

**MINUTES
PUBLIC SERVICE BOARD
CITY OF EL PASO
October 11, 2023**

The regular meeting of the Public Service Board was held in person, Wednesday, October 11, 2023

PSB MEMBERS PRESENT

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

PSB MEMBERS ABSENT

Mayor Oscar Leeser

PSB EMPLOYEES PRESENT

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

EPWATER EMPLOYEES PRESENT

Ana Sanchez, Vice President
Gilbert Trejo, Vice President-Operations & Technical Services
Art Duran, Chief Financial Officer
Claudia Duran, Chief of Staff
Edith Lara, Executive Assistant to the President/CEO
Irazema Rojas, Chief Technical Officer
Ciara Grier, Support Services II
Luz Holguin, Assistant Chief Financial Officer
Christina Montoya, Communications and Marketing Manager
Elmer Beeler, Chief Support & Logistics Officer
Eric Lugo, Computer Programmer
Alberto Gomez, Support Services I
Sol Cortez, Deputy General Counsel
Luz Holguin, Utility Assistant Chief Financial Officer
Alberto Hernandez, Engineering Division Manager
Ruben Rodriguez, Chief Water Quality Compliance Officer

GUESTS

Javier Anguiano, Lesna Construction
Octavio Covarrubias, Lesna Construction
Jose Piñon Jr., Lesna Construction
Bob Schueller, J.L. Louis Construction
Lisa Turner

MEDIA

None

The Public Service Board meeting was called to order by Dr. Santiago at 8:35 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.

On a motion made by Mr. Morris and seconded by Ms. Saenz, items 5 and 10 were pulled from the Consent Agenda and placed into the Regular Agenda.

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

CONSENT AGENDA

1. CONSIDERED AND APPROVED THE MINUTES OF THE REGULARLY SCHEDULED MEETING HELD ON SEPTEMBER 13, 2023.

EDITH LARA, EXECUTIVE SERVICES (915) 594-5501

2. CONSIDERED AND APPROVED THE CONSENT TO ASSIGNMENT OF SOLE SOURCE CONTRACTS MC00000197 AND MC00000144 FROM SECUREVISION OF AMERICA, INC. TO FERGUSON ENTERPRISES, LLC.

ART DURAN, CHIEF FINANCIAL OFFICER, (915) 594-5549

3. CONSIDERED AND REJECTED THE PROPOSAL FOR RFP 67-23 AGUACARES PROGRAM AND ALLOW STAFF TO RE-BID.

LISA ROSENDORF, CHIEF COMMUNICATIONS & GOVERNMENT AFFAIRS, (915) 594-5669

4. CONSIDERED AND REJECTED THE PROPOSAL FOR RFP 72-23 AGUAREPAIRS PROGRAM AND ALLOW STAFF TO RE-BID.

LISA ROSENDORF, CHIEF COMMUNICATIONS AND GOVERNMENT AFFAIRS, (915) 594-5669

6. CONSIDERED AND APPROVED A SOLE SOURCE CONTRACT WITH THORNTON, MUSSO AND BELLEMIN, INC. (TMB), PURSUANT TO SECTION 252.022(A)(7)(A) AND (D) OF THE TEXAS LOCAL GOVERNMENT CODE FOR NALCO WATER PURATE® TECHNOLOGY CHLORINE DIOXIDE GENERATION, SERVICES, AND SUPPLIES IN THE ESTIMATED ANNUAL AMOUNT OF \$1,700,000 FOR A TERM OF ONE YEAR WITH THE OPTION FOR FOUR, ONE-YEAR EXTENSIONS CONTINGENT UPON TMB PROVIDING YEARLY DOCUMENTATION ATTESTING TO THEIR SOLE SOURCE STATUS AND THAT FUNDING IS AVAILABLE IN THE APPROVED BUDGET; AND AUTHORIZED THE PRESIDENT/CEO OR DESIGNEE TO APPROVE AN ANNUAL PRICE INCREASE OF NOT MORE THAN 8% OR THE RATE OF THE U.S. BUREAU OF LABOR SERVICES CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS (CPI-U).

