

**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 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, **September 04, 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: 5:30 p.m.

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

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 Public Hearing and Regular Board Meeting of August 21, 2019. 57
 - b. Approval of payments over \$25,000.00. (LH) 64

	Vendor	Purpose	Amount	
1	HDR, Inc	Brazos Island Harbor Project – Task Order 1, 2, and 3, Dike 5B Relocation Project	\$138,834.27	65
2	Russell Marine, LLC	BND Bulk Cargo Dock Improvements Project	\$249,005.70	74
3	Triton Marine Construction	Oil Dock 6 and Maintenance Dredging	\$329,168.00	77

ACTION ITEMS

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

1	AEP Texas Central Company (Authority to Negotiate)	90
2	TransMontaigne Operating Company, L.P. (Pipeline Easement)	94
3	TransMontaigne Operating Company, L.P. (Easement)	97

- 6. Consideration of and ACTION to set the 2019 Ad Valorem tax rate for the Brownsville Navigation District at \$.035920 per \$100 valuation. This rate is comprised of a debt portion of \$.011132 per \$100 valuation and a maintenance and operations portion of \$.024788 per \$100 valuation. (LH) 101

- 7. Consideration of and ACTION on an application for a Steamship Agent's License from Gulf Marine Contractors. (DLD) 105
- 8. Consideration of and ACTION on amending Leasing Policies C305(Local) Table of Lease Rental Rates and Leasing Policies C305(Local) Throughput regarding throughput rate and reporting requirements. (DLD) 113

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BIDS/AGREEMENTS/PURCHASES

- 9. Consideration of and ACTION on bids received for the annual contract for Disposal of Oily Water from the Fishing Harbor Sewer Treatment Plant. (OG) 117
- 10. Consideration of and ACTION to accept work performed by contactor Russell Marine, LLC on the contract for the BND Bulk Cargo Dock Improvements project and to authorize Final Payment of \$764,537.14, which includes all completed work and release of retained amounts. (AC) 118
- 11. Consideration of and ACTION on Bids received for the Oil Dock #5 Bulkhead Repairs project. (AC) 119
- 12. 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) 121

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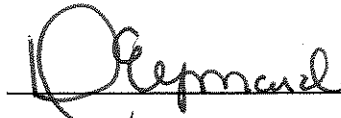
EXECUTIVE SESSION:

- 13. 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).
- 14. Possible ACTION on matters or items discussed in Executive Session.
- 15. 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 September 04, 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 30, 2019. I further certify that the Agenda was posted on the BND's website and can be downloaded by accessing: www.portofbrownsville.com.



**Donna Eymard, Deputy Port Director
Brownsville Navigation District**