

## NOTICE OF A REGULAR BOARD MEETING

OF THE BROWNSVILLE NAVIGATION DISTRICT

1000 Foust Road  
Brownsville, Texas

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FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS  
On: Aug 10, 2006 at 10:18A

Joe G Rivera  
County Clerk

By

Brownsville Navigation District  
Cameron County, Texas

Notice is hereby given that the Board of Commissioners of the **Brownsville Navigation District** will meet in Regular Session on **Tuesday, August 22, 2006 at 5:30 P.M.**, in the Conference Room at the Brownsville Navigation District Building located at 1000 Foust Road, Brownsville, Texas.

### Members of the Board are:

Martin C. Arambula  
Luigi Cristiano  
Carlos R. Masso

Chair  
Vice-Chair  
Secretary

Roy De Los Santos  
Peter M. Zavaletta

Commissioner  
Commissioner

## AGENDA

1. Meeting Called to Order.

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2. Public Audience

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If you wish to address the Board of Commissioners during the Public Audience portion of today's meeting with regard to an agenda item, please print your name and agenda item on the Sign-In-Sheet.

In accordance with BND Policy, only those persons (on the list) who request to speak shall be heard. The speaker shall limit remarks to five minutes, and shall address only matters on the agenda for this meeting. The board shall allot no more than 30 minutes for the Public Audience portion of the meeting. Complaints and concerns for which other resolution channels are provided shall be directed through those channels. If the Chairman of the Board determines that a person has not attempted to resolve a matter administratively, the person shall be directed to the appropriate individual for attempted resolution before bringing the matter to the Board. A complaint against specific employees or officers of the BND shall be heard in a Closed Meeting, as authorized by the *Texas Government Code Title 5-Section 551.074(1) and (2)*. If your topic concerns a complaint against a specific employee or officer, please note this on the sign-in sheet. You must make your points on issues in a constructive and courteous fashion pursuant to Robert's Rules of Order.

3. Approve minutes of Regular Board Meeting of August 2, 2006.

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<b>4.</b> Port Director's Report.	-
<b>5.</b> Presentation of the Employee of the Month Award for July 2006. (JS)	10
<b>6.</b> Consider and take action on an agreement between the BND and the BRG regarding the financial arrangements for the costs of the rehabilitation of two rail sidings (S16 and S17). (DD)	11
<b>7.</b> Consider and take action to authorize the staff to advertise Requests for Proposals for the rehabilitation of the S16 and S17 sidings. (DD)	16
<b>8.</b> Consider and take action on proposals for providing the temporary services of three persons at the Facilities and Maintenance Department. (JS)	17
<b>9.</b> Consider and take action to approve payment of the District's portion of the annual 2006/2007 Budget for the Southmost Regional Water Authority in the amount of \$101,294.10. (DD)	18
<b>10.</b> Receive submission of Ad Valorem Property Tax calculations for the 2006 assessment. (DD)	21
<b>11.</b> Consider and take action to approve an ACH Originator Agreement, Origination Agreement – Representatives/Third Party Processing, Origination Agreement – Operational/Security Procedures, Resolution Authorizing Origination Agreement, Cash Management Services Agreement and ACH Provisions with Lone Star National Bank in order to provide direct deposit services to District employees. (DD)	36
<b>12.</b> Consider and take action to amend the Brownsville Navigation District Employee Handbook – to add an item implementing Direct Deposit. (DD)	77
<b>13.</b> Consider and take action to amend the Brownsville Navigation District Employee Handbook – to amend Item 803 to include Direct Deposit option. (DD)	79
<b>14.</b> Consider and take action to amend the Brownsville Navigation District Employee Handbook – Item 402 Paydays to remove provision for issuing vacation checks. (DD)	80
<b>15.</b> Consider and take action to amend Ordinance #7 relating to the contracting for solid waste collection and disposal services at the Port of Brownsville. (DD)	81

