

POHA November 21, 2024

The Commissioners of the Port of Harlingen Authority (POH) met in a regularly scheduled session on Thursday November 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
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
Don Haire – Coldwell Bankers

A. Meeting called to order at 12:15 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. Villarreal and seconded by Mrs. Snell, the Commissioners voted unanimously to approved the vouchers.

D. 1. **Item:** APPROVAL OF MINUTES & CERTIFIED AGENDA FOR THE MEETING ON NOVEMBER 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. Haman and seconded by Mr. Newman, the

Commission voted unanimously to approve the minutes & certified agenda for the meeting on November 7, 2024.

- E. 1. **Item:** CONSIDERATION AND POSSIBLE ACTION REGARDING THE OCTOBER FINANCIAL, OPERATIONS AND CAPITAL PROJECTS REPORTS
2. **Issue:** To review and approve the reports.
 3. **Discussion:** Regarding the Tonnage report, Mr. McDonald stated that the overall tonnage reported was 236,000 tons for October. Regarding the A/R Aging Summary, the Commission asked about NuStar Energy being past due in its rent. Mr. Smith explained that there has been a change in ownership, and they are still adjusting to the new system. Regarding the Profit & Loss Performance Budget, Mr. McDonald said that the revenue is \$40,000 above budget. And the net operating income is \$57,000 over budget. Regarding the Master Plan Progress report, Mr. Smith gave an update on various projects.
 4. **Action Taken:** On a motion by Mr. Haman and seconded by Mr. Villarreal, the Commissioners voted unanimously to approve the October reports: Tonnage, A/R Aging Summary, Balance Sheet, Profit Loss Budget Performance, and the Master Plan Progress Report.
- F. 1. **Item:** PORT DIRECTOR REPORT AND DISCUSSION
2. **Issue:** To hear updates regarding various projects.
 3. **Discussion:** Mr. Smith reported that the Port's overweight corridor bill will add language to allow the Port to charge up to \$300 per permit. The bill will be submitted to Rep. Janie Lopez to file at the next legislative session.
 4. **Action Taken:** This was for discussion only.
- G. 1. **Item:** CFO REPORT AND DISCUSSION
2. **Issue:** To hear updates regarding various projects.
 3. **Discussion:** Mr. McDonald reported that the Port received an inquiry as to why it does not offer a tax pre-payment discount. Mr. McDonald said he looked into it and does not recommend the Port adopt the discount.
 4. **Action Taken:** This was for discussion only.
- H. 1. **Item:** PR & MARKETING DIRECTOR REPORT AND DISCUSSION
2. **Issue:** To hear updates regarding various projects.
 3. **Discussion:** Mrs. Lynch reported that she was working on the PIDP grant submission, putting together information for the upcoming legislative session and creating a press

release on the grant award.

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

The Commission entered the executive session authorized by Chapters 551.071 & 551.072 at 12:49 PM. They came out of the executive session at 1:32 PM. A Certified Agenda for the executive session is on file.

- I. 1. **Item:** CONSULTATION WITH PORT ATTORNEY REGARDING CIRCLE X PROPERTY AND CIRCLE X LEASES PURSUANT TO TEX GOV'T CODE 551.071(2) AND 551.072.
2. **Issue:** To review and adopt a resolution.
3. **Discussion:** Discussion took place during the executive session.
4. **Action Taken:** On a motion by Mr. Newman and seconded by Mr. Haman, the Commission voted unanimously to a.) adopt a resolution determining that the following real property owned by the Port of Harlingen Authority and known as Circle X is no longer needed for use by the district in connection with the development of the Authority's projects pursuant to Texas Water Code Section 60.038(b) (surplus property): Lots 1-18 and 4.42 acres +/- being 10.52 acres out of 29.78 out of 29.78 acres out of Partition Share Number 8 of Espiritu Santu Grant, Cameron County; and b.) to execute a listing agreement with Don Haire of Colwell Bankers for realtor services for the marketing and sale of the Circle X Property more specifically identified in H. 4a. above.
- J. 1. **Item:** CONSULTATION WITH PORT ATTORNEY REGARDING RIO GRANDE VALLEY SUGAR GROWERS LEASE AGREEMENT PURSUANT TO TEX GOV'T CODE 551.071(2) & 551.072
2. **Issue:** To review the lease agreement with RGV Sugar Growers.
3. **Discussion:** Discussion took place during the executive session.
4. **Action Taken:** On a motion by Mr. Villarreal and seconded by Mrs. Snell, the Commission voted unanimously to authorize Mr. Boswell to respond to the letter from RGV Sugar Grower's attorney Mr. Langston and to further authorize Mr. Boswell and Mr. Langston to meet with David Langston and an RGV Sugar Growers representative to discuss the status of the lease.

There being no further business, the meeting was adjourned at 1:33 PM.

ATTEST:



Alan Johnson, Chairman



Chris Villarreal, Secretary