



REGULAR PORT COMMISSION MEETING

Tuesday, July 16, 2024 at 3:00 PM

City Council Chambers | 202 N. Virginia Street, Port Lavaca TX 77979

MINUTES

STATE OF TEXAS §

COUNTY OF CALHOUN §

CITY OF PORT LAVACA §

On this the 16TH day of July 2024, the Port Commission of the City of Port Lavaca, Texas, convened in a regular session at 3:02 p.m. in the regular meeting place in City Council Chambers at City Hall, 202 North Virginia Street, Port Lavaca, Texas, with the following Commissioners in attendance:

ROLL CALL:

Alex Davila	Commissioner / Chairman**
Raymond Butler	Commissioner / Secretary
Mike McGuire	Commissioner
Sue Traylor	Commissioner
Larry Nichols	Commissioner

And with the following Commissioners absent:

Robert Knox	Commissioner
Jamie O'Neil	Commissioner

**And with the following:

Commissioner Davila arrived at 3:22 p.m. during Agenda #3 (b)

Comments from the Public:

RJ Shelly, Matagorda Bay Fish Cooperative presented to the board plans to develop oysters, bait, and shrimp business.

CONSENT AGENDA

1. APPROVAL OF MINUTES

a) MINUTES OF JUNE 18, 2024 - REGULAR MEETING

Motion made by Commissioner McGuire

NOW THEREFORE, LET IT BE RESOLVED BY THE PORT COMMISSION OF THE CITY OF PORT LAVACA, TEXAS:

THAT, the June 18th, 2024, minutes of the Regular Port Commission meeting held on July 16, 2024, are hereby approved.

Seconded by Commissioner Traylor

Motion passed by the following vote:

Voting Aye: Raymond Butler, Mike McGuire, Sue Traylor, Larry Nichols

Voting Nay: None

Motion carries.

2. RECEIVE HARBOR MASTER'S INSPECTION / MAINTENANCE REPORT FOR JUNE 2024.

No reports for June 2024.

REPORTS

3. RECEIVE FINANCIAL REPORTS OF PORT REVENUE FUND

- a) Tariff Report
- b) Account Aging Report
- c) Payment Report
- d) Revenue and Expenditure Report
- e) Balance Sheet / Property Tax Distribution
- f) Profit and Loss Cash Flow Report

- A copy of these reports, in their entirety, can be found in the Port Commission meeting packet dated July 16th, 2024.

Agenda item discussed.

No action was taken.

4. CITY MANAGER'S REPORT.

• **City Harbor Flood Light billing:**

There still has been no change in the billing for the Flood lights at the Harbor of Refuge since we switched them to LED in December. I've again reached out to Vee Strauss to ask her to find out whether AEP has made notification to GEXA about the switch to LED

bulbs. Once we get the billing corrected, I will work with GEXA to get credit for the months since the new lights were installed mid-December.

- **Financial posting of Property Tax Revenue:**
Brittney and I had a meeting with the Calhoun County Appraiser Paul Spaeth and Deputy Chief of Collection Tammy Blakeman last week. They are putting together a list of all Property ID's associated with tracts overseen by the Port Commission. We should have that by the end of the month and then be able to provide a good dollar figure for the amount of funds that will be transferred from the General Fund to the Port Commission in accordance with the 2024-25 Budgetary policies.
- **TPWL Grant — Renovations to the Nautical Landings Marina Breakwater:**
We have had no update on this NOAA review.
- **CDBG-MIT Coastal Resilience Living Shoreline Project**
The public comment period on the COE permit application ended on July 8. We have had no other communication regarding this application.
- **ReStore (cleanup of old barge(s) in Smith Harbor)**
The Workplan has been prepared and submitted by our consultant Kim Griffith. We are still awaiting approval by TCEQ before moving forward with bid package preparation or meeting any other environmental requirements that may arise.
- **CDBG-MIT Round 2 Application for use of funds** (Voluntary Restoration II and Culvert replacement at the Harbor of Refuge): There have been no new RFI's from GLO regarding this application.
- **Replacement of culverts under rail at Corporation Ditch**
There have been no new RFI's from GLO regarding this application.
- **GLO CEPRA GRANT:** As reported last month, we paid our \$275,200 match to the GLO. We subsequently submitted for reimbursement of \$200,000 from the Matagorda Bay Mitigation Trust Fund and we have received this reimbursement.

On June 26, Jim and I attended a kickoff meeting with GLO and the engineering team on this project. I will share the kickoff meeting slides once I receive them.
- **Restaurant:** You might note that the stairs are being corrected to provide a proper landing. Engineer Victor Fredricksen confirmed that the windows are installed per sealed plans and added that 28" is the minimum length of a shear wall and so standard construction allows for windows and doors to be 28" from corners without any extra bracing.
- **MBMT Grant Downtown Waterfront Public Access Improvement:**
Attached are the proposed drawings for the COE permit application.

