

**MINUTES  
PUBLIC SERVICE BOARD  
CITY OF EL PASO  
July 12, 2023**

The regular meeting of the Public Service Board was held in person, Wednesday, July 12, 2023

**PSB MEMBERS PRESENT**

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

**PSB MEMBERS ABSENT**

**PSB EMPLOYEES PRESENT**

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

**EPWATER EMPLOYEES PRESENT**

Ana Sanchez, 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  
Gisela Dagnino, Chief Operations Officer  
Martin Noriega, Chief Operations Officer  
Ciara Grier, Support Services I  
Rose Guevara, Purchasing and Contracts Manager  
Luz Holguin, Assistant Chief Financial Officer  
Christina Montoya, Communications and Marketing 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  
Ruben Rodriguez, Environmental Compliance Manager  
Scott Reinert, Water Resources Manager  
Edgar Campos, Assistant Chief Information Officer  
Alfredo Solano, Chief Information Officer  
Osvaldo Palacios, Utility Applications Manager  
Patricia Borschow, Assistant General Counsel

**GUESTS**

Ken Hall, Hazen  
Ana Pena-Tijerina, Plummer  
Brian Beach, Plummer

**MEDIA**

None

The Public Service Board meeting was called to order by Dr. Santiago at 8:03 a.m. A quorum of its members was present. After a moment of silence, those in attendance joined Martin Noriega in reciting the Pledge of Allegiance.

## CONSENT AGENDA

On a motion made by Ms. Saenz and seconded by Mr. Morris, items 9 and 10 were pulled from the Consent Agenda and placed into the Regular Agenda.

On a motion made by Dr. Santiago and seconded by Mr. Morris, item 8 was pulled from the Consent Agenda and placed into the Regular Agenda.

On a single motion made by Mayor Leaser, seconded by Dr. Mena 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 JUNE 14, 2023.**

**2. CONSIDERED AND APPROVED A CONSENT OF ASSIGNMENT OF CONTRACT NO. 86-22 TECHNICAL GRADE METHANOL, FROM SOUTHERN CHEMICAL CORPORATION TO VALENZ SUPPLY AND DISTRIBUTION, LLC.**

**3. CONSIDERED AND APPROVED CONSENT OF ASSIGNMENT OF CONTRACT NO. 104-19 SUNSET RESERVOIR REHABILITATION, CONTRACT NO. 63-21 ON-CALL STRUCTURAL ENGINEERING SERVICES, CONTRACT NO. 54-22, EAST HIGH AND FRANKLIN EAST 1 PRESSURE ZONE IMPROVEMENTS, CONTRACT NO. 78-22, ON-CALL PROFESSIONAL ENGINEERING SERVICES FOR WATER, WASTEWATER RECLAIMED WATER AND STORMWATER PIPELINES 24-INCHES AND SMALLER, FROM CONSOR ENGINEERS LLC TO CONSOR NORTH AMERICA INC.**

**4. CONSIDERED AND AWARDED PROFESSIONAL ENGINEERING SERVICES CONTRACTS FOR ON-CALL PROFESSIONAL ENGINEERING SERVICES FOR THIRD-PARTY REVIEW SERVICES – RFQ 35-23 TO AECOM TECHNICAL SERVICES, INC., CONSOR NORTH AMERICA, INC., HUITT ZOLLARS, INC., PARKHILL, SMITH & COOPER, INC., AND ALAN PLUMMER AND ASSOCIATES, INC. DBA PLUMMER ASSOCIATES, INC., FOR AN AMOUNT NOT TO EXCEED \$500,000 FOR EACH FIRM WITH A TERM OF THREE YEARS WITH THE OPTION FOR TWO ONE-YEAR EXTENSIONS FOR AN ADDITIONAL AMOUNT OF \$200,000 PER OPTION YEAR AND AUTHORIZED THE USE OF COMMERCIAL PAPER.**

**5. CONSIDERED AND APPROVED A SOLE SOURCE CONTRACT WITH PARKSON CORPORATION, PURSUANT TO SECTION 252.022(A)(7)(D) OF THE TEXAS LOCAL GOVERNMENT CODE, WITH PARKSON BAR SCREENS FOR REPLACEMENT PARTS AND LABOR OF OUR PARKSON BAR SCREENS, IN THE ESTIMATED TOTAL AMOUNT OF \$320,905.**

