



SPECIAL PORT COMMISSION MEETING

Tuesday, July 25, 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 25th day of July 2023, the Port Commission of the City of Port Lavaca, Texas, convened in special 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
Sue Traylor	Commissioner
Larry Nichols	Commissioner
Robert Knox	Commissioner

And with the following Commissioner absent:

Alex Davila	Commissioner / Chairman
Jamie O'Neil	Commissioner

CONSENT AGENDA

1. APPROVAL OF MINUTES

a) MINUTES OF JUNE 20, 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 minutes of the Port Commission Special Meeting held on July 25th, 2023, are hereby approved.

Seconded by Commissioner Traylor.

Motion passed by the following vote:

Voting Aye: Raymond Butler, Mike McGuire, Sue Traylor, Robert Knox, and Larry Nichols.

Voting Nay: None

2. RECEIVE HARBOR MASTER'S INSPECTION / MAINTENANCE REPORT

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 Inspection Report of the Port Commission Special Meeting held on July 25th, 2023, are hereby approved.

Seconded by Commissioner Traylor.

Motion passed by the following vote:

Voting Aye: Raymond Butler, Mike McGuire, Sue Traylor, Robert Knox, and Larry Nichols.

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 July 25, 2023.

Agenda item discussed.

No action was taken.

4. RECEIVE STATUS REPORTS

- a) Renovations to Nautical Landings Marina Breakwater - Presenter Jody Weaver

Comments from Matt Glaze, we are waiting on tribal council approval.
No other updates at this time.

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

- A copy of the May and June 2023, Mott MacDonald Progress Report can be found in the Port Commission Packet dated July 25, 2023
- Restore Project: No updates.

c) Review the 2023-2024 Proposed Budget and 5-year Capital Plan Improvement Plan for the Port Commission Revenue Fund - Presenter Susan Lang

- A copy of the proposed Annual Budget for FY 2023-2024 was provided to the Commissioners.
- A copy of these reports can be found in the Port Commission Packet dated July 25, 2023.

5. RECEIVE STATUS REPORTS ON SPECIAL PROJECTS

a) Status report regarding Voluntary Restoration Project II at the Harbor of Refuge - Presenter Jody Weaver

As reported last month, we have TCEQ approval of the Voluntary Restoration project to restore the area of disturbed cover along the shoreline of the northeast corner of the old HOR Landfill. Again, we are proposing to utilize a portion of the \$9.1M of CDBG-MIT Round 2 funding that the City of Port Lavaca has been allocated.

Although we have been allocated these funds, we must still make application for them to verify the project is eligible for use of this funding. Applications are due on October 20, 2023.

As you recall Mott McDonald was selected as the engineer for the CDBG-MIT Coastal Resiliency and Round 1 funding and is eligible to be the engineer for the round 2 funding as well. To optimize our options, we are advertising a Request for Qualifications from other engineers so we can select additional consulting engineers if we so choose.

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

Our consultant John Hogue from CRG Environmental reached out to TCEQ recently to learn that the TCEQ project manager that had been assigned to this project is no longer employed with TCEQ. John was given the name of the new project manager and he sent the following message:

- We submitted to APAR in February. Groundwater is minimally impacted (slight PCL exceedance) and was confined to one (1) monitoring well. There is no active groundwater use onsite or within ½ mile of the Site. The City of Port Lavaca will not permit groundwater use onsite and is willing to place a deed restriction on the property to eliminate the exposure pathway. The city is hoping to develop the

Harbor area further and understand they may have to work with MSW. Continued monitoring appears unnecessary.

