

**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

**PILOT BOARD MEETING AND 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 1, 2023** in the Boardroom located at 1000 Foust Road, Brownsville, Cameron County, Texas. The Board of Commissioners will convene in a **Pilot Board Meeting at 5:30pm and Regular Board Meeting** to commence immediately after the conclusion of the Pilot Board Meeting.

PILOT MEETING: 5:30P.M.

- 1. Consideration and ACTION on re-commission Captain Gene R. Tuttle.

REGULAR MEETING: *commencing immediately after the conclusion of the Pilot Board Meeting.*

- 1. Call to Order.

INVOCATION

PLEDGE OF ALLEGIANCE

- 2. Public Audience.
If you wish to address the Board of Commissioners during the Public Audience portion of today’s meeting with regard to an **item on this agenda**, please print your name and the agenda item you wish to address on the Sign-In-Sheet located at the Reception Desk.

In accordance with BND Policy, only those persons who have signed up on the list with a request to address an item on this agenda shall be heard. The speaker must limit remarks to three minutes, and must address only matters on the agenda for this meeting. 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. Directors’ Reports 1
 - b. Port Monthly Operations Summary Report 45

* * * * *

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 January 11, 2023. 51
 - b) Approval to authorize payments over \$25,000.00. 58

	Vendor	Purpose	Amount	
1	HDR Engineering Inc.	Channel Improvement project- Phase 2 Design Repackaging	\$86,503.25	59
2	Vulcan Materials Company	Crushed limestone for the Patio 22 expansion project	\$103,761.72	61

* * * * *

PRESENTATION

- 5. Presentation of District’s Investment Report for the quarter ended December 31, 2022. 74
(ZY)

ACTION ITEMS

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

1	1419 Ranch, LLC (Authority to Negotiate)	76
2	White Tipped Dove, LLC (Authority to Negotiate)	79
1	Brownsville Mooring LLC (New Lease)	82
2	Gulf Stream Marine, Inc. (New Lease)	85
3	Ramon Mendez and Jose Luis Mendez (New Lease)	88

BIDS/AGREEMENTS/PURCHASES

- 7. Consideration and ACTION to extend engagement term for Audit Services for the Retirement Plan for the Employees of Brownsville Navigation District between the District and Carr, Riggs, & Ingram for one year. (ZY) 91
- 8. Consideration and ACTION to authorize Port staff to advertise for bids for Sand to be used for the installation of RCP, Water Line, and Sewer Line projects. (JH) 99
- 9. Consideration and ACTION to authorize Port Staff to Advertise for Bids on the Harbormaster’s Office Building Generator Replacement project, and to open bids thereof. (AC) 100
- 10. Consideration and ACTION to authorize Port Staff to Advertise for Bids on Rail, Ties, and other Railroad Crossing Materials in coordination with OmniTRAX, as required for the 2023 Ostos Road Paving Rehabilitation project, and to open bids received. (AC) 101
- 11. Consideration and ACTION on proposal from EarthCo, L.L.C. for Construction Materials Engineering Testing services for the 2023 Ostos Road Pavement Rehabilitation project. (AC) 102
- 12. Consideration and possible ACTION on bids received for Railroad Crossings Concrete Planks Materials as required for the 2023 Ostos Road Paving Rehabilitation project. (AC) 108
- 13. Consideration and ACTION on bids received for the 2022 Placement Areas 5B, 7 & 8 Improvements project, as required for the Brazos Island Harbor Channel Deepening project, and to issue the Notice of Award to the successful bidder. (AC) 112
- 14. Consideration and ACTION to reject bids received for the Bulk Cargo Dock Rail Improvements project, as required for the Grain & Bulk Handling Facility Development, Expansion and Upgrade project, and to authorize staff to re-advertise for bids and to open bids once received. (AC) 115

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 February 1, 2023 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on January 27, 2023. 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**