANCIAL REPORT.**

Ms. Christina Montoya, Marketing & Communications Manager presented the Government Finance Officers Associations Certificate of Achievement for Excellence in Financial Reporting for the Fiscal year 2016-17 Comprehensive Annual Financial Report. This is the highest form of recognition in the area of governmental accounting and financial reporting. Part of the process is reviewing all applicants that demonstrate a constructive spirit of full disclosure that clearly communicates their financial story, and motivate potential users to read the CAFRA. The El Paso Water has received this award for 22 consecutive years; this shows our commitment to transparency and communicating. Accepting the award was Jeff Tepsick, Fiscal Operations Manager.

**PRESENT THE GOVERNMENT FINANCE OFFICERS ASSOCIATION'S DISTINGUISHED BUDGET PRESENTATION AWARD FOR THE FY 2017-18 BUDGET.**

Ms. Montoya presented the Government Finance Officers Associate Distinguished Budget Presentation award for the FY 2017-18 budget. The GFOA's Certificate of Achievement is the highest award in governmental budgeting and its attainment represents a significant accomplishment by a government and its management. The Utility first received this award for its FY 1999-2000 Budget. The Utility has now received this award for 18 consecutive years. In order to receive this award, a governmental entity must publish a budget document that meets program criteria as a policy document, as an operations guide, as a financial plan, and as a communications device. It reflects the commitment of the governing body and staff to meeting the highest principles of governmental budgeting. Mr. Art Duran, Chief Financial Officer accepted the award.

**REPORT BY PRESERVATION AND CONSERVATION PLANNING COMMITTEE**

Mr. Balliew introduced Mr. Joseph Nester with the Preservation and Conservation Planning Committee. Mr. Nester began his presentation by explaining that today's focus is about land that the PSB and City of El Paso own. In 2015 "We the People" petition was signed by over 6,000 people, the petition was for land on the western side of the Franklin Mountain, east of Transmountain Road, South of the New Mexico/El Paso boundary and eastern side of the Franklin Mountain that is North of Transmountain road, West of MLK, Jr. Blvd and South of the New Mexico/El Paso boundary. He then showed slides of maps showing the east and west of Transmountain. In response to the petition, the PSB formed the Preservation and Conservation Planning Committee (PCPC) in 2015. With the goal of developing the criteria to identify which specific City owned, Public Service Board-managed lands mentioned in the petition should be preserved, which lands can be developed, and to establish conservation standards for the development so as to ensure a high quality of life for the present and future generations. In 2017, the final report was presented; Enrich, Enhance and Elevate El Paso, this was a collaborative approach considering all stakeholders. Goals that were identified by the PCPC were; Safeguard natural and cultural features, improve wildlife habitat connectivity, address the health of our regional watershed, contribute to the local economy of our communities and expand understanding of ecosystem services valuation. The recommendation from PCPC is out of the 6,520 acres, conservation area equals 4,037 acres, and developmental area equals 2,483 acres. As a note, further develop and incorporate conservation development principles into sales criteria for each parcel. Mr. Nester then showed a color-coded map of what each section represents. Conservation development is similar to cluster development, except with identifying sensitive areas such as environmental land and ecologically land, then planning development around that. How it works for a parcel of any size; determine bases on reports criteria, what portions of parcel should be preserved, determine which parts of the remaining parcel is developable, establish wildlife corridors between preservation areas without affecting prime developable areas, and lastly use criteria for "conservation development" and smart code to plan development. Benefits of conservation development are; reduced infrastructure costs for flood control, increased property values of homes near open space, increased ecotourism that boots the local economy and improved quality of life for humans and wildlife. Results for the PSB; same or better sales revenue, reduced upfront improvements and long-term maintenance costs for stormwater management, other sources of capital available with conservation developments for PSB or developers. In conclusion, PCPC recommends full conservation of specific land in the petition and recommends further development of criteria to be incorporated

into the conditions of sale for land that is to be developed. Mr. Nester addressed questions from the Board. Chairman Gallardo opened the floor for public comment on this item. The Board heard comments from Sharon Bonart, Dr. Bonart, Marilyn Guida, Judy Ackerman, Richard Dayoub.

