

**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, September 06, 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 5:30p.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 August 16, 2023. 69
 - b) Approval to authorize payments over \$25,000.00. 73

	Vendor	Purpose	Amount	
1	Electro-Hi, LLC	Waterline Replacement Borings Project	\$129,297.60	75
2	Foremost Paving, Inc.	Ostos Road Pavement Rehabilitation Project	\$616,215.89	77
3	HDR Engineering Inc.	Channel Deepening Project- Construction Phase Support	\$32,673.92	79
4	McGriff Insurance Services, LLC	Insurance Consulting Fee – Service Policy No. 202	\$39,000.00	83
5	Omega Industries, Inc.	Ostos Road Paving Rehabilitation Project	\$44,195.94	84
6	Progressive Rail Service Corporation	Rail, Ties, and other Railroad Crossing Materials	\$74,146.00	85
7	RLB Contracting, Inc	2022 Placement Areas 5B, 7 & 8 improvements	\$1,055,901.60	87
8	T.D. American Limestone, LLC	Crush Limestone - Patio 22 expansion project	\$69,067.23	89
9	United States Geological Survey	Science Support Service Agreement	\$30,500.00	93

ACTION ITEMS

- 5. Discussion and Possible Action to approve amendments to the District’s Fiscal Year 2023 Operating and Capital Budgets. (ZY) 94
- 6. Consideration and ACTION on Leases, Assignments, Negotiations, Easements, Subleases, and Contracts in General: (MR)

1	Tameme Inc. (Authority to Negotiate)	105
2	Texas Shrimp Association (Authority to Negotiate)	108
3	Espinoza Manufacturing Solutions, LLC (New Lease)	111

BIDS/AGREEMENTS/PURCHASES

7. Consideration and ACTION to award Bid received for the Purchase and Delivery of materials for Ostos Road 1 Milo to Dock #16 Ditch Project. (JH) 114
8. Consideration and ACTION to reject the bid received from G&T Paving and authorize Port staff to re-advertise to solicit bids for 350 Cubic Yards (4000 PSI) of Concrete. (JH) 116
9. Consideration and ACTION to authorize staff to request proposals for the District external audit services for Fiscal Years 2023 – 2025. (ZY) 117
10. Consideration and ACTION to authorize staff to request proposals for the Third-Party Administrative Services and Actuarial Services for the Retirement Plan for Employees of the Brownsville Navigation District and the 457(b) Retirement Plan for Fiscal Years 2024 – 2026. (ZY) 118

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EXECUTIVE SESSION:

11. 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).
12. Possible ACTION on matters or items discussed in Executive Session.
13. 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 September 6, 2023 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on September 1, 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