

**CALHOUN PORT AUTHORITY
REGULAR MEETING
January 12, 2022**

A regular meeting of the Calhoun Port Authority was held on Wednesday, January 12, 2022 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 # 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
Felicia Harral – Director of Engineering
Miranda Malek – Administrative Assistant

Others attending were:

Steve Svetlik – Max Midstream
John Novitsky – Max Midstream
Jack Wu – Formosa Plastics Corporation
Rob Campbell-Watt – GHO
Will Burge – Max Midstream
Karim Belhadjali - GHO
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 fall safety at work. 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 and a prayer 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. 7: Port Director's Report.

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

A. Harbor Traffic Statistics for the month of December:

That a total of 103 vessels had arrived at the public port facilities during the month of December; 24 deep draft arrivals and 79 inland barges and a total of 209 invoices were issued. Further, that 14 deep draft vessels were already on schedule for January arrival.

Total revenue tons for the month of December were 444,576.4 short tons. Total throughput for the first 6 months of the fiscal year were 2,535,046.9 short tons.

- B. NGL loaded out 6 crude oil barges totaling 21,005.1 short tons.
- C. Harvest loaded out 4 crude oil barges totaling 3,856.8 short tons.
- D. Seadrift Coke loaded out 3 barges to 1 ship totaling 4,962.7 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: 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. 9: Review and Discuss Committee Reports.

No action was taken on this item.

Agenda Item No. 4: Approve the minutes of the Wednesday, December 15, 2021 Regular Meeting.

The Board Members reviewed the minutes from the Wednesday, December 15, 2021 Regular Meeting. Pursuant to further review and discussion, a motion was made by Board Member Dan Krueger to approve the minutes with the correction of the law firm name. The motion was seconded by Board Member Jay Cuellar and the motion carried unanimously.

Agenda Item No. 12: Closed Session: As Authorized by and subject to the applicable provisions of law, including but not limited to the Texas Government Code, Chapter 551, Open Meetings Act, the following topics may be considered in Closed Session:

Section 551.071 – Attorney Consultation

Section 551-072 – Real Property Transactions

Section 551.087 – Economic Development Negotiations

Board Chair Luis De La Garza announced that As Authorized by and subject to the applicable provisions of law, including but not limited to the Texas Government Code, Chapter 551, Open Meetings Act, the following topics may be considered in Closed Session:

Section 551.071 – Attorney Consultation

Section 551-072 – Real Property Transactions

Section 551.087 – Economic Development Negotiations

“No action or consensus would be taken in closed session”. The Board convened in Closed Session at 9:10 a.m.

Agenda Item No. 13: Return to Open Session and take any action deemed necessary based on discussion in Closed Session.

The Board adjourned the Closed Session at 11:56 a.m. Board Chair Luis De La Garza announced that "No action or consensus had been taken in closed session".

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 December 31, 2021:

- 1.) Accounts Receivable Report as of December 31, 2021
- 2.) Mr. Hawes reported to the Board Members that the accounts receivable report specified that the accounts receivable was 84% current as of December 31, 2021.

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

The Board Members reviewed the January 12, 2022 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 January 12, 2022. The motion was seconded by Board Member Jay Cuellar and the motion carried that the disbursements and the corresponding transfers be approved.

TRANSFER NO.	FUND ACCOUNT	AMOUNT
GROSS REVENUE FUND		
2021-064	To Port Operations Fund	\$79,920.22
2021-065	To Port Operations Fund	\$69,054.28
2021-067	To Port Operations Fund	\$922,274.52
	Total	\$1,071,249.02
MAINTENANCE & OPERATIONS FUND		
2021-067	To Port Operations Fund	\$
	Total	\$
BUSINESS DEVELOPMENT FUND		
2021-067	To Port Operations Fund	\$1,441.43
	Total	\$1,441.43
AN/NH3 OPERATING FUND		
2021-067	To Port Operations Fund	\$152,115.02
	Total	\$152,115.02
TOTAL TRANSFERS TO PORT OPERATIONS ACCOUNT		\$1,224,805.47

INTERFUND TRANSFERS

DATE	FROM	TO	AMOUNT
1/12/22	AN/NH3 Operating	AN/NH3 Dep M/R	\$7,500.00
	Total		\$7,500.00

Agenda Item No. 10: Review and Discuss Committee Reports Approval of the 2022 Holiday Schedule for the Employees of the Calhoun Port Authority.

Board Member Jay Cuellar recommended that the Calhoun Port Authority adopt a modified holiday schedule which included Martin Luther King Day. Pursuant to further review and discussion, Board Member Jay Cuellar rescinded that motion until the Employee Handbook can be updated. A motion was then made by Board Member J. C Melcher, Jr. to adopt the holiday schedule as presented. The motion was seconded by Board Secretary Johnny Perez and the motion carried unanimously.

Agenda Item No. 11: Review and Consideration of a Professional Services Agreement with Elk One Consulting.

No action was taken on this agenda item.

Agenda Item No. 14: Review and Consideration of a Memorandum of Understanding between the Calhoun Port Authority and Max Midstream Texas, LLC.


The Board Members reviewed a copy of a memorandum of understanding for Max and the Port to work together to develop a definitive agreement for any carbon sequestration project. Pursuant to further review and discussion, a motion was made by Board Member Jay Cuellar to approve a 90 day Memorandum of Understanding between the Calhoun Port Authority and Max Midstream Texas, LLC. The motion was seconded by Board Secretary Johnny Perez and the motion carried unanimously.

Agenda Item No. 15: Review and Consideration of a Right of First Refusal Agreement between the Calhoun Port Authority and Max Midstream Texas, LLC for Approximately 45.0 Acres Located on the Ports South Peninsula.

No action was taken on this agenda item.

Agenda Item No. 16: 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 12:07 p.m. on Wednesday, January 12, 2022.


 Luis De La Garza, Board Chair

ATTEST:


 Johnny Perez, Board Secretary