**6. CONSIDERED AND AWARDED THE SOLE SOURCE PURCHASE WITH VELOCITY DYNAMICS, LLC DBA VELODYNE, PURSUANT TO SECTION 252.022(A)(7)(A) AND (D) OF THE TEXAS LOCAL GOVERNMENT CODE FOR THE POLYMER PROCESSING SYSTEM AT FRED HERVEY WATER RECLAMATION FACILITY IN THE ESTIMATED AMOUNT OF \$77,920 AND AUTHORIZED THE USE OF COMMERCIAL PAPER.**

**7. CONSIDERED AND APPROVED AN INCREASE IN CAPACITY OF MASTER CONTRACT MC00000458 ISSUED TO NATIONAL AUTO FLEET GROUP, FOR THE PURCHASE OF NEW CARS, TRUCKS, VANS, SUVs, AND OTHER VEHICLES, THROUGH SOURCEWELL PURCHASING COOPERATIVE CONTRACT NO. 091521-NAF BY AN ADDITIONAL \$800,000 TO INCREASE THE EXISTING MASTER CONTRACT CUMULATIVE AMOUNT TO \$1,300,000 AND AUTHORIZED THE ISSUANCE OF FUTURE MASTER CONTRACTS IN THE ANNUAL AMOUNT \$1,300,000 FOR THE TERM OF SOURCEWELL PURCHASING COOPERATIVE**

**CONTRACT NO. 091521-NAF PROVIDED THAT FUNDING IS AVAILABLE IN THE APPROVED BUDGETS.**

**11. CONSIDERED AND APPROVED AMENDMENT NUMBER 1 TO THE PROFESSIONAL ENGINEERING SERVICES CONTRACT AWARDED TO GARVER, LLC FOR ADDITIONAL DESIGN PHASE SERVICES FOR THE ALFALFA LIFT STATION REHABILITATION AND 6 MGD EXPANSION PROJECT IN THE AMOUNT OF \$3,101,234; AUTHORIZED FUTURE TASK ORDERS OR AMENDMENTS TO BE ISSUED UNDER THIS CONTRACT FOR ADDITIONAL DESIGN AND CONSTRUCTION PHASE SERVICES IN THE AMOUNT OF \$1,000,000 PROVIDED THAT FUNDING IS AVAILABLE IN THE APPROVED BUDGET FOR THE TASK ORDER OR AMENDMENTS AND AUTHORIZED THE USE OF COMMERCIAL PAPER.**

**12. CONSIDERED AND APPROVED AMENDMENT NUMBER 3 TO THE PROFESSIONAL ENGINEERING SERVICES CONTRACT WITH HAZEN AND SAWYER, P.C. FOR ADDITIONAL DESIGN AND CONSTRUCTION PHASE SERVICES FOR THE ROBERTO R. BUSTAMANTE WASTEWATER TREATMENT PLANT EXPANSION & UPGRADES PROJECT IN THE AMOUNT OF \$7,780,627 AND EXTEND EDTHE TERM OF THE AGREEMENT FOR AN ADDITIONAL TERM OF SEVEN YEARS; AUTHORIZED FUTURE TASK ORDERS OR AMENDMENTS TO BE ISSUED UNDER THIS CONTRACT FOR ADDITIONAL DESIGN AND CONSTRUCTION PHASE SERVICES IN THE ESTIMATED AMOUNT OF \$15,000,000 PROVIDED THAT FUNDING IS AVAILABLE IN THE APPROVED BUDGET FOR THE TASK ORDERS OR AMENDMENTS.**

