



## PORT COMMISSION MEETING 5/4/2021

Tuesday, May 04, 2021 at 10:00 AM  
Electronically through Zoom

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### PUBLIC NOTICE OF MEETING

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The following item will be addressed at this or any other meeting of the city council upon the request of the mayor, 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 due to covid-19 concerns and in accordance with the governor's orders and recommendations, the city of Port Lavaca, Texas, city council meeting is closed to the public. Instead, the city council will be utilizing "Zoom Meeting and Facebook live transmission" on The City of Port Lavaca's Facebook page beginning at the time listed above.*

#### VIRTUAL MEETING INFORMATION

##### Click to Join

**Meeting:** <https://us02web.zoom.us/j/89036834007?pwd=cUc5SHhFcEY4TnQwNUtWdIFQK0J3QT09>

**Meeting ID:** 890 3683 4007

**Passcode:** 497853

**To Connect VIA Phone:** +1 346 248 7799 US (Houston)

- I. CALL TO ORDER**
- II. 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.*
- III. CONSENT AGENDA**

## a) MINUTES OF REGULAR MEETING APRIL 6, 2021

**IV. REPORTS**

1. RECEIVE FINANCIAL REPORTS OF PORT REVENUE FUND
  - a) Tariff Report
  - b) Account Aging Report
  - c) Payment Report
  - d) Revenue and Expenditure Report
  - e) Balance Sheet
  - f) Profit and Loss Cash Flow Report
2. RECEIVE STATUS REPORTS OF CAPITAL IMPROVEMENT PROJECTS
  - a) Low Docks at City Harbor
  - b) Scully's Bulkhead and Finger Pier Repairs
  - c) Dredging of Smith Harbor
  - d) Renovations to Nautical Landings Marina Break-water – TPWL Grant
  - e) Improvements to the Nautical Landings Marina Building
  - f) Receive report of Nautical Landings Marina Project 6448. Payment of fund request forms.
3. RECEIVE STATUS REPORTS ON SPECIAL PROJECTS
  - a) GLO cleanup of old Bilge Reclamation Site at City Harbor.
  - b) Voluntary Restoration of disturbed final cover at the Harbor of Refuge Tract 16.
  - c) Limited Phase II Environmental Site Assessment of Harbor of Refuge Tracts 16, 17, and 17A.
  - d) Proposed Air Burner for Brush Operations and Cleanup at the Harbor of Refuge.
4. 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
5. RECEIVE HARBOR MASTER'S INSPECTION / MAINTENANCE REPORT

**V. ACTION ITEMS: LEASES**

6. CONSIDER Amendment No. 1 to the Ground Lease Agreement for TRACTS 7, 8, and 11 at CITY HARBOR (WILD REEF SEAFOOD): Presenter Jody Weaver
7. CONSIDER two (2) year option to extend lease of SLIP CH1 and adjacent Land and Buildings (BIG BEAR SHRIMP AND SEAFOOD): Presenter Jody Weaver
8. CONSIDER Amendment to current and Standard Lease document of the Section entitled Delinquent Payments: Presenter Jody Weaver
9. CONSIDER Moratorium on Rail Car Tariff charges, retroactive to October 1, 2020, to provide time to receive input from Helena Chemicals: Presenter Jody Weaver

**VI. ACTION ITEMS: NEW BUSINESS**

10. CONSIDER APPROVAL OF URBAN ENGINEERING TASK # 25 FOR ENGINEERING FOR IMPROVEMENTS TO THE UPPER DOCK AT THE CITY HARBOR: Presenter Jody Weaver

**VII. GENERAL COMMENTS FROM COMMISSIONERS****VIII. 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, MAY 4, 2021**, beginning at 10:00 a.m., was posted at city hall, easily accessible to the public, as of **5:00 p.m. Friday, APRIL 30, 2021**.

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**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.

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# COMMUNICATION

SUBJECT: RECEIVE FINANCIAL REORTS OF PORT REVENUE FUND

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## INFORMATION:

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



CITY OF  
**PORT LAVACA**

202 N. Virginia, Port Lavaca, Texas 77979-0105, [www.portlavaca.org](http://www.portlavaca.org)  
Ph: 361-552-9793 Facsimile: 361-552-6062

Item #1.

**MINUTES OF 04/06/2021 REGULAR PORT COMMISSION MEETING**

The Agenda having been properly posted, Chairman Alex Davila called the meeting to order at 10:07 A.M. on Tuesday, April 6, 2021. Members attending were Commissioner Mike McGuire, Commissioner David Roberts. Members not present: Commissioner Sue Traylor and Commissioner Raymond Butler. 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 March 2, 2021

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

Commissioners instructed staff to notify Equalizer and Prestige regarding their tariff payment.

Account Aging Report: Jim Rudellat, Harbor Master will continue to follow up on all past due all accounts. Jody Weaver, City Manager will examine the Cable One account.

No action necessary and none taken.

3. RECEIVE REPORT ON LOW DOCK REPAIRS. Presenter Urban Engineering

Comments from Matt Glaze, Urban Engineering contract is almost complete. Concrete has been poured and cleats will be placed.

No action necessary and none taken.

4. RECEIVE REPORTS ON SCULLY'S BULKHEAD AND FINGER PIER REPAIRS. Presenter Urban Engineering

Comments from Matt Glaze, Urban Engineering J&S has completed everything apart from the handrails. J&S has submitted a change order for \$11,626.00 for material to patch the bulkhead and fill the washout by Scully's customer site.

No action necessary and none taken.

5. RECEIVE REPORTS ON THE BILGE RECLAMATION SITE AND CITY HARBOR CLEAN UP. Presenter Jim Rudellat

Comments from Jim Rudellat, Harbor Master spoke with Rusty Moon, a contract has been awarded to clean up the site, contractor at this time is unknown. No other updates given.

Jody Weaver, City Manager will reach out to Shirley and Son's regarding the trenches caused from the crane left at the SCR site.

No action necessary and none taken.

6. RECEIVE REPORTS REGARDING STATUS OF NAUTICAL LANDINGS BUILDING.

Presenter Jim Rudellat

Comments from Jim Rudellat, Harbor Master back door has been installed at the NL Building.

The two broken waterline pipes have been repaired to the NL Building due to the freeze.

Comments from Jody Weaver, City Manager, will ask Victor Fredrickson to put together a task order for the technical specs in order to bid out the rest of the doors at one time.

No action necessary and none taken.

7. RECEIVE REPORTS REGARDING STATUS OF NAUTICAL LANDINGS MARINA.

Presenter Jim Rudellat

Wastewater pump installed and functioning properly.

No action necessary and none taken.

8. RECEIVE REPORTS REGARDING STATUS ON SMITH HARBOR, ASSOCIATED PROPERTIES. Presenter Jim Rudellat

Comments from Jim Rudellat, Harbor Master, no updates.

No action necessary and none taken.

9. RECEIVE REPORTS ON THE DREDGING OF SMITH HARBOR, ASSOCIATED ARMY CORPS OF ENGINEER PERMITS, INCLUDING OPTIONS FOR BARRIER TO REDUCE SHOALING AT ENTRANCE CHANNEL TO SMITH HARBOR. Presenters Urban Engineering and Gulf Hydrographic & Coastal Consulting

Motion was made to accept the bid for recommendation to City Council to award a construction contract to Derrick Construction in the amount of \$307,850.00 with a 90-day completion.

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

Motion carries.

10. RECEIVE UPDATE ON APPLICATION TO TCEQ MUNICIPAL SOLID WASTE DIVISION FOR VOLUNTARY RESTORATION AT HARBOR OF REFUGE. Presenter Urban Engineering

Comments from Jody Weaver, City Manager received response from TCEQ requesting a list of additional information to be submitted in a report. Request has been submitted.

No action necessary and none taken.

11. DISCUSS UPDATES ON BRUSH OPERATIONS AND CLEANUP AT THE HARBOR OF REFUGE. Presenter Jody Weaver

Comments from Jody Weaver, City Manager, discussed at the last meeting on the permit location for the Air Burner, the buffer zone for this equipment must be within 300 feet of the property line. Once footprint of the landfill is complete and we can verify that the location of the Air Burner is not on top of a landfill, then we can complete and submit the application.

No action necessary and none taken.

Motion was made to recommend to City Council to purchase the Air Burner.

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

Motion carries.

12. RECEIVE REPORT ON THE HARBOR OF REFUGE, BULKHEAD REPAIRS, LAND IMPROVEMENTS, AND ARY CORP OF ENGINEER PERMITS. Presenter Jim Rudellat

Comments from Eddie Fisher, Gulf Hydrographic & Coastal Consulting

The City has not received any response from the Corps of Engineers regarding the request to reinstate the permit to construct bulkhead in Harbor of Refuge, however Eddie Fisher mentioned that there were some changes made to the Nationwide permit which would allow some length of bulkhead to be constructed under Nationwide 27. There was some discussion about being able to dredge a deeper area (75' x 200') x 18-20 feet deep in a location at the Harbor of Refuge. Eddie will check to see if this could be done under the nationwide permit.

***Harbor of Refuge:***

Motion was made to recommend and accept the expense of the emergency railroad track repairs and authorize Diamond K Services to provide quarterly inspection reports.

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

Motion carries.

13. CONSIDER RECOMMENDATION TO CITY COUNCIL REGARDING PROPOSAL FROM CRG TEXAS TO CONDUCT A LIMIT PHASE II ENVIRONMENTAL SITE ASSESSMENT AT TRACTS 16, 17 AND 17A (26.66 ACRES) AT THE HARBOR OF REFUGE.

Presenter Jody Weaver

Motion to accept proposal recommending City Council to accept CRG Limited Phase II Environmental Site Assessment.

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

Motion carries.

14. RECEIVE REPORTS AND DISCUSS STATUS OF LEASES: Presenter Jim Rudellat

- a. City Harbor
- b. Nautical Landings Building.
- c. Nautical Landings Marina
- d. Smith Harbor
- e. Harbor of Refuge

*a. City Harbor - Big Bear is exercising their option to extend this lease for another two years. Commissioners are requesting a new lease and the rent to be adjusted to \$500.00 month. Jody Weaver, City Manager will discuss this matter with Big Bear and report back to Port Commission.*

*b. No new updates*

*c. No new updates*

- e. *Harbor of Refuge: RLB will continue as a month to month holdover. RLB Contracting is willing to pay for the leasing of this facility during this time as outlined in the lease agreement currently in place until the removal of all RLB Contracting property is complete.*
- f. *Harbor of Refuge: Prestige, continue on a month to month for City Harbor Tract 10.*

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.

No action necessary and none taken.

ADJOURN

A motion was made by Commissioner David Roberts to adjourn the meeting. It was seconded by Commissioner Mike McGuire. The meeting was adjourned at 12:42 P.M.



Item #1.

HELENA CHEMICAL

TARIFF REPORT FY 2020-2021

*Agenda #1*  
*(a - Tariff Report)*

Date Received      Reference      Description      BARGE      RAIL      REPORTING MONTH      FERTILIZER BULK TONS      TARIFF AMOUNT PAID @ \$0.65 PER TON

Date Received	Reference	Description	BARGE	RAIL	REPORTING MONTH	FERTILIZER BULK TONS	TARIFF AMOUNT PAID @ \$0.65 PER TON
12/8/2020	1073937	HELENA CHEMICAL	17564.608	758.855	10/2020	18,323.463	\$11,910.25
12/15/2020	1074968	HELENA CHEMICAL	10932.05	750.38	11/2020	11,682.430	\$7,593.58
1/11/2021	1077696	HELENA CHEMICAL	10830.381	750.735	12/2020	11,581.116	\$7,527.73
1/25/2021	1079123	HELENA CHEMICAL	11389.382	0	01/2021	11,389.382	\$7,403.09
3/2/2021	1083209	HELENA CHEMICAL	2049.793	757.045	02/2021	2,806.838	\$1,824.44
3/25/2021	1086259	HELENA CHEMICAL	19806.853	1534.584	03/2021	21,341.437	\$13,871.93
4/19/2021	CREDIT	HELENA CHEMICAL	3017.336	1510.92	04/2021	4,528.256	\$2,943.37
		HELENA CHEMICAL			05/2021		
		HELENA CHEMICAL			06/2021		
		HELENA CHEMICAL			07/2021		
		HELENA CHEMICAL			08/2021		
		HELENA CHEMICAL			09/2021		
<b>FY 2020-2021 - TOTAL</b>							<b>\$53,074.39</b>

03/2021	\$8,775.00	CREDIT / OVER PMT
	2,943.370	APRIL TARIFF
	\$5,831.63	REMAINING CREDIT 4/30/21

# MONTHLY TARIFF REPORT

DATE: April 19, 2021

REPORTING PERIOD: April (MONTH) 2021 (YEAR)

COMPANY NAME: HELENA AGRI-ENTERPRISES, LLC

MAILING ADDRESS: PO BOX 419  
(P. O. Box Number or Street)

PORT LAVACA (City) TX (State) 77979 (Zip Code)

<u>3,017.336</u>	Tons of Fertilizer	<u>Barge</u> (Name Product)	@ 0.65¢ per ton
<u>1,510.92</u>	Tons of Fertilizer	<u>Rail</u> (Name Product)	@ 0.65¢ per ton
<u>\$8,775.00</u>		<u>CREDIT</u>	

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 \$ \$0.00 is attached hereto representing tariff due in accordance with above rate. \$2,943.37

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

WITNESS MY HAND this 19 day of March, 2021

Terminal Manager  
(Title)

Trey Franz  
(Printed Name)

  
(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

Franz, Trey

From: rgarza@portlavaca.org  
Sent: Wednesday, March 31, 2021 2:44 PM  
To: Franz, Trey  
Subject: REVISED  
Attachments: Copy of Monthly Tariff 2021.xlsx

\*\*\*CAUTION - EXTERNAL SENDER\*\*\*

21,341.437	TOTAL FERT TONS
0.650	
\$13,871.934	PAID / R'CD 3/25/2021

7,841.437	TOTAL FERT TONS
0.65	
\$5,096.93	SHOULD HAVE PAID

\$13,871.93	
\$5,096.93	
<b>\$8,775.00</b>	<b>CREDIT</b>

Rachel Garza  
Exec. Assist to the City Manager / H.R.  
City of Port Lavaca  
Phone: (361) 552-9793 EXT 221  
Fax: (361) 552-6062  
rgarza@portlavaca.org

8,775.00  
~~2,943.37~~  


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5,831.63 CREDIT REMAINING



TRS360RS 1,500,660

Freight Charges to be: Prepaid by CF  
Shipping Type : Barge

Product Description: UREA 46-0-0  
Analysis %:

Serial #	Vehicle No	Qty Shipped	Gross Wt	Tare Wt	Net Wt
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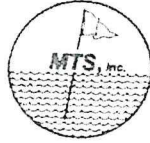
1	TRS360RS	1500.660 TON			1500.660 TON
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Trailer ID: TRS360RS

Seal  
Numbers:

Note: BOL's are available to registered users within 24 hours of shipment by clicking the following <https://promise.cfindustries.com/>

DO NOT REPLY to this email address as it is not monitored. Please contact Sales Support at 1-800-462-8565 with any questions.



**DRAFT SURVEY BY DISPLACEMENT**

**LTD 10169**

Barge Type : **RAKE**

Depth =	13.000 ft	Length of Box =	167.250 ft
Beam =	35.000 ft	Bilge Radius =	0.500 ft
Spec Grv =	0.9995 (LIGHT Condition)	Rake Length =	27.750 ft
Spec Grv =	0.9995 (LOADED Condition)	Rake Height =	13.500 ft

LIGHT FREEBOARDS

LOADED FREEBOARDS

Fwd Port =	11 ft	1.000 in	Fwd Port =	3 ft	7.000 in
Fwd Stbd =	11 ft	1.250 in	Fwd Stbd =	3 ft	8.000 in
Mid Port =	11 ft	5.000 in	Mid Port =	3 ft	10.000 in
Mid Stbd =	11 ft	5.000 in	Mid Stbd =	4 ft	0.000 in
Aft Port =	11 ft	9.000 in	Aft Port =	4 ft	5.000 in
Aft Stbd =	11 ft	9.000 in	Aft Stbd =	4 ft	3.000 in

**Full Load:**

Mean Draft = 9 ft 0.500 in  
 Volume (Cu. Ft.) = 58,360.769

**Light Barge:**

Mean Draft = 1 ft 6.958 in  
 Volume (Cu. Ft.) = 9,748.397

**Cargo Deadweight:**

Pounds = 3,033,352  
**Short Tons = 1,516.676**  
 Metric Tons = 1,375.907  
 Long Tons = 1,354.175

Marine Technical Surveyors, Inc.

