MINUTES
PUBLIC SERVICE BOARD
CITY OF EL PASO
September 11, 2024

The regular meeting of the Public Service Board was held in person, Wednesday, September 11, 2024

PSB MEMBERS PRESENT
Bryan Morris, Chair
Stefanie Block Uribarri, Secretary-Treasurer
Dr. Anna Gitter, Member
Lisa Saenz, Member
Dr. Hector Ocaranza

PSB MEMBERS ABSENT
Charlie Intebi, Vice-Chair
Mayor Oscar Leeser

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
Gilbert Trejo, Vice President of Operations and Technical Services
Adam Wickersham, Vice President of IT
Art Duran, Chief Financial Officer
Claudia Duran, Chief of Staff
Edith Lara, Executive Assistant to the President/CEO
Patricia Borschow, Assistant General Counsel
Michaela Grambling, Senior Assistant General Counsel
Luz Holguin, Assistant Chief Financial Officer
Alberto Gomez, Support Services I
Ruben Rodriguez, Chief Water Quality Compliance Officer
Lisa Rosendorf, Chief Communications & Government Affairs Officer
Rose Guevara, Purchasing and Contracts Manager
Geoffrey Espineli, Engineer Division Manager
Melinda Becker, Assistant General Counsel
Adriana Castillo, Engineer Division Manager
Elmer Beeler, Chief Support & Logistics Officer
Aldo Gomez Fierro, Support Services Specialist III
Caira Grier, Support Services Specialist III
Robert Evans Jr, Software Developer I
Bianca Arriaga, Utility Grants Program Manager
Felipe Lopez, Utility Chief Engineering Officer
Jennifer Barr, Water Conservation/TecH2O Manager
Teresa Alcala, Utility Laboratory Service Manager
Alma De Anda, Utility Land and Water Rights Manager
Rocio Alvarado, Real Estate Manager
Alejandro Vidales, Utility Land and Water Rights Manager
Gretchen Byram, Utility Senior Computer Media Specialist

EPWATER EMPLOYEES PRESENT (continued)
Pablo Mejia Jr., Capital Improvement Project Manager
Mirtha Solis, Business Contracts Manager
Gisela Dagnino, Utility Chief Operations Officer
Patricia Borschow, Assistant General Counsel
Irazema Rojas, Utility Chief Engineering Officer
Enrique Ochoa, Engineering Division Manager

GUESTS
None

MEDIA
None

The Public Service Board meeting was called to order by Bryan Morris at 8:01 a.m. A quorum of its members was present. After a moment of silence, those in attendance joined Mrs. Patricia Borschow in reciting the Pledge of Allegiance.

REGULAR AGENDA

1. **ADMINISTERED OATH TO DR. HECTOR OCARANZA NEW BOARD MEMBER.**
Ms. Laura Prine, City Clerk, administered the Oath of Office to new PSB member, Dr. Hector Ocaranza.

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

CONSENT AGENDA

2. **CONSIDERED AND APPROVED THE MINUTES OF THE REGULARLY SCHEDULED MEETING HELD ON AUGUST 14, 2024.**

3. **CONSIDERED AND ADOPTED A RESOLUTION AUTHORIZING THE PRESIDENT/CEO'S SUBMISSION OF A GRANT APPLICATION TO THE U.S. BUREAU OF RECLAMATION UNDER FUNDING OPPORTUNITY NUMBER R23AS00465 "WATERSMART DESALINATION CONSTRUCTION PROJECTS UNDER THE WIIN ACT FOR FISCAL YEARS 2023 AND 2024" FOR A THE KBH EXPANSION – CONCENTRATE PIPELINE PARTIAL REPLACEMENT PROJECT, REQUESTING $4,625,000 IN GRANT FUNDING AND AUTHORIZED EPWATER'S FUNDING COMMITMENT TO ALLOCATE AN ESTIMATED $13,875,000 TO THE PROJECT IF GRANT FUNDS ARE AWARDED; AND FURTHER AUTHORIZED THE PRESIDENT/CEO TO PROVIDE AND SIGN ANY DOCUMENTS IN CONNECTION WITH THE GRANT APPLICATION, GRANT AGREEMENT AND THE ACCEPTANCE OF FUNDS FOR THIS PROJECT.**

