

**MATAGORDA COUNTY NAVIGATION DISTRICT NO. ONE
MINUTES OF THE BOARD OF COMMISSIONERS
REGULAR BOARD MEETING
November 29, 2023**

I. Chairman Neeley called the meeting of November 29, 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
D C Dunhan, TIRZ *(left 2:25 pm)*
Jim Gardner, Mayor of Palacios *(left 2:25 pm)*
Cynthia Ralieggh, City Manager

Verna H. Williams, Port Office Mgr.
Isidro Castanon, Port Attorney
Jose Ortiz, Maintenance Contractor
Tom Glaze, Urban Engineering
Ryan West, Palacios Beacon
Ron Linton, Coldwell Banker Realty
Stuart Lynn, Lynn Development *(left 2:25 pm)*
Larry Glenn, City Council Member *(left 2:25 pm)*

II. 1. Consideration and approval of minutes of previous meetings (10/18/2023). Minutes from the Regular Board Meeting of October 18, 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 on lease activity since the last regular Board meeting. There was one new Recreational Lease (Kelly) and two renewed Recreational Leases (Bari/Gangluff). There was one new Commercial Lease (Au) and a release and assignment of a Commercial Lease (Palacios Shrimp Co.). Occupancy for TB#3 B Dock 30%, C Dock 0%, D & E Docks 100%, 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.

II. 3. 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). After some discussion, once the Agreement is finalized and the Port Attorney, Isidro Castanon approves the Agreement, Chairman Jimmy Neeley will sign the Agreement. A motion was made by Commissioner Eggemeyer to approve 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). Commissioner Schulman seconded the motion. All voted affirmatively and the motion passed.

II. 4. Consideration and approval of the U.S. Army Corps of Engineers Project Management Review Plan for the Feasibility Study for the CAP-107 Port of Palacios Turning Basin #4 Expansion. Mr. Martinez stated as of right now we are not responsible for any funding, this is just to get the Corps started on their part. This is a Federal Cost Sharing Project. The Feasibility Study will be a 50/50 cost with the U.S. Army Corps. The Study will be 1.1 million dollars. We will be responsible for half of that cost when we get there. However, that can be considered In-Kind Services. Before this goes

to funding, I recommend we do an RFQ for another Engineering Firm to look at this with us and help us get an idea what our portion will cost. Commissioner Aparicio made a motion to go forward with the U.S. Army corps of Engineers Project Management Review Plan for the Feasibility Study for the CAP-107 Port of Palacios Turning Basin #4 Expansion Project. Commissioner Seaman seconded the motion. All voted affirmatively and the motion passed.

II. 5. Consideration and approval of the U.S. Army Corps of Engineers Cost Sharing Agreement Package for the Feasibility Study for the CAP-107 Port of Palacios Turning Basin #4 Expansion Project, giving Port Director Victor Martinez Jr. authority to sign these documents. After some discussion, it was decided to discuss this Agenda Item at a later date. No motion required.

II. 6. Discussion and consideration of a presentation by DC Dunham on Participation of Matagorda County Navigation #1 in City of Palacios Tax Increment Reinvestment Zone Number One. D C Dunham introduced Stuart Lynn, with Lynn Development, City Major Jim Gardner, and City Council Member, Larry Glenn. She gave a presentation and had two handouts “TIRZ #1 Palacios” and “Destination : Palacios”. TIRZ #1 is a public private partnership with the City of Palacios, Matagorda County, Navigation District #1, Seawall Commission and private investors. No motion required at this time.

II. 7. Consideration and approval on the Agreement to Participate in Tax Increment Reinvestment Zone Number One, City of Palacios, Texas.

II. 8. Consideration and approval on the Resolution of Participation of Matagorda County Navigation #1 in City of Palacios Tax Increment Financing Reinvestment Zone Number On. Commissioner Seaman made a motion to move Agenda Item #7 and #8 to Executive Session. Commissioner Eggemeyer second 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 Aparicio 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 Schulman 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 3:15 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 5:00 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 Thursday, December 21, 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 5:05 p.m.



Greg V. Seaman, Secretary