

**CALHOUN PORT AUTHORITY
REGULAR MEETING
April 12, 2023**

A regular meeting of the Calhoun Port Authority was held on Wednesday, April 12, 2023 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 – via telephone
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 Harral – Director of Engineering
Miranda Malek – Finance Assistant

Others attending were:

J.P. Strickland - Alcoa
Tony Belton – Texas General Land Office
Amanda Marek – Texas General Land Office
Jack Wu – Formosa Plastics Corporation Texas
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: Public Comment Written or Oral.

No action was taken on this agenda item.

Agenda Item No. 4: Approve the minutes of the Wednesday, March 8, 2023 Regular Meeting and the minutes from the Special Meeting, Friday, March 24, 2023.

The Board Members reviewed the minutes from the Wednesday, March 8, 2023 Regular Meeting and the Friday, March 24, 2023 Special Meeting. Pursuant to further review and discussion, a motion was made by Board Member Dan Krueger 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 Port Director Forrest Hawes presented the following financial information to the Board

Members for Review:

Fund Balance Report as of March 31, 2023:

- 1.) Accounts Receivable Report as of March 31, 2023
- 2.) Mr. Hawes reported to the Board Members that the accounts receivable report specified that the accounts receivable was 83% current as of March 31, 2023.

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

The Board Members reviewed the April 12, 2023 Port Operations Account disbursements. Pursuant to review, a motion was made by Board Secretary Johnny Perez to approve disbursements and the corresponding transfers for April 12, 2023. The motion was seconded by Board Member Marty Strakos and the motion carried that the disbursements and the corresponding transfers be approved.

TRANSFER NO.	FUND ACCOUNT	AMOUNT
GROSS REVENUE FUND		
2022-031	To Port Operations Fund	\$86,000.24
2022-032	To Port Operations Fund	\$75,770.72
2022-034	To Port Operations Fund	\$608,259.82
	Total	\$770,030.78
MAINTENANCE & OPERATIONS FUND		
2022-034	To Port Operations Fund	\$
	Total	\$
BUSINESS DEVELOPMENT FUND		
2022-034	To Port Operations Fund	\$648.28
	Total	\$648.28
AN/NH3 OPERATING FUND		
2022-034	To Port Operations Fund	\$431,321.34
	Total	\$431,321.34
TOTAL TRANSFERS TO PORT OPERATIONS ACCOUNT		\$1,202,000.40

INTERFUND TRANSFERS

DATE	FROM	TO	AMOUNT
4/12/23	AN/NH3 Operating	AN/NH3 Dep M/R	\$7,500.00
	Total		\$7,500.00

Agenda Item No. 9: Reports: Port Director, Engineer & Committees.

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

A. Harbor Traffic Statistics for the month:

That a total of 81 vessels had arrived at the public port facilities during the month of March; 23 deep draft arrivals and 58 inland barges and a total of 170 invoices were issued. Further, that 4 deep draft vessels were already on schedule for April arrival.

Total revenue tons for the month of March were 322,706.9 short tons. Total throughput for the first 3 quarters of fiscal year 2023 was 2,995,484.4 short tons.

B. Harvest loaded out 2 barges of crude oil totaling 6,984.3 short tons.

C. NGL loaded out 2 barges totaling 6,442.7 short tons.

D. Max loaded out 4 barges totaling 14,496.0 short tons.

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. USACE has allocated \$1.4 million dollars to get the supplement EIS started.

G. USACE has allocated \$4,950,000.00 for beginning of the jetty design deficiency project.

Felicia Harral, Port Engineer, reported the following:

A. Matagorda Ship Channel Improvement Project updates for March included PED updates, Pipeline relocation updates, Geotechnical Sampling, Environmental Sampling, Cultural Survey (Archeology) & Environmental Survey (Oyster).

B. Matagorda Ship Channel, FY 2021 Maintenance Dredging update.

C. South Peninsula Development Project updates included Bean Tract Wetlands Creation Project - South Peninsula Development & Mitigation Plan updates.

D. Other Port Project Updates included AN Vapor Combustion Unit Replacement Project, GCD Gangway Project, Cathodic Protection System, Monitor Coating, SPCCC updates and Various Port Infrastructure projects.

Agenda Item No. 8: Review and Consideration of Approval of Board Members Committee Attendance, Committee Travel Requests.

Pursuant to further review and discussion, a motion was made by Board Secretary Johnny Perez to approve the Board Members Committee Attendance. The motion was seconded by Board Member Dan Krueger and the motion carried unanimously.

*Prior to the discussion of agenda item number 9, Board Member J. C. Melcher, Jr. left the Board Room due to a conflict of interest. Mr. Melcher left at 9:17 a.m. and returned after the motion was voted upon at 9:20 a.m.

Agenda Item No. 9: Review and Consideration of Approval of Extending the Depository Services Agreement for an Additional Two Years with First National Bank in Port Lavaca.

The Board Members reviewed a copy of the Depository Services Agreement the Port has with First National Bank of Port Lavaca. Pursuant to further review and discussion, a motion was made by Board Member Dan Krueger that the Port Authority to advertise for bids for a new depository agreement. The motion was seconded by Board Member Marty Strakos and the motion carried unanimously.

Agenda Item No. 10: Review and Consideration of an Extension of a Submerged Easement Agreement Regarding 1215.2 Rods between the Calhoun Port Authority and Texas Eastern Transmission, LP.

The Board reviewed a copy of an extension to the 1215.2 rod pipeline easement along with the original easement. This was an extension for an additional ten-year easement term and the rate for the ten-year period is \$97,045.87 plus a one-time administrative fee of \$1,750.00. Pursuant to further review and discussion, a motion was made by Board Secretary Johnny Perez to agree to the extension of a submerged easement agreement regarding 1215.2 rods between the Calhoun Port Authority and Texas Eastern Transmission, LP. The motion was seconded by Board Member J. C. Melcher, Jr. and the motion carried unanimously.

Agenda Item No. 11: Review and Consideration of Transaction Documents with respect to Alcoa World Alumina, LLC, including but not limited to a Resolution Approving Transaction Documents and associated instruments such as Definitive Agreement, Submerged Land Ground Lease, Special Warranty Deed, Certifications regarding Authority and Incumbency and Closing Documents.

No action was taken on this agenda item.

Agenda Item No. 12: Review and Consideration of Authorization to Fund the Army Corps of Engineers with \$350,000.00 for the Port's Share of the Supplemental Environmental Impact Statement.

The Board members reviewed a copy of a letter requesting \$350,000.00 from the Galveston District Army Corps of Engineers for the Port's share of the supplemental environmental impact statement. Pursuant to further review and discussion, a motion was made by Board Secretary Johnny Perez to authorize to fund the Army Corps of Engineers with \$350,000.00 for the Port's share of the SEIS. The motion was seconded by Board Member Marty Strakos and the motion carried unanimously.

Agenda Item No. 13: 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 9:30 a.m.

Agenda Item No. 14: Return to Open Session and take any action deemed necessary based on discussion in Closed Session.

The Board adjourned the Closed Session at 10:40 a.m. Board Chair Luis De La Garza announced that “No action or consensus had been taken in closed session”.

Agenda Item No. 15: Review and Consideration of a Lease Option Agreement between the Calhoun Port Authority and ACME Cleantech Solutions Pvt. Ltd.

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 10:42 a.m. on Wednesday, April 12, 2023.



Luis De La Garza, Board Chair

ATTEST:



Johnny Perez, Board Secretary