

**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

**PILOT BOARD MEETING AND 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 **July 03, 2024** in the Board Room located at 1000 Foust Road, Brownsville, Cameron County, Texas. The Board of Commissioners will convene in a **Pilot Board Meeting at 5:30pm and Regular Board Meeting** to commence immediately after the conclusion of the Pilot Board Meeting.

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PILOT MEETING: 5:30 P.M.

1. Consideration and ACTION on commission Captain Gene R. Tuttle, Jr. as a Branch Pilot.

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REGULAR MEETING: *commencing immediately after the conclusion of the Pilot Board*

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. Reports
 - A. Directors Reports 1
 - B. Port Monthly Operations Summary Report 47

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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 June 19, 2024. 54
 - b) Approval to authorize payments over \$25,000.00. 60

	Vendor	Purpose	Amount	
1	Chemical Response & Remediation contractors, Inc.	Phase 2 of the tanker fire, spill and remediation response	\$113,002.91	61
2	Fidis Logistics Solutions, LLC	Removal and replacement of the flooring - BND Police Department Building	\$36,279.45	63
3	HDR Engineering Inc.	PA8 – Study Design Project; Channel Deepening Project – Construction Phase support	\$49,527.43	64
4	Menard Industries, LLC	Railroad crossing materials – Foust Road, Bill Reed Road and Windhaus Road	\$164,457.00	79
5	RLB Contracting, Inc.	2022 Placement Areas 5B, 7 & 8 Improvements	\$191,259.90	81
6	R.M. Walsdorf, Inc.	BND Cargo Docks 15 & 16 Concrete Pavement Project	\$298,838.25	83

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ACTION ITEMS

- 5. Consideration and ACTION on approval of an amendment to the Project Partnership Agreement for the Brazos Island Harbor (BIH) Channel Improvement Project. (WD) 87
- 6. Consideration and ACTION on Leases, Assignments, Negotiations, Easements, Subleases, and Contracts in General:

1.	Bluewing One, LLC (Amendment to Lease)	88
2.	Bluewing Royal, LLC (Amendment to Lease)	91
3.	CSC Sugar LLC (New Lease)	94

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BIDS/AGREEMENTS/PURCHASES

- 7. Consideration and ACTION to approve First amendment to Right of Entry Agreement with Space Exploration Technologies (SpaceX) to move heavy loads through the South Port Connector Road. (WD) 97
- 8. Consideration and ACTION to authorize BND staff to purchase one (1) Electrical Cable and installation parts for GHMK 6507 Model 6 cranes. (MD) 99
- 9. Consideration and ACTION on Proposal by Terracon Consulting Inc. for Construction Material Engineering Testing services for the Railroad Concrete Approaches for Foust, Bill Reed and Windhaus Roads project. (AC) 104
- 10. Consideration and ACTION on Change Order No. 1 to the Cargo Dock #10 Maintenance Dredging project, deleting unused dredging quantities, to accept work performed by Inland Dredging Company, LLC on this project and authorize Final Payment of \$242,251.55, which includes all completed work. (AC) 115
- 11. Consideration and ACTION on Award of the Culvert Repairs at Ditch Crossing by Cargo Dock 16 Entrance project to the Southern Trenchless Solutions under the BuyBoard in the amount of \$1,413,275.00 and to authorize staff to issue the Purchase Order and/or any other pertinent documents to the vendor. (AC) 119

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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 July 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 June 28, 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**