MINUTES
PUBLIC SERVICE BOARD
CITY OF EL PASO
August 12, 2026

The regular meeting of the Public Service Board was held in person, Wednesday, August 12, 2026.

PSB MEMBERS PRESENT
Bryan Morris – Chair
Stefanie Block – Treasurer
Dr. Anna Gitter – Vice Chair
Dr. Hector Ocaranza – Member
Charlie Intebi – Member
Lane Gaddy – Member
Mayor Renard U. Johnson

PSB EMPLOYEES PRESENT
John E. Balliew, P.E., President and Chief Executive Officer
Sol Cortez, Deputy General Counsel

EPWATER EMPLOYEES PRESENT
Ana Sanchez, Vice President of Financial and Management Services
Adam Wickersham, Vice President of IT
Edith Lara, Executive Assistant to the President/CEO
Jeff Tepsick, Chief Financial Officer
Claudia Duran, Chief of Staff
Lisa Rosendorf, Chief Communications and Government Affairs Officer
Elmer Beeler, Chief Support & Logistics Officer
Richard Wilcox, Chief Water Quality Compliance Officer
Alberto Gomez, Utility Video Production Manager
Alessa Contreras, Multimedia Design Specialist
Monica Puga Ontiveros, Utility Chief Human Resources Officer
Felipe Lopez, Utility Chief Engineering Officer
Irazema Rojas, Utility Chief Engineering Officer
Adriana Castillo, Utility Engineering Division Manager
Ivan Hernandez, Utility Engineering Division Manager
Theresa Rivas, Utility Assistant Chief Financial Officer
Martin Noriega, Utility Chief Operations Officer
Gisela Dagnino, Utility Chief Operations Officer
Geoffrey Espineli, Wastewater Systems Division Manager
Veronica Garcia, Senior Purchasing Agent
Renata Renova, Capital Projects Manager
Ozzie Muniz, Utility Chief of Safety, Security, Emergency Response
Bianca Arriaga, Utility Grants Program Manager
David Rodriguez, Support Services Specialist I
Gabriela Warren, Utility Senior Computer Media Specialist
Ozzy Palacios Jr., Utility Enterprise Data Manager
Alvaro Maldonado, Business Contracts Manager
Gustavo Hurtado, Fiscal Operations Manager
Luz Holguin, Utility Assistant Chief Financial Officer
Denise Parra, Public Affairs Officer
Alejandro Vidales, Utility Land Water Rights Manager
Patricia Borshow, Senior Deputy General Counsel
Amy Castner, Utility Engineering Division Manager

Fred Hernandez, Capital Improvements Project Manager
Alvaro Maldonado, Business Contracts Manager
Stephanie Chacon, Executive Assistant
Maria Betancourt, Capital Projects Manager
Pablo Mejia, Capital Projects Manager
Becky Hart, Utility Treasury and Property

MEDIA
Telemundo
KFOX

GUEST
Marlene Strickler, Gibson Ruddock Patterson
Joanna Gil, Gibson Ruddock Patterson
Sergio Adame, Brock & Bustillos
Drew Gray, Stellar Apartments

The Public Service Board meeting was called to order by Dr. Gitter at 8:31 a.m. A quorum of its members was present. After a moment of silence, those in attendance joined Mrs. Lisa Rosendorf in reciting the Pledge of Allegiance.

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

CONSENT AGENDA

1. **APPROVED THE MINUTES OF THE REGULARLY SCHEDULED MEETING HELD ON JULY 8, 2026.**

2. **ADOPTED A RESOLUTION AUTHORIZING THE PRESIDENT/CEO OR DESIGNEE TO SUBMIT A GRANT APPLICATION TO THE U.S. BUREAU OF RECLAMATION UNDER THE TITLE XVI WATER RECLAMATION AND REUSE PROJECTS GRANT OPPORTUNITY IN THE AMOUNT OF $6,000,000 FOR THE PURE WATER CENTER PROJECT, FORMERLY ADVANCED WATER PURIFICATION FACILITY; AUTHORIZED EPWATER'S FUNDING COMMITMENT OF UP TO $18,000,000 NON-FEDERAL MATCH IF GRANT FUNDS ARE AWARDED; AND FURTHER AUTHORIZE THE PRESIDENT/CEO OR DESIGNEE TO PROVIDE AND SIGN ANY DOCUMENTS IN CONNECTION WITH THE GRANT APPLICATION, GRANT AGREEMENT, AND ACCEPTANCE OF FUNDS FOR THIS PROJECT.**

