

**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 **Tuesday, October 25, 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*.

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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 October 5, 2022. 7
  - b. Approval of payments over \$25,000. 13

	<b>Vendor</b>	<b>Purpose</b>	<b>Amount</b>	
1.	HDR Engineering Inc	Cargo Dock 3 Phase 1 Design	\$179,233.25	14
2.	HDR Engineering Inc	Engineering Services (West Plains - PIDP Grant)	\$150,515.96	28
3.	Vulcan Materials Company	Crushed limestone for the Pesqueria project.	\$28,701.46	39

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**PRESENTATION**

- 5. Presentation of District’s Investment Report for the quarter ended September 30, 2022. (ZY) 44

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**ACTION ITEMS**

- 6. Consideration and possible ACTION to authorize the purchase via BuyBoard and deployment of Body Worn Cameras (BWC) and Conducted Electrical Devices “Taser” provided by Axon Enterprise Inc. (WD) 46
- 7. Consideration and Action on Third Supplemental Resolution establishing the Brownsville Navigation District of Cameron County, Texas Senior Lien Variable Rate Revolving Note Program; the Execution and Delivery of one or more Note Purchase Agreements and the Issuance of Notes Pursuant Thereto; and Resolving Other Matters Related thereto. (ZY) 60
- 8. Consideration and Action on Assignments, Negotiations, Easements, subleases and contracts in general: (MR)

1.	Ramon Mendez (Authority to Negotiate)	63
2.	Brownsville Mooring LLC (Authority to Negotiate)	66
3.	Brownsville Gulfside Warehouse Inc. (Authority to Negotiate)	69
4.	VMK Equipment Series, a series of VMK Investment Group, LLC (Lease Amendment)	72
5.	Keppel AmFELS, L.L.C. (New Lease)	75
6.	ARX Energy, LLC (New Lease and Amendment to Indemnification Agreement)	78

**BIDS/AGREEMENTS/PURCHASES**

- 9. Consideration and Action to authorize staff to advertise for bids on the Replacement of 60 Harsh Environment Protected Stainless Steel Enclosures for Fiber & Data Switches, and to open bids thereof. (JM) 82

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**EXECUTIVE SESSION**

- 10. 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).
- 11. Possible ACTION on matters or items discussed in Executive Session.
- 12. 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 25, 2022 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on October 21, 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).**

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