

**MINUTES OF A REGULAR MEETING OF THE BOARD OF NAVIGATION AND  
CANAL COMMISSIONERS OF THE BROWNSVILLE NAVIGATION DISTRICT OF  
CAMERON COUNTY, TEXAS HELD APRIL 5, 2017 AT 5:30 P.M.**

The Board of Navigation and Canal Commissioners of the Brownsville Navigation District of Cameron County, Texas, held a regular meeting on **Wednesday, April 5, 2017 at 5:30 p.m.** The following individuals were present and absent:

**PRESENT:** John Wood, Chairman  
John Reed  
Carlos R. Masso  
Ralph Cowen

**ABSENT:** Sergio Tito Lopez

**ALSO PRESENT:** Eduardo A. Campirano, Port Director and CEO  
Daniel Rentfro Jr., District Counsel  
William J. Irwin, Associate District Counsel

**STAFF MEMBERS:** Donna Eymard  
Bea Rosenbaum  
Oscar Garcia  
Ariel Chavez  
Steve Fitzgibbons  
Jaime Martinez  
Chief Carlos Garcia  
Michael Davis  
Patty Gonzales  
Lieutenant Mario Esquivel  
Debby Duke  
Margie Recio

**OTHERS PRESENT:** Rev. Andreas Lewis  
James Spencer  
Patrick Anderson  
Mary Elizabeth Hollmann  
Joe Linck  
Mike Donald  
Nancy Gaytan  
Rick Lamb  
Ed Stapleton  
KBSD

### **1. Meeting Called To Order**

The Chairman called the meeting to order at 5:34 p.m. Reverend Lewis offered a prayer. The Chairman then led those present in the Pledge of Allegiance to the United States and Texas flags.

### **2. Public Audience**

Mary Elizabeth Hollmann spoke in opposition of Consent Agenda Item 4(c)(1).

Joe Linck spoke in favor of Consent Agenda Item 4(c)(1).

Patrick Anderson spoke in opposition of Consent Agenda Item 4(c)(1).

### **3. Receive Director's Report**

#### **a. Receive Port Monthly Operations Summary Report**

The Board received the reports.

Commissioner Reed asked for an update on meetings and discussions with Union Pacific. Mr. Campirano addressed the Board.

Commissioner Reed asked for an update on West Plains, LLC's operations at the Port. Mr. Campirano addressed the Board.

Discussion followed.

## **CONSENT AGENDA**

### **4. Consideration and Action on the Following Consent Agenda Items:**

- a. Approval of the Minutes of the Regular Board Meeting of March 22, 2017.
- b. Approval to authorize payments over \$25,000.00:
  1. HDR, the amount of \$36,557.50, for Brazos Island Harbor Deepening Project;
  2. Triton Marine Construction Corp., the amount of \$240,635.00, for Oil Dock 6 Construction and Oil Dock 3 fender system replacement and facility enhancements and maintenance dredging.
- c. Approval of the following leases:
  1. Valley Crossing Pipeline, LLC (Easement)
  2. Fel Glo, Inc. (New lease)
  3. CMG Brownsville II, LLC (New lease)

Commissioner Reed commented on Consent Agenda Item 4(c)(1) and clarified that the easement under consideration is a road easement, not a pipeline easement.

Commissioner Masso moved to approve all Consent Agenda items, Commissioner Cowen seconded, and the motion passed unanimously.

**5. Consideration and Action to approve amendment BA2017-001 to the District's Operating and Capital Budget, Fiscal 2017 increasing expenditures \$104,819 from \$12,517,884 to \$12,622,703.**

Mr. Fitzgibbons addressed the Board requesting approval of amendment BA2017-001 to the District's Operating and Capital Budget, Fiscal 2017 increasing expenditures \$104,819.00 from \$12,517,884.00 to \$12,622,703.00. A 3% Cost of Living increase effective April 1, 2017 for 89 employees making less than \$70,000.00 per year would cost \$64,325.00 for the remainder of Fiscal 2017. The cost of raising ten of the 89 employees who would make less than \$10 an hour after a 3% increase would total \$13,838.00 and making proposed matrix adjustments after a 3% increase would cost \$9,920.00 for a total increase in wages of \$88,083.00. Adding estimated fringe costs of 19% would increase this total to \$104,819.00. This proposed budget amendment will place \$104,819.00 in General Ledger Code 5165, Wages-Personnel Costs increasing this account from \$0 to \$104,819.00. Commissioner Masso moved to authorize the Amendment BA2017-001 to the District's Operating Budget for Fiscal Year 2017, Commissioner Cowen seconded, and the motion passed unanimously.

**6. Consideration and Action to approve an adjustment to the BND Wage & Salary Chart for all hourly positions**

Mr. Martinez addressed the Board requesting to approve an adjustment to the BND Wage & Salary Chart for all hourly positions. The BND Wage & Salary Chart is utilized to achieve consistent pay practice, comply with BND Policy, mirror the organization's commitment to Equal Employment Opportunity and offer competitive salaries within the labor market. The adjustment to the wage & salary chart is targeted to ensure equitable wages for hourly employees and reflects the requirements and responsibilities of their positions. The wage & salary chart was last adjusted on January 1, 2013. After discussion, Commissioner Cowen moved to approve the wage & salary chart adjustment, and to make it effective as of April 1, 2017, Commissioner Reed seconded, and the motion passed unanimously.

**7. 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 conduct deliberations regarding real property (§551.072); 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).**

Commissioner Masso moved to adjourn into Executive Session, Commissioner Cowen seconded, and the motion passed unanimously. The Chairman then announced that the time was 5:53 p.m., and that the Board would adjourn into Executive Session.

Commissioner Reed moved to reconvene in Open Session, Commissioner Masso seconded, and the motion passed unanimously. The Chairman then announced that the time was 6:51 p.m., and that the Board had reconvened in Open Session.

**8. Possible action on matters or items discussed in Executive Session.**

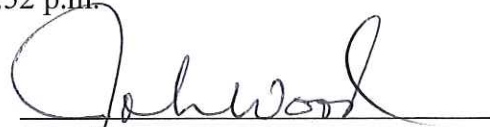
There were none.

**9. Adjournment.**

Commissioner Masso moved to adjourn the meeting Commissioner Cowen seconded, and the meeting was adjourned by unanimous consent at 6:52 p.m.

**ATTEST**

  
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Secretary

  
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John Wood  
Chairman of the Board