

**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 WORKSHOP 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 **Tuesday, December 18, 2018** in the Board Room located at 1000 Foust Road, Brownsville, Cameron County, Texas. The Board of Commissioners will convene in a **Workshop at 2:00 pm** and **Regular Board Meeting to commence immediately after the conclusion of the Workshop.**

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WORKSHOP: 2:00 P.M.

1. Discussion on the District's Operating and Capital Budget for Fiscal Year 2019

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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 1
 - a. Monthly Operations Summary 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 December 5, 2018. 10
 - b) Approval to authorize payments over \$25,000.00. (LH)

	Vendor	Purpose	Amount	
1	LT Resources, Inc.	Materials for railroad crossings on Old SH 48	\$38,729.25	17
2	HDR	Construction Admin & Observation services for Oil Docks 3&6; BIH Project, BIH Task Order #2; Construction Observation Services for VCP project.	\$492,219.98	20
3	Russell Marine, LLC	Bulk Cargo Dock improvements	\$350,416.80	38
4	CCRMA	South Port Connector Road Project	\$98,756.55	42

5	ZIWA Corporation	BND Administrative Complex Rehab & Building addition	\$57,984.05	47
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c) Approval of the following leases: (BR)

1	Keppel Amfels, Inc. (Amendment)	48
2	Bluewing One, LLC (Amendment)	51
3	Paul Shane, d/b/a TLO Logistics (Release of Lease)	54
4	Jesus Molina, d/b/a Molina Trucking (New Lease)	57
5	Roberto Soto, d/b/a R. Soto Transport Truck (Release of Lease)	60

5. Consideration and ACTION on an application for a renewal of the Line Handling Permit submitted by: (DLD)

1	Brownsville Mooring, LLC.	63
2	M & M Mooring Company	68

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ACTION ITEMS

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

1	Marine Railway, LLC (Authority to Negotiate)	72
2	Cumberworth Investments, Inc. / ATS Operations, LLC (Authority to Negotiate)	75
3	Interlube Corporation, Inc. (Authority to Negotiate)	78

7. Consideration and ACTION on the adoption of the District's Operating and Capital Budget for Fiscal Year 2019. (LH) 81

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BIDS/AGREEMENTS/PURCHASES

8. Consideration and ACTION to amend contract for insurance consultant services with McGriff, Seibels & Williams to add language required by the Texas Department of Insurance regarding complaints procedures. (DLD) 96

9. Consideration and Action on Change Order No. 1 to the 2018 BND Spot Repairs and Asphalt Surfacing project, for the purpose of adding area to be re-surfaced. (AC) 100

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EXECUTIVE SESSION:

10. 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 (§551.071); to deliberate the purchase, exchange, lease, or value of real property (§551.072); and to conduct deliberations regarding economic development negotiations (§551.087).
11. Possible ACTION on matters or items discussed in Executive Session.
12. 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 18, 2018 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on December 13, 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