

**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 PILOT BOARD MEETING AND 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, September 05, 2018** in the Board Room located at, 1000 Foust Road, 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 Branch Pilot Captain Grant S. Wilson.

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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 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

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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 August 22, 2018. 57
- b) Approval to authorize payments over \$25,000.00. (LH)

| | Vendor | Purpose | Amount | |
|----------|----------------------------|---|----------------------|-----|
| 1 | HDR | Construction Admin. and Observation Services for Oil Docks 3 & 6, Maintenance Dredging | \$74,851.50 | 64 |
| 2 | CCRMA | Development of Design/Engineering plans for the South Port Connector Road Project | \$48,543.44 (ratify) | 66 |
| 3 | CCRMA | Development of Design/Engineering plans for the South Port Connector Road Project | \$65,800.01 | 67 |
| 4 | Triton Marine Construction | Oil Dock 6, Oil Dock 3 Fender Replacement, Oil Dock 3 Facility Enhancements, and Maintenance Dredging | \$625,843.29 | 73 |
| 5 | ZIWA Corporation | BND Admin Complex Rehab & Bldg. Add | \$257,608.79 | 76 |
| 6 | Environmental Evolutions | Transportation and disposal sludge at Ballast Pit #2 | \$324,534.60 | 113 |
| 7 | Russell Marine | BND Bulk Cargo Dock Improvements | \$45,000.00 | 114 |

ACTION ITEMS

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

| | | |
|----------|---|-----|
| 1 | John Whelan d/b/a Whelan Industries (New Lease) | 117 |
|----------|---|-----|

- 6. Consideration and ACTION to set the 2018 Ad Valorem tax rate for the Brownsville Navigation District at \$.035920 per \$100 valuation. This rate is comprised of a debt portion of zero and a maintenance and operations portion of \$.035920 per \$100 valuation. The rate is projected to increase tax revenues by \$200,588 and is higher than both the rollback tax rate and the effective tax rate. This rate is the same rate that was adopted in 2016 and 2017. (DLD) 120
- 7. Consideration and take ACTION to declare assets 615B-1991 16’ boat, 615C-1991 Mercury Motor and 615D-1991 Shorelander Trailer as surplus and to authorize their sale by the salvage Auction Team. (DLD) 125
- 8. Consideration and ACTION on Amending Procurement Policies and Procedures C203(Local), C204 (Local) and C206 (Exhibits A & C). (DLD) 128
- 9. Consideration and ACTION on Amending Procurement Card Policy C260 (Local). (DLD) 140

BIDS/AGREEMENTS/PURCHASES

- 10. Consideration and possible ACTION to authorize BND Staff to Advertise for Bids on the Public Vessel Assembly and Erection Pad project, and to open bids thereof. (AC) 168
- 11. Consideration and possible ACTION on bids received for the 2018 BND Spot Repairs and Asphalt Surfacing project. (AC) 169
- 12. Consideration and possible ACTION on Change Order No.1 to the Old S.H. 48 Railroad Crossings – Rail and Appurtenances in the BND Port Road Improvements – Phase II project, adjusting quantities of Compromise Rail Joint Bars to actual need. (AC) 171
- 13. Consideration and possible ACTION Change Order NO.4 to the Administration Complex Rehabilitation and Building Additions project, adjusting unit price allowances, accounting for Owner-Generated additions to the Scope of Work, and adjusting contract time for additional work and inclement weather. (AC) 173

14. Consideration and possible ACTION to Change Order No.8 to the Oil Dock No. 6 177
Construction, Oil Dock No. 3 Fender System Replacement & Facility Enhancements,
& Maintenance Dredging project, for the purpose of installing Carbon Fiber Jackets
to repair the old worn out pipe piles on the existing Dolphin structure at Oil Dock
#3. (AC)

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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 September 05, 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 31, 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