

**THE STATE OF TEXAS       §  
BROWNSVILLE NAVIGATION DISTRICT §  
COUNTY OF CAMERON     §**

Esteban Guerra, Chairman  
John Wood, Secretary  
Sergio Tito Lopez, Commissioner

Ralph Cowen, Vice Chairman  
John Reed, Commissioner

Eduardo A. Campirano, Port Director and CEO

**NOTICE A REGULAR BOARD MEETING OF THE  
BROWNSVILLE NAVIGATION DISTRICT**

Notice is hereby given that the Board of Commissioners of the Brownsville Navigation District will meet on **Wednesday, May 03, 2023**, in the Board Room located at 1000 Foust Road, Brownsville, Cameron County, Texas. The Board of Commissioners will convene in a **Regular Board Meeting at 5:30 p.m.**

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**REGULAR MEETING:**

1. Call to Order.

***INVOCATION***

***PLEDGE OF ALLEGIANCE***

2. Public Audience.  
If you wish to address the Board of Commissioners during the Public Audience portion of today's meeting about either an **item on this agenda or other issue**, please print your name and the agenda item or topic of discussion you wish to address on the Sign-In-Sheet located at the Reception Desk.

In accordance with BND Policy, only those persons who have signed up on the list shall be heard. The speaker must limit remarks to three minutes. The Board shall allot no more than 30 minutes for the Public Audience portion of the meeting. Complaints and concerns for which other channels of resolution are provided shall be directed through those channels. If the Chairman of the Board determines that a person has not attempted to resolve a matter administratively, the person shall be directed to the appropriate individual for attempted resolution before bringing the matter to the Board. A complaint against specific employees or officers of the BND shall be heard in a Closed Meeting, as authorized by the *Texas Government Code Title 5 – Sections 551.074(1) and (2)*. If your topic concerns a complaint against a specific employee or officer, please note this on the sign-in sheet. You must make your points on issues in a constructive and courteous fashion pursuant to *Robert's Rules of Order*.

3. Directors Reports

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**PROCLAMATION**

- 4. Proclamation of the Board of Navigation and Canal Commissioners of the Brownsville Navigation District honoring the life and legacy of Commissioner Lee Roy De Los Santos. 40

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**CONSENT AGENDA ITEMS**

**All Consent Agenda Items listed are considered to be routine by the BND Commission and will be approved in one motion. There will be no separate discussion of these items unless at least one BND Commissioner so requests, in which event the item will be removed from the Consent Agenda and considered separately in the Regular Agenda.**

- 5. Consideration and ACTION on the following Consent Agenda Items:
  - a) Approval of the Minutes of the Regular Board Meeting of April 19, 2023. 42

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**ACTION ITEMS**

- 6. Consideration and ACTION on Leases, Assignments, Negotiations, Easements Subleases, and Contracts in General: (MR)

1.	Espinoza Manufacturing Solutions LLC (Authority to Negotiate)	47
2.	Jole Enterprise LLC (Authority to Negotiate)	50
3.	Ternium USA Inc. (Authority to Negotiate)	53
4.	Rio Grande , LLC [Third Amendment to Lease Agreement and First Amendment to Memorandum of Lease Agreement, Consent and Estoppel Certificate and Agreement, Non-Disturbance and Attorney Agreements (TF Sublease, CF Sublease)]	56

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**BIDS/AGREEMENTS/PURCHASES**

- 7. Consideration and ACTION to authorize for bid for Purchase of Three New 2024 Dump Trucks and to negotiate a possible trade in value for the existing two 2008 Dump Trucks. (JH) 57

- 8. Consideration and ACTION to authorize Staff to submit a Real Estate Application on relocating the levees and modifications to the boundary of Dredged Material Placement Area No. 8 to the U.S. Army Corps of Engineers on behalf of the Port. (AC) 62
- 9. Consideration and ACTION to authorize Chairman of the Board Esteban Guerra and Secretary of the Board John Wood to execute the U.S. Army Corps of Engineers' Consent to Easement Structures for the Brazos Island Harbor Easement Tract No. 9 on behalf of the Port. (AC) 66

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**EXECUTIVE SESSION:**

- 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 deliberate the purchase, exchange, lease, or value of real property; 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).
- 11. Possible ACTION on matters or items discussed in Executive Session.
- 12. Adjournment.

**NOTE:** The Board of Commissioners reserves the right to discuss any items in Executive Session whenever authorized under the Texas Open Meetings Act, Chapter 551, Title 5 of the *Texas Government Code*.

**NOTE:** The Brownsville Navigation District does not discriminate on the basis of disability in the admission of, access to, treatment of, or employment in its programs, activities, or public meetings. Any individual with a disability in need of an accommodation is encouraged to contact the Director of Human Resources by Monday, no later than 5:00 P.M., to make proper arrangements.

I certify that a copy of the May 03, 2023 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on April 28, 2023. I further certify that the Agenda was posted on the BND's website and can be downloaded by accessing: [www.portofbrownsville.com](http://www.portofbrownsville.com).

  
 Eduardo A. Campirano, Port Director & CEO  
 Brownsville Navigation District