



REGULAR PORT COMMISSION MEETING

Tuesday, November 16, 2021 at 10:00 AM
City Council Chambers | 202 N. Virginia Street, Port Lavaca TX 77979

PUBLIC NOTICE OF MEETING

The following item will be addressed at this or any other meeting of the Port Commission upon the request of the chairman, any member(s) of Port Commission and/or the City Attorney:

Announcement by the Chairman that Port Commission will retire into closed session for consultation with City Attorney on matters 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 (title 5, chapter 551, section 551.071(2) of the Texas government code).

(All matters listed under the Consent Agenda item are routine by the Port Commission and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.)

AGENDA

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

COVID-19 MEETING PROCEDURE

Public notice is hereby given that the Port Commission of the City of Port Lavaca, Texas, will hold a meeting TUESDAY, NOVEMBER 16, 2021 beginning at 10:00 a.m., at the regular meeting place in Council Chambers at City Hall, 202 North Virginia Street, Port Lavaca, Texas to consider the following items of business:

Due to COVID-19 concerns, social distancing guidelines will be encouraged for in-person attendance. The meeting will also be available via the video conferencing application "ZOOM".

Join Zoom Meeting:

<https://us02web.zoom.us/j/81464978163?pwd=bk9FRjh4NDJ4NU45V3dXMkJBdW5udz09>

Meeting ID: 814 6497 8163

Passcode: 669935

One Tap Mobile

*+13462487799,,81464978163#,,,*669935# US (Houston)*

Dial by your location

+1 346 248 7799 US (Houston)

CALL TO ORDER

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 THE REGULAR MEETING OCTOBER 5, 2021
 - b) MINUTES OF THE SPECIAL PORT COMMISSION MEETING
OCTOBER 19, 2021
2. HARBOR MASTER REPORTS

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
4. RECEIVE STATUS REPORTS OF CAPITAL IMPROVEMENT PROJECTS
 - a) Upper Docks at City Harbor - Presenter Matt Glaze
 - b) Renovations to Nautical Landing Marina Break-water, TPWL Grant
- Presenter Matt Glaze
 - c) Disposal of dredge materials at Smith Harbor - Presenter Alex Davila
 - d) Repairs at tracts 9 and 10 – Presenter Jim Rudellat
 - e) Repair of hill at Scully's – Presenter Jim Rudellat
 - f) Improvements to the Nautical Landings Marina Building - Presenter Jim Rudellat
 - g) Moorings for Poor Boy's Bait – Presenter Jim Rudellat
 - h) CDBG-MIT Coastal Resilience Project / Restore Project – Presenter Jody Weaver
5. RECEIVE STATUS REPORTS ON SPECIAL PROJECTS
 - a) Voluntary Restoration of disturbed final cover at the Harbor of Refuge
Tract 16 - Presenter Jody Weaver
 - b) Limited Phase II Environmental Site Assessment of Harbor of Refuge Tracts 16, 17,
and 17A - Presenter Jody Weaver
 - c) Proposed Air Burner for Brush Operations and Cleanup at the Harbor
of Refuge - Presenter Jody Weaver

6. RECEIVE HARBOR MASTER'S OPERATIONS, PROMOTION/DEVELOPMENT ACTIVITY REPORT
 - a) City Harbor
 - b) Nautical Landings Building
 - c) Nautical Landings Marina
 - d) Smith Harbor
 - e) Harbor of Refuge
7. ANNOUNCEMENT BY THE CHAIRMAN THAT THE PORT COMMISSION WILL RETIRE TO CLOSED SESSION

FOR CONSULTATION WITH ATTORNEY ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNING BODY, 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(B) OF THE TEXAS GOVERNMENT CODE
8. RETURN TO OPEN SESSION AND TAKE ANY ACTION NECESSARY ON ITEM DICUSSED IN CLOSED SESSION

NEW BUSINESS

9. SCHEDULE SPECIAL MEETING TO REVIEW PROPOSALS FOR TRACT 3 AND 7 FOR HARBOR OF REFUGE

COMMENTS

10. COMMENTS FROM THE COMMISSIONERS

ADJOURNMENT

CERTIFICATION OF POSTING NOTICE

This is to certify that the above notice of a regular meeting of The Port Commission of The City of Port Lavaca, scheduled for **Tuesday, NOVEMBER 16, 2021**, beginning at 10:00 a.m., was posted at city hall, easily accessible to the public, as of **10:00 a.m. Friday, NOVEMBER 12, 2021**.

Rachel Garza, *Administrative Assistant*

ADA NOTICE

The Port Lavaca City Hall and Council Chambers are wheelchair accessible. Access to the building is available at the primary north entrance facing Mahan Street. Special parking spaces are located in the Mahan Street parking area. In compliance with the Americans with Disabilities Act, the City of Port Lavaca will provide for reasonable accommodations for persons attending meetings. To better serve you, requests should be received 24 hours prior to the meetings. Please contact City Secretary Mandy Grant at (361) 552-9793 Ext. 230 for assistance.

COMMUNICATION

SUBJECT: APPROVAL OF MINUTES

INFORMATION:

- a) MINUTES OF THE REGULAR MEETING OCTOBER 5, 2021
- b) MINUTES OF THE SPECIAL PORT COMMISSION MEETING
OCTOBER 19, 2021



PORT COMMISSION REGULAR MEETING

Tuesday, October 05, 2021, 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 10/05/2021 REGULAR PORT COMMISSION MEETING

The Agenda having been properly posted, Chairman Alex Davila called the meeting to order at 10:04 A.M. on Tuesday, October 5, 2021. Members attending were Commissioner David Roberts, Commissioner Mike McGuire, 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.

Absent Member: Commissioner Sue Traylor

CONSENT AGENDA

1. MINUTES OF REGULAR MEETING SEPTEMBER 7, 2021.
*A motion was made to approve the minutes by Commissioner Mike McGuire, Seconded by Commissioner David Roberts.
Motion Carries.*
2. RECEIVE HARBOR MASTER'S INSPECTION / MAINTENANCE REPORT
*Checklist submitted by Jim Rudellat, Harbor Master.
Commissioners discussed this agenda item.
No action necessary and none taken.*

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

*Agenda item discussed.
No action necessary and none taken.*

4. RECEIVE STATUS REPORTS OF CAPITAL IMPROVEMENT PROJECTS

a) Upper Docks at City Harbor

Bids were received and opened on 9/7/21. Staff Concrete submitted the only bid of \$255,155.50 for the Base Bid and Alternate No. 1. City Council awarded the Base Bid and Alternate No. 1 on 9/27/21. The contract documents are being sent to Staff Concrete for execution.

b) Dredging of Smith Harbor

Derrick Construction completed dredging on 9/23/21. We are awaiting a final hydrographic survey from Eddie Fisher to verify the construction meets the design dredge.

c) Renovations to Nautical Landings Marina Break-water - TPWL Grant

The plans are complete awaiting Texas Parks and Wildlife approval to bid the project. Jody Weaver, had contact with TPWD on 9/25/21 which stated we are waiting on them to complete one item in their online system to allow us to proceed with completing required forms and documentation

d) Improvements to the Nautical Landings Marina Building

October 1, 2021, received three bids for replacement of 9 exterior doors.

Gonzales Contracting Inc - \$38,985.00

Barefoot Construction - \$ 36,740.00

Castle Creek - \$ 39,850.00

Something More Medica lease executed September 29, 2021.

e) CDBG-MIT Coastal Resilience Project / Restore Project

We still have not received the grant documents from the GLO for this 13.6M CDBG-Mitigation Grant, but we have received word from GLO that the contract is in the que along with about 100 others. There is no action needed until we receive the contract from the GLO. After that we can begin negotiations with the selected engineer, Mott McDonald, for professional engineering services for the project.

5. RECEIVE STATUS REPORTS ON SPECIAL PROJECTS

a) Voluntary Restoration of disturbed final cover at the Harbor of Refuge Tract 16.

Randy Boyd has not begun working on this. He assures Jody Weaver, that he will follow through with this once the site dries up. Recall that the scope includes providing 18" of clay soil and 6" of topsoil over an area of about 150' x 95' and graded to drain.

b) Limited Phase II Environmental Site Assessment of Harbor of Refuge Tracts 16, 17, and 17A,

There is no activity to report on this item.

As you recall, earlier this year we contracted with CRG Texas Environmental Services to perform a Limited Phase II Environmental Site Assessment/TRRP Applicability Determination Report on the referenced site. This report was submitted to TCEQ in early July, requesting TCEQ consider exclusion of this site from further action under TRRP (Texas Risk Reduction Program).

TCEQ has until November 1 to respond. Again, the hope is that TCEQ will agree that no further action or monitoring is needed.

c) Proposed Air Burner for Brush Operations and Cleanup at the Harbor of Refuge.

- I (Jody Weaver) am wading through the guidance on TCEQ's website on how to submit an application for a Permit by Rule for the burner itself and then a permit to operate. It will take me another couple of weeks to get through this. I've also got a call into VEC to verify the availability of 3 phase power at the County recycle center location. I'll take all this information to Commissioner's Court soon to discuss an interlocal agreement regarding this air burner and then get authorization from Council to purchase.*

- *I haven't been out to the brush site lately, but if we want to try and haul off some of the chips to Republic in Bloomington, I can work on a bid package for consideration for award at the December meeting. Recall the estimated cost to haul off the most recently created chip pile was about \$60,000.*

Motion to authorize Jody Weaver, Interim City Manager to move forward to put out a bid to remove chips for \$60,000 dollars.

Motion was made by Commissioner Michael McGuire and Seconded by Commissioner David Roberts.

Motion Carries.

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

a) City Harbor

- 1) *September 30, 2021, Gonzales Contracting looked over washes behind bulkhead on Tract 9 and the washed-out area behind Scully's.*
- 2) *September 27, 2021, Staff Concrete Construction was awarded upper dock contract. they were the single bidder.*

b) Nautical Landings Building

- 1) *October 1, 2021, received three bids for replacement of 9 exterior doors.
Gonzales Contracting Inc - \$38,985.00
Barefoot Construction - \$ 36,740.00
Castle Creek - \$ 39,850.00*

Motion to accept recommendation from Jody Weaver, Interim City Manager on bid from Barefoot Construction' for the replacement of the exterior doors at Nautical Landings Building.

Motion was made by Commissioner Larry Nichols and Seconded by Commissioner Michael Kovarek.

Motion carries.

- 2) *Something More Media lease executed September 29, 2021.*

c) Nautical Landings Marina

- 1) *September 14, 2021, won court case against Dominic Diodato*
- 2) *Matt Estes awaiting Probate.*
- 3) *Addressing the abandon boat with Colin Rangnow, Police Chief.*
- 4) *Horizon Environmental been onsite 0 times since the last PC meeting.*

d) Smith Harbor

- 1) *Poor Boys Bait lease was executed September 29, 2021.*
- 2) *Dredging - Derrick Construction has completed the digging portion of their contract.*

e) Harbor of Refuge

1) Chief Rangnow and Wayne Shaffer are researching the cameras for the parks and HOR.

RECEIVE REPORTS AND DISCUSS STATUS OF LEASES: Presenter Jim Rudellat

7. CONSIDER RENTAL RATES AND TERMS FOR THE FOLLOWING NEW LEASES

a) Spiretek – Suite 2

Currently this space is leasing for an overall rent of \$1.28/SF. (Suite 2 has a view of the bay, and access to the deck from the adjoining hallway). I have broken it out as follows:

Rent \$1.11 sf	\$1,600.00
Elect. Estimate:	170.00
Water Estimate:	30.00
Breakroom / bathroom	\$50.00
Total	\$ 1,850.00 / \$ 1.28 sf

b) Bay Ltd – Suite 5

Currently this space is leasing for an overall rent of \$1.22/sf. (Suite 5 is a very nice space but no bay view or easy access to the back deck). I have broken it out as follows:

Rent \$1.01 sf	\$1,170.00
Elect. Estimate:	210.00
Water Estimate:	30.00
Total	\$ 1,410.00 / \$ 1.22 sf

c) Port Lavaca Plumbing – Suite 1D

Currently this space is leasing for \$450/mo. which equates to \$2.20/sf. Suite 1D is a small space with a bay view window and no direct access to the back deck. I've broken it down as follows:

Rent \$1.71 sf	\$ 350.00
Elect. Estimate:	50.00
Water Estimate:	50.00
Total	\$ 450.00 / \$ 2.20 sf

d) Shrimp boat slip for Aucencio Rubio (Smith Harbor)

Auscencio Rubio has been leasing space to dock one shrimp boat, apart and separate from Poor Boy Bait for \$300/month. That lease expired on August 31, but the boat had been moved to City Harbor while the dredging was going on. Aucencio has consistently paid his rent on time and continues to do so to date.

Now that Smith Harbor has been cleared of the old pilings, we need to consider the best place to continue to rent a space for this shrimp boat and a new rental rate. 5% increase would be \$315/month and 10% would be \$330/month. The two boat spaces he has with his Poor Boy lease are \$250/month each.

8. CONSIDER RENTAL MARKET RATE FOR TRACT 3, 11 AND 12 FOR THE HARBOR OF REFUGE

Current rates are as follows:

Tract 3 (4.3 acres) adjacent to 100' wide public dock space.

*\$650/acre/month (\$2,795.00/month) + City tariffs for priority use of the public dock. **

If the demand of the public dock space is such that written complaints are received, then payment of this monthly tariff would cease, and the tenant would have to pay daily dockage fees as applicable

Tract 11 and 12 (13.5 acres) no dock \$100/acre/month (\$1,350.00/month)

Motion to put tracts up for public bid with a current lease minimum rate.

Motion was made by Commissioner Mike McGuire and Seconded by Commissioner Larry Nichols.

Motion carries.

9. CONSIDER RENTAL MARKET RATE FOR TRACTS 9 AND 10 OF CITY HARBOR

At the October 11th City Council meeting, Council will consider the Port Commission's recommendation to approve the first reading of an amendment to Ordinance No. 8-16-85 to reduce the right-of-way width of Leonard Buren Road in City Harbor. Notice has been provided to the adjacent property owner of this pending action and I'll notify them again prior to the Council meeting.

Tract 9 has a total of 185+155+171 = 511 LF of dock and approx. 0.9 acre less 0.2 acre for the right-of-way, so 0.7 acre +/-.

