

**MINUTES OF A REGULAR MEETING OF THE BOARD OF NAVIGATION AND
CANAL COMMISSIONERS OF THE BROWNSVILLE NAVIGATION DISTRICT OF
CAMERON COUNTY, TEXAS HELD FEBRUARY 4, 2026 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, February 4, 2026 at 5:30 p.m.**

The following individuals were present and absent:

PRESENT:

Esteban Guerra, Chairman
Sergio Tito Lopez, Vice Chairman
John Wood
Ernesto Gutierrez

ABSENT:

John Reed

ALSO PRESENT:

William Dietrich, Port Director and CEO
William Irwin, District Counsel

STAFF MEMBERS:

Arturo Gomez
Michael Davis
Janie Velasquez
Yessenia Gonzalez
Estela Rangel
Manuel Martinez
Zeus Yanez
Jorge Montero
Tony Rodriguez
Ervey Gonzalez
Guillermo Rico
Santos Barbosa

Carlos Garza
Margie Recio
Brittney Campos
Julio Romo
Edgar Garcia
Maria Rentrop

OTHERS PRESENT:

Rev. Andreas Lewis
Mauro Garza
Adela Garza
Xavier Valverde
Shariff Gonnella
Dr. Jesus Roberto Rodriguez

Jorge de la Colonia
Mark Hodgson
David Garcia
Martha Davila
Samantha Garza
Leyla de la Garza
Jorge Sanchez

REGULAR MEETING

1. Meeting Called To Order

At 5.32 p.m. Chairman Guerra called to order the regular meeting. 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

Xavier Valverde, of G&H Towing Company, addressed the Board regarding G&H Towing Company's engagement with the local community.

3. Director's Report

The Board received the reports.

CONSENT AGENDA ITEMS

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

- a. Approval of the Minutes of the Regular Board Meeting of January 21, 2026.
- b. Approval to authorize payments over \$25,000.
 - 1. Russel Marine LLC, the amount of \$1,023,700.05, for Cargo Dock 3 – Phase I and III Demolition and Construction project.

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

PROCLAMATION

5. Proclamation of the Board of Navigation and Canal Commissioners of the Brownsville Navigation District in honor of the 100th Anniversary of Texas Southmost College.

Chairman Guerra acknowledged Chairwoman of the Board of Trustees, Adela Garza, and Dr. Jesus Roberto Rodriguez, both of TSC and thanked them for their hard work and dedication to community. Chairman Guerra read the proclamation into the record. Commissioner Wood spoke regarding TSC's meaning to the community and to the Port. Mrs. Garza then addressed the Board and thanked the Port for its support and partnership with TSC.

ACTION ITEMS

6. Discussion and Possible ACTION on proposed amendments to the Port of

BROWNSVILLE NAVIGATION DISTRICT MINUTES

February 4, 2026

Page 2 of 5

Brownsville's Police and Security Department Procedures Manual.

Mr. Romo addressed the Board that the proposed amendments to the Port of Brownsville's Police and Security Department Procedures Manual include the adoption of a new Patrol Rifle Policy (Section 58) and an amendment to Section 48(0) - Rifles and Fully Automatic Firearm. These updates are intended to enhance officer safety, clarify deployment, storage, and handle requirements for patrol rifles, and ensure departmental compliance with applicable standards and best practices. The amendments also align the department's procedures with current operational needs and training requirements. The proposed changes have been reviewed by the Policy Committee and Legal Counsel. Commissioner Lopez moved to authorize the adoption of Section 58 - Patrol Rifle Policy and approve the amendment to Section 48 (D) of the Port of Brownsville Police and Security Department Procedures Manual as presented, with an effective date of February 5, 2026, Commissioner Gutierrez seconded, and the motion passed unanimously.

7. Consideration and ACTION to adopt a resolution authorizing submission of grant applications for FY 2027 Public Safety Office Grant Program.

Mrs. Recio addressed the Board that the Office of the Governor, through its Public Safety Office (PSO), has released the Notice of Funding Opportunity for the FY 2027 Public Safety Office Grant Program, with a deadline of February 12, 2026. The Port Police Department intends to submit grant applications under the following programs: (1) Rifle-Resistant Body Armor Grant; and (2) Body-Worn Camera Grant. These grants will support critical public safety equipment for Port Police officers. Rifle-resistant body armor will enhance officer protection during high-risk incidents, while body-worn cameras will improve transparency, accountability, and evidence collection during law enforcement activities within the Port. The Office of the Governor has established a new requirement for new applicants to submit a fully executed resolution adopted by the governing body as part of the grant application package. Commissioner Lopez moved to authorize Port Staff to submit both grant applications for the FY 2027 Public Safety Office Grant Program and approve the adoption of the required Resolution, Commissioner Gutierrez seconded, and the motion passed unanimously.

