

**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 17, 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
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 April 03, 2019. 8
 - b) Approval to authorize payments over \$25,000.00. (LH) 15

	Vendor	Purpose	Amount	
1	G&T Paving	BND Port Road Improvement Phase II	\$373,186.28	16

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PRESENTATION

5. Presentation of District Funds Investment Report for the Period January 1, 2019 through March 31, 2019. (DLD) 19

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ACTION ITEMS

6. Consideration and ACTION on amending Leasing Policies C306(Local) Lease Guidelines by adding an item to address Special Conditions. (DLD) 21
7. Consideration and ACTION on amending Leasing Policies C306(Exhibits A, B and E), the Leasing Application, Financial Information and Credit Application and to amend the Leasing Policies C306 Lease Guidelines to remove references to these Exhibits. (DLD) 25
8. Consideration and ACTION on amending Procurement Policies and Procedures to make changes to the Payment Cycle item. (DLD) 33
9. Consideration and ACTION on amending Procurement Policies and Procedures to establish a Local Preference Option. (DLD) 37
10. Consideration and ACTION on amending the Utility Rate Schedule for Potable Water to add a rate for a 10” water meter and to remove the discounted rate for consumption in excess of 2 million gallons in a month. (DLD) 47

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BIDS/AGREEMENTS/PURCHASES

11. Consideration and ACTION authorizing the Port Director & CEO to sign two (2) Government Agency Curation Agreement forms with the Texas Archeological Research at the University of Texas at Austin. (EAC) 57
12. Consideration and ACTION authorizing the execution of the Brazos Island Harbor (BIH) Project agreement between Rio Grande LNG, LLC and the Brownsville Navigation District, including provisions for implementation of the BIH Project and the creation of conservation easements on District lands under Chapter 183 of the Texas Natural Resources Code. (EAC) 60
13. Consideration and ACTION to declare the equipment and other items, including waste materials, as salvage and surplus to the District's needs and to authorize the salvage auction team to dispose of them. Such disposal to include the sale by auction of salable materials. (DLD) 61
14. Consideration and ACTION on approving a purchase order to Duff & Phelps for property insurance appraisal services in the amount of \$33,000.00. (DLD) 63
15. Consideration and ACTION to accept proposal from consultant HDR, Inc. for Task Order #25, consisting of Environmental Services on Tract No. 9 of the Brazos Island Harbor Easements Releases in WRDA 2016. (AC) 75
16. Consideration and ACTION to authorize Port Director to enter into a Master Professional Services Agreement with consultant CH2M HILL Engineers, Inc. and to accept CH2M's proposal for engineering design services for the Oil Docks #2 and #5 Bulkhead Repair project. (AC) 80
17. Consideration and ACTION on Change Order No. 2 to the Public Vessel Assembly and Erection Pad project, for the purpose of adding repairs to existing concrete beams, adding WT beam installation length, redesign of the inlet adjustments, and adjusting the contract time to cover the additional work. (AC) 88
18. Consideration and ACTION to accept proposal from Raba-Kistner Consultants, Inc. for additional construction materials observation and testing services on the Public Vessel Assembly and Erection Pad project in the Port of Brownsville. (AC) 92
19. Consideration and ACTION on Change Order No. 2 to the BND Bulk Cargo Dock Improvements project, for the purpose extending the contract time 95 calendar days due to 42" pipe piles delivery issues. (AC) 104
20. Consideration and ACTION to designate a portion of the 1,000 ft. wide Bridge Corridor land as a public road for the proposed South Port Connector Road, as required by the Texas Department of Transportation. (AC) 107

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EXECUTIVE SESSION:

21. 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).
22. Possible ACTION on matters or items discussed in Executive Session.
23. 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 17, 2019 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on April 12, 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