**CONSIDERED AND AWARDED PROFESSIONAL SERVICES CONTRACTS FOR ON-CALL PROFESSIONAL ARCHITECTURAL SERVICES FOR WATER, WASTEWATER, STORMWATER, AND ADMINISTRATIVE FACILITIES TO CARL DANIEL ARCHITECTS, INC. AND MIJARES MORA ARCHITECTS, INC. EACH IN THE AMOUNT NOT TO EXCEED \$250,000 WITH A TERM OF TWO YEARS, AND AUTHORIZED THE USE OF COMMERCIAL PAPER.**

Mr. Gilbert Trejo, Chief Technical Officer made a PowerPoint presentation to the Board regarding this item (copy on file in Central Files). Scope of work includes the preparation of schematic designs, design development, construction costs, construction documents and construction administration of improvements to buildings. The Architectural/Engineering Selection Advisory Committee met on September 13, 2017, to review and recommend selection of the architectural firms for these services. The committee consisted of Bradley Roe, Kristina Mena, R. Alan Shubert, Marcela Navarrete, Fernando Rico, and Gilbert Trejo. Proposals were scored in the areas of technical competence, project approach, team organization and availability, and project management and quality control. Carl Daniel Architects and Mijares Mora Architects were selected as the firms that best meet the needs of the Utility for these important services and demonstrated excellent abilities in all the evaluated categories. The selected firms are the most qualified. Each consultant will be issued a professional services contract for a maximum amount of \$250,000, and each contract will be limited to two years.

On a motion made by Mr. Roe, seconded by Dr. Mena and unanimously carried, the Board considered and awarded Professional Services Contracts for On-Call Professional Architectural Services for Water, Wastewater, Stormwater, and Administrative Facilities to Carl Daniel Architects, Inc. and Mijares Mora Architects, Inc. each in the amount not to exceed \$250,000 with a term of two years, and authorized the use of commercial paper.

**AWARDED A PROFESSIONAL SERVICES CONTRACT FOR THE CONSTRUCTION MANAGEMENT SERVICES FOR VARIOUS WORK AT THE HASKELL STREET WASTEWATER TREATMENT PLANT, TO H2O TERRA LLC IN THE AMOUNT OF \$425,203; FOR CONSTRUCTION MANAGEMENT SERVICES; FURTHER AUTHORIZED FUTURE TASKS ORDERS OR AMENDMENTS TO BE ISSUED UNDER THIS CONTRACT FOR ADDITIONAL CONSTRUCTION MANAGEMENT SERVICES IN THE ESTIMATED AMOUNT OF \$150,000 PROVIDED THAT FUNDING IS AVAILABLE IN THE APPROVED BUDGET FOR THE TASK ORDERS OR AMENDMENTS.**

Mr. Trejo made a PowerPoint presentation to the Board regarding this item (copy on file in Central Files). Various improvements will be constructed at the Haskell Street Wastewater Treatment Plant (HSWWTP) through FY 2020/2021. Some of these projects are currently under construction and others will be constructed throughout the upcoming years. Under this contract, the consulting engineer shall coordinate construction activities between all on-going construction projects, and assist the designers of the upcoming projects. The Architectural/Engineering Selection Advisory Committee met on November 8, 2017, to review and recommend selection of the engineering firm for the above-referenced project the committee consisted of Bradley Roe, Ivonne Santiago, R. Alan Shubert, Fernando Rico, and Gilbert Trejo. Proposals were scored in the areas of technical competence, project approach, team organization and availability, project management, and quality control. H2O Terra was selected as the firm that best meets the needs of the Utility for these important services and demonstrated excellent abilities in all the evaluated categories. This firm is the most qualified. Staff worked with H2O Terra to develop the scope of services required for this project. A fee proposal from the consultant associated with the scope of services was received, reviewed, and negotiated with the consultant for the defined scope of work. The negotiated engineering services fee is in line with the level of effort required to complete the task and include coordination, office engineering, and field engineering services. Mr. Trejo addressed questions from the Board regarding this item.

On a motion made by Mr. Antcliff, seconded by Mr. Roe and unanimously carried, the Board awarded a professional services contract for the Construction Management Services for Various Work at the Haskell Street Wastewater Treatment Plant, to H2O Terra LLC in the amount of \$425,203; for construction management services; further authorized future tasks orders or amendments to be issued under this contract for additional construction management services in the estimated amount of \$150,000 provided that funding is available in the approved budget for the task orders or amendments.