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

A. City Harbor

- 1) Track 9 & 9A - Duphil Pipeline inquired about short term lease.
- 2) Track 7, 8 & 11 lease for The Federation of Southern Cooperatives – Ratified 7/10
- 3) AIMS Companies are scheduling a time to CCTV the outfall – 2 weeks out from 7/13

B. Nautical Landings Building

- 1) June 12, 2023, Barefoot Construction commenced work on the new electrical service, they are scheduled with AEP to switch service at the end of next week July 21, 2023.
- 2) Port Lavaca Plumbing will need letter to exercise lease option by the end July.
- 3) Bay Limited will need a letter to exercise lease option by the end July.
- 4) Something More Media - received letter July 13, 2023.

C) Nautical Landings Marina

- 1) Matt Estes boat sank Tuesday, May 9, 2023, have contracted to have it refloated.
- 2) Abandon boat – no updates
- 3) Horizon Environmental has been onsite 13 times since last PC meeting.

D) Smith Harbor

- 1) Dredge spoils, Barefoot Construction to commence work at the end of the week of July 17, 2023.

E) Harbor of Refuge

- 1) LCI has been hauling fill material & stockpiling.
- 2) Encore Dredging cleaning moving equipment to track 11.
- 3) Urban Engineering is working on task order #32 for RR drain culvert replacement.
- 4) Aerial spraying – no updates.

ACTION ITEMS**7. DISCUSS PROPERTY VALUES AND AMENDMENTS TO CHAPTER 54
WATERWAYS APPENDIX A - FEES, RATES AND CHARGES FOR FY 2023-
2024. PRESENTER - JIM RUDELLAT**

Motion made by Commissioner Traylor

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

THAT, Commissioner Butler, makes recommendation to revise the daily rate for barges on the public dock space, barges ranging up to 250 feet will have a rate fee cost of \$200 dollars, per twenty-four (24) hour period and any barges ranging over 250 feet will have a rate fee cost of \$250 dollars, per twenty-four (24) hour period.

Seconded by Commissioner Nichols.

Motion passed by the following vote:

Voting Aye:

Raymond Butler, Mike McGuire, Sue Traylor, Robert Knox, and Larry Nichols.

Voting Nay: None

- After discussion Commissioners agreed to schedule a Special Port Commission Meeting on August 1, 2023, at 10:00 am.

Motion made by Commissioner Nichols

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

THAT, Commissioner Butler makes recommendation to establish the monthly commercial fishing vessel rental rate for a single boat slip to be \$175.00 for the 1st 25-ft and \$5.00 for each foot thereafter, which provides a monthly rent of \$300 for a 50-ft slip.

Seconded by Commissioner Traylor.

Motion passed by the following vote:

Voting Aye:

Raymond Butler, Mike McGuire, Sue Traylor, Robert Knox, and Larry Nichols.

Voting Nay: None

8. DISCUSS NEW LEASE AGREEMENT FOR POOR BOYS BAIT STAND AT SMITH HARBOR - PRESENTER JODY WEAVER

Motion made by Commissioner Nichols

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

THAT, Commissioner Butler, makes recommendation to accept a two (2) year lease agreement for Poor Boy's Bait Shop with the following terms:

- \$1,375.00/month beginning September 1, 2023.
- He places a 1/2-page color ad in the Fall/Winter 2024 Visitors Guide
- He places a full-page color ad in the Spring/Summer 2024 Visitor's Guide
- He places a 1/2-page color ad in the Fall/Winter 2025 and Spring/Summer 2025 Visitor's Guides
- If he fails to place any of these ads or not make payment on time, then the monthly rent will be increased by \$95.00/month effective immediately upon notification that an ad deadline or payment deadline was missed and will remain in place through the expiration of the lease.

Seconded by Commissioner Traylor.

During discussion, before the vote, Commissioner Nichols stated he would withdraw his motion.

Tabled this agenda item until the Special Port Commission Meeting August 1, 2023.

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:

Raymond Butler, Mike McGuire, Sue Traylor, Robert Knox, and Larry Nichols.

Voting Nay: None

The meeting was adjourned at 11:43 a.m.

These minutes were approved on August 15, 2023.

ATTEST:

Alex Davila, Chairman

Rachel Garza, Admin. Assistant