



September 12, 2024

Honorable Mayor and City Commissioners
City of Brownsville
1001 E. Elizabeth Street
Brownsville, Texas 78520

(Via E-mail Address)

Dear Mayor Cowen and City Commissioners:

As per Article VI. – Utilities Board, Section 4(f) of the City Charter, the Public Utilities Board shall provide the City Commission an annual report providing an update on the progress of working with the City of Brownsville on common goals. These joint common goals include collaboration and coordination on planning and policy issues to eliminate duplication of services, create administrative efficiency, provide for joint service efforts, and ensure quality of service at the lowest cost.

The BPUB Executive team provides the attached report to comply with the mandate of providing the report to you no later than the end of the fiscal year, as indicated. We are coordinating with City management to present this at the September 17, 2024, Regular City Commission Meeting.

Please let me know if you have any questions or concerns regarding any of the information being shared, I would be happy to discuss further at your convenience. I can be reached by email at [REDACTED] or by mobile at [REDACTED].

Respectfully

[REDACTED]

Signature on file

Marilyn D. Gilbert, MBA
General Manager and CEO

Attachment

City Commission: John F. Cowen, City of Brownsville Mayor
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c: Helen Ramirez, ICMA-CM, AICP, City Manager
Mark Dombroski, MPA, Assistant General Manager & COO
Miguel A. Perez, Chief Financial Officer
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Paul Gonzalez, Chief Legal Officer
File



Fiscal Year 2023- 2024 Report
Article VI. – Utilities Section 4(f)– Miscellaneous

September 12, 2024

Fiscal Year 2023-2024 Report - Article VI. – Utilities Section 4(f)– Miscellaneous

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Common Goal 1 - Eliminate Duplication of Services

Road Projects

The Brownsville Public Utilities Board (BPUB) collaborates with the City of Brownsville's (City) Engineering and Public Works department to coordinate the repair, upgrade, and installation of utility infrastructure alongside the City's road repair and construction projects. This collaboration reduces costs and minimizes road closure time. In FY 2024, BPUB completed two major road-related projects and has nine streets currently under construction, with numerous others in the planning or design phase.

Key projects include:

- **Old Hwy 77 from FM 802 to Morrison Road:** This project involves the complete roadway reconstruction of approximately 1.2 miles to an urbanized section with water and wastewater utility improvements. The City of Brownsville recently received sealed bids for the project, with Mako Contracting being the selected low bidder. BPUB's shared water and wastewater improvements cost \$5.2 million, paid through the Capital Improvement Fund. Construction is expected to begin by January 2025, with a project timeline of approximately one year.
- **Downtown Brownsville Water and Wastewater Improvement Project:** This \$14.5 million project is currently in the design phase. BPUB collaborated with the City's Public Works and Engineering Department to determine the needs and limits of the project, which will encompass Adams Street to St. Charles Street and 7th Street to 14th Street. The project is divided into Projects 1 and 2, funded through the 2021 American Recovery Program Act (ARPA). Construction on Project 1 is underway by R.M. Walsdorf, a contractor, while Project 2 is set to begin at the start of 2025, with both projects expected to be completed by December 2025.
- **Wild Rose Lane Utility Upgrade:** BPUB is upgrading the water and wastewater utility infrastructure along Wild Rose Lane, from Coria Street to Honeydale Road, in conjunction with the City's roadway reconstruction project. Construction cost bids for the project are expected by October 9, 2024. The Capital Improvement Fund will fund this project.
- **Portway Street, 11th-12th Streets, Lourdes Boulevard, and Grande Boulevard:** As part of another City of Brownsville Street Improvements Project, BPUB staff included necessary utility improvements. This project involved the construction of 8-inch waterlines and 8-inch and 10-inch wastewater lines with all utility appurtenances. The contractor for the project was G&T Paving, and the cost of utility work was \$0.5 million. The Capital Improvement Fund will fund this project. Construction is currently in the project close-off stage.
- **Owens Road Bridge Project:** This TxDOT Off-System bridge reconstruction project involves collaboration between the City, BPUB, and TxDOT. The bridge construction affected a BPUB waterline, a gravity main sewer line, and a wastewater force main line. The TxDOT bridge contractor relocated pre-bridge construction utilities via a third-party change order, and BPUB water/wastewater operations construction crews are performing post-bridge utility work. Work is anticipated to be completed by November 2024. The cost of this project is estimated at \$678,510 and will be funded by the Capital Improvement Fund.

