



REGULAR PORT COMMISSION MEETING

Tuesday, December 20, 2022, 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 December 2022, the Port Commission of the City of Port Lavaca, Texas, convened in regular 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:

Alex Davila	Commissioner / Chairman
Raymond Butler	Commissioner / Secretary
Mike McGuire	Commissioner
Michael Kovarek	Commissioner
Sue Traylor	Commissioner
Larry Nichols	Commissioner

And with the following Commissioner absent:

Jaimie O'Neil	Commissioner
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CONSENT AGENDA

1. APPROVAL OF MINUTES

a) MINUTES OF NOVEMBER 15, 2022 - 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 regular meeting held on December 20th, 2022, are hereby approved.

Seconded by Commissioner Traylor.

Motion passed by the following vote:

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

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 December 20, 2022, are hereby approved.

Seconded by Commissioner Traylor.

Motion passed by the following vote:

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

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
- 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 December 20, 2022

Agenda item discussed.

No action was taken.

4. **ACTION ITEMS: RECEIVE STATUS REPORTS**

- a) Renovations to Nautical Landings Marina Breakwater - Presenter Jody Weaver
TPWL GRANT — NAUTICAL LANDINGS BREAKWATER
 - No new update. Still waiting on the TPWL contract CDBG-MIT Coastal Resiliency

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

- Attached is a copy of the October 2022 Mott MacDonald Progress Report. (A copy of this report can be found in the Port Commission Packet dated December 20, 2022.)
- Below is a link to Mott MacDonald's presentation on the Coastal Engineering Analysis performed and the Alternatives being considered which was presented at a meeting on November 4th.
- <https://cleargov.com/texas/calhoun/city/port-lavaca/projects/7897/living-shoreline-breakwater-glo-cdba-mit-coastal-resiliency-grant>

RESTORE

- No new update. Still waiting on the TCEQ contract.

c) Discuss property values and evaluations - Presenter Jody Weaver

- I have sent the following information to Mr. Jander with Valbridge
 - Surveys of Smith Harbor and Cottage Cove
 - Poor Boy Lease document
 - Wild Reef Seafood Lease document
 - Excel file of Ports Revenue Accounts since 2017-2018
 - Prestige Lease agreements at the HOR
 - Equalizer lease agreement at the HOR
 - Helena Lease agreement at HOR
 - Cable One Lease agreement at the HOR
 - Encore Tract 11 Lease agreement
 - Phase 1 ESA Harbor of Refuge Landfill
 - Modified Phase I ESA Tracts 16, 17, 17A HOR
 - Miller Seafood Lease document
 - SCR Lease document of Tracts 9/9A City Harbor
 - Spreadsheet of rent amounts of leases at the Nautical Landings Office building
 - Phase 1 ESA for Smith Harbor
 - Latest COE soundings at the HOR
 - Newspaper article showing City purchased NL Office building in 1991 for \$175,000
 - Corporate Stock Purchase sales agreement for Smith Harbor and two lots on Commerce
 - Smith Harbor cross section post dredging
 - Maps showing tracts of HOR and City Harbor
 - Boundary of the old landfill

He has all he needs for now and will let me know if he's missing anything.
The total cost is \$25,000.

5. ACTION ITEM - RECEIVE STATUS REPORTS ON SPECIAL PROJECTS

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

TCEQ inspection of Tracts 17 and 17A in June 2022:

- The response to TCEQ regarding the Notice of Violation dated October 21, 2022, was due on November 20 and was submitted on November 19. The full response can be viewed at <https://ilacrobataadobe.com/link/review?uri=urn:aaid:scds:US:b90483dc-e9fc-3b1d-8502-dfd59ed67032>
- The submittal includes a proposed voluntary plan to restore the disturbed final cover and a request for a one (1) year extension in order to complete the work.
- Due to muddy conditions and other weather delays, we were not able to fully complete the required cleanup along the shoreline and deliver the collected debris to the landfill. The submittal respectfully requested an extension until December 31, 2022, to complete these tasks. This cleanup work was completed last week, and we are arranging to have the debris taken to the Victoria landfill prior to December 31.
- We were missing a copy of the Bill of Lading for the drums which were removed and disposed of by Clean Co Systems in June. Clean Co was having trouble locating the document due to a death in the company but were sure they would have it in another week, so we respectfully requested an extension to November 30 to provide this documentation. We were successful in submitting this on November 28.
- Encore has been working to get Tract 11 prepared so they can move everything from Tract 17 to Tract 11. Tract 11 has been mowed and this week White Trash Services came and removed piles of debris that they had dumped there not realizing that approval from the previous tenant was not adequate — i.e., they needed approval from the City which we did not give.
- It is clear that it is going to take longer than Encore originally estimated to relocate to Tract 11, but they are working steadily to do that and committed to be completely off by March 31, 2023.

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

Phase II Environmental Site Assessment at Harbor of Refuge:

On November 2nd we received a request from TCEQ to submit an "Affected Property Assessment Report". Our consultant John Hogue with CRG Environmental reports that the APAR is coming along. He's coming to town next week to do another round of groundwater and collect the surface water samples.

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

a) City Harbor

- Ran Bid Ads to lease Track 9 & 9A.
 - The Galveston County Daily News on 11/23/2022 & 11/30/2022.
 - Corpus Christi Caller Times on 11/22/2022 & 11/29/2022.

b) Nautical Landings Building

- Derrick Smith Director of Development has advertised scope of work for electrical upgrade cupola and north wall repair in the local paper, bids are due December 22, 2022.

c) Nautical Landings Marina

- Matt Estes City Attorney awaiting probate.
- Abandon boat found owner. In process of auctioning boat.
- Horizon Environmental has been onsite 16 times since last PC meeting.

d) Smith Harbor

- Dredge spoils waiting for it to dry out before shaping up piles.

e) Harbor of Refuge

- Aerial spraying
- Matt Glaze with Urban Engineering completed engineering for voluntary restoration on track 17A & shoreline was turned in to TECQ for approval.
- Public Works has been cleaning MSW on track 17A and the affected shoreline.
- LCI has been hauling fill material & stockpiling.
- December 9, 2022, invoiced John Bludworth Shipyard \$7,800 for 39 days fleeting dredge
- December 9, 2022, invoiced Marshal Witmar Specialty Diving of LA \$7400.00 for 37 days fleeting two pushboats, dredge & work barge.

RECEIVE REPORTS AND DISCUSS STATUS OF LEASES

7. DISCUSS LEASE OF TRACT 7, 8 AND 11 AT CITY HARBOR.

Comments from Chairman Davila, table until Valbridge has completed the property appraisal report.

8. DISCUSS LEASE OF TRACT 14 AT HARBOR OF REFUGE.

Comments from Chairman Davila, Tract 14 needs to be cleaned up, requesting Jim Rudellat, to consider gathering bids from Encore, Lester Contracting or Gonzales Construction.

9. DISCUSS LEASE OF TRACT 9 AND 9A, AT CITY HARBOR.

Proposals were due on December 8, 2022, and we received no proposals. We had advertised in the Port Lavaca Wave, Corpus Christi Caller Times, and Galveston Daily News.

Comments

10. COMMENTS FROM THE COMMISSIONERS.

No comments.

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, Mike McGuire, Michael Kovarek, Raymond Butler, Sue Traylor and Larry Nichols.

Voting Nay: None

Meeting adjourned at 10:59 a.m.

These minutes were approved on January 17, 2022.

ATTEST:

Alex Davila, Chairman

Rachel Garza, Admin. Assistant