MARTIN NORIEGA, CHIEF OPERATIONS OFFICER- OPERATIONS MANAGEMENT, (915) 621-2085

7. CONSIDERED AND APPROVED A SOLE SOURCE MASTER CONTRACT WITH HEIL OF TEXAS PURSUANT TO SECTION 252.022(A)(7)(A) AND (D) OF THE TEXAS LOCAL GOVERNMENT CODE, WITH HEIL OF TEXAS FOR VAC-CON, SCHWARZE, AND PALFINGER ORIGINAL EQUIPMENT MANUFACTURER (OEM) PARTS AND SERVICES, IN THE ESTIMATED ANNUAL AMOUNT OF \$500,000 FOR A TERM OF ONE YEAR WITH THE OPTION FOR FOUR ONE-YEAR OPTIONS, CONTINGENT ON HEIL OF TEXAS

PROVIDING ANNUAL DOCUMENTATION ATTESTING TO THEIR SOLE SOURCE STATUS AND THAT FUNDING IS AVAILABLE IN THE APPROVED BUDGET.
ELMER BEELER, CHIEF SUPPORT LOGISTICS OFFICER- FLEET MAINTENANCE (915) 263-4030

8. CONSIDERED AND APPROVED A MASTER CONTRACT FOR THE PURCHASE OF VEHICLES, HEAVY-DUTY TRUCKS, PARTS, SERVICES, AND OTHER SERVICE-RELATED LABOR WITH DOGETT FREIGHTLINER OF SOUTH TEXAS, LLC THROUGH TASB BUYBOARD COOPERATIVE CONTRACT NO. 601-19 IN THE ESTIMATED AMOUNT OF \$700,000 DURING THE TERM OF TASB BUY BOARD CONTRACT NO. 601-19.
ELMER BEELER, CHIEF SUPPORT LOGISTICS OFFICER- FLEET MAINTENANCE (915) 263-4030

9. CONSIDERED AND APPROVED AN INCREASE IN CAPACITY OF MASTER CONTRACT MC00000591 ISSUED TO CLOWE & COWAN OF EL PASO, LLC THROUGH ESC REGION 19 ALLIED STATES COOPERATIVE CONTRACT NO. 23-7457 FOR THE PURCHASE OF VALVES, PIPES, FITTINGS, AND OTHER RELATED MATERIALS BY AN ADDITIONAL AMOUNT OF \$1,000,000 TO INCREASE THE EXISTING MASTER CONTRACT TO A CUMULATIVE AMOUNT OF \$1,500,000; AND AUTHORIZED THE ISSUANCE OF FUTURE ANNUAL MASTER CONTRACTS IN THE AMOUNT OF \$1,500,000 TO CLOWE & COWAN UNDER ESC REGION 19 ALLIED STATES COOPERATIVE CONTRACT NO. 23-7457 FOR AS LONG AS THE TERM OF THE CONTRACT IS IN PLACE PROVIDED THAT FUNDING IS AVAILABLE IN THE APPROVED BUDGET.
ELMER BEELER, CHIEF SUPPORT LOGISTICS OFFICER- FLEET MAINTENANCE (915) 263-4030

11. CONSIDERED AND APPROVED EMERGENCY SERVICES CONTRACTS FOR LABORATORY SERVICES WITH PACE ANALYTICAL SERVICES, INC. AND EUROFINS XENCO, LLC TO BE USED ON AN AS-NEEDED BASIS FOR A TERM OF SIX MONTHS, EACH FOR AN ESTIMATED AMOUNT OF \$500,000 PURSUANT TO SECTION 252.022(A)(2) OF THE TEXAS LOCAL GOVERNMENT CODE, PROCUREMENT NECESSARY TO PRESERVE AND PROTECT THE PUBLIC HEALTH AND SAFETY OF THE MUNICIPALITY'S RESIDENTS.
RUBEN RODRIGUEZ, CHIEF WATER QUALITY COMPLIANCE OFFICER- OPERATIONS MANAGEMENT (915) 594-5772

