

**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, 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, November 17, 2021 at 5:30 p.m.** The following individuals were present and absent:

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

**ABSENT:** Ralph Cowen

**ALSO PRESENT:** Eduardo A. Campirano, Port Director and CEO  
Daniel Rentfro Jr., District Counsel  
William J. Irwin, Associate District Counsel

**STAFF MEMBERS:** Melinda Rodriguez  
Arturo Gomez  
Jaime Martinez  
Ariel Chavez  
Chief Carlos Garcia  
Michael Davis  
Margie Recio  
Janie Velasquez  
Jorge Montero  
Karina Franco  
Jose Herrera  
Rosie Hinojosa  
Blanca Melguizo  
Officer Xavier Torres Jr.

**OTHERS PRESENT:** Rev. Andreas Lewis  
Katherine Diaz  
George Gavito  
Family of Officer Xavier Torres Jr.  
Jorge de la Colina

**1. Meeting Called To Order**

The Chairman called the meeting to order at 5:35p.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**

Katherine Diaz, of Texas A&M University, addressed the Board regarding Texas A&M's workforce training program.

Chief Garcia then addressed the Board and swore in Officer Xavier Torres, Jr. Officer Torres addressed the Board and thanked the Port for the opportunity to serve.

## **3. Receive Director's Report**

### **a. Receive Port Monthly Operations Summary Report**

Ms. Franco made the report to the Board. Discussion followed. Commissioner Reed asked Ms. Franco questions regarding the year-to-date property tax figures in her report.

## **CONSENT AGENDA**

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

- a. Approval of the Minutes of the Regular Board Meeting of November 03, 2021.
- b. Approval to authorize payments over \$25,000.00:
  1. R.M. Walsdorf, Inc., the amount of \$131,581.80, for Oil Dock #6 Bulkhead; and
  2. Foremost Paving, the amount of \$1,221,814.79, for BND South Port Connector.

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

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

Mrs. Rodriguez addressed the Board regarding the following items:

#### **1. Shallow Stalker Boats, LLC (Authority to Negotiate)**

Shallow Stalker Boats, LLC. is a current lessee and has requested a new lease to replace an existing sign (length 6 feet and width of 16 feet and 1 inch) located at the corner of HWY 48 and Anglers Place Road. Commissioner Reed moved to grant staff authority to negotiate a new lease with Shallow Stalker Boats, LLC, Commissioner Guerra seconded, and the motion passed unanimously.

#### **2. Mark Lee & Andres Delgadillo (Authority to Negotiate)**

Juan Delgadillo, current lessee under BND #1781, has requested a new lease under his sons' names, Mark Lee & Andres Delgadillo, for a 1-year term with nine renewal options of 1 year each. Lessee land site is part of Share 6 & 7, San Martin Grant. Commissioner Reed moved to grant staff authority to negotiate a new lease with Mark Lee & Andres Delgadillo, Commissioner Wood seconded, and the motion passed unanimously.

**6. Consideration and Action to approve payment of the District's .65493 pro-rata portion of the 2022 Cameron Appraisal District (CAD) budget for an annual total of \$40,183.**

Ms. Franco addressed the Board requesting approval of payment of the District's 0.65493 percent pro-rata portion of the 2022 Cameron Appraisal District (CAD) budget for an annual total of \$40,183. The District and other taxing entities of the Cameron County are assessed a pro-rata portion of the Cameron Appraisal District's (CAD) annual budget based on the relationship of their individual tax levy to the tax levies of other taxing entities. The 2022 CAD adopted budget is \$6,135,371, an increase of \$401,814 from their previous 2021 budget. The District's .65493 percent pro-rata portion to total levies requires an annual contribution of \$40,183, an increase of \$3,617 or 9.89% from the District's 2021 contribution of \$36,566. Commissioner Guerra moved to authorize payment of the District's \$40,183 pro-rata contribution of the 2022 CAD Budget to be paid in four quarterly payments of \$10,045.75/each, Commissioner Reed seconded, and the motion passed unanimously.

