

**MINUTES OF A REGULAR MEETING OF THE BOARD OF NAVIGATION AND
CANAL COMMISSIONERS OF THE BROWNSVILLE NAVIGATION DISTRICT OF
CAMERON COUNTY, TEXAS HELD NOVEMBER 17, 2020 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, via videoconference due to the COVID-19 health emergency, on **Wednesday, November 17, 2020 at 5:30 p.m.** The following individuals were present and absent:

PRESENT: John Reed, Chairman
Sergio Tito Lopez
Ralph Cowen
John Wood
Esteban Guerra

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
Ariel Chavez
Lorena Hernandez
Karina Franco
Jaime Martinez
Chief Carlos Garcia
Michael Davis
Tony Rodriguez
Margie Recio
Janie Velasquez
Memo Rico
Jorge Montero
Blanca Melguizo
Jose Herrera
Rosie Hinojosa
Oscar Garcia

OTHERS PRESENT: Rev. Andreas Lewis
Jorge de la Colina
Judge Arturo Nelson

1. Meeting Called To Order

The Chairman called the meeting to order at 5:32 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

a. Receive Port Monthly Operations Summary Report

Ms. Hernandez made the report to the Board. 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 November 4, 2020.

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

1. Action Supply, the amount of \$51,893.57, for Final Payment – Fixed Boom 70ft Pedestal Crane.

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

5. Consideration and Action to accept work performed by contractor Russell Marine, LLC on the Oil Dock #3 Crane Support11s project and authorizing Final Payment of \$37,154.00, which includes all completed work and release of retained funds.

Mr. Chavez addressed the Board requesting acceptance of work performed by contractor Russell Marine, LLC on the Oil Dock #3 Crane Supports project and authorizing Final Payment of \$37,154.00, which includes all completed work and release of retained funds. On May 6, 2020 BND Commissioners awarded the contract on the Oil Dock #3 Crane Supports project, comprised of removing and replacing the dock's hydraulic crane supports and adding pilings to stabilize the dock, to Russell Marine, LLC (Russell) in the amount of \$320,000.00. Further, on October 21, 2020 BND Commissioners approved Change Order #1 increasing the contract price by \$51,540.00 to \$371,540.00, with no additional contract time. On October 29, 2020 a walkthrough inspection was conducted, and a short punch-list was developed, and on October 30, 2020 the Final Inspection was conducted to confirm that the contractor had addressed all pertinent punch-list items. As of the latter date, the project was deemed complete. Russell has submitted their Final Pay Request as well as the Affidavit of All Bills Paid. Having met all these requirements, BND Staff was prepared to recommend acceptance of this project by BND Commissioners. Commissioner Lopez moved to accept the work performed by Russell Marine, LLC on the contractor for the Oil Dock #3 Crane Supports project and authorize Final Payment of \$37,154.00 which includes all completed work and all retained funds, Commissioner Guerra seconded, and the motion passed unanimously.

6. Canvass the returns of the November 3, 2020, General Election. Hacer el escrutinio de los resultados de la elección general del día 3 de noviembre de 2020.

Mrs. Recio addressed the Board requesting the acceptance of the canvass report. The unofficial canvass report was presented to the Commission for their acceptance of the electronic report received by Remi Garza, Cameron County Elections Administrator, as the official results for the

Brownsville Navigation District 2020 Election. Commissioner Cowen moved to accept the canvass report as presented to the Board and submitted by the Cameron County Elections Administrator, Remi Garza, as the official results of the election, Commissioner Wood seconded, and the motion passed unanimously.

7. Receive the bonds of the winners of the November 3, 2020 General Election.

Mrs. Recio addressed the Board regarding the bonds of the winners of the November 3, 2020 General Election. Board members for the Brownsville Navigation District are required to submit a bond in the amount of \$10,000 prior to their taking office. The bonds received were reviewed by legal counsel and deemed to be sufficient. Commissioner Guerra, moved to acknowledge receipt of the bonds, Commissioner Wood seconded, and the motion passed unanimously.

8. Issue Certificates of Election to the winners of the November 3, 2020 General Election.

Mrs. Recio addressed the Board requesting the authorization to issue Certificates of Election to the winners of the November 3, 2020 General Election. This is the method of formally notifying the winners of the election of the fact that they have been elected to the Board. The format is prescribed by the State of Texas, and the form is signed by the Chairman of the Board. Commissioner Guerra, moved to issue the certificates of election to Commissioner Reed, Commissioner Lopez, and Commissioner Cowen, Commissioner Wood seconded, and the motion passed unanimously.

9. Administration of the Oath of Office to the winners of the November 3, 2020 General Election.

Mr. Campirano and Mrs. Recio addressed the Board requesting the administration of the Oath of Office to the winners of the November 3, 2020 General Election.

Judge Arturo Nelson administered the oath of office to Commissioner Ralph Cowen.

Judge Arturo Nelson administered the oath of office to Commissioner John Reed.

Judge Arturo Nelson administered the oath of office to Commissioner Sergio Tito Lopez.

10. Election of officers of the Board of Navigation and Canal Commissioners of the Brownsville Navigation District of Cameron County, Texas.

Board Policy B501 (Local) provides for the Board to elect from among its members the officers of Chairman, Vice Chairman, and Secretary. The two Commissioners who are not elected to one of these three positions will hold the position of Assistant Secretary.

Commissioner Reed nominated Commissioner Lopez as Chairman of the Board, Commissioner Guerra seconded, and the motion passed unanimously.

Chairman Lopez then nominated Commissioner Cowen as Vice Chairman of the Board, Commissioner Guerra seconded, and the motion passed unanimously.

Commissioner Cowen then nominated Commissioner Guerra as Secretary of the Board, Commissioner Wood seconded, and the motion passed unanimously.

11. 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).

There was none.

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

There was none.

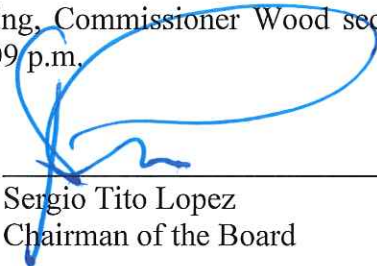
13. Adjournment.

Commissioner Guerra moved to adjourn the meeting, Commissioner Wood seconded, and the meeting was adjourned by unanimous consent at 6:09 p.m.

ATTEST



Secretary



Sergio Tito Lopez
Chairman of the Board