

MATAGORDA COUNTY NAVIGATION DISTRICT NO. ONE
MINUTES OF THE BOARD OF COMMISSIONERS
REGULAR BOARD MEETING
July 21, 2021

I. Chairman Neeley called the meeting of July 21, 2021, to order at 1:08 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. Announced Commissioners Aparicio and Tran were absent today.

ATTENDEES:

Victor Eggemeyer, Commissioner

Jimmy Neeley, Chairman

Greg Seaman Commissioner

Victor Martinez, Port Director

Verna H. Williams, Port Office Mgr.

Isidro Castanon, Port Attorney

Alan Schulman, Palacios Beacon

Jose Ortiz, Maintenance Contractor

Matt Glaze, Urban Engineering

II. 1. Consideration and approval of Minutes of Previous Meetings (6/23/2021). Minutes from the Regular Board Meeting of June 23, 2021, were reviewed. Commissioner Eggemeyer moved to accept the minutes as presented. Commissioner Seaman seconded the motion. All voted affirmatively and the motion passed.

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 were two new Commercial Leases (Nu Vu/Ernest Aparicio) and one Recreational renewal (Alley). Occupancy for TB#3 Docks B-E is 92% and 60% for F&G slips are occupied. A motion was made by Commissioner Seaman to approve Port Lease Activity, as presented. Commissioner Eggemeyer seconded the motion. All voted affirmatively and the motion passed.

II. 3. Discussion and possible action on repair of Port property. Mr. Martinez stated, now that we have some established Leases on H-Dock, Jose has identified some repairs that need to be done to shore it up better. We have gotten a quote from a local vendor for the needed repairs. The amount came out to just over \$24,000 which is well under the bid requirement threshold. We have funds designated for repair of docks and with these new leases we will make up for any funds expended and a little more. If this is approved Jose and I will coordinate the contractor to come out and make the necessary repairs. I also request to be able to execute the small construction project contract with this contractor if this is approved. Commissioner Eggemeyer made a motion to authorize the Port Director, Victor Martinez to initiate a small construction contract with Machacek Marine to do repairs on H-Dock for a cost not to exceed \$24,500. Commissioner Seaman seconded the motion. All voted affirmatively and the motion passed.

II. 4 Consideration and possible action to allow the Port Director to initiate the Bid Process for steel pipe to be used on the Port Docks and Bulkheads. Mr. Martinez stated, we've had a company send us a quote for some new pipe that we can use on the port to sleeve the pilings. However, the quote came in at just over \$75,000 which is over our Bid requirement threshold. This is for 1600 feet of 16" pipe ¾ thick with FBE coating on it. This is the only company able to find us this much pipe the dimensions we want it all at once. The other companies could only get it in much smaller amounts. What I need to know is if the Commissioners want to allow me to bid this out over the next several weeks and then we can pick the best bid at the next board meeting on August 25th? Or do we want to bid it out for the required minimum two weeks and have a special board meeting early to mid-August? After some discussion Chairman Neeley made a motion to allow the Port Director, Victor Martinez to purchase 800' of the steel pipe, instead of 1,600' eliminating a bid process, to be used on the Port Docks and Bulkheads. Commissioner Eggemeyer seconded the motion. All voted affirmatively and the motion passed.

II. 5. Consideration and approval of the Master Service Agreement between MCND#1 and Mott MacDonald, LLC for the MCND#1 Planning and Development Project. Mr. Martinez stated, we received the Master Service Agreement from Mott MacDonald for the planning and development project. For the initial needed study, they've quoted us \$105,000. I think this is right in line with industry standards. As I've stated before I know a couple of small Texas Ports who have had similar studies done and they were within this price range. Also, as a reminder we were going to be paying at least half of \$300,000 with the Army Corps doing this type of study. Now we get it for about the same price or below and we will have the study done in a matter of 3 Months versus 3 years. Commissioner Eggemeyer made a motion to approve the Master Service Agreement between MCND#1 and Mott MacDonald, LLC for the MCND#1 Planning and Development Project and authorize the Planning & Development study to be initiated at the cost of \$105,000 subject to the Port Attorney's, Isidro Castanon, approval after reviewing the contract. Chairman Neeley seconded the motion. Motion carried by majority vote. Commissioner Seaman was nay on the vote.

II. 6. Consideration and possible action on the sale of the Marine Education Center property. Mr. Martinez stated, we have received an e-mail from Mr. Altheide of the Ed Rachal Foundation asking us to hold off on the Bid Notice for 60 Days as they perform some due diligence. Mr. Castanon and Mr. Neeley may have some more insight on this issue. There is no motion required since this was just discussion.

II. 7. 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 last 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. No action taken at this Board Meeting.

II. 8. Discussion and updates on the Rider 38 Project. Matt Glaze gave a brief report on this project. He plans to have a set of plans for the next Board Meeting.

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 Eggemeyer seconded the motion. All voted affirmatively and the motion passed.

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

IV. EXECUTIVE SESSION – At 3:04 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 MCND#1 Planning Development Project

V. RETURN TO OPEN SESSION – The Commissioners returned to Open Session at 4:46 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, August 25, 2021, at 1:00 p.m. at the Port Administration Building.

VII. ADJOURNMENT. Commissioner Eggemeyer moved to adjourn and was seconded by Commissioner Seaman the motion carried, and the meeting adjourned at 4:47 p.m.



Greg T. Seaman, Secretary