

**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, June 14, 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

- a. Directors Reports 1
- b. Port Monthly Operations Summary Report and Investment Update 60

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 May 24, 2023. 74
 - b) Approval to Authorize payments over \$25,000. 82

	Vendor	Purpose	Amount	
1.	Konecranes	Purchase of the clamshell grab bucket	\$97,331.00	83
2.	Progress Rail Service Corporation	Rail, Ties, and other Railroad Crossing Material	\$83,087.44	88
3.	TD Limestone, LLC	Crushed Limestone - Patio 22 expansion project	\$53,867.87	91
4.	Carr, Riggs & Ingram	District's financial statements audit for the year ended December 31, 2022	\$25,000.00	94

ACTION ITEMS

- 5. Consideration and ACTION to declare five structures located in the Fishing Harbor as surplus to the District's needs and to authorize their disposition. (MS) 96
 - 1230 Anglers Place Rd (1 Building)
 - 1380 Anglers Place Rd (1 Shed)
 - 2675 Anglers Place Rd (3 Building)
- 6. Consideration and ACTION to declare the former District's Warehouse BND ID# 755E as surplus to the District's needs and to authorize its disposition. (MS) 114
 - District's Maintenance Yard Complex – 5100 R.L. Ostos Road
- 7. Consideration and ACTION to ratify authorizing the Port Director & CEO to submit an application, for a Charging and Fueling Infrastructure Program (CFI) Grant to the U.S. Department of Transportation. (AG) 119

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

1.	Jole Enterprise, LLC (New Lease)	121
2.	Port Isabel San Benito Navigation District (Easement)	124

9. Consideration and possible ACTION on request from Rio Grande LNG, LLC to authorize re-execution of an updated Consent and Estoppel Agreement, previously approved by the Board on May 3, 2023, to approve technical, non-substantive revisions to the Consent and Estoppel Agreement and related Exhibits, and to extend the deadline date for those documents from July 2 to July 20, 2023. (EAC) 127

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BIDS/AGREEMENTS/PURCHASES

10. Consideration and ACTION to authorize Staff to purchase office mobile trailer for division #55 (12’X44- Item # 1312W) and issue payment once invoice is received. (MD) 128
11. Consideration and ACTION to authorize Staff to rent a Liebherr PR736 Dozer via the Buy Board Program, issue a Purchase Order to Nueces Power Equipment, and pay the invoice when received. (JH) 134
12. Consideration and ACTION to award the Bid received for the purchase of Rebar. (JH) 136
13. Consideration and ACTION to award the Bid received for the purchase of PVC Pipes, PVC Accessories, and Fire Hydrants. (JH) 138
14. Consideration and ACTION to authorize Port staff to advertise to solicit bids for 350 Cubic Yards of Concrete. (JH) 140
15. Consideration and ACTION to authorize Port staff to advertise for proposals for the removal and replacement of flooring at the US Coast Guard Offices leased site. (JH) 141
16. Consideration and ACTION to authorize the Port Director to terminate engagement with consultant Hanson Professional Services, Inc. on Professional Engineering Services for Design of the New Fishing Harbor Wastewater Treatment Plant Replacement project and to solicit a proposal from second-ranked firm S&B Infrastructure, Inc. (AC) 142
17. Consideration and ACTION to ratify commitment on partial funding participation with the Texas General Land Office and the County of Cameron towards the Phase 2 engineering design of the Children’s Beach Restoration project. (AC) 143

- 18. Consideration and ACTION to authorize the Port Director and CEO to enter into a Master Agreement for Professional Services with consultant HDR Engineering, Inc. for professional engineering and related services, to be in force until December 31, 2025. (AC) 146
- 19. Consideration and ACTION on Proposal by Professional Service Industries, Inc. for Construction Material Engineering Testing services for the BND Dock 11 Concrete Pad project. (AC) 183
- 20. Consideration and ACTION on proposal by HDR Engineering, Inc. for professional engineering design services for the modifications to Dredged Material Placement Area No. 8, and to authorize the Port Director & CEO to execute the Task Order for this work. (AC) 193

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EXECUTIVE SESSION:

- 21. 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).
- 22. Possible ACTION on matters or items discussed in Executive Session.
- 23. 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 June 14, 2023 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on June 9, 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