

**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

**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, November 03, 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.**

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*.

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 20, 2021. 64
- b. Approval of payments over \$25,000. (KF) 70

	Vendor	Purpose	Amount	
1	Southmost Regional Water Authority	2022 Assessment Fees	\$141,181.00	71
2	Vulcan Materials Company	Crushed Limestone for Port Maintenance	\$27,231.30	72

ACTION ITEMS

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

1	Brownsville Public Utilities Board (Sale of Easement)	78
2	Mark Lee & Andres Delgadillo dba Juan’s Electric (Authority to Negotiate)	93

- 6. Consideration and ACTION authorizing Port Director & CEO to sign amended Subordination Agreement with First National Capital, LLC regarding an extension of credit by Scrap Metal Services, LLC. (EAC) 96

BIDS/AGREEMENTS/PURCHASES

- 7. Consideration and ACTION to approve selection and payment for the services provided by recommended renewal of medical, dental, vision, life, short-term and long-term disability insurance providers for all BND employees. (JM) 103
- 8. Consideration and ACTION to authorize Port Staff to advertise for bids on a Cisco Firepower Firewall and Service for Security Data Access for BND Domain Access Data. (JM) 105

- 9. Consideration and ACTION to authorize Port Staff to advertise for bids on Cisco Catalyst Switch Upgrade Project. (JM) 106
- 10. Consideration and ACTION on the Grantee/Operator's Agreement between the Brownsville Navigation District Foreign Trade Zone No. 62 and Motus T1 LLC (formerly Maverick Brownsville Terminal). (TR) 107
- 11. Consideration and ACTION on the Grantee/Operator's Agreement between the Brownsville Navigation District Foreign Trade Zone No. 62 and Motus T2 LLC (formerly Maverick Fuel Oil Terminal). (TR) 117

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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, 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, including the annual evaluation of the Port Director / Chief Executive Officer (§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 November 03, 2021 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on October 29, 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