



REGULAR PORT COMMISSION MEETING

Tuesday, June 20, 2023, 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 June 2023, the Port Commission of the City of Port Lavaca, Texas, convened in regular session at 10:02 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
Sue Traylor *	Commissioner
Larry Nichols	Commissioner
Jaimie O'Neil	Commissioner

And with the following Commissioner absent:

Mike Kovarek	Commissioner
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* Commissioner Traylor arrived at 10:37 a.m. during Agenda #4(d)

CONSENT AGENDA

1. APPROVAL OF MINUTES

a) MINUTES OF MAY 16, 2023 - 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 Regular Minutes of the Port Commission regular meeting held on June 20th, 2023, are hereby approved.

Seconded by Commissioner Butler.

Motion passed by the following vote:

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

Voting Nay: None

2. RECEIVE HARBOR MASTER'S INSPECTION / MAINTENANCE REPORT

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 Inspection Report of the Port Commission regular meeting held on June 20th, 2023, are hereby approved.

Seconded by Commissioner Butler.

Motion passed by the following vote:

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

Voting Nay: None

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's meeting packet dated June 20, 2023.

Agenda item discussed.

No action was taken.

4. RECEIVE STATUS REPORTS**a) Renovations to Nautical Landings Marina Breakwater - Presenter Jody Weaver**

Port Lavaca TX F-321-B-1, F22AF03533: Outstanding

Compliance Boating access grant

- A NEPA CatEX is looking very likely, just needs to tie up loose ends so that the FWS Grant Manager feels comfortable saying there is no adverse impacts from the project.
 - Namely, we need verification from a professional biologist that no manatees are found in the area. We all know that's very unlikely, but since it was in the IPaC report we must clear it. Rather than pay an environmental consultant, you should be able to reach out to a TPWD regional biologist who can provide a letter or statement. Here's a link to the Calhoun County TPWD Biologists:
https://tpwd.texas.gov/landwater/land/habitats/oak_prairie/regulatory/?county=calhoun

THC review package: we need the package sent to THC for NHPA/SHPO review so that FWS can send it for tribal review and clearance. They send the entire package along with the THC clearance letter. FWS doesn't expect there to be any comments. I'm going to make a "Miscellaneous" task line item in RGO for you to input the packet.

b) CDBG-MIT Coastal Resilience Project / Restore Project - Presenter Jody Weaver

No new updates.

c) Discuss property values and evaluations - Presenter Jody Weaver

Agenda item discussed and tabled until the next Regular Port Commission Meeting - July 18, 2023.

d) Review 5-year Capital Plan and solicit input from Port Commission - Presenter Susan Lang

Commissioners were provided a copy of the FY 2023-2024 - Operations Budget and Worksheet packet for reference and input.

The Port Operating Fund is a proprietary fund. It provides operations and maintenance for the ports and harbors. Revenues are generated through rentals of the harbor and dock facilities. The Port Fund encompasses the following activities:

- Rental of dock and harbor facilities
- Maintenance of dock, harbor facilities and channel
- Maintain associated buildings and physical assets.
- Alternative funding options to upgrade the facilities.

5. RECEIVE STATUS REPORTS ON SPECIAL PROJECTS

- a) Status report regarding TCEQ inspection in June 2022 of Tract 17 and 17Ar -
Presenter Jody Weaver

By way of written reporting on the resolution of the alleged violations associated with the reference TCEQ inspection of portions of the Harbor of Refuge in June of 2022, as reported last month, the city did receive a Notice of Compliance letter on April 3. No further action is required concerning this investigation.

Our next steps are to follow through with the Voluntary restoration project we have received approval for. The plan is to utilize CDBG-MIT Round 2 funding to construct this approved Voluntary Restoration project. We still do not have a definite timeline or project parameters for this funding, but the best available information at this time suggests that this project should be eligible, and the application will be due at the end of 2023. Note, although we are to be allocated about \$9.1M, we must still apply for the funding to assure compliance with the grant requirements.

If we were to consider doing this using General Fund dollars, the construction cost estimate is around \$300,000 plus engineering and inspection.

I plan to submit a status report to TCEQ in the coming weeks with a more realistic time frame for construction. I believe TCEQ will be alright with a delay in the construction timeframe as long as we keep the shoreline clear of debris.

- b) CRG Limited Phase II Environmental Site Assessment of the Harbor of Refuge Tracts 16, 17, and 17Ar - Presenter Jody Weaver

No updates to report – Reached out to John Hogue, due date is showing June 8, 2023, but has not received any new updates.

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

1. Miller Seafood lease received letter May 22, 2023, to exercise second lease option.
2. Track 9 & 9A - Duphil Pipeline has inquired about short term lease.
3. Track 7, 8 & 11 - Received lease proposals for Texas Coastal Fishermen's Cooperative, aka The Federation of Southern Cooperatives and Evelyn's On The Water/Wacky's Place.
(1) ** Motion Made**
4. AIMS Companies are scheduling a time to CCTV the outfall.

b) Nautical Landings Building

1. June 12, 2023 - Barefoot Construction commenced work on the new electric service.

c) Nautical Landings Marina

1. Matt Estes boat sank Tuesday, May 9, 202, have contracted to have it refloated.
2. Abandon boat – discuss disposal
3. Horizon Environmental has been onsite 13 times since last PC meeting.

d) Smith Harbor

- 1) Dredge spoils, Barefoot Construction to commence work when it dries up.

e) Harbor of Refuge

1. LCI has been hauling fill material & stockpiling.
2. Encore Dredging cleaning and moving equipment to Track 11.
3. Urban Engineering is working on task order #32 for railroad drain culver replacement.
(2) ****Motion Made****
4. Aerial spraying – no updates.

(1)

****Reference: a) City Harbor**

- 3) Track 7, 8 & 11 - Received lease proposals for Texas Coastal Fishermen's Cooperative, aka The Federation of Southern Cooperatives and Evelyn's On The Water/Wacky's Place.

Motion made by Commissioner Nichols

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 one (1) year lease agreement for "The Federation of Southern Cooperatives".

Seconded by Commissioner Traylor.

Motion passed by the following vote:

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

Voting Nay: None

(2)

Reference: e) Harbor of Refuge

2. Encore Dredging cleaning and moving equipment to Track 11.

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 send a notice to Manson Dredging that the City of Port Lavaca will begin invoicing for the shoreline fleeting space at \$3.30 per linear foot.

Seconded by Commissioner McGuire.

Motion passed by the following vote:

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

Voting Nay: None

COMMENTS

9. COMMENTS FROM COMMISSIONERS

Agenda discussed; no action necessary.

ADJOURNMENT

Commissioner Nichols made a motion to adjourn the meeting.

Commissioner McGuire seconded this motion.

Motion passed by the following vote:

Voting Aye:

Alex Davila, Mike McGuire, Raymond Butler, Sue Traylor, Larry Nichols, and Jamie O'Neil.

Voting Nay: None

The meeting was adjourned at 11:45 a.m.

These minutes were approved on July 18, 2023.

ATTEST:

Alex Davila, Chairman

Rachel Garza, Admin. Assistant