

+MINUTES OF MEETING

BE IT REMEMBERED that the Commissioners of the Port of Bay City Authority met Thursday, August 8, 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
Buddy 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
Chris Mansour	Anchor QEA LLC
Ian Fisher	Anchor QEA LLC
Marc Delaflor	ADA/Anchor QEA LLC
Visitors:	
Mike Ferdinand	Executive Director - MCEDC
Mike Reddel	The Bay City Sentinel

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 led by George Harrison.

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

Item 3 – The minutes for the regular meetings of June 6, 2024 and July 11, 2024 were provided to the Commissioners prior to the meeting. On motion of Commissioner Trey Treybig, seconded by Commissioner Lee Weathers, the Commissioners unanimously tabled the minutes for the regular meetings of June 6, 2024 and July 11, 2024.

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

ACE HARDWARE	547.93
--REPAIRS & MAINTENANCE – HARBOR	
AQUA-ZYME SERVICES INC	320.00
--PUBLIC UTILITIES	
AQUA-ZYME SERVICES INC	320.00
--PUBLIC UTILITIES	
AT&T	1,585.56
--TELEPHONE	
AT&T	1,134.09
--TELEPHONE	
AT&T	40.27
--TELEPHONE	
AT&T	69.18
--TELEPHONE	
AT&T	85.31
--TELEPHONE	
AT&T	753.16
--TELEPHONE	
AT&T	200.64
--TELEPHONE	
BAY CITY CHAMBER OF COMMERCE	750.00
--PROMOTION & DEVELOPMENT	
DIRECT ENERGY	5,524.64
--PUBLIC UTILITIES	
DIRECT ENERGY	446.09
--PUBLIC UTILITIES	
DIRECT ENERGY	130.20
--PUBLIC UTILITIES	

DIRECT ENERGY	53.68
--PUBLIC UTILITIES	
ELLEN DODD	1,600.00
--SPECIAL DISTRICT ACCOUNTING FEES	
EMEDCO	196.86
--SUPPLIES	
EMEDCO	56.37
--SUPPLIES	
GERNAND BUILDERS' SUPPLY INC	425.00
--REPAIRS & MAINTENANCE - PORT	
GRAINGER	407.43
--REPAIRS & MAINTENANCE – MATAGORDA HARBOR	
GRAINGER	17.18
--REPAIRS & MAINTENANCE – MATAGORDA HARBOR	
HDR ENGINEERS INC	11,437.49
--PROFESSIONAL FEES	
HDR ENGINEERS INC	3,623.32
--PROFESSIONAL FEES	
KLEPAC PEST & TERMITE CONTOL	74.00
--REPAIRS & MAINTENANCE - OFFICE	
LOWES	3,519.02
--OPERATING SUPPLIES	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	47.50
--PUBLIC UTILITIES – PUMP	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	241.30
--PUBLIC UTILITIES – TRAILER PARK	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	75.00
--PUBLIC UTILITIES – HOUSE	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	192.80
--PUBLIC UTILITIES – BOAT SHED	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	353.30
--PUBLIC UTILITIES – TENT AND FISH CLEANING TABLE	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	486.00
--PUBLIC UTILITIES – SPRINKLER	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	110.90
--PUBLIC UTILITIES – RESTROOM	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	147.40
--PUBLIC UTILITIES – MEETING HOUSE	
MCCOYS BUILDING SUPPLY	2,862.02
--REPAIRS & MAINTENANCE – MATAGORDA HARBOR	
MCCOYS BUILDING SUPPLY	1,119.99
--IMPROVEMENTS - PORT	
NAPA AUTO & TRUCK PARTS	563.07
--VEHICLE EXPENSE	
--REPAIRS & MAINTENANCE – EQUIPMENT	
NAPA AUTO & TRUCK PARTS	57.36
--VEHICLE EXPENSE	
PITNEY BOWES	1,625.37
--OPERATING EXPENSE	
JAY SCHOLTEN	1,600.00
--REPAIRS & MAINTENANCE – MATAGORDA HARBOR	
SHARRON'S BOOKKEEPING AND TAX SERVICE	7,802.20
--OFFICE MANAGER – CONTRACT SERVICES	
--PROFESSIONAL SERVICES	
--TRAVEL	
--OPERATING SUPPLIES	
SHORELINE CONSTRUCTION	16,721.82
--REPAIRS & MAINTENANCE – MATAGORDA HARBOR	
SUTHERLAND LUMBER-SOUTHWEST INC	857.07
--REPAIRS & MAINTENANCE – MATAGORDA HARBOR	
THE HOME DEPOT	2,458.20
--REPAIRS & MAINTENANCE – MATAGORDA HARBOR	
THERMO FLUIDS INC	320.00
--REPAIRS & MAINTENANCE – MATAGORDA HARBOR	
THRYVE	29.40
--PROMOTION & DEVELOPMENT	
VERIZON WIRELESS	179.72
--TELEPHONE	
CRAIG HLAVINKA	5,944.39
--OPERATING SUPPLIES	
--REPAIRS & MAINTENANCE – MATAGORDA HARBOR	
--VEHICLE EXPENSE – GAS & OIL	
--TRAVEL	
--MISCELLANEOUS EXPENSE	

