

MINUTES
PUBLIC SERVICE BOARD
CITY OF EL PASO
September 8, 2021

The regular meeting of the Public Service Board was held in person, Wednesday, September 8, 2021.

PSB MEMBERS PRESENT

Dr. Kristina D. Mena, Chair
Christopher A. Antcliff, Secretary-Treasurer
Dr. Ivonne Santiago, Vice Chair
Charlie Intebi, Member
Bryan Morris, Member
Mayor Oscar Leeser, Ex-Officio Member

PSB MEMBERS ABSENT

Lisa Saenz, Member

PSB EMPLOYEES PRESENT

John E. Balliew, P.E., President and Chief Executive Officer
Daniel Ortiz, General Counsel

EPWATER EMPLOYEES PRESENT

Alan Shubert, Vice President
Marcela Navarrete, Vice President
Art Duran, Chief Financial Officer
Claudia Duran, Executive Assistant to the President/CEO
Gilbert Trejo, Chief Technical Officer
Sol Cortez, Deputy General Counsel
Ciara Grier, Support Services I
Denis Arras Jr., PC/LAN Specialist I
Alfredo Solano, Chief Information Officer
Lisa Rosendorf, Chief Communications & Government Affairs Officer
Hector Gonzalez, Government Affairs Manager
Michelle Valdez, Purchasing Agent
Jacqueline Aguilar, Contracts Development Coordinator
Geoffrey Espineli, Engineering Division Manager
Gisela Dagnino, Engineering Division Manager
Paul Rivas, Chief Operations Officer
Denise Parra, Lead Public Affairs Coordinator
Martin Noriega, Chief Operations Officer
Christina Montoya, Marketing and Communications Manager
Felipe Lopez, Chief Operations Officer
Ryan Stubbs, Utility Engineer Associate
Rafael Velazquez, Utility Engineering Associate
Richard Wilcox, Water Supply Manager
Ivan Hernandez, Engineering Division Manager
Rose Guevara, Senior Purchasing Agent

GUESTS

Maria G. Robles, GRV Integrated Engineering Solutions LLC
Emily Couroux, ESSCO Environmental, Inc.

MEDIA

Danielle Prokop, El Paso Matters

The Public Service Board meeting was called to order by Dr. Mena at 8:04 a.m. A quorum of its members was present. After a moment of silence, those in attendance joined Alan Shubert, in reciting the Pledge of Allegiance.

CONSENT AGENDA

On a motion made by Mr. Morris and seconded by Dr. Santiago and unanimously carried, the Board took action to move item #4 from Consent Agenda into Regular Agenda.

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

1. CONSIDERED AND APPROVED THE MINUTES OF THE REGULARLY SCHEDULED MEETING HELD ON AUGUST 11, 2021.

2. CONSIDERED AND REJECTED THE SOLE BID RECEIVED FROM SMITHCO CONSTRUCTION, INC. FOR BID NUMBER 44-21, CORONADO I BOOSTER STATION PUMP CAN REPLACEMENT.

3. CONSIDERED AND APPROVED A PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR THE GROUSE STREET FORCE MAIN REHABILITATION PHASE VI – PART 2 PROJECT, WITH HUITT-ZOLLARS, INC. FOR THE ADDITIONAL DESIGN AND CONSTRUCTION PHASE SERVICES IN THE AMOUNT OF \$172,747; AND AUTHORIZED FUTURE TASK ORDERS OR AMENDMENTS TO BE ISSUED UNDER THIS CONTRACT FOR DESIGN AND CONSTRUCTION PHASE SERVICES IN AN ESTIMATED AMOUNT OF \$500,000 PROVIDED THAT FUNDING IS AVAILABLE IN THE APPROVED BUDGET FOR THE TASK ORDERS OR AMENDMENTS AND AUTHORIZED THE USE OF COMMERCIAL PAPER.

5. CONSIDERED AND APPROVED A PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR THE SOURCE WATER AUGMENTATION PARALLEL PIPELINE FOR KAY BAILEY HUTCHISON DESALINATION FACILITY-PART 2 PROJECT TO MORENO CARDENAS, INC. FOR CONSTRUCTION MANAGEMENT SERVICES IN THE AMOUNT OF \$363,815.12 AND AUTHORIZED FUTURE TASK ORDERS OR AMENDMENTS TO BE ISSUED UNDER THIS CONTRACT FOR ADDITIONAL DESIGN AND CONSTRUCTION PHASE SERVICES IN AN ESTIMATED AMOUNT OF \$200,000 PROVIDED THAT FUNDING IS AVAILABLE IN THE APPROVED BUDGET FOR THE TASK ORDERS OR AMENDMENTS; AND AUTHORIZED THE USE OF COMMERCIAL PAPER.