**REGULAR AGENDA**

**8. CONSIDERED AND APPROVED AN INCREASE IN CAPACITY OF MASTER CONTRACT MC00000337 ISSUED TO CONSTRUCTION PRODUCT MARKETING, LLC FOR MAINTENANCE, REPAIRS, AND OPERATIONS OF FACILITIES AND GROUNDS THROUGH THE INTERLOCAL PURCHASING SYSTEM, RFP CONTRACT NO. 210304 MRO BY AN ADDITIONAL \$4,500,000 TO INCREASE THE EXISTING MASTER CONTRACT CUMULATIVE AMOUNT TO \$5,000,000 AND AUTHORIZE THE ISSUANCE OF FUTURE MASTER CONTRACTS FOR AN ESTIMATED ANNUAL AMOUNT OF \$5,000,000 FOR THE TERM THAT THE INTERLOCAL PURCHASING SYSTEM RFP CONTRACT NO. 210304 MRO IS IN PLACE PROVIDED THAT FUNDING IS AVAILABLE IN THE APPROVED BUDGET.**

David Ornelas, Wastewater Systems Division Manager, provided a presentation to the Board on this item. A master contract was issued through The Interlocal Purchasing System (TIPS), RFP 210304 MRO contract to Construction Product Marketing, LLC., for Maintenance, Repairs, and Operations of Facilities and Grounds (MRO). The contract amount was for \$500,000 pursuant to the delegated authority of the President/CEO or designee to issue master contracts with awarded vendors participating in approved Cooperative Purchasing Programs. At this time, \$4,500,000 of additional capacity beyond the delegated authority is needed to perform the expanded Capacity Management Operation Management and Maintenance (CMOM) program activities. EPWater operates and maintains approximately 2,400 miles of wastewater collection lines. This master contract will support the CMOM program to reduce stoppages and prevent Sanitary Sewer Overflows (SSOs). Mr. Ornelas answered questions from the Board on this item.

On a motion made by Dr. Mena, seconded by Dr. Santiago, and unanimously carried, the Board approved an increase in capacity of master contract MC00000337 issued to Construction Product Marketing, LLC for Maintenance, Repairs, and Operations of Facilities and Grounds through the Interlocal Purchasing System, RFP Contract No. 210304 MRO by an additional \$4,500,000, and authorized the issuance of master contracts for an estimated annual amount of \$5,000,000 for the term that the Interlocal Purchasing System RFP Contract No. 210304 MRO is in place provided that funding is available in the approved budget.

**9. CONSIDERED AND APPROVED AN INCREASE IN CAPACITY OF THE MASTER CONTRACT MC00000575 ISSUED TO ORACLE AMERICA, INC. FOR THE PURCHASE OF**

**PRODUCTS AND SERVICES THROUGH TEXAS DIR CONTRACT NUMBER DIR-TSO-4158: USGMA-1889764 BY AN ADDITIONAL \$2,000,000 TO INCREASE THE EXISTING MASTER CONTRACT CUMULATIVE AMOUNT TO \$2,500,000 AND AUTHORIZED THE ISSUANCE OF FUTURE MASTER CONTRACTS IN THE ANNUAL AMOUNT OF \$2,500,000 FOR THE TERM OF THE TEXAS DIR CONTRACT NUMBER DIR-TSO-4158: USGMA-1889764 PROVIDED THAT FUNDING IS AVAILABLE IN THE APPROVED BUDGET.**

Osvaldo Palacios, Utility Applications Manager, provided a presentation to the Board regarding this item. A master contract was issued through the Texas Department of Information Resources Contract Number DIR-TSO-4158: US-GMA-1889764 to Oracle America Inc. to purchase hardware, software, licensing, services, and product support. The contract amount was for \$500,000 pursuant to the delegated authority of the President/CEO or designee to issue master contracts with awarded vendors participating in approved Cooperative Purchasing Programs. At this time, \$2,000,000 of additional capacity beyond the delegated authority is needed to purchase Oracle products and services for EPWater's business-critical applications and solutions. The products and services offered through DIR-TSO-4158: US-GMA-1889764 to Oracle America Inc. include: Oracle C2M - Customer billing system which also serves as the coordinating application for the customer self-service portal, meter reads, and work order management. PeopleSoft Financials - Financial management system which includes payables, purchasing, receivables and financial reporting. PeopleSoft Human Capital Management – Primary system to manage human resources operations. Oracle DBMS - Database management systems for the following business systems: ESRI GIS, Infor Public Sector asset/land management, Horizon Laboratory Information Management and Application Xtender document management systems. Oracle Cloud Infrastructure - Cloud infrastructure components for data warehouse, business intelligence and data analytics. Oracle Database Appliance - On-premise physical servers utilized to operate database systems. Examples of major procurements through this contract include the following: 1. Renewal of Unlimited License Agreement for technical infrastructure components for a period of three years in the estimated amount \$1,488,619. 2. Purchase of additional cloud infrastructure components to support reporting and data backup initiatives in the estimated amount of \$300,000. Mr. Palacios answered questions from the Board on this item.