Larry C. Zeringue, Operations

Railcar Shipping Notification & Request for CHARGE102 Requisition

City of Reaction: **Port Lavaca** Attention: **Alicia Garcia / Trey Franz / Kaycee Villareal / Jason Puentes**

From: **Abby Hammermiller** Copy to: **John Odle** Copy to:

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

**ACID** Product Code: **PHOSPHO6** Phosacid P.O. No.: **2338933** Phosacid Vendor: **Itafos Conde LLC 131241**

Total Number of Phosacid railcars to ship: **3**

Item	Railcar TAG No.	Date Tag Applied	Railcar No.	Ship Date	Cargo Weight	Analysis
1			UTLX300215	3/22/2021	101.325	68.86
2			TILX140054	3/22/2021	100.650	68.81
3			UTLX110048	3/22/2021	99.850	68.77
4						
5						
6						
7						
8						
9						
10						
11						
12						

4/8

Total Tonnage : 301.825

**ANHYDRO1** Anhydrous P.O. No.: **2342870** Koch Fertilizer, LLC 117620

Item	Railcar No.	Railcar TAG No.	Date Tag Applied	Actual Ship Date	Cargo Weight
1	SRIX083114			03/23/21	78.076
2					
3					
4					

78.076 Total Nh3 Tonnage

**Reactor** Reactor P.O. No.: **2342875** Reacting Company: **APP Conversions**

APP Conversions - John Odle  
Mobile No.: (316) 259-5148

Product Code: **Charge102** Price: Est. Reacting Tons:

# REACTING MANUFACTURE

Item #1.

2322426

## Railcar Shipping Notification & Request for CHARGE102 Requisition

City of Reaction: **Port Lavaca**

Attention: **Alicia Garcia / Trey Franz / Kaycee Villareal / Jason Puentes**

From: **Abby Hammermiller**

Copy to: **John Odle**

Copy to:

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

**ACID** Product Code: **PHOSPHO6** Phosacid P.O. No.: **2322426** Phosacid Vendor: **Simplot 25179**

Total Number of Phosacid railcars to ship: **6**

Item	Railcar TAG No.	Date Tag Applied	Railcar No.	Ship Date	Cargo Weight	Analysis
1			JRSX001195	3/15/2021	99.675	69.23
2			JRSX001502	3/15/2021	100.150	69.23
3			JRSX001169	3/16/2021	98.125	69.32
4			JRSX001040	3/16/2021	101.050	69.32
5			JRSX001022	3/16/2021	100.850	69.32
6			JRSX001067	3/17/2021	101.650	68.94
7						
8						
9						
10						
11						
12						

4/6

Total Tonnage : 601.500

**ANHYDRO1** Anhydrous P.O. No.: **2322432** Koch Fertilizer, LLC 117620

Item	Railcar No.	Railcar TAG No.	Date Tag Applied	Actual Ship Date	Cargo Weight
1	STPX220518			03/11/21	77.957
2	STPX220145			03/11/21	77.819
3					
4					

155.776 Total Nh3 Tonnage

**Reacting**  
**APP Conversions - John Odle**  
 Mobile No.: (316) 259-5148

Reactor P.O. No.: **2322439** Reacting Company: **APP Conversions**  
 Product Code: **Charge102** Price: Est. Reacting Tons



# REACTING MANUFACTURE

234128

Item #1.

## Railcar Shipping Notification & Request for CHARGE102 Requisition

City of Reaction:  
**Port Lavaca**

Attention:  
**Alicia Garcia / Trey Franz / Kaycee Villareal / Jason Puentes**

From:  
**Abby Hammermiller**

Copy to:  
**John Odle**

Copy to:

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

**ACID**

Product Code:  
**PHOSPH06**

Phosacid  
P.O. No.:

**2338932**

Phosacid  
Vendor:

**PCS 21349**

Total Number of Phosacid railcars to ship: **3**

Item	Railcar TAG No.	Date Tag Applied	Railcar No.	Ship Date	Cargo Weight	Analysis
1			PROX12225	3/18/2021	98.330	69.77
2			TILX150049	3/18/2021	99.850	69.77
3			WAGX6049	3/18/2021	96.750	69.77
4						
5						
6						
7						
8						
9						
10						
11						
12						

Total Tonnage : 294.930

**ANHYDRO1**

**ANHYDRO1**

Anhydrous  
P.O. No.:

**2342868**

Koch Fertilizer, LLC 117620

Item	Railcar No.	Railcar TAG No.	Date Tag Applied	Actual Ship Date	Cargo Weight
1					
2					
3					
4					

0.000 Total Nh3 Tonnage

**Reactor**

Reactor  
P.O. No.:

**2342874**

Reacting  
Company:

**APP Conversions**

**APP Conversions - John Odle**

Mobile No.: (316) 259-5148

Product Code:

**Charge102**

Price:

Est. Reacting Tons:

Item #1.

**MILLER SEAFOOD**

**REPORTING MONTH**      **TARIFF AMOUNT PAID @ \$0.30 PER SACK**

Date Received	Reference	Description	OYSTERS	TONS	MONTH	SACKS OF OYSTERS	TARIFF AMOUNT PAID @ \$0.30 PER SACK
12/2/2020	1072836	MILLER SEAFOOD	SACK	NONE	10/2020	NONE	NONE
12/2/2020	1072836	MILLER SEAFOOD	SACK	/	11/2020	435.000	\$130.50
1/5/2021	NONE	MILLER SEAFOOD	SACK	/	12/2020	0.000	\$0.00
2/1/2021	1079867	MILLER SEAFOOD	SACK	/	01/2021	60.000	\$18.00
3/1/2021	1083129	MILLER SEAFOOD	SACK	/	02/2021	3,234.000	\$970.20
4/1/2021	1086987	MILLER SEAFOOD	SACK	/	03/2021	2,853.000	\$855.90
		MILLER SEAFOOD	SACK	/	04/2021	PENDING PMT FOR APRIL 2021	
		MILLER SEAFOOD	SACK	/	05/2021		
		MILLER SEAFOOD	SACK	/	06/2021		
		MILLER SEAFOOD	SACK	/	07/2021		
		MILLER SEAFOOD	SACK	/	08/2021		
		MILLER SEAFOOD	SACK		09/2021		

**FY 2020-2021 - TOTAL      \$1,974.60**

CITY OF PORT LAVACA  
MONTHLY TARIFF REPORT

Item #1.

DATE:

4-1-21

REPORTING PERIOD:

MARCH  
(MONTH)

2021  
(YEAR)

COMPANY NAME:

MILLER SEAFOOD CO INC

MAILING ADDRESS:

1102 BROADWAY ST.

(P. O. Box Number or Street)

PORT LAVACA  
(City)

TX  
(State)

77979  
(Zip Code)

0 Tons	Tons of Fertilizer BARGE / RAIL	(Name of Product)	@ 0.65¢ per ton
0 Tons	Barrels of Crude Oil	CRUDE OIL (Name of Product)	@ 0.10¢ per barrel
2853 Tons	Sacks of Oysters	OYSTERS (Name of Product)	@ 0.30¢ per sack
0 Tons	Barrels of Oysters	OYSTERS (Name of Product)	@ 0.90¢ per barrel
0 Tons	Tons of Shrimp	SHRIMP (Name of Product)	@ \$8.00 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 \$855.90 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 1 day of APRIL, 2021.

PRESIDENT  
(Title)

CURTIS O. MILLER  
(Printed Name)

Curtis O Miller  
(Duly Authorized Signature)

Port Commission's Main Office Phone Number:  
Port Commission's Main Mailing Address:

(361) 552-9793 Ext. 221

rgarza@portlavaca.org

Fax No.: (361) 552-6062

City of Port Lavaca Port Commission 202 N. Virginia St

Port Lavaca, TX 77979

Item #1.

PRESTIGE OYSTER

Date Received	Reference	Description	OYSTERS	TONS	REPORTING MONTH	SACKS OF OYSTERS	TARIFF AMOUNT PAID @ \$0.30 PER SACK
11/9/2020	NONE	PRESTIGE OYSTER	NONE	/	10/2020	0.000	\$0.00
12/23/2020	NONE	PRESTIGE OYSTER	NONE	/	11/2020	0.000	\$0.00
1/28/2021	NONE	PRESTIGE OYSTER	NONE	/	12/2020	0.000	\$0.00
3/2/2021	1083226	PRESTIGE OYSTER	NONE	/	01/2021	493.530	\$444.18
3/23/2021	1086045	PRESTIGE OYSTER	NONE	/	02/2021	1,960.930	\$1,764.84
4/22/2021	1089549	PRESTIGE OYSTER	NONE	/	03/2021	620.000	\$186.00
		PRESTIGE OYSTER	NONE	/	04/2021	PENDING PMT FOR APRIL 2021	
		PRESTIGE OYSTER	NONE	/	05/2021		
		PRESTIGE OYSTER	NONE	/	06/2021		
		PRESTIGE OYSTER	NONE	/	07/2021		
		PRESTIGE OYSTER	NONE	/	08/2021		
		PRESTIGE OYSTER	NONE	/	09/2021		
<b>FY 2020-2021 - TOTAL</b>							<b>\$2,395.02</b>

FY 2020-2021 - TOTAL \$2,395.02

**CITY OF PORT LAVACA  
MONTHLY TARIFF REPORT**

Item #1.

DATE: 4/17/2021

REPORTING PERIOD: March (MONTH) 2021 (YEAR)

COMPANY NAME: Prestige Oysters Inc

MAILING ADDRESS: P.O. Box 8448  
(P. O. Box Number or Street)

Bacliff (City) TX (State) 77518 (Zip Code)

<u>        </u> Tons	Tons of Fertilizer BARGE / RAIL	<u>        </u> (Name of Product)	@ 0.65¢ per ton
<u>        </u> Tons	Barrels of Crude Oil	<u>CRUDE OIL</u> (Name of Product)	@ 0.10¢ per barrel
<u>620</u> Tons	Sacks of Oysters	<u>OYSTERS</u> (Name of Product)	@ 0.30¢ per sack
<u>        </u> Tons	Barrels of Oysters	<u>OYSTERS</u> (Name of Product)	@ 0.90¢ per barrel
<u>        </u> Tons	Tons of Shrimp	<u>SHRIMP</u> (Name of Product)	@ \$8.00 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 \$ 186.00 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 17th day of April, 2021.

VP (Title)

Lisa Heliti (Printed Name)  
[Signature] (Duly Authorized Signature)

Port Commission's Main Office Phone Number: (361) 552-9793 Ext. 221  
 Port Commission's Main Mailing Address: rgarza@portlavaca.org Fax No.: (361) 552-6062  
 City of Port Lavaca Port Commission 202 N. Virginia St Port Lavaca, TX 77979

**EQUALIZER / GULF MARK**

TARIFF AMOUNT

PAID @ \$0.10

Date Received	Reference	Description	CRUDE OIL	REPORTING MONTH	BARRELS OF CRUDE OIL	PER BARREL
11/10/2020	1070812	EQUALIZER, INC.	OIL	10/2020	23,592.310	\$2,359.23
12/17/2020	1075186	EQUALIZER, INC.	OIL	11/2020	23,603.520	\$2,360.35
1/20/2021	1078760	EQUALIZER, INC.	OIL	12/2020	47,399.250	\$4,739.94
2/22/2021	1082380	EQUALIZER, INC.	OIL	01/2021	25,450.530	\$2,545.06
3/23/2021	1086046	EQUALIZER, INC.	OIL	02/2021	31,991.060	\$3,199.11
4/19/2021	1089346	EQUALIZER, INC.	OIL	03/2021	18,766.930	\$1,876.69
		EQUALIZER, INC.	OIL	04/2021	PENDING PMT FOR APRIL 2021	
		EQUALIZER, INC.	OIL	05/2021		
		EQUALIZER, INC.	OIL	06/2021		
		EQUALIZER, INC.	OIL	07/2021		
		EQUALIZER, INC.	OIL	08/2021		
		EQUALIZER, INC.	OIL	09/2021		

FY 2020-2021 - TOTAL \$17,080.38

CITY OF PORT LAVACA  
PORT COMMISSION

Item #1.

MONTHLY TARIFF REPORT

DATE: 3/31/2021

REPORTING PERIOD: MARCH 2021  
(MONTH) (YEAR)

COMPANY NAME: EQUALIZER INC

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

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

	Tons of Fertilizer	BARGE	@ 0.65¢ per ton
		(Name Product)	
18,766.93	Barrels of Crude Oil	CRUDE OIL	@ 0.010¢ per barrel
		(Name Product)	
	Sacks of Oysters		@ 0.10¢ per sack

Subject to the tariff adopted by the City of Port Lavaca Port Commission are hereby reported by the above-named company during the period covered hereby and payment in the amount of \$ 1,876.69 is attached hereto representing tariff due in accordance with above rate.

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

WITNESS MY HAND this 31 day of MARCH, 2021.

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

To : GulfMark Energy Inc.

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

megang@gulfmarkenergy.com  
shellys@gulfmarkenergy.com

Item #1.

**Load RECAP - Original**

Product : CRUDE OIL  
Vessel : FMT - 3194  
Location : Gulfmark -Port Lavaca, TX  
Tank(s) - 2 | 1  
Date : 28-MAR-2021  
File N° : PVI-12296  
Ref. N° : VG210301-B

**QUANTITIES - CRUDE OIL**  
**Total Load Quantities - Based on Shore Figures**

TCV, Barrels @ 60 °F : 4,488.05  
Free Water : 0.00  
GSV

Barrels @ 60 °F : 4,488.05  
Gallons @ 60 °F : 188,498.10  
Long Tons - Air : 635.624  
Metric Tons - Air : 645.024  
Short Tons - Air : 711.899  
Kilograms - Air : 645,824.0  
Pounds - Air : 1,423,799.0  
API Gravity @ 60 °F (T) : 24.5

NSV  
Barrels @ 60 °F : 4,484.14  
Gallons @ 60 °F : 188,333.88  
Long Tons - Air : 635.071  
Metric Tons - Air : 645.262  
Short Tons - Air : 711.279  
Kilograms - Air : 645,262.0  
Pounds - Air : 1,422,558.0

S&W % : 0.007\*\*  
S&W Vol. : 3.91  
S&W Source

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

**Total Vessel Quantities**

Vessel : FMT - 3194  
TCV, Bbls @ 60 °F : 4,445.69  
Free Water : 0.00  
GSV



TO : GulfMark Energy Inc.

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

megang@gulfmarkenergy.com  
shellys@gulfmarkenergy.com

Item #1.

**Load RECAP - Original**

Product : CRUDE OIL  
Vessel Location : MM - 316  
: Gulfmark -Port Lavaca, TX  
Tank(s) - 1  
Date : 04-MAR-2021  
File N° : PVI-12284  
Ref. N° : ER210202-A

**QUANTITIES - CRUDE OIL**

**Total Load Quantities - Based on Shore Figures**

TCV, Barrels @ 60 °F : 14,286.07  
Free Water : 0.00  
GSV

Barrels @ 60 °F : 14,206.07  
Gallons @ 60 °F : 600,014.94

Long Tons - Air : 2,028.487  
Metric Tons - Air : 2,061.038  
Short Tons - Air : 2,271.905  
Kilograms - Air : 2,061,038.0  
Pounds - Air : 4,543,810.0

API Gravity @ 60 °F (T) : 24.1

NSV  
Barrels @ 60 °F : 14,282.79  
Gallons @ 60 °F : 599,077.18

Long Tons - Air : 2,028.021  
Metric Tons - Air : 2,060.564  
Short Tons - Air : 2,271.384  
Kilograms - Air : 2,060,564.0  
Pounds - Air : 4,542,767.0

S&W % : 0.023\*\*  
S&W Vol. : 3.28  
S&W Source

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

**Total Vessel Quantities**

Vessel : MM - 316

TCV, Bbls @ 60 °F : 14,253.88  
Free Water : 0.00  
GSV

Agencia "B"

Item #1.

