

**MINUTES OF A REGULAR MEETING OF THE BOARD OF NAVIGATION AND  
CANAL COMMISSIONERS OF THE BROWNSVILLE NAVIGATION DISTRICT OF  
CAMERON COUNTY, TEXAS HELD MAY 4, 2022 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, May 4, 2022 at 5:30 p.m.** The following individuals were present and absent:

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

**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:** Ariel Chavez  
Michael Davis  
Arturo Gomez  
Jose Herrera  
Jaime Martinez  
Jorge Montero  
Memo Rico  
Melinda Rodriguez  
Lieutenant Julio Romo  
Janie Velasquez  
Zeus Yanez  
Pablo Esquivel

**OTHERS PRESENT:** Rev. Andreas Lewis  
Mike Furgatch  
Juan Turrubiates  
Jorge de la Colina

**1. Meeting Called To Order**

The Chairman called the meeting to order at 5:31 p.m. Mr. Chavez offered a prayer. The Chairman then led those present in the Pledge of Allegiance to the United States and Texas flags.

**2. Public Audience**

Juan Turrubiates addressed the Board regarding the pollution insurance requirements for port lessees.

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

The reports were in the agenda packet.

### **CONSENT AGENDA**

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

- a. Approval of the Minutes of the Regular Board Meeting of April 02, 2022.
- b. Approval to authorize payments over \$25,000.00:
  1. GeoSolutions, the amount of \$159,119.00, for BND Pesqueria Project;
  2. HDR Engineering, Inc., the amount of \$25,589.31, for BND Cargo Dock #3 Project; and
  3. Panel Built, Inc., the amount of \$48,388.51, for Portable Security Guardhouse.

#### **5. Consideration and Action on ratification of Steamship Agent License application by Agunsa USA, Inc.**

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

### **BIDS/AGREEMENTS/PURCHASES**

#### **6. Consideration and Action to accept proposals and authorize Port Director and CEO to enter into a professional services agreement with EarthCo. for Subsurface Exploration and Geotechnical Engineering reports on four sites.**

Mr. Gomez addressed the Board requesting acceptance of proposals and authorization for Port Director and CEO to enter into a professional services agreement with EarthCo. for Subsurface Exploration and Geotechnical Engineering reports on four sites. On April 13, 2022, the BND Economic Development Committee met to discuss site selection alternatives for industrial development projects. Four sites were identified for potential development: a) 118 acres adjacent to the truck staging area on R.L Ostos Rd, b) 9.55-acres West of the SH 550 Entrance, c) 44-acres recently acquired by the BND along Ruben M. Torres (FM 802), d) 10-acres of Patio 22 currently part of expansion project. Staff requested proposals from Earth Co., LLC for Subsurface Exploration and Geotechnical Engineering on each location mentioned above. EarthCo., LLC has provided the proposals with a total cost for the analysis of \$28,500.00. Commissioner Reed moved to accept the proposals and authorize the Port Director and CEO to enter into a professional services agreement with EarthCo LLC to conduct the above-mentioned analysis in the amount of \$28,500.00, Commissioner Guerra seconded, and the motion passed unanimously.

#### **7. Consideration and Action to authorize Port Staff to advertise for bids on the South Towers Fiber Line Replacement Project.**

Mr. Martinez addressed the Board requesting authorization for Port Staff to advertise for bids on the South Towers Fiber Line Replacement Project. The fiber line infrastructure which allows for internet access and transmission of security camera access data from different points around the port including every camera tower, the Harbor Master's Office, the Command Center, and the Main Administration Office is in need of complete replacement. Currently it is urgent that the District replace a section of fiber that runs from the south water tower to the CBP tower, approximately

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three and half miles. This section of fiber has exposure and severe damage that continues to grow due to elements like water and dirt that seeps into the fiber line. Port Staff has temporarily continued communication of data by using wireless access points, but the high amounts of data that is transmitted can overload and damage other data transmission equipment like switches and transceivers that can be very costly to replace. The current fiber line was installed over twelve years ago and is not only damaged but is obsolete. This fiber will be replaced by updated fiber that is suitable for the growing infrastructure of the Port. Commissioner Guerra moved to authorize BND Staff to prepare an invitation to Bid on the South Towers Fiber Line 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.

**8. Consideration and Action to authorize Port Staff to issue Purchase Order for Fittings for the planned BND Water Distribution Lines Replacement projects to lowest bidder AguaWorks Pipe & Supply.**

Mr. Chavez addressed the Board requesting authorization for Port Staff to issue Purchase Order for Fittings for the planned BND Water Distribution Lines Replacement projects to lowest bidder AguaWorks Pipe & Supply. On December 1, 2021, BND Staff presented the BND Master Plan for Water & Wastewater System Improvements to BND Commissioners with projects for the present and the future. Several of those projects are scheduled to be performed in Fiscal Years 2022 and 2023. In recognition of the continuing rise in cost of and the increasing lead time for materials, on February 16, 2021 BND Commissioners authorized BND Staff to publish in the local newspaper an Invitation to Bid for the pipe and materials for the projects scheduled for Fiscal Years 2022 and 2023. Of the bids received on March 15, 2022, BND Commissioners rejected the Fittings portion due to sizing discrepancies, and authorized BND Staff to re-advertise for the Fittings. BND Staff published a new Invitation to Bid on the Fittings on April 11 and April 18, 2022 and opened bids on April 26, 2022. Of the three bids received, the low bid was from AguaWorks Pipe & Supply of Brownsville, Texas, in the amount of \$152,647.01. After review of the mathematics, the bid was corrected to \$153,266.03 and still remained as the lowest bid. Commissioner Guerra moved to authorize BND Staff to issue a Purchase Order for the Fittings, as needed for the 2022-2023 BND Water Distribution Lines Replacement projects, to the lowest responsive bidder AguaWorks Pipe & Supply in the amount of \$153,266.03., to place the order to and issue payment for those materials once they are delivered, Commissioner Wood seconded, and the motion passed unanimously.

**9. 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.

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

There was none.

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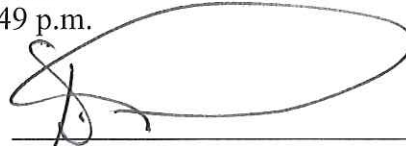
**11. Adjournment.**

Commissioner Guerra moved to adjourn the meeting, Commissioner Wood seconded, and the meeting was adjourned by unanimous consent at 5:49 p.m.

ATTEST



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Esteban Guerra, Secretary



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Sergio Tito Lopez  
Chairman of the Board