

**MINUTES OF A REGULAR MEETING OF THE BOARD OF NAVIGATION AND
CANAL COMMISSIONERS OF THE BROWNSVILLE NAVIGATION DISTRICT OF
CAMERON COUNTY, TEXAS HELD MARCH 18, 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, March 18, 2026 at 5:30 p.m.**

The following individuals were present and absent:

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

ABSENT: None

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

STAFF MEMBERS: Arturo Gomez
Janie Velasquez
Yessenia Gonzalez
Estela Rangel
Manuel Martinez
Zeus Yanez
Jorge Montero
Santos Barbosa
Julio Romo
Miguel Barajas
Justin Torres
Carlos Martinez
Maria Sanchez
Ana Pascual
Carlos Garza

OTHERS PRESENT: Rev. Andreas Lewis
Jorge de la Colina
Kris Wood
Shariff Gonnella
Sergio Colorado
Sergio Colorado Sr.
Judy Colorando
Leonel Cantu
Leonel Cantu Sr.

seconded, and the motion passed unanimously.

ACTION ITEMS

- 6. Consideration and ACTION on an Amended Order and Amended Notice for an election to be held on May 2, 2026 for the purpose of electing two Navigation and Canal Commissioners. (*Consideración y acción sobre Enmienda de Orden y Enmienda de Aviso de elección que se celebrara el 2 de Mayo de 2026 con el propósito de elegir dos Comisionados de Navegación y Canal.*)**

Mrs. Recio addressed the Board that the Board of Navigation and Canal Commissioners previously adopted an Order and Notice of Election, calling for the District's general election to be held on May 2, 2026, for the purpose of electing two Navigation and Canal Commissioners to serve four-year terms. The originally adopted Order included a list of early voting locations provided by the Cameron County Elections Department. The Elections Department has since provided an updated list of early voting polling places that reflects additional early voting sites throughout Cameron County to accommodate county wide early voting. The changes include expansion of early voting locations to include Rio Hondo Municipal Center and Los Fresnos Community Center, and to remove Harlingen County Annex Building, Harlingen Cultural Arts Center, The Hub, and Harlingen CISD Administrative Building. Chairman Guerra asked whether Cameron Park was included as a early voting location. The Board asked Mrs. Recio to inquire why Cameron Park had been removed and to see if it could be included by a later amendment. Commissioner Wood moved to adopt the Amended Order of Election and the Amended 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.

- 7. Consideration and ACTION on Assignments, Negotiations, Easements, Subleases, and Contracts in general:**

Mrs. Velasquez addressed the Board regarding the following Items:

- 1. The Metals Company USA, LLC (Authority to Negotiate – Option to Lease)**

On December 17, 2025, the Board approved an Authority to Negotiate (ATN) with The Metals Company USA, LLC for an Option to Lease, allowing the company to conduct due diligence related to the potential construction and operation of a minerals processing facility. The proposed project includes the offloading and stockpiling of polymetallic nodules, as well as their processing, including crushing, mineral processing, refining, and smelting. During this period, staff has continued to work with company representatives to review their development timeline and address site-specific requirements associated with the project. As the negotiation period is set to expire on March 17, 2026, The Metals Company USA, LLC is seeking the Board's approval to extend the negotiating period by an additional sixty days, through May 16, 2026. Commissioner Lopez moved to approve a sixty-day extension on the negotiating period with The Metals Company, Commissioner Reed seconded, and the motion passed unanimously.

- 2. Special Crane Services, LLC (Bill of Sale)**

This Bill of Sale request is to transfer ownership of the one-story building located at 2601 N. Indiana Road to Special Crane Services, LLC. The building, which is approximately 13,500 square

feet in size, has been fully paid off under Contract No. 4476. Commissioner Lopez moved to approve the Bill of Sale for Special Crane Services, LLC, Commissioner Gutierrez seconded, and the motion passed unanimously.

Commissioner Gutierrez then noted he would be abstaining from Item 7(3).