5. RECEIVE HARBOR MASTER'S OPERATIONS, PROMOTION/DEVELOPMENT ACTIVITY REPORT**a) City Harbor**

- 12 July 2022 received two Bid lease Proposals for track 9 & 9A City Harbor (Prestige Oysters Inc. & Matagorda Bay Fishing Cooperative).

b) Nautical Landings Building

- Working on building improvements, lighting and storefront on the south end of the building.

c) Nautical Landings Marina

- Horizon Environmental has been onsite 7 times since the last PC meet.

d) Smith Harbor

- 28 June 2024 moved the pilings, timbers float to higher ground.

e) Harbor of Refuge

- 26 June 2024 Met at City Hall with Mott MacDonald CEPRA GLO Grants then went to look at work sites.
- Working on new wetland delineation so we can commence leveling & spreading dirt.
- Wead control spraying.

- ❖ b) Nautical Landings Building: Port Commission recommends Jim Rudellat to proceed with the purchase of corrugated sheets for Nautical Landings Building.

6. ANNOUNCEMENT BY CHAIRMAN THAT PORT COMMISSION WILL RETIRE INTO CLOSED SESSION:

TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY (DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE GOVERNMENTAL BODY IN NEGOTIATIONS WITH A THIRD PARTY), IN ACCORDANCE WITH CHAPTER 551, TITLE 5, SECTION 551.072 OF THE TEXAS GOVERNMENT CODE.

- Chairman Davila announced that Port Commission would retire into closed session at 4:02 pm.

7. RETURN TO OPEN SESSION AND TAKE ANY ACTION DEEMED NECESSARY WITH REGARD TO MATTERS IN CLOSED SESSION.

- Chairman Davila announced that Port Commission was back in open session at 4:31 pm.

(1)

Motion made by Commissioner McGuire

NOW THEREFORE, LET IT BE RESOLVED BY THE PORT COMMISSION OF THE CITY OF PORT LAVACA, TEXAS:

THAT, Chairman Davila, makes motion to accept the bid lease proposal from Prestige Oysters for Track 9 and 9a using the standard lease agreement with a minimum of two percent (2%) MCI increase for five (5) years.

Second Commissioner Nichols.

Voting Aye: Alex Davila, Raymond Butler, Mike McGuire, Larry Nichols.

Voting Nay: Sue Traylor

Motion carries.

(2)

Motion made by Commissioner Butler

NOW THEREFORE, LET IT BE RESOLVED BY THE PORT COMMISSION OF THE CITY OF PORT LAVACA, TEXAS:

THAT, Chairman Davila, makes recommendation to accept a month-to-month lease from The Federation of Southern Cooperatives.

Second Commissioner Nichols.

Motion passed by the following vote:

Voting Aye: Alex Davila, Mike McGuire, Raymond Butler, Sue Traylor, and Larry Nichols.

Voting Nay: None

Motion carries.

ACTION ITEMS: GROUND LEASES

- 8. DISCUSS NEW LEASE AGREEMENT FOR THE SOUTHERN FEDERATION OF COOPERATIVES AND MATAGORDA BAY FISHING COOPERATIVE - PRESENTER JODY WEAVER**

Agenda item discussed.

Motion made in closed session – Agenda 7 (2)

ACTION ITEMS: NEW BUSINESS

- 9. RECEIVE AND DISCUSS STATUS REPORT FROM THE TARIFF DEVELOPMENT COMMITTEE.**

Jody Weaver provided the board with a DRAFT Tariff Circular NO 1 for Ports and Harbors.

- A copy of this draft can be found in the Port Commission meeting packet dated July 16th, 2024.

Table to next Port Commission Meeting in August 2024.

- 10. DISCUSS AND REVIEW THE 2024-2025 PROPOSED BUDGET AND 5-YEAR CAPITAL IMPROVEMENT PLAN FOR THE PORTS AND HARBORS FUND.**

Jody Weaver provided the board with a copy of the proposed first draft budget for Ports and Harbors for review.

Commissioners requested a couple of changes to HOR Contracted Services, R&M Infrastructure and R&M Building NL Marina.

COMMENTS

- 11. COMMENTS FROM COMMISSIONERS.**

Agenda item discussed.

No action necessary.

ADJOURNMENT

Commissioner Nichols made a motion to adjourn the meeting.

Commissioner Butler seconded this motion.

Motion passed by the following vote:

Voting Aye: Alex Davila, Raymond Butler, Mike McGuire, Sue Traylor, and Larry Nichols.

Voting Nay: None

The meeting was adjourned at 5:30 p.m.

These minutes were approved on August 20, 2024.

ATTEST:

Alex Davila, Chairman

Rachel Garza, Admin Assist.