

**CALHOUN PORT AUTHORITY  
REGULAR MEETING  
August 9, 2023**

A regular meeting of the Calhoun Port Authority was held on Wednesday, August 9, 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  
Commissioner # 3 – Justin Weaver  
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 – McLeod, Alexander, Powel & Apffel, PC  
Felicia Harral – Director of Engineering  
Miranda Malek – Manager of Administration

Others attending were:

Mike Woodward – Hance Scarborough  
Petrus Wassdorf – Hance Scarborough  
Louie Sanchez – Hance Scarborough  
Rhonda Cummins – Seafarers Center  
Jim Turner – Hance Scarborough  
Kent Hance – Hance Scarborough  
Gregory Salinas – McCall, Parkhurst & Horton  
Tony Belton – Texas General Land Office  
Jack Wu – Formosa Plastics Texas  
Steve Marwitz  
DD Turner – *The Wave*

**Agenda Item No. 1: Call to Order:**

Board Chair Johnny Perez 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 Secretary Luis De La Garza.

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

Ms. Rhonda Cummins provided an update on the Calhoun Port Seafarers Center.

**Agenda Item No. 4: Approve the minutes of the Wednesday July 12, 2023 Regular Meeting and the Monday, July 31, 2023 Special Meeting.**

The Board Members reviewed the minutes from the Wednesday, July 12, 2023 Regular Meeting and the Monday, July 31, 2023 Special Meeting. Pursuant to further review and discussion, a motion was made by Board Member Jay Cuellar to approve the minutes with the discussed changes. The motion was seconded by Board Member Justin Weaver 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 July 31, 2023:

- 1.) Accounts Receivable Report as of July 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 July 31, 2023.

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

The Board Members reviewed the August 9, 2023 Port Operations Account disbursements. Pursuant to review, a motion was made by Board Secretary Luis De La Garza to approve disbursements and the corresponding transfers for August 9, 2023. 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
<b>GROSS REVENUE FUND</b>		
2022-045	To Port Operations Fund	\$81,696.67
2022-046	To Port Operations Fund	\$72,648.73
2022-048	To Port Operations Fund	\$743,017.95
	Total	\$897,363.35
<b>MAINTENANCE &amp; OPERATIONS FUND</b>		
	To Port Operations Fund	
	Total	
<b>BUSINESS DEVELOPMENT FUND</b>		
2022-048	To Port Operations Fund	\$403.52
	Total	\$403.52
<b>AN/NH3 OPERATING FUND</b>		
2022-048	To Port Operations Fund	\$292,713.87

Total	\$292,713.87
<b>TOTAL TRANSFERS TO PORT OPERATIONS ACCOUNT</b>	<b>\$1,190,480.74</b>

**INTERFUND TRANSFERS**

DATE	FROM	TO	AMOUNT
8/9/23	AN/NH3 Operating	AN/NH3 Dep M/R	\$7,500.00
	<b>Total</b>		<b>\$7,500.00</b>

**Agenda Item No. 7: Reports: Port Director, Engineer & Committees.**

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

A. Harbor Traffic Statistics for the month:

That a total of 78 vessels had arrived at the public port facilities during the month of July; 28 deep draft arrivals and 50 inland barges and a total of 152 invoices were issued. Further, that 11 deep draft vessels were already on schedule for August arrival.

Total revenue tons for the month of July were 389,503.9 short tons. Total throughput for fiscal year 2024 was 389,503.9 short tons.

B. NGL loaded out 8 barges totaling 26,736.03 short tons.

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

C. North Peninsula Projects consisted of road and parking improvements.

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

E. Other Port Project Updates included AN Vapor Combustion Unit Replacement Project, GCD Gangway Project, GCD Fender Replacement, Cathodic Protection System, 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 Luis De La Garza to approve the Board Members Committee Attendance and Committee travel requests. The motion was seconded by Board Member Jay Cuellar and the motion carried unanimously.

**Agenda Item No. 9: Review and Consideration of a Memorandum of Understanding between the Calhoun Port Authority and Calhoun County, Texas Regarding Erosion Control Project upon Calhoun Port Authority Submerged Lands.**

The Board Members reviewed a copy of a Memorandum of Understanding between the Calhoun Port Authority and Calhoun County, Texas pertaining to submerged lands in the Magnolia/Indianola Beach area. County Commissioner Precinct 1 Commissioner David Hall has plans for the county to construct erosion control structures on this property. Pursuant to further review and consideration, a motion was made by Board Secretary Luis De La Garza to approve the Memorandum of Understanding between the Calhoun Port Authority and Calhoun County, Texas pertaining to submerged lands in the Magnolia/Indianola Beach area. The motion was seconded by Board Member Justin Weaver and the motion carried unanimously.

**Agenda Item No. 11: 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 Johnny Perez 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 9:32 a.m.

**Agenda Item No. 12: Return to Open Session and take any action deemed necessary based on discussion in Closed Session.**

The Board adjourned the Closed Session at 11:44 p.m. Board Chair Johnny Perez announced that “No action or consensus had been taken in closed session”.


**Agenda Item No. 10: Review and Consideration of a Right of First Refusal Regarding Approximately 25.0 Acres on the South Peninsula between the Calhoun Port Authority and Southern Bayberry LLC.**

The Board Members reviewed a copy of the Right of First Refusal (ROFR) for a 1-year term that could be extended for an additional year at Southern Bayberry’s request. The fee for each of the 1-year terms of the ROFR is \$25,000.00. Pursuant to further review and discussion, a motion was made by Board Member Jay Cuellar to approve the ROFR with a 30/120 day time limitation. The motion was seconded by Board Member Dan Krueger and the motion carried unanimously.

**Agenda Item No. 13: 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 11:46 p.m. on Wednesday, August 9, 2023.

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Johnny Perez, Board Chair

ATTEST:

  
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Luis De La Garza, Board Secretary