

**THE STATE OF TEXAS §
BROWNSVILLE NAVIGATION DISTRICT §
COUNTY OF CAMERON §**

John Wood, Chairman
Sergio Tito Lopez, Secretary
Ralph Cowen, Commissioner

John Reed, Vice Chairman
Carlos R. Masso, Commissioner

Eduardo A. Campirano, Port Director and CEO

**NOTICE OF A WORKSHOP AND REGULAR BOARD MEETING OF THE
BROWNSVILLE NAVIGATION DISTRICT**

Notice is hereby given that the Board of Commissioners of the Brownsville Navigation District will meet on **Wednesday, December 7, 2016** in the Conference Room located at 1000 Foust Road, Brownsville, Cameron County, Texas. The Board of Commissioners will convene in a **Workshop at 5:30 P.M and Regular Board Meeting Immediately after conclusion of workshop meeting.**

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WORKSHOP MEETING: 5:30 P.M.

1. Port of Brownsville Marketing Efforts update
2. Discussion of the 2017 Port of Brownsville Operating and Capital Budget

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REGULAR MEETING: Immediately after conclusion of workshop meeting

1. Call to Order.

INVOCATION

PLEDGE OF ALLEGIANCE

2. Public Audience.
If you wish to address the Board of Commissioners during the Public Audience portion of today's meeting with regard to either an **item on this agenda or other issue**, please print your name and the agenda item or topic of discussion you wish to address on the Sign-In-Sheet located at the Reception Desk.

In accordance with BND Policy, only those persons who have signed up on the list shall be heard. The speaker must limit remarks to three minutes. The Board shall allot no more than 30 minutes for the Public Audience portion of the meeting. Complaints and concerns for which other channels of resolution 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 – Sections 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. Receive Directors Reports.

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CONSENT AGENDA ITEMS

All Consent Agenda Items listed are considered to be routine by the BND Commission and will be approved in one motion. There will be no separate discussion of these items unless at least one BND Commissioner so requests, in which event the item will be removed from the Consent Agenda and considered separately in the Regular Agenda.

- 4. Consideration and ACTION on the following Consent Agenda Items:

- a) Approval of the Minutes of the Regular Board Meeting of November 16, 2016. 57
- b) Approval to authorize payments over \$25,000.00. (SF)

	Vendor	Purpose	Amount	
1	Russell Marine, LLC	Liquid Cargo Dock repair project	\$99,585.00	62
2	PMI	Rental of temporary fenders	\$32,181.80	62
3	360factors	Collect and analyze sediment samples for the Oil Dock 6 Project	\$25,179.44	62

- c) Approval of the following leases: (BR)

1	Reyes Marine Industries, Inc. (New Lease)	91
2	Strike, LLC (New Lease)	94

- 5. Consideration and ACTION approve payment of the District’s pro-rata portion of the Cameron Appraisal District (CAD) budget for fiscal 2017, the District’s pro-rata portion is .8631 per cent of the total budget or \$34,529. (SF) 97
- 6. Consideration and ACTION on an application for a renewal of the Line Handing Permit to: 99

1	Brownsville Mooring
2	M&M Mooring

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ACTION ITEMS

7. Consideration and ACTION on Assignments, Negotiations, Easements, Subleases, and Contracts in General: (BR)

1	Cumberworth Investments, Inc. (Authority to Negotiate)	121
2	Maverick Terminals Brownsville (Authority to Negotiate)	124
3	U.S. Army Corps of Engineers (USACE) U.S. Customs Border Protection (CBP) (Authority to Negotiate)	127
4	Next Decade, LLC (Authority to Negotiate)	130

8. Consideration and ACTION authorizing the Port Director & CEO to submit an application to the U.S. Department of Transportation under the Fastlane Grant Program for a Multi-modal Dock Project. (EAC) 132
9. Consideration and ACTION authorizing on an agreement between the Brownsville Navigation District and Next Decade, LLC for the Planning, Engineering and Design costs associated with the Brazos Island Harbor Channel Improvement Project. (EAC) 134
10. Consideration and ACTION approving an agreement with HDR Engineering for work associated with the relocation of Western Levee of Dredged Material Placement Area (DMPA) 5B. (EAC) 185
11. Consideration and possible ACTION on rescheduling the second Board meeting of December. (EAC) 210

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BIDS/AGREEMENTS/PURCHASES

12. Consideration and ACTION to authorize the purchase of one Chevrolet Tahoe under a Buy Board quote in the amount of \$36,982.00 (DLD) 211
13. Consideration and ACTION to authorize the staff to advertise for bids for geogrid material. (OG) 221
14. Consideration and ACTION to authorize the staff to advertise for bids for crushed limestone. (OG) 222

- 15. Consideration and ACTION to extend contract #4075 with Ruben Rubio, Jr. for the purchase of hauling services for a period of one year. (OG) 223
- 16. Consideration and ACTION on the Grantee/Operators agreement between the Brownsville Navigation District Foreign Trade Zone No. 62 and Bluewing One, LLC. (TR) 226

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EXECUTIVE SESSION:

- 17. 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; to conduct deliberations regarding real property (§551.072); to deliberate the deployment of security personnel or devices (§551.076); to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee (§551.074); and to conduct deliberations regarding economic development negotiations (§551.087).
- 18. Possible ACTION on matters or items discussed in Executive Session.
- 19. Adjournment.

NOTE: The Board of Commissioners reserves the right to discuss any items in Executive Session whenever authorized under the Texas Open Meetings Act, Chapter 551, Title 5 of the *Texas Government Code*.

NOTE: The Brownsville Navigation District does not discriminate on the basis of disability in the admission of, access to, treatment of, or employment in its programs, activities, or public meetings. Any individual with a disability in need of an accommodation is encouraged to contact the Director of Human Resources by Monday, no later than 5:00 P.M., to make proper arrangements.

I certify that a copy of the December 7, 2016 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on December 2, 2016. I further certify that the Agenda was posted on the BND’s website and can be downloaded by accessing: www.portofbrownsville.com.


 Eduardo A. Campirano, Port Director & CEO
 Brownsville Navigation District