6. CONSIDERED AND APPROVED THE SOLE SOURCE MASTER CONTRACT, IN ACCORDANCE WITH SECTION 252.022(A)(7)(A) OF THE TEXAS LOCAL GOVERNMENT CODE, WITH WAUSAU FINANCIAL SYSTEMS, INC. FOR SOFTWARE MAINTENANCE AND SUPPORT SERVICES FOR THE RENEWAL FOR THE PERIODS OF 2020-2021 AND 2021-2022 IN THE ESTIMATED AMOUNT OF \$122,450.60, AND APPROVED AN ESTIMATED ANNUAL AMOUNT OF \$80,000 FOR ADDITIONAL SOFTWARE MAINTENANCE AND SUPPORT SERVICES FOR UP TO THREE YEARS PROVIDED THAT WAUSAU FINANCIAL SYSTEMS, INC. CONTINUES TO PROVIDE A SOLE SOURCE AFFIDAVIT.

7. CONSIDERED AND APPROVED A RESOLUTION AUTHORIZING THE PRESIDENT/CEO TO SUBMIT A FLOOD INFRASTRUCTURE FUNDING APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD (TWDB) FOR AN ESTIMATED AMOUNT OF \$26,292,000 WITH UP TO A 35% GRANT PORTION IN THE ESTIMATED AMOUNT OF \$9,202,000 AND A 65% MATCH THROUGH A ZERO PERCENT INTEREST LOAN FROM TWDB IN THE ESTIMATED AMOUNT OF \$17,090,000 FOR FUNDING THE CONSTRUCTION OF THE WILL RUTH POND AND CONVEYANCE IMPROVEMENTS PROJECT IN EL PASO, TEXAS AND TO AUTHORIZE THE PRESIDENT/CEO AND PSB SECRETARY-TREASURER TO SIGN ANY NECESSARY DOCUMENTS, AND TO FURTHER AUTHORIZE THE PRESIDENT/CEO TO SIGN AND

PROVIDE ANY DOCUMENTS NECESSARY TO ACCEPT GRANT AND BOND FUNDING IN CONNECTION WITH THE PROJECT.

8. CONSIDERED AND APPROVED A PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR THE ROBERTO R. BUSTAMANTE WASTEWATER TREATMENT PLANT HEADWORKS IMPROVEMENTS – PART 2 PROJECT TO CAROLLO ENGINEERS, INC. FOR THE CONSTRUCTION ADMINISTRATION SERVICES IN THE AMOUNT OF \$284,591; AUTHORIZED FUTURE TASK ORDERS OR AMENDMENTS TO BE ISSUED UNDER THIS CONTRACT FOR ADDITIONAL DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES IN THE ESTIMATED AMOUNT OF \$250,000, PROVIDED THAT FUNDING IS AVAILABLE IN THE APPROVED BUDGET FOR THE ADDITIONAL TASK ORDERS OR AMENDMENTS AND AUTHORIZED THE USE OF COMMERCIAL PAPER.

9. CONSIDERED AND AWARDED A PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE ROBERTO R. BUSTAMANTE WASTEWATER TREATMENT PLANT HEADWORKS IMPROVEMENTS – CONSTRUCTION MANAGEMENT AT-RISK PROJECT – RFS 45-21 TO JACOBS ENGINEERING GROUP INC. IN THE AMOUNT OF \$333,419; AUTHORIZED FUTURE TASK ORDERS OR AMENDMENTS TO BE ISSUED UNDER THIS CONTRACT FOR ADDITIONAL CONSTRUCTION PHASE SERVICES IN THE ESTIMATED AMOUNT OF \$250,000, PROVIDED THAT FUNDING IS AVAILABLE IN THE APPROVED BUDGET FOR THE TASK ORDERS OR AMENDMENTS AND AUTHORIZED THE USE OF COMMERCIAL PAPER.