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<b>16.</b> Consider and take action to amend contract #3368 with Governmental Managerial Services, Inc. to extend the contract term to provide solid waste collection and disposal services through June 30, 2007 and to change the terms of the contract to require direct billing to the District's lessees for this service. (DD)	91
<b>17.</b> Consider and take action to appoint Governmental Managerial Services, Inc. as the Duly Authorized Contractor to provide solid waste collection and disposal services under Ordinance No. 7 through June 30, 2007. (DD)	93
<b>18.</b> Consider and take action to adopt by Resolution the revised matrix of charges for solid waste collection and disposal services at the Port of Brownsville as requested by GMS. (DD)	94
<b>19.</b> Consider and take action to authorize the staff to advertise Requests for Bids for the District's employee health and life insurance program. (DD)	98
<b>20.</b> Consider and take action on Contract Number 3493 with Chapa Shrimp Trawlers, Inc., to include taking action to terminate this lease due to default and authorizing the staff to institute eviction proceedings if required. (DD)	99
<b>21.</b> Consider and take action on Contract Number 3363 with Norberto Perez, C.P.A., to include taking action to terminate this lease due to default and authorizing the staff to institute eviction proceedings if required. (DD)	104
<b>22.</b> Consider and take action on Contract Number 3340 (Fish Camp #17) with Tom Landry, to include taking action to terminate this lease due to default and authorizing the staff to institute eviction proceedings if required. (DD)	109
<b>23.</b> Consider and take action on Contract Number 3226 (Fish Camp #9) with Keith Schlater and Penie Purcell, to include taking action to terminate this lease due to default and authorizing the staff to institute eviction proceedings if required. (DD)	111
<b>24.</b> Consider and act on the following leases. (BR)	
1. Gulf Facilities, Inc. (New lease)	113
2. US Petroleum Depot, Inc. (New lease)	114
3. International Trades and Forwarding, LLC (Release)	114
4. Marine Salvage & Services, Inc. (New lease)	115
5. Sea Garden Sales Co., Inc. (Release)	115
6. STC Five, LLC, Assignee of Sprint Spectrum, L.P. (Amendment)	116

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| <b>25.</b> Consider and take action on Assignments, Negotiations, Easements, Subleases, and Contracts in General. (BR)  |      |
| 1. Brownsville & Rio Grande International Railroad (BRG) (Authority to negotiate)   | 117  |
| 2. Reyes Marine Industries, Inc. (Authority to negotiate)   | 118  |
| 3. Alma Sifuentes (Authority to negotiate)  | 119  |
| 4. Landro, Inc. dba ST Martine (Landlord's Consent)   | 120  |
| 5. Esco Marine, Inc. (Landlord's Consent)   | 121  |
| <b>26.</b> Adjourn into Executive Session, as authorized by Subchapter D of Chapter 551 of the Government Code to discuss with attorneys pending or contemplated litigation and matters in which the duty of the attorneys under the Rules of Professional Conduct clearly conflict with Chapter 551, including but without limitation, consultation with attorneys regarding the Port Bridge Project (§551.071); to conduct deliberations regarding real property (551.072); to conduct personnel matters (551.074); and to deliberate regarding economic development negotiations (§551.087). |      |
| 1. Railroad property transfer (BL)  |      |
| <b>27.</b> Possible action on matters or items discussed in Executive Session.  |      |
| <b>28.</b> Public Comment Period: Please Note:  |      |
| ○ ANY PERSON WITH BUSINESS BEFORE THE BOARD, NOT SCHEDULED ON THE AGENDA AS A PUBLIC HEARING, MAY SPEAK TO THE BOARD.   |      |
| ○ SPEAKERS MUST REGISTER WITH THE RECEPTIONIST PRIOR TO THE MEETING   |      |
| ○ THERE IS A THREE (3)-MINUTE TIME LIMIT PER SPEAKER.   |      |
| ○ NO FORMAL ACTION CAN BE TAKEN.  |      |
| <b>29.</b> Adjourn.   |      |



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Bernard List, Port Director - CEO  
Brownsville Navigation District