ACCOUNT NO#	NAME	LAST PAY	ST	--CURRENT--	+1 MONTHS	+2 MONTHS	+3 MONTHS	+4 MONTHS	--BALANCE
99-1415-00	PRESTIGE OYSTER, INC	4/12/2021	A	5,049.00CR					5,049.00
99-1583-05	WILD REEF SEAFOOD LLC	3/26/2021	A	3,200.00	3,200.00				6,400.00
99-1733-02	BIG BEAR SHRIMP & SEAFOO	9/01/2020	A	879.99CR					879.99CR
99-1734-00	MILLER SEAFOOD CO INC	4/01/2021	A	2,311.50					2,311.50
99-1800-01	POOR BOYS BAIT SHOP (LEA	4/15/2021	A	1,300.00					1,300.00
99-1801-01	REYNA-RUBIO, AUSENCIO	4/19/2021	A	300.00					300.00
99-1909-01	EDWARD D JONES & CO.(HEA	4/06/2021	A	520.42					520.42
99-1913-02	SOMETHING MORE MEDIA, IN	3/16/2021	A	514.36	514.36				1,028.72
99-1923-06	RAY LTD	4/15/2021	A						0.00
99-1930-01	PORT LAVACA PLUMBING	4/29/2021	A	167.60CR					167.60CR
99-1931-06	G4S SECURE SOLUTIONS (US	4/02/2021	A						0.00
99-1932-05	G4S SECURE SOLUTIONS (US	4/02/2021	A						0.00
99-1933-03	SPIRETEK INTERNATIONAL,	4/27/2021	A	1,418.39CR					1,418.39CR
99-1963-04	HUSSONG, KEITH	3/30/2021	A	266.70					266.70
99-1973-06	SULLIVAN, TROY	4/27/2021	A	825.36CR					825.36CR
99-1983-08	PEREZ-DEL RIO, JOSE FERN	4/06/2021	A	266.70					266.70
99-1993-04	RABE, MICHAEL	4/27/2021	A	317.10					317.10
99-2003-04	ROBERTS, PERCIVAL L	4/01/2021	A	336.30					336.30
99-2013-08	BIVIN, ANNA & KEN	3/03/2021	A	264.60	264.60				529.20
99-2015-12	WIGGINS, JAMES	4/07/2021	A	24.00CR					24.00CR
99-2033-05	CRAWFORD, TINA	4/01/2021	A	302.00					302.00
99-2043-07	HUNSAKER, ROBERT	3/31/2021	A	342.30	184.00				526.30
99-2053-10	LARGENT, CRAIG	4/06/2021	A	302.00	296.00				598.00
99-2063-09	BAIN, NORMAN D	4/16/2021	A	367.50					367.50
99-2073-08	CORPORON, WESLEY	3/22/2021	A	672.40	131.00				803.40
99-2093-07	MASSARIA, TIM	4/28/2021	A	298.20CR					298.20CR
99-2103-07	BURKLAND, JERRY	4/20/2021	A	367.50					367.50
99-2134-10	STRAKOS, ERIC	12/14/2020	A	252.00	252.00	252.00	252.00	252.00	1,260.00
99-2153-04	ORSBON, LIZ	1/18/2021	A	291.90	291.90	291.90	291.90		1,167.60
99-2193-07	McCOLLOUGH, DAVID	4/12/2021	A	176.40					176.40
99-2213-04	CAMPBELL, ED	4/15/2021	A	176.40					176.40
99-2223-10	BALLARD, SHAWN	4/01/2021	A	279.50					279.50
99-2233-06	CARTER, NICOLAS	4/07/2021	A	1.10CR					1.10CR
99-2253-07	WILEY, LEAH	4/16/2021	A	472.50					472.50
99-2273-06	JONES, CHARLIE	4/28/2021	A						0.00
99-2313-13	DIODATO, DOMINIC	5/12/2020	A	472.50	472.50	472.50	472.50	1,984.50	3,874.50
99-2325-09	CHAPMAN, HARRY	2/04/2021	A	176.40	176.40				352.80
99-2443-05	WALLER, KENNETH L. JR	4/20/2021	A	279.30					279.30
99-2563-05	WARD, ROGER	2/26/2021	A	214.20	214.20	76.00			504.40
99-2589-05	WASICEK, LD	12/28/2020	A	472.50	472.50	472.50	472.50	297.30	2,187.30

\*\*\*\* BOOK # :0099      TOTAL ACCOUNTS:      40      6551.34      6469.46      1564.90      1488.90      2533.80      18608.40

\*\*REPORT TOTALS\*\*      TOTAL ACCOUNTS:      40      6551.34      6469.46      1564.90      1488.90      2533.80      18608.40

CITY OF PORT LAVACA  
REVENUE AND EXPENDITURES REPORT (UNAUDITED)  
AS OF: APRIL 30TH, 2021

Item #1.  
REVENUE FUND  
SUMMARY

ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
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621,500	621,500	0	49,198.74	419,854.12	0.00	201,645.88	67.55
0	0	0	0.00	0.00	0.00	0.00	0.00
1,306,075	1,336,275	(30,200)	0.00	779.42	0.00	1,335,495.74	0.06
0	0	0	0.00	0.00	0.00	0.00	0.00
0	0	0	0.00	0.00	0.00	0.00	0.00
1,927,575	1,957,775	(30,200)	49,198.74	420,633.54	0.00	1,537,141.62	21.49

EXPENDITURE SUMMARY

1,500	1,500	0	119.49	844.43	0.00	655.57	56.30
0	0	0	0.00	15,928.82	8,531.86	24,460.68	0.00
0	0	0	0.00	6,084.51	24,854.11	30,938.62	0.00
50,000	50,000	0	0.00	1,274.96	0.00	48,725.04	2.55
0	0	0	0.00	119.99	5,250.00	5,369.99	0.00
1,876,075	1,876,075	0	71,710.12	958,850.88	182,444.93	734,779.35	60.83
0	0	0	0.00	0.00	0.00	0.00	0.00
1,927,575	1,927,575	0	71,829.61	983,103.59	221,080.90	723,390.67	62.47

0	30,200	(30,200)	(22,630.87)	(562,470.05)	(221,080.90)	813,750.95	2,594.54
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CITY OF PORT LAVACA  
REVENUE AND EXPENDITURES REPORT (UNAUDITED)  
AS OF: APRIL 30TH, 2021

Item #1.

04-11 REVENUE FUND  
170000

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

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<b>SER &amp; SERVICE CHARGES</b>								
36.01 CITY HARBOR-DOCK LEASE	95,000	95,000	0	8,164.17	68,873.18	0.00	26,126.82	72.50
36.10 HAR REFUGE- DOCK RENTA	0	0	0	5,334.28	31,752.58	0.00	31,752.58	0.00
36.11 HAR REFUGE-DOCK LEASES	247,000	247,000	0	18,433.28	158,175.02	0.00	88,824.98	64.04
36.12 TARIFFS	130,000	130,000	0	2,918.59	71,581.02	0.00	58,418.98	55.06
36.20 N I DOCK RENT- TRANSIE	1,000	1,000	0	0.00	545.90	0.00	454.10	54.59
36.21 N I-DOCK LEASE	85,000	85,000	0	8,075.86	49,825.34	0.00	35,174.66	58.62
36.22 N I -BIDG LEASE	50,000	50,000	0	6,122.56	38,951.08	0.00	11,048.92	77.90
36.23 N I - BIDG RENTAL	5,000	5,000	0	150.00	150.00	0.00	4,850.00	3.00
36.24 SMITH HARBOR RENT	8,500	8,500	0	0.00	0.00	0.00	8,500.00	0.00
TOTAL USER & SERVICE CHARGES	621,500	621,500	0	49,198.74	419,854.12	0.00	201,645.88	67.55

<b>FINES &amp; FORFEITURES</b>								
12.01 LATE PAYMENT PENALTIES	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL FINES & FORFEITURES	0	0	0	0.00	0.00	0.00	0.00	0.00

<b>OTHER REVENUE</b>								
51.01 INTEREST INCOME	5,000	5,000	0	0.00	517.42	0.00	4,482.58	10.35
55.01 OTHER FINANCING SOURCE	0	0	0	0.00	0.00	0.00	0.00	0.00
59.10 2018 C. O. PROCEEDS	0	0	0	0.00	0.00	0.00	0.00	0.00
59.11 AUCTION PROCEEDS	0	0	0	0.00	0.00	0.00	0.00	0.00
59.12 TML REIMBURSEMENTS	0	0	0	0.00	0.00	0.00	0.00	0.00
59.71 WASHER-DRYER INCOME	150	150	0	0.00	262.00	0.00	112.00	174.67
59.90 MISCELLANEOUS	0	0	0	0.00	0.00	0.00	0.00	0.00
59.92 EQUITY BALANCE FORWARD	1,300,925	1,331,125	(30,200)	0.00	0.00	0.00	1,331,125.16	0.00
TOTAL OTHER REVENUE	1,306,075	1,336,275	(30,200)	0.00	779.42	0.00	1,335,495.74	0.06

<b>GRANT AND CONTRIBUTION R</b>								
31.01 GENERAL LAND OFFICE RE	0	0	0	0.00	0.00	0.00	0.00	0.00
32.01 CAPITAL CONTRIBUTIONS	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL GRANT AND CONTRIBUTION R	0	0	0	0.00	0.00	0.00	0.00	0.00

<b>INTERGOVERNMENTAL REVENUE</b>								
33.00.1 XFER IN- FUND 001	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL INTERGOVERNMENTAL REVENUE	0	0	0	0.00	0.00	0.00	0.00	0.00

<b>TOTAL REVENUES</b>	1,927,575	1,957,775	(30,200)	49,198.74	420,633.54	0.00	1,537,141.62	21.49
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CITY OF PORT LAVACA  
REVENUE AND EXPENDITURES REPORT (UNAUDITED)  
AS OF: APRIL 30TH, 2021

Item #1.  
REVENUE FUND  
SERVICES  
DEPARTMENTAL EXPENDITURES

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

REVENUES  
070536.504      CABLE & INTERNET      1,500      1,500      0      119.49      844.43      0.00      655.57      56.30

TOTAL SERVICES      1,500      1,500      0      119.49      844.43      0.00      655.57      56.30

TOTAL TECHNOLOGY SERVICES      1,500      1,500      0      119.49      844.43      0.00      655.57      56.30

CITY OF PORT LAVACA  
REVENUE AND EXPENDITURES REPORT (UNAUDITED)  
AS OF: APRIL 30TH, 2021

Item #1.  
REVENUE FUND  
CITY OR  
DEPARTMENTAL EXPENDITURES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
PRICES								
800533.20 CONTRACTED SERV-CITY H	0	0	0	0.00	15,928.82	8,531.86	(24,460.68)	0.00
TOTAL SERVICES	0	0	0	0.00	15,928.82	8,531.86	(24,460.68)	0.00
MAINTENANCE								
800542.21 R & M- INFRAS- CITY HA	0	0	0	0.00	0.00	0.00	0.00	0.00
800543.22 R & M- BLDG.- CITY HAR	0	0	0	0.00	0.00	0.00	0.00	0.00
800543.24 R & M- IMPROV OTB- CIT	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL MAINTENANCE	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL CITY HARBOR	0	0	0	0.00	15,928.82	8,531.86	(24,460.68)	0.00

CITY OF PORT LAVACA  
REVENUE AND EXPENDITURES REPORT (UNAUDITED)  
AS OF: APRIL 30TH, 2021

Item #1.  
04-1 REVENUE FUND  
ARBD REFUGE  
DEPARTMENTAL EXPENDITURES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
SERVICES								
820533.20 CONTRACTED SERV- HOR	0	0	0	0.00	6,084.51	24,854.11	30,938.62	0.00
TOTAL SERVICES	0	0	0	0.00	6,084.51	24,854.11	30,938.62	0.00
MAINTENANCE								
820542.21 R & M- INFRASTRUCTURE	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL MAINTENANCE	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL HARBOR OF REFUGE	0	0	0	0.00	6,084.51	24,854.11	30,938.62	0.00

CITY OF PORT LAVACA  
REVENUE AND EXPENDITURES REPORT (UNAUDITED)  
AS OF: APRIL 30TH, 2021

Item #1.  
REVENUE FUND  
SMITH  
DEPARTMENTAL EXPENDITURES

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

SERVICES  
0840533.20    CONTRACTED SERV- SMITH    50,000    50,000    0    0.00    1,274.96    0.00    48,725.04    2.55  
TOTAL SERVICES    50,000    50,000    0    0.00    1,274.96    0.00    48,725.04    2.55

MAINTENANCE  
0840542.21    R & M- INFRAS- SMITH H    0    0    0    0.00    0.00    0.00    0.00    0.00  
TOTAL MAINTENANCE    0    0    0    0.00    0.00    0.00    0.00    0.00

TOTAL SMITH HARBOR    50,000    50,000    0    0.00    1,274.96    0.00    48,725.04    2.55



CITY OF PORT LAVACA  
REVENUE AND EXPENDITURES REPORT (UNAUDITED)  
AS OF: APRIL 30TH, 2021

04-1 REVENUE FUND  
04-1 LANDINGS MARINA  
DEPARTMENTAL EXPENDITURES

Item #1

ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
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PRICES							
0860533.20	CONTRACTED SERV- NL MA	0	0	0	0.00	0.00	0.00
TOTAL SERVICES		0	0	0	0.00	0.00	0.00

MAINTENANCE							
0860542.03	R & M- BUILDING- NL MA	0	0	0	0.00	0.00 (	0.00
0860542.21	R & M- INSRAS- NL MAR	0	0	0	0.00	0.00 (	0.00
0860542.25	R & M- BUILD (NAUTICAL	0	0	0	0.00	0.00	0.00
0860543.26	R & M- INFRAS- NL MARI	0	0	0	0.00	0.00	0.00
0860543.27	R & M- IMPROV OTB- NL	0	0	0	0.00	0.00	0.00
TOTAL MAINTENANCE		0	0	0	0.00	0.00 (	0.00

TOTAL NAUTICAL LANDINGS MARINA		0	0	0	0.00	119.99	5,250.00 (	5,369.99	0.00
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Item #1.  
REVENUE FUND  
DEPARTMENTAL EXPENDITURES

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

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<b>PERSONNEL SERVICES</b>								
1000511.01	66,139	66,139	0	8,163.20	39,971.16	0.00	26,167.64	60.44
1000511.06	0	0	0	0.00	0.00	0.00	0.00	0.00
1000511.07	0	0	0	0.00	0.00	0.00	0.00	0.00
1000512.05	5,161	5,161	0	405.12	2,905.40	0.00	2,255.28	56.30
1000512.10	4,134	4,134	0	503.68	2,471.93	0.00	1,661.75	59.80
1000512.20	16,637	16,637	0	777.52	5,419.83	0.00	11,217.57	32.58
1000512.30	1,849	1,849	0	277.63	960.61	0.00	887.99	51.96
1000512.31	0	0	0	0.00	0.00	0.00	0.00	0.00
1000512.40	500	500	0	0.00	503.39	0.00	3.39	100.68
TOTAL PERSONNEL SERVICES	94,419	94,419	0	10,127.15	52,232.32	0.00	42,186.84	55.32

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<b>MATERIALS &amp; SUPPLIES</b>								
1000521.01	800	800	0	28.99	811.63	0.00	11.63	101.45
1000523.03	3,500	3,500	0	273.14	1,968.37	0.00	1,531.63	56.24
1000524.19	0	0	0	0.00	0.00	0.00	0.00	0.00
1000525.01	600	600	0	0.00	24.14	0.00	575.86	4.02
1000526.01	300	300	0	0.00	9.99	0.00	290.01	3.33
1000528.03	0	0	0	0.00	0.00	0.00	0.00	0.00
1000529.11	2,000	2,000	0	0.00	0.00	0.00	2,000.00	0.00
TOTAL MATERIALS & SUPPLIES	7,200	7,200	0	302.13	2,814.13	0.00	4,385.87	39.09

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<b>TRAVEL &amp; TRAINING</b>								
1000531.01	500	500	0	0.00	504.95	0.00	4.95	100.99
1000531.04	200	200	0	1.02	7.14	0.00	192.86	3.57
1000532.01	2,985	2,985	0	500.00	1,200.00	0.00	1,785.00	40.20
1000532.06	0	0	0	0.00	120.28	0.00	120.28	0.00
1000532.07	5,000	5,000	0	0.00	3,372.00	0.00	1,628.00	67.44
1000533.14	16,500	16,500	0	246.31	14,680.40	0.00	1,819.60	88.97
1000535.01	1,900	1,900	0	533.13	1,694.99	0.00	205.01	89.21
1000535.10	8,500	8,500	0	0.00	0.00	0.00	8,500.00	0.00
1000535.11	1,375	1,375	0	0.00	0.00	0.00	1,375.00	0.00
1000536.01	30,000	30,000	0	0.00	12,177.76	0.00	17,822.24	40.59
1000536.02	2,600	2,600	0	168.44	987.75	0.00	1,612.25	37.99
1000536.03	2,800	2,800	0	194.64	1,587.97	0.00	1,212.03	56.71
1000536.07	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL SERVICES	72,360	72,360	0	1,643.54	36,333.24	0.00	36,026.76	50.21

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<b>MAINTENANCE</b>								
1000541.02	15,000	15,000	0	0.00	0.00	0.00	15,000.00	0.00
1000542.03	0	0	0	0.00	517.00	747.00	1,264.00	0.00
1000542.21	0	0	0	0.00	120.00	0.00	120.00	0.00
1000542.25	5,000	5,000	0	0.00	1,821.27	0.00	3,178.73	36.43
1000543.04	2,500	2,500	0	0.00	0.00	0.00	2,500.00	0.00
1000543.06	0	0	0	0.00	0.00	0.00	0.00	0.00
1000543.22	1,000	1,000	0	0.00	0.00	0.00	1,000.00	0.00
1000544.50	1,000	1,000	0	0.00	0.00	0.00	1,000.00	0.00
1000544.55	500	500	0	0.00	518.63	0.00	18.63	103.73

CITY OF PORT LAVACA  
REVENUE AND EXPENDITURES REPORT (UNAUDITED)  
AS OF: APRIL 30TH, 2021

Item #1.  
REVENUE FUND  
DEPARTMENTAL EXPENDITURES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
1000544.65 R & M- MACHINERY & EQU	200	200	0	0.00	0.00	0.00	200.00	0.00
1000544.75 DREDGING	450,000	450,000	0	0.00	18,825.00	18,825.00	412,350.00	8.37
TOTAL MAINTENANCE	475,200	475,200	0	0.00	21,801.90	19,572.00	433,826.10	8.71
<b>INDRY</b>								
1000552.02 PRI & INT EXPENSE	0	0	0	0.00	0.00	0.00	0.00	0.00
1000552.03 BOND ISSUANCE COST- AM	0	0	0	0.00	0.00	0.00	0.00	0.00
1000552.15 DEBT SERVICE- PRINCIP	0	0	0	0.00	0.00	0.00	0.00	0.00
1000552.25 DEBT SERVICE- INTEREST	0	0	0	0.00	0.00	0.00	0.00	0.00
1000553.01 XFER OUT- FD 001- ADMI	35,583	35,583	0	2,965.25	20,756.75	0.00	14,826.25	58.33
1000553.02 XFER OUT- FD 310- '08	127,128	127,128	0	10,594.00	74,158.00	0.00	52,970.00	58.33
1000553.05 XFER OUT- FD 322 - 201	133,201	133,201	0	11,100.08	77,700.56	0.00	55,500.44	58.33
1000553.60 XFER OUT- FD 165 HAZAR	0	0	0	0.00	0.00	0.00	0.00	0.00
1000553.65 XFER OUT- FD 210 EDA G	0	0	0	0.00	0.00	0.00	0.00	0.00
1000553.80 XFER OUT- FD 220	0	0	0	0.00	0.00	0.00	0.00	0.00
1000554.81 DEPRECIATION EXPENSE	185,984	185,984	0	15,498.67	108,490.69	0.00	77,493.31	58.33
TOTAL SUNDRY	481,896	481,896	0	40,158.00	281,106.00	0.00	200,790.00	58.33
<b>DEPARTMENTAL EXPENDITURES</b>								
1000561.02 CE- LAND & IMPROVEMENT	0	0	0	0.00	0.00	0.00	0.00	0.00
1000562.03 CE- BUILDING & IMPROV	80,000	80,000	0	7,030.50	7,030.50	2,095.50	70,874.00	11.41
1000563.05 CE- INFRASTRUCTURE	665,000	665,000	0	12,448.80	557,532.79	160,777.43	53,310.22	108.02
TOTAL CAPITAL EXPENDITURES	745,000	745,000	0	19,479.30	564,563.29	162,872.93	17,563.78	97.64
TOTAL OPERATIONS	1,876,075	1,876,075	0	71,710.12	958,850.88	182,444.93	734,779.35	60.83