CHARLES JONES	500.00
--DEPOSIT REFUND	
PAUL OTTIS	450.00
--DEPOSIT REFUND	
JONATHAN LAWTON	500.00
--DEPOSIT REFUND	
BILL ALLEN	403.23
--DEPOSIT REFUND	
WILLIAM FELINSKI	450.00
--DEPOSIT REFUND	
PETER NGUYEN	550.00
--DEPOSIT REFUND	
KIMBERLY TODD	225.00
--DEPOSIT REFUND	
GLENN IHDE	560.00
--DEPOSIT REFUND	
JAMES T VINES	736.00
--DEPOSIT REFUND	
DAVID STOVALL	2,250.00
--DEPOSIT REFUND	
--PREPAID RENT	
RUDOLPH POLAK	350.00
--DEPOSIT REFUND	

Item 5 – The financial reports and monthly billing and collection reports for June 2024 and July 2024 were provided to the Commissioners. Sharron Perez reviewed the financials for July 2024 and asked if the Commissioners had any questions. There were no questions at this time. On motion of Commissioner Matt Ashcraft, seconded by Commissioner Lee Weathers, the Commissioners unanimously tabled the financials for June 2024 and July 2024.

Item 6 – Sharron Perez advised that there are twelve delinquent accounts that ten-day letters will be sent to. There are no accounts that she is concerned about at this time.

Item 7 – Craig Hlavinka gave a report on the activity at the Port of Bay City Turning Basin. The office building has been delivered. The utilities are being connected to the office building. The Air Liquide rail across FM 3057 has been completed by the Air Liquide rail contractor. Craig Hlavinka had an issue with the crossing during the rail construction and will follow up with TXDOT. The crossing was adequate for cars and trucks; however, the tankers shipping for GulfMark Energy did have issues. The Commissioners discussed the extension of Roehm’s lease. Roehm will prepare the extension and send it to Norton Rose Fulbright to review. On motion of Commissioner Joey Sliva, seconded by Commissioner Trey Treybig, the Commissioners unanimously approved the extension of Roehm’s lease for an additional three months at \$1000 for the eight acres.

Craig Hlavinka gave a report on the activity at Matagorda Harbor. Minor repairs are being completed due to the hurricane. The recreation hall has been gutted resulting from the moisture content in the sheetrock. The outside of the building will be recovered in HardiPlank.

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. Leslie Bacon reached out to Jennifer Chau but has not received a response. Leslie Bacon will reach out to the Matagorda County Judge’s office.

Item 9 – Luke Cressman, with HDR Engineers Inc, updated the Commissioners on the status of the Caney Creek dredging project. Matagorda County Drainage District No. 1 received a letter from the US Army Corps of Engineers requesting funding to continue the review. George Harrison advised that this is an administration fee and needs to be remitted. The US Army Corps of Engineers is out of funding and will not review any projects until September without the administrative fee. George Harrison will contact Barrett Franz to discuss the payment of the administrative fee to keep the project moving forward. George Harrison discussed timing issues and not having time lapse on some of the work that has been completed which would prevent the project from moving forward at this time. Luke Cressman will meet with Matagorda County Drainage District No. 1 to explain the situation. Luke Cressman advised that moving from the geotubes to the placement area would save money on the project. The project specs have been submitted for approval. Matagorda County Drainage District No. 1 has approved the specs. George Harrison would like Norton Rose Fulbright to review the specs once more. Once Norton Rose Fulbright approves the specs, the Port of Bay City Authority will approve the specs. The placement area being utilized is placement area 100 directly across from the Y.

