

**MINUTES OF A REGULAR MEETING OF THE BOARD OF NAVIGATION AND  
CANAL COMMISSIONERS OF THE BROWNSVILLE NAVIGATION DISTRICT OF  
CAMERON COUNTY, TEXAS HELD APRIL 4, 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, April 4, 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  
Memo Rico  
Steve Tyndal  
Patty Gonzales  
Manuel Martinez  
Lieutenant Mario Esquivel  
Ariel Chavez  
Steve Fitzgibbons  
Jaime Martinez  
Chief Carlos Garcia  
Michael Davis  
Tony Rodriguez  
Debby Duke  
Margie Recio

**OTHERS PRESENT:** Rev. Andreas Lewis  
Scott Donnaho  
Pete Sepulveda  
Sofia Benavides  
Frank Parker  
Virginia Wood  
Alan Simon  
Steve Guerra  
Patrick Anderson  
Desi Martinez

Val Champion  
KBSD

**1. Meeting Called To Order**

The Chairman called the meeting to order at 5:34 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.

Chairman Wood asked that Agenda Item 7 be taken out of order.

**7. Consideration and Action to adopt a Resolution granting certain tax exemptions to certain historic sites under the 2018 Historic Preservation Plan.**

Mrs. Duke addressed the Board requesting the adoption of a Resolution granting certain tax exemptions to certain historic sites under the 2018 Historic Preservation Plan. This plan was approved by the City Commission on April 3rd. The tax implications of approving the 2018 Historic Preservation Plan for the District are \$3,925.45. Commissioner Cowen commented on the condition of the Neale House and urged that the City of Brownsville to make repairs to the home. After discussion, Commissioner Cowen moved to adopt the Resolution granting the ad valorem property tax relief to those certain properties as listed in the 2018 Historic Preservation Plan of the City of Brownsville, Commissioner Masso seconded, and the motion passed unanimously.

Chairman Wood asked that Item 8 be taken out of order.

**8. Consideration and Action to authorize the execution of an Interlocal Agreement between Cameron County, Cameron County Regional Mobility Authority and the Brownsville Navigation District for the Development of the Design/Engineering Plans for the Port Connector Road Project.**

Mr. Campirano addressed the Board requesting authorization to execute an Interlocal Agreement between Cameron County, Cameron County Regional Mobility Authority (CCRMA) and the Brownsville Navigation District for the Development of the Design/Engineering Plans for the Port Connector Road Project. The District has been working with the Cameron County Regional Mobility Authority (CCRMA) to advance construction of the Port Connector Road from Ostos Road to SH4. Work is being completed on the environmental clearance. In order to accelerate construction of the project the Design/Engineering plans must be developed. The estimated cost for the Design/Engineering plans is \$750,000. The Interlocal Agreement is a three-way funding agreement between the District, CCRMA and Cameron County. The District's share is not to exceed \$350,000. The Executive Director of the CCRMA, Pete Sepulveda, addressed the Board regarding the project. Cameron County Commissioner Sofia Benavides also addressed the Board asking that the District approve the Interlocal Agreement. Finally, Frank Parker, Chairman of the Board of the CCRMA, addressed the Board requesting that the District approve the Interlocal Agreement. Discussion followed. Commissioner Lopez moved to approve the Interlocal Agreement between Cameron County, CCRMA, and the Brownsville Navigation District for Development of the Design/Engineering Plans for the Port Connector Road Project, Commissioner

Cowen seconded, and the motion passed unanimously.

Chairman Wood then asked that Item 5 be taken out of order.

**5. Presentation by Mr. Desi Martinez and the Los Fresnos Chamber of Commerce on collaborating on economic development opportunities in the region.**

Mrs. Eymard introduced Desi Martinez and Val Champion of the Los Fresnos Chamber of Commerce who spoke about collaboration between the District and Los Fresnos on economic development opportunities in the region. Discussion followed.

**3. Receive Director's Report**

**a. Receive Port Monthly Summary Report**

The Board received the reports. Commissioners Reed and Lopez asked Mr. Rodriguez regarding liquid traffic at the Port. Mr. Rodriguez addressed the Board. Commissioner Lopez also asked Mr. Rodriguez seek contacts with the gas station association in Mexico, as a business development opportunity. Commissioner Reed also asked Mr. Tyndal to provide a marketing update. Mr. Tyndal addressed the Board. Discussion followed.

**b. Marketing Update**

Mr. Tyndal addressed the Board regarding marketing efforts. Discussion followed.