Tract 10 has a total of 480 LF of dock. The width of City owned land is still be investigated. Currently this is being leased on a month-to-month basis for \$1002.67/month. Divided by the 480 LF of dock, that's equal to \$2.09/LF dock.

10. REPORT ON HIRING SPECIAL COUNSEL FOR PORT COMMISSION TENANTS THAT REFLECT CONFLICT OF INTEREST WITH THE CITY ATTORNEY

There is no action to report on this item. When I discussed with Council the Port Commission's recommendation made at the August meeting, the understanding was that when the City Attorney has a conflict of interest, or otherwise recommends contracting with an outside attorney on any potential litigation, she will notify Council and Council will engage Special Counsel.

11. 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 11:36 a.m.

12. 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 12:25 p.m. and there would be no action taken with regard to matters discussed in closed session.

ACTION ITEMS: NEW BUSINESS

13. CONSIDER ESTABLISHING A NEW MONTHLY DATE AND TIME FOR REGULAR PORT COMMISSION MEETINGS

Motion was made to move the regular scheduled Port Commission meetings to the third Tuesday of the month, beginning in November 2021.

Motion was made by Commissioner Larry Nichols and Seconded by Commissioner Jamie O'Neil.

Motion carries.

ACTION ITEMS: NEW BUSINESS

14. COMMENTS FROM COMMISSIONERS

No Comments

ADJOURNMENT

A motion was made by Commissioner David Roberts to adjourn the meeting. It was seconded by Commissioner Jamie O'Neil. The meeting was adjourned at 12:42 P.M.



SPECIAL PORT COMMISSION MEETING

Tuesday, October 19, 2021, 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 10/19/2021 REGULAR PORT COMMISSION MEETING

The Agenda having been properly posted, Chairman Alex Davila called the meeting to order at 10:03 A.M. on Tuesday, October 19, 2021. Members attending were Commissioner David Roberts, Commissioner Mike McGuire, Commissioner Michael Kovarek, Commissioner Sue Traylor, Commissioner Larry Nichols, and Commissioner Jamie O'Neil. City Staff attending were, City Manager Jody Weaver, Harbor Master Jim Rudellat and Rachel Garza.

CONSENT AGENDA

1. CONSIDER RENTAL RATES AND TERMS FOR THE FOLLOWING NEW LEASES:

1. Suite 2 – Spiretek
Spiretek: 2 years + 1 each 1-year option: starting rent +\$25/mo. or 1.6% increase for a total \$1.30/sf; annual increases equal to MCI with 2% minimum and 5% maximum
2. Suite 5 – Bay, Ltd
Bay Ltd: 1 year + 1 year option; starting rent +\$40/mo. or 3.3% increase for a total \$1.25/sf; increase for year 2 if accepted equal to MCI with 2% minimum and 5% maximum.
3. Suite 1D – Port Lavaca Plumbing
PL Plumbing: 1 year + 1 year option; starting rent unchanged at \$450/month with increase for year 2 if accepted equal to MCI with 2% minimum and 5% maximum.

Motion to accept the proposed rates made by Jody Weaver, Interim City Manager with the exception of Spiretek with a one (1) to one (1) year lease option.

Motion was made by Commissioner Larry Nichols and Seconded by Commissioner David Roberts.

Motion Carries.

ADJOURNMENT

A motion was made by Commissioner Larry Nichols to adjourn the meeting. It was seconded by Commissioner David Roberts. The meeting was adjourned at 10:15 a.m.

COMMUNICATION

SUBJECT: HARBOR MASTER REPORTS

INFORMATION:

Port Lavaca Port Commission Monthly Inspection

Month: 16 NOVEMBER, 2021 Location: Harbor of Refuge

1. Gangway

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

2. Railspur

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

3. Main Frame & Floats

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

4. Environmental

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

5. Water Lines, Valves, Etc.

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

6. Electrical & Lights

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

7. PERMIT

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

8. Rub Rails & Fenders

Condition: Satisfactory Unsatisfactory Not Applicable

Comments: 5 APRIL 2021 FOUND SOME DAMMAGE TO THE VERTICAL
TIMBER AT THE OFFSET IN BULKHEAD " DESIGN PROBLEM" DAMMAGE WAS
DONE BEFORE INSTALLING FENDERS.

9. Cleats & Kevels

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

10. Gates & Locks

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

11. Railing

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

12. Cement Cap

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

13. Bulkhead

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

Harbor Master: _____

Port Lavaca Port Commission Monthly Inspection

Month: 16 NOVEMBER, 2021 Location: City Harbor

1. Bilge Reclamation Area

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

2. Decking

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

3. Main Frame & Floats

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

4. Dock Boxes

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

5. Water Lines, Valves, Etc.

Condition: Satisfactory Unsatisfactory Not Applicable

Comments: 23 SEPTEMBER 2021 PORT LAVACA PLUMBING REPLACED
2 LEAKING HOSE BIBS AT WILD REEF SEAFOOD.

6. Electrical & Lights

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

7. Pilings, Guides & Rollers

Condition: **Satisfactory** Unsatisfactory Not Applicable

Comments:

8. Rub Rails & Fenders

Condition: Satisfactory Unsatisfactory **Not Applicable**

Comments:

9. Cleats & Kevels

Condition: Satisfactory Unsatisfactory **Not Applicable**

Comments:

10. Gates & Locks

Condition: **Satisfactory** Unsatisfactory Not Applicable

Comments:

11. Railing

Condition: **Satisfactory** Unsatisfactory Not Applicable

Comments:

12. Cement Cap

Condition: **Satisfactory** Unsatisfactory Not Applicable

Comments: 27 SEPTEMBER 2021 STAFF CONCRETE WAS AWARDED
CONTRACT TO REPLACE SOME OF THE UPPER DOCK CONCRETE
AND CONSTRUCT ADA ACCESS . 10 NOVEMBER 2021 AT 1000 THERE WILL
BE A PRE- CONSTRUCTION MEETING AT CITY HALL.

13. Bulkhead

Condition: Satisfactory Unsatisfactory Not Applicable

Comments: 8 NOVEMBER 2021 AWAITING COST FROM GONZALES
CONTRACTING TO MAKE REPAIRS TO WASHED OUT AREAS BEHIND THE
BULKHEAD AT TRACK 9 AND ALSO TO FILL WASHED AREAS BEHIND SCULLYS
AND PUT DOWN GRASS.

Harbor Master: _____

Port Lavaca Port Commission Monthly Building Inspection

Month: 16 NOVEMBER, 2021 Location: NLB

1. Doors:

Condition: Satisfactory Unsatisfactory Not Applicable

Comments: 16 April 2021 ordered three doors, six side lights and Three transom windows. Victor Fredrickson is going to write a scope of work to go out for bids. 1 OCTOBER 2021 RECEIVED THREE BIDS BAREFOOT WAS LOW BIDDER \$ 36,740.00. WILL START REPLACING DOORS 15 NOVEMBER.

2. Decking:

Condition: Satisfactory Unsatisfactory Not Applicable

Comments: WHEN WE START DOOR REPLACEMENT WE WILL IDENTIFY THE DECK BOARDS THAT NEED REPLACING.

3. Flooring:

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

4. Windows:

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

5. Water Lines, Valves, Etc.

Condition: Satisfactory Unsatisfactory Not Applicable

6. Electrical & Lights

Condition: **Satisfactory** Unsatisfactory Not Applicable

Comments: 14 OCTOBER 2021 HAYES ELECTRIC REPLACED A BAD SWITCH IN THE LADYS ROOM SOUTH END OF BUILDING.

7. HVAC & Refrigeration:

Condition: **Satisfactory** Unsatisfactory Not Applicable

Comments:

8. Roof:

Condition: **Satisfactory** Unsatisfactory Not Applicable

Comments:

9. Parking:

Condition: Satisfactory **Unsatisfactory** Not Applicable

Comments: **WORKING ON PLANS FOR THE FRONT PARKING LOT AND SIDEWALK.** PUBLIC WORKS DEPARTMENT REPAIRED POT HOLES IN THE BACK PARKING LOT.

10. Fire Extinguishers:

Condition: **Satisfactory** Unsatisfactory Not Applicable

Comments:

11. Hand Railing:

Condition: **Satisfactory** Unsatisfactory Not Applicable

Comments:

12. Stairs & Steps

Condition: **Satisfactory** Unsatisfactory Not Applicable

Comments:

Harbor Master: _____

Port Lavaca Port Commission Monthly Inspection

Month: 16 NOVEMBER, 2021 Location: NLM / Smith Harbor

1. Gangway

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

2. Decking

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

3. Main Frame & Floats

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

4. Dock Boxes

Condition: Satisfactory Unsatisfactory Not Applicable

Comments: Dock A there are six dock boxes with broken hinges and
Three boxes missing.

5. Water Lines, Valves, Etc.

Condition: Satisfactory Unsatisfactory Not Applicable

Comments: 22 OCTOBER 2021 PUBLIC WORKS REPAIRED BROCKEN WATER
LINE IN THE PARKING LOT AREA THAT SERVICES A DOCK.

6. Electrical & Lights

Condition: Satisfactory Unsatisfactory Not Applicable

Comments: WILL BE TACKING DOWN OLD METER LOOP
NORTH WEST CORNER ON THE BULKHEAD SMITH HARBOR.

7. Pilings, Guides & Rollers

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

8. Rub Rails & Fenders

Condition: Satisfactory Unsatisfactory Not Applicable

Comments: Dock A there are two 6' sections of rub rail damaged.

9. Cleats & Kevels

Condition: Satisfactory Unsatisfactory Not Applicable

Comments: Dock A 15 broken cleats, Dock B 2 broken cleats.

10. Gates & Locks

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

11. Dredging

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

DERRICK CONSTRUCTION WAS AWARDED BID BY CITY COUNCIL.
WILL START WORK 19 JULY,2021. STARTED WORK 23 AUGUST 2021.
23 SEPT 2021 DERRICK CONSTRUCTION COMPLETED DREDGING

SMITH HARBOR.

12. Cement Cap

Condition: **Satisfactory** Unsatisfactory Not Applicable

Comments:

13. Bulkhead

Condition: **Satisfactory** Unsatisfactory Not Applicable

Com

Harbor Master: _____

COMMUNICATION

SUBJECT: RECEIVE FINANCIAL REORTS OF PORT REVENUE FUND

INFORMATION:

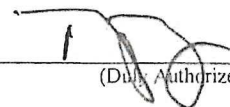
a) Tariff Report b) Account Aging Reportc) Payment Reportd) Revenue and Expenditure Report e) Balance Sheet f) Profit and Loss Cash Flow Report

MONTHLY TARIFF REPORT

DATE: October 19, 2021REPORTING PERIOD: October 2021
(MONTH) (YEAR)COMPANY NAME: HELENA AGRI-ENTERPRISES, LLCMAILING ADDRESS: PO BOX 419
(P. O. Box Number or Street)PORT LAVACA TX 77979
(City) (State) (Zip Code)4,713.605 Tons of Fertilizer Barge @ 0.65¢ per ton
(Name Product)743.575 Tons of Fertilizer Rail @ 0.65¢ per ton
(Name Product)\$5.56
credit

Subject to the tariff adopted by the City of Port Lavaca Port Commission are hereby reported by the above-named company during the period covered hereby and payment in the amount of \$ 3,541.61 is attached hereto representing tariff due in accordance with above rate.

I hereby certify that this report is submitted in compliance with the requirements of the tariff adopted by the City of Port Lavaca Port Commission and the information reported hereby is true, correct and complete.

WITNESS MY HAND this 19 day of October, 2021.Terminal Manager
(Title)Trey Franz
(Printed Name)
(Duly Authorized Signature)Port Commission's Main Office Phone Number:
Port Commission's Main Mailing Address:

(361) 552-9793 Ext. 242

rgarza@portlavaca.org
City of Port Lavaca Port CommissionFax No.: (361) 552-6062
Port Lavaca, TX 77979

BARGE SURVEY

Published: 09/09/21 Item #3.

Vessel ID:	LTD753B	Commodity:	UREA	Empty Survey D/T:	09/08/21 0:00	Complete Date:	09/09/2021
Wet Dry:	DRY	Equipment Type:	BOX	Loaded Survey D/T:	09/09/21 0:00	Release Date:	09/09/21 1:45
Vessel Type:	BARGE	Order No. :	32735836	Placement Date:	08/28/21 7:00	Origin City:	Donaldsonville
Voyage ID:	7976	Surveyor ID:		Start Date:	09/08/21 20:51	Origin State:	LA

Vessel Facts

Depth:	14 Ft.	0 In.	Bilge Radius:	0 Ft.	0 In.
Beam:	35 Ft.	0 In.	Rake Horizontal:	0 Ft.	0 In.
Length:	200 Ft.	0 In.	Rake Vertical:	0 Ft.	0 In.

Order Information

Order No:	32735836	Cust PO No:	563967020
Cust/Bill To:	100292	CHS INC	
Ship To:	207591	CUSTOMER ARRANGED BARGE	
City/State:			

Freeboard

	Empty	Loaded
Fwd/Bow Port:	12'-6.250"	4'-11.500"
Fwd/BowStar:	12'-6.500"	5'-0.000"
Mid Port:	12'-6.000"	4'-11.500"
Mid Star:	12'-6.000"	5'-0.000"
Aft/Stern Port:	12'-6.250"	5'-1.000"
Aft/Stern Star:	12'-6.500"	5'-1.000"
Mean Freeboard:	12'-6.250"	5'-0.170"
Mean Draft:	1'-5.750"	8'-11.830"
Water Density:	0.997	0.9971
Net Tons:	-4.528	1,629.261

Tons Corrected
for Density:

1,633.789

Tank Soundings

Empty						Loaded					
Bow						Bow					
0 Ft. 5.00 In.						0 Ft. 5.00 In.					
Port			Starboard			Port			Starboard		
No. 1:	0 Ft.	0.00 In.	0 Ft.	5.00 In.		No. 1:	0 Ft.	0.00 In.	0 Ft.	5.00 In.	
No. 2:	0 Ft.	5.00 In.	0 Ft.	5.00 In.		No. 2:	0 Ft.	0.00 In.	0 Ft.	1.00 In.	
No. 3:	0 Ft.	5.00 In.	0 Ft.	5.00 In.		No. 3:	0 Ft.	0.00 In.	0 Ft.	1.00 In.	
No. 4:	0 Ft.	0.00 In.	0 Ft.	5.00 In.		No. 4:	0 Ft.	0.00 In.	0 Ft.	5.00 In.	
No. 5:	0 Ft.	5.00 In.	0 Ft.	0.00 In.		No. 5:	0 Ft.	0.00 In.	0 Ft.	5.00 In.	
No. 6:	0 Ft.	0.00 In.	0 Ft.	0.00 In.		No. 6:	0 Ft.	0.00 In.	0 Ft.	0.00 In.	
Stern						Stern					
0 Ft. 5.00 In.						0 Ft. 5.00 In.					