3. **APPROVED A SOLE SOURCE AGREEMENT WITH BADGERMETER, INC. PURSUANT TO SECTION 252.022(A)(7)(A) AND (D) OF THE TEXAS LOCAL GOVERNMENT CODE FOR THE ADVANCED MONITORING OF THE WASTEWATER COLLECTION SYSTEM, FOR AN ESTIMATED ANNUAL AMOUNT OF $1,000,000 FOR A TERM OF ONE YEAR WITH FOUR ONE-YEAR OPTIONS TO EXTEND CONTINGENT UPON THE VENDOR PROVIDING YEARLY DOCUMENTATION ATTESTING TO THEIR SOLE SOURCE STATUS.**

4. **APPROVED AN INCREASE IN THE CAPACITY OF THE EXISTING MASTER CONTRACT ISSUED TO MSC INDUSTRIAL DIRECT CO., INC., THROUGH THE PURCHASING COOPERATIVE GSA CONTRACT NO. 47QSHA18D002C FOR MAINTENANCE, REPAIR, AND OPERATIONS (MRO) SUPPLIES AND SERVICES, BY AN ADDITIONAL $500,000 FOR A CUMULATIVE CONTRACT AMOUNT OF $1,000,000 AND AUTHORIZED THE ISSUANCE OF**

FUTURE ANNUAL MASTER CONTRACTS IN THE ESTIMATED AMOUNT OF $1,000,000 FOR AS LONG AS THE TERM OF THE COOPERATIVE CONTRACT IS IN PLACE.

5. APPROVED AN INCREASE IN THE CAPACITY OF THE EXISTING MASTER CONTRACT ISSUED TO HACH COMPANY THROUGH THE GSA PURCHASING COOPERATIVE CONTRACT NO. 47QSMS26D0027, BY AN ADDITIONAL $1,000,000 FOR A CUMULATIVE CONTRACT AMOUNT OF $1,500,000 AND AUTHORIZED THE ISSUANCE OF FUTURE ANNUAL MASTER CONTRACTS IN THE ESTIMATED AMOUNT OF $1,500,000 FOR AS LONG AS THE TERM OF THE COOPERATIVE CONTRACT REMAINS IN PLACE.

6. APPROVED AN INCREASE IN THE CAPACITY OF THE EXISTING MASTER CONTRACT ISSUED TO EL PASO PHOENIX PUMPS, INC. THROUGH THE PURCHASING COOPERATIVE ESC REGION 19 CONTRACT NO. 26-7551, BY AN ADDITIONAL $1,500,000 FOR A CUMULATIVE CONTRACT AMOUNT TO $2,000,000 AND AUTHORIZED THE ISSUANCE OF FUTURE ANNUAL MASTER CONTRACTS IN THE ESTIMATED AMOUNT OF $2,000,000 FOR AS LONG AS THE TERM OF THE COOPERATIVE CONTRACT REMAINS IN PLACE.

7. AWARDED PROFESSIONAL ENGINEERING SERVICES CONTRACTS FOR ON-CALL CONSTRUCTION MANAGEMENT SERVICES FOR VARIOUS WATER, WASTEWATER, RECLAIMED WATER, AND STORMWATER CONSTRUCTION PROJECTS – RFQ 19-26 TO ARCADIS U.S., INC., BROWN AND CALDWELL, CEA ENGINEERING GROUP, INC., CDM SMITH INC., CONSOR NORTH AMERICA, INC, FREESE AND NICHOLS, INC., GARVER, LLC, H2O TERRA, LLC, HUITT-ZOLLARS, INC., JACOBS ENGINEERING GROUP INC., JOHNSON, MIRMIRAN & THOMPSON, INC., AND MORENO CARDENAS, INC. FOR AN AMOUNT NOT TO EXCEED $1,500,000 FOR EACH FIRM FOR A TERM OF THREE YEARS.