**CONSENT AGENDA**

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

**a. Approval of the Minutes of the Regular Board Meeting of March 21, 2018.**

**b. Approval to authorize payments over \$25,000.00:**

1. CCRMA, the amount of \$33,822.56, for Port's share of cost for the development of the environmental document SH32 Port Connector Road Project;
2. Vulcan Material Company, the amount of \$78,095.62, for crushed limestone; and
3. Triton Marine Construction, the amount of \$720,350.91, for Oil Dock No. 6 Construction, Oil Dock No. 3 Fender System Replacement & Facility Enhancements, & Maintenance Dredging.

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

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

Mrs. Rosenbaum addressed the Board regarding the following items:

**1. R. M. Walsdorf Co. / Casa Sumi Petroleum, LLC (Authority to negotiate)**

R. M. Walsdorf Co., under BND Contract 3939, is negotiating to sell its improvements to Casa Sumi Petroleum, LLC. and has requested a release of lease subject to the Board approving of a new lease to Casa Sumi Petroleum, LLC. Casa Sumi Petroleum, in addition to their request for a lease on the approximately 6 acres under lease to R. M. Walsdorf's, has requested a lease on another approximately 9 acres to build a bulk liquid terminal to tie-in to Oil Docks 3, 5 & 6. Casa Sumi Petroleum is also negotiating with OmniTrax to bring in rail to their proposed site. R. M.

Walsdorf Co. has requested a lease on the site formerly leased by ESCO Marine, Inc. on S.H. 48 for the purpose of a construction yard and offices. Commissioner Cowen moved to authorize the Staff to negotiate with R.M. Walsdorf Co. and Casa Sumi Petroleum, LLC Commissioner Masso seconded, and the motion passed unanimously.

**9. Consideration and Action on bids received for the annual contract for Disposal of Oily Water from the Fishing Harbor Sewer Treatment Plant and from Ballast Pit No. 2.**

Mr. Chavez addressed the Board requesting the award of the annual contract for Disposal of Oily Water from the Fishing Harbor Sewer Treatment Plant and from Ballast Pit No. 2 to the lowest bidder. On March 27, 2018 the Port received and opened one bid from JW Rentals, Inc., d/b/a Environmental Evolutions National, for \$0.39 per gallon of material removed. Although this was the only bid received, the bid price is the same as what the District is currently paying this same vendor for this same service. Discussion followed regarding methods to prevent oily water from entering the system. After discussion, Commissioner Cowen moved to award the annual contract for Disposal of Oily Water from the Fishing Harbor Sewer Treatment Plant and from Ballast Pit No. 2 to low bidder JW Rentals, Inc. d/b/a Environmental Evolutions National, for \$0.39 per gallon of material removed, Commissioner Masso seconded, and the motion passed unanimously.

**10. Consideration and Action on bids received for the 2018 calendar year contract of Geogrid Reinforcement material for roadway and patio base.**

Mr. Chavez addressed the Board requesting the award for the 2018 calendar year. On March 13, 2018, three (3) bids were received and opened. The apparent low bidder was Geo Solutions, Inc., with a bid of \$1.00 per square yard for Triaxial Geogrid and \$1.00 per square yard for Biaxial Geogrid. The low bidder has been contacted and has confirmed that the prices will be held as submitted. Commissioner Masso moved to award the yearly contract for the purchase of Geogrid Reinforcement to low bidder Geo Solutions, Inc., for \$1.00 per square yard for Triaxial Geogrid and \$1.00 per square yard for Biaxial Geogrid, for the 2018 calendar year, Commissioner Lopez seconded, and the motion passed unanimously.

**11. Consideration and Action on Change Order No. 2 to the Keppel AmFELS Water Line Relocation project, for the purpose adjusting the contract time due to weather delays.**

Mr. Chavez addressed the Board requesting approval on Change Order No. 2 to the Keppel AmFELS Water Line Relocation project, for the purpose adjusting the contract time due to weather delays. The current contract completion date of March 26, 2018. Mor-Wil has submitted a request to extend the contract time 19 days due to rain days that resulted in delay of the work. The new contract completion date would become April 14, 2018. Commissioner Cowen moved to approve this Change Order No. 2 to the contract with Mor-Wil, LLC on the Keppel AmFELS Water Line Relocation project, extending the current contract time by 19 days, for a new contract completion date of April 14, 2018, Commissioner Masso 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).**

Commissioner Masso moved to adjourn into executive session, Commissioner Reed seconded, and the motion passed unanimously. The Chairman then announced that the time was 6:40 p.m., and that the Board would adjourn into executive session.

Commissioner Reed moved to reconvene in open session, Commissioner Lopez seconded, and the motion passed unanimously. The Chairman then announced that the time was 7:36 p.m. and that the Board had reconvened in open session.

Commissioner Masso did not return to open session.

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

There was none.

**14. Adjournment.**

Commissioner Cowen moved to adjourn the meeting, Commissioner Reed seconded, and the meeting was adjourned by unanimous consent at 7:37 p.m.

ATTEST

Secretary

John Wood  
Chairman of the Board