

**CALHOUN PORT AUTHORITY  
SPECIAL MEETING  
May 26, 2020**

A special meeting of the Calhoun Port Authority was held on Tuesday, May 26, 2020 at 1:00 p.m. in the Calhoun Port Authority Board Room, Calhoun Port Authority Office, Point Comfort, Texas

**Board Members attending were:**

Commissioner # 1 – Tony Holladay – via telephone  
Commissioner # 2 – Jay Cuellar  
Commissioner # 3 – J.C. Melcher, Jr.  
Commissioner # 4 – Luis De La Garza  
Commissioner # 5 – Johnny Perez  
Commissioner # 6 – H. C. Wehmeyer, Jr. – via telephone

**Staff Members present were:**

Charles R. Hausmann – Port Director  
Forrest Hawes – Deputy Port Director  
AnneMarie Odefey – Roberts, Odefey, Witte & Wall  
Ana Cavazos – Administrative Assistant

**Others Present were:**

David Knuckey – Project Engineer – via telephone  
Jack Wu – Formosa Plastics Corporation, Texas  
Todd Edwards – Max Midstream  
Hans Peter Messmen – Max Midstream  
Johnnie Melton – NFG Energy Services  
Brandon Lontrep – Max Midstream  
David O'Dell – NFG Energy  
Albert Montgomery – Bay Ltd.  
Jeremy Finch – Bay Ltd.  
Leandr Meleir – Bay Ltd.  
Kali Venable – *The Advocate*

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

Board Chair J. C Melcher, Jr. called the Regular Meeting to order at approximately 1:00 p.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: Public Comment.**

No action was taken on this agenda item.

**Agenda Item No. 3: Review and Consideration of a Ground Lease Agreement between the Calhoun Port Authority and Max Midstream Texas, LLC for Approximately + or – 5.0 acres in Exchange for a minimum of 3,950 square feet of usable office space.**

Pursuant to further review and discussion, a motion was made by Board Secretary Tony Holladay to approve the Ground Lease Agreement between the Calhoun Port Authority and Max Midstream Texas, LLC for approximately + or – 5.0 acres in exchange for a minimum of 3,950 square feet of usable office space with the following changes; that the laboratory be built to the National Fire Protection Association's specifications, the lab specimens have the proper hazardous storage capacity and that Max Midstream is to cover all legal expenses even if they exceed the pre-determined amount of \$2,500.00. The motion was seconded by Board Member Luis De La Garza and the motion carried unanimously.

**Agenda Item No. 4: Review and Consideration of Change Order No. 1 to the North Peninsula Access Road Project.**

No action was taken on this agenda item.

**Agenda Item No. 5: Review and Consideration of a Memorandum of Understanding between the Calhoun Port Authority and Ineos Nitriles USA LLC for the Potential Sale of the AN/NH3 Facility.**

Pursuant to further review and discussion, a motion was made by Board Member Jay Cuellar to approve the Memorandum of Understanding with a duration of 20 years with an option to renew for an additional 10 years with both duration and rates subject to Board approval. The motion was seconded by Board Member Luis De La Garza and the motion carried with Board Members Cuellar, De La Garza, and Perez voting for the motion. Board Members Holladay and Wehmeyer voted against the motion.

**Agenda Item No. 6: Closed Session: As Authorized by Tex. Gov't Code §551.087 for the purpose of discussion regarding commercial information that the Port has received from a business prospect that the Port seeks to have locate, stay, or expand in or near the territory of the port and with which the Port is conducting economic development negotiations.**

Board Chair J. C. Melcher, Jr. announced that As authorized by Tex. Gov't Code §551.087 for the purpose of discussion regarding commercial information the Port has received from a business prospect that the Port seeks to have located, stay or expand in or near the territory of the Port and with which the Port is conducting economic development negotiations:

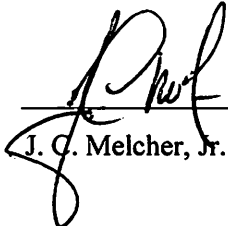
“No action or consensus would be taken in closed session”. The Board convened in Closed Session at 1:40 p.m.

**Agenda Item No. 7: Return to Open Session and take any action deemed necessary based on discussion in Closed Session.**

The Board adjourned the Closed Session at 2:37 p.m. Board Chair J. C. Melcher, Jr. announced that “No action or consensus had been taken in closed session”.

**Agenda Item No. 8: 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 2:37 p.m. on Tuesday, May 26, 2020.

  
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J. C. Melcher, Jr. Board Chair

ATTEST:

  
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Tony Holladay, Board Secretary