8. AWARDED A PROFESSIONAL ENGINEERING SERVICES CONTRACT TO CONSOR NORTH AMERICA INC., FOR THE WATER DISTRIBUTION ASSESSMENT - RFS 02-26 IN THE AMOUNT OF $522,294.24 AND AUTHORIZED FUTURE TASK ORDERS OR AMENDMENTS TO BE ISSUED UNDER THIS CONTRACT FOR ADDITIONAL ENGINEERING SERVICES IN THE ESTIMATED AMOUNT OF $500,000.

9. AWARDED A PROFESSIONAL ENGINEERING SERVICES CONTRACT TO BATH GROUP, LLC FOR THE JOE CARO PUMP STATION REPLACEMENT - PART 2 PROJECT IN THE AMOUNT OF $434,490 AND AUTHORIZED FUTURE TASK ORDERS OR AMENDMENTS TO BE ISSUED UNDER THIS CONTRACT FOR ADDITIONAL CONSTRUCTION PHASE SERVICES IN AN ESTIMATED AMOUNT OF $500,000.

10. APPROVED CHANGE ORDER NUMBER 2 FOR CSP 08-24 HEATH DE LEON PUMP WITH SMITHCO CONSTRUCTION INC., IN THE AMOUNT OF $2,194,212.11 AND INCREASING THE CONTRACT TIME BY 240 CALENDAR DAYS.

11. APPROVED CHANGE ORDER NUMBER 4 FOR BID NO. 35-22, CROWN POINT II AND NEVINS PACKED TOWER AIR STRIPPERS WITH MORROW ENTERPRISES INC, IN THE AMOUNT OF $154,820.98 AND INCREASING THE CONTRACT TIME BY 480 CALENDAR DAYS.

12. AUTHORIZED THE PRESIDENT/CEO OR DESIGNEE TO SIGN A STANDARD UTILITY AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE RELOCATION OF WASTEWATER AND RECLAIMED WATER INFRASTRUCTURE RELATED TO THE IH-10 FRONTAGE ROAD PROJECT FROM EXECUTIVE BOULEVARD TO SUNLAND PARK DRIVE, WITH A TOTAL PROJECT COST ESTIMATED AT $5,307,371.42 AND AUTHORIZED

THE PRESIDENT/CEO OR DESIGNEE TO APPROVE FUTURE AMENDMENTS TO THE AGREEMENT NOT TO EXCEED A TOTAL OF $750,000.

13. AWARDED RFP 34-26 TEXAS STATE GOVERNMENT RELATIONS SERVICES (RE-BID) TO HILLCO PARTNERS LLC IN THE ANNUAL AMOUNT OF $144,000 FOR A TERM OF THREE YEARS, BEGINNING ON OCTOBER 1, 2026, WITH TWO THREE-YEAR OPTIONS TO EXTEND.

14. REJECTED THE PROPOSAL RECEIVED FOR ESPERANZA WATER WORKS ELECTRICAL IMPROVEMENTS - CSP24-26 AND AUTHORIZED STAFF TO REBID.

15. REJECTED ALL PROPOSALS RECEIVED FOR PUMPING SYSTEMS FURNISH, INSTALLATION & MAINTENANCE PHASE 5 - LOW-BID 32-26 AND AUTHORIZED STAFF TO REBID.

16. ADOPTED A RESOLUTION AUTHORIZING THE ADDITION OF STAFF AS AN AUTHORIZED REPRESENTATIVE OF THE EL PASO WATER UTILITIES PUBLIC SERVICE BOARD FOR THE LOGIC AND TEXSTAR ACCOUNTS; AND AUTHORIZED THE PSB CHAIR AND SECRETARY-TREASURER TO SIGN RELATED DOCUMENTS.

