

MINUTES OF MEETING

BE IT REMEMBERED that the Commissioners of the Port of Bay City Authority met Thursday, September 12, 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
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
Visitors:	
Mike Ferdinand	Executive Director - MCEDC
Mike Reddel	The Bay City Sentinel
Zachary Phillips	Zachary Phillips Inc
Kate Allen	Visitor
Don Woods	Visitor
Absent:	
Trey 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 led by George Harrison.

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

Item 3 – The minutes for the regular meetings of August 8, 2024 were provided to the Commissioners prior to the meeting. On motion of Commissioner Matt Ashcraft, seconded by Commissioner Lee Weathers, the Commissioners unanimously approved the minutes of August 8, 2024.

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

ACE HARDWARE	24.27
--REPAIRS & MAINTENANCE – HARBOR	
ANCHOR QEA LLC	18,946.99
--PROFESSIONAL FEES	
ANCHOR QEA LLC	26,060.05
--PROFESSIONAL FEES	
AQUA-ZYME SERVICES INC	320.00
--PUBLIC UTILITIES	
AQUA-ZYME SERVICES INC	320.00
--PUBLIC UTILITIES	
A-TEAM LANDSCAPING	200.00
--REPAIRS & MAINTENANCE – OFFICE	
AT&T	850.34
--TELEPHONE	
AT&T	40.27
--TELEPHONE	
AT&T	69.18
--TELEPHONE	
AT&T	1,507.07
--TELEPHONE	
AT&T	402.45
--TELEPHONE	
AT&T	328.62
--TELEPHONE	
AT&T	1,134.56
--TELEPHONE	

BAY CITY JANITORIAL	609.81
--OPERATING SUPPLIES	
BAY CITY LIONS CLUB	60.00
--PROMOTION & DEVELOPMENT	
COASTAL SIGNS & MORE LLC	250.00
--OPERATING SUPPLIES	
DIRECT ENERGY	5,150.90
--PUBLIC UTILITIES	
DIRECT ENERGY	397.07
--PUBLIC UTILITIES	
DIRECT ENERGY	160.80
--PUBLIC UTILITIES	
DIRECT ENERGY	389.88
--PUBLIC UTILITIES	
DIRECT ENERGY	28.00
--PUBLIC UTILITIES	
ELLEN DODD	1,600.00
--SPECIAL DISTRICT ACCOUNTING FEES	
EMEDCO	525.72
--OPERATING SUPPLIES	
G&W ENGINEERS INC	1,650.00
--PROFESSIONAL SERVICES	
GFL ENVIRONMENTAL	1,199.52
--PUBLIC UTILITIES	
GFL ENVIRONMENTAL	1,199.52
--PUBLIC UTILITES	
GRAINGER	452.05
--OPERATING SUPPLIES	
GRAINGER	199.95
--OPERATING SUPPLIES	
GRAINGER	284.32
--OPERATING SUPPLIES	
HDR ENGINEERS INC	3,269.75
--PROFESSIONAL FEES	
HDR ENGINEERS INC	2,740.43
--PROFESSIONAL FEES	
IT DESIGNS & SECURITY LLC	5,573.87
--IMPROVEMENTS – OFFICE	
J&S CONTRACTORS INC	50,474.80
--REPAIRS & MAINTENANCE – PORT	
J&S CONTRACTORS INC	31,950.68
--REPAIRS & MAINTENANCE – PORT	
MATAGORDA COUNTY APPRAISAL DISTRICT	8,840.55
--APPRAISAL DISTRICT FEES	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	47.50
--PUBLIC UTILITIES – PUMP	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	243.70
--PUBLIC UTILITIES – TRAILER PARK	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	75.30
--PUBLIC UTILITIES – HOUSE	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	258.25
--PUBLIC UTILITIES – BOAT SHED	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	398.70
--PUBLIC UTILITIES – TENT AND FISH CLEANING TABLE	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	699.25
--PUBLIC UTILITES – SPRINKLER	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	122.20
--PUBLIC UTILITIES – RESTROOM	
MATAGORDA WASTE DISPOSAL & WATER SUPPLY CORPORATION	96.50
--PUBLIC UTILITIES – MEETING HOUSE	
MCCOYS BUILDING SUPPLY	831.38
--REPAIRS & MAINTENANCE – MATAGORDA HARBOR	
MYRA’S GARDEN NURSERY	3,120.00
--REPAIRS & MAINTENANCE – MATAGORDA HARBOR	
NORTON ROSE FULBRIGHT	3,716.25
--ATTORNEY FEES	
PITNEY BOWES GLOBAL FINANCIAL	194.31
--MISCELLANEOUS EXPENSE	
QUILL LLC	405.52
--OPERATING SUPPLIES	
JAY SCHOLTEN	1,600.00
--REPAIRS & MAINTENANCE – MATAGORDA HARBOR	
SHARRON’S BOOKKEEPING AND TAX SERVICE	8,052.16
--OFFICE MANAGER – CONTRACT SERVICES	

