

**MINUTES
PUBLIC SERVICE BOARD
CITY OF EL PASO
May 11, 2022**

The regular meeting of the Public Service Board was held in person, Wednesday, May 11, 2022.

PSB MEMBERS PRESENT

Dr. Kristina D. Mena, Chair
Stefanie Block Uribarri, Member
Dr. Ivonne Santiago, Vice Chair
Charlie Intebi, Member
Bryan Morris, Secretary-Treasurer
Mayor Oscar Leeser

PSB MEMBERS PRESENT

Lisa Saenz, Member

PSB EMPLOYEES PRESENT

Daniel Ortiz, General Counsel

PSB EMPLOYEES ABSENT

John E. Balliew, P.E., President and Chief Executive Officer

EPWATER EMPLOYEES PRESENT

Marcela Navarrete, Vice President
Art Duran, Chief Financial Officer
Claudia Duran, Executive Assistant to the President/CEO
Sol Cortez, Deputy General Counsel
Gilbert Trejo, Interim Chief Operations Officer
Irazema Rojas, Interim Chief Technical Officer
Christina Montoya, Marketing and Communications Manager
Lisa Rosendorf, Chief Communications & Government Affairs Officer
Felipe Lopez, Chief Operations Officer
Martin Noriega, Chief Operations Officer
Mirtha Solis, Purchasing Agent
Robert Davidson, Contract Construction Administrator
Patricia Borschow, Assistant General Counsel
Alejandro Vidales, Real Estate Manager
Ivan Hernandez, Engineering Division Manager
Jesus Garcia, PC/LAN Specialist II
Ciara Grier, Support Services I
Denise Parra, Public Affairs Officer
Amy Castner, Engineering Division Manager
Luz Holguin, Assistant Chief Financial Officer
Angel Bustamante, Water Systems Division Manager

GUESTS

None

MEDIA

None

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

CONSENT AGENDA

On a single motion made by Mayor Leeser seconded by Dr. Santiago 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 APRIL 13, 2022.

2. CONSIDERED AND APPROVED RESOLUTIONS DEMONSTRATING PUBLIC SERVICE BOARD SUPPORT FOR THE THREE EL PASO WATER COMMUNITY PROJECT FUNDING PROPOSALS; AUTHORIZED EPWATER'S FUNDING COMMITMENT TO ALLOCATE MATCHING FUNDS IDENTIFIED FOR EACH PROJECT IN EACH RESOLUTION, IF THE PROJECT(S) ARE SELECTED BY THE HOUSE APPROPRIATION COMMITTEE; AND FURTHER AUTHORIZED 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.

3. CONSIDERED AND REJECTED THE SOLE BID RECEIVED FROM LHOIST NORTH AMERICA OF TEXAS, LLC. FOR BID NUMBER 47-22, QUICKLIME, AND ALLOW STAFF TO RE-BID.

4. CONSIDERED AND APPROVED A MASTER CONTRACT FOR MAINTENANCE, REPAIR AND OPERATION (MRO) EQUIPMENT, SUPPLIES, MATERIALS AND SERVICES TO PHOENIX GENERAL CONTRACTORS, LLC THROUGH ESC REGION 19 CONTRACT NUMBER 22-7434 IN THE ESTIMATED ANNUAL AMOUNT OF \$1,000,000 DURING THE TERM OF ESC REGION 19 CONTRACT 22-7434, WHICH HAS AN END DATE OF APRIL 30, 2023, WITH FOUR ANNUAL EXTENSION OPTIONS, SHOULD ESC REGION 19 EXERCISE THE OPTION TO EXTEND.

5. CONSIDERED AND APPROVED A MASTER CONTRACT FOR MAINTENANCE, REPAIR AND OPERATION (MRO) EQUIPMENT, SUPPLIES, MATERIALS AND SERVICES TO QANNEX CORP. THROUGH ESC REGION 19 CONTRACT NUMBER 22-7434 IN THE ESTIMATED ANNUAL AMOUNT OF \$1,000,000 DURING THE TERM OF ESC REGION 19 CONTRACT 22-7434, WHICH HAS AN END DATE OF APRIL 30, 2023, WITH FOUR ANNUAL EXTENSION OPTIONS, SHOULD ESC REGION 19 EXERCISE THE OPTION TO EXTEND.

