



REGULAR PORT COMMISSION MEETING

Tuesday, November 19, 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 19TH day of November 2024, the Port Commission of the City of Port Lavaca, Texas, convened in a 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
Robert Knox	Commissioner
Sue Traylor	Commissioner
Larry Nichols	Commissioner

And with the following Commissioners absent:

Jamie O'Neil	Commissioner
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CONSENT AGENDA

1. APPROVAL OF MINUTES

A) MINUTES OF OCTOBER 15, 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 October 15th, 2024, minutes of the Regular Port Commission meeting held on

November 19th, 2024, are hereby approved.

Seconded by Commissioner Butler

Motion passed by the following vote:

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

Voting Nay: None

Motion carries.

B) MINUTES OF NOVEMBER 6, 2024 - SPECIAL MEETING

Motion made by Commissioner McGuire

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

THAT, November 6th, 2024, minutes of the Special Port Commission meeting held on November 19th, 2024, are hereby approved.

Seconded by Commissioner Butler

Motion passed by the following vote:

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

Voting Nay: None

Motion carries.

2. RECEIVE HARBOR MASTER'S INSPECTION / MAINTENANCE REPORT FOR OCTOBER 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 October 2024 Inspection Reports of the Port Commission Regular meeting held on November 19th, 2024, are hereby approved.

Seconded by Commissioner Butler

Motion passed by the following vote:

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

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 November 19th, 2024.

Agenda item discussed.

No action was taken.

4. CITY MANAGER'S REPORT

TPWL Grant — Renovations to the Nautical Landings Marina Breakwater:

On 11/4 Julie Dillard with TPWL let me know that US Fisheries had approved the NMFS7 document we have been waiting on for many months. On 11/14/2024 she told me that all of the final project documents have been submitted to FWS for their final approval and the issuance of a Notice to Proceed to TPWL.

Today Julie let me know that she has heard back from FWS about the items submitted and they said that everything we submitted looks good!!! BUT ONE FINAL THING that she now needs is a statement of useful life. "All projects that are over \$100k are required to submit one of these. This should come from the engineer or architect who created the design plans and should state what the useful life of the project elements are anticipated to be. For this statement, they can just send that to me in an email and I can upload that into the federal system. " I have forwarded this to Matt whom I'm sure will handle that today or Monday.

Then **finally** TPWL will **be** able to provide to the City of Port Lavaca the long-awaited Notice to Proceed with bidding.

CDBG-MIT Coastal Resilience Living Shoreline Project

See the latest Project Status Report dated 11/1. Correspondence with the USACE on November 13 stated that the COE was working on the review of the permit application.

ReStore (clean-up of old barge(s) in Smith Harbor)

Our consultant Kim Griffith has completed the COE Nationwide permit application, and we are waiting for TCEQ review and approval before submitting it to the COE.

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):

I have a call scheduled with the engineer on Monday, so I should have an update for you at the meeting on Tuesday.

MBMT Grant Downtown Waterfront Public Access Improvement:

We received a request for additional information from the COE on November 5 and Matt Glaze is working on a response.

Wetlands and Waters of the U.S. Delineation — 70 acres at the Harbor of Refuge.

The final wetlands delineation report of the 124 acres at the Harbor of Refuge can be downloaded at the following link: <https://cleargov.com/texas/calhoun/city/port-lavaca/dashboards/1070/port-commission>

- A copy of the Monthly Progress Report, in its entirety, can be found in the Port Commission meeting packet dated November 19th, 2024.

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

- 1) November 11, 2024 - Shrimp boat sank behind The Federation's building. USCG, GLO & TPWD were all on scene, the area was cleaned, and the vessel was brought back up. (The sea-strainer hose failed causing the incident.)

b) Nautical Landings Building

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

c) Nautical Landings Marina

- 1) Horizon Environmental has been onsite 15 times since the last PC meeting.

d) Smith Harbor

- 1) November 4, 2024 - PLFD responded to a car fire at Poor Boys Bait.

e) Harbor of Refuge

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

f) Raymond Butlers Report

Comment from Public – Sasha Nevarez requested to be added to the Agenda for December 17, 2024.

ACTION ITEMS: LEASES**6. REPORT ON LEASE AGREEMENT APPROVED BY CITY COUNCIL FOR ENCORE DREDGING PARTNERS, LLC, FOR TRACT 3 - PRESENTED BY JODY WEAVER**

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

At the November City Council meeting on November 13, the Council approved, in a 4-2 decision, a one-year standard lease agreement with Encore Dredging, LLC for \$3,500 per month from December 1, 2024, to November 30, 2025.

There was a lot of discussion. Chipper Dowell and Hillary Franke spoke for Encore Dredging, LLC and Robert Knox was in attendance and Council asked for his input as a representative of the Port Commission. I think generally the Council was in agreement that we need to carefully consider and use the Valbridge report in establishing lease values. However, the majority of the Council I believe was concerned that there may not be another entity wanting to lease this property at this \$4,833.33/month price at this time and was comfortable with having a certain \$42,000 revenue stream for P12024-25.

Council requested that a workshop be scheduled with the Port Commission in early 2025 to review the Valbridge report and status of current leases and expiration dates and discuss strategies for the future. Possible dates include Jan 20, 27 or Feb 17, 2025, at 5:30 pm.

ACTION ITEMS: NEW BUSINESS

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

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 for staff and Commissioner Butler to have a consulting session with Welder Leshin LLP, to discuss our concerns at minimal cost.

Seconded by Commissioner Traylor

Motion passed by the following vote:

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

Voting Nay: Alex Davila

Motion carries.

COMMENTS

8. **COMMENTS FROM COMMISSIONERS**

Agenda item discussed.

No action necessary.

ADJOURNMENT

Commissioner McGuire made a motion to adjourn the meeting.

Commissioner Nichols seconded this motion.

Motion passed by the following vote:

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

Voting Nay: None

The meeting was adjourned at 12:00 p.m.

These minutes were approved on December 17, 2024.

ATTEST:

Alex Davila, Chairman

Rachel Garza, Admin Assist.