Item #3.

C&C Maritime17574 Hard Hat Drive, Suite 5
Covington, LA 70435

Telephone: +1 (225) 289 4594

Facsimile: +1 (225) 289 4642

Ops@candcmaritime.com

candcmaritime.com

BARGE DRAFT SURVEY REPORTClient Name: Waterway AGOur Ref: 002240Address: Metropolis, ILDATE: September 18, 2021BARGE NAME: LTD 759Date of Initial survey: September 16, 2021Initial Location: Cooper LaplaceCargo description: GMOPDate of Final survey: September 18, 2021Final Location: Cooper LaplaceTo/Ex: MV BRITTA OLDENDORFF**BARGE DESCRIPTION**Type: BoxCovers - Type: FL

Initial Final

Weather Conditions: Mild MildWater Conditions: Choppy ChoppyBarge dimensions: Depth 14'Length 200'Width 35' 00"**Measurements**

FREEBOARDS	INITIAL
Fwd Port	12' 5 3/4"
Mid Port	12' 6"
Aft Port	12' 6 1/2"
Fwd Stbd	12' 4 3/4"
Mid Stbd	12' 5 1/4"
Aft Stbd	12' 5 1/4"
Trim in	0.625

FINAL
5' 3 1/2"
5' 0"
5' 1"
5' 4 3/4"
5' 0 3/4"
5' 1 1/4"
-3.000

MEANS - inches	
L T	F&A mean 149.563
	Mid mean 149.625
	Mean/means 149.594
H V Y	F&A mean 62.625
	Mid mean 60.375
	Mean/means 61.500

Draft Calculations

	INITIAL
Port waterline length	
Stbd waterline length	
Mean waterline length	200.000
Water Density	0.995

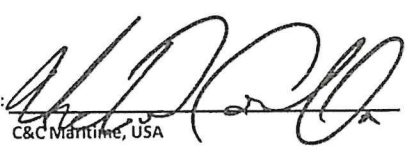
FINAL
200.000
0.995

Freeboards (inches)	
149.609	Lt QTR mean
60.938	Hvy QTR mean
88.672	Change in Draft

Quarter Mean Draft:

8'-11 1/16"**Total Cargo Weights**

<u>1,606.531</u>	Short Tons
<u>1,434.403</u>	Long Tons
<u>1,457.435</u>	Metric Tons
<u>3,213,062</u>	Pounds

Reported By: 

C&C Maritime, USA

Survey conducted in accordance with "TFI Inland Barge Survey Procedure" v 1.0

Observations / Remarks



DRAFT SURVEY BY DISPLACEMENT

MTC 741

Barge Type : **RAKE**

Depth =	13.000 ft	Length of Box =	172.000 ft
Beam =	35.000 ft	Bilge Radius =	0.500 ft
Spec Grv =	0.9965 (LIGHT Condition)	Rake Length =	28.000 ft
Spec Grv =	0.9965 (LOADED Condition)	Rake Height =	13.000 ft

LIGHT FREEBOARDS

Fwd Port =	11 ft	0.250 in
Fwd Stbd =	11 ft	0.000 in
Mid Port =	11 ft	5.250 in
Mid Stbd =	11 ft	5.000 in
Aft Port =	11 ft	9.250 in
Aft Stbd =	11 ft	9.250 in

LOADED FREEBOARDS

Fwd Port =	4 ft	5.500 in
Fwd Stbd =	4 ft	1.500 in
Mid Port =	4 ft	5.000 in
Mid Stbd =	4 ft	0.000 in
Aft Port =	4 ft	5.250 in
Aft Stbd =	4 ft	2.000 in

Full Load:

Mean Draft =	8 ft	8.792 in
Volume (Cu. Ft.) =	57,519.441	

Light Barge:

Mean Draft =	1 ft	7.167 in
Volume (Cu. Ft.) =	10,155.691	

Cargo Deadweight:

Pounds =	2,946,570
Short Tons =	1,473.285
Metric Tons =	1,336.543
Long Tons =	1,315.433

Marine Technical Surveyors, Inc.

Tommy L. Prejean, Operations

MARINE TECHNICAL SURVEYORS, INC.

RSB009

P.O. BOX 509 * DONALDSONVILLE, LA 70346 * (225) 473-1700 * FAX (225) 473-8020

9/16/2021
Page 1

Page 31

REACTING MANUFACTURE

2420422

Item #3.

Railcar Shipping Notification & Request for CHARGE102 Requisition

City of Reaction:

Port Lavaca

Attention:

Alicia Garcia / Trey Franz / Jason Puente

From:

Abby Hammermiller

Copy to:

John Odle

Copy to:

- 1) Once your cars have shipped, periodically trace them on the Rail website. Update the Reacting company with this information either by e-mail or phone.
- 2) Please enter a requisition for Charge102 as soon as possible. Your Anhydrous Ammonia and Phos Acid will automatically have PO numbers assigned and will now be transferred to you as soon as Texas Inventory receives a copy of the APP manufacture sheet.
- 3) Have the Railcar Numbers and Analysis available for the Reacting Company when they arrive.
- 4) Immediately upon reacting completion, email a copy of the APP manufacture sheet to Texas Inventory.

ACID

Product Code:
PHOSPHO6Phosacid
P.O. No:

2417134

Phosacid
Vendor: PCS 21349

Total Number of Phosacid railcars to ship: 6

Item	Railcar TAG No.	Date Tag Applied	Railcar No.	Ship Date	Cargo Weight	Analysis
1			PPAX6158	9/9/2021	97.250	69.11
2			PROX12170	9/9/2021	97.800	69.11
3			TGAX131463	9/9/2021	97.300	69.11
4			TILX140001	9/9/2021	99.750	69.31
5			TILX150050	9/9/2021	99.800	69.31
6			UTLX24685	9/9/2021	100.050	69.31
7						
8						
9						
10						
11						
12						

Total Tonnage : 591.950

Anhydrous Ammonia

ANHYDRO1

Anhydrous
P.O. No.:

2420417

CF Industries 57259

Item	Railcar No.	Railcar TAG No.	Date Tag Applied	Actual Ship Date	Cargo Weight
1	UTLX971239			09/13/21	76.025
2	UTLX971218			09/13/21	75.600
3					
4					

151.625 Total Nh3 Tonnage

Reactor

Reactor
P.O. No.:

2420422

Reacting
Company:

APP Conversions

APP Conversions - John Odle

Mobile No.: (316) 259-5148

Product Code:

Charge102

Price:

Est. Reacting Tons:

CITY OF PORT LAVACA PORT COMMISSION

MONTHLY TARIFF REPORT

DATE:

9/30/2021

REPORTING PERIOD:

SEPTEMBER
(MONTH)2021
(YEAR)

COMPANY NAME:

EQUALIZER INC

MAILING ADDRESS:

PO BOX 154579
(P. O. Box Number or Street)WACO
(City)TX
(State)76715
(Zip Code)

Tons of Fertilizer

BARGE
(Name Product)

@ 0.65¢ per ton

31,774.88

Barrels of Crude Oil

CRUDE OIL
(Name Product)

@ 0.010¢ per barrel

Sacks of Oysters

@ 0.10¢ per sack

Subject to the tariff adopted by the City of Port Lavaca Port Commission are hereby reported by the above-named company during the period covered hereby and payment in the amount of \$ 3177.48 is attached hereto representing tariff due in accordance with above rate.

I hereby certify that this report is submitted in compliance with the requirements of the tariff adopted by the City of Port Lavaca Port Commission and the information reported hereby is true, correct and complete.

WITNESS MY HAND this 30 day of SEPTEMBER, 2021.

COMPTROLLER
(Title)

MARY MILLER
(Printed Name)

Mary Miller
(Authorized Signature)

Port Commission's Main Office Phone Number: (361) 552-9793 Ext. 242 rgarza@portlavaca.org Fax No.: (361) 552-6062

Port Commission's Main Mailing Address: City of Port Lavaca Port Commission 202 N. Virginia St Port Lavaca, TX 77979

From : Camin Cargo Control
To : GulfMark Energy Inc.

Item #3.

Attn : Megan Grall / GulfMark Energy Inc.
Shelly Smith / GulfMark Energy Inc.

megang@gulfmarkenergy.com
shellys@gulfmarkenergy.com

Load RECAP - Original

Product

: CRUDE OIL

Vessel

: MM - 96 & 98

Location

: Gulfmark -Port Lavaca, TX
Tank(s) - 1

Date

: 08-SEP-2021

File NA°

: PVI-12443

Ref. NA°

: ER210901-A

QUANTITIES - CRUDE OIL

Total Load Quantities - Based on Shore Figures

TCV, Barrels @ 60 °F 14,929.25

Free Water 0.00

GSV

Barrels @ 60 °F 14,929.25

Gallons @ 60 °F 627,028.50

Long Tons - Air 2,113.013

Metric Tons - Air 2,146.921

Short Tons - Air 2,366.575

Kilograms - Air 2,146,921.0

Pounds - Air 4,733,150.0

API Gravity @ 60 °F (T) 24.6

NSV

Barrels @ 60 °F 14,922.23

Gallons @ 60 °F 626,733.66

Long Tons - Air 2,112.020

Metric Tons - Air 2,145.911

Short Tons - Air 2,365.462

Kilograms - Air 2,145,911.0

Pounds - Air 4,730,924.0

S&W % 0.047**

S&W Vol. 7.02

S&W Source

** Quality based on individual open and close of shore tank.

Total Vessel Quantities

Vessel : MM - 98

TCV, Bbls @ 60 °F 14,961.29

Free Water 0.00

GSV

From : Camin Cargo Control
To : GulfMark Energy Inc.

Item #3.

Attn : Megan Grall / GulfMark Energy Inc.
Shelly Smith / GulfMark Energy Inc.

megang@gulfmarkenergy.com
shellys@gulfmarkenergy.com

Load RECAP - Original

Product : CRUDE OIL
Vessel : MM - 95 & 97B
Location : Gulfmark -Port Lavaca, TX
Tank(s) - 2
Date : 26-SEP-2021
File NA° : PVI-12457
Ref. NA° : ER210902-A

QUANTITIES - CRUDE OIL

Total Load Quantities - Based on Shore Figures

TCV, Barrels @ 60 °F 12,040.84
Free Water 0.00
GSV

Barrels @ 60 °F 12,040.84
Gallons @ 60 °F 505,715.28

Long Tons - Air 1,700.929
Metric Tons - Air 1,728.223
Short Tons - Air 1,905.040
Kilograms - Air 1,728,223.0
Pounds - Air 3,810,080.0

API Gravity @ 60 °F (T) 24.9

NSV

Barrels @ 60 °F 12,034.70
Gallons @ 60 °F 505,457.46

Long Tons - Air 1,700.061
Metric Tons - Air 1,727.342
Short Tons - Air 1,904.069
Kilograms - Air 1,727,342.0
Pounds - Air 3,808,137.0

S&W % 0.051**
S&W Vol. 6.14
S&W Source

** Quality based on individual open and close of shore tank.

Total Vessel Quantities

Vessel : MM - 95
TCV, Bbls @ 60 °F 11,900.36
Free Water 0.00
GSV

From : Camin Cargo Control
To : GulfMark Energy Inc.

Item #3.

Attn : Megan Grall / GulfMark Energy Inc.
Shelly Smith / GulfMark Energy Inc.

megang@gulfmarkenergy.com
shellys@gulfmarkenergy.com

Load RECAP - Original

Product

: CRUDE OIL

Vessel

: FMT - 3194

Location

: Gulfmark -Port Lavaca, TX
Tank(s) - 2

Date

: 24-SEP-2021

File NA°

: PVI-12454

Ref. NA°

: VG210901-B

QUANTITIES - CRUDE OIL

Total Load Quantities - Based on Shore Figures

TCV, Barrels @ 60 °F 4,821.38

Free Water 0.00

GSV

Barrels @ 60 °F 4,821.38

Gallons @ 60 °F 202,497.96

Long Tons - Air 681.957

Metric Tons - Air 692.900

Short Tons - Air 763.792

Kilograms - Air 692,900.0

Pounds - Air 1,527,584.0

API Gravity @ 60 °F (T) 24.7

NSV

Barrels @ 60 °F 4,817.95

Gallons @ 60 °F 202,353.90

Long Tons - Air 681.472

Metric Tons - Air 692.408

Short Tons - Air 763.249

Kilograms - Air 692,408.0

Pounds - Air 1,526,497.0

S&W % 0.071**

S&W Vol. 3.43

S&W Source

** Quality based on individual open and close of shore tank.

Total Vessel Quantities

Vessel : FMT - 3194

TCV, Bbls @ 60 °F 4,785.02

Free Water 0.00

GSV

CITY OF PORT LAVACA PORT COMMISSION

MONTHLY TARIFF REPORT

DATE: 10/31/2021

REPORTING PERIOD: OCTOBER 2021
(MONTH) (YEAR)

COMPANY NAME: EQUALIZER INC

MAILING ADDRESS: PO BOX 154579
(P. O. Box Number or Street)

WACO TX 76715
(City) (State) (Zip Code)

____ Tons of Fertilizer BARGE @ 0.65¢ per ton
(Name Product)

29,755.85 Barrels of Crude Oil CRUDE OIL @ 0.010¢ per barrel
(Name Product)

____ Sacks of Oysters _____ @ 0.10¢ per sack

Subject to the tariff adopted by the City of Port Lavaca Port Commission are hereby reported by the above-named company during the period covered hereby and payment in the amount of \$ 2,975.58 is attached hereto representing tariff due in accordance with above rate.

I hereby certify that this report is submitted in compliance with the requirements of the tariff adopted by the City of Port Lavaca Port Commission and the information reported hereby is true, correct and complete.