6. CONSIDERED AND APPROVED AN INCREASE IN CAPACITY OF THE MASTER CONTRACT MC00000098 ISSUED TO SHI GOVERNMENT SOLUTIONS, INC. FOR THE PURCHASE OF COMPUTER HARDWARE AND SOFTWARE PRODUCTS AND SERVICES THROUGH ESC REGION 19 ALLIED STATES COOPERATIVE CONTRACT NUMBER 19-7327, FOR AN ADDITIONAL \$500,000 TO INCREASE THE MASTER CONTRACT CUMULATIVE AMOUNT TO \$1,000,000.

7. CONSIDERED AND APPROVED AN INCREASE IN CAPACITY OF THE MASTER CONTRACT MC00000235 ISSUED TO MYTHICS, INC. FOR THE PURCHASE OF COMPUTER SOFTWARE PRODUCTS AND SERVICES THROUGH OMNIA PARTNERS CONTRACT NUMBER R190801, FOR AN ADDITIONAL \$1,500,000 TO INCREASE THE MASTER CONTRACT CUMULATIVE AMOUNT TO \$2,000,000.

8. CONSIDERED AND APPROVED AN INCREASE IN CAPACITY TO MASTER CONTRACT MC00000073 ISSUED TO DELL MARKETING, L.P., FOR THE PURCHASE OF COMPUTER HARDWARE PRODUCTS AND SERVICES THROUGH DELL MARKETING, L.P., TEXAS DEPARTMENT OF INFORMATION RESOURCES CONTRACT NUMBER DIR-TSO-3763, FOR AN ADDITIONAL \$500,000 TO INCREASE THE MASTER CONTRACT CUMULATIVE AMOUNT

TO \$1,000,000.

9. CONSIDERED AND AWARDED A PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR THE MIRANDA, ROXANNA, LAKEHURST SANITARY SEWER RELIEF LINE-PART 2 PROJECT TO H2O TERRA, LLC FOR ADDITIONAL DESIGN AND CONSTRUCTION PHASE SERVICES IN THE AMOUNT OF \$254,494; AUTHORIZED FUTURE TASK ORDERS OR AMENDMENTS TO BE ISSUED UNDER THIS CONTRACT FOR ADDITIONAL DESIGN AND CONSTRUCTION PHASE SERVICES IN THE ESTIMATED AMOUNT OF \$850,000 PROVIDED THAT FUNDING IS AVAILABLE IN THE APPROVED BUDGET FOR THE TASK ORDERS OR AMENDMENTS.

10. CONSIDERED AND AWARDED A PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR THE HASKELL R. STREET WASTEWATER TREATMENT PLANT ODOR CONTROL – HEADWORKS, DEWATERING BUILDING, AND AERATION CHANNEL COVER – PART 2 PROJECT TO HAZEN AND SAWYER, P.C. FOR THE ADDITIONAL DESIGN PHASE SERVICES IN THE AMOUNT OF \$98,293; AUTHORIZED FUTURE TASK ORDERS OR AMENDMENTS TO BE ISSUED UNDER THIS CONTRACT FOR ADDITIONAL DESIGN AND CONSTRUCTION PHASE SERVICES IN THE ESTIMATED AMOUNT OF \$1,500,000 PROVIDED THAT FUNDING IS AVAILABLE IN THE APPROVED BUDGET FOR THE TASK ORDERS OR AMENDMENTS.

11. CONSIDERED AND APPROVED AMENDMENT NUMBER 1 TO THE PROFESSIONAL ENGINEERING SERVICES CONTRACT AWARDED TO CDM SMITH, INC., FOR ADDITIONAL DESIGN AND CONSTRUCTION PHASE SERVICES FOR THE KAY BAILEY HUTCHISON DESALINATION WATER TREATMENT PLANT MISCELLANEOUS IMPROVEMENTS II –KBH DESALINATION PLANT EXPANSION TO 33 MGD PHASE 1 PROJECT IN THE AMOUNT OF \$1,529,486 AND EXTENDED THE TERM OF THE CONTRACT FOUR YEARS BEYOND THE CURRENT CONTRACT EXPIRATION YEAR 2024 IN ORDER TO BE ABLE TO COMPLETE THE WORK IDENTIFIED IN THIS AMENDMENT 1; AUTHORIZED FUTURE TASK ORDERS OR AMENDMENTS TO BE ISSUED UNDER THIS CONTRACT FOR ADDITIONAL DESIGN AND CONSTRUCTION PHASE SERVICES IN AN ESTIMATED AMOUNT OF \$2,500,000 PROVIDED THAT FUNDING IS AVAILABLE IN THE APPROVED BUDGET FOR THE TASK ORDERS OR AMENDMENTS AND AUTHORIZED THE USE OF COMMERCIAL PAPER.

