

**MINUTES  
PUBLIC SERVICE BOARD  
CITY OF EL PASO  
February 8, 2023**

The regular meeting of the Public Service Board was held in person, Wednesday, February 8, 2023

**PSB MEMBERS PRESENT**

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

**PSB MEMBERS ABSENT**

Dr. Kristina D. Mena. Member

**PSB EMPLOYEES PRESENT**

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

**EPWATER EMPLOYEES PRESENT**

Marcela Navarrete, Vice President  
Gilbert Trejo, Vice President  
Art Duran, Chief Financial Officer  
Claudia Duran, Executive Assistant to the President/CEO  
Sol Cortez, Deputy General Counsel  
Irazema Rojas, Chief Technical Officer  
Lisa Rosendorf, Chief Communications & Government Affairs Officer  
Gisela Dagnino, Chief Operations Officer  
Martin Noriega, Chief Operations Officer  
Ciara Grier, Support Services I  
Rose Guevara, Purchasing and Contracts Manager  
Mirtha Solis, Senior Purchasing Agent  
Luz Holguin, Assistant Chief Financial Officer  
Geoffrey Espineli, Engineering Division Manager  
Jeff Tepsick, Assistant Chief Financial Officer  
Christina Montoya, Communications and Marketing Manager  
Adriana Castillo, Engineer Division Manager  
Rocio Alvarado, Real Estate Manager  
Angel Bustamante, Water Systems Division Manager  
Rebecca Hart, Treasury and Property Control Manager  
Gustavo Hurtado, Fiscal Operations Manager  
Michaela Ainsa, Senior Assistant General Counsel  
Alma De Anda, Land and Water Rights Manager  
Alex Vidales, Real Estate Manager  
Patricia Borschow, Assistant General Counsel  
Kupper Gray, Real Estate Consultant  
Martin Ortiz, Wastewater Plant Superintendent  
Joey Paz, Stormwater Superintendent  
Luis Lopez, Water Production Assistant Superintendent  
Teresa Alcalá, Laboratory Services Manager

**GUESTS**

Kathryn Lucero- Dig Deep  
Rocio Ronquillo- Frontera Alliance

## **MEDIA**

The Public Service Board meeting was called to order by Dr. Santiago 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 motion made by Ms. Saenz and seconded by Mayor Leeser, items 2 and 4 were pulled from the Consent Agenda and placed into the Regular Agenda.

On a single motion made by Mayor Leeser, 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 JANUARY 11, 2023.**

**3. CONSIDERED AND APPROVED A RESOLUTION AUTHORIZING EPWATER TO JOIN THE LOCAL GOVERNMENT INVESTMENT COOPERATIVE (LOGIC) INVESTMENT POOL, APPOINTING AUTHORIZED REPRESENTATIVES AND AUTHORIZED THE BOARD CHAIR, SECRETARY-TREASURER AND PRESIDENT/CEO TO SIGN ANY RELATED DOCUMENTS TO JOIN THE INVESTMENT POOL.**

**5. CONSIDERED AND APPROVED AMENDMENT NUMBER 1 TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH MOLZEN-CORBIN & ASSOCIATES, INC. FOR ADDITIONAL CONSTRUCTION PHASE SERVICES FOR THE VINTON (WESTWAY) 1.25 MG STORAGE TANK – PART 2 PROJECT IN THE AMOUNT OF \$149,373.18.**

**6. CONSIDERED AND APPROVED CHANGE ORDER NUMBER 1 – CONSTRUCTION MANAGER AT-RISK (CMAR) SERVICES FOR THE ROBERTO R. BUSTAMANTE WASTEWATER TREATMENT PLANT DIGESTERS 1, 2, AND 3 COVERS AND MIXERS REHABILITATION – WORK PACKAGE 1-DIGESTER NUMBER 3 (GMP1) TO MGC CONTRACTORS, INC. FOR ADDITIONAL WORK, INCREASING THE GUARANTEED MAXIMUM PRICE 1 (GMP1) AMOUNT BY \$538,281 AND EXTENDING THE CONTRACT DURATION BY 14 DAYS; AND AUTHORIZED THE USE OF COMMERCIAL PAPER.**

