

MINUTES OF MEETING

BE IT REMEMBERED that the Commissioners of the Port of Bay City Authority met Thursday, July 11, 2024, at the office of the Authority, 1305 7th Street, Bay City, Texas. The following Commissioners and staff were present:

George Harrison	Chairman
Joey Sliva	Vice-Chairman
Matt Ashcraft	Secretary
Lee Weathers	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
Chris Mansour	Anchor QEA LLC
Visitors:	
Mike Ferdinand	Executive Director - MCEDC
Hayden Smith	Anchor QEA LLC
Ian Fisher	Anchor QEA LLC
Mike Reddel	The Bay City Sentinel
Absent:	
Buddy Treybig	Commissioner

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

Item 1 – Those in attendance recited the pledge of allegiance to the flags.

Item 2 – Joey Sliva led those in attendance in prayer.

Item 3 – The minutes for the regular meeting of June 6, 2024 were not available for review prior to the meeting. On motion of Commissioner Matt Ashcraft, seconded by Commissioner Lee Weathers, the Commissioners unanimously tabled the minutes for the regular meeting of June 6, 2024.

Item 4 – On motion of Commissioner Matt Ashcraft, seconded by Commissioner Lee Weathers, the following disbursements were unanimously ratified and approved:

ACE HARDWARE	804.99
--REPAIRS & MAINTENANCE – HARBOR	
ANCHOR QEA LLC	15,485.50
--PROFESSIONAL SERVICES	
ANCHOR QEA LLC	14,459.05
--PROFESSIONAL SERVICES	
AQUA-ZYME SERVICES INC	320.00
--PUBLIC UTILITIES	
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	69.18
--TELEPHONE	
AT&T	756.16
--TELEPHONE	
AT&T	112.90
--TELEPHONE	
AT&T	75.27
--TELEPHONE	
AT&T	1,137.00
--TELEPHONE	
AT&T	195.17
--TELEPHONE	
AT&T	1,586.90
--TELEPHONE	
A-TEAM LANDSCAPING	200.00
--REPAIRS & MAINTENANCE – OFFICE	
CITY OF BAY CITY	8,635.59
--TIRZ FEES (TIRZ #1)	

CITY OF BAY CITY	6,561.66
--TIRZ FEES (TIRZ #2)	
CITY OF BAY CITY	69.18
--TIRZ FEES (TIRZ #4)	
CONCEPT DEVELOPMENT	9,731.83
--PROFESSIONAL SERVICES	
DIRECT ENERGY	129.00
--PUBLIC UTILITIES	
DIRECT ENERGY	53.10
--PUBLIC UTILITIES	
DIRECT ENERGY	4,959.93
--PUBLIC UTILITIES	
DIRECT ENERGY	6,258.66
--PUBLIC UTILITIES	
DIRECT ENERGY	495.90
--PUBLIC UTILITES	
ELLEN DODD	1,600.00
--SPECIAL DISTRICT ACCOUNTING FEES	
EL CAMPO SPRAYING	5,992.00
--REPAIRS & MAINTENANCE – MATAGORDA HARBOR	
--REPAIRS & MAINTENANCE – PORT	
FRONTZ ELECTRICAL	179.00
--REPAIRS & MAINTENANCE - OFFICE	
GFL	1,098.36
--PUBLIC UTILITIES	
GFL	1,210.95
--PUBLIC UTILITIES	
GRAINGER	155.42
--REPAIRS & MAINTENANCE – MATAGORDA HARBOR	
INSYTEFUL	1,680.00
--PROMOTION & DEVELOPMENT	
KRONBERG’S FLAGS AND FLAGPOLES	1,326.00
--OPERATING SUPPLIES	
LYLE PRINTING	64.35
--OPERATING SUPPLIES	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	47.50
--PUBLIC UTILITIES – PUMP	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	284.80
--PUBLIC UTILITIES – TRAILER PARK	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	75.00
--PUBLIC UTILITIES – HOUSE	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	204.80
--PUBLIC UTILITIES – BOAT SHED	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	409.60
--PUBLIC UTILITIES – TENT AND FISH CLEANING TABLE	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	546.30
--PUBLIC UTILITES – SPRINKLER	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	135.50
--PUBLIC UTILITIES – RESTROOM	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	50.30
--PUBLIC UTILITIES – MEETING HOUSE	
NAPA AUTO & TRUCK PARTS	413.15
--VEHICLE EXPENSE	
PITNEY BOWES	600.00
--OPERATING EXPENSE	
QUILL CORPORATION	295.50
--OPERATING SUPPLIES	
RNR SEPTIC MAINTENANCE	12,450.00
--PORT OF BAY CITY IMPROVEMENTS	
JAY SCHOLTEN	1,600.00
--REPAIRS & MAINTENANCE – MATAGORDA HARBOR	
SHARRON’S BOOKKEEPING AND TAX SERVICE	7,760.96
--OFFICE MANAGER – CONTRACT SERVICES	
--PROFESSIONAL SERVICES	
--TRAVEL	
--OPERATING SUPPLIES	
SHORELINE CONSTRUCTION	24,254.64
--REPAIRS & MAINTENANCE – MATAGORDA HARBOR	
SUTHERLAND LUMBER-SOUTHWEST INC	1,118.15
--REPAIRS & MAINTENANCE – MATAGORDA HARBOR	
THE HOME DEPOT	1,278.52
--REPAIRS & MAINTENANCE – MATAGORDA HARBOR	
THRYVE	29.00
--PROMOTION & DEVELOPMENT	