10. CONSIDERED AND APPROVED THE INCREASE OF A MASTER CONTRACT AWARDED TO PUREOPS LLC THROUGH ESC REGION 19 COOPERATIVE CONTRACT NO. 21-7402 FOR INDUSTRIAL PUMPS, MOTORS, FILTERS, FLOW METER AND RELATED GOODS AND SERVICES, BY AN ADDITIONAL \$500,000 FOR A TOTAL ANNUAL AMOUNT OF \$1,000,000.

11. CONSIDERED AND APPROVED AN INCREASE IN CAPACITY OF THE MASTER CONTRACT ID MCSEQUELATA21 AWARDED TO SEQUEL DATA SYSTEMS, INC. THROUGH CISCO SYSTEMS, INC. TEXAS DIR CONTRACT NUMBER DIR-TSO-4167, FOR AN ADDITIONAL \$1,500,000 TO INCREASE THE MASTER CONTRACT'S CUMULATIVE AMOUNT TO \$2,000,000.

REGULAR AGENDA

4. CONSIDERED AND APPROVED A PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR THE WATER AND WASTEWATER ELECTRIC POWER RELIABILITY EVALUATION – PART 2 PROJECT, WITH BLACK & VEATCH CORPORATION, FOR ADDITIONAL EVALUATION OF PRELIMINARY DESIGN PHASE SERVICES IN THE AMOUNT OF \$249,076 AND AUTHORIZED FUTURE TASK ORDERS OR AMENDMENTS TO BE ISSUED UNDER THIS CONTRACT FOR ADDITIONAL EVALUATION AND DESIGN PHASE SERVICES IN AN ESTIMATED AMOUNT OF \$500,000 PROVIDED THAT FUNDING IS AVAILABLE IN THE APPROVED BUDGET FOR THE TASK ORDERS OR AMENDMENTS AND AUTHORIZED THE USE OF COMMERCIAL PAPER.

Alan Shubert, Vice President, provided a presentation to the Board regarding this item. In March 2011, the Public Service Board approved a professional engineering services contract agreement with Black and Veatch Corporation to perform electric power reliability evaluation on all EPWater facilities. Black and Veatch completed the evaluation and a report was submitted in February 2012. The report identified the Capital Improvement projects needed for Emergency Back-up Power Generation for EPWater Facilities. EPWater continued to work with Black and Veatch to design and manage the construction of the new back-up power generators and was completed in 2019. Senate Bill 3 was recently passed by the Legislature and signed into law, requiring EPWater to submit by November 2021 the Critical Load Report as required by Section 13.1396(c) of the Water Code to the Public Utility Commission and

submit by March 2022 the Emergency Preparedness Plan to the Texas Commission on Environmental Quality as required by Section 13.1394 of the Water Code. The Emergency Preparedness Plan will build upon the previously completed electric power reliability report and existing EPWater Emergency Response Plan. Mr. Shubert answered questions from the Board on this item.

On a motion made by Mr. Antcliff, seconded by Mr. Morris and unanimously carried, the Board approved a professional engineering services contract for the Water and Wastewater Electric Power Reliability Evaluation – Part 2 project, with Black & Veatch Corporation, for additional evaluation of preliminary design phase services in the amount of \$249,076 and authorized future task orders or amendments to be issued under this contract for additional evaluation and design phase services in an estimated amount of \$500,000 provided that funding is available in the approved budget for the task orders or amendments and authorize the use of commercial paper.

12. CONSIDERED AND APPROVED A SOLE SOURCE MASTER CONTRACT PURSUANT TO SECTION 252.022(A)(7)(A) OF THE TEXAS LOCAL GOVERNMENT CODE, WITH WATERFALL SECURITY SOLUTIONS LTD. FOR THE PURCHASE OF CYBERSECURITY HARDWARE, SOFTWARE AND SUPPORT SERVICES ON AN AS-NEEDED BASIS IN THE ESTIMATED ANNUAL AMOUNT FOR \$500,000 FOR A ONE-YEAR TERM WITH THE OPTION FOR THREE ONE-YEAR EXTENSIONS; AND AUTHORIZED THE PRESIDENT/CEO OR DESIGNEE TO SIGN ANY NECESSARY AGREEMENTS.

Alfredo Solano, Chief Information Officer, provided a presentation to the Board regarding this item. Waterfall Security Solutions Ltd. provides EPWater with hardware, software and support services for detecting and preventing cybersecurity threats through the SCADA system. Waterfall Security Solutions Ltd. will provide standardization for cybersecurity software, hardware, and support services throughout the utility. Mr. Solano answered questions from the Board on this item.