CITY OF FORT LAVACA  
REVENUE AND EXPENDITURES REPORT (UNAUDITED)  
AS OF: APRIL 30TH, 2021

Item #1.  
REVENUE FUND  
DEPARTMENTAL EXPENDITURES

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

PERSONNEL SERVICES	GROUP H/D	INS CLAIMS	SOCIAL SECUR	EMPLOYER- TMRS	SAFETY PAY	TOTAL PERSONNEL SERVICES
1800512.03	0	0	0	0	0	0
1800512.05	0	0	0	0	0	0
1800512.10	0	0	0	0	0	0
1800512.40	0	0	0	0	0	0
TOTAL PERSONNEL SERVICES	0	0	0	0	0	0

INDRY	GROUP H/D	INS CLAIMS	TOTAL SUNDRY
1800551.203	0	0	0
TOTAL SUNDRY	0	0	0

DEPARTMENTAL	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
DEPARTMENTAL	0	0	0	0.00	0.00	0.00	0.00	0.00

TOTAL	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
TOTAL	1,927,575	1,927,575	0	71,829.61	983,103.59	221,080.90	723,390.67	0.00

REVENUES OVER/(UNDER)	EXPENDITURES
0	30,200 ( 30,200) ( 22,630.87) ( 562,470.05) ( 221,080.90)

\*\*\* END OF REPORT \*\*\*

BALANCE SHEET - UNAUDITED  
AS OF: APRIL 30TH, 2021

Agenda # 1

Item #1.

504-PORT REVENUE FUND

"E"

ACCOUNT#	TITLE		
<b>ASSETS</b>			
=====			
111.21	CLAIM ON CONS CASH	849,295.91	*
112.11.6001	INVESTMENTS-LOGIC	752,785.50	
113.24	UNAPPLIED CREDITS	( 4,375.02)	
113.27	PTC ACCTS RECEIVABLE (UB	61,710.73	
116.01.0001	PREPAID INSURANCE	11,430.85	
151.01.1000	LAND	1,919,338.57	
152.01.1000	BUILDINGS	1,313,990.38	
152.02.2000	ACCUM DEPRECIATION-BUIL(	757,535.28)	
153.01.1000	IMPROVEMENTS OTHER THAN	1,967,672.24	
153.02.2000	ACCUM DEPR-IMPR OTHER T(	1,561,633.44)	
154.01.1000	MACHINERY & EQUIPMENT	27,343.00	
154.02.2000	ACCUM DEPR-MACHINERY & (	27,343.00)	
155.01.1000	CONSTRUCTION IN PROGRESS	60,560.91	
156.01.1000	INFRASTRUCTURE	4,590,627.69	
156.02.2000	ACCUM DEPREC.- INFRASTR(	2,704,690.20)	

6,499,178.84

849,295.91 +  
752,785.50 +  
002  
\* 1,602,081.41 \*

TOTAL ASSETS

6,499,178.84  
=====

**LIABILITIES**

=====

207.21	CUSTOMER DEPOSIT	300.00
211.10	AP PENDING (DUE TO CONS	20,089.61
211.99	YMCA	( 12.53)
212.30	ACCRUED VACATION	1,606.28
213.01	BOND PREMIUM (SERIES '18	99,435.95
216.20.3006	BONDS PAYABLE-CURRENT	160,000.00
221.20	BONDS PAYABLE NON-CURREN	2,270,000.00

2,551,419.31

TOTAL LIABILITIES

2,551,419.31

**FUND EQUITY/BALANCE**

=====

320.07	ENCUMBRANCES	( 329,015.63)
320.08	RESERVE FOR ENCUMBRANCES	329,015.63
320.09	PRIOR YEAR ENCUMBRANCE	102,055.66
320.10	PRIOR YEAR RESERV/ENC	( 102,055.66)
320.60	FUND BALANCE COMMITTED	90,552.00

BALANCE SHEET - UNAUDITED

AS OF: APRIL 30TH, 2021

Item #1.

504-PORT REVENUE FUND

ACCOUNT#	TITLE		
320.65	NET INVEST. IN CAPITAL A	3,393,536.00	
320.98	FUND BALANCE UNRESV	1,026,141.58	
	TOTAL FUND EQUITY/BALANCE		<u>4,510,229.58</u>
	TOTAL REVENUES	420,633.54	
	TOTAL EXPENSES	983,103.59	
	EXCESS REVENUES OVER EXPENDITURES	( 562,470.05)	
	TOTAL LIABILITIES & FUND EQUITY/BALANCE		<u>6,499,178.84</u> =====

# COMMUNICATION

SUBJECT: RECEIVE STATUS REPORTS OF CAPITAL IMPROVEMENT PROJECTS

---

## INFORMATION:

a) Low Docks at City Harbor  
b) Scully's Bulkhead and Finger Pier Repair  
c) Dredging of Smith Harbor  
d) Renovations to Nautical Landings Marina Break-water – TPWL Grant  
e) Improvements to the Nautical Landings Marina Building  
f) Receive report of Nautical Landings Marina Project 6448. Payment of fund request forms.

# 2021

Project Reporting Date	4/28/2021
<b>Project Name</b>	<b>City Harbor Dock Repairs</b>
Engineer	Urban Engineering
Contractor	J & S Contractors
Notice of Award	8/20/2020
Notice To Proceed	11/9/2020
Completion Date	5/5/2021
Final Inspection	4/26/2020

**Status Summary**

The contractor has completed all work on the project.  
 The final inspection was held 4-26-21.  
 The contractor was asked to add additional crushed concrete to the north side of the project and level the repair area near Scully's.  
 This work is expected to take place next week.



# 2b

Project Reporting Date	4/28/2021
<b>Project Name</b>	<b>Scully's Bulkhead &amp; City Harbor Dock Finger Piers</b>
Engineer	Urban Engineering
Contractor	Shirley & Sons Contracting
Notice of Award	12/16/2020
Notice To Proceed	1/11/2021
Completion Date	3/1/2021
Final Inspection	

**Status Summary**

The contractor has completed all work on the project with the exception of the aluminum hand rails. Shirley plans to install the handrails next week.

Agenda #

# 20

Project Reporting Date	4/28/2021
<b>Project Name</b>	<b>Smith Harbor Dredging</b>
Engineer	Urban Engineering
Contractor	Derrick Construction

Notice of Award	4/13/2021
Notice To Proceed	n/a
Completion Date	n/a
Final Inspection	n/a

**Status Summary**

Urban Engineering received the executed contract documents and bond from the contractor today. Once reviewed for completeness, the documents will be sent to the City for execution.

--

## CITY OF PORT LAVACA

Agenda # 2d

**PORT COMMISSION MEETING: MAY 4, 2021**

**DATE:** 4.28.2021  
**TO:** PORT COMMISSION  
**CC:** JIM RUDELLAT, HARBOR MASTER  
**FROM:** JODY WEAVER, INTERIM CITY MANAGER  
**SUBJECT:** STATUS REPORT – NLM BREAKWATER – TPWL GRANT

I received an email on Tuesday, April 20 from Robin Kolton with the Texas Parks and Wildlife. She let me know that she had our grant agreement on her desk to complete and was just verifying the Mayor and Finance Director's name. I have not had any more contact with her despite many attempts to reach out again by email. Understand all of the State Agencies are still working from home and there is no way to contact them except email.

Based upon her April 20<sup>th</sup> email though I am optimistic we should have something in hand within a couple of weeks. Once the Contract is executed, Urban will work to get the bid documents completed in short order.

## CITY OF PORT LAVACA

Agenda 2e

**PORT COMMISSION MEETING: MAY 4, 2021**

**DATE:** 4.29.2021

**TO:** PORT COMMISSION

**CC:** JIM RUDELLAT, HARBOR MASTER

**FROM:** JODY WEAVER, INTERIM CITY MANAGER

**SUBJECT: STATUS REPORT: CIP IMPROVEMENTS TO NAUTICAL LANDINGS MARINA BUILDING**

The Port Commission has a total of \$80,000 budgeted for a Facelift to the Building and replace doors. \$4,935.00 has been spent to date to contract with Mark Barefoot to replace one door to get a better picture of the construction involved to replace these doors.

Jim has ordered 3 doors and accompanying windows like the one Barefoot replaced for a cost of \$4,191.00 These are special order and have about a 8 week lead time. In the meantime, I have asked Victor Fredricksen, P.E. for a proposal to put together a technical specification package so we can go out to bid for the installation of these three doors being furnished by the city plus furnishing and installation of 5 other single man-doors and reverse the swing on the double doors. (These 5 doors are not special order and are proposed to be furnished by the contractor).

As time permits, I am trying to put a plan together to make revisions to the concrete walk and parking in the front of the building.

N.L. Marina #

Item #2.

TEXAS DIVISION OF EMERGENCY MANAGEMENT

PAYMENT OF FUNDS REQUEST FORM

Subrecipient Name	Grant Program
Port Lavaca	Public Assistance (PA)
Disaster Number	Project Number
4332 - Hurricane Harvey	6448

Payments can be requested under the following conditions (select one):

- Funds are needed to pay for approved project scope of work before supporting documentation is available compiled due to a hardship. The subrecipient will be required to provide TDEM with a letter that justifies the hardship and a spend plan. The spend plan will detail amount of funds requested for the next 30 to 60 days, timeline to expend the funds, and eligible cost to be covered by the funds. To ensure proper use of funds this will be monitored by TDEM to ensure compliance with the spend plan.
- Funds are needed to pay eligible cost of approved project scope of work based on received invoices and/or supporting documentation, but the subrecipient is unable to pay due to a hardship. The subrecipient will be required to provide TDEM with a letter that justifies the hardship, and the invoices and/or supporting documentation of cost incurred. To ensure proper use of funds the subrecipient will be required to provide proper supporting documentation to TDEM that the funds were expended within 30 days of receiving the funds.
- Funds are needed to pay eligible cost of approved project scope of work paid by the subrecipient based on received invoices and or other supporting documentation. The subrecipient will be required to provide proper supporting documentation to TDEM for the cost. I understand that any part of this payment that is not expended within the scope of the project will be refunded to the Texas Division of Emergency Management within 30 days of receiving the deobligation notice. In addition, to support this claim, I have included supporting documentation for the requested amount.


Work Type	Total of Subrecipient Eligible Costs	Supporting Documentation Attached?
Force Account Labor (FAL)		
Force Account Equipment (FAE)		
Materials		
Contract Costs	\$ 110,941.29	
Lease/Rental Costs		
Administrative Costs (DAC / Management and Indirect Costs)		
Other Costs		
<b>404 HMGP and PDM Only</b>		
Cost of Property Acquisition		
Individual Safe Rooms (Capped at \$6,000.00 total per shelter)		
Safe Room Admin Fee (5%/\$100 per shelter)		
<b>GRAND TOTAL OF REQUEST:</b>	<b>\$ 110,941.29</b>	

This form does not list all work types, if the types listed do not represent the work performed, please input those as "Other Costs" and provide additional summaries for each type of work performed.

Subrecipient Comments

The Fowler Construction Project involved both #6448 and #4840. There is a spreadsheet for each pay request to show how the costs were divided among these two FEMA projects as well as other work not eligible for reimbursement. I will email an excel version for your use in verifying the request.

Signature Block

  
Signature of Subrecipient's Agent

JoAnna P. Weaver 11/10/2020  
Printed Name of Subrecipient's Agent Date (MM/DD/YYYY)

City of Port Lavaca  
Name of Jurisdiction

City Engineer 361-827-3601  
Subrecipient's Agent's Title Subrecipient's Agent's Phone Number

202 N. Virginia St.  
Mailing Address

Port Lavaca, Texas 77979  
City, State, ZIP Code

Item #2.

RTY LAVACA  
 URBAN ENGINEERING AND CANCELED CHECKS  
 REIMBURSEMENT OF FUNDS REQUEST #1

11.10.2020

**PROJECT # 6448 NAUTICAL LANDINGS MARINA**

Note: The contracts for FOWLER AND URBAN ENGINEERING also included work under Project # 4840 - BAYFRONT PARK, as well as work not associated with Harvey Damage. The spread sheets for each FOWLER Pay Request breaks down what is applicable to #6448, #4840, and those cost eligible for FEMA reimbursement

Cost Summary With Invoices and Canceled Checks

**FOWLER CONSTRUCTION, LLC**

Pay Request No.	Invoice date	Total Invoice Amt	Invoice for #6448 NL Marina	Invoice for #4840 Bay Front Park	Invoice for work not associated with FEMA reimbursement	Check #	Check Amt	Back up
1	3.31.2019	\$ 100,375.89	\$ 11,492.55	\$ 58,609.89	\$ 30,273.44	51543	\$ 100,375.89	X
2	4.30.2019	\$ 48,505.34	\$ 23,107.23	\$ 8,073.76	\$ 17,324.35	51862	\$ 48,505.34	X
3	6.30.2019	\$ 102,790.00	\$ 1,140.00	\$ 74,100.00	\$ 27,550.00	52483	\$ 102,790.00	X
4	7.31.2019	\$ 81,700.00	\$ 2,850.00	\$ 64,980.00	\$ 13,870.00	52590	\$ 81,700.00	X
5	8.31.2019	\$ 97,367.56	\$ 54,718.20	\$ 27,559.43	\$ 15,739.92	53012	\$ 97,367.56	X
6	9.30.2019	\$ 24,438.75	\$ 17,385.00	-	\$ 7,053.75			X
7	11.7.2019	\$ 978.50	\$ -	-	\$ 978.50	53841	\$ 25,417.25	X
		\$ 110,692.98						
			X 90%					
		<b>\$ 99,623.68</b>						

**URBAN ENGINEERING**

Invoice No.	Invoice date	Total Invoice Amt	Invoice for #6448 NL Marina	Invoice for #4840 Bay Front Park	Invoice for work not associated with FEMA reimbursement	Check #	Check Amt	Back up
			24.2666%	51.150%	24.584%			
The calculation below on prorata share of engineering voices								
Sk Order No. 2 - PER for Marina and Bayfront Park								
15703	3/30/2018	\$ 3,375.00	\$ 818.98	\$ 1,726.31	\$ 829.71	48615	\$ 18,324.68	X
15749	5/25/2019	\$ 375.00	\$ 91.00	\$ 191.81	\$ 92.19	49133	\$ 2,927.13	X

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Item #2.

RBA ENGINEERING continued ...

Invoice No.	Invoice date	Total Invoice Amt	Invoice for #6448 NL Marina	Invoice for #4840 Bay Front Park	Invoice for work not associated with FEMA reimbursement	Check #	Check Amt	Back up
ask Order No. 6 - PER for NL Marina								
ck A & B								
15706	3/30/2018	\$ 4,500.00	\$ 4,500.00	\$ -	\$ -	48615	\$ 18,324.68	X
15927	11/28/2018	\$ 500.00	\$ 500.00	\$ -	\$ -	50632	\$ 22,098.75	X
ask Order No. 8 -Engineering Contract								
r Marina and Bayfront Park								
15890	10/26/2018	\$ 10,500.00	\$ -	\$ -	\$ 10,500.00	50477	\$ 10,500.00	X
15926	11/28/2018	\$ 15,444.00	\$ 3,747.64	\$ 7,899.61	\$ 3,796.75	50632	\$ 22,098.75	X
15941	2/1/2019	\$ 3,216.00	\$ 780.39	\$ 1,644.98	\$ 790.63	51042	\$ 3,216.00	X
15990	4/1/2019	\$ 2,640.00	\$ 640.62	\$ 1,350.36	\$ 649.02			
15997	4/8/2019	\$ 1,477.74	\$ 358.59	\$ 755.86	\$ 363.29	51615	\$ 5,047.74	X
16030	5/3/2019	\$ 714.12	\$ 173.29	\$ 365.27	\$ 175.56	51939	\$ 714.12	X
16100	7/30/2019	\$ 1,226.94	\$ 297.73	\$ 627.58	\$ 301.63	52534	\$ 1,226.94	X
16132	8/14/2019	\$ 1,110.12	\$ 269.38	\$ 567.83	\$ 272.91	52651	\$ 6,360.12	X
16159	9/19/2019	\$ 1,306.80	\$ 317.11	\$ 668.43	\$ 321.26			
16177	10/8/2019	\$ 331.32	\$ 80.40	\$ 169.47	\$ 81.45	53378	\$ 4,683.12	X
		\$ 12,575.12						
		X 90%						
		\$ 11,317.61						
		\$ 110,941.29						

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Item #2.