12. CONSIDERED AND APPROVED CHANGE ORDER NUMBER 2 – BID NUMBER SW68-22, COATES AND TREMONT DAM IMPROVEMENTS TO ALLEN CONCRETE, LLC, INCREASING THE CONTRACT AMOUNT BY \$125,795.
GISELA DAGNINO, CHIEF OPERATIONS OFFICER- STORMWATER (915) 594-5553

13. CONSIDERED AND APPROVED A SERVICE AREA AGREEMENT WITH PASEO DEL ESTE MUNICIPAL UTILITY DISTRICT NO. 1 (DISTRICT) FOR EL PASO WATER UTILITIES- PUBLIC SERVICE BOARD TO PROVIDE RETAIL WATER AND SEWER UTILITY SERVICE TO THE PORTION OF PROPERTY LOCATED AT THE INTERSECTION OF BILL BURNETT DRIVE AND ROJAS DRIVE THAT IS PARTIALLY LOCATED INSIDE THE DISTRICT'S CERTIFICATE OF CONVENIENCE AND NECESSITY SERVICE AND BOUNDARY AREA.
IRAZEMA ROJAS, CHIEF TECHNICAL OFFICER- TECHNICAL SERVICES (915) 594-5591

5. CONSIDERED AND REJECTED THE SOLE BID RECEIVED FROM EL PASO SANITATION SYSTEMS, INC. DBA, SARABIA'S PORTABLE JONS. STAFF WILL USE ESC REGION 19 ALLIED STATES COOPERATIVE CONTRACT NO. 20-7380 FOR THESE SERVICES.

Gilbert Trejo, Vice President of Operations and Technical Services, provided a presentation to the Board regarding this item (copy on file in Central Files.) Portable chemical toilet rental services are used daily to provide staff at work zones with portable sanitary facilities. Mr. Trejo answered questions from the Board on this item.

On a motion made by Mr. Morris, seconded by Dr. Mena, and unanimously carried, the Board approved the sole bid supporting El Paso Sanitation Systems, Inc. dba, Sarabia's Portable Jons. Staff will use ESC Region 19 Allied States Cooperative Contract No. 20-7380 for these services.

10. CONSIDERED AND APPROVED AN INCREASE IN CAPACITY OF MASTER CONTRACT MC00000535 ISSUED TO CHARLES E. BLACK JR. & ASSOCIATES, INC. THROUGH ESC REGION 19 ALLIED STATES COOPERATIVE CONTRACT NO. 21-7409 FOR CONSULTING, CONTRACTED SERVICES, STAFF DEVELOPMENT & RELATED BY AN ADDITIONAL \$500,000 TO INCREASE THE EXISTING MASTER CONTRACT CUMULATIVE AMOUNT TO \$1,000,000 FOR THE TERM ENDING MARCH 13, 2025 IF ESC REGION 19 EXTENDS THE TERM OF CONTRACT NO. 21-7409 PROVIDED THAT FUNDING IS AVAILABLE IN THE APPROVED BUDGET AND AUTHORIZED THE PRESIDENT/CEO TO SIGN THE AMENDMENT TO THE SUPPLEMENTAL SERVICE AGREEMENT TO REFLECT THE INCREASE IN CONTRACT CAPACITY.

