



**CITY OF**  
**PORT LAVACA**

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**MINUTES OF 03/02/2021 REGULAR PORT COMMISSION MEETING**

The Agenda having been properly posted, Chairman Alex Davila called the meeting to order at 10:03 A.M. on Tuesday, March 2, 2021. Members attending were Commissioner Mike McGuire, Commissioner David Roberts, Commissioner Sue Traylor, Commissioner Raymond Butler, also attending by Zoom, City Attorney Anne Marie Odefey. City Staff attending were, City Manager Jody Weaver, Senior Accountant Blake Buller, Harbor Master Jim Rudellat and Rachel Garza. Visitors in attendance Matt Glaze, Urban Engineering.

**1. CONSENT AGENDA:**

**a. MINUTES OF REGULAR MEETING February 2, 2021**

A motion was made to approve the minutes by Commissioner Mike McGuire, Seconded by Commissioner David Roberts  
Motion Carries.

**2. REPORTS**

- a. TARIFF REPORT**
- b. ACCOUNT AGING REPORT**
- c. REVENUE AND EXPENSE REPORT**
- d. BALANCE SHEET**
- e. PAYMENT REPORT**
- f. PROFIT AND LOSS CASH FLOW REPORT**

Helena Chemical – Jim Rudellat will reach out to Helena Chemical to check status on Rail Car Tariff.

Account Aging Report: Jim Rudellat, Harbor Master will continue to follow up on all past due all accounts.

Cable One Inc. – Jim Rudellat, Harbor Master will reach out to Cable One regarding past due amount.

No action necessary and none taken.

**3. RECEIVE REPORTS FROM STAFF ON THE BILGE RECLAMATION SITE AND CITY HARBOR CLEAN UP.**

Comments for Jim Rudellat, Harbor Master spoke with Rusty Moon, they are still in the last phase of bidding. No new updates.

No action necessary and none taken.

**4. RECEIVE REPORTS FROM URBAN ENGINEERING AND STAFF ON LOW DOCK REPAIRS AND STATUS.**

Comments from Matt Glaze, Urban Engineering J&S has completed everything apart from the concrete and the mooring cleats. Concrete was scheduled but was delayed due to the weather. J&S is approaching the end of their contract.

No action necessary and none taken.

5. RECEIVE REPORTS FROM URBAN ENGINEERING AND STAFF ON SCULLY'S BULKHEAD AND FINGER PIER REPAIRS.  
Comments from Matt Glaze, Urban Engineering project is complete except for the aluminum handrails and grass. Finger piers are all complete.  
No action necessary and none taken.
6. RECEIVE REPORTS FROM STAFF REGARDING STATUS OF NAUTICAL LANDINGS BUILDING AND FRONT PARKING LOT.  
Comments from Jim Rudellat, Harbor Master received the new doors and windows for NL Building.  
Two broken waterline pipes were repaired to the NL Building due to the freeze.  
Water meter is being monitored and verifying with Public Works to see if meter can be relocated.  
No action necessary and none taken.
7. RECEIVE REPORTS FROM STAFF REGARDING STATUS OF NAUTICAL LANDINGS MARINA.  
Comments from Jim Rudellat, Harbor Master, NL Marina had 17 broken ball valves repaired on Dock-A due to the freeze.  
No action necessary and none taken.
8. RECEIVE REPORTS FROM STAFF REGARDING STATUS ON SMITH HARBOR, ASSOCIATED PROPERTIES.  
Comments from Jim Rudellat, Harbor Master, no updates.  
No action necessary and none taken.
9. RECEIVE REPORTS FROM URBAN ENGINEERING ON DREDGING OF SMITH HARBOR, ASSOCIATED PROPERTIES.  
Comments from Matt Glaze, Urban Engineering presented the plans at the last Port Commission meeting on February 2, 2021. Nothing has significantly changed, advertising on March 10<sup>th</sup> and March 17<sup>th</sup>. Prebid's on March 18<sup>th</sup> and open bids on March 25<sup>th</sup>.  
Comments from Alex Davila to Matt Glaze, concrete that was carved out that collapsed into the harbor needs to be broken up or pulled out.  
No action necessary and none taken.
10. RECEIVE UPDATE FROM STAFF ON COMMUNICATIONS WITH TCEQ AND ARMY CORP OF ENGINEERS REGARDING HARBOR OF REFUGE.  
Comments from Jody Weaver, City Engineer, submitted to TCEQ Municipal Solid Waste Division a restoration plan. CRG Environmental will be checking the site weather permitting.  
No action necessary and none taken.
11. RECEIVE REPORTS FROM STAFF ON HARBOR OF REFUGE, BULKHEAD REPAIRS AND LAND IMPROVEMENTS.  
Comments from Jim Rudellat, Harbor Master, no updates to report.  
Comments from Commissioner Raymond Butler, Lavaca Bay Foundation will be meeting on March 10, 2021. Core of Engineers will be discussing the placement area plan of the new channel. Raymond Butler asked Jody Weaver to please attend. Comments from Alex Davila, Chairman, reminded Commissioner Raymond Butler, to keep in touch with Jody Weaver, regarding the corporate clean up. Port Commission needs to have the first right of refusal on any of the material that gets pulled out. Jody Weaver, City Manager to get with TX-Dot for any extra material be given to Port Commission.  
No action necessary and none taken.