On a motion made by Mr. Antcliff, seconded by Dr. Santiago and unanimously carried, the Board approved a sole source Master Contract pursuant to Section 252.022(a)(7)(A) of the Texas Local Government Code, with Waterfall Security Solutions Ltd. for the purchase of cybersecurity hardware, software and support services on an as-needed basis in the estimated annual amount for \$500,000 for a one-year term with the option for three one-year extensions; and authorized the President/CEO or designee to sign any necessary agreements.

13. CONSIDERED AND APPROVED A SOLE SOURCE MASTER CONTRACT PURSUANT TO SECTION 252.022(A)(7)(A) OF THE TEXAS LOCAL GOVERNMENT CODE, WITH EATON CORPORATION FOR ELECTRICAL EQUIPMENT MAINTENANCE AND SUPPORT SERVICES IN THE ESTIMATED ANNUAL AMOUNT OF \$1,000,000 FOR A TERM OF ONE YEAR, WITH THE OPTION FOR THREE, ONE-YEAR EXTENSIONS.

Alan Shubert, Vice President, provided a presentation to the Board regarding this item. EPWater currently has Eaton-brand electrical equipment at the treatment plants. The equipment requires maintenance services and equipment replacement due to age. The equipment carries the patent and copyrights under the Eaton Corporation, and can only be performed by Eaton Corporation. Mr. Shubert answered questions from the Board on this item.

On a motion made by Dr. Santiago, seconded by Mr. Morris and unanimously carried, the Board approved a sole source Master Contract pursuant to Section 252.022(a)(7)(A) of the Texas Local Government Code, with Eaton Corporation for electrical equipment maintenance and support services in the estimated annual amount of \$1,000,000 for a term of one year, with the option for three, one-year extensions.

14. CONSIDERED AND AWARDED PROFESSIONAL SERVICES CONTRACT FOR ON-CALL PROFESSIONAL ENGINEERING SERVICES FOR STORMWATER SYSTEMS-RFQ SW52-12 TO CEA ENGINEERING GROUP, INC., FREESE AND NICHOLS, INC., GRV INTEGRATED ENGINEERING SOLUTIONS LLC, MORENO CARDENAS, INC., AND OMEGA ENGINEERS, INC., FOR AN AMOUNT NOT TO EXCEED \$1,000,000 FOR EACH FIRM WITH A TERM OF TWO YEARS.

Alan Shubert, Vice President, provided a presentation to the Board regarding this item (copy on file in Central Files.) The City of El Paso's drainage system is comprised of undeveloped land, dams, ponds, pump stations and conveyance systems that function as a large network to address our city's drainage needs. Throughout the year, projects are identified that require engineering services for study, design, or construction administration. In addition, during the monsoon season, a surplus of unidentified projects become apparent. The Stormwater Utility will utilize the contracted firms to provide these services throughout the year on an on-call basis. Mr. Shubert answered questions from the Board on this item.

On a motion made by Dr. Santiago, seconded by Mr. Morris and unanimously carried, the Board awarded professional services contract for On-Call Professional Engineering Services for Stormwater Systems-RFQ SW52-12 to CEA Engineering Group, Inc., Freese and Nichols, Inc., GRV Integrated Engineering Solutions LLC, Moreno Cardenas, Inc., and OMEGA Engineers, Inc., for an amount not to exceed \$1,000,000 for each firm with a term of two years.

15. CONSIDERED AND APPROVED A SOLE SOURCE MASTER CONTRACT WITH ALFA LAVAL INC. IN ACCORDANCE WITH SECTION 252.022(A)(7)(A) OF THE TEXAS LOCAL GOVERNMENT CODE, FOR THE REHABILITATION OF GRAVITY BELT THICKENERS AND BELT FILTER PRESSES FOR \$600,381 AND AN ESTIMATED AMOUNT OF \$820,000 FOR PARTS, TRAINING AND OPTIMIZATION FOR AN ESTIMATED TOTAL AMOUNT OF \$1,420,381 FOR THE FIRST YEAR WITH THE OPTION FOR THREE, ONE-YEAR EXTENSIONS FOR PARTS, TRAINING AND OPTIMIZATION IN AN ESTIMATED ANNUAL AMOUNT OF \$820,000 EACH YEAR, CONTINGENT UPON ALFA LAVAL INC. PROVIDING YEARLY DOCUMENTATION ATTESTING TO THEIR SOLE SOURCE STATUS, AND AUTHORIZED THE USE OF COMMERCIAL PAPER.