VERIZON WIRELESS	179.66
--TELEPHONE	
WEST MARINE PRO	1,218.85
--REPAIRS & MAINTENANCE - HARBOR	
CRAIG HLAVINKA	7,142.16
--OPERATING SUPPLIES	
--REPAIRS & MAINTENANCE – MATAGORDA HARBOR	
--VEHICLE EXPENSE – GAS & OIL	
--TRAVEL	
--MISCELLANEOUS EXPENSE	

Item 5 – The financial reports and monthly billing and collection reports for June 2024 were not available for review prior to the meeting. On motion of Commissioner Matt Ashcraft, seconded by Commissioner Lee Weathers, the Commissioners unanimously tabled the financials for June 2024.

Item 6 – The delinquent account list was not available for review prior to the meeting. On motion of Commissioner Matt Ashcraft, seconded by Commissioner, the Commissioners unanimously tabled the delinquent report as of July 11, 2024.

Item 7 – Craig Hlavinka gave a report on the activity at the Port of Bay City Turning Basin. GulfMark Energy has a load to go; however, the US Coast Guard has to approve movement of the barges.

Craig Hlavinka gave a report on the activity at Matagorda Harbor. Matagorda Harbor had minimal damage from the storm.

Item 8 – Leslie Bacon updated the Commissioners on the conveyance of the 1.7 acres located under the bridge in Matagorda, Texas from Matagorda County to the Port of Bay City Authority. Matagorda County Attorney Jennifer Chau has agreed to the proposed conveyance; however, she has not presented it to Commissioners' Court for their approval. Leslie Bacon has sent an email to her and tried to contact her but has received no reply.

Item 9 – Luke Cressman, with HDR Engineers Inc, updated the Commissioners on the status of the Caney Creek dredging project. The usage of the placement area has been approved by the regulatory division but is awaiting approval by the Real Estate Division. This is only affecting timing. The current projected timeline is to put the dredging project out for bid in August, open bids in September, and dredge in October.

Item 10- Luke Cressman, with HDR Engineers Inc updated the Commissioners on the West Basin Bulkhead Improvements. Once the pre-award expense reimbursements are acknowledged, HDR Engineers Inc will move forward with the NEPA process. Programmatic efforts are continuing to move forward. The risk management aspect is currently being reviewed, and a meeting with Port Authority representatives will be held on Wednesday to further discuss the risks. Luke Cressman advised that he attended the Title VI meeting held earlier today. Most of the items required by Title VI will be not applicable but will require formal documentation to be submitted showing that the item is not applicable. Luke Cressman sent the documentation today. Norton Rose Fulbright has commented on the document, and George Harrison has reviewed it. Luke Cressman is working on the legacy infrastructure and outlining items for the public information. Luke Cressman will draft the document for the community action plan. George Harrison advised that high level renderings of the potential site improvements as well as pictures of the current site will be needed. HDR will put together a flyer and a digital version of the information. George Harrison advised that the documents will be published in the newspapers and posted to the Port of Bay City website. George Harrison has not had any negative feedback on the project. Mike Ferdinand advised that this improvement will be an asset to the industrial community. An action plan is being developed and needs to be general also, not just applicable to this project. All of the documentation will be utilized for this grant and future grants. George Harrison suggested having the public meeting at 6:00pm prior to one of the Port Authority's regular meetings. All documentation will include the Port Authority's phone number and email for questions, concerns, and/or comments to be submitted. There will be a virtual meet and greet with the new grant manager on Wednesday, July 17, 2024 at 10:00am.