4. **CONSIDERED AND ADOPTED A RESOLUTION AUTHORIZING THE PRESIDENT/CEO'S SUBMISSION OF A GRANT APPLICATION TO THE U.S. BUREAU OF RECLAMATION UNDER FUNDING OPPORTUNITY NUMBER R23AS00464 "WATERSMART TITLE XVI WIIN ACT WATER RECLAMATION AND REUSE FOR FISCAL YEARS 2023 AND 2024" FOR THE NEVINS PUMP STATION AND PIPING PROJECT, REQUESTING $7,652,137 IN GRANT FUNDING AND AUTHORIZED EL PASO WATER'S FUNDING COMMITMENT TO ALLOCATE AN ESTIMATED $22,956,413 TO THE PROJECT IF GRANT FUNDS ARE AWARDED; AND FURTHER AUTHORIZED THE PRESIDENT/CEO TO PROVIDE AND SIGN**

ANY DOCUMENTS IN CONNECTION WITH THE GRANT APPLICATION, GRANT AGREEMENT AND THE ACCEPTANCE OF FUNDS FOR THIS PROJECT.

5. **CONSIDERED AND ADOPTED A RESOLUTION AUTHORIZING THE PRESIDENT/CEO TO SIGN A MULTIPLE USE AGREEMENT BETWEEN THE STATE OF TEXAS BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION AND THE EL PASO WATER UTILITIES PUBLIC SERVICE BOARD IN CONNECTION WITH THE USE OF RIGHT OF WAY ALONG SL375 CONTROL SECTION NO. 255-04 FOR THE CLARDY FOX PUMP STATION.**

6. **CONSIDERED AND APPROVED AN INCREASE IN THE CAPACITY OF THE CONTRACT ISSUED TO LONGHORN ELECTRICAL SERVICES, INC. THROUGH THE COOPERATIVE ESC REGION 19 CONTRACT NO. 23-7457 MAINTENANCE, REPAIR AND OPERATION (MRO) EQUIPMENT, SUPPLIES, MATERIALS AND SERVICES BY AN ADDITIONAL $3,000,000 FOR A CUMULATIVE CONTRACT AMOUNT OF $3,500,000; AND AUTHORIZED THE ISSUANCE OF FUTURE CONTRACTS IN THE ESTIMATED ANNUAL AMOUNT OF $3,500,000 FOR AS LONG AS THE TERM OF ESC REGION 19 CONTRACT NO. 23-7457 IS IN PLACE.**

7. **CONSIDERED AND APPROVED AN INCREASE IN THE CAPACITY OF THE CONTRACT ISSUED TO DOGGETT FREIGHTLINER OF SOUTH TEXAS, LLC. THROUGH THE TIPS COOPERATIVE CONTRACT NO. 230802 HEAVY-DUTY AND MEDIUM DUTY TRUCKS AND TRAILERS BY AN ADDITIONAL $1,500,000 FOR A CUMULATIVE CONTRACT AMOUNT OF $2,000,000; AND AUTHORIZED THE ISSUANCE OF FUTURE CONTRACTS IN THE ESTIMATED ANNUAL AMOUNT OF $2,000,000 FOR AS LONG AS THE TERM OF THE TIPS CONTRACT NO. 230802 IS IN PLACE.**

8. **CONSIDERED AND APPROVED CHANGE ORDER NO. 4 (FINAL) FOR BID NO. 29-22, FRED HERVEY WATER RECLAMATION PLANT REACTOR AND RECARBONATION CLARIFIERS REPLACEMENT WITH SMITHCO CONSTRUCTION, INC., INCREASING THE CONTRACT PRICE BY $302,700.40.**

