

**MINUTES OF A REGULAR MEETING OF THE BOARD OF NAVIGATION AND
CANAL COMMISSIONERS OF THE BROWNSVILLE NAVIGATION DISTRICT OF
CAMERON COUNTY, TEXAS HELD MAY 19, 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 via videoconference on **Wednesday, May 19, 2021 at 5:30 p.m.** The following individuals were present and absent:

PRESENT: Sergio Tito Lopez, Chairman
Ralph Cowen
Esteban Guerra
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: Ariel Chavez
Martha Gonzalez
Lorena Hernandez
Karina Franco
Jaime Martinez
Chief Carlos Garcia
Michael Davis
Tony Rodriguez
Margie Recio
Janie Velasquez
Memo Rico
Jorge Montero
Rosie Hinojosa
Blanca Melguizo
Jose Herrera

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

1. Meeting Called To Order

The Chairman called the meeting to order at 5:40 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.

Mr. Campirano then reported on the BND scholarship program. Brief discussion followed.

CONSENT AGENDA

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

- a. Approval of the Minutes of the Pilot Board Meeting and Regular Board Meeting of May 05, 2021.
- b. Approval to authorize payments over \$25,000.00:
 1. Foremost Paving, Inc, the amount of \$2,295,230.38, for BND South Port Connector Road Project.

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

Commissioner Cowen then moved to approve the minutes of the May 5, 2021 Pilot Board meeting and Regular Board meeting, which were inadvertently passed over in the reading of the previous item, Commissioner Wood seconded, and the motion passed unanimously.

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

Ms. Gonzalez addressed the Board regarding the following items:

1. Cellco Partnership dba Verizon Wireless (Authority to negotiate)

Staff requested Authority to Negotiate a lease with Cellco Partnership d/b/a Verizon Wireless for land space for installing a 180 foot Communication Services Tower. The property of interest is located in the land space area available at 18101 Red Fish Rd. The proposed purpose clause is for Telephone Tower/Communication Services. Commissioner Cowen moved to approve Authority to Negotiate a lease with Cellco Partnership dba Verizon Wireless, Commissioner Reed seconded, and the motion passed unanimously.

2. Shallow Stalker Boats, LLC (Authority to negotiate)

Shallow Stalker Boats, LLC is a current lessee under BND #4107. Staff requested Authority to Negotiate a new lease at an additional location. The property of interest is located at the fishing harbor on Angler's Place Rd (currently National Seafoods, Inc. BND #4108). The proposed purpose clause is for Boat Manufacturing. Shallow Stalkers Boat, LLC. wishes to purchase two buildings from National Seafoods which will serve as additional workspace for their operations and allow them to grow as a company thus creating more jobs. Commissioner Guerra moved to authorize the Staff to negotiate a new lease with Shallow Stalker Boats, LLC, Commissioner Cowen seconded, and the motion passed unanimously.

6. Consideration and Action approving the First Amendment to the BIH Project Agreement to Permit, Undertake and Finance Dredging Projects between the Brownsville Navigation District and Rio Grande LNG., LLC.

Mr. Campirano addressed the Board requesting approval on the First Amendment to the BIH Project Agreement to Permit, Undertake and Finance Dredging Projects between the Brownsville Navigation District and Rio Grande LNG, LLC. The Brownsville Navigation District (BND) entered into an agreement with Rio Grande LNG to collaborate on the improvements to the Brazos Island Harbor (BIH) Channel Improvements. The BIH Project would provide for the deepening of the Ship Channel from 42' to 52'. The agreement states that Rio Grande LNG wishes to accelerate the timely completion of the BIH Project and the Bend Easing Project by providing technical commercial and financial support to BND. This action would extend the term of the agreement to May 6, 2022. Commissioner Wood moved to approve the First Amendment to the BIH Project between the BND and Rio Grande LNG, Commissioner Reed seconded, and the motion passed unanimously.

7. Consideration and Action on sealed quotes received for the South Port Connector East Security Fence project, and to authorize BND staff to issue a Purchase Order and payment.

Mr. Chavez addressed the Board requesting review of sealed quotes received for the South Port Connector East Security Fence project, and to authorize BND staff to issue a Purchase Order and payment. On December 18, 2019 BND Commissioners awarded the South Port Connector Road project to lowest bidder Foremost Paving, Inc. (Foremost). After concurrence from TxDOT, the construction start date was set as August 10, 2020 and Foremost started construction of the project, which has since progressed steadily. The project has reached the area of the existing security perimeter fence, which now needs to be relocated. Drawings were prepared and sealed quotes were invited from five local area fencing contractors to install the South Port Connector East Security Fence. The Sealed Quote Opening was held on May 3rd, 2021 with two contractors submitting bids. The lowest sealed quote was received from Hurricane Fence Co., in the amount of \$29,988.89 for this portion of the fence. Discussion followed regarding the quotes and the project. Commissioner Reed moved to authorize Staff to issue the Purchase Order for the South Port Connector East Security Fence to lowest responsive sealed quote submitter Hurricane Fence Co. in the amount of \$29,988.89 and authorize BND Staff to issue payment upon completion and inspection of the work, Commissioner Wood 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; 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.

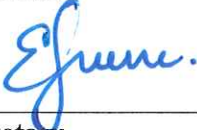
9. Possible action on matters or items discussed in Executive Session.

There was none.

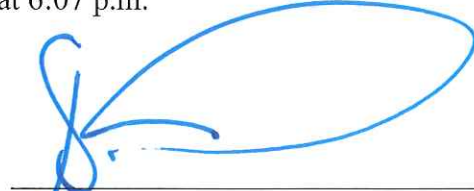
10. Adjournment.

The meeting was adjourned by unanimous consent at 6:07 p.m.

ATTEST



Secretary



Sergio Tito Lopez
Chairman of the Board