

**MINUTES OF A REGULAR MEETING OF THE BOARD OF NAVIGATION AND  
CANAL COMMISSIONERS OF THE BROWNSVILLE NAVIGATION DISTRICT OF  
CAMERON COUNTY, TEXAS HELD JUNE 7, 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, June 7, 2017 at 5:30 p.m.** The following individuals were present and absent:

**PRESENT:** John Wood, Chairman  
John Reed  
Sergio Tito Lopes  
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:** Donna Eymard  
Bea Rosenbaum  
Patty Gonzales  
Lt. Mario Esquivel  
Oscar Garcia  
Ariel Chavez  
Steve Fitzgibbons  
Jaime Martinez  
Chief Carlos Garcia  
Michael Davis  
Cristina Valdez  
Margie Recio  
Officer Noah Le Blanc

**OTHERS PRESENT:** Rev. Andreas Lewis  
Carlos Barrera  
Kevin Garcia  
Robert Schulte  
Wanda Reyes  
Family of Officer Le Blanc  
KBSD

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

The Chairman called the meeting to order at 5:40 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 Garcia introduced Noah Le Blanc, a new police officer at the Port. Chief Garcia administered the oath and Officer Le Blanc addressed the Board.

## **2. Public Audience**

No person registered to address the Board.

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

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

The Board received the reports. Discussion followed.

Commissioner Reed requested an update on Mr. Campirano's meeting with Union Pacific. Mr. Campirano addressed the Board regarding the Port's efforts to complete the railroad relocation project.

Commissioner Reed requested an update from Ms. Gonzales regarding the Port's public relations firm's progress. Ms. Gonzales briefly addressed the Board.

Commissioner Reed asked a question regarding the lease documents provided to Cameron County and PUB. Mr. Chavez briefly addressed the Board.

Mr. Martinez briefly addressed the Board regarding Insurance Providers' Day.

## **CONSENT AGENDA**

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

- a. Approval of the Minutes of the Regular Board Meeting of May 17, 2017.
- b. Approval to authorize payments over \$25,000.00:
  1. HDR, the amount of \$25,468.26, for Professional Services for the Brazos Island Harbor Deepening Project;
  2. Contech Engineered Solutions, the amount of \$39,302.28, for the purchase of geo grid reinforcement for Patio 22;
  3. Vulcan Construction Materials, the amount of \$58,255.77, for the purchase of crushed limestone for Patio 22; and
  4. Triton Marine Construction Corp; the amount of \$485,608.80, for Oil Dock 6 Construction, Oil Dock 3 Fender System Replacement & Facility Enhancements & Maintenance Dredging.
- c. Approval of the following leases:
  1. Linwood Trawlers, Inc (New lease)
  2. Wenn Moore, d/b/a Moore's Diesel Service (New lease)
  3. Border Financial Services, Inc. d/b/a A-Mex (Sublease)
  4. Interlube Corporation, Inc. (License Agreement)

Mrs. Rosenbaum asked that Consent Agenda Item 4c4 be tabled.

Commissioner Masso moved to table Consent Agenda Item 4c4, Commissioner Cowen seconded, and the motion passed unanimously.

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

**5. Consideration and Action on Assignments, Negotiations, Easements, Subleases, and Contracts in General.**

Mrs. Rosenbaum addressed the Board regarding the following items:

**1. Bedoli Group, Inc. (Subordination Consent) - Ratify**

Bedoli Group, Inc., under BND Contract 3132, requested consent to subordinate the Port's security interest in favor of Bank of America, N.A. In order to comply with their timeline to close on a loan on May 31, 2017, Eduardo A. Campirano, Port Director & CEO received authority from Chairman John Wood to sign on behalf of the District and that the District would ratify this action at Board Meeting of June 7, 2017. Commissioner Masso moved to ratify Eduardo A. Campirano's signature on the subordination agreement with Bedoli Group, Inc., in favor of Bank of America, N.A. Commissioner Cowen seconded, and the motion passed unanimously.

