

**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, March 06, 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.**

\* \* \* \* \*

**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

\* \* \* \* \*

## 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 Pilot Board Meeting and the Regular Board Meeting of February 20, 2019. 60
  - b) Approval to authorize payments over \$25,000.00. (LH) 67

	Vendor	Purpose	Amount	
1	Hamilton & Lucio, PC	Legal Services	\$25,077.24	
2	HDR	Construction Admin. And Observation Services for Oil Docks 3 & 6, and Maintenance Dredging.	\$29,940.60	68
3	Triton Marine Construction	Oil Dock 6, Oil Dock 3 Fender System Replacement, Oil Dock 3 Facility Enhancements and Maintenance Dredging.	\$448,798.92	69
4	L&G Concrete Construction, Inc.	Public Vessel Assembly & Erection Pad	\$706,347.00	85
5	G&T Paving	BND Port Road Improvements Phase II	\$418,124.25	87
6	Roberto J. Ruiz	Architectural Services on the Administration Building Complex	\$64,334.31	90

\*\*\*\*\*

## ACTION ITEMS

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

1	R.M. Walsdorf, Inc. / Combustibles De Oriente, S.A. De C.V. (Authority to Negotiate)	91
---	--	----

- 6. Consideration and ACTION on appointing a Commission Member to the Leasing Committee. (JR) 94
- 7. Consideration 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) 102

\* \* \* \* \*

**BIDS/AGREEMENTS/PURCHASES**

- 8. Consideration and ACTION on extending the Agreement for Professional Services with Randolph L. Delay. (EAC) 103
- 9. Consideration and ACTION to enter into an agreement with Rio Grande Hauling for hauling services. (OG) 104
- 10. Consideration and possible ACTION on selection of a District Depository and Authorization of the Chairman and Secretary to execute a Depository Agreement. (LH) 105
- 11. Consideration and ACTION to approve a renewal agreement with American Surveillance Company, Inc. and the Brownsville Navigation District “DBA” as the Port of Brownsville for the purchase of radio licenses and support for a period of three years for the Port Security Surveillance Camera System. (CG) 133
- 12. Consideration and ACTION on Memorandum of Agreement (MOA) between the Brownsville Navigation District and the United States Army Corps of Engineers (USACE) defining the requirements for the release of a portion of USACE Easement Tract No. 9 and authorize payment of \$29,990.00 review fees to USACE. (AC) 135
- 13. Consideration and ACTION to authorize the Port Director to enter into a Private Security Lighting Record Agreement with the Brownsville Utilities Board for rental and energy charges for the Foust Road Truck Parking Facility project security lighting. (AC) 144
- 14. Consideration and ACTION to accept work performed by contractor ZIWA Corporation on the Administration Complex Rehabilitation and authorize release and payment of the \$725,319.08 retainage. (AC) 147

\* \* \* \* \*

## **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 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 (§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 March 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 March 01, 2019 . I further certify that the Agenda was posted on the BND's website and can be downloaded by accessing:.**

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