

**MINUTES OF A REGULAR MEETING OF THE BOARD OF NAVIGATION AND  
CANAL COMMISSIONERS OF THE BROWNSVILLE NAVIGATION DISTRICT OF  
CAMERON COUNTY, TEXAS HELD MARCH 7, 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, March 7, 2018 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  
William J. Irwin, Associate District Counsel

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

**OTHERS PRESENT:** Rev. Andreas Lewis  
Javier Vera  
Norma Torres  
Scott Donnaho  
Manuel Alcocer  
KBSD

**1. Meeting Called To Order**

The Chairman called the meeting to order at 5:39 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.

**BROWNSVILLE NAVIGATION DISTRICT MINUTES**

**March 7, 2018**

**Page 1 of 4**

## **2. Public Audience**

No person registered to address the Board.

## **3. Receive Directors' Report**

### **a. Receive Directors' Reports**

The Board received the reports. There were no questions for staff.

### **b. Marketing Quarterly Update**

Mr. Tyndal, Mrs. Rosenbaum, and Ms. Gonzales presented the quarterly marketing update. Discussion followed regarding the marketing update including discussion of the progress made by Texan Cement and CSC Sugar. The Board also congratulated staff on receiving the AVA Gold Digital Award for the Port's outstanding website.

## **CONSENT AGENDA**

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

- a. Approval of the Minutes of the Regular Board Meeting of February 21, 2018.
- b. Approval to authorize payments over \$25,000.00:
  1. Roberto J. Ruiz Architect, Inc., the amount of \$53,295.00, for Administration Building Complex;
  2. HDR, the amount of \$179,802.78, for Brazos Island Harbor Deepening Project, Dredged Material Placement Area 5A Dike Relocation Project, Oil Docks 3 & 6, Maintenance Dredging, and Construction observation services for Valley Crossing Pipeline project;
  3. Vulcan Materials Company; the amount of \$133,636.15, for crushed limestone for various locations throughout the Port; and
  4. Triton Marine Construction, the amount of \$779,106.09, for Oil Dock 6 Construction, Oil Dock No. 3 Fender System Replacement & Facility Enhancements and Maintenance Dredging.

Mrs. Duke noted that the minutes would need to be updated to include the name of the representative who made the presentation on the STURGIS decommissioning project at the February 21, 2018 meeting.

Chairman Wood acknowledged that Roberto Ruiz was recently honored for his work throughout the community in the area of historical preservation as well as his work performed on various projects at the Port of Brownsville, including the design of the Administration Building Complex.

Commissioner Reed moved to approve all 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. Raul Garcia, dba Garcia Shrimping/Paul Piazza & Son, Inc. (**Authority to negotiate**)

Raul Garcia plans to sell his improvements to Paul Piazza & Son, Inc. and has requested that he be released of his lease subject to the Board approving a lease for the same site to Paul Piazza & Son, Inc. Paul Piazza & Son intend to use the additional land and dock for shrimp unloading, shrimp storage, and a fuel dock. Paul Piazza & Son has requested an amendment to their lease to add the additional land and dock. Commissioner Masso moved to authorize the Staff to negotiate an amendment to the lease with Paul Piazza & Son, Inc. and to prepare a release of lease to Raul Garcia, d/b/a Garcia Shrimping, Commissioner Cowen seconded, and the motion passed unanimously.

2. Paul Shane, dba TLO Logistics (**Authority to negotiate**)

Commissioner Lopez noted that he would be abstaining from a vote on this item.

The lease with Paul Shane, d/b/a TLO Logistics under BND Contract 3675 is due to expire on March 31, 2018, and he has requested a new lease. The purpose of the lease is for the loading and unloading of plastic pellets from railcars to tank trucks. Chairman Wood asked staff to look into the possibility of moving the lessee to another lease site suitable for his operations but that is farther away from the ship channel, so that an operation that needs access to the waterfront may utilize the site. Discussion followed. Commissioner Reed moved to authorize staff to negotiate with Paul Shane, d/b/a TLO Logistics for a new lease with attention paid to the possibility of an alternate site for the lessee, Commissioner Masso seconded, and the motion passed by a vote of 4-0. Commissioner Lopez abstained.

**6. Consideration and Action to approve the Port of Brownsville Police and Security Department Procedures Manual.**

Chief Garcia addressed the Board requesting approval of the Port of Brownsville Police and Security Department Procedures Manual. This procedures manual is intended to provide guidance to the Port's police and security officers in a variety of areas, such as personal appearance, conduct, handling of police related calls, and daily duties and responsibilities. Discussion followed regarding the manual and the Board suggested that the manual sent to the Port's insurer for review. Chief Garcia suggested that the policy be approved with an effective date of May 1, 2018 to provide time for a final review of the manual. Commissioner Masso moved to approve the policy and procedures manual with an effective date of May 1, 2018, Commissioner Cowen seconded, and the motion passed unanimously.

**7. Consideration and Action to accept proposal from consultant Witt O'Brien's LLC for Task #2 under the Professional Services Agreement, BND Contract #4196, to perform additional work necessary to complete the Phase II Environmental Site Assessment on Ballast Pits No. 1 and No. 2.**

Mrs. Eymard addressed the Board requesting the acceptance of the proposal from consultant Witt O'Brien's LLC for Task #2 under the Professional Services Agreement, BND Contract #4196, to perform additional work necessary to complete the Phase II Environmental Site Assessment on

Ballast Pits No.1 and No. 2. BND staff has received a proposal from Witt O'Brien's, LLC for Task #2 under the Professional Services Agreement, BND Contract #4196, to perform additional work necessary to complete the Phase II Environmental Site Assessment on Ballast Pits No. 1 and No. 2. The additional work will consist of drilling 4 additional permanent wells and sampling. The cost of the additional work will be \$31,198.00 plus expenses. Commissioner Reed moved to accept the proposal from Witt O'Brien's, LLC for Task #2, Commissioner Cowen 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 Cowen seconded, and the motion passed unanimously. The Chairman then announced that the time was 6:26 p.m. and that the Board would adjourn into executive session.

The Chairman then announced that the time was 7:18 p.m. and that the Board had reconvened in open session.

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

There was none.

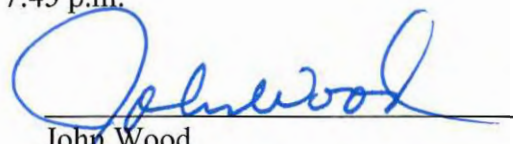
The Chairman recalled Item 4 and Mr. Tyndal resumed the marketing report, in connection with the upcoming State of the Port presentation.

- 10. Adjournment.**

Commissioner Cowen moved to adjourn the meeting, Commissioner Masso seconded, and the meeting was adjourned by unanimous consent at 7:45 p.m.

ATTEST

Secretary



John Wood  
Chairman of the Board