9. **CONSIDERED AND REJECTED THE SOLE BID RECEIVED FROM JOBE MATERIALS L.P. FOR BID NUMBER 54-24, CONCRETE AND SAND & GRAVEL, AND ALLOW STAFF TO RE-BID.**

10. **CONSIDERED AND REJECTED ALL BIDS RECEIVED FOR SW04-24 JOHN T. HICKERSON WWTP STORMWATER BASIN AND ALLOW STAFF TO RE-BID.**

11. **CONSIDERED AND AWARDED A PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR THE AMERICAS TEN WATERSHED IMPROVEMENTS – RFS SW27-24 PROJECT TO FREESE AND NICHOLS, INC., FOR DESIGN AND BID PHASE SERVICES IN THE AMOUNT OF $3,401,344 AND AUTHORIZED FUTURE TASK ORDERS OR AMENDMENTS TO BE ISSUED UNDER THIS CONTRACT FOR ADDITIONAL DESIGN, BID AND CONSTRUCTION PHASE SERVICES IN THE ESTIMATED AMOUNT OF $4,100,000.**

12. **CONSIDERED AND APPROVED AMENDMENT NUMBER 1 TO THE PROFESSIONAL ENGINEERING SERVICES CONTRACTS AWARDED TO BROCK & BUSTILLOS INC., BROWN AND CALDWELL DBA BROWN AND CALDWELL, INC., CEA ENGINEERING GROUP, INC., CONSOR ENGINEERS, LLC, FREESE AND NICHOLS, INC., H2O TERRA, LLC, HUITT-**

ZOLLARS, INC., MOLZEN-CORBIN & ASSOCIATES, INC., PARKHILL, SMITH & COOPER, INC., AND WESTON SOLUTIONS, INC., FOR ON-CALL PROFESSIONAL ENGINEERING SERVICES FOR WATER, WASTEWATER, RECLAIMED WATER, AND STORMWATER PIPELINES 24-INCHES AND SMALLER TO INCREASE THE CAPACITY OF EACH CONTRACT IN THE ADDITIONAL AMOUNT OF $1,000,000.

13. **CONSIDERED AND APPROVED AMENDMENT NUMBER 1 TO THE PROFESSIONAL ENGINEERING SERVICES CONTRACTS AWARDED TO ARCADIS U.S., INC, CEA ENGINEERING GROUP, INC., FREESE AND NICHOLS, INC., H2O TERRA LLC, AND MORENO CARDENAS, INC. FOR ON-CALL PROFESSIONAL ENGINEERING SERVICES FOR STORMWATER AND WASTEWATER LIFT STATIONS TO INCREASE THE CAPACITY OF EACH CONTRACT IN THE ADDITIONAL AMOUNT OF $1,000,000.**

14. **CONSIDERED AND APPROVED AMENDMENT NUMBER 2 TO THE PROFESSIONAL ENGINEERING SERVICES CONTRACT AWARDED TO CAROLLO ENGINEERS, INC., FOR ADDITIONAL ENGINEERING SERVICES FOR THE ADVANCED WATER PURIFICATION FACILITY – PART 2 PROJECT IN THE AMOUNT OF $1,565,770 AND AUTHORIZED FUTURE TASK ORDERS OR AMENDMENTS TO BE ISSUED UNDER THIS CONTRACT FOR CONSTRUCTION PHASE AND ADDITIONAL SERVICES IN THE ESTIMATED AMOUNT OF $18,000,000.**

