

**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 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 **April 03, 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.**

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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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PRESENTATION

4. Presentation by City of Brownsville on fiber update. 52

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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: 58

- a) Approval of the Minutes of the Regular Board Meeting of March 20, 2024. 68

- b) Approval to authorize payments over \$25,000.00.

	Vendor	Purpose	Amount	
1	Konecranes, Inc	Parts and freight for the operation of the BND crane	\$32,497.45	69
2	TD American Limestone Products, LLC	Crushed Limestone for Patio repairs and maintenance	\$36,432.16	83

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ACTION ITEMS

6. Consideration and ACTION on a Second Amended Order and Second Amended Notice for an election to be held on May 4, 2024 for the purpose of electing three Navigation and Canal Commissioners to add three additional Early Voting Locations. (MR) 84
(Consideración y acción sobre Segunda Enmienda de Orden y Segunda Enmienda de Aviso de elección que se celebrará el 4 de mayo de 2024 con el propósito de elegir tres Comisionados de Navegación y Canal para añadir tres ubicaciones de casillas para votación previa)

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BIDS/AGREEMENTS/PURCHASES

7. Consideration and ACTION on request to ratify proposal from Braun Intertec Corporation for sediment, water and elutriate sampling for Cargo Dock #10 Maintenance Dredging. (MD) 85
8. Consideration and ACTION to authorize Port Staff to purchase 8” Sch 40 Grey PVC to be utilized for the continued development of 118-acre Industrial Park, pursuant to BuyBoard contract #657-21. (JH) 91

- 9. Consideration and ACTION on bids received for the Railroad Crossing Materials for Foust, Bill Reed and Windhaus Roads – Rail, Rubber Crossings, Wooden Ties, Ballast and other Steel Appurtenances project, and to authorize staff to issue Purchase Order to the lowest successful bidders. (AC) 93
- 10. Consideration and ACTION on bids received for the Ostos Road Pavement Striping, signage and markings project, and authorize staff to issue the Notice of Award to the successful bidder. (AC) 100
- 11. Consideration and ACTION on Amendment to original Proposal from Professional Service Industries, Inc. for Construction Material Engineering Testing Services for the BND Dock 11 Concrete Pad project. (AC) 102

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EXECUTIVE SESSION:

- 12. 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).
- 13. Possible ACTION on matters or items discussed in Executive Session.
- 14. 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 03, 2024 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on March 29, 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**