Aide Fuentes, Wastewater Treatment Manager, provided a presentation to the Board regarding this item (copy on file in Central Files.) EPWater has three gravity belt thickeners (GBTs) at Roberto R. Bustamante Wastewater Treatment Facility of which one needs rehabilitation. There are three belt filter presses (BFPs) at John T. Hickerson Reclamation Facility, two of those BFPs require rehabilitation. The estimated amount for rehabilitation of one GBT and two BFPs is \$600,381. The following additional services are needed for the first year in the estimated amounts of \$420,000 for maintenance parts for the GBTs & BFPs and \$400,000 for bi-annual training sessions, continued optimization services and trouble shooting. Alpha Laval Inc. is the sole source supplier of original equipment manufacturer (O.E.M.) of parts and services in the state of Texas. Ms. Fuentes answered questions from the Board on this item.

On a motion made by Mr. Antcliff, seconded by Dr. Santiago and unanimously carried, the Board approved a sole source Master Contract with Alfa Laval Inc. in accordance with Section 252.022(a)(7)(A) of the Texas Local Government Code, for the rehabilitation of gravity belt thickeners and belt filter presses for \$600,381 and an estimated amount of \$820,000 for parts, training and optimization for an estimated total amount of \$1,420,381 for the first year with the option for three, one-year extensions for parts, training and optimization in an estimated annual amount of \$820,000 each year, contingent upon Alfa Laval Inc. providing yearly documentation attesting to their sole source status, and authorized the use of commercial paper.

16. CONSIDERD AND APPROVED A PROPOSED INTER-GOVERNMENTAL SERVICE AGREEMENT (IGSA) TO ALLOW EPWATER TO PROVIDE VARIOUS WATER-RELATED TECHNICAL SERVICES TO FORT BLISS, INCLUDING ENGINEERING, MAPPING, WATER QUALITY TESTING, GEO-TECHNICAL SERVICES, WATER AND STORMWATER RESOURCE PLANNING, AND STORMWATER INFRASTRUCTURE REPAIR AND CAPITAL IMPROVEMENT PROJECTS; AND AUTHORIZED THE PRESIDENT/CEO TO SIGN ANY AND ALL DOCUMENTS RELATED TO THE IGSA.

Hector Gonzalez, Government Affairs Manager, provided a presentation to the Board regarding this item (copy on file in Central Files.) During the last 24 months, EPWater staff and Fort Bliss staff have met to discuss the creation of a partnership that would provide mutual benefits to EPWater and Fort Bliss. The agreement will allow EPWater

to provide Fort Bliss with certain water-related technical services, including engineering, mapping, water quality testing, geo-technical services, water and stormwater resource planning, and stormwater infrastructure repair and capital improvement projects. Fort Bliss benefits from the agreement by receiving local expertise and services at a reduced cost because Federal Acquisition Regulations (FAR) will not apply. EPWater benefits because the collaboration will help with regional sustainability planning since Fort Bliss has not historically participated in regional planning efforts. EPWater will receive compensation for time and services provided. The IGSA will contribute to the water resilience of both Fort Bliss and EPWater. Mr. Gonzalez answered questions from the Board on this item.

On a motion made by Mr. Morris, seconded by Dr. Santiago and unanimously carried, the Board approved a proposed Inter-Governmental Service Agreement (IGSA) to allow EPWater to provide various water-related technical services to Fort Bliss, including engineering, mapping, water quality testing, geo-technical services, water and stormwater resource planning, and stormwater infrastructure repair and capital improvement projects; and authorized the President/CEO to sign any and all documents related to the IGSA.

17. CONSIDERED AND APPROVED A PROFESSIONAL ENGINEERING AND REMEDIATION SERVICES CONTRACT WITH ESSCO ENVIRONMENTAL, INC. FOR THE EMERGENCY REMEDIATION OF WILL RUTH PONDING AREA PROJECT IN AN ESTIMATED AMOUNT OF \$4,500,000, PURSUANT TO CHAPTER 2254 OF THE TEXAS GOVERNMENT CODE, SECTION 252.022(A)(2) OF THE TEXAS LOCAL GOVERNMENT CODE, PROCUREMENT NECESSARY TO PRESERVE AND PROTECT THE PUBLIC HEALTH AND SAFETY OF THE MUNICIPALITY'S RESIDENTS AND SECTION 252.022(A)(3) OF THE TEXAS LOCAL GOVERNMENT CODE, PROCUREMENT NECESSARY BECAUSE OF UNFORESEEN DAMAGE TO PUBLIC MACHINERY, EQUIPMENT OR OTHER PROPERTY.

