



BROWNSVILLE  
**PUBLIC UTILITIES BOARD**

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

Date: July 3, 2024

MEETING DATE: **July 8, 2024**  
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 894 0822# #**

In accordance with Tex. Gov't Code §551.127, NOTICE is hereby given that a physical quorum, including the presiding officer/member, will be present at the specified meeting location. Some members of the board and/or administration may participate via videoconference.

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-4-2024-07-08/>.

Dial by your location: <b>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)
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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**

- 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. 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

**F. Consent Agenda Items**

1. Approval of Board Minutes:
  - a. March 11, 2024 Regular Meeting
  - b. April 8, 2024 Regular Meeting
2. Consideration and Possible Action to Approve Board Travel in Accordance with the Statement of Policy for Travel by Members of the Board of Directors of the Brownsville Public Utilities Board—Marilyn D. Gilbert
3. Consideration and Possible Action to Extend the Contract for External Audit Services with Burton, McCumber & Longoria, LLP for Year Three—Miguel A. Perez
4. Consideration and Possible Action to Amend the Brownsville Public Utilities Board Travel Policy—Jorge Santillan
5. Consideration and Possible Action to Amend Brownsville Public Utilities Board Personnel Policies and Procedures Policy No. 1 – Policy, Business Ethics & Conduct Statements—Emilia Guerra
6. Consideration and Possible Action to Amend the Brownsville Public Utilities Board Personnel Policies and Procedures Policy No. 21 – Retirement—Emilia Guerra
7. Consideration and Possible Action to Amend the Brownsville Public Utilities Board Personnel Policies and Procedures Policy No. 24 – Travel Policy—Emilia Guerra
8. Consideration and Possible Action to Approve Resolution Regarding the Texas Municipal Retirement System Benefits to Allow Certain Employees Who Have Canceled Previous Memberships and Service Credit in the System to Buy Back Such Previously Canceled Service Credit—Emilia Guerra
9. Consideration and Possible Action to Amend the Brownsville Public Utilities Board Identity Theft Policy—Estrella Solorzano
10. Consideration and Possible Action on the Restructure of Credit Card Fees—Estrella Solorzano
11. Consideration and Possible Action to Approve Bid Award for the Phase 2-Service Center Additional Pole Yard Fencing—Diane Solitaire
12. Consideration and Possible Action to Approve Bid Award for the Annual Supply of Fuel for the Second Year—Diane Solitaire
13. Consideration and Possible Action to Approve Bid Award for the Annual Supply of Flexible Base (Caliche/Limestone)—Diane Solitaire
14. Consideration and Possible Action to Approve the Purchase of Hardware for the Supervisory Control and Data Acquisition Upgrade Project—Eddy Hernandez
15. Consideration and Possible Action for the Approval of Professional Services to Upgrade the Supervisory Control and Data Acquisition System—Eddy Hernandez

16. Consideration and Possible Action for Approval of Proposal Award for the Purchase of VMware Software Renewal for the Brownsville Public Utilities Board Information Technology Administrative Network—Eddy Hernandez
17. Consideration and Possible Action for Approval of Proposal Award for the Purchase of Dell Enterprise Blade Servers for Brownsville Public Utilities Board Information Technology Administrative Network—Eddy Hernandez
18. Consideration and Approval for Payment of the First Year Subscription Agreement of the Smartworks Program for the Advanced Metering Infrastructure Project—Eddy Hernandez
19. Consideration and Possible Action to Approve a Professional Engineering Services Contract with Garver, LLC for the City of Brownsville Water Conservation and Drought Contingency Plan Upgrade—Marie C. Leal
20. Consideration and Possible Action to Approve the Professional Engineering Services Contract with Garver, LLC for the Robindale Wastewater Treatment Plant Indirect Potable Reuse Project, Phase I and Bureau of Reclamation Grant Application—Marie C. Leal
21. Consideration and Possible Action to Reject Bids and Re-Bid the Construction Services for the Water Valve Replacement Project, Phase 4—Marie C. Leal
22. Consideration and Possible Action to Award Bids for the Leak Detection Services—Marie C. Leal
23. Consideration and Possible Action for Bid Award for the Annual Hauling and Loading Services—Jaime Estrada
24. Presentation and Possible Action on the Adoption of Fees and Charges Required to Implement or Enforce the City of Brownsville Ordinance 2018-983-DD Cross Connection Control and Back Flow Prevention Program—Albert Gomez Jr
25. Consideration and Possible Approval of Brownsville Public Utilities Board Membership in Texas Coalition for Affordable Power for the Acquisition of Electricity in the Deregulated Texas Energy Market—Mark Dombroski
26. Consideration and Possible Action on a Resolution Adopting Alternate Procurement Procedures for Public Purposes Stated and Authorizing the General Manager and Chief Executive Officer Additional Limited Administrative Contracting Authorization without Prior Board Approval—Paul Gonzalez

**G. Items for Individual Consideration**

1. General Manager's Report
  - a. Board Calendar—Marilyn D. Gilbert
  - b. Industry and BPUB Updates—Marilyn D. Gilbert
2. Consideration and Action on Items Pulled Out of Consent
3. Staff Reports and Presentations to the Board
  - a. Drought Update—Guadalupe Garcia
  - b. Potential Future Projects and Funding and Funding Requirements to Meet Local Economic Growth—Mark Dombroski
  - c. Financial Report—Miguel Perez
  - d. Presentation of a Grants Program Overview—Conrad Taylor/Mirian Suarez
  - e. General Manager Procurement Summary—Diane Solitaire
  - f. PUBCAP Update—Ryan Greenfeld
4. Consideration and Possible Approval of a Sponsorship Request from the Gladys Porter Zoo—Ryan Greenfeld

5. Consideration and Possible Action for Bid Award for the Annual Supply of Water and Wastewater Inventory Material—Diane Solitaire
6. Consideration and Possible Action to Approve Bid Award for the Annual Supply of General Inventory Stock—Diane Solitaire
7. Consideration and Possible Action for Bid Award for the Annual Supply of Electrical Inventory Material—Diane Solitaire

#### **H. 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), including but not limited to the following:
  - a. Reports of local and special counsel,
  - b. Discussion and consultation with Board Counsel regarding legal issues pertaining to BTX Fiber Project Installation Repairs,
  - c. Negotiations to extend Facilities to potential customer within the Port of Brownsville,
  - d. Ongoing negotiations related to the potential extension of facilities for SpaceX,
  - e. Retention of counsel for specialized matters, and
  - f. Priorities in the Texas Legislature.
2. Consultation with Legal Counsel on ESC Engineering, Inc. Contract related to the Airport Substation (Sec 551.071).
3. 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).
4. Presentation and Discussion Related to Large-Scale Business Development Opportunities, pursuant to Texas Government Code, Chapter 551 (Sec. 551.087, Sec. 551.086, and Sec. 551.071).
5. Energy Risk Management Policy Improvements and Limit Structure Updates (Sec. 551.086).

RECONVENE OPEN MEETING

#### **I. Consideration and Action on Closed Meeting Items**

1. Consideration and Possible Action on Items Discussed in Closed Meeting
2. Discussion and Possible Action to Execute Amendment to Contract with ESC Engineering, Inc. related to the Airport Substation—Juan Pequeño

#### **J. Consideration and Action on Future Agenda Items**

1. Discussion and/or Requests for Future Agenda Items

#### **K. Adjournment**

  
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Art Rendon, Chair

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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 foregoing agenda of items to be considered by the BPUB was posted on 7/3/24.

ATTEST:

Norma A. Sanchez  
Norma L. Sanchez, Recording Secretary