



REGULAR PORT COMMISSION MEETING

Tuesday, May 16, 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 16th day of May 2023, the Port Commission of the City of Port Lavaca, Texas, convened in regular session at 10:01 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 Butler arrived at 10:27 am during Agenda #5(b)

CONSENT AGENDA

1. CONDUCT ELECTIONS OF OFFICERS AND TAKE ANY ACTION DEEMED NECESSARY.

(1)

Motion made by Commissioner Traylor

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

THAT, the Port Commission hereby re-appoints Commissioner Alex Davila as Chairman.

Seconded by Commissioner McGuire.

Motion passed by the following vote:

Voting Aye:

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

Voting Nay: None

(2)

Motion made by Commissioner Traylor

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

THAT, the Port Commission hereby re-appoints Commissioner Raymond Butler as Secretary.

Seconded by Commissioner McGuire.

Motion passed by the following vote:

Voting Aye:

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

Voting Nay: None

2. APPROVAL OF MINUTES

a) MINUTES OF APRIL 18, 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 May 16th, 2023, are hereby approved.

Seconded by Commissioner Traylor.

Motion passed by the following vote:

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

Voting Nay: None

3. 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 regular meeting held on May 16th, 2023, are hereby approved.

Seconded by Commissioner McGuire.

Motion passed by the following vote:

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

Voting Nay: None

REPORTS**4. 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 May 16, 2023.

No action necessary and none taken.

5. RECEIVE STATUS REPORTS

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

- Texas Historical Clearance has been uploaded.
- TxDOT is asking for TDLR clearance letter. Matt Glaze is trying to determine what to do with this as there are no pedestrian facilities with this project. He has asked Tim Westphal (Registered Accessibility Specialist) for a letter confirming that.
- NEPA - We received approval on Section 7 on Friday (this is the approval we've been waiting some time on).
- Tribal - TPWD takes care of that when everything else is submitted.

- Once we get something to them regarding the TDLR clearance, we are hopeful that the project will be released for bidding soon.

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

- A copy of the March and April 2023, Mott MacDonald Progress Report. can be found in the Port Commission Packet dated May 16, 2023
- Restore Project: No updates.

c) Discuss property values and evaluations - Presenter Jody Weaver

- Valbridge submitted an updated report for the City Harbor with an edit to Tract 11 and added language to the boat slips rates.
(A copy of this report was emailed to Commissioners.)

No action necessary and none taken.

6. RECEIVE STATUS REPORTS ON SPECIAL PROJECTS

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

- TCEQ enforcement has now closed our notice of violation case, so everything is cleared.
- Received approval for the voluntary restoration out at the tract by the old landfill. The plan is to utilize the upcoming CDBG-MIT money for that project, and it will require us to utilize Mott MacDonald, who has been selected as our engineer for CDBG-MIT projects. Working on timing, although the money is allocated to us, we must apply to use it. However, the application would be due in December, but it could be another year before we could get going on this project.
- We will submit a letter to TCEQ to show a status report and to keep them informed.

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

- Reached out to John Hogue, CRG Environmental, in the last report he sent to TCEQ, they informed him that their deadline for responding was May 8, 2023, but they are snowed under, and they are not sure if they would make that deadline, he is still waiting to hear back from them. He will reach out to see if they have any comments.

No action necessary and none taken.

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

City Harbor

1. Miller Seafood lease will need letter by end May to exercise second option.
2. Big Bear lease up 30 June 2023.

3. Track 9 & 9A – discuss leasing.
4. Track 7, 8 & 11 – discuss leasing.
5. March 31, 2023, disposable oil booms out at city harbor storm drain.
Getting pricing for CCTV Inspection for City Harbor storm drain.

Nautical Landings Building

1. Barefoot Construction commenced work on 16 February 2023.

Nautical Landings Marina

1. Matt Estes City Attorney awaiting probate, boat sank Tuesday May 9, 2023.
2. Abandon boat – considering options for removal.
3. Horizon Environmental has been onsite 17 times since the last PC meeting.

Smith Harbor

1. Dredge spoils getting cost to shape up piles, Barefoot Construction to commence work when dries up.

Harbor of Refuge

1. LCI has been hauling fill material & stockpiling.
2. Encore Dredging cleaning moving equipment to track 11.
3. Clean up trash on track 3, Monday 8 May 2023 Barefoot Construction completed.
4. Rail Spur repair Diamond K will be onsite to commence work May 15, 2023, drainpipes under rail.
5. Aerial spraying – no updates

No action necessary and none taken.

ACTION ITEMS: LEASES

8. **New Lease Agreement for City Harbor Tract # SLIP CH1 with adjacent land to Big Bear Shrimp and Seafood, LLC. - 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, Chairman Davila, makes recommendation to accept the new lease agreement for Big Bear Shrimp and Seafood, LLC. as presented.

Seconded by Commissioner O'Neil.

Motion passed by the following vote:

Voting Aye:

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

Voting Nay: None

COMMENTS

9. COMMENTS FROM COMMISSIONERS

No comments.

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, 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 June 20, 2023.

ATTEST:

Alex Davila, Chairman

Rachel Garza, Admin. Assistant