

**CALHOUN PORT AUTHORITY
REGULAR MEETING
December 15, 2021**

A regular meeting of the Calhoun Port Authority was held on Wednesday, December 15, 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 – Law Firm of Alan Sanders – via telephone
Felicia Herral – Director of Engineering
Miranda Malek – Administrative Assistant

Others attending were:

Kevin Riggs – Alcoa
Alfred Alparicio – Alcoa
Aaron Martin - NGL
DD Turner – The *Wave*

Agenda Item No. 1: Call to Order:

Board Chair Luis De La Garza called the Regular Meeting to order at approximately 9:00 a.m. He announced that the agenda of the meeting was posted in accordance with the provisions of the Texas Open Meetings Act.

Agenda Item No. 2: Safety Briefing, Pledge of Allegiance and Invocation.

Board Chair Luis De La Garza talked about focusing on work through the holiday season. All attendees of the meeting were briefed on the location of life saving devices and the closest assembly point in the event of a Shelter in Place incident. The Pledge of Allegiance was led by Board Chair Luis De La Garza.

Agenda Item No. 3: Public Comment Written or Oral.

No action was taken on this item.

Agenda Item No. 4: Approve the minutes of the Wednesday, November 10, 2021 Regular Meeting and the Tuesday November 16, 2021 Special Meeting.

The Board Members reviewed the minutes from the Wednesday, November 10, 2021 Regular Meeting and the Tuesday, November 16, 2021 Special Meeting. Pursuant to further review and discussion, a motion was made by Board Member Jay Cuellar to approve the minutes as presented. The motion was seconded by Board Secretary Johnny Perez and the motion carried unanimously.

Agenda Item No. 5: 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 November 30, 2021:

- 1.) Accounts Receivable Report as of November 30, 2021
- 2.) Mr. Hawes reported to the Board Members that the accounts receivable report specified that the accounts receivable was 95% current as of November 30, 2021.

Agenda Item No. 6: Approval of Disbursements and Transfers: All Funds

The Board Members reviewed the December 15, 2021 Port Operations Account disbursements. Pursuant to review, a motion was made by Board Member J. C. Melcher, Jr. to approve disbursements and the corresponding transfers for December 15, 2021. The motion was seconded by Board Member Dan Krueger and the motion carried that the disbursements and the corresponding transfers be approved.

TRANSFER NO.	FUND ACCOUNT	AMOUNT
GROSS REVENUE FUND		
2021-059	To Port Operations Fund	\$80,340.59
2021-061	To Port Operations Fund	\$68,131.66
2021-062	To Port Operations Fund	\$30,057.42
2021-063	To Port Operations Fund	\$681 454.45
	Total	\$859,984.12
MAINTENANCE & OPERATIONS FUND		
2021-063	To Port Operations Fund	\$91.38
	Total	\$91.38
BUSINESS DEVELOPMENT FUND		
2021-063	To Port Operations Fund	\$321.17
	Total	\$321.17
AN/NH3 OPERATING FUND		
2021-063	To Port Operations Fund	\$30 959.19

Total	\$30,959.19
TOTAL TRANSFERS TO PORT OPERATIONS ACCOUNT	\$891,355.86

INTERFUND TRANSFERS

DATE	FROM	TO	AMOUNT
12/15/21	AN/NH3 Operating	AN/NH3 Dep M/R	\$7,500.00
	Total		\$7,500.00

Agenda Item No. 7: Port Director's Report.

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

A. Harbor Traffic Statistics for the month of November:

That a total of 108 vessels had arrived at the public port facilities during the month of November; 33 deep draft arrivals and 75 inland barges and a total of 239 invoices were issued. Further, that 18 deep draft vessels were already on schedule for December arrival.

Total revenue tons for the month of November were 496,079.6 short tons. Total throughput for the first five months of the fiscal year were 2,090,479.6 short tons.

B. NGL loaded out 6 crude oil barges totaling 18,709.5 short tons.

C. Harvest loaded out 2 crude oil barges totaling 7,271.6 short tons.

D. Seadrift Coke loaded out 6 barges to 2 ships totaling 9,904.3 short tons for export.

E. Port Maintenance continued to work on electrical repairs to the cathodic protection system, continued installing new lighting and continued to do their weekly inspections of port equipment.

Agenda Item No. 8: Board Chair Director/Deputy Director Evaluation Committee Appointments.

Board Chair, Luis De La Garza, appointed Board Secretary Johnny Perez to the committee of Director/Deputy Director Evaluation which will be responsible for holding evaluations in June of each calendar year. Board Member Jay Cuellar currently serves as head of this committee.

Agenda Item No. 9: Review and Consideration of Approval of Board Members Committee/Attendance, Committee Travel Request.

Pursuant to further review and discussion, a motion was made by Board Member Jay Cuellar to approve the Board Members Committee/Attendance meetings. The motion was seconded by Board Member Dan Krueger and the motion carried.

Agenda Item No. 10: Review and Discuss Committee Reports.

Board Secretary Johnny Perez and Board Member Marty Strakos of the Maintenance Committee discussed the gangway for the General Cargo Dock with Port Engineer, Felicia Harral. No action was taken on this agenda item.

Agenda Item No. 11: Review and Consideration of an Easement between the Calhoun Port Authority and NGL Crude Terminals LLC for Access on the Joslin tract of Land.

The Board Members reviewed a copy of the road use easement agreement between the Calhoun Port Authority and NGL prepared by Port Special Counsel, Alan Sanders. This easement allowed NGL to access their leaseholds on the Joslin Tract. Pursuant to further review and discussion, a motion was made by Board Secretary Johnny Perez to approve the easement between the Calhoun Port Authority and NGL Crude Terminals LLC for access on the Joslin tract of land. The motion was seconded by Board Member Jay Cuellar and the motion carried unanimously.

Agenda Item No. 12: Review and Consideration of an Easement Agreement and Property Description Affecting the Alcoa Tract as to Port Comfort Power's Easement.

The Board Members reviewed a copy of an Easement Agreement and Property Description Affecting the Alcoa Tract as to Port Comfort Power's Easement. Pursuant to further review and discussion, a motion was made by Board Member Jay Cuellar to approve the easement agreement and property description affecting the Alcoa tract as to Port Comfort Power's Easement. The motion was seconded by Board Secretary Johnny Perez and the motion carried unanimously.

Agenda Item No. 14: 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 seeks 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 if 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 if 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 seeks 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 if 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 9:26 a.m. after a 5-minute recess.

Agenda Item No. 15: Return to Open Session and take any action deemed necessary based on discussion in Closed Session.

The Board adjourned the Closed Session at 10:57 a.m. Board Chair Luis De La Garza announced that "No action or consensus had been taken in closed session".

Agenda Item No. 13: Review and Consideration of an Environmental Services Contract with Miller Environmental Services LLC.

No action was taken on this agenda item.

Agenda Item No. 16: Receive Chief Executive and Commissioners Comments.

No action was taken on this agenda item.

Agenda Item No. 17: 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 10:57 a.m. on Wednesday, December 15, 2021.



Luis De La Garza, Board Chair

ATTEST:



Johnny Perez, Board Secretary