

MINUTES OF MEETING

BE IT REMEMBERED that the Commissioners of the Port of Bay City Authority met Thursday, May 16, 2024, at the office of the Authority, 1305 7<sup>th</sup> 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
Leslie Bacon	Norton Rose Fulbright
Dimitiri Millas	Norton Rose Fulbright
Virtual:	
Luke Cressman	HDR Engineers Inc
Hayden Smith	Anchor QEA LLC
Ian Fisher	Anchor QEA LLC
Visitors:	
Mike Ferdinand	Executive Director - MCEDC
Mike Reddel	The Bay City Sentinel
Kate Allen	Visitor

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

Those in attendance recited the pledge of allegiance to the flags.

Joey Sliva led those in attendance in prayer.

Item 1 – The minutes for the regular meetings of February 8, 2024 and April 11, 2024 were not available for review prior to the meeting; therefore, the minutes were tabled until the next regular meeting.

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

ANCHOR QEA LLC	27,017.56
--PROFESSIONAL FEES	
ANCHOR QEA LLC	31,685.50
--PROFESSIONAL FEES	
ANCHOR QEA LLC	43,666.10
--PROFESSIONAL FEES	
AQUA-ZYME SERVICES INC	320.00
--PUBLIC UTILITIES	
AQUA-ZYME SERVICES INC	320.00
--PUBLIC UTILITIES	
AQUA-ZYME SERVICES INC	320.00
--PUBLIC UTILITIES	
AT&T	198.38
--TELEPHONE	
AT&T	194.48
--TELEPHONE	
AT&T	69.18
--TELEPHONE	
AT&T	754.28
--TELEPHONE	
AT&T	1,137.00
--TELEPHONE	
AT&T	1,149.13
--TELEPHONE	
AT&T	1,586.74
--TELEPHONE	
B&C MOWING & LANDSCAPING LLC	500.00
--REPAIRS & MAINTENANCE – MATAGORDA HARBOR	
CITY OF BAY CITY	5,000.00
--PROMOTION & DEVELOPMENT	
B ALLEN CUMBIE	56.25
--ATTORNEY FEES	
DIRECT ENERGY	3,773.75
--PUBLIC UTILITIES	

DIRECT ENERGY	59.60
--PUBLIC UTILITIES	
DIRECT ENERGY	353.49
--PUBLIC UTILITIES	
DIRECT ENERGY	59.42
--PUBLIC UTILITIES	
DIRECT ENERGY	126.29
--PUBLIC UTILITIES	
DIRECT ENERGY	52.29
--PUBLIC UTILITES	
ELLEN DODD	1,600.00
--SPECIAL DISTRICT ACCOUNTING FEES	
GFL	1,103.55
--PUBLIC UTILITIES	
GRAINGER	420.82
--OPERATING SUPPLIES	
GRAINGER	27.85
--OPERATING SUPPLIES	
HDR ENGINEERING LLC	3,568.50
--PROFESSIONAL FEES	
KLEPAC PEST & TERMITE CONTROL	74.00
--REPAIRS & MAINTENANCE - OFFICE	
LOWES	1,405.97
--REPAIRS & MAINTENANCE – MATAGORDA HARBOR	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	47.50
--PUBLIC UTILITIES – PUMP	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	241.00
--PUBLIC UTILITIES – TRAILER PARK	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	75.00
--PUBLIC UTILITIES – HOUSE	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	319.95
--PUBLIC UTILITIES – BOAT SHED	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	304.70
--PUBLIC UTILITIES – TENT AND FISH CLEANING TABLE	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	787.90
--PUBLIC UTILITES – SPRINKLER	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	103.90
--PUBLIC UTILITIES – RESTROOM	
MCCOYS BUILDING SUPPLY	1,511.20
--REPAIRS & MAINTENANCE – MATAGORDA HARBOR	
NORTON ROSE FULBRIGHT	3,270.25
--ATTORNEY FEES	
PURCHASE POWER	1,100.00
--OPERATING SUPPLIES	
JAY SCHOLTEN	1,600.00
--REPAIRS & MAINTENANCE – MATAGORDA HARBOR	
SHARRON’S BOOKKEEPING AND TAX SERVICE	8,000.27
--OFFICE MANAGER – CONTRACT SERVICES	
--PROFESSIONAL SERVICES	
--OPERATING SUPPLIES	
--TRAVEL	
SHORELINE CONSTRUCTION	18,676.16
--REPAIRS & MAINTENANCE – MATAGORDA HARBOR	
SOUTH TEXAS CORRUGATED PIPE	2,400.00
--REPAIRS & MAINTENANCE – MATAGORDA HARBOR	
SUTHERLAND LUMBER-SOUTHWEST INC	348.96
--REPAIRS & MAINTENANCE – MATAGORDA HARBOR	
SUTHERLAND LUMBER-SOUTHWEST INC	149.94
--REPAIRS & MAINTENANCE – MATAGORDA HARBOR	
THE HOME DEPOT	763.26
--REPAIRS & MAINTENANCE – MATAGORDA HARBOR	
THRYVE	29.00
--PROMOTION & DEVELOPMENT	
VERIZON WIRELESS	179.66
--TELEPHONE	
WILLIAMS SCOTSMAN INC	286.05
--MISCELLANEOUS EXPENSE	
DONALD MASSEY	150.00
--SECURITY DEPOSIT	
CURTIS DUNCAN	656.00
--SECURITY DEPOSIT	
CRAIG HLAVINKA	6,565.65
--OPERATING SUPPLIES	
--REPAIRS & MAINTENANCE – MATAGORDA HARBOR	

