

**Minutes of the Port Isabel-San Benito Navigation District  
July 16, 2024  
Regular Meeting**

**A regular meeting of the Port Isabel-San Benito Navigation and Canal Commission was held on Tuesday July 16, 2024, at 3:00 P.M., at the Port Isabel-San Benito Navigation District (PISBND) Office, located at 250 Industrial Drive, Port Isabel, Texas 78578.**

**Commissioners Present were:**

Victor Barrera, Commissioner Chairman,  
Joe Martinez, Commissioner Secretary,  
Jose L Morales, Commissioner,

**Others in Attendance were:**

Steve Bearden, Port Director/General Manager,  
Ana V. Lopez, Office Manager,  
Norton Colvin, Port Attorney  
Deborah A. Morales, San Benito City Commissioner,  
David Pettry, NorrisLeal,  
Carlos J. Galvan, Jr, Laguna Madre Water District,  
Charles Ortiz, Laguna Madre Water District  
Noe Cantu Jr, Laguna Madre Water District,  
Robert Gomez, Laguna Madre Water District,  
Brian Hansen, Laguna Madre Water District,  
Walter Wott, Frontier,  
Sandra Whitten, Texas Fully Loaded,  
Norma Valle, State Rep. Janie Lopez,  
Juan E. Rivera, CPA

The meeting was called to order by Chairman Victor Barrera at 3:00 P.M.

Item #3 on the Agenda Public Comments had no one from the public desiring to speak.

The Minutes for the Regular June 20, 2024 and July 1, 2024 Harbor Pilot Board meeting, were presented, and discussed the following motion was made:

**A motion was made by Mr. Morales and seconded by Mr. Martinez to approve July 1, 2024, Harbor Pilot meetings. Followed by a motion made by Mr. Martinez and seconded by Mr. Morales to approve the June 20, 2024, Regular meeting and Certified Agenda minutes. Motion carried unanimously.**

Next item was discussion and possible action on Laguna Madre Water District Potential Lease of Property in North Turning Basin for Desalinization Plant Water Access. After a power point presented by NorrisLeal, and a few questions answered.

**A motion was made by Mr. Morales and seconded by Mr. Martinez to acknowledge the report presented. Motion carried unanimously.**

The Commissioner went into Executive Session at 3:51 P.M with the following action:

**A motion was made by Mr. Martinez and seconded by Mr. Morales to enter Executive Session at 3:51 P.M., to consult with PISBND's (corporate) counsel, to obtain his advice about various legal issues in regard to a Tenants Lease Agreement Default Issues, which is a matter in which the duty to PISBND's Navigation and Canal Commission, under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, clearly conflicts with the Texas Open Meetings Act, pursuant to Tex. Gov't Code Ann. § 551.071 (Vernon 2012) (Consultation With Attorney; Closed Meeting). Motion carried unanimously.**

The Commissioners returned to open session at 4:07 P.M., in accordance with the following motion:

**A motion was made by Mr. Martinez and seconded by Mr. Morales to return to the open session at 4:07 P.M. and discuss only one item and there being no action taken in Executive Session. Motion carried unanimously.**

The Commissioners, after returning to open session, took up the following agenda item, “#7. Discussion and (possible) Action on matters arising from or related to the said EXECUTIVE SESSION.”

**No action was taken, and a motion was made by Mr. Morales and seconded by Mr. Martinez. Motion carried unanimously.**

Mr. Morales requested they move to item #11 next. Discussion on travel to conferences, requested by Mr. Morales. Commissioner Morales asked the board to investigate travel and conferences that would aid the board in learning more about expanding the port.