3. Brownsville Gulfside Warehouse, Inc. (Amendment to Lease)

Brownsville Gulfside Warehouse, Inc., a current lessee under BND Contract #4717, is seeking the Board's approval to amend its lease agreement to modify the purpose clause, increase the size of the leased premises by 14.22-acres, and adjust the rent and security deposit. The revised purpose provides that the premises shall be used for the storage, warehousing, handling, and transloading of dry cargo, including, without limitation, bulk, breakbulk, project cargo, minerals, and general cargo, together with all customary and incidental material handling and logistics activities directly related thereto. Permitted activities include, without limitation, open-yard and dry warehouse storage, bulk handling, cargo consolidation and segregation, light manufacturing, re-handling, truck staging, and transloading of non-hazardous materials between truck and rail, railcar storage, as well as value-added services incidental to warehousing operations. The truck staging activities by third party motor carriers and logistics providers shall only be permitted to the extent they are in direct support of on-site operations and will not be permitted as a stand-alone truck parking or staging area. Staged trucks and trailers shall not carry or store hazardous materials. Additionally, the lease agreement will be amended to add approximately 14.22-acres to the current leased premises of 17.565-acres, resulting in a total of 31.785-acres. A provision has also been added requiring the property to be fenced, and the lessee must coordinate and obtain approval from the District's Engineering team on the fence materials and design prior to construction. Commissioner Reed moved to approve the Amendment to Lease for Brownsville Gulfside Warehouse, Inc., Commissioner Lopez seconded, and the motion passed 4-0. Commissioner Gutierrez abstained.

4. Marine Railway, Inc. (Renewal of Lease)

Marine Railway, Inc., (Zimco), entered into a lease agreement, (Contract #4780), with the District on June 1, 2025 for an initial term of one year. The lease provides that the lessee and District may agree to extend the agreement for up to four additional one-year terms, provided the lessee is not in default and obtains board approval. The current term expires on May 31, 2026. Lessee is seeking the Board's approval to exercise their first one-year renewal option for the period of June 1, 2026, through May 31, 2027. Staff confirms that the lease is not in default under any provision of the agreement. The purpose of the lease is for a 18x10 sign to advertise their business contact information. Commissioner Lopez moved to approve the Renewal of Lease for Marine Railway, Inc., Commissioner Gutierrez seconded, and the motion passed unanimously.

Chairman Guerra left the meeting room. Vice Chairman Lopez assumed the Chair.

BIDS/AGREEMENTS/PURCHASES

8. Consideration and ACTION to authorize Port Staff to solicit proposals for the District's property and liability insurance program.

Mrs. Recio addressed the Board that the District's Property and Liability insurance program is approaching its renewal date, with current coverage set to expire on June 1st. In preparation for securing coverage for the upcoming term, staff will be working with the District's Insurance Consultant, Acrisure, to develop a bid packet for solicitation. While proposals are typically solicited directly by the District's consultant, the District is also required to publicly advertise the request for proposals in the local newspaper to ensure an open and competitive process. Commissioner Reed moved to authorize Port staff to solicit proposals for the District's property and liability insurance program, Commissioner Wood seconded, and the motion passed by a vote of 4-0. Chairman Guerra was not present for the vote.

9. Consideration and ACTION to obtain services from Konecranes Inc. to repair and replace the Model 6 Crane luffing seals.

Mr. Dietrich addressed the Board seeking authorization to obtain services from Konecranes Inc. to repair/replace luffing seals to the Mobile Harbor Crane (Unit #737-Model 6 Crane). If approved, two Konecranes technicians will be on site for five working days to complete the repair and replacement of the luffing seals to the Mobile Harbor Crane Unit #737. Commissioner Wood asked for confirmation that this was a sole source item. Mr. Dietrich confirmed that it is. Commissioner Wood moved to authorize BND Staff to obtain services from Konecranes, Inc. in the amount of \$32,111.00 for the repair/replacement of the Luffing Seal to Mobile Harbor Crane #737- Model 6 Crane, Commissioner Gutierrez seconded, and the motion passed by a vote of 4-0. Chairman Guerra was not present for the vote.

Chairman Guerra returned to the meeting and assumed the Chair.

10. Consideration and ACTION to authorize Port Staff to solicit bids for timber materials required for Dock repairs and Port infrastructure projects.

Mr. Dietrich addressed the Board that BND Staff is requesting authorization from the Board of Commissioners to solicit bids for timber materials necessary to perform ongoing dock maintenance and repair projects to ensure the continued safety, functionality, and structural integrity of Port infrastructure. Upon Board authorization, BND staff will advertise an Invitation to Bid in the local newspaper and will make the solicitation documents available on the Port of Brownsville website and through the BidNet electronic procurement platform, www.bidnet.com. Commissioner Lopez moved to authorize Staff to prepare and advertise an invitation to bid for timber materials required for dock repairs and Port infrastructure projects, Commissioner Gutierrez seconded, and the motion passed unanimously.

