

**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**

THIS MEETING WILL BE CONDUCTED AS A VIDEOCONFERENCE MEETING DUE TO THE COVID-19 HEALTH EMERGENCY AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE AND EMERGENCY ORDERS OF THE GOVERNOR

Notice is hereby given that the Board of Commissioners of the Brownsville Navigation District will meet on **Wednesday, October 21, 2020** by video/teleconference initiated from the Board Room located at 1000 Foust Road, Brownsville, Cameron County, Texas. The Board of Commissioners will convene in a **Regular Board Meeting at 5:30p.m.**

Pursuant to the action of the Governor of the State of Texas to allow virtual and telephonic meetings, the Board of Commissioners will conduct its meeting virtually. A recording of the meeting will be made available to the public as will written minutes after approval by the Board of Commissioners. The meeting may be accessed as provided below:

Meeting link:

<https://portofbrownsville.webex.com/portofbrownsville/j.php?MTID=m1538f3b7209293e3ee913b31445e37e8>

Join by phone

1-844-992-4726 United States Toll Free

1-408-418-9388 United States Toll

Attendee access code 375 159 38

All participants who wish to comment publicly should follow the instructions provided under the Public Audience section of the below agenda. Virtual participants will be muted upon entry and should stay muted unless called upon to speak.

REGULAR MEETING: 5:30 p.m.

1. Call to order.

2. Public Audience
 If you wish to address the Board of Commissioners during the Public Audience portion of meeting about either an item on this agenda or other issue, please submit your request to speak no later than an hour before the scheduled meeting electronically to Janie Velasquez at jvelasquez@portofbrownsville.com (Request shall include: name and the agenda item or topic of discussion you wish to address).

In accordance with BND Policy, only those persons who have signed up 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 1

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 October 7, 2020. 11
 - b. Approval of payments over \$25,000. (LH) 18

	Vendor	Purpose	Amount	
1	Southmost Regional Water Authority	2021 Assessment Fees	\$124,787.30	19
2	Texas Economic Development Corporation	Membership Dues for the Go Big In Texas formally known as Texas One	\$25,000.00	20

5. Presentation of District Funds Investment Report for the Period July 1, 2020 through September 30, 2020. (LH) 21

- 6. Consideration and ACTION on name change for Steamship Agent Transcoma Shipping USA. (MR) 23

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ACTION ITEMS

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

1	Brownsville Acquisition, Inc. c/o Callidus Capital Corporation (Amendment to Lease)	25
2	Gus Martin (New Lease)	29
3	Online Transport International, Inc. (New Lease)	32
4	NFS Leasing (Tri-Party Landlord Agreement)	35
5	Texlube Trading, LLC. (Option to Lease)	36
6	Palo Alto Brownsville, LLC. / Zions Bancorporation, N.A. dba Amegy Bank (Recognition Agreement)	40

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BIDS/AGREEMENTS/PURCHASES

- 8. Consideration and ACTION to authorize staff to negotiate a contract for a Lease Management Information System. (LH) 43
- 9. Consideration and ACTION to amend Task Order #30 with consultant HDR, Inc., 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, adding Tract No. 3, all as provided in WRDA 2016. (AC) 118
- 10. Consideration and ACTION on Change Order No. 1 to contract with G&T Paving, LLC for the 2020 BND Road Improvements project deleting unused items, adding required items, adding pavement repair on Ostos Road, and extending the contract time. (AC) 123
- 11. Consideration and ACTION on Change Order No. 1 to the contract with Russell Marine, LLC for the Oil Dock #3 Crane Supports project, modifying the crane platform structure. (AC) 128

EXECUTIVE SESSION

- 12. 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).

13. Possible ACTION on matters or items discussed in Executive Session.
14. 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 October 21, 2020 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on October 16, 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**