

## POHA March 7, 2024

The Commissioners of the Port of Harlingen Authority (POH) met in a regularly scheduled session on Thursday March 7, 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  
Sarah Bagwell – Burns & MacDonnell  
Scott Chewning – Burns & MacDonnell

A. Meeting called to order at 12:16 pm.

Declaration of conflicts of interest: Mr. Johnson & Mrs. Snell declared conflicts of interest with the vouchers for LawnPros ChemGreen and FastSigns respectively. They abstained from signing the vouchers and submitted affidavits for conflicts 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. Villarreal and seconded by Mrs. Snell, the Commissioners approved the vouchers. After a vote, the ayes were 5 and the nays were 0. Chairman Johnson abstained on the Lawn Pros Chem Green voucher approval and 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 FEBRUARY 15, 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. Newman and seconded by Mr. Villarreal, the Commissioners approved the minutes and certified agenda for the meeting on February 15, 2024. After a vote, the ayes were 5 and the nays were 0.
- E. 1. **Item:** STAFF REPORTS
2. **Issue:** To hear from staff regarding their respective projects.
  3. **Discussion:** Mr. Smith said that Mexican diesel trucks are not able to cross through the international bridge at Los Indios due to the Mexican authorities creating issues. Mr. Smith also reported that TxDOT is beginning a study on border security and cargo going through the International Bridges with Mexico. Mrs. Lynch reported that she is working on 2 federal grant applications with CSRS for fleeting areas and docks. She is also working on creating an updated fact sheet for the Port.
  4. **Action Taken:** This was for discussion only.
- F. 1. **Item:** DISCUSSION REGARDING A STATEMENT OF QUALIFICATIONS SUBMITTED BY BURNS & MACDONNELL TO CONDUCT A PORT INFRASTRUCTURE ASSESSMENT AND CREATE AN ASSET MANAGEMENT PLAN FOR THE PORT
2. **Issue:** To hear the presentation from Burns & MacDonnell
  3. **Discussion:** The Commission heard from Ms. Bagwell and Mr. Chewing regarding their company's qualifications. Mr. Chewing explained that his company has worked with a lot of ports in creating a plan to maintain infrastructure and track its assets. He said that what they do is collect all the data regarding the Port's assets and infrastructure and convert it into a GIS system. He said that they could start with a baseline and become more detailed if the Port requires. He also said that his company assists with grant writing and exploring grant opportunities. Mr. Smith said having a detailed asset management plan would help the Port plan its projects and maintenance going forward.
  4. **Action Taken:** This was for discussion only.
- G. 1. **Item:** PRESENTATION BY MID-VALLEY MIDSTREAM REGARDING THEIR PROPOSAL FOR INSTALLING A LIQUID PROPANE GAS TERMINAL AT THE PORT
2. **Issue:** To hear the presentation regarding a potential new lease.
  3. **Discussion:** Mr. Smith said it would be a propane storage facility. He said this company is

very interested in accessing rail. They are looking at leasing the land behind Chalico Concrete Materials but Mr. Smith thinks they would be better suited to leasing the land where the Port will add rail development.

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

H. 1. **Item:** DISCUSSION REGARDING THE ANNOUNCEMENT OF THE CLOSING OF THE RIO GRANDE VALLEY SUGAR GROWERS AND POSSIBLE NEXT STEPS REGARDING THE LEASE AGREEMENT

2. **Issue:** To discuss the RGV Sugar Grower's lease.

3. **Discussion:** Mr. Smith said the lease agreement does not expire until 2028. The RGV Sugar Growers are only able to cashflow through the end of this year. Mr. Smith said that Shawn Brashear of RGV Sugar Growers is not ready to talk about the lease agreement with the Port. Mr. Haman discussed the need to have an engineer go into the warehouse to see what repairs it might need.

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

I. 1. **Item:** DISCUSSION REGARDING THE PORT'S WINDSTORM INSURANCE POLICY

2. **Issue:** To discuss the Port's options for windstorm insurance.

3. **Discussion:** Mr. McDonald discussed windstorm insurance options with the Commission. The windstorm insurance premium with TML is projected to increase drastically when it's time to renew. He asked if the Commission wanted to consider self-insuring. Mr. Newman said that self-insuring boils down to risk tolerance. Mr. Smith told the Commission that he spoke with an independent insurance agent who has experience in insuring ports. Mr. Smith said that he will get a quote from this agent.

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

J. 1. **Item:** CONSIDER POSSIBLE ACTION TO RATIFY A RESOLUTION FOR THE PORT'S APPLICATION FOR A RURAL BUSINESS DEVELOPMENT GRANT THROUGH USDA

2. **Issue:** To ratify a resolution for the grant.

3. **Discussion:** There was no discussion regarding this matter.

4. **Action Taken:** On a motion by Mr. Haman and seconded by Mrs. Snell the Commission voted to ratify a resolution for the Port's application for a Rural Business Development Grant through USDA. After a vote, the ayes were 5 and the nays were 0.

- K. 1. **Item:** CONSIDER POSSIBLE ACTION REGARDING A FARM LEASE FOR THE DUNCAN PROPERTY WITH BILLIE MAC SIMPSON
2. **Issue:** To vote to approve the farm lease with Billie Mac Simpson.
3. **Discussion:** The Commission unanimously agreed to execute a farm lease with Mr. Simpson for the Duncan property.
4. **Action Taken:** On a motion by Mr. Haman and seconded by Mrs. Snell the Commission voted to execute a farm lease agreement with Mr. Simpson for the Duncan property. After a vote, the ayes were 5 and the nays were 0.
- L. 1. **Item:** CONSIDER POSSIBLE ACTION TO UPDATE THE PORT'S PERSONNEL POLICY
2. **Issue:** To update the Personnel Policy.
3. **Discussion:** Mr. Haman stated that there were several changes that needed to be made to the policy. The Commission will review the changes at the next meeting.
4. **Action Taken:** On a motion by Mr. Haman and seconded by Mr. Villarreal the Commission voted to table this item. After a vote, the ayes were 5 and the nays were 0.

The Commission entered the executive session authorized by Chapters 551.071 & 551.072 at 1:39 PM. They came out of the executive session at 1:41 PM. A Certified Agenda for the executive session is on file.

There being no further business, the meeting was adjourned at 1:41 PM.

ATTEST:

  
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Alan Johnson, Chairman

  
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Chris Villarreal, Secretary