

**THE STATE OF TEXAS §
BROWNSVILLE NAVIGATION DISTRICT §
COUNTY OF CAMERON §**

*Esteban Guerra, Chairman
John Wood, Secretary
Sergio Tito Lopez, Commissioner*

*Ralph Cowen, Vice Chairman
John Reed, 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, October 05, 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 5:30pm.**

REGULAR MEETING: 5:30pm

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

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 September 20, 2022 52
 - b. Approval of payments over \$25,000. 58

| | Vendor | Purpose | Amount | |
|----|------------------------------------|----------------------------|---------------|----|
| 1. | Southmost Regional Water Authority | 2023 Assessment Fees | \$169,908.00 | 59 |
| 2 | Vulcan Materials Company | Patio 22 Expansion Project | \$253,079.87 | 60 |

- 5. Consideration and ACTION on the Steamship Agent License Renewal Application submitted by Gulf-MC, LLC dba Gulf Marine Contractors. (MR) 83

PRESENTATION

- 6. Port Infrastructure Development Program Grant (PIDP) for the Grain & Bulk Handling Facility Development, Expansion and Upgrade project. (EAC) 88

ACTION ITEMS

- 7. Consideration and ACTION to reschedule the Regular Board meeting of October 19, 2022. (EAC) 89
- 8. Consideration and ACTION authorizing Port Director and CEO to sign Consent to Leasehold Deed of Trust with Stonebriar Commercial Finance, LLC, lender for Signet Maritime Corporation. (EAC) 90
- 9. Consideration and ACTION approving continuation of lease to Steelcoast LLC under new ownership. (EAC) 91
- 10. Consideration of and ACTION on Leases, Assignments, Negotiations, Easements, Subleases, and Contracts in General: (EAC)

| | | |
|----|--|----|
| 1. | West Plains, LLC (Lease – Bulk Cargo Dock) | 92 |
| 2. | Keppel AmFELS, L.L.C. (Authority to Negotiate) | 95 |

BIDS/AGREEMENTS/PURCHASES

11. Consideration and ACTION on change order #1 to PO #79461 for the removal of sludge material from oil separator located at the Fishing Harbor Wastewater Treatment Plant. (JH) 98
12. Consideration and ACTION on possible purchase of Retrofit industrial computer and PLC equipment for crane model number HMK300E. (MD) 101
13. Consideration and ACTION to authorize Staff to Advertise for Bids on the Placement Areas 5B, 7 & 8 Improvements Projects, and to open bids thereof. (AC) 110
14. Consideration and ACTION to authorize Staff to Advertise for Bids on the 2022 Ostos Road Paving Rehabilitation project, and to open bids thereof. (AC) 111

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EXECUTIVE SESSION

15. 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).
16. Possible ACTION on matters or items discussed in Executive Session.
17. 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 October 05, 2022 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on September 30, 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