Mr. Dietrich asked that 11 and 12 be taken together. Chairman Guerra noted that Items 11 and 12 would be considered together.

11. Consideration and ACTION on extension of contract with Oil Patch Fuel and Supply Inc. for the purchase and delivery of bulk fuels.

Mr. Dietrich addressed the Board that, on March 5, 2025, the Board of Commissioners awarded a contract to Oil Patch Fuel and Supply Inc. to serve as a vendor for the purchase and delivery of Bulk Fuels (Gasoline ULSD, Ultra Clear Diesel, and Red Dye Diesel). The current contract expired on March 4, 2026. The approved contract contains options to renew the contract on an annual basis. Oil Patch Fuel and Supply Inc. has agreed to maintain the same terms and conditions. If approved, this extension would be the 1st of 3 annual extension options.

12. Consideration and ACTION on extension of contract with Arguindegui Oil Co. Ltd for the purchase and delivery of bulk fuels.

Mr. Dietrich addressed the Board that, on March 5, 2025, the Board of Commissioners awarded a contract to Arguindegui Oil Co. Ltd. to serve as a vendor for the purchase and delivery of Bulk Fuels (Gasoline ULSD, Ultra Clear Diesel, and Red Dye Diesel). The current contract expired on March 4, 2026. The approved contract contains options to renew the contract on an annual basis. Arguindegui Oil Co. Ltd. has agreed to maintain the same terms and conditions. If approved, this extension would be the 1st of 3 annual extension options. Commissioner Reed asked staff about the internal processes for ordering and purchasing fuels. Mr. Dietrich, Mr. Santos, and Mr. Yanez commented on the processes and levels of internal review. Commissioner Lopez moved to approve the extensions in Items 11 and 12 as presented, Commissioner Gutierrez seconded, and the motion passed unanimously.

13. Consideration and ACTION on acceptance of work performed by South Texas Pumps, and authorization of final payment of \$84,120.00 for the purchase and installation of a fuel management system project.

Mr. Dietrich addressed the Board that, on January 26, 2026, South Texas Pumps, Inc., working under contract 4779, achieved substantial completion of the Facilities & Maintenance Fuel Management System project, including the removal and installation of aboveground fuel tanks, fuel dispensing pumps, and a monitoring system. All work has been inspected by facilities and maintenance staff and has been deemed satisfactory. All warranty documents have been submitted by the vendor and vendor provided training to the BND staff overseeing fuel operations. South Texas Pumps, Inc. is requesting acceptance of the work completed, release of final payment, and closure of the contract. Commissioner Lopez asked who took the training. Sandra Lopez will pass along the training in the event of a leak or emergency. Mr. Barbosa confirmed the project is one hundred percent complete. Commissioner Lopez moved to accept the project as complete and authorize release of final payment of \$84,120.00, Commissioner Gutierrez seconded, and the motion passed unanimously.

14. Consideration and ACTION to authorize Port Staff to solicit bids for the maintenance dredging of Cargo Docks 15 & 16 project.

Mr. Martinez addressed the Board that BND Staff is requesting authorization from the Board of Commissioners to solicit bids for the maintenance dredging of Cargo Docks 15 & 16. Staff will advertise the invitation to bid in the local newspaper and will make the solicitation documents available on the Port website, and through the BidNet electronic procurement platform, www.bidnet.com. Commissioner Lopez moved to authorize Staff to prepare an invitation to bid on the Maintenance Dredging of Cargo Docks 15 & 16 project, Commissioner Wood seconded, and the motion passed unanimously.

EXECUTIVE SESSION

15. 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.

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

There was none.

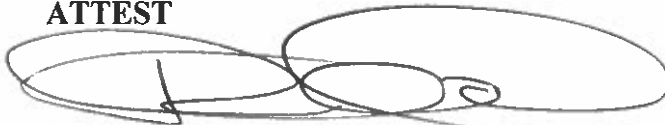
17. Adjournment.

Commissioner Lopez moved to adjourn the meeting, Commissioner Reed seconded, and the meeting was adjourned by unanimous consent at 6:07 p.m.



Esteban Guerra
Chairman of the Board

ATTEST



John Reed, Secretary