WITNESS MY HAND this 31 day of OCTOBER, 2021.

COMPROLLER
(Title)

MARY MILLER
(Printed Name)

Mary Miller
(Authorized Signature)

Port Commission's Main Office Phone Number: (361) 552-9793 Ext. 242 rgarza@portlavaca.org Fax No.: (361) 552-6062

Port Commission's Main Mailing Address: City of Port Lavaca Port Commission 202 N. Virginia St Port Lavaca, TX 77979

From : Camin Cargo Control
To : GulfMark Energy Inc.

Item #3.

Attn : Megan Grall / GulfMark Energy Inc.
Shelly Smith / GulfMark Energy Inc.

megang@gulfmarkenergy.com
shellys@gulfmarkenergy.com

Load RECAP - Original

Product

: CRUDE OIL

Vessel
Location

: MM - 96 & 98

: Gulfmark -Port Lavaca, TX
Tank(s) - 2

Date
File NA°
Ref. NA°

: 12-OCT-2021
: PVI-12473
: ER211001-A

QUANTITIES - CRUDE OIL

Total Load Quantities - Based on Shore Figures

TCV, Barrels @ 60 °F 14,956.52
Free Water 0.00
GSV

Barrels @ 60 °F 14,956.52
Gallons @ 60 °F 628,173.84

Long Tons - Air 2,115.516
Metric Tons - Air 2,149.463
Short Tons - Air 2,369.378
Kilograms - Air 2,149,463.0
Pounds - Air 4,738,756.0

API Gravity @ 60 °F (T) 24.7

NSV

Barrels @ 60 °F 14,952.03
Gallons @ 60 °F 627,985.26

Long Tons - Air 2,114.881
Metric Tons - Air 2,148.818
Short Tons - Air 2,368.667
Kilograms - Air 2,148,818.0
Pounds - Air 4,737,333.0

S&W % 0.030**
S&W Vol. 4.49
S&W Source

** Quality based on individual open and close of shore tank.

Total Vessel Quantities

Vessel : MM - 98

TCV, Bbls @ 60 °F 14,871.13
Free Water 0.00
GSV

From : Camin Cargo Control
To : GulfMark Energy Inc.

Item #3.

Attn : Megan Grall / GulfMark Energy Inc.
Shelly Smith / GulfMark Energy Inc.

megang@gulfmarkenergy.com
shellys@gulfmarkenergy.com

Load RECAP - Original

Product : CRUDE OIL
Vessel : MM - 96 & 98
Location : Gulfmark -Port Lavaca, TX
Tank(s) - 2
Date : 27-OCT-2021
File NA° : PVI-12493
Ref. NA° : ER211002-A

QUANTITIES - CRUDE OIL

Total Load Quantities - Based on Shore Figures

TCV, Barrels @ 60 °F 10,070.93
Free Water 0.00
GSV

Barrels @ 60 °F 10,070.93
Gallons @ 60 °F 422,979.06

Long Tons - Air 1,425.390
Metric Tons - Air 1,448.263
Short Tons - Air 1,596.437
Kilograms - Air 1,448,263.0
Pounds - Air 3,192,874.0

API Gravity @ 60 °F (T) 24.6

NSV

Barrels @ 60 °F 10,068.01
Gallons @ 60 °F 422,856.42

Long Tons - Air 1,424.977
Metric Tons - Air 1,447.844
Short Tons - Air 1,595.974
Kilograms - Air 1,447,844.0
Pounds - Air 3,191,949.0

S&W % 0.029**
S&W Vol. 2.92
S&W Source

** Quality based on individual open and close of shore tank.

Total Vessel Quantities

Vessel : MM - 96
TCV, Bbls @ 60 °F 10,079.66
Free Water 0.00
GSV

BARGE: Florida Marine - FMT 3194 (1191579)
Product/Cargo: Crude
Port/Location: Port Lavaca, TX
AmSpec File#: 155-21-02893
Client Ref#: VG21/1101-B
Date: 11/04/2021

Gulfmark Energy

Item #3.



Certificate of Quantity

The undersigned herewith declares that the quantities are as follows:

	TCV (Total Calculated Volume)	GSV (Gross Standard Volume)	NSV (Net Standard Volume)
Barrels @ 60°F	4,750.06	4,750.06	4,735.81
US Gallons @ 60°F	199,502.52	199,502.52	198,904.02
Imperial Gallons @ 60°F	166,120.60	166,120.60	165,622.24
Pounds	1,505,953	1,505,953	1,501,435
Long Tons	672.300	672.300	670.283
Short Tons	752.976	752.976	750.717
Kilograms	683,089	683,089	681,039
Metric Tons (AIR)	683.089	683.089	681.039
Metric Tons (VAC)	683.892	683.892	681.840
Cubic Meters @ 15°C	754.882	754.882	752.618
Cubic Meters @ 20°C	757.722	757.722	755.449
Cubic Meters @ 60°F	755.199	755.199	752.934
Litres @ 15°C	754,882	754,882	752,618
Litres @ 20°C	757,722	757,722	755,449
Litres @ 60°F	755,199	755,199	752,934

Quantity Based On: Shore Figure

NSV Based On: Shore Tank Free Water and S&W

Comments:

Summary precision is displayed as per user preferences.

API Used	FW	S&W %	S&W Bbls
24.6	See	Shore	Report

AmSpec: Ernest Brown

Any and all information and data contained in AmSpec's final report(s) are obtained as a result of inspection and testing protocols undertaken according to the nominated instructions of the client, the results of which are based on industry technical standards and protocols. AmSpec warrants that it has exercised due diligence and care with respect to the information, opinions and professional judgments embodied in this report. The report reflects the findings at the time and place of inspection. AmSpec, LLC cannot attest to the veracity of any information or data supplied by third parties and as a consequence, cannot be held liable for same. AmSpec personnel do not release vessels. This responsibility solely remains with terminals, principals, charterers, owners and operators. Note: All of the above was performed in accordance with API Chapters 3, 7, 8, 11.1, 12 & 17 guidelines.

AmSpec, LLC

301 Omaha Dr
 Corpus Christi, Texas 78408
 Telephone: +1-361-882-4900
 Email: corpuschristi@amspecgroup.com

Item #3.

11-3-2021

October
(MONTH)

2021
(YEAR)

Prestige Cysters Inc

40 Box 0848
(P. O. Box Number or Street)

Bac Liff
(City)

TX
(Stat

77518
(Zip Code)

Page 41

ZONE: 99

CONTRACTS:

NO

STAT: Active

Item #3.

ACCOUNT NO#	NAME	LAST PAY	ST	--CURRENT--	+1 MONTHS	+2 MONTHS	+3 MONTHS	+4 MONTHS	--BALANCE
99-1303-00	RLB CONTRACTING, INC.	11/01/2021	A	5,000.00CR					5,000.00CR
99-1415-00	PRESTIGE OYSTER, INC	11/08/2021	A	6,051.67CR					6,051.67CR
99-1583-05	WILD REEF SEAFOOD LLC	10/27/2021	A	3,200.00					3,200.00
99-1733-02	BIG BEAR SHRIMP & SEAFOO	6/21/2021	A	2,826.78CR					2,826.78CR
99-1734-00	MILLER SEAFOOD CO INC	11/02/2021	A						0.00
99-1745-00	T. W. LaQUAY MARINE, LLC	4/06/2021	A	1,350.00	1,350.00	1,350.00	1,350.00	4,050.00	9,450.00
99-1746-00	T. W. LaQUAY MARINE, LLC	4/06/2021	A	4,227.02	4,227.02	4,227.02	4,227.02	12,681.06	29,589.14
99-1783-00	EQUALIZER INC	11/01/2021	A						0.00
99-1800-01	POOR BOYS BAIT SHOP (LEA	11/15/2021	A						0.00
99-1801-01	REYNA-RUBIO, AUSENCIO	10/20/2021	A	300.00					300.00
99-1810-00	HELENA CHEMICAL COMPANY	10/29/2021	A						0.00
99-1883-00	CABLE ONE, INC	10/01/2021	A	288.75					288.75
99-1893-00	PRESTIGE OYSTER'S INC.	11/08/2021	A						0.00
99-1909-01	EDWARD D JONES & CO. (HEA	11/01/2021	A	579.58CR					579.58CR
99-1913-02	SOMETHING MORE MEDIA, IN	10/26/2021	A	640.00					640.00
99-1923-06	BAY LTD	11/05/2021	A						0.00
99-1930-01	PORT LAVACA PLUMBING	10/29/2021	A						0.00
99-1931-06	G4S SECURE SOLUTIONS (US	11/02/2021	A	223.00CR					223.00CR
99-1932-05	G4S SECURE SOLUTIONS (US	11/02/2021	A	223.00CR					223.00CR
99-1933-03	SPIRETEK INTERNATIONAL,	10/25/2021	A						0.00
99-1963-04	HUSSONG, KEITH	11/08/2021	A						0.00
99-1973-06	SULLIVAN, TROY	11/02/2021	A	282.80CR					282.80CR
99-1983-08	PEREZ-DEL RIO, JOSE FERN	11/03/2021	A						0.00
99-1993-04	RABE, MICHAEL	10/15/2021	A	317.10					317.10
99-2003-04	ROBERTS, PERCIVAL L	11/01/2021	A						0.00
99-2013-09	COX, TERRY	9/14/2021	A	264.60					264.60
99-2043-07	HUNSAKER, ROBERT	10/28/2021	A	184.00					184.00
99-2053-10	LARGENT, CRAIG	9/30/2021	A	* 302.00	296.00 *				598.00
99-2063-09	BAIN, NORMAN D	11/08/2021	A						0.00
99-2093-07	MASSARIA, TIM	10/21/2021	A	298.20					298.20
99-2103-07	BURKLAND, JERRY	10/15/2021	A	367.50					367.50
99-2153-04	ORSBON, LIZ	10/13/2021	A	8.10CR					8.10CR
99-2193-07	McCOLLOUGH, DAVID	10/09/2021	A	176.40					176.40
99-2213-04	CAMPBELL, ED	11/02/2021	A						0.00
99-2223-10	BALLARD, SHAWN	10/04/2021	A	260.90					260.90
99-2233-06	CARTER, NICOLAS	10/12/2021	A	0.20CR					0.20CR
99-2253-07	WILEY, LEAH	8/29/2021	A	29.40CR					29.40CR
99-2273-06	JONES, CHARLIE	11/15/2021	A						0.00
99-2293-14	WALSH, TIMOTHY J.	10/12/2021	A	228.90					228.90
99-2443-05	WALLER, KENNETH L. JR	10/16/2021	A	279.30					279.30
99-2453-08	DEWITT, TONY	6/10/2021	A	837.90CR					837.90CR
99-2481-05	FERNUNG, LLOYD M	9/03/2021	A	9.72					9.72
99-2543-09	CHRISTENSEN, GARY OR PAU	0/00/0000	A	* 319.20	319.20 *				638.40
99-2589-05	WASICEK, LD	6/14/2021	A	235.20	235.20	235.20	235.20	235.20	1,176.00

**** BOOK # :0099 TOTAL ACCOUNTS: 44 2813.64CR 6427.42 5812.22 5812.22 16966.26 32204.48

REPORT TOTALS TOTAL ACCOUNTS: 44 2813.64CR 6427.42 5812.22 5812.22 16966.26 32204.48

* Christensen - new customer - signed up for auto draft
Karen will deduct balance.

* Largent - To provide proof of amt made for \$296.00

VENDOR NAME	ITEM #	G/L ACCOUNT	NAME DESCRIPTION	CHECK #	AMOUNT
01-103963 NEWMAN, AMIE	I-202110079679	504 51000523.03	CLEANING & JANITORIAL: CLEANING SUPPLIES	58489	\$600.00
			VENDOR TOTALS		\$600.00
01-102855 DOWELL PEST CONTROL	I-21407	504 51000542.03	R & M- BUILDING: PEST CONTROL	58576	\$77.25
			VENDOR TOTALS		\$77.25
01-102882 FRONTIER SOUTHWEST INC.	I-18830907065/102021	504 51000536.02	TELEPHONE: PHONE CHARGES OCTOBER 2021	58611	\$103.40
			VENDOR TOTALS		\$103.40
01-102645 GEXA ENERGY, LP	I-32796039-4	504 51000536.01	ELECTRICITY: ELECTRICITY SERVICES SEPTEMBER 2021	58511	\$2,154.82
			AC/BAY LIMITED		\$161.59
			LIGHT/BAY LIMITED & AC/DAYROOM & HARBOR MASTER		\$120.22
			SPIRETECH		\$161.80
			AC/EDWARD JONES & SOMETHING MORE		
			LIGHTS/DAYROOM, HARBOR MASTER		
			SUB PANEL/EDWARD JONES		\$211.77
			PL PLUMBING, G4S, & CONF. ROOM		\$310.28
			NL MARINA BUILDING FLOOD LIGHT		\$48.43
			NL BOAT SLIPS		\$684.38
			HARBOR OF REFUGE		\$0.00
			HARBOR OF REFUGE FLOOD LIGHT		\$456.35
			CITY HARBOR		\$0.00
			VENDOR TOTALS		\$2,154.82
01-101839 HARRISON, WALDROP	I-82930	504 51000532.01	AUDIT FEES: AUDIT FEES	58518	\$300.00
			VENDOR TOTALS		\$300.00