12. DISCUSS UPDATES ON BRUSH OPERATOINS AND CLEANUP AT THE HARBOR OF REFUGE.

Comments from Jody Weaver, City Manager, located a piece of equipment known as an Air Burner to be positioned at the Harbor of Refuge to burn brush. Air burner will be relocated to another area for long term brush disposal. Discussed with City Council at the last workshop on permitting for the Air Buner, the buffer zone for this equipment must be within 300 feet of the property line and 300 feet from any building. Location for the first phase would be the Harbor of Refuge however we must verify that there is not any buried trash where the Air Burner will be placed at. The Air Burner will need to be relocated for long term. Will be looking at several sites.

13. RECEIVE REPORTS FROM STAFF AND DISCUSS EXPIRED AND CURRENTLY DUE LEASES.

- a. City Harbor – Item discussed in closed session.
- b. Nautical Landings Building – Item discussed in closed session.
- c. Nautical Landings Marina – Item discussed in closed session.
- d. Smith Harbor – Item discussed in closed session.
- e. Harbor of Refuge – Item discussed in closed session.

Motion was made to task Anne Marie Odefey, City Attorney to move forward with eviction proceedings if payment is not current as of Monday, March 8, 2021.

Motion was made by Commissioner Sue Traylor and Seconded by Commissioner David Roberts.  
Motion carries.

*d. Smith Harbor:* Comments from Alex Davila, Chairman invited Joey Perez, Code Enforcement Officer to inform Port Commission on the white pickup located at the City Harbor. Comments from Joey Perez first step will be working with the Police Dept to identify the owner of the vehicle.

*d. Smith Harbor:* Comments from Alex Davila, Chairman, asked Jim Rudellat, Harbor Master to get with Shirley and Sons to remove their crane from City Harbor so Gonzales Contracting can clean, level, and dress the area as well as removing the white pickup so Port Commission can move forward in leasing the property. Also, requested that the slope be cured at the west end of the City Harbor.

*e. Harbor of Refuge:* Comments from Jody Weaver, City Manager, the railroad on Helena Chemical property was found to be in dangerous condition. We authorized to move forward for the emergency repairs. The quote for the repairs was for \$30,000.00 dollars. Work has been begun and will be completed by the end of the week. Contractor will get with Jim Rudellat, Harbor Master to discuss the entire scope of the project and give an estimate for long term repairs. If repairs are significant, we will need to come up with a scope of work and go out for bids. Two bids were submitted for the emergency repairs.

*e. Harbor of Refuge:* Comments from Jody Weaver, City Manager, regarding permit for the bulkhead still pending.

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

FOR CONSULTATION WITH ATTORNEY ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNING BODY, UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THE OPEN MEETINGS ACT, IN ACCORDANCE WITH TITLE 5, CHAPTER 551, SECTION 551.071(B) OF THE TEXAS GOVERNMENT CODE.

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

**Port Commission entered into closed session at 11:13 am and returned from closed session at 11:45 am**

**15. DISCUSS MONTHLY CHECKLIST FROM HARBOR MASTER.**

Checklist submitted by Jim Rudellat, Harbor Master.

Commissioners discussed this agenda item.

No action necessary and none taken.

**16. GENERAL COMMENTS FROM COMMISSIONERS.**

Comments from Commissioner Raymond Butler, (1) consider the purchase of the Air Burner, investigate grant assistance, and ask for help from the County. (2) Reminder the Harbor of Refuge is a valuable property and needs to be marketed. (3) Mike McGuire and Raymond Butler, Commissioners recommended we ask Helena Chemical with assistance with the railroad repairs.

No action necessary and none taken.

**ADJOURN**

A motion was made by Commissioner Mike McGuire to adjourn the meeting. It was seconded by Commissioner David Roberts. The meeting was adjourned at 12:30 P.M.