



REGULAR PORT COMMISSION MEETING

Tuesday, November 15, 2022 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 15, 2022 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/87545576763?pwd=RnpQT2d4OFBkcnhUU1JFb0IxR3NCUT09>

Meeting ID: 875 4557 6763

Passcode: 478395

One Tap Mobile

*+13462487799,,82182482989#,,, *912619# 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 OCTOBER 18, 2022 - REGULAR MEETING.
 - b) MINUTES OF NOVEMBER 08, 2022 - SPECIAL MEETING.
2. RECEIVE HARBOR MASTER'S INSPECTION / MAINTENANCE REPORT.

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. ACTION ITEMS: RECEIVE STATUS REPORTS
 - a) Renovations to Nautical Landings Marina Breakwater - Presenter Jody Weaver
 - b) CDBG-MIT Coastal Resilience Project / Restore Project - Presenter Jody Weaver
 - c) Discuss property values and evaluations - Presenter Jody Weaver
5. ACTION ITEM - RECEIVE STATUS REPORTS ON SPECIAL PROJECTS
 - a) Status report regarding TCEQ inspection in June 2022 of Tract 17 and 17Ar - Presenter Jody Weaver
 - b) CRG Limited Phase II Environmental Site Assessment of the Harbor of Refuge Tracts 16, 17, and 17Ar - 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

RECEIVE REPORTS AND DISCUSS STATUS OF LEASES

- 7. DISCUSS LEASE OF TRACT 7, 8 AND 11 AT CITY HARBOR.
- 8. DISCUSS LEASE OF TRACT 3 AND 11 AT HARBOR OF REFUGE.
- 9. DISCUSS LEASE OF TRACT 9 AND 9A, AT CITY HARBOR.
- 10. ANNOUNCEMENT BY THE CHAIRMAN THAT THE PORT COMMISSION WILL RETIRE TO CLOSED SESSION.
 - FOR CONSULTATION WITH CITY ATTORNEY ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE PORT COMMISSION, UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS, CLEARLY CONFLICTS WITH THE OPEN MEETINGS ACT, IN ACCORDANCE WITH TITLE 5, CHAPTER 551, SECTION 551.071(2) OF THE TEXAS GOVERNMENT CODE.
- 11. RETURN TO OPEN SESSION AND TAKE ANY ACTION NECESSARY ON ITEM DISCUSSED IN CLOSED SESSION.

COMMENTS

- 12. 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 15, 2022**, beginning at 10:00 a.m., was posted at city hall, easily accessible to the public, as of **5:00 p.m. Thursday, NOVEMBER 10, 2022**.

_____/s/ RACHEL GARZA_____.

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 a) MINUTES OF OCTOBER 18, 2022 -
REGULAR MEETING.

INFORMATION:

b) MINUTES OF NOVEMBER 08, 2022 - SPECIAL MEETING.



REGULAR PORT COMMISSION MEETING

Tuesday, October 18, 2022 at 10:00 AM

City Council Chambers | 202 N. Virginia Street, Port Lavaca TX 77979

MINUTES

STATE OF TEXAS §
COUNTY OF CALHOUN §
CITY OF PORT LAVACA §

On this the 18th day of October 2022, the Port Commission of the City of Port Lavaca, Texas, convened in regular session at 10:00 a.m. in the regular meeting place in City Council Chambers at City Hall, 202 North Virginia Street, Port Lavaca, Texas, with the following Commissioners in attendance:

ROLL CALL:

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

CALL TO ORDER

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

CONSENT AGENDA

1. CONDUCT ELECTION OF SECRETARY AND TAKE ANY ACTION DEEMED NECESSARY.

Motion made by Commissioner McGuire

NOW THEREFORE, LET IT BE RESOLVED BY THE PORT COMMISSION OF THE CITY OF PORT LAVACA, TEXAS:

THAT, the Port Commission hereby appoints Commissioner Raymond Butler as Secretary.

Seconded by Commissioner Traylor.

Motion passed by the following vote:

Voting Aye:

Alex Davila, Mike McGuire, Larry Nichols, Michael Kovarek, Raymond Butler, Sue Traylor, and Jamie O'Neil.

Voting Nay: None

2. APPROVAL OF MINUTES

a) MINUTES OF SEPTEMBER 20, 2022 - REGULAR MEETING.

Motion made by Commissioner McGuire

NOW THEREFORE, LET IT BE RESOLVED BY THE PORT COMMISSION OF THE CITY OF PORT LAVACA, TEXAS:

THAT, the minutes of the Port Commission regular meeting held on October 18, 2022, are hereby approved.

Seconded by Commissioner Nichols.

Motion passed by the following vote:

Voting Aye:

Alex Davila, Mike McGuire, Larry Nichols, Michael Kovarek, Raymond Butler, Sue Traylor, and Jamie O'Neil.

Voting Nay: None

3. RECEIVE HARBOR MASTER'S INSPECTION / MAINTENANCE REPORT.

- A copy of these reports, in their entirety, can be found in the Port Commission's meeting packet dated October 18, 2022.

Motion made by Commissioner Butler

NOW THEREFORE, LET IT BE RESOLVED BY THE PORT COMMISSION OF THE CITY OF PORT LAVACA, TEXAS:

THAT, the Harbor Master's Inspection Report of the Port Commission regular meeting held on October 18, 2022, are hereby approved.

Seconded by Commissioner Kovarek.

Motion passed by the following vote:

Voting Aye:

Alex Davila, Mike McGuire, Larry Nichols, Michael Kovarek, Raymond Butler, Sue Traylor, and Jamie O'Neil.

Voting Nay: None

REPORTS**4. RECEIVE FINANCIAL REPORTS OF PORT REVENUE FUND**

- a) Tariff Report
- b) Account Aging Report
- c) Payment Report
- d) Revenue and Expenditure Report
- e) Balance Sheet
- f) Profit and Loss Cash Flow Report

- A copy of these reports, in their entirety, can be found in the Port Commission's meeting packet dated October 18, 2022.

ACTION ITEMS: RECEIVE STATUS REPORTS**5. ACTION ITEMS: RECEIVE STATUS REPORTS****a) Renovations to Nautical Landings Marina Breakwater - Presenter Jody Weaver**

The Port Lavaca Nautical Landings Boat Ramp — Breakwater Repair project TX F-321-B-1, F22AF03533 is currently being reviewed by the TPWD Federal Aid team. Once we receive Federal Aid verification, the agreement is ready to be signed by us (TPWD) and sent out for execution. Keep your eyes out for RGO email with the agreement and instructions for execution over the next few weeks.

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

CDBG-MIT Coastal Resiliency
No new update. Engineer is Coastal Engineering Analysis Phase.

RESTORE

We heard from TCEQ that we should have the contract to review and execute in the "next few weeks."

- Progress Report Update from Mott McDonald can be found in the Port Commission's meeting packet dated October 18, 2022.

c) Discuss property values and evaluations - Presenter Jody Weaver

Keith Barrett, Executive Director / Harbor Master of Aransas County Navigation District shared with the Commissioners his experience with using TEEL/Valbridge to evaluate and appraise their properties.

6. ACTION ITEM - RECEIVE STATUS REPORTS ON SPECIAL PROJECTS

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

We have not received a response from TCEQ since our submittal on June 7, 2022, in response to their records request.

Axis Demolition has completed the removal of the wood mats and plastic and metal debris piles. We will submit photos and disposal tickets to TCEQ this week.

Urban Engineering is working to schedule the topo survey for the identified area of disturbed soil in Tract 17A.

I have submitted an application to the Matagorda Bay Mitigation Trust to help fund the Phase 1 Engineering for a project to construct a combination revetment /bulkhead along this bank. Phase 1 includes 30% engineering design, application for a CEPRA grant and submittal-ready Corps of Engineers permit application.

If we are successful with the Trust application, we will continue down the CEPRA grant path for this shoreline protection and look to use the CDBG-MIT funds to protect the peninsula that protects the Harbor of Refuge as this project fits more closely with the goals and objectives of the CDBG-MITIGATION.

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

The drinking Water Survey requested by TCEQ was prepared on our behalf by CRG Environmental and submitted on time. We are waiting for a response from TCEQ for next steps.

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

a) City Harbor

- August 1, 2022, Contractor found the problem with the handrail at the upper dock should be on sight August 15, 2022 to make the necessary repairs. Staff should be back on site to complete the repairs by October 14, 2022.

b) Nautical Landings Building

- Testengeer is working on engineering and a scope of work for the electrical upgrades to go out for bids.

c) Nautical Landings Marina

- Matt Estes City Attorney awaiting probate.
- Abandon boat, found owner. In process of auctioning boat.
- Horizon Environmental has been onsite 12 times since last PC meeting.

d) Smith Harbor

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

e) Harbor of Refuge

- Axis Demolition should be on sight the week of the 19 September to start the clean up & dispose of the debris. They arrived as scheduled should be completed October 13, 2022.
- Aerial spraying

ACTION ITEMS: RECEIVE REPORTS AND DISCUSS STATUS OF LEASES**8. DISCUSS NEW LEASE FOR BAY LIMITED, EFFECTIVE NOVEMBER 1, 2022.**

Bay Ltd. did not notify us in time to exercise the one-year option available in their lease but would like to sign a new one year lease with a one year option.

The MCI for August is 9.4%.

Currently they are paying \$1,240.00 for rent (1.07/sf) + \$190 for electricity and \$20 for water/sewer

Applying a 9.4% increase to the rent brings it to \$1,356.56. Electricity and water remain the same. The lease states that these utilities are subject to change with any change in the per kWh or water/sewer base rates that the City pays.

Attached is a proposed Draft Lease document, reflecting an overall monthly payment of **\$1,566.56**, which includes the utilities. This is an overall 8% increase over the \$1,450.00 they currently pay.

The special provision states:

Tenant shall have the right with ninety (90) days advance written notice to City to exercise a single one (1) year option to extend the lease until October 31, 2024, however City shall have the right with sixty (60) days advance written notice to Tenant to deny any request to extend the lease and to terminate the lease at the end of the current term, being October 31, 2023. The rent for the single one (1) year option if executed shall be adjusted by the increase of the Municipal Cost Index as of August 2023.

Motion made by Commissioner Nichols

NOW THEREFORE, LET IT BE RESOLVED BY THE PORT COMMISSION OF THE CITY OF PORT LAVACA, TEXAS:

THAT, Chairman Davila, makes recommendation to accept new lease agreement for Bay Limited as proposed.

Seconded by Commissioner Butler.

Motion passed by the following vote:

Voting Aye:

Alex Davila, Mike McGuire, Larry Nichols, Michael Kovarek, Raymond Butler, Sue Traylor, and Jamie O'Neil.

Voting Nay: None

9. DISCUSS LEASE OF TRACT 3, 11 AND 12 AT HARBOR OF REFUGE.

Chairman Davila announced this agenda item would be discussed in closed session.

10. DISCUSS LEASE OF TRACT 9, 9A AND 10 AT CITY HARBOR.

Motion made by Commissioner Nichols

NOW THEREFORE, LET IT BE RESOLVED BY THE PORT COMMISSION OF THE CITY OF PORT LAVACA, TEXAS:

THAT, Chairman Davila, makes recommendation to accept new bid agreement for Tract 9 and 9A with a minimum bid of Thirty-eight Hundred dollars (\$3,800) with a one-year (1) lease and a one-year (1) option to renew with an MCI escalation clause.

Seconded by Commissioner Butler.

Motion passed by the following vote:

Voting Aye:

Alex Davila, Mike McGuire, Larry Nichols, Michael Kovarek, Raymond Butler, Sue Traylor, and Jamie O'Neil.

Voting Nay: None

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

Chairman Davila announced that Port Commission would retire into closed session at 11:30 a.m.

12. RETURN TO OPEN SESSION AND TAKE ANY ACTION NECESSARY ON ITEM DISCUSSED IN CLOSED SESSION.

Chairman Davila announced that Port Commission was back in open session at 11:56 a.m.

(A)

Motion made by Commissioner Nichols

NOW THEREFORE, LET IT BE RESOLVED BY THE PORT COMMISSION OF THE CITY OF PORT LAVACA, TEXAS:

THAT, Chairman Davila, makes recommendation to accept the bid offer from Encore for Tract 3 with the following terms, Three-Thousand dollars (\$3,000) with a one-year (1) lease and a one-year (1) option to renew, along with dock space at \$3.30 per linear foot.

Seconded by Commissioner O'Neil.

Motion passed by the following vote:

Voting Aye:

Alex Davila, Mike McGuire, Larry Nichols, Michael Kovarek, Raymond Butler, Sue Traylor, and Jamie O'Neil.

Voting Nay: None

(B)

Motion made by Commissioner Nichols

NOW THEREFORE, LET IT BE RESOLVED BY THE PORT COMMISSION OF THE CITY OF PORT LAVACA, TEXAS:

THAT, Chairman Davila, makes recommendation to place Tract 11 and 12 out for bid at a minimum cost of \$350.00/acre.

Seconded by Commissioner Kovarek.

Motion passed by the following vote:

Voting Aye:

Alex Davila, Mike McGuire, Larry Nichols, Michael Kovarek, Raymond Butler, Sue Traylor, and Jamie O'Neil.

Voting Nay: None

COMMENTS

13. COMMENTS FROM THE COMMISSIONERS.

No Comments

ADJOURNMENT

Commissioner McGuire made a motion to adjourn the meeting.

Commissioner Traylor seconded this motion.

Motion passed by the following vote:

Voting Aye:

Alex Davila, Mike McGuire, Larry Nichols, Michael Kovarek, Raymond Butler, Sue Traylor, and Jamie O'Neil.

Voting Nay: None

Meeting adjourned at 12:06 p.m.

These minutes were approved on November 15, 2022.

ATTEST:

Alex Davila, Chairman

Rachel Garza, Admin. Assistant



SPECIAL PORT COMMISSION MEETING

Tuesday, November 08, 2022, at 10:00 AM

City Council Chambers | 202 N. Virginia Street, Port Lavaca TX 77979

MINUTES

STATE OF TEXAS §
 COUNTY OF CALHOUN §
 CITY OF PORT LAVACA §

On this the 8th day of November 2022, the Port Commission of the City of Port Lavaca, Texas, convened for a Special session at 10:00 a.m. in the regular meeting place in City Council Chambers at City Hall, 202 North Virginia Street, Port Lavaca, Texas, with the following Commissioners in attendance:

ROLL CALL:

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

CALL TO ORDER

ACTION ITEMS: LEASES

1. CONSIDER EXISTING LEASE OF TRACT 17, 17Ar. AND NEW LEASE OF TRACT 11 AT THE HARBOR OF REFUGE.

Chairman Davila announced this agenda item would be discussed in closed session.

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

Chairman Davila announced that Port Commission would retire into closed session at 10:03 a.m.

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

Chairman Davila announced that Port Commission was back in open session at 10:48 a.m.

(A)

Motion made by Commissioner McGuire

NOW THEREFORE, LET IT BE RESOLVED BY THE PORT COMMISSION OF THE CITY
OF PORT LAVACA, TEXAS:

THAT, Chairman Davila, makes recommendation to lease Tract 11 to Encore with the following
recommendations, Twenty-Five Hundred (\$2,500) dollars with a one-year (1) lease and a one-year (1) option with
an annual MCI of 2% minumum and a 5% maximum.

Motion died due to lack of a second.

