

**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 OF A PUBLIC HEARING AND 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, **August 21, 2019** in the Board Room located at 1000 Foust Road, Brownsville, Cameron County, Texas. The Board of Commissioners will convene in a **Public Hearing at 5:30 p.m.** and **Regular Board Meeting to commence immediately after the conclusion of the Public Hearing.**

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PUBLIC HEARING: 5:30 p.m.

1. Public Hearing to receive public comment on a proposal to increase total tax revenues on tax roll in 2019 by 3.968277 percent.

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REGULAR MEETING: to commence immediately after the conclusion of the Public Hearing.

1. Call to Order.

INVOCATION

PLEDGE OF ALLEGIANCE

2. Public Audience
If you wish to address the Board of Commissioner 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 table in rotunda.

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 Report
 - a. Monthly Operations Summary Report 1

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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 Special Board Meeting of August 5, 2019 and the Regular Board Meeting of August 7, 2019. 9
 - b. Approval of payments over \$25,000.00. (LH) 19

	Vendor	Purpose	Amount	
1	EDG, Inc.	Construction support services for BND Bulk Cargo Dock improvements project	\$26,876.00	20

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PRESENTATION

- 5. Presentation of the most recent economic impact study of the Port of Brownsville conducted by Martin Associates, LLC. (ST) 22

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ACTION ITEMS

- 6. Consideration of and ACTION on amending Tariff Number 6, Item 451 – Mobile Food Vendor License to rename it Mobile Food Vendor Permit, adjust the fee, and make other administrative amendments. (DLD) 23

- 7. Consideration of and ACTION to approve the Resolution for Procedure for Signing of Checks and Authorization of Electronic Transfers of Funds for the Retirement Plan for Employees of Brownsville Navigation District and opening of a new account under the Plan’s EIN#. (LH) 38

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BIDS/AGREEMENTS/PURCHASES

- 8. Consideration of and ACTION on the Grantee/Operators agreement between the Brownsville Navigation District-Foreign Trade Zone No. 62 and ABC Gulf Coast Terminals, LLC. (TR) 40
- 9. Consideration of and ACTION to authorize Port Director and CEO to issue \$16,800 payment of administrative fees to the U.S. Army Corps of Engineers to review request to expand the Brazos Island Harbor Project by incorporating a bend into the main channel. (AC) 50
- 10. Consideration of and ACTION to authorize payment of \$61,779.71 to the Brownsville Public Utilities Board to relocate electric service lines and street security lights on Ostos Road as required for the South Port Connector Road Project. (AC) 53
- 11. Consideration of and ACTION on Change Order No. 2 to the contract with G&T Paving, L.L.C. on the BND Port Road Improvements-Phase II Project adjusting contract quantities to conform to actual, to accept work performed by the contractor, and to authorize Final Payment, including all completed work and retainage. (AC) 55
- 12. Consideration of and ACTION on Change Order No. 3 to the contract with L&G Construction on the Public Vessel Assembly and Erection Pad Project adjusting contract quantities to conform to actual, to accept work performed by the contractor, and to authorize final payment, including all completed work and retainage. (AC) 58
- 13. Consideration of and possible ACTION on Bids received for the Oil Dock #5 Bulkhead Repairs Project. (AC) 61
- 14. Consideration of and ACTION to authorize the Port Director to accept proposal from consultant CH2M HILL Engineers, Inc. to provide Construction Phase Engineering Services on the Oil Dock #5 Bulkhead Repairs Project. (AC) 63

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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 (§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 August 21, 2019 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on August 16, 2019. I further certify that the Agenda was posted on the BND's website and can be downloaded by accessing: www.portofbrownsville.com.



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