

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 18, 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
a. Port 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 March 4, 2020 8
- b. Approval of payments over \$25,000.00. (LH) 16

	Vendor	Purpose	Amount	
1	HDR Engineering, Inc.	BIH Project Task Order #1 & #3 and Dike 5B Relocation Project	\$21,548.57	17
2	Vulcan Materials Company	Crushed Limestone for various locations	\$71,617.55	32

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ACTION ITEMS:

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

1	Purata Trawlers, Inc. (Authority to Negotiate)	48
2	Andalusian Energy, LLC (Amendment to Option to Lease)	51
3	Daniel Cruz d/b/a Crutek (Amendment to Lease)	54
4	Guadalupe Ochoa (Bill of Sale)	57

- 6. Consideration and ACTION authorizing Chairman to execute a Memorandum of Understanding with US Army Corps of Engineers for the Brazos Island Harbor Channel Improvement Project. (EAC) 60
- 7. Consideration and ACTION to enter into an Interlocal Agreement with Cameron County on the Children's Beach Shoreline Restoration Project located in Isla Blanca Park on South Padre Island. (DE) 66
- 8. Consideration and ACTION to adopt a Resolution granting certain tax exemptions to eligible historic sites listed in the 2020 Historic Preservation Plan. (MR) 70
- 9. Consideration and ACTION on an Amended Order and Amended Notice for an election to be held on May 2, 2020 for the purpose of electing three Navigation and Canal Commissioners to add three additional Early Voting Locations. (MR) 86

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BIDS/AGREEMENTS/PURCHASES:

10. Consideration and ACTION to enter into an Administrative Service Agreement with Alliance Benefit Group (ABG) to provide administrative and record keeping services for the new 457(b) Plan for the Employees of Brownsville Navigation District. (DE) 91
11. Consideration and ACTION to enter into an Administrative Service Agreement with Alliance Benefit Group (ABG) to provide administrative and record keeping services for the Retirement Plan for the Employees of Brownsville Navigation District. (DE) 106
12. Consideration and ACTION to amend BND Contract #4343 with Wilkins, Finston, Friedman Law Group LLP to reflect new hourly rates. (DE) 128
13. Consideration and ACTION to approve payment of the audit adjustment for the Worker's Compensation premium for the 2018/2019 policy year to the Texas Municipal League Intergovernmental Risk Pool in the additional amount of \$8,236. (MR) 138
14. Consideration and ACTION to authorize staff to advertise for bids on the Oil Dock #3 Crane Supports project, and to open bids thereof. (AC) 141

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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, 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, including a proposed option to lease to Intercoastal Storage Terminal Facilities, LLC (§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 March 18, 2020 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on March 13, 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**