

**MINUTES OF A REGULAR MEETING OF THE BOARD OF NAVIGATION AND
CANAL COMMISSIONERS OF THE BROWNSVILLE NAVIGATION DISTRICT OF
CAMERON COUNTY, TEXAS HELD MAY 1, 2019 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, May 1, 2019 at 5:30 p.m.** The following individuals were present and absent:

PRESENT: John Reed, Chairman
Sergio Tito Lopez
Esteban Guerra

ABSENT: John Wood
Ralph Cowen

ALSO PRESENT: Daniel Rentfro Jr., District Counsel
William J. Irwin, Associate District Counsel

STAFF MEMBERS: Bea Rosenbaum
Memo Rico
Steve Tyndal
Jorge Montero
Lorena Hernandez
Manuel Martinez
Lieutenant Mario Esquivel
Oscar Garcia
Ariel Chavez
Chief Carlos Garcia
Tony Rodriguez
Debby Duke
Margie Recio

OTHERS PRESENT: Jorge de la Colina

1. Meeting Called To Order

The Chairman called the meeting to order at 5:35 p.m. Mr. Chavez 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

a. Receive Port Monthly Operations Summary Report

The Board received the reports.

CONSENT AGENDA

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

- a. Approval of the Minutes of the Regular Board Meeting of April 17, 2019.
- b. Approval to authorize payments over \$25,000.00:
 1. Triton Marine Construction, the amount of \$635,320.87, for Oil Dock 5 and Maintenance Dredging;
 2. HDR, Inc, the amount of \$77,059.09, for Dike 5B Relocation Project and the BIH Project Task Order #2; and
 3. Russell Marine, the amount of \$449,217.90, for Bulk Cargo Dock Improvements Project.
- c. Approval of the following leases:
 1. Annova LNG Common Infrastructure, LLC (New lease)
 2. Interlube Corporation, Inc. (New lease)

Ms. Recio noted that a portion of Item 4b2 is reimbursable to the Port.

Chairman Reed asked for additional information regarding Item 4c1. Mr. Rentfro noted that the lease is for approximately 10 acres that Annova has requested in connection with their request for a tax abatement from Cameron County.

Mrs. Rosenbaum addressed the Board and requested that Items 4c1 and 4c2 be tabled as not all the required documents had been received.

Commissioner Lopez moved to table Item 4c1, Commissioner Guerra seconded, and the motion passed unanimously.

Commissioner Lopez moved to table Item 4c2, Commissioner Guerra seconded, and the motion passed unanimously.

Commissioner Guerra moved to approve all other consent agenda items, Commissioner Lopez 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. AEP Texas Central Company (**Authority to negotiate**)

AEP Texas Central Company under BND Contract 2515 is working on a project off of Chemical Road north of Hwy. 48 to re-route the Union Carbide T-line and the Loma Alta T-Line into the new Sharyland Stillman Station. AEP Texas has requested authority to prepare the survey and submit the necessary documentation to amend the route. Commissioner Lopez moved to authorize the Staff to negotiate with AEP Texas for the requested amendment, Commissioner Guerra seconded, and the motion passed unanimously.

2. Karzo Corporation, LLC (**Authority to negotiate**)

Karzo Corporation, LLC has requested a lease on the old MTZ site off of FM 511 for truck parking. Karzo is a Mexican company located in Matamoros, Tamaulipas, Mexico and they

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distribute diesel and gasoline with traders doing business in the port such as Vitol, Novum, PMI, Titan Marine, & Citgo. Karzo exports the product via tank trucks to their gas stations. They currently have eight (8) gas stations under KarzoGas, their registered trademark and commercial name. Commissioner Lopez moved to authorize the Staff to negotiate with Karzo Corporation, LLC for a new lease for truck parking, Commissioner Guerra seconded, and the motion passed unanimously.

6. Consideration and Action on awarding insurance coverages for property and liability insurance for the May 15, 2019 insurance program renewal and to authorize the payment of the invoice(s) for the premium when received.

Mrs. Recio requested that this item be tabled. Commissioner Guerra moved to table the item, Commissioner Lopez seconded, and the motion passed unanimously.

7. Consideration and Action to authorize Port Staff to open bids on the BND Port Road Improvements Striping and Signage Project.

Mr. Chavez addressed the Board requesting authorization for Port Staff to open bids on the BND Port Road Improvements Striping and Signage Project. As directed by BND Commissioners, BND Engineering staff last year completed drawings, specifications, and bid documents for Phase II of the BND Port Road Improvements project, which consists of rehabilitation of Old SH 48, Milo Road, Callaway Drive, and Foust Road. On November 17, 2018 BND Commissioners awarded the contract to G&T Paving, LLC (G&T), and after Texas Department of Transportation (TxDOT) concurrence, a Notice to Proceed was issued and work began on January 28, 2019. BND Engineering Staff also laid out traffic signage and striping in coordination with BND Security and is ready to invite bids on that work. As per BND Procurement policy, with the approval of the Port Director, BND Staff has published an Invitation to Bid on the BND Port Road Improvements Striping and Signage portion of the project and is hereby requesting authorization to open bids once received. BND Staff will then tabulate the bids, formulate a recommendation, and bring an item before BND Commissioners to consider award of the work. Commissioner Lopez moved to authorize BND Staff to invite and receive bids on the BND Port Road Improvements Striping and Signage project, as per the Drawings, Specifications, and Bid Documents prepared by BND Engineering staff, and to open bids once they are received, Commissioner Guerra 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, including but not limited to Trinity Scrap Processors, Inc. and Intercoastal Salvage, Inc. v. Brownsville Navigation District of Cameron County, Texas (§551.071); 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).

There was none.

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

There was none.

10. Adjournment.

Commissioner Lopez moved to adjourn the meeting, Commissioner Guerra, seconded, and the meeting was adjourned by unanimous consent at 5:48 p.m.

ATTEST



Secretary



John Reed
Chairman of the Board