**CONSIDERED AND AWARDED A PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR THE MIRANDA, ROXANNA, LAKEHURST SANITARY SEWER RELIEF LINE TO H2O TERRA LLC FOR DESIGN AND BID SERVICES; IN THE AMOUNT OF \$257,862 AUTHORIZED FUTURE TASK ORDERS OR AMENDMENTS TO BE ISSUED UNDER THIS CONTRACT FOR ADDITIONAL DESIGN AND CONSTRUCTION PHASE SERVICES IN AN ESTIMATED AMOUNT OF \$280,000, PROVIDED THAT FUNDING IS AVAILABLE IN THE APPROVED BUDGET FOR THE TASK ORDERS OR AMENDMENTS; AND AUTHORIZED THE USE OF COMMERCIAL PAPER.**

Mr. Trejo made a PowerPoint presentation to the Board regarding this item (copy on file in Central Files). The El Paso Water Northwest Wastewater Facility Plan Amendment identified various existing sanitary sewer systems in northwest El Paso in need of improvements. The plan recommended an upgrade to the conveyance capacity of sanitary sewer mains that extend along Miranda Road, Roxanna Avenue, and Lakehurst Drive. This project will design adequate conveyance capacity for the pipelines collecting the wastewater. The Architectural/Engineering Selection Advisory Committee met on February 14, 2018, to review and recommend selection of the engineering firms for these services. The committee consisted of Bradley Roe, Ivonne Santiago, Kristina Mena, Marcela Navarrete, R. Alan Shubert, Fernando Rico, and Gilbert Trejo. Proposals were scored in the areas of technical competence, project approach, team organization and availability, and project management and quality control. H2O Terra LLC was selected as the firm that best meets the needs of the Utility for these important services and demonstrated excellent abilities in all evaluated categories. This firm is the most qualified. Staff worked with H2O Terra LLC to develop the scope of services required for this project. A fee proposal associated with the scope of services was submitted, reviewed, and negotiated with the consultant for the defined scope of work. The negotiated fees are in line with the level of effort required to complete the task and consistent with similar work completed. Mr. John Balliew, President and CEO made additional comments, Mr. Trejo addressed questions from the Board regarding this item.

On a motion made by Mr. Antcliff, seconded by Mr. Roe and unanimously carried, the Board awarded a professional engineering services contract for the Miranda, Roxanna, Lakehurst Sanitary Sewer Relief Line to H2O Terra LLC for design and bid services; in the amount of \$257,862 authorized future task orders or amendments to be issued under this contract for additional design and construction phase services in an estimated amount of \$280,000, provided that funding is available in the approved budget for the task orders or amendments; and authorized the use of commercial paper.

**CONSIDERED BID NUMBER 10-18, JACKSON GROUND WATER STORAGE TANK REPLACEMENT, DECLARE FILE CONSTRUCTION, LLC AS NOT RESPONSIBLE, AND AWARDED TO THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER, SMITHCO CONSTRUCTION, INC., IN THE AMOUNT OF \$4,608,515 AND AUTHORIZED THE USE OF COMMERCIAL PAPER.**

Mr. Trejo made a PowerPoint presentation to the Board regarding this item (copy on file in Central Files). The existing Jackson Ground Water Storage Tank was constructed in the early 1920's and provides water to west central El Paso. The tank has gone through several restoration and repair efforts aimed at extending its service life. The existing tank condition is beyond repair. A new tank must be constructed and the existing booster station, chlorine building, electrical building, and yard piping need to be replaced and relocated to optimize the

overall layout of the site and size of the tank. EPWater received five bids for this project on February 14, 2018. The bidders were File Construction, Smithco Construction, RMC Inc. of Texas, DCI Contracting, and Spiess Construction. The bids ranged from \$3,944,837 to \$5,667,418 or 23.4% below to 10.1% above the Engineer's Estimate of \$5,149,100. The apparent low bidder was File Construction and the second apparent low bidder was Smithco Construction. Staff evaluated the qualifications of the apparent low bidder and determined that File Construction does not meet the minimum general requirements or the minimum project specific criteria as specified in the bid documents. File Construction failed to provide documentation demonstrating the successful completion of projects as specified in the bid documents. Evaluation of the qualifications of the second low bidder determined that Smithco Construction does meet all contract requirements. Staff recommends that File Construction be deemed not responsible and award Bid Number 10-18, Jackson Ground Water Storage Tank Replacement, to Smithco Construction as the lowest responsive, responsible bidder in the amount of \$4,608,515. Mr. Balliew made additional comments; Mr. Trejo addressed questions from the Board regarding this item.

