

**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, April 22, 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. Receive Directors Report 1
 - b. Port Monthly Operations Summary Report 70

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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 18, 2020 and Special Board Meeting of March 27, 2020. 77
 - b. Approval of payments over \$25,000.00. (LH) 86

	Vendor	Purpose	Amount	
1	Action Supply	Fixed Boom Pedestal Crane	\$140,000.00	87
2	HDR Engineering Inc.	BIH Project Task Order #1, #3 and Dike 5B Relocation Project	\$14,424.60	88
3	RM Walsdorf	BND Oil Dock 5 Bulkhead Repairs	\$132,768.00 (Ratify)	99
4	RM Walsdorf	BND Oil Dock 5 Bulkhead Repairs	\$25,695.00	104
5	Terracon	Project: Former Esco Marine Inc.	\$61,026.32	105
6	Vulcan Materials Company	Crushed Limestone for various projects	\$55,385.68 (Ratify)	110

5. Presentation of District Funds Investment Report for the period of January 1, 2020 through March 31, 2020. (LH) 124
6. Consideration and ACTION to extend the agreement for Security Services at the Fishing Harbor between the District and American Surveillance for one year. (LH) 126
7. Consideration and ACTION amending the agreement between Annova LNG and the Brownsville Navigation District to increase the Brazos Island Harbor Project cost cap for completion of the PED Phase of the Brazos Island Harbor Channel Improvement Project and the Bend Easing Project. (EAC) 128
8. Consideration and ACTION amending the agreement between NEXTDECADE LNG and the Brownsville Navigation District to increase the Brazos Island Harbor Project cost cap for completion of the PED Phase of the Brazos Island Harbor Channel Improvement Project and the Bend Easing Project. (EAC) 131

9. Consideration and ACTION to extend Master Agreement for Professional Services with consultant HDR Engineering, Inc. to May 31, 2022, for professional engineering services on current projects, and other related services. (AC) 134
10. Consideration and ACTION to ratify signature by Board Chairman Mr. John Reed accepting Deeds Without Warranty and Release of Easements by the United States Army Corps of Engineers (USACE) of USACE Easement Tracts Nos. 1, 4, 5 and 11. (AC) 190

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ACTION ITEMS:

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

1	American Oxygen Company - AOC (New Lease)	232
2	Brownsville Shrimp Unloading Dock, LLC (Authority to Negotiate)	235
3	Cumberworth Investments, Inc. / Palo Alto Brownsville, LLC (Authority to Negotiate)	238
4	Purata Trawlers, Inc. (New Lease)	241

12. Consideration and ACTION to authorize staff to submit an application for the FY 2020 Port Security Grant Program. (DE) 244

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BIDS/AGREEMENTS/PURCHASES:

13. Consideration of and ACTION on amendment to Lease Agreement No. 4375 with Rio Grande LNG, LLC. (EAC) 245
14. Consideration and ACTION on bids received for the 2020 BND Railroad Crossings Materials in the 2020 BND Road Improvements project, and authorize BND Staff to issue the pertinent purchase orders. (AC) 246
15. Consideration and ACTION on Change Order No. 2 to the Oil Dock #5 Bulkhead Repairs project, for the purpose of adding ultra-high pressure washing and coal-tar epoxy coating of the rusted sheet piles and extending the contract time for that work. (AC) 248
16. Consideration and ACTION to authorize Port Staff to Advertise for Bids on the Oil Dock No. 6 Additional Pipe Bridge project, and to open bids thereof. (AC) 252
17. Consideration and ACTION on bids received for the 2020 BND Road Improvements project, and to authorize BND Staff to issue the Notice of Award to the successful bidder. (AC) 253

EXECUTIVE SESSION:

18. 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).
19. Possible ACTION on matters or items discussed in Executive Session.
20. 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 April 22, 2020 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on April 17, 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**