On a motion made by Dr. Mena, seconded by Mr. Intebi, and unanimously carried, the Board approved an increase in capacity of the master contract MC00000575 issued to Oracle America, Inc. for the purchase of products and services through Texas DIR Contract Number DIR-TSO-4158: USGMA-1889764 by an additional \$2,000,000 to increase the existing master contract cumulative amount to \$2,500,000 and authorized the issuance of future master contracts in the annual amount of \$2,500,000 for the term of the Texas DIR Contract Number DIR-TSO-4158: USGMA-1889764 provided that funding is available in the approved budget.

**10. CONSIDERED AND APPROVED AN INCREASE IN CAPACITY OF MASTER CONTRACT MC00000601 ISSUED TO TMG UTILITY ADVISORY SERVICES, INC. FOR THE PURCHASE OF INFORMATION TECHNOLOGY PROFESSIONAL SERVICES THROUGH GENERAL SERVICES ADMINISTRATION (GSA) CONTRACT NUMBER GS-35F-474GA, BY AN ADDITIONAL \$2,500,000 TO INCREASE THE EXISTING MASTER CONTRACT CUMULATIVE AMOUNT TO \$3,000,000 AND AUTHORIZED THE ISSUANCE OF FUTURE MASTER CONTRACTS IN THE ANNUAL AMOUNT OF \$3,000,000 FOR THE TERM OF THE GENERAL SERVICES ADMINISTRATION (GSA) CONTRACT NUMBER GS-35F-474GA PROVIDED FUNDING IS AVAILABLE IN THE APPROVED BUDGET.**

Osvaldo Palacios, Utility Applications Manager, provided a presentation to the Board regarding this item. A master contract was issued through the General Services Administration (GSA) Contract Number GS-35F-474GA to TMG Utility Advisory Services, Inc for information technology professional services. The contract amount was for \$500,000 pursuant to the delegated authority of the President/CEO or designee to issue master contracts with awarded vendors participating in approved Cooperative Purchasing Programs. At this time, an additional capacity of \$2,500,000 beyond the delegated authority is needed for the purchase of information technology professional services for the Oracle C2M system managed services and functional business support for EPWater's customer information system (CIS). The Oracle C2M system is used Utility wide for billing, customer interaction, work orders, CIS reporting, and water conservation support programs. TMG provides business and technical support for everyday Oracle C2M operations, special projects, and new enhancements to include the following: 1. 24/7 System batch support for daily billing, reconciliation, and meter reading. 2. 24/7 Integration support for reporting, financial transactions, and bill delivery. 3. Functional services for new rate

implementations, system testing, new reports, and system optimization. 4. Technical services for infrastructure and database monitoring. 5. Consultant and Technical services for new edge system integration and implementation. Examples of major procurements through the GSA Contract Number GS-35F-474GA include the following: 1. Renewal of C2M Managed Services agreement in the estimated amount of \$1,824,352. 2. Consulting Services agreement for assistance in business process and system improvement projects in the estimated amount of \$475,200. Mr. Palacios answered questions from the Board on this item.

On a motion made by Ms. Saenz, seconded by Mayor Leeser, and unanimously carried, the Board approved an increase in capacity of master contract MC00000601 issued to TMG Utility Advisory Services, Inc. for the purchase of information technology professional services through General Services Administration (GSA) Contract Number GS-35F-474GA, by an additional \$2,500,000 to increase the existing master contract cumulative amount to \$3,000,000 and authorized the issuance of future master contracts in the annual amount of \$3,000,000 for a term of two years with annual updates on optimization projects, provided funding is available in the approved budget.

