

**CALHOUN PORT AUTHORITY
REGULAR MEETING
October 11, 2023**

A regular meeting of the Calhoun Port Authority was held on Wednesday, October 11, 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 via telephone
Felicia Harral – Director of Engineering
Miranda Malek – Manager of Administration

Others attending were:

Tony Williams – Texas General Land Office
Tony Belton – Texas General Land Office
Amanda Marek – Texas General Land Office
Randy Wheeler - Storegga
Will Arnold - Storegga
Stephen Cornell – Storegga
Capt. Ian O’Sullivan - USACE
Michael Harris – Matagorda Bay Pilots
David Adrian – Matagorda Bay Pilots
J. P. Strickland - Alcoa
Jaime Casaus-Bribian – European Energy
Jeff Roberts – European Energy
Alexander Ng – European Energy
Johnathan Novitsky – Max Midstream
Steve Svetlik – Max Midstream
William Burge – Max Midstream
Jack Wu – Formosa Plastics
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 was led by Board Member Justin Weaver and a prayer was led by Board Secretary 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 September 13, 2023 Regular Meeting.

The Board Members reviewed the minutes from the Wednesday, September 13, 2023 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 Luis De La Garza 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 September 30, 2023:

- 1.) Accounts Receivable Report as of September 30, 2023
- 2.) Mr. Hawes reported to the Board Members that the accounts receivable report specified that the accounts receivable was 63% current as of September 30, 2023.

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

The Board Members reviewed the October 11, 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 October 11, 2023. 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	
	To Port Operations Fund	\$81,322.14
	To Port Operations Fund	\$70,545.14
	To Port Operations Fund	\$617,104.32
	Total	\$768,971.60
	MAINTENANCE & OPERATIONS FUND	
	To Port Operations Fund	\$217.29
	Total	\$217.29
	BUSINESS DEVELOPMENT FUND	

To Port Operations Fund

Total

AN/NH3 OPERATING FUND

To Port Operations Fund

Total

TOTAL TRANSFERS TO PORT OPERATIONS ACCOUNT	\$769,188.89
---	---------------------

INTERFUND TRANSFERS

DATE	FROM	TO	AMOUNT
10/11/23	AN/NH3 Operating	AN/NH3 Dep M/R	\$7,500.00
	Total		\$7,500.00

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 65 vessels had arrived at the public port facilities during the month of September; 21 deep draft arrivals and 44 inland barges and a total of 144 invoices were issued. Further, that 10 deep draft vessels were already on schedule for October arrival.

Total revenue tons for the month of September were 308,100.2 short tons. Total throughput for fiscal year 2024 was 1,224,940.7 short tons.

B. NGL loaded out 2 barges totaling 3,879.5 short tons.

C. Harvest loaded out 2 barges of crude oil totaling 3,745.8 short tons.

D. 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 September 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 provided a preliminary drawing of parking lot structures.

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, Liquid Pier North Fender Pad Replacement 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 Member Justin Weaver 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 Resolution of the Calhoun Port Authority Board of Commissioners in Support of Partnering with the Texas General Land Office to Implement Keller Bay Restoration Coastal Texas Study Project.

The Board Members reviewed a copy of a resolution and a presentation from the Texas General Land Office (TGLO). The TGLO was requesting a local sponsor for a project that was to be located parallel to the shoreline of the Sand Point Ranch to protect Keller Bay from erosion. Pursuant to further review and discussion, a motion was made by Board Secretary Luis De La Garza to approve the Resolution with items 5 & 6 amended as discussed and to authorize Board Chair Johnny Perez and Port Director Charles Hausmann to sign the resolution. The motion was seconded by Board Member Dan Krueger and the motion carried unanimously.

Agenda Item No. 10: Review and Consideration of Ratifying the Lease Agreement between the Calhoun Port Authority and PGB Group of Texas on a 0.73 acre tract with changed language.

The Board Members reviewed a copy of the lease agreement between the Calhoun Port Authority and PGB Group of Texas with the changed language on the guaranteed throughput. Pursuant to further review and discussion, a motion was made by Board Member Jay Cuellar to approve the lease agreement between the Calhoun Port Authority and PGB Group of Texas with the discussed changes to permit loss language. The motion was seconded by Board Secretary Luis De La Garza 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 10:05 a.m.

Board Member Marty Strakos left the Closed Session at 12:24 p.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 1:09 p.m. Board Chair Johnny Perez announced that “No action or consensus had been taken in closed session”.

Board Secretary Luis De La Garza made a motion for the Calhoun Port Authority to enter into an Investment Grade Port feasibility study with the cost not to exceed \$500,000.00. The motion was seconded by Board Member Justin Weaver.

Agenda Item No. 13: Review and Consideration of an Easement Agreement between the Calhoun Port Authority and Max Midstream Texas LLC.

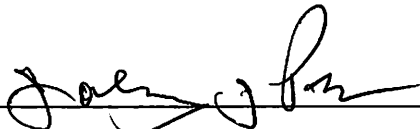
The Board Members reviewed a copy of an amendment to the original easement agreement with Max Midstream, along with a copy of the first amendment along with the original easement. Pursuant to further review and discussion, a motion was made by Board Member Jay Cuellar to approve the new amendment to the Easement Agreement between the Calhoun Port Authority and Max Midstream Texas LLC with the discussed language. The motion was seconded by Board Member Dan Krueger and the motion carried unanimously.

Agenda Item No. 14: Review and Consideration of an Easement agreement between the Calhoun Port Authority and Max Midstream Texas LLC.

No action was taken on this agenda item.

Agenda Item No. 15: 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 1:14 p.m. on Wednesday, October 11, 2023.



Johnny Perez, Board Chair

ATTEST:


Luis De La Garza, Board Secretary