

**MINUTES OF A REGULAR MEETING OF THE BOARD OF NAVIGATION AND  
CANAL COMMISSIONERS OF THE BROWNSVILLE NAVIGATION DISTRICT OF  
CAMERON COUNTY, TEXAS HELD MARCH 17, 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, March 17, 2021 at 5:30 p.m.** The following individuals were present and absent:

**PRESENT:** Esteban Guerra, Secretary of the Board  
John Wood  
John Reed

**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  
Martha Gonzalez  
Lorena Hernandez  
Karina Franco  
Jaime Martinez  
Chief Carlos Garcia  
Tony Rodriguez  
Margie Recio  
Janie Velasquez  
Jose Herrera  
Jorge Montero  
Rosie Hinojosa  
Blanca Melguizo

**OTHERS PRESENT:** Rev. Andreas Lewis  
Jorge de la colina  
Ken Schaefer  
Norma Torres  
Joel Loera  
Eddie Rodriguez

**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.

**CONSENT AGENDA**

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

- a. Approval of the Minutes of the Regular Board Meeting of March 03, 2021.
- b. Approval to authorize payments over \$25,000.00:
  1. Foremost Paving, Inc., the amount of \$2,674,370.11, for South Port Connector Project;
  2. Pederson Construction Company, Inc, the amount of \$108,748.20, for 2020 BND Water Replacement; and
  3. Vulcan Materials Company, the amount of \$26,549.62, for Crushed Limestone for Patio 22.

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

**5. Consideration and Action to adopt amendments to Ordinance 3 – Traffic Control, with an effective date of April 1, 2021.**

Mr. Campirano addressed the Board requesting the adoption of amendments to Ordinance 3 – Traffic Control with an effective date of April 1, 2021. The roads improvement project included improvements to East and West Oil Dock road. The road is now one continuous road and Staff is recommending for this road to be renamed Oil Dock Road. Another recommended change to the ordinance is a technical change, and the word “motor” within the definitions for Driver and Parking. The Policy Committee met on March 8 to review the recommended changes to the Ordinance. Commissioner Reed moved to adopt the amendments to Ordinance 3, with an effective date of April 1, 2021, Commissioner Wood seconded, and the motion passed unanimously.

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

Ms. Gonzalez addressed the Board regarding the following items:

1. Transporte Internacional Lopez Ochoa, SA. De CV. **(Authority to negotiate)**

Transporte Internacional Lopez Ochoa, SA de CV is requesting Authority to Negotiate for a new lease for the purpose of truck parking. Current BND Contract #3822 will expire June 12, 2021. The lease being requested is for a 5-year term with one renewal option for 5 years. Commissioner Wood suggested including a landscaping requirement in the lease. Discussion followed. Commissioner Wood moved to approve the Authority to Negotiate a new lease with Transporte Internacional Lopez Ochoa, SA de CV, Commissioner Reed seconded, and the motion passed unanimously.

2. Logar Enterprises, Inc. dba Labor One Staffing – Careers of America (**Authority to negotiate**)

Logar Enterprises, Inc. dba Labor One Staffing – Careers of America is interested in leasing 2.11 Acres at Current Lessee-Pen III BND Contract #3412 on Hwy 48. Prospect seeks a 5-year lease with 1 option for 5 years. Operations and purpose of the lease will be for a Welding Vocational Trade School and Shipyard Staffing Services. Commissioner Reed moved to approve the Authority to Negotiate a new lease with Logar Enterprises, Inc. dba Labor One Staffing – Careers of America, Commissioner Reed seconded, and the motion passed unanimously.

3. Rodco Marine Supply, Inc. (**Authority to negotiate**)

Rodco Marine Supply, Inc. is requesting authority to negotiate for a new lease. Their current lease BND Contract #3812 will expire on May 31, 2021. Their purpose clause is retail sale of marine supplies. Commissioner Reed moved to approve the Authority to Negotiate a new lease with Rodco Marine Supply, Inc., Commissioner Wood seconded, and the motion passed unanimously.

