

**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, October 17, 2018** in the Board Room located at, 1000 Foust Road, 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: 5:30 P.M.

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
 - a. Monthly Summary Quarterly Report

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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 October 03, 2018. 9
 - b) Approval to authorize payments over \$25,000.00. (LH) 14

	Vendor	Purpose	Amount	
1	Southmost Regional Water Authority	Assessment Fees	\$145,058.00	15
2	U.S. Corp of Engineers	Assessment fee for the Interagency/Support Agreement of the assumption of O&M Brazos Island Harbor	\$30,000.00	17
3	McGriff, Seibels & Williams, Inc.	Insurance consultant contract	\$40,000.00	19
4	Cameron County Regional Mobility Authority	Design/Engineering plans for South Port Connector Road Project	\$72,256.55	20

PRESENTATION

- 5. Presentation of District Funds Investment Report for the Period July 1, 2018 through September 30, 2018. (LH) 27

ACTION ITEMS

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

1	Falco, Inc. / Arguindegui Oil Co. II, Ltd. (Authority to Negotiate)	29
2	JTM II, LTD (Authority to Negotiate)	32

7. Consideration and ACTION approve amendments to the District’s Fiscal 2018 Operating and Capital Budgets by increasing operating revenues by \$1,178,668 to \$22,405,241 and increasing operating expenditures by \$396,388 to \$14,124,287 and increasing the 2018 Capital Budget by \$5,812,017. (LH) 35

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BIDS/AGREEMENTS/PURCHASES

8. Consideration and ACTION authorizing staff to advertise for proposals for pension audit services and to open the proposals once received. (DLD) 36
9. Consideration and ACTION on bids for the purchase of one pickup and one medium-size sport utility vehicle received on October 10, 2018, including possible trade-in of one pickup toward the purchase of one of the vehicles and to authorize payment of the invoices when received. (DLD) 37
10. Consideration and ACTION on Memorandum of Agreement between the Brownsville Navigation District and the United States Army Corps of Engineers (USACE) establishing a mutual framework governing the respective responsibilities of the parties for the non-federal improvements of portions of the Brazos Island Harbor Channel. (AC) 40
11. Consideration and ACTION to accept a \$1,800,000.00 Financial Assistance Award from the United States Department towards construction of the Public Vessel Assembly and Erection Development Administration towards construction of the Public Vessel Assembly and Erection Pad project in the Port of Brownsville. (AC) 49
12. Consideration and ACTION on bids received for the Phase II of the BND Port Road Improvements project, subject to Texas Department of Transportation concurrence. (AC) 64

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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 (§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 October 17, 2018 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on October 12, 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**