

**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 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, January 18, 2017** in the Conference Room located at 1000 Foust Road, Brownsville, Cameron County, Texas. The Board of Commissioners will convene in a **Regular Board Meeting at 5:30 P.M.**

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REGULAR MEETING: 5:30 P.M.

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.
 - a. Monthly Operations Summary Report

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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 January 4, 2017. 11
- b) Approval to authorize payments over \$25,000.00. (SF)

	Vendor	Purpose	Amount	
1	Vulcan Materials Company	Crushed limestone for various locations throughout the Port	\$79,952.17	15
3	Russell Marine, LLC	BND Liquid Cargo Dock repairs	\$69,831.00	15

c) Approval of the following leases: (BR)

1	Heavy Duty Equipment, Inc. (New Lease)	29
2	A.E. Cantu (New Lease)	32
3	George C. Gavito (New Lease)	35

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PRESENTATIONS

- 5. Presentation of year-end financial report on BND’s Pension Plan by Hunter Stanco, Financial Advisor from Morgan Stanley. (DE) 38
- 6. Presentation of the 2016 4th Quarter Investment Report for the period October 1, 2016 through December 31, 2016 and the 2016 and the 2016 Annual Investment Report for the period January 1, 2016 through December 31, 2016. (SF) 39
- 7. Presentation from Omnitrax regarding 2016 year-end review. (EAC) 42
- 8. Presentation on Port of Brownsville Marketing Plan. (ST) 43

ACTION ITEMS

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

1	Bluewing One, LLC (Authority to Negotiate)	44
2	Valley Crossing Pipeline, LLC (Authority to Negotiate)	47
3	Pedro Casares (Authority to Negotiate)	50
4	Linda Labin, Inc. / Paul Piazza & Son, Inc. (Authority to Negotiate)	53

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10. Consideration and ACTION to declare fixtures and furniture located in the Administration Building as surplus to the District's needs and to authorize the Salvage Auction Team to dispose of them, to include offering them for sale by auction or making donations to charitable organizations. (DLD) 56

BIDS/AGREEMENTS/PURCHASES

11. Consideration and ACTION to amend District Contract 3045 A with Ford Ferraro Attorneys at Law to the Firms new name of Fritz, Byrne, Head & Gilstrap, PLLC and to approve the Firm's 2016 standard hourly rate sheets. (SF) 57
12. Consideration and ACTION to award a purchase agreement with Vulcan Materials for the purchase of crushed limestone. (OG) 67
13. Consideration and ACTION to award a purchase agreement with Contech Engineered Solutions, LLC for the purchase of geogrid reinforcement. (OG) 69
14. Consideration and ACTION to authorize the staff to advertise for bids for two dump trucks, dozer and double drum vibratory roller. (OG) 71
15. Consideration and ACTION to authorize the Port Director and CEO and Port Legal Counsel Mr. Daniel Rentfro to execute the U.S. Army Corps of Engineers' Consent to Easement for the Oil Dock #6 construction project on behalf of the Port. (AC) 72

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EXECUTIVE SESSION:

16. 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).

17. Possible ACTION on matters or items discussed in Executive Session.

18. 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 January 18, 2017 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on January 14, 2017. 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**