Alan Shubert, Vice President, provided a presentation to the Board regarding this item (copy on file in Central Files.) The Will Ruth Pond is currently in design and will extend approximately 25 acres within a previously developed area. ESSCO Environmental, Inc. (ESSCO) performed a limited phase II environmental site assessment within the limits of the proposed ponding area. The final report recommended an additional evaluation of one specific area discovered during the investigation. After further investigation, ESSCO proceeded to remove hazardous and non-hazardous material. During the remediation additional hazardous material was discovered, and ESSCO delineated a larger zone within the ponding area. Mr. Shubert answered questions from the Board on this item.

On a motion made by Mr. Antcliff, seconded by Mr. Morris and unanimously carried, the Board approved a professional engineering and remediation services contract with ESSCO Environmental, Inc. for the Emergency Remediation of Will Ruth Ponding Area project in an estimated amount of \$4,500,000, pursuant to Chapter 2254 of the Texas Government Code, Section 252.022(a)(2) of the Texas Local Government Code, procurement necessary to preserve and protect the public health and safety of the municipality's residents and Section 252.022(a)(3) of the Texas Local Government Code, procurement necessary because of unforeseen damage to public machinery, equipment or other property.

18. CONSIDERED AND ACCEPTED THE HISTORICALLY UNDERUTILIZED BUSINESS (HUB) REPORT FOR FISCAL YEAR 2020-2021 AND CONTINUED WITH THE FOLLOWING HUB PARTICIPATION GOALS: 25% FROM SMALL LOCALLY-OWNED BUSINESS ENTERPRISES, 10% FROM MINORITY-OWNED BUSINESS ENTERPRISES, 7% FROM WOMEN-OWNED BUSINESS ENTERPRISES, AND 52% PARTICIPATION FROM HUB BUSINESSES FOR GOODS AND SERVICES FROM OPERATIONS AND MAINTENANCE EXPENSES.

Rose Guevara, Senior Purchasing Agent, provided a presentation to the Board regarding this item (copy on file in Central Files.) The PSB adopted a policy to increase HUB participation in 1992. Staff solicits participation of small, locally-owned, minority-owned, and women-owned business enterprises, which requires mandatory efforts by staff to contact local businesses when procuring supplies, materials, services, and utility construction related projects, and annually reports on the progress in participation in the area. Ms. Guevara answered questions from the Board

on this item.

On a motion made by Mr. Antcliff, seconded by Dr. Santiago and unanimously carried, the Board accepted the Historically Underutilized Business (HUB) report for fiscal year 2020-2021 and continued with the following HUB participation goals: 25% from small locally-owned business enterprises, 10% from minority-owned business enterprises, 7% from women-owned business enterprises, and 52% participation from HUB Businesses for goods and services from operations and maintenance expenses.

19. CONSIDER AND ADOPT A NEW PURCHASING & CONTRACTS POLICY (POLICY) AND AUTHORIZE THE PRESIDENT/CEO OR DESIGNEE TO MAKE NON-MATERIAL MODIFICATIONS TO THE POLICY WITHOUT FURTHER APPROVAL OF THE PUBLIC SERVICE BOARD. IN ADDITION, CONSIDER AND APPROVE A RESOLUTION ADOPTING THE RESTATED AND AMENDED EL PASO WATER COMPETITIVE SEALED PROPOSAL POLICY (CSP POLICY) TO COMPLY WITH REVISIONS TO CHAPTER 2269 OF THE TEXAS GOVERNMENT CODE AS ADOPTED BY HB 2581 DURING THE 87TH TEXAS LEGISLATIVE SESSION, AND THAT THE CSP POLICY BE INCORPORATED IN THE PURCHASING & CONTRACTS POLICY.

On a motion made by Mr. Morris, seconded by Dr. Santiago and unanimously carried, the Board postponed this item for one month.