**7. CONSIDERED AND AWARDED PROFESSIONAL ENGINEERING SERVICES CONTRACTS FOR ON-CALL PROFESSIONAL ENGINEERING SERVICES FOR WATER TREATMENT PLANTS – RFQ 109-22 TO CAROLLO ENGINEERS, INC., CDM SMITH INC., H2O TERRA, LLC, AND PARKHILL, SMITH & COOPER, INC., FOR AN AMOUNT NOT TO EXCEED \$1,000,000 FOR EACH FIRM AND EACH WITH A TERM OF THREE YEARS AND AUTHORIZED THE USE OF COMMERCIAL PAPER.**

**8. CONSIDERED AND AWARDED PROFESSIONAL ENGINEERING SERVICES CONTRACTS FOR ON-CALL PROFESSIONAL ENGINEERING SERVICES FOR WATER STORAGE FACILITIES – RFQ 123-22 TO AECOM TECHNICAL SERVICES, INC., FREESE AND NICHOLS, INC., MOLZEN-CORBIN & ASSOCIATES, INC., MORENO CARDENAS, INC., AND PARKHILL, SMITH & COOPER, INC. FOR AN AMOUNT NOT TO EXCEED \$1,000,000 FOR EACH FIRM AND EACH WITH A TERM OF THREE YEARS AND AUTHORIZED THE USE OF COMMERCIAL PAPER.**

## REGULAR AGENDA

### **2. CONSIDERED AND APPROVED A RESOLUTION AUTHORIZING THE PUBLIC SERVICE BOARD CHAIR, SECRETARY-TREASURER AND PRESIDENT/CEO TO SIGN ALL DOCUMENTS NECESSARY AND SUBMIT THE APPLICATION TO REQUEST FUNDING FROM THE TEXAS WATER DEVELOPMENT BOARD UNDER ITS EDAP FUND, IN THE ESTIMATED AMOUNT OF \$30,000,000 TO FUND THE MONTANA VISTA PHASE 2 WASTEWATER INFRASTRUCTURE PROJECT TO PROVIDE FIRST-TIME SANITARY SERVICES TO THE RESIDENTS OF THE MONTANA VISTA COLONIA.**

Adriana Castillo, Engineer Division Manager, provided a presentation to the Board regarding this item (copy on file in Central Files.) In December 2018, the Texas Water Development Board awarded El Paso Water financial assistance under EDAP to finance the construction of Phase 1 for a first-time wastewater service project for Montana Vista residents. The Montana Vista Phase 2 project will provide first-time sanitary sewer service to 775 homes (2,616 residents) that are part of the Montana Vista Colonia. The project includes the installation of 88,976 linear feet (16.8 miles) of PVC pipe, 196 manholes, and the decommissioning of 775 septic tanks. Ms. Castillo answered questions from the Board on this item.

On a motion made by Mayor Leeser, seconded by Ms. Saenz, and unanimously carried, the Board approved a resolution authorizing the Public Service Board Chair, Secretary-Treasurer and President/CEO to sign all documents necessary and submit the application to request funding from the Texas Water Development Board under its EDAP Fund, in the estimated amount of \$30,000,000 to fund the Montana Vista Phase 2 wastewater infrastructure project to provide first-time sanitary services to the residents of the Montana Vista Colonia.

### **4. CONSIDER AND APPROVE A SOLE SOURCE SERVICE AGREEMENT WITH PRECISION SOLUTIONS, LLC, PURSUANT TO SECTION 252.022(A)(7)(A) AND (D) OF THE TEXAS LOCAL GOVERNMENT CODE, TO PROVIDE CONSULTING SERVICES FOR THE PEOPLESOFT HR UPGRADE PHASE II IMPLEMENTATION IN THE ESTIMATED AMOUNT OF \$1,225,470 AND AUTHORIZE THE USE OF COMMERCIAL PAPER.**

Edgar Campos, Assistant Chief Information Officer, provided a presentation to the Board regarding this item. In November 2022, EPWater completed the implementation of PeopleSoft Human Resources (HR) system upgraded from version 8.3 to version 9.2. Continued expansion of the feature set is required to meet current business needs. Phase II of the upgrade will include the implementation of the Benefits Administration module, the E-Performance module, and the activation of the Affordable Care Act and Payroll-to-GL Interface functionality. Mr. Campos answered questions from the Board on this item.

On a motion made by Mayor Leeser, seconded by Mr. Morris and unanimously carried, the Board tabled for one month the sole source service agreement with Precision Solutions, LLC, pursuant to Section 252.022(a)(7)(A) and (D) of the Texas Local Government Code, to provide consulting services for the PeopleSoft HR Upgrade Phase II Implementation in the estimated amount of \$1,225,470 and authorize the use of commercial paper.

