

**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

William Dietrich, Interim Port Director and CEO

**NOTICE OF 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, January 24, 2024** 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.**

REGULAR MEETING:

1. Call to Order.

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. Port Monthly Operations Summary Report

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INFORMAATION

4. Presentation of District's Investment Report for the quarter ended December 31, 2023

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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.

5. Consideration and ACTION on the following Consent Agenda Items:
 - a) Approval of the Minutes of the Pilot and Regular Board Meeting of January 10, 2024. 12
 - b) Approval to authorize payments over \$25,000.00. 19

	Vendor	Purpose	Amount	
1	HDR Engineering, Inc.	Channel Deepening Project – Construction Phase Support	\$58,460.46	20
2	R.M. Walsdorf, Inc.	BND Dock 11 Concrete Pad Project	\$462,070.94	34

6. Consideration and ACTION on the Engagement Letter for the Annual Financial Statement Audit of the Retirement Plan for the Employees of the Brownsville Navigation District. (ZY) 36
7. Consideration and ACTION on the Engagement Letter for the Annual Financial Statement Audit of the Brownsville Navigation District. (ZY) 43

ACTION ITEMS

8. Consideration and ACTION to approve the District’s Fiscal Year 2024 Operating and Capital Budgets. (ZY) 53
9. Consideration and ACTION on Amending Leasing Policy, including Exhibit D – Insurance Requirements. (MR) 63
10. Consideration and ACTION on waiving the policy insurance limit requirement currently in place for Cameron County Sheriff’s Department. (MR) 69
11. Consideration and ACTION on Leases, Assignments, Negotiations, Easements, Subleases, and Contracts in General: (AG)

1.	Friends of the RGV Reef (Authority to Negotiate)	71
2.	Enbridge (USA) Inc. (Authority to Negotiate – Option)	74
3.	C.R. Logistics RS LLC. (Authority to Negotiate)	77

BIDS/AGREEMENTS/PURCHASES

12. Consideration and ACTION to purchase materials (limestone and geogrid) for Patio 22T-19.94 acre laydown area development. (AG) 80
13. Consideration and ACTION to Authorize Port Staff to Advertise for Proposals for the material required to repair Shed 11-14 and Shed 15 & 15E. (JH) 82
14. Consideration and ACTION to reject the proposals received for Janitorial Services and authorization Staff to re-advertise to solicit proposals for Janitorial Services for District Buildings. (MR) 83
15. Consideration and ACTION on Revised Resolution adopting Advance Funding Agreement with the Texas Department of Transportation for the Reconstruction of Cargo Dock #3 in the Port of Brownsville and designating a Signatory and a Project Manager. (AC) 84
16. Consideration and ACTION on Change Order #1 to contract with Electro-Hi, L.L.C. on the Waterlines Replacement Borings project deleting bore across Ostos Rd., adding bore across West Plains Driveway, to accept work performed by contractor on this project, and authorizing Final Payment of \$318,782.40, which includes retainage and all completed work. (AC) 86
17. Consideration and ACTION on Change Order No. 1 to the BND Dock 11 Concrete Pad Project, adding demolition of concrete pad underground and deleting unused Limestone Base quantities. (AC) 90
18. Consideration and ACTION on request to authorize Staff to Advertise for Bids on the Cargo Dock #10 Maintenance Dredging project, and to open bids thereof. (AC) 93

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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.
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 January 24, 2024 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on January 19, 2024. I further certify that the Agenda was posted on the BND's website and can be downloaded by accessing: www.portofbrownsville.com.



**William Dietrich, Interim Port Director & CEO
Brownsville Navigation District**