17. ADOPTED A RESOLUTION AUTHORIZING THE ADDITION OF STAFF AS AN AUTHORIZED REPRESENTATIVE OF THE EL PASO WATER UTILITIES PUBLIC SERVICE BOARD FOR THE TEXPOOL INVESTMENT POOL ACCOUNTS; AND AUTHORIZED THE PSB CHAIR AND SECRETARY-TREASURER TO SIGN RELATED DOCUMENTS.

REGULAR AGENDA

18. CEO MONTHLY UTILITY MANAGEMENT AND OPERATIONS UPDATE:

    NEW EPWATER SENIOR LEADERS – OZZIE MUÑIZ, CHIEF OF SAFETY, SECURITY & EMERGENCY RESPONSE; JUAN CASTILLO, CHIEF CUSTOMER EXPERIENCE OFFICER

19. MANAGEMENT REPORT:

    CONSTRUCTION UPDATE – WATER TREATMENT PLANTS IN-LINE FLOW METERS

    UPDATE ON 48-INCH WATER TRANSMISSION MAIN REPAIR – CENTRAL EL PASO

    UPDATE ON THE LAUNCH OF EPWATER'S NEW CUSTOMER MOBILE APPLICATION

    VIDEO FROM COMMUNICATIONS - PIPES AND PROGRESS: WATERLINE REPLACEMENT 12B PROJECT

    The presentation of the video, "Pipes and Progress: Waterline Replacement 12B Project," was postponed until the next regularly scheduled Public Service Board meeting.

20. PUBLIC COMMENT: THE PSB WILL PERMIT PUBLIC COMMENT ON SUBJECTS NOT ON THE AGENDA BUT MAY NOT DELIBERATE ON THESE ITEMS IF NOT POSTED FOR DISCUSSION. THE CHAIR MAY IMPOSE REASONABLE TIME LIMITS FOR EACH SPEAKER.

    No one signed up to speak.

21. AWARDED RFP 14-26 TECHNICAL GRADE METHANOL TO VALENZ SUPPLY AND DISTRIBUTION, LLC TO SUPPLY TECHNICAL GRADE METHANOL ON AN AS-NEEDED BASIS FOR AN ANNUAL ESTIMATED AMOUNT OF $1,034,500, FOR A TERM OF ONE YEAR WITH FOUR

ONE-YEAR OPTIONS TO EXTEND; AND AUTHORIZED FUTURE PRICE ADJUSTMENTS BASED ON FLUCTUATIONS IN THE APPLICABLE PUBLISHED METHANOL MARKET PRICE INDEX.

Geoffrey Espineli, provided a presentation to the Board regarding this item (copy on file in Central Files.) Methanol is an essential chemical used at Fred Hervey Water Reclamation Plant for wastewater treatment process to help remove nitrogen from treated wastewater before it is discharged. Its use supports reliable plant operations, helps EPWater meet regulatory permit requirements. Maintaining a continuous supply of methanol is critical to ensuring uninterrupted treatment operations and regulatory compliance. EPWater issued RFP 14-26 to secure a reliable supply of technical grade methanol.

On a motion made by Mrs. Block, seconded by Mr. Morris, and unanimously carried, the Board awarded RFP 14-26 Technical Grade Methanol to Valenz Supply and Distribution, LLC to supply technical grade methanol on an as-needed basis for an annual estimated amount of $1,034,500, for a term of one year with four one-year options to extend; and authorized future price adjustments based on fluctuations in the applicable published methanol market price index. Mr. Espineli answered questions about the board on this item.

22. AWARDED RFP 22-26, DISPOSAL OF WASTEWATER SLUDGE AND WATER RESIDUALS SERVICES, TO THE TWO HIGHEST-RANKED PROPOSERS, GCC SUN CITY MATERIALS, LLC AND GRAYMAR ENVIRONMENTAL SERVICES, LLC., FOR EACH VENDOR TO DISPOSE WASTEWATER SLUDGE AND WATER TREATMENT RESIDUALS ON AN AS-NEEDED BASIS FOR AN ESTIMATED ANNUAL AMOUNT OF $7,800,000 FOR GCC SUN CITY MATERIALS, LLC., AND FOR AN ESTIMATED AMOUNT OF $6,400,000 FOR GRAYMAR ENVIRONMENTAL SERVICES, LLC. THE CONTRACT TERM FOR EACH VENDOR IS FOR A TERM OF FIVE YEARS WITH ONE FIVE-YEAR OPTION TO EXTEND; AND AUTHORIZED FUTURE PRICE ADJUSTMENTS BASED ON FLUCTUATION IN THE APPLICABLE CONSUMER PRICE INDEX; AND THAT THE PUBLIC SERVICE BOARD MAKES THE FOLLOWING FINDINGS:

