

**MATAGORDA COUNTY NAVIGATION DISTRICT NO. ONE
MINUTES OF THE BOARD OF COMMISSIONERS
REGULAR BOARD MEETING
August 26, 2021**

I. Chairman Neeley called the meeting of August 26, 2021, to order at 1:00 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
Victor Eggemeyer, Commissioner
Jimmy Neeley, Chairman
Greg Seaman Commissioner
Donny Tran Commissioner
Victor Martinez, Port Director

Isidro Castanon, Port Attorney
Ryan West, Palacios Beacon
Jose Ortiz, Maintenance Contractor
Matt Glaze, Urban Engineering
Scott Hardwick, MCEDC
Verna H. Williams, Port Office Mgr.

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

II. 1. Consideration and approval of Minutes of Previous Meetings (7/21/2021). Minutes from the Regular Board Meeting of July 21, 2021 were reviewed. Commissioner Eggemeyer moved to accept the minutes as presented. Commissioner Seaman seconded the motion. Motion was carried by majority vote. Commissioners Aparicio and Commissioner Tran abstained since they were not present for this meeting.

II. 2. Consideration and approval of Lease Activity since last Regular Board Meeting. Mr. Martinez reported on lease activity since the last regular Board meeting. There was one Commercial Lease renewal (Shrimp Shack). Occupancy for TB#3 Docks B-E is 92% and 60% for F&G slips are occupied. A motion was made by Commissioner Aparicio to approve Port Lease Activity, as presented. Commissioner Eggemeyer seconded the motion. Motion carried by majority vote. Commissioner Seaman abstained since it was his lease presented.

II. 5. Discussion and updates on the Rider 38 Project. Mr. Martinez stated, we have had some discussion with TxDot. We have recently had some rain events that showed how much this project needs to be done in this area. Matt Glaze had a handout, Set of Preliminary Plans, for each Board Member. He went over the plans. No action taken at this time. No motion required.

II. 3. Consideration and possible action on the sale of the Marine Education Center property. Mr. Martinez stated, no big updates on this issue. Mr. Altheide stated in his latest e-mail to me that they had their own appraisal completed on the property and wanted a little more time before we re-bid this project. Does the Board want to authorize me to re-bid the project in the event Mr. Altheide comes back in the next few weeks and says they have completed their due diligence and are ready for the re-bid? Or do we just want to wait? After some discussion it was decided to wait. No motion required.

II. 4 Consideration and possible action on naming of a Matagorda County Navigation District #1 infrastructure, facility or building after a prior Commissioner of the Board of the Matagorda County Navigation District #1. Mr. Martinez stated, at the June Board meeting there was some discussion on the possible naming of the Port Commercial Center after Mr. Theodore (Ted) Roosevelt Bates Jr. Another suggestion was naming the Admin Building in honor of him. Mr. Bates served over 36 years as a Commissioner of the Navigation District. The previous Boards have set a precedence in naming MCND roads after previous serving Commissioners. I'm opening this back for discussion for you, the Commissioners to decide on this issue. Commissioner Aparicio made a motion to move this Agenda Item to Executive Session. Commissioner Tran seconded the motion. All voted affirmatively and the motion passed.

II. 6. 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 – Wednesday, September 22, 2021, at 1:00 p.m. at the Port Administration Building. Mr. Martinez read over a Memorandum to the Commissioners for the 2021 Tax Adoption. After some discussion, Chairman Neeley asked each individual Commissioner about using the No-New Revenue Tax Rate .01031. Commissioner David C. Aparicio-Yes, Commissioner Victor L. Eggemeyer-Yes, Commissioner Greg T. Seaman-Yes, Commissioner Donnay L. Tran-Yes, and Chairman Jimmy E. Neeley-Yes. It was a consensus among all Board Members to use the No-New Revenue Tax Rate. Commissioner Aparicio made a motion to place a Proposal to Adopt the MCND#1 Tax Rate of .01031 on the Agenda of the next Regular Meeting of the MCND#1 Board – September 22, 2021, at 1:00 p.m. at the Port Administration Building. Commissioner Seaman seconded the motion. All voted affirmatively and the motion passed.

II. 7. Discussion of FY2022 proposed Budget. Mr. Martinez briefly went over the FY2022 Proposed Budget. He suggested they take the draft FY2022 Budget and Comparison sheets home. If they have any questions or suggestions to call him so the final budget can be presented at the next board meeting. 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

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 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 Aparicio 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 3:21 p.m., the Board went into an 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 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. B. Discussion on economic development
- c. Discussion on concerning default leases
- d. Discussion on repair of Port property
- e. Discussion on Tariffs and Rates
- f. Discussion on Investment Strategy

II. 4 Consideration and possible action on naming of a Matagorda County Navigation District #1 infrastructure, facility or building after a prior Commissioner of the Board of the Matagorda County Navigation District #1.

V. RETURN TO OPEN SESSION – The Commissioners returned to Open Session at 5:10 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 Wednesday, September 22, 2021, 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 5:12 p.m.



Greg T. Seaman, Secretary