On a motion made by Dr. Santiago, seconded by Mr. Antcliff, and unanimously carried, the Board considered Bid Number 10-18, Jackson Ground Water Storage Tank Replacement, declare File Construction, LLC as not responsible, and awarded to the lowest responsive, responsible bidder, Smithco Construction, Inc., in the amount of \$4,608,515 and authorized the use of commercial paper.

**CONSIDERED AND APPROVE TASK ORDER NUMBER 2 TO THE PROFESSIONAL SERVICES CONTRACT AWARDED TO FREESE AND NICHOLS, INC. FOR CONSTRUCTION PHASE SERVICES FOR THE JACKSON GROUND WATER STORAGE TANK REPLACEMENT IN THE AMOUNT OF \$395,418; AUTHORIZE FUTURE TASK ORDERS OR AMENDMENTS TO BE ISSUED FOR ADDITIONAL DESIGN AND CONSTRUCTION PHASE SERVICES IN AN ESTIMATED AMOUNT OF \$50,000 PROVIDED THAT FUNDING IS AVAILABLE IN THE APPROVED BUDGET FOR THE TASK ORDERS OR AMENDMENTS; AND AUTHORIZE THE USE OF COMMERCIAL PAPER.**

Mr. Trejo made a PowerPoint presentation to the Board regarding this item (copy on file in Central Files.) Construction Phase Services are needed to complete the Jackson Ground Water Storage Tank Replacement project. The existing tank condition is beyond repair. A new tank must be constructed, and the existing booster station, chlorine building, electrical building, and yard piping need to be replaced and relocated to optimize the overall layout of the site and size of the tank. Freese and Nichols was selected by the Architectural/Engineering Selection Committee to design the Jackson Ground Water Storage Tank Replacement project. Staff worked with Freese and Nichols to develop the scope of services for this second task order for construction phase services. A fee proposal associated with the scope of services was submitted, reviewed, and negotiated with the consultant. The negotiated fees are in line with the level of effort required to complete the tasks and consistent with similar work completed recently.

On a motion made by Mr. Antcliff, seconded by Mr. Roe and unanimously carried, the Board considered and approved Task Order Number 2 to the professional services contract awarded to Freese and Nichols, Inc. for construction phase services for the Jackson Ground Water Storage Tank Replacement in the amount of \$395,418; authorized future task orders or amendments to be issued for additional design and construction phase services in an estimated amount of \$50,000 provided that funding is available in the approved budget for the task orders or amendments; and authorized the use of commercial paper.

**CONSIDERED AND AWARDED BID NUMBER 65-17, UPPER VALLEY WATER TREATMENT PLANT BRIDGE CRANE AND MONORAIL HOIST IMPROVEMENTS TO THE SOLE RESPONSIVE, RESPONSIBLE BIDDER, SMITHCO CONSTRUCTION, INC. IN THE AMOUNT OF \$350,000.**

Ms. Rose Guevara, Senior Purchasing Agent presented information to the Board regarding this item and informed the Board the funding source should be the Improvement Fund. The Upper Valley Water Treatment Plant Flocculation /Sedimentation Building is not equipped with a hoist system for maintenance use. Parkhill,

Smith and Cooper was hired to design a bridge crane and monorail hoist system that will aid in the safe removal of flocculator shafts, motors and other equipment that are heavy and hard to handle. This bid was for all equipment and installation of this bridge crane and monorail hoist system. One bid was received from Smithco Construction, Inc. The bid in the amount of \$350,000.00 was above the engineer's estimate of \$321,225.27. Staff evaluated the sole bid in conjunction with the consultant design engineer, Parkhill, Smith and Cooper, and was determined that the bid met all the minimum project criteria per the bid specification. Therefore, staff recommends award to Smithco Construction, Inc. Mr. Alan Shubert, Vice President made additional comments.