### **13. CEO MONTHLY UPDATE REGARDING UTILITY MANAGEMENT AND/OR OPERATIONS.**

John Balliew, President/CEO provided a presentation to the Board regarding this item (copy on file in Central Files.) Mr. Balliew discussed the Illegal Dumping campaign, which is in progress. The bilingual campaign is a collaboration with City ESD and EPCWID and uses a variety of media to target key audiences to help raise awareness of this widespread problem. Outreach includes social media, radio, email, digital ads, bus ads, and print publication advertising. Mr. Balliew also spoke about the 2023 monsoon season, which is from June 15 to September 30 and discussed the arrival of El Nino weather pattern. Mr. Balliew urged El Pasoans to prepare for a late summer flooding. Information regarding the sandbag distribution locations with days and hours was made available for the public. 5 locations for line replacements were discussed to include, Lee Trevino / Vista del Sol Yarbrough / Kinross, Lee Trevino / Pebble Hills, Viscount / Airway, and Yarbrough / Vista del Sol. Customer service improvements to include a new customer service facility, new phone system in use and new customer information software working well and have the average call wait time from 20:59 to 2:06 minutes. Lastly, Mr. Balliew discussed the efforts to help customer conserve water and included information on showerheads, kitchen aerator and bathroom aerators provided to customers. Recent recipients of the WaterWise Business Rebate Program include El Paso Airport Hilton Garden Inn, Francis Properties, Magoffin Home, North Mesa, Professional Center, Prontowash Laundromat, Supreme Laundry.

### **14. 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.**

No one was signed up for public comment.

### **15. CONSIDERED AND AWARDED BID NUMBER 20-23, BARRICADES AND TRAFFIC CONTROL SERVICES, TO THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER, LEEDSMANN CONSTRUCTION, INC. DBA TRAFFIC CONTROL SPECIALISTS, IN THE ESTIMATED ANNUAL AMOUNT OF \$691,845.20 FOR A TERM OF ONE YEAR WITH THE OPTION FOR FOUR, ONE-YEAR EXTENSIONS PROVIDED THAT FUNDING IS AVAILABLE IN THE APPROVED BUDGET.**

Felipe Lopez, Chief Operations Officer, provided a presentation to the Board regarding this item (copy on file in Central Files.) Traffic control devices are used by field repair and construction crews to provide shoulder, lane, and street closure to ensure safe work zones for work crews and vehicular traffic. The previous bid was awarded on January 8, 2020. The overall price did not increase from the current bid price. Mr. Lopez 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 Bid Number 20-23, Barricades and Traffic Control Services, to the lowest responsive, responsible bidder, Leedsman Construction, Inc. dba Traffic Control Specialists, in the estimated annual amount of \$691,845.20 for a term of one year with the option for four, one-year extensions provided that funding is available in the approved budget.

**16. CONSIDERED AND AWARDED BID NUMBER 40-23, JOHN T. HICKERSON WATER RECLAMATION FACILITY HEADWORKS BARSCREEN REPLACEMENT, TO THE SOLE, RESPONSIVE, RESPONSIBLE BIDDER, R.M. WRIGHT CONSTRUCTION CO., IN THE AMOUNT OF \$6,353,752.**

Ivan Hernandez, Engineering Division Manager, provided a presentation to the Board regarding this item (copy on file in Central Files.) The John T. Hickerson Water Reclamation Facility was constructed in 1984 and expanded in 1993. The first treatment process at a wastewater treatment plant is known as the headworks. It consists of mechanical screens to remove large debris from the raw wastewater and a holding tank to remove smaller grit particles. Due to age and corrosion from hydrogen sulfide gas, these structures and equipment must be replaced. In addition, auxiliary equipment and structures including a flow distribution box, flow meter, and odor treatment systems will also be replaced. Mr. Hernandez answered questions from the Board on this item.

On a motion made by Mr. Morris, seconded by Dr. Mena, and unanimously carried, the Board awarded Bid Number 40-23, John T. Hickerson Water Reclamation Facility Headworks Barscreen Replacement, to the sole, responsive, responsible bidder, R.M. Wright Construction Co., in the amount of \$6,353,752.