(B)

Motion made by Commissioner Butler

NOW THEREFORE, LET IT BE RESOLVED BY THE PORT COMMISSION OF THE CITY
OF PORT LAVACA, TEXAS:

THAT, Chairman Davila, makes recommendation to lease Tract 11 to Encore with the following
recommendations, Twenty-Five Hundred (\$2,500) dollars with a one-year (1) lease.

Motion died due to lack of a second.

(C)

Motion made by Commissioner O'Neil

NOW THEREFORE, LET IT BE RESOLVED BY THE PORT COMMISSION OF THE CITY
OF PORT LAVACA, TEXAS:

THAT, Chairman Davila, makes recommendation to lease Tract 11 to Encore with the following
recommendations, Twenty-Five Hundred (\$2,500) dollars with a five-year (5) lease, no option, with an annual MCI
of 2% minumum and a 5% maximum.

Seconded by Commissioner Nichols.

Motion failed by the following vote:

Voting Aye:

Jamie O'Neil, Michael Kovarek, Larry Nichols

Voting Nay:

Mike McGuire, Raymond Butler, Sue Traylor, and Alex Davila

(D)

Motion made by Commissioner Traylor

NOW THEREFORE, LET IT BE RESOLVED BY THE PORT COMMISSION OF THE CITY OF PORT LAVACA, TEXAS:

THAT, Chairman Davila, makes recommendation to lease Tract 11 to Encore with the following recommendations, Twenty-Five Hundred (\$2,500) dollars with a three-year (3) lease, no option, with an annual increase on October 1st, using the actual variable MCI.

Seconded by Commissioner Butler.

Motion passed by the following vote:

Voting Aye:

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

Voting Nay: James O'Neil

(E)

Motion made by Commissioner Nichols

NOW THEREFORE, LET IT BE RESOLVED BY THE PORT COMMISSION OF THE CITY OF PORT LAVACA, TEXAS:

THAT, Chairman Davila, makes recommendation to designate Tract 11, 12, 13 and "No Man's Land" to be know as Tract 11 as shown on Exhibit A.

Seconded by Commissioner Kovarek.

Motion passed by the following vote:

Voting Aye:

Alex Davila, Mike McGuire, Larry Nichols, Michael Kovarek, Raymond Butler, Sue Traylor and James O'Neil.

Voting Nay:

None

ADJOURNMENT

Commissioner Nichols made a motion to adjourn the meeting.

Commissioner Butler seconded this motion.

Motion passed by the following vote:

Voting Aye:

Alex Davila, Mike McGuire, Larry Nichols, Michael Kovarek, Raymond Butler, Sue Traylor, and Jamie O'Neil.

Voting Nay: None

Meeting adjourned at 11:05 a.m.

These minutes were approved on November 15, 2022.

ATTEST:

Alex Davila, Chairman

Rachel Garza, Admin. Assistant

COMMUNICATION

SUBJECT: RECEIVE HARBOR MASTER'S INSPECTION / MAINTENANCE REPORT.

INFORMATION:

Port Lavaca Port Commission Monthly Inspection

Month: 15 NOVEMBER 2022 Location: Harbor of Refuge

1. Road

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

2. Rail spur

Condition: Satisfactory Unsatisfactory Not Applicable

Comments: 2 NOVEMBER 2022 Diamond K completed the rail spur repair.

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:

14. TRASH Piles

Condition: Satisfactory Unsatisfactory Not Applicable

Comments: 13 OCTOBER 2022 Axis completed cleanup.

Harbor Master: _____

Port Lavaca Port Commission Monthly Inspection

Month: 15 NOVEMBER 2022 Location: City Harbor

1. Fueling 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:

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: 15 August 2022 Staff was on site to repair the Aluminum handrail at the high dock, most of the problems were corrected should be back 14 October 2022 to complete per Matt Glaze. 17 OCTOBER 2022 Staff completed handrail.

12. Cement Slab

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

13. Bulkhead

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

Harbor Master: _____

Port Lavaca Port Commission Monthly Building Inspection

Month: 15 NOVEMBER 2022 Location: NLB

1. Doors:

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

2. Decking:

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

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

Comments:

6. Electrical & Lights

Condition: Satisfactory Unsatisfactory Not Applicable
Comments:

7. HVAC

Condition: Satisfactory Unsatisfactory Not Applicable
Comments:

8. Roof:

Condition: Satisfactory Unsatisfactory Not Applicable
Comments: 28 JANUARY 2022 ROOF LEAK APPEARED OVER SUITE 2.

9. Parking:

Condition: Satisfactory Unsatisfactory Not Applicable
Comments:

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: 15 NOVEMBER 2022 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:

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

9. Cleats & Keels

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:

12. Cement Cap

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

13. Bulkhead

Condition: **Satisfactory** Unsatisfactory Not Applicable

Com

Harbor Master: _____

COMMUNICATION

SUBJECT: RECEIVE FINANCIAL REPORTS OF PORT REVENUE FUND

INFORMATION:

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

HELENA CHEMICAL

Date Received	Reference	Description	BARGE	RAIL	REPORTING MONTH	FERTILIZER BULK TONS	TARIFF AMOUNT PAID @ \$0.65 PER TON
10/21/2021	1111695	HELENA CHEMICAL	4713.605	743.575	10/2021	5,457.180	\$3,541.61
1/24/2022	1122686	HELENA CHEMICAL	4573.691	742.95	11/2021	5,316.641	\$3,455.82
12/28/2021	1119494	HELENA CHEMICAL	3102.521	0	12/2021	3,102.521	\$2,016.64
2/9/2022	1124789	HELENA CHEMICAL	4801.742	758.62	01/2022	5,560.362	\$3,614.24
3/7/2022	1128015	HELENA CHEMICAL	16086.385	2265.794	02/2022	18,352.179	\$11,928.92
3/29/2022	1130371	HELENA CHEMICAL	6212.435	2245.603	03/2022	8,458.038	\$5,497.72
4/26/2022	1133628	HELENA CHEMICAL	4707.816	0	04/2022	4,707.816	\$3,060.08
6/3/2022	ACH	HELENA CHEMICAL	7629.245	0	05/2022	7,629.245	\$4,959.01
6/22/2022	ACH	HELENA CHEMICAL	2949.473	0	06/2022	2,949.473	\$1,917.16
7/29/2022	ACH	HELENA CHEMICAL	3192.571	0	07/2022	3,192.571	\$2,075.17
9/2/2022	1149524	HELENA CHEMICAL	2830.64	0	08/2022	2,830.640	\$1,839.92
9/23/2022	ACH	HELENA CHEMICAL	6109.727	0	09/2022	6,109.727	\$3,971.32

FY 2021-2022 - TOTAL	\$47,877.61
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Date Received	REPORTING MONTH	Reference	Description	RAIL	REPORTING MONTH	PAID
10/1/2021	21-Oct	CK 3523717	MONTHLY RAIL FEE	\$833.00	10/2021	PAID
10/29/2021	21-Nov	CK 3532985	MONTHLY RAIL FEE	\$833.00	11/2021	PAID
12/3/2021	21-Dec	CK 3543882	MONTHLY RAIL FEE	\$833.00	12/2021	PAID
1/10/2022	22-Jan	CK 3554856	MONTHLY RAIL FEE	\$833.00	01/2022	PAID
2/1/2022	22-Feb	CK 3561730	MONTHLY RAIL FEE	\$833.00	02/2022	PAID
3/3/2022	22-Mar	CK 3570991	MONTHLY RAIL FEE	\$833.00	03/2022	PAID
4/7/2022	22-Apr	CK 3582043	MONTHLY RAIL FEE	\$833.00	04/2022	PAID
4/27/2022	22-May	ACH	MONTHLY RAIL FEE	\$833.00	05/2022	PAID
5/27/2022	22-Jun	ACH	MONTHLY RAIL FEE	\$833.00	06/2022	PAID
6/28/2022	22-Jul	ACH	MONTHLY RAIL FEE	\$833.00	07/2022	PAID
7/27/2022	22-Aug	ACH	MONTHLY RAIL FEE	\$833.00	08/2022	PAID
8/30/2022	22-Sep	ACH	MONTHLY RAIL FEE	\$833.00	09/2022	PAID

HELENA CHEMICAL

Date Received	Reference	Description	BARGE	RAIL	REPORTING MONTH	FERTILIZER BULK TONS	TARIFF AMOUNT PAID @ \$0.65 PER TON	
		HELENA CHEMICAL	3624.191		10/2022	3,624.191	\$2,355.72	***
		HELENA CHEMICAL			11/2022			
		HELENA CHEMICAL			12/2022			
		HELENA CHEMICAL			01/2023			
		HELENA CHEMICAL			02/2023			
		HELENA CHEMICAL			03/2023			
		HELENA CHEMICAL			04/2023			
		HELENA CHEMICAL			05/2023			
		HELENA CHEMICAL			06/2023			
		HELENA CHEMICAL			07/2023			
		HELENA CHEMICAL			08/2023			
		HELENA CHEMICAL			09/2023			
FY 2022-2023 - TOTAL							\$2,355.72	

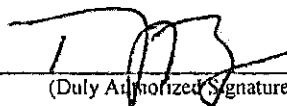
*** Reach out to Cindy Calvin, Helena Corp. Office. She checking status on payment. Payment was electronically sent on 10/21/2022 but has not shown up in our account.

Date Received	REPORTING MONTH	Reference	Description	RAIL	REPORTING MONTH	PAID
10/27/2022	1-Oct	ACH	MONTHLY RAIL FEE	\$833.00	10/2022	PAID
			MONTHLY RAIL FEE		11/2022	
			MONTHLY RAIL FEE		12/2022	
			MONTHLY RAIL FEE		01/2023	
			MONTHLY RAIL FEE		02/2023	
			MONTHLY RAIL FEE		03/2023	
			MONTHLY RAIL FEE		04/2023	
			MONTHLY RAIL FEE		05/2023	
			MONTHLY RAIL FEE		06/2023	
			MONTHLY RAIL FEE		07/2023	
			MONTHLY RAIL FEE		08/2023	
			MONTHLY RAIL FEE		09/2023	

MONTHLY TARIFF REPORTDATE: October 21, 2022REPORTING PERIOD: October 2022
(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)-----
3,624.191 Tons of Fertilizer Barge @ 0.65¢ per ton
(Name Product)
(Name Product)0 Rail @ 0.65¢ per ton

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 \$ \$2,355.72 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 21 day of October, 2022.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 Commission 202 N. Virginia StFax No.: (361) 552-6062
Port Lavaca, TX 77979

<i>BARGES</i>	<i>MATERIAL / REF #</i>	<i>DATE</i>	<i>HELENA / Tons</i>	<i>LIQUID / DRY</i>
STC-422	NITSOL	9/25/2022	3,020.582	LIQUID
KIRBY-28311	AMTHIO	9/26/2022	603.609	LIQUID

[illegible]

Barge
3,624.191
\$2,355.72
Rail
0.000




KIRBY 28311

RECAPITULATION

CERTIFICATE OF OFFICIAL QUANTITY BASED ON SHORE TANK FIGURES

<u>QUANTITY</u>	<u>SHORE FIGURES</u>	<u>BARGE FIGURES</u>	<u>SHORT TONS</u>
Pounds	1,207,217.00	Before	2,680.945
Long Tons	538.94	After	2,085.860
Metric Tons	547.585	Difference	595.085
Short Tons	603.609		

Details of shore figures and barge measurements are attached.

Marine Technical Surveyors, Inc.

Larry C. Zeringue, Operations



STC 422

RECAPITULATION

CERTIFICATE OF OFFICIAL QUANTITY BASED ON SHORE TANK FIGURES

<u>QUANTITY</u>	<u>SHORE FIGURES</u>	<u>BARGE FIGURES</u>	<u>SHORT TONS</u>
Pounds	6,041,164.00	Before	3,020.178
Long Tons	2,696.95	After	0.000
Metric Tons	2,740.229	Difference	3,020.178
Short Tons	3,020.582		

Details of shore figures and barge measurements are attached.

Marine Technical Surveyors, Inc.

Larry C. Zeringue, Operations

MARINE TECHNICAL SURVEYORS, INC.

EQUALIZER / GULF MARK

Date Received	Reference	Description	CRUDE OIL	/	REPORTING MONTH	BARRELS OF CRUDE OIL	TARIFF AMOUNT PAID @ \$0.10 PER BARREL
11/18/2021	1115189	EQUALIZER, INC.	OIL	/	10/2021	29,755.850	\$2,975.58
12/21/2021	1118972	EQUALIZER, INC.	OIL	/	11/2021	40,177.560	\$4,017.76
2/1/2022	1123461	EQUALIZER, INC.	OIL	/	12/2021	31,936.470	\$3,193.65
3/7/2022	1128013	EQUALIZER, INC.	OIL	/	01/2022	20,123.540	\$2,012.35
3/21/2022	1129740	EQUALIZER, INC.	OIL	/	02/2022	25,167.370	\$2,516.74
6/24/2022	1141009	EQUALIZER, INC.	OIL	/	03/2022	28,379.070	\$2,837.91
5/16/2022	1136699	EQUALIZER, INC.	OIL	/	04/2022	66,462.600	\$6,646.26
6/22/2022	1140796	EQUALIZER, INC.	OIL	/	05/2022	64,583.700	\$6,458.37
7/29/2022	1145212	EQUALIZER, INC.	OIL	/	06/2022	45,975.330	\$4,597.53
8/17/2022	1147811	EQUALIZER, INC.	OIL	/	07/2022	55,547.250	\$5,554.72
9/29/2022	1152417	EQUALIZER, INC.	OIL	/	08/2022	49,657.970	\$4,965.80
10/25/2022	1155708	EQUALIZER, INC.	OIL	/	09/2022	44,965.490	\$4,496.56

FY 2021-2022 - TOTAL	\$50,273.23
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**CITY OF PORT LAVACA
PORT COMMISSION**

Item #3.

MONTHLY TARIFF REPORT

DATE:

09/30/2022

REPORTING PERIOD:

SEPTEMBER
(MONTH)

2022
(YEAR)

COMPANY NAME:

EQUALIZER INC

MAILING ADDRESS:

PO BOX 154579

(P. O. Box Number or Street)

WACO
(City)

TX
(State)

76715
(Zip Code)

<u> </u>	Tons of Fertilizer	<u> BARGE </u> (Name Product)	@ 0.65¢ per ton
<u>44,965.49</u>	Barrels of Crude Oil	<u> CRUDE OIL </u> (Name Product)	@ 0.010¢ per barrel
<u> </u>	Sacks of Oysters	<u> </u>	@ 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 \$ 4,496.56 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, 2022

 COMPTRROLLER
(Title)

 MARY MILLER
(Printed Name)

 Mary Miller
(Duly 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.

Attn : Paul Migala / GulfMark Energy Inc.
Shelly Smith / GulfMark Energy Inc.

paulm@gulfmarkenergy.com
shellys@gulfmarkenergy.com

Item #3.

