

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

I. Chairman Neeley called the meeting of October 18, 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
Victor Martinez Jr., Port Director

Verna H. Williams, Port Office Mgr.
Isidro Castanon, Port Attorney
Jose Ortiz, Maintenance Contractor
Matt Glaze, Urban Engineering
Marcia Ellis, Palacios Beacon
DC Dunham, Lynn Development

DC Dunham with Lynn Development stated, at the recent City of Palacios meeting it had its first reading of an ordinance to create a Tax Increment Reinvestment Zone. When the City adopts this Ordinance, I would like to do a presentation explaining what the Tax Increment Reinvestment Zone is. I would like to be on the District's Agenda so you can ask me questions. I will provide you with the information ahead of time. So, you can prepare your questions.

II. 1. Consideration and approval of minutes of previous meetings (9/27/2023). Minutes from the Regular Board Meeting of September 27, 2023, 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 one Recreational Leases (T Ricco). There was no Commercial Lease activity for this month. Occupancy for TB#3 B Dock 30%, C Dock 0%, D & E Docks 100%, and G Dock 89%. A motion was made by Commissioner Seaman to approve Port Lease Activity, as presented. Commissioner Schulman seconded the motion. All voted affirmatively and the motion passed.

II. 3. Consideration and possible action to approve a Letter of Agreement for KM&L, LLC to provide annual financial audit services to the Navigation District for FY2023. Mr. Martinez stated, KM&L, LLC conducted a very thorough and objective FY2022 financial audit for the District at a reasonable rate. This Audit's rate will be \$13,000. We have the option of not approving this letter of engagement and putting out an RFQ. But I don't think we're going to find much of a different price even with a new Auditor. A motion was made by Commissioner Aparicio to approve a Letter of Agreement for KM&L, LLC to provide annual financial audit services to the Navigation District for FY2023. Commissioner Eggemeyer seconded the motion. All voted affirmatively and the motion passed.

II. 4. Consideration and approval of the Master Service Agreement between MCND#1 and Collins Engineers Inc., for Engineering Design Services - Energy and Resilience Improvement Project for the MARAD FY2022 PIDP Grant (RFQENGDSG2023). Mr. Martinez stated the Master Service Agreement is not available at this time. We plan to present it at the next Board Meeting when it is available. 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 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 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 1st Quarter Amended Financial Reports. After review, Commissioner Aparicio made a motion to approve the 1st Quarter Amended Financial Reports. Commissioner Eggemeyer seconded the motion. All voted affirmatively and the motion passed.

Consideration and approval of 2nd Quarter Financial Reports. After review, Commissioner Seaman made a motion to approve the 2nd Quarter Financial 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 Aparicio seconded the motion. All voted affirmatively and the motion passed.

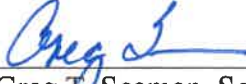
IV. EXECUTIVE SESSION – At 2:00 p.m., the Board went into an Executive Session, as authorized by the Texas Government Code Sections 551.071, 551.072, and 551.087 of the Open Meetings Act, permitting discussion and deliberation in an Executive Meeting for the following purposes:

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)

V. RETURN TO OPEN SESSION – The Commissioners returned to Open Session at 2:49 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, November 29, 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 2:50 p.m.



Greg T. Seaman, Secretary