

**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, January 19, 2022** 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

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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 January 05, 2022. 7
 - b. Approval of payments over \$25,000. 14

	Vendor	Purpose	Amount	
1	Foremost Paving	BND South Port Connector	\$60,744.60	16
2	R.M. Walsdorf, Inc.	Oil Dock #6 Bulkhead	\$101,500.65	18

PRESENTATIONS

- 5. Presentation of District’s Investment Report for the quarter ended December 31, 2021. 23
(KF)
- 6. Presentation on the Performance of District’s Pension Plan and 457 Voluntary Deferred Compensation Program. (KF) 25

ACTION ITEMS

- 7. Consideration and ACTION of a Resolution Authorizing the issuance of “Brownsville Navigation District of Cameron County, Texas Senior Lien Revenue Refunding Bonds, Series 2022”; entering into a Paying Agent/Registrar Agreement and an Escrow Agreement; delegating to certain District Administrative Staff and Officials the Authority to approve the final terms of the bonds; and other matters related thereto. (EAC) 26
- 8. Consideration and ACTION on Leases, Assignments, Negotiations, Easements, Subleases, and Contracts in General: (MR)

1	Cellco Partnership dba Verizon Wireless (Authority to Negotiate)	28
2	Quality Weighing Service, Inc. (New Lease)	31
3	Juan Delgadillo (Release of Lease)	34

- 9. Consideration and ACTION to approve a Landlord Creditor Agreement with Bank Leumi USA regarding a credit agreement by Scrap Metal Services, LLC. (EAC) 37
- 10. Consideration and ACTION Authorizing Port Director & CEO to sign amended Subordination Agreement with Advantage Capital Community Development Fund XXXIII, L.L.C. regarding an extension of credit by Scrap Metal Services, LLC. (EAC) 43
- 11. Consideration and ACTION to Authorize Port Staff to solicit Request For Qualifications for Port of Brownsville Land Appraisal Services. (EAC) 46

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BIDS/AGREEMENTS/PURCHASES

- 12. Consideration and ACTION to authorize Port Staff to Advertise for Bids for two dump trucks, and to Open Bids thereof. (JH) 62
- 13. Consideration and ACTION to authorize Port Staff to Advertise for Bids for crushed limestone, and to Open Bids thereof. (JH) 63
- 14. Consideration and ACTION to authorize Port Staff to Advertise for bids for treated lumber, and to Open Bids thereof. (JH) 64
- 15. Consideration and ACTION to authorize Port Staff to Advertise for Bids on the Oil Dock #6 East Side Pipe Bridge project, and to Open Bids thereof. (AC) 65
- 16. Consideration and ACTION to authorize Port Staff to Advertise for Bids on the South Yard Track Expansion – Ostos Road Pavement project, and to Open Bids thereof. (AC) 66
- 17. Consideration and ACTION to authorize payment of \$124,152.62 to the Brownsville Public Utilities Board to Relocate electricity lines from aerial to underground as required for the Patio 22 East Entrance project. (AC) 67

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EXECUTIVE SESSION

- 18. 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).
- 19. Possible ACTION on matters or items discussed in Executive Session.
- 20. 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 January 19, 2022 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on January 14, 2022. 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**