

May 5, 2008

NOTICE OF MEETING

The Board of Commissioners of the Port of Bay City Authority of Matagorda County, Texas, a political subdivision of the State of Texas, hereby gives notice in accordance with the Texas Government Code, section 551 et seq, that a public meeting is to be held at the office of the Authority, **1305 Seventh Street, Bay City, Texas, Thursday, May 8, 2008 at 7:00pm**. The purpose of the meeting is for:

- 1) Action of the minutes of the regular meetings of March 13, 2008 and April 10, 2008;
- 2) Ratify and approve the payment of the bills taken by the Commissioners on April 10, 2008;
- 3) Presentation and approval of bills;
- 4) Presentation and approval of financial reports;
- 5) Review and take required action on the monthly billing for the Port of Bay City;
- 6) Discuss and take required action on delinquent accounts and pending suits for collection;
- 7) Discuss and take required action on activity at the Port and Matagorda Harbor;
- 8) Presentation and approval of annual Independent Auditor's report for the year ended December 31, 2007 by Reed & Associates, PC;
- 9) Discuss and take required action regarding Gulfstream's expansion plans with regard to additional space, rail spur, and/or existing buildings.
- 10) Discuss and take required action regarding Gulfstream's request for construction of a flare in the barge loading area at the Port of Bay City facility;
- 11) Discuss and take required action regarding interest by Elizabeth Drake, a prospect, in entering into lease negotiations for the 20-acre triangle located at the Port of Bay City facility adjacent to OXEA;

- 12) Discuss and take required action regarding the bid specifications for vegetation control on Port properties;
- 13) Discuss and take required action to put out for bid the vegetation control on Port properties;
- 14) Discuss and consider the possible granting of an easement to Gulfstream Terminals for a pipeline to connect their facility to the rail spur at the Port of Bay City;
- 15) Review and take required action regarding insurance on the Port properties;
- 16) Review and take required action regarding insurance held by land and port site leasees and contractors;
- 17) Discuss and take required action to appoint a Commissioner to participate in the Coastal Coordination Council;
- 18) Executive Session pursuant to Section 551.071 and Section 551.072 of the Texas Government Code regarding litigation and/or settlement offers, and the purchase, exchange, lease, or value of real property;
  - a) Discuss Cause No. 06-E-01613-C; Port of Bay City Authority of Matagorda County, Texas vs. SSJCGS, LLC, Cain, Smith and Strong II, LP, CSS Lake Jackson Property, LP, Cain, Smith and Strong, LLC, Gil Smith, John J Certa, Skelly Strong, Jr, CSS Richman Drive, LP and Starco Energy, LP seeking a Declaratory Judgment with regard to the 1.24 or 1.57 acres partially assigned to CSS II, LP by Starco Energy, LP;
  - b) Discuss Cause No. 23,606; John Certa, et al, Plaintiffs vs. Nancy Cain, Thomas Cain Individually and In His Capacity as an Administrative Member of Cain, Smith, and Strong, LLC, et al, Defendants; In the 12<sup>th</sup> Judicial Court of Walker County, Texas;
  - c) Discuss Cause No. 06-E-0767-C; Port of Bay City Authority of Matagorda County, Texas, plaintiff, vs. Mary Jean Boyce and the Unknown Heirs of

Asenath B. Davidson, Deceased, in the 130<sup>th</sup> Judicial Court, Matagorda County, Texas;

- 19) Regular Session at the conclusion of Executive Session to authorize any actions concerning litigation, settlement offers, purchase, exchange, lease or value of real property;
  - a) Discuss and take any required action regarding Cause No. 06-E-01613-C; Port of Bay City Authority of Matagorda County, Texas vs. SSJCGS, LLC, Cain, Smith and Strong II, LP, CSS Lake Jackson Property, LP, Cain, Smith and Strong, LLC, Gil Smith, John J Certa, Skelly Strong, Jr, CSS Richman Drive, LP and Starco Energy, LP seeking a Declaratory Judgment with regard to the 1.24 or 1.57 acres partially assigned to CSS II, LP by Starco Energy, LP;
  - b) Discuss Cause No. 23,606; John Certa, et al, Plaintiffs vs. Nancy Cain, Thomas Cain Individually and In His Capacity as an Administrative Member of Cain, Smith, and Strong, LLC, et al, Defendants; In the 12<sup>th</sup> Judicial Court of Walker County, Texas;
  - c) Discuss and take any required action regarding Cause No. 06-E-0767-C; Port of Bay City Authority of Matagorda County, Texas, plaintiff, vs. Mary Jean Boyce and the Unknown Heirs of Asenath B. Davidson, Deceased, in the 130<sup>th</sup> Judicial Court, Matagorda County, Texas;
- 20) Update from Mike Griffith regarding the Project Development Team – Mouth of Colorado Rehabilitation Project;
- 21) Monthly report from Port's Attorney;
- 22) Monthly report from Matagorda County Economic Development Corporation;
- 23) Public comments and comments from the Commissioners;
- 24) Any new or unfinished business.

Mike Griffith  
By: Lacey B. Lowry

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Copy: Ms Gail Denn  
County Clerk

RECEIVED AND POSTED THIS \_\_\_\_ DAY OF MAY 2008 AT \_\_\_\_\_ PM  
GAIL DENN, COUNTY CLERK

BY \_\_\_\_\_ DEPUTY

The Port of Bay City Authority of Matagorda County, Texas is committed to compliance with the Americans with Disability Act (ADA). Reasonable accommodations and equal opportunity for effective communications will be provided upon request. Please contact the Office of the Authority at 979-245-5831 at least 24 hours in advance if accommodation is needed.