**2. Border Financial Services, Inc., d/b/a A-Mex (Sublease)**

Border Financial Services, Inc., d/b/a A-Mex, under BND Contract 3938, requested the Board's consent to sublease to Jose G. De Leon d/b/a JGL Energeticos Internacionales for the purpose of truck parking. Commissioner Reed moved to consent to Border Financial Services' request to sublease, Commissioner Masso seconded, and the motion passed unanimously.

**3. Robert Hunter / Boca Chica Beach Club, LLC (Assignment)**

Margie Hunter, as sole heir and Successor-in-Interest to Robert L. Hunter, Deceased, requested to assign Mr. Hunter's Fish Camp Agreement, under BND Contract 1336, to Boca Chica Beach Club, LLC (BCBC). Commissioner Reed moved to consent to assignment of the lease to BCBC, Commissioner Cowen seconded, and the motion passed by a vote of 4-0. Chairman Wood abstained.

**4. RTW Properties, L.P. (Assignment)**

Mrs. Rosenbaum requested that this Item be tabled. Commissioner Masso moved to table this Item, Commissioner Cowen seconded, and the motion passed unanimously.

**5. Texas KLM, LLC (Authority to negotiate)**

Mrs. Rosenbaum requested that this Item be tabled. Commissioner Masso moved to table this Item, Commissioner Cowen seconded, and the motion passed unanimously.

**6. Gabriela Cantu, d/b/a G. C. Trawlers (Authority to negotiate)**

Gabriela Cantu d/b/a G.C. Trawlers is requesting to lease the site formerly leased by Jorge Gonzalez at the Fishing Harbor for the purpose of shrimp boat operations. Commissioner Reed moved to authorize the Staff to negotiate a new lease with Gabriela Cantu, d/b/a G. C. Trawlers, Commissioner Cowen seconded, and the motion passed unanimously.

7. International Shipbreaking Limited, LLC (**Subordination**)

Mrs. Rosenbaum requested that this Item be tabled. Commissioner Masso moved to table this Item, Commissioner Cowen seconded, and the motion passed unanimously.

**6. Consideration and Action to authorize Staff to submit an application for the FY 2017 Port Security Grant Program.**

Mrs. Eymard addressed the Board requesting authorization for Staff to submit an application for the FY 2017 Port Security Grant Program. Staff is proposing to submit several projects that will support the foundation that has been laid in previous grant year funded projects. They are as follows:

- Project #1 - Marine CBRNE Response and High-Risk Vessel Escort Capabilities Enhancement - The purpose of this project to enhance the quick response capabilities for the Port of Brownsville Police Department in the event of a vessel borne IED, CBRNE threat, or high-risk vessels requiring escort. The dock would provide a stable platform for three (3) vessels in total and will not require the placement of piles in the Brownsville Ship Channel. Estimated Budget: \$179,000.
- Project #2 - Maintenance and Sustainment of Security Technology Systems - The proposed project would include the maintenance and sustainment of systems previously installed using PSGP funds for a period of 24 months. Estimated Budget: \$340,000.
- Project #3 - Expansion of real-time threat information sharing and incident response. The proposed project would include the upgrade and replacement of six (6) of the POB PD's COPsync systems. Estimated Budget: \$77,000.
- Project #4 - Landside CBRNE Response and Port Recovery Capabilities Enhancement - The proposed project would include the installation of fire water systems on Oil Dock Road and the Liquid Cargo Dock. This would be to help the Port comply with 33 CFR Part 127 and 154 on behalf of the tenants using the docks, and support in response and recovery efforts in the event of a vessel fire. The project will include the total replacement of primary service lines at the locations as well multiple hydrants at each location. Estimated Budget: \$670,000.
- Project #5 - Expansion of the Port's Wide Area Surveillance System - The proposed project includes the purchase and installation of one (1) 60' tower, including cameras and associated systems and infrastructure. This project will require running power and fiber to the site, which is planned to be located along the Port's southern fence line. Estimated Budget: \$95,000.

