

**MINUTES OF A REGULAR MEETING OF THE BOARD OF NAVIGATION AND
CANAL COMMISSIONERS OF THE BROWNSVILLE NAVIGATION DISTRICT OF
CAMERON COUNTY, TEXAS HELD APRIL 02, 2025 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 of the board on **Wednesday, April 02, 2025 at 5:30 p.m.**

The following individuals were present and absent:

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

ABSENT: Ernesto Gutierrez

ALSO PRESENT: William Dietrich, Port Director and CEO
William Irwin, District Counsel

STAFF MEMBERS: Arturo Gomez
Jose Herrera
Jorge Montero
Margie Recio
Janie Velasquez
Zeus Yanez
Julio Romo
Estela Rangel
Juan Resendez
Tony Rodriguez
Miguel Barajas
Carlos Martinez
Manuel Martinez
Yessenia Gonzalez

OTHERS PRESENT: Rev. Andreas Lewis
Jorge de la Colina
Representatives of 57 Concrete, LLC
Andrea Meneses
Pedro Cepeda
Ruben Lopez
Brad Piskor

REGULAR MEETING

1. Meeting Called To Order

BROWNSVILLE NAVIGATION DISTRICT MINUTES

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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 public audience addressed the Board.

3. Director's Report

The Board received the report.

Prior to consideration of the Consent Agenda, Mr. Dietrich asked that Item 5(3) be tabled. Commissioner Lopez so moved, Commissioner Reed seconded, and the motion passed unanimously.

CONSENT AGENDA

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

- a. Approval of the Minutes of the Regular Board Meeting of March 19, 2025.
- b. Approval to authorize Payments over \$25,000.00.
 1. McGriff Insurance Services, Inc., the amount of \$39,000.00, for consulting insurance fees for service period 01/22/25 through 01/22/26; and
 2. Texas Economic Development Corporation, the amount of \$25,000.00, for Texas EDC Annual Investors subscription.

Mr. Dietrich addressed the board to provide additional details regarding the Texas EDC subscription. Brief discussion followed.

Commissioner Reed moved to approve the Consent Agenda Items, Commissioner Wood seconded, and the motion passed unanimously.

ACTION ITEMS

5. Consideration and ACTION on Leases, Assignments, Negotiations, Easements, Subleases, and Contracts in general.

Mr. Dietrich addressed the Board regarding the following Items:

1. FEPO Machinery Rentals, LLC (Authority to Negotiate)

FEPO Machinery Rentals, LLC is interested in leasing 2.0 acres located at 13421 S.H. 48. The company seeks a new lease for an initial term of 1 year with 4 renewal options of 1 year each. The purpose clause will be for a satellite yard for staging heavy equipment and machinery rental. Discussion followed regarding the applicant's plans and its involvement in the Rio Grande LNG project. The Commission expressed a preference for a longer primary term rather than a one year term with one year renewal options. Commissioner Lopez moved to authorize negotiations for a new lease with FEPO Machinery Rentals, LLC, Commissioner Wood seconded, and the motion

passed unanimously.

2. Magic Valley Concrete, LLC/CAPA (Authority to Negotiate)

Magic Valley Concrete LLC, / CAPA, a current lessee, seeks a New Lease for an additional site of 5 acres located on the corner of SH 4 and South Port Connector Road. The suggested term would be for five years. The purpose clause will be for a ready-mix concrete batch plant. Discussion followed regarding the location of the proposed site and potential issues that may arise from having two plants of this nature in close proximity to one another. The Board suggested that staff examine the proposed location more closely. Commissioner Lopez moved to table this item, Commissioner Reed seconded, and the motion passed unanimously.

3. West Plains, LLC / BioUrja Brownsville Terminal, LLC (Consent to Assignment)

This item was tabled.

4. 57 Concrete, LLC (New Lease)

57 Concrete, LLC is seeking a new lease for 8 acres located on the North side of South Port Connector and Hwy 4. The initial term of this lease would be for five years with one renewal option of five years. The purpose of this lease is for a ready-mix concrete batch plant. Commissioner Reed moved to approve the New Lease for 57 Concrete, LLC, Commissioner Lopez seconded, and the motion passed unanimously.

BIDS/AGREEMENTS/PURCHASES

6. Consideration and ACTION to authorize Port Staff to purchase Rebar from White Cap through Sourcewell Co-Op Contract #091422-WCP.

Mrs. Herrera addressed the Board that BND Staff is seeking authorization to purchase Rebar from White Cap, LP through Sourcewell Co-Op Contract #091422-WCP, at a cost of \$13.50 p/p, and a total cost of \$85,536.00. This material will be used to complete the roadwork part of the Industrial Park. Commissioner Lopez moved to Authorize staff to purchase 6336 pc. of #6 Rebar from White Cap through Sourcewell Co-Op Contract #091422-WCP at a cost of \$13.50 p/p, and a total cost of \$85,536.00, Commissioner Wood seconded, and the motion passed unanimously.

7. Consideration and ACTION on request to authorize Port Staff to award bid for the purchase of two (2) sets of Hoisting Ropes/Cables for Model 6 Cranes.

Mr. Martinez addressed the Board. BND released a Request for Bids for purchase and delivery of hoisting wire & rope on February 12, 2025. BND Staff recommends the Board award the bid for the purchase and delivery of the two (2) sets of Hoisting Wire Ropes/Cables for the Model 6 Cranes to Hoisting Wire Rope & Sling, the low bidder. The department was asked to keep items in stock to prevent any crane delays due to damaged cables. The second lowest bid was from Konecranes for a total amount of \$105,260.00. The estimated lead time for the lowest bidder is 16-18 weeks. The estimated lead time for the second lowest bidder is 12 weeks. Staff is working with the low bidder to shorten the lead time as much as possible. A representative of Hoisting Wire Rope & Sling addressed the Board regarding lead times. Commissioner Wood moved to award the bid for

two (2) sets of Hoisting Wire Ropes/Cables for the Model 6 Cranes to the lowest bidder, Hoisting Wire Rope & Sling, for a total amount of \$105,060.00, Commissioner Reed 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).**

A) Discussion of lease and value of real property relating to Loma Alta substation.

B) Discussion with attorneys regarding Master Franchise Agreement with Brownsville & Rio Grande International Railway, LLC.

Commissioner Reed moved to adjourn into executive session, Commissioner Lopez seconded, and the motion passed unanimously. The Board adjourned into executive session at 5:57 p.m.

At 6:27 p.m. the Board reconvened in open session.

9. Possible ACTION on matters or items discussed in Executive Session.

There was none.

10. Adjournment.

Commissioner Wood moved to adjourn the meeting, Commissioner Reed seconded, and the meeting was adjourned by unanimous consent at 6:27 p.m.



Esteban Guerra
Chairman of the Board

ATTEST



John Reed, Secretary