**A motion was made by Mr. Martinez and seconded by Mr. Morales to have Mr. Bearden look into possible conferences and training that PISBND could attend. Motion carried unanimously.**

Next item was to return to Item #8 on the agenda the 2023 Audit Report prepared by Roberto Lopez, CPA. Mr. Lopez, CPA/Auditor stated that it was a clean report, and he expressed his opinions. He then reviewed the "Statement of Net Position", "Statement of Revenues, Expenses and Changes in Net Position" with the Commissioners. The Commissioners asked a few questions and Mr. Lopez answered them. There being no additional questions, the following motion was made:

**A motion was made by Mr. Martinez and seconded by Mr. Morales to accept the 2023 Audit Report, as presented by Roberto Lopez, CPA, and that the 2023 Audit be forwarded to the appropriate state agencies, as required by law. Motion carried unanimously.**

**Mr. Morales exited the meeting at 4:34 P.M.**

Ana Lopez reviewed the 2<sup>nd</sup> Quarter Investment Report, for 2024 (copies attached) the report was presented by Ana V. Lopez and reviewed by Mr. Juan Rivera, CPA. After a discussion on the subject, the following action was taken:

**A motion was made by Mr. Martinez and seconded by Mr. Barrera to acknowledge the 2<sup>nd</sup> Quarter Investment Report for 2024, as reviewed by Juan E. Rivera, CPA. Motion carried unanimously.**

Next item on the agenda concerned the Texas Department of Public (DPS) Safety's request for a potential rental of facility and construction of a building, boat ramp and parking area. Mr. Bearden presented the options for the facility with the request made by the Texas Department of Public (DPS) Safety which would use 100 feet of the present General Pipe area and the balance of 200 feet would be leased to the Harbor Pilots for \$2,000 per month. He presented the possibility of a loan to pay for the project. He requested to also employ Salomon Torres to prepare the required paperwork for the loan, as well as Ferris, Flinn & Medina and other Architectural and Structural Engineering firms brought in by Ferris, Flinn & Media to assist with the pre-plans for the submission for a USDA construction loan. The cost of these pre-plans and submission paperwork for the loan is total \$46,000. Mr. Bearden laid out the plans to move General Pipe across the road to the area of the old shrimp farm where PISBND would level the area, add soil and caliche and fence. The Commissioners took the following action:

**A motion was made by Mr. Martinez and seconded by Mr. Barrera to allow Mr. Bearden to start the lease agreement(s) and process for the Texas Department of Public (DPS) Safety facility, Harbor Pilots and General Pipe. Motion carried unanimously.**



The next item on the agenda was Item #12. Mr. Bearden requested the hiring of security guards for SpaceX Launch dates to control public entrance and crowds trying to view the launch into the Port. For the amount of \$220.00/day for 2 guards through MerLion to aide in the controlling of crowds.

**A motion was made by Mr. Martinez and seconded by Mr. Barrera to allow Mr. Bearden to hire MerLion to provide 2 (two) security guards on SpaceX Launch dates. Motion carried unanimously.**

Next item on the agenda was hiring Soluciones Strategic Consulting to prepare Federal Grant Required Title VI Compliance Documents that are required. After a few questions and discussion by the commissioners.

**A motion was made by Mr. Martinez and seconded by Mr. Barrera to hire Salomon Torres, Soluciones Strategic Consulting, to prepare the Federal Grant required Title VI Compliance documents. Motion carried unanimously.**

In the Monthly Director's report Mr. Bearden reported that General Pipe was late with two months' rent and he was working with them to get caught up. He also stated he would be out of the office on Friday July 19 and Monday July 22. Next, he reviewed the August meeting date and time, and it is tentatively scheduled for Thursday August 22, 2024, at 6:00PM.

**A motion was made by Mr. Martinez and seconded by Mr. Barrera to acknowledge the Director's Report. Motion carried unanimously.**

The previous month's bills were reviewed by the Commissioners. After questions and comments about some items, the following motion was made:

**A motion was made by Mr. Martinez and seconded by Mr. Barrera to approve the payment of the bills, as presented. Motion carried unanimously.**

There being no further business to come before the Commissioners, the following motion was made:

**A motion was made by Mr. Martinez and seconded by Mr. Barrera to adjourn the meeting at 5:16 P.M.  
Motion carried unanimously.**



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**Victor Barrera, Commissioner Chairman**



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**Joe Martinez, Commissioner Secretary**



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**Jose L. Morales, Commissioner**