

**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, June 5, 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 of and ACTION on the following Consent Agenda Items:
  - a) Approval of the Minutes of the Regular Board Meeting of May 15, 2019 and the Special Board Meeting of May 24, 2019. 57
  - b) Approval of payments over \$25,000.00. (LH) 66

|   | Vendor                          | Purpose   | Amount         |    |
|---|---------------------------------|---|----------------|----|
| 1 | EDG, Inc.                       | BND Bulk Cargo Dock Improvements Project  | \$27,137.00    | 67 |
| 2 | HDR, Inc.                       | Oil Dock 6 & Maintenance Dredging project, BIH Project Task Order 2, Dike 5B Relocation Project, BIH Project Task Order 3, and BIH Project Task Order 1 | \$175,800.93   | 69 |
| 3 | L&G Concrete Construction, Inc. | Public Vessel Assembly & Erection Pad Project   | \$733,972.50   | 78 |
| 4 | Russell Marine, LLC             | BND Bulk Cargo Dock Improvements Project  | \$1,522,223.10 | 79 |
| 5 | Triton Marine Construction      | Oil Dock 6 Construction and Maintenance Dredging Project  | \$1,527,953.22 | 80 |
| 6 | G&T Paving, LLC                 | BND Port Road Improvements Phase II Project   | \$341,455.79   | 82 |

5. Consideration of and ACTION on an application for the renewal of a Steamship Agent's License from Norton Lilly International, Inc. (DLD) 89

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## RESOLUTION / PROCLAMATION

6. Consideration of and ACTION on a Resolution between the Brownsville Navigation District Board of Canal Commissioners and its Executive Staff and the Brownsville Public Utilities Board and its Executive Staff to exchange information and recommendations for coordination and cooperation to achieve mutual objectives for the benefit of the residents of the District and the Brownsville Public Utilities Board. 103

- 7. Consideration of and ACTION on a Proclamation in honor of Kathleen Marie Eisbrenner. 104

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**DISCUSSION**

- 8. Discussion on establishing a Port Employee Awareness Program. 105
- 9. Discussion to include Lease Checklist with a Level 1 Supervisor signature on all leases presented to the Board. 106

**ACTION ITEMS**

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

|   |  |     |
|---|--|-----|
| 1 | Buckhead Midstream, LLC (Authority to Negotiate) | 110 |
|---|--|-----|

- 11. Consideration of and ACTION to reschedule the Regular Board meeting of June 19, 2019. (EAC) 116
- 12. Consideration of and Action on engaging the firm Robert J. Ruiz Architect Inc. to provide design, cost and timeline for BND Training Center facility at the Port of Brownsville. (JAH) 117
- 13. Consideration of and Action on an application for a Steamship Agent’s License from Seaport Hub Agencies. (DLD) 118

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**BIDS/AGREEMENTS/PURCHASES**

- 14. Consideration of and ACTION on the quote from Jet Dock Systems, Inc. to furnish and install 2 floating docks for the District’s Port Police and Harbor Master’s boats and to pay invoice when received. (DE) 130
- 15. Consideration of and ACTION on the results of the Surplus and Salvage Sale held on May 24, 2019. (DLD) 135
- 16. Consideration of and ACTION on request to adopt the Texas Department of Transportation’s Quality Assurance Program for Construction for the South Port Connector Road project. (AC) 140

- 17. Consideration of and ACTION on request to authorize Staff to Advertise for Bids on the South Port Connector Road project, and to open bids thereof. (AC) 164
- 18. Consideration of and ACTION on request to authorize Staff to proceed with the construction of the proposed Ostos Road Truck Staging Area. (AC) 165

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**EXECUTIVE SESSION:**

- 19. 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 (i) Trinity Scrap Processors, Inc. and Intercoastal Salvage, Inc. v. Brownsville Navigation District of Cameron County, Texas and (ii) Brownsville Navigation District of Cameron County, Texas vs. Terex MHPS Corp., Konecranes, Inc., Cummins, Inc., Diepa Drahtseilwerk Dietz GMBH & Co. KG (§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).
- 20. Possible ACTION on matters or items discussed in Executive Session.
- 21. 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 June 5, 2019 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on May 31, 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) .**

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