**7. Consideration and Action on an application for a renewal of the Harbor Tug Operator's License from Signet Maritime Corporation.**

Ms. Recio addressed the Board requesting approval on application for a renewal of the Harbor Tug Operator's License from Signet Maritime Corporation. Signet Maritime Corporation has a Harbor Tug Operator's License to operate in the Port of Brownsville which will expire November 30, 2021. Staff has already received their application for a renewal of this license, with the appropriate attachment and their payment of the renewal fee. The renewal will be for a three-year term beginning December 1, 2021. Commissioner Reed moved to authorize the renewal of the Harbor Tug Operator's License for Signet Maritime Corporation to be effective December 1, 2021, for a term of three years, Commissioner Wood seconded, and the motion passed unanimously.

**8. Consideration and Action on extension of delivery date on five pickups.**

Ms. Recio addressed the Board requesting authorization on an extension of delivery date of five pickups. On August 4<sup>th</sup> the Board of Commissioners approved an extension of delivery date for seven pickups. As of November 11, two 2021 single cab trucks were delivered. Boggus Tipton has informed the District that due to the nationwide chip shortage the manufacturer still has the other five pickups on hold. The new delivery date for the 2022 pickups is 90 business days. Commissioner Reed moved to authorize the extension of the delivery date to an additional 90 business days, Commissioner Wood seconded, and the motion passed unanimously.

**9. Consideration and Action to authorize Port Director and CEO to execute Agreement with lessee West Plains, LLC to share costs of engineering services for a Structural Analysis on Bulk Cargo Dock of Surface Loads and Ramp Structures.**

Mr. Campirano addressed the Board requesting authorization for Port Director and CEO to execute Agreement with lessee West Plains, LLC to share costs of engineering services for a Structural Analysis on Bulk Cargo Dock of Surface Loads and Ramp Structures. BND and West Plains has been engaged in discussions on improvements to the West Plains lease site and to the Bulk Cargo Dock. These discussions have been centered on the award of the Port Infrastructure Development Program Grant associated with improvements to the grain elevator facility, lease infrastructure improvements and equipment for loading and unloading ships. The use of the Bulk Cargo Dock figures prominently in the future operations of the grain elevator facility. West Plains is planning

to engage consultant HDR Engineering to perform a Structural Analysis of the dock. The work to be performed by HDR will include (1) Project Management, (2) Preliminary Modeling and Analysis of Surface Loads on Dock and Ramp Structures, Above and Underwater Inspection and (4) Condition Assessment and Structural Analysis Deliverables will include the Preliminary Structural Analysis Report based on existing condition and recommended repairs. HDR is proposing to perform the dock analysis for a not-to-exceed fee of \$137,614.00. West Plains is requesting that BND enter into an agreement to share the cost on a 50%/50% basis. The amount that would be paid by BND would not exceed \$68,807.00. Discussion followed regarding the condition of the dock and the status of negotiations with West Plains and West Plains' grant application. Commissioner Guerra moved to table the item, Commissioner Reed 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, including the annual evaluation of the Port Director / Chief Executive Officer (§551.074); and to conduct deliberations regarding economic development negotiations (§551.087).**

The Chairman then announced that the time was 6:23 p.m. Commissioner Guerra moved to adjourn into executive session, Commissioner Reed seconded, and the motion passed unanimously. The Board then adjourned into executive session.

The Chairman then announced that the time was 7:15 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.

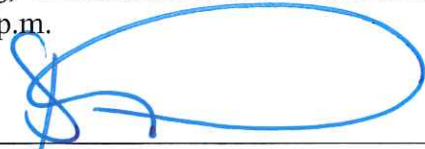
**12. Adjournment.**

Commissioner Guerra moved to adjourn the meeting, Commissioner Reed seconded, and the meeting was adjourned by unanimous consent at 7:15 p.m.

ATTEST



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Esteban Guerra, Secretary

  
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Sergio Tito Lopez  
Chairman of the Board