



# REGULAR PORT COMMISSION MEETING

Tuesday, June 21, 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 21<sup>ST</sup> day of June 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	Chairman
David Roberts	Commissioner
Mike McGuire	Commissioner
Michael Kovarek	Commissioner
Jamie O'Neil	Commissioner
Larry Nichols	Commissioner

And with the following Commissioner(s) absent:

Sue Traylor	Commissioner
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### CALL TO ORDER:

Chairman Davila called the meeting to order and presided at 10:00 a.m.

**COMMENTS FROM THE PUBLIC** - *Limited to 3 minutes per individual unless permission to speak longer is received in advance. You may make public comments as you would at a meeting on Zoom by logging on with your computer and/or smart phone as described in the zoom invitation below or on Facebook Live through the comment section, which will be monitored and answered. As appropriate.*

### CONSENT AGENDA

#### 1. APPROVAL OF MINUTES

- a) MINUTES OF MAY 17TH, 2022 - REGULAR MEETING.
- b) MINUTES OF JUNE 7TH, 2022 - 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, the minutes of the Port Commission regular meeting held on June 21, 2022, are hereby approved.

Seconded by Commissioner Nichols.

Motion passed by the following vote:

Voting Aye:

Alex Davila, David Roberts, Mike McGuire, Mickael Kovarek, Larry Nichols, Jamie O'Neil.

Voting Nay: None

2. **RECEIVE HARBOR MASTER'S INSPECTION / MAINTENANCE REPORT**

- A copy of these reports, in their entirety, can be found in the Port Commission's meeting packet.

Motion made by Commissioner O'Neil

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 June 21, 2022, are hereby approved.

Seconded by Commissioner Roberts.

Motion passed by the following vote:

Voting Aye:

Alex Davila, David Roberts, Mike McGuire, Mickael Kovarek, Larry Nichols, Jamie O'Neil.

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.

#### **ACTION ITEM - RECEIVE STATUS REPORTS**

##### **4. ACTION ITEM - RECEIVE STATUS REPORTS**

###### **a) Renovations to Nautical Landing Marina Breakwater - Presenter Jim Rudellat**

- Comments from Jim Rudellat, no updates to report.

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

- **CDBG-MIT:** Interim City Manager Weaver advised Commissioners, there is no new information to report other than the kick-off meeting she had with Mott McDonald. She will provide the Port Commission with an update each month.
- **Restore Grant:** Interim City Manager Weaver advised Commissioners, there is no new information to report

##### **5. ACTION ITEM - RECEIVE STATUS REPORTS ON SPECIAL PROJECTS**

###### **a) Status report of Restoration of Harbor of Refuge Tract 16 - Presenter Jody Weaver**

- Municipal Solid Waste Permits Section received-a letter report dated June 3, 2022, indicating that the City of Port Lavaca has completed voluntary restoration of the disturbed area of the City of Port Lavaca Landfill (MSW Permit No. 1008 - revoked), located at Harbor of Refuge on FM 1090 South of Port Lavaca City Limits in Calhoun County. The report was submitted on your behalf by Mr. Matt A. Glaze, P. E., Urban Engineering, Victoria, Texas.
- The report also indicates that restoration at the disturbed area of the landfill was performed as per the approved restoration plan dated February 24, 2021, and the revisions dated March 29, 2021. This letter acknowledges the receipt of the completion report dated June 3, 2022

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

- Interim City Manager Weaver advised Commissioners, there is no new information to report.

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

**a) City Harbor**

- Coastal Bend Demolition started demoing old freezer plant slab May 31, 2022.

**b) Nautical Landings Building**

- Brown & Root has submitted a bid to make electrical upgrades and wood repairs to building.

**c) Nautical Landings Marina**

- Dominic Diodato: sailboat sold at auction May 28, 2022.
- Matt Estes: City Attorney awaiting probate.
- Abandon boat: Owner was located, city attorney in process of filing.
- Horizon Environmental has been onsite two (2) times since last PC meeting.

**d) Smith Harbor**

- Dredge spoils waiting for it to dry out before moving.

**e) Harbor of Refuge**

- Will need council approval before cleaning up trash on Track 16.
- Alcoa commenced hauling mulch June 14, 2022.
- Met with the TCEQ May 26, 2022.

**ACTION ITEM - RECEIVE STATUS REPORTS**

7. **ACTION ITEMS - CONSIDER RENTAL RATES & TERMS FOR LEASES.**

**a) Rental Track 9 & 10 - Presenter Jody Weaver**

- Comments from Interim City Manager Weaver waiting on City Attorney Anne Marie Odefey regarding the deed to Tract 10.

**CLOSED SESSION**

8. **ANNOUNCEMENT BY THE CHAIRMAN THAT THE PORT COMMISSION WILL RETIRE TO CLOSED SESSION FOR CONSULTATION WITH CITY ATTORNEY ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE PORT**

**COMMISSION, UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS, CLEARLY CONFLICTS WITH THE OPEN MEETINGS ACT, IN ACCORDANCE WITH TITLE 5, CHAPTER 551, SECTION 551.071(2) OF THE TEXAS GOVERNMENT CODE**

Chairman Davila announced that Port Commission would retire into closed session at 10:04 a.m.

9. **RETURN TO OPEN SESSION AND TAKE ANY ACTION NECESSARY ON ITEM DICUSSED IN CLOSED SESSION**

Chairman Alex Davila announced that Port Commission was back in open session at 10:57 a.m.

No action necessary and none taken.

**COMMENTS**

10. **COMMENTS FROM THE COMMISSIONERS.**

Agenda item discussed.

No Action necessary and none taken.

**ADJOURNMENT**

Commissioner Roberts made a motion to adjourn the meeting.

Commissioner McGuire seconded this motion.

Motion passed by the following vote:

Voting Aye:

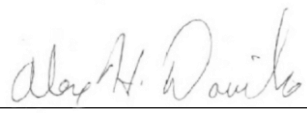
Alex Davila, David Roberts, Mike McGuire, Mickael Kovarek, Larry Nichols, Jamie O'Neil.

Voting Nay: None

Meeting adjourned at 11:52 a.m.

These minutes were approved on July 19, 2022.

ATTEST:

  
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Alex Davila, Chairman

  
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Rachel Garza, Admin. Assistant