Item 10- Luke Cressman, with HDR Engineers Inc thanked Sharron Perez for getting the SAM registration updated. Luke Cressman intended to have the NEPA contract proposal ready to submit to the

Port of Bay City Authority; however, he is awaiting final approval prior to forwarding to the Port of Bay City Authority. Luke Cressman provided pre-construction check list to MARAD. HDR Engineering Inc is trying to close out the Title VI requirements. The existing facility report needs to be completed.

Item 11 – Hayden Smith, Ian Fisher, Chris Mansour, and Marc Delaflor attended the meeting virtually on behalf of Anchor QEA LLC. Ian Fisher updated the Commissioners on Matagorda Harbor. George Harrison was able to set up a meeting with Seth Jones, with the US Army Corps of Engineers. The meeting went well. A letter was received from the US Army Corps of Engineers regarding an administrative fee for the real estate division to move forward. Encore Dredging will be in the area between November and January due to Hurricane Beryl. Hayden Smith and Ian Fisher are working on the ninety percent plans so that once the real estate license is approved the project can move forward. George Harrison also got attention on the Caney Creek Dredging project with the real estate division. The Matagorda projects will be coordinated with the Sargent projects. The US Army Corps of Engineers is taking the lead on the Sargent breakwater project. The projected date for the dredging at the Mouth of the Colorado River is scheduled to begin November 2025. A suction dredge will be in the area this fall to remove some silting. George Harrison is pushing to get the channel dredged.

Item 12 – The Commissioners discussed the Scope of Work for the bait shop structural assessment and ADA compliance. On motion of Commissioner Matt Ashcraft, seconded by Commissioner Lee Weathers, the Commissioners unanimously ratified the Scope of Work for the Matagorda Harbor Bait & Tackle Shop Structural and ADA Compliance Original Agreement June 29, 2022 as submitted by Anchor QEA LLC.

Item 13 – Hayden Smith, with Anchor QEA, updated the Commissioners on the Harbor Bait and Tackle building assessment. Hayden Smith provided a high-level review and highlighted the compliance plan. Marc Delaflor was on site July 30, 2024 to determine the ADA compliance. Two significant items that are non-compliant are the restrooms and the access ramps. The floor clearance, exposed pipes, and accessories need to be compliant. Both restrooms can be redone or combined into one unisex restroom. The slope of the ramp needs to be brought compliant as well as parking space. The Commissioners discussed the elevated deck. The grates by the bank tanks need to be replaced. The larger items will be repaired within three years. Craig Hlavinka advised that most of the smaller items would be repaired within the year. George Harrison and Luke Cressman discussed identifying the issues and develop a plan to bring the items into compliancy. Leslie Bacon asked if MARAD has a compliancy timeline. Luke Cressman advised that a plan needs to be in place. Craig Hlavinka advised that some of the issues will be resolved within six months. Hayden Smith is changing the term “violation” to “non-complaint”.

Item 14 – Leslie Bacon advised that Jerry Converse is working on the abandoned vessels.

Item 15 – Michael Ferdinand, Matagorda County Economic Development Executive Director, updated the Commissioners on the various prospects interested in Matagorda County. There is continued interest in chemical manufacturing and energy projects.

Item 16 – Don Woods thanked the Commissioners for staying course on the Caney Creek Dredging and Sargent projects. A vast majority of the Sargent residents are backing the port. The Caney Creek Dredging is needed, and there is a lot of interest in the project.

There were no other public or Commissioner comments at this time.

Item 17 – At approximately 7:15pm, all members of the general public exited the meeting. The Commissioners adjourned to Executive Session.

Item 18 – At approximately 7:41pm, the Commissioners entered Regular Session with no action being taken in Executive Session.

On motion of Commissioner Trey Treybig, seconded Matt Ashcraft, the Commissioners unanimously approved hiring Susan Reed as an audit coordinator at a rate of \$90 per hour to assist with the 2022 and 2023 audits. Norton Rose Fulbright will prepare the contract.

Item 19 – There being no further business to come before the Board, on motion of Commissioner Matt Ashcraft, seconded by Commissioner Lee Weathers, the Commissioners unanimously adjourned the meeting at 7:44pm.

Attest:

/S/ George Harrison

Approve:

/S/ Matthew Ashcraft