

MINUTES OF MEETING

BE IT REMEMBERED that the Commissioners of the Port of Bay City Authority met Thursday, March 10, 2022, at the Office of the Authority, 1305 Seventh Street, Bay City, Texas. The following Commissioners and staff were present:

George Harrison	Chairman
Joey Sliva	Vice-Chairman
Matt Ashcraft	Secretary
Lee Weathers	Commissioner
Buddy Treybig	Commissioner
Trey Treybig	Commissioner
Craig Hlavinka	Harbor Master
Sharron Perez	Office Manager
Allen Cumbie	Port Attorney
Visitors:	
Scott Hardwick	MCEDC Executive Director
Alyssa Dibbern	City of Bay City Engineering Tech
Hayden Smith	Arthur QEA, LLC
Zachary Phillips	Zachary Phillip Inc
Mitch Thames	Bay City Chamber of Commerce President & CEO
D C Dunham	Lynn Group
Colton Coates	Visitor
Abigail Coates	Visitor

The meeting was called to order at 6:30pm by Commissioner George Harrison.

Item 1 – The Commissioners discussed the minutes from the regular meeting of February 10, 2022. On motion of Commissioner Joey Sliva, seconded by Commissioner Lee Weathers, the Commissioners unanimously approved the minutes of the February 10, 2022 meeting as read.

Item 2 - On motion of Commissioner Matt Ashcraft, seconded by Commissioner Trey Treybig, the following disbursements were unanimously ratified and approved:

ACE HARDWARE	850.74
--OPERATING SUPPLIES	
ANCHOR SAFE & LOCK CO	459.25
--OPERATING SUPPLIES	
AQUA-ZYME SERVICES INC	480.00
--PUBLIC UTILITIES	
AQUA-ZYME SERVICES INC	320.00
--PUBLIC UTILITIES	
AT&T	68.48
--TELEPHONE	
AT&T	855.81
--TELEPHONE	
ALLEN CUMBIE	11,693.00
--ATTORNEY FEES	
DEXYP	26.86
--PROMOTION & DEVELOPMENT	
DEXYP	26.50
--PROMOTION & DEVELOPMENT	
DIRECT ENERGY	201.52
--PUBLIC UTILITIES	
DIRECT ENERGY	89.37
--PUBLIC UTILITIES	
DIRECT ENERGY	41.05
--PUBLIC UTILITIES	
DIRECT ENERGY	2,832.37
--PUBLIC UTILITIES	
DIRECT ENERGY	2,697.20
--PUBLIC UTILITIES	
ELLEN DODD	1,360.00
--SPECIAL DISTRICT ACCOUNTING FEES	
GFL	722.70
--PUBLIC UTILITIES	
HDR ENGINEERING	537.00
--PROFESSIONAL SERVICES	
HDR ENGINEERING	7,469.75
--PROFESSIONAL SERVICES	
HDR ENGINEERING	1,357.50

--PROFESSIONAL SERVICES	
LOWES	540.81
--REPAIRS & MAINTENANCE - HARBOR	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	289.00
--PUBLIC UTILITIES - BOAT SHED	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	393.05
--PUBLIC UTILITIES - TENT & FISH CLEANING TABLE	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	47.50
-- PUBLIC UTILITIES - PUMP	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	203.00
--PUBLIC UTILITIES - TRAILER PARK	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	120.20
-- PUBLIC UTILITIES - HOUSE	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	94.20
--PUBLIC UTILITIES - MEETING HOUSE	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	766.15
--PUBLIC UTILITIES – SPRINKLER	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	95.60
--PUBLIC UTILITIES – RESTROOM	
MCCOYS	688.67
--REPAIRS & MAINTENANCE – HARBOR	
NAPA AUTO & TRUCK PARTS	431.87
--REPAIRS & MAINTENANCE – HARBOR	
PITNEY BOWES	183.57
--MISCELLANEOUS EXPENSE	
PURCHASE POWER	500.00
--OPERATING SUPPLIES	
QUILL CORPORATION	405.61
--OPERATING SUPPLIES	
QUILL CORPORATION	33.98
--OPERATING SUPPLIES	
RICE FARMERS COOP	18.00
--VEHICLE EXPENSE	
SAFETY-KLEEN SYSTEMS INC	123.94
--REPAIRS & MAINTENANCE - HARBOR	
JAY SCHOLTEN	1,300.00
--REPAIRS & MAINTENANCE – HARBOR	
SHARRON'S BOOKKEEPING AND TAX SVC	5,977.50
--OFFICE MANAGER - CONTRACT SERVICES	
--PROFESSIONAL SERVICES	
--TELEPHONE	
--OPERATING SUPPLIES	
--TRAVEL	
SHORELINE CONSTRUCTION	8,531.44
--REPAIRS & MAINTENANCE – HARBOR	
THE HOME DEPOT	1,318.00
--OPERATING SUPPLIES	
VERIZON WIRELESS	99.62
--TELEPHONE	
WILLSCOT	264.25
--MISCELLANEOUS EXPENSE	
CRAIG HLAVINKA	3,811.17
--TRAVEL	
--VEHICLE EXPENSE	
--OPERATING SUPPLIES	
--REPAIRS & MAINTENANCE - HARBOR	
DONALD LEOPOLD	375.00
--DEPOSIT REFUND	

