

**MINUTES OF A REGULAR MEETING OF THE BOARD OF NAVIGATION AND
CANAL COMMISSIONERS OF THE BROWNSVILLE NAVIGATION DISTRICT OF
CAMERON COUNTY, TEXAS HELD MAY 3, 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, May 3, 2017 at 5:40 p.m.** The following individuals were present and absent:

PRESENT:

John Wood, Chairman
John Reed
Sergio Cowen
Ralph Cowen
Carlos R. Masso

ABSENT:

None

ALSO PRESENT:

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

STAFF MEMBERS:

Steve Tyndal
Bea Rosenbaum
Ariel Chavez
Steve Fitzgibbons
Oscar Garcia
Memo Rico
Jaime Martinez
Chief Carlos Garcia
Lieutenant Mario Esquivel
Michael Davis
Tony Rodriguez
Patty Gonzales
Debby Duke
Margie Recio
Sergeant Jose Luis Ramirez

OTHERS PRESENT:

Rev. Andreas Lewis
Joe Linck
Captain Grant Wilson
Captain Donald Willett
Captain Christopher Urbanovsky
Haley Urbanovsky
Chief Carlos Elizondo and other members of Brownsville
Fire Department
Tony Chavez (Omnitrax)
Fernando Gonzalez (Omnitrax)

Frank Parker, Jr.
Minerva Loera
Nancy Gaytan
Paul Shane
Bob Berry
Steve Perez
Cesar Ramirez
Nick Shah
Kevin Garcia
Robert Schulte
Family of Sergeant Jose Luis Ramirez
Teresa Salazar
KBSD

1. Meeting Called to Order

Chairman Wood called the meeting to order at 5:42 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.

Chief Carlos Elizondo presented a "Fire Chief's Lifesaver Award" to the Port of Brownsville Police Department Sergeant Jose Luis Ramirez, for his lifesaving efforts on September 14, 2016. Sergeant Ramirez briefly addressed the Board.

2. Public Audience

Joe Linck addressed the Board in support of Agenda Items 8, 9 and 10.

3. Receive Director's Report

a. Receive Port Monthly Operations Summary Report

The Board acknowledged receipt of the reports.

CONSENT AGENDA

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

- a. Approval of the Minutes of the Regular Board Meeting of April 19, 2017.
- b. Approval to authorize payments over \$25,000.00:
 1. HDR, the amount of \$75,890.29, for Dredged Material Placement Area 5A Dike Relocation Project and the Brazos Island Harbor Deepening Project;
 2. Terracon, the amount of \$44,675.75, for environmental analysis at ESCO Marine, Inc.;
 3. Vulcan Materials Company, the amount of \$25,326.09, for crushed limestone for various locations throughout the Port; and
 4. Triton Marine Construction Corp., the amount of \$407,414.48, for Oil Dock 6 Construction and Oil Dock 3 fender system replacement and facility enhancements and maintenance dredging.

Commissioner Reed asked for an update on the Oil Docks 3 and 6 project. Mr. Chavez briefly addressed the Board.

Commissioner Reed moved to approve all consent agenda items, Commissioner Cowen seconded, and the motion passed unanimously.

5. Presentation by Omnitrax on Brownsville & Rio Grande International Railway, LLC on proposed Tariff increases, and receive comments thereon from interested parties and the general public.

Mr. Campirano introduced Tony Chavez of Omnitrax, who spoke about proposed Tariff increases. The following members of the public then addressed the Board and expressed their disapproval of the proposed Tariff increases: Teresa Salazar from Maverick Terminals, Nick Shah of All-Star Metals, Minerva Loera of Loera Customs Brokers, Cesar Ramirez of West Plains, Frank Parker, Jr. of Parker & Co, Paul Shane of TLO, Bob Berry of ISL, and Nancy Gaytan of Port of Brownsville Recycling. Discussion followed and the Board expressed their frustration with the customer service provided by Omnitrax as well as the proposed Tariff increases.

6. Consideration and Action to grant Port Staff the authority to negotiate a contract with Burson-Marsteller for public relations services.

Mr. Tyndal addressed the Board requesting authorization to grant Port Staff the authority to negotiate a contract with Burson-Marsteller for public relations services. Eight submittals were received from agencies across the state of Texas in response to a Request for Qualifications for these services. Three firms were invited to make presentations during a BND commission workshop on April 21, 2017. A consensus was reached naming Burson-Marsteller as the preferred agency. Commissioner Masso moved to authorize Staff to negotiate a contract with Burson-Marsteller, Commissioner Reed seconded, and the motion passed unanimously.

7. Consideration and Action on designation of a Utility Corridor on BND land between SH 48 and the Brownsville Ship Channel.

Mr. Campirano asked that Items 7 through 10 be tabled.

Commissioner Masso moved to table this Item, Commissioner Cowen seconded, and the motion passed unanimously.

8. Consideration and Action on proposed Easement Agreement between BND and Valley Crossing Pipeline, LLC in the proposed Utility Corridor.

Commissioner Masso moved to table this Item, Commissioner Cowen seconded, and the motion passed unanimously.

9. Consideration and Action on proposed Easement Agreement between BND and Valley Crossing Pipeline, LLC outside of the proposed Utility Corridor.

Commissioner Masso moved to table this Item, Commissioner Cowen seconded, and the motion passed unanimously.

10. Consideration and Action on proposed Easement Agreement between BND and Valley Crossing Pipeline, LLC for channel crossing.

Commissioner Masso moved to table this Item, Commissioner Cowen seconded, and the motion passed unanimously.

11. Consideration and Action to authorize the purchase of and repairs to existing surveillance camera system equipment in the amount of \$77,039.27 from American Surveillance Equipment, Inc.

Chief Garcia addressed the Board requesting the authorization for the purchase of repairs to existing surveillance camera system equipment from American Surveillance Equipment, Inc. During the discussion, it was pointed out that the total on the quotation in the amount of \$77,039.27 did one include one line item in the amount of \$52,131.35, bringing the total request to \$129,170.62. Commissioner Reed moved to authorize the purchase of and repairs to existing surveillance camera equipment and to issue purchase order to American Surveillance Company, Inc., in the full amount of \$129,170.62, Commissioner Cowen seconded, and the motion passed unanimously.

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 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).

The Chairman then announced that the time was 7:00 p.m. and that there were items for discussion in executive session. Commissioner Masso moved to adjourn into executive session, Commissioner Cowen seconded, and the motion passed unanimously.

The Chairman then announced that the time was 8:25 p.m., and that the Board had reconvened in open session.

13. Possible action on matters or items discussed in Executive Session.

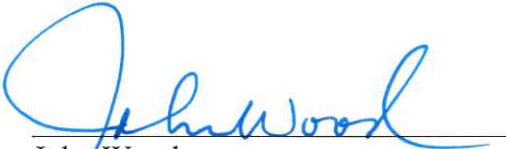
There was none.

14. Adjournment.

Commissioner Masso moved to adjourn the meeting, Commissioner Lopez seconded, and the meeting was adjourned by unanimous consent at 8:26 p.m.

ATTEST

Secretary


John Wood
Chairman of the Board