

**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 20, 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

**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 April 06, 2022. 07
  - b. Approval of payments over \$25,000. 16

	<b>Vendor</b>	<b>Purpose</b>	<b>Amount</b>	
1.	Orion Construction, LP	Dredging Liquid Cargo Dock and Oil Dock #3	\$942,862.49	17
2.	Pederson Construction Company, Inc.	2020 BND Water Lines Replacement Project	\$69,959.70	18

- 5. Consideration and ACTION on name change for Steamship Agent Agunsa USA, Inc. (MR) 25

**PRESENTATION**

- 6. Presentation of District’s Investment Report for the quarter ended March 31, 2022. (ZY) 38

**ACTION ITEMS**

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

1	AEP Texas Inc. (Authority to Negotiate)	40
2	Starcrete LLC (Authority to Negotiate)	43
3	Gulf Facilities Inc. (New Lease)	46

- 8. Consideration and Possible ACTION on Second Amendment to Lease Agreement Dated March 6, 2019 (BND Contract Number 4375) between the Brownsville Navigation District and Rio Grande LNG, LLC. (EAC) 49
- 9. Consideration and Possible ACTION on Second Amendment to the BIH Project Project Agreement to Permit, Undertake And Finance Dredging Projects (BND Contract Number 4397) (EAC) 50
- 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) 51

- 11. Consideration and ACTION on amending Tariff Number 6, Item 200 – Cargo Documentation. (MR) 53
- 12. Consideration and ACTION on amending Tariff Number 6, Item 240 – Unauthorized Use of Public Space. (MR) 57
- 13. Consideration and ACTION on amending Tariff Number 6, by adding new Item 281 – Oil/Liquid Dock Equipment Use Fee. (MR) 59
- 14. Consideration and ACTION on amending Tariff Number 6, Item 340 – Harbor Fee. (MR) 60
- 15. Consideration and ACTION on amending Tariff Number 6, by adding new Item 341 – Channel Closing Fee. (MR) 62
- 16. Consideration and ACTION on amending Tariff Number 6, Item 345 - Dockage. (MR) 64
- 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) 67

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**BIDS/AGREEMENTS/PURCHASES**

- 18. Consideration and ACTION on a Proposal with Saab Technologies, Ltd. for Tariff Configuration Modifications and Web Changes. (ZY) 70
- 19. Consideration and ACTION to authorize BND Staff to issue purchase order and payment for the Patio #22 East Side Entrance Drainage Materials – Phase II project to lowest bidder Core & Main LP. (AC) 81

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**EXECUTIVE SESSION**

- 20. 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).

21. Possible ACTION on matters or items discussed in Executive Session.

A) Action related to the purchase, exchange, or lease of real property.

22. 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 20, 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 14, 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**