

POHA January 18, 2024

The Commissioners of the Port of Harlingen Authority (POH) met in a regularly scheduled session on Thursday January 18, 2024 at 12:00 PM at the Port's Administration Office located at 24633 Port Road, Harlingen, Texas, 78550.

COMMISSIONERS PRESENT: Rose Snell – Commissioner, Place 1
 Neil Haman - Commissioner, Place 2
 Alan Johnson – Chairman, Place 3
 Chris Villarreal – Commissioner, Place 4
 Ryan Newman – Commissioner, Place 5

PORT STAFF PRESENT: Walker Smith – Port Director
 Robert McDonald – Chief Financial Officer (remote)
 Amy Lynch - Director of Marketing & Public Relations
 Anne Jimenez - Receptionist

OTHERS PRESENT: Chris Boswell – Port Attorney

A. Meeting called to order at 12:25 pm.

Declaration of conflicts of interest: There were none, except those Affidavits of Conflict of Interest previously filed by Commissioners Villarreal and Newman regarding Item H.

B. 1. **Item:** PUBLIC COMMENTS

2. **Issue:** To hear public comments, if any.

3. **Discussion:** There were no public comments.

4. **Action Taken:** None.

C. 1. **Item:** APPROVAL OF VOUCHERS

2. **Issue:** To review the vouchers for approval.

3. **Discussion:** There was no discussion regarding the vouchers.

4. **Action Taken:** On a motion by Mr. Haman and seconded by Mrs. Snell, the Commissioners approved the vouchers. After a vote, the ayes were 5 and the nays were 0.

D. 1. **Item:** APPROVAL OF MINUTES FOR THE MEETING ON JANUARY 4, 2024

2. **Issue:** To review the corresponding minutes.

3. **Discussion:** There was no discussion regarding the minutes

4. **Action Taken:** On a motion by Mrs. Snell and seconded by Mr. Haman, the Commissioners approved the minutes and certified agenda for the meeting on January 4, 2024. After a vote, the ayes were 5 and the nays were 0.

- E. 1. **Item:** APPROVAL OF THE DECEMBER FINANCIAL, OPERATIONS & CAPITAL PROJECTS REPORTS
2. **Issue:** To review and approve the reports.
 3. **Discussion:** Regarding the Tonnage report, Mr. McDonald said the total tonnage for the month was 212,000, which is 60% higher than last month. Regarding the AR Aging Summary, he said that there are several unpaid invoices which will be resolved with upcoming payments. On the Profit & Loss Budget Performance report, Mr. McDonald said that the total operating income is \$20,000 under budget. He also said that the expenses were \$32,000 under budget. Regarding the Capital Projects report, Mr. Smith gave a status update for each listed project.
 4. **Action Taken:** On a motion by Mr. Newman and seconded by Mrs. Snell, the Commissioners approved the December reports: Tonnage, A/R Aging Summary, Balance Sheet, the Profit & Loss Budget Performance and the Master Plan Progress Report. After a vote, the ayes were 5 and the nays were 0.
- F. 1. **Item:** STAFF REPORTS
2. **Issue:** To hear from staff regarding their respective projects.
 3. **Discussion:** Mr. Smith reported that he is working with CSRS to explore further grant opportunities. Mrs. Lynch said that Sen. Cruz' regional director will visit the Port tomorrow. Also, Mrs. Lynch stated that she is currently working on replacing the Port's outdoor signage with the new logo.
 4. **Action Taken:** This was for discussion only.
- G. 1. **Item:** DISCUSS AND CONSIDER THE RESOLUTION FOR THE PORT'S SCP88 LIGHTING AND DRAINAGE PROJECT
2. **Issue:** To review the resolution for approval.
 3. **Discussion:** There was no discussion regarding the resolution.
 4. **Action Taken:** On a motion by Mr. Villarreal and seconded by Mr. Newman, the Commission approved and executed the resolution to enter into an Advanced Funding Agreement with TxDOT for the Seaport Connectivity Project Road, Lighting & Drainage Project.
- H. 1. **Item:** DISCUSS AND CONSIDER PROPOSALS SUBMITTED FOR DOCK 8/ NUSTAR DOCK REBUILD
2. **Issue:** To review the proposal submitted.
 3. **Discussion:** Mr. Smith stated that there was only one bid for the Dock 8 rebuild project.

It was from Rhyner Construction. The proposal was reviewed and recommended for selection by the project engineers, LJA Engineering. Mr. Smith said the only thing missing from the proposal was a projected timeline. The Commissioners discussed whether to select the Rhyner proposal as the top offeror and authorize Mr. Smith to negotiate the contract.

4. **Action Taken:** On a motion by Mr. Haman and seconded by Mrs. Snell, the Commission selected as the top offeror the proposal submitted by Rhyner Construction for the rebuilding of Dock 8 and also authorized Mr. Smith to negotiate the contract terms for the project with particular attention to provisions related to the number of days needed to complete the project and all other provisions which would be the best value for the Port of Harlingen Authority, subject to final approval by the Commission at a future meeting.

I. 1. **Item:** PRESENTATION OF THE FY 22-23 FINANCIAL AUDIT FOR APPROVAL CONDUCTED BY CARR, RIGGS & INGRAM

2. **Issue:** To review the audit report for approval.
3. **Discussion:** Mr. Montemayor of Carr, Riggs and Ingram reviewed the audit report with the Commission. Mr. Montemayor reported that the audit was a "clean" or unqualified opinion—the financial statements present fairly in all material respects the financial position and results of the Port of Harlingen Authority.
4. **Action Taken:** On a motion by Mr. Villarreal and seconded by Mrs. Snell, the Commission approved the FY 22-23 Financial Audit submitted by Carr, Riggs & Ingram.

J. 1. **Item:** DISCUSS AND CONSIDER THE DEPOSITORY CONTRACT WITH TEXAS REGIONAL BANK

(Commissioners Newman and Villarreal exited the meeting chamber at this time and did not participate in the discussion or voting on this matter.)

2. **Issue:** To review the contract for approval.
3. **Discussion:** There was no discussion of the depository contract.
4. **Action Taken:** On a motion by Mrs. Snell and seconded by Mr. Haman, the Commission approved the Depository Contract with Texas Regional Bank.

(Commissioners Newman and Villarreal returned to the meeting chamber.)

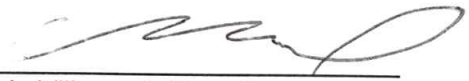
The Commission entered the executive session authorized by Chapter 551.072 at 1:22 PM. They came out of the executive session at 1:27 PM. A Certified Agenda for the executive session is on file.

There being no further business, the meeting was adjourned at 1:28 PM.

ATTEST:



Alan Johnson, Chairman



Chris Villarreal, Secretary