



**BROWNSVILLE  
PUBLIC UTILITIES BOARD**

**TO:** Brownsville Public Utilities Board  
**FROM:** Sandra A. Saenz, Chair  
**SUBJECT:** Notice of a Special Board Meeting

**Date:** October 21, 2022

**MEETING DATE:** October 24, 2022  
**MEETING TIME:** 5:30 PM  
**MEETING LOCATION:** BPUB Annex Building  
Board Room  
1425 Robinhood Drive  
Brownsville, Texas 78521

PURSUANT TO CHAPTER 551.127, TEXAS GOVERNMENT CODE, ONE OR MORE BOARD OF DIRECTORS OR EMPLOYEES MAY ATTEND THIS MEETING REMOTELY USING VIDEOCONFERENCING TECHNOLOGY. THE VIDEO AND AUDIO FEED OF THE VIDEOCONFERENCING EQUIPMENT CAN BE VIEWED AND HEARD BY THE PUBLIC AT THE ADDRESS POSTED ABOVE AS THE LOCATION OF THE MEETING. REASONABLE SPACING BETWEEN ATTENDEES AT THE MEETING WILL BE PROVIDED. ALL ATTENDEES ARE STRONGLY REQUESTED TO WEAR MASKS, BUT ARE NOT REQUIRED BY STATE LAW. ANYONE EXPERIENCING ANY SYMPTOMS OF COVID-19 IS ASKED NOT TO ATTEND THE MEETING IN PERSON, BUT RATHER TO CALL IN TO THE MEETING. BPUB RESERVES THE RIGHT TO REQUEST ANYONE DISPLAYING COVID-19 SYMPTOMS TO LEAVE THE MEETING. IF YOU DO NOT ATTEND THE MEETING IN PERSON, YOU MAY USE THE DIAL-IN PROCEDURE BELOW.

**Dial In: 1-408-418-9388**  
**Access Code: 2491 010 6418#**

Members of the public may listen to the meeting as it is being held by dialing one of the numbers listed below (same access code above). Because of technology limitations, only a limited number of callers will be allowed to call in, however, a recording of the meeting will be made available to the public on BPUB's website at <https://www.brownsville-pub.com/events/special-board-meeting-20/>.

<b>Dial by your location: 1-408-418-9388 (US Toll)</b>	
1-617-315-0704 (Boston)	1-312-535-8110 (Chicago)
1-469-210-7159 (Dallas)	1-720-650-7664 (Denver)
1-904-900-2303 (Jacksonville)	1-213-306-3065 (Los Angeles)
1-646-992-2010 (New York City)	1-602-666-0783 (Phoenix)
1-206-207-1700 (Seattle)	1-202-860-2110 (Washington, DC)

**DISCUSSION AND POSSIBLE ACTION ON THE FOLLOWING MATTERS:**

**MEETING AGENDA**

**Call Open Meeting to Order at 5:30 PM**  
CONFIRMATION OF A QUORUM

**PUBLIC COMMENTS**

*Please note the following:*

PUBLIC COMMENTS WILL ONLY BE ACCEPTED IN WRITING NO LATER THAN ONE (1) HOUR IN ADVANCE OF THE MEETING BY SENDING THEM TO NORMA SANCHEZ AT [nsanchez@brownsville-pub.com](mailto:nsanchez@brownsville-pub.com). In the body of the email please include date, your name, your address, phone number, agenda item number, if applicable, or subject of discussion, and your comments.

- THERE IS A FIVE (5)-MINUTE TIME LIMIT PER SPEAKER. THE PRESIDING OFFICER MAY, BUT IS NOT REQUIRED TO, ALLOW ADDITIONAL TIME TO A SPEAKER.
- THE SPEAKER MUST IDENTIFY BY NAME, ADDRESS, AND ORGANIZATIONAL AFFILIATION (IF ANY) BEFORE SPEAKING.
- QUESTIONS AND COMMENTS SHOULD BE ADDRESSED TO THE BOARD AS A WHOLE, NOT TO INDIVIDUAL BOARD MEMBERS, THE CEO, OR MEMBERS OF THE AUDIENCE.
- IF AN ISSUE ADDRESSED IS NOT INCLUDED ON THE AGENDA, NO FORMAL ACTION WILL BE TAKEN.

### ITEMS FOR INDIVIDUAL CONSIDERATION

1. Discussion and possible action on proposed use(s) of fees, rates, and other funds collected to support the, now terminated, Tenaska Project, including proposed uses and/or distribution of the Tenaska Equity Fund—Miguel Perez
2. Consideration and Possible Action to create a Special City of Brownsville/Brownsville Public Utilities Board Committee in furtherance of Brownsville, TX Code of Ordinances, Article VI, Section 4(f), which recognizes that collaboration between the Public Utilities Board and the City of Brownsville is advantageous and beneficial through the coordination of planning and policy issues for the purposes of the common goals of eliminating duplication of services, creating administrative efficiency, providing for joint service efforts and ensuring quality of service at the lowest cost in terms of both utility rates and tax rates—Jaime Estrada

RECESS TO CLOSED MEETING to Consider Matters Pursuant to Tex. Government Code Chapter 551, et seq.

### CLOSED MEETING

*At this time the items on the Agenda designated for Closed Meeting will be considered. If there is an approved motion to go into Closed Meeting the listeners will be placed on "hold" until the Board returns to Open Meeting.*

1. Meeting with Board's legal counsel for advice about contemplated and pending court and administrative litigation and on matters in which the duty of the attorney under the Texas Disciplinary Rules of Professional Conduct conflicts with Chapter 551 (Sec. 551.071), including among other matters the CRI Forensic Audit Report, any new and/or additional information received regarding the Audit Report, and possible retention of professional consultant regarding the Audit Report.
2. Deliberations regarding the appointment, employment, evaluation, reassignment, duties, or discipline of the CEO of the Brownsville Public Utilities Board. (Sec. 551.074 and 551.071).
3. Consideration of duties of Interim CEO and possible appointment of Interim CEO. (Sec. 551.074 and 551.071).
4. Discussion and Review of the Appointment of a Local Board Counsel and of the qualifications of an appropriate procurement for such services. (Sec. 551.074 and 551.071)
5. Discussion and Review of the Appointment of a Special Board Counsel and of the qualifications of an appropriate procurement for such services. (Sec. 551.074 and 551.071)

RECONVENE OPEN MEETING

**CONTINUATION – ITEMS FOR INDIVIDUAL CONSIDERATION**

3. Consideration and Possible Action on Items Discussed in Closed Meeting
4. Discussion and/or Requests for Future Agenda Items

Adjournment



Sandra A. Sáenz, Chair

/rab

c: City Commission  
Marjory Batsell  
John Davidson  
City Manager  
File

*The meeting will be conducted in accordance with Board Resolution No. A2009-1012 (IC10), the "Amended Rules of the Public Utilities Board." Once the Meeting is convened with a quorum present, the Presiding Officer may change the order of business for purposes of accommodation of the Board members or participants and to permit a more orderly consideration of related agenda items.*

*The BPUB reserves the right to adjourn into executive session at any time to discuss any of the matters listed above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney), § 551.072 (Deliberations about Real Property), § 551.074 (Personnel Matters), § 551.076 (Deliberations about Security Devices), § 551.086 (Public Utility Competitive Matters), § 551.087 (Economic Development), and § 551.089 (Department of Information Resources).*

I certify that a copy of the October 24, 2022 agenda of items to be considered by the BPUB was posted on the BPUB website.

ATTEST



Rosa Buitran, Recording Secretary