--PROFESSIONAL SERVICES	
--TRAVEL	
--OPERATING SUPPLIES	
SHORELINE CONSTRUCTION	28,958.01
--REPAIRS & MAINTENANCE – MATAGORDA HARBOR	
SUTHERLAND LUMBER-SOUTHWEST INC	1,197.02
--REPAIRS & MAINTENANCE – MATAGORDA HARBOR	
SUTHERLAND LUMBER-SOUTHWEST INC	90.97
--REPAIRS & MAINTENANCE – MATAGORDA HARBOR	
SUTHERLAND LUMBER-SOUTHWEST INC	687.55
--REPAIRS & MAINTENANCE – MATAGORDA HARBOR	
THE HOME DEPOT	1,928.16
--REPAIRS & MAINTENANCE – MATAGORDA HARBOR	
THRYVE	29.41
--PROMOTION & DEVELOPMENT	
VERIZON WIRELESS	179.72
--TELEPHONE	
WILSCOT	635.18
--MISCELLANEOUS EXPENSE	
ZPI INC	115,660.00
--IMPROVEMENTS - PORT	
CRAIG HLAVINKA	5,944.39
--OPERATING SUPPLIES	
--TELEPHONE	
--VEHICLE EXPENSE – GAS & OIL	
--TRAVEL	
--MISCELLANEOUS EXPENSE	

Item 5 – The financial reports and monthly billing and collection reports for August 2024 were provided to the Commissioners. Sharron Perez reviewed the financials for August 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 approved the financials for August 2024.

Item 6 – Sharron Perez advised that there are seven delinquent accounts that ten-day letters will be sent to. There are no accounts that she is concerned about at this time. On motion of Commissioner Matt Ashcraft, seconded by Commissioner Lee Weathers, the Commissioners unanimously approved the delinquent account report.

Item 7 – Craig Hlavinka gave a report on the activity at the Port of Bay City Turning Basin. The rail work has been completed; however, the switch has not been installed yet. Craig Hlavinka met with Zachary Phillips for a walk-thru of the office building. Zachary Phillips upgraded the skirting to Hardi-plank at his expense.

Craig Hlavinka gave a report on the activity at Matagorda Harbor. Matagorda Harbor dodged another hurricane.

Item 8 – George Harrison explained the tax rate that will be discussed is actually for 2024 while the budget the tax rate effects is for 2025. Tenaris’s tax abatement ends in 2025. At that time, the overall certified tax roll will increase to include the value on their property currently under tax abatement. George Harrison also updated the Commissioners on larger upcoming projects. The West Mooring Park project in Sargent is still pending the approval of the lease agreement between Matagorda County and the United States Army Corps of Engineers. The Port Authority will fund the boat launch and fish cleaning table. County Commissioner Mike Estlinbaum advised that Matagorda County will move the public restrooms closer to the fish cleaning table. The road issue was also discussed. The cost for dredging Caney Creek is based on the estimated cost of geo-tubes. The project scope has changed from utilizing geo-tubes to utilizing the Corps placement area. The timing of the project is not finalized and may occur in 2024 or 2025. Sharron Perez reviewed the various income and expenses on the proposed 2025 budget. On motion of Commissioner Joey Sliva, seconded by Commissioner Buddy Treybig, the Commissioners unanimously approved the following budget totals:

Total Budgeted Revenues	\$ 4,260,954
Total Budgeted Personnel Expenditures	\$ 294,122
Total Budgeted Operations Expenditures	\$ 1,655,292
Total Budgeted Interagency Expenditures	\$ 1,700,000
Total Budgeted Promotion & Development Expenditures	\$ 86,400
Total Budgeted Capital Expenditures	\$ 355,000

The individual accounts in the budget are provided for informational purposes only. A detailed budget is attached as part of these minutes, and a properly signed copy will be provided to Ellen Dodd.

Items 9 & 10 – The Commissioners discussed the various tax rates as provided by Matagorda County Tax Assessor-Collector. Sharron Perez proposed that the Port Authority adopt the 2024 Voter Approval Tax Rate of \$0.04743. The Commissioners discussed having a public hearing in order to adopt the 2-024 Voter Approval Tax Rate on September 26, 2024 at 6:00pm. On motion of Commissioner Joey Sliva, seconded by Commissioner Matt Ashcraft, the Commissioners unanimously approved the Order Designating Officer to Calculate and Publish the 2024 Tax Rate and setting the public hearing for September 26, 2024 at 6:00pm at the Bay City office.

