

**CALHOUN PORT AUTHORITY  
REGULAR MEETING  
February 9, 2022**

A regular meeting of the Calhoun Port Authority was held on Wednesday, February 9, 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 # 1 – Marvin 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:

Rhonda Cummins – Point Comfort Seafarers Center  
Kevin Riggs – Alcoa  
Toni Moss – INEOS  
Jack Wu – Formosa Plastics Corporation  
Steve Marwitz  
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. A short safety briefing was presented by Board Member Jay Cuellar regarding the careful use of space heaters. 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. 4: Approve the minutes of the Wednesday, January 12, 2022 Regular Meeting, the Friday, January 14, 2022 Special Meeting and the Tuesday, January 25, 2022 Regular Meeting.**

The Board Members reviewed the minutes from the Wednesday, January 12, 2022 Regular Meeting, the Friday, January 14, 2022 Special Meeting and the Tuesday, January 25, 2022 Regular 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 January 31, 2022:

- 1.) Accounts Receivable Report as of January 31, 2022
- 2.) Mr. Hawes reported to the Board Members that the accounts receivable report specified that the accounts receivable was 84% current as of January 31, 2022.

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

The Board Members reviewed the February 9, 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 February 9, 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
<b>GROSS REVENUE FUND</b>		
2021-068	To Port Operations Fund	\$81,762.10
2021-069	To Port Operations Fund	\$69,181.76
2021-070	To Port Operations Fund	\$66,851.14
2021-071	To Port Operations Fund	\$1,226,962.08
	Total	\$1,511,608.22
<b>MAINTENANCE &amp; OPERATIONS FUND</b>		
2021-071	To Port Operations Fund	\$
	Total	\$
<b>BUSINESS DEVELOPMENT FUND</b>		
2021-071	To Port Operations Fund	\$607.38
	Total	\$607.38
<b>AN/NH3 OPERATING FUND</b>		
2021-071	To Port Operations Fund	\$141,028.84

Total	\$141,028.84
<b>TOTAL TRANSFERS TO PORT OPERATIONS ACCOUNT</b>	<b>\$1,653,244.43</b>

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**INTERFUND TRANSFERS**

DATE	FROM	TO	AMOUNT
2/9/22	AN/NH3 Operating	AN/NH3 Dep M/R	\$7,500.00
	<b>Total</b>		<b>\$7,500.00</b>

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

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

A. Harbor Traffic Statistics for the month of January:

That a total of 90 vessels had arrived at the public port facilities during the month of January; 22 deep draft arrivals and 68 inland barges and a total of 217 invoices were issued. Further, that 10 deep draft vessels were already on schedule for February arrival.

Total revenue tons for the month of January were 360,083.3 short tons. Total throughput for the first 7 months of the fiscal year were 2,895,130.2 short tons.

B. NGL loaded out 6 crude oil barges totaling 21,191.0 short tons.

C. Harvest loaded out 2 crude oil barges totaling 7,173.4 short tons.

D. Seadrift Coke loaded out 6 barges to 1 ship totaling 9,912.0 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.

F. The hopper dredge has completed dredging of the entrance channel to the Matagorda Ship Channel Jetties.

**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 Dan Krueger to approve the Board Members Committee/Attendance meetings. The motion was seconded by Board Member Marty Strakos and the motion carried.

**Agenda Item No. 9: Review and Discuss Committee Reports.**

No action was taken on this item.

**Agenda Item No. 10: Review and Consideration of a Professional Services Agreement with Elk One Consulting and the Calhoun Port Authority.**

The Board Members reviewed a copy of the professional service agreement for Elk One Consulting (Lee Padilla). This agreement was for services to assist the Port with strategic guidance related to organizations and individuals engaging the Port in specialty media or grassroots inquires. Pursuant to further review and discussion, a motion was made to approve the Professional Services Agreement with Elk One Consulting at a rate \$4,200.00 per month on an as needed basis by Board Secretary Johnny

Perez. The motion was seconded by Board Member Jay Cuellar and the motion carried. Board Member J. C. Melcher, Jr. voted against the motion.

**Agenda Item No. 11: Review and Consideration of a Request to Purchase a Spare Loading Arm by INEOS Nitriles, USA for Acrylonitrile and Ammonia.**

The Board reviewed a copy of a Budgetary Quotation for a Spare Loading Arm size 10”/6” for ammonia and acrylonitrile. The quote was for \$469,500.00 and would be paid using the AN/NH3 Operating Fund. Ms. Toni Moss explained that this purchase was to be a sole source purchase from SVR in order to meet the required specifications of the loading arms that are already installed at the Port. Pursuant to further review and discussion, a motion was made by Board Member J. C. Melcher, Jr. to approve the purchase of a spare Loading Arm by INEOS Nitriles, USA for Acrylonitrile and Ammonia. The motion was seconded by Board Member Jay Cuellar and the motion carried unanimously.

**Agenda Item No. 12: Review and Consideration of a Request from the Point Comfort Seafarers Center for Acquiring a location inside the Port for a Seafarers Building.**

Board Member Jay Cuellar announced that due to a conflict of interest, he would be abstaining from all discussions and voting on this agenda item. Ms. Rhonda Cummins addressed the Board requesting a space located inside the Port as a location for a Seafarers Center. Pursuant to further review and discussion, a motion was made by Board Member Marty Strakos to authorize Port Director Charles Hausmann to move forward with discussions for a suitable location to serve as placement for a building to be used as a Seafarers Center. The motion was seconded by Board Member Dan Krueger and the motion carried.

**Agenda Item No. 13: Review and Consideration of a Renewal for the Ground Lease Agreement between the Calhoun Port Authority and AEP Texas, Inc. for 69kV and 138kV Transmission Lines over Port owned Submerged Land.**

The Board reviewed an updated lease agreement covering the two AEP owned transmission lines that cross the Port’s submerged lands on the north side of Highway 35 at Point Comfort. Pursuant to further review and discussion, a motion was made by Board Member J. C. Melcher, Jr. to approve the renewal of the ground lease agreement between the Calhoun Port Authority and AEP Texas, Inc. for 69kV and 138kV Transmission lines over Port owned submerged land. The motion was seconded by Board Member Dan Krueger and the motion carried unanimously.

**Agenda Item No. 14: Review and Consideration of a Renewal of an Access and Maintenance Agreement Located on 0.052 Acres of Port owned land.**

The Board Members reviewed a copy of a Renewal of the Access and Maintenance agreement between the Calhoun Port Authority and Formosa Plastics Corporation. The renewal was for a ten-year period and the rate for the ten years is \$10,500.00 which is a 5% increase over the prior rate charged. This property is located south of Formosa’s EDC plant and is used for a stormwater outfall. Pursuant to further review and discussion, a motion was made by Board Member Jay Cuellar to approve the renewal of an Access and Maintenance Agreement located on 0.052 acres of Port owned land. The motion was seconded by Board Secretary Johnny Perez and the motion carried unanimously.

**Agenda Item No. 15: 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 10:13 a.m. following a 5-minute recess.

**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 10:47 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 a Local Preference Policy for Calhoun County Companies.**

No action was taken on this agenda item.

**Agenda Item No. 18: Receive Chief Executive Commissioners Comments.**

No action was taken on this agenda item.

**Agenda Item No. 19: 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 10:49 p.m. on Wednesday, February 9, 2022.

  
Luis De La Garza, Board Chair

ATTEST:

  
Johnny Perez, Board Secretary