

**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, June 3, 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 5:30pm.**

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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 Reports

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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 May 20, 2020. 51
  - b. Approval of payments over \$25,000. (LH) 58

	<b>Vendor</b>	<b>Purpose</b>	<b>Amount</b>	
1	Vulcan Materials Company	Crushed Limestone for Patio 22	\$65,704.77	59

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**ACTION ITEMS**

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

1	Ocean Port Maintenance Inc. (Authority to Negotiate)	70
2	Guadalupe Ochoa (New Lease)	73
3	Lighthouse Docks, Inc. (New Lease)	76

- 6. Consideration and ACTION delaying the implementation of the new lease rates associated with the annual adjustment of the Table of Lease Rental Rates for existing tenants until January 1, 2021. (EAC) 79

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**BIDS/AGREEMENTS/PURCHASES**

- 7. Consideration and ACTION to amend and restate the Brownsville Navigation District TX Deferred Compensation Plan for Public Employees (Nationwide Plan) and appoint members of Plan Administrator Committee. (DE) 81
- 8. Consideration and ACTION to amend the Brownsville Navigation District Deferred Compensation Plan (VALIC Plan) and transfer existing participant elections to the other 457(b) plan sponsored by the Port. (DE) 121

9. Consideration and ACTION to (1) amend and restate the Retirement Plan for Employees of Brownsville Navigation District (Pension Plan); (2) delegate authority to adopt a future Pension Plan that may be required by the IRS; and (3) to name members of a committee to serve as Plan Administrator. (DE) 124
10. Consideration and ACTION to establish two (2) custodial accounts with Matrix Trust Company in connection with the Brownsville Navigation District Voluntary Deferred Compensation Plan and The Retirement Plan for Employees of Brownsville Navigation District. (DE) 201
11. Consideration and ACTION to ratify the binding of coverages on the District's Property, Liability and Excess insurance renewal policies and to authorize the payment of the invoices once received. (MR) 243
12. Consideration and ACTION on bids for the removal of an old roof and the installation of a new roof located at 400 Windhaus Rd., Brownsville, TX 78521 and to authorize payment of the invoice when received. (OG) 251
13. Consideration and Action on proposal from consultant HDR, Inc. for Task Order #3A Amendment on the Brazos Island Harbor Deepening project for the Bend Easing Sampling and Analysis Plan, consisting of the pre-dredge evaluation of the sediment, water, and elutriate of the Brownsville Ship Channel Bend Easing Material. (AC) 253
14. Consideration and ACTION on bids received for the Oil Dock No. 6 North Pipe Bridge project, and to authorize BND Staff to issue the Notice of Award to the successful bidder. (AC) 259
15. Consideration and ACTION authorizing BND Director of Engineering Services Mr. Ariel Chávez II, PE/RPLS and Port Legal Counsel Mr. Daniel Rentfro to execute on behalf of the District the U.S. Army Corps of Engineers' Consent to Easement and License for Keppel AmFELS' 200' X 200' East Quay Dredging project. (AC) 261
16. Consideration and ACTION on bids received for the 2020 Turning Basin WWTP Clarifier Rehabilitation project, and to authorize BND Staff to issue the Notice of Award to the successful bidder. (AC) 271



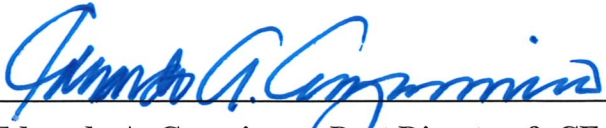
## EXECUTIVE SESSION:

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 June 3, 2020 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on May 29, 2020. I further certify that the Agenda was posted on the BND's website and can be downloaded by accessing: [www.portofbrownsville.com](http://www.portofbrownsville.com).**

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