

**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, 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 **November 06, 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' Report

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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 October 23, 2024. 51

b) Approval to authorize payments over \$25,000.00. 59

	Vendor	Purpose	Amount	
1	HDR Engineering Inc.	PA 8 – Study Design Project; Deepening Project – Construction Phase Support.	\$28,831.36	60
2	R.M. Walsdorf, Inc.	Docks 15 and 16 concrete pavement Project	\$98,481.15	64

5. Consideration and ACTION on an application for a renewal of the Harbor Tug Operator’s License from Signet Maritime Corporation. (MR) 65

6. Consideration and ACTION to approve payment of the District’s 0.68866% pro-rata portion of the 2025 Cameron Appraisal District (CAD) budget for an annual total of \$54,882. (ZY) 69

ACTION ITEMS

7. Consideration and ACTION on Leases, Assignments, Negotiations, Easements, Subleases, and Contracts in General:

1.	US Desalination LLC (Authority to Negotiate)	71
2.	Rodigel, Inc. (Consent to Assignment)	74
3	VMK Equipment Series (Consent to Sublease)	77
4.	Oil Patch Fuel & Supply, Inc. (New Lease)	80

BIDS/AGREEMENTS/PURCHASES

8. Consideration and ACTION to approve payment of the audit adjustment for the Worker’s Compensation premium, 2022-2023 policy year to the Texas Municipal League Intergovernmental Risk Pool in the amount of \$ 31,227. (YG) 83

9. Consideration and ACTION to Authorize Port Staff to purchase New LED Light Towers to be utilized on Port Projects, pursuant to Buy Board contract #657-21. (JH) 85
10. Consideration and ACTION to Authorize Port Staff to purchase a New Water Pump to be utilized on Port Projects, pursuant to TIPS COOP contract #23010401. (JH) 87
11. Consideration and ACTION to Authorize Port Staff to advertise for Bids for the purchase and Installation of two New Fuel Tanks to be utilized for fuel storage at the Port and to rent portable tanks. (JH) 89
12. Consideration and ACTION to Ratify authorization for Port Staff to purchase Dowel Pin to be utilized on 118-acre Industrial Park Project Road pursuant Sourcewell Contract #091422-WCP. (JH) 90
13. Consideration and ACTION on Settlement Agreement and Mutual Release Agreement with Marquette Transportation Company Gulf-Inland, LLC on damages caused to Oil Dock No. 5. (MR) 92
14. Consideration and ACTION to authorize BND Staff to purchase (1) Right Lay Cable-Hoist Rope for GHMK 6507 Model 6 cranes. (MD) 100
15. Consideration and ACTION to approve renewal of annual subscription of the lease and subscription-based information technology arrangement accounting software from Fifth Asset, Inc., DBA DebtBook. (ZY) 102
16. Consideration and ACTION on the agreement with TRB Capital Markets, LLC (d/b/a Estrada Hinojosa) for financial advisory services. (ZY) 103
17. Consideration and Action to ratify Change Order No. 1 to the contract with A&I Custom Manufacturing, LLC on the Railroad Concrete Approaches for Foust, Bill Reed and Windhaus Roads project, adding demolition of old concrete pad and extra concrete, Limestone Base and Subgrade, and deleting Limestone Base and subgrade. (AC) 116

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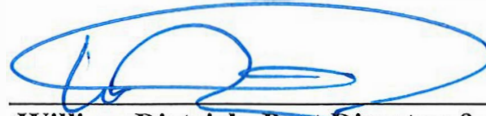
EXECUTIVE SESSION:

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 November 06, 2024 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on November 01, 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, Port Director & CEO
Brownsville Navigation District**