On a motion made by Dr. Santiago, seconded by Dr. Mena and unanimously carried, the Board awarded Bid Number 65-17, Upper Valley Water Treatment Plant Bridge Crane and Monorail Hoist Improvements to the sole responsive, responsible bidder, Smithco Construction, Inc. in the amount of \$350,000.

**CONSIDERED AND AWARDED BID NUMBER 104-17, MISC. CHEMICALS AND SUPPLIES FOR THE EPWATER IWQL, TO THE LOWEST RESPONSIVE, RESPONSIBLE BIDDERS, BVA SCIENTIFIC INC., FOR GROUPS 1, 2, 5 & 7 IN THE ESTIMATED ANNUAL AMOUNT OF \$150,000, AND FOX SCIENTIFIC INC., FOR GROUPS 3, 4, 6 & 8 IN THE ESTIMATED ANNUAL AMOUNT OF \$135,000, EACH WITH THE OPTION FOR TWO ONE-YEAR EXTENSIONS.**

Levi Chacon, Purchasing Agent presented information to the Board regarding this item. This bid covers items which are used by the IWQL to include: chemicals, consumables, assorted measurement and analysis items, glassware, plastic ware, microbiology, metals standards, inorganic standard items and organic standard items. Three bids were received. The bids were evaluated based on the sample pricing methodology, which is used in catalog bids and is also used by the City of El Paso Purchasing Department. Sample pricing is used with this type of bid due to the fact that an entity is able to accurately compare a product's cost from each company that submits a bid. Staff evaluated the bids for each low bidder for the respective group. Staff determined that each low bidder for each respective group met all the requirements as outlined in the bid proposal. Therefore, staff recommends award to the lowest responsive, responsible bidder, for each group. Mr. Balliew made additional comments regarding this item, and Mr. Chacon addressed questions from the Board.

On a motion made by Dr. Santiago, seconded by Mr. Roe and unanimously carried, the Board awarded Bid Number 104-17, Misc. Chemicals and Supplies for the EPWater IWQL, to the lowest responsive, responsible bidders, BVA Scientific Inc., for groups 1, 2, 5 & 7 in the estimated annual amount of \$150,000, and Fox Scientific Inc., for groups 3, 4, 6 & 8 in the estimated annual amount of \$135,000, each with the option for two one-year extensions.

**14. MANAGEMENT REPORT:**

- Our Water Resources Status and Outlook- Mr. John Balliew, provided information regarding this item. Rio Grande Outlook for 2018 will be the year of the La Niña, which means a lesser snow pack than average. Mr. Balliew showed a chart with the recharge sustains the Mesilla Bolson that shows the depth to groundwater, starting from 1985 to 2017. He went on to show a slide of the Hueco Bolson Levels Stabilizing from 1985 to 2017 and the drop of levels. Mr. Balliew discussed Kay Bailey Hutchison produces water for peak demand, prevents brackish water intrusion to Hueco. Mr. Balliew provided information on new water sources needed to meet demand of increasing population, needing to double the current amount by 2070. Our future water resources include expand the desalination plant, working on a design for an advanced water purification facility; expand aquifer storage & recovery and importation from Dell City. Mr. Balliew showed two pie charts, 2018 vs. 2070, commenting that the chart for 2070 is large due to us producing more water by that time. Mr. Balliew addressed questions from the Board.

- Welcoming the Rio Grande Video - Ms. Lisa Rosendorf, Chief Communications & Gov't Affairs Officers, provided information regarding this video. Monday, March 19 2018 water from The Rio Grande was received, starting on Friday we had filmers following the water by drone and by car. Ms. Rosendorf addressed questions from the Board.
- Technology Transfer Workshop; "Desalination in the Desert and Disposal Challenges"- Mr. Balliew informed the Board the American Membrane Technology Association will be hosting a Technology Transfer Workshop April 24-26 at the TechH2O Center. Mr. Balliew made additional comments about the Bi-National Conference that was started by former president/ceo Mr. Ed Archuleta.

**15. 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.**

Comments were heard from Marilyn Guida

**EXECUTIVE SESSION**

On a motion made by Mr. Roe, seconded by Mr. Antcliff, and unanimously carried, the Board retired into Executive Session at 9:48 a.m., March 21, 2018, 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 551.071 Consultation with Attorney**

The Board will consult with its attorney regarding Garcom Inc. v. The City of El Paso Acting Through El Paso Water Utilities-Public Service Board v. Huitt Zollars, Inc., Cause No. 2015DCV3790.

