

## POHA March 21, 2024

The Commissioners of the Port of Harlingen Authority (POH) met in a regularly scheduled session on Thursday March 21, 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  
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  
Shannon Caraway – Eolic  
William Yarnell – Port Legislative Consultant (remote)

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

Declaration of conflicts of interest: Mrs. Snell declared a conflict of interest with the voucher for FastSigns. She abstained from signing the voucher and submitted an affidavit for conflict of interest.

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. Newman and seconded by Mr. Villarreal, the Commissioners approved the vouchers. After a vote, the ayes were 4 and the nays were 0. Commissioner Snell abstained on the Fast Signs voucher approval. There was no discussion.

D. 1. **Item:** APPROVAL OF MINUTES & CERTIFIED AGENDA FOR THE MEETING ON MARCH 7, 2024

2. **Issue:** To review the corresponding minutes.
3. **Discussion:** There was no discussion regarding the minutes.
4. **Action Taken:** On a motion by Mr. Villarreal and seconded by Mr. Newman, the Commissioners approved the minutes and certified agenda for the meeting on March 7, 2024. After a vote, the ayes were 4 and the nays were 0.

E. 1. **Item:** CONSIDER AND POSSIBLE APPROVAL OF THE FEBRUARY FINANCIAL OPERATIONS REPORTS AND THE CAPITAL PROJECTS REPORT

2. **Issue:** To review and approve the reports.
3. **Discussion:** Regarding the Balance Sheet, Mr. Haman stated that there doesn't need to be 2 different reports. Mr. McDonald noted that the current liabilities line appears in the report due to the annual loan payments for the purchased land that are due in January. Regarding the A/R Summary, Mr. McDonald stated that the Port received payment from the past due Circle X tenant. Regarding the Profit and Loss Budget Performance, Mr. McDonald noted that there was an operational income loss in February due to paying incentive bonuses. And the Port is \$1,000 under budget for expenses. Regarding the Tonnage report, Mr. McDonald said that the total tonnage is 206,000 for February. Regarding the Master Plan report, Mr. Smith gave an update for each listed project. Most of the projects are moving slowly as per Mr. Smith and that would be due to the respective entities involved with the projects.
4. **Action Taken:** On a motion by Mr. Villarreal and seconded by Mrs. Snell, the Commissioners approved the February 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 4 and the nays were 0.

F. 1. **Item:** STAFF REPORTS

2. **Issue:** To hear from staff regarding their respective projects.
3. **Discussion:** Mrs. Lynch reported that she has updated the Port's SAMS.GOV account which is the federal grants platform. She also registered the Port on FEMAGO to be able to apply for FEMA grants. She is working on drafting stories for the Port's annual report. And she made a video of the last sugar load shipped from the Port. Mr. Smith reported that he had a meeting with a group named Eolic who is interested in the Port. Mr. Smith also said that he spoke to RGV Sugar Growers, and they will clean the warehouse very well before vacating. Mr. Smith said that he will get an inventory of all the property in the warehouse

that will belong to the Port.

4. **Action Taken:** This was for discussion only.

G. 1. **Item:** CONSIDERATION AND POSSIBLE ACTION TO UPDATE THE PORT'S PERSONNEL POLICY

2. **Issue:** To review the proposed policy changes for approval.

3. **Discussion:** The Commission discussed the potential changes to the Personnel Policy. Mr. Boswell provided a draft of the policy to show where the changes would be implemented. The Commission agreed with the proposed changes. There were no fundamental changes, only a few grammatical changes.

4. **Action Taken:** On a motion by Mrs. Snell and seconded by Mr. Newman, the Commissioners approved the updates to the Port's Personnel Policy. After a vote, the ayes were 4 and the nays were 0.

H. 1. **Item:** CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN MSA WITH BURNS & MCDONNELL AND TASK ORDER #1 TO ASSIST IN THE PIDP GRANT APPLICATION

2. **Issue:** To review for approval the MSA and Task Order #1.

3. **Discussion:** The Master Service Agreement ("MSA") with Burns & McDonnell ("B&M") establishes them as one of the Port's consultants. This would allow B&M to add task orders as needed to do new grant applications or an asset management plan. The MSA does not require any upfront funds until a task order is established. Task Order #1 would be to assist in the PIDP grant application. Mr. Haman asked if Mr. Smith has contacted any of B&M's references in their resume. Mr. Smith said that he has made a call to one of the other ports listed as a past client.

4. **Action Taken:** On a motion by Mr. Villarreal and seconded by Mr. Newman, the Commissioners authorized Mr. Smith to negotiate recommended changes to the agreement by Counsel and then to execute the agreement. After a vote, the ayes were 4 and the nays were 0.

I. 1. **Item:** LEGISLATIVE UPDATE AND DISCUSSION WITH THE PORT'S LEGISLATIVE CONSULTANT

2. **Issue:** To have a legislative update.

3. **Discussion:** Mr. William Yarnell and Mr. Smith told the Commission about the roundtable discussion that was held with TxDOT, DPS, the International Bridges, Port of Brownsville and others regarding international commerce and security. They said the main focus of the discussion was how to connect ports of entries and seaports. Mr. Yarnell said that TxDOT

heard every entity's concerns. Mr. Yarnell said that he was going to meet with Representative Canales to find out what the Port would need to do to get that bill passed. Mr. Haman suggested that the Port should adopt a resolution that would support the overweight corridor and would include signatures from all of the entities involved.

4. **Action Taken:** This was for discussion only.

The Commission entered the executive session authorized by Chapters 551.071 & 551.072 at 1:25 PM. They came out of the executive session at 1:35 PM. A Certified Agenda for the executive session is on file.

There being no further business, the meeting was adjourned at 1:35 PM.

ATTEST:

  
Neil Haman, Vice Chairman

  
Chris Villarreal, Secretary