

**MINUTES OF A PILOT BOARD MEETING AND A REGULAR MEETING OF THE  
BOARD OF NAVIGATION AND CANAL COMMISSIONERS OF THE  
BROWNSVILLE NAVIGATION DISTRICT OF CAMERON COUNTY, TEXAS HELD  
DECEMBER 20, 2023 AT 5:30 P.M.**

The Board of Navigation and Canal Commissioners of the Brownsville Navigation District of Cameron County, Texas, held a Pilot Board meeting & a regular meeting on **Wednesday, December 20, 2023 at 5:30 p.m.** The following individuals were present and absent:

**PRESENT:** Ralph Cowen  
John Wood  
John Reed  
Sergio Tito Lopez

**ABSENT:** Esteban Guerra, Chairman

**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  
Chief William Dietrich  
Arturo Gomez  
Jose Herrera  
Jorge Montero  
Margie Recio  
Memo Rico  
Tony Rodriguez  
Melinda Rodriguez  
Janie Velasquez  
Zeus Yanez

**OTHERS PRESENT:** Rev. Andreas Lewis  
Kevin Garcia  
Jonathan Willett  
Jorge De La Colina  
Belinda Campirano

## **PILOT BOARD MEETING**

The Vice Chairman called the Pilot Board Meeting to order at 5:31 p.m.

### **1. Acknowledge receipt of proposed three-year Pilot Tariff.**

Jonathan Willett addressed the Board. Commissioner Wood moved to acknowledge receipt of proposed three-year Pilot Tariff. Commissioner Lopez seconded, and the motion passed unanimously.

There being no further business before the Pilot Board, the Vice Chairman proceeded on to the Regular Meeting agenda.

## **REGULAR MEETING**

### **1. Meeting Called To Order**

Reverend Lewis offered a prayer. The Vice 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 Port Monthly Operations Summary Reports**

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 December 06, 2023.
- b. Approval to authorize payments over \$25,000.00:
  1. Tidalis Americas Ltd., the amount of \$111,609.49, for Annual Klein Software Support/Maintenance licenses.

### **5. Consideration and ACTION on Line Handling Permit Renewal Application for:**

- Brownsville Mooring, LLC**
- M&M Mooring & Marine Services, LLC**

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

### **6. Consideration and ACTION on the adoption of “Order and Appointment of Agent for Election Duties for the Secretary of the Board of Commissioners’ duties related to the May 4, 2024 General Election”. (*Examinar y tomar medidas acerca de una decision sobre la adopcion de “Orden y Nombramiento de un Agente por Funciones Electorales del Secretario del Consejo De Comisionados en relacion con Eleccion General el 4 de mayo 2024.”*)**

Mrs. Recio addressed the Board to authorize the adoption of “Order and Appointment of Agent for Election Duties for the Secretary of the Board of Commissioners’ duties related to the May

4, 2024 General Election”. Under the State’s election laws, the Secretary of the Board has the duty to hold regular, daily office hours during the times that candidates may need to file election documents, specifically 50 days prior and 40 days following the election date. To administer this responsibility, as well as additional administrative duties that are assigned to the Secretary, Election Code Section 31.123 permits the Board to appoint someone to act as an agent for the Secretary in the performance of these election duties. The Director of Administrative Services has normally been appointed the agent. Commissioner Lopez moved to authorize the adoption of this Order and Appointment of Agent for Election Duties to the Director of Administrative Services, Margie Recio, Commissioner Wood seconded, and the motion passed unanimously.

**7. Consideration and ACTION to authorize Port Director & CEO to sign Subordination Agreement with Regions Bank regarding financing for American Cement Advisors, Inc.**

Mr. Campirano and Mr. Irwin addressed the Board regarding the request to authorize Port Director & CEO to sign Subordination Agreement with Regions Bank regarding financing for American Cement Advisors. American Cement Advisors, Inc. (Contract #4229) is securing financing for its operations at the Port of Brownsville. The Subordination Agreement is needed so that American Cement Advisors, Inc. may close on the loan and receive the loan proceeds. Legal Counsel reviewed the agreement and concurred that it is ready for consideration. Commissioner Lopez moved to authorize the Port Director & CEO to sign the Subordination Agreement, Commissioner Wood seconded, and the motion passed unanimously.

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

Mrs. Rodriguez addressed the Board regarding the following items:

**1. Keppel AmFELS, Inc. (Lease Amendment)**

Keppel AmFELS, Inc. a current lessee under contract #3668 is seeking a Lease Amendment to reflect name change to Seatrium AmFELS, Inc. effective July 20, 2023. Commissioner Lopez moved to approve the Lease Amendment for Keppel AmFELS, Inc., Commissioner Wood seconded, and the motion passed unanimously.

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

Espinoza Manufacturing Solutions, LLC (Contract #4680) seeks an amendment on the effective date from June 1, 2023, to September 1, 2023. The annual rent and security deposit required under the lease will be amended to reflect the correct lease rental rates on September 1, 2023. Commissioner Lopez moved to approve the Lease Amendment for Espinoza Manufacturing Solutions, LLC, Commissioner Wood seconded, and the motion passed unanimously.

**3. C.R. Trucking, LLC. (Authority to Negotiate)**

The lease with C.R. Trucking, LLC, located at 9275 Old S.H. 48 under BND Contract #3914 expires on December 31, 2023, with no renewal options. The lessee seeks Authority to Negotiate a new lease for a term of five years with two renewal terms of five years each. Commissioner Reed moved to approve the New Lease for C.R. Trucking, LLC, Commissioner Wood seconded, and the motion passed unanimously.

**9. Consideration and ACTION to Change Order No. 2 to the 2023 Ostos Road Pavement Rehabilitation project, adjusting the contract quantities and extending the contract time to provide for the additional work.**

Mr. Chavez addressed the Board to approve Change Order No. 2 to the Ostos Road Pavement Rehabilitation project, adjusting the contract quantities and extending the contract time to provide for the additional work. Foremost Paving Inc., working under contract 4622 on the 2023 Ostos Road Pavement Rehabilitation project in the amount of \$6,944,007.89 has submitted Change Order Proposal number 2 in the amount of \$33,608.00 for additional work. The additional work performed includes an increase on patching areas, removal of existing pipe found while installing new drainage concrete boxes and the installation of reinforced concrete pipes under patio 20 driveway. All contract items being adjusted are in the current contract. In addition, FPI is requesting that the contract time be extended by 15 calendar days to provide for the additional work required. The new contract amount will be \$6,977,615.89. Commissioner Wood moved to approve Change Order No. 2 to the 2023 Ostos Road Pavement Rehabilitation contract with Foremost Paving Inc., increasing the current \$6,944,007.89 contract amount by \$33,608.00, for a new contract amount of \$6,977,615.89 and extend the current contract time of 187 calendar days by 15 calendar days for a new contract time of 202 calendar days, 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 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.

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


There was none.

**12. Adjournment.**

Commissioner Wood moved to adjourn the meeting, Commissioner Reed seconded, and the meeting was adjourned by unanimous consent at 6:06 p.m.

ATTEST

  
John Wood, Secretary

  
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Esteban Guerra  
Chairman of the Board