

**MATAGORDA COUNTY NAVIGATION DISTRICT NO. ONE
MINUTES OF THE BOARD OF COMMISSIONERS
REGULAR BOARD MEETING
December 16, 2020**

I. Chairman Jimmy Neeley called the meeting of December 16, 2020 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
Tom Schmidt, Urban Engineering
Alan Schulman, Palacios Beacon
Anette Uher, Port Accountant Consultant
Jose Ortiz, Maintenance Contractor

I. 5. Report from Matagorda County Economic Development Corporation. Mr. Martinez is giving a brief report in Executive Session since Mr. Ferdinand is not available.

II. 1. Consideration and approval of Minutes of Previous Meetings (11/19/2020). Minutes from the Regular Board Meeting of November 19, 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. A motion was made by Chairman Neeley to move this Lease Activity to Executive Session. Commissioner Eggemeyer seconded the motion. All voted affirmatively and the motion passed.

II. 3. Consideration and possible action to renew the Agreement for Economic Development Services between MCND#1 and Matagorda County Economic Development Corporation. Mr. Martinez stated, Mr. Ferdinand continues to work on possible projects for us as well as bring in new potential clients. This agreement just renews our annual commitment to the MCEDC. I recommend approval to renew the Agreement for the Economic Development Services between the MCND #1 and the MCEDC for one year at a contribution amount of \$30,000. After some discussion, the following motion was made with a stipulation. Commissioner Aparicio made a motion to approve renewal of the Agreement for Economic Development Services between MCND#1 and Matagorda County Economic Development Corporation for the period of January 1, 2021 through December 31, 2021 in the amount of \$30,000. With a stipulation, the renewal is for just one year. Then re-evaluate renewal for 2022. Commissioner Tran seconded the motion. All voted affirmatively and the motion passed.

II. 4. Consideration and possible action to approve amending the FY2020 Budget. Mr. Martinez stated the following: a. Amend the Grant Revenue budget to reflect the TXDOT Maritime Grant of \$1,363,488.40 for the Rider 45 FY18 Port Commercial Center Road Construction and the Port Road & Drainage Improvement Project Construction; b. Amend the Capital Outlay Expenses: Rider 45 FY18 Port Commercial Center line item to reflect \$682,205; c. Amend the Capital Outlay Expenses Port Road & Drainage Improvement Project 19-line item to reflect \$681,284; d. Amend the Capital Outlay Expenses: FEMA Port Repairs – Harvey line item to reflect \$364,922. I recommend, Amend the FY2020 Budget accordingly. The two Capital Outlay Expenses line items are covered by the revenue from the TXDOT Maritime Grant. The FEMA line item will be reimbursed to us sometime in the future. I submitted the request for reimbursement on September 18th and have provided the additional documentation to FEMA that was requested. I followed up on this request on November 18th. FEMA's response was they were not sure if we would be issued a check before the end of the year. However, we must still do an Amendment to the FEMA line item to reflect the expenses for this project. Commissioner Aparicio made a motion to approve the FY2020 Budget as presented. Commissioner Eggemeyer 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 verbal report.

Consideration and approval of Current Voucher Control Report. No Vouchers available, no motion required.

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

IV. EXECUTIVE SESSION – At 2:15 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 personnel matters as pertained under Section 551.074.
 - a. Personnel – Evaluation & 2021 Compensation
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 on concerning default leases
 - c. Discussion on repair of Port property
 - d. Discussion on MEC Property

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 4:25 p.m.

Commissioner Aparicio made a motion to approve the Port Lease Activity as presented. Commissioner Seaman seconded the motion. All voted affirmatively and the motion passed.

Commissioner Eggemeyer made a motion to approve a 3% pay increase for the Administrative Staff's compensation and liabilities for 2021.

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

VII. ADJOURNMENT. Commissioner Eggemeyer moved to adjourn and was seconded by Commissioner Aparicio the motion carried, and the meeting adjourned at 4:28 p.m.



Greg T. Seaman, Secretary