

**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 **Tuesday, December 14, 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. Port Monthly Operations Summary Report

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 01, 2021. 7
 - b. Approval of payments over \$25,000. 16

	Vendor	Purpose	Amount	
1	Core & Main	Patio 22 and Placement Area No. 8	\$327,368.80	17
2	Saab Technologies	Annual Software Support/Maintenance	\$100,380.88	23
3	Tyler Technologies, Inc.	2022 annual user/subscription fees	\$40,677.84	25
4	Foremost Paving, Inc.	BND South Port Connector	\$284,346.58	26

- 5. Consideration and ACTION on an application for a renewal of the Line Handling Permit to: (MR) 28
 - Brownsville Mooring, LLC
- 6. Consideration and ACTION on an application for a renewal of the Stevedore and Freight Handler’s License submitted by Gulf Stream Marine, Inc.: (MR) 32

ACTION ITEMS

- 7. Consideration and ACTION to approve the District’s Fiscal Year 2022 Operating and Capital Budgets. (KF) 37
- 8. Consideration and ACTION on Leases, Assignments, Negotiations, Easements, Subleases, and Contracts in General: (MR)

1	VMK Equipment Series (Authority to Negotiate)	52
2	Tree Energy Solutions BV (Authority to Negotiate)	55
3	Shallow Stalker Boats, LLC (New Lease – sign)	58
4	Mark Lee & Andres Delgadillo (New Lease – grazing)	61
5	Mark Lee & Andres Delgadillo dba Juan’s Electric (New Lease)	64

9. Consideration and ACTION on the adoption of “Order and Appointment of Agent for Election Duties for the Secretary of the Board of Commissioners’ duties related to the May 7, 2022 General Election”. (Examinar y tomar medidas acerca de una decision sobre la adopción de “Orden y Nombramiento de un Agente por Funciones Electorales del Secretario del Consejo de Comisionados en relación con Elección General el 7 de mayo 2022”.) (MR) 67
10. Consideration and ACTION on amending Tariff Number 6, Item 110 Payment of Charges and Responsibility Therefore: Extensions of Credit and Liens (Section 10) (MR) 69
11. Consideration and ACTION on amending Tariff Number 6, Item 240 – Unauthorized Use of Public Space. (MR) 71
12. Consideration and ACTION on amending Tariff Number 6, Item 200 – Cargo Documentation. (MR) 74
13. Consideration and ACTION on amending Tariff Number 6, by adding new Item 281 – Oil/Liquid Dock Equipment Use Fee. (MR) 78
14. Consideration and ACTION on amending Tariff Number 6, Item 340 – Harbor Fee. (MR) 81
15. Consideration and ACTION on amending Tariff Number 6, by adding new Item 341 – Channel Closing Fee. (MR) 83
16. Consideration and ACTION on amending Tariff Number 6, Item 345 – Dockage. (MR) 85
17. Consideration and ACTION on amending Tariff No. 6 to amend Table of Contents Section Two and Section Three to reflect the adoption of Items 256, 281 and 341. (MR) 88

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BIDS/AGREEMENTS/PURCHASES

18. Consideration and ACTION to amend Purchase order 76783 issued to JW Rentals dba Environmental Evolutions National for the environmental cleanup services at the former Marine Metals site and to authorize payment of invoice. (MR) 91
19. Consideration and ACTION to rescind bid received for the purchase of a water truck and to re-advertise for such purchase and to open bids thereof. (JH) 93
20. Consideration and ACTION on Proposal by HDR Engineering, Inc. on professional engineering services for design phases of the Cargo Dock #3 Reconstruction project, and to authorize the Port Director & CEO to execute a Task Order in conformance with the revised proposal. (AC) 94


EXECUTIVE SESSION

21. 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).
22. Possible ACTION on matters or items discussed in Executive Session.
23. 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 14, 2021 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on December 10, 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**