

MATAGORDA COUNTY NAVIGATION DISTRICT NO. ONE
MINUTES OF THE BOARD OF COMMISSIONERS
REGULAR BOARD MEETING
December 18, 2024

I. Chairman Schulman called the meeting of December 18, 2024, 2024, to order at 1:01 p.m. Chairman Schulman announced the Notice of Meeting had been duly posted and there was a quorum present. The Pledge of Allegiance was recited. Chairman Schulman welcomed those in attendance and thanked them for coming.

ATTENDEES:

David Aparicio, Commissioner

Carlos Duran, Commissioner

Victor Eggemeyer, Commissioner

Jimmy E. Neeley, Commissioner

Alan Schulman, Chairman

Victor Martinez, Jr., Port Director

Verna H. Williams, Port Office Mgr.

Isidro Castanon, Port Attorney (arrived 1:32 p.m.)

Jose Ortiz, Maintenance Contractor

Ryan West, Palacios Beacon (left 1:49 p.m.)

Matt Glaze, Urban Engineering

Jay Woods, Matagorda Co. CLO-TDEM (Left 1:08 pm)

Huyen Tran, PCMC Hospital, Administrator (left 1:49 p.m.)

Jay Woods works for the state but with Matagorda County CLO-TDEM. He wants to introduce himself since he is new to the County. Since he works with local and county officials, he wanted the Board to have a face with the name.

Huyen Tran Administrator with the Palacios Community Hospital wanted to thank the Board again for their financial support for the local hospital and gave an update on the repairs made. The State officials were happy with the improvements made.

II. 1. Consideration and approval of minutes of previous meetings (11/20/2024). Minutes from the Regular Board Meeting of November 20, 2024, were reviewed. Commissioner Aparicio moved to accept the minutes with a change. 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 1 renewed recreational lease (Borchert) and one new recreational lease (Lev). There were 4 renewed Commercial Leases (Brady-O'Bryant/Capt. Tom/Palacios Shrimp/WW). Occupancy for TB#3 B Dock 67%, C Dock 0%, D & E Docks 89%, and G Dock 71%. A motion was made by Commissioner Neeley to approve Port Lease Activity, as presented. Commissioner Aparicio seconded the motion. All voted affirmatively and the motion passed.

II. 3. Consideration and possible action to approve an Amended Resolution authorizing Matagorda County Navigation District #1 to enter into an Advance Funding Agreement for a Texas Mobility Fund Grant also known as Rider 38 and Rider 48 for a Public Transportation Project with the Texas Department of Transportation for the Road and Drainage Improvement project to begin in Fiscal Year 2025. Mr. Martinez stated: In 2021, the Board approved a Resolution outlining the understanding of our commitment to the grant requirements for the funding provided by the State of Texas for the Rider 38 and Rider 48 Road and Drainage Improvement project on 12th Street and Hwy 35. In July the Board approved this Resolution again with Amendments to increase the funding. But now TXDOT has asked us to approve another amended Resolution because they needed to change some wording in it based on their Attorneys recommendations. So, this is now the third rendition of the

Resolution. However, this gets us closer to funding. Commissioner Aparicio made a motion to approve the Amended Resolution authorizing Matagorda County Navigation District #1 to enter into an Advance Funding Agreement for a Texas Mobility Fund Grant also known as Rider 38 and Rider 48 for a Public Transportation Project with the Texas Department of Transportation for the Road and Drainage Improvement project. Commissioner Eggemeyer seconded the motion. All voted affirmatively and the motion passed.

II. 4. Consideration and possible action to approve the Advance Funding Agreement for a Texas Mobility Fund Grant also known as Rider 38 for a Public Transportation Project with the Texas Department of Transportation for the Road and Drainage Improvement project to begin in Fiscal Year 2025. After some discussion, Commissioner Eggemeyer made a motion to authorize the Port Director to execute the Advance Funding Agreement for a Texas Mobility Fund Grant also known as Rider 38 for a Public Transportation Project with the Texas Department of Transportation for the Road and Drainage Improvement project to begin in Fiscal Year 2025. Commissioner Neeley seconded the motion. All voted affirmatively and the motion passed.

II. 5. Consideration and possible action to approve the Resolution to Authorize Signatures on MCND #1 Financial Accounts. Mr. Martinez stated, as a matter of routine practice, that MCND #1 reviews and updates any documents that are required for standard business and to remain within auditing standards. We updated this resolution of our financial accounts by switching the two titles for Mr. Schulman & Mr. Neeley. Commissioner Duran made a motion to approve a Resolution to Authorize Signatures on MCND #1 Financial Accounts. Commissioner Aparicio seconded the motion. All voted affirmatively and the motion passed.

II. 6. Consideration and possible action to approve the Resolution to Adopt Competitive Bidding Requirements and Limits in Chapter 60 Subchapter N of Texas Water Code. Mr. Martinez read the Resolution. Commissioner Neeley made a motion to approve the Resolution to Adopt Competitive Bidding Requirements and Limits in Chapter 60 Subchapter N of Texas Water Code. Commissioner Aparicio seconded the motion. All voted affirmatively and the motion passed.

II. 7. Consideration and possible action to approve all the FY2024 Budget Amendments. Mr. Martinez stated, it's the last month of the year and we need to do some Amendments to the Budget.

The first amendment would be that we need to move \$864,357.03 from the Designated Funds line Item – Purchase of Property for Future Development to put it into Capital Outlay – naming the line-item Purchase of Serendipity. Additionally, we need to increase the Purchase of Serendipity to \$4,170,767 to account for the costs of the property.

Second Amendment would be to create a line item in the Revenue Prosperity Bank – Serendipity with an amount of \$3,320,000 This will account for the loan funds we received.

Third Amendment would be to increase the Promotion and Development line item to \$102,000 to account for the total amount we spent this year. Remember we increased it for the hospital, and we also paid out some funds to Volunteer Fire Departments within our district. Commissioner Eggemeyer made a motion to approve amending FY 2024 Budget Amendments as presented. Commissioner Neeley 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 Aparicio made a motion to accept the Current Voucher Control Report. Commissioner Duran seconded the motion. All voted affirmatively and the motion passed.

Consideration and approval of Current Register Reports. After review, Commissioner Neeley 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 Neeley made a motion to approve the Current Investment Activity Report. Commissioner Eggemeyer seconded the motion. All voted affirmatively and the motion passed.

IV. EXECUTIVE SESSION – At 2:15 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 personnel matters as pertained under Section 551.074.
 - a. Personnel – Evaluation & 2025 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 to the purchase, exchange, lease or value of real property
 - c. Discussion on economic development
 - d. Discussion on concerning default leases
 - e. Discussion on repair of Port property

V. RETURN TO OPEN SESSION – The Commissioners returned to Open Session at 3:35 p.m. Commissioner Duran made a motion to approve a 5% pay increase for the Administrative Staff's compensation and liabilities effective January 1, 2025. Commissioner Eggemeyer seconded the motion. All voted affirmatively and the motion passed.

Commissioner Eggemeyer made a motion to open a bank account at Prosperity Bank for the operation of Serendipity. Also to authorize Serendipity Manager, Michael Brooks, to sign checks up to the amount of \$1,000 per check. Commissioner Neeley seconded the motion. Commissioner Aparicio had a nay vote. Motion passed by majority vote. 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, January 15, 2025, at 1:00 p.m. at the Port Administration Building.

VII. ADJOURNMENT. Commissioner Eggemeyer moved to adjourn and was seconded by Commissioner Aparicio the motion carried, and the meeting adjourned at 3:43 p.m.



Carlos Duran, Secretary