

**THE STATE OF TEXAS §
BROWNSVILLE NAVIGATION DISTRICT §
COUNTY OF CAMERON §**

Sergio Tito Lopez, Chairman
John Reed, Secretary
Luis H. Villarreal Jr., Commissioner

Ernesto Gutierrez, Vice Chairman
David A. Garcia, Commissioner

William Dietrich, Port Director and CEO

**NOTICE OF A REGULAR BOARD MEETING OF THE
BROWNSVILLE NAVIGATION DISTRICT**

Notice is hereby given that the Board of Commissioners of the Brownsville Navigation District will meet on **August 5, 2026**, in the Board Room located at 1000 Foust Road, Brownsville, Cameron County, Texas. The Board of Commissioners will convene in a **Regular Board Meeting at 5:30 p.m.**

* * * * *

REGULAR MEETING:

1. Call to Order.

INVOCATION

PLEDGE OF ALLEGIANCE

2. Public Audience.

If you wish to address the Board of Commissioners during the Public Audience portion of today's meeting about either an **item on this agenda or other issue**, please print your name and the agenda item or topic of discussion you wish to address on the Sign-In-Sheet located at the Reception Desk.

In accordance with BND Policy, only those persons who have signed up on the list shall be heard. The speaker must limit remarks to three minutes. The Board shall allot no more than 30 minutes for the Public Audience portion of the meeting. Complaints and concerns for which other channels of resolution are provided shall be directed through those channels. If the Chairman of the Board determines that a person has not attempted to resolve a matter administratively, the person shall be directed to the appropriate individual for attempted resolution before bringing the matter to the Board. A complaint against specific employees or officers of the BND shall be heard in a Closed Meeting, as authorized by the *Texas Government Code Title 5 – Sections 551.074(1) and (2)*. If your topic concerns a complaint against a specific employee or officer, please note this on the sign-in sheet. You must make your points on issues in a constructive and courteous fashion pursuant to *Robert's Rules of Order*.

3. Directors' Report

1

* * * * *

CONSENT AGENDA ITEMS

All Consent Agenda Items listed are considered to be routine by the BND Commission and will be approved in one motion. There will be no separate discussion of these items unless at least one BND Commissioner so requests, in which event the item will be removed from the Consent Agenda and considered separately in the Regular Agenda.

5. Consideration and ACTION on the following Consent Agenda Items:

a. Approval of the Minutes of the Regular Board Meeting of July 15, 2026. 54

b. Approval to authorize payments over \$25,000. 62

	Vendor	Purpose	Amount	
1.	Diverse Construction	Texas A&M Lift Station project	\$144,000.00	63
2.	Russell Marine, LLC	Cargo Dock 3 – Phase I & III Demolition and Construction project	\$397,575.00	66

* * * * *

ACTION ITEMS

6. Consideration and ACTION authorizing a Memorandum of Understanding (MOU) between Brownsville Navigation District, American Electric Power and The Metals Company. (WD) 74

7. Consideration and ACTION to acknowledge receipt of Certified Appraisal Roll and Property Tax calculations for the District's 2026 tax year levy. (ZY) 77

8. Consideration and ACTION to discuss and vote on a 2026 Proposed Tax Rate for the Brownsville Navigation District. (ZY) 107

9. Consideration and ACTION on Assignments, Negotiations, Easements, Subleases, and Contracts in General: (JV)

1.	Antojitos Freddy (Authority to Negotiate)	109
2.	Shallow Stalker Boats, LLC. (Authority to Negotiate)	112
3.	Adriana Coba, Inc. (Renewal of Lease)	115
4.	E&J Trawlers, Inc. (Renewal of Lease)	118
5.	US Department of Homeland Security – US Coast Guard (Lease Amendment)	121
6.	Ouroboros Land Enterprise, LLC (Option of Lease Extension)	124
7.	America First Refining Holdings, LLC. (Second Amendment to Lease)	127

8.	America First Refining Holdings, LLC. (Lessor Agreements – Subordination Agreement; Lessor’s Consent, Consent to Leasehold Deed of Trust and Memorandum of Lease)	131
----	---	-----

* * * * *

BIDS/AGREEMENTS/PURCHASES

10. Consideration and ACTION to authorize staff to Solicit Proposals for the District’s External Audit Services for Fiscal Years 2026-2028. (ZY) 134
11. Consideration and ACTION to adopt a resolution and ratify a submittal of an application for financial assistance under the Texas Water Development Board (TWDB) Water Supply and Infrastructure Grant program. (MM) 135
12. Consideration and ACTION to authorize Port Staff to proceed with the purchase of a Vacuum Truck for the continued work required for the Port of Brownsville, pursuant to Sourcewell Coop contract #032824-KTC. (SB) 143
13. Consideration and ACTION to approve the Purchase of 4,000 Tons of Limestone under Contract #4639C. (SB) 145

* * * * *

EXECUTIVE SESSION

14. 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).
 - a. Discussion with attorney regarding contemplated litigation relating to the BRG railroad (§ 551.071).
 - b. Discussion with attorney regarding the potential acquisition of real property, and deliberations regarding the purchase, sale, lease, or value of approximately 34.44 acres, more or less, described as Cameron Appraisal Property ID 118626; and approximately 32.23 acres, more or less, described in State Abstract 275, Survey 702A (§§ 551.071 and 551.072).

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

- a. Action, if any, pertaining to Item 15a, including engagement of outside counsel.
- b. Action, if any, pertaining to Item 15b, including authorization of negotiations to acquire real property interests in approximately 34.44 acres, more or less, described as Cameron Appraisal Property ID 118626; and approximately 32.23 acres, more or less, described in State Abstract 275, Survey 702A.

16. Adjournment.

NOTE: The Board of Commissioners reserves the right to discuss any items in Executive Session whenever authorized under the Texas Open Meetings Act, Chapter 551, Title 5 of the *Texas Government Code*.

NOTE: The Brownsville Navigation District does not discriminate on the basis of disability in the admission of, access to, treatment of, or employment in its programs, activities, or public meetings. Any individual with a disability in need of an accommodation is encouraged to contact the Director of Human Resources by Monday, no later than 5:00 P.M., to make proper arrangements.

I certify that a copy of the August 5, 2026 Agenda of items to be considered by the Brownsville Navigation District Commission was posted on the Bulletin Area at the BND Building on July 30, 2026. I further certify that the Agenda was posted on the BND's website and can be downloaded by accessing.



**William Dietrich, Port Director & CEO
Brownsville Navigation District**