

**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, February 16, 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.**

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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
  - a. Port Monthly Operations Summary Report 1
  - b. Presentation on South Port Connector 7

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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 February 02, 2022. 8
  - b. Approval of payments over \$25,000. 12

	<b>Vendor</b>	<b>Purpose</b>	<b>Amount</b>	
1	Foremost Paving, Inc.	BND South Port Connector	\$284,012.43	14

- 5. Consideration and ACTION on Solid Waste Collection and Disposal License Renewal Application for: (MR) 18
  - Republic Services
  - Brownsville GMS, LTD

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**PROCLAMATION**

- 6. Proclamation of the Board of Navigation and Canal Commissioners of the Brownsville Navigation District honoring the life and legacy of Antonio “Tony” Gonzalez, Jr. (RC) 25

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**ACTION ITEMS**

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

1	Logar Enterprises Inc. dba Labor One Staffing – Careers of America (Landlords Consent and Waiver)	27
2	Gulf Stream Marine, Inc. (Authority to Negotiate)	33
3	Mark and Patti Barnard (Amendment to Lease)	36

4	Transmontaigne Operating Company, L.P. (Amendment to Lease)	39
5	Motus Energy, LLC (Option to Lease)	42
6	Motus Energy, LLC (New Lease)	45

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**BIDS/AGREEMENTS/PURCHASES**

- 8. Consideration and ACTION to approve payment of the audit adjustment for the Worker’s Compensation premium for the 2020/2021 policy year to the Texas Municipal League Intergovernmental Risk Pool in the additional amount of \$14,316.00 (MR) 48
- 9. Consideration and ACTION on an Order and Notice of an election to be held on May 7, 2022 for the purpose of electing two Navigation and Canal Commissioners. *(Consideración y acción a una Orden y Aviso de elección que se celebrará el 7 de mayo de 2022 con el propósito de elegir dos comisionados de navegación y del canal.)* (MR) 50
- 10. Consideration and ACTION on a Contract for a Joint Election and Election Services with the Cameron County Election Administrator for the May 7, 2022 General Election. *(Consideración y acción para un contrato conjunto y servicios para la elección con el administrador de elecciones de Condado de Cameron para el día 07 de mayo de 2022 elecciones generales)* (MR) 57
- 11. Consideration and ACTION to extend the agreement for Security Services at the Fishing Harbor Between the District and American Surveillance Company, Inc. for one year. (ZY) 69
- 12. Consideration and ACTION to authorize Port Staff to Advertise for bids on the Data Frequency Radio Access Project. (JM) 71
- 13. Consideration and ACTION to authorize Port Staff to Advertise for Bids on pipe and materials for the planned BND Water Distribution Lines Replacement projects, and open bids received. (AC) 72
- 14. Consideration and ACTION to award the Oil Dock No. 6 East Side Pipe Bridge project based on bids received, and to authorize BND Staff to issue the Notice of Award to the successful bidder. (AC) 73
- 15. Consideration and ACTION award the South Yard Track Expansion – Ostos Road Pavement project based on bids received, and to authorize Staff to issue the Notice of Award to the successful bidder. (AC) 76

16. Consideration and ACTION on Change Order No. 1 to the South Port Connector Road project contract, for the purpose of adjusting contract quantities of Sealed Expansion Joint; Barricades, Signs and Traffic Handling; Lime for Subgrade Treatment; and Mow Strip Riprap from bid to actual. (AC) 77

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## EXECUTIVE SESSION

17. 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).
18. Possible ACTION on matters or items discussed in Executive Session.
19. 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 February 16, 2022 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on February 11, 2022. I further certify that the Agenda was posted on the BND's website and can be downloaded by accessing: [www.portofbrownsville.com](http://www.portofbrownsville.com).**



Eduardo A. Campirano, Port Director & CEO  
Brownsville Navigation District