1. THAT THE TEXAS PUBLIC HEALTH OR SAFETY BIDDING EXEMPTION APPLIES TO RFP 22-26;

2. THAT MULTIPLE VENDORS ARE REQUIRED TO ENSURE CONTINUITY OF UTILITY SERVICES; AND

3. THAT THE PUBLIC NOTICE REQUIREMENTS UNDER RULES AND REGULATIONS NO. 18 HAVE BEEN SATISFIED.

Geoffrey Espineli, provided a presentation to the Board regarding this item (copy on file in Central Files.) EPWater requires transportation and disposal services for wastewater sludge and water treatment residuals generated at the Haskell R. Street Wastewater Treatment Plant, Roberto Bustamante Wastewater Treatment Plant, Jonathan Rogers Water Treatment Plant, Fred Hervey Water Reclamation Plant, John T. Hickerson Water Reclamation Facility, and Upper Valley Water Treatment Plant.

These services support continued treatment-plant operations through the timely removal, transportation, disposal, or beneficial use of sludge and residual materials. All handling, transportation, disposal, and beneficial use must comply with applicable Texas Commission on Environmental Quality (TCEQ) requirements and all other applicable federal, state, and local laws, permits, and regulations. These services are needed to ensure the public health and safety of our customers.

On a motion made by Mr. Morris, seconded by Dr. Ocaranza, and unanimously carried, the Board awarded RFP 22-26, Disposal of Wastewater Sludge and Water Residuals Services, to the two highest-ranked proposers, GCC Sun City Materials, LLC and GrayMar Environmental Services, LLC., for each vendor to dispose wastewater sludge and water treatment residuals on an as-needed basis for an estimated annual amount of $7,800,000 for GCC Sun City Materials, LLC., and for an estimated amount of $6,400,000 for GrayMar Environmental Services, LLC. The contract term for each vendor is for a term of five years with one five-year option to extend; and authorized future price adjustments based on fluctuation in the applicable consumer price index; and that the Public Service Board makes the following

findings:
1. That the Texas public health or safety bidding exemption applies to RFP 22-26;
2. That multiple vendors are required to ensure continuity of utility services; and
3. That the public notice requirements under Rules and Regulations No. 18 have been satisfied. Mr. Espineli answered questions from the board on this item.

23. AWARDED A PRECONSTRUCTION SERVICES CONTRACT FOR CONSTRUCTION MANAGER AT-RISK FOR THE NORTHEAST WATER AND WASTEWATER UTILITY IMPROVEMENTS (RE-BID)- RFP 33-26, TO SMITHCO CONSTRUCTION, INC., IN THE AMOUNT OF $200,000 AND AUTHORIZED FUTURE AMENDMENTS TO BE ISSUED UNDER THIS CONTRACT FOR ADDITIONAL PRECONSTRUCTION SERVICES IN THE ESTIMATED AMOUNT OF $150,000.

Adriana Castillo, provided a presentation to the Board regarding this item (copy on file in Central Files.) EPWater has capital improvement projects to install six major improvement work packages identified as Loma Real Storage Tank & Pump Sation, Franklin East 1B Tank & Transmission Main, Northeast Franklin Transmission Main Ph. 2, Northeast Franklin Water Main Ph. 3, TxDOT Borderland Expressway Phase 2 and Phase 3 Water System Relocations, and Northeast Dyer/RR Force Main. EPWater decided to combine all projects and delivered using CMAR procurement method.

