

**MINUTES OF A REGULAR MEETING OF THE BOARD OF NAVIGATION AND  
CANAL COMMISSIONERS OF THE BROWNSVILLE NAVIGATION DISTRICT OF  
CAMERON COUNTY, TEXAS HELD FEBRUARY 03, 2021 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, February 03, 2021 at 5:30 p.m.** The following individuals were present and absent:

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

**ABSENT:** Esteban Guerra

**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  
Steve Tyndal  
Oscar Garcia  
Lorena Hernandez  
Jaime Martinez  
Jose Herrera  
Michael Davis  
Tony Rodriguez  
  
Janie Velasquez  
Memo Rico  
Jorge Montero  
Blanca Melguizo

**OTHERS PRESENT:** Rev. Andreas Lewis  
Jorge de la Colina  
Randy DeLay

**1. Meeting Called To Order**

The Chairman called the meeting to order at 5:36 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**

The Board received the reports.

Commissioner Reed asked Mr. Chavez about discussions with the contractor on the decision to use epoxy instead of galvanized steel. Mr. Chavez and Mr. Campirano addressed the Board on that topic.

Commissioner Reed asked Mr. Chavez about the status of the water line replacement project. Mr. Chavez noted that the contractor ran across an electrical conduit that was not covered by any existing maps, but that the contractor was able to work around the conduit.

## **CONSENT AGENDA**

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

- a. Approval of the Minutes of the Regular Board Meeting of January 20, 2021.
- b. Approval to authorize payments over \$25,000.00:
  1. Foremost Paving, Inc., the amount of \$1,136,451.06, for BND South Port Connector Project;
  2. Pederson Construction, Inc., the amount of \$141,094.95, for 2020 BND Water Lines Replacement; and
  3. Vulcan Materials Company, the amount of \$74,574.62, for Crushed Limestone for Patio 22.

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

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

Mr. Tyndal addressed the Board regarding the following items:

1. Brownsville Gulfside Warehouse, Inc. (**Consent to Leasehold Deed of Trust to Lone Star National Bank**)

Under BND Contract #3932, Brownsville Gulfside Warehouse, Inc. leases 6.34-acres at 2000 N. Mineral Loop where it owns and operates a warehouse for the purpose of materials handling and dry warehouse storage. Brownsville Gulfside Warehouse is expanding the existing warehouse and is financing the construction through Lone Star National Bank. In connection with the loan to Brownsville Gulfside Warehouse, Lone Star National Bank is requesting that the District consent to Brownsville Gulfside Warehouse, Inc. executing a leasehold deed of trust in favor of Lone Star National Bank and that the District subordinate its landlord's lien to the Bank's deed of trust. Counsel had reviewed the agreement, which is ready for approval. Commissioner Reed moved to approve and execute the Consent to Leasehold Deed of Trust, Commissioner Cowen seconded, and the motion passed unanimously.

2. **D & A Seafoods, LLC (Amended and Restated Lease)**

D & A Seafoods, LLC has a new lease (BND #4503) for shrimping purposes, which was approved on January 6, 2021. The amendment corrects an error in the description of the leased premises (acreage reported as .198-acres instead of .918) and revises the rate in accordance with the correction. Commissioner Reed moved to approve this amendment to lease agreement with D & A Seafoods, LLC., Commissioner Cowen seconded, and the motion passed unanimously.

3. **Two Fishing Friends, Inc. (Authority to negotiate)**

Two Fishing Friends, Inc. is a current lessee under BND Contract #3807, which has no more available options to renew. The lessee requests a new lease for the purpose of shrimp business, unloading and boat repairs. The new lease is to take effect as of January 20, 2021. Commissioner Cowen moved to approve the Authority to Negotiate with Two Fishing Friends, Inc., Commissioner Wood seconded, and the motion passed unanimously.

