

**SPECIAL MEETING MINUTES OF THE  
PUBLIC SERVICE BOARD  
AND THE  
PUBLIC SERVICE BOARD SELECTION COMMITTEE  
CITY OF EL PASO**

**November 13, 2018**

A special meeting of the Public Service Board and the Public Service Board Selection Committee was held Tuesday, November 13, 2018, at the El Paso Water Utilities Public Service Board Meeting Room located at 1154 Hawkins Boulevard, El Paso, Texas.

**PSB SELECTION COMMITTEE MEMBERS PRESENT**

Mayor Dee Margo, Committee Chair  
Henry Gallardo, PSB Member  
Dr. Ivonne Santiago, PSB Member  
Bradley Roe, PSB Member  
Dr. Kristina D. Mena, Secretary-Treasurer  
Christopher A. Antcliff, PSB Chair  
Terri Garcia, PSB Vice-Chair  
Dr. Richard Teschner, Representing District 1  
Richard Castro, Representing District 3  
Sam Shallenberger, Representing District 5  
Richard Martinez, Representing District 7  
Charles Wakeem, Representing District 8

**PSB SELECTION COMMITTEE MEMBERS ABSENT**

Joe Cardenas, Representing District 2  
Vacant, Representing District 4  
Donna AlHakeem, Representing District 6

**PSB EMPLOYEES PRESENT**

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

**EPWU EMPLOYEES PRESENT**

Alan Shubert, Vice President  
Jillian Shipp, Executive Assistant  
Gretchen Byram, Computer Media Specialist  
Marcela Navarrete, Vice President

**MEDIA**

None

**GUESTS**

Bryan Morris

The special meeting was called to order by Mayor Margo at 5:34 p.m. A quorum of the Public Service Board and the Public Service Board Selection Committee, (here therefore known as the “Committee”) was present.

**1. CONSIDERED AND TOOK ACTION REGARDING PUBLIC SERVICE BOARD APPLICATIONS RECEIVED AFTER THE POSTED DEADLINE.**

Ms. Jillian Shipp, Executive Secretary, said EPWater did not receive any additional applications after the established deadline. Therefore, no additional action was taken.

**2. TOOK ACTION, TO INCLUDE SELECTION OF THE TOP THREE CANDIDATES, RANKING OF THE TOP CANDIDATES AND RECOMMENDATION TO CITY COUNCIL, AND OTHER RELATED MATTERS, IN REGARD TO THE APPLICATIONS THAT MEET THE SELECTION CRITERIA OF HAVING EXPERTISE IN THE AREA OF ENGINEERING**

Ms. Shipp said there were three applications received for the Engineering position. Mayor Margo opened the floor for comments from the Committee regarding each candidate. No comments were made, the Committee determined that all three candidates should be ranked and presented to Council for consideration. Ms. Shipp asked each Committee member to rank the top three candidates with the highest scores in order of personal preference using the following method: Ms. Lee Ann Koehler, General Counsel advised Mayor Margo to open the floor for those in the audience to speak in regards to their application. No one made any comments.

1st preference = 3 points                      2nd preference = 2 points                      3rd preference = 1 point

Once each Committee member ranked the top three candidates by personal preference, the points were tallied for each of the three candidates with the following results:

Bryan Morris	26 points
David Dodge	8 points
Pat Conover	28 points

The candidates were ordered and ranked 1st, 2nd and 3rd based on the total preference points received.

1st	Pat Conover	28 points
2nd	Bryan Morris	26 points
3rd	David Dodge	8 points

Mayor Margo opened the floor for comments and discussion from the Committee. Mr. Gallardo made a comment regarding Mr. Conover work experience with Parkhill, Smith and Cooper. Mr. Balliew asked that Ms. Koehler answer the question. Ms. Koehler informed the Board that all PSB members are governed the City’s ethics ordinance and by state law and conflicts of interest. Mr. Conover informed Ms. Koehler that he will terminate any contract relationship with Parkhill, Smith, and Cooper, and would abstain from voting on any engineering services contract that is awarded to Parkhill, Smith and Cooper. If appointed, Mr. Conover also said he would not serve on the Engineering Selection Committee. Mr. Gallardo made additional comments that having someone with Mr. Conover’s expertise not serving on the Selection Engineering Committee defeats the purpose. Mr. Antcliff made comments that he did not see a problem with Mr. Conover serving on the Selection Engineering Committee if he will recuse himself from voting.

Ms. Garcia posed the question if the abstention is for a period or is permanent. Ms. Koehler answered the question that it is for a one-year period. Mr. Roe commented on his personal knowledge of Mr. Conover experience. Ms. Garcia asked who makes the determination of the duration of the abstention, Ms. Koehler informed the Board that city ethics ordinance states that he must abstain for one-year in regards to taking action on an item. In regards to the appointment on the committee, that would be up the Board. Mr. Wakeem made the comment that the Committee has had hard time choosing someone for the Engineering position due to the conflict of interest. Mr. Mayor Margo added that he was impressed by Mr. Morris' and Mr. Conover's resumes and received very positive feedback from people who have worked with both men. Mr. Roe made additional comments regarding the difference of Mr. Morris being an electrical engineer and Mr. Conover being a civil engineer with expertise in water and sewer. Dr. Mena commented on basing her decision on what she read on their resumes. Mr. Mayor Margo requested a motion to approve and submit the candidates to City Council for consideration and selection.

On a motion made by Ms. Garcia, seconded by Mr. Roe and unanimously carried, the Committee approved the following candidates to be submitted to City Council for review and consideration, in the ranking preference noted below, for the Engineering position on the Public Service Board (**Resolution attached**):

- 1st Pat Conover
- 2nd Bryan Morris
- 3rd David Dodge

### **3. CONSIDERED AND APPROVED THE COMMITTEE TIMELINE FOR PUBLIC SERVICE BOARD APPOINTMENT.**

The proposed timeline was distributed to the Committee. The list of candidates for the vacant positions would be provided to the City on November 14, 2018. Ms. Koehler informed Mayor Margo she would send the information to the City Manager and City Clerk. On December 11, 2018, City Council will consider and decide whether to select a candidate for the position or reject all candidates and request the Committee to begin the selection process again. If a candidate is selected for the Engineering position, the new member will be sworn in at the PSB Meeting on January 9, 2019.

On a motion made by Ms. Garcia, seconded by Mr. Antcliff and unanimously carried, the Committee approved the timeline for Public Service Board appointment.

### **4. PUBLIC COMMENT: THE PUBLIC SERVICE BOARD SELECTION COMMITTEE CHAIR WILL PERMIT PUBLIC COMMENT ON ANY ITEM NOT ON THE AGENDA. THE CHAIR MAY IMPOSE REASONABLE TIME LIMITS FOR EACH SPEAKER.**

There were no additional comments from the public.


**ADJOURNMENT**

On a motion made by Mr. Mayor Margo, seconded by Mr. Antcliff, the meeting adjourned at 5:45 p.m., November 13, 2018.

ATTEST:

  
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Secretary-Treasurer

  
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Chair, PSB Selection Committee

  
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Chair, PSB