



SPECIAL PORT COMMISSION MEETING - JAN. 25, 2022

Tuesday, January 25, 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 §

MINUTES OF 01/25/2022 REGULAR PORT COMMISSION MEETING

The agenda having been properly posted, Chairman Alex Davila called the meeting to order at 10:06 A.M. on Tuesday, January 25, 2022. Members attending were Commissioner David Roberts, Commissioner Mike McGuire, Commissioner Sue Traylor, Commissioner Michael Kovarek, Commissioner Larry Nichols, and Commissioner Jamie O'Neil. City Staff attending were, Interim City Manager Jody Weaver, Finance Director Susan Lang, Harbor Master Jim Rudellat and Rachel Garza. Visitors in attendance Matt Glaze, Urban Engineering and Steve Marwitz.

CONSENT AGENDA

REPORTS

1. 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) Port Revenue Fund Cash Profit and Loss Report

Agenda item discussed.

No action necessary and none taken.

2. RECEIVE STATUS REPORTS OF ON-GOING PROJECTS

City Harbor

- a) Upper Dock Repairs - Presenter Matt Glaze

The Contractor is complete with all concrete work. The railing has been ordered.

- b) Repairs to Tracts 9 and 10 - Presenter Jim Rudellat

Jim Rudellat obtained three (3) bids for repairs to Tracts 9 & 10.

Bids were from Gonzales Contracting; Lester Contracting; and Sylva Construction.

- c) Repairs of hill at Scully's - Presenter Jim Rudellat

Phillip Gonzales to repair the washes and add the edging.

Nautical Landings

- d) TPWL grant for renovations to Breakwater - Presenter Matt Glaze

*The plans are complete, awaiting Texas Parks and Wildlife approval to bid the project.
We are working to try to get a conference call with TPWD to get this project moving.*

- e) Improvements to the Nautical Landings Marina Building - Presenter Jim Rudellat

January 13, 2022, Barefoot Construction started door replacement.

Smith Harbor

- f) Moorings for Poor Boys' Bait - Presenter Jim Rudellat

Poor Boys Bait needs five (5) pilings; Lencho Reyna told me he could put them in.

- g) Disposal of Dredge Materials at Smith Harbor - Presenter Jim Rudellat

*Various proposals for removal of materials were discussed.
No action taken.*

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

*There is no activity to report on this item.
No action taken.*

Harbor of Refuge

- i) Voluntary Restoration of Harbor of Refuge Tract 16 - Presenter Jody Weaver

RLB did not complete the 18" of clay backfill nor 6" of topsoil required for the voluntary restoration work. I will solicit local bids to complete this work and will provide this cost information to Mr. Cullen to handle reimbursement from RLB Contracting. Additionally, I received an email from the COE stating that they are going to want "some" spartina grass planted along the shoreline. I have asked for a clarification on the definition of "some", but I have not heard back.

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

As you recall, in December, City Council contracted with CRG Environmental to perform additional Phase II ESA work in order to respond to questions posed by the TCEQ, as well as conduct a Phase I ESA on the entire upland area south the Harbor of Refuge channel.

CRG is scheduled to install the wells needed for the additional Phase II work on January 20th. Once the wells are properly developed, they will sample shortly after that. CRG will submit a brief summary response letter now to let TCEQ know that we're moving forward with getting the information needed to respond to their questions

k) Proposed Brush Operations and Clean-up at Harbor of Refuge -
- Presenter Jody Weaver

I have contracted GIS Engineering to perform a survey to determine the volume of wood chips that are on site at the Harbor of Refuge brush staging site. Once we have this information, we will consider the value of spending dollars to move some of the chips to the Victoria Landfill site. We are moving toward presenting a conceptual plan to Commissioners Court and the City Council to locate an air burner at the County's recycle center in February. I am working to have an aerial topographic survey done of the proposed site as we understand it holds water in a heavy rain, so additional site work will be required to utilize the site as we hope. If all are in agreement, we will move forward with a TCEQ permit application and purchase of the air burner.

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

a) City Harbor

Gonzales contracting gave me a price to make the repairs to the washed areas behind Scully's. Should be starting work the week of January 24th.

*Received bids from Gonzales Contracting and Lester Contracting.
Still awaiting bid from Silva Construction.*

Staff Concrete completed all the work at the high dock with the exceptions of the handrail on the ADA ramp.

b) Nautical Landings Building

January 13, 2022, Barefoot Construction started door replacement.

c) Nautical Landings Marina

Dominic Diodato - Awaiting signature and surrender of title.

Matt Estes - City Attorney is getting signatures from family.