15. **CONSIDERED AND APPROVED AMENDMENT NUMBER 2 TO THE PROFESSIONAL ENGINEERING SERVICES CONTRACT AWARDED TO CEA ENGINEERING GROUP, INC. FOR ADDITIONAL CONSTRUCTION PHASE SERVICES FOR THE RIVERSIDE INTERNATIONAL INDUSTRIAL CENTER PROJECT IN THE AMOUNT OF $528,540.89 AND A ONE-YEAR EXTENSION OF THE TERM OF THE CONTRACT; AND AUTHORIZED FUTURE TASK ORDERS OR AMENDMENTS TO BE ISSUED UNDER THIS CONTRACT FOR ADDITIONAL PROFESSIONAL ENGINEERING SERVICES IN AN ESTIMATED AMOUNT OF $250,000.**

16 **CONSIDERED AND APPROVED AMENDMENT NUMBER 2 TO THE STANDARD FORM OF AGREEMENT BETWEEN OWNER AND ARCHITECT WITH EXIGO ARCHITECTURE, LLC FOR ADDITIONAL PROFESSIONAL CONSTRUCTION PHASE SERVICES FOR THE EPWATER MAIN ADMINISTRATION BUILDING PROJECT FOR AN ADDITIONAL AMOUNT OF $777,000.**

17. **CONSIDEERED AND APPROVED A PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR THE FESTIVAL II RESERVOIR AND THOMASON RESERVOIR UPGRADES – PART 2 PROJECT WITH AECOM FOR DESIGN SERVICES IN THE AMOUNT OF $258,522.76 AND AUTHORIZED FUTURE TASK ORDERS OR AMENDMENTS TO BE ISSUED UNDER THIS CONTRACT FOR ADDITIONAL DESIGN, BID AND CONSTRUCTION PHASE SERVICES IN AN ESTIMATED AMOUNT OF $500,000.**

18. CONSIDERED AND APPROVED A PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR THE LAWTON AND PROSPECT WATER LINE – PART 2 PROJECT WITH ARCADIS U.S., INC FOR ENVIRONMENTAL PERMITTING, ANALYSIS, AND ASSESSMENT SERVICES IN THE AMOUNT OF $114,091 AND AUTHORIZED FUTURE TASK ORDERS OR AMENDMENTS TO BE ISSUED UNDER THIS CONTRACT FOR ADDITIONAL ENVIRONMENTAL PERMITTING, ANALYSIS, AND ASSESSMENTS SERVICES IN AN ESTIMATED AMOUNT OF $250,000.

REGULAR AGENDA

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

- **EPWATER LEADERSHIP ANNOUNCEMENTS**
- **AWARD – ANTHONY BUONVINO NAMED NATIONAL SECTOR CHIEF OF THE YEAR BY INFRAGARD**
- **AWARD – GILBERT TREJO NAMED THE 2024 TEXAS WATER REUSE ED ARCHULETA AWARD**
- **CHRISTINA MONTOYA-HALTER NAMED NEW CHAIR OF TEXAS WATER REUSE ASSOCIATION**

20. MANAGEMENT REPORT:

- **RIVERSIDE INDUSTRIAL UPDATE**
- **CONSTRUCTION UPDATE**
- **DROUGHT RESOLUTION UPDATE**
- **VIDEO FROM COMMUNICATIONS**

21. 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 for public comment on subjects not on the agenda.

22. CONSIDERED AND AUTHORIZED THE PRESIDENT/CEO OR DESIGNEE TO SIGN A CONTRACT FOR WHOLESALE WATER SUPPLY AND PROVISION OF WASTEWATER SERVICES BETWEEN EL PASO WATER UTILITIES – PUBLIC SERVICE BOARD AND EL PASO COUNTY MUNICIPAL UTILITY DISTRICT NO. 3.

Adriana Castillo, Utility Engineering Division Manager, provided a presentation to the Board regarding this item (copy on file in Central Files.) The El Paso County Municipal Utility District No. 3 (District) requested wholesale water supply and wastewater services from EPWater. The District will in turn provide retail water and wastewater service to its customers and also intends to provide retail services to customers living within the El Paso County Municipal Utility District No. 4, which is a dormant municipal district located adjacent to the District. Both municipal utility districts are located in unincorporated areas of the county. Ms. Castillo answered questions from the Board on this item.