On a motion made by Mr. Morris, seconded by Ms. Saenz and unanimously carried, the Board reconsidered the item.

The motion to table the item for one month remained.

### **9. PRESENTATION OF THE SAFEST SECTION OF THE QUARTER AWARDS FOR THE 4TH QUARTER OF 2022.**

Christina Montoya, Marketing and Communication Manager, provided a presentation to the Board on this item. The following were present and received the plaques for the safest section awards: Martin Ortiz, Section 670- Roberto R. Bustamante Wastewater Treatment Plant, Joey Paz, Section 210- Stormwater Management, Luis Lopez, Section 420- Water Production, and Teresa Alcalá- section 525 for Laboratory Services.

### **10. CONSIDERED AND APPROVED A RESOLUTION OF THE EL PASO WATER UTILITIES PUBLIC SERVICE BOARD DELEGATING AUTHORITY TO THE PRESIDENT/CEO OR DESIGNEE TO EVALUATE, SELECT AND AWARD CONTRACTS FOR CONSTRUCTION**

**PROJECTS THAT ARE PART OF EPWATER'S FISCAL YEAR 2023-2024 CAPITAL IMPROVEMENT PROGRAM FOR THE WATER AND SEWER UTILITY AND THE MUNICIPAL DRAINAGE UTILITY THAT ARE PROCURED USING THE COMPETITIVE BIDDING METHOD OR THE COMPETITIVE SEALED PROPOSAL METHOD, WHICH COMPLY WITH ALL APPLICABLE LAWS AND EPWATER POLICY AND THAT DO NOT TO EXCEED THE AMOUNT OF \$6,000,000 PER CONTRACT AWARD, NOT INCLUSIVE OF CHANGE ORDERS, WITHOUT FURTHER PUBLIC SERVICE BOARD APPROVAL; THIS DELEGATION OF AUTHORITY ALSO INCLUDES THE REJECTION OF BIDS AND TERMINATION OF AWARDED CONTRACTS.**

Irazema Rojas, Chief Technical Officer, provided a presentation to the Board regarding this item (copy on file in Central Files.) On February 9, 2022, the PSB passed a resolution delegating the President/CEO or Designee the authority to evaluate, select and award construction contracts that were procured using the competitive bidding method or the competitive sealed proposal method that did not exceed \$6,000,000 (\$6M) in contract value. The resolution streamlined the process of awarding and executing certain construction contracts, while maintaining appropriate oversight, accountability, and complying with EPWater purchasing policies and all applicable laws. Through the period of March 2022 through January 2023, 28 construction projects under \$6M were awarded, totaling just over \$70M in construction contracts or roughly 41% of the overall awarded contract value of the Capital Improvement Program (CIP) projects that were bid during FY2022-2023 (not including alternative delivery projects). On January 11, 2023, the PSB approved the FY2023-2024 CIP budgets for the Water and Sewer Utility and the Municipal Drainage Utility. As in the previous fiscal year, the FY 2023-2024 CIP budgets reflect a significant increase in the number of construction projects to be completed compared to previous years. In order to efficiently complete the increased number of CIP projects, staff recommends that a similar resolution be approved for the FY2023-2024. The resolution would continue to delegate to the President/CEO or Designee the authority to evaluate, select, and award construction contracts that are procured by EPWater using the competitive bid or competitive sealed proposal methods, which comply with all applicable laws and EPWater policy and that do not exceed the amount of \$6,000,000 per contract award, not inclusive of contract change orders, without further PSB approval. The construction contracts to be evaluated, selected and awarded are routine, procedural, and non-controversial. The authority for evaluating, selecting and awarding construction contracts that include a recommendation to determine the non-responsiveness or non responsibility of an apparent low bidder or highest-ranked bidder will remain with the PSB. Additionally, the President/CEO will report to the PSB on the progress made and actions taken pursuant to the authority delegated under this resolution. If approved, this resolution will become effective immediately upon its adoption and passage and will apply to FY 2023-2024 CIP construction bids and contracts awarded on or after March 1, 2023, and shall continue in full force and effect until February 29, 2024. Ms. Rojas answered questions from the Board on this item.