- **Cannery Public Market Project:** BPUB, in collaboration with the City, provided sanitary sewer improvements for the Cannery Public Market Project. This project included constructing 6-inch and 8-inch diameter sanitary sewer lines to service the proposed Cannery development. The contractor for the project was Cornett Construction, and the cost was \$248,659. The city will reimburse the cost of this project. The project was completed in August 2024.
- **Coffee Port Road Street and Drainage Improvement Project:** This highly anticipated project includes necessary utility improvements and adjustments in conjunction with the City's construction contract. The project involves replacing, relocating, and extending 6-inch through 12-inch asbestos cement (AC) waterlines, 6-inch through 12-inch vitrified clay (VC) sanitary sewer lines, and a 20-inch AC force main sewer line. Halff Associates, Inc. is currently designing the project, with a construction timeline set for FY 2026.

Backflow Testing Update

The BPUB Cross Connection Control Department performs annual backflow preventer assembly tests for City-owned valves. Currently, the department tests approximately 121 City-owned backflow preventers. These devices ensure that the potable water supply is not contaminated due to a reverse flow event. This collaboration eliminates the cost of testing for the City while increasing BPUB customer compliance with state requirements.

Common Goal 2 - Create Administrative Efficiency

Accela Software Integration Update

In collaboration with the City's Planning and Redevelopment Services Department, the BPUB engaged CAYENTA – Customer Information System services to integrate Accela Solutions. This integration enables BPUB's system to view Accela's platform, which provides online access for citizens and customers to interact and conduct business with the City. It also improves the City's permitting and inspection services while allowing BPUB staff to quickly receive and review the information necessary to establish utility service connections immediately after inspections are passed. This integration eliminates the need for Planning and Redevelopment Services staff to send individual emails advising BPUB Customer Services Staff of passed inspections. After testing the product release and viewing privileges, Accela and CAYENTA were integrated on March 26, 2024, and began communicating as expected. The City and BPUB IT departments are working through some login challenges and issues with older permits.

Common Goal 3 - Provide Joint Service Efforts

Street Lights

The BPUB installs and maintains approximately 13,774 streetlights throughout the City to enhance public safety and improve transportation. The streetlight program improves visibility for drivers, pedestrians, and cyclists. BPUB is upgrading to energy-efficient LED lighting, which provides better illumination and reduces energy consumption. So far, BPUB has replaced 8,823 streetlights with LED lighting.

Key projects include:

- **Billy Mitchell Blvd:** This project involved installing 56 architectural streetlight poles and fixtures from the Brownsville Airport District along Billy Mitchell Blvd's Right-Of-Way (ROW) to Central Avenue. BPUB, the City, and contractors designed and constructed

approximately 3 miles of electric lines and 56 new foundations. This project was completed in the first quarter of 2024.

- **Expressway 77:** There are approximately 844 City-owned expressway lights along Expressway 77; BPUB electrically serves 337 of those lights, with AEP serving the remainder. BPUB maintains all 844 expressway lights and regularly completes maintenance operations. In 2024, BPUB repaired approximately 150 lights and replaced about 600 feet of wiring. This is an ongoing BPUB maintenance program.
- **Downtown Lighting Improvement Project:** BPUB is working with the City to replace approximately 103 City-owned streetlights in the downtown area. Since the project's inception through 2024, BPUB has replaced about 86 light poles and fixtures. The City's engineering firm is assessing light pole bases and notifying BPUB when they are ready for new installations. This project is currently on hold as per the City.

Communication Synergy

BPUB assigned City Liaison duties to the Chief Administrative Officer to increase transparency and communication with the City. This role continues to serve as the primary point of contact for communication between the City and BPUB, ensuring that all inquiries and requests are addressed promptly.

to avoid confusion between the entities' meeting processes, BPUB follows the City's practice of live-streaming all board and committee meetings to increase public awareness. Recently, BPUB has also adopted the practice of highlighting board actions on social media. Additionally, BPUB is integrating Civic Plus software to facilitate understanding among customers familiar with the City's use of Civic Plus for meeting management.

BPUB's efforts include:

- Presentations to the City Commission on drought, the Drought Contingency Plan, Resaca Restoration Projects, and related fees.
- Weekly meetings between the City and BPUB attorneys are currently in progress.
- Joint committee meetings as scheduled.
- Technical committee monthly meetings between the City and BPUB

Event Collaboration

The BPUB and the City collaborate on various events to leverage resources and achieve community awareness objectives. Some of these efforts include:

- **Games of Texas:** BPUB provided specifications for street banner advertisements, sourced options, and installed two banners on Boca Chica Blvd and Price Road in June 2024. BPUB was also an event sponsor.
- **All-Hazards Awareness Fair:** BPUB staff distributed information about drought and hurricane preparation.
- **One City Information Fair:** BPUB staff shared information on services, rebates, and bill assistance for qualifying customers.
- **Emergency Operations Training and Exercise:** This event focused on emergency preparedness and critical infrastructure resiliency, increasing awareness of emergency plans between the City and BPUB.