On a motion made by Dr. Gitter seconded by Ms. Saenz, and unanimously carried, the Board authorized the President/CEO or designee to sign a contract for wholesale water supply and provision of wastewater services between El Paso Water Utilities – Public Service Board and El Paso County Municipal Utility District No. 3.

23. CONSIDERED AND AWARDED BID NO. 62-24, MISCELLANEOUS CHEMICALS, AND SUPPLIES TO MIDLAND SCIENTIFIC INC., IN THE ESTIMATED ANNUAL AMOUNT OF $ 1,223,172.73 PLUS AN ADDITIONAL ANNUAL ALLOWANCE OF $800,000 FOR A TERM OF ONE YEAR WITH THE OPTION FOR FOUR ONE-YEAR EXTENSIONS.

Ruben Rodriguez, Chief Water Quality Compliance Officer, provided a presentation to the Board regarding this item (copy on file in Central Files.) This bid is for laboratory items such as chemicals, consumables, assorted measurement and analysis items and other support equipment used by the International Water Quality Laboratory (IWQL) and other EPWater Operations staff field, and plant operators. Mr. Rodriguez answered questions from the Board on this item.

On a motion made by Ms. Saenz seconded by Dr. Gitter and unanimously carried, the Board awarded Bid No. 62-24, Miscellaneous Chemicals, and Supplies to Midland Scientific Inc., in the estimated amount of $1,223,172.74 plus an additional annual allowance of $800,000 for a term of one year with the option for four one-year extensions.

24. CONSIDERED AND APPROVED A CONSTRUCTION MANAGER AT-RISK CONSTRUCTION CONTRACT WITH PCL/SUNDT, A JOINT VENTURE, FOR THE ADVANCED WATER PURIFICATION FACILITY PROJECT AND ACCEPTED THE GUARANTEED MAXIMUM PRICE NUMBER 1 (GMP 1) IN THE AMOUNT OF $12,958,597.

Irazema Rojas, Chief Technical officer, 915-594-5562, provided a presentation to the Board regarding this item (copy on file in Central Files.) EPWater will further diversify its water supply portfolio by implementing direct potable reuse at the planned Advanced Water Purification Facility (AWPF). The AWPF will be a new water supply for the City, providing 10 million gallons per day. This project will be a first of its kind water recycling facilty that will treat secondary clarifier wastewater effluent from the Roberto R. Bustamante Wastewater Treatment Plant (Bustamante Plant) to drinking water. The water will then be pumped directly in to the distribution system. At the AWPF, the multiple treatment barriers will purify the water including membrane microfiltration, reverse osmosis membranes, ultraviolet light with advanced oxidation, granular activated carbon, and chlorine disinfection. The purified water will be stabilized to match the water chemistry in the distribution system through a combination of chemical addition and blending with local groundwater. The new facility will be located adjacent to the Jonathan Rogers Water Treatment Plant, where existing pumps will be used to convey into the system, and the Bustamante Plant which will provide the source water. The project is being delivered using Construction Manager At-Risk (CMAR) method. In July 2022, the Public Service Board approved the CMAR preconstruction agreement with PCL/Sundt, a joint venture. While the design is currently under review by the Texas Commission on Environmental Quality (TCEQ), the project has been navigating the regulatory approval process with TCEQ since 2015. Construction is scheduled to begin in the fall of 2024 and estimated construction completion in late 2027. Estimated construction cost is $294,000,000. PCL/Sundt proposed to deliver the CMAR project in multiple GMPs. GMP 1 will be for an early work package that includes general conditions cost and procurement of long lead time material, including the membrane filtration system. Ms. Rojas answered questions from the Board on this item.

On a motion made by Dr. Gitter seconded by Mr. Morris and unanimously carried, the Board approved a Construction Manager At-Risk construction contract with PCL/Sundt, a joint venture, for the Advanced Water Purification Facility project and accepted the Guaranteed Maximum Price Number 1 (GMP 1) in the amount of $12,958,597.