Item 3 – The financial reports were not available for review prior to the meeting and were tabled until the next meeting.

Item 4 – There was no discussion in regards to the past due accounts and actions taken on these accounts. This item was tabled until the next meeting.

Item 5 - Craig Hlavinka reported on activity at the Port of Bay City. Everything is running smoothly. There have been a couple of calls inquiring about possible sand sales. The Commissioners discussed the amount of sand available at the Port sand pit and across the river. George Harrison will touch base with John Merck regarding the sand across the river.

Craig Hlavinka reported on the activity at Matagorda Harbor. Craig Hlavinka met with Marcus Michna with Shelmark Engineering LLC regarding the bulkhead work needed by the fuel dock. Craig Hlavinka will have some information regarding the project at the next meeting.

Item 6 – There was a discussion regarding Waterfront Restaurant. Abigail Coates discussed the possibility of the Port of Bay City Authority purchasing the Waterfront Restaurant building and the Coates' purchase of the business. George Harrison advised that the Port of Bay City Authority has a subcommittee consisting of Joey Sliva, Matt Ashcraft, and Trey Treybig to determine the potential cost of purchasing the building to lease to new tenants. New tenants would purchase the business only. This item will be discussed further at the next meeting.

Item 7 – Zachary Phillips of ZPI Industrial contacted Allen Cumbie regarding insurance requirements for contractors submitting bids. There was no further discussion needed at this time.

Item 8 – Matt Ashcraft opened the two bids received for the open steel frame pavilion and concrete slab at Matagorda Harbor. The two bids were as follows:

Sliva Services	\$ 159,075.00
Zachary Phillips Inc bid #1	\$ 153,957.15
Zachary Phillips Inc bid #2	\$ 140,457.15

The Commissioners discussed the differences between the bids presented by Zachary Phillips. Craig Hlavinka and Zachary Phillips discussed the thickness of the concrete slab and the type of rebar utilized in each bid. George Harrison discussed the windstorm requirements. The Commissioners reviewed the insurance coverage that each bidder included. George Harrison advised that Zachary Phillips Inc submitted the more conservative bid at either the \$140,457.15 or \$153,957.15 contingent on Allen Cumbie's review of the insurance coverage. Matt Ashcraft verified that the steel would be galvanized. The roof coating is guaranteed for fifteen years. The materials that Zachary Phillips Inc will be coming from El Campo. Zachary Phillips advised that he has a 3D rendering of the project if any of the Commissioners would like to review it. Matt Ashcraft discussed going with the thicker slab. The Commissioners asked Zachary Phillips to sign the bid he submitted stating that it would be built to the original specs. On motion of Commissioner Lee Weathers, seconded by Commissioner Trey Treybig, the Commissioners unanimously approved the bid #1 as presented Zachary Phillips Inc.

Item 9 – The Commissioners discussed Amendment No. 1 to the City of Bay City and the Port of Bay City Authority Agreement to Participate in Tax Increment Reinvestment Zone Number Two, City of Bay City, Texas. On motion of Joey Sliva, seconded by Commissioner Matt Ashcraft, the Amendment No. 1 to City of Bay City and the Port of Bay City Authority Agreement to Participate in Tax Increment Reinvestment Zone Number Two, City of Bay City, Texas.

