

**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 PILOT BOARD MEETING 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 06, 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 **Pilot Board Meeting at 5:30 P.M.** And **Regular Board Meeting** to commence immediately after the conclusion of the Pilot Board Meeting.

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PILOT BOARD MEETING: 5:30 P.M.

- a. Consider and re-commission Pilot Captain Jonathan P. Willett.

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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 2

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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: 65
- a) Approval of the Minutes of the Regular Board Meeting of November 15, 2017. 66
- b) Approval to authorize payments over \$25,000.00. (SF) 71

	Vendor	Purpose	Amount	
1	Vulcan Materials Company	Crushed limestone for Patio 22, Pyramid Yard and repairs to areas in the Port	\$81,748.92	72
2	Keppel AmFELS	Facility improvements	\$207,705.25	84
3	HDR, Inc.	Services performed on the Brazos Island Harbor Deepening Project and the DMPA 5B Dike Relocation Project	\$76,021.14	92
4	S & B Infrastructure, LTD	Foust Road Truck Parking Improvements	\$42,013.16	110
5	Triton Marine Construction	Oil Dock 6 construction, Oil Dock No. 3 Fender System Replacement & Facility Enhancements & Maintenance Dredging	\$356,534.01	111

5. c) Approval of the following leases: (BR)

1	C.E. Parker Cattle Company, LLC (New Lease)	128
2	M & M Mooring (Amendment)	131

- 6. Consideration and ACTION on the Line Handling Permit Application submitted by:

1	Brownsville Mooring	134
2	M & M Mooring	141

PRESENTATION

- 7. Presentation by Mark Davenport from HDR, Inc. on pipeline construction observation for Valley Crossing Pipeline Project. (EAC) 148

ACTION ITEMS

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

1	Friends of the Rio Grande Valley Reef, Inc. (Authority to Negotiate)	149
2	Oil Patch Fuel & Supply, Inc. (Authority to Negotiate)	153
3	Casa Sumi Petroleum, LLC (Authority to Negotiate)	156
4	CSC Sugar, LLC (Authority to Negotiate)	159

- 9. Consideration and ACTION on the adoption of “Order and Appointment of Agenda for Election Duties for the Secretary of the Board of Commissioners’ duties related to the May 5, 2018 General Election”. (Examinar y tomar medidas acerca de una decisión sobre la adopción de “Orden y Nombramiento de un Agente por Funciones Electorales del Secretario del Consejo de Comisionados en relación con Elección General el 5 de mayo 2018.”) (DLD) 161
- 10. Consideration and ACTION on approval of Supplement to Yard Relocation Agreement with regard to the Brownsville Matamoros Railroad Relocation demonstration project, and authorization of the Chairman of the Board to sign all documents necessary to complete the exchange of properties and associated facilities in fulfillment of the project. (EAC) 163
- 11. Consideration and ACTION on the adoption of the District’s Operating and Capital Budget for Fiscal Year 2018. (SF) 170
- 12. Consideration and Action to approve payment of the District’s pro-rata portion of the Cameron Appraisal District (CAD) budget for the fiscal 2018, the District’s pro-rata portion is \$35,112. (SF) 190

BIDS/AGREEMENTS/PURCHASES

13. Consideration and ACTION to approve selection and payment for the services provided by recommended medical, dental, short-term, long-term and life insurance providers for all BND employees. (JM) 195
14. Consideration and ACTION to authorize Staff to purchase treated lumber. (OG) 196
15. Consideration and ACTION to authorize Chairman John Wood to execute the U.S. Army Corps of Engineers' Deed Without Warranty and Release of Easement for a portion of Easement Tract No. 2 on the Brazos Island Harbor Channel. (AC) 197
16. Consideration and ACTION to amend the proposal from SAM Engineering and Surveying on Land Surveying Services for the S.H. 48 Utility Corridor created by the Brownsville Navigation District on May 5, 2017. (AC) 208

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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 06, 2017 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on December 1, 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