

**CALHOUN PORT AUTHORITY
REGULAR MEETING
November 13, 2024**

A regular meeting of the Calhoun Port Authority was held on Wednesday, November 13, 2024 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 – Nancy Perez
Commissioner # 6 – Dan Krueger

Staff Members attending were:

Charles R. Hausmann – Port Director
Forrest Hawes – Deputy Port Director
Alan Sanders –Dinsmore & Shohl, LLP
Felicia Harral – Director of Engineering
Miranda Malek – Manager of Administration

Others attending were:

Steve Marwitz
JP Strickland – Alcoa
Eunice Lovey - WSP
Mike Harris – Matagorda Bay Pilots Association
David Adrian – Matagorda Bay Pilots Association
Steve Van Manen – Harrison, Waldrop & Uherek
Colby Hale – High Water Strategies
Lee Padilla -
Dr. Tim McFarland – Texas Midcoast Birding Festival
Steve Svetlik – Max Midstream
Casey Pipes – High Water Strategies

Agenda Item No. 1: Call to Order:

Board Chair Jay Cuellar 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 said 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.

Agenda Item No. 4: Approve the minutes of the Monday, October 14, 2024 Regular

Meeting.

The Board Members reviewed the minutes from the Monday, October 14, 2024 Regular 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 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 October 31, 2024:

- 1.) Accounts Receivable Report as of October 31, 2024
- 2.) Mr. Hawes reported to the Board Members that the accounts receivable report specified that the accounts receivable was 46% current as of October 31, 2024.

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

The Board Members reviewed the November 13, 2024 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 November 13, 2024. The motion was seconded by Board Member Dan Krueger and the motion carried that the disbursements and the corresponding transfers be approved as discussed.

TRANSFER NO.	FUND ACCOUNT	AMOUNT
	GROSS REVENUE FUND	
	To Port Operations Fund	\$84,409.28
	To Port Operations Fund	\$73,977.46
	To Port Operations Fund	\$652,977.27
	Total	\$ 811,364.01
	MAINTENANCE & OPERATIONS FUND	
	To Port Operations Fund	\$98.99
	Total	\$98.99
	BUSINESS DEVELOPMENT FUND	
	To Port Operations Fund	\$ 26.61
	Total	\$ 26.61

AN/NH3 OPERATING FUND

To Port Operations Fund

Total

TOTAL TRANSFERS TO PORT OPERATIONS ACCOUNT

\$ 811,489.61

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

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

A. Harbor Traffic Statistics for the month of October:

That a total of 55 vessels had arrived at the public port facilities during the month of October; 11 deep draft arrivals and 44 inland barges and a total of 113 invoices were issued. Further, that 6 deep draft vessels were already on schedule for November arrival.

Total revenue tons for the month of October were 228,811.8 short tons. Total revenue tons for fiscal year 2025 was 1,609,893.3 short tons.

B. Harvest loaded 5 barges of crude oil totaling 17,488.3 short tons.

C. NGL loaded 2 barges of crude oil totaling 6,045.2 short tons.

D. Port Maintenance continued to work on electrical repairs to the cathodic protection system, continued installing new lighting, making water line repairs and continued to do their weekly inspections of port equipment.

Felicia Harral, Engineering Director, reported the following:

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

A. Matagorda Ship Channel Improvement Project:

a. MSCIP Pipeline Relocations, MSCIP Geotechnical Sampling, MSCIP Environmental Sampling, MSCIP Cultural Survey and MSCIP Environmental Survey.

b. MSC FY 2021 Maintenance Dredging

B. North Peninsula Projects road & parking improvements, boat ramp & gate 3 access.

C. South Peninsula Development Project

a. Bean Tract Wetlands Creation Project - South Peninsula Development & Mitigation Plan and Barge Staging Area.

D. Other Port Project Updates included AN Vapor Combustion Unit Replacement project, GCD Gangway Project, GCD Fender Replacement, Cathodic Protection System, Ladder replacements, coating of CPA hydrants and Various Port Infrastructure projects.

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

No action was taken on this agenda item.

Agenda Item No. 9: Review and Consideration of Receipt of Audited Financial Statements for Fiscal Year 2023 and all funds of the Calhoun Port Authority as prepared by Harrison Waldrop & Uherek, LLP Certified Public Accountants.

