

**CALHOUN PORT AUTHORITY
REGULAR MEETING
May 12, 2021**

A regular meeting of the Calhoun Port Authority was held on Wednesday, May 12, 2021 at 9:00 a.m. in the Calhoun Port Authority Board Room, Calhoun Port Authority Office, Point Comfort, Texas

Board Members attending in person or via telephone were:

Commissioner # 1 – Marty Strakos
Commissioner # 2 – Jay Cuellar
Commissioner # 3 – J.C. Melcher, Jr.
Commissioner # 4 – Luis De La Garza
Commissioner # 5 – Johnny Perez
Commissioner # 6 – Dan Krueger

Staff Members attending were:

Charles R. Hausmann – Port Director
Forrest Hawes – Deputy Port Director
Alan Sanders – Moore Landrey Law Firm
Felicia Harral – Director of Engineering
Miranda Malek – Administrative Assistant

Others attending were:

Tony Holladay
H. C. Wehmeyer, Jr.-via telephone
Haley Webel – Prosperity Bank
Aaron Martin – NGL
Eric Coleman – NGL
Raymond Allan - NGL
Kevin Riggs – Alcoa
Michael Harris – Matagorda Bay Pilots
Jack Wu – Formosa Plastics
Alfred Aparicio – Alcoa
William Meyers- Frost Bank
Kali Venable – *The Advocate*
DD Turner – *The Wave* via telephone

Agenda Item No. 1: Call to Order:

Board Chair J. C. Melcher, Jr. called the Regular Meeting to order at approximately 9:05 a.m. He announced that the agenda of the meeting was posted in accordance with the provisions of the Texas Open Meetings Act.

The Pledge of Allegiance was led by Board Member Luis De La Garza.

Agenda Item No. 2: Public Comment.

No action was taken on this agenda item.

Agenda Item No. 6: Approve the minutes of the Wednesday, April 14, 2021 Regular Meeting and the Wednesday, April 21, 2021 Special Meeting.

The Board Members reviewed the minutes from the Wednesday, April 14, 2021 Regular Meeting, and the Wednesday, April 21, 2021 Special Meeting. Pursuant to further review and discussion, a motion

was made by Board Secretary Tony Holladay to approve the minutes as presented. The motion was seconded by Board Member H. C. Wehmeyer, Jr. and the motion carried unanimously.

Agenda Item No. 7: Review of Financial Reports: All Funds.

Deputy Director Forrest Hawes presented the following financial information to the Board Members for Review:

Fund Balance Report as of April 30, 2021:

- 1.) Accounts Receivable Report as of April 30, 2021
- 2.) Mr. Hawes reported to the Board Members that the accounts receivable report specified that the accounts receivable was 71% current as of April 30, 2021.

Agenda Item No. 8: Approval of Disbursements and Transfers: All Funds

The Board Members reviewed the May 12, 2021 Port Operations Account disbursements. Pursuant to review, a motion was made by Board Secretary Tony Holladay to approve disbursements and the corresponding transfers for May 12, 2021. The motion was seconded by Board Assistant Secretary Johnny Perez and the motion carried that the disbursements and the corresponding transfers be approved.

TRANSFER NO.	FUND ACCOUNT	AMOUNT
GROSS REVENUE FUND		
2021-034	To Port Operations Fund	\$79,894.44
2021-036	To Port Operations Fund	\$68,820.70
2021-038	To Port Operations Fund	\$240,457.87
	Total	\$389,173.01
BUSINESS DEVELOPMENT FUND		
2021-038	To Port Operations Fund	\$16.72
	Total	\$16.72
DEPRECIATION & MAJOR REPAIR FUND		
2021-038	To Port Operations Fund	\$
	Total	\$
AN/NH3 OPERATING FUND		
2021-038	To Port Operations Fund	\$26,623.27
	Total	\$26,623.27
TOTAL TRANSFERS TO PORT OPERATIONS ACCOUNT		\$415,813.00

INTERFUND TRANSFERS

DATE	FROM	TO	AMOUNT
5/12/21	AN/NH3 Operating	AN/NH3 Dep M/R	\$7,500.00
	Total		\$7,500.00

Agenda Item No. 9: Port Director's Report.

Charles R. Hausmann, Port Director, reported the following:

A. Harbor Traffic Statistics for the month of April:

That a total of 73 vessels had arrived at the public port facilities during the month of April; 18 deep draft arrivals and 55 inland barges and a total of 161 invoices were issued. Further, that 9 deep draft vessels were already on schedule for May arrival.

Total revenue tons for the month of April were 309,760.4 short tons. Total throughput for the first ten months of FY2021 were 2,957,638.7.

B. NGL loaded out 10 crude oil barges totaling 32,902.8 short tons.

C. Harvest loaded out 2 crude oil barges totaling 7537.5 short tons.

D. Seadrift Coke loaded out 6 barges totaling 9,131.7 short tons to 1 ship for export.

Agenda Item No. 3: Canvass the Results of the May 1, 2021 Election for District

No. 1.

Port Special Counsel Alan Sanders recommended to the Board that the canvass proceed. Port Director Charles Hausmann read aloud the final vote totals for each of the precincts and candidates provided by the Calhoun County Election Coordinator Ms. Mary Orta. The counts were as follows; Marty Strakos – 97 votes, Casey Sharp – 61 votes and Tony Holladay – 54 votes. Board Secretary Tony Holladay made a motion to accept these totals as presented. The motion was seconded by Board Member Luis De La Garza and the motion carried unanimously.

Agenda Item No. 4: Administer Oaths of Office to Board members for District Nos. 1, 5

& 6.