- **City of Brownsville Regional Training Week:** BPUB and the City participated in a week-long training event covering Work Zone Safety, Construction Site Safety, Qualified Flagger, and Excavation Safety. This collaboration provided training opportunities at no cost.
- **Careers and Coffee:** BPUB attended the City and GBIC's hiring expo to support and provide job seekers with career opportunities.
- **Event Surveillance Joint Operation:** BPUB assisted the COB Police Department with surveillance system components and security event safety and security support.
- **Brownsville PD and BPUB Joint Threat Assessment Initiative:** This initiative improved the process of reporting non-emergency cases with potential threats, leading to the assignment of a Threat Assessment Liaison.
- **City of Brownsville First Responder Electrical Safety Awareness Training:** BPUB hosted training for the City Police and Fire Departments on electrical hazards at incident sites, improving efficiency between entities.

Drought Response

The BPUB is committed to conserving water in the face of growing demand and environmental challenges. In collaboration with the City, BPUB has implemented a Water Conservation and Drought Contingency Plan (WCDCP), which has been filed with the Texas Commission on Environmental Quality (TCEQ) and the Texas Water Development Board (TWDB). The WCDCP, last updated in May 2024, outlines the conservation measures we implement and the four stages of drought response, ranging from Stage 1 Voluntary Reduction to Stage 4 Water Rationing.

BPUB and the City will collaborate to develop the first significant WCDCP update in over 20 years. In July 2024, BPUB contracted with a leading international engineering firm to assist in developing a WCDCP packaged into a new Water Strategy Plan. A plan will be developed that would benefit from industry best practices and proven science. Strategies to be considered in the development of the plan include but are not limited to:

- Vulnerability assessment and mitigation approaches
- Conservation strategies and specific targets
- Conservation-oriented water rates and rate structures
- Conservation-oriented ordinances for landscape water management and water-conserving plumbing fixtures
- Enforcement of mandatory water use restrictions
- Public education program for water conservation measures

The effort is to move from simply complying with regulatory requirements to maximizing the return on conservation investments. Once complete, the updated plan will be presented to the City Commission and, upon approval, submitted to the TCEQ and TWDB.

BPUB and the City constantly encourage water conservation through multiple media outlets and events to raise awareness and educate the public. Some collaborations include:

- ✓ **BPUB Drought Roundtable:** This event focused on informing the BPUB key business accounts about current drought conditions, partnerships, and ongoing efforts. Key speakers included Rep. Janie Lopez, Rep. Erin Gamez, Mayor John F. Cowen, Port Chairman Esteban Guerra, and BPUB CEO Marilyn D. Gilbert, who shared how their work supports the community during challenging times.

- ✓ South Texas Alliance of Cities: The City and Mayor Cowen hosted the quarterly meeting. They invited BPUB to present on South Texas drought conditions and the Southmost Regional Water Authority (SRWA) Brackish Desalination Plant.
- ✓ US Bureau of Reclamation (USBR) Meeting: USBR Deputy Commissioner Roque Sanchez visited SRWA to learn about the water challenges in Brownsville and the Lower Rio Grande Valley. He identified potential funding opportunities and toured the facility. Information about Water and Energy Efficiency Grants and new drought funding was shared.

BTXFiber: Last Mile Pole Attachment Support

When completed, the City's BTXFiber project, a middle-mile fiber network, will make the internet accessible and affordable to residents and businesses. This \$90 million project is a public-private partnership between the City and Lit Communities. BPUB coordinates with the City and Lit Communities to reduce utility infrastructure conflicts, minimizing risks and costs. Specific actions include locating and identifying underground utility infrastructure, providing access to utility poles for attaching fiber, and responding to utility infrastructure impacts.

BPUB and Lit Fiber, LLC executed a Pole Attachment License Agreement on September 7, 2023. Lit Fiber plans to attach to approximately 12,000 BPUB utility poles for the last-mile project. On March 20, 2024, the City Manager agreed to reimburse BPUB \$1,260,000 for outsourcing permit application reviews to meet this surging demand and expedite the process. BPUB has contracted three engineering firms to manage and review Lit Fiber's pole attachment permit applications, ensuring public safety, pole integrity, and electric infrastructure reliability.

As of August 30, 2024, Lit Fiber submitted 122 pole attachment permit applications for 3,951 poles. BPUB reviewed approximately 3,564 poles and approved 49 applications for 1,876 poles due to application deficiencies. On August 29, 2024, Lit Fiber paused the review of all permit applications for further project direction and timeline evaluation.