Item 11 – Luke Cressman, with HDR Engineers Inc, discussed the Proposal for West Basin Bulkhead NEPA, Permitting, and Preliminary Design as submitted by HDR Engineers Inc. The proposed cost of the scope is \$290,000. George Harrison discussed that this scope would fall under amounts that are reimbursed thru the MARAD grant funds. George Harrison advised that Stephen Lebo is working to finalize the items qualifying for reimbursement. Luke Cressman advised that the scope cost is based on the rates that were preapproved by the Port Authority. On motion of Commissioner Matt Ashcraft, seconded Lee Weathers, the Commissioners unanimously approved the Proposal for West Basin Bulkhead NEPA, Permitting, and Preliminary Design as submitted by HDR Engineers Inc at a cost of \$290,000. George Harrison advised Luke Cressman to proceed with the scope.

Item 12 – Luke Cressman, with HDR Engineers Inc, updated the Commissioners regarding the dredging of Caney Creek. The Corps Real Estate Division is reviewing the placement area. The projected timeline for review is thirty to forty-five days. The project could be put out for bid in October. George Harrison advised that the \$1.2 million projected cost was based on utilizing geo-tubes; however, a Corps placement area will now be utilized. The projected cost is still realistic. Don Woods verified that the delay is on the Corps side. The Corps Real Estate Division is involved in order for the placement area to be utilized. The Corps Operations Division has approved the project; however, the Corps Real Estate Division has to approve the placement area.

Item 13 – Luke Cressman, with HDR Engineers Inc, updated the Commissioners regarding the West Basin Bulkhead Project at the Port of Bay City. Luke Cressman discussed the email he received from the Houston Galveston Area Council regarding the Title VI plan. HGAC will go over the plans. Luke Cressman has a template that he is in the process of updating. A draft will be provided to the Port Authority by the end of the month to review then Luke Cressman can move forward with the language and community access plan.

Item 14 – Hayden Smith, with Anchor QEA LLC, updated the Commissioners on the harbor dredging plan. Anchor QEA is making progress on the ninety percent design plan and will submit it in October. The Corps Real Estate Division has not approved the application which will then have to be forwarded to the Corps Operations Division. Encore Dredging will be in the area through February 2025.

Item 15 – Hayden Smith, with Anchor QEA LLC, updated the Commissioners on the Harbor Bait & Tackle building assessment. The verbiage change has been made. Chris Mansour, with Anchor QEA LLC, looked at the building, elevation, and roof. There does not appear to have any anchorage to the foundation. The elevated left side violates building codes with the stairs. The elevated roof has an interesting construction, not normal four by eight timber. The far side is attached to metal columns. After the structure testing was completed, it was determined that the bathrooms are not connected to the ground. The bait tank has a similar construction. There are some shingles missing on the roof. The A-frame for trophy fish is in good shape; however, the guide rope is attached to the metal roof. The cable needs to be removed and reconnected properly. George Harrison advised that the assessment needs further review by the Port Authority. George Harrison asked Craig Hlavinka to review and prioritize the issues needing attention. Safety and ADA compliance are priority. George Harrison advised the Commissioners that since the Port Authority owns the building the Port Authority needed to ensure the safety and ADA compliance for the public.

Item 16 – Hayden Smith, with Anchor QEA LLC, discussed the MBMT proposal. MBMT grants fund seven different aspects, and the boat ramp will fall under the requirements. Hayden Smith reviewed the proposed scope of work for the submittal and recommended that the Port Authority pursue the grant opportunity. This application is due October 14, 2024. On motion of Commissioner Joey Sliva, seconded by Commissioner Matt Ashcraft, the Commissioners unanimously approved the Scope of Work for the Matagorda Bay Mitigation Trust Request for Proposals not to exceed \$8,500.

Item 17 – Leslie Bacon, with Norton Rose Fulbright, advised the Commissioners that the easement for the Matagorda Waste Disposal and Water Supply Corporation water line at Matagorda Harbor will need to be discussed at the September 26, 2024 special called meeting.

Item 18 – Michael Ferdinand, Matagorda County Economic Development Executive Director, updated the Commissioners on the various prospects interested in Matagorda County. On the retail side, Popeye's is moving forward with their proposed site. Ashley Furniture will have their ribbon cutting on

September 26, 2024. On the manufacturing side, there is continued interest in chemical manufacturing and energy projects. There are several new prospects looking at Matagorda County.

Item 19 – George Harrison advised the Commissioners about a series of meetings with resource agencies. Texas Parks and Wildlife Department, Fish and Game, LCRA, and the Matagorda Bay Foundation have met with the Port Authority regarding the dredging of the Diversion Channel and Parker's Cut. The discussions are in infancy regarding these projects. The Diversion Channel helps with safe navigation into West Bay. George Harrison advised there has been no endorsement from any of the agencies but advised there will be a workshop with the Corps and these various agencies to discuss the project.

Item 20 – There were no other public or Commissioner comments at this time. On motion of Commissioner Matt Ashcraft, seconded by Commissioner Lee Weathers, the Commissioners unanimously adjourned the meeting at 7:48pm.

Attest:

Approve:

/s/ George Harrison

/s/ Matthew Ashcraft