

**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, April 05, 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.**

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**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. Directors Reports

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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 March 15, 2023. 38
  - b) Approval to authorize payments over \$25,000.00. 43

	Vendor	Purpose	Amount	
1	HDR Engineering Inc.	BND Bulk Cargo Dock Repair	\$25,864.75	44
2	HDR Engineering Inc.	BND Cargo Dock 3 Phase 1 Design	\$62,598.50	48
3	Winstead	Issuance of the Texas Senior Lien Variable Rate Revolving Notes, Series 2022	\$80,500.00	54
4	Winstead	IRS Audit and Examination	\$23,330.00	57

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### PRESENTATION

- 5. Presentation and possible authorization of the changes to the Texas General Land Office CEPRA Project No. 1684 – Children’s Beach Shoreline Restoration Project. (EAC) 59

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### ACTION ITEMS

- 6. Consideration and ACTION to adopt a Resolution for Schedule A&B and Schedule C granting certain tax exemptions to eligible historic sites listed in the 2023 Historic Preservation Plan. (MR) 77
- 7. Consideration and ACTION on selection of a District Depository and Authorization for the Port Director and CEO to Execute a Depository Agreement. (ZY) 101
- 8. Consideration and ACTION to approve an application for participation in the TexPool local government investment pool. (ZY) 104

- 9. Consideration and ACTION to approve an application for participation in the Texas Cooperative Liquid Assets Securities System (Texas CLASS) local government investment pool. (ZY) 123
- 10. Consideration and ACTION to approve an application for participation in the Local Government Investment Cooperative (LOGIC). (ZY) 136
- 11. Consideration and ACTION to approve an application for participation in the Texas Short Term Asset Reserve Program (TexStar). (ZY) 157
- 12. Consideration and ACTION on Leases, Assignments, Negotiations, Easements Subleases, and Contracts in General: (MR)

1.	Robco Transport LLC. (New Lease)	167
2.	Marine Railways, L.L.C. (New Lease)	170
3.	Brownsville Gulfside Warehouse, Inc. (New Lease)	173
4.	Motus Energy, LLC (Lease Amendment)	176

- 13. Consideration and ACTION to authorize Port Director and CEO to sign Subordination Agreement for Brownsville Gulfside Warehouse, Inc. (EAC) 179

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**BIDS/AGREEMENTS/PURCHASES**

- 14. Consideration and ACTION to authorize the extension of the agreement #4506 for Disposal of Oily Water from Fishing Harbor Wastewater Treatment Plant between the District and JW Rentals dba Environmental Evolutions for an additional term. (JH) 180
- 15. Consideration and ACTION to award the proposal received for the Purchase of Testing and Lab Services at Fishing Harbor, Turning Basin, and Northside Wastewater Treatment Plants. (JH) 181
- 16. Consideration of and ACTION on request to authorize Staff to Advertise for Bids on the Dock 11 Patio Area Concrete Pavement project, and to open bids thereof. (AC) 191
- 17. Consideration and ACTION on bids received for the Waterline Replacement Borings project, and to authorize staff to issue the Notice of Award to the lowest successful bidder. (AC) 192
- 18. Consideration of and ACTION bids received for the Rail, Ties and other Railroad Crossing Materials project, and to authorize staff to issue Purchase Order to the lowest successful bidder. (AC) 195

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## EXECUTIVE SESSION:

19. 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).
  
20. Possible ACTION on matters or items discussed in Executive Session.
  1. Terracon Proposal for Tier 2 Screening Assessment
  
21. 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 05, 2023 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on March 31, 2023. 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**