

MATAGORDA COUNTY NAVIGATION DISTRICT NO. ONE
MINUTES OF THE BOARD OF COMMISSIONERS
REGULAR BOARD MEETING
August 24, 2023

I. Chairman Neeley called the meeting of August 24, 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:

David Aparicio, Commissioner
Victor Eggemeyer, Commissioner
Jimmy Neeley, Chairman
Greg Seaman, Commissioner
Alan Schulman, Commissioner
John Kelly, Palacios Yacht
Dale Crowe
Robin Warrick, LJA Engineering

Victor Martinez Jr., Port Director
Verna H. Williams, Port Office Mgr.
Isidro Castanon, Port Attorney
Jose Ortiz, Maintenance Contractor
Ron Linton, Coldwell Banker Realty
Ryan West, Palacios Beacon
Matt Glaze, Urban Engineering

John Kelly with Palacios Yacht club introduced himself and Dale Crowe. They are promoting recreational boating in Palacios. They suggested there needs to be available for recreational boats; a fuel station, a haul out, and a gray water pump out disposal station. They feel this will attract businesses and support local boaters.

David Aparicio asked the Board to support the Declaration of Disaster-Shrimp Dumping signed by Matagorda County Judge, Bobby Seiferman.

II. 1. Consideration and approval of minutes of previous meetings (7/26/2023). Minutes from the Regular Board Meeting of July 26, 2023, 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 there has been no lease activity since the last regular Board meeting.

II. 3. Consideration and possible action to select a firm for Engineering Design Services – Energy and Resilience Improvement Project for the MARAD FY 2022 PIDP Grant (RFQENGDSG2023). Mr. Martinez stated seven RFQs were received by August 18, 2023: Moffat & Nichol (Corpus), Lloyd Engineering (Houston), Burns McDonnell (VA), Lanier & Associates (LA), Urban Engineering (Victoria), Collins Engineers, Inc. (Port Arthur) and LJA Engineering (Houston). We had a grading committee to grade each one independently by their qualifications. The results were number 1 through number 3, which #3 was a tie. Collins Engineers, Inc., Lanier & Associates, Lloyd Engineering tied with Urban Engineering. Collins Engineers, Inc. and Lanier & Associates references were called, and each reference said both companies were recommended. We have used Collins Engineers, Inc. in the past. They did our underwater inspection and dock inspection. Then we negotiate their contract and fair market price. If we are not able to reach an agreement, then we go to the next firm on our grading list. The final contract agreed upon is presented to the Board for approval. After some discussion, Commissioner Eggemeyer made a motion to approve Collins Engineers, Inc. as the primary Engineering Design Services – Energy and Resilience Improvement Project for the MARAD FY2022 PIDP Grant (RFQENGDSG2023). Chairman Neeley seconded the motion. Commissioner Aparicio opposed. Motion passed by majority vote.

II. 4. Consideration and approval of an Amendment to the Agreement between Matagorda County Tax Office and Matagorda County Navigation District #1 – 2023 Tax Statements. Mr. Martinez stated, since the County is waiting on the voting for Senate Bill 2, the property tax cuts; the County is proposing to wait a little longer until Senate Bill 2 is approved. Then the County will send out one Tax Statement with the final voting decision. Commissioner Aparicio made a motion to approve an Amendment to the Agreement between Matagorda County Tax Office and Matagorda County Navigation District #1 – 2023 Tax Statements. Commissioner Eggemeyer seconded the motion. All voted affirmatively and the motion passed.

II. 5. Consideration and possible action to place a Proposal to Adopt the MCND#1 2023 Tax Rate on the Agenda of the next Regular Meeting of the MCND#1 Board at the Port Administration Building. Mr. Martinez stated, if you notice you have a letter from the County with the No New Revenue Tax Rate .00861. The No New Revenue M&O Tax Rate .00866 and the 2023 Voter Approval Tax Rate .00896. After some discussion, Chairman Neeley made a motion to approve placing a Proposal to Adopt the MCND#1 2023 Tax Rate of .00896 which is Voter Approval Tax Rate on the Agenda of the next Regular Meeting of the MCND#1 Board at the Port Administration Building. Commissioner Aparicio seconded the motion. All voted affirmatively and the motion passed. Individual votes: Chairman Neeley Yes, Commissioner Aparicio, Yes Commissioner Eggemeyer Yes, Commissioner Schulman Yes, Commissioner Seaman Yes.

II. 6. Discussion on FY2024 Proposed Budget. Mr. Martinez and the Board discussed the FY2024 Budget and FY2023 Tax Rate. No motion required.

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

Consideration and approval of Current Register Reports. After review, Commissioner Schulman 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 the 2nd Quarter Financials. Not presented at this time.

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

Consideration and approval of C2 Investment Portfolio FY2023 Semi-Annual Report & First Financial Trust FY2023 Semi-Annual Report. Mrs. Gonzalez reported on the Semi-Annual Investment Reports. Commissioner Eggemeyer made a motion to approve the C2 Investment Portfolio FY2023 Semi-Annual Report & First Financial Trust FY2023 Semi-Annual Report. Commissioner Schulman seconded the motion. All voted affirmatively and the motion passed.

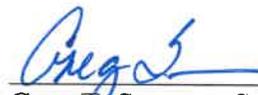
IV. EXECUTIVE SESSION – At 2:58 p.m., the Board went into an Executive Session, as authorized by the Texas Government Code Sections 551.071, 551.072, 551.073 and 551.087 of the Open Meetings Act, permitting discussion and deliberation in an Executive Meeting for the following purposes:

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
 - e. Discussion on real estate (Brookings Property)
 - f. Discussion on prospective gift or donation

V. RETURN TO OPEN SESSION – The Commissioners returned to Open Session at 5:02 p.m. 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, September 27, 2023, at 1:00 p.m. at the Port Administration Building. Mr. Martinez reminded the Commissioners about the IRPT meeting in Kentucky, September 18-22, 2023, and the AAPA 2023 Annual Convention October 2023 in Aurora Colorado in case anyone is interested in attending.

VII. ADJOURNMENT. Commissioner Eggemeyer moved to adjourn and was seconded by Commissioner Schulman the motion carried, and the meeting adjourned at 5:05 p.m.



Greg T. Seaman, Secretary