**17. CONSIDERED AND ADOPTED A DROUGHT RESOLUTION ACCEPTING THE REPORT OF THE PRESIDENT/CEO REGARDING POSSIBLE LIMITED RIO GRANDE WATER DELIVERIES FOR 2024 AND AUTHORIZED THE PRESIDENT/CEO OR DESIGNEE TO CONTRACT AND PURCHASE FOR THE PURPOSE OF ASSURING ADEQUATE DRINKING WATER SUPPLIES FOR ITS CUSTOMERS WITHOUT FURTHER ACTION OF THE PUBLIC SERVICE BOARD, PURSUANT TO ANY AND ALL APPLICABLE EXEMPTIONS TO THE BIDDING STATUTE UNDER TEXAS LOCAL GOVERNMENT CODE SECTION 252.022(A), INCLUDING TEXAS LOCAL GOVERNMENT CODE SECTION 252.022(A)(2), AN EXEMPTION TO THE COMPETITIVE BIDDING REQUIREMENTS, FOR PROCUREMENTS NECESSARY TO PRESERVE AND PROTECT THE HEALTH AND SAFETY OF THE CUSTOMERS OF EPWATER.**

Scott Reinert, Water Resources Manager, provided a presentation to the Board regarding this item (copy on file in Central Files.) In recent years, the water supply from the Rio Grande has been highly variable because of the record drought conditions in the region. Although water delivered from the Rio Grande in 2023 has increased as compared to recent years, the scheduled releases from the reservoir for the remainder of this irrigation season are expected to reduce the volume of water storage to 10% of the reservoir capacity. By the end of the current irrigation season, the reservoir storage is estimated to be as low as in previous drought years (2012-2014, 2018, and 2020-2023). Limited reservoir storage indicates that EPWater may receive a limited annual allocation of surface water in 2024, resulting in a significantly reduced irrigation season for El Paso County. As a result of the drought condition, the Utility will need to produce more groundwater and augment supply with reclaimed water to meet peak summer demands. The Texas Local Government Code Section 252.022(a) provides exemptions to the competitive bidding statutes for procurements, including Section 252.022(a)(2) of the Texas Local Government Code for procurements necessary to preserve and protect the health and safety of residents. An approved drought resolution will allow for expedited procurement of contracted consultant and construction services under applicable exemptions to the general bidding statutes under Section 252.022(a) of the Texas Local Government Code related to drought relief projects. These projects include drilling and equipping new wells, reconditioning existing wells, rehabilitation of existing and construction of new water treatment and storage infrastructure, rehabilitation of existing and construction of new reclaimed water infrastructure, and optimizing production of the Kay Bailey Hutchison Desalination Plant. The goal of this resolution is to allow drought relief projects to be expedited before the peak demands of next summer.

On a motion made by Dr. Mena, seconded by Ms. Saenz, and unanimously carried, the Board adopted a Drought Resolution accepting the report of the President/CEO regarding possible limited Rio Grande water deliveries for 2024 and authorized the President/CEO or designee to contract and purchase for the purpose of assuring adequate drinking water supplies for its customers without further action of the Public Service Board, pursuant to any and all applicable exemptions to the bidding statute under Texas Local Government Code Section 252.022(a), including Texas Local Government Code Section 252.022(a)(2), an exemption to the competitive bidding requirements, for procurements necessary to preserve and protect the health and safety of the customers of EPWater.

**18. PRESENTATION AND DISCUSSION OF EPWATER'S FIRST QUARTER FINANCIAL AND PERFORMANCE MEASURES REPORT FISCAL YEAR 2023-24 FOR THE PERIOD ENDING MAY 31, 2023.**

Gustavo Hurtado, Fiscal Operations Manager, provided a presentation to the Board regarding this item (copy on file in Central Files.) The Public Service Board requires regular financial reporting from the President/CEO and staff on the financial condition of the Utility.

No action was taken on this item by the Board.

**19. PRESENTATION AND DISCUSSION OF EPWATER'S FIRST QUARTER INVESTMENT REPORT FISCAL YEAR 2023-24 FOR THE PERIOD ENDING MAY 31, 2023.**

Rebecca Hart, Treasury and Property Control Manager, provided a presentation to the Board regarding this item (copy on file in Central Files.) The Public Funds Investment Act (PFIA) requires a quarterly report to be submitted.

No action was taken on this item by the Board.