Load RECAP - Original

Product

: CRUDE OIL

Vessel Location

: ATC - 3482 & 3583

: Gulfmark -Port Lavaca, TX
Tank(s) - 2 | 1

Date

: 27-SEP-2022

File NA°

: PVI-12797

Ref. NA°

: ER220901A

QUANTITIES - CRUDE OIL

Total Load Quantities - Based on Shore Figures

TCV, Barrels @ 60 °F 20,442.62
Free Water 0.00
GSV

Barrels @ 60 °F 20,442.62
Gallons @ 60 °F 858,590.04

Long Tons - Air 2,895.206
Metric Tons - Air 2,941.665
Short Tons - Air 3,242.631
Kilograms - Air 2,941,665.0
Pounds - Air 6,485,262.0

API Gravity @ 60 °F (C) 24.5

NSV

Barrels @ 60 °F 20,431.06
Gallons @ 60 °F 858,104.52

Long Tons - Air 2,893.569
Metric Tons - Air 2,940.002
Short Tons - Air 3,240.797
Kilograms - Air 2,940,002.0
Pounds - Air 6,481,594.0

S&W % 0.057**
S&W Vol. 11.56
S&W Source

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

Total Vessel Quantities

Vessel : ATC - 3482

TCV, Bbls @ 60 °F 20,381.86
Free Water 0.00
GSV

To : GulfMark Energy Inc.

Attn : Paul Migala / GulfMark Energy Inc.
Shelly Smith / GulfMark Energy Inc.

paulm@gulfmarkenergy.com
shellys@gulfmarkenergy.com

Item #3.

Load RECAP - Original

Product : CRUDE OIL
Vessel : FMT - 3060
Location : Gulfmark -Port Lavaca, TX
Tank(s) - 1
Date : 18-SEP-2022
File NA° : PVI-12794
Ref. NA° : VG220902-B

QUANTITIES - CRUDE OIL

Total Load Quantities - Based on Shore Figures

TCV, Barrels @ 60 °F 11,624.42
Free Water 0.00
GSV

Barrels @ 60 °F 11,624.42
Gallons @ 60 °F 488,225.64

Long Tons - Air 1,642.104
Metric Tons - Air 1,668.454
Short Tons - Air 1,839.156
Kilograms - Air 1,668,454.0
Pounds - Air 3,678,312.0

API Gravity @ 60 °F (T) 24.9

NSV

Barrels @ 60 °F 11,621.05
Gallons @ 60 °F 488,084.10

Long Tons - Air 1,641.620
Metric Tons - Air 1,667.971
Short Tons - Air 1,838.623
Kilograms - Air 1,667,971.0
Pounds - Air 3,677,246.0

S&W % 0.029**
S&W Vol. 3.37
S&W Source

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

Total Vessel Quantities

Vessel : FMT - 3060

TCV, Bbls @ 60 °F 11,607.93
Free Water 0.00
GSV

From : Camin Cargo Control
To : GulfMark Energy Inc.

Attn : Paul Migala / GulfMark Energy Inc.
Shelly Smith / GulfMark Energy Inc.

paulm@gulfmarkenergy.com
shellys@gulfmarkenergy.com

Item #3.

Load RECAP - Original

Product : CRUDE OIL
Vessel : FMT - 3060
Location : Gulfmark - Port Lavaca, TX
Tank(s) - 2 | 1
Date : 04-SEP-2022
File NA° : PVI-12782
Ref. NA° : VG220901-A

QUANTITIES - CRUDE OIL

Total Load Quantities - Based on Shore Figures

TCV, Barrels @ 60 °F 12,910.87
Free Water 0.00
GSV

Barrels @ 60 °F 12,910.87
Gallons @ 60 °F 542,592.54

Long Tons - Air 1,028.474
Metric Tons - Air 1,057.015
Short Tons - Air 2,047.091
Kilograms - Air 1,857,815.0
Pounds - Air 4,095,782.0

API Gravity @ 60 °F (C) 24.6

NSV

Barrels @ 60 °F 12,913.38
Gallons @ 60 °F 542,361.96

Long Tons - Air 1,027.697
Metric Tons - Air 1,057.026
Short Tons - Air 2,047.021
Kilograms - Air 1,857,026.0
Pounds - Air 4,094,041.0

S&W % 0.042**
S&W Vol. 5.49
S&W Source

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

Total Vessel Quantities

Vessel : FMT - 3060

TCV, Bbls @ 60 °F 12,993.70
Free Water 0.00
GSV

EQUALIZER / GULF MARK

Date Received	Reference	Description	CRUDE OIL	/	REPORTING MONTH	BARRELS OF CRUDE OIL	TARIFF AMOUNT PAID @ \$0.10 PER BARREL
		EQUALIZER, INC.	OIL	/	10/2022		PENDING
		EQUALIZER, INC.	OIL	/	11/2022		
		EQUALIZER, INC.	OIL	/	12/2022		
		EQUALIZER, INC.	OIL	/	01/2023		
		EQUALIZER, INC.	OIL	/	02/2023		
		EQUALIZER, INC.	OIL	/	03/2023		
		EQUALIZER, INC.	OIL	/	04/2023		
		EQUALIZER, INC.	OIL	/	05/2023		
		EQUALIZER, INC.	OIL	/	06/2023		
		EQUALIZER, INC.	OIL	/	07/2023		
		EQUALIZER, INC.	OIL	/	08/2023		
		EQUALIZER, INC.	OIL	/	09/2023		

FY 2022-2023 - TOTAL	\$0.00
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CITY OF PORT LAVACA

PORT COMMISSION
ACCOUNT AGING REPORT

11/13/2022

Account	Status	Pay Date	Billed Thru Date	Current Balance	30 Day	60 Day	90 Day	120 Day	Balance
99-1303-01	Active	8/8/2022	9/29/2022	\$ 5,250.00	\$ 275.00				\$ 5,525.00
99-1415-00	Active	10/11/2022	9/29/2022	\$ (5,206.20)					\$ (5,206.20)
99-1583-05	Active	10/3/2022	9/29/2022	\$ 3,200.00	\$ 3,520.00	\$ 2,305.00			\$ 9,025.00
99-1733-02	Active	7/8/2022	9/29/2022	\$ (941.11)					\$ (941.11)
99-1734-00	Active	11/1/2022	9/29/2022						
99-1745-00	Active	9/16/2022	9/29/2022	\$ 1,417.50	\$ 11,126.41				\$ 12,543.91
99-1746-00	Active	9/16/2022	9/29/2022	\$ 4,372.01	\$ 34,389.24				\$ 38,761.25
99-1783-00	Active	11/3/2022	9/29/2022						
99-1800-01	Active	11/1/2022	9/29/2022						
99-1801-01	Active	10/27/2022	9/29/2022						
99-1810-00	Active	10/27/2022	9/29/2022	\$ 1,073.02					\$ 1,073.02
99-1883-00	Active	10/26/2022	9/29/2022	\$ (388.44)					\$ (388.44)
99-1893-00	Active	10/11/2022	9/29/2022	\$ 2,805.53	\$ 0.03				\$ 2,805.56
99-1909-01	Active	10/31/2022	9/29/2022	\$ (653.08)					\$ (653.08)
99-1913-02	Active	10/9/2022	9/29/2022	\$ 668.80					\$ 668.80
99-1923-06	Active	10/31/2022	9/29/2022	\$ (116.56)					\$ (116.56)
99-1930-01	Active	10/27/2022	9/29/2022	\$ (31.50)					\$ (31.50)
99-1931-07	Active	11/7/2022	9/29/2022	\$ (650.00)					\$ (650.00)
99-1932-06	Active	11/7/2022	9/29/2022	\$ (650.00)					\$ (650.00)
99-1933-03	Active	10/26/2022	9/29/2022						
99-1963-04	Active	10/31/2022	9/29/2022						
99-1973-06	Active	11/3/2022	9/29/2022						
99-1983-09	Active	11/4/2022	9/29/2022						
99-1993-04	Active	11/4/2022	9/29/2022						
99-2003-04	Active	11/3/2022	9/29/2022						
99-2013-09	Active	8/3/2022	9/29/2022	\$ 264.60	\$ 291.06	\$ 264.60			\$ 820.26
99-2033-06	Active		9/29/2022	\$ 264.60					\$ 264.60
99-2043-07	Active	11/1/2022	9/29/2022						
99-2053-10	Active	9/23/2022	9/29/2022	\$ 302.00					\$ 302.00
99-2063-10	Active	11/3/2022	9/29/2022						
99-2093-07	Active	11/3/2022	9/29/2022						
99-2103-07	Active	11/4/2022	9/29/2022						
99-2153-04	Active	6/6/2022	9/29/2022	\$ 291.90	\$ 321.09	\$ 291.90	\$ 321.09	\$ 291.90	\$ 1,517.88
99-2163-03	Active	11/1/2022	9/29/2022						
99-2193-07	Active	10/28/2022	9/29/2022						
99-2213-04	Active	10/31/2022	9/29/2022						
99-2223-10	Active	11/1/2022	9/29/2022						
99-2233-07	Active	11/1/2022	9/29/2022	\$ 228.90	\$ 220.69				\$ 449.59
99-2253-07	Active	9/7/2022	9/29/2022	\$ 228.90	\$ 251.79				\$ 480.69
99-2293-14	Active	10/4/2022	9/29/2022	\$ 228.90					\$ 228.90
99-2313-14	Active	11/1/2022	9/29/2022						
99-2421-07	Active	11/1/2022	9/29/2022						
99-2433-04	Active	9/30/2022		\$ (252.30)					\$ (252.30)
99-2443-05	Active	10/14/2022	9/29/2022	\$ 279.30					\$ 279.30
99-2453-08	Active	11/7/2022	9/29/2022						
99-2481-05	Active	10/17/2022	9/29/2022	\$ 32.11					\$ 32.11
99-2543-09	Active	11/1/2022	9/29/2022						
47				\$ 12,018.88	\$ 50,395.31	\$ 2,861.50	\$ 321.09	\$ 291.90	\$ 65,888.68

VENDOR NAME	ITEM #	G/L ACCOUNT	NAME DESCRIPTION	CHECK #	AMOUNT
01-104071 ENTERPRISE FLEET	I-FBN4569971	504 51000544.55	R & M- VEHICLE: PORT COMMISSION	61249	\$6.00
			VENDOR TOTALS		\$6.00
01-102882 FRONTIER SOUTHWEST INC	I-18830907065/102022	504 51000536.02	TELEPHONE: PHONE CHARGES OCTOBER 2022	61358	\$271.76
			VENDOR TOTALS		\$271.76
01-102016 MARVELOUS GARDENS INC.	I-8422	504 51000541.02	LANDSCAPING: LAWN MAINTENANCE	61416	\$95.00
			VENDOR TOTALS		\$95.00
01-100700 MCGREW, TERRI	I-412755	504 51000523.03	CLEANING & JANITORIAL: CLEANING SUPPLIES	61315	\$600.00
			VENDOR TOTALS		\$600.00
01-102309 REPUBLIC SERVICES #847	I-0847-001234102	504 51000533.14	CONTRACTED SERVICES: CONTAINER PORT COMMISSION	61377	\$261.31
			VENDOR TOTALS		\$261.31
01-100418 TML INTERGOVERNMENTAL	I-9059/102022	504 51000535.01	GENERAL LIABILITY: INSURANCE	61383	\$3,547.76
			VENDOR TOTALS		\$3,547.76
01-102621 UNIFIRST CORPORATION	I-815-0956918	504 51000523.03	CLEANING & JANITORIAL: CLEANING SUPPLIES	61332	\$138.03
01-102621 UNIFIRST CORPORATION	I-815-0958320	504 51000523.03	CLEANING & JANITORIAL: CLEANING SUPPLIES	61332	\$53.41
01-102621 UNIFIRST CORPORATION	I-815-0959029	504 51000523.03	CLEANING & JANITORIAL: CLEANING SUPPLIES	61277	\$53.41
01-102621 UNIFIRST CORPORATION	I-815-0959725	504 51000523.03	CLEANING & JANITORIAL: CLEANING SUPPLIES	61386	\$73.12
01-102621 UNIFIRST CORPORATION	I-815-0960436	504 51000523.03	CLEANING & JANITORIAL: CLEANING SUPPLIES	61386	\$75.88
			VENDOR TOTALS		\$393.85

VENDOR NAME	ITEM #	G/L ACCOUNT	NAME DESCRIPTION	CHECK #	AMOUNT
01-102014 VERIZON WIRELESS	I-9915985552	504 51000536.02	TELEPHONE: CELL PHONE CHARGES	61333	\$40.25
01-102014 VERIZON WIRELESS	I-9918354144	504 51000536.02	TELEPHONE: CELL PHONE CHARGES	61389	\$40.22
VENDOR TOTALS					\$80.47

REPORT GRAND TOTAL:	\$5,256.15
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CITY OF PORT LAVACA
REVENUE AND EXPENDITURES REPORT (UNAUDITED)
AS OF: OCTOBER 31ST, 2022

504-PORT & HARBORS FUND
FINANCIAL SUMMARY

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>								
USER & SERVICE CHARGES	607,500	705,843	(98,343)	53,018.93	53,018.93	0.00	652,824.07	7.51
FINES & FORFEITURES	0	12,000	(12,000)	4,584.21	4,584.21	0.00	7,415.79	38.20
OTHER REVENUE	650	6,666	(6,016)	1,341.88	1,341.88	0.00	5,324.12	20.13
GRANT AND CONTRIBUTION R	14,000,000	1,000,000	13,000,000	0.00	0.00	0.00	1,000,000.00	0.00
INTERGOVERNMENTAL REVENUE	0	13,992	(13,992)	0.00	0.00	0.00	13,992.00	0.00
TOTAL REVENUES	14,608,150	1,738,501	12,869,649	58,945.02	58,945.02	0.00	1,679,555.98	3.39
<u>EXPENDITURE SUMMARY</u>								
TECHNOLOGY SERVICES	1,500	1,500	0	118.44	118.44	0.00	1,381.56	7.90
CITY HARBOR	27,000	17,000	10,000	0.00	0.00	0.00	17,000.00	0.00
HARBOR OF REFUGE	36,000	125,000	(89,000)	10,000.00	10,000.00	19,983.71	95,016.29	23.99
SMITH HARBOR	51,000	51,000	0	0.00	0.00	3,386.09	47,613.91	6.64
NAUTICAL LANDINGS MARINA	15,000	15,000	0	0.00	0.00	0.00	15,000.00	0.00
OPERATIONS	14,730,507	1,856,044	12,874,463	18,600.71	18,600.71	5,048.34	1,832,394.95	1.27
NON DEPARTMENTAL	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES	14,861,007	2,065,544	12,795,463	28,719.15	28,719.15	28,418.14	2,008,406.71	2.77
REVENUES OVER/(UNDER) EXPENDITURES	(252,857)	(327,043)	74,186	30,225.87	30,225.87	(28,418.14)	(328,850.73)	0.55-

