

**MINUTES OF A REGULAR MEETING OF THE BOARD OF NAVIGATION AND  
CANAL COMMISSIONERS OF THE BROWNSVILLE NAVIGATION DISTRICT OF  
CAMERON COUNTY, TEXAS HELD AUGUST 16, 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, August 16, 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:** Michael Davis  
Karina Franco  
Chief William Dietrich  
Arturo Gomez  
Jose Herrera  
Jorge Montero  
Margie Recio  
Melinda Rodriguez  
Janie Velasquez  
Zeus Yanez

**OTHERS PRESENT:** Rev. Andreas Lewis  
Jorge De La Colina  
Kevin Garcia

**1. Meeting Called To Order**

The Chairman called the meeting to order at 5:34 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 Directors Report**

**a. 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 August 2, 2023.
- b. Approval to authorize payments over \$25,000.00:
  1. Korn Ferry, the amount of \$46,072.04, for Talent Acquisition – Executive Search;
  2. Omega Industries, Inc., the amount of \$108,667.82, for 2023 Ostos Road Pavement Rehabilitation Project;
  3. HDR Engineering Inc., the amount of \$58,574.95, for Channel Improvement Project – Phase 2 Design Repackaging.

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

### 5. Discussion of proposed Fiscal Year 2023 Operating and Capital Budget Amendments.

Mr. Yanez presented the Board with possible revisions to the FY 2023 Operation and Capital Budget. Discussion followed. Commissioner Reed noted that there were two positions in the budget that are unfilled and should be considered when the Board takes action on the budget amendments.

### 6. Consideration and ACTION to vote on a Resolution to adopt a 2023 property tax rate for the Brownsville Navigation District at a rate not to exceed \$0.025589 per \$100 valuation.

Mr. Yanez addressed the Board requesting the vote on a Resolution to adopt a 2023 property tax rate for the Brownsville Navigation District at a rate not to exceed \$0.025589 per \$100 valuation. Texas Tax Code Chapter 26 requires taxing units to adopt a tax rate by recorded vote and Resolution no later than September 30<sup>th</sup> or 60 days after the Certified Appraisal Roll is received (7/24/2023). The Cameron County Assessor & Collector assigns its own deadline of September 15<sup>th</sup> to include the District's adopted tax rate in the October 2023 property tax bills. On August 2, 2023, the Board voted to publish a **Proposed Tax Rate of \$0.025589**. The Proposed Tax Rate is equal to the calculated voter-approval tax rate of \$0.025589 which is the highest tax rate the District may adopt without holding a mandatory election to seek voter approval of the rate. In addition, the proposed tax rate does not exceed the calculated no-new-revenue tax rate of \$0.028039, therefore, the District is not required to have a Public Hearing or use specific language on its motion to adopt its 2023 tax rate. Notices regarding the tax rate information and the "Notice of Meeting to Vote on Tax Rate" were published in the local newspaper and the District's website, as required by law. The 2023 Proposed Tax Rate, if applied to the total taxable value, will impose an amount of taxes to fund M&O expenditures for the District that would exceed the amount of taxes imposed for M&O purposes in the preceding year due to the higher 2023 proposed M&O rate of \$0.025589 compared to the 2023 no-new-revenue M&O rate of \$.024724. Commissioner Reed moved to adopt a **2023 Property Tax Rate of \$0.025589** per \$100 of valuation, which is comprised of a **maintenance and operations rate of \$0.025589** per \$100 valuation and a **debt service rate of \$0.000000** per \$100 valuation, Commissioner Cowen seconded, and the motion passed unanimously. A roll call vote was taken and each commissioner voted "Aye".

**7. Consideration and ACTION on Leases, Assignments, Negotiations, Easements, Subleases, and Contracts in General:**

Mrs. Rodriguez addressed the Board regarding the following items:

**1. Bluewing One, LLC (Option Lease)**

Bluewing One, LLC, a current lessee requested an Option to Lease for a 30-acre tract for a term from July 1, 2023 and expiring on December 31, 2023. This 30-acre tract is located north of Highway 48 adjacent to VMK Equipment Series. Commissioner Wood moved to approve an Option to Lease with Bluewing One, LLC, Commissioner Cowen seconded, and the motion passed unanimously.

**2. Espinoza Manufacturing Solutions, LLC (New Lease)**

Espinoza Manufacturing Solutions, LLC is seeking a New Lease for 2.122 acres located at 2975 Dry Dock Court for a term of one year with nine renewal options of one year each. Discussion followed regarding the terms of the lease relating to the dock and to the renewal options. After discussion, Commissioner Cowen moved to table this item, 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 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).**

There was none.

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


There was none.

**10. Adjournment.**

Commissioner Cowen moved to adjourn the meeting, Commissioner Wood seconded, and the meeting was adjourned by unanimous consent at 6:12 p.m.

ATTEST

  
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John Wood, Secretary

  
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Esteban Guerra  
Chairman of the Board