**20. MANAGEMENT REPORT:**

**• EXTENDABLE COMMERCIAL PAPER UPDATE**

Art Duran, Chief Financial Officer, provided a presentation to the Board on this item. On May 9, 2023, the City of El Paso approved a ECP program not to exceed \$60 million to fund Stormwater CIP projects. On June 6, 2023, a contract for ECP dealer services was finalized with Morgan Stanley. There were no administrative fees unless an ECP balance was outstanding. A remarketing fee of only 10 basis points for outstanding notes. The first drawdown of \$10 million was completed on June 29, 2023 for an initial duration of 89 days at a rate of 3.75%. Mr. Duran thanked the Finance staff, Hilltop, and Norton Rose Fulbright for their support

**• PEOPLESOFT HR UPDATE -IT**

Werner Klouda, Project Manager, provided a presentation to the Board on this item. The Phase 2 approved project hours were 6,626 and the project to date hours were 1,353 for total remaining hours of 5,273. The approved project budget was \$981,750 and the project to date expenses were \$213,605.

**• VIDEO FROM COMMUNICATIONS**

Christina Montoya, Marketing and Communications Manager, presented the video to the Board regarding the Ft. Bliss Diversion Access Boxes Project.

**EXECUTIVE SESSION**

On a motion made by Mr. Morris seconded by Ms. Saenz and unanimously carried, the Board retired into Executive Session 9:57 a.m., July 12, 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:

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 whether the following real property located in NE El Paso and legally described as portions of Section 9, 15, 16, 17 and 18, Block 81, Township 1, Texas & Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, approximately 1,056 acres can be declared inexpedient to the stormwater system and be authorized by the Board for sale. (551.071) (551.072).
- b. Discussion of real property located in NE El Paso and legally described as a portion of Section 18, Block 81, Township 1, Texas & Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, approximately 305 acres. (551.071) (551.072).
- c. The Board will deliberate whether the following property can be declared inexpedient to the water, wastewater, and stormwater systems, the property is approximately 400 acres and is legally described as Section 2, TSP 26S, Rng E, USRS Tr 22-44, Section 1, TSP 26S, Rng 2E, USRS Tr 24-7C1, Section 1, TSP 26S, Rng 2E, USRS Tr 22-59, Section 1, TSP 26S, Rng 2E, USRS Tr 24-7B2, w. pt, Section 1 & 12, TSP 26S, Rng 2E, USRS Tr 24-7B2, e. pt, Section 1 & 12, TSP 26S, Rng 2E, USRS Trs 24-7A, 24-7B3, 24-7B4 & 24-7C1, Section 1, TSP 26S, Rng 2E, USRS Tr 22-59 and be authorized by the Board for sale. (551.071) (551.072).
- d. The Board will deliberate regarding the purchase of real property legally described as follows: Block 67, Township 2, T & P, Southern Part/Portion of Section 44; Block 67, Township 3, T & P, North ½ of Section 6; Block 119, Public School Land, Section 8, Except Northern Part/Portion; Block 119, Public School Land, Southern Part/Portion of Section 7; Block 119, Public School Land, Northern Part/Portion of Section 21, approximately 1554 Acres. (551.071) (551.072).
- e. Consultation with attorney regarding compliance and regulatory considerations of the 2021 Frontera Force Main discharge (551.071)

On a motion made by Ms. Saenz, seconded by Ms. Block-Uribarri and unanimously carried, the Board reconvened in open session at 11:06 a.m., July 12, 2023.

- a. **THE BOARD WILL DELIBERATE WHETHER THE FOLLOWING REAL PROPERTY LOCATED IN NE EL PASO AND LEGALLY DESCRIBED AS PORTIONS OF SECTION 9, 15, 16, 17 AND 18, BLOCK 81, TOWNSHIP 1, TEXAS & PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, APPROXIMATELY 1,056 ACRES CAN BE DECLARED INEXPEDIENT TO THE STORMWATER SYSTEM AND BE AUTHORIZED BY THE BOARD FOR SALE. (551.071) (551.072).**

On a motion made by Mr. Intebi and seconded by Dr. Mena and unanimously carried, the Board approved that the property be declared inexpedient to the stormwater system and the President and CEO be authorized to proceed with the sale of the property in accordance with the Board's direction and sign any and all documents necessary to complete the sale of the property; AND, as for the July 13, 2022 PSB motion granting the City of El Paso 12 months to complete a proposed conservation easement on this property, the City shall be granted an extension to finalize the same for the PSB's consideration by either October 11, 2023 or the closing date of the sale of the Property, whichever shall occur first in time.

