

**THE STATE OF TEXAS §
BROWNSVILLE NAVIGATION DISTRICT §
COUNTY OF CAMERON §**

Esteban Guerra, Chairman
John Reed, Secretary
Ernesto Gutierrez, Commissioner

Sergio Tito Lopez, Vice Chairman
John Wood, 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 **June 05, 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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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 15, 2024 and Special Board Meeting of May 29, 2024. 49

b) Approval to authorize payments over \$25,000.00. 58

	Vendor	Purpose	Amount	
1	RLB Contracting, Inc.	2022 Placement Areas 5B, 7 & 8 Improvements project	\$682,416.90	59
2	Braun Intertec Corporation	Pre-dredging sediment/elutriate sampling of Cargo Dock #10	\$26,057.06	61

5. Consideration and ACTION to approve Letter of Agreement between Port of Brownsville and BISD Adult Continuing Education for participation as a collaborating partner. 66

PRESENTATION

6. Presentation on Drought Update by Brownsville Public Utilities Board. (WD) 71

ACTION ITEMS

7. Consideration and ACTION on approval of an amendment to the Project Partnership Agreement for the Brazos Island Harbor (BIH) Channel Improvement Project. (WD) 87

8. Consideration and ACTION to approve a Resolution authorizing staff to apply to the Texas Department of Transportation Ship Channel Improvement Revolving Fund. (ZY) 88

9. Consideration and ACTION authorizing Interim Port Director and CEO to sign Memorandum of Understanding (MOU) between Brownville Navigation District and Texas A&M Engineering Service (TEEX) a member of the Texas A&M University System. (WD) 89

10. Consideration and ACTION to acknowledge receipt of the independent audits of the financial statements of the Brownsville Navigation District and the "Retirement Plan for Employees of the Brownsville Navigation District" for Fiscal Year Ended December 31, 2023. (ZY) 94

- 11. Consideration and ACTION to declare Police Patrol Boat and Trailer, Unit 614 and Unit 614B, C, and D, as salvage to the District’s needs and to authorize its disposition. (MR)
- 12. Consideration and ACTION on Leases, Assignments, Negotiations, Easements, Subleases, and Contracts in General:

1.	Bluewing One LLC (Authority to Negotiate)	97
2.	Chemical & Schutz High Performance Lubricants S.A. de CV (Authority to Negotiate)	100
3.	Motus Energy LLC (Authority to Negotiate)	103
4.	Triple E Coating & Services, LLC DBA Industrial Performance (Lease Amendment)	106
5.	Bechtel Energy Inc. (New Lease)	109
6.	CSC Sugar LLC (New Lease)	112
7.	South Texas Railways, Inc. (New Lease)	115

BIDS/AGREEMENTS/PURCHASES

- 13. Consideration and ACTION to authorize BND Staff to purchase two (2) Right Lay Cables & One (1) Left Lay Cable-Hoist Ropes for GHMK 6507 Model 6 cranes. (MD) 118
- 14. Consideration and ACTION to Ratify authorization for Port Staff to solicit Bids for Removal of Oily Sludge at the North Side Wastewater Treatment Plant and to open bids thereof. (JH) 123
- 15. Consideration and ACTION to authorize staff to contract with Jet Dock Systems, Inc. for the repairs to the Jet Dock in accordance with GSA contract - A7QWA24D00G. (MD) 124
- 16. Consideration and ACTION to authorize staff to purchase a new Police Patrol Boat and Boat Trailer from SafeBoat in accordance with GSA contract – A7QSWA18D005J. (JR) 130
- 17. Consideration and ACTION on Change Order No. 3 to contract with RLB Contracting, Inc. on the 2022 Placement Areas 5B, 7 & 8 Improvements project, removing work related to Placement Area 8 and deleting pertinent bid items. (AC) 152

EXECUTIVE SESSION:

18. 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).
19. Possible ACTION on matters or items discussed in Executive Session.
20. 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 05, 2024 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on May 31, 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**