

**MINUTES OF A REGULAR MEETING OF THE BOARD OF NAVIGATION AND
CANAL COMMISSIONERS OF THE BROWNSVILLE NAVIGATION DISTRICT OF
CAMERON COUNTY, TEXAS HELD JANUARY 3, 2018 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, January 3, 2018 at 5:30 p.m.** The following individuals were present and absent:

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

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
Steve Tyndal
Bea Rosenbaum
Ariel Chavez
Steve Fitzgibbons
Lorena Hernandez
Jaime Martinez
Chief Carlos Garcia
Lieutenant Mario Esquivel
Michael Davis
Tony Rodriguez
Memo Rico
Debby Duke
Oscar Garcia
Margie Recio

OTHERS PRESENT: Rev. Andreas Lewis
Kevin Garcia
Jim Schine
Scott Donnoho
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.

2. Public Audience

No person registered to address the Board.

3. Receive Director's Report

The reports were contained in the agenda package. There was general discussion regarding the reports.

The Chairman and Mr. Rentfro then reported on the closeout of the Railroad Relocation project.

The Chairman congratulated Staff on the receipt of the MarCom Platinum Award for production of an outstanding government directory. Mr. Tyndal addressed the Board.

CONSENT AGENDA

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

- a. Approval of the Minutes of the Regular Board Meeting of December 20, 2017.
- b. Approval to authorize payments over \$25,000.00:
 1. DVS Air & Sea, Inc., the amount of \$55,500.00, for reimbursement for overpayment on Storage Lease;
 2. Tyler Technologies, the amount of \$36,896.00, for annual fees;
 3. HDR, the amount of \$24,788.89, for services to support the DMPA 5B Dike Relocation Project and the Brazos Island Harbor Deepening Project;
 4. Vulcan Materials, the amount of \$68,628.32, for crushed limestone for repairs, Pyramid Yard, and Patio 22;
 5. Triton Marine Construction, the amount of \$1,738,061.75, for Oil Dock 6 Construction, Oil Dock No. 3 Fender System Replacement, Facility Enhancement & Maintenance Dredging; and
 6. Mor-Wil, LLC, the amount of 24,781.95, for Keppel AmFels Water Line Relocation.
- c. Approval of the following leases:
 1. La Wera, Inc. (New lease)
 2. Marine Refrigeration Co., Inc. (Release of lease)
 3. Marine Railway, LLC (New lease)
 4. Sugaright, LLC (New lease)

Commissioner Reed asked for additional detail regarding Item 4(b)(1). Port Staff informed the Board that DVS Air & Sea, Inc. had inadvertently made an extra payment under the storage lease, and that payment under Item 4(b)(1) was to reimburse DVS Air & Sea, Inc. for the extra payment.

Mrs. Rosenbaum requested that item 4(c)(4) be tabled. Commissioner Lopez moved to table Item 4(c)(4), Commissioner Reed seconded, and the motion passed unanimously.

Commissioner Lopez moved to approve all other consent agenda items, Commissioner Masso 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. Elite Packaging Services, LLC/CSC Sugar, LLC (**First Amendment to Sublease Agreement**)

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

2. PMI Services North America, Inc. (**Authority to negotiate**)

PMI Services North America, Inc. requested a lease of approximately 3-4 acres for a staging area for trucks that will be arriving from TransMontaigne to receive additional paperwork for Mexico delivery. Commissioner Lopez moved to authorize the Staff to negotiate with PMI Services North America, Inc. for a new lease, Commissioner Masso seconded, and the motion passed unanimously.

6. Consideration and Action to authorize staff to advertise for bids for Audio and Visual outfitting of the new Administration Complex Rehabilitation and Building Additions Project.

Mrs. Eymard addressed the Board requesting authorization for staff to advertise for bids for Audio and Visual outfitting of the new Administration Complex Rehabilitation and Building Additions Project. Staff is requesting authority to advertise for bids for the audio and visual outfitting of the new Administration Building. A pre-bid conference will be held on site on January 4, 2018 to give all potential bidders the opportunity to tour the building. Bids will be due January 10, 2018 at 3:00 pm. Commissioner Cowen moved to authorize staff to advertise for bids for Audio and Visual outfitting of the new Administration Complex Rehabilitation and Building Additions Project, Commissioner Lopez seconded, and the motion passed unanimously.

7. Consideration and Action on Attorney-Client Agreement with Rentfro, Irwin & Irwin, PLLC.

Chairman asked that the Item be tabled until after executive session. Commissioner Cowen moved to table the item until after executive session, Commissioner Lopez seconded, and the motion passed unanimously.

8. 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 Reed seconded, and the motion passed unanimously. The Chairman then announced that the time was 5:55 p.m., and that the Board would adjourn into executive session.

The Chairman then announced that the time was 6:38 p.m., and that the Board had reconvened in open session.

The Chairman recalled Item 7 for consideration.

Consideration and Action on Attorney-Client Agreement with Rentfro, Irwin & Irwin, PLLC.

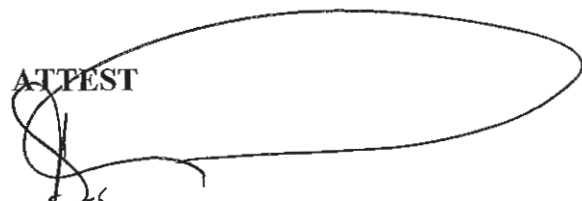
Commissioner Reed moved to approve the proposed Attorney-Client Agreement with Rentfro, Irwin, & Irwin, PLLC that includes the flat monthly fee for all services except for litigation, Commissioner Lopez seconded, and the motion passed unanimously.

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

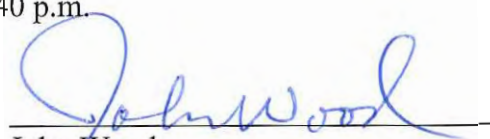
There was none.

10. Adjournment.

Commissioner Masso moved to adjourn the meeting, Commissioner Reed seconded, and the meeting was adjourned by unanimous consent at 6:40 p.m.

ATTEST


Secretary



John Wood
Chairman of the Board