This item is to request award of a Preconstruction Services Agreement with Smithco Construction Inc as the selected CMAR for the project. Under this contract, the CMAR will collaborate and cooperate with EPWater and the design engineers for the 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 the trade bid packages for construction and develop Guaranteed Maximum Price (GMPs) proposals to construct the project. If the GMPs proposals are acceptable to EPWater staff, an award of the construction contract will be presented to the Public Service Board for approval. Multiple GMPs are anticipated for this project.

On a motion made by Mayor Johnson, seconded by Dr. Ocaranza, and unanimously carried, the Board awarded a preconstruction services contract for Construction Manager At-Risk for the Northeast Water and Wastewater Utility Improvements (Re-Bid)- RFP 33-26, to Smithco Construction, Inc., in the amount of $200,000 and authorized future amendments to be issued under this contract for additional preconstruction services in the estimated amount of $150,000.

24. APPROVED AMENDMENT NUMBER 1 TO THE PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR THE EAST HIGH AND FRANKLIN EAST 1 PRESSURE ZONE IMPROVEMENTS PROJECT WITH CONSOR NORTH AMERICA INC., FOR ADDITIONAL PROFESSIONAL ENGINEERING SERVICES IN THE AMOUNT OF $1,692,307.12; AND AUTHORIZED FUTURE TASK ORDERS OR AMENDMENTS TO BE ISSUED UNDER THIS CONTRACT FOR ADDITIONAL ENGINEERING SERVICES AND CONSTRUCTION PHASE SERVICES IN THE AMOUNT OF $1,000,000 AND EXTEND THE TERM OF THE CONTRACT BY TWO YEARS.

Adriana Castillo, provided a presentation to the Board regarding this item (copy on file in Central Files.) EPWater has capital improvement projects to install six major improvement work packages identified as Loma Real Storage Tank & Pump Sation, Franklin East 1B Tank & Transmission Main, Northeast Franklin Transmission Main Ph. 2, Northeast Franklin Water Main Ph. 3, TxDOT Borderland Expressway Phase 2 and Phase 3 Water System Relocations, and Northeast Dyer/RR Force Main. EPWater decided to combine all projects and deliver using Construction Management at Risk (CMAR) for the Northeast Water and Wastewater Utility Improvements CMAR.

Consor North America Inc. (Consor) is the engineer of record on four of the six work packages as part of the East High and Franklin East 1 Pressure Zone Improvements. Consor was selected through RFS 54-22 for professional engineering services related to the East High and Franklin East 1 Pressure Zone Improvements. There is a need for an amendment to the contract with Consor for the additional services. Consor will provide the preconstruction, program manager and construction management services to ensure effective delivery and coordiantion of this CMAR project.

On a motion made by Mr. Gaddy, seconded by Dr. Ocaranza, and unanimously carried, the Board approved Amendment Number 1 to the professional engineering services contract for the East High and Franklin East 1 Pressure Zone Improvements project with Consor North America Inc., for additional professional engineering services in the amount of $1,692,307.12; and authorized future task orders or amendments to be issued under this contract for additional engineering services and construction phase services in the amount of $1,000,000 and extend the term of the contract by two years.

25. APPROVED AN AMENDMENT TO THE CONSTRUCTION MANAGER AT-RISK (CMAR) CONSTRUCTION CONTRACT WITH PCL/SUNDT, A JOINT VENTURE, FOR THE ROBERTO BUSTAMANTE WASTEWATER TREATMENT PLANT EXPANSION AND IMPROVEMENTS PROJECT AND ACCEPT GUARANTEED MAXIMUM PRICE NUMBER 10 (GMP 10) IN THE AMOUNT OF $40,096,434.

Ivan Hernandez, provided a presentation to the Board regarding this item (copy on file in Central Files.) The Roberto Bustamante Wastewater Treatment Plant was designed for a treatment flow capacity of 39 Million Gallons per Day (MGD) in 1991. A study conducted in 2019 revealed that the organic treatment capacity of the plant has been reduced to 30 MGD due to increased strength of the wastewater. Further, the Texas Commission on Environmental Quality (TCEQ) requires planning an expansion of the wastewater treatment plant once 75% of the plant's flow capacity is exceeded for three consecutive months. In addition to the lower treatment capacity, the Roberto Bustamante Wastewater Treatment Plant has reached 75% of the permitted flow capacity due to growth in east El Paso, requiring EPWater to expand the plant to an increased capacity of 51 MGD.

