

**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, April 3, 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 March 20, 2019. 65
- b) Approval to authorize payments over \$25,000.00. (LH) 70

	Vendor	Purpose	Amount	
1	Raba Kistner	Professional services rendered for the Public Vessel Assembly and Erection Pad Project	\$35,400.00	71
2	G&T Paving	BND Port Road Improvement Phase II	\$327,913.29	73
3	EDG, INC.	Professional services rendered for BND Bulk Cargo Dock Improvements project	\$29,000.08	76
4	L&G Concrete Construction	Public Vessel Assembly & Erection Pad	\$534,150.00	78
5	American Surveillance	Maintenance Agreement and Purchase of Camera Licenses and support	\$53,246.20	79
6	Triton Marine Construction	Oil Dock 6 and Maintenance Dredging	\$333,509.59	84
7	HDR, Inc.	BIH Project, Dike 5B Relocation Project, BIH Project Task Order #2	\$466,464.49	85

c) Approval of the following leases: (BR)

1	Sea Breeze Marine, Inc. (New Lease)	92
2	Texas KLM, LLC, d/b/a KLM Terminal (New Lease)	95
3	Interlube Corporation, Inc. (Release of Lease)	98

ACTION ITEMS

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

1	Rio Grande Council, Boys Scouts of America Laguna Station (Authority to Negotiate)	101
2	Texas KLM, LLC, d/b/a KLM Terminal (Authority to Negotiate)	104
3	Bluewing One, LLC (Authority to Negotiate)	108
4	Combustibles De Oriente, S.A. De C.V. (Authority to Negotiate)	112
5	Bluewing One, LLC (Authority to Negotiate)	115
6	Interlube Corporation, Inc. (Authority to Negotiate)	118
7	TransMontaigne Operating Company, L.P. (Authority to Negotiate)	122
8	Valero Brownsville Terminal, LLC (Authority to Negotiate)	126
9	A.E. Cantu/Lucila I. Martin (Authority to Negotiate)	130
10	NuStar Logistics, L.P. (Authority to Negotiate)	133

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BIDS/AGREEMENTS/PURCHASES

- 6. Consideration and ACTION to authorize Port Director and C.E.O. and Port Legal Counsel to execute Amendment #1 to the U.S. Army Corps of Engineers’ Right of Entry to perform topographic, bathymetric and geotechnical surveys for the BIH Deepening project. (AC) 136
- 7. Consideration and ACTION to accept proposal from consultant HDR, Inc. for Task Order #3 on the Brazos Island Harbor Deepening project, consisting of Analysis of Widening the Bend between BIH Stations 0+000 and 7+000 in the area West of the Brownsville Ship Channel Entrance Jetties. (AC) 141

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EXECUTIVE SESSION:


- 8. 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).
- 9. Possible ACTION on matters or items discussed in Executive Session.

10. 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 April 03, 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 29, 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**