6. **Consideration and Action on extending the Agreement for Professional Services with LeMunyon Group, LLC.**

Mr. Campirano addressed the Board requesting authorization to extend the Agreement for Professional Services with LeMunyon Group, LLC. The contract with Washington-based consultant LeMunyon Group, LLC will expire on February 28, 2021. The Brownsville Navigation District has engaged the services of the LeMunyon Group, LLC to represent the Port's interests in matters involving both public and private agencies. Glenn B. LeMunyon has been instrumental in securing favorable considerations of the Port's interests in Washington, DC, as well as securing funding for Port-related activities. The extension will be on the same terms and conditions as the current agreement. Commissioner Reed moved to approve the Extension of the Agreement with the LeMunyon Group, LLC for a period of two years, Commissioner Cowen seconded, and the motion passed unanimously.

7. **Consideration and Action on extending the Agreement for Professional Services with Randolph L. DeLay.**

Mr. Campirano addressed the Board requesting authorization to extend the Agreement for Professional Services with Randolph L. DeLay. The Brownsville Navigation District has engaged the services of Randolph L. DeLay to represent the Port's interests in federal and state matters involving both public and private agencies. The current agreement is set to expire March 31, 2021. Randolph L. DeLay has been instrumental in securing favorable considerations of the Port's interests in federal as well as state matters. Randolph L. DeLay continues to work with Port officials and Staff that has been successful in securing funding for Port related activities. The extension will be on the same terms and conditions as the current agreement. Commissioner Reed moved to approve the Extension of the Agreement with Randolph L. DeLay for a period of two years, Commissioner Wood seconded, and the motion passed unanimously.

8. **Consideration and Action to authorize Port Staff to advertise for bids on the 2021 Klein Servers and Main Office Server Project.**

Mr. Martinez addressed the Board requesting authorization to advertise for bids for equipment to replace the existing computer servers that host the Klein software. Two servers are needed, both for existing applications and the leasing software to be purchased this year. A third sever in the main office also needs to be replaced for the same reason. It currently controls the DNS servers,

BND data drives, accounting drives, active directory, port phone system, and time clock. The estimated cost of publishing the advertisement is \$950, and staff will also extend invitations to known providers of the equipment. Commissioner Reed asked Mr. Martinez how often servers need to be replaced. Mr. Martinez replied that the servers were approximately 13 years old and use an operating system that is no longer updated by Microsoft. Commissioner Wood asked about maintenance costs for the server and Mr. Martinez noted that they are maintained in-house. Commissioner Reed moved to authorize the Staff to prepare an invitation to Bid on the 2021 Klein Servers and Main Office Server Project as per specifications to be published in the local newspaper as required by BND Purchasing Procedures and to open bids once they are received, Commissioner Cowen seconded, and the motion passed unanimously.

**9. Consideration and Action to authorize Port Staff to advertise for bids on the 2021 Transceiver Module Replacement Project.**

Mr. Martinez addressed the Board requesting authorization for Port Staff to advertise for bids on the 2021 Transceiver Module Replacement Project. The transceiver modules that are currently in place need replacement for all data switches along the southside of the Port, beginning from the Harbor Master's Office through the CBP Tower. New transceiver modules will allow the flow of higher amounts of data to process through the data switches without stalling or burning out the switch itself. Most of this equipment has been in place for more than eleven years and needs upgrading not only due to life of the equipment but because of the higher amounts of data needed in order to operate Port communications and security camera data. The estimated cost of publishing the advertisement is \$950, and staff will also extend invitations to known providers of the equipment. Commissioner Cowen moved to authorize the IT Department to prepare an invitation to Bid on the 2021 Transceiver Module Replacement Project as per specifications to be published in the local newspaper as required by BND Purchasing Procedures and to open bids once they are received, Commissioner Wood seconded, and the motion passed unanimously.

**10. 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 Reed moved to adjourn into executive session, Commissioner Cowen seconded, and the motion passed unanimously. The Chairman then announced that the time was 6:07 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.

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

There was none.

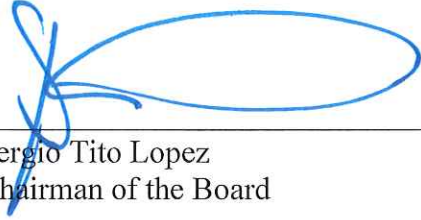
**12. Adjournment.**

On motion by Commissioner Wood, seconded by Commissioner Cowen, and unanimously carried, the meeting was adjourned at 7:20 p.m.

**ATTEST**



Secretary



---

Sergio Tito Lopez  
Chairman of the Board