

**CALHOUN PORT AUTHORITY  
SPECIAL MEETING  
July 20, 2021**

A special meeting of the Calhoun Port Authority was held on Wednesday, July 20, 2021 at 12:00 p.m. in the Calhoun Port Authority Board Room, Calhoun Port Authority Office, 2313 F.M. 1593 South, Point Comfort, Texas.

Board Members attending 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 – Daniel Krueger

Staff Members attending were:

Charles R. Hausmann – Port Director  
Forrest Hawes – Deputy Port Director  
Felicia Harral – Director of Engineering  
Miranda Malek – Finance Assistant  
Alan Sanders – Law office of Moore Landrey – via telephone

Others in attendance were:

Todd Edwards – Max Midstream  
Steve Svetlik – Max Midstream  
D.D. Turner – The *Wave*

**Agenda Item No. 1: Call to Order:**

Board Chair Luis De La Garza called the Special Meeting to order at approximately 12:00 p.m. He announced that the agenda of the meeting was posted in accordance with the provisions of the Texas Open Meetings Act.

Board Chair Luis De La Garza led the meeting in the Pledge of Allegiance.

**Agenda Item No. 2: Public Comment.**

No action was taken on this agenda item.

**Agenda Item No. 3: Review and Consideration of Electing an Assistant Secretary for the Calhoun Port Authority.**

Board Chair Luis De La Garza nominated Board Member Jay Cuellar for the position of Assistant Secretary. Board Secretary Johnny Perez nominated Board Member J. C. Melcher, Jr. for the position of Assistant Secretary. Board Member Jay Cuellar received two votes and Board Member J. C. Melcher, Jr. received 4 votes. Board Member J. C. Melcher, Jr. was elected Assistant Secretary for the Calhoun Port Authority.

**Agenda Item No. 4: Authorization for the Calhoun Port Authority Board Officers and Committee Members to Travel to other Ports for Learning Purposes.**

Pursuant to further review and discussion, a motion was made by Board Secretary Johnny Perez to authorize Calhoun Port Authority Board Officers and committee members to travel to other ports for learning purposes. The motion was seconded by Board Member Jay Cuellar and the motion failed to pass due to a 3-3 vote. Another motion was made by Board Member Jay Cuellar to require prior Board authorization for Board Members to travel for learning purposes. The motion was seconded by Board Member Marty Strakos and the motion passed 4-2 with Board Assistant Secretary J. C. Melcher, Jr and Board Member Dan Krueger voting against the motion.

**Agenda Item No. 5: Review and Consideration of Ratifying Insurance Coverage Acquired for May 1, 2021 to April 30, 2022 and approve payment of coverage and fund transfers.**

Pursuant to further review and discussion, a motion was made by Board Assistant Secretary J. C. Melcher, Jr. to approve the Ratifying Insurance Coverage acquired for May 1, 2021 to April 30, 2022 and approve payment of coverage and fund transfers. The motion was seconded by Board Member Jay Cuellar and carried unanimously.

**Agenda Item No. 6: Review and Consideration of Payment of an Invoice for the Law Firm of Moore Landrey LLP that was Omitted from the Regular Payments on July 14, 2021 and Authorize transfers.**

Pursuant to further review and discussion, a motion was made by Board Secretary Johnny Perez to approve the payment of an invoice for the Law Firm of Moore Landrey LLP that was omitted from the regular payments on July 14, 2021 and authorize transfers. The motion was seconded by Board Member Dan Krueger and the motion carried unanimously.

**Agenda Item No. 7: Review and Consideration of an Easement between the Calhoun Port Authority and AEP Texas Inc. for a 0.02 Acre, Ten-Foot-Wide Easement on Port Property Leased to Simplot Fertilizer.**

Pursuant to further review and discussion, a motion was made by Board Assistant Secretary J. C. Melcher, Jr. to approve the Easement between the Calhoun Port Authority and AEP Texas Inc. for a 0.02 acre, ten-foot-wide easement on Port Property leased to Simplot Fertilizer. The motion was seconded by Board Member Dan Krueger and the motion carried unanimously.

**Agenda Item No. 8: 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. 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 §551.072 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.

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.

"No action or consensus would be taken in closed session". The Board convened in Closed Session at 12:17 p.m.

**Agenda Item No. 9: Return to Open Session and take any action deemed necessary based on discussion in Closed Session.**

The Board adjourned the Closed Session at 1:44 p.m. Board Chair Luis De La Garza announced that "No action or consensus had been taken in closed session".


**Agenda Item No. 10: Review and Consideration of Bids Received for a Portable Gangway for use at the General Cargo Docks and Take any action deemed necessary.**

Pursuant to further review and discussion, a motion was made by Board Member Jay Cuellar to readvertise for bids for the Portable Gangway for use at the General Cargo Docks due to a lack of qualified bids. The motion was seconded by Board Member Dan Krueger and the motion carried unanimously.

**Agenda Item No. 11: 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 1:48 p.m. on Tuesday, July 20, 2021.

  
Luis De La Garza, Board Chair

ATTEST:   
Johnny Perez, Board Secretary