20. CONSIDERED AND AUTHORIZED THE PRESIDENT/CEO TO SIGN AN AGREEMENT WITH PROJECT BRAVO TO PROVIDE UTILITY PAYMENT ASSISTANCE FOR ELIGIBLE EPWATER CUSTOMERS AS PART OF THE LOW-INCOME HOUSEHOLD WATER ASSISTANCE PROGRAM.

Lisa Rosendorf, Chief Communications and Government Affairs Officer, provided a presentation to the Board regarding this item (copy on file in Central Files.) Congress established the Low-Income Household Water Assistance Program (LIHWAP) under the HEROES Act to assist low-income households with water and wastewater bills. The program has been funded through 2022, and there is proposed legislation to make this a permanent program similar to the Low-Income Home Energy Assistance Program (LIHEAP). The LIHWAP Program is being administered by the U.S. Department of Health and Human Services through states, and the agencies that administer LIHEAP in Texas have been tasked with also administering LIHWAP. In El Paso County, that agency is Project Bravo. EPWater has an agreement with Project Bravo related to CARES Act funding for water assistance, but this program requires a new agreement. Eligible households may receive up to \$2,400 in funding assistance for customers at risk of disconnection. Unlike the CARES Act, COVID impact is not a requirement to receive funding. This agreement will enable Project Bravo to work with EPWater customer service staff and provide assistance to eligible customers. Ms. Rosendorf answered questions from the Board on this item.

On a motion made by Mayor Leaser, seconded by Mr. Morris and unanimously carried, the Board authorized the President/CEO to sign an Agreement with Project Bravo to provide utility payment assistance for eligible EPWater customers as part of the Low-Income Household Water Assistance Program.

21. DISCUSSION AND ACTION THAT THE PRESIDENT/CEO, OR DESIGNEE, COMMUNICATE ON BEHALF OF THE EL PASO WATER UTILITIES PUBLIC SERVICE BOARD WITH THE CITY OF EL PASO AS THE PRESIDENT/CEO DEEMS APPROPRIATE AND NECESSARY AND IN ACCORDANCE WITH THE MANNER DIRECTED BY THE BOARD, IN LIEU OF THE AUGUST 16, 2021 CITY COUNCIL RESOLUTION SEEKING TO DIRECT EL PASO WATER'S GENERAL MANAGER TO REPORT TO THE CITY COUNCIL QUARTERLY AND SEEKING TO REQUIRE INTEGRATION IN AND COORDINATION WITH CITY PLANNING AND OPERATIONS.

John Balliew, President and CEO, and Daniel Ortiz, General Counsel, provided a presentation to the Board regarding this item. Mr. Ortiz summarized the City Council Resolution requiring EPWater General Manager to

report quarterly on system status reports that include key performance metrics and industry comparative data, including best in class rankings, Open Space land management/preservation strategies and reclamation services with emphasis on product quality, customer satisfaction, financial viability, infrastructure management and performance and enterprise resiliency. In addition, the Resolution requires EPWater to participate in the City's Strategic Planning Process, document coordination, existing and proposed facilities, Capital Improvement Plan project coordination, emergency operation, and general coordination and information such as customer account data, maps and records and joint projects. The question presented was what direction the Public Service Board wants to give to the President in relation to these topics. Mr. Ortiz discussed that ultimately the complete management and control of the water, wastewater and stormwater systems rests on the Public Service Board as created in 1952 through state law. Further stated, to the degree that Council passed a resolution requiring certain responsibilities on the President/CEO, ultimately management prerogative rests within the Public Service Board not with City Council. Mr. Ortiz and Mr. Balliew spoke on the existing frequency and availability of information and current reports that are submitted regularly to the City, which already include some of the requirements in the Resolution. Mr. Ortiz and Mr. Balliew answered questions from the Board on this item.

On a motion made by Mr. Antcliff, seconded by Mr. Morris, with Mayor Leeser abstaining, the Board took action that the President/CEO, or designee, communicate on behalf of the El Paso Water Utilities Public Service Board with the City of El Paso as the President/CEO deems appropriate and necessary and in accordance with the manner directed by the Board, in lieu of the August 16, 2021 City Council resolution seeking to direct El Paso Water's General Manager to report to the City Council quarterly and seeking to require integration in and coordination with City planning and operations.