Ana Sanchez, Vice President of Financial and Management Services, provided a presentation to the Board regarding this item (copy on file in Central Files.) A supplemental service agreement and master contract with Charles E. Black Jr. & Associates, Inc., was issued on March 14, 2023, through the ESC Region 19 Allied States Cooperative Contract No. 21-7409- Consulting, Contracted Services, Staff Development & Related, for \$500,000 for two years, with an expiration date of March 13, 2025, pursuant to the delegated authority of the President/CEO or designee. Under the agreement, services provided include the balanced scorecard strategic initiative, reorganization, succession planning, executive coaching, and IT digital transformation strategy. An assessment of the current Balance Scorecard (BSC) was conducted, resulting in more clearly defined teams and increased alignment with corresponding key performance indicators (KPIs) with El Paso Water's strategic plan. With many leaders becoming eligible for retirement in the next five years, an emphasis on succession planning has been ongoing with individual and group coaching sessions. Additional training to include time management and communication techniques, KPI analysis, team building, and process mapping has been provided and is ongoing for the next group of managers. Information Technology consulting services on project management, project execution, and departmental restructuring to focus timelines and reduce project costs are ongoing. From May to September 2023, a 3-hour Customer Service training to enhance communication skills and provide conflict resolution for internal and external customers has been provided to 95% of all utility employees. An additional \$500,000 in capacity beyond the delegated authority is needed to continue these services. Ms. Sanchez answered questions from the Board on this item.

On a motion made by Dr. Mena, seconded by Ms. Block-Uribarri, and unanimously carried, the Board approved an increase in capacity of master contract MC00000535 issued to Charles E. Black Jr. & Associates, Inc. through ESC Region 19 Allied States Cooperative Contract No. 21-7409 for Consulting, Contracted Services, Staff Development & Related by an additional \$500,000 to increase the existing master contract cumulative amount to \$1,000,000 for the term ending March 13, 2025 if ESC Region 19 extends the term of Contract No. 21-7409 provided that funding is available in the approved budget and authorized the President/CEO to sign the amendment to the supplemental service agreement to reflect the increase in contract capacity.

14. CEO MONTHLY UPDATE REGARDING UTILITY MANAGEMENT AND/OR OPERATIONS:

- **SERVLINE PROGRAM UPDATE**

- **PROP 6 ON THE NOVEMBER BALLOT**
- **FORT BLISS PARTNERSHIP IS GROWING**
- **CALL CENTER STAFFING UPDATE**

15. MANAGEMENT REPORT:

- **STRATEGIC PLAN OVERVIEW**

Gilbert Trejo, Vice President of Operations and Technical Services, provided a presentation to the Board regarding this item (copy on file in Central Files.) Mr. Trejo discussed the balanced scorecard approach and the timeline for the 10-year strategic plan. Mr. Trejo discussed the strategic objectives and the focus on performance metrics.

- **VIDEO FROM COMMUNICATIONS**

Christina Montoya, Marketing and Communications Manager, presented the video to the Board regarding the “Impersonation is a Crime” outreach.

16. 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 signed up to speak on items not on the agenda.

On a motion made by Ms. Block-Urbarri and seconded by Ms. Saenz and unanimously carried, items 21 and 22 were moved up to be presented after item 17.

17. PRESENTED CHECKS FROM THE EPWATER EMPLOYEE-ORGANIZED CHARITY OF CHOICE FUNDRAISING INITIATIVE TO ANTHONY TOMASHESKI, CEO OF THE BOYS & GIRLS CLUB OF EL PASO, IN THE COMBINED AMOUNT OF \$81,000.

Luz Holguin, Assistant Chief Financial Officer provided a presentation to the Board regarding this item (copy on file in Central Files.) A Public Service Board (PSB) policy allows the PSB to select one charitable organization yearly for a fundraising project. The PSB selected The Boys & Girls Club of El Paso this year. The funds raised from the fundraising events will be used to make repairs and improvements to their downtown facility to continue providing a place for kids and teenagers to engage in healthy activities. EPWater had two initiatives to raise funds for The Boys & Girls Club of El Paso: a series of employee-organized fundraising events and a golf tournament at Painted Dunes sponsored by Touchstone Golf Foundation. The outcomes from both initiatives were presented at this meeting.