CITY OF PORT LAVACA
REVENUE AND EXPENDITURES REPORT (UNAUDITED)
AS OF: OCTOBER 31ST, 2022

504-PORT & HARBORS FUND
REVENUES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
USER & SERVICE CHARGES								
436.01 CITY HARBOR-DOCK LEASE	100,000	115,000	(15,000)	6,963.79	6,963.79	0.00	108,036.21	6.06
436.09 HOR - DAILY DOCK RENTA	0	5,000	(5,000)	0.00	0.00	0.00	5,000.00	0.00
436.10 HOR - RENTAL	41,000	18,043	22,957	2,032.02	2,032.02	0.00	16,010.98	11.26
436.11 HOR - DOCK LEASES	215,000	280,000	(65,000)	24,210.56	24,210.56	0.00	255,789.44	8.65
436.12 TARIFFS	100,000	110,000	(10,000)	4,496.56	4,496.56	0.00	105,503.44	4.09
436.20 N L DOCK RENT- TRANSIE	500	500	0	80.00	80.00	0.00	420.00	16.00
436.21 N L-DOCK LEASE	80,000	80,000	0	6,820.40	6,820.40	0.00	73,179.60	8.53
436.22 N L -BLDG LEASE	70,000	73,600	(3,600)	6,665.60	6,665.60	0.00	66,934.40	9.06
436.23 N L - BLDG RENTAL	1,000	4,500	(3,500)	150.00	150.00	0.00	4,350.00	3.33
436.24 SMITH HARBOR RENT	0	19,200	(19,200)	1,600.00	1,600.00	0.00	17,600.00	8.33
TOTAL USER & SERVICE CHARGES	607,500	705,843	(98,343)	53,018.93	53,018.93	0.00	652,824.07	7.51
FINES & FORFEITURES								
442.01 LATE PAYMENT PENALTIES	0	12,000	(12,000)	4,584.21	4,584.21	0.00	7,415.79	38.20
TOTAL FINES & FORFEITURES	0	12,000	(12,000)	4,584.21	4,584.21	0.00	7,415.79	38.20
OTHER REVENUE								
451.01 INTEREST INCOME	500	6,066	(5,566)	1,341.88	1,341.88	0.00	4,724.12	22.12
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	600	(450)	0.00	0.00	0.00	600.00	0.00
459.90 MISCELLANEOUS	0	0	0	0.00	0.00	0.00	0.00	0.00
459.92 EQUITY BALANCE FORWARD	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL OTHER REVENUE	650	6,666	(6,016)	1,341.88	1,341.88	0.00	5,324.12	20.13
GRANT AND CONTRIBUTION R								
481.00 CAPITAL CONTRIBUTIONS	0	0	0	0.00	0.00	0.00	0.00	0.00
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	14,000,000	1,000,000	13,000,000	0.00	0.00	0.00	1,000,000.00	0.00
TOTAL GRANT AND CONTRIBUTION R	14,000,000	1,000,000	13,000,000	0.00	0.00	0.00	1,000,000.00	0.00
INTERGOVERNMENTAL REVENUE								
493.00.1 XFER IN- FUND 001	0	0	0	0.00	0.00	0.00	0.00	0.00
493.88 XFER IN- 206 FARF FUND	0	13,992	(13,992)	0.00	0.00	0.00	13,992.00	0.00
TOTAL INTERGOVERNMENTAL REVENUE	0	13,992	(13,992)	0.00	0.00	0.00	13,992.00	0.00
TOTAL REVENUES	14,608,150	1,738,501	12,869,649	58,945.02	58,945.02	0.00	1,679,555.98	3.39

CITY OF PORT LAVACA
REVENUE AND EXPENDITURES REPORT (UNAUDITED)
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PAGE

Item #3.

504-PORT & HARBORS FUND
TECHNOLOGY SERVICES
DEPARTMENTAL EXPENDITURES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
<u>SERVICES</u>								
50070536.504 CABLE & INTERNET	1,500	1,500	0	118.44	118.44	0.00	1,381.56	7.90
TOTAL SERVICES	1,500	1,500	0	118.44	118.44	0.00	1,381.56	7.90
 TOTAL TECHNOLOGY SERVICES	 1,500	 1,500	 0	 118.44	 118.44	 0.00	 1,381.56	 7.90

CITY OF PORT LAVACA
REVENUE AND EXPENDITURES REPORT (UNAUDITED)
AS OF: OCTOBER 31ST, 2022

504-PORT & HARBORS FUND
CITY HARBOR
DEPARTMENTAL EXPENDITURES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
<u>SERVICES</u>								
50800533.20 CONTRACTED SERV-CITY H	25,000	15,000	10,000	0.00	0.00	0.00	15,000.00	0.00
TOTAL SERVICES	25,000	15,000	10,000	0.00	0.00	0.00	15,000.00	0.00
<u>MAINTENANCE</u>								
50800542.21 R & M- INFRAS- CITY HA	1,000	1,000	0	0.00	0.00	0.00	1,000.00	0.00
50800543.22 R & M- BLDG.- CITY HAR	1,000	1,000	0	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	2,000	2,000	0	0.00	0.00	0.00	2,000.00	0.00
TOTAL CITY HARBOR	27,000	17,000	10,000	0.00	0.00	0.00	17,000.00	0.00

CITY OF PORT LAVACA
REVENUE AND EXPENDITURES REPORT (UNAUDITED)
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504-PORT & HARBORS FUND
HARBOR OF REFUGE
DEPARTMENTAL EXPENDITURES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
<u>SERVICES</u>								
50820533.20 CONTRACTED SERV- HOR	25,000	25,000	0	10,000.00	10,000.00	19,983.71	(4,983.71)	119.93
TOTAL SERVICES	25,000	25,000	0	10,000.00	10,000.00	19,983.71	(4,983.71)	119.93
<u>MAINTENANCE</u>								
50820542.21 R & M- INFRASTRUCTURE	11,000	100,000	(89,000)	0.00	0.00	0.00	100,000.00	0.00
TOTAL MAINTENANCE	11,000	100,000	(89,000)	0.00	0.00	0.00	100,000.00	0.00
TOTAL HARBOR OF REFUGE	36,000	125,000	(89,000)	10,000.00	10,000.00	19,983.71	95,016.29	23.99

CITY OF PORT LAVACA
REVENUE AND EXPENDITURES REPORT (UNAUDITED)
AS OF: OCTOBER 31ST, 2022

504-PORT & HARBORS FUND
SMITH HARBOR
DEPARTMENTAL EXPENDITURES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
<u>SERVICES</u>								
50840533.20 CONTRACTED SERV- SMITH	50,000	50,000	0	0.00	0.00	3,386.09	46,613.91	6.77
TOTAL SERVICES	50,000	50,000	0	0.00	0.00	3,386.09	46,613.91	6.77
<u>MAINTENANCE</u>								
50840542.21 R & M- INFRAS- SMITH H	1,000	1,000	0	0.00	0.00	0.00	1,000.00	0.00
TOTAL MAINTENANCE	1,000	1,000	0	0.00	0.00	0.00	1,000.00	0.00
TOTAL SMITH HARBOR	51,000	51,000	0	0.00	0.00	3,386.09	47,613.91	6.64

CITY OF PORT LAVACA
REVENUE AND EXPENDITURES REPORT (UNAUDITED)
AS OF: OCTOBER 31ST, 2022

504-PORT & HARBORS FUND
NAUTICAL LANDINGS MARINA
DEPARTMENTAL EXPENDITURES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
<u>SERVICES</u>								
50860533.20 CONTRACTED SERV- NL MA	10,000	10,000	0	0.00	0.00	0.00	10,000.00	0.00
TOTAL SERVICES	10,000	10,000	0	0.00	0.00	0.00	10,000.00	0.00
<u>MAINTENANCE</u>								
50860542.03 R & M- BUILDING- NL MA	1,000	2,000 (	1,000)	0.00	0.00	0.00	2,000.00	0.00
50860542.21 R & M- INSFRAS- NL MAR	1,000	3,000 (	2,000)	0.00	0.00	0.00	3,000.00	0.00
50860542.25 R & M- BUILD (NAUTICAL	1,000	0	1,000	0.00	0.00	0.00	0.00	0.00
50860543.26 R & M- INFRAS- NL MARI	1,000	0	1,000	0.00	0.00	0.00	0.00	0.00
50860543.27 R & M- IMPROV OTB- NL	1,000	0	1,000	0.00	0.00	0.00	0.00	0.00
TOTAL MAINTENANCE	5,000	5,000	0	0.00	0.00	0.00	5,000.00	0.00
TOTAL NAUTICAL LANDINGS MARINA	15,000	15,000	0	0.00	0.00	0.00	15,000.00	0.00

CITY OF PORT LAVACA
REVENUE AND EXPENDITURES REPORT (UNAUDITED)
AS OF: OCTOBER 31ST, 2022

504-PORT & HARBORS FUND
OPERATIONS
DEPARTMENTAL EXPENDITURES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
PERSONNEL SERVICES								
51000511.01 SALARIES & WAGES	74,703	75,966	(1,263)	5,837.68	5,837.68	0.00	70,128.32	7.68
51000511.06 SALARIES & WAGES-TEMP	0	0	0	0.00	0.00	0.00	0.00	0.00
51000511.07 SALARIES & WAGES-OVERT	0	0	0	0.00	0.00	0.00	0.00	0.00
51000512.05 EMPLOYER-SOCIAL SECURI	4,514	4,515	(1)	426.22	426.22	0.00	4,088.78	9.44
51000512.10 EMPLOYER-T.M.R.S.	4,460	4,460	0	356.68	356.68	0.00	4,103.32	8.00
51000512.20 GROUP H/D INS PREMIUMS	10,946	10,946	0	953.24	953.24	0.00	9,992.76	8.71
51000512.30 WORKER'S COMPENSATION	1,800	1,800	0	1,260.04	1,260.04	0.00	539.96	70.00
51000512.31 UNEMPLOYMENT INSURANCE	0	0	0	0.00	0.00	0.00	0.00	0.00
51000512.40 SAFETY PAY	500	500	0	0.00	0.00	0.00	500.00	0.00
TOTAL PERSONNEL SERVICES	96,923	98,187	(1,264)	8,833.86	8,833.86	0.00	89,353.14	9.00
MATERIALS & SUPPLIES								
51000521.01 OFFICE	1,200	1,200	0	10.64	10.64	0.00	1,189.36	0.89
51000523.03 CLEANING & JANITORIAL	3,500	10,500	(7,000)	202.41	202.41	0.00	10,297.59	1.93
51000524.19 COVID-19 EXPENDITURES	0	0	0	0.00	0.00	0.00	0.00	0.00
51000525.01 FUEL	1,000	5,000	(4,000)	0.00	0.00	0.00	5,000.00	0.00
51000526.01 GENERAL SAFETY & TOOLS	300	300	0	0.00	0.00	0.00	300.00	0.00
51000528.03 NON-CAPITALIZED ASSETS	0	0	0	0.00	0.00	0.00	0.00	0.00
51000529.11 LIGHTING & DECORATION	2,000	2,000	0	0.00	0.00	0.00	2,000.00	0.00
TOTAL MATERIALS & SUPPLIES	8,000	19,000	(11,000)	213.05	213.05	0.00	18,786.95	1.12
SERVICES								
51000531.01 TRAVEL & TRAINING	500	500	0	0.00	0.00	0.00	500.00	0.00
51000531.04 DUES, SUBSCR., & PUBLI	700	5,700	(5,000)	0.00	0.00	0.00	5,700.00	0.00
51000532.01 AUDIT FEES	3,000	3,500	(500)	0.00	0.00	0.00	3,500.00	0.00
51000532.06 HEALTH & FITNESS	0	0	0	0.00	0.00	0.00	0.00	0.00
51000532.07 LEGAL- REGULAR	5,000	15,000	(10,000)	0.00	0.00	0.00	15,000.00	0.00
51000533.14 CONTRACTED SERVICES	24,000	24,000	0	261.31	261.31	0.00	23,738.69	1.09
51000535.01 GENERAL LIABILITY INSU	4,292	2,819	1,473	3,547.76	3,547.76	0.00	(728.76)	125.85
51000535.10 WINDSTORM INS	3,000	21,681	(18,681)	0.00	0.00	0.00	21,681.00	0.00
51000535.11 FLOOD INS	1,500	1,700	(200)	0.00	0.00	0.00	1,700.00	0.00
51000536.01 ELECTRICITY	25,000	26,955	(1,955)	0.00	0.00	0.00	26,955.00	0.00
51000536.02 TELEPHONE	2,000	2,000	0	311.98	311.98	0.00	1,688.02	15.60
51000536.03 WATER	3,300	3,300	0	0.00	0.00	0.00	3,300.00	0.00
51000536.07 CABLE & INTERNET	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL SERVICES	72,292	107,155	(34,863)	4,121.05	4,121.05	0.00	103,033.95	3.85
MAINTENANCE								
51000541.02 LANDSCAPING	15,000	15,000	0	0.00	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	0.00
51000542.21 R & M- INFRAST. (HARBO	0	0	0	0.00	0.00	0.00	0.00	0.00
51000542.25 R & M- BUILD (NAUTICAL	11,000	11,000	0	0.00	0.00	0.00	11,000.00	0.00
51000543.04 R & M IMPROVEMENT OTB	2,500	2,500	0	0.00	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	0.00
51000543.22 R & M- BUILD (CITY HAR	1,000	0	1,000	0.00	0.00	0.00	0.00	0.00
51000544.50 R & M- FURNITURE & EQU	6,000	6,000	0	0.00	0.00	0.00	6,000.00	0.00
51000544.55 R & M- VEHICLES & TRAI	500	500	0	6.00	6.00	0.00	494.00	1.20

CITY OF PORT LAVACA
REVENUE AND EXPENDITURES REPORT (UNAUDITED)
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504-PORT & HARBORS FUND
OPERATIONS
DEPARTMENTAL EXPENDITURES

		ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT 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	0	0	0	0.00	0.00	0.00	0.00	0.00
	TOTAL MAINTENANCE	36,200	35,200	1,000	6.00	6.00	0.00	35,194.00	0.02
SUNDRY									
51000551.11	VEHICLE LEASES	0	13,992	(13,992)	0.00	0.00	0.00	13,992.00	0.00
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	42,371	65,121	(22,750)	5,426.75	5,426.75	0.00	59,694.25	8.33
51000553.02	XFER OUT- FD 310- '08	123,395	124,813	(1,418)	0.00	0.00	0.00	124,813.00	0.00
51000553.05	XFER OUT- FD 322 - 201	134,326	130,576	3,750	0.00	0.00	0.00	130,576.00	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	0	0	0	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	300,092	334,502	(34,410)	5,426.75	5,426.75	0.00	329,075.25	1.62
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	0	95,000	(95,000)	0.00	0.00	0.00	95,000.00	0.00
51000563.05	CE- INFRASTRUCTURE	14,217,000	1,167,000	13,050,000	0.00	0.00	5,048.34	1,161,951.66	0.43
	TOTAL CAPITAL EXPENDITURES	14,217,000	1,262,000	12,955,000	0.00	0.00	5,048.34	1,256,951.66	0.40
TOTAL OPERATIONS									
		14,730,507	1,856,044	12,874,463	18,600.71	18,600.71	5,048.34	1,832,394.95	1.27

CITY OF PORT LAVACA
REVENUE AND EXPENDITURES REPORT (UNAUDITED)
AS OF: OCTOBER 31ST, 2022

504-PORT & HARBORS FUND
NON DEPARTMENTAL
DEPARTMENTAL EXPENDITURES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
<u>PERSONNEL SERVICES</u>								
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	0.00
59800512.10 EMPLOYER- TMRS	0	0	0	0.00	0.00	0.00	0.00	0.00
59800512.40 SAFETY PAY	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL PERSONNEL SERVICES	0	0	0	0.00	0.00	0.00	0.00	0.00
<u>SUNDRY</u>								
59800551.203 GROUP H/D INS CLAIMS	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL SUNDRY	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL NON DEPARTMENTAL	0	0	0	0.00	0.00	0.00	0.00	0.00
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TOTAL EXPENDITURES	14,861,007	2,065,544	12,795,463	28,719.15	28,719.15	28,418.14	2,008,406.71	0.00
REVENUES OVER/ (UNDER) EXPENDITURES	(252,857)	(327,043)	74,186	30,225.87	30,225.87	(28,418.14)	(328,850.73)	0.55-
*** END OF REPORT ***								

