

**CALHOUN PORT AUTHORITY
REGULAR MEETING
February 10, 2021**

A regular meeting of the Calhoun Port Authority was held on Wednesday, February 10, 2021 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 – Tony Holladay
Commissioner # 2 – Jay Cuellar
Commissioner # 3 – J.C. Melcher, Jr. via telephone
Commissioner # 4 – Luis De La Garza
Commissioner # 5 – Johnny Perez
Commissioner # 6 – H. C. Wehmeyer, Jr. via telephone

Staff Members attending were:

Charles R. Hausmann – Port Director
Forrest Hawes – Deputy Port Director
Alan Sanders – Moore Landrey Law Firm
Felicia Harral – Director of Engineering
Miranda Malek – Administrative Assistant

Others attending were:

David Knuckey – Engineering Consultant
Carl Smith – NGL Crude
Benny Garza – Great River Inc.
Alex Galvan – Great River Inc.
Bryan Patton – JM Davidson
Michael Bryant – Mission Flares
Bryan Spiesel - INEOS
David Adrian – Matagorda Bay Pilots via telephone
Kali Venable – *The Advocate*
D.D. Turner – *The Wave*

Agenda Item No. 1: Call to Order:

Board Secretary Tony Holladay 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.

The Pledge of Allegiance was led by Board Member Luis De La Garza.

Agenda Item No. 2: Public Comment.

Mr. Marshall Davidson with JM Davidson spoke to the board briefly.

Agenda Item No. 3: Approve the minutes of the Wednesday, January 13, 2021 Regular Meeting.

The Board Members reviewed the minutes from the Wednesday, January 21, 2021 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 Member Luis De La Garza and the motion carried unanimously.

Agenda Item No. 4: Review of Financial Reports: All Funds.

Deputy Director Forrest Hawes presented the following financial information to the Board Members for Review:

Fund Balance Report as of January 31, 2021:

- 1.) Accounts Receivable Report as of January 31, 2021
- 2.) Mr. Hawes reported to the Board Members that the accounts receivable report specified that the accounts receivable was 58% current as of January 31, 2021.

Agenda Item No. 5: Approval of Disbursements and Transfers: All Funds

The Board Members reviewed the February 10, 2021 Port Operations Account disbursements. Pursuant to review, a motion was made by Board Member Jay Cuellar to approve disbursements and the corresponding transfers for February 10, 2021. The motion was seconded by Board Assistant Secretary Johnny Perez and the motion carried that the disbursements and the corresponding transfers be approved.

TRANSFER NO.	FUND ACCOUNT	AMOUNT	
GROSS REVENUE FUND			
2021-023	To Port Operations Fund	\$81,940.48	
2021-026	To Port Operations Fund	\$71,796.66	
2021-028	To Port Operations Fund	\$199,048.47	
	Total	\$352,785.61	
BUSINESS DEVELOPMENT FUND			
2021-028	To Port Operations Fund	\$2,110.04	
	Total	\$2,110.04	
AN/NH3 OPERATING FUND			
2021-028	To Port Operations Fund	\$32,010.85	
	Total	\$32,010.85	
TOTAL TRANSFERS TO PORT OPERATIONS ACCOUNT		\$386,906.50	
INTERFUND TRANSFERS			
DATE	FROM	TO	AMOUNT
2/10/21	AN/NH3 Operating	AN/NH3 Dep M/R	\$7,500.00
	Total		\$7,500.00

Agenda Item No. 7: Port Director's Report.

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

A. Harbor Traffic Statistics for the month of January:

That a total of 70 vessels had arrived at the public port facilities during the month of January; 21 deep draft arrivals and 49 inland barges and a total of 198 invoices were issued. Further, that 4 deep draft vessels were already on schedule for February arrival.

Total revenue tons for the month of January were 309,374.0 short tons. Total throughput for the first seven months of FY2021 were 2,342,597.8.

B. NGL loaded out 12 crude oil barges totaling 42,008.8 short tons.

C. Harvest loaded out 4 crude oil barges totaling 13,532.4 short tons.

D. Seadrift Coke loaded out 4 barges totaling 6,339.7 short tons to one ship for export.

E. Applications for the upcoming Board election for Districts 1, 5 and 6 are being accepted until February 12, 2021 at 5:00 p.m.

Agenda Item No. 7: Review and Consideration of Approval of Board Members Committee/Conference Attendance.

No action was taken on this agenda item.

Agenda Item No. 8: Review and Consideration of Awarding a Contract for the AN Vapor Destruction Unit Project.

The Board Members reviewed a bid tabulation worksheet detailing the 3 bids received for the AN Vapor Destruction Unit Project. Pursuant to discussion regarding inaccurate bids, a motion was made by Board Member Jay Cuellar to reject the 3 submitted bids and to begin the bidding process for this project again. The motion was seconded by Board Member Luis De La Garza and the motion carried unanimously.

Agenda Item No. 9: Review and Consideration of a MOU between the Calhoun Port Authority and Max Midstream Texas, LLC for Bunkering Services at the Calhoun Port Authority.

The Board Members reviewed a copy of a Memorandum of Understanding that was drafted by Port General Counsel and reviewed by Max Midstream. The MOU opened up discussions for entering into a definitive agreement for bunkering services at the Port that would be provided by Max Midstream. Max Midstream requested to be the exclusive ex-pipe and barge supplier of bunkering fuels to the Port Users and would pay the Port a fee for all fuel sold at the Port. Pursuant to further review and discussion, a motion was made by Board Assistant Secretary Johnny Perez to approve the MOU between the Calhoun Port Authority and Max Midstream Texas, LLC for Bunkering Services at the Calhoun Port Authority. The motion was seconded by Board Member Luis De La Garza and the motion carried unanimously.