Item 10 – DC Dunham, with Lynn Group, presented the projected layout of Valor Park and the additional acreage to be added to the tax increment reinvestment zone. The amendment will only add acreage. There is no increase in budget or the timeframe. The items that will qualify for reimbursement would include infrastructure, electric lines, roads, water, and sewer. The City of Bay City, Matagorda County, and Matagorda County Hospital District have all approved the amendment to the Tax Increment Reinvestment Zone Number One adding approximately 54 to 56 acres for the Valor Park housing addition.

Item 11 – Allen Cumbie sent a redlined version of the easement for the electric substation between the Port of Bay City Authority and ADP Texas Inc. George Harrison called management to let them know the agreement is in their court. The agreement is pending approval from AEP Texas Inc and consideration being received by the Port Authority. The Commissioners discussed making sure that the easements will fit into future plans for the Port Authority including the needs of future tenants. There was a brief discussion regarding the potential rail for Air Liquide. There will be a meeting with BNSF, Air Liquide, PCC, Allen Cumbie, and Craig Hlavinka to discuss the rail options on March 22nd. Joey Sliva questioned the stakes that had been put out at the Port property. Air Liquide had the area surveyed. Craig Hlavinka advised Air Liquide that the Port Authority will need to ensure that the plans meet the needs of all parties, an easement agreement needs to be reached, and consideration paid. No action was taken at this time.

Item 12 – The Commissioners discussed the access easement between the Port of Bay City Authority and AEP Texas Inc. No action was taken at this time.

Item 13 – The Commissioners discussed the easement for electric utilities between the Port of Bay City Authority and AEP Texas Inc. No action was taken at this time.

Item 14 – The Commissioners discussed the possible temporary lease to Roehm of approximately ten acres at the Port of Bay City facility. Allen Cumbie had prepared a proposed lease agreement. The work area needs to delineated. The potential area has been located according to various tenants'

potential needs. Roehm will upgrade the road and install a lay yard. The shipments will be stored on Port property and moved to Roehm's facility at night. The project will take 24 months with shipments beginning in November. Roehm would like to get the lease in place. Allen Cumbie discussed environmental indemnification, casualty insurance, workmen's compensation, etc. Craig Hlavinka discussed possible fencing of the area. Joey Sliva asked Craig Hlavinka regarding the type of fencing needed. Craig Hlavinka advised that t-posts with construction netting would suffice. On motion of Commissioner Matt Ashcraft, seconded Commissioner Lee Weathers, the Commissioners approved the lease, as prepared by Allen Cumbie, to temporarily lease approximately ten acres at the Port of Bay City to Roehm .

Item 15 – Sharron Perez discussed the website. There is still work to be done; however, agendas and minutes have been added. There was a discussion regarding email options for the Commissioners.

Item 16 – Scott Hardwick, Executive Director of Matagorda County Economic Development Corporation, updated the Commissioners on various projects and prospects. OQ is moving forward with the expansion and working on a 381 agreement. Roehm and Big Hill are both moving forward. The tax abatement has been approved for Project Helix. Heather Case is leaving MCEDC. Scott Hardwick discussed the tax abatement policy for the Port of Bay City Authority. This is an important tool to utilize when industries are interested in the area.

Item 17 – The Commissioners discussed moving the April meeting to Wednesday, April 13th.

Item 18 – There was no new or unfinished business to discuss at this time.

Item 19 - At approximately 7:22pm, the regular meeting was closed and the Commissioners adjourned to Executive Session to discuss the employment, hiring, and/or appointment of Special Counsel regarding a possible Public-Private Partnership venture involving the Port of Bay City Authority of Matagorda County, Texas.

Item 20 – The meeting was called back into regular session at approximately 7:40pm with no action being taken in Executive Session. On motion of Commissioner Joey Sliva, seconded by Commissioner Matt Ashcraft, the Commissioners unanimously authorized Allen Cumbie to interview law firms to represent the Port of Bay City Authority of Matagorda County, Texas in regards to the Public-Private Partnership venture.

There being no further business to come before the meeting, the Commissioners adjourned the meeting at 7:42pm.

ADVANCE MAIL COPY

Attest:

Approve:

/s/ George Harrison

/s/ Matthew Ashcraft