

**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, August 12, 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.**

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 59

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 July 1, 2020. 67
 - b. Approval of payments over \$25,000. (LH) 72

	Vendor	Purpose	Amount	
1	HDR Engineering Inc.	BIH Project Task Order #3	\$13,039.00	73
2	G&T Paving, LLC	2020 BND Port Road Improvements	\$156,813.30 (Ratify)	75
3	McGriff, Seibels & Williams	Annual Broker Service Agreement Service Fee	\$40,000.00	82
4	RM Walsdorf	BND Oil Dock 5 Bulkhead Repairs	\$74,205.00 (Ratify)	83
5	Vulcan Materials Company	Crushed Limestone Patio 22	\$71,544.78 (Ratify)	84
6	Witt O'Briens	Pit #1 Closure	\$39,210.83 (Ratify)	97

- 5. Presentation of District Funds Investment Report for the Period April 1, 2020 through June 30, 2020. (LH) 99
- 6. Consideration and ACTION to authorize the District's Depository, Lone Star National Bank, to change safekeeping custodian for pledged collateral of the District's deposits to FHLBD. (LH) 101
- 7. Consideration and ACTION on an application for a renewal of the Stevedore and Freight Handler's License submitted by Schaefer Stevedoring, Inc. (MR) 108
- 8. Consideration and ACTION to declare Units 644, 665, 673, 696 as surplus to the District's needs and to authorize the Staff to offer the vehicles as a trade-in. (MR) 112
- 9. Consideration and ACTION authorizing Staff to advertise for bids for the purchase of five pickups. (MR) 113

- 10. Consideration and ACTION on the Grantee/Operators agreement, under the new ASF “Usage Driven Site Agreement” between the Brownsville Navigation District Foreign Trade Zone No. 62 and Port Isabel Logistical Offshore Terminal, Inc. (TR) 114
- 11. Consideration and ACTION to authorize staff to advertise for bids to replace the exterior 400 amp disconnect box and J box to the Harbor Master’s Office. (OG) 128

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ACTION ITEMS

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

1	Frajara Express, LLC. (New Lease)	133
2	Texas KLM, LLC, d/b/a KLM Terminal & Valero Brownsville Terminal (Consent of Access License Agreement)	136
3	Lighthouse Docks, Inc. (Authority to Negotiate)	139

- 13. Consideration and ACTION to acknowledge receipt of Certified Appraisal Roll and Property Tax calculations for the District’s 2020 levy. (LH) 142
- 14. Consideration and ACTION to vote to publish a 2020 Proposed Tax Rate for the Brownsville Navigation District. (LH) 179
- 15. Consideration and ACTION on Second Amended Order for an election to be held on November 3, 2020 for the purpose of electing three Navigation and Canal Commissioners to add three additional Early Voting Locations.
(Consideración y acción sobre Segunda Enmienda de Orden de elección que se llevará acabo el 3 de noviembre de 2020 con el propósito de elegir tres Comisionados de Navegación y Canal para añadir tres ubicaciones de casillas para votación previa) (MR) 181

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BIDS/AGREEMENTS/PURCHASES

- 16. Consideration and ACTION on a Contract for Election Services with the Cameron County Elections Administrator for the November 3, 2020 General Election.
Consideración y acción para un contrato de servicios para la elección con el administrador de elecciones de Condado de Cameron para el día 03 de noviembre de 2020 elecciones generales (MR) 186

17. Consideration and ACTION to award bid and authorize payment for the purchase of a new 2020 Excavator. (OG) 195
18. Consideration and ACTION to award bid and authorize payment for the purchase of a new 4x4 backhoe. (OG) 197
19. Consideration and ACTION to ratify the emergency purchase of the new Aerator Motor for the Turning Basin Water Treatment Plant and to authorize payment of the invoice when received. (OG) 199
20. Consideration and ACTION to award bid and authorize payment for the purchase of a 2015 Used Day Cab Truck. (OG) 200
21. Consideration and ACTION to authorize Port Staff to Advertise for Bids on the Bulk Cargo Dock Platforms project, and to open bids thereof. (AC) 206
22. Consideration and ACTION to accept proposal from Raba-Kistner Consultants, Inc. for Construction Materials Observation and Testing Services for the South Port Connector Road project in the Port of Brownsville. (AC) 207
23. Consideration and ACTION to accept proposal from consultant HDR, Inc. for Task Order #30, consisting of a Phase I Environmental Site Assessment, Cultural Resources Report, Categorical Exclusion Report with supporting documents and coordination with U.S. Army Corps of Engineers for the Release of BIH Easement Tracts Nos. 10, A100E and 122E as provided in WRDA 2016. (AC) 220
24. Consideration and ACTION on Bids received for the 2020 BND Water Lines Replacement project, and to authorize BND Staff to issue the Notice of Award to the successful bidder. (AC) 229
25. Consideration and ACTION to ratify emergency purchase of crushed gravel placement for Oil Dock #6 Bulkhead and to authorize payment of the invoice when received. (AC) 231

EXECUTIVE SESSION

26. 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).


27. Possible ACTION on matters or items discussed in Executive Session.

28. 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 August 12, 2020 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on August 7, 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**