



REGULAR PORT COMMISSION MEETING

Tuesday, September 16, 2025, at 3:30 PM
City Council Chambers | 202 N. Virginia Street, Port Lavaca TX 77979

MINUTES

Port Commission will consider/discuss the following items and take any action deemed necessary.

STATE OF TEXAS §
COUNTY OF CALHOUN §
CITY OF PORT LAVACA §

On this the 16th day of September 2025, the Port Commission of the City of Port Lavaca, Texas, convened in a regular session at 3:30 p.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 / Chairman
Jerry Smith	Commissioner / Secretary
Jamie O'Neil	Commissioner
Larry Nichols	Commissioner
Jim Ward	Commissioner

And the following Commissioners absent:

Sue Traylor
Louis Rubio

CONSENT AGENDA -

1. APPROVAL OF MINUTES

- A) MINUTES OF AUGUST 15, 2025 - SPECIAL PORT COMMISSION MEETING
- B) MINUTES OF AUGUST 19, 2025 - REGULAR PORT COMMISSION MEETING

Motion made by Commissioner Ward

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

THAT, the August 15th, 2025, minutes of the Special Port Commission meeting held on September 16th, 2025, are hereby approved.

THAT, the August 19th, 2025, minutes of the Regular Port Commission meeting held on September 16th, 2025, are hereby approved.

Seconded by Commissioner Nichols

Motion passed by the following vote:

Voting Aye: Raymond Butler, Jerry Smith, Larry Nichols, Jamie O'Neil, and Jim Ward

Voting Nay: None

Motion carries.

2. RECEIVE HARBOR MASTER'S INSPECTION / MAINTENANCE REPORT FOR AUGUST 2025.

Motion made by Commissioner Smith

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

THAT, the Harbor Master's August 2025 Inspection Reports of the Port Commission Regular meeting held on September 16th, 2025, are hereby approved.

Seconded by Commissioner Ward

Motion passed by the following vote:

Voting Aye: Raymond Butler, Jerry Smith, Larry Nichols, Jamie O'Neil, and Jim Ward

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 September 16th, 2025.

Agenda item discussed.

No action taken.

4. CITY MANAGER'S REPORT

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

1.) TPWL Grant – Renovations to Nautical Landings Marina Breakwater

This breakwater project is complete – Halleluyah! Matt is planning a final inspection this week.

2.) CDBG-MIT Coastal Resilience Living Shoreline Project

The latest update from the USCE was they were trying to issue the permit by the end of September or early October. GLO has indicated that they MIGHT require a letter of no objection from the owners of Fisher Channel & Dock Co. and Calhoun County Channel & Dock Co. (same owner). I have been proactive in reaching out to Mr. Johnny Jurisich. (Note I spoke to his brother a couple years ago about the project and they were notified by the USACE about the project, and they were notified by the USACE about the public comment period). He supports the project but wants assurance that the project will not hinder his ability to get permission to construct a channel in the future. They would have access to the City Harbor Channel via the Nautical Landings channel, but we are looking more into this with GLO to provide a response to his concerns. Once the permit is received, there are still the plans to finish for bid and the environmental report to complete. It looks like we will be bidding the project in December.

3.) ReStore (cleanup of old barge(s) in Smith Harbor):

- The City has provided TCEQ with the required ownership documentation. TCEQ has requested a Title Opinion signed by the City's legal counsel to resolve outstanding ownership issues – Anne Marie is working on this.

- The RFP is in draft form and approximately 90% complete. Once finalized, it will be submitted to TCEQ for review and comment.
- All required reports have been submitted to TCEQ on schedule, and there are currently no pending items.
- The U.S. Army Corps of Engineers requested drawing addressing sensitive habitats, including oysters and essential fish habitats, for inclusion in the application. These drawings have been obtained, and Kim is resubmitting the application this week with the required update.

4.) **CDBG-MIT Round 2 Application for use of funds for Replacement of culverts under rail at Corporation Ditch and Voluntary Restoration of Refuge Shoreline.**

On August 21 the GLO contract was executed. We are working to bring the consultant contracts to Council for approval at the September 22 Special Meeting. We had the GLO project kickoff on Wednesday, September 10th.

5.) **GLO CEPRA GRANT (Harbor of Refuge Shoreline Protection):**

I attended the USACE Joint Evaluation Meeting for this project on Wednesday, September 10 at 1 pm. This meeting helps to facilitate the permitting process and obtain the necessary USACE construction permits. After the JEM, Mott McDonald will work to make a few minor adjustments to permit application and submit.

6.) **MBMT Grant Downtown Waterfront Public Access Improvement:**

Shirley & Sons has completed the bulkhead and is working on the pilings for the boat slips and the fishing deck. I've asked Matt Glaze to get pricing to add a handrail on the fishing deck. This is not something that is specifically required by code, but after discussions with RJ Shelly and how the deck may be used for educational purposes, I think this is something we need to consider. We have received notification that the CMP grant application for the 10-ft. wide boardwalk has been approved to move forward. As I've mentioned previously, I envision the boardwalk with a handrail as its primary function is pedestrian and bike – but I imagine we'll allow fishing as well. If later we want to provide more boat slips, we can construct one or more finger piers perpendicular to the boardwalk for a series of boat slips.