25. DEEMED ALLEN CONCRETE LLC AS NON-RESPONSIBLE AND CONSIDERED AND AWARDED COMPETITIVE SEALED PROPOSAL NO. 19-24, RIVERSIDE INTERNATIONAL INDUSTRIAL CENTER PHASE 3 TO JORDAN FOSTER CONSTRUCTION LLC AS THE HIGHEST RANKED OFFEROR WITH THE BEST VALUE PROJECT APPROACH IN THE AMOUNT OF $14,507,294.

Irazema Rojas, Chief Technical Officer, 915-594-5562 and John Balliew, President/CEO, 915-549-5501, provided a presentation to the Board regarding this item (copy on file in Central Files.) EPWater manages approximately 200 acres of land in southeast El Paso, known as the Riverside International Industrial Center (RIIC). The proximity of the RIIC to the Zaragoza International Port-of-Entry, coupled with the utility and road improvements to Pan American Drive and Winn Road, make the property ideal for leasing to large manufacturing, warehousing, and industrial tenants, which will serve as an alternative source of revenue for EPWater. EPWater subdivided the RIIC in December 1999, intending to develop an industrial park at this site. A marketing study for the new industrial park was commissioned in 2017, which showed a generalized layout of the center's stormwater facilities and building sites. In December of 2018, the PSB approved the business model for the leasing prices at RIIC. RIIC development is being implemented in three phases. Phase 1 and 2 are complete which is for installation of utilities. Phase 3 consists of construction of roadway, additional installation of stormwater, potable water, and gravity sewer main, street lighting and street landscaping. These improvements make the property utility ready and more attractive for potential lessors. Ms. Rojas answered questions from the Board on this item.

On a motion made by Ms. Saenz, seconded by Mr. Morris and unanimously carried, the Board moved to discuss item 25 in executive session and voted on the item after executive session.

On a motion made by Ms. Saenz seconded by Dr. Gitter and unanimously carried, the Board deemed Allen Concrete LLC, as non-responsible and considered and awarded Competitive Sealed Proposal No. 19-24, Riverside International Industrial Center Phase 3 to Jordan Foster Construction LLC as the highest ranked offeror with the best value project approach in the amount of $14,507,294.

26. CONSIDERED AND APPROVED A GUARANTEED MAXIMUM PRICE AMENDMENT TO THE STANDARD FORM OF AGREEMENT BETWEEN OWNER AND CONSTRUCTION MANAGER AS CONSTRUCTOR WITH HENSEL PHELPS CONSTRUCTION CO. FOR THE EPWATER MAIN ADMINISTRATION BUILDING PROJECT AND ACCEPTED THE GUARANTEED MAXIMUM PRICE NUMBER 4 (GMP4) IN THE AMOUNT OF $3,670,519.

Gilbert Trejo, Vice President of Operations and Technical Services, 915-549-5644, provided a presentation to the Board regarding this item (copy on file in Central Files.) Guaranteed Maximum Price Number 4 (GMP4) is the final construction package proposed by Hensel Phelps Construction Co., for their work on the Main Administration Building project. With all structural aspects of the building awarded, GMP4 solely focuses on the interior of the building including any elements not permanently attached to the actual structure. Examples include items with functional purpose as cubicles, modular workstations, cables, lighting, and associated technology and equipment. This item will also include finishes, such as paint, tile, carpet, and flooring. Mr. Trejo answered questions from the Board on this item.

On a motion made by Mr. Morris seconded by Dr. Gitter and unanimously carried, the Board approved a Guaranteed Maximum Price Amendment to the Standard Form of Agreement Between Owner and Construction Manager as Constructor with Hensel Phelps Construction Co. for the EPWater Main Administration Building project and accepted the Guaranteed Maximum Price Number 4 (GMP4) in the amount of $3,670,519.