VENDOR NAME	ITEM #	G/L ACCOUNT	NAME DESCRIPTION	CHECK #	AMOUNT
01-101749 RICHARD A LEWIS	I-10376	504 51000543.04	R & M IMPROVEMENT: REPLACE BROKEN HOSE	58586	\$165.02
VENDOR TOTALS					\$165.02
01-100335 PORT LAVACA, CITY OF	I-10/2021	504 51000536.03	WATER: WATER/SEWER OCTOBER 2021	58634	\$284.06
VENDOR TOTALS					\$284.06
01-102309 REPUBLIC SERVICES #847	I-0847-001170426	504 51000533.14	CONTRACTED SERVICES: CONTAINER - PORT COMMISSION	58545	\$303.70
VENDOR TOTALS					\$303.70
01-104017 THERMO FLUIDS, INC.	I-87289249	504 51000533.14	CONTRACTED SERVICES: DRUM FILTER	58588	\$107.50
VENDOR TOTALS					\$107.50
01-102621 UNIFIRST HOLDINGS, INC.	I-815-0922164	504 51000523.03	CLEANING & JANITORIAL: CLEANING SUPPLIES	58557	\$79.33
01-102621 UNIFIRST HOLDINGS, INC.	I-815-0922836	504 51000523.03	CLEANING & JANITORIAL: CLEANING SUPPLIES	58481	\$50.77
01-102621 UNIFIRST HOLDINGS, INC.	I-815-0923554	504 51000523.03	CLEANING & JANITORIAL: CLEANING SUPPLIES	58645	\$69.06
01-102621 UNIFIRST HOLDINGS, INC.	I-815-0924258	504 51000523.03	CLEANING & JANITORIAL: CLEANING SUPPLIES	58645	\$51.89
VENDOR TOTALS					\$251.05
01-102014 VERIZON WIRELESS	I-9890785266	504 51000536.02	TELEPHONE: CELL PHONE CHARGES	58648	\$40.22
VENDOR TOTALS					\$40.22
REPORT GRAND TOTAL:					\$4,387.02

Item #3.
 50 PORT REVENUE FUND
 FI FUND SUMMARY

REVENUE AND EXPENDITURES REPORT (UNAUDITED)
 AS OF: OCTOBER 31ST, 2021

Page 45

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
REVENUE SUMMARY								
USER & SERVICE CHARGES	621,500	607,500	14,000	63,531.92	63,531.92	0.00	543,968.08	10.46
FINES & FORFEITURES	0	0	0	0.00	0.00	0.00	0.00	0.00
OTHER REVENUE	1,306,075	650	1,305,425	0.00	0.00	0.00	650.00	0.00
GRANT AND CONTRIBUTION R	0	14,000,000	(14,000,000)	0.00	0.00	0.00	14,000,000.00	0.00
INTERGOVERNMENTAL REVENUE	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES	1,927,575	14,608,150	(12,680,575)	63,531.92	63,531.92	0.00	14,544,618.08	0.43
EXPENDITURE SUMMARY								
TECHNOLOGY SERVICES	1,500	1,500	0	119.49	119.49	0.00	1,380.51	7.97
CITY HARBOR	0	27,000	(27,000)	0.00	0.00	0.00	27,000.00	0.00
HARBOR OF REFUGE	0	36,000	(36,000)	0.00	0.00	0.00	16,016.29	55.51
SMITH HARBOR	50,000	51,000	(1,000)	0.00	0.00	0.00	51,000.00	0.00
NAUTICAL LANDINGS MARINA	0	15,000	(15,000)	0.00	0.00	0.00	15,000.00	0.00
OPERATIONS	1,876,075	14,730,507	(12,854,432)	8,295.84	8,295.84	366,460.34	14,355,750.82	2.54
NON DEPARTMENTAL	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES	1,927,575	14,861,007	(12,933,432)	8,415.33	8,415.33	386,444.05	14,466,147.62	2.66
REVENUES OVER/ (UNDER) EXPENDITURES	0	252,857	252,857	55,116.59	55,116.59	(386,444.05)	78,470.46	131.03

* Due to the financial system remaining open in order to finalize the 2020 Fiscal Year, the Amended Budget column will show the FY2022 Budget. Please ignore "Original Budget" and "Budget Adjustment" columns,

11
2021 02:24 PM
50
RE
RT REVENUE FUND
PS
Item #3.

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
USER & SERVICE CHARGES								
436.01 CITY HARBOR-DOCK LEASE	95,000	100,000 (	5,000)	8,523.64	8,523.64	0.00	91,476.36	8.52
436.09 HOR - DAILY DOCK RENTA	0	0	0	600.00	600.00	0.00	600.00)	0.00
436.10 HOR - RENTAL	0	41,000 (	41,000)	1,432.02	1,432.02	0.00	39,567.98	3.49
436.11 HOR - DOCK LEASES	247,000	215,000	32,000	22,470.05	22,470.05	0.00	192,529.95	10.45
436.12 TARIFFS	130,000	100,000	30,000	17,414.31	17,414.31	0.00	82,585.69	17.41
436.20 N L DOCK RENT- TRANSIE	1,000	500	500	0.00	0.00	0.00	500.00	0.00
436.21 N L-DOCK LEASE	85,000	80,000	5,000	7,006.10	7,006.10	0.00	72,993.90	8.76
436.22 N L -BLDG LEASE	50,000	70,000 (	20,000)	6,010.80	6,010.80	0.00	63,989.20	8.59
436.23 N L - BLDG RENTAL	5,000	1,000	4,000	75.00	75.00	0.00	925.00	7.50
436.24 SMITH HARBOR RENT	8,500	0	8,500	0.00	0.00	0.00	0.00	0.00
TOTAL USER & SERVICE CHARGES	621,500	607,500	14,000	63,531.92	63,531.92	0.00	543,968.08	10.46
FINES & FORFEITURES								
442.01 LATE PAYMENT PENALTIES	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL FINES & FORFEITURES	0	0	0	0.00	0.00	0.00	0.00	0.00
OTHER REVENUE								
451.01 INTEREST INCOME	5,000	500	4,500	0.00	0.00	0.00	500.00	0.00
455.01 OTHER FINANCING SOURCE	0	0	0	0.00	0.00	0.00	0.00	0.00
459.10 2018 C. O. PROCEEDS	0	0	0	0.00	0.00	0.00	0.00	0.00
459.11 AUCTION PROCEEDS	0	0	0	0.00	0.00	0.00	0.00	0.00
459.12 TML REIMBURSEMENTS	0	0	0	0.00	0.00	0.00	0.00	0.00
459.71 WASHER-DRYER INCOME	150	150	0	0.00	0.00	0.00	150.00	0.00
459.90 MISCELLANEOUS	0	0	0	0.00	0.00	0.00	0.00	0.00
459.92 EQUITY BALANCE FORWARD	1,300,925	0	1,300,925	0.00	0.00	0.00	0.00	0.00
TOTAL OTHER REVENUE	1,306,075	650	1,305,425	0.00	0.00	0.00	650.00	0.00
GRANT AND CONTRIBUTION R								
481.01 GENERAL LAND OFFICE RE	0	0	0	0.00	0.00	0.00	0.00	0.00
482.01 CAPITAL CONTRIBUTIONS	0	0	0	0.00	0.00	0.00	0.00	0.00
482.02 GRANT REVENUE	0	14,000,000	(14,000,000)	0.00	0.00	0.00	14,000,000.00	0.00
TOTAL GRANT AND CONTRIBUTION R	0	14,000,000	(14,000,000)	0.00	0.00	0.00	14,000,000.00	0.00
INTERGOVERNMENTAL REVENUE								
493.00.1 XFER IN- FUND 001	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL INTERGOVERNMENTAL REVENUE	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES	1,927,575	14,608,150	(12,680,575)	63,531.92	63,531.92	0.00	14,544,618.08	0.43

CITY OF PORT LAVACA
REVENUE AND EXPENDITURES REPORT (UNAUDITED)
AS OF: OCTOBER 31ST, 2021

Item #3.

50 IT REVENUE FUND
TE LOGY SERVICES
DEPARTMENTAL EXPENDITURES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
SERVICES								
50070536.504 CABLE & INTERNET	1,500	1,500	0	119.49	119.49	0.00	1,380.51	7.97
TOTAL SERVICES	1,500	1,500	0	119.49	119.49	0.00	1,380.51	7.97

TOTAL TECHNOLOGY SERVICES	1,500	1,500	0	119.49	119.49	0.00	1,380.51	7.97
---------------------------	-------	-------	---	--------	--------	------	----------	------

REVENUE AND EXPENDITURES REPORT (UNAUDITED)
AS OF: OCTOBER 31ST, 2021

Item #3.

50 PORT REVENUE FUND
CITY HARBOR
DEPARTMENTAL EXPENDITURES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
SERVICES								
50800533.20 CONTRACTED SERV-CITY H	0	25,000 (	25,000)	0.00	0.00	0.00	25,000.00	0.00
TOTAL SERVICES	0	25,000 (	25,000)	0.00	0.00	0.00	25,000.00	0.00
MAINTENANCE								
50800542.21 R & M- INERAS- CITY HA	0	1,000 (	1,000)	0.00	0.00	0.00	1,000.00	0.00
50800543.22 R & M- BLDG.- CITY HAR	0	1,000 (	1,000)	0.00	0.00	0.00	1,000.00	0.00
50800543.24 R & M- IMPROV OTB- CIT	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL MAINTENANCE	0	2,000 (	2,000)	0.00	0.00	0.00	2,000.00	0.00
TOTAL CITY HARBOR	0	27,000 (	27,000)	0.00	0.00	0.00	27,000.00	0.00

CITY OF PORT LAVACA
REVENUE AND EXPENDITURES REPORT (UNAUDITED)
AS OF: OCTOBER 31ST, 2021

Item #3.
PORT REVENUE FUND
HARBOR OF REFUGE
DEPARTMENTAL EXPENDITURES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
SERVICES								
50820533.20 CONTRACTED SERV- HOR	0	25,000 (	25,000)	0.00	0.00	19,983.71	5,016.29	79.93
TOTAL SERVICES	0	25,000 (	25,000)	0.00	0.00	19,983.71	5,016.29	79.93
MAINTENANCE								
50820542.21 R & M- INFRASTRUCTURE	0	11,000 (	11,000)	0.00	0.00	0.00	11,000.00	0.00
TOTAL MAINTENANCE	0	11,000 (	11,000)	0.00	0.00	0.00	11,000.00	0.00
TOTAL HARBOR OF REFUGE	0	36,000 (	36,000)	0.00	0.00	19,983.71	16,016.29	55.51

CITY OF PORT LAVACA
REVENUE AND EXPENDITURES REPORT (UNAUDITED)
AS OF: OCTOBER 31ST, 2021

Item #3.
PORT REVENUE FUND
SMITH HARBOR
DEPARTMENTAL EXPENDITURES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
SERVICES								
50840533.20 CONTRACTED SERV- SMITH	50,000	50,000	0	0.00	0.00	0.00	50,000.00	0.00
TOTAL SERVICES	50,000	50,000	0	0.00	0.00	0.00	50,000.00	0.00
MAINTENANCE								
50840542.21 R & M- INFRA-SMITH H	0	1,000	(1,000)	0.00	0.00	0.00	1,000.00	0.00
TOTAL MAINTENANCE	0	1,000	(1,000)	0.00	0.00	0.00	1,000.00	0.00
TOTAL SMITH HARBOR	50,000	51,000	(1,000)	0.00	0.00	0.00	51,000.00	0.00

CITY OF PORT LAVACA
REVENUE AND EXPENDITURES REPORT (UNAUDITED)
AS OF: OCTOBER 31ST, 2021

50 PORT REVENUE FUND
NAUTICAL LANDINGS MARINA
DEPARTMENTAL EXPENDITURES

Item #3.

SERVICES	CONTRACTED SERV- NL MA	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
50860533.20	0	10,000	(10,000)		0.00	0.00	0.00	10,000.00	0.00
TOTAL SERVICES	0	10,000	(10,000)		0.00	0.00	0.00	10,000.00	0.00
MAINTENANCE									
50860542.03	R & M- BUILDING- NL MA	0	1,000	(1,000)	0.00	0.00	0.00	1,000.00	0.00
50860542.21	R & M- INFRAS- NL MAR	0	1,000	(1,000)	0.00	0.00	0.00	1,000.00	0.00
50860542.25	R & M- BUILD (NAUTICAL	0	1,000	(1,000)	0.00	0.00	0.00	1,000.00	0.00
50860543.26	R & M- INFRAS- NL MARI	0	1,000	(1,000)	0.00	0.00	0.00	1,000.00	0.00
50860543.27	R & M- IMPROV OTB- NL	0	1,000	(1,000)	0.00	0.00	0.00	1,000.00	0.00
TOTAL MAINTENANCE		0	5,000	(5,000)	0.00	0.00	0.00	5,000.00	0.00
TOTAL NAUTICAL LANDINGS MARINA	0	15,000	(15,000)		0.00	0.00	0.00	15,000.00	0.00

Item #3.

50 PORT REVENUE FUND
DEPARTMENTAL EXPENDITURES

ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
--------------------	-------------------	----------------------	-------------------	------------------------	----------------------	-------------------	----------------

PERSONNEL SERVICES

51000511.01	SALARIES & WAGES	66,139	74,703 (	8,564)	5,910.68	0.00	68,792.32	7.91
51000511.06	SALARIES & WAGES-TEMP	0	0	0	0.00	0.00	0.00	0.00
51000511.07	SALARIES & WAGES-OVERT	0	0	0	0.00	0.00	0.00	0.00
51000512.05	EMPLOYER-SOCIAL SECURI	5,161	4,514	647	421.14	0.00	4,092.86	9.33
51000512.10	EMPLOYER-T.M.R.S.	4,134	4,460 (	326)	515.98	0.00	3,944.02	11.57
51000512.20	GROUP H/D INS PREMIUMS	16,637	10,946	5,691	841.31	0.00	10,104.69	7.69
51000512.30	WORKER'S COMPENSATION	1,849	1,800	49	0.00	0.00	1,800.00	0.00
51000512.31	UNEMPLOYMENT INSURANCE	0	0	0	0.00	0.00	0.00	0.00
51000512.40	SAFETY PAY	500	500	0	0.00	0.00	500.00	0.00
TOTAL PERSONNEL SERVICES		94,419	96,923 (	2,504)	7,689.11	0.00	89,233.89	7.93

MATERIALS & SUPPLIES

51000521.01	OFFICE	800	1,200 (	400)	7.33	0.00	1,192.67	0.61
51000523.03	CLEANING & JANITORIAL	3,500	3,500	0	171.72	0.00	3,328.28	4.91
51000524.19	COVID-19 EXPENDITURES	0	0	0	0.00	0.00	0.00	0.00
51000525.01	FUEL	600	1,000 (	400)	0.00	0.00	1,000.00	0.00
51000526.01	GENERAL SAFETY & TOOLS	300	300	0	0.00	0.00	300.00	0.00
51000528.03	NON-CAPITALIZED ASSETS	0	0	0	0.00	0.00	0.00	0.00
51000529.11	LIGHTING & DECORATION	2,000	2,000	0	0.00	0.00	2,000.00	0.00
TOTAL MATERIALS & SUPPLIES		7,200	8,000 (	800)	179.05	0.00	7,820.95	2.24