11.10.2020

Anna P. Weaver, City Engineer date

\$ 110,941.29 TOTAL REIMBURSEMENT REQUEST NO. 1 FOR #6448 - NAUTICAL  
LANDINGS MARINA

**TO CALCULATE PRORATED ENGINEERING FEE:**

EMA MARINA #6448 \$ 116,518.94

Final Contract Amt \$ 480,164.25

**24.266%**

EMA BAYFRONT #4840 \$ 245,603.25

Final Contract Amt \$ 480,164.25

51.150%

NON - FEMA RELATED EXPENSES \$ 118,042.06

Final Contract Amt \$ 480,164.25

24.584%

3/3



Item #2.

FOWLER CONSTRUCTION, LLC Payments 1-7

Cumulative Payments 1 thru 7

NAUTICAL LANDINGS MARINA & BAYFRONT PARK REPAIRS  
CITY OF PORT LAVACA, TEXAS

PAY REQUEST TABULATION

BID DATE: JANUARY 24, 2019

ITEM NO.	DESCRIPTION	ESTIMATED QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE	FOWLER CONSTRUCTION, LLC	FEMA QTY	Anticipated Eligible FEMA PA - NL Marina	Anticipated Eligible FEMA PA - Bayfront Park	Cumulative Payments 1 thru 7				ITEM NO.	
										Total Payment thru 7	Not FEMA eligible for reimbursement Port Commission	Not FEMA eligible for reimbursement Parks	FEMA Marina #6448		FEMA Bayfront Park #4840
1.	Mobilization, Insurance and Bonds (Maximum 5% of Base Bid)	1	LS	\$ 21,349.25	\$ 21,349.25					\$ 21,349.25	\$ 1,103.26	\$ 2,889.33	\$ 4,874.53	\$ 12,482.13	1.
2.	Barreling & Traffic Control (Furnish, Install, Maintain & Remove Signs & Warning Devices) (Includes Flagmen & Traffic Handling) (Prepare, Implement and Maintain Storm Water Plan and Storm Water Pollution Prevention Plan)	1	LS	\$ 9,250.00	\$ 9,250.00					\$ 9,250.00	\$ 478.01	\$ 1,251.86	\$ 2,111.99	\$ 5,408.14	2.
3.	Survey Layout & Control	1	LS	\$ 5,000.00	\$ 5,000.00					\$ 5,000.00	\$ 268.38	\$ 676.68	\$ 1,141.62	\$ 2,923.32	3.
4.	Remove and Replace Bulkhead Cap	260	LF	\$ 48.00	\$ 12,480.00		95	\$ 4,370.00	\$ 570.81	\$ 1,461.66	\$ 129.19	\$ 338.34	\$ 570.81	\$ 1,461.66	4.
5.	Install Cable Railing System on Existing	10	LF	\$ 285.00	\$ 2,850.00		0			\$ 2,850.00	\$ 0	\$ 2,850.00	\$ 4,370.00	\$ 1,461.66	5.
6.	Remove and Replace Galvanized Rail With Cable Railing	210	LF	\$ 125.00	\$ 26,250.00		180			\$ 26,250.00	\$ 0	\$ 26,250.00	\$ 2,923.32	\$ 22,500.00	6.
7.	Construct Aluminum Rail With Cable Railing	25	LF	\$ 225.00	\$ 5,625.00		0			\$ 5,625.00	\$ 0	\$ 5,625.00	\$ 4,000.00	\$ 4,000.00	7.
8.	Construct Vinyl Bulkhead	20	LF	\$ 200.00	\$ 4,000.00		200			\$ 4,000.00	\$ 0	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	8.
9.	Remove and Replace Courtesy Dock	2	EA	\$ 96,000.00	\$ 192,000.00		2			\$ 192,000.00	\$ 0	\$ 192,000.00	\$ 188,400.00	\$ 188,400.00	9.
10.	Remove and Replace PPE Ducking	39	SF	\$ 200.00	\$ 7,800.00		39			\$ 7,800.00	\$ 0	\$ 7,800.00	\$ 7,800.00	\$ 7,800.00	10.
11.	Remove and Replace 2" x 6" Fenders	3	EA	\$ 10,500.00	\$ 31,500.00		3			\$ 31,500.00	\$ 0	\$ 31,500.00	\$ 10,500.00	\$ 10,500.00	11.
12.	Remove and Replace 2" x 6" Fenders	15	EA	\$ 2,250.00	\$ 33,750.00		15			\$ 33,750.00	\$ 0	\$ 33,750.00	\$ 2,250.00	\$ 2,250.00	12.
13.	Remove and Replace 2" x 6" Fenders	305	LF	\$ 15.00	\$ 4,575.00		305			\$ 4,575.00	\$ 0	\$ 4,575.00	\$ 4,575.00	\$ 4,575.00	13.
14.	Remove and Replace Bumpers	385	LF	\$ 25.00	\$ 9,725.00		385			\$ 9,725.00	\$ 0	\$ 9,725.00	\$ 9,725.00	\$ 9,725.00	14.
15.	Remove and Replace Bumpers	0	EA	\$ 2,000.00	\$ 0		4			\$ 2,000.00	\$ 0	\$ 2,000.00	\$ 8,428.00	\$ 8,428.00	15.
16.	Remove and Replace 3" x 6" Fenders	3,300	SF	\$ 7.00	\$ 23,100.00		1,204			\$ 23,100.00	\$ 0	\$ 23,100.00	\$ 14,672.00	\$ 14,672.00	16.
17.	Remove and Replace 3" x 6" Fenders	1	EA	\$ 22,000.00	\$ 22,000.00		1			\$ 22,000.00	\$ 0	\$ 22,000.00	\$ 22,000.00	\$ 22,000.00	17.
18.	Remove and Replace 3" x 6" Fenders	1	EA	\$ 28,000.00	\$ 28,000.00		1			\$ 28,000.00	\$ 0	\$ 28,000.00	\$ 28,000.00	\$ 28,000.00	18.
19.	Remove and Replace 3" x 6" Fenders	1	EA	\$ 28,000.00	\$ 28,000.00		1			\$ 28,000.00	\$ 0	\$ 28,000.00	\$ 28,000.00	\$ 28,000.00	19.
TOTAL BASE BID										\$ 388,134.25	\$ 97,318.94	\$ 249,203.25	\$ 315,548.00	\$ 388,134.25	TOTALS

ALTERNATE BID NO. 1

A1.	Install Cable Railing System on Existing	400	LF	\$ 90.00	\$ 36,000.00		0			\$ 36,000.00	\$ 0	\$ 36,000.00	\$ 36,000.00	\$ 36,000.00	A1
A2.	Install Cable Railing System on Existing	270	LF	\$ 60.00	\$ 16,200.00		270			\$ 16,200.00	\$ 14,580.00	\$ 16,200.00	\$ 16,200.00	\$ 16,200.00	A2
TOTAL ALTERNATE BID NO. 1										\$ 52,200.00	\$ 14,580.00	\$ 36,600.00	\$ 52,200.00	\$ 52,200.00	TOTALS

CHANGE ORDER 1 -	Total Payment thru 7	Not FEMA eligible for reimbursement Port Commission	Not FEMA eligible for reimbursement Parks	FEMA Marina #6448	Bayfront Park #4840	
24,000.00	\$ 24,000.00	\$ 24,000.00	\$ 24,000.00			1-a)
a) 2400 sf of concrete walkway at floating dock entr.						100%
5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00			1-b)
b) Demo existing stairs						100%
3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00		1-c)
c) Repair approx. 30 LF of retaining wall and 51 LF of retaining wall top						100%
5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00			1-d)
d) install 2 new gates						100%
500.00	\$ 500.00	\$ 500.00	\$ 500.00			1-e)
e) new aluminum handrails at stairs						100%
800.00	\$ 800.00	\$ 800.00	\$ 800.00			2-a)
a) cleats on courtesy dock						100%
500.00	\$ 500.00	\$ 500.00	\$ 500.00			2-b)
b) repair aluminum posts for handrail						100%
1,030.00	\$ 1,030.00	\$ 1,030.00	\$ 1,030.00			100%
misc repairs to floating dock (post Harvey damage)						100%
<b>CHANGE ORDER 2 -</b>						
<b>CHANGE ORDER 3 -</b>						
<b>TOTAL WORK + MATERIALS ON HAND</b>	<b>\$ 480,164.25</b>	<b>\$ 480,164.25</b>	<b>\$ 480,164.25</b>	<b>\$ 116,518.94</b>	<b>\$ 245,603.25</b>	
<b>LESS 5% RETAINAGE</b>	<b>\$ (24,008.21)</b>	<b>\$ (24,008.21)</b>	<b>\$ (24,008.21)</b>	<b>\$ (5,825.95)</b>	<b>\$ (12,280.16)</b>	
<b>TOTAL DUE/PAY THIS PAY REQUEST</b>	<b>\$ 456,156.04</b>	<b>\$ 456,156.04</b>	<b>\$ 456,156.04</b>	<b>\$ 110,692.99</b>	<b>\$ 233,325.09</b>	

**TO CALCULATE PRORATED ENGINEERING FEE:**

FEMA MARINA #6448 \$ 116,518.94  
 Final Contract Amt \$ 480,164.25  
 24.286%

FEMA BAYFRONT #4840 \$ 245,603.25  
 Final Contract Amt \$ 480,164.25  
 51.150%

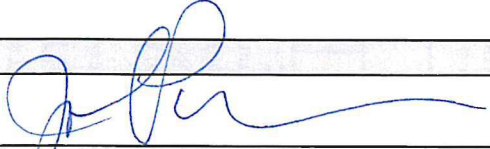
NON - FEMA RELATED EXPENSES 116,042.08  
 Final Contract Amt \$ 480,164.25  
 24.3694%

**PROCEDURE TO CALCULATE THE PRORATA SHARE OF BASE BID ITEMS 1 THRU 4**

\$ 88,620.00	= TOTAL ANTICIPATED ELIGIBLE FEMA EXPENSES OF NL MARINA # 6448 BASE BID
\$ 225,928.00	= TOTAL ANTICIPATED FEMA REIMBURSEMENT OF BAYFRONT PARK # 4840 BASE BID
\$ 315,548.00	= TOTAL ELIGIBLE FEMA REIMBURSEMENT EXPENSES FOR PROJECT #6448 AND # 4840
\$ 388,134.25	= TOTAL BASE BID
81%	= PERCENT OF ELIGIBLE EXPENSES TO TOTAL BASE BID
28%	= PERCENT OF NL MARINA (#6448) TO ELIGIBLE EXPENSES : 88,620.00 / 315,548.00
72%	= PERCENT OF BAYFRONT PARK (#4840) TO ELIGIBLE EXPENSES : 225,928.00 / 315,548.00

Agenda - 2 (1)  
 N.L. Marina #2

Item #2.

TEXAS DIVISION OF EMERGENCY MANAGEMENT		
PAYMENT OF FUNDS REQUEST FORM		
Subrecipient Name	Grant Program	
Port Lavaca	Public Assistance (PA)	
Disaster Number	Project Number	
4332 - Hurricane Harvey	6448	
Payments can be requested under the following conditions (select one):		
<input type="checkbox"/> Funds are needed to pay for approved project scope of work before supporting documentation is available compiled due to a hardship. The subrecipient will be required to provide TDEM with a letter that justifies the hardship and a spend plan. The spend plan will detail amount of funds requested for the next 30 to 60 days, timeline to expend the funds, and eligible cost to be covered by the funds. To ensure proper use of funds this will be monitored by TDEM to ensure compliance with the spend plan.		
<input type="checkbox"/> Funds are needed to pay eligible cost of approved project scope of work based on received invoices and/or supporting documentation, but the subrecipient is unable to pay due to a hardship. The subrecipient will be required to provide TDEM with a letter that justifies the hardship, and the invoices and/or supporting documentation of cost incurred. To ensure proper use of funds the subrecipient will be required to provide proper supporting documentation to TDEM that the funds were expended within 30 days of receiving the funds.		
<input checked="" type="checkbox"/> Funds are needed to pay eligible cost of approved project scope of work paid by the subrecipient based on received invoices and or other supporting documentation. The subrecipient will be required to provide proper supporting documentation to TDEM for the cost. I understand that any part of this payment that is not expended within the scope of the project will be refunded to the Texas Division of Emergency Management within 30 days of receiving the deobligation notice. In addition, to support this claim, I have included supporting documentation for the requested amount.		
Work Type	Total of Subrecipient Eligible Costs	Supporting Documentation Attached?
Force Account Labor (FAL)		
Force Account Equipment (FAE)		
Materials		
Contract Costs	\$ 110,147.24	Yes
Lease/Rental Costs		
Administrative Costs (DAC / Management and Indirect Costs)		
Other Costs		
404 HMGP and PDM Only		
Cost of Property Acquisition		
Individual Safe Rooms (Capped at \$6,000.00 total per shelter)		REIMBURSEMENT RECEIVED 3.23.2021 \$99,132.52
Safe Room Admin Fee (5%/\$100 per shelter)		
<b>GRAND TOTAL OF REQUEST:</b>	<b>\$ 110,147.24</b>	
This form does not list all work types, if the types listed do not represent the work performed, please input those as "Other Costs" and provide additional summaries for each type of work performed.		
Subrecipient Comments		
Invoices, canceled checks and calculation of prorated invoices are attached.		
Signature Block		
 Signature of Subrecipient's Agent	<b>JoAnna P. Weaver</b> 02/08/2021 Printed Name of Subrecipient's Agent    Date (MM/DD/YYYY)	
<b>City of Port Lavaca</b> Name of Jurisdiction	<b>City Engineer 361-827-3601</b> Subrecipient's Agent's Title    Subrecipient's Agent's Phone Number	
<b>202 N. Virginia St.</b> Mailing Address	<b>Port Lavaca, TX 77979</b> City, State, ZIP Code	

2.8.2021

CITY OF PORT LAVACA  
 INVOICE AND CANCELED CHECKS  
 REIMBURSEMENT OF FUNDS REQUEST #2  
**PROJECT # 6448 NAUTICAL LANDINGS MARINA**  
 Cost Summary With Invoices and Canceled Checks

Note: The contract for FOWLER also included work under Project # 4840 - Bayfront Park, as well as work not associated with Harvey Damage. The previous Reimbursement of Funds Request for this project provided spread sheets for each FOWLER Pay Request which breaks down what is applicable to #6448, #4840, and those cost ineligible for FEMA reimbursement. The below Pay Request is for the 5% retainage of the work competed in Fowler Pay Requests 1-7 of the previous Reimbursement of Funds Request.

**FOWLER CONSTRUCTION, LLC - Nautical Landings-Bayfront Park Construction Project**

Pay Request No.	Invoice date	Total Invoice Amt	Invoice for #6448 NL Marina	Invoice for #4840 Bay Front Park	Invoice for work not associated with FEMA reimbursement	Check #	Check Amt	Back up
8	08.08.2020	\$ 24,008.21	\$ 5,825.95	\$ 12,280.16	\$ 5,902.10	56265	\$ 24,008.21	X
			<b>\$ 5,825.95</b>					

Note: Urban Engineers Task Order No. 8 was for work of this #6448 as well as work for #4840 Bayfront Park. The bottom of this Summary provides the calculation of the ratio of their invoices for #6448, #4840, and non eligible scope of work.

