

**NOTICE:** The regular meeting of the Public Service Board will be held at **8:00 a.m. M.T.**, Wednesday, April 12, 2023 at the Public Service Board Meeting Room, 1154 Hawkins Boulevard, El Paso, Texas.

**CITY OF EL PASO  
PUBLIC SERVICE BOARD**

**April 12, 2023**

**8:00 a.m. M.T.**

**NOTICE TO THE PUBLIC**

All matters listed under the CONSENT AGENDA will be considered by the Public Service Board to be routine and will be enacted by one motion in the form listed below. There will be no separate discussion of these items unless members of the Board or persons in the audience request specific items be removed from the CONSENT AGENDA to the REGULAR AGENDA for discussion prior to the time the Public Service Board votes on the motion to adopt the CONSENT AGENDA. The Public Service Board may reconsider an agenda item at any time prior to adjournment. Comment by a member of the public as to any regular agenda item will be allowed by the Chair prior to or during the Board's consideration of the item. Reasonable time limits may be imposed by the Chair.

CALL TO ORDER  
ESTABLISHMENT OF A QUORUM  
MOMENT OF SILENT PRAYER  
PLEDGE OF ALLEGIANCE

**CONSENT AGENDA**

1. Consider and approve the minutes of the regularly scheduled meeting held on March 8, 2023. **(ATTACHMENT)**
2. Consider and approve the Consent to Assignment of Contract No. 33-22, Maintenance of Natural Gas Engines from Southwest Commercial Engines, Inc. to Transfer Power Services Inc. **(ATTACHMENT)**
3. Consider and award Bid Number 19-23, Hydrogen Peroxide, to ARSA Industries, Inc., the sole responsive, responsible bidder, in the estimated annual amount of \$177,000 for a term of one year, with four one-year options, provided the funding is available in the approved budget. **(ATTACHMENT)**
4. Consider and approve a sole source purchase pursuant to Section 252.022 (a)(7)(A) and (D) of the Texas Local Government Code with IDEXX Distribution, Inc., an owned subsidiary of IDEXX Laboratories, Inc., for microbiology analysis consumables in the estimated annual amount of \$100,000 for a term of one year with the option of four one-year extensions provided that funding is available in the approved budget and contingent upon the vendor providing annual documentation attesting to their sole source status. **(ATTACHMENT)**
5. Consider and approve a services agreement for janitorial services with WorkQuest pursuant to Section 252.022(a)(13) of the Texas Local Government Code, in the estimated annual amount of \$889,000 for a term of one year with the option for two one-year extensions provided that funding is available in approved budget; and authorize future amendments for additional janitorial services under this agreement in an estimated annual amount of \$100,000. **(ATTACHMENT)**
6. Consider and approve Amendment Number 1 to the Professional Engineering Services Agreement with Jacobs Engineering Group Inc. for additional design phase services for the Fred Miller Pump Station to IH-10 36-Inch Water Transmission Main and Mesa Street Sewer Relief line in the amount of \$1,098,404.20; authorize future task orders or amendments to be issued under this contract for additional design and construction phase services in the estimated amount of \$800,000, provided that funding is available in the approved budget for the task orders or amendments and authorize the use of commercial paper. **(ATTACHMENT)**

**REGULAR AGENDA**

7. CEO Monthly Update
8. 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.

**REGULAR AGENDA (continued)**

9. Presentation and discussion on the 88th Texas legislative session's proposed House Bill No. 1492 and Senate Bill No. 543.
10. Leak Adjustment Program Presentation
11. Consider and adopt two Resolutions demonstrating Public Service Board support for the EPWater Community Project Funding proposals; authorize EPWater's funding commitment to allocate matching funds in the estimated amount of \$1,000,000 if the Flood Warning System grant is awarded and/or an estimated \$1,200,000 if the Cogeneration System grant is awarded and further authorize the President/CEO to provide and sign any documents in connection with the grant applications, grant agreements and acceptance of the funds for these projects. **(ATTACHMENT)**
12. Consider and approve a Resolution demonstrating Public Service Board support for the Esperanza Community Water Tank grant proposal; authorize the funding commitment to allocate matching funds in the estimated amount of \$140,000 if the grant is awarded; and further authorize the President/CEO to provide and sign any documents in connection with the grant application, grant agreement and acceptance of the funds for this project. **(ATTACHMENT)**
13. Ratify the incurred repair costs with Oscar Renda Contracting, Inc., related to the emergency installation of the Fred Hervey Water Reclamation Facility Effluent Line Modifications in the estimated amount of \$650,000, pursuant to Section 252.022(a)(2) of the Texas Local Government Code, procurement necessary to preserve or protect the public health or 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 the public machinery, equipment or other property and authorize the use of commercial paper. **(ATTACHMENT)**
14. Consider and award emergency construction contracts to Oscar Renda Contracting, Inc. and Rain for Rent Inc. for the Emergency Repairs and Replacement of Manholes along the Northwest Sewer Interceptor and Mesa Drain Sewer Interceptor project ("Project"), due to the urgent public necessity to proceed with certain contracts to immediately construct, repair, and/or rehabilitate these interceptors and further authorize the President/CEO or designee to contract without further action of the Public Service Board for additional emergency contracts with other firms as deemed necessary for the Project; in the total amount not to exceed \$5,000,000 for all contracts, pursuant to Texas Local Government Code Section 252.022(a)(2) procurements necessary to preserve or protect the public health or safety of the residents of El Paso and Texas Local Government Code Section 252.022(a)(3) procurements necessary because of unforeseen damage to public machinery, equipment, or other property. **(ATTACHMENT)**
15. Consider and award a preconstruction services contract for the Construction Manager At-Risk for the Haskell R. Street Wastewater Treatment Plant Various Improvements Project – RFP 125-22, to PCL Construction/Sundt Construction, Inc. in the estimated amount of \$1,000,000; authorize future task orders or amendments to be issued under this contract for additional preconstruction services in the estimated amount of \$500,000 provided that funding is available in the approved budget for the additional task orders or amendments. **(ATTACHMENT)**
16. Consider and adopt a resolution requesting El Paso City Council to authorize the issuance of up to \$192,215,000 of City of El Paso, Texas, Water and Sewer System Revenue Improvement and Refunding Bonds, Series 2023, to pay off \$40,000,000 of Commercial Paper Notes, fund approximately \$150,000,000 of EPWater's Water and Wastewater approved Capital Improvement Program projects for Fiscal Year 2023-2024, and to fund related transaction costs, provided that certain pricing parameters as set forth in the City's bond ordinance are met. **(ATTACHMENT)**