7.) **TxDOT Truck Route signs:**

The posts for the large signs are in fabrication. The smaller signs on SH 35 are being installed by the TxDOT contractor.

8.) **Parking area on SBA Steel property at the HOR Boat ramp:**

I have had no further communication with SBA but will reach out again.

9.) **TxDOT Maritime Division:**

TxDOT Maritime plans to start visiting ports in the fall/winter and begin discussing our port profile.

10.) Below is a link to the adopted 5-year Capital Improvement Plan. The Ports & Harbors is on pages 99-110.

https://portlavaca.org/wp-content/uploads/2025/08/CAPITAL-IMPROVEMENT-PROGRAM-26_30.pdf

11.) Below is a link to the proposed 2025-26 Budget, which passed the 1st reading of Council on September 8. The second reading is scheduled for September 22. The Ports & Harbors is on pages 140-146.

<https://portlavaca.org/wp-content/uploads/2025/08/BUDGET-25-26-BOOK-.pdf>

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 the Completion Report and the company financials for the Breakwater at Nautical Landings Marina and release of retainage and final payment.

Seconded by Commissioner Smith

Motion passed by the following vote:

Voting Aye: Raymond Butler, Jerry Smith, Larry Nichols, Jamie O'Neil, and Jim Ward

Voting Nay: None

Motion Carries

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

a) City Harbor

b) Nautical Landings Building

1.) Working on a scope to replace six big windows south end front of building, identify availability windstorm regulations. Report has been sent to G&W Engineering for review. Awaiting bids. We have two bids, Barefoot Construction & Wade Wilson.

c) Nautical Landings Marina

1.) Horizon Environmental has been onsite 9 times since our last PC meeting.

d) Smith Harbor

1.) 19 August 2025 Shirley & Sons arrived on site.

e) Harbor of Refuge

1.) 7 August 2024 LCI delivering material from Alamo Heights road project.

ACTION ITEMS: NEW BUSINESS

- 6. CONSIDER AWARD OF TASK ORDER # 39 TO URBAN ENGINEERING FOR \$24,775.00 TO PROVIDE ENGINEERING SERVICES FOR THE CONSTRUCTION OF ADDITIONAL BULKHEADING ON THE NORTH SIDE OF 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 move ahead with the Engineering Study Core Bulkheading in Smith Harbor for \$24,775.

Seconded by Commissioner Ward

Motion passed by the following vote:

Voting Aye: Raymond Butler, Jerry Smith, Larry Nichols, Jamie O'Neil, and Jim Ward

Voting Nay: None

Motion Carries.

- 7. DISCUSS PROJECT SCOPE FOR THE "PUBLIC ACCESS BOARDWALK AT SMITH HARBOR" FOR FUNDING WITH A CMP CYCLE 31 GLO GRANT AND IDEAS FOR FUTURE USE OF SMITH HARBOR. – PRESENTER JODY WEAVER**

Agenda item discussed.

No action taken.

ACTION ITEMS: LEASES

- 8. CONSIDER APPROVAL OF A ONE YEAR LEASE OF TRACT 11 AT HARBOR OF REFUGE TO ENCORE WITH A ONE-YEAR OPTION TO EXTEND.**

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 move forward with the proposed monthly rent and contract for Tract No. 11 to be \$2,823 a month, an annual rent of \$33,876 for a one-year option and would start December 1st.

Seconded by Commissioner Ward

Motion passed by the following vote:

Voting Aye: Raymond Butler, Jerry Smith, Larry Nichols, Jamie O'Neil, and Jim Ward

Voting Nay: None

Motion Carries.

9. DISCUSS POTENTIAL LEASE OF TRACT 3 AT THE HARBOR OF REFUGE

Agenda item discussed.

No action taken.

10. ANNOUNCEMENT BY CHAIRMAN THAT PORT COMMISSION WILL RETIRE INTO CLOSED SESSION:

- TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY (DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE GOVERNMENTAL BODY IN NEGOTIATIONS WITH A THIRD PARTY), IN ACCORDANCE WITH CHAPTER 551, TITLE 5, SECTION 551.072 OF THE TEXAS GOVERNMENT CODE

- Chairman Butler announced that Port Commission would retire into closed session at 4:50 p.m.

11. RETURN TO OPEN SESSION AND TAKE ANY ACTION DEEMED NECESSARY WITH REGARD TO MATTERS IN CLOSED SESSION.

- Chairman Butler announced that Port Commission was back in open session at 5:02 p.m.

COMMENTS

12. COMMENTS FROM COMMISSIONERS

Agenda item discussed.

No action taken.

ADJOURNMENT

Commissioner Ward made a motion to adjourn the meeting.

Commissioner Nichols seconded the motion.

Motion passed by the following votes:

Voting Aye: Raymond Butler, Jerry Smith, Larry Nichols, Jamie O'Neil, and Jim Ward

Voting Nay: None

The meeting was adjourned at 5:09 p.m.

These minutes were approved on October 21, 2025.

ATTEST:

Raymond Butler, Chairman

Oralia G. Munoz, Administrative Assistant