SERVICES

51000531.01	TRAVEL & TRAINING	500	500	0	0.00	0.00	500.00	0.00
51000531.04	DUES, SUBSCR. & PUBLI	200	700 (	500)	0.00	0.00	700.00	0.00
51000532.01	AUDIT FEES	2,985	3,000 (	15)	0.00	0.00	3,000.00	0.00
51000532.06	HEALTH & FITNESS	0	0	0	0.00	0.00	0.00	0.00
51000532.07	LEGAL- REGULAR	5,000	5,000	0	0.00	0.00	5,000.00	0.00
51000533.14	CONTRACTED SERVICES	16,500	24,000 (	7,500)	0.00	0.00	24,000.00	0.00
51000535.01	GENERAL LIABILITY INSU	1,900	4,292 (	2,392)	0.00	0.00	4,292.00	0.00
51000535.10	WINDSTORM INS	8,500	3,000	5,500	0.00	0.00	3,000.00	0.00
51000535.11	FLOOD INS	1,375	1,500 (	125)	0.00	0.00	1,500.00	0.00
51000536.01	ELECTRICITY	30,000	25,000	5,000	0.00	0.00	25,000.00	0.00
51000536.02	TELEPHONE	2,600	2,000	600	143.62	0.00	1,856.38	7.18
51000536.03	WATER	2,800	3,300 (	500)	284.06	0.00	3,015.94	8.61
51000536.07	CABLE & INTERNET	0	0	0	0.00	0.00	0.00	0.00
TOTAL SERVICES		72,360	72,292	68	427.68	0.00	71,864.32	0.59

MAINTENANCE

51000541.02	LANDSCAPING	15,000	15,000	0	0.00	0.00	15,000.00	0.00
51000542.03	R & M- BUILDING	0	0	0	0.00	0.00	0.00	0.00
51000542.21	R & M- INFRAS. (HARBO	0	0	0	0.00	0.00	0.00	0.00
51000542.25	R & M- BUILD (NAUTICAL	5,000	11,000 (	6,000)	0.00	0.00	11,000.00	0.00
51000543.04	R & M IMPROVEMENT OTB	2,500	2,500	0	0.00	0.00	2,500.00	0.00
51000543.06	R & M- IMPROVEMENTS (	0	0	0	0.00	0.00	0.00	0.00
51000543.22	R & M- BUILD (CITY HAR	1,000	1,000	0	0.00	0.00	1,000.00	0.00
51000544.50	R & M- FURNITURE & EQU	1,000	6,000 (	5,000)	0.00	0.00	6,000.00	0.00
51000544.55	R & M- VEHICLES & TRAI	500	500	0	0.00	0.00	500.00	0.00

Item #3.

50 PORT REVENUE FUND
OPERATIONS
DEPARTMENTAL EXPENDITURES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
51000544.65 R & M- MACHINERY & EQU	200	200	0	0.00	0.00	0.00	200.00	0.00
51000544.75 DREDGING	450,000	0	450,000	0.00	0.00	16,075.00	(16,075.00)	0.00
TOTAL MAINTENANCE	475,200	36,200	439,000	0.00	0.00	16,822.00	19,378.00	46.47
SUNDRY								
51000552.02 PRI & INT EXPENSE	0	0	0	0.00	0.00	0.00	0.00	0.00
51000552.03 BOND ISSUANCE COST- AM	0	0	0	0.00	0.00	0.00	0.00	0.00
51000552.15 DEBT SERVICE- PRINCIP	0	0	0	0.00	0.00	0.00	0.00	0.00
51000552.25 DEBT SERVICE- INTEREST	0	0	0	0.00	0.00	0.00	0.00	0.00
51000553.01 XFER OUT- FD 001- ADMI	35,583	42,371	(6,788)	0.00	0.00	0.00	42,371.00	0.00
51000553.02 XFER OUT- FD 310- '08	127,128	123,395	3,733	0.00	0.00	0.00	123,395.00	0.00
51000553.05 XFER OUT- FD 322 - 201	133,201	134,326	(1,125)	0.00	0.00	0.00	134,326.00	0.00
51000553.60 XFER OUT- FD 165 HAZAR	0	0	0	0.00	0.00	0.00	0.00	0.00
51000553.65 XFER OUT- FD 210 EDA G	0	0	0	0.00	0.00	0.00	0.00	0.00
51000553.80 XFER OUT- FD 220	0	0	0	0.00	0.00	0.00	0.00	0.00
51000554.81 DEPRECIATION EXPENSE	185,984	0	185,984	0.00	0.00	0.00	0.00	0.00
51000554.84 BAD DEBT EXPENSE	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL SUNDRY	481,896	300,092	181,804	0.00	0.00	0.00	300,092.00	0.00
CAPITAL EXPENDITURES								
51000561.02 CE- LAND & IMPROVEMENT	0	0	0	0.00	0.00	0.00	0.00	0.00
51000562.03 CE- BUILDING & IMPROV	80,000	0	80,000	0.00	0.00	36,740.00	(36,740.00)	0.00
51000563.05 CE- INFRASTRUCTURE	665,000	14,217,000	(13,552,000)	0.00	0.00	312,898.34	13,904,101.66	2.20
TOTAL CAPITAL EXPENDITURES	745,000	14,217,000	(13,472,000)	0.00	0.00	349,638.34	13,867,361.66	2.46
TOTAL OPERATIONS	1,876,075	14,730,507	(12,854,432)	8,295.84	8,295.84	366,460.34	14,355,750.82	2.54

REVENUE AND EXPENDITURES REPORT (UNAUDITED)
AS OF: OCTOBER 31ST, 2021

50 RT REVENUE FUND
NO DEPARTMENTAL

DEPARTMENTAL EXPENDITURES

ORIGINAL BUDGET AMENDED BUDGET BUDGET ADJUSTMENT CURRENT PERIOD YEAR TO DATE ACTUAL TOTAL ENCUMBRANCE BUDGET BALANCE % OF BUDGET

PERSONNEL SERVICES

59800512.03 GROUP H/D INS CLAIMS 0 0 0 0.00 0.00 0.00 0.00 0.00
59800512.05 EMPLOYER- SOCIAL SECUR 0 0 0 0.00 0.00 0.00 0.00
59800512.10 EMPLOYER- TMRS 0 0 0 0.00 0.00 0.00 0.00
59800512.40 SAFETY PAY 0 0 0 0.00 0.00 0.00 0.00
TOTAL PERSONNEL SERVICES 0 0 0 0.00 0.00 0.00 0.00

SUNDRY

59800551.203 GROUP H/D INS CLAIMS 0 0 0 0.00 0.00 0.00 0.00
TOTAL SUNDRY 0 0 0 0.00 0.00 0.00 0.00

TOTAL NON DEPARTMENTAL

===== 0 ===== 0 ===== 0 ===== 0.00 ===== 0.00 ===== 0.00 ===== 0.00 =====

TOTAL EXPENDITURES

1,927,575 14,861,007 (12,933,432) 8,415.33 8,415.33 386,444.05 14,466,147.62 0.00
REVENUES OVER/ (UNDER) EXPENDITURES 0 (252,857) 252,857 55,116.59 55,116.59 (386,444.05) 78,470.46 131.03

*** END OF REPORT ***

504-PORT REVENUE FUND

ACCOUNT# TITLE

ASSETS

=====

111.21	CLAIM ON CONS CASH	738,433.43	
112.11.6001	INVESTMENTS-LOGIC	753,003.46	
113.24	UNAPPLIED CREDITS (	4,375.02)	
113.27	PTC ACCTS RECEIVABLE (UB	79,612.56	
116.01.0001	PREPAID INSURANCE	12,761.32	
151.01.1000	LAND	1,919,338.57	
152.01.1000	BUILDINGS	1,313,990.38	
152.02.2000	ACCUM DEPRECIATION-BUIL(	757,535.28)	
153.01.1000	IMPROVEMENTS OTHER THAN	1,967,672.24	
153.02.2000	ACCUM DEPR-IMPR OTHER T(	1,561,633.44)	
154.01.1000	MACHINERY & EQUIPMENT	27,343.00	
154.02.2000	ACCUM DEPR-MACHINERY & (	27,343.00)	
155.01.1000	CONSTRUCTION IN PROGRESS	60,560.91	
156.01.1000	INFRASTRUCTURE	4,590,627.69	
156.02.2000	ACCUM DEPREC.- INFRASTR(	2,782,183.55)	
			6,330,273.27
			=====
	TOTAL ASSETS		6,330,273.27
			=====

LIABILITIES

=====

207.21	CUSTOMER DEPOSIT	100.00	
211.10	AP PENDING (DUE TO CONS	2,041.64	
211.99	YMCA (	4.35)	
212.30	ACCRUED VACATION	1,606.28	
213.01	BOND PREMIUM (SERIES '18	99,435.95	
216.20.3006	BONDS PAYABLE-CURRENT	160,000.00	
221.20	BONDS PAYABLE NON-CURREN	2,270,000.00	
			2,533,179.52
			=====
	TOTAL LIABILITIES		2,533,179.52
			=====

FUND EQUITY/BALANCE

=====

320.07	ENCUMBRANCES (	502,910.64)	
320.08	RESERVE FOR ENCUMBRANCES	502,910.64	
320.09	PRIOR YEAR ENCUMBRANCE	110,587.52	
320.10	PRIOR YEAR RESERV/ENC (	110,587.52)	
320.60	FUND BALANCE COMMITTED	90,552.00	

BALANCE SHEET - UNAUDITED
AS OF: OCTOBER 31ST, 2021

504-PORT REVENUE FUND

ACCOUNT#	TITLE	
320.65	NET INVEST. IN CAPITAL A	3,393,536.00
320.98	FUND BALANCE UNRESV	999,973.60
TOTAL FUND EQUITY/BALANCE		4,484,061.60
TOTAL REVENUES		63,531.92
TOTAL EXPENSES		8,415.33
UNPOSTED PRIOR YEAR		(742,084.44)
EXCESS REVENUES OVER EXPENDITURES		(686,967.85)
TOTAL LIABILITIES & FUND EQUITY/BALANCE		6,330,273.27

COMMUNICATION

SUBJECT: RECEIVE STATUS REPORTS OF CAPITAL IMPROVEMENT PROJECTS

INFORMATION:

a) Upper Docks at City Harbor - Presenter Matt Glazeb) Renovations to Nautical Landing Marina Break-water, TPWL Grant - Presenter Matt Glazac) Disposal of dredge materials at Smith Harbor - Presenter Alex Davilad) Repairs at tracts 9 and 10 – Presenter Jim Rudellate) Repair of hill at Scully's – Presenter Jim Rudellatf) Improvements to the Nautical Landings Marina Building - Presenter Jim Rudellatg) Moorings for Poor Boy's Bait – Presenter Jim Rudellath) CDBG-MIT Coastal Resilience Project / Restore Project – Presenter Jody Weaver

AGENDA 4 (a)

Item #4.

Project Reporting Date	9/28/2021
Project Name	Upper Dock City Harbor Dock Repairs
Engineer	Urban Engineering
Contractor	Staff Concrete

Notice of Award	9/29/2021
Notice To Proceed	11/10/2021
Completion Date	1/22/2022
Final Inspection	2/5/2022

Status Summary

The pre-construction meeting was held on 11-10-21. Staff Concrete intends to start 11-15-21.

AGENDA 4 (b)

Item #4.

Project Reporting Date	11/12/2021
Project Name	Nautical Landings Breakwater
Engineer	Urban Engineering
Contractor	n/a

Notice of Award	n/a
Notice To Proceed	n/a
Completion Date	n/a
Final Inspection	n/a

Status Summary

The plans are complete awaiting Texas Parks and Wildlife approval to bid the project.

Working on completing documents for approval including Texas Historical Commission & Section 7 Environmental Assessment.

AGENDA 4 (c)

Item #4.

Project Reporting Date	11/12/2021
Project Name	Smith Harbor Dredging
Engineer	Urban Engineering
Contractor	Derrick Construction

Notice of Award	4/13/2021
Notice To Proceed	7/1/2021
Completion Date	10/23/2012
Final Inspection	n/a

Status Summary

Derrick Construction completed dredging on 9/23/21. Eddie Fisher completed the final hydrographic survey. Waiting on documents to close out the project.







CITY OF PORT LAVACA

DATE: 11.10.2021

PC MEETING: 11.16.2021

TO: PORT COMMISSION CC: J. RUDELLAT

FROM: JODY WEAVER, INTERIM CITY MANAGER

SUBJECT: CDBG-MIT GRANT COASTAL RESILIENCY PROJECT / RESTORE GRANT

CDBG-MIT COASTAL RESILIENCY: We are still waiting on receipt of the grant contract documents from the GLO for this 13.6M CDBG-Mitigation Grant. There is no action to be taken until we receive this contract from the GLO. After that we can begin negotiations with the selected engineer, Mott McDonald, for professional engineering services for the project.

RESTORE: The revised application has been submitted and we are waiting on it's review by TCEQ.

2023 TEXAS COASTAL RESILIENCY MASTER PLAN (TCRMP) TECHNICAL ADVISORY COMMITTEE (TAC): The City of Port Lavaca is represented on this Committee with myself, Tim Dent and Jim Rudellat. I attended the virtual TAC meeting held on November 5 and Jim and Tim will be attending the virtual meeting on November 18.

This meeting focuses on the proposed process and formulation of data-driven action areas to be presented in the 2023 Plan document. These "Actions" will be intended to offer opportunities for a greater understanding of the coastal resiliency goals and applied strategies in each region of the Texas coast. (We are Region 2).