REGULAR AGENDA

12. AMERICAN WATER WORKS ASSOCIATION WE ARE EL PASO WATER VIDEO WATERMARK AWARD

Lisa Rosendorf, Chief Communications & Government Affairs Officer, provided a presentation to the Board regarding this item (copy on file in Central Files.) The video was submitted through a competitive process and was selected as a winner. Christina Montoya, Marketing and Communications Manager, received the award on behalf of the EPWater communications team.

13. APPROVED AND ADOPTED A RESOLUTION AMENDING THE LANGUAGE OF RULES AND REGULATIONS NO. 14 TO REFLECT ESTABLISHED EPWATER PROCESSES.

Alejandro Vidales, Real Estate Manager, provided a presentation to the Board regarding this item (copy on file in Central Files.) On December 12, 2007, the Public Service Board approved revisions to the Rules and Regulations No. 14, establishing the land management policy of the Public Service Board. In June 2021, the Rules and Regulations No. 14, was revised to allow EPWater to sell property using a licensed broker in addition to the sealed competitive bid process and to delete the sections regarding land to be master planned, parcels under 50 acres and land for lease. Staff is requesting certain changes to clarify that when land is declared inexpedient, the land remains as part of the System through closing and to remove the references to City planning within our land sales Rule, as these references are duplicated. The City of El Paso's planning considerations are more appropriately found elsewhere in our Rules, specifically regarding the provision of services, which may only be provided to contiguous developments.

On a motion made by Mayor Leeser, seconded by Dr. Santiago, and unanimously carried, the Board adopted a Resolution amending the language of Rules and Regulations No. 14 to reflect established EPWater processes.

14. CONSIDERED AND AWARDED AN ADDITIONAL ON-CALL PROFESSIONAL REAL ESTATE BROKERAGE SERVICES AGREEMENT FOR THE SALE OF REAL PROPERTY IN TEXAS AND NEW MEXICO TO CUSHMAN & WAKEFIELD/PIRES FOR A PERIOD OF ONE YEAR, WITH THE OPTION OF THREE ONE-YEAR RENEWALS, FOR AN ANNUAL AMOUNT NOT TO EXCEED \$100,000 PER YEAR.

Robert Davidson, Purchasing Agent, provided a presentation to the Board regarding this item. EPWater has a need to retain real estate brokers licensed in Texas and New Mexico to assist the Utility in disposing of inexpedient parcels of land. Pursuant to Texas legislature, public entities such as EPWater, has the option to sell property through a licensed broker in addition to the option of using the sealed competitive bid process. On April 13, 2022, the Public Service Board awarded an On-Call Professional Real Estate Brokerage agreement to CBRE, REP Commercial Real Estate, and RJJ Real Estate Consultants. Due to an oversight by staff, a fourth firm, Cushman & Wakefield/Pires, that originally submitted a complete statement of qualifications for the RFQ on a timely basis, was considered incomplete. Mr. Davidson answered questions from the Board on this item.

On a motion made by Mr. Morris seconded by Dr. Santiago, and unanimously carried, the Board awarded an additional On-Call Professional Real Estate Brokerage Services Agreement for the sale of real property in Texas and New Mexico to Cushman & Wakefield/Pires for a period of one year, with the option of three one-year renewals, for an annual amount not to exceed \$100,000 per year.

15. CONSIDERED AND AWARDED BID NUMBER 07-22, LIQUEFIED CHLORINE GAS, TO DPC INDUSTRIES INC. DBA DIXIE PETRO-CHEM, INC. TO THE SOLE RESPONSIVE, RESPONSIBLE BIDDER, IN THE ESTIMATED ANNUAL AMOUNT OF \$1,977,900 FOR A TERM OF ONE-YEAR WITH THE OPTION FOR TWO ONE-YEAR EXTENSIONS, PROVIDED THAT FUNDING IS AVAILABLE IN THE APPROVED BUDGET.

