



**BROWNSVILLE  
PUBLIC UTILITIES BOARD**

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

Date: April 5, 2024

**MEETING DATE:** April 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:** 2482 729 9981 # #

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-4-2024-04-08/>.

<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**

- 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. Approval of Board Minutes:
    - a. December 11, 2023 Regular Meeting
    - b. January 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 on the following Brownsville Public Utilities Board Committees Charters—Marilyn D. Gilbert
  - a. Compensation Committee Charter
  - b. Facilities/Program Committee Charter
  - c. Finance Committee Charter
  - d. Regulatory/Policy Committee Charter
4. Consideration and Possible Action to Amend Brownsville Public Utilities Board Personnel Policies and Procedure Policy No. 12 – Military Leave—Dr. Emilia Guerra
5. Consideration and Possible Action to Amend Brownsville Public Utilities Board Personnel Policies and Procedure Policy No. 39 – Nepotism—Dr. Emilia Guerra
6. Consideration and Possible Action on the Selection of a Firm to Provide Electric System Cost of Service and Rate Study Services—Miguel A. Perez
7. Consideration and Possible Action for Bid Award for the Renewal of the Annual Supply of Submersible Pumps for the Second Year—Diane Solitaire
8. Consideration and Possible Action to Approve Bid Award for the Annual Supply of River Sand—Diane Solitaire
9. Consideration and Possible Action on the Proposal Award for the Annual Supply of Water-Soluble in Emulsion Polymer for Resaca Sediment Dewatering—Marie C. Leal
10. Consideration and Possible Action to Approve the Professional Engineering Services Contract with Freese Nichols for the Brownsville Public Utilities Board South Wastewater Treatment Plant Headworks Rehabilitation Project—Marie C. Leal
11. Consideration and Possible Action to Approve the Professional Engineering and Surveying Services Contract with Halff Associates, Inc. for the Coffee Port Road Water and Wastewater Improvements Project—Marie C. Leal
12. Consideration and Possible Action to Approve the Request to Extend the Groundline Treatment and Pole Inspection Services Contract for a Second Year—Cesar A. Cortinas

**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. Financial Report—Monica Cavazos
    - b. Engineering and Legal Fees Monthly Expenses—Monica Cavazos
    - c. Year-to-Date Capital Expenditures—Monica Cavazos
    - d. City of Brownsville Capital Work Orders Report—Monica Cavazos
    - e. Debt Obligations Post Issuance Compliance—Monica Cavazos
    - f. General Manager Procurement Summary—Diane Solitaire
    - g. Drought Update and Brownsville Water Conservation & Drought Contingency Plan—Rene Mariscal
    - h. Exception to Service Policies affecting the Timing of Receipt of Contributions In Aid of Construction Payments for the City of Brownsville Projects—Paul Gonzalez
  5. Consideration and Possible Action for Approval of the Brownsville Water Conservation and Drought Contingency Plan and Resolution—Marie C. Leal
  6. Consideration and Possible Action to Award Bid for the Town Resaca Watershed Project (B012-24) Texas Commission on Environmental Quality Contract 582-20-11819—Marie C. Leal
  7. Consideration and Possible Action to Approve the Professional Engineering Services Contract to Develop a Report Updating the Maximum Allowable Water and Wastewater Impact Fees as Required by Chapter 395 of the Texas Local Government Code—Marie C. Leal

#### **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. 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. Discussion regarding an exception to service policies affecting the timing of receipt of Contributions in Aid of Construction payments for the City of Brownsville projects (Sec. 551.071).
5. Consultation with Legal Counsel regarding contract with ESC Engineering, Inc. (Sec. 551.071).
6. Discussion regarding next year’s performance goals and potential contract amendment of the General Manager and Chief Executive Officer (Sec. 551.074 and Sec. 551.071).

RECONVENE OPEN MEETING

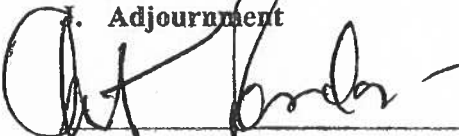
**H. Consideration and Action on Closed Meeting Items**

1. Consideration and Possible Action on Items Discussed in Closed Meeting
2. Discussion and Possible Action Regarding Contract with ESC Engineering, Inc.—Paul Gonzalez
3. Discussion and Possible Action on Next Year's Performance Goals and Potential Contract Amendment of the General Manager and Chief Executive Officer—Art Rendon

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

1. Discussion and/or Requests for Future Agenda Items

**J. 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 4/5/23.

ATTEST:

Norma X. Sanchez  
Norma L. Sanchez, Recording Secretary