

**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, July 5, 2017** in the Training Room located at The Port of Brownsville Police Command Center, 2993 N. Indiana Avenue, Suite B, 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:

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.

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 June 21, 2017. 62
- b) Approval to authorize payments over \$25,000.00. (SF)

	Vendor	Purpose	Amount	
1	HDR	DMPA Dike Relocation Project	\$30,877.49	69
2	Triton Marine Construction	Construction, Administration and Observation services for Oil Docks 3 & 6 Maintenance Dredging.	\$3,186,009.02	69

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

1	Captain Memo Corp. (New Lease)	91
2	Valley Crossing Pipeline, LLC (Amendment)	94
3	Valley Crossing Pipeline, LLC (Amendment to Easement)	95
4	Valley Crossing Pipeline, LLC (Amendment to Easement)	96
5	Valley Crossing Pipeline, LLC (Amendment to Easement)	97

ACTION ITEMS

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

1	RTW Properties, L.P./Texas KLM, LLC (Assignment of Lease)	98
2	Texas KLM, LLC (Authority to Negotiate)	101
3	G & O Shrimp Co., Inc. (Authority to Negotiate)	104

- 6. Consideration and ACTION to approve reimbursement to ESCO Marine, Inc. for rent received for periods after the commencement date of the Port's lease to Brownsville Acquisition, Inc. and the Bankruptcy Court's order rejecting ESCO Marine, Inc.'s leases with the Port. (SF) 107
- 7. Consideration and ACTION on Memorandum of Agreement between U.S. Army Corps of Engineers, Galveston District and Brownsville Navigation District of Cameron County, Texas in relation to a Disposal Report and related matters concerning the release of "Tract 2" as provided in Section 1318 of the Water Resources Development Act of 2016. (EAC) 109

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BIDS/AGREEMENTS/PURCHASES

- 8. Consideration and ACTION to authorize the staff to request qualifications for external audit services for Fiscal Years 2017-2019. (SF) 116
- 9. Consideration and ACTION to authorize the purchase and installation of surveillance cameras and applicable accessories for the BND Administration Complex. (CG) 123
- 10. Consideration and ACTION to accept proposal from consultant HDR, Inc. for Task Order #22, consisting of Construction Observation Services for the Valley Crossing Pipeline Project across BND property. (AC) 127
- 11. Consideration and ACTION to accept proposal from Mejía & Rose, Incorporated on Land Surveying Services of Tracts No. 1 and No. 2 of the Brazos Island Harbor Easements Releases in Water Resources and Development Act of 2016. (AC) 154
- 12. Consideration and ACTION to authorize Staff to negotiate Land Surveying Services with an additional fifth respondent firm to the Request for Statements of Qualifications on the BIH Easements Releases and other land surveying work. (AC) 157

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EXECUTIVE SESSION:


- 13. 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).

14. Possible ACTION on matters or items discussed in Executive Session.
15. 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 July 5, 2017 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on June 30, 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**