Agenda Item No. 10: Review and Consideration of a Proposal from Belaire Environmental, Inc. for Consulting Services for Mitigation Site Design, Bidding and Construction Monitoring for the South Peninsula Development Project Mitigation Site in Lavaca Bay

The Board Members reviewed a copy of the proposal for mitigation site design for the mitigation site in Lavaca Bay located next to the Bean Tract on Highway 35. The proposal covers site design, bidding, and construction monitoring for the approximate 14.0 acres mitigation site. The estimated cost

for these professional services was between \$225,000.00 and \$325,000.00. This proposal was recommended by Director of Engineering, Felicia Harral and pursuant to further review and discussion, a motion was made by Board Member Jay Cuellar to approve the Proposal from Belaire Environmental, Inc. for Consulting Services for Mitigation Site Design, Bidding and Construction Monitoring for the South Peninsula Development Project Mitigation Site in Lavaca Bay. The motion was seconded by Board Member Luis De La Garza and the motion carried unanimously.

Agenda Item No. 11: Review and Consideration of an Easement and Right of Way between the Calhoun Port Authority and AEP Texas, Inc. for Electric Utility Lines Located on the North Peninsula Property Owned by the Port.

The Board reviewed a copy of the easement and right of way agreement that was prepared by AEP and reviewed by Port Counsel for electric utility lines located on the port's north peninsula property. This easement was for power lines that provide power to the Alcoa building being leased by Simplot Fertilizer. Pursuant to further review and discussion, a motion was made by Board Member Luis De La Garza to approve the Easement and Right of Way between the Calhoun Port Authority and AEP Texas, Inc. for Electric Utility Lines Located on the North Peninsula Property Owned by the Port. The motion was seconded by Board Assistant Secretary Johnny Perez and the motion carried unanimously.

Agenda Item No. 12: Review and Consideration of an Easement and Right of Way between the Calhoun Port Authority and AEP Texas, Inc. for Electric Utility Lines Located on the North Peninsula Property Owned by the Port to Provide Electric Service to the New Port Administration Building.

The Board reviewed a copy of the easement and right of way agreement that was prepared by AEP and reviewed by Port Counsel for electric utility lines located on the port's north peninsula property. This easement was for power lines that provide power to the Port's new Administration Building. Pursuant to further review and discussion, a motion was made by Board Member Luis De La Garza to approve the Easement and Right of Way between the Calhoun Port Authority and AEP Texas, Inc. for Electric Utility Lines Located on the North Peninsula Property Owned by the Port. The motion was seconded by Board Member Jay Cuellar and the motion carried unanimously.

Agenda item No. 13: Review and Consideration of an Easement and Right of Way between the Calhoun Port Authority and AEP Texas, Inc. for Electric Utility lines Located on the Joslin Tract Owned by the Port.

The Board reviewed a copy of the easement and right of way agreement that was prepared by AEP and reviewed by Port Counsel for electric utility lines located on the Joslin Tract owned by the Port. Pursuant to further review and discussion, a motion was made by Board Member Luis De La Garza to approve the Easement and Right of Way between the Calhoun Port Authority and AEP Texas, Inc. for Electric Utility Lines Located on the Joslin Tract Owned by the Port. The motion was seconded by Board Assistant Secretary Johnny Perez and the motion carried unanimously.

Agenda Item No. 14: Review and Consideration of a Request from Port Lavaca Main Street Theatre for a Tax Exemption for property owned by the Theatre at 131 N. Guadalupe St. Port Lavaca, Texas.

The Board Members reviewed a request from Port Lavaca Main Street Theatre for tax exemption for property owned by the Theatre at 131 N. Guadalupe St. Port Lavaca, Texas. The exemption would be

approximately 28 cents annually. Pursuant to further review and discussion, a motion was made by Board Assistant Secretary Johnny Perez to approve the request for tax exemption. The motion was seconded by Board Member Luis De La Garza and the motion carried unanimously.

Agenda Item No. 15: Closed Session: As Authorized by Tex. Gov't Code §551.072 for the purpose of discussion with respect to the purchase, exchange, lease or value of real property. No discussions or deliberations shall be conducted in the presence of any business prospect, the presence (if any) of which shall be limited to presentation of information relevant to the potential economic development activity and with respect to such information it is of a confidential or business-proprietary nature.

As Authorized by Tex. Gov't Code §551.071(2): to seek the advice of its attorney. No discussions or deliberations with legal counsel shall be conducted in the presence of any business prospect or any other third party that may result in waiver of the attorney-client privilege.

Board Secretary Tony Holladay announced that As Authorized by Tex. Gov't Code §551.072 for the purpose of discussion with respect to the purchase, exchange, lease or value of real property. No discussions or deliberations shall be conducted in the presence of any business prospect, the presence (if any) of which shall be limited to presentation of information relevant to the potential economic development activity and with respect to such information it is of a confidential or business-proprietary nature.

As Authorized by Tex. Gov't Code §551.071(2): to seek the advice of its attorney. No discussions or deliberations with legal counsel shall be conducted in the presence of any business prospect or any other third party that may result in waiver of the attorney-client privilege.

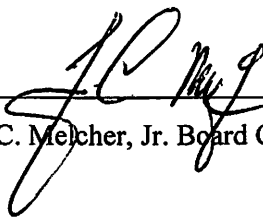
“No action or consensus would be taken in closed session”. The Board convened in Closed Session at 9:40 a.m.

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 10:00 a.m. Board Secretary Tony Holladay announced that “No action or consensus had been taken in closed session”.


Agenda Item No. 17: 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 10:01 a.m. on Wednesday, February 10, 2021.



J. C. Melcher, Jr. Board Chair

ATTEST:



Tony Holladay, Board Secretary