



TO: Brownsville Public Utilities Board  
FROM: Art Rendon, Chair  
SUBJECT: Notice of a Regular Board Meeting

Date: November 9, 2023

MEETING DATE: November 13, 2023  
MEETING TIME: 5:00 PM  
MEETING LOCATION: BPUB Annex Building  
Board Room  
1425 Robinhood Drive  
Brownsville, Texas 78521

Dial In: 1-408-418-9388  
Access Code: 2489 567 3696# #

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 after the meeting on BPUB's website at: <https://www.brownsville-pub.com/events/board-of-directors-meeting-3-2023-11-13/>.

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1-206-207-1700 (Seattle)	1-202-860-2110 (Washington, DC)

DISCUSSION AND POSSIBLE ACTION ON THE FOLLOWING MATTERS:

#### MEETING AGENDA

- A. Call Open Meeting to Order at 5:00 PM
- B. Confirmation of a Quorum
- C. Pledge of Allegiance for U.S. Flag and Texas Flag & Moment of Silence
- D. Workshop or Public Hearing(s)  
None
- E. Consent Agenda Items
  - 1. Consideration and Approval of Minutes:
    - a. August 14, 2023 Regular Meeting
    - b. September 11, 2023 Regular Meeting
  - 2. Consideration and Possible Action to Amend Brownsville Public Utilities Board's Bank Reconciliation Policy—Monica Cavazos
  - 3. Consideration and Possible Action to Amend Brownsville Public Utilities Board's General Ledger and Financial Statement Policy—Monica Cavazos

4. Consideration and Possible Action to Amend Brownsville Public Utilities Board Personnel Policies and Procedures Policy No. 26 – Family and Medical Leave Act (FMLA)—Dr. Emilia Guerra
5. Consideration and Possible Action to Amend Brownsville Public Utilities Board Personnel Policies and Procedures Policy No. 30 – Computers, Electronic Mail and Internet Use—Dr. Emilia Guerra
6. Consideration and Possible Action to Amend Brownsville Public Utilities Board Personnel Policies and Procedures Policy No. 32 – Dress Code and Workplace Etiquette—Dr. Emilia Guerra
7. Consideration and Possible Action to Update the SHARE Program Guidelines to Remove the Emergency Rider for COVID-19 Outbreak and to Re-appropriate COVID-19 Program Funds to the Updated SHARE Program—Jose Amaya
8. Consideration and Possible Action to Authorize the General Manager and Chief Executive Officer to Amend the Contract with InfoSend for Brownsville Public Utilities Board Printing and Mailing Services for Bills and Reminder Notices and to Reallocate Funds Approved for New Vendor for Fiscal Year 2023 to 2024—Jose Amaya
9. Consideration and Possible Action for Bid Award for the Supply of Polemount and Padmount Transformers—Diane Solitaire
10. 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, Jr.
11. Consideration and Possible Action for Bid Award for the Annual Contract for Concrete Work—Armando Garcia

**F. Items for Individual Consideration**

1. General Manager's Report
  - a. Board Calendar—Marilyn D. Gilbert
  - b. Industry and BPUB Updates—Marilyn D. Gilbert
2. Public Comments

PUBLIC COMMENTS WILL ONLY BE ACCEPTED IN WRITING NO LATER THAN ONE (1) HOUR IN ADVANCE OF THE MEETING BY SENDING THEM TO [PublicComments@brownsville-pub.com](mailto:PublicComments@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 THREE (3)-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
3. Consideration and Action on Items Pulled Out of Consent
4. Staff Reports and Presentations to the Board
  - a. Staff Presentation on Fiber Middle Mile Network Project—Mark Dombroski
  - b. Financial Report—Monica Cavazos
  - c. Engineering and Legal Fees Monthly Expenses—Monica Cavazos
  - d. City of Brownsville Capital Work Orders Report—Monica Cavazos
  - e. Drought Update—Lupe Garcia



- f. Brownsville Public Utilities Board Community Partnership—Jose Amaya
  - g. Discussion on the Quarterly Investment Activity Report for the Period Ended September 30, 2023, Pursuant to Chapter 2256.023 of the Public Funds Investment Act—Jorge Santillan
5. Consideration and Possible Action to Ratify Amendment No. 2 of the USIC Locating Services, LLC Service Contract and Purchase Order—Cesar Cortinas
  6. Consideration and Possible Action to Approve Amendment No. 3 of the USIC Locating Services, LLC Service Contract and Purchase Order—Cesar Cortinas

**G. Recess to Closed Meeting**

RECESS TO CLOSED MEETING to Consider Matters Pursuant to Tex. Government Code Chapter 551, et seq. 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).
2. Discussion and consultation with Board Counsel of any contemplated and pending litigation involving Brownsville Public Utilities Board (Sec. 551.071).
3. Discussion and consultation with Board Counsel regarding legal issues pertaining to BTX Fiber Project Installation Repairs (Sec. 551.071).
4. Discussion and consultation with Board Counsel and possible action regarding *In re: Aqueous Film-Forming Foams Product Liability Litigation, MDL No. 2:18-mn-02873* (PFAS Class Action) (Sec. 551.071).
5. 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).
6. Presentation, discussion, and possible action on proposed amendment of fuel agreement relating to the Hidalgo Energy Center (Sec. 551.086).

RECONVENE OPEN MEETING

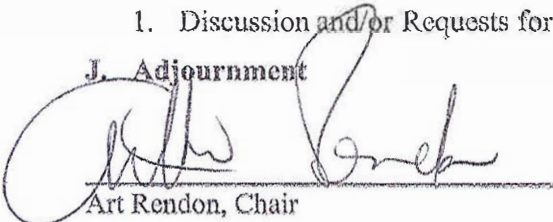
**H. Consideration and Action on Closed Meeting Items**

1. Consideration and Possible Action on Items Discussed in Closed Meeting
2. Presentation and Possible Action to Allocate \$7,000,000 in Available Surplus in the Capital Improvement Fund Cash to the Fuel Adjustment Subaccount—Miguel A. Perez

**I. Consideration and Action on Future Agenda Items**

1. Discussion and/or Requests for Future Agenda Items

**J. Adjournment**



Art Rendon, Chair

/nls

The meeting will be conducted in accordance with Board Resolution No. 2023-0615 (IC5), the "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 13, 2023 agenda of items to be considered by the BPUB was posted on 11/9/23.

ATTEST:

  
Rosa Buitran, Recording Secretary