

**MATAGORDA COUNTY NAVIGATION DISTRICT NO. ONE  
MINUTES OF THE BOARD OF COMMISSIONERS  
REGULAR BOARD MEETING  
JANUARY 18, 2023**

I. Chairman Neeley called the meeting of January 18, 2023, 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:**

Victor Eggemeyer, Commissioner

Jimmy Neeley, Chairman

Greg Seaman, Commissioner

Alan Schulman, Commissioner

Victor Martinez, Port Director

Verna H. Williams, Port Office Mgr.

Isidro Castanon, Port Attorney

Jose Ortiz, Maintenance Contractor.

Matt Glaze, Urban Engineering

Ryan West, Palacios Beacon

Ron Linton, Coldwell Banker Realty

Jim Gardner, Major of Palacios

Mark Morgan, TDEM *(Arrived 1:15 pm)*

Rhea Harvey

Craig Wallis, WW Dock

Craig Wallis with WW Dock spoke in reference to the District raising Commercial Lease rates as of 2023. Mr. Wallis reminded the Board the Shrimping Industry is still struggling with shrimp buyers that are not purchasing the product. Therefore, it is not feasible to go out and harvest the shrimp if the product cannot be sold. He asked if the District could work out a plan to slowly increase rates versus the new rate increases as they are currently. Chairman Neeley told Mr. Wallis, the Board would discuss this in Executive Session.

**II. 1. Consideration and approval of minutes of previous meetings (12/14/2022).** Minutes from the Regular Board Meeting of December 14, 2022 were reviewed. Commissioner Seaman moved to accept the minutes as presented. Commissioner Eggemeyer 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 lease activity for this month.

**II. 3. Consideration and possible action to approve CSRS's Task Order No. 4 MARAD Port Infrastructure Development Program (PIDP) 2022 Grant Administration - Port of Palacios Energy & Resilience Improvement Project.** Mr. Martinez, This Master Service Agreement between MCND#1 and CSRS Inc., was approved February 14, 2022. This Task Order is needed to engage CSRS to initiate pre-award services for the PIDP 2022 Palacios Matagorda- Port of Palacios Energy & Resilience Improvement Project. The pre-award services include Grant and Project Management, the National Environmental Policy Act process, and Engineering. The services are estimated to cost near \$1.3 million. The Port has these funds available and can cover these costs until the Funding Agreement is in place and reimbursement is authorized. We are still waiting for MARAD to authorize this on their end. We have a meeting to discuss this on Thursday and they've already indicated this is a formality and this will be authorized by them. We will not do any work under this Task Order until this approval from MARAD is finalized. Commissioner Eggemeyer made a motion to approve the CSRS Task Order No. 4 MARAD Port Infrastructure Development Program (PIDP) 2022 Grant Administration – Port of Palacios Energy & Resilience Improvement Project. Commissioner Schulman seconded the motion. All voted affirmatively and the motion passed.

**II. 4. Consideration and possible action to approve the Palacios Living Shoreline conceptual plan.** Mr. Martinez stated, 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 a motion was made by Chairman Neeley, the Breakwater Sections on the map that are MCND#1 property be removed from the Palacios Living Shoreline conceptual plan. Commissioner Eggemeyer seconded the motion. All voted affirmatively and the motion passed.

**II. 5. Consideration and possible action to approve a FY2023 Port Facilities & Property Maintenance Contract** Mr. Martinez stated, the expiration date of the existing Property Maintenance Contract is January 31, 2023. We only received one bid which was from Ortiz Lawn & Shredding in the amount of \$83,000. The new contract term is February 1, 2023, thru January 31, 2026. The contract may be extended for up to three years (3) additional years in one (1) year increments, upon mutually acceptable terms. Commissioner Eggemeyer made a motion to approve the FY2023 Port Facilities & Property Maintenance Contract in the amount of \$83,000.00 annually. Commissioner Seaman 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 Eggemeyer 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 Eggemeyer 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 Schulman seconded the motion. All voted affirmatively and the motion passed.

**IV. EXECUTIVE SESSION** – At 2:16 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 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 3:38 p.m. Commissioner Eggemeyer made a motion to approve the Real Estate Advisory Agreement with Coldwell Banker Realty and the Linton Group for a one-year agreement with them to do real estate services for the Port. Commissioner Seaman seconded the motion. All voted affirmatively and the motion passed.

Commissioner Seaman made a motion to approve a 3-year renewal with CSRS on their Master Agreement between MCND#1 and CSRS beginning February 14, 2023. All terms and conditions remain the same as on the Original Master Agreement. (For the record, it was noted that CSRS is the same firm the Board approved Task Order #4 for the management of the PIDP Grant Funds earlier in the meeting.) Commissioner Eggemeyer seconded the motion. All voted affirmatively and the motion passed.

Commissioner Eggemeyer made a motion to approve a Task Order from CSRS, Task Order #5 to perform a limited site due diligence and study as discussed in Executive Session. Commissioner Schulman 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, February 16, 2023, 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 3:42 p.m.

  
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Greg J. Seaman, Secretary