**URBAN ENGINEERING - Nautical Landings/Bayfront Park Construction Project**

Invoice No.	Invoice date	Total Invoice Amt	Invoice for #6448 NL Marina (24.266%)	Invoice for #4840 Bay Front Park	Invoice for work not associated with FEMA reimbursement	Check #	Check Amt	Back up
Task Order No. 8 -Engineering Contract for Marina and Bayfront Park								
16463	10/12/2020	\$ 432.96	\$ 105.06	\$ 221.46	\$ 106.44	55994	\$ 14,432.36	X
			<b>\$ 105.06</b>					

**URBAN ENGINEERING - TASK ORDER NO. 11 - DOCK B REPAIRS CONSTRUCTION PROJECT**

Invoice No.	Invoice date	Total Invoice Amt	Invoice for Task 11 Dock B (44.35%)	Invoice for work not associated with FEMA reimbursement	Check #	Check Amt	Back up
16288	3/3/2020	\$ 12,500.00	\$ 5,543.75	\$ 6,956.25	54240	\$ 12,500.00	X
16369	6/30/2020	\$ 2,500.00	\$ 1,108.75	\$ 1,391.25	55070	\$ 41,000.00	X
16480	11/4/2020	\$ 9,500.00	\$ 4,213.25	\$ 5,286.75	55928	\$ 24,495.00	X
			<b>\$ 10,865.75</b>				

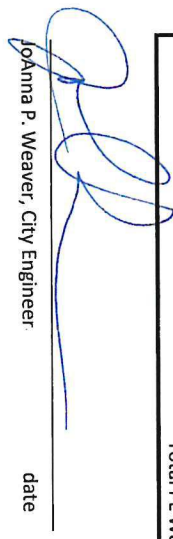
**J&S CONSTRUCTION - DECK B REPAIRS CONSTRUCTION PROJECT**

(See attached breakdown/calculation of eligible mobilization and other costs)

Invoice No.	Invoice date	Total Invoice Amt	Invoice for Dock B work	Invoice for work not associated with FEMA reimbursement	Check #	Check Amt	Back up
Estimate No. 1	10/22/2020	\$ 220,538.70	\$ 93,016.76	\$ 127,521.94	55961	\$ 220,538.78	X
			<b>\$ 93,016.76</b>				

**THE PORT LAVACA WAVE**

Invoice No.	Invoice date	Total Invoice Amt	Invoice for #6448 NL Marina (24.266%)	Invoice for #4840 Bay Front Park	Invoice for work not associated with FEMA reimbursement	Check #	Check Amt	Back up
Ad #1300 for NL/Bayfront Park project	1/31/2019	\$ 947.20	\$ 65.52	\$ 138.11	\$ 743.58	51019	\$ 947.20	X
Ad #230 for DOCK B REPAIRS	2/29/2020	\$ 771.30	\$ 268.20		\$ 503.10	54453	\$ 771.30	X
		<b>Total PL Wave</b>	<b>\$ 333.72</b>					

  
Joanna P. Weaver, City Engineer

**\$ 110,147.24**

TOTAL REIMBURSEMENT REQUEST NO. 2 FOR #6448 - NAUTICAL LANDINGS  
MARINA

TO CALCULATE PRORATED ENGINEERING FEE:		TO CALCULATE PRORATED ENGINEERING FEE:	
<b>FEMA #6448- Marina Dock A</b>	\$ 116,518.94	<b>FEMA #6448- Marina Dock B</b>	\$ 97,912.38
<b>Final Contract Amt</b>	\$ 480,164.25	<b>Final Contract Amt</b>	\$ 220,758.00
	<b>24.266%</b>		<b>44.350%</b>
<b>FEMA BAYFRONT #4840</b>	\$ 245,603.25		
<b>Final Contract Amt</b>	\$ 480,164.25		
	<b>51.150%</b>		
NON - FEMA RELATED EXPENSES	\$ 118,042.06	NON - FEMA RELATED EXPENSES	\$ 122,845.62
<b>Final Contract Amt</b>	\$ 480,164.25	<b>Final Contract Amt</b>	\$ 220,758.00
	<b>24.584%</b>		<b>55.650%</b>

NAUTICAL LANDINGS MARINA & BAYFRONT PARK REPAIRS  
CITY OF PORT LAVACA

FOWLER CONSTRUCTION, LLC  
ESTIMATE NO. 8 (FINAL)  
OCTOBER 8, 2020

*RETAINAGE*

Item No.	Description	Approved Contract			Quantities			Amounts			% Complete	
		Estimated Quantity	Unit	Unit Price	Total Price	Previous Estimates	This Period	To Date	Previous Estimates	This Period		To Date
<b>BASE BID</b>												
1.	Mobilization, Insurance and Bonds (Maximum 5% of Base Bid)	1	LS	\$ 21,349.25	\$ 21,349.25	1	0	1	\$ 21,349.25	\$ -	\$ 21,349.25	100.00%
2.	Barricading & Traffic Control (Furnish, Install, Maintain & Remove Signs & Warning Devices) (Includes Flagmen & Traffic Handling)	1	LS	\$ 9,250.00	\$ 9,250.00	1	0	1	\$ 9,250.00	\$ -	\$ 9,250.00	100.00%
3.	Storm Water Pollution Prevention Plan (Prepare, Implement and Maintain Storm Water Plan and Controls)	1	LS	\$ 5,000.00	\$ 5,000.00	1	0	1	\$ 5,000.00	\$ -	\$ 5,000.00	100.00%
4.	Survey Layout & Control	1	LS	\$ 2,500.00	\$ 2,500.00	1	0	1	\$ 2,500.00	\$ -	\$ 2,500.00	100.00%
5.	Remove and Replace Bulkhead Cap	260	LF	\$ 46.00	\$ 11,960.00	260	0	260	\$ 11,960.00	\$ -	\$ 11,960.00	100.00%
6.	Install Cable Railing System on Existing Galvanized Railing	10	LF	\$ 285.00	\$ 2,850.00	10	0	10	\$ 2,850.00	\$ -	\$ 2,850.00	100.00%
7.	Remove and Replace Galvanized Rail With Cable Railing	210	LF	\$ 125.00	\$ 26,250.00	210	0	210	\$ 26,250.00	\$ -	\$ 26,250.00	100.00%
8.	Construct Aluminum Rail With Cable Railing	25	LF	\$ 225.00	\$ 5,625.00	25	0	25	\$ 5,625.00	\$ -	\$ 5,625.00	100.00%
9.	Construct Vinyl Bulkhead	20	LF	\$ 200.00	\$ 4,000.00	20	0	20	\$ 4,000.00	\$ -	\$ 4,000.00	100.00%
10.	Remove and Replace Courtesy Dock	2	EA	\$ 96,000.00	\$ 192,000.00	2	0	2	\$ 192,000.00	\$ -	\$ 192,000.00	100.00%
11.	Remove and Replace IPE Decking	39	SF	\$ 2,000.00	\$ 7,800.00	39	0	39	\$ 7,800.00	\$ -	\$ 7,800.00	100.00%
12.	Replace Piling, Class B X 45'	3	EA	\$ 3,500.00	\$ 10,500.00	3	0	3	\$ 10,500.00	\$ -	\$ 10,500.00	100.00%
13.	Replace Pile Caps	15	EA	\$ 150.00	\$ 2,250.00	15	0	15	\$ 2,250.00	\$ -	\$ 2,250.00	100.00%
14.	Remove and Replace 2" X 6" Fenders	305	LF	\$ 15.00	\$ 4,575.00	305	0	305	\$ 4,575.00	\$ -	\$ 4,575.00	100.00%
15.	Remove and Replace Bumpers	365	LF	\$ 25.00	\$ 9,125.00	365	0	365	\$ 9,125.00	\$ -	\$ 9,125.00	100.00%
16.	Excavate and Replace Existing Light Pole (Set Using Polecrete Stabilizer)	4	EA	\$ 2,000.00	\$ 8,000.00	0	0	0	\$ -	\$ -	\$ -	0.00%
17.	Construct Concrete Sidewalk	3,300	SF	\$ 7.00	\$ 23,100.00	3,300	0	3,300	\$ 23,100.00	\$ -	\$ 23,100.00	100.00%
18.	Remove & Replace 32' Dock & Cross Member	1	EA	\$ 22,000.00	\$ 22,000.00	1	0	1	\$ 22,000.00	\$ -	\$ 22,000.00	100.00%
19.	Remove & Replace 36' Dock w/ Flairs	1	EA	\$ 28,000.00	\$ 28,000.00	1	0	1	\$ 28,000.00	\$ -	\$ 28,000.00	100.00%
<b>TOTAL BASE BID</b>												
<b>ALTERNATE BID NO. 1</b>												
A1.	Install Cable Railing System on Existing Galvanized Railing	400	LF	\$ 90.00	\$ 36,000.00	400	0	400	\$ 36,000.00	\$ -	\$ 36,000.00	100.00%
A2.	Install Cable Railing System on Existing Aluminum Railing	270	LF	\$ 60.00	\$ 16,200.00	270	0	270	\$ 16,200.00	\$ -	\$ 16,200.00	100.00%
<b>TOTAL ALTERNATE BID NO. 1</b>												
<b>TOTAL BASE BID &amp; ALTERNATE BID NO. 1</b>												
<b>CHANGE ORDER NO. 1</b>												
Install Concrete Walkway at Floating Dock Entrance												
		2,400	SF	\$ 10.00	\$ 24,000.00	2,400	0	2,400	\$ 24,000.00	\$ -	\$ 24,000.00	100.00%

NAUTICAL LANDINGS MARINA & BAYFRONT PARK REPAIRS  
CITY OF PORT LAVACA

FOWLER CONSTRUCTION, LLC  
ESTIMATE NO. 8 (FINAL)  
OCTOBER 8, 2020

Item No.	Description	Estimated Quantity	Unit	Approved Contract		Quantities			Amounts			% Complete
				Unit Price	Total Price	Previous Estimates	This Period	To Date	Previous Estimates	This Period	To Date	
	Demo Existing Wood Stairwell and Replace With Concrete	1	LS	\$ 5,000.00	\$ 5,000.00	1	0	1	\$ 5,000.00	\$ -	\$ 5,000.00	100.00%
	Repair Retaining Wall (Approximately 30 LF of Retaining Wall and 51 LF of Retaining Wall Top)	1	LS	\$ 3,000.00	\$ 3,000.00	1	0	1	\$ 3,000.00	\$ -	\$ 3,000.00	100.00%
	Install Aluminum Gates at Dock Entrances (7' Tall With Combo Locks)	2	EA	\$ 2,500.00	\$ 5,000.00	2	0	2	\$ 5,000.00	\$ -	\$ 5,000.00	100.00%
	Install Aluminum Handrails on Stairwell	1	LS	\$ 500.00	\$ 500.00	1	0	1	\$ 500.00	\$ -	\$ 500.00	100.00%
	<b>TOTAL CHANGE ORDER NO. 1</b>				\$ 37,500.00				\$ 37,500.00	\$ -	\$ 37,500.00	100.00%
	<b>CHANGE ORDER NO. 2</b>											
	Install 10 Galvanized Cleats on Courtesy Piers at Boat Ramp	1	LS	\$ 800.00	\$ 800.00	1	0	1	\$ 800.00	\$ -	\$ 800.00	100.00%
	Weld 7 Aluminum Posts for Handrail	1	LS	\$ 500.00	\$ 500.00	1	0	1	\$ 500.00	\$ -	\$ 500.00	100.00%
	<b>TOTAL CHANGE ORDER NO. 2</b>				\$ 1,300.00				\$ 1,300.00	\$ -	\$ 1,300.00	100.00%
	<b>CHANGE ORDER NO. 3</b>											
	Repairs to Floating Dock	1	LS	\$ 1,030.00	\$ 1,030.00	1	0	1	\$ 1,030.00	\$ -	\$ 1,030.00	100.00%
	<b>TOTAL CHANGE ORDER NO. 3</b>				\$ 1,030.00				\$ 1,030.00	\$ -	\$ 1,030.00	100.00%
	<b>TOTAL - ALL ITEMS</b>				\$ 488,164.25				\$ 488,164.25	\$ -	\$ 488,164.25	98.36%

I, Matt A. Glaze, P.E., hereby certify that improvements for the Nautical Landings Marina & Bayfront Park Repairs for the City of Port Lavaca project have been fully completed in accordance with the Contract Documents.

Matt A. Glaze, P.E. *[Signature]* Date *10/29/20*  
Urban Engineering TREE# F-160



Total Work Completed	\$ 480,164.25
Material On Hand	\$ -
Total Work + Material On Hand	\$ 480,164.25
Less 5% Retainage	\$ (24,008.21)
Less Previous Estimates	\$ (456,156.04)
Plus Retainage Released	\$ 24,008.21
Total Due This Estimate	\$ 24,008.21

See breakdown of cumulative Payment thru 7 (which were submitted with the previous payment reimbursement re: that shows the value of retainage as \$24,008.21 that associated w/ this project @ 6448 as 5,825.95

Item #2.

Cumulative Payments 1 thru 7  
**NAUTICAL LANDINGS MARINA & BAYFRONT PARK REPAIRS**  
**PAY REQUEST TABULATION**

BID DATE: JANUARY 24, 2019

FOWLER  
 CONSTRUCTION, LLC

ITEM NO.	DESCRIPTION	ESTIMATED QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE	FEMA QTY	Anticipated Eligible FEMA PA - ML Marina	Anticipated Eligible FEMA PA - Bayfront Park
1.	Mobilization, Insurance and Bonds (Maximum 5% of Base Bid)	1	LS	\$ 21,349.25	\$ 21,349.25		\$ 4,874.53	\$ 12,482.13
2.	Barretering & Traffic Control (Furnish, Install, Maintain & Remove Signs & Warning Devices) (Includes Flagmen & Traffic Handling) (Prepare, Implement and Maintain Storm Water Plan and Control)	1	LS	\$ 9,250.00	\$ 9,250.00		\$ 2,111.99	\$ 5,408.14
3.	Survey Layout & Control	1	LS	\$ 5,000.00	\$ 5,000.00		\$ 1,141.62	\$ 2,923.32
4.	Remove and Replace Bulkhead Cap	260	LF	\$ 46.00	\$ 11,960.00	95	\$ 570.81	\$ 1,461.66
5.	Install Cable Railing System on Existing Galvanized Railing	10	LF	\$ 285.00	\$ 2,850.00	0	NOT ELIGIBLE FOR REIMBURSEMENT	
6.	Remove and Replace Galvanized Rail With Cable Railing	210	LF	\$ 126.00	\$ 26,250.00	180	NOT ELIGIBLE FOR REIMBURSEMENT	\$ 22,500.00
7.	Construct Aluminum Rail With Cable Railing	25	LF	\$ 262.00	\$ 6,525.00	0	NOT ELIGIBLE FOR REIMBURSEMENT	\$ 5,625.00
8.	Construct Vinyl Bulkhead	20	LF	\$ 200.00	\$ 4,000.00	200	NOT ELIGIBLE FOR REIMBURSEMENT	\$ 4,000.00
9.	Remove and Replace IPE Decking	2	EA	\$ 96,000.00	\$ 192,000.00	2	\$ 7,800.00	\$ 192,000.00
10.	Replace Pine, Class B x 4's	3	EA	\$ 3,500.00	\$ 10,500.00	3	\$ 10,500.00	\$ 10,500.00
11.	Remove and Replace 2" x 6" Fenders	15	EA	\$ 150.00	\$ 2,250.00	15	\$ 2,250.00	\$ 2,250.00
12.	Remove and Replace Bumpers	305	LF	\$ 15.00	\$ 4,575.00	305	\$ 4,575.00	\$ 4,575.00
13.	Excavate and Pumph Existing Light Pole (Set Using Polycarbonate Slatwall)	0	EA	\$ 2,000.00	\$ -	4	These lights were determined to belong to the electric company, not the City of Port Lavaca	\$ 8,428.00
14.	Remove & Replace 2" Deck & Gross Member	1	EA	\$ 22,000.00	\$ 22,000.00	1	\$ 22,000.00	\$ 22,000.00
15.	Remove & Replace 3/8" Deck w/ string	1	EA	\$ 28,000.00	\$ 28,000.00	1	\$ 28,000.00	\$ 28,000.00
16.	TOTAL BASE BID				\$ 388,134.25		\$ 97,318.94	\$ 245,603.25

ITEM NO.	DESCRIPTION	ESTIMATED QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE	FEMA QTY	Anticipated Eligible FEMA PA - ML Marina	Anticipated Eligible FEMA PA - Bayfront Park
A1.	Install Cable Railing System on Existing Galvanized Railing	400	LF	\$ 90.00	\$ 36,000.00	0	NOT ELIGIBLE FOR REIMBURSEMENT	
A2.	Install Cable Railing System on Existing Aluminum Railing	270	LF	\$ 60.00	\$ 16,200.00	270	\$ 14,580.00	
	TOTAL ALTERNATE BID NO. 1				\$ 52,200.00		\$ 14,580.00	

ITEM NO.	DESCRIPTION	ESTIMATED QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE	FEMA QTY	Anticipated Eligible FEMA PA - ML Marina	Anticipated Eligible FEMA PA - Bayfront Park
A1.	Install Cable Railing System on Existing Galvanized Railing	400	LF	\$ 90.00	\$ 36,000.00	0	NOT ELIGIBLE FOR REIMBURSEMENT	
A2.	Install Cable Railing System on Existing Aluminum Railing	270	LF	\$ 60.00	\$ 16,200.00	270	\$ 14,580.00	
	TOTAL ALTERNATE BID NO. 1				\$ 52,200.00		\$ 14,580.00	

1/2



CHANGE ORDER 1 -	Total Payment thru 7	Not FEMA eligible for reimbursement Parks Commission	Not FEMA eligible for reimbursement Parks	FEMA Marina #6448	Bayfront Park #4840	
a) 2400 sq ft of concrete walkway at floating dock entr.	\$ 24,000.00	\$ 24,000.00	\$ 24,000.00			100%
b) Demo existing stairs	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00			100%
c) Repair approx 300 LF of retaining wall and 51 LF of retaining wall top	\$ 3,000.00	\$ 3,000.00	\$ 5,000.00	\$ 3,000.00		100%
d) install 2 new gates	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00			100%
e) new aluminum handrails at stairs	\$ 500.00	\$ 500.00	\$ 500.00			100%
<b>CHANGE ORDER 2 -</b>						
a) cleats on courtesy dock	\$ 800.00	\$ 800.00	\$ 800.00			100%
b) repair aluminum posts for handrail	\$ 500.00	\$ 500.00	\$ 500.00			100%
<b>CHANGE ORDER 3 -</b>						
misc repairs to floating dock (post Harvey damage)	\$ 1,030.00	\$ 1,030.00	\$ 1,030.00			100%
<b>Total</b>	<b>\$ 39,830.00</b>	<b>\$ 39,830.00</b>	<b>\$ 39,830.00</b>	<b>\$ 3,000.00</b>		

**TO CALCULATE PRORATED ENGINEERING FEE:**

FEMA MARINA #6448 \$ 116,518.94  
 Final Contract Amt \$ 480,164.25  
 24.266%

FEMA BAYFRONT #4840 \$ 245,603.25  
 Final Contract Amt \$ 480,164.25  
 51.150%

NON - FEMA RELATED EXPENSES 118,042.06  
 Final Contract Amt \$ 480,164.25  
 24.584%