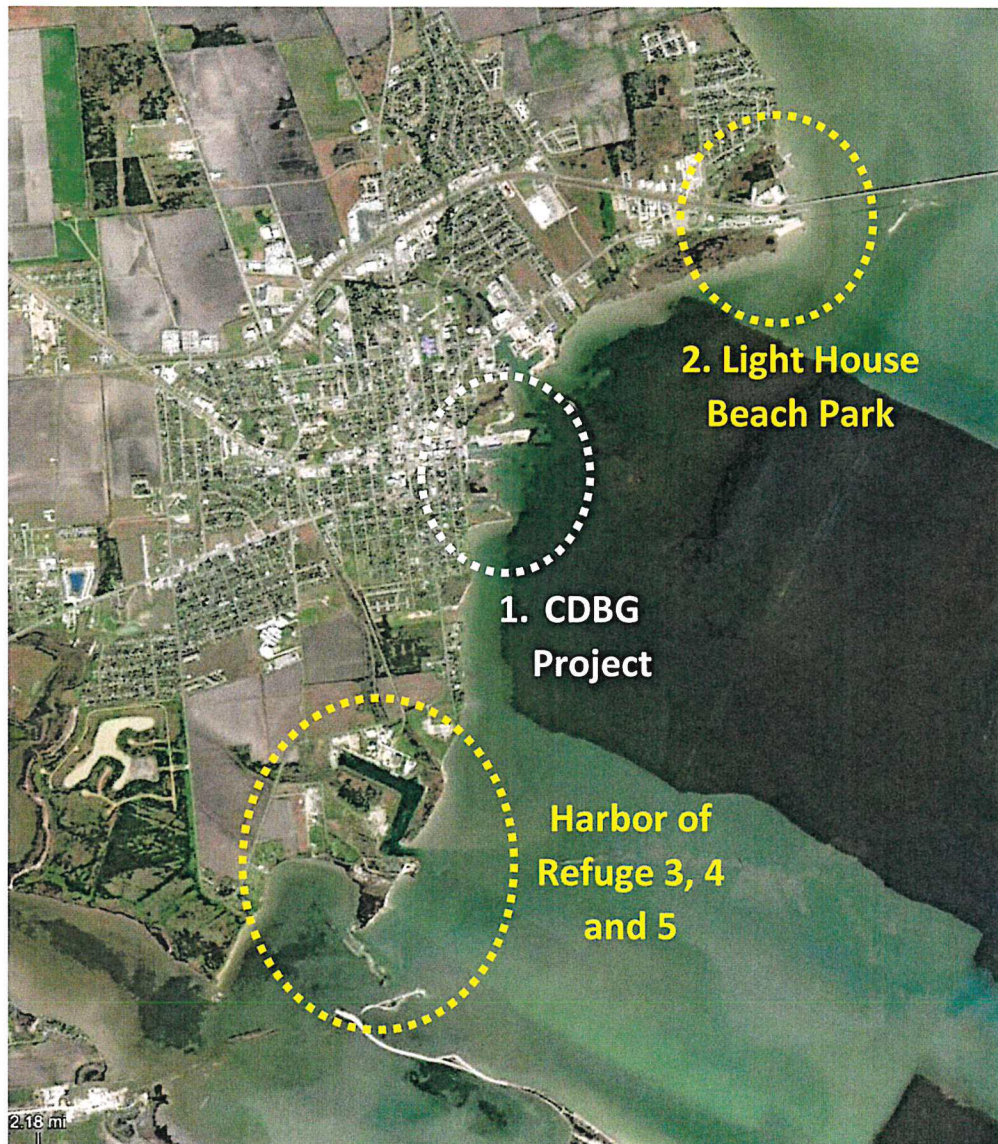
I had a nice telephone conversation with Josh Oyer, the Coastal Planner with the GLO, a couple weeks ago regarding projects that we might want to consider for inclusion in the 2023 TCRMP. As very preliminary input, I sent the following information on possible projects. There are scheduled a series of specific workshops in January and February that I will be attending virtually including such topics as

- Managing Coastal Habitats
- Managing Bay Shorelines
- Improving Community Resiliency
- Addressing underrepresented needs
- Maintaining Coastal Economic Growth

If any board member would be interested in participating in any of these meetings or receiving a copy of the power point from any meeting, let me know.

Attached: submitted to Josh Oyer, GLO

**City of Port Lavaca Coastal Shoreline Emergency Needs
Projects Recommended to be Added to the GLO Texas Resiliency
Master Plan.**



City of Port Lavaca Shoreline Protection and Restoration Projects.

1. Downtown Living Shorelines-Storm Protection (CDBG Funded Project in Progress).
2. Light House Beach Park Living Shorelines and Beneficial Use of Dredge Material.
3. Harbor of Refuge Old Landfill Shoreline Erosion Response and Protection.
4. Harbor of Refuge Peninsula Shoreline Protection and Flood Mitigation.
5. Harbor of Refuge Shoreline Protection and Marsh Restoration through BUDM.

CDBG City of Port Lavaca Living Shorelines. This is a Texas General Land Office (GLO) project already selected by the CDBG as a storm protection and mitigation project. The City of Port Lavaca (City) is not asking for support from the GLO Coastal Resources Program for this project, it is just informing that the City has the commitment to protect and enhance the natural environment on the city shorelines and submitted this application combining the storm protection needed and the enhancement of the natural environment.

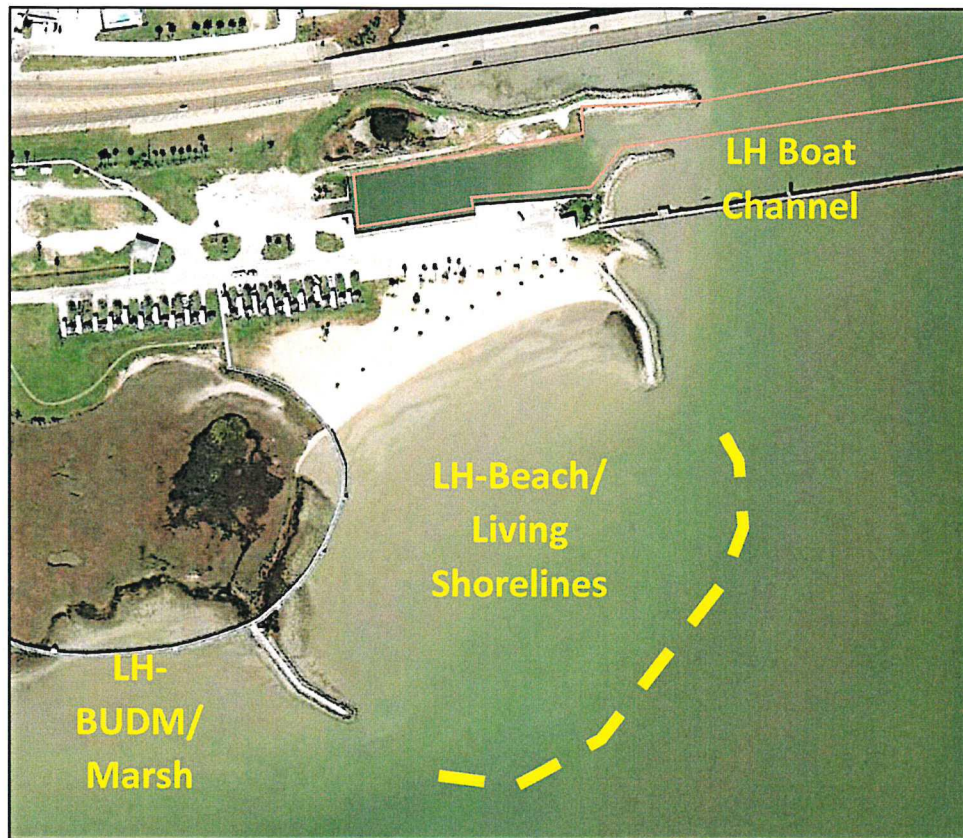
RESTORE Act Barge Removal. This is a TCEQ grant, funded through U.S. Department of Treasury (Treasury) as a Mitigation project. The Restore Grant application and supporting documentation for the removal of the remains of three (3) derelict abandoned barges and associated marine debris from the subsurface of Lavaca Bay near the entrance of Smith Harbor have been submitted to the Texas Commission on Environmental Quality (TCEQ). TCEQ is the “pass-through” state agency overseeing all Texas projects and the Treasury the federal agency overseeing all Restore Grant activities. The TCEQ will review the application for completeness and then forward to the Treasury for final approval. The Treasury will review and approve all grant applications in the Mitigation category simultaneously. Upon Treasury approval, the TCEQ will award the Mitigation grants for each project. As of this date, there is no estimated time of award for this project. While the GLO is unable to provide any direct funding, they do support the CoPL in their efforts to remove these derelict vessels. Although the GLO is not the lead agency for the Restore grant process, they are the agency that successfully worked with the Texas Senate to be included in Senate Bill 500, which directed over \$3 million dollars of funding to the GLO for the successful removal of more than 75 derelict vessels from Texas Coastal waters. The efforts of the GLO through SB500 provided valuable information for removals of this type, as well as highlighting the support of our Texas Government for projects with this intent. The City of Port Lavaca (CoPL) is the only derelict vessel removal project in the Mitigation category of the Restore Grant and with an estimated budget of \$500,000 we are anticipating approval. The removal of the derelict vessels and any associated debris will be another step toward the success of the long-range goals for the improvement of the Coastal environment of the CoPL.

Future GLO Coastal Program Support with these City of Port Lavaca Coastal Projects.

The City is asking the Texas General Land Office to include the following projects to the Texas Resiliency Master Plan. The City plan to ask GLO to consider these coastal erosion and restoration needs where the City can receive funding through the Coastal Erosion Planning and Response Act (CEPRA), Coastal Zone Management Projects of Special Merit, GOMESA or other program available for these types of projects.

A list of project needs is presented with descriptions.

2. Lighthouse (LH) Public Beach Park Project.



The Lighthouse Public Beach project needs a feasibility study to understand the general coastal processes affecting the area and develop potential solutions. The Lavaca Bay fetch and frequent impacts by storms affect the sediment transport processes where the recreational beach needs protection. The public sandy beach erodes fast after beach renourishment events. This is combined with the replacement of fine sediments that tend to replace the sandy beach, limiting the recreational opportunities for the visitors to the park area. It has been recommended that a potential solution may be the development of Living Shorelines in front of the public beach to reduce the energy and fine sedimentation that is affecting the beach and the recreational areas. Also, sediment circulating in the area gets trapped in the boat access channel and the boat ramp becomes inaccessible limiting public access to the bay. The sediment trapped in the boat ramp basin and the access channel needs more protection to prevent future sedimentation. It has been proposed that an extension to the jetties protecting the boat access channel may be a solution to reduce the shoaling of the channel. Also, the sediment to be removed from the channel and in the future from the jetties and from the boat ramp can be used beneficially to recover and enhance the marshes on the west side of the public beach. This project needs a feasibility study to understand the sediment transport processes and projects alternatives responding to these processes. Based on the recommendations of the study, the city will hire a qualified coastal engineering firm to develop the designs and permits needed for the project.

3. Harbor of Refuge Old Landfill Shoreline Erosion Response and Protection.



The City of Port Lavaca Harbor of Refuge former landfill area corresponds to an old municipal landfill that was in operation from 1948 to 1977. The landfill was closed in 1978. In recent years, the shoreline along the east side has started to retreat exposing some trash to the Lavaca Bay waters. The city leases the land to some tenants that are constantly recovering the trash from the water. The trash problem is now being exposed as a public hazard in the local and regional social media venues. The City needs to develop a feasibility study with alternatives analysis to install a rock revetment of about 1040 ft long that can stop the shoreline retreat in the Harbor and stop the trash problem going to the bay. The shoreline protecting project will mitigate this shoreline environmental problem and will improve the public infrastructure available at the harbor, will reduce water quality problems, and will support a clean economy for the tenants at the harbor.

4. Harbor of Refuge Peninsula Shoreline Protection and Flood Mitigation.



The peninsula that protects the Harbor of Refuge is eroding at an extremely fast rate. A recent survey shows that approximately half the width of the peninsula was lost to erosion since 1989. Hurricane Harvey had a big impact to these shorelines removing the limited vegetation and impacting the vertical bluff. The peninsula is the only protection to the Harbor of Refuge and also, every year, the city loses valuable property that can be used for economic activities related to the Harbor of Refuge – over 10 acres since 1989. The sediment eroded on the shorelines ends up on the Harbor channel or blocks the Corporation Ditch in the north side, inducing flooding in the city downtown watershed. The shoreline erosion needs to be mitigated and the city is proposing the construction of a living shoreline measure or as a hard structure, potentially with some marshes between the hard solution and the shorelines.

The Corporation Ditch is one of the most important ditches collecting the runoff discharges coming from a large area in Port Lavaca. During Hurricane Harvey and other recent heavy rain events, large amounts of rain were not able to reach out the bay through the Corporation Ditch, which induced the flooding of a large area of Port Lavaca. Protecting the shorelines and developing a natural restoration option can reduce the shoreline retreat and also reduce the shoaling of the Corporation Ditch preventing future catastrophic flooding to the city. A feasibility study is needed to combine these benefits and develop sustainable solutions that will protect the infrastructure, the citizens of Port Lavaca and the natural environment. It is expected

that in the future, a significant amount of dredging material will be available in Matagorda Ship Channel that can add more sediment to potential marshes that can be included as part of the solutions to improve the natural environment.

5. Harbor of Refuge Shoreline Protection and Marsh Restoration through BUDM.



The south side of the City of Port Lavaca Harbor of Refuge corresponds to a peninsula that also protects the Harbor and has large areas of marsh. The marshes are disappearing due to shoreline erosion. The city installed a rock revetment on the south side of the Harbor channel to protect the entrance, but shoreline retreat has continued in an accelerated way. The shoreline retreat is so severe that is affecting a well-established mitigation site developed by the city as part of the Harbor expansion. A shoreline revetment was installed to protect the entrance of the Harbor, but shoreline and marsh erosion is coming from behind. As the marsh environment disappears the revetment is becoming a set of rocks in the water. The access road that goes to the peninsula, the mitigation site and the revetment area that was established to protect the Harbor is in a critical erosional stage. At least 2000 ft of shoreline protection (breakwater or living shorelines) need to be installed with the option of 10 acres of marsh for future BUDM alternatives in the area. The expected regular dredging of the Matagorda Ship Channel and the dredging of the Harbor of Refuge may provide future sediments for the marshes and enhance the environmental conditions of this area. Funding for a feasibility study is needed to develop the steps necessary to protect the infrastructure, bring some marshes that can keep the sediment in the natural system, protect critical environmental areas and protect vital Harbor infrastructure in the area.