- VEHICLE EXPENSE – GAS & OIL
- TRAVEL
- MISCELLANEOUS EXPENSE
- TELEPHONE
- MATAGORDA HARBOR IMPROVEMENTS

Item 3 – The financial reports and monthly billing and collection reports for February, March, and April 2024 were provided to the Commissioners prior to the meeting. Sharron Perez reviewed the financial reports and monthly billing and collection reports for April 2024. On motion of Commissioner Matt Ashcraft, seconded by Commissioner Joey Sliva, the Commissioners unanimously approved the financial reports and monthly billing and collection reports for February, March, and April 2024. Detailed copies of these reports are kept as part of the current records of the Port of Bay City Authority.

Item 4 – Sharron Perez advised that there are fourteen delinquent accounts that ten-day letters will be sent to. There are no accounts that she is concerned about at this time.

Item 5 – Craig Hlavinka gave a report on activity at the Port of Bay City Turning Basin and Matagorda Harbor. There was not much to report on at Matagorda Harbor. The fifty-four-foot boat on Morgan Dock will be vacating due to the shoaling of the Colorado River Jetties. There has been a lot of interest from smaller boats.

At the Port of Bay City Turning Basin, there was damage to the warehouse roll door caused by the storm. There are some pilings that need to be replaced. GulfMark Energy has been able to ship without issue. The laydown yard that Roehm constructed is now approximately sixty to seventy percent empty. The crew rerouting the AEP 138kv line tracked a significant amount of mud onto the gravel road. ASP will pay to put another layer of gravel and blade the road at a cost of \$32,500. AEP would like to pay the Port Authority and have the Port Authority hire someone to do the work. The Air Liquide rail contractors are now at the site. Craig Hlavinka asked the Commissioners if a fence needs to be installed to separate the rail easement from the PCC Chemicals property. George Harrison advised that he will contact Air Liquide regarding whether or not there will need to be additional property usage outside of the easement boundaries for construction. George Harrison will also discuss the matter with Waldemar Preussner of PCC Chemicals. Matt Ashcraft asked if the survey stakes are still on the property. Joey Sliva suggested putting T-posts where the survey stakes are to set the boundaries. Air Liquide's boundary exist beneath the power lines. Leslie Bacon will look at the ingress and egress in the PCC Chemicals lease.

Item 6 – Leslie Bacon updated the Commissioners regarding the conveyance of the 1.7 acres located under the bridge in Matagorda, Texas from Matagorda County to the Port of Bay City Authority. Once Matagorda County Attorney Jennifer Chau approves the documents submitted by Norton Rose Fulbright, the conveyance will be placed on the agenda for Commissioner's Court.

Item 7 – Leslie Bacon updated the Commissioners regarding extension of the current lease between the Port of Bay City Authority of Matagorda County, Texas and Roehm America LLC for eight acres of land located at the Terminus of FM 3057, Bay City, Texas. Roehm America LLC is wanting to extend the lease thru the end of August utilizing the terms of the existing lease. On motion of Commissioner Trey Treybig, seconded by Commissioner Matt Ashcraft, the Commissioners unanimously approved the extension of the current lease between the Port of Bay City Authority of Matagorda County, Texas, and Roehm America LLC thru the end of August utilizing the same terms as the existing lease.

Item 8 – Luke Cressman, with HDR Engineers Inc, updated the Commissioners on the dredging of Caney Creek. The US Army Corps of Engineers permit is in final review, and the project is still on track for June 2024. Matagorda County Drainage District No. 1 Commissioner Barrett Franz advised that the Texas General Land Office had reached out wanting more information. George Harrison advised that the spoil disposal area will be on the US Army Corps of Engineers dredge site.

