

**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, April 06, 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. Receive Directors Reports
 - a. Receive Directors Reports 1
 - b. Promotion of Sergeant Julio Romo to the rank of Police Lieutenant 65

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 March 16, 2022. 66
 - b. Approval of payments over \$25,000. 73

	Vendor	Purpose	Amount	
1	R.M. Walsdorf, Inc.	Oil Dock #6 Bulkhead	\$1,265,525.32	74

ACTION ITEMS

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

1	Construction Delivery Group, LLC (Authority to Negotiate)	80
2	American Oxygen Company (Lease Amendment)	82
3	TransMontaigne Operating Co., L.P. (License Agreement)	84

- 6. Consideration and ACTION to adopt a Resolution granting certain tax exemptions to eligible historic sites listed in the 2022 Historic Preservation Plan. (MR) 86
- 7. Consideration and ACTION to declare 8’x10’x2’ Barge, Unit 603, as surplus to the District’s needs and to authorize the Salvage Auction Team to dispose of it. (MR) 98

BIDS/AGREEMENTS/PURCHASES

- 8. Consideration and ACTION to authorize Staff to advertise and solicit proposals for the District’s Property and Liability Insurance Program. (MR) 101
- 9. Consideration and ACTION to action to authorize Port Staff to award bid for the Belly Dump Trucks hauling services for the expansion of Patio 22. (JH) 102
- 10. Consideration and ACTION to authorize Port Staff to award bid for rental equipment for Patio 22 expansion. (JH) 104
- 11. Consideration and ACTION to authorize Port Staff to award bid for the purchase of a new five thousand square foot structural metal building for the Maintenance Department Tool Room expansion. (JH) 106

- 12. Consideration and ACTION to authorize Port Staff to issue Purchase Order for Pipe and Fittings for the planned BND Water Distribution Lines Replacement projects to the lowest responsive bidder. (AC) 108
- 13. Consideration and ACTION to accept Structural Analysis Report of the Bulk Cargo Dock by consultant HDR Engineering, Inc. and authorize reimbursement to BND lessee West Plains, LLC in the amount of \$68,803.25, or 50% of the actual total fee of \$137,606.50. (AC) 111
- 14. Consideration and ACTION on Change Order No. 1 to the contract with Orion Construction, LP for Oil Dock #3 and Liquid Cargo Dock Maintenance Dredging, to cover additional dredging time due to material type and debris found in channel. (AC) 129
- 15. Consideration and ACTION on Change Order No. 1 to the contract with RenoWorks, LLC on the Oil Dock No. 6 West Pipe Bridge project to cover additional shims, providing for standby time and extending the contract time due to weather and delays. (AC) 132
- 16. 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 Task Orders in conformance with the selected proposal. (AC) 135

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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 April 06, 2022 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on April 01, 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