The project is divided into two phases. Phase 1 involves the construction of a new 21.4 MGD treatment train. Phase 2 includes the rehabilitation of the existing 39 MGD infrastructure to restore 9 MGD of treatment capacity. Upon completion of both phases, the Roberto Bustamante Wastewater Treatment Plant will gain a total of 30.4 MGD in treatment capacity.

This agenda item requests approval of GMP 10 for Phase 1 of the project. The GMP 10 scope generally includes building systems, site utility, and equipment-related improvements associated with the Phase 1 expansion, including work under Division 06 (Wood, Plastics & Composites), Division 08 (Openings), Division 14 (Conveying Equipment), Division 33 (Utilities), and Division 41 (Cranes and Hoists), along with additional General Conditions expenses.

On a motion made by Mr. Morris, seconded by Mr. Gaddy, and unanimously carried, the Board approved an amendment to the Construction Manager At-Risk (CMAR) construction contract with PCL/Sundt, a joint venture, for the Roberto Bustamante Wastewater Treatment Plant Expansion and Improvements project and accept Guaranteed Maximum Price Number 10 (GMP 10) in the amount of $40,096,434.

26. DISCUSSED AND TOOK ACTION ON THE ADOPTION OF A RESOLUTION AMENDING EPWATER RULES AND REGULATIONS NO. 10 ESTABLISHING THE INVESTMENT POLICY FOR THE PUBLIC SERVICE BOARD WITH THE PROPOSED CHANGES.

Becky Hart, provided a presentation to the Board regarding this item (copy on file in Central Files.) Staff is presenting proposed updates to Rule No. 10. The proposed revisions are intended to authorize a qualified nonprofit organization or charitable foundation to administer and invest designated public-purpose funds in accordance with the Texas Public Funds Investment Act, Texas Government Code Chapter 2256.

On a motion made by Mayor Johnson, seconded by Mr. Intebi, and unanimously carried, the Board discussed and took action on the adoption of a resolution amending EPWater Rules and Regulations No. 10 Establishing the

Investment Policy for the Public Service Board with the proposed changes. Mrs. Hart answered questions from the board this item.

27. **ACCEPTED THE EL PASO WATER UTILITIES-PUBLIC SERVICE BOARD ANNUAL COMPREHENSIVE FINANCIAL REPORT FOR THE FISCAL YEAR ENDING FEBRUARY 28, 2026.**

Gustavo Hurtado, provided a presentation to the Board regarding this item (copy on file in Central Files.) The City of El Paso Bond Ordinance 752, as amended, requires that an annual audit of EPWater be conducted by independent certified public accountants. The ACFR is a set of financial statements required for certain public entities established by the Governmental Accounting Standard Boards. The ACFR includes the Water and Wastewater Utility and the Municipal Drainage Utility.

On a motion made by Mr. Gaddy, seconded by Mayor Johnson, and unanimously carried, the Board accepted the El Paso Water Utilities-Public Service Board Annual Comprehensive Financial Report for the fiscal year ending February 28, 2026. Mr. Hurtado and Mrs. Strickler answered questions from the board on this item.

28. **APPROVED THE PROPOSED MEETINGS SCHEDULE FOR THE STORMWATER, WATER, WASTEWATER, AND RECLAIMED WATER ANNUAL BUDGET FOR FISCAL YEAR 2027-2028 AND RULES AND REGULATION CHANGES.**

The Board discussed the proposed meetings schedule for the Stormwater, Water, Wastewater, and Reclaimed Water Annual Budget for Fiscal Year 2027-2028 and Rules and Regulation changes. Board members requested revisions to the proposed schedule and asked staff additional questions regarding the item. Staff was directed to make the requested changes and bring the item back to the Board for consideration at the next regularly scheduled meeting.