Mirtha Solis, Purchasing Agent, provided a presentation to the Board regarding this item. The liquefied chlorine gas is a direct additive to finished water. It is used for disinfection in the operation of both water and wastewater treatment plants, and numerous well sites. The previous bid was awarded January 9, 2019, and the new bid is 136% higher. Ms. Solis 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 Bid Number 07-22, Liquefied Chlorine Gas, to DPC Industries Inc. dba Dixie Petro-Chem, Inc. to the sole responsive, responsible bidder, in the estimated annual amount of \$1,977,900 for a term of one-year with the option for two one-year extensions, provided that funding is available in the approved budget.

16. CONSIDERED AND AWARDED BID NUMBER 01-22, MESA STREET, CRESTMONT TO FESTIVAL RESERVOIR 30-INCH WATER TRANSMISSION LINE, TO THE SOLE, RESPONSIVE, RESPONSIBLE BIDDER, SPIESS CONSTRUCTION CO., INC, IN THE AMOUNT OF \$8,639,084 AND AUTHORIZED THE USE OF COMMERCIAL PAPER.

Ivan Hernandez, Engineering Division Manager, provided a presentation to the Board regarding this item (copy on file in Central Files). The Mesa Street, Crestmont to Festival Reservoir 30-Inch Water Transmission Line project is the second phase of the water line rehabilitation project in the area. The existing 24-inch water main was installed in 1965 and has been experiencing numerous breaks. This project will replace the section that extends along Mesa Street from Crestmont Drive to Festival Drive with a 30-inch water transmission line which has been re-routed to neighboring streets, away from the busy Mesa Street corridor. This project will construct approximately 7,450 linear feet of 30-inch pipe including associated valves and fittings. Mr. Hernandez answered questions from the Board on this item.

On a motion made by Mayor Leeser seconded by Dr. Santiago, and unanimously carried, the Board awarded Bid Number 01-22, Mesa Street, Crestmont to Festival Reservoir 30-Inch Water Transmission Line, to the sole, responsive, responsible bidder, Spiess Construction Co., Inc, in the amount of \$8,639,084 and authorized the use of commercial paper.

17. DECLARED CUBIC WATER, L.L.C., NON-RESPONSIBLE AND CONSIDERED AND AWARDED BID NUMBER 29-22, FRED HERVEY WATER RECLAMATION PLANT REACTOR AND RECARBONATION CLARIFIERS REPLACEMENT, TO THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER, SMITHCO CONSTRUCTION, INC., IN THE AMOUNT OF \$4,466,400.

Ivan Hernandez, Engineering Division Manager, provided a presentation to the Board regarding this item (copy on file in Central Files). The Fred Hervey Water Reclamation Plant (WRP) treats wastewater collected from the Northeast El Paso service area to produce reclaimed water meeting state potable water standards for injection into the groundwater aquifer. The plant was put into operation in 1985 with two treatment trains, rated at 10 MGD, and expanded with a third treatment train in 2009, rated at 12 MGD. The clarifiers for Trains 1 and 2 were the subject of the request for submittals to rehabilitate the process equipment to extend the useful infrastructure for an anticipated 20-year life span. The existing equipment has reached its useful life, having been in service for 33 years. This project entails the rehabilitation of one lime reactor clarifier and one recarbonation clarifier including but not limited to repair of worn and damaged concrete, supply and installation of new clarifier mechanisms and drives and stainless-steel launder troughs. The project also includes the replacement of two mixing units, three sludge pumps and associated suction and discharge piping and appurtenances, and a new motor control center (MCC) for the new clarifier. Mr. Hernandez answered questions from the Board on this item.

On a motion made by Dr. Santiago, seconded by Mr. Intebi and unanimously carried, the Board declared Cubic Water, L.L.C., non-responsible and awarded Bid Number 29-22, Fred Hervey Water Reclamation Plant Reactor and Recarbonation Clarifiers Replacement, to the lowest responsive, responsible bidder, Smithco Construction, Inc., in the amount of \$4,466,400.

