

**CALHOUN PORT AUTHORITY  
REGULAR MEETING  
August 10, 2022**

A regular meeting of the Calhoun Port Authority was held on Wednesday, August 10, 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 – 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  
Felicia Harral – Director of Engineering  
Miranda Malek – Finance Assistant

Others attending were:

Rhonda Cummins -Point Comfort Seafarers Association  
Steve Marwitz  
Brian Setters – AGS  
Sharon Bernard – VEDC  
Amy Blanchett – Formosa Plastics Corporation  
Jody Weaver – City of Port Lavaca  
Derrick Smith – City of Port Lavaca  
Jonas Titas - VEDC  
Jack Wu – Formosa Plastics Corporation  
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.**

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, The Texas Pledge and a prayer was led by Board Chair Luis De La Garza.

**Agenda Item No. 3: Review and Consideration of Bids Received for Security for the Calhoun Port Authority and Award Contract.**

Deputy Port Director Forrest Hawes opened the bids that were received for the Security Services at the Calhoun Port Authority. The bids were read aloud and it was announced that the bids would be reviewed in detail and the bid would be awarded at a later meeting.

**Agenda Item No. 4: Public Comment Written or Oral.**

No action taken on this agenda item.

**Agenda Item No. 5: Approve the minutes of the Wednesday, July 13, 2022 Regular Meeting.**

The Board Members reviewed the minutes from the Wednesday, July 13, 2022 Regular Meeting. Pursuant to further review and discussion, a motion was made by Board Member J. C. Melcher, Jr. to approve the minutes as presented. The motion was seconded by Board Member Jay Cuellar and the motion carried unanimously.

**Agenda Item No. 6: Review of Financial Reports: All Funds.**

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

Fund Balance Report as of July 31, 2022:

- 1.) Accounts Receivable Report as of July 31, 2022
- 2.) Mr. Hawes reported to the Board Members that the accounts receivable report specified that the accounts receivable was 98% current as of July 31, 2022.

**Agenda Item No. 7: Approval of Disbursements and Transfers: All Funds**

The Board Members reviewed the August 10, 2022 Port Operations Account disbursements. Pursuant to review, a motion was made by Board Member Jay Cuellar to approve disbursements and the corresponding transfers for August 10, 2022. The motion was seconded by Board Secretary Johnny Perez and the motion carried that the disbursements and the corresponding transfers be approved.

TRANSFER NO.	FUND ACCOUNT	AMOUNT
<b>GROSS REVENUE FUND</b>		
2022-003	To Port Operations Fund	\$79,257.53
2022-004	To Port Operations Fund	\$76,067.18
2022-006	To Port Operations Fund	\$1,249,507.08
	Total	\$1,404,831.79
<b>MAINTENANCE &amp; OPERATIONS FUND</b>		
	To Port Operations Fund	

Total

**BUSINESS DEVELOPMENT FUND**

2022-006	To Port Operations Fund	\$13,562.16	
	Total		\$13,562.16

**AN/NH3 OPERATING FUND**

2022-006	To Port Operations Fund	\$37,272.61	
	Total		\$37,272.61

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**TOTAL TRANSFERS TO PORT OPERATIONS ACCOUNT** \$1,455,666.56

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**INTERFUND TRANSFERS**

DATE	FROM	TO	AMOUNT
8/10/22	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. 8: Reports: Port Director, Engineer & Committees.**

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

- A. Harbor Traffic Statistics for the month:  
 That a total of 101 vessels had arrived at the public port facilities during the month of July; 25 deep draft arrivals and 76 inland barges and a total of 206 invoices were issued. Further, that 12 deep draft vessels were already on schedule for August arrival.  
 Total revenue tons for the month of July were 400,983.0 short tons. Total throughput for fiscal year 2023 was 400,983.0 short tons.
- B. NGL loaded out 4 crude oil barges totaling 5,886.7 short tons.
- C. Harvest loaded out 1 barge of crude oil totaling 10,566.4 short tons.
- D. Pelorus loaded 5 barges from 1 ship of C-4 Mix totaling 6,368.6 short tons.
- E. Seadrift Coke loaded out 5 barges to 1 ship totaling 7,768.5 short tons.
- F. 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.

Felicia Harral, Port Engineer, reported the following:

- A. Matagorda Ship Channel Improvement Project updates for July included PED updates, Pipeline relocation updates, Geotechnical Sampling, Environmental Sampling, Cultural Survey (Archeology) & Environmental Survey (Oyster).
- B. South Peninsula Development Project updates for July included LD-1 Dredging updates, South Peninsula Development & Mitigation Plan updates.
- C. North Peninsula Office Complex updates included New Fiber Line & Paving Roadway and Parking Lot updates.

- D. Other Port Project Updates included Surveys of INEOS proposed property exchange, AN Vapor Combustion Unit Replacement Project, GCD Gangway Project, Cathodic Protection System, Point Comfort Towing Power Supply, LP Fender Replacement & LP Potable Water Project.

**Agenda Item No. 11: Review and Consideration of a Presentation by Victoria Economic Development Corporation Regarding Economic Development for the Calhoun Port Authority.**

Mr. Jonas Titus with the Victoria Economic Development Corporation gave a brief presentation on the benefits of the Calhoun Port Authority becoming a member of the VEDC. No action was taken on this agenda item.

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

No action was taken on this agenda item.

**Agenda Item No. 10: Review and Consideration of Moving forward with a Lease for a Portable Building for the Point Comfort Seafarers Center.**

The Board Members reviewed an email from Rhonda Cummins stating the layout for placement of a 16 x 24 portable building to serve as a Seafarers Center. Pursuant to further review and discussion, a motion was made by Board Member Jay Cuellar to approve the placement for the portable building to serve as a Seafarers Center and for the Port to cover all utility costs. The motion was seconded by Board Secretary Johnny Perez and the motion carried unanimously.

**Agenda Item No. 12: Review and Consideration of a Request to Terminate the 34.12 Acre Lease by NGL Crude Terminals LLC.**

The Board reviewed a copy of an email from Mr. Alan Raymond with NGL requesting the 34.12 acres lease be terminated along with a copy of the original lease and assignment to NGL. The original lease provided a 180-day notification of termination in the lease as well as a \$1 million termination fee clause. NGL was requesting the termination fee be waived or reduced. Pursuant to further review and discussion, a motion was made by Board Member Jay Cuellar to reduce the termination fee to \$500,000 plus the remainder of the guaranteed throughput for the year. The motion was seconded by Board Member Marty Strakos and the motion carried unanimously.

**Agenda Item No. 13: Review and Consideration of a Request to Terminate the 5.0 Acres of the 7.43 acres Lease by NGL Crude Terminals LLC.**

The Board Members reviewed a copy of an email from Mr. Alan Raymond with NGL requesting the 5.0 acres of the 7.43 acres lease be terminated along with the original lease and assignment to NGL. Pursuant to further review and discussion, a motion was made by Board Member Jay Cuellar to approve the request to terminate the 5.0 acres of the 7.43 acres leased by NGL Crude Terminals LLC. The motion was seconded by Board Secretary Johnny Perez and the motion carried unanimously.

**Agenda Item No. 14: 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 10:42 a.m.

**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 11:19 a.m. Board Chair Luis De La Garza announced that “No action or consensus had been taken in closed session”.

**Agenda Item No. 16: Review and Consideration of a Request from Lavaca Pipe Line Company to Abandon 3 Natural Gas Pipelines Located in Lavaca Bay.**

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 11:29 a.m. on Wednesday, August 10, 2022.

  
Luis De La Garza, Board Chair

ATTEST:

  
Johnny Perez, Board Secretary