27. CONSIDERED AND ADOPTED REVISIONS TO THE EPWATER PUBLIC SERVICE BOARD DELEGATION OF SIGNATURE AUTHORITY TO THE PRESIDENT/CEO POLICY ("POLICY") ON THE DELEGATION OF SIGNATURE AUTHORITY TO THE PRESIDENT/CEO TO INCLUDE DELEGATED AUTHORITY TO APPROVE CONTRACTS FOR PERSONAL SERVICES AGREEMENTS PURSUANT TO SECTION 252.022(A)(4) OF THE TEXAS LOCAL GOVERNMENT CODE AND TO UPDATE CERTAIN FORMATTING OF THE POLICY.

Sol Cortez, Deputy General Counsel, 915-594-5578, provided a presentation to the Board regarding this item (copy on file in Central Files.) The Bylaws of the El Paso Water Utilities Public Service Board authorize the Public Service Board to grant authority to the President/CEO to transact the business of the utility and to sign documents. The Policy is intended to be a written delegation of authority to the President/CEO. To approve certain actions and sign documents under certain parameters as outlined in the Policy. This Policy does not delegate the Public Service Board's policy making authority. The delegation of authority to the President/CEO streamlines procedures, eliminates unnecessary delays, and improves overall Utility efficiency. The proposed revisions to the Policy are as follows: (1) to include language of EPWater's enabling ordinance, (2) to include delegated authority to approve contracts for personal services agreements pursuant to Section 252.022(a)(4) of the Texas Local Government Code, (3) to update EPWater branding language, and (4) to revise some of the formatting of the Policy. Ms. Cortez answered questions from the Board on this item.

On a motion made by Dr. Gitter seconded by Dr. Ocaranza and unanimously carried, the Board adopted revisions to the EPWater Public Service Board Delegation of Signature Authority to the President/CEO Policy ("Policy") on the delegation of signature authority to the President/CEO to include delegated authority to approve contracts for personal services agreements pursuant to Section 252.022(a)(4) of the Texas Local Government Code and to update certain formatting of the Policy.

EXECUTIVE SESSION

On a motion made by Ms. Saenz, seconded by Dr. Gitter and unanimously carried, the Board retired into Executive Session 9:03 a.m., September 11, 2024, 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 551.087 Deliberation Regarding Economic Development Negotiations
Section 551.089 Deliberation Regarding Security Devices or Security Audits

a. UPDATE ON LEASING AND MANAGING REAL ESTATE. (551.071) (551.072)

No action was taken on this item.

b. **CONSULTATION WITH ATTORNEY REGARDING *PICKETT V. CITY OF EL PASO*, CAUSE NO. 2020DCV3514 (552.071)**

No action was taken on this item.

c. **CONSULTATION WITH ATTORNEY REGARDING UPDATE ON NEW MEXICO ENVIRONMENT DEPARTMENT'S JUNE 2022 ADMINISTRATIVE COMPLIANCE ORDERS AGAINST EL PASO WATER DOCKETED AS WQCC 23-31/WQCC 23-32 AND CIVIL ACTION NO. 3:22-CV-460. (551.071)**

No action was taken on this item.

d. **CONSULTATION WITH ATTORNEY REGARDING UPDATE ON *TEXAS V. NEW MEXICO*, PENDING IN THE SUPREME COURT OF THE UNITED STATES, NO. 141, ORIG. (551.071)**

No action was taken on this item.

On a motion made by Ms. Saenz, seconded by Dr. Gitter and unanimously carried, the Board reconvened in open session at 10:14 a.m., September 11, 2024.

ADJOURNMENT

On a motion made by Ms. Saenz, seconded by Dr. Ocaranza and unanimously carried, the meeting adjourned at 10:19 a.m., September 11, 2024.

ATTEST:

Bryan Morris, Chair

Ms. Stefani Block Uribarri, Secretary-Treasurer