

**MINUTES OF A REGULAR MEETING OF THE BOARD OF NAVIGATION AND
CANAL COMMISSIONERS OF THE BROWNSVILLE NAVIGATION DISTRICT OF
CAMERON COUNTY, TEXAS HELD OCTOBER 18, 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, October 18, 2017 at 5:30 p.m.** The following individuals were present and absent:

PRESENT: John Wood, Chairman
John Reed
Sergio Tito Lopez
Ralph Cowen
Carlos R. Masso

ABSENT: None

ALSO PRESENT: Eduardo A. Campirano, Port Director and CEO
Daniel Rentfro Jr., District Counsel

STAFF MEMBERS: Donna Eymard, Deputy Port Director
Ariel Chavez
Michael Davis
Debby Duke
Bea Rosenbaum
Steve Fitzgibbons
Jaime Martinez
Oscar Garcia
Lorena Hernandez
Manuel Martinez
Margie Recio

OTHERS PRESENT: Rev. Andreas Lewis
Joseph Linck
Kevin Garcia
Hector Lopez (S&B Infrastructure, Ltd.)
Albert Garza (Mor-Wil LLC)
KBSD

1. Meeting Called to Order

The Chairman called the meeting to order at 5:35 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

Mr. Joseph Linck addressed the Board regarding NAFTA.

3. Receive Director's Report

a. Receive Port Monthly Operations Summary Report

Mr. Fitzgibbons made the report to the Board. Discussion followed. Mr. Cowen moved to acknowledge receipt of the report, Commissioner Lopez seconded, and the motion carried unanimously.

CONSENT AGENDA

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

- a. Approval of the Minutes of the Regular Board Meeting of October 11, 2017.
- b. Approval to authorize payments over \$25,000.00:
 1. HDR Engineering, Inc., the amount of \$134,374.02, for Construction Administration and Observation Services for Oil Docks 3 & 6, Maintenance Dredging, Construction Observation Services of Valley Crossing Pipeline Project, and Easement Releases of USACE Tract 1 and 2.
- c. Approval of the following leases:
 1. General Pipe & Industrial Constructors-La, LLC (New lease)
 2. G & O Shrimp., Inc. (New lease)
 3. Luis Javier Oseguera, d/b/a GDO Trucking (New lease)
 4. Sharyland Distribution and Transmission Services, LLC (New Lease)
 5. Sharyland Distribution and Transmission Services, LLC (Easement)
 6. Sharyland Distribution and Transmission Services, LLC (Easement)

The Chairman asked that the Sharyland items (4(c)(4-6) be tabled. Commissioner Cowen moved to table those items, Commissioner Lopez seconded, and the motion carried unanimously. Commissioner Lopez then moved to approve all other consent agenda items, Commissioner Masso seconded, and the motion passed unanimously.

5. Consideration and Action to award contract on the Keppel AmFELS Water Line Relocation project to the lowest responsive and qualified bidder, and to issue Notice of Award.

Mr. Chavez addressed the Board requesting authorization to award contract on the Keppel AmFELS Water Line Relocation project to the lowest responsive and qualified bidder, and to issue Notice of Award. The project replaces the water line that currently crosses through Keppel AmFELS with new PVC pipe around the West, North and East of the AmFELS lease site. Eight bids were submitted. Mor-Wil LLC was the apparent low bidder with a total bid of \$424,413.90. After discussion, Commissioner Lopez moved to award the contract for the project to Mor-Wil LLC, Commissioner Masso seconded, and the motion passed unanimously. A bid tabulation is inserted in the minutes.

Commissioner Lopez, having informed the Chairman of a time constraint, excused himself from the meeting prior to action on Item 6.

6. Consideration and Action to authorize Port Director to enter into a Master Agreement for Professional Services with consultant S&B Infrastructure, Ltd. and approve Task Order #1 for the Foust Road Truck Parking Improvements project.

Mr. Chavez addressed the Board requesting authorization for Port Director to enter into a Master Agreement for Professional Services with consultant S&B Infrastructure, Ltd. and to approve Task Order #1 for the Foust Road Truck Parking Improvements project. On October 11, 2017 BND Commissioners selected consultant S&B Infrastructure, Ltd. (S&B) to provide engineering services for the Foust Road Truck Parking Improvements project. The Port Director and BND Staff have received the Master Agreement for Professional Services and are in the process of reviewing it with BND legal counsel. BND Staff also requested a fee proposal and Task Order from the consultant based on the anticipated Scope of Work for the project, which will include pre-construction topography and geotechnical data collection, truck parking and circulation layout, provision for adequate storm drainage including the area north of the Permits Building, pavement cross-section design, lighting and illumination, environmental clearance if required, etc. Mr. Chavez asked that the Board approve the Master Agreement and Work Authorization, subject to approval of counsel. Mr. Hector Lopez of S&B Infrastructure, Ltd. addressed the Board on the project. Commissioner Cowen moved to authorize the Port Director to enter into a Master Agreement for Professional Services with consultant S & B Infrastructure, Ltd. (subject to counsel approval of the final form of the document) and to approve Task Order #1 for the Foust Road Truck Parking Improvements project with a lump sum price of \$70,021,94 with a time line to be incorporated into the Task Order, Commissioner Masso 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).

The Chairman then announced that the time was 6:08 p.m. Mr. Campirano stated that there was no need to adjourn into executive session

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

No executive session was held.

9. Public Comment Period.

No person wished to address the Board.

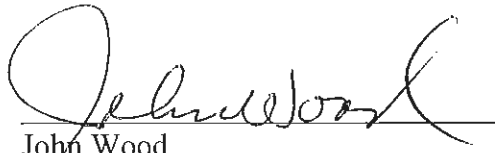
10. Adjournment.

On motion of Commissioner Masso, seconded by Commissioner Reed, and unanimously carried, the meeting was adjourned at 6:10 p.m.

ATTEST



Secretary



John Wood
Chairman of the Board