

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, **March 4, 2020** 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

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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 February 19, 2020 and Workshop Meeting of February 21, 2020. 58
- b. Approval of payments over \$25,000.00. (LH) 66

	Vendor	Purpose	Amount	
1	HDR Engineering Inc.	BIH Project Task Order #1, #3 and Dike 5B Relocation Project	\$19,336.00	67
2	JLL Valuation & Advisory Services	Mitigation Land Study Appraisal Services	\$32,025.00	73
3	U.S. Corp of Engineers	2006 Feasibility Cost Share Agreement study	\$369,254.63	74

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ACTION ITEMS

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

1	Daniel Cruz d/b/a Crutek (New Lease)	78
2	Friends of Rio Grande Valley Reef, Inc. (New Lease)	81

- 6. Consideration and Action authorizing the Port Director and CEO to execute a License Agreement with the US Army Corps of Engineers for the Brazos Island Harbor Channel Improvement Project. (EAC) 84

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BIDS/AGREEMENTS/PURCHASES

- 7. Consideration and ACTION to authorize staff to advertise for Proposals of a Lease Management Information System. (LH) 103
- 8. Consideration and ACTION to award bid and authorize payment to the lowest bidder for the purchase of a new fifty-five-ton double drop deck trailer. (OG) 104
- 9. Consideration and ACTION to reject bid received for the purchase of a used truck to haul heavy equipment. (OG) 105
- 10. Consideration and ACTION to accept Task order #4 for consultant Witt O'Brien's LLC, under the Professional Service Agreement #4196, to perform the additional work necessary to complete the Environmental Site Assessment on Ballast Pit No. 1 to complete a Voluntary Closure Plan. (JH) 107

11. Consideration and ACTION to award bid and authorize payment of the 40 UPS System Replacements. (JM) 122
12. Consideration and ACTION to adopt Revised Advance Funding Agreement with the Texas Department of Transportation on additional \$7,582,481 funds for the South Port Connector Road project, and authorizing signature by Chairman John Reed. (AC) 124
13. Consideration and ACTION to award the contract on the South Port Connector Road project, subject to Texas Department of Transportation concurrence. (AC) 130
14. Consideration and ACTION on request to authorize staff to advertise for bids on the 2020 BND Road Improvements project, and to open bids thereof. (AC) 163
15. Consideration and ACTION to accept proposal from consultant HDR Engineers, Inc. for Task Order #28, consisting of Professional Engineering Services to design additional Pipe Bridges for Oil Dock No. 6 and prepare construction drawings and specifications. (AC) 164
16. Consideration and ACTION on request to authorize staff to advertise for bids on the Turning Basin Sewer Plant Clarifier Repairs project, and to open bids thereof. (AC) 172

EXECUTIVE SESSION:

17. Adjourn into Executive Session, as authorized by Subchapter D of Chapter 551 of the Government Code to discuss with attorneys pending or contemplated litigation, including The City of Port Isabel, Texas, JJ Zamora, and Martin Cantu vs. Brownsville Navigation District of Cameron County, Texas, 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).
18. Possible ACTION on matters or items discussed in Executive Session.
19. 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 March 4, 2020 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on February 28, 2020. 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**