

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**

Notice is hereby given that the Board of Commissioners of the Brownsville Navigation District will meet on **Wednesday, August 04, 2021** 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 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 July 21, 2021. 45

ACTION ITEMS

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

1	Bluewing One, LLC Phase IV (Option to Lease)	51
2	Bluewing One, LLC Phase V (Option to Lease)	54
3	Francisco Abrego (New Lease)	57
4	Maria Elena, Inc. (Authority to Negotiate)	60
5	Guadalupe Ochoa (Authority to Negotiate)	63
6	Shallow Stalker Boats, LLC (Amendment)	66
7	National Seafoods Inc. (Release of Lease)	70
8	Francisco Peña dba Port Machine Shop (Authority to Negotiate)	73
9	1419 Ranch, LLC (New Lease)	76

6. Consideration and ACTION to acknowledge receipt of Certified Appraisal Roll and Property Tax calculations for the District’s 2021 levy. (LH) 79

7. Consideration and ACTION to vote to publish a 2021 Proposed Tax Rate for the Brownsville Navigation District. (LH) 116

8. Consideration and ACTION on request by OmniTRAX, Inc. to approve construction of additional support tract at the Palo Alto Railyard as stipulated in the 1st Amendment of the Master Franchise Agreement between BND and BRG. 118

BIDS/AGREEMENTS/PURCHASES

9. Consideration and ACTION on request to authorize staff to advertise for bids for the purchase of a Water Truck and to open bids thereof. (JH) 121

10. Consideration and ACTION on the results of the Auction Sale to include consideration to award and/or reject bids. (MR) 122

- 11. Consideration and ACTION on extension of delivery date and year models for seven pickups. (MR) 129
- 12. Consideration and ACTION on bids received for the Oil Dock #6 Bulkhead Repairs project, and to authorize BND Staff to issue the Notice of Award to the successful bidder. (AC) 130
- 13. Consideration and ACTION on Forbearance and Conditional Release Agreement with HDR Engineering, Inc. in relation to reimbursement of costs for the Oil Dock #6 Bulkhead Repairs project. (AC) 133

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EXECUTIVE SESSION

- 14. 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).
- 15. Possible ACTION on matters or items discussed in Executive Session.
- 16. 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 04, 2021 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on July 31, 2021. 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