

**CALHOUN PORT AUTHORITY
REGULAR MEETING
November 8, 2023**

A regular meeting of the Calhoun Port Authority was held on Wednesday, November 8, 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:

David Adrian – Matagorda Bay Pilots
J. P. Strickland - Alcoa
David Hall – Calhoun County Commissioner
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 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 October 11, 2023 Regular Meeting.

The Board Members reviewed the minutes from the Wednesday, October 11, 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 October 31, 2023:

- 1.) Accounts Receivable Report as of October 31, 2023
- 2.) Mr. Hawes reported to the Board Members that the accounts receivable report specified that the accounts receivable was 90% current as of October 31, 2023.

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

The Board Members reviewed the November 8, 2023 Port Operations Account disbursements. Pursuant to review, a motion was made by Board Member Jay Cuellar to approve disbursements and the corresponding transfers for November 8, 2023. The motion was seconded by Board Member Justin Weaver 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	\$83,887.23
	To Port Operations Fund	\$76,870.83
	To Port Operations Fund	\$75,695.25
	To Port Operations Fund	\$544,640.44
	Total	\$781,093.75
MAINTENANCE & OPERATIONS FUND		
	To Port Operations Fund	\$93.66
	Total	\$93.66
BUSINESS DEVELOPMENT FUND		
	To Port Operations Fund	\$727.58
	Total	\$727.58
AN/NH3 OPERATING FUND		
	To Port Operations Fund	\$200,000.00
	Total	\$200,000.00
TOTAL TRANSFERS TO PORT OPERATIONS ACCOUNT		\$981,914.99

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 69 vessels had arrived at the public port facilities during the month of October; 23 deep draft arrivals and 46 inland barges and a total of 179 invoices were issued. Further, that 11 deep draft vessels were already on schedule for November arrival.

Total revenue tons for the month of October were 411,010.8 short tons. Total throughput for fiscal year 2024 was 1,635,951.5 short tons.

B. Max loaded out 2 barges of crude oil totaling 7,090.8 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 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.

No action taken on this agenda item.

Agenda Item No. 9: 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 9:22 a.m.

Agenda Item No. 10: Return to Open Session and take any action deemed necessary based on discussion in Closed Session.

The Board adjourned the Closed Session at 10:58 a.m. Board Chair Johnny Perez announced that “No action or consensus had been taken in closed session”.

Agenda Item No. 11: Review and Consideration of a Motion to Approve an Order Amending the Boards Bylaws to Authorize Certain Transactions to be Delegate to the Port Director or other designee.

No action was taken on this agenda item.

Agenda Item No. 12: Review and Consideration of a Request from Calhoun County Commissioner Precinct 1 Regarding Potential Use by Calhoun County of Certain Port Owned Property for County Precinct 1 Operations Purposes.

The Board Members reviewed a request from Calhoun County Commissioner Precinct 1, David Hall for an Interlocal Agreement regarding approximately 3 acres located in Precinct 1 for County Precinct 1 Operations Purposes. Board Member Jay Cuellar made a motion for the Port Authority to enter into an Interlocal Agreement regarding approximately 3 acres for Operational use by Precinct 1. The agreement included language stating the any/all improvements made by the county would be purchased by the Calhoun Port Authority at fair market value if the Port Authority decided to recall the property. The terms for the agreement were for a 30-year agreement which included a 180-day termination clause. The motion was seconded by Board Member Marty Strakos and the motion carried unanimously.

Agenda Item No. 13: Review and Consideration of a Request by PGB Group TX LLC to Change the Start Date of the Warehouse Lease from July 12, 2023 to October 15, 2023 on the Previously Approved Lease and to Authorize the Execution and Delivery of Appropriate Documentation to give effect to the change.

The Board Members reviewed a copy of the request to change the start date of the Warehouse Lease from July 12, 2023 to October 15, 2023 on the previously approved lease and to authorize the execution and delivery of appropriate documentation to give effect to the change with PGB Group TX LLC. A motion was made by Board Secretary Luis De La Garza to keep the original date of the lease, shown as July 12, 2023 and extend the ending date to October 15, 2024 and collect the property rent according to the beginning date of the lease. The motion died without a second from a Board Member. A motion was made by Board Member Jay Cuellar to shift the dates of the lease to reflect a start date of October 14, 2023 and keep the original ending date of July 13, 2024. The motion was seconded by Board Member Marty Strakos and the motion carried with Board Secretary Luis De La Garza voting against the motion.

Agenda Item No. 14: Receive Chief Executive and Commissioners Comments.

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 11:13 p.m. on Wednesday, November 8, 2023.



Johnny Perez, Board Chair

ATTEST:



Luis De La Garza, Board Secretary