Item 9 – Luke Cressman, with HDR Engineers Inc, updated the Commissioners on the West Basin Bulkhead Improvements. Luke Cressman shared the project checklist and reviewed site visits. The Port Authority has sent out requests for qualifications that are due on May 23, 2024. Luke Cressman discussed the pre-award cost application. Leslie Bacon will review it and have George Harrison sign it if all is good. After the request for qualifications have been received, then the Port Authority can move onto the tasks. Some of the tasks are not going to relate to the project. Legacy infrastructure was discussed. Another item is that all buildings are ADA compliant. Title VI requires pictures to be taken of the Port Turning Basin as it exists, providing a copy of the rendition for the new improvements, and having public meeting to answer any questions. Luke Cressman advised that a public meeting would be good to make the public aware of the project and allow any questions. Additional information could be provided by developing a website and having the website address published in the local newspapers. Prior to initiating any of the public options, the Commissioners will have MARAD Title VI division review the information and ensure that it will meet the guidelines. George Harrison advised posting procedures on the website and link the

complaint procedures to the website. Joey Sliva discussed the environmental visit. George Harrison advised that the grant agreement cannot be completed until the NEPA is complete. The deadline for NEPA is September 30, 2026, while the deadline for the project is in 2029.

Item 10 – Hayden Smith, with Anchor QEA LLC, updated the Commissioners on the Colorado River Diversion Channel Dredging Justification List. The list was submitted to Robert George, Colorado River Lock Master, for comments and review with Karl Brown. The Diversion Channel Dredging Justification List has been revised and submitted to the US Army Corps of Engineers.

Item 11 – Hayden Smith, with Anchor QEA LLC, updated the Commissioners on the Matagorda Harbor Maintenance Dredging Project. The required application has been submitted and deemed complete. The project cannot move forward without the Real Estate License Application being submitted. Hayden Smith will provide cost estimates for the project.

Item 12 – George Harrison advised that he has reviewed the Real Estate License Application to the US Army Corps of Engineers to place dredged sediment into DMPA #106 and has no questions. On motion of Commissioner Matt Ashcraft, seconded by Commissioner Trey Treybig, the Commissioners unanimously approved the submittal of the Real Estate License Application to the US Army Corps of Engineers to place dredged sediment into DMPA #106.

Item 13 – The Commissioners discussed the signing of the certificate of authority designating a named individual to execute the Real Estate License. On motion of Commissioner Trey Treybig, seconded by Commissioner Lee Weathers, the Commissioners unanimously designated Commissioner Joey Sliva to execute the Real Estate License.

Item 14 – Hayden Smith, with Anchor QEA LLC, updated the Commissioners on the Texas Parks and Wildlife Department. Last month Anchor QEA submitted a response in regards to the grant. Texas Parks and Wildlife Department deemed the scope change was too much from the original grant application. The grant applications will open back up in 2025. George Harrison would like to resubmit the grant application at that time and will reach out to Texas Parks and Wildlife Department to acknowledge resubmission will occur.

Item 15 – Hayden Smith, with Anchor QEA LLC, updated the Commissioners regarding the Matagorda Bay Foundation GLO CEPRA grant application for the Boggy Cut GIWW Stabilization Project. This project has enlarged and the Texas Department of Transportation, the US Army Corps of Engineers, and the Texas General Land Office are all involved.

Items 16 & 17 - There were no items to discuss in Executive Session; therefore, none was entered into.

Item 18 – Leslie Bacon advised that Matt Ashcraft need to get the investment training completed as soon as possible. Leslie Bacon also advised that Norton Rose Fulbright has not received the tariff computation from Air Liquide.

Item 19 – Mike Ferdinand, Matagorda County Economic Development Corporation Executive Director, updated the Commissioners on various projects looking at Matagorda County. The Port of Bay City has been submitted to two prospects for small ten-acre projects. Anchor QEA LLC has prepared a flood study resulting from the proposed levee project in Wharton County. The flood study is missing information from the US Army Corps of Engineers for the Wharton section.

Item 20 – Kate Allen had a couple of questions. In regards to the dredging of Caney Creek, Kate Allen wanted an updated timeline. The US Army Corps of Engineers should have all matters resolved by June. The bid documents should be ready early June. Matagorda County Drainage District No.1 will put the project out for bid and then award the bid. Once the bid is awarded, it will depend on dredge availability.

Kate Allen also asked about the status of West Mooring Park. George Harrison advised that once the scope is complete. There will be a meeting with the Sargent Chamber of Commerce to discuss and communicate the scope. The Port Authority is only responsible for the boat ramp area. Matagorda County Precinct No. 2 is over the rest of the project. The lease of the property is actually between the US Army Corps of Engineers and Matagorda County.

Item 21 – There being no further business to be discussed, the meeting was adjourned at 7:24pm.

Attest:

/S/ George Harrison

Approve:

/S/ Matthew Ashcraft