

**-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 PUBLIC HEARING 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, August 22, 2018** in the Board Room located at, 1000 Foust Road, Brownsville, Cameron County, Texas. The Board of Commissioners will convene in a **Public Hearing at 5:30 p.m.** and **Regular Board Meeting** to commence immediately after the conclusion of the Public Hearing.

* * * * *

PUBLIC HEARING: 5:30 p.m.

1. Public Hearing to receive public comment on a proposal to increase total revenue on tax roll in 2018 by 36.39 per cent.

* * * * *

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 1
 - a. Monthly Operations Summary Report

* * * * *

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 August 08, 2018. 9
 - b) Approval to authorize payments over \$25,000.00. (LH)

	Vendor	Purpose	Amount	
1	Vulcan Materials Company	Crushed Limestone	\$135,950.19	15
2	HDR, Inc.	Dredged Material Placement Area 5B Dike Relocation project and the BIH Project	\$68,678.23	32

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

1	M&M Mooring Company (Amendment)	56
---	---------------------------------	----

* * * * *

ACTION ITEMS

- 5. Consideration and ACTION to enter into a lease agreement with Port of Brownsville Recycling, Inc. (BR) 59
- 6. Consideration and ACTION to enter into a lease agreement with Intercoastal Terminals, Inc. (BR) 62

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

1	George C. Gavito (Authority to Negotiate)	65
2	Ocelot Energy Management, LLC (Authority to Negotiate)	68

- 8. Consideration and ACTION to amend and adopt a new Resolution of the Board setting the procedures for the signing of checks and the authorization of electronic transfer of funds. (LH) 71
- 9. Consideration and ACTION to waive the provision of Policy C250 Policy for the Disposition of Surplus, Salvage or Unclaimed Property that precludes employees from bidding on sales of surplus, salvage or unclaimed property in regard to the salvage sale(s) to be held in September and October 2018. (DLD) 74

* * * * *

BIDS/AGREEMENTS/PURCHASES

- 10. Consideration and ACTION on the Grantee/Operators agreement between the Brownsville Navigation District-Foreign Trade Zone No. 62 and Parker & Company, Inc. (TR) 75
- 11. Consideration and ACTION to accept revised scope of work for communication services with Burson-Marsteller and execute a letter of engagement. (ST) 87
- 12. Consideration and ACTION to extend Master Agreement for Professional Services with consultant HDR Engineering, Inc. for two years to May 9, 2020, for engineering services on current projects, and other related services. (AC) 93
- 13. Consideration and ACTION to accept proposal from consultant HDR, Inc. for Task Order #2 on the Brazos Island Harbor Deepening project, consisting of Geotechnical and Topographical Data Collection for final design, and Review and Oversight with the USACE of the Economic Justification Update for the project. (AC) 94
- 14. Consideration and ACTION on Change Order No. 2 to Phase I of the Foust Road Truck Parking Facility project for the purpose of adjusting contract quantities to as-built quantities, on acceptance of the work by G&T Paving Co., LLC, and on release of the retainage. (AC) 117

* * * * *

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, including consultation with attorneys regarding settlement agreement with Trinity Scrap Processors d/b/a Port of Brownsville Recycling and Intercoastal Salvage, Inc.; 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 August 22, 2018 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on August 17, 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