No action was taken on this item.

21. DEEMED LESNA CONSTRUCTION, INC. AS NON-RESPONSIBLE AND CONSIDERED AND AWARDED BID NUMBER 11-23, MCGREGOR 16-INCH WATER LINE, FRANKLIN EAST 24-INCH WATER LINE EXTENSION PHASE II, AND NORTHEAST DYER INTERCEPTOR PHASE IV, TO THE LOWEST, RESPONSIVE, RESPONSIBLE BIDDER, S.J. LOUIS CONSTRUCTION, INC., IN THE AMOUNT OF \$13,400,000 AND AUTHORIZED THE USE OF COMMERCIAL PAPER.

Irazema Rojas, Chief Technical Officer, provided a presentation to the Board regarding this item (copy on file in Central Files.) Improvements under this project are part of the Northeast Sewer and Water Master Plan. The project consists of installing approximately 3.6 miles of new water transmission pipelines and 2.7 miles of new sanitary sewer interceptor pipelines to meet the growing needs of development in the Northeast area. This project also includes the first phase of the water line replacement of the McGregor Range water transmission main. The pipeline was originally installed in the early 1950s and has surpassed its design life. This pipeline is critical infrastructure

required to achieve Fort Bliss' mission at McGregor Range. Ms. Rojas answered questions from the Board on this item.

A protest was received by Lesna Construction on this item. Mr. Octavio Covarrubias with Lesna Construction and Mr. Jose Piñon with Lesna Construction signed up and spoke on this item.

On a motion made by Dr. Santiago, seconded by Mr. Morris and unanimously carried, the Board moved into executive session to discuss items 21 and 22.

On a motion made by Mr. Intebi, seconded by Dr. Mena and unanimously carried, the Board deemed Lesna Construction, Inc. as non-responsible and awarded Bid Number 11-23, McGregor 16-inch Water Line, Franklin East 24-inch Water Line Extension Phase II, and Northeast Dyer Interceptor Phase IV, to the lowest, responsive, responsible bidder, S.J. Louis Construction, Inc., in the amount of \$13,400,000 and authorized the use of commercial paper.

22. DEEMED LESNA CONSTRUCTION, INC. AS NON-RESPONSIBLE AND CONSIDERED AND AWARDED BID NUMBER 52-23, NORTHEAST DYER/RAILROAD 30-INCH SANITARY SEWER INTERCEPTOR AND 16-INCH WATER MAIN IMPROVEMENTS PHASE III, TO THE LOWEST, RESPONSIVE, AND RESPONSIBLE BIDDER, S.J. LOUIS CONSTRUCTION, INC., IN THE AMOUNT OF \$4,958,601 AND AUTHORIZED THE USE OF COMMERCIAL PAPER.

Irazema Rojas, Chief Technical Officer, provided a presentation to the Board regarding this item (copy on file in Central Files.) Improvements under this project are part of the Northeast Sewer and Water Master Plan. The project consists of installing approximately 1.6 miles of a new 16-inch water transmission line and 1.6 miles of a new sanitary sewer interceptor, with sizes varying from 24 to 30 inches. These improvements are needed to meet the growing needs of ongoing and planned development in the Northeast area. Mrs. Rojas answered questions from the Board on this item.

A protest was received by Lesna Construction on this item. Mr. Octavio Covarrubias with Lesna Construction, Mr. Jose Piñon with Lesna Construction and Mr. Bob Schueller with J.L. Louis Construction signed up and spoke on this item.

On a motion made by Dr. Santiago, seconded by Mr. Morris and unanimously carried, the Board moved into executive session to discuss items 21 and 22.

