

**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

**NOTICE A 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, March 01, 2023** 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:

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 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 Reception Desk.

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

1

* * * * *

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 February 15, 2023. 28
- b) Approval to authorize payments over \$25,000.00. 35

	Vendor	Purpose	Amount	
1	HDR Engineering, Inc.	BND Cargo Dock 3 Phase 1 Design	\$101,727.38	36

PRESENTATION

- 5. Presentation and update from Industrial Asset Leasing LLC dba Forza Steel on the construction of their steel manufacturing facility. (TR) 46

ACTION ITEMS

- 6. Consideration of and ACTION on Resolution certifying review and adoption of the District's Investment Policy C501(Local), Investment Strategy C501(Exhibit A) and List of Approved Brokers/Dealers and Investment Pools C501(Exhibit B). (ZY) 47
- 7. Consideration of and ACTION to authorize the Port Director and CEO to execute an Extension of the Current Depository Services Contract between the Brownsville Navigation District and the Lone Star National Bank. (ZY) 66

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

1.	Rio Grande LNG, LLC (Third Amendment to Lease Agreement and First Amendment to Memorandum of Lease Agreement, Consent and Estoppel Certificate and Agreement, Lease Assignment, Facility Easement Agreement, TF Sublease, CF Sublease)	67
----	--	----

BIDS/AGREEMENTS/PURCHASES

- 9. Consideration and ACTION on the Grantee/Operator’s Agreement between the Brownsville Navigation District Foreign Trade Zone No. 62 and Brownsville Gulfside Warehouse Inc. (TR) 69
- 10. Consideration and ACTION on Bids received under the Request for Bids for purchase of Sand. (JH) 78
- 11. Consideration and ACTION on proposals received under the Request for Proposals for Hauling Services. (JH) 80
- 12. Consideration and ACTION on proposals received under the Request for Proposals for Crushed Limestone. (JH) 83
- 13. Consideration and ACTION on License Agreement between Brownsville Navigation District and US Customs and Border Protection. (EAC) 86
- 14. Consideration and ACTION on First Amendment to License Agreement between US Customs and Border Protection (CBP) and the Brownsville Navigation District to provide road access to existing boat ramp. (EAC) 92
- 15. Consideration and ACTION to on proposal by HDR Engineering, Inc. for Construction Phase Professional Engineering Services for the DMPAs 5B, 7 & 8 Improvements needed for the BIH Deepening – Phase 2 project as required by the USACE, and to authorize the Port Director & CEO to execute Task Order #6. (AC) 105
- 16. Consideration and ACTION to authorize Port Staff to Re-advertise for Bids on Installation of Casings by Bore & Jack as required for the Water Distribution Lines Replacement projects, and to open bids received. (AC) 112
- 17. Consideration and ACTION on Change Order No. 1 to the 2023 Ostos Road Pavement Rehabilitation project, reducing the milling thickness, increasing the asphalt thickness, and adjusting the contract time to provide for the additional work. (AC) 113

* * * * *

EXECUTIVE SESSION:

- 18. 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; to deliberate the purchase, exchange, lease, or value of real property; 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 (§551.074); and to conduct deliberations regarding economic development negotiations (§551.087).

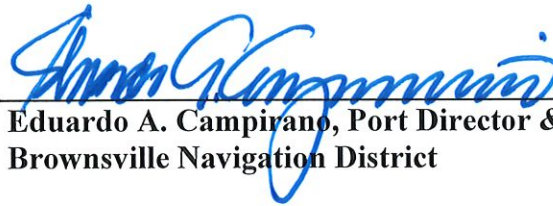
19. Possible ACTION on matters or items discussed in Executive Session.

20. 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 March 01, 2023 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on February 24, 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**