On a motion made by Mr. Morris, seconded by Ms. Saenz and unanimously carried, the Board approved a resolution of the El Paso Water Utilities Public Service Board delegating authority to the President/CEO or Designee to evaluate, select and award contracts for construction projects that are part of EPWater's Fiscal Year 2023-2024 Capital Improvement Program for the Water and Sewer Utility and the Municipal Drainage Utility that are procured using the competitive bidding method or the competitive sealed proposal method, which comply with all applicable laws and EPWater policy and that do not to exceed the amount of \$6,000,000 per contract award, not inclusive of change orders, without further Public Service Board approval; this delegation of authority also includes the rejection of bids and termination of awarded contracts.

**11. CONSIDERED AND APPROVED A SOLE SOURCE SERVICES AGREEMENT WITH THE FRONTERA LAND ALLIANCE, PURSUANT TO SECTION 252.022(A)(7)(F) OF THE TEXAS LOCAL GOVERNMENT CODE, FOR FRONTERA TO PERFORM CERTAIN MANAGEMENT SERVICES OF THE LOST DOG AND KNAPP LANDS, FOR WHICH CONSERVATION EASEMENTS HAVE BEEN PLACED, FOR AN ANNUAL AMOUNT NOT TO EXCEED \$50,000 FOR A TERM OF THREE YEARS AND AN OPTION FOR TWO, ONE-YEAR EXTENSIONS PROVIDED THAT FUNDING IS AVAILABLE IN THE APPROVED BUDGET.**

Mr. John Balliew, President/CEO, provided a presentation to the Board regarding this item (copy on file in Central Files.) EPWater holds the properties commonly known as "Lost Dog" and "Knapp Lands" (Properties) in its land inventory. The properties serve the potential dual purposes of natural stormwater management for the drainage utility and for the preservation of open space. On May 21, 2021, EPWater and the City of El Paso placed

conservation easements over each of the Properties. Through the conservation easements Frontera was granted certain rights and obligations to monitor the Properties in furtherance of the preservation and protection of the Properties. After the placement of conservation easements, Frontera performed and funded certain maintenance services at the Properties in addition to their monitoring obligations under the conservation easements. EPWater desires to enter into a Services Agreement with Frontera to define and expand the services to be performed by Frontera related to EPWater's discretionary rights and responsibilities under the conservation easements and to allow Frontera to perform certain activities on the Properties, such as the management of education activities at the Properties. Frontera is a nonprofit organization that has provided significant benefits to the Properties through their activities and maintenance on the Properties and the assumption of liability therefor. Mr. Balliew answered questions from the Board on this item.

On a motion made by Mayor Leeser, seconded by Mr. Morris and unanimously carried, the Board approved a sole source services agreement with The Frontera Land Alliance, pursuant to Section 252.022(a)(7)(F) of the Texas Local Government Code, for Frontera to perform certain management services of the Lost Dog and Knapp Lands, for which conservation easements have been placed, for an annual amount not to exceed \$50,000 for a term of three years and an option for two, one-year extensions provided that funding is available in the approved budget.

**12. CONSIDERED AND AWARDED A PRECONSTRUCTION SERVICES CONTRACT FOR CONSTRUCTION MANAGER AT-RISK FOR BACK-UP POWER GENERATORS AND DIESEL FUEL STORAGE AND DISPENSING SYSTEMS PROJECT - RFP 112-22, TO SMITHCO CONSTRUCTION, INC., IN THE ESTIMATED AMOUNT OF \$1,326,986; AUTHORIZED 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 AND AUTHORIZED THE USE OF COMMERCIAL PAPER.**

Geoffrey Espineli, Engineer Division Manager, provided a presentation to the Board regarding this item (copy on file in Central Files.) EPWater has a capital improvement program to install new back-up power generators at the following critical facilities: Fred Hervey Water Reclamation Plant, John T. Hickerson Water Reclamation Facility, Haskell R. Street Wastewater Treatment Plant, and Jonathan Rogers Water Treatment Plant. Senate Bill 3, enacted by the Legislature of the State of Texas, required EPWater to submit an Emergency Preparedness Plan (EPP) to the Texas Commission on Environmental Quality (TCEQ). The EPP identified that generators are needed at four pump stations and sixteen well sites. In addition to the installation of the generators, two 50,000-gallon above-ground diesel fuel storage tanks with fuel unloading and dispensing systems will be installed at two different sites. Given the wide ranging scope of the program, EPWater decided to combine all these projects and deliver them using the Construction Manager-At-Risk (CMAR) method, to realize administrative efficiencies and simplify the responsibility of the program schedule and budget with one contractor. This contract award is for the preconstruction services for the CMAR. Under this contract, the CMAR contractor shall collaborate and cooperate with the owner and design engineer to finalize the design, perform field investigations, prepare a construction cost estimate, develop the project schedule, and advise on project constructability and sequencing of the work. The CMAR contractor will procure long lead-time materials and, at the 95% design submittal, will procure the trade bid packages for construction and develop a Guaranteed Maximum Price (GMP) proposal to construct the project. If the GMP proposal is acceptable to EPWater, an award of the construction contract will be presented to the Public Service Board for approval. Multiple GMPs are anticipated for this project for the different phases of the project. Mr. Espineli answered questions from the Board on this item.