29. **DISCUSSED AND TOOK ACTION ON THE REQUEST OF BROCK & BUSTILLOS FOR A VARIANCE TO RULES AND REGULATIONS NO. 7 AND NO. 11 RELATED TO THE PROPOSED STANDBY FIRE PROTECTION SERVICE FOR THE DEVELOPMENT LOCATED AT 923 LA MESA.**

On a motion made by Mr. Intebi, seconded by Mr. Morris, and unanimously carried, the Board opened the public hearing for Item 29. Sergio Adame and Drew Gray addressed the Board regarding the item.

On a motion made by Mr. Intebi, seconded by Mr. Morris, and unanimously carried, the Board closed the public hearing.

On a motion made by Mrs. Block, seconded by Mr. Morris, and unanimously carried, the Board moved Item 29 into Executive Session for discussion.

Following Executive Session, on a motion made by Mrs. Block, seconded by Dr. Ocaranza, and carried by a vote of 6–0, the Board approved the variance as to Rules and Regulations No. 7; approved the variance as to Rules and Regulations No. 11, Section II(B)(4), but only as to the second requirement of Rule No. 7, Section II(D)(1); and denied the variance as to Rules and Regulations No. 11, Section II(B)(10).

EXECUTIVE SESSION

On a motion made by Mrs. Block, seconded by Mr. Morris and unanimously carried, the Board retired into Executive Session at 10:30 a.m. August 12, 2026, 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:

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

Section 551.071 Consultation with Attorney
Section 551.072 Deliberation Regarding Real Property
Section 551.073 Deliberation Regarding Prospective Gift
Section 551.074 Personnel Matters
Section 551.076 Deliberations Regarding Security Devices or Security Audits
Section 551.0761 Deliberation Regarding Critical Infrastructure Facility
Section 551.087 Deliberation Regarding Economic Development Negotiations
Section 551.089 Deliberation Regarding Security Devices or Security Audits

a. CONSULTATION WITH ATTORNEY REGARDING THE REQUEST OF BROCK & BUSTILLOS FOR A VARIANCE TO RULES AND REGULATIONS NO. 7 AND NO. 11 RELATED TO THE PROPOSED STANDBY FIRE PROTECTION SERVICE FOR THE DEVELOPMENT LOCATED AT 923 LA MESA.

This item had no action.

b. AUTHORITY TO NEGOTIATE THE SETTLEMENT OF MARIA DEL CARMEN MURO V. CITY OF EL PASO AND EL PASO WATER UTILITIES PUBLIC SERVICE BOARD D/B/A/ EL PASO WATER UTILITIES D/B/A EL PASO WATER, CAUSE NO. 2024DCV0830.

On a motion made by Mrs. Block, seconded by Dr. Ocaranza, and unanimously carried, the board authorized the Office of General Counsel to participate in settlement negotiations 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. AUTHORITY TO NEGOTIATE THE SETTLEMENT OF SERGIO FIERRO V. CITY OF EL PASO, TEXAS AND EL PASO WATER UTILITIES AND PAUL R. DURAN, CAUSE NO. 2025DCV4082.

On a motion made by Mrs. Block, seconded by Mr. Morris, and unanimously carried, the board authorized the Office of General Counsel to participate in settlement negotiations to the extent and in accordance with the direction of the Board and defend the interests of the utility in connection with this matter.

d. CONSULTATION WITH ATTORNEY REGARDING A SERVICES AGREEMENT WITH THE BORDERPLEX ALLIANCE FOR PLANNING SERVICES.

This item had no action.

e. ANNUAL PERFORMANCE REVIEW AND EMPLOYMENT AGREEMENT FOR THE PRESIDENT/CEO, JOHN E. BALLIEW.

This item had no action.

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

On a motion made by Mr. Gaddy, seconded by Mr. Morris, and unanimously carried, the Board reconvened in open session at 12:15 p.m., August 12, 2026.

On a motion made by Dr. Ocaranza, seconded by Mr. Gaddy, and unanimously carried, the meeting adjourned at 12:17 p.m., August 12, 2026.

ATTEST:

Dr. Anna Gitter, Chair

Stefanie Block, Secretary-Treasurer