



REGULAR PORT COMMISSION MEETING

Tuesday, May 20, 2025 at 10:00 AM

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 20TH day of May 2025, the Port Commission of the City of Port Lavaca, Texas, convened in a regular session at 10:00 a.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:

Raymond Butler	Commissioner / Secretary
Mike McGuire	Commissioner
Robert Knox	Commissioner
Larry Nichols	Commissioner
Jamie O'Neil	Commissioner
Jerry Smith	Commissioner

And with the following Commissioners absent:

Alex Davila	Commissioner / Chairman
Sue Traylor	Commissioner

CONSENT AGENDA

1. APPROVAL OF MINUTES

A) MINUTES OF APRIL 15, 2025 - 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 April 15th, 2025, minutes of the Regular Port Commission meeting held on May 20th, 2025, are hereby approved.

Seconded by Commissioner Knox

Motion passed by the following vote:

Voting Aye: Raymond Butler, Mike McGuire, Larry Nichols, Robert Knox, Jamie O'Neil and Jerry Smith

Voting Nay: None

Motion carries.

2. RECEIVE HARBOR MASTER'S INSPECTION / MAINTENANCE REPORT FOR APRIL 2025.

Motion made by Commissioner Nichols

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

THAT, the Harbor Master's April 2025 Inspection Reports of the Port Commission Regular meeting held on May 20th, 2025, are hereby approved.

Seconded by Commissioner McGuire

Motion passed by the following vote:

Voting Aye: Raymond Butler, Mike McGuire, Larry Nichols, Robert Knox, Jamie O'Neil and Jerry Smith

Voting Nay: None

Motion carries.

3. CONDUCT ELECTION OF OFFICERS AND TAKE ANY ACTION DEEMED NECESSARY.

(1) Chairman

Motion made by Commissioner McGuire

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

THAT, the Port Commission hereby appoints Commissioner Raymond Butler as Chairman.

Seconded by Commissioner Smith

Motion passed by the following vote:

Voting Aye: Raymond Butler, Mike McGuire, Larry Nichols, Robert Knox, Jamie O'Neil and Jerry Smith

Voting Nay: None

Motion carries.

(2) Vice Chairman

Motion made by Commissioner McGuire

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

THAT, the Port Commission hereby appoints Commissioner Jerry Smith as Vice Chairman.

Seconded by Commissioner Knox

Motion passed by the following vote:

Voting Aye: Raymond Butler, Mike McGuire, Larry Nichols, Robert Knox, Jamie O'Neil and Jerry Smith

Voting Nay: None

4. REVIEW CURRENT MEETING TIME AND DATE FOR REGULAR PORT COMMISSION MEETINGS AND MAKE ANY CHANGES DEEMED NECESSARY

Item Tabled until the next meeting to discuss this item.

REPORTS

5. 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 May 20th, 2025.

Agenda item discussed.

No action was taken.

6. CITY MANAGER'S REPORT

- The following is a memo, in its entirety, from Jody Weaver Interim City Manager:

1.) TPWL Grant - Renovations to the Nautical Landings Marina Breakwater

A Pre-construction conference was held on Friday, May 2. Raymond Butler was in attendance representing the Port Commission. All of the materials are being purchased locally from Coastal Nail and Tool and should be delivered soon. Work is expected to start before the end of May.

2.) CDBG-MIT Coastal Resilience Living Shoreline Project

We have received a short extension to the project in order to have time to try to get feedback from the USCOE on when we can reasonably expect approval of the permit application to construct (which we submitted 12 months ago) so we know to when we must get approval to extend the CDBG-MIT contract. After our meeting on April 11, GLO promised to send us a letter that we can share with USACE doesn't come forth with the permit soon. GLO is still working on that letter, but we hope to receive it soon. GLO thought they could get approval to extend to March of 2027, but no more (our original request was to June 2027 assuming we have the permit in hand by the end of 2025). So as soon as we get the letter from GLO we will be reaching out to our contacts in Washington for assistance with the USACE. (It seems that the hold up is with USMFS, which is the same agency that held the Nautical Landings breakwater up for so long).

3.) ReStore (cleanup of old barge(s) in Smith Harbor)

The issues with the title have been resolved with the Title Opinion that Guld Coast Title prepared for us, but there are still issues between USCOE and TCEQ regarding the COE permit to construct that we are all trying to resolve. In the meantime, I have purchased the EJCDC C-700 Standard General Conditions of the Construction Contract and am working on a Supplemental Conditions and other documents needed for this bid package as well as the Living Shoreline Project.

4.) CDBG-MIT Round 2 Application for use of funds for Replacement of culverts under rail at Corporation Ditch and Voluntary Restoration of Refuge Shoreline.

As you recall, the \$9.1M CDBG-MIT Round 2 funding was finally approved by GLO several weeks ago. The mayor has STILL not yet received the contract from GLO to sign. Yesterday our GLO Contract Manager requested another update on the status of the contract.

5.) GLO CEpra Grant (Harbor of Refuge Shoreline Protection)

Mott McDonald has submitted the 30% design drawings and are working on the preliminary construction cost estimate. You can download them at <https://cleargov.com/texas/calhoun/city/port-lavaca/projects/16597/cepra-harbor-of-refuge-1783>

6.) Harbor of Refuge (Tract 11) Erosion

Regarding the Boards' thoughts about possibly funding a project to install rip-rap along the eastern shoreline of the peninsula at the Harbor of Refuge (Tract 11). I did meet with Josh Carter with Coast & Harbors Engineering and his team a couple weeks ago to brainstorm about this. At this time, they are looking at the topographical survey information they have already collected and will study the shoreline cross-section. I am looking through COE approvals in the area over the last few years that provides a USCOE accepted tide elevation, above which the COE has previously agreed is not jurisdictional.

