



**BROWNSVILLE  
PUBLIC UTILITIES BOARD**

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

**Date:** December 9, 2022

**MEETING DATE:** December 12, 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:** 2499 150 8614#

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-2-2022-12-12/>.

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 [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 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 of the October 10, 2022 Regular Meeting
2. Consideration and Approval of Payment of the Texas Commission on Environmental Quality for Annual Water System Fee for Water Treatment Plants No. 1 & No. 2—Albert Gomez
3. Consideration and Possible Action for Bid Award for the Robindale Wastewater Treatment Plant Vactor Truck Disposal Facility Improvements 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/Contingency Plan Stage 2 Guidelines
2. 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
3. Consideration and Possible Action for Bid Award for the Laboratory Facility HVAC Replacement Project Re-Bid—Albert Gomez
4. Consideration and Possible Action to Approve the Professional Engineering and Surveying Services Contract with CP&Y, Inc. for the Downtown Water and Wastewater Project 1 to be Funded through 2021 American Recovery Program Act and Other Funding Sources ARPA-2021-1112—Marie Leal
5. Consideration and Possible Action to Approve the Professional Engineering and Surveying Services Contract with Hazen and Sawyer for the Downtown Water and Wastewater Project 2 to be Funded through 2021 American Recovery Program Act and Other Funding Sources ARPA-2021-1112—Marie Leal
6. Election of Board Officers for 2023—Marilyn Gilbert
7. Consideration and Possible Approval of Appointment of a Brownsville Public Utilities Board Representative to the Southmost Regional Water Authority for 2023—Marilyn Gilbert

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 regarding changes to security services and possible approval of renewal of contract for security guard services for 2023 (Sec. 551.076).
2. Consideration and discussion on sale or purchase of easements over real property by the State of Texas, by and through the Texas Facilities Commission, totaling approximately 5.49 acres, generally located along the Rio Grande out of a 2.79-acre tract near the City of Los Indios, out of a 55.64-acre tract used for the water reservoir, and out of a 132.87-acre tract known as Morales Blanco (Sec 551.071 and Sec. 551.072).
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 Examination Report, any new and/or additional information received regarding the Forensic Examination Report, and possible retention of professional consultant regarding the Forensic Examination Report.
4. Discussion and possible action to authorize the Interim General Manager & CEO to determine qualifications and duties and initiate the recruitment and hiring of In-house Counsel Staff (Sec. 551.074 and 551.071).
5. Discussion and possible action to review the criteria for the Request for Qualifications/Proposals for Local Board Counsel (Sec. 551.071).
6. Discussion and possible action to review the Criteria for the Request for Qualifications/Proposals for Special Utility Counsel (Sec. 551.074 and 551.071).
7. Discussion and possible action on the retention of a consultant by the Interim General Manager & CEO and to determine qualifications of electric utility consultant to assist with administrative and professional duties (Section. 551.074 and Section 551.071).

### RECONVENE OPEN MEETING

#### CONTINUATION – ITEMS FOR INDIVIDUAL CONSIDERATION

8. Consideration and Possible Action on Items Discussed in Closed Meeting.
9. Consideration and Possible Action to Renew the Contract and Revision of Terms for Security Guard Services—Estrella Solorzano
10. Consideration and Possible Approval of Resolution on Sale or Purchase of Easements Over Real Property by the State of Texas, by and through the Texas Facilities Commission, Totaling 5.49 Acres, Generally Located along the Rio Grande out of a 2.79-Acre Tract near the City of Los Indios, out of a 55.64-Acre Tract Used for the Water Reservoir, and out of a 132.87-Tract Known as Morales Blanco—Jesse Alfaro
11. Consideration and Possible Action on Engagement of Burton McCumber & Longoria, LLP for Review of Tenaska Project Fund—Miguel A. Perez
12. Discussion and/or Requests for Future Agenda Items

Adjournment



Sandra A. Saenz, Chair

/nls


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 December 12, 2022 agenda of items to be considered by the BPUB was posted on the BPUB website.

ATTEST:

  
Rosa Buitron, Recording Secretary