Port Special Counsel Alan Sanders administered the Oath of Office to the new Board Members for District Nos. 1, 5 & 6. Board Member Luis De La Garza made a motion to accept the Oaths from Board Members Strakos, Perez and Krueger. The motion was seconded by Board Member Jay Cuellar and the motion carried unanimously.

Agenda Item No. 5: Election of Board Officers for the Period of May 12, 2021 through May 10, 2023.

Board Member Jay Cuellar nominated Board Member Luis De La Garza for the office of Board Chair and the nomination was approved unanimously. Board Member J. C. Melcher, Jr. nominated Board Member Johnny Perez for Board Secretary and the nomination passed unanimously.

Agenda Item No. 10: Review and Consideration of Approval of Board Members Committee/Conference Attendance.

No action was taken on this agenda item.

Agenda Item No. 11: Review and Consideration of Bids Received for the Matagorda Ship Channel (MSC) Improvement Project, Pre-Dredge Sampling and Analysis.

No action was taken on this agenda item.

Agenda Item No. 12: Review and Consideration of Receipt of Bids for Depository Services Agreement for the Period of June 1, 2021 through May 31, 2023 and a Recommendation from Calhoun Port Authority Financial Advisor and Award.

Board Member J. C. Melcher, Jr. left the Board Room for the duration of this agenda item. Port Director Charles R. Hausmann opened 3 bids from local banks; Frost Bank, First National Bank & Prosperity Bank. Pursuant to further review and discussion, it was decided these bids would need to be reviewed in full by the port's financial advisor before a decision could be made. No action was taken on this agenda item. Board Member J. C. Melcher, Jr. rejoined the meeting after the conclusion of this agenda item.

Agenda Item No. 13: Review and Consideration of Authorization to Advertise for Bids for a Portable Gangway for use at the General Cargo Dock.

The Board Members reviewed a drawing of the portable gangway the Port Staff was proposing for the General Cargo Dock along with a budgetary proposal. The estimated price of the portable gangway is very close to the \$50,000.00 limit for purchasing therefore Port Staff felt it was prudent to advertise for bids. Pursuant to further review and discussion, a motion was made by Board Member Jay Cuellar to approve the advertisement for bids of a portable gangway. The motion was seconded by Board Secretary Johnny Perez and the motion carried unanimously.

Agenda Item No. 14: Review and Consideration of Fiscal Year 2021 Budget Amendments.

The Board Members reviewed a copy of a budget amendment for the FY2021 Budget. The amendment reflects a decrease in revenues of \$629,375 and an increase in expenditures of \$19,375.00. The total project income before depreciation was \$4,266,742.00 and it was decreased to \$3,657,992.00 with the proposed amendments. The majority of the decreases in revenue were directly related to the slow down of products being shipped over the last few months. Pursuant to further review and discussion, a motion was made by Board Member Jay Cuellar to approve the Fiscal Year 2021 Budget Amendments as presented. The motion was seconded by Board Member J. C. Melcher, Jr. and the motion carried unanimously.

Agenda Item No. 15: Closed Session: As Authorized by Tex. Gov't Code §551.087(1); to discuss or deliberate regarding commercial information that the Port has received from a business prospect that the Port seek to have locate, stay, or expand in or near the territory of the Port and with which the Port is conducting economic development negotiations. Noa discussions or deliberations shall be conducted in the presence of any business prospect, the presence (if any) of which shall be limited to presentation of information relevant to the potential economic development activity and with respect to such information it is of a confidential or business-proprietary nature.

As Authorized by Tex. Gov't Code §551.072 for the purpose of discussion with respect to the purchase, exchange, lease or value of real property. No discussions or deliberations shall be

conducted in the presence of any business prospect, the presence (if any) of which shall be limited to presentation of information relevant to the potential economic development activity and with respect to such information it is of a confidential or business-proprietary nature.

As Authorized by Tex. Gov't Code §551.071(2): to seek the advice of its attorney. No discussions or deliberations with legal counsel shall be conducted in the presence of any business prospect or any other third party that may result in waiver of the attorney-client privilege.

Board Chair Luis De La Garza announced that As Authorized by Tex. Gov't Code §551.087(1); to discuss or deliberate regarding commercial information that the Port has received from a business prospect that the Port seek to have locate, stay, or expand in or near the territory of the Port and with which the Port is conducting economic development negotiations. No discussions or deliberations shall be conducted in the presence of any business prospect, the presence (if any) of which shall be limited to presentation of information relevant to the potential economic development activity and with respect to such information it is of a confidential or business-proprietary nature.

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As Authorized by Tex. Gov't Code §551.071(2): to seek the advice of its attorney. No discussions or deliberations with legal counsel shall be conducted in the presence of any business prospect or any other third party that may result in waiver of the attorney-client privilege.

"No action or consensus would be taken in closed session". The Board convened in Closed Session at 9:52 a.m.

Agenda Item No. 16: Return to Open Session and take any action deemed necessary based on discussion in Closed Session.

The Board adjourned the Closed Session at 10:51 a.m. Board Chair Luis De La Garza announced that "No action or consensus had been taken in closed session".

Agenda Item No. 17: Review and Consideration of Amending the MOU with Ineos Nitriles USA LLC with the Calhoun Port Authority.

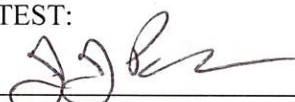
No action was taken on this agenda item.

Agenda Item No. 18: Adjourn.

There being no further business to be brought before the Board, a motion was duly made that the meeting be declared adjourned at approximately 10:58 a.m. on Wednesday, May 12, 2021.


Luis De La Garza, Board Chair

ATTEST:


Johnny Perez, Board Secretary