Joint Weekly Project Update Meetings continue between The City, Lit Fiber, and BPUB, facilitating issue resolution and informing all parties.

Common Goal 4 - Ensure Quality of Service at Lowest Cost

Valve and Hydrant Maintenance Update

The BPUB Valve and Hydrant Department collaborates with the City's Fire Department to inspect, flush, and maintain fire hydrants within the BPUB water distribution system. This coordination helps identify and address inefficiencies through maintenance, repair, or replacement. Hydrants are replaced based on their condition and functionality and are color-coded according to flow rate and American Water Works Association (AWWA) standards. Regular maintenance ensures hydrants are reliable during emergencies and comply with safety and AWWA standards.

In addition to hydrant maintenance, valve inspections are crucial. This involves exercising valves to prevent them from seizing and ensuring smooth operation when needed. The process is systematically carried out in different sections, areas, and grids within the water distribution system. This preventive maintenance approach minimizes unexpected failures and ensures efficient BPUB water distribution system management.

Memorandum of Understanding (MOU) for Cost Recovery of Services Update

The BPUB Chief Financial Officer, in collaboration with the City's Chief Financial Officer, worked towards formalizing an equitable agreement to recover costs incurred for services provided to one another and prevent under-recovery. The Office of the City Attorney currently continues drafting a Memorandum of Understanding (MOU) that will incorporate the following services:

- Use of BPUB Right of Ways
- Capital Work Orders
- Street Lighting
- Resaca Dewatered Sediment Contribution to the City's Landfill
- Software Licenses on behalf of the City
- City Damages
- City Customer Service Inspections
- Processing of TEF Check Distributions
- Fiber Network (ARPA)
- Waste Water Downtown Improvements
- Potable Water Treatment Plant Filtration Sludges Contribution to the City Landfill
- 5% Franchise Fee to the City
- Street Patching
- Accela Licenses
- Resaca Administration
- Waste Pickup at BPUB Locations

Streamlined Request for Services by the City of Brownsville

BPUB and the City, through their respective Technical Committee staff, have crafted, reviewed, and instituted a process to advance City projects while deferring payment processing per Bond Ordinance provisions.

Memorandum of Understanding (MOU) for Land Use

BPUB and the City signed an MOU allowing BPUB to use a 1-acre portion of City-owned property adjacent to the existing BPUB Airport Substation as a staging area. This MOU is valid for approximately 18 months and covers the substation's demolition and reconstruction phases.

Memorandum of Understanding (MOU) for Joint Tactical Training Center Generator

BPUB and the City signed an MOU outlining the roles, responsibilities, and provisions for the temporary generator installation at the City Police Department's Joint Tactical Facility. This temporary generator was necessary while the permanent power supply was being constructed. Although the City formally requested BPUB install a BPUB-owned generator, BPUB had to rent a generator to meet the building's demand requirements. This project was completed in August 2024.

Resaca Restoration

In collaboration with the City, BPUB's Resaca Restoration Program aims to restore Brownsville's vital resaca systems. The Resaca Restoration Program was launched in early 2013 to improve water circulation, control flood conditions, enhance water quality & storage, and support ecological improvements. In 2020, BPUB was awarded \$4.6 Million for the Town Resaca Restoration (RESTORE) Project via a reimbursement contract from the Texas Commission on Environmental Quality (TCEQ). In April 2024, the TCEQ approved an additional \$1.9 Million for the project. The Town Resaca Improvement Project includes:

- Phase I of the Resaca restoration project began in April 2022 with BPUB dredging crews. Approximately 57,136 cubic yards of sediment, sand, debris, and litter have been removed from the Resaca, increasing water storage and improving water detention.
- Phase II includes replacing two deteriorating weir structures and a failed gate valve, installing ten stormwater interceptors and bank improvements, and planting native vegetation. BPUB anticipates beginning Phase II construction in October 2024.

“The Resacas, In the Vicinity of the City of Brownsville, Texas, Project,” a multi-year ecosystem restoration project under Section 1401 of the America’s Water and Infrastructure Act of 2018. In 2021, the City and USACE authorized the design work for the first phase of work – three segments in southeast Brownsville along Resaca de la Guerra (nos. 72, 93, and 94). This year, the City and BPUB collaborated to obtain “New Start” funding for “Contract 1,” which allows the USACE to proceed with the implementation of the restoration of the aquatic and riparian habitats identified. While federal funding pays 65% of project costs, the remainder comes from the non-federal sponsor through a portion of the Resaca Fee collected by BPUB, to be paid phase-by-phase. The City is leading negotiations on the project documents as the non-federal sponsor. It will acquire such additional interests in land as may be required for the project to proceed, and BPUB will provide support.