

**MINUTES OF A REGULAR MEETING OF THE BOARD OF NAVIGATION AND
CANAL COMMISSIONERS OF THE BROWNSVILLE NAVIGATION DISTRICT OF
CAMERON COUNTY, TEXAS HELD APRIL 19, 2023 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, April 19, 2023 at 5:30 p.m.** The following individuals were present and absent:

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

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
Michael Davis
Karina Franco
Chief William Dietrich
Arturo Gomez
Jose Herrera
Jorge Montero
Margie Recio
Memo Rico
Melinda Rodriguez
Janie Velasquez
Zeus Yanez
Miguel Barajas

OTHERS PRESENT: Rev. Andreas Lewis
Bob Berry

1. Meeting Called To Order

The Chairman called the meeting to order at 5:37 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

Mr. Yanez made the report to the Board. Discussion followed.

CONSENT AGENDA

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

- a. Approval of the Minutes of the Regular Board Meeting of April 05, 2023.
- b. Approval to authorize payments over \$25,000.00:
 1. RLB Contracting, the amount of \$1,573,110.00, for 2022 Placement Areas 5B, 7 & 8 improvements.

5. Consideration and Action to ratify authorization for Port Staff to solicit Request for Proposals for IT Support Services.

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

6. Presentation of District's Investment Report for the quarter ended March 31, 2023.

Mr. Yanez made a presentation on the District's Investment Report for the quarter ended March 31, 2023. Discussion followed.

7. Presentation and possible Action to approve the development of a 118-acre tract of land and authorize staff to proceed with the procurement of necessary materials and equipment.

Mr. Gomez made a presentation requesting the development of a 118-acre tract of land and authorization for staff to proceed with the procurement of necessary materials and equipment. The BND Economic Development Committee Members Chairman Guerra and Commissioner Reed worked collaboratively with POB staff to identify areas within the port property boundaries with industrial development potential. The POB staff identified a 118-acre tract of land, adjacent to R.L. Ostos Road on the south side of the Turning Basin. This project led to a joint multi-departmental effort to develop initial design of proposed acreage lots, Covenants and Guidelines, infrastructure estimated costs and communication strategies as well as potential sources of financing and/or public-private partnerships. Commissioner Cowen asked questions regarding the plans and costs of the project and Mr. Gomez responded. After discussion, Commissioner Reed moved to approve the initial design, Covenants and Guidelines, infrastructure costs, communication strategy and to proceed to procure all necessary materials and equipment for the Port of Brownsville's Business Park Project, Commissioner Lopez seconded, and the motion passed by a vote of 4-0. Commissioner Cowen abstained.

8. Consideration and Action on bids received for the Water Distribution Lines Replacements – Materials and to authorize staff to issue the Purchase Order to the lowest successful bidder.

Mr. Chavez addressed the Board requesting the award of bid on the Water Distribution Lines Replacement – Materials and to authorize staff to issue the Purchase Order to the lowest successful bidder. On December 21, 2023 BND Commissioners authorized staff to advertise for bids on the Waterline Replacements Materials including casings, end seals, spacers, valves, tees, elbows,

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service saddles and miscellaneous appurtenances for the installation of replacement and extension water lines on R. L. Ostos Road and Old S.H. 48. Bids were opened on April 11, 2023 with only one bid received from local vendor Core and Main in the amount of \$276,925.67. Staff reviewed the bids and tabulated unit prices, and the submitted bid complied with all bidding requirements. These materials will be installed by the Facilities Maintenance Department. Commissioner Cowen moved to approve the purchase of the Water Distribution Lines Replacement Materials to the bidder Core and Main in the amount of \$276,925.67 and authorize BND Staff to issue the Purchase Order for these materials, Commissioner Wood seconded, and the motion passed unanimously.

9. Consideration and Action to extend Master Agreement for Professional Services with consultant HDR Engineering, Inc. to October 31, 2025, for professional engineering services on current projects, and other related services.

Mr. Campirano requested that this item be tabled. Commissioner Lopez moved to table this item, Commissioner Wood seconded, and the motion passed unanimously.

10. Consideration and Action for Port Director and CEO to enter into a Professional Consulting Service Agreement with Scan13, Inc., for IT Support Services and to issue payment for such services.

Mr. Campirano addressed the Board requesting approval for Port Director and CEO to enter into a Professional Consulting Service Agreement with Scan13, Inc., for IT Support Services and to issue payment for such services. In late 2022, the Port of Brownsville engaged SCAN 13 to provide virtual remediation activities for the port's information technology (IT) department. Phase I entailed activities such as ensuring server, network, and security protocols and access, data backup and recovery, user support, and remediation of network conflicts and configuration. Phase II, from April through May, entails providing virtual and on-site day-to-day IT support services and ground-up reconfiguration of hardware, virtual environments, data retention, and networking. Additionally, SCAN13 will provide technical expertise on the development and evaluation of Request for Proposals (RFPs) for the implementation of an outsourced IT model consisting of a Managed Service Provider (MSP) and on-site POB IT helpdesk personnel. This hybrid IT model will facilitate a seamless transition, where SCAN13 exists and ceases engagement in June, and the awarded MSP assumes oversight of day-to-day IT operations and activities. Commissioner Lopez moved to authorize the Port Director and CEO to enter into a Professional Consulting Services Agreement with SCAN13, Inc., for IT Support Services and issue payment for such services for a total amount of \$90,000.00, Commissioner Wood 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, including the annual evaluation of the Port Director / Chief Executive Officer (§551.074); and to conduct deliberations regarding economic development negotiations (§551.087).

There was none.

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

There was none.

13. Adjournment.

Commissioner Lopez moved to adjourn the meeting, Commissioner Reed seconded, and the meeting was adjourned by unanimous consent at 6:08 p.m.

ATTEST



John Wood, Secretary



Esteban Guerra
Chairman of the Board