

MATAGORDA COUNTY NAVIGATION DISTRICT NO. ONE
MINUTES OF THE BOARD OF COMMISSIONERS
REGULAR BOARD MEETING
February 20, 2020

I. Chairman Jimmy Neeley called the meeting of February 20, 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

Jimmy Neeley, Chairman

Greg Seaman Commissioner

Donny Tran, Commissioner

Victor Eggemeyer, Commissioner

Victor Martinez, Port Director

Verna H. Williams, Port Office Mgr.

Isidro Castanon, Port Attorney

Garry Seaman

Karen Botbyl

Jose Ortiz, Maintenance Contractor

Tom Schmidt, Urban Engineering

Rusty Moon, Texas General Land Office

Brent Miller, 1st Financial Trust

Alan Schulman, Palacios Beacon

Mike Ferdinand, MCEDC (1:22 pm)

Anette Uher, Port Accountant Consultant

Michael Schneider, Collins Engineers, Inc.

Scooter Machacek

I. 5. Report from Matagorda County Economic Development Corporation. Mike Ferdinand, MCEDC Executive Director, gave a brief report. (2:03 pm)

II. 1. Consideration and approval of Minutes of Previous Meetings (1/16/2020). Minutes from the Regular Board Meeting of January 16, 2020 were reviewed. Commissioner Eggemeyer moved to accept the minutes as presented. Commissioner Aparicio 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 was no Recreational Lease activity. There was one Commercial Lease renewal (Domino Seafood). Occupancy for TB#3 Docks B-E is 92% and 87% for F&G slips are occupied. A motion was made by Commissioner Seaman to approve Port Lease Activity, as presented. Commissioner Tran seconded the motion. All voted affirmatively and the motion passed.

II. 3. Consideration and possible action to approve the Mowing Services Agreement Extension (3/1/2020-2/28/2021) with Ortiz Lawn & Shredding, Jose Ortiz, effective March 1, 2020. Mr. Martinez stated, the one-year Mowing Services Agreement is ending February 29, 2020. This would execute the final one-year extension for this Agreement with Ortiz Lawn and Shredding to begin March 1, 2020 and end on February 28, 2021. No other changes in the contract at this time. Commissioner Eggemeyer made a motion to approve the Mowing Services Agreement Extension (3/1/2020-2/28/2021) with Jose Ortiz, effective March 1, 2020. Commissioner Tran seconded the motion. All voted affirmatively and the motion passed.

II. 4. Consideration and possible action to approve the Building Cleaning Contract Extension (3/1/2020-2/28/2021) with Linda Contreras, effective March 1, 2020. Mr. Martinez stated, the actual end date is 2/28/2020, therefore the new extension date is (2/29/2020-2/28/2021). This extension is needed to extend our building cleaning contract with Ms. Contreras. The amount of the contract will remain the same at \$650 per month. She has done a great job during this time and I recommend we continue our contract with her. Commissioner Eggemeyer made a motion to approve the Building Cleaning Contract Extension (2/29/2020-2/28/2021) with Linda Contreras, effective February 29, 2020. Commissioner Aparicio seconded the motion. All voted affirmatively and the motion passed.

II. 5. Discussion of Seafood Tariffs. There were discussions with Garry Seaman, Scooter Machacek and the MCND#1 Board. This item will 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 verbal report.

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 Financial Reports – 4th Qtr 2019 and Year-end. After review, of the 4th Quarter 2019 Financial Report. Commissioner Aparicio made a motion to approve the 4th Quarter 2019 Financial Report. Commissioner Eggemeyer seconded the motion. All voted affirmatively and the motion passed. After review, of the Year-end 2019 Financial Report, Commissioner Aparicio made a motion to approve the Year-end 2019 Financial Report. 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. Brent Miller reported on the First Financial Trust Account's activity. Commissioner Tran made a motion to approve the Current Investment Activity Reports. Commissioner Aparicio seconded the motion. All voted affirmatively and the motion passed.

IV. EXECUTIVE SESSION – At 2:45 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.
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

V. RETURN TO OPEN SESSION – The Commissioners returned to Open Session at 5:07 p.m. Commissioner Eggemeyer made a motion to approve the Lease Agreement with Ed Rachal Foundation on the Marine Education Center Property, pending resolution of the insurance issue that we addressed with the Ed Rachal Foundation. Commissioner Tran 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 Thursday, March 26, 2020 at 1:00 p.m. at the Port Administration Building.

VII. ADJOURNMENT. Commissioner Aparicio moved to adjourn and was seconded by Commissioner Eggemeyer the motion carried, and the meeting adjourned at 5:10 p.m.



Greg T. Seaman, Secretary