

**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, February 6, 2019** 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:**

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 January 16, 2019. 71
- b) Approval to authorize payments over \$25,000.00. (LH) 79

	<b>Vendor</b>	<b>Purpose</b>	<b>Amount</b>	
<b>1</b>	EDG, Inc	Construction support services Bulk Cargo Dock Rehabilitation Service	\$59,531.73	80
<b>2</b>	HDR	Construction Observation services for Valley Crossing Pipeline Project, BIH Project, and BIH Project Task Order # 2	\$251,320.84	90
<b>3</b>	Triton Marine Construction	Oil Dock 6 Construction, Oil Dock No. 3 Fender System Replacement & Facility Enhancements & Maintenance Dredging	\$213,848.07	158
<b>4</b>	L & G Concrete Construction, Inc	Public Vessel Assembly & Erection Pad	\$568,800.00	168
<b>5</b>	Russel Marine LLC	BND Bulk Cargo Dock	\$878,514.30	185

c) Approval of the following leases: (BR)

<b>1</b>	Cameron County Sherriff's Office (New lease)	191
<b>2</b>	Labor and Prosper, Inc (New Lease)	194
<b>3</b>	Venmar Shrimp, Ind. (Release of lease)	197

5. Consideration and ACTION on an application for a renewal of the Stevedore and Freight Handler's License submitted by Gulf Stream Marine, Inc. (DLD) 200

## ACTION ITEMS

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

1	Sea Breeze Marine, Inc. (Authority to Negotiate)	206
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7. Consideration of and ACTION on new lease to Rio Grande LNG, LLC, for 983.97 acres of land, more or less, situated in the Rafael Garcia, Cameron County Texas, T. Kinder, Isabel Y Garcia, R.R. Stoley and Brownsville Navigation District Surveys, Abstracts 1, 264, 270, 272, 273, 274 & 275, Cameron County, Texas. (EAC) 209

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## BIDS/AGREEMENTS/PURCHASES

8. Consideration and ACTION to authorize the Port Director and CEO to enter into an Interagency Support Agreement with the United States Department of the Army for USACE’s Galveston District’s 100% design review Project Delivery Team meetings & support, Agency Technical Review of the draft 204(f) report, Agency review of the Final 204(f) report coordination/approval, and Economic Update on the Brazos Island Harbor Channel Improvement project, and to authorize payment of the requested \$195,000.00 contribution. (AC) 210

9. Consideration and ACTION to select a consulting engineer to perform Engineering Design Services for the Oil Docks #2 and #5 Bulkhead Repair project. (AC) 215

10. Consideration and ACTION on Change Order No. 1 to the BND Port Road Improvements-Phase II project, for the purpose of increasing Spot Repair area, increasing Concrete Pavement areas at Foust Road and at Old S.H. 48, and adding milling on the overlay areas. (AC) 216

11. Consideration and ACTION on Change Order No. 1 to the Public Vessel Assembly and Erection Pad project, for the purpose of adding repairs to the damaged existing concrete beams. (AC) 220

12. Consideration and ACTION on Change Order No. 1 to the BND Bulk Cargo Dock Improvements project, for the purpose adding underwater pile survey and extending jacket length for 6 existing piles. (AC) 224

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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, including but not limited to Trinity Scrap Processors, Inc. and Intercoastal Salvage, Inc. v. Brownsville Navigation District of Cameron County, Texas (§551.071); to deliberate the purchase, exchange, lease, or value of real property, including proposed lease to Rio Grande LNG, LLC (§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 February 06, 2019 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on February 01, 2019 . I further certify that the Agenda was posted on the BND's website and can be downloaded by accessing: [www.portofbrownsville.com](http://www.portofbrownsville.com).**

  
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**Eduardo A. Campirano, Port Director & CEO  
Brownsville Navigation District**