



# Port of Palacios

MATAGORDA COUNTY NAVIGATION DISTRICT NO. ONE

## NOTICE OF A REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF MATAGORDA COUNTY NAVIGATION DISTRICT #1

Notice is hereby given that on Thursday, January 16, 2020, at 1:00 p.m., the Board of Commissioners of Matagorda County Navigation District #1 will hold a Regular Board Meeting in the Board Room of the Port Administration Building, located at 1602 Main Street, Palacios, Texas.

### AGENDA

#### I. OPENING.

1. Call to order by Chairman
2. Announce the presence of a quorum; affirm that the Notice of the Meeting was duly posted
3. Pledge of Allegiance
4. Report from Matagorda County Economic Development Corporation Executive Director

#### II. REGULAR BOARD MEETING – Items requiring Board discussion

1. Consideration and approval of minutes of previous meetings (12/16/19)
2. Consideration and approval of Lease Activity since last Regular Board Meeting
3. Consideration and possible approval of Resolution appointing MCND#1 representatives to MCEDC
4. Consideration and possible approval of Resolution to Authorize Signatures on MCND #1 Financial Accounts
5. Consideration and possible action to approve Collateral Security Agreement from First Financial Bank, N.A.
6. Consideration and possible action to approve an engagement letter from Kennemer, Masters, & Lundsford, LLC for Performance of the MCND #1 FY2019 Financial Audit
7. Consideration and possible action to approve Change Order by Urban Engineering for Lester Contracting, Inc. – Port Commercial Center Roadway & Drainage Improvements TxDOT Rider 45 – FY 2018
8. Consideration and possible action to approve MCND#1 Cell Phone Policy Update

#### 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 Report

Consideration and approval of Current Voucher Control Report

Consideration and approval of Current Register Reports

Consideration and approval of Current Investment Activity Report

#### IV. EXECUTIVE SESSION – Adjournment to Executive Session as authorized by the TEXAS

GOVERNMENT CODE Sections 551.071, 551.072, 551.074 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 Section 551.07.
2. To conduct deliberations regarding personnel matters as pertained under Section 551.074.
  - a. Personnel – Port Director Evaluation
3. 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 concerning default leases

- c. Discussion on repair of Port property
- d. Discussion on Marine Education Center

CLOSED MEETING DISCUSSION. If, during the course of the meeting covered by this Notice, the Board should determine that discussion of any item on the agenda should be held in a closed meeting, the Board will conduct a closed meeting in accordance with the Texas Open Meetings Act, Tex. Govt. Code, Chapter 551, Sub-chapters D and E. Before any closed meeting is convened, the presiding officer will publicly identify the following section or sections of the Act authorizing the closed meeting:

Section 551.071 For the purpose of private consultation between the Board and its attorney when the Board seeks the attorney's advice with respect to pending or contemplated litigation, settlement offers, and matters where the duty of the Board's counsel to his client pursuant to the Code of Professional Responsibility of the State Bar of Texas clearly conflicts with the Open Meetings Act.

Section 551.072 For the purpose of discussion with respect to the purchase, exchange, lease or value of real property, if deliberation in an open meeting would have a detrimental effect on the position of the Board in negotiations with a third person.

Section 551.073 For the purpose of deliberation regarding prospective gifts or to deliberate a negotiated contract for a prospective gift or donation to the Board or the District, if deliberation in an open meeting would have a detrimental effect on the position of the Board in negotiations with a third person.

Section 551.074 For the purpose of considering the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee or to hear complaints or charges against a public officer or employee, unless such officer or employee requests a public hearing.

Section 551.076 To discuss the deployment of, or specific occasions for implementation of security personnel or devices.

Section 551.087 To discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations.

Should any final action, final decision, or final vote be required in the opinion of the Board with regard to any matter considered in such closed meeting, then such final action, final decision, or final vote shall be at either:

- a) the open meeting covered by this notice upon the re-convening of this public meeting, or
- b) a subsequent public meeting of the Board upon notice thereof, as the Board shall determine.


V. RETURN TO OPEN SESSION - Announcement by the Chairman that the Board has concluded its Executive Session discussions and appropriate action taken as a result of deliberations conducted during the Executive Session.

VI. SCHEDULE THE NEXT MEETING DATE, TIME AND PLACE.

VII. ADJOURNMENT.

  
Jimmy E. Neeley, Chairman

Posted at Matagorda County Navigation District #1 Admin. Building on the 13<sup>th</sup> day of January, 2020 at 11:00 a.m.

  
Verna H. Williams

Posted at Matagorda County Courthouse on the 13<sup>th</sup> day of January, 2020 at \_\_\_\_\_.

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Deputy