

**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, May 24, 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*.

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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.

3. Consideration and ACTION on the following Consent Agenda Items:
  - a) Correction to minutes of the April 5, 2023 Regular Board Meeting and approval of the Minutes of the Regular Board Meeting of May 3, 2023. 1
  - b) Approval to authorize payments over \$25,000.00. (ZY) 7

	Vendor	Purpose	Amount	
1	Core & Main	Water Line Replacement project	\$192,814.34	8
2	HDR Engineering	Channel Improvement Project – Phase 2 Design Repackaging & Channel Deepening Project	\$104,731.80	24
3	RLB Contracting, Inc	2022 Placement Areas 5B, 7& 8	\$593,067.60	37
4	TD Limestone, LLC	Crush Limestone – Patio 22 expansion project	\$41,418.17	39

4. Consideration and ACTION to approve Letter of Agreement between Port of Brownsville and BISD Adult Continuing Education for participation as a collaborating partner. (EAC) 40
5. Consideration and ACTION on Steamship Agent License Renewal Application for: M&M Mooring Company d/b/a M&M Mooring Co. & Marine Services (MS) 45

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## PRESENTATION

6. Presentation of 2023 grant applications. (MR) 49

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## ACTION ITEMS

7. Consideration and ACTION to ratify Port Director & CEO’s submission of an application under the Fiscal Year 2023 Port Security Grant Program (PSGP). (WD) 50
8. Consideration and ACTION to ratify the declaration and disposal of structure located at 2875 Anglers Place as surplus to the District’s needs. (MS) 51

- 9. Consideration and ACTION to declare two 2008 Freightliner dump trucks, Unit #616 and 618, as surplus to the District’s needs and to authorize their use as trade-ins against new purchases or for disposition by bid or auction. (MS) 63

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

1.	Bluewing One, LLC.(Authority to Negotiate)	70
2.	CHCL Enterprises, LLC (Authority to Negotiate)	72
3.	Element Fuels Holdings, LLC (Authority to Negotiate)	75
4.	Port Isabel San Benito Navigation District (Authority to Negotiate – Easement)	78
5.	Rodigel Inc. (Authority to Negotiate)	81
6.	P.M.I. Services North America Inc. (First Amendment to Easement Agreement)	84
7.	Arguindegui Oil Co. II, LTD. (Consent to Sublease)	87
8.	Arguindegui Oil Co. II, LTD (Lease Amendment)	90
9.	Frajara Express, LLC (New Lease)	93

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**BIDS/AGREEMENTS/PURCHASES**

- 11. Discussion and possible Action on the District’s Insurance Policies for Port Property and Excess Port Property, Liability and Excess Liability, Crime Liability, Fiduciary Liability, Cyber Liability, Automobile Liability and Workers Compensation including authority to bind coverages and to authorize the payment of the invoices once received. (MS) 96
- 12. Consideration and ACTION to authorize Port Staff to Purchase Three New 2024 Model Dump Trucks and to negotiate a possible trade in value for the existing two 2008 Dump Trucks. (JH) 109
- 13. Consideration and ACTION to enter into agreement with Jet Web Communications dba Barcom Technology Solutions as a Managed Service Provider (MSP) and on-site POB IT helpdesk for the Port of Brownsville. (MR) 113
- 14. Consideration and ACTION on request to authorize Staff to purchase a clamshell grab Type MZGL 20000-3-L. (MD) 116
- 15. Consideration and ACTION on bids received for the BND Dock 11 Concrete Pad project, and to authorize staff to issue the Notice of Award to the successful bidder. (AC) 122

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## EXECUTIVE SESSION:

16. 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).
17. Possible ACTION on matters or items discussed in Executive Session.
18. 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 May 24, 2023 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on May 19, 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**