18. CONSIDERED AND AWARDED A PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR THE TURNER TO VISTA HILLS 48-INCH WATER TRANSMISSION MAIN – RFS 49-22 TO CDM SMITH INC. FOR PRELIMINARY DESIGN PHASE SERVICES IN THE AMOUNT OF \$181,817; AUTHORIZED FUTURE TASK ORDERS OR AMENDMENTS TO BE ISSUED UNDER THIS CONTRACT FOR ADDITIONAL DESIGN AND CONSTRUCTION PHASE SERVICES IN THE ESTIMATED AMOUNT OF \$2,400,000 PROVIDED THAT FUNDING IS AVAILABLE IN THE APPROVED BUDGET FOR THE TASK ORDERS OR AMENDMENTS, AND AUTHORIZED THE USE OF COMMERCIAL PAPER.

Irazema Rojas, Chief Technical Officer, provided a presentation to the Board on this item (copy on file in Central Files). The project area is in East El Paso. These transmission mains are needed to meet additional demand due to population growth in the Airport Pressure Zone service area. These lines are also needed to balance the distribution needs across the zone to meet peak summer day demands. This project will involve the coordination, permitting, and engineering necessary to install approximately 23,800 linear feet of 48-inch water transmission main from Montana Avenue at Saul Kleinfeld Drive, and Turner Drive at Joe Battle Boulevard to the Vista Hills tank area to convey and improve the transmission of water within the Airport Pressure zone.

On a motion made by Dr. Santiago, seconded by Mr. Morris, and unanimously carried, the Board awarded a professional engineering services contract for the Turner to Vista Hills 48-Inch Water Transmission Main – RFS 49-22 to CDM Smith Inc. for preliminary design phase services in the amount of \$181,817; authorized future task orders or amendments to be issued under this contract for additional design and construction phase services in the estimated amount of \$2,400,000 provided that funding is available in the approved budget for the task orders or amendments, and authorized the use of commercial paper.

19. AUTHORIZED THE PRESIDENT/CEO TO SIGN AN AMENDMENT TO THE ADVANCED FUNDING AGREEMENT AND THE FORTHCOMING STANDARD UTILITY AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR RELOCATION OF WATER INFRASTRUCTURE RELATED TO LOOP 375 (PURPLE HEART HIGHWAY) FROM MONTANA AVENUE TO SPUR 601 (“PROJECT”), THAT HAS A REVISED TOTAL ESTIMATED EPWATER CONTRIBUTION FOR THE PROJECT’S UTILITY RELOCATION COST OF \$33,473,340.18.

Irazema Rojas, Chief Technical Officer, provided a presentation to the Board regarding this item (copy on file in Central Files.) The Texas Department of Transportation (TXDOT) will widen the right-of-way and install storm drains on Loop 375 (Purple Heart Highway). Existing 18-inch, 36-inch, and 48-inch water lines must be relocated

to accommodate the improvements. The existing pipelines are permitted and reside inside TXDOT right-of-way, except for a small segment which is in an El Paso Water (EPWater) easement. On April 14, 2021, the Public Service Board authorized the President/CEO to sign an Advance Funding Agreement (Agreement) with TXDOT for EPWater's utility relocation contribution for the TXDOT project in the estimated amount of \$15,408,501.96. EPWater design drawings for the relocation and replacement of the 18-inch, 36-inch, and 48-inch water lines were included in the TXDOT bid package. TXDOT opened bids in May 2022. The construction cost for the water utility relocation was much higher than the consultant estimate. This is consistent with recent large increases in construction cost for all EPWater projects. Mr. Rojas answered questions from the Board on this item.

On a motion made by Mr. Morris, seconded by Dr. Santiago, with Ms. Block-Uribarri abstaining, the Board authorized the President/CEO to sign an Amendment to the Advanced Funding Agreement and the forthcoming Standard Utility Agreement with the Texas Department of Transportation for Relocation of Water Infrastructure related to Loop 375 (Purple Heart Highway) from Montana Avenue to Spur 601 ("Project"), that has a revised total estimated EPWater contribution for the Project's utility relocation cost of \$33,473,340.18.

20. MANAGEMENT REPORT:

- **RESULTS OF 2022 BOND SALES**

Art Duran, Chief Financial Officer, provided a presentation to the Board on this item (copy on file in Central Files.) The pricing for Tax Exempt Refunding and Improvement Bonds, Series 2022 was priced on April 7, 2022. Council to approve parameters as recommended by PSB. The Series 2022 (Commercial Paper Refunding of \$80 million and New Money of \$273 million for CIP projects for FY 2022-23) has a Maximum True Interest Cost of 4.25% and an ACTUAL of 3.81% and a Principal Amount of Issue of \$356,325,000 with an ACTUAL: \$305,900,000.

