

**MATAGORDA COUNTY NAVIGATION DISTRICT NO. ONE**  
**MINUTES OF THE BOARD OF COMMISSIONERS**  
**REGULAR BOARD MEETING**  
**June 23, 2021**

I. Chairman Neeley called the meeting of June 23, 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  
Verna H. Williams, Port Office Mgr.

Isidro Castanon, Port Attorney  
Alan Schulman, Palacios Beacon  
Jose Ortiz, Maintenance Contractor  
Dr. Joe Fox, Ed Rachal  
Paul Altheide, Ed Rachal  
Richard Van Derostyne, Ed Rachal  
Scott Hardwick, MCEDC

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

**II. 1. Consideration and approval of Minutes of Previous Meetings (5/26/2021).** Minutes from the Regular Board Meeting of May 26, 2021, were reviewed. Commissioner Eggemeyer moved to accept the minutes as presented. Commissioner Aparicio seconded the motion. Motion carried by majority vote.

**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 (Lagasse Marine Way) and two Recreational renewals (Lothor/Rusk) and cancelled lease (Aparicio). Occupancy for TB#3 Docks B-E is 92% and 60% for F&G slips are occupied. A motion was made by Commissioner Tran to approve Port Lease Activity, as presented. Commissioner Eggemeyer seconded the motion. Motion carried by majority vote. Commissioner Aparicio abstained from motion since his lease in on the list.

**II. 3. Consideration and possible acceptance of successful bid(s) for surplus property – Marine Education Center, together with any improvements thereon, which includes 73.45 Acre Upland Tract and 42.64. Acre Marsh Land Tract, this includes the improvements known as each of the buildings on the Marine Education Center property listed as Hulen House, Main Education Classroom Building, Small Lab, Large Lab, Well House, Covered Walkway, Wood Pier, and the building known as the Diesel Mechanic Shop.** Commissioner Aparicio made a motion to move to Executive Session to consult with Port Attorney. Commissioner Eggemeyer seconded the motion. All voted affirmatively and the motion passed.

**IV. EXECUTIVE SESSION** – At 1:10 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:

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.

**II. 3. Consideration and possible acceptance of successful bid(s) for surplus property – Marine Education Center, together with any improvements thereon, which includes 73.45 Acre Upland Tract and 42.64. Acre Marsh Land Tract, this includes the improvements known as each of the buildings on the Marine Education Center property listed as Hulen House, Main Education Classroom Building, Small Lab, Large Lab, Well House, Covered Walkway, Wood Pier, and the building known as the Diesel Mechanic Shop.**

**V. RETURN TO OPEN SESSION** – The Commissioners returned to Open Session at 1:35 p.m. Chairman Neeley made a motion to reject the current bid for the Marine Education Center. Commissioner Eggemeyer seconded the motion. All voted affirmatively and the motion passed.

**II. 4. Consideration and possible action to select a firm for MCND#1 Planning and Development Project (P&D2021).** Mr. Martinez stated, A RFQ for planning and development went out in early April. We received 5 Statements of Qualifications from a variety of Firms. Mr. Neeley, Mr. Sneary, and I reviewed and scored each of the SOQs independently. The second page shows how each of the Firms ranked according to their total scores. This is open for discussion and we can determine which Firm could be the Primary and which Firm would be the Alternate for this project. Mr. Martinez stated he has updated information to share with the Commissioners. Chairman Neeley made a motion to move to Executive Session for discussion and possible action. Commissioner Tran seconded the motion. All voted affirmatively and the motion passed.

**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 Aparicio 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 Seaman made a motion to approve the current Register Reports. 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 Tran made a motion to approve the Current Investment Activity Report. Commissioner Eggemeyer seconded the motion. All voted affirmatively and the motion passed.

**IV. EXECUTIVE SESSION** – At 3:06 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. Discussion on concerning default leases
  - c. Discussion on repair of Port property
3. To conduct deliberations permitted under section 551.074 but not limited to some of the other matters listed below to be discussed in Executive Session.
  - a. Personnel – Port Director Evaluation & Compensation

**II. 4. Consideration and possible action to select a firm for MCND#1 Planning and Development Project (P&D2021).**

**V. RETURN TO OPEN SESSION** – The Commissioners returned to Open Session at 4:45 p.m. Chairman Neeley made a motion to select Mott MacDonald as the Primary Firm for the MCND#1 Planning and Development and authorize the Port Director, Victor Martinez, to negotiate price of a contract. Commissioner Eggemeyer seconded the motion. All voted affirmatively and the motion passed.

Chairman Neeley made a motion to increase the Port Director’s salary by 4% retroactive to January 1, 2021. Commissioner Eggemeyer seconded the motion. All voted affirmatively and the motion passed.

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, July 21, 2021, at 1:00 p.m. at the Port Administration Building.

**VII. ADJOURNMENT.** Commissioner Aparicio moved to adjourn and was seconded by Commissioner Tran the motion carried, and the meeting adjourned at 4:50 p.m.

  
\_\_\_\_\_  
Greg V. Seaman, Secretary