- b. **DISCUSSION OF REAL PROPERTY LOCATED IN NE EL PASO AND LEGALLY DESCRIBED AS A PORTION OF SECTION 18, BLOCK 81, TOWNSHIP 1, TEXAS & PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, APPROXIMATELY 305 ACRES. (551.071) (551.072).**

On a motion made by Mr. Intebi and seconded by Ms. Saenz and unanimously carried, the Board approved that the President and CEO be authorized to grant a one-year extension for the City of El Paso to commence development of the City's public facilities on the Facilities Parcel of the property referenced in the Memorandum of Understanding entered into between the City and the PSB on July 7, 2021, and sign any and all documents necessary to complete such extension of time.



- c. **THE BOARD WILL DELIBERATE WHETHER THE FOLLOWING PROPERTY CAN BE DECLARED INEXPEDIENT TO THE WATER, WASTEWATER, AND STORMWATER SYSTEMS, THE PROPERTY IS APPROXIMATELY 400 ACRES AND IS LEGALLY DESCRIBED AS SECTION 2, TSP 26S, RNG E, USRS TR 22-44, SECTION 1, TSP 26S, RNG 2E, USRS TR 24-7C1, SECTION 1, TSP 26S, RNG 2E, USRS TR 22-59, SECTION 1, TSP 26S, RNG 2E, USRS TR 24-7B2, W. PT, SECTION 1 & 12, TSP 26S, RNG 2E, USRS TR 24-7B2, E. PT, SECTION 1 & 12, TSP 26S, RNG 2E, USRS TRS 24-7A, 24-7B3, 24-7B4 & 24-7C1, SECTION 1, TSP 26S, RNG 2E, USRS TR 22-59 AND BE AUTHORIZED BY THE BOARD FOR SALE. (551.071) (551.072).**

On a motion made by Mr. Intebi and seconded by Ms. Saenz and unanimously carried, the Board approved that the described property be declared inexpedient to the water, wastewater and stormwater systems and the President and CEO be authorized to proceed with the sale of the property as approved by the Board in accordance with the terms and conditions specified and sign any and all documents necessary to complete the sale of the property.

- d. **THE BOARD WILL DELIBERATE REGARDING THE PURCHASE OF REAL PROPERTY LEGALLY DESCRIBED AS FOLLOWS: BLOCK 67, TOWNSHIP 2, T & P, SOUTHERN PART/PORION OF SECTION 44; BLOCK 67, TOWNSHIP 3, T & P, NORTH ½ OF SECTION 6; BLOCK 119, PUBLIC SCHOOL LAND, SECTION 8, EXCEPT NORTHERN PART/PORION; BLOCK 119, PUBLIC SCHOOL LAND, SOUTHERN PART/PORION OF SECTION 7; BLOCK 119, PUBLIC SCHOOL LAND, NORTHERN PART/PORION OF SECTION 21, APPROXIMATELY 1554 ACRES. (551.071) (551.072).**

On a motion made by Mr. Intebi and seconded by Ms. Saenz, the Board approved that the President and CEO be authorized to proceed with the purchase of the described property in accordance with the terms and conditions specified by the Board and sign any and all documents necessary to complete the purchase of the property.

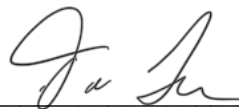
- e. **CONSULTATION WITH ATTORNEY REGARDING COMPLIANCE AND REGULATORY CONSIDERATIONS OF THE 2021 FRONTERA FORCE MAIN DISCHARGE (551.071)**

No action was taken on this item.

## **ADJOURNMENT**

On a motion made by Ms. Saenz, seconded by Dr. Mena and unanimously carried, the meeting adjourned at 11:09 a.m., July 12, 2023.

ATTEST:



Dr. Ivonne Santiago, Chair



Charlie Intebi, Secretary-Treasurer