- **CONSTRUCTION CONTRACTS UPDATE**

Irazema Rojas, Chief Technical Officer, provided a presentation to the Board on this item (copy on file in Central Files.) Pursuant to the authorization granted to the President/CEO by the Public Service Board through a resolution passed during the February 9, 2022 regular board meeting, staff evaluated the qualifications of the respective apparent low bidder and determined that the minimum general requirements as well as the minimum project specific criteria as specified in the respective bid documents were met. Bid 15-22 for the Wastewater Field Office Rehabilitation, New Building at Boone Street was awarded to Mirador Enterprises, Inc. for a bid amount of \$1,511,417.06. The project bid date was March 24, 2022 and the project duration is set for 270 days. Bid 51-22 480V Motor Control Center Replacement was awarded to Longhorn Electrical Services for a bid amount of \$2,055,375. The project bid date was March 29, 2022 and the project duration nis set for 480 days. To date, 1 project was awarded in March and 2 in April for a total amount of \$7,966.742.

- **RECOGNITION OF GILBERT TREJO'S SERVICE TO THE WATEREUSE ASSOCIATION**

Christina Montoya, Marketing and Communications Manager, showed a video with a message from Patricia Sinicropi, Director of the WateReuse Association recognizing Gilbert Trejo. Ms. Montoya presented Gilbert Trejo with the award in recognition of his service to the WateReuse Association.

- **RECOGNITION OF DANIEL ORTIZ'S EL PASO BAR ASSOCIATION FRED J. MORTON OUTSTANDING GOVERNMENT ATTORNEY AWARD**

Marcela Navarrete, Vice President, presented Daniel Ortiz the Fred J. Morton Outstanding Government Attorney Award from the El Paso Bar Association.

21. 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

On a motion made by Mayor Leeser, seconded by Mr. Morris and unanimously carried, the Board retired into Executive Session 9:20 a.m., May 11, 2022, pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Section 551.071 through 551.089 to discuss the following:

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

Discussion and action on the following:

- a. The Board will deliberate regarding the purchase of real property located in the Mission Valley. (551.071) (551.072)
- b. Nancy Caballero, Individually and A/N/F of A.C. Minor vs. The City of El Paso, El Paso Water Utilities, Cause No. 2018DCV4533 (551.071)
- c. The claim of Aryan Marivani for property damage on February 9, 2022. (551.071)

On a motion made by Dr. Santiago, seconded by Mr. Morris and unanimously carried, the Board reconvened in open session at 10:00 a.m., May 11, 2022.

A. THE BOARD WILL DELIBERATE REGARDING THE PURCHASE OF REAL PROPERTY LOCATED IN THE MISSION VALLEY. (551.071) (551.072)

Motion made by Bryan Morris and seconded by Mayor Leeser that the President and CEO be authorized to proceed in the manner approved by the Board, and in accordance with the terms and conditions specified by the Board, to sign any and all documents necessary to complete the purchase of the property.

B. NANCY CABALLERO, INDIVIDUALLY AND A/N/F OF A.C. MINOR VS. THE CITY OF EL PASO, EL PASO WATER UTILITIES, CAUSE NO. 2018DCV4533 (551.071)


Motion made by Bryan Morris and seconded by Dr. Ivonne Santiago and carried that the General Counsel's Office be authorized to participate in the settlement negotiations in connection with Cause No. 2018DCV4533, Nancy Caballero, Individually, and A/N/F of A.C. Minor v. The City of El Paso, El Paso Water Utilities., to the extent and in accordance with the direction of the Board and defend the interests of the Utility in connection with this matter.

C. THE CLAIM OF ARYAN MARIVANI FOR PROPERTY DAMAGE ON FEBRUARY 9, 2022. (551.071)

Motion made by Bryan Morris and seconded by Charlie Intebi and carried that the claim of Aryan Marivani for property damage on February 9, 2022, be denied, and further authorize the Office of General Counsel to take any and all action necessary to defend the interest and the position of the Utility both affirmative and defensive, to include but not be limited to, the response to any litigation in connection to this claim.


ADJOURNMENT

On a motion made by Mayor Leeser, seconded by Dr. Santiago and unanimously carried, the meeting adjourned at 10:02 a.m., May 11, 2022.



Kristina Mena, Chair

ATTEST:



Bryan Morris, Secretary-Treasurer