

**MATAGORDA COUNTY NAVIGATION DISTRICT NO. ONE
MINUTES OF THE BOARD OF COMMISSIONERS
REGULAR BOARD MEETING
DECEMBER 14, 2022**

I. Chairman Neeley called the meeting of December 14, 2022, to order at 1:04 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:

Victor Eggemeyer, Commissioner	Jose Ortiz, Maintenance Contractor
Jimmy Neeley, Chairman	Matt Glaze, Urban Engineering <i>(left 1:56 pm)</i>
Greg Seaman, Commissioner	Brandi West, Palacios Beacon
Alan Schulman, Commissioner	Ron Linton, Coldwell Banker Realty
Victor Martinez, Port Director	Jim Gardner, Mayor of Palacios <i>(left 1:59 pm)</i>
Verna H. Williams, Port Office Mgr.	Cynthia Raleigh, City Manager <i>(left 1:59 pm)</i>
Isidro Castanon, Port Attorney	

II. 1. **Consideration and approval of minutes of previous meetings (11/21/2022).** Minutes from the Regular Board Meeting of November 21, 2022 were reviewed. Commissioner Eggemeyer moved to accept the minutes as presented. Commissioner Schulman 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 one renewed Recreational Lease (Thompson). There was no other lease activity for the month. Occupancy for TB#3 B Dock 30%, C Dock 0%, D & E Docks 89%, and G Dock 100%. 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.

Port Attorney, Isidro Castanon, went over proposed changes for the Commercial and Recreational Lease Contracts. Chairman Neeley made a motion to approve the changes to Commercial and Recreational Lease Contracts as presented Mr. Castanon. Commissioner Eggemeyer seconded the motion. All voted affirmatively and the motion passed.

II. 3. **Consideration and possible approval of increasing rates and tariffs to include but not limited to recreational docks, land, buildings, and other rates as determined by the Board Commissioners.** Mr. Martinez read the proposed changes for Commercial land, building and office rates. Also, Recreational rates, deposits, utility rates and other fees. After going over each item, Chairman Neeley made a motion to approve Commercial rates as presented; and to approve Recreational rates, deposits, utility rates and other fees as presented with the exception of TB#3 slip rates for D Dock to be \$180 and E Dock to be \$160. Commissioner Eggemeyer seconded the motion. Motion carried by majority vote. Commissioner Seaman abstained due to a conflict of interest.

II. 4. **Consideration and possible action to approve the Palacios Living Shoreline conceptual plan.** Mr. Martinez stated, I believe each of you have had a chance to review the plans for the living shoreline structures that would be placed in front of our property. The City and Urban have asked for your approval of this portion of the plan effecting the property. Remember this was a GLO Grant for the City to place a living shoreline to help with storm surge and wave action. After some discussion, it was consensus to discuss this item at the next Board Meeting. No motion required at this time.

II. 5. Consideration and possible action to approve amending the FY2022 Budget. Mr. Martinez stated, we need to amend the Capital Improvements and Equipment – Dock Repair and Replacement Line Item to \$660,593 from the Free Reserves. Mr. Martinez stated, We need to amend the Capital Outlay Line Item to the amount of \$772,918 to cover Equipment -Dock Repair and Replacement the FEMA project of 660,593 (most of this monies will be reimbursed) and Port Infrastructure & Improvements Line Item in the amount of \$112,325.00 from the Free Reserves. Commissioner Eggemeyer made a motion to approve amending Capital Outlay Line Item in the amount of \$772,918.00 from the Free Reserves for the FY2022 Budget. Commissioner Schulman 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 Seaman made a motion to accept the Current Voucher Control Report. Commissioner Schulman 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 3:17 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 purposes:

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 & 2023 Compensation
 - b. Discussion on Port Property & Facilities Maintenance Contract
 - c. Discussion on Real Estate Consulting Contract
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 economic development
 - c. Discussion on concerning default leases
 - d. Discussion on repair of Port property

V. RETURN TO OPEN SESSION – The Commissioners returned to Open Session at 6:37 p.m. Chairman Neeley made motion to increase the wages of the staff by 10% effective January 1, 2023. Commissioner Eggemeyer seconded the motion. All voted affirmatively and the motion passed.

Chairman Neeley made a motion to increase the salary of the Port Director to \$100,000 per year effective January 1, 2023. 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, January 18, 2023, at 1:00 p.m. at the Port Administration Building.

VII. ADJOURNMENT. Commissioner Eggemeyer moved to adjourn and was seconded by Commissioner Schulman the motion carried, and the meeting adjourned at 6:39 p.m.



Greg T. Seaman, Secretary