BALANCE SHEET - UNAUDITED

AS OF: OCTOBER 31ST, 2022

504-PORT & HARBORS FUND

ACCOUNT#	TITLE
ASSETS	
=====	

111.21	CLAIM ON CONS CASH	83,399.80
112.11.6001	INVESTMENTS-LOGIC	508,331.11
113.22	ALLOWANCE FOR UNCOLLECT (	14,575.43)
113.24	UNAPPLIED CREDITS (	4,375.02)
113.27	PTC ACCTS RECEIVABLE (UB	62,560.70
116.01.0001	PREPAID INSURANCE	22,993.23
151.01.1000	LAND	1,919,338.57
152.01.1000	BUILDINGS	1,313,990.38
152.02.2000	ACCUM DEPRECIATION-BUIL (	820,911.24)
153.01.1000	IMPROVEMENTS OTHER THAN	2,050,980.24
153.02.2000	ACCUM DEPR-IMPR OTHER T (	1,665,930.54)
154.01.1000	MACHINERY & EQUIPMENT	43,140.00
154.02.2000	ACCUM DEPR-MACHINERY & (	28,264.48)
155.01.1000	CONSTRUCTION IN PROGRESS	57,151.00
156.01.1000	INFRASTRUCTURE	7,996,420.23
156.02.2000	ACCUM DEPREC.- INFRASTR (	2,663,670.65)

8,860,577.90

TOTAL ASSETS

8,860,577.90

LIABILITIES

=====

207.21	CUSTOMER DEPOSIT (	150.00)
211.10	AP PENDING (DUE TO CONS	1,868.02
211.99	YMCA (	4.35)
212.30	ACCRUED VACATION	4,885.92
213.01	BOND PREMIUM (SERIES '18	89,660.89
216.20.3006	BONDS PAYABLE-CURRENT	175,000.00
221.20	BONDS PAYABLE NON-CURREN	1,925,000.00

2,196,260.48

TOTAL LIABILITIES

2,196,260.48

FUND EQUITY/BALANCE

=====

320.07	ENCUMBRANCES (	161,706.73)
320.08	RESERVE FOR ENCUMBRANCES	161,706.73
320.09	PRIOR YEAR ENCUMBRANCE	126,662.52
320.10	PRIOR YEAR RESERV/ENC (	126,662.52)

83,399.80 +
508,331.11 +

002

591,730.91 *

0 * C

BALANCE SHEET - UNAUDITED
AS OF: OCTOBER 31ST, 2022

Item #3.

504-PORT & HARBORS FUND

ACCOUNT#	TITLE		
320.60	FUND BALANCE COMMITTED	90,552.00	
320.65	NET INVEST. IN CAPITAL A	3,393,536.00	
320.98	FUND BALANCE UNRESV	3,192,402.08	
	TOTAL FUND EQUITY/BALANCE		6,676,490.08
	TOTAL REVENUES	58,945.02	
	TOTAL EXPENSES	28,719.15	
	UNPOSTED PRIOR YEAR	(42,398.53)	
	EXCESS REVENUES OVER EXPENDITURES	(12,172.66)	
	TOTAL LIABILITIES & FUND EQUITY/BALANCE		8,860,577.90

BALANCE SHEET - UNAUDITED
AS OF: OCTOBER 31ST, 2022

Item #3.

210-PORT COMMISSION PROJECTS

ACCOUNT#	TITLE
----------	-------

ASSETS
=====

104.02.0004	DUE FROM OTHER GOVERNMENT	120,000.00
111.21	CLAIM ON CONS CASH (	162,700.00)
113.29.1000	ACCOUNTS RECEIVABLE- MIS	2,500.00
155.01.1000	CONSTRUCTION IN PROGRESS	40,200.00
		<u>0.00</u>

TOTAL ASSETS

0.00
=====

LIABILITIES
=====

TOTAL LIABILITIES

0.00

0.00

FUND EQUITY/BALANCE

320.07	ENCUMBRANCES (	1,094,330.36)
320.08	RESERVE FOR ENCUMBRANCES	1,094,330.36
	TOTAL FUND EQUITY/BALANCE	<u>0.00</u>

TOTAL REVENUES	0.00
TOTAL EXPENSES	0.00

EXCESS REVENUES OVER EXPENDITURES	<u>0.00</u>
-----------------------------------	-------------

TOTAL LIABILITIES & FUND EQUITY/BALANCE

0.00
=====

BALANCE SHEET - UNAUDITED
AS OF: OCTOBER 31ST, 2022

Item #3.

310-08 PC DEBT SERVICE

ACCOUNT#

TITLE

ASSETS

=====

111.21	CLAIM ON CONS CASH	86,949.34	
			86,949.34
TOTAL ASSETS			86,949.34

LIABILITIES

=====

212.60	ACCRUED BOND INTEREST	3,824.00	
			3,824.00
TOTAL LIABILITIES			3,824.00

FUND EQUITY/BALANCE

=====

320.01	FUND BAL-RSRV'D/DEBT SER	24,244.46	
320.10	PRIOR YEAR RESERV/ENC (	1,320.75)	
320.98	FUND BALANCE UNRESV	59,673.07	
TOTAL FUND EQUITY/BALANCE			82,596.78

TOTAL REVENUES	0.00
TOTAL EXPENSES	0.00
UNPOSTED PRIOR YEAR	528.56

EXCESS REVENUES OVER EXPENDITURES	528.56
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TOTAL LIABILITIES & FUND EQUITY/BALANCE	86,949.34
---	-----------

BALANCE SHEET - UNAUDITED

AS OF: OCTOBER 31ST, 2022

Item #3.

322-SERIES 2018 DEBT SERVICE

ACCOUNT# TITLE

ASSETS

111.21	CLAIM ON CON CASH	264.86	
			264.86
TOTAL ASSETS			264.86

LIABILITIES

212.60	ACCRUED INTEREST PAYABLE	7,068.00	
			7,068.00
TOTAL LIABILITIES			7,068.00

FUND EQUITY/BALANCE

320.98	FUND BALANCE	(6,808.23)	
TOTAL FUND EQUITY/BALANCE			(6,808.23)

TOTAL REVENUES	0.00
TOTAL EXPENSES	0.00
UNPOSTED PRIOR YEAR	5.09

EXCESS REVENUES OVER EXPENDITURES	5.09
-----------------------------------	------

TOTAL LIABILITIES & FUND EQUITY/BALANCE	264.86
---	--------

Port Commission Snapshot

	August	September	October	FYTD
City Harbor				
Revenue	\$ 6,963.79	\$ 6,963.79	\$ 6,963.79	\$ 6,963.79
Expenses	\$ 2,472.27	\$ 1,880.32	\$ 2,267.88	\$ 2,267.88
Gain / (Loss)	<u>\$ 4,491.52</u>	<u>\$ 5,083.47</u>	<u>\$ 4,695.91</u>	<u>\$ 4,695.91</u>
Harbor of Refuge				
Revenue	\$ 29,747.29	\$ 34,885.93	\$ 35,323.35	\$ 35,323.35
Expenses	\$ 12,134.93	\$ 8,988.44	\$ 20,660.50	\$ 20,660.50
Gain / (Loss)	<u>\$ 17,612.36</u>	<u>\$ 25,897.49</u>	<u>\$ 14,662.85</u>	<u>\$ 14,662.85</u>
Nautical Landings				
Revenue	\$ 15,399.20	\$ 13,325.60	\$ 13,716.00	\$ 13,716.00
Expenses	\$ 11,413.26	\$ 7,664.00	\$ 5,268.06	\$ 5,268.06
Gain / (Loss)	<u>\$ 3,985.94</u>	<u>\$ 5,661.60</u>	<u>\$ 8,447.94</u>	<u>\$ 8,447.94</u>
Smith Harbor				
Revenue	\$ 1,600.00	\$ 1,600.00	\$ 1,600.00	\$ 1,600.00
Expenses	\$ 33,864.31	\$ 392.48	\$ 522.71	\$ 522.71
Gain / (Loss)	<u>\$ (32,264.31)</u>	<u>\$ 1,207.52</u>	<u>\$ 1,077.29</u>	<u>\$ 1,077.29</u>
Total Gain / (Loss)	<u>\$ (6,174.50)</u>	<u>\$ 37,850.07</u>	<u>\$ 28,883.99</u>	<u>\$ 28,883.99</u>

* This report does not conform to GAAP and is unaudited.

Cash Profit and Loss Statement

	August	September	October	FYTD
City Harbor				
Dock Lease	\$ 6,963.79	\$ 6,963.79	\$ 6,963.79	\$ 6,963.79
Oyster Tarrifs	\$ -	\$ -	\$ -	\$ -
Late Payment Penalties				\$ -
Total City Harbor	\$ 6,963.79	\$ 6,963.79	\$ 6,963.79	\$ 6,963.79
Harbor of Refuge				
Tarrifs				
Oil	\$ 5,554.72	\$ 4,965.80	\$ 4,496.56	\$ 4,496.56
Fertilizer	\$ 2,075.17	\$ 5,811.24	\$ -	\$ -
Oyster	\$ -	\$ -	\$ -	\$ -
Rentals				\$ -
Daily Dock Rental	\$ -	\$ 600.00	\$ -	\$ -
Dock Rentals	\$ 1,432.02	\$ 1,432.02	\$ 2,032.02	\$ 2,032.02
Dock Leases	\$ 19,560.56	\$ 24,368.07	\$ 24,210.56	\$ 24,210.56
Late Payment Penalties	\$ 1,124.82	\$ (2,291.20)	\$ 4,584.21	\$ 4,584.21
Total Harbor of Refuge	\$ 29,747.29	\$ 34,885.93	\$ 35,323.35	\$ 35,323.35
Nautical Landings				
Dock Rent	\$ -	\$ -	\$ 80.00	\$ 80.00
Dock Lease	\$ 6,879.20	\$ 7,055.60	\$ 6,820.40	\$ 6,820.40
Building Lease	\$ 6,670.00	\$ 6,270.00	\$ 6,665.60	\$ 6,665.60
Building Rentals	\$ -	\$ -	\$ 150.00	\$ 150.00
Washer-Dryer	\$ -	\$ -	\$ -	\$ -
Miscellaneous	\$ -	\$ -	\$ -	\$ -
Late Payment Penalties	\$ -	\$ -	\$ -	\$ -
Auction Proceeds	\$ 1,850.00	\$ -	\$ -	\$ -
Total Nautical Landings	\$ 15,399.20	\$ 13,325.60	\$ 13,716.00	\$ 13,716.00
Smith Harbor				
Rent	\$ 1,600.00	\$ 1,600.00	\$ 1,600.00	\$ 1,600.00
Late Payment Penalties				\$ -
Total Smith Harbor	\$ 1,600.00	\$ 1,600.00	\$ 1,600.00	\$ 1,600.00
Interest Income	\$ 974.44	\$ 1,029.52	\$ 1,341.88	\$ 1,341.88
Total Income	\$ 54,684.72	\$ 57,804.84	\$ 58,945.02	\$ 58,945.02

* This report does not conform to GAAP and is unaudited.

Cash Profit and Loss Statement

	August	September	October	FYTD
City Harbor				
Overhead Allocation	\$ 2,472.27	\$ 1,880.32	\$ 2,267.88	\$ 2,267.88
R&M Building	\$ -	\$ -	\$ -	\$ -
Contracted Services	\$ -	\$ -	\$ -	\$ -
Total City Harbor	\$ 2,472.27	\$ 1,880.32	\$ 2,267.88	\$ 2,267.88
Harbor of Refuge				
Overhead Allocation	\$ 11,210.19	\$ 8,526.08	\$ 10,660.50	\$ 10,660.50
Electricity	\$ 924.74	\$ 462.36	\$ -	\$ -
R&M Infrastructure	\$ -	\$ -	\$ -	\$ -
Contracted Services	\$ -	\$ -	\$ 10,000.00	\$ 10,000.00
Total Harbor of Refuge	\$ 12,134.93	\$ 8,988.44	\$ 20,660.50	\$ 20,660.50
Nautical Landings				
Overhead Allocation	\$ 4,148.09	\$ 3,154.89	\$ 4,373.92	\$ 4,373.92
Cable & Internet	\$ 244.88	\$ 118.44	\$ 118.44	\$ 118.44
R&M Building	\$ 435.00	\$ -	\$ -	\$ -
R&M Infrastructure	\$ -	\$ -	\$ -	\$ -
R&M Furniture & Equip	\$ -	\$ -	\$ -	\$ -
Cleaning & Janitorial	\$ 1,207.16	\$ 1,599.46	\$ 202.41	\$ 202.41
Lighting & Decoration	\$ -	\$ -	\$ -	\$ -
Contracted Services	\$ 453.64	\$ 311.31	\$ 261.31	\$ 261.31
Windstorm Insurance	\$ 367.35	\$ -	\$ -	\$ -
Flood Insurance	\$ -	\$ -	\$ -	\$ -
Electricity	\$ 3,838.64	\$ 1,919.67	\$ -	\$ -
Telephone	\$ 195.18	\$ 144.70	\$ 311.98	\$ 311.98
Water	\$ 523.32	\$ 415.53	\$ -	\$ -
Landscaping	\$ -	\$ -	\$ -	\$ -
R&M Improvement OTB	\$ -	\$ -	\$ -	\$ -
Total Nautical Landings	\$ 11,413.26	\$ 7,664.00	\$ 5,268.06	\$ 5,268.06
Smith Harbor				
Overhead Allocation	\$ 516.04	\$ 392.48	\$ 522.71	\$ 522.71
Contracted Services	\$ 33,348.27	\$ -	\$ -	\$ -
Total Smith Harbor	\$ 33,864.31	\$ 392.48	\$ 522.71	\$ 522.71
Total Expenses	\$ 59,884.78	\$ 18,925.25	\$ 28,719.15	\$ 28,719.15
Operating Cash Flow	\$ (5,200.06)	\$ 40,019.77	\$ (28,719.15)	\$ 30,225.87

CE - Buildings	\$	-	\$	-	\$	-	\$	-
CE - Infrastructure	\$	-	\$	-	\$	-	\$	-
Dredging							\$	-
Transfer Out Fund 310	\$	10,282.92	\$	10,282.92	\$	-	\$	-
Transfer Out Fund 322	\$	11,193.83	\$	11,193.83	\$	-	\$	-
Net Cash Flow	\$	<u>(26,676.81)</u>	\$	<u>18,543.02</u>	\$	<u>(28,719.15)</u>	\$	<u>30,225.87</u>

* This report does not conform to GAAP and is unaudited.

Cash, Encumbrances, Budgeted CIP, & Bond Payments

Item #3.

