



REGULAR PORT COMMISSION MEETING

Tuesday, December 17, 2024 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 17TH day of December 2024, the Port Commission of the City of Port Lavaca, Texas, convened in a regular session at 10:03 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:

Alex Davila	Commissioner / Chairman
Raymond Butler	Commissioner / Secretary
Mike McGuire	Commissioner
Robert Knox	Commissioner
Sue Traylor**	Commissioner
Larry Nichols	Commissioner
Jamie O'Neil	Commissioner

**And with the following: Commissioner Traylor arrived at 10:09 a.m. during Agenda #3 (c)

CONSENT AGENDA

1. APPROVAL OF MINUTES

A) MINUTES OF NOVEMBER 19, 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 November 19th, 2024, minutes of the Regular Port Commission meeting held on December 17th, 2024 are hereby approved.

Seconded by Commissioner Butler

Motion passed by the following vote:

Voting Aye: Alex Davila, Raymond Butler, Mike McGuire, Larry Nichols, Robert Knox, and Jamie O'Neil.

Voting Nay: None

Motion carries.

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

Motion made by Commissioner McGuire

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

THAT, the Harbor Master's November 2024 Inspection Reports of the Port Commission Regular meeting held on December 17th, 2024, are hereby approved.

Seconded by Commissioner Butler

Motion passed by the following vote:

Voting Aye: Alex Davila, Raymond Butler, Mike McGuire, Larry Nichols, Robert Knox, and Jamie O'Neil.

Voting Nay: None

Motion carries.

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 December 17th, 2024.

Agenda item discussed.

No action was taken.

4. CITY MANAGER'S REPORT

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

- TPWL Grant – Renovations to the Nautical Landings Marina Breakwater:

If you check the Port Lavaca Wave's 12.11.24 edition, you will find a published Invitation to Bid the Nautical Landings Marina Boat Ramp Breakwater Repair project! We were approved to move forward with the project on November 21. There is a pre-bid conference scheduled on January 7 and the bids are due on January 15. Review of the bids will be an agenda item at the January Port Commission meeting on January 21

- CDBG-MIT Coastal Resilience Living Shoreline Project

We had an on-site progress and file review meeting with our GLO grant manager on December 4. Other than a few minor rearrangements of files needed, all was good. Mott McDonald report that they are very close to submitting the 70% design plans for review. The last correspondence we had from the USACE was November 13 when it was stated that they are working on the permit review.

- ReStore (cleanup of old barge(s) in Smith Harbor)

Our consultant Kim Griffith has completed the COE Nationwide permit application and has made edits suggested by TCEQ. Following a meeting this Friday, 12.12.24, we should be ready to submit this next week. At this point we are tentatively looking at probably April 2025 to advertise for bids.

- CDBG-MIT Round 2 Application for use of funds

No new information.

- Replacement of culverts under rail at Corporation Ditch (Harbor of Refuge)

No new information

- GLO CEPRA GRANT (Harbor of Refuge Shoreline Protection):

Mott McDonald Engineering has submitted the Analysis memo to the GLO and is working to schedule of meeting to review the report in the next week or two.

- MBMT Grant Downtown Waterfront Public Access Improvement:

We received an update for the COE today letting us know that Matt successfully answered the questions they had. Next steps are for the COE to complete the internal review with the Navigation branch, operations branch, and historic properties coordinator.

5. **RECEIVE HARBOR MASTER'S OPERATIONS, PROMOTION/DEVELOPMENT ACTIVITY REPORT**

a) **City Harbor**

- 1) CH slip 1 & 2 big wash behind bulkhead have Gonzales Construction repair.

b) **Nautical Landings Building**

- 1) Working on building improvement lighting, two cupolas and storefront on the south end of the building

c) **Nautical Landings Marina**

- 1) Horizon Environmental has been onsite 11 times since the last PC meet.
- 2) 11 December 2024 advertise to bid the breakwater project went out.

d) **Smith Harbor**

No Updates

e) **Harbor of Refuge**

- 1) 23 October 2024 received call from Rexco wanting to move mulch to Alcoa. Republic Services plan is to have the brush mulched by the end of November.
- 2) 27 August 2024 LCI delivering material from Alamo Heights Road project.
- 3) Weed control spraying – no updates

ACTION ITEMS: NEW BUSINESS

6. **DISCUSS STATUS REPORT FROM THE TARIFF DEVELOPMENT COMMITTEE - PRESENTER JODY WEAVER**

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

I am in the process of very carefully reviewing the Draft Circular line by line and highlighting any items that I have questions about and would like a closer look by the attorney. I plan to review the final draft with the Tariff Committee and then the Port Commission in January for your approval prior to submitting the document to the Marine Attorney for comments.