4. U.S. Customs & Border Protection (**Amendment to Lease**)

U.S. Customs & Border Protection is requesting an amendment to their current lease BND Contract #4207 for an extension beginning on February 16, 2020 and continuing through February 15, 2021. At the expiration of this term, the Lease will automatically renew on a year-to year basis for two (2) additional years but not beyond February 15, 2023. CBP is currently located in the Harbor Master’s Office. They have been working with Port staff to find a larger location. The Port purchased the ex: Woodfin Building to accommodate CBP and are working with Roberto Ruiz to finalize remodeling plans. Commissioner Wood noted that the parties should seek federal funding to aid in the remodeling plans. Commissioner Wood moved to approve the Amendment to Lease for U.S. Customs & Border Protection, Commissioner Reed seconded, and the motion passed unanimously

5. Bluewing One, LLC (**Amendment of Lease**)

Bluewing One, LLC. is requesting an amendment to correct acreage in the original lease resulting in a reduction of 2.98 acres on BND Contract #4502. The amendment is to take effect January 6, 2021. Commissioner Reed moved to approve the Amendment correcting the acreage for Bluewing One, LLC, Commissioner Wood seconded, and the motion passed unanimously

6. T.D. American Limestone Products, LLC. (**New Lease**)

T.D. American Limestone Products, LLC is a current lessee under BND Contract # 4117. They are requesting a new lease for the purpose of aggregate sales consisting of sand and gravel. The lease is to take effect April 8, 2021. Commissioner Wood moved to approve the New Lease for T.D. American Limestone Products, LLC, Commissioner Reed seconded, and the motion passed unanimously.

**7. Consideration and Action authorizing the Port Director & CEO to enter into a Professional Services Agreement with OmniTRAX, Inc./AECOM Technical Services, Inc. for Professional Engineering Design Services for the Pesqueria Project.**

Mr. Campirano addressed the Board requesting authorization for the Port Director & CEO to enter into a Professional Services Agreement with OmniTRAX, Inc./AECOM Technical Services, Inc. for Professional Engineering Design Services for the Pesqueria Project. The Port of Brownsville in collaboration with BRG/OmniTRAX and Gulf Stream Marine has been working with Ternium

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de Mexico to support the expansion of their steel production at the Pesqueria Steel Mill. This expansion project will increase the throughput of steel slab at the port. Ternium is currently the port's largest steel customer with over 2 million tons of steel moving in and out of the port annually. Ternium projects that the volumes of steel slab moving in and out of the port will expand to 5 million tons by 2023. This projected increase will result in making capital improvements at the port to accommodate the increase in steel throughput. Improvements include patio storage, road and drainage improvements and improvements to terminal operations necessary to support the increases in steel slab moving in and out of the port. Additional improvements include rail expansion, rail yard improvements and equipment acquisition for the discharging of steel from vessels, transporting of steel from the docks to the loading rail yard and storing of steel. Most of the improvements for the port will support the moving of steel slabs from the docks to the loading and storage patio areas. Port staff along with OmniTRAX and Gulf Stream vetted multiple proposals for engineering services and selected AECOM as the best qualified firm to provide the engineering and design services for the various improvements. Commissioner Reed moved to authorize the Port Director & CEO to enter into a Professional Engineering Service Agreement with OmniTRAX/AECOM for Professional Engineering Design Services for the Pesqueria Project, Commissioner Wood seconded, and the motion passed unanimously.

**8. Consideration and Action to authorize Staff to advertise and solicit for Bids for the District's property and liability insurance program.**

Mrs. Recio addressed the Board requesting authorization for Staff to advertise and solicit for Bids for the District's property and liability insurance program. Staff has been working with the District's Insurance consultant, Susan Gola of McGriff, Seibels & Williams, Inc. in putting together the bid packet for the District's Property and Liability insurance program. These bids are usually solicited by direct contract from the District's consultant to the market, however, the District is required to advertise in the local newspaper as well. The District's current coverages are due to expire on June 1<sup>st</sup>. Commissioner Wood moved to authorize Staff to advertise and solicit for bids for the District's property and liability insurance program, Commissioner Reed seconded, and the motion passed unanimously.

