

POHA September 5, 2024

The Commissioners of the Port of Harlingen Authority (POH) met in a regularly scheduled session on Thursday September 05, 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 (remote)

OTHERS PRESENT: Chris Boswell – Port Attorney

A. Meeting called to order at 12:17 pm.

Declaration of conflicts of interest: None.

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 voted unanimously to approve the vouchers.

D. 1. **Item:** APPROVAL OF MINUTES & CERTIFIED AGENDA FOR THE MEETING ON AUGUST 21, 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. Haman and seconded by Mr. Newman, the Commission voted unanimously to approve the minutes & certified agenda for the meeting on August 21, 2024.

- E. 1. **Item:** PORT DIRECTOR'S REPORT AND DISCUSSION
2. **Issue:** To hear updates regarding various projects.
3. **Discussion:** Mr. Smith told the Commission about a meeting that he had with the staff of Sen. Cornyn. He told them about the issues with the international bridge as well as the delays with MARAD. Mr. Smith also gave an update on the dock construction which should be completed soon. Mr. Smith also spoke about the current lease status with RGV Sugar Growers.
4. **Action Taken:** This was for discussion only.
- F. 1. **Item:** PR & MARKETING DIRECTOR'S REPORT AND DISCUSSION
2. **Issue:** To hear updates regarding various projects.
3. **Discussion:** Mrs. Lynch stated that she has put more info on the Port's website intended to help the fuel operators who purchase overweight permits. She also is working on the specs of the sugar warehouse to advertise its vacancy.
4. **Action Taken:** This was for discussion only.
- G. 1. **Item:** CFO'S REPORT AND DISCUSSION
2. **Issue:** To hear updates regarding various projects.
3. **Discussion:** Mr. McDonald informed the Commission that the tax rate in the newspaper advertisement was different than the final no-new-revenue rate that the tax office provided.
4. **Action Taken:** This was for discussion only.
- H. 1. **Item:** CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE PROPOSED TAX RATE FOR FY 24-25.
2. **Issue:** To review the rate for approval.
3. **Discussion:** There was no discussion regarding the tax rate.
4. **Action Taken:** On a motion by Mr. Haman and seconded by Mrs. Snell the Commission voted to approve the No-new-revenue rate of \$0.020085 per \$100 for the Port of Harlingen 2024 property tax rate and to adopt an Order Levying Ad Valorem Taxes for Use and Support of the Port of Harlingen Authority Beginning October 1, 2024, and Terminating September 30, 2025, and Approving When Taxes Shall Become Due and When Taxes Shall Become Delinquent. The record roll call of the Commission was taken for the vote.
- For the Proposal: Commissioner Alan Johnson
Commissioner Neil Haman
Commissioner Chris Villareal

Commissioner Ryan Newman

Commissioner Rose Snell

Against the Proposal: None

I. 1. **Item:** DISCUSSION REGARDING THE FY 24-25 OPERATIONAL BUDGET

2. **Issue:** To review and discuss the FY 24-25 budget.

3. **Discussion:** Mr. McDonald said that the operating income for the FY 24-25 budget has been reduced significantly. He said that could change based on if the Port gains a new tenant for the sugar warehouse. As for the expenses, Mr. McDonald said that there is \$1.68 million in budgeted expenses. He said the budget is likely to change.

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

J. 1. **Item:** CONSIDERATION AND POSSIBLE ACTION REGARDING TXDOT PHARR DISTRICTS PROPOSAL TO ACQUIRE AN EASEMENT ALONG FM 106

2. **Issue:** To rev

3. **Discussion:** Mr. Smith explained that TxDOT is planning to change the route where FM 508 meets FM 160. There is a parcel of land that TxDOT needs to acquire an easement for to alter the route and it believes the Port owns an easement on that parcel. Mr. Boswell explained that the documents forwarded by the Right of Way Acquisition Firm were for a parcel not apparently owned by the Port and therefore we are seeking clarification on what TxDOT wants us to do.

4. **Action Taken:** No action was taken.

K. 1. **Item:** CONSIDERATION AND POSSIBLE ACTION REGARDING A MODIFICATION OF LEASE FOR KEY PETROL FOR A SCALE YARD

2. **Issue:** To review the Modification of Lease for approval.

3. **Discussion:** The Commission had no issues with modifying the lease to include 1.984 acres to Key Petrol's lease in order for the tenant to install a scale.

4. **Action Taken:** On a motion by Mr. Villarreal and seconded by Mr. Newman, the Commission voted unanimously to approve the modification of lease for Key Petrol.

The Commission entered the executive session authorized by Chapters 551.071, 551.072 & 551.074 at 1:03 PM. They came out of the executive session at 2:05 PM. A Certified Agenda for the executive session is on file.

L. 1. **Item:** ACTION REGARDING EXECUTIVE SESSION

2. **Issue:** Consultation with Port Attorney regarding Circle X seawall project and Circle X leases pursuant to TEX GOV'T CODE 551.071(2) and 551.072.
3. **Discussion:** Discussion took place under executive session under Texas Government Code 551.071(2) and 551.072.
4. **Action Taken:** On a motion by Mr. Haman and seconded by Mr. Newman, the Commission voted unanimously to reject the bid for the Circle X seawall project and to authorize Mr. Smith to proceed with bringing back a recommendation as to how to sell the property as a whole.

M. 1. **Item:** ACTION REGARDING EXECUTIVE SESSION


2. **Issue:** Discussion regarding Personnel pursuant to TEX GOV'T CODE 551.074.
3. **Discussion:** Discussion took place under executive session under Texas Government Code 551.074.
4. **Action Taken:** On a motion by Mr. Haman and seconded by Mrs. Snell, the Commission voted unanimously to budget for a 5% salary increase for Port staff as well as a 7% salary increase for the Port Director.

There being no further business, the meeting was adjourned at 2:12 PM.

ATTEST:



Alan Johnson, Chairman



Chris Villarreal, Secretary