A couple items that need further discussion are:

- Dockage, defined as the charge assessed against a vessel for berthing at a wharf, pier, bulkhead or for mooring to a vessel so berthed. We need to clarify under what circumstances the dockage charges are to be assessed – i.e. only the public dock? Are there other places and circumstances that the Port Commission recommends assessing dockage charges?

These are daily rates for vessels and are \$75 up to 74 ft long; \$125 up to 100 ft long; \$200 for up to 200 ft long and \$250 for greater than 200 ft long.

- Does the Port Commission want to reinstate wharfage charges for oysters and other seafood commodities?

7. **CONSIDER REQUEST OF KEVIN AND SASHA NEVAREZ FOR A BOAT SLIP IN SMITH HARBOR - PRESENTER JODY WEAVER.**

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

Kevin and Sasha Nevarez have requested a boat slip in Smith Harbor along the seawall directly behind their future restaurant and home.

If permitted and a yearly contract is approved, the annual rent would be \$3,300, based upon a monthly rent calculated as follows: \$175.00 for the first 25 ft and \$5.00 for each foot greater than 25 ft in length. The boat is 45 ft long, so \$275/mo.

As you know there are future plans to construct a 10 ft wide walkway on the waterside of the seawall. It is hoped that funding could be found for this project within the next 5 years. If approved, staff recommends a lease term for this boat slip of no longer than one year at a time, with language that allows the City to terminate the lease with 60 days advance notice should construction of this walkway be scheduled to commence. In addition, staff recommends that the slip be established perpendicular to the dock (not parallel) to provide safer transfer between the boat to land.

There are no tie off points along this seawall. If a slip is approved, the tenant will need to provide tie-off points as approved by the Harbor Master, with the agreement and understanding that the tenant will be responsible for removal at the time the walkway construction is scheduled.

There are plans to construct a bulkhead and fishing deck in the area just west of Poor Boys Bait, but this construction shouldn't be affected by a shrimp boat docked approximately 200 ft away.

- Chairman Davila announced that Port Commission would retire into closed session at 11:16 am.
- Chairman Davila announced that Port Commission was back in open session at 11:29 am.

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 deny the request of Kevin and Sasha Nevarez to lease a boat slip in Smith Harbor.

Second Commissioner McGuire.

Voting Aye: Alex Davila, Raymond Butler, Mike McGuire, Larry Nichol, Sue Traylor, Robert Knox and Jamie O'Neil.

Voting Nay: None

Motion Carries.

8. **REVIEW STAFF'S COMPARISION OF LEASES AND CURRENT RENTAL RATES VS VALUATION PROVIDED BY VALBRIDGE PROPERTY ADVISORS - PRESENTER JODY WEAVER**

Jody Weaver, Interim City Manager presented the Board with a breakdown of comparison rates for each tract lease. A special workshop has been scheduled for January 27, 2025, with City Council.

- A copy of the comparison report can be found in the Port Commission meeting packet dated December 17th, 2024.

COMMENTS

9. **COMMENTS FROM COMMISSIONERS.**

Agenda item discussed.

No action necessary.

ADJOURNMENT

Commissioner Nichols made a motion to adjourn the meeting.

Commissioner Traylor seconded this motion.

Motion passed by the following vote:

Voting Aye: Alex Davila, Raymond Butler, Mike McGuire, Larry Nichol, Sue Traylor, Robert Knox and Jamie O'Neil.

Voting Nay: None

The meeting was adjourned at 11:42 a.m.

These minutes were approved on January 23, 2025.

ATTEST:

Alex Davila, Chairman

Oralia G. Munoz, Admin Assist.