On a motion made by Mr. Morris, seconded by Ms. Saenz and unanimously carried, the Board awarded a preconstruction services contract for Construction Manager At-Risk for Back-up Power Generators and Diesel Fuel Storage and Dispensing Systems Project - RFP 112-22, to Smithco Construction, Inc., in the estimated amount of \$1,326,986; authorized 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 and authorized the use of commercial paper.

**13. CONSIDERED AND AUTHORIZED THE PRESIDENT/CEO TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE COUNTY OF EL PASO, TEXAS FOR THE PROVISION OF FIRST-TIME WASTEWATER SERVICES FOR TURF ESTATES; AND AUTHORIZED EPWATER'S FUNDING TO MATCH THE COUNTY'S FUNDING IN THE ESTIMATED AMOUNT OF \$1,700,000.**

Adriana Castillo, Engineer Division Manager, provided a presentation to the Board regarding this item (copy on file in Central Files.) The County of El Paso entered into a Memorandum of Understanding with the Dig Deep Right to Water Project ("Dig Deep") for Dig Deep to provide funding assistance for wastewater services within El Paso County. Dig Deep is a human rights nonprofit organization serving more than 2.2 million Americans without potable drinking water and flush toilets. El Paso County has identified Turf Estates as the first project in this partnership. The County of El Paso desires to enter into an Interlocal Agreement with EPWater for EPWater to assist in managing the procurement of construction, provide contract management, and accept the new system as part of EPWater's system upon completion of the project. EPWater will comply with all applicable laws, procure, manage, accept ownership of, maintain and operate the completed wastewater systems as described in an Interlocal Agreement with the County. EPWater will match El Paso County funds in this partnership. Ms. Castillo answered questions from the Board on this item.

On a motion made by Mr. Morris, seconded by Ms. Saenz and unanimously carried, the Board authorized the President/CEO to enter into an Interlocal Agreement with the County of El Paso, Texas for the Provision of First-Time Wastewater Services for Turf Estates; and authorized EPWater's funding to match the County's funding in the estimated amount of \$1,700,000.

**14. MANAGEMENT REPORT:**

• **CONSTRUCTION CONTRACTS UPDATE**

Irazema Rojas, Chief Technical Officer, provided the Board with a presentation on this item (copy on file in Central Files.) Coates and Tremont Dam Improvements for auxiliary spillway widened and dam crest embankment raised with concrete wall and increasing dam crest elevation and addition of auxiliary spillway was bid on November 8, 2022 and the project duration is for 210 days. Five bids were received and the bid was awarded to Allen Concrete, LLC for \$2,261,433.15. The Woods Reservoir Rehabilitation project for exterior repairs of existing concrete roof panels and walls was bid out on November 11, 2022 and the project duration was for 120 days. Two bids were received and the bid was awarded to Lone Mountain Contracting for \$3,339,495. A total of 28 bids under \$6 million have been awarded for a total amount of \$70,136,846.85.

• **LEAD AND COPPER REPORT**

Angel Bustamante, Water Systems Division Manager, provided the Board with a presentation on this item (copy on file in Central Files.) Mr. Bustamante began by explaining the Lead and Copper Rule- in 1974, Congress passed the Safe Drinking Water Act and empowered the EPA. In 1988, Texas lead ban occurred. In 1991, EPA established the Lead and Copper Rule and compliance based on treatment technique. In October 2024, Lead and Copper Rule Revisions will occur, which will identify pipe material. Mr. Bustamante spoke about noncorrosive water and proper sampling and educating customers to eliminate plumbing materials that may contain lead.

