

July 9, 2007

NOTICE OF MEETING

The Board of Commissioners of the Port of Bay City Authority of Matagorda County, Texas, a political subdivision of the State of Texas, hereby gives notice in accordance with the Texas Government Code, section 551 et seq, that a public meeting is to be held at the office of the Authority, **1305 Seventh Street, Bay City, Texas, Thursday, July 12, 2007 at 7:00pm**. The purpose of the meeting is for:

- 1) Action of the minutes of the regular meeting of June 14, 2007;
- 2) Presentation and approval of bills;
- 3) Presentation of financial reports;
- 4) Review and take required action on the monthly billing for the Port of Bay City;
- 5) Discuss and take required action on delinquent accounts and pending suits for collection;
- 6) Discuss and take required action on activity at the Port and Matagorda Harbor;
- 7) Open and/or award bids for the vegetation control of the Port of Bay City Authority properties at Matagorda, Texas and the Port of Bay City on FM 3057, approximately ten miles southwest of Bay City, Texas;
- 8) Open and/or award bids for maintenance contracts at Matagorda Harbor, Matagorda, Texas and the Port of Bay City located approximately ten miles southwest of Bay City, Texas;
- 9) Open and/or award bids for the dock facility repairs and repairs to four dolphins located at the Port of Bay City approximately ten miles southwest of Bay City, Texas;
- 10) Discuss and consider possible action by the Port Authority as a result of possible lease violations by Starco Energy, LP and Cain, Smith, Strong II, LP (“CSS II”) regarding insurance requirements and tariff issues on the 1.24 acres/warehouse/packing plant partially assigned by Starco Energy, LP to Cain, Smith, Strong II, LP (“CSS II”);

- 11) Update from Fred Holub regarding the upcoming November election for Commissioner Positions 3 and 4;
- 12) Discuss and take required action regarding request from David Sitz regarding the cleaning of a ditch on the recently acquired Susan Parker Hunt tract;
- 13) Executive Session pursuant to Section 551.071 and Section 551.072 of the Texas Government Code regarding litigation and/or settlement offers, and the purchase, exchange, lease, or value of real property;
 - a) Discuss Cause No. 06-E-01613-C; Port of Bay City Authority of Matagorda County, Texas vs. SSJCGS, LLC, Cain, Smith and Strong II, LP, CSS Lake Jackson Property, LP, Cain, Smith and Strong, LLC, Gil Smith, John J Certa, Skelly Strong, Jr, CSS Richman Drive, LP and Starco Energy, LP seeking a Declaratory Judgment with regard to the 1.24 or 1.57 acres partially assigned to CSS II, LP by Starco Energy, LP;
 - b) Discuss Cause No. 23,606; John Certa, et al vs. Nancy Cain, Thomas Cain, individually and in his capacity as administrative member of CSS II, LLC et al in the District Court of Walker County, Texas, 12th Judicial District;
 - c) Discuss Cause No. 06-E-0767-C; Port of Bay City Authority of Matagorda County, Texas, plaintiff, vs. Mary Jean Boyce and the Unknown Heirs of Asenath B. Davidson, Deceased, in the 130th Judicial Court, Matagorda County, Texas;
 - d) Discuss and authorize the acquisition by agreement or condemnation of real property being approximately 44.7525 acres more or less described as all of Coastal Tract One in the Wightman Coast Tracts AB 101, Volume 1, Page 35 of the map or plat records of the Matagorda County Clerk's Office, Matagorda County, Texas, currently owned by David Michael Mobley and/or Doris Moberly located adjacent to the existing Harbor in Matagorda, Texas;
- 14) Regular Session at the conclusion of Executive Session to authorize any actions concerning litigation, settlement offers, purchase, exchange, lease or value of real property;

- a) Discuss and take any required action regarding Cause No. 06-E-01613-C; Port of Bay City Authority of Matagorda County, Texas vs. SSJCGS, LLC, Cain, Smith and Strong II, LP, CSS Lake Jackson Property, LP, Cain, Smith and Strong, LLC, Gil Smith, John J Certa, Skelly Strong, Jr, CSS Richman Drive, LP and Starco Energy, LP seeking a Declaratory Judgment with regard to the 1.24 or 1.57 acres partially assigned to CSS II, LP by Starco Energy, LP;
 - b) Discuss and take any required action regarding Cause No. 23,606; John Certa, et al vs. Nancy Cain, Thomas Cain, individually and in his capacity as administrative member of CSS II, LLC et al in the District Court of Walker County, Texas, 12th Judicial District;
 - c) Discuss and take any required action regarding Cause No. 06-E-0767-C; Port of Bay City Authority of Matagorda County, Texas, plaintiff, vs. Mary Jean Boyce and the Unknown Heirs of Asenath B. Davidson, Deceased, in the 130th Judicial Court, Matagorda County, Texas;
 - d) Discuss and take any required action authorizing the acquisition by agreement or the condemnation and/or acquisition of real property being approximately 44.7525 acres more or less described as all of Coastal Tract One in the Wightman Coast Tracts AB 101, Volume 1, Page 35 of the map or plat records of the Matagorda County Clerk's Office, Matagorda County, Texas, currently owned by David Michael Mobley and/or Doris Moberly located adjacent to the existing Harbor in Matagorda, Texas to be used for any and all lawful public purposes as set forth in the Texas Water Code, Chapters 60 and 63, including by not limited to the construction of a barge terminal and related facilities by the Port of Bay City Authority of Matagorda County, Texas. The said real property to be acquired by purchase and/or condemnation;
- 15) Update from Mike Griffith regarding the Project Development Team – Mouth of Colorado Rehabilitation Project;
 - 16) Monthly report form Port's Attorney;
 - 17) Monthly report from Matagorda County Economic Development Corporation;

- 18) Public comments and comments from the Commissioners;
- 19) Any new or unfinished business.

Mike Griffith
By: Lacey B. Lowry

Copy: Ms Gail Denn
County Clerk

RECEIVED AND POSTED THIS ____ DAY OF JULY 2007 AT _____ PM
GAIL DENN, COUNTY CLERK

BY _____ DEPUTY

The Port of Bay City Authority of Matagorda County, Texas is committed to compliance with the Americans with Disability Act (ADA). Reasonable accommodations and equal opportunity for effective communications will be provided upon request. Please contact the Office of the Authority at 979-245-5831 at least 24 hours in advance if accommodation is needed.