Ending Cash Assets	As of 08/31/2022	As of 09/30/2022	As of 10/31/2022
Ending Cash	\$ 34,722.62	\$ 76,105.15	\$ 83,399.80
Investments Logic	\$ 505,959.71	\$ 506,989.23	\$ 508,331.11
Fund 210 Port Projects	\$ (162,700.00)	\$ (162,700.00)	\$ (162,700.00) *1
Debt Service Funds (310 & 322)	\$ 65,281.42	\$ 86,832.18	\$ 87,214.20
Total Ending Cash Assets	\$ 443,263.75	\$ 507,226.56	\$ 516,245.11

Current Encumbrances				Ordered	Received	Outstanding
PO#	Task Order	Contractor	Project Description			
01-10530	#22	Victoria Engineering	Harbor of Refuge Restoration	\$ 25,000.00	\$ 6,235.60	\$ 18,764.40
01-10805		LJA Engineering	Planning Services - Waterfront	\$ 50,000.00	\$ 46,613.91	\$ 3,386.09
01-10655		Victoria Engineering	Engineering for Breakwater	\$ 40,000.00	\$ 10,000.00	\$ 30,000.00
					Total	\$ 52,150.49

Budgeted Capital Improvement Projects			
1	Texas Parks & Wildlife Match	\$	167,000.00

Remaining Bond Payments			
1	FY 22/23 Remaining Bond Payments	\$	255,389.00
	Total	\$	255,389.00

*1 This amount represents the negative fund balance in Fund 210 to be reimbursed by Fund 504. This amount includes Engineering for Breakwater for \$40,000 with \$10,000 already paid, and CDBG- MIT application of \$30,400 that has been fully paid. We are still pending reimbursement of \$120,000 for the EDA Grant which will significantly reduce the negative fund balance in Fund 210.

* This report does not conform to GAAP and is unaudited.

COMMUNICATION

SUBJECT: ACTION ITEMS: RECEIVE STATUS REPORTS

INFORMATION:

- a) Renovations to Nautical Landings Marina Breakwater - Presenter Jody Weaver
- b) CDBG-MIT Coastal Resilience Project / Restore Project - Presenter Jody Weaver
- c) Discuss property values and evaluations - Presenter Jody Weaver

CITY OF PORT LAVACA

4A

PORT COMMISSION MEETING: 11.15.2022

DATE: 11.14.2022**TO:** PORT COMMISSION CC: J. RUDELLAT**FROM:** JODY WEAVER, INTERIM CITY MANAGER**SUBJECT: BREAKWATER/CDBG-MIT COASTAL RESILIENCY PROJECT / RESTORE GRANT**

TPWL GRANT – NAUTICAL LANDINGS BREAKWATER

- No new update. Still waiting on the TPWL contract

CDBG-MIT Coastal Resiliency

- Attached is a copy of the October 2022 Mott MacDonald Progress Report.
- Below is a link to Mott MacDonald's presentation on the Coastal Engineering Analysis performed and the Alternatives being considered which was presented at a meeting on November 4.
https://cleargov.com/texas/calhoun/city/port-lavaca/projects/7897/living-shoreline-breakwater-_glo-cdbg_mit-coastal-resiliency-grant

RESTORE

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



Monthly Progress Report

Reporting Period: October 2022

Project Information

Project Name	Port Lavaca Living Shoreline Breakwater
City Resolution	R-050922-5
CDBG-MIT Contract	20-087-001-D226
City PM	Jody Weaver
Mott MacDonald PM	Josh Carter
Mott MacDonald Project Number	507107066
Date	11/02/2022

Project Milestones

Milestone Description	Date (Actual=A)	Notes
Task 1: Project Kickoff		
Project Kickoff Meeting	6/8/2022 (A)	
Memorandum of Project Understanding	6/21/2022 (A)	
Task 2: Data Collection and Analysis		
Collect available coastal processes data	7/29/2022 (A)	
Collect USACE historical survey data		Not yet started
Collect new bathymetric and topographic data	8/3/2022 (A)	New data collection complete
Collect new geotechnical data	11/9/2022	Not Started; wait for template design
Collect new cultural resources data	11/9/2022	Not Started; wait for template design
Collect new habitat data	11/9/2022	Not Started; wait for template design
Technical memorandum on data collection	11/18/2022	In progress
Task 3: Coastal Analysis, Alts Development, Alt Eval		
Coastal Engineering Analysis	11/4/2022 (A)	Via presentation 11/4/2022
Alternatives Development	10/12/2022	In progress
Meeting on Alternatives Development	11/4/2022 (A)	Scheduled for 11/4/2022
Alternatives Evaluation	12/21/2022	
Meeting on Alternatives Evaluation	12/21/2022	
Tech Memo on CEA and Alts Analysis	1/13/2023	
Task 4: Preliminary Design		
Prelim design: 30% plans, cost, report	1/25/2023	
Task 5: Regulatory Compliance		
Prepare application and permit plans	2/8/2023	
USACE Regulatory Permitting		
USACE pre-application meeting	3/8/2023	
Submit USACE Permit Application	3/22/2023	
Issuance of USACE Permit	11/1/2023	

This document is issued for the party which commissioned it and for specific purposes connected with the above-captioned project only. It should not be relied upon by any other party or used for any other purpose.

We accept no responsibility for the consequences of this document being relied upon by any other party, or being used for any other purpose, or containing any error or omission which is due to an error or omission in data supplied to us by other parties.

This document contains confidential information and proprietary intellectual property. It should not be shown to other parties without consent from us and from the party which commissioned it.

Milestone Description	Date (Actual=A)	Notes
TXGLO Coastal Lease		
Submit coastal lease application to GLO	3/22/2023	
Task 6: Engineering Design		
Submit 70% Design	3/22/2023	
Submit 95% Design	5/31/2023	
Develop for proposal package	11/23/2023	
Task 7: Construction Proposal Solicitation Assistance		
Out to bid	12/27/2023	
Issue Construction NTP	4/3/2024	

Project Budget

Budget Summary	% Complete by Budget	notes
Task 1: Develop Project Understanding	100%	
Task 2: Data Collection and Analysis	78% Mott / 11% by sub	Only bathy survey has been conducted to date.
Task 3: Coastal Analysis, Alts Development, Alts Eval	50%	Work ongoing
Task 4: Preliminary Design	0%	
Task 5: Regulatory Compliance	0%	
Task 6: Final Design	0%	
Task 7: Bidding Phase Services	0%	
Task 8: Engineering Services during Construction	0%	
Task 9: Project Management	5%	
Overall	12%	

Activities Performed This Period

Activity Summary
Task 1: Project Kickoff
<ul style="list-style-type: none"> Task Completed
Task 2: Existing and New Data Collection
<ul style="list-style-type: none"> Bathy and magnetometer survey completed 8/3/2022; deliverable received 8/9/2022. Survey deliverable submitted Ongoing: USACE coordination on historical dredging data of Port Lavaca Channel and other information on Matagorda Channel deepening. USACE slow to respond. Note this is not impacting project schedule Other new data collection – geotechnical, habitat surveys, cultural resources surveys - waiting development of draft project template to direct location of that data collection
Task 3: Coastal Analysis, Alts Development, Alts Evaluation
<ul style="list-style-type: none"> Coastal data processing and analysis is complete New bathy data incorporated into larger scale bathymetric surface of Lavaca and Matagorda Bay is complete. This is basis of modeling, analysis and design to progress through next tasks Coastal modeling of site ongoing <ul style="list-style-type: none"> Storm surge model is set up for existing conditions; finalizing runs and evaluation of results now. Additional runs required for evaluation of alternatives Local wave model is set up for existing conditions; runs for existing conditions complete.

Activity Summary

- Modeling of flushing of harbor for existing and base alternative complete.
- Reporting
 - Preparing for meeting on CEA and alternatives development with the City and KSBR on 11/4/2022
 - Initiated drafting of CEA and Alternatives Development memo.

Task 4: Preliminary Design

- Not yet started

Task 5: Regulatory Compliance

- Not yet started

Task 6: Final Design

- Not yet started

Task 7: Bidding Phase Services

- Not yet started

Task 8: Construction Proposal Solicitation Assistance

- Not yet started

Task 9: Project Management

- Ongoing internal project management e.g. scheduling, invoicing, resourcing, etc.
-

Anticipated Effort Next Period

- Development of project alternatives after input from the City
- Evaluate set of project alternatives after input from the City
- If possible, initiate habitat, cultural resources, and geotechnical investigations (pending agreement on project footprint)
- Continue to coordinate with USACE for available data

Outstanding Items

- USACE has not responded to coordination requests. Mott will continue outreach. Note this is not slowing project progress

Please do not hesitate to contact me if you have any questions or comments.

Sincerely,



Josh Carter, PE, D. CE

Project Manager; Office: 504-383-9785; Email: Joshua.carter@mottmac.com

#4c

VALBRIDGE.COM



November 10, 2022

VIA E-Mail Only

Ms. JoAnna P. "Jody" Weaver, P.E.
Interim City Manager
City of Port Lavaca
202 N. Virginia Street
Port Lavaca, Texas 77979

E-Mail: jweaver@portlavaca.org

Phone: (361) 827-3601

**RE: Authorization & Engagement Agreement
The Harbor of Refuge (HOR) 14 Land Tracts
City Harbor 9 Tracts**

Dear Ms. Weaver:

The purpose of this letter is to set forth the terms and conditions to complete an appraisal of the above referenced properties for the purpose of estimating its market value. We have not performed any services, as an appraiser or in any other capacity, regarding the subject property within the three-year period immediately preceding the date of this letter.

The assignment will produce an Appraisal Report in accordance with Standards Rule 2-2 (a) of USPAP with full support for its value conclusions. It will be made in conformity with and is subject to the requirements of the Code of Professional Ethics and Standards of Professional Conduct of the Appraisal Institute and the Uniform Standards of Professional Appraisal Practice (USPAP) of the Appraisal Foundation.

Scope/Property Description

The subjects are located as follows:

- The Harbor of Refuge (HOR) 14 Land Tracts
Port Lavaca, Texas 77979
- City Harbor 9 Tracts
Port Lavaca, Texas 77979

The scope of work will be to develop a market value of the property, as well as market rent for each property. A summary of the sites is below:

VALBRIDGE PROPERTY ADVISORS | HOUSTON
974 Campbell Road, Ste. 204
Houston, TX 77024
Phone: 713.467.5858



Harbor of Refuge Land Tracts		
	Aerial Tracts	CAD
Tract	Size/Acres	Acres
2	0.66 acres current lessee is Prestige Oysters	Account
3	4.30 acres current lessee is Encore Dredging	81505
5 & 15	is part of the 16.10 acre long term leased area) These two tracts are leased together currently to Equalizer	
10	3.00 acres current lessee is Prestige Oysters	
11 & 12	16 acres - Are combining tracts working to lease to Encore dredging	
13	7.00 acres – used as a gun range	
14	1.00 acres – has not been leased in many years	
Adj to 14	2.06 acres – has not been leased in many years	
Tract along Corp. Ditch	8.04 acres – has not been leased in many years	
Landfill Area	74.08 acres total and includes the 7.0 acre of tract 13 and public road right-of-way	
Long Term Leased Area	16.10 acres - Helena Chemicals has long term lease on Tracts 6,7,8,9,18 (9.397 ac)	
Long Term Leased Area	Sparklight Cable service leases Tract 4	

City Harbor Tracts		
	Aerial Tracts	
Tract	Size/SF	Acres
3	7275 sf on AutoCAD (150.4 LF of dock)	0.16
4	7212 sf on AutoCAD (68.60+89.63' of dock)	
5	2554 sf on AutoCAD (31.50+41.91+23.73+7.77' of dock)	
12	3765 sf on AutoCAD of LOW dock (120.75' of dock) – low dock is leased	0.12
6	8079 sf of LOW dock (263.80+1.28' of dock) – low dock is leased	0.30
9	21,000	0.48
9a	8,220	0.19
10	23,000	0.53
11	18,827 sf (55.97'+118.13'+33.34' of dock) + a CMU building (approx. 15'x55')	



The appraisal will not take into consideration any potential environmental issues that may or may not exist on the property. We cannot assume any responsibility for the discovery, analysis, or treatment of such substances on the subject or its surroundings.

Terms

Appraisal Fee	\$16,500
Retainer	Not required
Delivery Time	45 days from Engagement
Deliverables	Electronic PDF by e-mail

Requested Data

In order to complete the appraisal we ask that you provide us relevant information needed for its preparation listed below.

1. Boundary Survey
2. Site Plan
3. Lease
4. Historic Income & Expenses for the last three or four years and the current year-to-date
5. Name and telephone number of contact person

Intended User

The appraisal shall be prepared for the sole and exclusive use of City of Port Lavaca. We request that you seek our written authorization before releasing the report to any other party.

Intended Use

The intended use is to assist the client in their determination of market value.

Payment Terms

The fee is payable upon the delivery of the report. Payments that are not made within thirty (30) days after delivery will be assessed a late fee equal to 1.50% of the balance due for each thirty (30) day period the balance remains unpaid.

All amounts owing and to be owed under this agreement are due and payable in Harris County, Texas and the parties hereto agree that any action to recover such amounts may, at the option of the party entitled to such amounts, be brought in a court of appropriate jurisdiction in Harris County, Texas.

In addition, the client recognizes, acknowledges and is hereby notified that Valbridge Property Advisors I The Gerald A. Teel Company, Inc. is entitled to file and claim a lien upon the property on or after the date



that the appraisal fee is earned pursuant to Chapter 62 of the Texas Property Code entitled "Brokers and Appraisers' Lien on Commercial Real Estate Act" and pursuant to the terms and conditions of this contract. This clause will be enforced only when allowed by law.

Client/Address

Ms. JoAnna P. "Jody" Weaver, P.E.
Interim City Manager
City of Port Lavaca
202 N. Virginia Street
Port Lavaca, Texas 77979

Invoicee/Address

Ms. JoAnna P. "Jody" Weaver, P.E.
Interim City Manager
City of Port Lavaca
202 N. Virginia Street
Port Lavaca, Texas 77979

I trust the above is satisfactory to your needs. Attached to and incorporated in this engagement letter are Valbridge Property Advisors Terms and Conditions of Agreement. These Terms and Conditions are an integral part of our engagement and govern the work to be performed for you. The appraisal will be completed in accordance with these terms.

Respectfully submitted,
Valbridge Property Advisors

Chris Lantz, MAI
Senior Managing Director
clantz@valbridge.com
(713) 467-5858

Signature

JoAnna P. Weaver

Name (type or print)

AGREED AND ACCEPTED

Interim City Manager

Title

11.10.2022

Date



General Assumptions and Limiting Conditions

This appraisal is subject to the following general assumptions and limiting conditions:

1. The legal description – if furnished to us – is assumed to be correct.
2. No responsibility is assumed for legal matters, questions of survey or title, soil or subsoil conditions, engineering, availability or capacity of utilities, or other similar technical matters. The appraisal does not constitute a survey of the property appraised. All existing liens and encumbrances have been disregarded and the property is appraised as though free and clear, under responsible ownership and competent management unless otherwise noted.
3. Unless otherwise noted, the appraisal will value the property as though free of contamination. Valbridge Property Advisors | The Gerald A. Teel Company, Inc. will conduct no hazardous materials or contamination inspection of any kind. It is recommended that the client hire an expert if the presence of hazardous materials or contamination poses any concern.
4. The stamps and/or consideration placed on deeds used to indicate sales are in correct relationship to the actual dollar amount of the transaction.
5. Unless otherwise noted, it is assumed there are no encroachments, zoning violations or restrictions existing in the subject property.
6. The appraiser is not required to give testimony or attendance in court by reason of this appraisal, unless previous arrangements have been made.
7. Unless expressly specified in the engagement letter, the fee for this appraisal does not include the attendance or giving of testimony by Appraiser at any court, regulatory or other proceedings, or any conferences or other work in preparation for such proceeding. If any partner or employee of Valbridge Property Advisors | The Gerald A. Teel Company, Inc. is asked or required to appear and/or testify at any deposition, trial, or other proceeding about the preparation, conclusions or any other aspect of this assignment, client shall compensate Appraiser for the time spent by the partner or employee in appearing and/or testifying and in preparing to testify according to the Appraiser's then current hourly rate plus reimbursement of expenses.
8. The values for land and/or improvements, as contained in this report, are constituent parts of the total value reported and neither is (or are) to be used in making a summation appraisal of a combination of values created by another appraiser. Either is invalidated if so used.
9. The dates of value to which the opinions expressed in this report apply are set forth in this report. We assume no responsibility for economic or physical factors occurring at some point at a later date, which may affect the opinions stated herein. The forecasts, projections, or operating estimates contained herein are based on current market conditions and anticipated short-term supply and demand factors and are subject to change with future conditions. Appraiser is not responsible for determining whether the date of value requested by Client is appropriate for Client's intended use.
10. The sketches, maps, plats and exhibits in this report are included to assist the reader in visualizing the property. The appraiser has made no survey of the property and assumed no responsibility in connection with such matters.
11. The information, estimates and opinions, which were obtained from sources outside of this office, are considered reliable. However, no liability for them can be assumed by the appraiser.