8. Consideration and ACTION on an Order and Notice of an election to be held on May 2, 2026 for the purpose of electing two Navigation and Canal Commissioners. (Consideración y acción a una Orden y Aviso de elección que se celebrara el 2 de Mayo de 2026 con el propósito de elegir dos comisionados de navegación y de canal.)

Mrs. Recio read the item in English and in Spanish and addressed the Board that the Order of Election is the official document that authorizes a political subdivision to hold an election. The order sets out the date of the election, the purpose of the election, information about filing for a place on the ballot, and information about the early voting sites. The Notice of Election has some of the information that is included in the Order of Election but also includes the Election Day polling places. Commissioner Wood moved to adopt the Order of Election and Notice of General Election for an election to be held on May 2, 2026 for the purpose of electing two Navigation and Canal Commissioners, Commissioner Lopez seconded, and the motion passed unanimously.

9. Consideration and ACTION on Assignments, Negotiations, Easements, Subleases, and Contracts in general:

Mr. Dietrich addressed the Board regarding the following Items:

1. Space Exploration Technologies Corp. – SpaceX (**Authority of Negotiate – New Lease**)

SpaceX is seeking a new lease for approximately 83 acres located along the South side of the channel. The purpose of this lease is to construct a wharf/dock to support SpaceX operations. Discussion followed. Chairman Guerra asked if there would be additional improvements besides the proposed dock. Mr. Dietrich responded that there would be an assembly line and possible light manufacturing. Commissioner Lopez requested more information be obtained, regarding the proposed improvements and timelines for construction as necessary to justify the requested 50-year lease term. Commissioner Wood moved to authorize the staff to negotiate a lease with Space Exploration Technologies Corp. (SpaceX), Commissioner Gutierrez seconded, and the motion passed unanimously.

BIDS/AGREEMENTS/PURCHASES

10. Consideration and ACTION on general counsel agreement with Rentfro, Irwin, & Irwin, PLLC.

Mr. Dietrich addressed the Board that Rentfro, Irwin, & Irwin, PLLC (RII) has served as general counsel to the District for years. RII's most recent general counsel agreement began on January 1, 2018 with a term of 3 years. On October 1, 2021, the agreement was extended for another term of 3 years, with the monthly fee for general counsel services increased to \$21,500.00. The term of the agreement expired on September 30, 2024 and RII has continued to serve as general counsel on a month to month basis, with no adjustment in the monthly fee since October 1, 2021. The new agreement, replacing the existing agreement, has an effective date of February 1, 2026 and provides for RII to perform general counsel services, including attending all regular and special board meetings, preparing and assisting in negotiation of leases, lease amendments, and other legal documents and contracts, providing oversight and review of all special counsel engagements, preparing legal opinions, and all other legal services reasonably related to serving as general legal counsel. The term of the agreement would be for 3 years, thereafter month to month, provided that the District may terminate the agreement at any time, with or without cause, and RII may withdraw at any time on reasonable notice, provided that such withdrawal does not prejudice the District in any material way. Chairman Guerra and Commissioner Lopez commented on the good work performed by Mr. Irwin. Mr. Irwin addressed the Board and thanked the Board for the opportunity and privilege to serve the Board and the District. Chairman Guerra moved to approve the new general counsel agreement with RII, Commissioner Lopez seconded, and the motion passed unanimously.

EXECUTIVE SESSION

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 deliberate the purchase, exchange, lease, or value of 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 (§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.

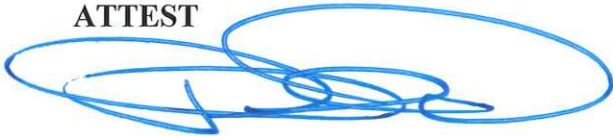
13. Adjournment.

Commissioner Lopez moved to adjourn the meeting, Commissioner Gutierrez seconded, and the meeting was adjourned by unanimous consent at 5:59 p.m.



Esteban Guerra
Chairman of the Board

ATTEST



John Reed, Secretary