7.) MBMT Grant Downtown Waterfront Public Access Improvement

Urban engineering is working on the bid plans. We will review the parking lot green infrastructure design with the Clean Coast Texas team before finalizing. I've asked Matt Glaze with Urban to include as an Additive Alternate, the construction of additional permitted bulkheading on the north side of Smith Harbor. If there are funds available to accomplish this, it could be done in conjunction with relocation of Poor Boy's Bait, which is needed before moving forward with other pavement and parking improvements on the Poor Boy's peninsula.

8.) TxDOT Truck Route signs

BY way of a brief summary... we have been working with TxDOT for over 5 years to get signs put up designating the Truck Route through the City Limits so that PLPD can enforce the ordinance. The sign layout was finally approved by TxDOT in March of 2024, and we purchased the large signs we are responsible for and TxDOT included the small signs into a construction project they were bidding. This TxDOT project was let last November, and we were to be invited to the Pre-construction conference to coordinate the installation of the signs. The Pre-con kept getting pushed back and then a couple weeks ago, Councilman Aguirre saw that a TxDOT crew was installing the small Truck Route signs around town. Last week, I was able to get in touch with James Janak, the Victoria Area Engineer, and he confirmed that they decided to put most of the small signs up themselves, but there are still three locations that are waiting on the contractor to do. TxDOT hadn't let us know about this. Since TxDOT already had most of the signs up, I told Wayne to go ahead and get with Lester Contracting to move forward with installing the large signs. PLPD still won't be able to enforce the Truck route until 100% of the signs are up, but we'll be done with our portion of the work soon.

9.) Parking area on SBA Steel property at the HOR Boat ramp

Earlier this week I did email Mr. Richard Keane of SBA Steel with the offer of a \$250/year lease amount. As of this writing I have not had a response.

10.) CALHOUN COUNTY MARINE ADVISORY COUNCIL

Both Jim Rudellat and I sit on this Council. At last week's meeting, Steven Raabe of the Matagorda Bay Mitigation Trust spoke to us about the future of the Matagorda Bay Mitigation Trust. All the original funds dedicated to miscellaneous projects awarded through the RFP process have been spent or committed over the past 5 years. However, Formosa is still paying into the fund when nurdles are found. It is projected that the Trust will have funding and continue to issue annual RFP's for the foreseeable future – realistically I'd say at least 2 and perhaps up to 5 years. The application period opens in September and applications are due in mid-October. I am "penciling in" making application for the following projects

- The \$200,000 match for the TPWL trails grant (or \$500,000 if we are awarded the grant)
- \$158,000 match for the Lighthouse Beach Phase 2 CEPR project
- \$200,000 match for the CMP-GOMESA project to construct a 10 ft wide boardwalk along Smith Harbor's seawall.
- Possibly one bay outfall litter catcher project to see how it does before doing others.

If Commissioners have other suggestions for applications, let me know.

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

1)

b) Nautical Landings Building

- 1) Working on a scope to replace six big windows south end front of building, identify availability windstorm regulations.

c) Nautical Landings Marina

- 1) Horizon Environmental has been on site 18 times since the last PC meeting.
- 2) Water usage 15 April – 9 May, 266 gallons received minimum bill \$42.80
- 3) 2 May 2025 preconstruction meeting with Derrick Construction (Breakwater) they should be onsite by the end of May.

d) Smith Harbor

- 1) Move six power poles off the bulkhead.
- 2) 28 March 2025 received USAE permit.

e) Harbor of Refuge

- 1) 7 August 2024 LCI delivering material from Alamo Heights road project.

f) To Do List – Raymond Butler

ACTION ITEMS: NEW LEASES**8. DISCUSS DRAFT TARIFF CIRCULAR NO. 1**

- A copy of the Tariff Circular was given to the Port Commission members, and the Circular can be found in the meeting packet dated May 20th, 2025.

Commissioners commented on adding language regarding the parking policy to Tariff Circular.

ACTION ITEMS: LEASES**9. 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. (MILLER'S SEAFOOD CO., INC. LEASE AT CITY HARBOR) (ENCORE DREDGING PARTNERS, LLC LEASES AT HARBOR OF REFUGE)

- Secretary Butler announced that they will retire into closed session.

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

Motion made by Commissioner McGuire

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

THAT, the Port Commission hereby establish the Curtis Miller lease for 2 years at a rate of \$5.03 per linear foot of dock.

Seconded by Commissioner Knox

Motion passed by the following vote:

Voting Aye: Raymond Butler, Mike McGuire, Robert Knox and Jerry Smith

Voting Nay: Larry Nichols and Jamie O'Neil

COMMENTS

11. COMMENTS FROM COMMISSIONERS

Agenda item discussed.

No Action taken.

ADJOURNMENT

Commissioner Nichols made a motion to adjourn the meeting.

Commissioner Knox seconded this motion.

Motion passed by the following vote:

Voting Aye: Raymond Butler, Mike McGuire, Larry Nichols, Robert Knox, Jamie O'Neil and Jerry Smith

Voting Nay: None

The meeting was adjourned at 11:39 a.m.

These minutes were approved on June 17, 2025.

ATTEST:

Raymond Butler, Chairman

Oralia G. Munoz, Admin. Assist.