**b. Section 551.0712 Deliberation Regarding Real Property**

The Board will deliberate regarding whether approximately 15 acres of property generally described as 79 TSP 3 SEC 17 T & P ABST 2154 E 1/2 OF SW 1/4 OF NW 1/4 OF SW 1/4 (5.00 AC); 79 TSP 3 SEC 17 T & P SURV W 1/2 OF SE 1/4 OF NW 1/4 SW 1/4 (5.00 AC); 79 TSP 3 SEC 17 T & P SURV #2154 E 1/2 OF SE 1/4 OF NW 1/4 OF SW 1/4 (5.00 AC), El Paso County, Texas and generally located east of the SISD Student Athletics Complex can be declared inexpedient to the water system.

**c. Section 551.072 Deliberation regarding Real Property**

The Board will deliberate regarding the possible purchase of approximately 15 acres of property located along Joe Battle Blvd. from a 58.0691-acre parcel described as 1 Champions Addition, Lot 2, El Paso County, Texas.

On a motion made by Mr. Roe, seconded by Dr. Santiago and unanimously carried, the Board reconvened in open session at 10:42 a.m., March 21, 2018.

**CONSULTED WITH ITS ATTORNEYS REGARDING GARCOM, INC. V. THE CITY OF EL PASO ACTING THROUGH EL PASO WATER UTILITIES-PUBLIC SERVICE BOARD V. HUIIT ZOLLARS, INC., CAUSE NO 2015DCV3790**



On a motion made by Mr. Antcliff, seconded by Dr. Mena and unanimously carried that the El Paso Water Utilities Public Service Board authorizes its General Counsel settlement authority in the lawsuit of Garcom Inc., v. The City of El Paso acting Through El Paso Water Utilities-Public Service Board v. Huitt Zollars, Inc. The Office of General Counsel is authorizes to take any and all action necessary to effectuate this authority and defend the best interest of the Utility in connection with this matter.

**DELIBERATED REGARDING WHETHER APPROXIMATELY 15 ACRES OF PROPERTY GENERALLY DESCRIBED AS 79 TSP 3 SEC 17 T & P ABST 2154 E 1/2 OF SW 1/4 OF NW 1/4 OF SW 1/4 (5.00 AC); 79 TSP 3 SEC 17 T & P SURV W 1/2 OF SE 1/4 OF NW 1/4 SW 1/4 (5.00 AC); 79 TSP 3 SEC 17 T & P SURV #2154 E 1/2 OF SE 1/4 OF NW 1/4 OF SW 1/4 (5.00 AC), EL PASO COUNTY, TEXAS AND GENERALLY LOCATED EAST OF THE SISD STUDENT ATHLETICS COMPLEX CAN BE DECLARED INEXPEDIENT TO THE WATER SYSTEM.**

On a motion made by Mr. Antcliff, seconded by Mr. Roe and unanimously carried that the land be declared inexpedient to the water system and that they President/CEO obtain one appraisal and be authorized to recommend to the City of El Paso that the land be conveyed to the Socorro Independent School District for the amount of the appraisal and that the President/CEO be authorized to sign any and all documents necessary to complete the conveyance of the land to the Socorro Independent School District.

**DELIBERATED REGARDING WHETHER REGARDING THE POSSIBLE PURCHASE OF APPROXIMATELY 15 ACRES OF PROPERTY LOCATED ALONG JOE BATTLE BLVD. FROM A 58.0691 ACRE PARCEL DESCRIBED AS 1 CHAMPIONS ADDITION, LOT 2, EL PASO COUNTY, TEXAS.**

On a motion made by Mr. Antcliff, seconded by Mr. Roe and unanimously carried that the President/CEO be authorized to purchase, for the appraisal value of the property, approximately 15 acres from a 58.091 acre parcel located along Joe Battle Blvd and described as 1 Champions Addition, Lot 2, El Paso County, Texas and sign any and all documents necessary to complete the purchase.

**ADJOURNMENT**

On a motion made by Mr. Antcliff, seconded by Dr. Santiago and unanimously carried, the meeting adjourned at 10:45 a.m., March 21, 2018.

ATTEST:

Kristina D. Mena  
Secretary-Treasurer

Chair  