### REGULAR AGENDA (continued)

17. Consider and adopt a resolution requesting that the El Paso City Council authorize the issuance of up to \$25,330,000 of the City of El Paso, Texas, Municipal Drainage Utility System Revenue Refunding Bonds, Series 2023, to pay off \$25,000,000 in Direct Funded Revolving Loan notes and fund interest and related transaction costs provided that certain parameters approved by the City's bond ordinance are met. **(ATTACHMENT)**
18. Consider and adopt a resolution requesting the City of El Paso City Council to (1) authorize the establishment of the Extendable Commercial Paper Program to issue Notes in an amount not to exceed \$60,000,000; (2) approve the selection of Morgan Stanley & Co. LLC as the dealer of the Notes for the Extendable Commercial Paper Program; and (3) authorize EPWater's President/CEO, or authorized designees, to negotiate any necessary agreements in connection with the establishment of the Extendable Commercial Paper Program and the issuance of Notes, including an agreement between the City and Morgan Stanley & Co. LLC, as dealer of the Notes. **(ATTACHMENT)**
19. Consider and adopt a resolution requesting that the El Paso City Council to authorize the issuance of up to \$61,200,000 of City of El Paso, Texas, Municipal Drainage Utility System Revenue Refunding Bonds pay off up to \$60,000,000 of outstanding Notes and fund related transaction costs, provided that certain pricing parameters set forth in the such ordinance are met. **(ATTACHMENT)**
20. Consider and accept EPWater's Preliminary Fourth Quarter Financial and Performance Measures Report for the period ending February 28, 2023. **(ATTACHMENT)**
21. Consider and accept EPWater's Fourth Quarter and Fiscal Year-Ending Investment Report for the period ending February 28, 2023, and affirm and adopt the PSB Rules & Regulations No. 10, establishing the Investment Policy. **(ATTACHMENT)**
22. Management Report:
  - Construction Contracts Update
  - Stormwater Utility Update
  - Video from Communications

### EXECUTIVE SESSION

The Public Service Board will retire in Executive Session pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 through 551.089. (The items listed below are matters of the sort to be discussed in Executive Session; however, the Public Service Board may move to Executive Session any item of this agenda, consistent with the terms of the Open Meetings Act.)

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

- a. Update on the acquisition of the property legally described as a portion of Lots 21 through 23, Block 3, Keystone Business Park, City of El Paso, El Paso County, Texas, approximately 0.30 acres. (551.071, 551.072)

- b. The Board will deliberate regarding the purchase of the real property legally described as Lots 26 & 27, Block 60, Altura Park Addition, an addition to the City of El Paso, El Paso County, Texas, approximately 0.14 acres. (551.071) (551.072)
- c. The Board will deliberate regarding the purchase of the real property legally described as the East ½ of Lot 13, and all of Lots 14, 15, Block 60, Altura Park Addition, an additional to the City of El Paso, El Paso County, Texas, approximately 0.17 acres. (551.071) (551.072)
- d. The Board will deliberate regarding whether the property can be declared inexpedient to the stormwater system, a portion of H.G. Foster Survey Number 262, approximately 0.2637 acres. (551.071) (551.072)
- e. The Board will deliberate regarding potential land purchases for drainage improvements. (551.071) (551.072)
- f. Proposed economic development on El Paso Water land in Northeast El Paso (551.071) (551.072) (551.087)
- g. Consultation with attorney on the upcoming charter amendment election for the “Climate Charter”. (551.071)
- h. Succession planning for the Vice President of Strategic, Financial & Management Services of El Paso Water (551.071) (551.074)

Any action as a result of these discussions will be taken at the re-opening of this meeting or at a subsequent meeting.

Adjournment.

#### **NOTICE TO THE PUBLIC:**

Meetings of the City of El Paso Public Service Board are accessible to individuals with disabilities. Accessible visitor parking spaces as well as the accessible entrance and ramp are located at the main entrance of the El Paso Water Headquarters Building, 1154 Hawkins Blvd. Individuals with disabilities in need of auxiliary aids and services, including interpreters for deaf or hearing impaired, must request such aids or services forty-eight (48) hours prior to the meeting. For assistance, contact the Board Administrator at (915) 594-5501.

**ALL PUBLIC SERVICE BOARD AGENDAS ARE PLACED ON THE INTERNET AT  
[WWW.EPWater.ORG](http://WWW.EPWater.ORG)**