

**MATAGORDA COUNTY NAVIGATION DISTRICT NO. ONE
MINUTES OF THE BOARD OF COMMISSIONERS
REGULAR BOARD MEETING
August 20, 2020**

I. Chairman Jimmy Neeley called the meeting of August 20, 2020 to order at 1:02 p.m. Chairman Neeley announced the Notice of Meeting had been duly posted and there was a quorum present. The Pledge of Allegiance was recited. Chairman Neeley welcomed those in attendance and thanked them for coming.

ATTENDEES:

David Aparicio, Commissioner (*Left 3:07*)
Victor Eggemeyer, Commissioner
Jimmy Neeley, Chairman
Greg Seaman Commissioner
Donny Tran, Commissioner
Victor Martinez, Port Director

Verna H. Williams, Port Office Mgr.
Isidro Castanon, Port Attorney
Matt Glaze, Urban Engineering
Mike Ferdinand, MCEDC
Alan Schulman, Palacios Beacon

I. 5. Report from Matagorda County Economic Development Corporation. Mike Ferdinand, MCEDC Executive Director, gave a brief report.

II. 1. Consideration and approval of Minutes of Previous Meetings (7/23/2020). Minutes from the Regular Board Meeting of July 23, 2020 were reviewed. Commissioner Eggemeyer moved to accept the minutes as presented. Commissioner Tran seconded the motion. All voted affirmatively and the motion passed.

II. 2. Consideration and approval of Lease Activity since last Regular Board Meeting. Chairman Neeley stated this item needs to be moved to Executive Session. Commissioner Seaman made the motion to move this item to Executive Session. Commissioner Aparicio seconded the motion. All voted affirmatively and the motion passed.

II. 3. Consideration and possible action to amend Maintenance Agreement. Mr. Martinez stated this amendment to the contract is needed as Mr. Ortiz has been retained by the Ed Rachal Foundation to oversee the Marine Education Center Buildings. After speaking to Mr. Castanon, it was recommended to provide an Addendum to amend Mr. Ortiz's contract by reducing the monthly payment by \$500 so as there are no conflicts on paying Mr. Ortiz twice for overseeing the same infrastructure but for two different entities. Mr. Castanon has reviewed the Addendum and find it provides adequate information. I recommend approving the amendment of the Maintenance Contract with Addendum No. 1 to the Property and Facilities Maintenance Agreement between MCND #1 and Ortiz Lawn and Shredding. Commissioner Aparicio made a motion to approve the amendment of the Maintenance Contract with Addendum No. 1 to the Property and Facilities Maintenance Agreement between MCND#1 and Ortiz Lawn and Shredding. Commissioner Eggemeyer seconded the motion. All voted affirmatively and the motion passed.

II. 4. Consideration and possible action to place a Proposal to Adopt the MCND#1 Tax Rate on the agenda of the next Regular Meeting of the MCND#1 Board – Thursday, September 10, 2020 at 1:00 p.m. at the Port Administration Building. Mr. Martinez read over a Memorandum to the Commissioners for the 2020 Tax Adoption. After some discussion Chairman Neeley asked each individual Commissioner about using the same tax rate of .01115 from 2019 for the 2020 proposed tax rate. Commissioner David C. Aparicio: Yes, Commissioner Victor L. Eggemeyer: Yes, Commissioner Greg T. Seaman: Yes, Commissioner Donny L. Tran: Yes, and Chairman Jimmy E. Neeley: Yes. It was a consensus among all Board Members to use the same tax rate for 2019 of .01115 for 2020 Tax Rate. Commissioner Eggemeyer made a motion to place a Proposal to Adopt the MCND#1 Tax Rate of .01115 on the agenda of the next Regular Meeting of the MCND#1 Board – September 10, 2020 at 1:00 p.m. at the Port Administration Building. Commissioner Aparicio seconded the motion. Each Board Member agreed, and the motion passed.

II. 5. Discussion of FY2021 Proposed Budget. Mr. Martinez went over the FY2021 Proposed Budget. There was a discussion and changes made to the FY2021 Proposed Budget. No motion required at this time.

III. INTERNAL & FINANCIAL REPORTS for Board discussion and appropriate action Internal Reports.

- a. Contractor's Port Maintenance Report
- b. Port Director's Operations, Promotion & Development Activity verbal report.

Consideration and approval of Current Voucher Control Report. Commissioner Seaman made a motion to accept the Current Voucher Control Report. Commissioner Tran seconded the motion. All voted affirmatively and the motion passed.

Consideration and approval of Current Register Reports. After review, Commissioner Aparicio made a motion to approve the current Register Reports. Commissioner Eggemeyer seconded the motion. All voted affirmatively and the motion passed.

Consideration and approval of 2nd Quarter Financial Report. After review, Commissioner Seaman made a motion to approve the 2nd Quarter Financial Report. Commissioner Tran seconded the motion. All voted affirmatively and the motion passed.

Consideration and approval of Current Investment Activity Report. Mrs. Gonzalez reported on the Current Investment Activity Report. Commissioner Eggemeyer made a motion to approve the Current Investment Activity Report. Commissioner Tran seconded the motion. All voted affirmatively and the motion passed.

Consideration and approval of Semi-Annual Investment Reports. Mrs. Gonzalez reported on the Semi-Annual Investment Reports. Commissioner Tran made a motion to approve the Semi-Annual Investment Reports. Commissioner Eggemeyer seconded the motion. All voted affirmatively and the motion passed.

IV. EXECUTIVE SESSION – At 3:37 p.m., the Board went into an Executive Session, as authorized by the Texas Government Code Sections 551.071, 551.072, and 551.087 of the Open Meetings Act, permitting discussion and deliberation in an Executive Meeting for the following purpose:

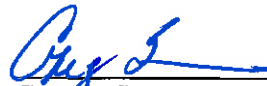
1. Consultation with Attorney on legal matters as permitted under Sections 551.071 including, but not limited to some of the other matters listed below to be discussed in Executive Session.
2. To conduct deliberations regarding real property and to conduct deliberations regarding economic development as permitted under Sections 551.072 and 551.087 including, but not limited to the following matters:
 - a. Discussion concerning future development of properties and leases
 - b. Discussion on concerning default leases
 - c. Discussion on repair of Port property
 - d. Discussion on Tariffs and Rates

II. 2. Consideration and approval of Lease Activity since last Regular Board Meeting

V. RETURN TO OPEN SESSION – The Commissioners returned to Open Session at 5:11 p.m. Mr. Martinez stated there was one Addendum to Commercial Leases (Seaman). Occupancy for TB#3 Docks B-E is 92% and 80% for F&G slips are occupied. A motion was made by Commissioner Eggemeyer to approve Port Lease Activity, as presented. Commissioner Tran seconded the motion. Motion passed by majority vote. Commissioner Seaman abstained due to conflict of interest. Commissioner Aparicio left at 3:07 p.m. No other motions were offered for action from Executive Session.

VI. SCHEDULE THE NEXT MEETING DATE, TIME, AND PLACE. The next Regular Board Meeting was scheduled for Thursday, September 10, 2020 at 1:00 p.m. at the Port Administration Building.

VII. ADJOURNMENT. Commissioner Eggemeyer moved to adjourn and was seconded by Commissioner Tran the motion carried, and the meeting adjourned at 5:14 p.m.



Greg T. Seaman, Secretary