Chief Garcia briefly addressed the Board. Discussion followed. Commissioner Cowen moved approve the application for the FY 2017 Port Security Grant Program, Commissioner Lopez seconded, and the motion passed unanimously.

**7. Consideration and Action to acknowledge receipt of the audit of the District's financial statements for Fiscal Year Ending December 31, 2016.**

Mr. Fitzgibbons and Ms. Valdez addressed the Board requesting receipt of the audit of the District's financial statements for Fiscal Year Ending December 31, 2016. Carr, Riggs & Ingram, LLC, which merged with Long Chilton LLP, the previous auditors, completed work on the audit of the District's financial statements for Fiscal Year Ending December 31, 2016. Carlos Barrera, of Carr, Riggs & Ingram presented the independent audit report to the Board and reported that it

was a clean audit. Commissioner Masso moved to accept the independent audit of the District's Financial Statements for the Fiscal Year Ending December 31, 2016 as presented by Carr, Riggs & Ingram, Commissioner Cowen seconded, and the motion passed unanimously.

**8. Consideration and Action on Memorandum of Understanding between Brownsville Navigation District and Rio Grande LNG for the Bahia Grande Restoration Project.**

Mr. Campirano addressed the Board requesting approval of a Memorandum of Understanding between Brownsville Navigation District and Rio Grande LNG for the Bahia Grande Restoration Project. Rio Grande LNG is developing and intends to construct an LNG liquefaction facility and export terminal. The District and Rio Grande LNG desire to enhance the natural hydrology and salinity of the Bahia Grande area to ensure the restoration and preservation of the wetlands habitat for fisheries, waterfowl, and other wildlife, and to provide the local community with public recreational benefits associated with a thriving ecological zone. This MOU provides for Rio Grande LNG to perform the necessary engineering and construction services at its own expense to promote restoration and preservation of the Bahia Grande through expansion of the Pilot Channel into a permanent and enhanced source of tidal flow to the Bahia Grande. Commissioner Reed suggested that the parties should hold a signing ceremony. Commissioner Cowen moved to approve the Memorandum of Understanding, Commissioner Masso seconded, and the motion passed unanimously.

**9. Consideration and Action to award the purchase of 212 cubic yards of concrete, approve the purchase order in the amount of \$27,856.00, and to authorize payment of the invoice when received.**

Mr. Garcia addressed the Board requesting the award of the purchase of 212 cubic yards of concrete, approval of the purchase order in the amount of \$27,856.00, and authorization for payment of the invoice when received. The District requested quotes for 212 cubic yards of 4,000 psi concrete, with 3 pounds of fiber mesh per cubic yard, to be used for the repairs to Sheds 7, 8 and 12. The quotes were opened on May 12, 2017, with two submittals. The first submittal was from Alamo Concrete with a base quote of \$116.00 per yard, totaling \$27,856.00. The second submittal was from CAPA with a base quote of \$117.00 per yard, totaling \$29,256.00. Commissioner Reed moved to award the purchase to Alamo Concrete for the purchase of 212 cubic yards of 4,000 psi concrete, with 3 pounds of fiber mesh per cubic yard, at the rate of \$116.00 per yard and authorized the purchase order and payment when invoice is received, Commissioner Cowen seconded, and the motion passed unanimously.

**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 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 Reed moved to adjourn into executive session, Commissioner Masso seconded, and the motion passed unanimously. The Chairman then announced that the time was 6:44 p.m., and that the Board would adjourn into executive session.

The Chairman then announced that the time was 7:40 p.m., and that the Board had reconvened in open session.

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


There was none.

**12. Adjournment.**

Commissioner Masso moved to adjourn the meeting, Commissioner Cowen seconded, and the meeting was adjourned by unanimous consent at 7:41 p.m.

ATTEST

  
\_\_\_\_\_  
Secretary

  
\_\_\_\_\_  
John Wood  
Chairman of the Board

For