On a motion made by Mr. Intebi, seconded by Ms. Block-Urbarri, and unanimously carried, the Board deemed Lesna Construction, Inc. as non-responsible and awarded Bid Number 52-23, Northeast Dyer/Railroad 30-inch Sanitary Sewer Interceptor and 16-inch Water Main Improvements Phase III, to the lowest, responsive, and responsible bidder, S.J. Louis Construction, Inc., in the amount of \$4,958,601 and authorized the use of commercial paper.

18. CONSIDERED AND APPROVED A RESOLUTION ACCEPTING THE TEXAS WATER DEVELOPMENT BOARD ECONOMICALLY DISTRESSED AREAS PROGRAM GRANT IN THE AMOUNT OF \$20,250,096 FOR THE FIRST-TIME CUSTOMER WASTEWATER CONNECTIONS PROJECT IN MONTANA VISTA.

Art Duran, Chief Financial Officer, provided a presentation to the Board regarding this item (copy on file in Central Files.) EPWater will provide project management services for Phase II of the Montana Vista project that will provide the colonia with first-time sanitary sewer service. On June 6, 2023, TWDB approved funding for financial assistance in the amount of \$28,930,096 from EDAP funds for this project. Previously, EPWater

provided the same project management services for the successful completion of Phase 1 of the Montana Vista project. Mr. Duran answered questions from the Board on this item.

On a motion made by Ms. Block-Uribarri, seconded by Dr. Mena and unanimously carried, the Board approved a resolution accepting the Texas Water Development Board Economically Distressed Areas Program grant in the amount of \$20,250,096 for the first-time customer wastewater connections project in Montana Vista.

19. CONSIDERED AND AWARDED BID NUMBER 66-23, CURBSIDE RESIDENTIAL TRASH COLLECTION SERVICES -WESTSIDE AND EASTSIDE SERVICES AREAS TO THE SOLE, RESPONSIVE, RESPONSIBLE BIDDER, EL PASO DISPOSAL, LP, IN THE ESTIMATED ANNUAL AMOUNT OF \$1,688,060 FOR A TERM OF ONE YEAR WITH THE OPTION OF FOUR ONE-YEAR EXTENSIONS PROVIDED THAT FUNDING IS AVAILABLE IN THE APPROVED BUDGET.

Arturo Duran, Chief Financial Officer, provided a presentation to the Board regarding this item (copy on file in Central Files.) Bid Number 66-23 Curbside Residential Trash Collection Services will provide curbside trash collection services to Westside and Eastside customers outside city limits. The new bid is 3% higher for the Eastside service areas and 31% higher for Westside service areas when compared to the previous bid from 2020. Mr. Duran 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 66-23, Curbside Residential Trash Collection Services -Westside and Eastside Services Areas to the sole, responsive, responsible bidder, El Paso Disposal, LP, in the estimated annual amount of \$1,688,060 for a term of one year with the option of four one-year extensions provided that funding is available in the approved budget and with the corrected bid tab to reflect unit of measurement of each and with the added term to be in months.

20. CONSIDERED AND AWARDED RFP NO. 18-23 EPWATER BILL PRINTING AND MAILING SERVICES TO INFO SEND, INC. IN THE ESTIMATED ANNUAL AMOUNT OF \$1,650,000 FOR A TERM OF ONE YEAR WITH FOUR ONE-YEAR OPTIONAL EXTENSIONS, PROVIDED THE FUNDING IS AVAILABLE IN THE APPROVED BUDGET, AND EXTENDED THE CURRENT MASTER CONTRACT MCRFP09-17 WITH DOXIM INC. IN THE ESTIMATED AMOUNT OF \$800,000 FOR SIX MONTHS.

Arturo Duran, Chief Financial Officer, provided a presentation to the Board regarding this item (copy on file in Central Files.) EPWater mails/emails a monthly average of 250,000 water bills, notices, and other letters to customers. Doxim Inc. (previously known as Pinnacle Data Systems, LLC) is the current vendor providing these printing and mailing services. Daily, Doxim Inc. receives billing files and/or notices files to be processed, printed, folded, inserted, sorted, and mailed to customers. Currently, electronic bill services electronic bill (ebills) services account for an estimated 53,000 monthly ebills, which are included in RFP No. 18-23. Mr. Duran answered questions from the Board on this item.

