

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, December 01, 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*.

3. Receive Director's Reports

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 November 17, 2021. 40
 - b. Approval of payments over \$25,000. 45

	Vendor	Purpose	Amount	
1	R.M. Walsdorf, Inc.	Oil Dock #6 Bulkhead	\$69,524.32	49

- 5. Consideration and ACTION on an application for a renewal of the Line Handling Permit to:
 - M&M Mooring Company d/b/a M&M Mooring & Marine Services 53

DISCUSSION

- 6. Discussion of proposed Fiscal Year 2022 Operating and Capital Budgets. (KF) 57

PRESENTATION

- 7. Presentation and Possible Action on the preferred alternative for the Children’s Beach Shoreline Restoration Project Phase I. (EAC) 72
- 8. Presentation and discussion by BND Staff on Preliminary Report and Master Plan prepared by HDR Engineering, Inc. for the Cargo Dock #3 Rehabilitation, to report on progress and alternatives, and to seek Board direction on path forward. (AC) 104
- 9. Presentation on past, current and future BND Water Distribution Lines Replacement projects. (AG) 148

ACTION ITEMS

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

1	Quality Weighing Service, Inc.	149
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- 11. Consideration and ACTION on amending Police Department Policy and Procedures for Proper Access, Use and Dissemination of Criminal History Record Information (CHRI). (CG) 152
- 12. Consideration and ACTION on amending Leasing Policy Section 306(Local) – Collection Policy – Leases. (MR) 165
- 13. Consideration and ACTION on amending Tariff Number 6, Item 115 Collection Policy. (MR) 167
- 14. Consideration and ACTION on amending Tariff Number 6, by adding new Item 256 – Open Storage. (TR) 169
- 15. Consideration and ACTION on adopting the Port of Brownsville IT Policy Manual. (JM) 171
- 16. Consideration and ACTION to authorize Port Staff to submit a permit application to the USACE for the Brownsville Navigation Water and Sewer Utility Expansion Project. (EAC) 186

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BIDS/AGREEMENTS/PURCHASES

- 17. Consideration and ACTION to award bid and authorize payment of the Cisco Firepower Firewall and Service for Security Data Access for BND Domain Access Data Project. (JM) 213
- 18. Consideration and ACTION to award bid and authorize payment of the 30 Cisco Catalyst Switches Upgrade Project. (JM) 215
- 19. Consideration and ACTION on request to authorize Staff to advertise and solicit for bids on the purchase of an acoustic wave and current profiler, and to open bids, thereof. (MD) 217
- 20. Consideration and ACTION to authorize BND Staff to issue purchase order for the South Port Connector Portable Guard House to the lowest responsive bidder. (AC) 219
- 21. Consideration and ACTION to authorize BND Staff to issue purchase order for pipe and materials for the South Port Connector Guard House Water & Sewer Extensions Materials project to the lowest responsive bidder. (AC) 221
- 22. Consideration and ACTION on Change Order #2 to the contract with R.M. Walsdorf, Inc. on the Oil Dock #6 Bulkhead Repairs project, increasing the area of repairs and extending the contract time. (AC) 223
- 23. Consideration and ACTION to authorize the Port Director and CEO to execute Agreement with lessee West Plains, LLC to share costs of engineering services for a Structural Analysis on Bulk Cargo Dock of Surface Loads and Ramp Structures. (EAC) 227

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EXECUTIVE SESSION

24. 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, and to conduct deliberations regarding economic development negotiations (§551.087).
25. Possible ACTION on matters or items discussed in Executive Session.
26. 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 01, 2021 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on November 24, 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