12. Possession of this report, or a copy thereof, does not carry with it the right of publication. Neither all, nor any part of the content of the report, or copy thereof (including conclusions as to property value, the identity of the appraisers, professional designations, reference to any professional appraisal organization or the firm with which the appraisers are connected), shall be disseminated to the public through advertising, public relations, news, sales, or other media without prior written consent and approval.
13. No claim is intended to be expressed for matters of expertise that would require specialized investigation or knowledge beyond that ordinarily employed by real estate appraisers. We claim no expertise in areas such as, but not limited to, legal, survey, structural, environmental, pest control, mechanical, etc.
14. This appraisal was prepared for the sole and exclusive use of the client for the function outlined herein. Any party who is not the client or intended user identified in the appraisal or engagement letter is not entitled to rely upon the contents of the appraisal without express written consent of Valbridge Property Advisors | The Gerald A. Teel Company, Inc. and Client. The Client shall not include partners, affiliates, or relatives of the party addressed herein. The appraiser assumes no obligation, liability or accountability to any third party.
15. Distribution of this report is at the sole discretion of the client, but third-parties not listed as an intended user on the face of the appraisal or the engagement letter may not rely upon the contents of the appraisal. In no event shall client give a third-party a partial copy of the appraisal report. We will make no distribution of the report without the specific direction of the client.
16. This appraisal shall be used only for the function outlined herein, unless expressly authorized by Valbridge Property Advisors | The Gerald A. Teel Company, Inc.
17. This appraisal shall be considered in its entirety. No part thereof shall be used separately or out of context.
18. Unless otherwise noted in the body of this report, this appraisal assumes that the subject property does not fall within the areas where mandatory flood insurance is effective. Unless otherwise noted, we have not completed nor have we contracted to have completed an investigation to identify and/or quantify the presence of non-tidal wetland conditions on the subject property. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
19. The flood maps are not site specific. We are not qualified to confirm the location of the subject property in relation to flood hazard areas based on the FEMA Flood Insurance Rate Maps or other surveying techniques. It is recommended that the client obtain a confirmation of the subject property's flood zone classification from a licensed surveyor.
20. If the appraisal is for mortgage loan purposes 1) we assume satisfactory completion of improvements if construction is not complete, 2) no consideration has been given for rent loss during rent-up unless noted in the body of this report, and 3) occupancy at levels consistent with our "Income and Expense Projection" are anticipated.
21. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures which would render it more or less valuable. No responsibility is assumed for such conditions or for engineering which may be required to discover them.



22. Our inspection included an observation of the land and improvements thereon only. It was not possible to observe conditions beneath the soil or hidden structural components within the improvements. We inspected the buildings involved, and reported damage (if any) by termites, dry rot, wet rot, or other infestations as a matter of information, and no guarantee of the amount or degree of damage (if any) is implied. Condition of heating, cooling, ventilation, electrical and plumbing equipment is considered to be commensurate with the condition of the balance of the improvements unless otherwise stated. Should the client have concerns in these areas, it is the client's responsibility to order the appropriate inspections. The appraiser does not have the skill or expertise to make such inspections and assumes no responsibility for these items.
23. This appraisal does not guarantee compliance with building code and life safety code requirements of the local jurisdiction. It is assumed that all required licenses, consents, certificates of occupancy or other legislative or administrative authority from any local, state or national governmental or private entity or organization have been or can be obtained or renewed for any use on which the value conclusion contained in this report is based unless specifically stated to the contrary.
24. When possible, we have relied upon building measurements provided by the client, owner, or associated agents of these parties. In the absence of a detailed rent roll, reliable public records, or "as-built" plans provided to us, we have relied upon our own measurements of the subject improvements. We follow typical appraisal industry methods; however, we recognize that some factors may limit our ability to obtain accurate measurements including, but not limited to, property access on the day of inspection, basements, fenced/gated areas, grade elevations, greenery/shrubbery, uneven surfaces, multiple story structures, obtuse or acute wall angles, immobile obstructions, etc. Professional building area measurements of the quality, level of detail, or accuracy of professional measurement services are beyond the scope of this appraisal assignment.
25. We have attempted to reconcile sources of data discovered or provided during the appraisal process, including assessment department data. Ultimately, the measurements that are deemed by us to be the most accurate and/or reliable are used within this report. While the measurements and any accompanying sketches are considered to be reasonably accurate and reliable, we cannot guarantee their accuracy. Should the client desire more precise measurement, they are urged to retain the measurement services of a qualified professional (space planner, architect or building engineer) as an alternative source. If this alternative measurement source reflects or reveals substantial differences with the measurements used within the report, upon request of the client, the appraiser will submit a revised report for an additional fee.
26. In the absence of being provided with a detailed land survey, we have used assessment department data to ascertain the physical dimensions and acreage of the property. Should a survey prove this information to be inaccurate, upon request of the client, the appraiser will submit a revised report for an additional fee.
27. If only preliminary plans and specifications were available for use in the preparation of this appraisal, and a review of the final plans and specifications reveals substantial differences upon request of the client the appraiser will submit a revised report for an additional fee.



28. Unless otherwise stated in this report, the value conclusion is predicated on the assumption that the property is free of contamination, environmental impairment or hazardous materials. Unless otherwise stated, the existence of hazardous material was not observed by the appraiser and the appraiser has no knowledge of the existence of such materials on or in the property. The appraiser, however, is not qualified to detect such substances. The presence of substances such as asbestos, urea-formaldehyde foam insulation or other potentially hazardous materials may affect the value of the property. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required for discovery. The client is urged to retain an expert in this field, if desired.
29. The Americans with Disabilities Act ("ADA") became effective January 26, 1992. We have not made a specific compliance survey of the property to determine if it is in conformity with the various requirements of the ADA. It is possible that a compliance survey of the property, together with an analysis of the requirements of the ADA, could reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this could have a negative effect on the value of the property. Since we have no direct evidence relating to this issue, we did not consider possible noncompliance with the requirements of ADA in developing an opinion of value.
30. This appraisal applies to the land and building improvements only. The value of trade fixtures, furnishings, and other equipment, or subsurface rights (minerals, gas, and oil) were not considered in this appraisal unless specifically stated to the contrary.
31. No changes in any federal, state or local laws, regulations or codes (including, without limitation, the Internal Revenue Code) are anticipated, unless specifically stated to the contrary.
32. Any income and expense estimates contained in the appraisal report are used only for the purpose of estimating value and do not constitute prediction of future operating results. Furthermore, it is inevitable that some assumptions will not materialize and that unanticipated events may occur that will likely affect actual performance.
33. Any estimate of insurable value, if included within the scope of work and presented herein, is based upon figures developed consistent with industry practices. However, actual local and regional construction costs may vary significantly from our estimate and individual insurance policies and underwriters have varied specifications, exclusions, and non-insurable items. As such, we strongly recommend that the Client obtain estimates from professionals experienced in establishing insurance coverage. This analysis should not be relied upon to determine insurance coverage and we make no warranties regarding the accuracy of this estimate.
34. The data gathered in the course of this assignment (except data furnished by the Client) shall remain the property of the Appraiser. The appraiser will not violate the confidential nature of the appraiser-client relationship by improperly disclosing any confidential information furnished to the appraiser. Notwithstanding the foregoing, the Appraiser is authorized by the client to disclose all or any portion of the appraisal and related appraisal data to appropriate representatives of the Appraisal Institute if such disclosure is required to enable the appraiser to comply with the Bylaws and Regulations of such Institute now or hereafter in effect.



35. You and Valbridge Property Advisors | The Gerald A. Teel Company, Inc. both agree that any dispute over matters in excess of \$5,000 will be submitted for resolution by arbitration. This includes fee disputes and any claim of malpractice. The arbitrator shall be mutually selected. If Valbridge Property Advisors | The Gerald A. Teel Company, Inc. and the client cannot agree on the arbitrator, the presiding head of the Local County Mediation & Arbitration panel shall select the arbitrator. Such arbitration shall be binding and final. In agreeing to arbitration, we both acknowledge that, by agreeing to binding arbitration, each of us is giving up the right to have the dispute decided in a court of law before a judge or jury. In the event that the client, or any other party, makes a claim against The Gerald A. Teel Company, Inc. or any of its employees in connections with or in any way relating to this assignment, the maximum damages recoverable by such claimant shall be the amount actually received by Valbridge Property Advisors | The Gerald A. Teel Company, Inc. for this assignment, and under no circumstances shall any claim for consequential damages be made.
36. Valbridge Property Advisors | The Gerald A. Teel Company, Inc. shall have no obligation, liability, or accountability to any third party. Any party who is not the "client" or intended user identified on the face of the appraisal or in the engagement letter is not entitled to rely upon the contents of the appraisal without the express written consent of Valbridge Property Advisors | The Gerald A. Teel Company, Inc. "Client" shall not include partners, affiliates, or relatives of the party named in the engagement letter. Client shall hold Valbridge Property Advisors | The Gerald A. Teel Company, Inc. and its employees harmless in the event of any lawsuit brought by any third party, lender, partner, or part-owner in any form of ownership or any other party as a result of this assignment. The client also agrees that in case of lawsuit arising from or in any way involving these appraisal services, client will hold Valbridge Property Advisors | The Gerald A. Teel Company, Inc. harmless from and against any liability, loss, cost, or expense incurred or suffered by Valbridge Property Advisors | The Gerald A. Teel Company, Inc. in such action, regardless of its outcome.
37. The Valbridge Property Advisors office responsible for the preparation of this report is independently owned and operated by Gerald A. Teel. Neither Valbridge Property Advisors, Inc., nor any of its affiliates has been engaged to provide this report. Valbridge Property Advisors, Inc. does not provide valuation services, and has taken no part in the preparation of this report.
38. If any claim is filed against any of Valbridge Property Advisors, Inc., a Florida Corporation, its affiliates, officers or employees, or the firm providing this report, in connection with, or in any way arising out of, or relating to, this report, or the engagement of the firm providing this report, then (1) under no circumstances shall such claimant be entitled to consequential, special or other damages, except only for direct compensatory damages, and (2) the maximum amount of such compensatory damages recoverable by such claimant shall be the amount actually received by the firm engaged to provide this report.
39. This report and any associated work files may be subject to evaluation by Valbridge Property Advisors, Inc., or its affiliates, for quality control purposes.
40. Acceptance and/or use of this appraisal report constitutes acceptance of the foregoing general assumptions and limiting conditions.

COMMUNICATION

SUBJECT: ACTION ITEM - RECEIVE STATUS REPORTS ON SPECIAL PROJECTS

INFORMATION:

- a) Status report regarding TCEQ inspection in June 2022 of Tract 17 and 17Ar - Presenter Jody Weaver
- b) CRG Limited Phase II Environmental Site Assessment of the Harbor of Refuge Tracts 16, 17, and 17Ar - Presenter Jody Weaver

5 a

CITY OF PORT LAVACA

PORT COMMISSION MEETING: NOVEMBER 15, 2022**DATE:** 11/14/2022**TO:** PORT COMMISSION**CC:** JIM RUDELLAT, HARBOR MASTER**FROM:** JODY WEAVER, INTERIM CITY MANAGER**SUBJECT:** TCEQ

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

- The response to TCEQ regarding the Notice of Violation dated October 21, 2022 is due on November 20.
- Urban Engineering is working on a Request for a Voluntary Restoration of the areas that have been disturbed and will submit that by the end of this week.
- Encore is moving off of the property beginning November 15 and hopes to be off before Christmas and certainly before the end of the year.
- I have confirmation that all 3 of the shoreline protection projects we submitted for the 2023 GLO Coastal Resiliency Master Plan have been approved for inclusion. The call for GLO CEPRA grants will be in March with a due date in June, which can be used to construct shoreline protection along this bank. We are also expecting several million dollars of CDBG-MIT funds that could be used for this shoreline protection as well.

Phase II Environmental Site Assessment at Harbor of Refuge:

On November 2nd we received a request from TCEQ to submit an "Affected Property Assessment Report". Our consultant John Hogue explains that an APAR is a more detailed evaluation and presentation of the data that has been taken. He expects this will require some additional groundwater monitoring. I have received CRG's proposal for the APAR Report and additional sampling for \$15,210.00. I will authorize this additional work which is due to TCEQ at the end of January.

Attached:

- Letter from TCEQ dated November 2
- Email from John Hogue of CRG Environmental.
- CRG proposal for APAR Prep and Sampling

Jon Niermann, *Chairman*
 Emily Lindley, *Commissioner*
 Bobby Janecka, *Commissioner*
 Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 2, 2022

Transmitted Electronically

Ms. Jody Weaver
 City of Port Lavaca
 202 North Virginia Street
 Port Lavaca, Texas 77979

Re: Request for Information
Response for Request for Information, dated April 18, 2022
 Harbor of Refuge - City of Port Lavaca
 South Virginia Street, Port Lavaca, Calhoun County
 Facility ID No. T3678; CN600755052; RN102335361

Dear Ms. Weaver:

The Texas Commission on Environmental Quality (TCEQ) has reviewed the above-referenced submittal. The information provided shows that soil and groundwater are affected by historical operations. Total petroleum hydrocarbons, lead, and arsenic are present in soil and concentration above the Texas Risk Reduction Program (TRRP) Protective concentration levels (PCLs). Concentrations of arsenic in groundwater exceed the PCL. **Please submit an Affected Property Assessment Report within 90 days from the date of this letter.**

Questions concerning this letter should be directed to me at (512) 239-2489. When responding by mail, please submit one paper copy and one electronic copy (on USB or disc) of all correspondence and reports to the TCEQ Remediation Division at Mail Code MC-127. An additional copy should be submitted in electronic format to the local TCEQ Region Office. The information in the reference block should be included in all submittals. Note that the electronic and hard copies should be identical, complete copies. A Correspondence ID Form (TCEQ Form 20428) must accompany each document submitted to the Remediation Division and should be affixed to the front of your submittal. The Correspondence ID Form helps ensure that your documents are identified correctly and are routed to the applicable program for a timely response.

