



REGULAR PORT COMMISSION MEETING

Tuesday, January 17, 2023, 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 17th day of January 2023, 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
Sue Traylor	Commissioner
Jamie O'Neil	Commissioner

And with the following Commissioner absent:

Michael Kovarek	Commissioner
Larry Nichols	Commissioner

CONSENT AGENDA

1. APPROVAL OF MINUTES

a) MINUTES OF DECEMBER 20, 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 January 17th, 2022, are hereby approved.

Seconded by Commissioner Traylor.

Motion passed by the following vote.

Voting Aye: Alex Davila, Mike McGuire, Raymond Butler, Sue Traylor and Jamie O'Neil.

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 January 17, 2023, are hereby approved.

Seconded by Commissioner Traylor.

Motion passed by the following vote.

Voting Aye: Alex Davila, Mike McGuire, Raymond Butler, Sue Traylor and 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 / 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's meeting packet dated January 17, 2023

Agenda item discussed.

No action was taken.

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

a) Renovations to Nautical Landings Marina Breakwater - Presenter Jody Weaver

Comments from Jody Weaver, Interim City Manager, Matt Glaze states we have to get some approvals, US Fish & Wildlife and Texas Historical Commission.

THC has been submitted. USFWS is waiting for a response from TPWD.

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

Comments from Jody Weaver, still progressing on evaluating the alternatives and have a better idea when the computations will be completed.

- A copy of the December 2022 Mott MacDonald Progress Report. can be found in the Port Commission Packet dated January 17, 2023

c) Discuss property values and evaluations - Presenter Jody Weaver

Update on Port Facilities Appraisals

We are working diligently to get them completed. Our office has another appraiser working on the Nautical Landings building and marina who is an expert in that asset class.

I expect to have the first of our reports to you shortly with the remainder trickling by the end of this month. Thank you for your patience and feel free to reach out with any questions or concerns.

- A copy of this memo and pictures can be found in the Port Commission Packet dated January 17, 2023

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

Comments from Jody Weaver, Interim City Manager, requesting approval of two (2) time extensions in order to submit documentation of full compliance as explained and detailed below.

1 Track No. 818146

Photos of the cleanup of Area 3 of exposed MSW on December 14 and Dec 16, 2022
We completed the cleanup of MSW in Area 3 on December 16, 2022, and prepared a waste profile of all the collected debris from Areas 1, 2 and 3, which was placed in a roll-off container. We are waiting on test results back from the laboratory to provide to Republic Services, who will then haul the roll-off container to the landfill in Victoria, Texas for disposal. We will submit the disposal documentation as soon as we have it and respectfully request an extension to January 31, 2023, to do so.

2 Track No. 818159 and Track No. 818189

As reported in our response letter dated November 19, 2022, the contaminated soil has been placed in 55 gal drums on site. We had arranged for CRG Environmental, Inc. to haul these to the Victoria Landfill for disposal. Unfortunately, with weather delays and holiday schedules this did not happen in December, but it's scheduled to happen in the next couple of weeks. We respectfully request an extension to January 31, 2023, to submit all of the final disposal documentation.

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

Comments from Jody Weaver, Interim City Manager, from John Hogue.

Finally have the recent sampling data back and I am working on finishing up the APAR. Should make the deadline. It's coming together.

Only minor arsenic exceedance in one groundwater samples this time. Water and sediment were clean (no surprise). Although no one drinks the water there, you still have to assess to residential levels and as the arsenic PCL is federal, I'm unable to easily dismiss it.

I'm going to spin this as an isolated exceedance not related to operations at or on the landfill. Naturally occurring arsenic in soil, etc.

TPH issues that were there...have been addressed by the tenant's surface cleanup activities. Lead, arsenic, and barium were observed in soil but only arsenic made it to GW. No other chemical issues were identified.

I was able to make lead and barium go away as concerns. Levels just aren't high enough.

Will update you further as things progress.

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

A) City Harbor

- 1) Ran ads for bids to lease track 9 & 9A.
- 2) The Galveston County Daily News on 11/23/2022 & 11/30/2022.
- 3) Corpus Christi Caller Times on 11/22/2022 & 11/29/2022.
- 4) Received no bids or inquiries.
- 5) Encore cleaned up track 10 & improved the road for exchange from Prestige Oysters, to secure one of their dredges for a couple of weeks.

B) Landings Building Nautical

- 1) January 9th Council awarded Barefoot Construction the contract for repairs and upgrades to NLB.

C) Nautical Landings Marina

- 1) Matt Estes City Attorney awaiting probate.
- 2) Abandon boat, found owner. In process of auctioning boat.
- 3) Horizon Environmental has been onsite 10 times since last PC meeting.

D) Smith Harbor

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

E) Harbor of Refuge

- 1) Aerial spraying.
- 2) LCI has been hauling fill material & stockpiling.
- 3) Clean up track 11, 14 & brush staging area.
- 4) Alcoa should be moving the mulch as soon as it dries up.

COMMENTS

7. COMMENTS FROM THE COMMISSIONERS

No comments.

ADJOURNMENT

Commissioner Butler made a motion to adjourn the meeting.

Commissioner McGuire seconded this motion.

Motion passed by the following vote.

Voting Aye:

Alex Davila, Mike McGuire, Raymond Butler, Sue Traylor and Jamie O'Neil.

Voting Nay: None

Meeting adjourned at 11:06 a.m.

These minutes were approved on February 21, 2023.

ATTEST:



Alex Davila, Chairman



Rachel Garza, Admin. Assistant