On a motion made by Dr. Mena, seconded by Mr. Morris and unanimously carried, the Board awarded RFP No. 18-23 EPWater Bill Printing and Mailing Services to Info Send, Inc. in the estimated annual amount of \$1,650,000 for a term of one year with four one-year optional extensions, provided the funding is available in the approved budget, and extended the current master contract MCRFP09-17 with Doxim Inc. in the estimated amount of \$800,000 for six months

23. CONSIDERED AND APPROVED A GUARANTEED MAXIMUM PRICE AMENDMENT TO THE CONSTRUCTION MANAGEMENT AT RISK (CMAR) CONSTRUCTION CONTRACT WITH SMITHCO CONSTRUCTION, INC. FOR THE BACKUP POWER GENERATORS AND DIESEL FUEL STORAGE AND DISPENSING SYSTEMS PROJECT AND ACCEPTED THE GUARANTEED MAXIMUM PRICE NUMBER 2 IN THE AMOUNT OF \$13,877,238.47 AND AUTHORIZED THE USE OF COMMERCIAL PAPER.

Irazema Rojas, Chief Technical Officer, provided a presentation to the Board regarding this item (copy on file in Central Files.) EPWater has a capital improvement program to install new backup 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. In addition, Senate Bill 3, enacted by the State of Texas during the 87th legislative session, required EPWater to submit an Emergency Preparedness Plan (EPP) to the Texas Commission on Environmental Quality (TCEQ) requiring that water pressure be maintained indefinitely during extreme events. To meet this requirement, the EPP identified that generators are needed at two pump stations and 16 well sites. Further, to maintain the operation 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. TCEQ approved the EPP, and the implementation deadline is July 1, 2028. These projects are being delivered using the CMAR method. In August 2023, the Public Service Board approved a CMAR construction agreement with Smithco Construction, Inc. (Smithco) and accepted GMP 1 to procure long lead-time generators and equipment. GMP 2 is another early procurement package for long lead time generator sets for 16 well sites, two pump stations, and additional electrical equipment. Lead time for these materials and equipment varies from 54 to 133 weeks. Ms. Rojas answered questions from the Board on this item.

Lisa Turner signed up to speak on item 23.

On a motion made by Mr. Morris, seconded by Dr. Mena and unanimously carried, the Board approved a Guaranteed Maximum Price Amendment to the Construction Management at Risk (CMAR) Construction Contract with Smithco Construction, Inc. for the Backup Power Generators and Diesel Fuel Storage and Dispensing Systems project and accept the Guaranteed Maximum Price Number 2 in the amount of \$13,877,238.47 and authorized the use of commercial paper.

24. PRESENTATION AND DISCUSSION OF EPWATER'S FY23-24 CAPITAL IMPROVEMENT PROJECTS.

Cecilia Bertolli, Capital Improvements Program Manager, provided a presentation to the Board regarding this item (copy on file in Central Files.) The CIP budget in the amount of \$547,742,000 was approved by the Public Service Board on January 11, 2023, and went into effect on March 1, 2023. The presentation includes an update on projects that will be completed by the end of FY23-24. Ms. Bertolli answered questions from the Board on this item.

No action was taken by the Board on this item.

25. PRESENTATION AND DISCUSSION OF EPWATER'S SECOND QUARTER FINANCIAL AND PERFORMANCE MEASURES REPORT FISCAL YEAR 2023-24 FOR THE PERIOD ENDING AUGUST 31, 2023.

Arturo Duran, Chief Financial Officer, 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. Mr. Duran answered questions from the Board on this item.

No action was taken by the Board on this item.

26. PRESENTATION AND DISCUSSION OF EPWATER'S SECOND QUARTER INVESTMENT REPORT FY 2023-24 FOR THE PERIOD ENDING AUGUST 31, 2023.

