

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

John Reed, Chairman
Ralph Cowen, Secretary
Esteban Guerra, Commissioner

Sergio Tito Lopez, Vice Chairman
John Wood, Commissioner

Eduardo A. Campirano, Port Director and CEO

**NOTICE 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 11, 2018** 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.**

* * * * *

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 about 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 20, 2018. 51

b) Approval to authorize payments over \$25,000.00. (SF)

	Vendor	Purpose	Amount	
1	O’Briens Response Management	Environmental Assessment – Former Marine Metal, Inc. site	\$29,443.39	57
2	Vulcan Materials Company	Crushed limestone	\$216,311.40	70
3	HDR, Inc.	Construction Observation Services for Valley Crossing Pipeline project, Construction Administration and Observation Services for Oil Docks 3 & 6, Maintenance Dredging	\$190,592.22	96
4	ZIWA Corporation	BND Administration Complex Rehab & Building addition	\$432,930.73	126
5	G&T Paving, LLC	Foust Road Truck Parking Facility	\$188,465.40	162
6	Triton Marine Construction	Oil Dock 6 Construction, Oil Dock 3 Fender System Replacement & Facility Enhancements, & Maintenance Dredging	\$1,600,793.73	164

c) Approval of the following leases: (BR)

1	Firebird Bulk Carriers, Inc. (Amendment)	167
2	Paul Shane, d/b/a TLO Logistics (New Lease)	170
3	Optimum Quality Transfer, Inc. (New Lease)	173

4	Max Alonso Gonzalez Perez, d/b/a Transportes De Carga Tornado (New Lease)	176
---	---	-----

* * * * *

PRESENTATION

- 5. Presentation of District Funds Investments Report for the Period April 1, 2018 through June 30, 2018. 179

* * * * *

ACTION ITEMS

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

1	Brownsville Gulfside Warehouse, Inc. (Subordination)	180
2	Magic Valley Concrete, Inc. (Subordination)	183
3	Seahorse Transportation, Inc. (Consent, Assignment and Subordination)	186
4	Port Warehouse Properties, LP / CSC Sugar, LLC / Sugaright, LLC (Consent to Sub-Sublease)	189

- 7. Consideration and ACTION on adjusting meeting schedule for August 2018 Board meetings. (EAC) 192
- 8. Consideration and ACTION to acknowledge receipt of a draft audit of the District's Financial Statements for Fiscal Year ended December 31, 2017. (SF) 193

* * * * *

BIDS/AGREEMENTS/PURCHASES

- 9. Consideration and ACTION authorizing an agreement for Professional Services with Mario Martinez. (EAC) 206
- 10. Consideration and ACTION amending an agreement with SEDCO by ratifying a change order payment of \$2,058 increasing the amount of SEDCO's agreement from \$26,193 to \$28,251 for additional repairs necessary to keep the Fishing Harbor Waste Water Treatment Facility operational. (SF) 209
- 11. Consideration and ACTION to authorize the Port Director and CEO to execute agreement with the U.S. Army Corps of Engineers and issue payment of contribution to perform Section 408 review of the proposed -75 ft. and -95 ft. Deep Holes at Keppel AmFELS Quay. (AC) 212

12. Consideration and ACTION to ratify agreement with the U.S. Army Corps of Engineers and payment of contribution to perform a Section 408 review of the proposed Bulk Cargo Dock Improvements project. (AC) 218
13. Consideration and possible ACTION on bids received for rail materials and appurtenances for the railroad crossings on Old State Highway 48 in the BND Port Road Improvements – Phase II project. (AC) 224
14. Consideration and possible ACTION on bids received for composite planks and ties materials for the railroad crossings on Old State Highway 48 in the BND Port Road Improvements – Phase II project. (AC) 226

* * * * *


EXECUTIVE SESSION:

15. 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).
16. Possible ACTION on matters or items discussed in Executive Session.
17. 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 11, 2018 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on July 06, 2018 . 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