COMMUNICATION

SUBJECT: RECEIVE STATUS REPORTS ON SPECIAL PROJECTS

INFORMATION:

a) Voluntary Restoration of disturbed final cover at the Harbor of Refuge Tract 16 - Presenter Jody Weaver
b) Limited Phase II Environmental Site Assessment of Harbor of Refuge Tracts 16, 17, and 17A - Presenter Jody Weaver
c) Proposed Air Burner for Brush Operations and Cleanup at the Harbor of Refuge - Presenter Jody Weaver

CITY OF PORT LAVACA

PORT COMMISSION MEETING: November 16, 2021

DATE: 11.10.2021

TO: PORT COMMISSION

CC: JIM RUDELLAT, HARBOR MASTER

FROM: JODY WEAVER, INTERIM CITY MANAGER 

SUBJECT: VOLUNTARY RESTORATION OF DISTURBED FINAL COVER AT THE HOR TRACT 16

Reference attached correspondence regarding RLB's lease of Tracts 16, 17 and 17a. Randy Boyd has paid and additional \$15,000 and signed a letter acknowledging that this project and other things will be accomplished by no later than December 15, 2021. Jim will keep in touch with RLB and be on site with Matt Glaze to make sure the work is completed properly. Recall that the scope includes providing 18" of clay soil and 6" of topsoil over an area about 150' x 95' and graded to drain.

Attachments: correspondence in reverse chronological order

CULLEN, CARSNER, SEERDEN & CULLEN, L.L.P.

Attorneys and Counselors at Law
P.O. Box 2938
119 S. Main

Victoria, Texas 77902-2938
Telephone (361) 573-6318
Fax: (361) 573-2603

*WILLIAM F. SEERDEN
*KEVIN D. CULLEN
JEAN S. CULLEN
PATRICK A. CULLEN
CASEY T. CULLEN
BRENDAN C. HOLM
EDWARD HERNANDEZ III
JESSICA R. PEISEN

*BOARD CERTIFIED
PERSONAL INJURY TRIAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

RICHARD D. CULLEN
(1927-2008)
CHARLES C. CARSNER, JR.
(1917-1993)

ANN L. CULLEN
OF COUNSEL

October 15, 2021

VIA CMRRR

RLB Contracting, Inc.
410 Broadway Street
Port Lavaca, TX 77979

Re: Tracts 16, 17 and 17a, Harbor of Refuge ("Property")

Dear Mr. and Mrs. Boyd:

Please be advised that the City of Port Lavaca has retained my firm to pursue claims against RLB Contracting, Inc. ("you"). The claims include forcibly evicting RLB from the Property and seeking rent due and other unresolved damages. As the Port Commission and City Manager have previously advised, you were on a month-to-month tenancy on the Property effective February 28, 2021. Since you failed to pay the rent of Five Thousand (\$5,000.00) Dollars for the month of October 2021, you are hereby notified that your month-to-month tenancy is terminated.

As you are aware, at the expiration of your lease on December 2019, you were requested to return possession of the Property to the City on or before February 28, 2021, in the same or substantially the same condition as when you started your lease with the City in 2002. This was to include, but not limit, the following:

1. Remove all materials, equipment, parts, structures, containers, debris, trash etc.
2. At any location where containers of oil or other containments have been stored, RLB, at its sole cost and expense, was to contract with a testing lab to adequately sample the area and analyze the soil for the presence of any contaminants, and if found, remediate the same per TCEQ guidelines. The selection of the testing lab and the areas sampled and tested shall be approved by the City and a City representative was to be present on site during the sampling operations. All sampling and restoration actions (should any samples test positive for any regulated

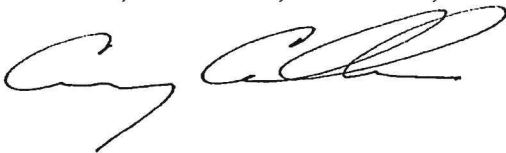
contaminants such as lead based paint, oil, etc.) was to be performed in strict accordance with TCEQ regulations and authorization.

3. At the location where, sandblasting operations have been performed, RLB, a its sole cost and expense, was to contract with a testing lab to adequately sample the area and analyze the soil for the presence of lead base paint and other contaminants, and if found, remediate the same per TCEQ guidelines.
4. Perform TCEQ required remediation in the area where RLB disturbed the landfill area to place its barge.
5. Prior to final release, RLB was to have the site mowed in order to verify that the site was clear of any small pieces of materials, parts and debris.

The City Council, on the recommendation of the Port Commission, extended the date for you to comply to September 30, 2021 so long as you continued to make progress on your clean-up efforts AND paid the ongoing rent. Not only did you fail to comply with those requirements by the September 30, 2021, to date you have still failed to comply with all of the requirements. I have been advised that your failure to comply with all of these requirements will no longer be tolerated by the City and to pursue legal action against you. As such, please let this letter serve as the City's demand that you vacate the premises by October 31, 2021 and fully comply with the terms of your agreement with City stated above. Your failure to do so will compel the City to seek legal action against you. The City reserves its right to seek a forcible detainer action against you and/or pursue legal action to collect rent due on the Property for the month of October, including any late fees, at a later date.

Sincerely,

CULLEN, CARSNER, SEERDEN, & CULLEN, LLP

A handwritten signature in black ink, appearing to read 'Casey T. Cullen', written over a horizontal line.

Casey T. Cullen

FRANK O. CARROLL III
Attorney at Law
Board-Certified – Civil Trial Law, NBTA

direct dial: 713-650-2664
focarroll@winstead.com

October 27, 2021

Via Fax: (361) 573-2603

Casey T. Cullen
Cullen, Carsner, Seeren & Cullen, L.L.P.

Re: Tracts 16, 17, and 17a, Harbor Refuge ("Property")

Dear Mr. Cullen:

I represent RLB Contracting, Inc. ("RLB"). I am in receipt of your correspondence regarding the Property dated October 15, 2021. RLB paid the rent owed, as well as future rent in the amount of \$15,000.00 on October 25, 2021. As such, RLB has paid rent through December 2021.

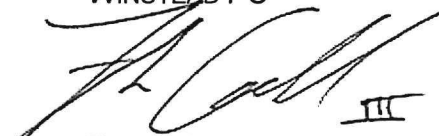
It has been brought to my attention that the City of Port Lavaca is proceeding with eviction of the Property even with the payment of \$15,000.00. On behalf of RLB, I hereby request that the City of Port Lavaca allow RLB 90 days for move-out and to comply with the additional terms of returning the Property to the City. This additional time is requested due to the unprecedented rain events that have prevented the removal of heavy equipment.

Please respond to this correspondence via email regarding the City's position on an agreement for a 90-day move-out no later than close of business on **October 28, 2021**. If we do not receive a response regarding this proposal, we will file and seek a Temporary Restraining Order on October 29, 2021.

Thank you in advance for your cooperation and I look forward to hearing from you. My client sincerely desires an amicable resolution, and I hope we can reach a simple agreement without the need for court intervention.

Regards,

WINSTEAD PC



FRANK O. CARROLL III

FOC/map

cc: jweaver@portlavaca.org

10/25/2021 10:50:25 100718401

59853



P.O. Box 1739
Port Lavaca, Texas 77979
(361) 552-2104 Fax (361) 552-2110



Port Lavaca, TX
88-502/1131
IBC Voice - (361) 553-4200



10/25/2021

PAY TO THE
ORDER OF City of Port Lavaca

Fifteen Thousand and 00/100 *****

\$ **15,000.00

DOLLARS

City of Port Lavaca
202 North Virginia
Port Lavaca, TX 77979

MEMO

PAYS THROUGH 12-31-2021

10059853 1013105025100718401

Valerie Boyd
AUTHORIZED SIGNATURE



Security features. Details on back.

RLB CONTRACTING, INC.

59853

City of Port Lavaca
Date 10/25/2021 Type Bill Reference OCT21-DEC21

Original Amt.
15,000.00

Balance Due
15,000.00

10/25/2021
Discount

Payment
15,000.00

Check Amount

15,000.00

Checking-IBC

PAYS THROUGH 12-31-2021

15,000.00

CULLEN, CARSNER, SEERDEN & CULLEN, L.L.P.

Attorneys and Counselors at Law
P.O. Box 2938
119 S. Main

Victoria, Texas 77902-2938
Telephone (361) 573-6318
Fax: (361) 573-2603

*WILLIAM F. SEERDEN
*KEVIN D. CULLEN
JEAN S. CULLEN
PATRICK A. CULLEN
CASEY T. CULLEN
BRENDAN C. HOLM
EDWARD HERNANDEZ III
JESSICA R. PEISEN

*BOARD CERTIFIED
PERSONAL INJURY TRIAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

RICHARD D. CULLEN
(1927-2008)
CHARLES C. CARSNER, JR.
(1917-1993)

ANN L. CULLEN
OF COUNSEL

October 28, 2021

VIA Email

Frank Carroll

Attorney for RLB Contracting, Inc.

Re: Tracts 16, 17 and 17a, Harbor of Refuge ("Property")

Act. 99-1303-00
#

Dear Mr. Carroll:

The City of Port Lavaca is willing to let RLB Contracting, Inc. ("RLB") continue the month-to-month tenancy with a rent of Five Thousand (\$5,000.00) Dollars a month through the end of December 2021 with the month-to-month tenancy terminating on December 31, 2021. The City will accept the Fifteen Thousand (\$15,000.00) Dollar check from RLB which it received on October 25, 2021 as payment for the rent through the end of the tenancy which is December 31, 2021. The agreement by the City of Port Lavaca to continue to the month-to-month tenancy is subject to RLB's agreement to begin performing the following immediately and have the following completed by December 31, 2021:

1. Remove all materials, equipment, parts, structures, containers, debris, trash etc.
2. Perform TCEQ required remediation in the area where RLB disturbed the landfill area to place its barge.
3. Mow the site in order to verify that the site was clear of any small pieces of materials, parts and debris. This is to occur during the final two weeks of the agreement.

In agreeing to extend the month-to-month tenancy, the City of Port Lavaca expressly reserves, and is in no way waiving, its right to pursue legal action against RLB for RLB's previous failure to perform under the month-to month tenancy as stated in my October 15, 2021 letter to RLB should RLB not perform its obligations under the agreement.

If RLB wishes to continue the month-to-month tenancy through December 31, 2021 pursuant to the terms of the month-to-month tenancy that took effect February 28, 2021 and those terms stated herein with the month-to-month tenancy terminating December 31, 2021, please indicate by having an authorized agent of RLB sign below and return to me.

Sincerely,

CULLEN, CARSONER, SEERDEN, & CULLEN, LLP



Casey T. Cullen

By signature below, RLB Contracting, Inc. ("RLB") hereby agrees to the extension of the month-to-month tenancy pursuant to the terms set forth herein.



(signature)

Printed Name: RANDY L. BOYD

Title: PRESIDENT

Date: 11/1/2021

CITY OF PORT LAVACA

PORT COMMISSION MEETING: November 16, 2021

DATE: 11.10.2021
TO: PORT COMMISSION
CC: JIM RUDELLAT, HARBOR MASTER
FROM: JODY WEAVER, INTERIM CITY MANAGER
SUBJECT: LIMITED PHASE II ESA OF TRACTS 16, 17, AND 17A OF THE HARBOR OF REFUGE

There is no activity to report on this item.

As you recall, earlier this year we contracted with CRG Texas Environmental Services to perform a Limited Phase II Environmental Site Assessment/TRRP Applicability Determination Report on the referenced site. This report was submitted to TCEQ in early July, requesting TCEQ consider exclusion of this site from further action under TRRP (Texas Risk Reduction Program).

It was my understanding from our consultant CRG that TCEQ had until November 1 to respond, however I have not heard anything. John Hogue is on vacation this week, but I will try to get an update prior to the Port Commission Meeting next week.

CITY OF PORT LAVACA

PORT COMMISSION MEETING: November 16, 2021

DATE: 11.10.2021

TO: PORT COMMISSION

CC: JIM RUDELLAT, HARBOR MASTER

FROM: JODY WEAVER, INTERIM CITY MANAGER

SUBJECT: BRUSH AT HARBOR OF REFUGE AND POTENTIAL SITE FOR AIR BURNER

Airburner status:

- I am waiting to get information back from Victoria Electric Coop on an estimated cost to bring 3-phase power to the County's former landfill site, so the air burner can be powered with electricity. Wayne Shaffer did meet with Commissioner Vern Lyssy a couple weeks ago and conceptually identified a location for the burner. They discussed working together to establish a brush/tire/recycle facility for all County residents. We're not sure yet whether improvement to the access drive over the railroad from SH 87 is feasible, so access will probably be from Westerland Grade/Landfill Road. I have mentioned to Mike Reeves with Republic that access may only be available from the Landfill Road and he will let me know if that will be an issue or not.
- Jim is working to get pricing to haul chips to Republic in Bloomington. We are limiting the contract to \$50,000 so we do not have to advertise in the newspaper with a full competitive bid package.

COMMUNICATION

SUBJECT: RECEIVE HARBOR MASTER'S OPERATIONS,
PROMOTION/DEVELOPMENT ACTIVITY REPORT

INFORMATION:

a) City Harborb) Nautical Landings Buildingc) Nautical Landings Marinad) Smith Harbore)
Harbor of Refuge

AGENDA 6

A) City Harbor

- 1) 30 September 2021 Gonzales contracting looked over washes behind bulkhead on track 9 and the washed out are behind Scullys.
- 2) 10 November 2021 Pre Construction meeting high dock. *Staff Concrete.*

B) Nautical Landings Building

- 1) 15 November 2021 Barefoot Construction will start door replacement.
- 2) 9 November 2021 contacted, awaiting lease from Allied Universal (G4S)
- 3) 8 November 2021 Council Ratified the below leases.
 - Port Lavaca Plumbing.
 - Bay Ltd.
 - Spiretech

C) Nautical Landings Marina

- 1) Awaiting sign and surrender title Dominic Diodato.
- 2) Matt Estes City Attorney is getting signatures from family.
- 3) Abandon boat
- 4) Horizon Environmental been onsite 0 times since last PC meeting.

D) Smith Harbor

- 1) Poor Boys Bait needs 5 pilings shopping cost.

E) Harbor of Refuge

- 1) Shopping cost for mulch loading & hauling to Victoria Landfill.
- 2) Chief Ragnow and Wayne Shaffer are researching the cameras.