Arturo Duran, Chief Financial Officer, 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 by the Board on this item.

27. CONSIDERED AND APPROVED THE PROPOSED MEETINGS SCHEDULE FOR THE STORMWATER, WATER, WASTEWATER, AND RECLAIMED WATER ANNUAL BUDGET FOR FISCAL YEAR 2024-2025, AND RULES AND REGULATION CHANGES.

Arturo Duran, Chief Financial Officer, provided a presentation to the Board regarding this item (copy on file in Central Files.)

On a motion made by Ms. Block-Uribarri, seconded by Mr. Morris and unanimously carried, the Board approved the proposed meetings schedule for the Stormwater, Water, Wastewater, and Reclaimed Water annual budget for fiscal year 2024-2025, and Rules and Regulation changes with an amendment to the dates to be moved to Wednesday, November 29, 2023 and Wednesday, December 6, 2023.

28. CONSIDERED AND APPROVED THE PROPOSED TIMELINE FOR THE SELECTION OF A NEW PSB MEMBER IN THE AREA OF COMMUNICATIONS, PUBLIC ADMINISTRATION OR EDUCATION.

On a motion made by Ms. Saenz, seconded by Ms. Block-Uribarri, and unanimously carried, the Board approved the proposed timeline for the selection of a new PSB member in the area of communications, public administration or education with the amended, extended deadline to accept applications up to November 7, 2023, 5:00 p.m.

EXECUTIVE SESSION

On a motion made by Dr. Santiago, seconded by Mr. Morris and unanimously carried, the Board retired into Executive Session 10:05 a.m., October 11, 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. UUPDATE ON DOUBLE H CONTRACTING INC. AND HECTOR HINOJOS, SR. VS. EL PASO PUBLIC SERVICE BOARD (EL PASO WATER UTILITIES) AS AGENT FOR THE CITY OF EL PASO; THE CITY OF EL PASO AND ZTEX CONSTRUCTION INC.; AND TAO INDUSTRIES, INC. D/B/A/ HAWK CONSTRUCTION, CAUSE NO. 2023DCV1654. (551.071).

No action was taken on this item.

21. DEEMED LESNA CONSTRUCTION, INC. AS NON-RESPONSIBLE AND CONSIDERED AND AWARDED BID NUMBER 11-23, MCGREGOR 16-INCH WATER LINE, FRANKLIN EAST 24-INCH WATER LINE EXTENSION PHASE II, AND NORTHEAST DYER INTERCEPTOR PHASE IV, TO THE LOWEST, RESPONSIVE, RESPONSIBLE BIDDER, S.J. LOUIS CONSTRUCTION, INC., IN THE AMOUNT OF \$13,400,000 AND AUTHORIZED THE USE OF COMMERCIAL PAPER.

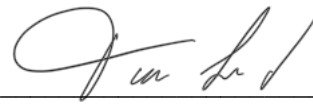
22. DEEMED LESNA CONSTRUCTION, INC. AS NON-RESPONSIBLE AND CONSIDERED AND AWARDED BID NUMBER 52-23, NORTHEAST DYER/RAILROAD 30-INCH SANITARY SEWER INTERCEPTOR AND 16-INCH WATER MAIN IMPROVEMENTS PHASE III, TO

THE LOWEST, RESPONSIVE, AND RESPONSIBLE BIDDER, S.J. LOUIS CONSTRUCTION, INC., IN THE AMOUNT OF \$4,958,601 AND AUTHORIZED THE USE OF COMMERCIAL PAPER.

ADJOURNMENT

On a motion made by Mr. Morris, seconded by Ms. Saenz and unanimously carried, the meeting adjourned at 12:31 p.m., October 11, 2023.

ATTEST:



Dr. Ivonne Santiago, Chair



Charlie Intebi, Secretary-Treasurer