Horizon Environmental has been onsite zero (0) times since last PC meeting.

d) Smith Harbor

Poor Boys Bait needs five (5) pilings. Lencho Reyna told me he could put them in.

e) Harbor of Refuge

*GIS has been contracted to calculate the volume of the chip piles.
Chief Rangnow has a presentation set up for the cameras January 31, 2022.
December 31, 2021, CRG Texas Environmental did visual site inspection on Tracks 3,11,16,
17 & 17A.*

4. RECEIVE DECEMBER 30, 2021, SITE CONDITIONS REPORT FORM CRG ENVIRONMENTAL FOR TRACTS 16, 17, AND 17A AT THE HARBOR OF REFUGE.

- *Much of the usable site area has been recently graded. New base aggregate has been placed in select areas to facilitate improved heavy equipment and truck access.*
- *Waste oils / fluids in a number of the drums/containers have been recently removed.*
- *Encore is working to consolidate the remaining containers. If containing liquids, placing containers into secondary containment or on pallets.*
- *Empty containers are being crushed for off-site removal (CMC Recycling).*
- *There are several large piles of used tires, construction mat wood and metal debris awaiting disposal.*
- *In areas of former landfill operations, there are indications of obvious landfill debris (i.e., orange foam insulation) on the surface, beneath the grass cover (on the northern portion) and areas of what appear contain brush – vegetative debris.*
- *While there does not appear to be obvious indications (i.e., no odors, staining, stressed vegetation, etc.) related to historical chemical disposal, it is likely TCEQ will want confirmation. The field observations are consistent with historical accounts that suggest the landfill only accepted household trash and vegetative debris.*
- *The area identified on the National Wetlands Inventory Mapper did not appear to be “wetlands” but looked like a change in the vegetative cover related to the landfill area/cell contents.*

5. RECEIVE DECEMBER 30, 2021 SITE CONDITIONS REPORT FROM CRG ENVIRONMENTAL AND DISCUSS STATUS OF LEASE OF TRACTS 3, 11 AND 12 AT THE HARBOR OF REFUGE

Parcel 3

- *The southern gates to Parcel 3 were open permitting access for the inspection.*
- *The site area had been recently mowed.*
- *There were no indications of stained or distressed vegetation. There was minor staining on the concrete surface near the building.*
- *There were four, 275-gallon totes marked as "unregulated weed killing compound" present on the site. One near the pipe racks to the north, two near the building to the south and one outside the fenced parcel to the south adjacent to the rear access road. One tote near the building was connected to a riser for an underground/underbrush piping system. Other than the totes, no other containers were observed.*
- *Two other pipe stick-ups were observed onsite. One near the back gate and one near a debris pile on the site. It appeared the piping was placed to disperse the weed killing compound at various locations around the site area, beneath the road and along the rear fencing.*
- *Heavy equipment (cranes and manlift), two small 'office' trailers, a former floating dock structure, piping, and other metal 'debris' were present on-site.*
- *The inspector could not access the building but managed to inspect at least a portion of the visible area. The inside of the building looked reasonably clean, but visibility was restricted such that a full inspection of the building was impossible.*

Parcel 11 & 12

- *The gate to Parcel 11 & 12 was locked but only restricted vehicle access.*
- *The site area was largely overgrown knee to waste high grass.*
- *There were no indications of stained vegetation.*

- *There was an area of poorly developed possibly distressed grass cover on Parcel 11. The inspector could not determine if the poor vegetation was related to a stressing agent, was slow to recover from surface traffic / equipment storage, or natural conditions (i.e., winter, minimal growth, etc.). No use of the area was noted from a review of historic aerial photographs.*
- *There was a two, 275-gallon totes assumed to be weed killing compound present on the site near the northern boundary of Parcel 12. These totes may actually be off Parcel 12 to the north.*
- *Piping and other metal 'debris' were present on-site adjacent to the previously mentioned totes.*
- *LaQuay is staging dredge piping in the channel to the west of Parcel 12.*

6. **ANNOUNCEMENT BY THE CHAIRMAN THAT THE PORT COMMISSION WILL RETIRE TO CLOSED SESSION**

Chairman Alex Davila, announced that Port Commission would retire into closed session at 10:23 a.m.

7. **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 10:55 a.m. and there would be no action taken with regard to matters discussed in closed session.

COMMENTS

8. **COMMENTS FROM COMMISSIONERS.**

No Comments.

ADJOURNMENT

A motion was made by Commissioner Larry Nichols to adjourn the meeting. It was seconded by Commissioner Mike McGuire. The meeting was adjourned at 11:38 A.M.