Item 11 – Hayden Smith, with Anchor QEA, attended the meeting with Ian Fisher. Chris Mansour was in attendance virtually. Ian Fisher discussed the Matagorda Harbor Maintenance Dredging project. The Nationwide 35 permit is in place. The Us Army Corps of Engineers' Real Estate Division is reviewing the placement zone. Work is being done to complete the 30% design package which will require further discussion. Encore Dredging is the dredge company that will be dredging the Gulf Intracoastal Waterway. Ian Fisher has reached out to the US Army Corps of Engineers to determine what can be done to speed up the process in order to tie into the dredging being done in the area. George Harrison will reach out to the US Army Corps of Engineers. Once the 30% design package comments are received, Anchor QEA will move forward with the 90% design package. There is no size issue on the dredge being utilized. Some items of concern have been identified such as concrete. The dredge will not get too close to the pilings,

docks, etc. There will be a pipeline across the Gulf Intracoastal Waterway to place the dredge material in placement zone 106. Although the Port Authority owns the property, the US Army Corps of Engineers has an easement covering the entire property and has to approve any dredge material placement.

Item 12 – Hayden Smith, with Anchor QEA, updated the Commissioners on the Harbor Bait and Tackle building assessment. The assessment is to determine integrity issues and ADA compliance. Hayden Smith reviewed the proposed scope of work for the project. Tasks one and three deal with the health and safety issues with the facility. A procedure plan has been discussed with Craig Hlavinka. All structures will be assessed including the building and bait tanks. Task three will also include the capacity of the elevated dock. High priority items will be recommended and solutions provided along with cost estimates. Task two focuses on the ADA compliance of the facility. This will ensure that all risks are removed for the Port Authority. Anchor QEA will be in an ADA compliance specialist. The restrooms will also be assessed. Anchor QEA will then provide cost estimates. George Harrison advised Luke Cressman that the Port Authority does have ownership of the building. Due to the MARAD grant requirements, a plan will need to be developed; however, the ADA compliance issues do not have to be resolved prior to the grant being awarded. The Port Authority will need to have a remediation plan in place. The ADA compliance report will be completed by August 8, 2024 with the structural report being completed by September 12, 2024. The proposed cost of the scope of work for the assessment is \$51,000. Leslie Bacon questioned the contract. George Harrison reviewed the scope of work for the assessment. On motion of Commissioner Trey Treybig, seconded by Commissioner Lee Weathers, the Commissioners unanimously authorized George Harrison to sign the Scope of Work for the Matagorda Harbor Maintenance Dredging Project by Anchor QEA. The Scope of Work for the Matagorda Harbor Maintenance Dredging Project will be ratified at the next meeting.

Item 13 – Leslie Bacon did not have any additional items to report on at this time.

Item 14 – Michael Ferdinand, Matagorda County Economic Development Executive Director, updated the Commissioners on the various prospects interested in Matagorda County. Commissioners' Court is evaluating a tax abatement application for one company and is anticipating a second application to be submitted. There is continued interest in chemical manufacturing, energy projects, and upcoming prospects.

Item 15 – There were no public or Commissioner comments at this time.

Item 16 – At approximately 7:01pm, all members of the general public exited the meeting. The Commissioners adjourned to Executive Session.

Item 17 – At approximately 7:24pm, the Commissioners entered Regular Session with no action being taken in Executive Session.

The Commissioners discussed the pay raises for Port employees. On motion of Commissioner Matt Ashcraft, seconded Trey Treybig, the Commissioners unanimously approved a one percent raise for David Svec and a two percent raise for Craig Hlavinka.

George Harrison discussed the possible closing of Matagorda Harbor after hurricanes. Stipends are unconstitutional and not allowed. The Port Authority will look at signage that you are at your own risk and fully liable for your actions. Craig Hlavinka advised that he was referring to rent forgiveness not stipends. Norton Rose Fulbright will review the contracts to ensure public safety is taken into consideration after an event.

Item 18 – There being no further business to come before the Board, on motion of Commissioner Joey Sliva, seconded by Commissioner Lee Weathers, the Commissioners unanimously adjourned the meeting at 7:28pm.

Attest:

/S/ George Harrison

Approve:

/S/ Matthew Ashcraft