• **WEATHERIZATION REPORT**

Angel Bustamante, Water Systems Division Manager, provided the Board with a presentation on this item (copy on file in Central Files.) Mr. Bustamante presented on the resiliency of our system- generators and well insulation, Kay Bailey Hutchinson Desalination Plant, natural gas engines and multiple pressure zones.

• **ENGINEERS WEEK**

Christina Montoya, Marketing & Communications Manager, provided the Board with a presentation on this item (copy on file in Central Files.) Ms. Montoya invited the Board and the public to the Engineers Week DiscoverE event on Saturday, February 25, 2022 from 10 a.m. to 2 p.m. at the Tech2O center.

• **VIDEO FROM COMMUNICATIONS**

Christina Montoya, Marketing & Communications Manager, provided the Board with a presentation on this

item (copy on file in Central Files.) The video presented was on the Miranda wastewater line project.

**20. 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 was no one signed up for public comment.

**EXECUTIVE SESSION**

Mayor Leeser was absent for Executive Session. On a motion made by Mr. Morris seconded by Ms. Saenz and unanimously carried, the Board retired into Executive Session 9:42 a.m., February 8, 2023 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:

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

**Discussion and action on the following:**

- a. The acquisition of the following 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 acquisition of the following properties legally described as portions of Tracts 23A1, 23B1 and 24G, Section 38, Block 81, Township 1, and portion of Tracts 24A and 26A, Section 38, Block 81, Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, approximately 0.40 acres and 0.16 acres. (551.071, 551.072)
- c. Whether the following property, legally described as a portion of Lot 5, Block 290, Vista Del Sol Unit 80, El Paso County, Texas, approximately 1.1895 acres, can be declared inexpedient to the stormwater system. (551.071, 551.072)
- d. Deliberation on negotiating third party consulting services for leasing and managing real estate. (551.071, 551.072)
- e. Texas v. New Mexico, pending in the Supreme Court of the United States, No. 141, Orig. (551.071)
- f. The special election for the proposed "Climate Change Charter Amendment Petition" submitted by Ground Game Texas to the City of El Paso. (551.071)

On a motion made by Mr. Morris, seconded by Ms. Saenz and unanimously carried, the Board reconvened in open session at 11:35 a.m., February 8, 2023.

**A. THE ACQUISITION OF THE FOLLOWING 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)**

Motion made by Charlie Intebi and seconded by Bryan Morris that the President/CEO be authorized to proceed with the acquisition of an easement in the manner approved by the Board and be authorized to sign any documents necessary to complete the easement acquisition.

**B. THE ACQUISITION OF THE FOLLOWING PROPERTIES LEGALLY DESCRIBED AS PORTIONS OF TRACTS 23A1, 23B1 AND 24G, SECTION 38, BLOCK 81, TOWNSHIP 1, AND PORTION OF TRACTS 24A AND 26A, SECTION 38, BLOCK 81, TOWNSHIP 1, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, APPROXIMATELY 0.40 ACRES AND 0.16 ACRES. (551.071, 551.072)**

Motion made by Charlie Intebi and seconded by Bryan Morris that the President/CEO be authorized to proceed with the acquisition of easements in the manner approved by the Board and be authorized to sign any documents necessary to complete the acquisition.

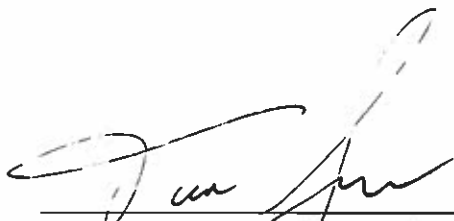
**C. WHETHER THE FOLLOWING PROPERTY, LEGALLY DESCRIBED AS A PORTION OF LOT 5, BLOCK 290, VISTA DEL SOL UNIT 80, EL PASO COUNTY, TEXAS, APPROXIMATELY 1.1895 ACRES, CAN BE DECLARED INEXPEDIENT TO THE STORMWATER SYSTEM. (551.071, 551.072)**


Motion made by Charlie Intebi and seconded by Bryan Morris that the property be declared inexpedient to the stormwater system and authorize the President/CEO to transfer the identified land from the Municipal Drainage Utility System to the Water Utility in the manner approved by the board.

**ADJOURNMENT**

On a motion made by Ms. Saenz, seconded by Mr. Morris and unanimously carried, the meeting adjourned at 11:40 a.m., February 8, 2023.

ATTEST:

  
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Dr. Ivonne Santiago, Chair

  
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Charlie Intebi, Secretary-Treasurer