TOTAL WORK + MATERIALS ON HAND	\$ 480,164.25	\$ 45,588.85	\$ 72,453.21	\$ 116,518.94	\$ 245,603.25
LESS 5% RETAINAGE	\$ (24,008.21)				
TOTAL DUE/PAY THIS PAY REQUEST	\$ 456,156.04	\$ (2,279.44)	\$ (3,622.66)	\$ (5,825.59)	\$ (12,280.16)
		\$ 43,309.41	\$ 68,830.55	\$ 110,692.99	\$ 233,323.09
				FEMA Marina #6448	Bayfront Park #4840

PROCEDURE TO CALCULATE THE PRORATA SHARE OF BASE BID ITEMS 1 THRU 4

\$ 88,620.00 = TOTAL ANTICIPATED ELIGIBLE FEMA EXPENSES OF NL MARINA #6448 BASE BID

\$ 226,928.00 = TOTAL ANTICIPATED FEMA REIMBURSEMENT OF BAYFRONT PARK #4840 BASE BID

\$ 315,548.00 = TOTAL ELIGIBLE FEMA REIMBURSEMENT EXPENSES FOR PROJECT #6448 AND #4840

81% = PERCENT OF ELIBLE EXPENSES TO TOTAL BASE BID

28% = PERCENT OF NL MARINA (#6448) TO ELIGIBLE EXPENSES : \$88,620.00 / \$315,548.00

72% = PERCENT OF BAYFRONT PARK (#4840) TO ELIGIBLE EXPENSES \$226,928.00 / \$315,548.00

114,898.94 \$ 249,203.25 18,205.11  
 5,744.95 \$ 12,460.18 \$

5560.23  
 \$24,008.21  
 -\$18,447.98  
 \$5,560.23

5% Retainage for #6448 \$5,825.95

5% Retainage = \$24,008.21

2/2

7899.606

	Total Payment thru 7	Not FEMA eligible for reimbursement Port Commission 504-5100958.05	Not FEMA eligible for reimbursement Parks 001-50501581.02	FEMA Marina #6448 175-5407353.14	Bayfront Park #4840 175-5401353.14	
<b>CHANGE ORDER 1 -</b>						
\$ 24,000.00	\$ 24,000.00	\$ 24,000.00	\$ 24,000.00			100%
a) 2400 sf of concrete walkway at floating dock entr.						
\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00			100%
b) Demo existing stairs						
\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00		100%
c) Repair approx. 30 LF of retaining wall and 51 LF of retaining wall top						
\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00			100%
d) install 2 new gates						
\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00			100%
e) new aluminum handrails at stairs						
<b>CHANGE ORDER 2 -</b>						
\$ 800.00	\$ 800.00	\$ 800.00	\$ 800.00			100%
a) cleats on courtesy dock						
\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00			100%
b) repair aluminum posts for handrail						
\$ 1,030.00	\$ 1,030.00	\$ 1,030.00	\$ 1,030.00			100%
c) misc repairs to floating dock (post Harvey damage)						
<b>CHANGE ORDER 3 -</b>						
\$ 480,164.25	\$ 480,164.25	\$ 480,164.25	\$ 480,164.25			100%
TOTAL WORK + MATERIALS ON HAND	\$ 480,164.25	\$ 480,164.25	\$ 480,164.25			
LESS 5% RETAINAGE	\$ (24,008.21)	\$ (24,008.21)	\$ (24,008.21)	\$ (5,825.95)	\$ (12,280.16)	
<b>TOTAL DUE/PAID THIS PAY REQUEST</b>	<b>456,156.04</b>	<b>456,156.04</b>	<b>456,156.04</b>	<b>\$ 116,518.94</b>	<b>\$ 245,603.25</b>	
Final Contract Amt	\$ 480,164.25					

PROCEDURE TO CALCULATE THE PRORATA SHARE OF BASE BID ITEMS 1 THRU 4

\$ 88,620.00 = TOTAL ANTICIPATED ELIGIBLE FEMA EXPENSES OF NL MARINA # 6448 BASE BID

\$ 226,928.00 = TOTAL ANTICIPATED FEMA REIMBURSEMENT OF BAYFRONT PARK # 4840 BASE BID

\$ 315,548.00 = TOTAL ELIGIBLE FEMA REIMBURSEMENT EXPENSES FOR PROJECT #6448 AND # 4840

\$ 388,134.25 = TOTAL BASE BID

81% = PERCENT OF ELIGIBLE EXPENSES TO TOTAL BASE BID

28% = PERCENT OF NL MARINA (#6448) TO ELIGIBLE EXPENSES : \$88,620.00 / \$315,548.00

72% = PERCENT OF BAYFRONT PARK (#4840) TO ELIGIBLE EXPENSES : \$226,928.00 / \$315,548.00

**TO CALCULATE PRORATED ENGINEERING FEE:**

FEMA MARINA #6448 \$ 116,518.94

Final Contract Amt \$ 480,164.25

24.286%

FEMA BAYFRONT #4840 \$ 245,603.25

Final Contract Amt \$ 480,164.25

51.150%

NON - FEMA RELATED EXPENSES 118,042.06

Final Contract Amt \$ 480,164.25

24.584%

# COMMUNICATION

SUBJECT: RECEIVE STATUS REPORTS ON SPECIAL PROJECTS

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## INFORMATION:

a) GLO cleanup of old Bilge Reclamation Site at City Harbor. b) Voluntary Restoration of disturbed final cover at the Harbor of Refuge Tract 16. c) Limited Phase II Environmental Site Assessment of Harbor of Refuge Tracts 16, 17, and 17A. d) Proposed Air Burner for Brush Operations and Cleanup at the Harbor of Refuge.

[jweaver@portlavaca.org](mailto:jweaver@portlavaca.org)

Agenda # 3 a)

**From:** Tony Belton <Tony.Belton@glo.texas.gov>  
**Sent:** Friday, April 23, 2021 9:58 AM  
**To:** [jweaver@portlavaca.org](mailto:jweaver@portlavaca.org)  
**Cc:** Amanda Marek  
**Subject:** Bilge Reclamation unit

**Flag Status:** Flagged

Good morning Ms. Weaver,  
Amanda asked that I provide a quick status report regarding the bilge unit demolition/removal plan. We had previously contracted a company to conduct the removal and disposal event, but were forced to rescind the contract when the vendor refused to acquire the necessary liability insurance for the potential issues we identified. I am happy to say, we have completed the contract solicitation again for this fiscal term and have a new vendor identified for the removal, cleaning and disposal of the equipment, materials and site located at the Port Lavaca Harbor. I cannot definitively state the exact start date, but we hope it will be within the next 120 days. Once I receive word from our legal department and the vendor, we will contact you to discuss the logistics of the operation. Since this is a multi-location event, we want to ensure all parties are prepared and that we can meet everyone's expectations. Please feel free to contact me at the numbers below, if you have any other questions. Have a great weekend.  
Respectfully,

Tony Belton  
Regional Manager- Region 5  
Oil Spill Prevention & Response  
**Office: 361-552-8081**  
Fax: 361-552-7995  
**Cell: 361-746-8391**  
414 Travis St. Port Lavaca TX. 77979

## CITY OF PORT LAVACA

Agenda # 3b

**PORT COMMISSION MEETING: MAY 4, 2021**

**DATE:** 4.26.2021  
**TO:** PORT COMMISSION  
**CC:** JIM RUDELLAT, HARBOR MASTER  
**FROM:** JODY WEAVER, INTERIM CITY MANAGER  
**SUBJECT:** VOLUNTARY RESTORATION OF DISTURBED FINAL COVER AT THE HOR TRACT 16

---

Jim Rudellat, Matt Glaze and I met with Randy Boyd on Tuesday, April 27 to discuss this work. Randy has agreed to complete the required voluntary restoration work per the plans approved by TCEQ. RLB will provide all the required materials, labor, equipment and methane detection during the work.

RLB plans to complete this work sometime during the month of May, but commits to having it completed no later than the end of June.

The work involves providing 18" of clay soil and 6" of top soil over an area about 150' x 95' and graded to drain.

April 29, 2021

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: Report - Limited Phase II Environmental Site Assessment  
Harbor of Refuge  
Port Lavaca, Texas

Dear Ms. Weaver:

CRG Texas Environmental Services, Inc. (CRG Texas) is pleased to present this summary report detailing the observations and findings from the recent limited Phase II Environmental Site Assessment (ESA) conducted at the above-mentioned site. The limited Phase II included the installation of several 4 near surface soil borings and conversion of two of those borings to temporary groundwater monitoring wells (TMWs), collection of soil and groundwater samples for laboratory chemical analysis, and preparation of a Phase II ESA report. This effort was implemented to further evaluate minor exceedances of soil-to-groundwater transfer protective concentration levels (PCLs) documented during a recent Phase I ESA conducted on the property.

## SCOPE OF WORK

### Soil Boring Installation

Prior to Mobilization, a 48-hour utility locate notification will be submitted to Lonestar Locators, One Call, or Digg Tess as required by law. A total of four (4) soil borings were installed using a direct-push drilling rig at locations identified proximal to the sampling locations conducted during the recently completed Phase I ESA. The soil borings were advanced to a depth of 20 feet below grade. Groundwater was encountered in all 4 borings at depths of 7-12.5 feet below grade. A Texas-Licensed Water Well Driller performed all boring related activities under the supervision of a Texas-licensed Professional Geoscientist.

### Soil and Groundwater Sampling

Soil samples recovered from each soil boring were continuously screened for odors and staining, and organic vapor concentrations were measured using an portable photoionization detector (PID). Samples were collected from each soil boring for laboratory chemical analyses as follows.

- Soil samples were collected at an approximate depth of 5 ft below grade, and from the highest observed PID response or the apparent capillary fringe (typically 10-12.5 ft) just above the soil-groundwater interface.
- Two borings were converted to temporary monitoring wells from which groundwater samples were collected.

### Laboratory Chemical Analysis

Soil and groundwater samples were analyzed for the listed analytes as presented below:

- Total petroleum hydrocarbons (TPH) by Texas Method 1005;
- Volatile organic compounds (VOCs) by Method 8260;
- Metals by EPA Method 6010/6020/7471 as appropriate for the specific sample locations;
- If TPH is detected in the soil or groundwater samples, the soil and/or groundwater 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;
- Depending on the initial metals results, the samples may be further analyzed for by Synthetic Precipitation Leaching Procedures to determine the potential for soil-to-groundwater transfer of specific analytes; and,
- Given the proximity to the coast, groundwater samples were also analyzed for chlorides and total dissolved solids. This data will be useful in determining the site groundwater classification in the event that groundwater impacts are identified.

### Observations

Soil cores collected from the 4 sample locations generally appeared as "native" soil except for a small interval (approximately 1 ft) in boring SB-3 where some plastic material was observed at an approximate depth of 8 feet. There was a slight odor and an anomalous organic vapor reading (26.1 units) was detected in that interval as well. A sample was collected from that interval. None of the remaining borings penetrated readily apparent "landfill" debris.

Although it appeared that some surface clean-up had been performed since our initial visit, there are still numerous, poorly labeled containers (i.e., 55-gallon or smaller) containing indeterminate liquids. These are assumed to be petroleum-based lubricants and oils based on field observations (i.e., slight petroleum odors / staining, etc.).

Findings from the original surface sampling indicate the presence petroleum hydrocarbons and select metals (arsenic, barium and lead) at concentrations exceeding TCEQ's soil-to-groundwater transfer protective concentration levels (PCLs).

### Reporting

Upon receipt of the analytical results, a summary report will be completed and submitted electronically to you. The analytical results will be compared to regulatory standards established by the Texas Commission on Environmental Quality (TCEQ) to include Tier 1 protective concentration levels (PCLs) or calculated Tier 2 or 3 PCLs as may be appropriate for the detected inorganic analytes. The report will include:

- Site Map
- Soil Data and Analytical Summary
- Groundwater Monitoring Well Analytical Summary
- Chain of Custody and Field Reports

Proposal Limited Phase II ESA  
Harbor of Refuge, Port Lavaca, YX

- Laboratory Analytical Results
- Tier 2 Metals / TPH PCL Calculations
- Recommendations for Follow-on Actions as needed

We appreciate the opportunity to provide Environmental Services to you.

Cordially,



John I. Hogue, P.G., CHMM, LPST-PM  
Senior Environmental Scientist  
CRG Texas Environmental Services, Inc.

Attachments:

- Site Map
- Photo Log
- Boring Log
- Summary of Detected Analytical Results (to date)





Figure 2 – Site Map Not to Scale

Modified Phase I ESA  
Harbor of Refuge Tracts 16, 17, and 17A (26.66 acres)  
FM 1090 South, Port Lavaca, Calhoun County, Texas, 77979  
Project Number #21-052

N ↑





Boring / Well ID: SB-1

Location: See Map  
"Shipwreck"

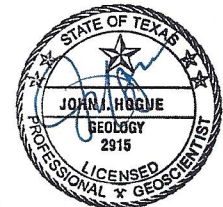
BORING LOG

CLIENT	<u>City of Port Lavaca - JoAnna P "Jody" Weaver</u>	PROJECT #	<u>21-052</u>
PROJECT	<u>Limited Phase II ESA - Harbor of Refuge</u>	DRILLING CONTRACTOR:	<u>Enviro Tech Drilling</u>
ADDRESS	<u>Port Lavaca, Texas</u>	DRILLER:	<u>Ricardo Gonz</u>
START DATE	<u>Thursday, April 22, 2021</u>	DRILLING METHOD:	<u>Geo-Probe</u>
FINISH DATE	<u>Thursday, April 22, 2021</u>	LOGGED BY:	<u>Camilo Cardenas/ John Hogue</u>

DEPTH	SAMPLE DESCRIPTION	USCS	PID	COMMENTS
0-2.5'	Clay, orange with brown (organic) pieces, firm, dry no odor	CL	0.2	
5 2.5-5'	Clay, orange, white rock fragments, graded to clay, dark gray at 3' , increasing softness with depth to 7' , no odor	CL	0.1	
10 7'-10'	Sand, silt/clay, brown, saturated, soft, no odor	SC	0.5	
10-12.5'	Sand, silt/clay, brown, saturated, soft, no odor	SC	0.1	
15 12.5-15'	Sand, silt/clay, brown, saturated, med firm, no odor	SC	0.1	
15-17.5'	Sand, silt/clay, brown, saturated, med firm, no odor	SC	0.1	
20 17.5-20'	Clay at 19' orange/ brown, dry, firm to stiff at 20' no odor	CH	0.1	
25				
30				
35				
40				

**Notes / Observations:**  
 \* No landfill debris encountered  
 \* Boring terminated at 20'

**Samples Collected:**  
 \*SB-1 (2.5-5') 1135  
 \*SB-1 (12.5-15') 1145



Depths are in feet below grade

SHEET 1 OF 4



Boring / Well ID: SB-2

Location: See Map

BORING LOG

<b>CLIENT</b>	<u>City of Port Lavaca - JoAnna P "Jody" Weaver</u>	<b>PROJECT #</b>	<u>21-052</u>		
<b>PROJECT</b>	<u>Limited Phase II ESA - Harbor of Refuge</u>	<b>DRILLING CONTRACTOR:</b>	<u>Enviro Tech Drilling</u>		
<b>ADDRESS</b>	<u>Port Lavaca, Texas</u>	<b>DRILLER:</b>	<u>Ricardo Gonz</u>		
<b>START DATE</b>	<u>Thursday, April 22, 2021</u>	<b>DRILLING METHOD:</b>	<u>Geo-Probe</u>		
<b>FINISH DATE</b>	<u>Thursday, April 22, 2021</u>	<b>LOGGED BY:</b>	<u>Camilo Cardenas/ John Hogue</u>		
DEPTH	SAMPLE DESCRIPTION	USCS	PID	COMMENTS	
0-2.5'	Clay, dark gray to almost black, dry, very firm, some white mottling, moist, soft, no odor	CH	0.2		
5 2.5-5'	Clay, dark gray to almost black, dry, very firm, some white mottling, moist, soft, no odor	CH	0.1		
5'-7.5'	Clay, dark gray to almost black, dry, very firm, some white mottling, moist, stiff, no odor	CH	0.1		
10 7.5-10'	Clay, dark gray to almost black, dry, very firm, some white mottling, moist, stiff, no odor	CH	0.1		
10'-12.5'	Silty sand, some clay, light gray, soft, saturated, med firm, no odor	SC	0.2		
15 12.5'-15'	Silty sand, some clay, light gray, soft, saturated, med firm, no odor	SC	0.1		
15'-17.5'	Clay, tab with orange mottling, very firm, dry, some minor rock fragments, no odor	CH	0		
20 17.5'-20'	Clay, tab with orange mottling, very firm, dry, some minor rock fragments, no odor	CH	0.1		
25					
30					
35					
40					
<b>Notes / Observations:</b>		<b>Samples Collected:</b>			
* No landfill debris encountered at final depth		*SB-2 (2.5-5') 1240			
* Boring terminated at 20'		*SB-2 (10 - 12.5') 1250			