Sincerely,

Garrett Thering, Project Manager
 VCP-CA Section
 Remediation Division
 Texas Commission on Environmental Quality

Ms. Jody Weaver
Page 2
November 2, 2022
Facility ID No. T3678

GMT/gmt

cc: Mr. Timothy Perdue, TCEQ, Waste Section Manager, Corpus Christi Regional
Office, MC'R-14, via email

Jody Weaver

From: John Hogue <john@crgtexas.com> on behalf of John Hogue
Sent: Thursday, November 3, 2022 9:38 AM
To: Jody Weaver
Subject: RE: TCEQ Correspondence Facility ID No. T3678 Request for Information
Attachments: APAR Form - 10325 (3).doc

Follow Up Flag: Follow up
Flag Status: Flagged

Jody

I was concerned this might happen. Metals in groundwater always represent a bit of minefield with TCEQ. Particularly arsenic and lead. Both are just barely over the screening PCLs.

TCEQ likes their process. The APAR is a more detailed evaluation and presentation of the data. Attached is the APAR "form" for your reference. As you might imagine, the attachments are quite extensive for an APAR.

The APAR is where one develops "critical PCLs" upon which you determine if additional remediation or actions are required. I would expect this to require some additional groundwater sampling. We didn't see anything requiring immediate soil removal in our samples.

I'll get you a proposal. I will include another round of GW sampling as we'll need the data eventually and it may help with the APAR data presentation.

JHogue

John I. Hogue, PG, CHMM, LPST-PM
Senior Project Manager
CRG Texas Environmental Services, Inc.
John@crgtexas.com
2504 Avenue I, Rosenberg Texas 77471

Main: 713-474-1570 Ext 7021
Direct: 713-474-1565
Mobile: 713-818-2758
Efax: 713-481-1861
Fax: 832-595-2815

November 14, 2022

JoAnna P. "Jody" Weaver, P.E.
City Engineer/Community and Economic Development
City of Port Lavaca
202 N. Virginia St.
Port Lavaca, Texas 77979



Subject: Proposal - Affected Property Assessment Report (APAR) Preparation / Additional Sampling
Harbor of Refuge
Port Lavaca, Texas
Facility ID No. T3678; CN600755052; RN102335361

Dear Ms. Weaver;

CRG Texas Environmental Services, Inc. (CRG Texas) is pleased to present this work plan and cost proposal to prepare and submit the Affected Property Assessment Report (APAR) as requested by TCEQ in the November 2, 2022 Request for Information. In the letter, TCEQ states that:

"The information provided shows that soil and groundwater are affected by historical operations. Total petroleum hydrocarbons, lead, and arsenic are present in soil and concentration above the Texas Risk Reduction Program (TRRP) Protective concentration levels (PCLs). Concentrations of arsenic in groundwater exceed the PCL. Please submit an Affected Property Assessment Report within 90 days from the date of this letter."

The purpose of the APAR is to document all relevant affected property information to identify all release sources and constituents of concern (COCs), determine the extent of those COCs, identify all transport/exposure pathways, and to determine if any response actions are necessary. For the Harbor of Refuge landfill property, the previous investigations provide a substantial amount of information that will be used to prepare the APAR.

As a precursor to the APAR preparation, CRG Texas recommends the collection of an additional round of groundwater samples from the site monitoring wells as well as the collection of surface water and nearshore sediment samples from the Harbor of Refuge channel given its immediate proximity to the subject property. The APAR does evaluate potential surface water exposure scenarios and it's also possible that COCs (e.g., arsenic) from the surface water / sediments contribute to COC impacts observed at the affected property.

This proposal summarizes the project understanding, proposed scope of work, schedule, estimated costs, and contractual conditions.

SCOPE OF WORK

Groundwater Gauging and Sampling

CRG Texas will mobilize to the site gauge and sample the four existing monitoring wells. The wells will be opened and subsequently gauged to determine the depth to water. Once gauged, low-flow groundwater sampling will be conducted in accordance with industry standard and TCEQ-EPA sampling guidelines.

Groundwater sampling will be conducted using a peristaltic pump and dedicated 1/4-inch polyethylene tubing. Tubing intake depths will be set at about 5' above the bottom the well. Low-flow purging will be conducted at purge rate of 0.1 - 0.2 liters/minute to minimize turbidity. Field parameters of pH, specific conductivity, temperature, dissolved oxygen, turbidity and oxidation-reduction potential will be monitored. Well drawdown will also be recorded with each set of field parameters. Upon stabilization of field parameters, groundwater samples collected directly into laboratory-supplied bottles. Filled sampled bottles will be immediately placed in an iced cooler. The samples will be transported under chain-of-custody to the Eurofins Xenco laboratory in Stafford, Texas for the analyses listed in the following section.

Surface Water and Sediment Sampling

Given the proximity of the Lavaca Bay (i.e., potential surface water exposure pathway), CRG Texas also proposes to collect 2 surface water and 2 near shore sediment samples. The samples will be used for further screening purposes.

Laboratory Chemical Analysis

All samples will be analyzed for the following parameters by the listed methods:

- Total petroleum hydrocarbons (TPH) by Texas Method 1005;
- If TPH is detected in the samples, the sample with the highest TPH concentration will be analyzed for poly-aromatic hydrocarbons (PAHs) by EPA Method 8270C or TPH speciation by Method TX 1006;
- RCRA metals by EPA Method 6010/6020/7471;

APAR Preparation

CRG Texas will prepare the APAR in accordance with the TCEQ's Instructions for Completing an Affected Property Assessment Report (TCEQ-10325/APAR June 2005). The APAR is a text-based report supported by various specified tables and figures. Additional discussions are provided as necessary to explain site-specific situations and to present conclusions and recommendations.

SCHEDULE

CRG Texas will complete the field sampling in a single day. It is expected the analytical results will be received within 7 business days. The effort needed to prepare the APAR deliverable is quite extensive. CRG Texas estimates it will take three (3) weeks to prepare the submittal. Assuming no glaring data gaps are identified, we should have no difficulties providing the requested APAR with the 90-day timeline.

Cost and Payment Terms

The costs to complete the identified work elements are estimated as follows and as shown on the attached unit cost estimate worksheet:

- Additional sampling and analyses \$ 5,210
- Prepare and submit the APAR \$ 10,000

These costs do not provide for additional field investigations which may be required to fully comply with delineation requirements under the Texas Risk Reduction Program (TRRP) or TCEQ-specified data requests.

Client Authorization

If you are in agreement with the estimated costs, terms, conditions, and schedule listed above please sign, date, and return this document as acknowledgement of Notice to Proceed with the project. We will coordinate directly with you as needed and begin work as soon as possible.

Printed Name: JoAnna P. Weaver

Title: Interim City Manager

Client Signature: [Signature]

Date: 11.14.2022

We appreciate the opportunity to provide Environmental Services to you.

Cordially,

Kevin C. Casler
Vice President
CRG Texas Environmental Services, Inc.

Attachments:
Cost Estimate



Cost Estimate
APAR Preparation / Additional Sampling
City of Port Lavaca Landfill

TCEQ Coordination, PM				
Project Manager	hours		\$152	\$0.00
Staff Geoscientist	hours		\$125	\$0.00
				\$0.00
Additional Sampling				
Staff Geoscientist	10	hours	\$125	\$1,250.00
Field Technician	10	hours	\$85	\$850.00
Field Vehicle with Hand Tools	1	day	\$100	\$100.00
Low Flow Sampling Equipment Package	1	day	\$275	\$275.00
Oil-Water Interface Probe	1	day	\$35	\$35.00
				\$2,510.00
Laboratory Chemical Analysis				
Groundwater (4), Surface Water (2), Sediment (2)				
TPH	4	each	\$110	\$440.00
Metals (RCRA 8)	4	each	\$140	\$560.00
TPH (TX1006, Supplemental)	1	each	\$350	\$350.00
Surface Water (2), Sediment (2)				
VOCs Water	4	each	\$140	\$560.00
TPH Water	4	each	\$110	\$440.00
SPLP Metals Analyses (Sediment - Supplemental)	1	each	\$350	\$350.00
				\$2,700.00
APAR Preparation	1	LS	\$10,000	\$10,000.00
Total Phase II ESA				\$15,210.00

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

A) City Harbor

- 1) City Manager is working on bid proposal for track 9 & 9A to put in the paper.

B) Nautical Landings Building

- 1) Derrick Smith Director of Development is putting a scope of work together for electrical upgrade cupola and north wall repair to go out for bids.

C) Nautical Landings Marina

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

D) Smith Harbor

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

E) Harbor of Refuge

- 1) Aerial spraying
- 2) Matt Glaze with Urban Engineering is working on the voluntary restoration on track 17A.

COMMUNICATION

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

INFORMATION:

#9a

REQUEST FOR PROPOSALS FOR GROUND LEASES

CITY HARBOR Tract 9 and 9A (0.68 acres; 576 LF of dock)

RFP Issue Date: November 16, 2022

Due Date: December 8 at 4:00 pm CST

City of Port Lavaca
City Manager's Office
202 N. Virginia St.
Port Lavaca, TX 77979

REQUEST FOR PROPOSALS FOR GROUND LEASE**CITY HARBOR TRACT 9 and 9A (0.68 ACRES; 576 LF of dock)**

The City of Port Lavaca is pleased to announce a Ground Lease opportunity at the City Harbor and is seeking proposals from interested entities (Tenant) to lease this tract comprised of Tract 9 and 9A for one year with the possibility to extend one additional year.

The minimum acceptable rent is \$3,800/month for year one, with an increase pursuant to the municipal cost index for the second year if granted. The complete proposal package is available for download from the City's website at www.portlavaca.org. To receive a hard copy or arrange for a site visit, contact Harbor Master Jim Rudellat at 361-920-0607 or jrudellat@portlavaca.org.

Proposals must be received by the City of Port Lavaca, Attn: City Manager 202 N. Virginia Street, Port Lavaca, Texas 77979 no later than **4:00 pm on Thursday, December 8, 2022** to be considered.

The City of Port Lavaca reserves the right to negotiate with any and all respondents that submit proposals.

The **CITY OF PORT LAVACA** is an Affirmative Action/Equal Opportunity Employer. Minority Business Enterprises, Small Business Enterprises, Women Business Enterprises and labor surplus area firms are encouraged to submit proposals.

1. Introduction

The City of Port Lavaca is pleased to announce a Ground Lease opportunity at the City Harbor in Port Lavaca, Texas. The City is seeking proposals from interested entities (tenant) to lease this tract comprised of Tract 9 and 9A for one year with the possibility to extend one additional year.

2. The Opportunities: Reference the Aerial Site Map of the Harbor of Refuge - Exhibit A

TRACT 9/9A

- Acreage: 0.68 acres
- Dock space (concrete capped bulkhead): 576 LF
- Public Water: Yes, there is an 8" waterline on Broadway and a 6" waterline on the north side of the 25 ft road right-of-way that is each available for a water tap and meter.
- Access to Public Sewer: There is a lift station at the east corner of the tract available, although it is not currently in use.
- Electricity: Overhead AEP Power is available on Broadway St.
- Permanent improvements: Approximate 20' x 30' concrete containment area is located on Tract 9A
- Access: Tract 9 and 9A has public access from a 25 ft wide public right-of-way off of Broadway St. Within Tract 9 is a 20 ft access easement to provide public access to Tract 10, currently under lease.

3. How to Submit a Proposal:

Proposals for these opportunities must be received by the City of Port Lavaca, Attn: City Manager 202 N. Virginia Street, Port Lavaca, Texas 77979 no later than 4:00 pm on Thursday, December 8, 2022 to be considered.

4. Lease Agreement: The standard lease agreement for these tracts is attached as Exhibit B. Respondents are urged to read this carefully. Article 11 of this agreement provides the Insurance requirements.

5. Lease term: One year with the possibility of a second year, if agreed upon by both parties.

6. Lease Rate: The Respondent shall specify the monthly Rental amount in the proposal, however, to be considered the minimum monthly rental rate must be at or greater than the following:

Tract 9 /9A: \$3,000.00 per month

It is understood that the rental rate will be adjusted on October 1 of each year of the lease to reflect any increase in the Municipal Cost Index (MCI).

7. Site Visit: To arrange for a site visit, please contact Harbor Master Jim Rudellat at 361-920-0607 or via email at jrudellat@portlavaca.org.

8. Submittal Format: Submittals should be organized in a clear and concise manner. The minimum format for the submittal should be as follows:

- a) Cover letter/Statement of Interest – An introductory letter serving as a Statement in Interest on firm letterhead indicating name of firm, contact person, address, phone, e-mail, and a short statement which summarizes the team composition and strengths of the firm/team as it relates to this proposal.
- b) Approach and Scope – Provide a detailed description of the type of operation you propose to use the land for, including hours of operation and any proposed improvements to the tract(s). If applicable, include a description of the firm's past experience with similar operations elsewhere. If you are proposing to make improvements to the tract(s), provide a detailed description and the time frame for completing those improvements.
- c) Proposed Rent and Term – Clearly specify the rental rate you are proposing. Include acknowledgement of the annual adjustment per the Municipal Cost Index.
- d) References – Please provide names and contact information (phone and email) for three (3) individuals who can speak to firm's past performance in similar operations.
- e) Financial Capacity – (THIS ITEM TO BE SUBMITTED CONFIDENTIALLY UNDER SEPARATE COVER MARKED CONFIDENTIAL) Present evidence that the Respondent has the financial capacity to carry out the proposed commitments. This evidence shall be in the form of a complete financial statement (audited if possible) for the last completed fiscal year, including a balance sheet and income statement.

9. Cost Liability: The Respondent shall bear all costs associated with submitting the proposal. The City of Port Lavaca does not pay finder's fees or commissions for opportunities arising under this RFP.

10. Statement of Rights and Understanding: The City reserves and may in its sole discretion, exercise the following rights and options with respect to this Request for Proposals (RFP).

- a) to accept, reject or negotiate modifications to any and all proposals as it shall, in its sole discretion, deem to be in its best interest; submission of an RFP does not bind the City to any action or to any party. Submissions do not create or assume any relationship, agency or obligation by the City.
- b) to issue additional solicitations for proposals and/or addenda to the RFP;
- c) to award the leases to the respondent(s) the City has determined to be most responsive, who has submitted a complete proposal which is deemed by the City to be most advantageous to and in the best interest of the City;
- d) to negotiate with any one or more of the respondents;
- e) to waive any irregularities in any proposal;
- f) to select any proposal as the basis for negotiations or a Lease Agreement, and to negotiate with respondents for amendment or other modifications to their proposals;
- g) to conduct investigation and obtain additional information deemed necessary to determine the ability of the respondent to carry out the obligations of the lease. This includes information needed to

evaluate the experience and financial capability of the respondent and estimates of commercial activity that will generate monthly tariffs paid to the City;

11. Proposal Evaluation: The City of Port Lavaca Port Commission will review and evaluate all proposals and make recommendations to the City Council for any award of the lease based upon the proposal that is the most advantageous and in the best interest of the City. The evaluation criteria shall include but not be limited to the following:

- Thoroughness and completeness of the proposal;
- The amount of revenue that will be generated from rent, tariffs, property taxes and any other applicable fees;
- The intended use and any proposed improvements to the property;
- Compatibility of proposed operation with the surrounding uses and local community;
- Financial resources, history and references of the respondent;

12. City Contact:

Requests for additional information regarding this statement of qualifications shall be addressed to Interim City Manager, Jody Weaver jweaver@portlavaca.org 361-827-3601.

13. Award Timeline:

It is anticipated that a recommendation from the Port Commission to City Council to award a lease would be made at the Council Meeting on January 9, 2023.

Attachment A – Site Plan: City Harbor Tracts 9, 9A and 10 (Note this solicitation involves Tracts 9 and 9A as a single lease and does not involve Tract 10, which is currently under a short term lease.