Mr. Steve Van Manen with Harrison Waldrop & Uherek, LLP reviewed the Audited Financial Statements for Fiscal Year 2023 with the Board Members. Pursuant to further review and discussion, a motion was made by Board Secretary Luis De La Garza to accept the Audited Financial Statements for

Fiscal Year 2023 and all funds of the Calhoun Port Authority. The motion was seconded by Board Member Justin Weaver and the motion carried unanimously.

Agenda Item No. 10: Review and Consideration of Retaining Harrison Waldrop & Uherek, LLP for Preparation of the Fiscal Year 2024 Audit Reports.

The Board reviewed a proposal from Harrison Waldrop & Uherek, LLP to prepare the Fiscal Year 2024 audit at a cost not to exceed \$29,500.00. Pursuant to further review and discussion, a motion was made by Board Secretary Luis De La Garza to approve the retention of Harrison Waldrop & Uherek, LLP for the FY 2024 Audit. The motion was seconded by Board Member Marty Strakos and the motion carried unanimously.

Agenda Item No. 11: Review and Consideration of a Presentation on the Texas Mid-Coast Birding Festival, May 1-4, 2025 and Consideration of Sponsorship.

Dr. Tim McFarland and Mr. Steve Marwitz presented the Board with a copy of the flyer for the Birding Festival and a presentation on the return of the brown pelicans to Calhoun County. Pursuant to further review and discussion, a motion was made by Board Secretary Luis De La Garza to approve a \$10,000.00 sponsorship to the Texas Mid-Coast Birding Festival. The motion was seconded by Board Member Dan Krueger and the motion carried unanimously.

Agenda Item No. 12: Review and Consideration of a Professional Services Contract between the Calhoun Port Authority and Axis Strategies for Representation before the Texas State Legislature.

The Board Members reviewed a copy of the professional services contract and a current client list for Axis Strategies. The cost for the services would remain at \$7,500.00 per month for the duration of the contract which runs from November 1, 2024 to October 31, 2025. Pursuant to further review and discussion, a motion was made by Board Member Marty Strakos approving the Professional Services Contract between the Calhoun Port Authority and Axis Strategies. The motion was seconded by Board Member Dan Krueger and the motion passed. Board Secretary Luis De La Garza voted against the motion.

Agenda Item No. 13: Review and Consideration of a Renewal of a Submerged Easement Agreement by and between the Calhoun Port Authority and Lavaca Pipeline Company for three (3) 475.21 rod pipeline.

The Members of the Board reviewed a copy of the renewal for the submerged easement agreement along with a copy of the expiring document. The total rent for the ten-year period is \$56,925.42 plus a \$2,500.00 administrative fee. Pursuant to further review and discussion, a motion was made by Board Secretary Luis De La Garza to approve the Submerged Easement agreement with Lavaca Pipeline. The motion was seconded by Board Member Marty Strakos and the motion carried unanimously.

Agenda Item No. 14: Review and Consideration of a Renewal of an Easement Agreement by and between the Calhoun Port Authority and Houston Pipe Line Company, L.P. for 2 pipe lines and 0.19 acres.

The Board Members reviewed a copy of the renewal for the submerged easement agreement between the Calhoun Port Authority and Houston Pipe Line Company, L.P. The total rent for the ten-year

period for 2 pipe lines is \$20,000.00 and \$4,750.00 for the 0.19 acre tract for a total of \$24,750.00 plus a \$2,500.00 administrative fee for document preparation. Pursuant to further review and discussion, a motion was made by Board Member Justin Weaver to approve the renewal of an Easement Agreement between Calhoun Port Authority and Houston Pipe Line Company, L.P. The motion was seconded by Board Secretary Luis De La Garza and the motion carried unanimously.

Agenda Item No. 15: 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 Jay Cuellar 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 10:09 a.m.

Agenda Item No. 16: 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 Jay Cuellar announced that “No action or consensus had been taken in closed session”.

Agenda Item No. 17: Receive Chief Executive and Commissioners comments.

No action was taken on this agenda item.

Agenda Item No. 18: 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 11:22 a.m. on Wednesday, November 13, 2024.



Jay Cuellar, Board Chair

ATTEST:



Luis De La Garza, Board Secretary