

**THE STATE OF TEXAS §
BROWNSVILLE NAVIGATION DISTRICT §
COUNTY OF CAMERON §**

*Sergio Tito Lopez, Chairman
Esteban Guerra, Secretary
John Reed, Commissioner*

*Ralph Cowen, 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, December 16, 2020** by video/teleconference initiated from the Board Room located at 100 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=me4b8413ab3b6a17cdd9072e555721192>

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.

INVOCATION

PLEDGE OF ALLEGIANCE

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

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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 December 2, 2020. 11
 - b. Approval of payments over \$25,000. (LH) 19

	Vendor	Purpose	Amount	
1	A&I Custom Manufacturing LLC.	Bulk Cargo Dock Platforms	\$98,145.00	20
2	R.M. Walsdorf, Inc.	Oil Dock #6 North Pipe Bridge Project	\$278,576.40	23
3	Tyler Technologies, Inc.	2021 Annual user/subscription fees	\$38,740.80	26

PRESENTATION

- 5. Presentation on Pesqueria Project. (EAC) 27

ACTION ITEMS

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

1	Iron Mike Marine, Inc. (New Lease)	28
2	Fortune Ferrous, Inc. (Amendment)	31
3	Texas LNG Brownsville LLC (New Lease)	34
4	D&A Seafoods, LLC. (Authority to Negotiate)	35
5	Lone Star Mineral Development, LLC. (Authority to Negotiate)	38

- 7. Consideration and ACTION to approve payment of the District's .63776 pro-rata portion of the 2021 Cameron Appraisal District (CAD) budget for an annual total of \$36,566. (LH) 41
- 8. Consideration and ACTION to approve the District's Fiscal 2021 Operating and Capital Budgets. (LH) 68

BIDS/AGREEMENTS/PURCHASES

- 9. Consideration and ACTION to extend contract with Conroe Wood Products Inc. for the purchase of treated lumber for a period of one year. (OG) 83
- 10. Consideration and ACTION to extend contract #4433 with Vulcan Construction Materials, LLC for the purchase of crushed limestone for a period of one year. (OG) 85
- 11. Consideration and ACTION to accept work performed by contractor G&T Paving, LLC on the 2020 BND Road Improvements project, and authorizing Final Payment of \$573,533.90 which includes all completed work and release of \$222,085.70 in retained funds. (AC) 87
- 12. Consideration and ACTION to adopt the Department of the Army License to operate and maintain the Bulk Cargo Dock in and upon lands of the United States in U.S. Army Corps of Engineers Easement Tract No. 10, and to authorize the Port Director and CEO and the Port Director of Engineering Services to execute said license. (AC) 94


EXECUTIVE SESSION

13. Adjourn into Executive Session, as authorized by Subchapter D of Chapter 551 of the Government Code to discuss with attorneys pending or contemplated litigation, 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).
14. Possible ACTION on matters or items discussed in Executive Session.
15. 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 December 16, 2020 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on December 11, 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**