**9. Consideration and Action to authorize the Chairman to execute a Change Request to add a Property Management Module to the District's Software License Agreement with Saab Technologies, Ltd.**

Ms. Hernandez addressed the Board requesting authorization for the Chairman to execute a Change Request to add a Property Management Module to the District's Software License Agreement with Saab Technologies, Ltd. The Board of Commissioners authorized Staff to award the District's Request for Proposals for a Lease Management Information System to **Saab Technologies** (*formerly Klein Systems*). This new lease management software will support the District in managing its 200 plus leases. Currently, lease agreements are manually maintained and billed. Saab's Property Module met the RFP specifications to include system requirements for maintaining electronic workflow approvals for new lease applications, automating the billing of leases, and providing electronic tickler systems of upcoming lease renewals and deadlines. The software also includes event driven information communications such as email notifications to tenants for invoices, lease renewals, and property insurance notices. The District already has an executed Software License Agreement with Saab for the Port Management Information System (PortControl) used for the vessel and cargo billings since 2013. Saab's Property Module would be an extension of the current PortControl system which is installed in District servers. It will also be

integrated with the District's vessel & cargo operations to assist in volume dependent leases such as minimum annual guaranteed charges and includes unlimited user licenses. Lastly, Saab offers the District the unique customization of a PORT lease, not a generic commercial tenant record. The Change Request to the Software License Agreement is ready for the Board's approval. Saab anticipates a 4 to 5-month implementation schedule from the date of contract execution. Commissioner Reed moved to approve the Change Request with Saab Technologies and approve payment upon delivery of the Property Management module and presentation of invoice, Commissioner Wood seconded, and the motion passed unanimously.

**10. Consideration and Action on bids received for the BND Port Roads & Signage project, and to authorize BND Staff to issue the Purchase Order for this work.**

Mr. Chavez addressed the Board requesting the award of contract on bids received for the BND Port Roads & Signage project, and to authorize BND Staff to issue the Purchase Order for this work. On March 4, 2020 BND Commissioners authorized Staff to solicit bids for the various components of the 2020 BND Road Improvements project. The paving work was completed and accepted by BND Commissioners on December 16, 2020. BND Staff had been working on the striping and signage for this project and the adjacent impacted roads. The Invitation to Bid on the BND Port Roads Striping & Signage project was published in the Brownsville Herald on February 22 and March 1, 2021 and known road striping and signage contractors were invited by email and phone. The roads to be striped and signalized in this project are Chemical Road, West and East Oil Dock Road including the Oil Dock #6 segment, Anchor Road, Liquid Cargo Dock Road, and a portion of R. L. Ostos Road. On March 9, 2021 two bids were received and opened, with Valley Striping Corp. being the lowest responsive bidder at \$28,424.00. Commissioner Wood moved to award the contract for the BND Port Roads Striping & Signage project to lowest responsive bidder Valley Striping Corp. in the amount of \$28,424.00 an authorize BND Staff to issue the Purchase Order for this work, Commissioner Reed 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).**

Commissioner Wood moved to adjourn into executive session, Commissioner Reed seconded, and the motion passed unanimously. The Chairman then announced that the time was 6:20 p.m., and that the Board would adjourn into executive session.

The Chairman then announced that the time was 7:13 p.m., and that the Board had reconvened in open session.

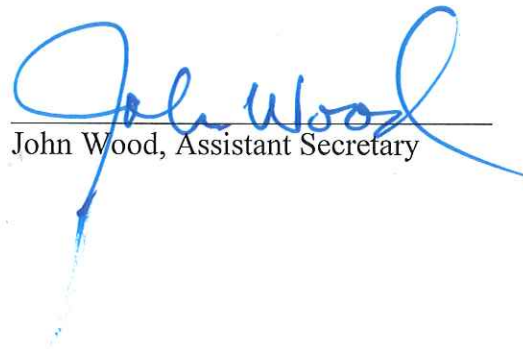
**12. Possible action on matters or items discussed in Executive Session.**


There was none.

**13. Adjournment.**

Commissioner Reed moved to adjourn the meeting, Commissioner Wood seconded, and the meeting was adjourned by unanimous consent at 7:13 p.m.

**ATTEST**

  
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John Wood, Assistant Secretary

  
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Esteban Guerra, Secretary  
(Acting Chairman of Meeting)