

**MATAGORDA COUNTY NAVIGATION DISTRICT NO. ONE
MINUTES OF THE BOARD OF COMMISSIONERS
REGULAR BOARD MEETING
January 17, 2024**

I. Chairman Neeley called the meeting of January 17, 2024 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

Cynthia Ralieg, City Manager
Isidro Castanon, Port Attorney
Jose Ortiz, Maintenance Contractor
Matt Glaze, Urban Engineering
Ryan West, Palacios Beacon
Ron Linton, Coldwell Banker Realty

II. 1. Consideration and approval of minutes of previous meetings (12/21/2023). Minutes from the Regular Board Meeting of December 21, 2023, 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 one renewed Recreational Leases (D Machacek). There was no Commercial Lease activity. Occupancy for TB#3 B Dock 30%, C Dock 0%, D & E Docks 100%, and G Dock 100%. A motion was made by Commissioner Aparicio to approve Port Lease Activity, as presented. Commissioner Eggemeyer seconded the motion. All voted affirmatively and the motion passed.

II. 3. Consideration and possible action to approve the Resolution of Participation of Matagorda County Navigation #1 in City of Palacios Tax Increment Financing Reinvestment Zone Number One.

II. 4. Consideration and possible action to approve the Agreement to Participate in Tax Increment Reinvestment Zone Number One, City of Palacios, Texas. A motion was made by Commissioner Seaman to move these Agenda Items to Executive Session. Commissioner Eggemeyer seconded the motion. All voted affirmatively and the motion passed.

II. 5. Consideration and possible action to approve the Matagorda County 2023 Levy Tax Report and the Matagorda County 2023 Grand Total Report. Mr. Martinez stated, Property Tax Code Section 26.09 (e) requires us as the governing body to approve the Levy Tax Roll Report and the Grand Total Report as given by the Tax Assessor. We normally do this in October/November timeframe. However, since there was the homestead exemption tax the tax rolls were completed later than normal. I have looked over each of the reports and they match up with the estimated taxes we budgeted for in FY2024. A motion was made by Commissioner Eggemeyer to approve the Matagorda County 2023 Levy Tax Roll Report and the Matagorda County 2023 Grand Total Report. Commissioner Schulman seconded the motion. All voted affirmatively and the motion passed.

II. 6. Consideration and possible action to approve renewing Real Estate Advisory Agreement between MCND#1 and Ron Linton Sole Proprietor. Mr. Martinez stated, Ron has been working hard trying to lease property that has not been leased in the past. We had tried leasing our commercial property

through other means before without success for many years. I believe we should renew this agreement and allow some more time for Ron to try to get some of our property leased. No terms have changed. A motion was made by Commissioner Aparicio to approve renewing Real Estate Advisory Agreement between MCND#1 and Ron Linton Sole Proprietor for another year. Commissioner Eggemeyer seconded the motion. All voted affirmatively and the motion passed.

II. 7. Discussion and possible action on Rates and Tariffs. Mr. Martinez stated, We've received multiple complaints recently about the out-of-town oyster fishermen who bring in multiple oyster boats into our port and throw trash and other things into the Turning Basins. Currently we have no way of charging them a tariff or something for the use of the docks. They usually tie up with one of our current tenants. I wanted to bring this subject up since a couple of the Commissioners have also received phone calls on this matter. I'll open it up for discussion. No motion required at this time.

II. 8. Consideration and possible action to approve Matagorda County Navigation District #1's participation in the Texas Ports Association – 2024 Texas Ports Economic Impact Study. Mr. Martinez stated, the TPA is coordinating with Martin and Associates to conduct a Texas Ports Economic Impact Study. This study has been done before with multiple ports participating and funding it in previous years through the TPA. If we participate and pay into this study, we will get a comprehensive study for our port as part of this. These numbers are important for us to be able to tell our story to our elected officials and other state and federal entities of what we do and the impact we make on the Texas economy. Currently 12 Ports are committed to funding with the possibility of three more ports committing. One of those three is us. So, the total cost of the complete study is \$230,000 but if 15 ports participate in it then each port will pay \$15,344 as their portion. If 13 ports participate then each port will pay \$17,693. I will tell you during the last session I was asked multiple times by legislators and their staffs about these numbers that are produced from this study. The last time one of these was done was in 2018, so it was difficult trying to use older numbers in 2022. But we did it. But coming out of that session we knew we had to work and commit to updating the study to update the numbers. I think this will make it much easier to speak to and talk with our legislators with these updated numbers. I'm recommending we participate in this study with the other Texas Ports and pay an amount no more than \$18,000 as determined by how many ports participate in this study. A motion was made by Commissioner Aparicio to approve Matagorda County Navigation District #1's participation in the Texas Ports Association – 2024 Texas Ports Economic Impact Study. Commissioner Eggemeyer seconded the motion. All voted affirmatively and the motion passed.

II. 9. Consideration and possible action to approve an Amendment of the FY2023 Budget (P&D). Mr. Martinez stated, with a few additional Promotional and Development expenditures in FY2023 to include the cemetery, the Montgomery Home, and the Palacios ISD Educational Foundation we need to do an Amendment to the P&D Line Item to reflect these additions. The change would be to \$25,100. A motion was made by Commissioner Seaman to approve an Amendment of the FY2023 Budget to increase P&D in the amount of \$25,100.00. 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 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 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 2:33 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 & 2024 Compensation
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

II. 3. Consideration and possible action to approve the Resolution of Participation of Matagorda County Navigation #1 in City of Palacios Tax Increment Financing Reinvestment Zone Number One.

II. 4. Consideration and possible action to approve the Agreement to Participate in Tax Increment Reinvestment Zone Number One, City of Palacios, Texas.

V. RETURN TO OPEN SESSION – The Commissioners returned to Open Session at 4:11 p.m. No action on Agenda Items #3 and #4. Commissioner Seaman made a motion to approve a 5% salary and liabilities increase for the Administrative Staff for 2024, not including the Port Director, to be retroactive as January 1, 2024. 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 Wednesday February 14, 2024, at 1:00 p.m. at the Port Administration Building.

VII. ADJOURNMENT. Commissioner Aparicio moved to adjourn and was seconded by Commissioner Schulman the motion carried, and the meeting adjourned at 4:15 p.m.



Greg T. Seaman, Secretary