22. MANAGEMENT REPORT:

- **FRONTERA FORCE MAIN UPDATE**

Gilbert Trejo, Chief Technical Officer, provided a presentation to the Board regarding this item (copy on file in Central Files.) As background: the Dual Force Mains collect all wastewater from West El Paso and delivers 10 MGD of flows 3.5 miles to the Hickerson Plant. Replacement of segments of this force main were budgeted to begin FY20/21 and continue through future fiscal year. On March 2, 2020, a rupture occurred discharging thousands of gallons of wastewater onto the area of Sunland Park between I-10 and Doniphan which triggered the emergency declaration. PSB awarded an emergency repairs contract to Oscar Renda Contracting and Jacobs Engineering Group during the March 11, 2020 board meeting. New pipeline construction is 60% complete. Mr. Trejo showed photos of where the Frontera Force Mains were located and where the failures were. In addition, a timeline of the Frontera Force Main Pipe Break Summary was also shown to depict the day when the break occurred and the progress made to-date. The plan of action includes continued repair of the south pipe and to regain pipeline operation as well as continued installation of new pipeline. Another slide depicts the Frontera Force Main update with the plan of action milestones. Mr. Trejo explained the regulatory considerations to include, Texas Commission on Environmental Quality is our environmental regulatory oversight agency, EPWater holds a Texas Pollution Discharge Elimination Permit that prescribes the quality of the water that can be discharged to the Rio Grande, as required, we immediately notified TCEQ when we began releasing untreated wastewater into the river, TCEQ inspector has been onsite; we have maintained frequent communication with the agency, we have followed TCEQ requirements for public notifications and TCEQ has observed ecosystem impacts from the release to the Rio Grande. In Addition, Mr. Trejo explained the business and neighborhood outreach that was done and outreach conducted to the public and any stakeholders. Mr. Trejo answered questions from the Board on this item.

- **STORMWATER CLEAN-UP UPDATE**

Alan Shubert, Vice President, provided a presentation to the Board regarding this item (copy on file in Central Files.) Mr. Shubert discussed the storm frequency using statistical storm depths at El Paso International Airport based on prior analyses. Another slide showed the storm frequency for El Paso's 2021 events. On June 27th at Sam Snead, the precipitation depth was 2.21 inches. July 18th on McRae, 3.28 inches of precipitation depth and August 12 in central at Fort Boulevard there was a 4.65-inch

precipitation depth. Mr. Shubert discussed the service request calls to include 91 constituent calls received and 25 completed and 38 received calls from City/Council members and staff and 30 of those completed. The street cleanup list, done in coordination and assistance with Street and Maintenance from City of El Paso, includes streets: Copia, Piedras, Elm, Alabama and Van Buren. Before and after pictures were shown of the cleanup. Project completed include, Canterbury Channel (done twice), New York Channel (done twice), Silver Springs Dam (twice), Fort Bliss Diversion, Thorn Dam, Montwood and Estrada, Viscount and Hawkins, Colfax and Euclid Neighborhood, Alabama at Harrison, Vasco Channel, Pollard Pond, and O'Keefe Basin. Before and after photos of the projects were shown. Projects currently in progress include, Ojo De Agua Channel, Mesa Park Arroyo, Sam Snead Drainage, High Ridge Channel, Morehead Dam, Memphis Dam, Edgemere and Airway, Canterbury Channel, Maple Street, Clark and El Paso Drive, Lake Omega, Yandell and Boone, New York Channel, Fort Bliss, NE Ponding System, Thunderbird Channel, Pico Norte Pond, Wallenberg, and Robinson. Mr. Shubert answered questions from the Board on this item.

• **VIDEO FROM COMMUNICATIONS- SILVER SPRINGS DAM**

Christina Montoya, Marketing and Communications Manager, provided a video presentation on the Silver Springs Dam.

28. 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.

There were no comments from the public.

EXECUTIVE SESSION

Section 551.071	Consultation with Attorney
Section 551.072	Deliberation Regarding Real Property
Section 551.073	Deliberation Regarding Prospective Gift
Section 551.074	Personnel Matters
Section 551.076	Deliberations Regarding Security Devices or Security Audits
Section 551.087	Deliberation Regarding Economic Development Negotiations
Section 551.089	Deliberation Regarding Security Devices or Security Audits

ADJOURNMENT

On a motion made by Mr. Antcliff, seconded by Dr. Santiago and unanimously carried, the meeting adjourned at 10:15 a.m., September 8, 2021.

ATTEST:



Kristina Mena, Chair



Christopher Antcliff, Secretary-Treasurer