

August 6, 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, August 9, 2007 at 7:00pm**. The purpose of the meeting is for:

- 1) Action of the minutes of the regular meeting of July 12, 2007 and special called meeting of July 26, 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) Discuss and take required action regarding the proposed budget for the year beginning January 1, 2008 and ending December 31, 2008 for the Port of Bay City Authority of Matagorda County, Texas;
- 8) Consideration and possible action to adopt the Effective Tax Rate of .03218;
- 9) Consideration and possible action to set two Public Hearings to discuss the 2007 Proposed Maintenance and Operations Tax Rate of .03475 and approve the Publishing of Notice of these two hearings. The hearings will be at 6:00pm on August 20, 2007 and 6:00pm on August 27, 2007 at the office of the Authority, 1305 Seventh Street, Bay City, Texas;
- 10) Discuss and take required action regarding the participation of the Port of Bay City Authority in the Texas County and District Retirement System Plan Year 2008;

- 11) Update and any required action regarding the upcoming November 6, 2007 election for Commissioner Position No. 3 and 4;
- 12) Discuss and take required action regarding a letter in support of HR1495, the Water Resources Development Act;
- 13) Discuss and take required action regarding a Statement of Support for Expansion of FTZ #155 to Include the Tres Palacios Gas Storage Project, Matagorda County, Texas;
- 14) 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;

- e) Discuss and take required action on the condemnation of real property being 8.1104 acres of land more or less out of the townsite of Matagorda in the E. R. Whightman Survey, Abstract 101, recorded in Volume 1, Page 35 of the Map or Plat Records of Matagorda County, Texas, being a portion of the Southern one-half of Coastal Tract Three (3), said land of certain residue of land deeded from William Dunbar and Harriett Dunbar to Nancy Stapp, recorded in Volume 45, Page 123, of the Map or Plat Records of Matagorda County, Texas said property owned by Robert William Sanders III;
- 15) 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;

- e) Discuss and take required action on the condemnation of real property being 8.1104 acres of land more or less out of the townsite of Matagorda in the E. R. Whightman Survey, Abstract 101, recorded in Volume 1, Page 35 of the Map or Plat Records of Matagorda County, Texas, being a portion of the Southern one-half of Coastal Tract Three (3), said land of certain residue of land deeded from William Dunbar and Harriett Dunbar to Nancy Stapp, recorded in Volume 45, Page 123, of the Map or Plat Records of Matagorda County, Texas said property owned by Robert William Sanders III;
- 16) Update from Mike Griffith regarding the Project Development Team – Mouth of Colorado Rehabilitation Project;
- 17) Monthly report form Port's Attorney;
- 18) Monthly report from Matagorda County Economic Development Corporation;
- 19) Public comments and comments from the Commissioners;
- 20) Any new or unfinished business.

Mike Griffith
By: Lacey B. Lowry

NOTICE OF MEETING

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Copy: Ms Gail Denn
County Clerk

RECEIVED AND POSTED THIS ____ DAY OF AUGUST 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.