



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

Date: November 10, 2022

MEETING DATE: **November 14, 2022**  
MEETING TIME: **5:00 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: 2488 073 7009 #**

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/board-of-directors-meeting-2-2022-11-14/after the meeting](https://www.brownsville-pub.com/events/board-of-directors-meeting-2-2022-11-14/after%20the%20meeting).

Dial by your location: 1-408-418-9388 (US Toll)	
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 5:00 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.

## **CONSENT AGENDA**

1. Consideration and Approval of Minutes:
  - a. August 8, 2022 Regular Meeting
  - b. September 12, 2022 Regular Meeting
2. Consideration and Possible Action for Payment of the Annual Maintenance Fee for the Banner System—Eddy Hernandez
3. Consideration and Approval of Texas Commission on Environmental Quality Annual Consolidated Water Quality Assessment Payment for the South and Robindale Wastewater Treatment Plants—Albert Gomez
4. Consideration and Possible Action to Award Bid for the South Wastewater Treatment Plant Chlorine Contact Chamber Sluice Gate Replacement Project—Marie Leal

## **ITEMS FOR INDIVIDUAL CONSIDERATION**

1. General Manager's Report:
  - a. Board Calendar
  - b. Financial Report
  - c. Engineering and Legal Fees Monthly Expenses
  - d. City of Brownsville Capital Work Orders Report
  - e. Drought Update
2. Consideration and Possible Action to Amend the Fiscal Year 2023 Budget—Miguel Perez
3. Consideration and Possible Action on the selection of a Plan Administrator for the Other Post-Employment Benefits Trust—Miguel Perez
4. Discussion on the Quarterly Investment Activity Report for Period Ended September 30, 2022, Pursuant to Chapter 2256.023 of the Public Funds Investment Act—Jorge Santillan
5. Consideration and Possible Action of Approval of the Brownsville Public Utilities Board Group Health and Dental Partially Self-Insurance Plans and Rates—Estrella Solorzano
6. Consideration and Possible Approval for Entering into a Master Services Agreement with ESource Companies, LLC to Provide Consulting and Program Management Services for the Advanced Metering Infrastructure Project—Eddy Hernandez
7. Consideration and Possible Action to Award the Analytical Laboratory Services—Albert Gomez



8. Consideration and Possible Action to Award Bid for the Wastewater Pumping Stations Upgrades – Package 1 – Lift Station 9, 10, 11, and 43 Project—Marie Leal
9. Consideration and Possible Approval of Amendment of Resolution. 2019-1118 (CA-1) – Resolution Adopting Amended Rules of Governance of the Brownsville Public Utilities Board—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.*

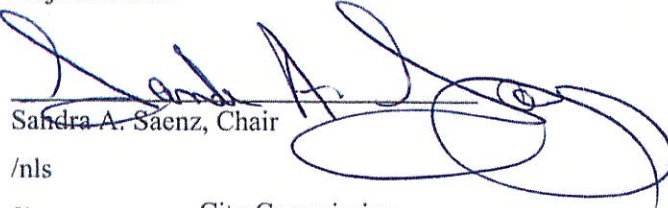
1. Discussion of the Brownsville Public Utilities Board’s progress on Natural Gas Hedging Strategies and Power Supply (Sec. 551.086).
2. Presentation, Discussion, and Possible Recommendation of Information Upon Pricing of Purchased Power, Generation, and Fuel and Their Impact Upon the Fuel, Purchased Energy, and Marketing Charge (Sec. 551.086).
3. 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.
4. 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).
5. Consideration of duties of Interim CEO and possible appointment of Interim CEO. (Sec. 551.074 and 551.071).
6. 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).
7. 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**

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

Adjournment

  
Sandra A. Saenz, Chair

/nls

c: City Commission  
Marjory Batsell  
John Davidson  
City Manager  
File

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*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 November 14, 2022 agenda of items to be considered by the BPUB was posted on the BPUB website.

ATTEST:

Norma L. Sanchez

Norma L. Sanchez, Recording Secretary