

**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 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 **February 05, 2025** 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 January 22, 2025. 47
- b) Approval to authorize payments over \$25,000.00. 54

	Vendor	Purpose	Amount	
1	EarthCo, LLC	Construction material testing for Dock 15 and Dock 16	\$28,627.00	55

ACTION ITEMS

- 5. Consideration and ACTION to ratify Port Director and CEO’s execution of Estoppel Certificates to Cadence Bank regarding leases for Motus T1 LLC and Motus T2 LLC. (JV) 62
- 6. Consideration and ACTION on Leases, Assignments, Negotiations, Easements, Subleases, and Contracts in General: (JV)

1.	Guadalupe Ochoa (Authority to Negotiate)	63
2.	CHCL Enterprise, LLC (Consent to Sublease)	66
3.	Brownsville & Rio Grande International Railway, LLC (Consent to Sublease)	69
4.	Duro Hilex Poly, LLC (Lease Amendment)	72
5.	AEP Texas, Inc. (Easement of Right of Way Agreement)	75

BIDS/AGREEMENTS/PURCHASES

- 7. Consideration and ACTION to ratify authorization for Port Staff to solicit request for proposals for the purchase and delivery of bulk fuels. (ZY) 78
- 8. Consideration and ACTION to authorize Port Director and CEO Mr. William Dietrich and Port Legal Counsel Mr. William Irwin to execute the U.S. Army Corps of Engineers’ License extension for the construction of the Brazos Island Harbor (BIH) channel deepening project on behalf of the BND. (AC) 79

9. Consideration and ACTION to accept work performed by A&I Custom Manufacturing, LLC on the Railroad Concrete Approaches for Foust, Bill Reed and Windhaus Roads project, and to authorize final payment of \$186,941.40, including all completed work and retainage. (AC) 97

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EXECUTIVE SESSION:

10. 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).
11. Possible ACTION on matters or items discussed in Executive Session.
12. 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 February 05, 2025 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on January 31, 2025. 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**