Depths are in feet below grade



Boring / Well ID: SB-3

Location: See Map

BORING LOG

CLIENT	<u>City of Port Lavaca - JoAnna P "Jody" Weaver</u>	PROJECT #	<u>21-052</u>
PROJECT	<u>Limited Phase II ESA - Harbor of Refuge</u>	DRILLING CONTRACTOR:	<u>Enviro Tech Drilling</u>
ADDRESS	<u>Port Lavaca, Texas</u>	DRILLER:	<u>Ricardo Gonz</u>
START DATE	<u>Thursday, April 22, 2021</u>	DRILLING METHOD:	<u>Geo-Probe</u>
FINISH DATE	<u>Thursday, April 22, 2021</u>	LOGGED BY:	<u>Camilo Cardenas/ John Hogue</u>

DEPTH	SAMPLE DESCRIPTION	USCS	PID	COMMENTS
0-2.5'	Clay, gray to tan, med firm, moist, no odor	CL	2.1	
2.5-5'	Clay, dark gray with white mottling, wood seam at 4' med firm, moist	CL	2.2	
5'-7.5'	No recovery	NA	NA	
7.5'-10'	Clay, silt, dark gray, landfill like debris at 8' plastic, med firm, moist, slight unknown odor	CL	26.1	
10'-12.5'	Sand, silty clay, gray, to tan, saturated, soft, no odor	SC	7.1	
12.5'-15'	Sand, silty clay, gray, to tan, saturated, soft, no odor	SC	7	
15'-17.5'	Clay, tan, with orange/ white mottling, very firm, dry, no odor	CH	0.3	
17.5'-20'	Clay, tan, with orange/ white mottling, very firm, dry, no odor	CH	0.1	
20'-22.5'				
22.5'-25'				
25'-27.5'				
27.5'-30'				
30'-32.5'				
32.5'-35'				
35'-37.5'				
37.5'-40'				

<p><b>Notes / Observations:</b></p> <ul style="list-style-type: none"> <li>*Landfill like debris encountered at approximately 8'</li> <li>* Boring terminated at 20'</li> </ul>	<p><b>Samples Collected:</b></p> <ul style="list-style-type: none"> <li>*SB-3 (2.5-5') 1035</li> <li>*SB-3 (7.5-10') 1045</li> <li>*SB-3 (GW) 1055</li> </ul>	
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Depths are in feet below grade

SHEET 3 OF 4



Boring / Well ID: SB-4

Location: See Map

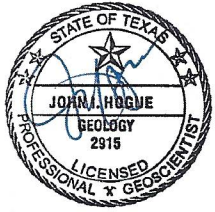
BORING LOG

CLIENT	<u>City of Port Lavaca - JoAnna P "Jody" Weaver</u>	PROJECT #	<u>21-052</u>
PROJECT	<u>Limited Phase II ESA - Harbor of Refuge</u>	DRILLING CONTRACTOR:	<u>Enviro Tech Drilling</u>
ADDRESS	<u>Port Lavaca, Texas</u>	DRILLER:	<u>Ricardo Gonz</u>
START DATE	<u>Thursday, April 22, 2021</u>	DRILLING METHOD:	<u>Geo-Probe</u>
FINISH DATE	<u>Thursday, April 22, 2021</u>	LOGGED BY:	<u>Camilo Cardenas/ John Hogue</u>

DEPTH	SAMPLE DESCRIPTION	USCS	PID	COMMENTS
0-2.5'	Clay, dark gray to black, very firm, firm, dry, no odor	CL	0.2	
2.5-5'	Clay, dark gray to black, firm, dry, no odor	CL	0.1	
5-7.5'	Clay, tan, very firm, dry (some organic material).	CL	0.1	
7.5-10'	Clay, dark gray, firm, dry, no odor	CL	0	
10-12.5'	Clay, dark gray, firm, dry, no odor	CL	0.1	
12.5-15'	Sand with silty clay, tan, very soft, saturated, no odor	SC	0.1	
15-17.5'	Sand with silty clay, tan, very soft, saturated, no odor	SC	0	
17.5-20'	Clay, orange, tan, very firm, dry	CH	0	

**Notes / Observations:**  
 \* No landfill debris encountered  
 \* Boring terminated at 20'

**Samples Collected:**  
 \*SB-4 (2.5'-5') 1325  
 \*SB-4 (7.5'-10') 1335  
 \*SB-4 (GW) 1345



Depths are in feet below grade

SHEET 4 OF 4



No. 1 View of SB-1 location at the north side of the site.



No. 2 View of soil recovered from SB-1 for soil screening, logging, and sampling.



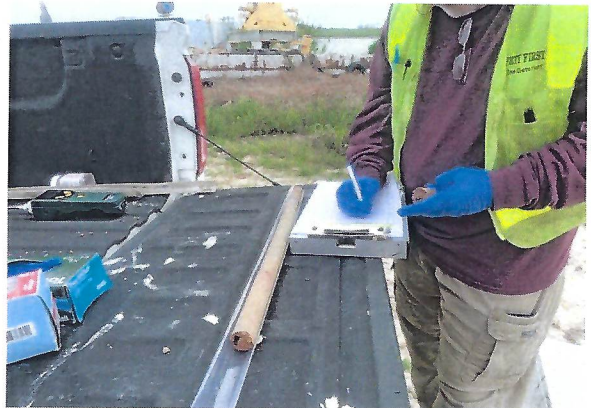
No. 3 View of SB-2 location at the south side of the site.



No. 4 View of soil recovered from SB-2 for soil screening, logging, and sampling.



No. 5 View of SB-3 location at the north central portion of the site.



No. 6 View of soil logging for SB-3 location.



No. 7 View of temporary well at SB-3 for groundwater sample collection.



No. 8 View of SB-4 location at the west side of the site.

CITY OF PORT LAVACA

# 3d

PORT COMMISSION MEETING: MAY 4, 2021

DATE: 4.28.2021  
TO: PORT COMMISSION  
CC: JIM RUDELLAT, HARBOR MASTER  
FROM: JODY WEAVER, INTERIM CITY MANAGER  
SUBJECT: PROPOSED AIR BURNER FOR BRUSH OPERATIONS AND CLEANUP AT HOR

As requested by the Port Commission at the March meeting, I placed consideration of purchase of the Air Burner at the City Council meeting on April 12.

Copied from my memo to Council for that meeting: I spoke again with the vendor and he confirmed that the lead time for delivery once the unit is ordered in 12-14 weeks. The vendor was able to give me someone to contact at TCEQ to get preliminary information on what (if any) improvements we would need to make to a site at the Harbor of Refuge to locate the burner there for at least the first year or so. I am waiting to hear back.

Wayne is setting up a meeting with Vern Lyssy to start a serious dialogue on the potential of establishing a recycle center along with the brush staging and Air burning out at the County's recycle center site on Rosenbaum Road.

Prior to purchase we need to determine which is the best option: electric or diesel powered. We have been discussing electric, but there is no 3-phase service at the Harbor of Refuge site, so we need to look at the cost to get it there. We could consider using a generator, but wouldn't want to do that for an extended period of time.

We are looking into whether there is any potential odor associated with the air burner and received the following information so far: The short answer is there is very little odor of wood burning coming from the air curtain burners. Open burning relates to approximately 70% + opacity, while air curtain burners must operate under the EPA guidelines of 10% or less opacity. There is a direct relation between emissions and odor. The EPA regulates the distances from a neighboring house or commercial structure to be a minimum of 300 ft. That is the distance in which noise and odor levels are considered to be negligible.

So with the 300 ft buffer required to get a TCEQ permit, the odor issue should be negligible.

Wayne is looking at the cost for equipment that will be needed to pickup and load the Air burner, and establishing a plan of operations - thinking through additional personnel that may be needed etc.

The Port Commissioners were under the impression that the lead time was much longer than 3-4 months when they made their motion on Monday to recommend to Council to move forward with the purchase at this time. I suggest that we give Wayne and myself a bit more time to get more of our questions answered and bring a complete plan of operation proposal to the Council at a workshop in the very near future. Based upon the preliminary information I have from TCEQ, it appears that the permit application is pretty straight forward and required a public comment period, which is most likely 30 days, but I haven't confirmed that as of yet. TCEQ states that complete applications with no issues are usually issued within.

The following is offered as an UPDATE and Status: I did speak with the Air Permits division of TCEQ and confirmed that the Air Permit is pretty straight forward, however after talking with the Municipal Solid Waste Division, I have learned that the TCEQ rules specifically prohibit an Air Burner from being operated on or within 300 ft of an active or CLOSED Landfill.

If we conduct a thorough study with trenching and bores to show that any part of the 75 acre tract that is filed as the closed landfill, does not in fact have any buried trash, a Professional Engineer can provide a report to that effect and provide and



2/2

2/2

Item #3.

file a new boundary for the closed landfill that could allow the Air Burner to be located on land as long as – again – at least 300 ft away from the boundary of the established closed landfill.

I did speak with Vern Lyssy and we have a similar issue at his location in that his site also is a closed landfill. We are looking to find the recorded boundary for the landfill to determine whether there is a location at this site that might work.

We are looking at some old photographs and will come up with a proposed plan to take some borings/trenching to see whether we might be able to establish a smaller footprint to the trash cells than the entire 75 acres.

Bottom line, we need about 10 acres of land.

# COMMUNICATION

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

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## INFORMATION:

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

## AGENDA 4

**HARBOR MASTER'S OPERATIONS, PROMOTION/DEVELOPMENT ACTIVITY REPORT****A) City Harbor**

- 1) Miller Seafood: We received a letter from Curtis Miller expressing his interest in entering into a new lease agreement when the current lease expires on July 31..
- 2) Wild Reef Seafood: John Tesvich made repairs to the dock at his lease.
- 3) We are getting pricing for a boundary survey of track 10 and the area that had been leased by SCR to determine exact location of a 50 ft road right-of-way and exact area of length of dockage available to rent.

**B) Nautical Landings Building – No updates****C) Nautical Landings Marina**

- 1) John Pena: court date May13,2021
- 2) Daminic Diodato: awaiting court date
- 3) Matt Estes: awaiting Probate
- 4) Horizon Environmental has been onsite 11 times since last PC meeting

**D) Smith Harbor**

- 1) Poor Boys Bait: lease up August 31 2021

**E) Harbor of Refuge**

- 1) Helena Agri- Enterprises, LLC: at Helena's request, we had a meeting at City Hall on April 8 2021 to discuss tariff rates with Louis Rodrigue, VP of the Southern Unit of Helena; Ward Bloodworth, National Director of Fertilizer; Jeff Holley, the local operations manager; Alex Davila, Jody Weaver and myself. This meeting was a topic of Councilman Smith's at the April 12 City Council Meeting
- 2) Equalizer, Inc: I have been in talks about dockage charges.
- 3) Been in Talks with the Police Chief about camera system for HOR

# COMMUNICATION

SUBJECT: RECEIVE HARBOR MASTER'S INSPECTION / MAINTENANCE REPORT

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## INFORMATION:

# Port Lavaca Port Commission Monthly Inspection

Month: 4 MAY, 2021    Location: City Harbor

**1. Bilge Reclamation Site**

Condition: Satisfactory    Unsatisfactory    Not Applicable

Comments: 1 APRIL 2021 SPOKE WITH RUSTY MOON WITH TGLO  
WAS TOLD THEY HAVE AWARDED A CONTRACT BUT HE WOULD HAVE NO  
FURTHER INFORMATION UNTIL IT WAS SIGNED.

**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: Shirley & Son will replace bad pilings when they start Work at City Harbor. 12 January 2021 Shirley & Sons Started work.  
WORK COMPLETED WITH EXCEPTION OF HANDRAIL .

### 8. Rub Rails & Fenders

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

### 9. Cleats & Kevels

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

### 10. Gates & Locks

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

### 11. Railing

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

### 12. Cement Cap

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

### 13. Bulkhead

Condition: Satisfactory Unsatisfactory Not Applicable

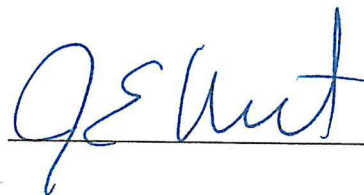
Comments: 9 December 2020 J&S Construction arrived to start Repairs to the low dock.

NEED TO FILL IN WASHED AREAS BEHIND BULKHEAD ON EAST SIDE CITY HARBOR. Had Gonzales Construction look at Washed out areas 14 January 2021.

23 MARCH 2021 J&S COMPLETED ALL CEMENT WORK ON LOW DOCK INCLUDING REPAIRING BULKHEAD AT THE RAMP AREA. WILL COME BACK IN ABOUT 30 DAYS TO LET CEMENT CURE TO INSTALE KEVELS. 26 APRIL 2021 DID FINAL INSPECTION ON LOW DOCK NEED TO FILL LOW SPOT WITH CRUSHED CEMENT WEST END, REPAIR BULKHEAD IN THAT SAME AREA.

ALSO NEED REPAIR BULKHEAD AND FILL WASHOUT EAST OF BIGBEAR. 13 APRIL 2021 J&S MADE REPAIRS TO BULKHEAD AND BACKFILLED.

Harbor Master: \_\_\_\_\_



# Port Lavaca Port Commission Monthly Building Inspection

Month: 4 May, 2021    Location: NLB

## 1. Doors:

Condition: Satisfactory    Unsatisfactory    Not Applicable

Comments: 16 April 2021 ordered three doors, six side lights and Three transom windows. Victor Fredrickson is going to write a scope of work to go out for bids.

## 2. Decking:

Condition: Satisfactory    Unsatisfactory    Not Applicable

Comments:

## 3. Flooring:

Condition: Satisfactory    Unsatisfactory    Not Applicable

Comments:

## 4. Windows:

Condition: Satisfactory    Unsatisfactory    Not Applicable

Comments: 6 metal window frames front south end of building need to have the rust descaled prime and painted.

## 5. Water Lines, Valves, Etc.

Condition: Satisfactory    Unsatisfactory    Not Applicable

Comments: City water department checked water meter on the north end of building, there was work order generated to replace meter 5 October 2020. City Water Department replaced water meter 27 April 2021.



**6. Electrical & Lights**

Condition: Satisfactory    Unsatisfactory    Not Applicable  
 Comments:

**7. HVAC & Refrigeration:**

Condition: Satisfactory    Unsatisfactory    Not Applicable  
 Comments:

**8. Roof:**

Condition: Satisfactory    Unsatisfactory    Not Applicable  
 Comments:

**9. Parking:**

Condition: Satisfactory    **Unsatisfactory**    Not Applicable  
 Comments: **WILL start the front and back parking lot repair in the new budget year, spoke to public works they plan on doing the work.**

**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: G. S. Muet

# Port Lavaca Port Commission Monthly Inspection

Month: 4 May, 2021    Location: NLM / Smith Harbor

**1. Gangway**

Condition: Satisfactory    Unsatisfactory    Not Applicable  
Comments:

**2. Decking**

Condition: Satisfactory    Unsatisfactory    Not Applicable  
Comments:

**3. Main Frame & Floats**

Condition: Satisfactory    Unsatisfactory    Not Applicable  
Comments:

**4. Dock Boxes**

Condition: Satisfactory    Unsatisfactory    Not Applicable  
Comments: Dock A there are six dock boxes with broken hinges and Three boxes missing.

**5. Water Lines, Valves, Etc.**

Condition: Satisfactory    Unsatisfactory    Not Applicable  
Comments:

**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 & Kevels**

Condition: **Satisfactory** **Unsatisfactory** Not Applicable

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

**10. Gates & Locks**

Condition: **Satisfactory** Unsatisfactory Not Applicable

Comments:

**11. Dredging**

Condition: **Satisfactory** **Unsatisfactory** Not Applicable

Comments:

**DERRECK CONSTRUCTION WAS AWARDED BID BY CITY COUNCIL.**

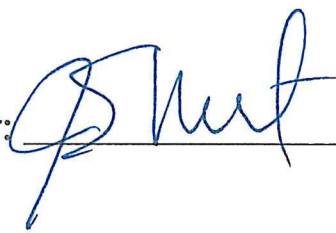
**12. Cement Cap**

Condition: **Satisfactory** Unsatisfactory Not Applicable

Comments:

**13. Bulkhead**

Condition: **Satisfactory**    Unsatisfactory    Not Applicable  
Com

Harbor Master:  \_\_\_\_\_

# Port Lavaca Port Commission Monthly Inspection

Month: 4 MAY, 2021      Location: Harbor of Refuge

## 1. Gangway

Condition: Satisfactory    Unsatisfactory    Not Applicable

Comments:

## 2. Railspur

Condition: Satisfactory    Unsatisfactory    Not Applicable

Comments:

## 3. Main Frame & Floats

Condition: Satisfactory    Unsatisfactory    Not Applicable

Comments:

## 4. Environmental

Condition: Satisfactory    Unsatisfactory    Not Applicable

Comments: 3 MARCH 2021 CRG TEXAS CONDUCTED A PHASE I ESA AND TOOK 5 SURFACE SAMPLES IN TRACK 17 & 17A. 22 APRIL 2021 CRG TEXAS CONDUCTED A LIMITED PHASE II ESA INCLUDED 4 SURFACE SOIL BORINGS IN TRACK 17 & 17A.

## 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.

#### 9. Cleats & Kevels

Condition: **Satisfactory** Unsatisfactory Not Applicable  
 Comments:

#### 10. Gates & Locks

Condition: **Satisfactory** Unsatisfactory Not Applicable  
 Comments:

#### 11. Railing

Condition: **Satisfactory** Unsatisfactory Not Applicable  
 Comments:

#### 12. Cement Cap

Condition: **Satisfactory** Unsatisfactory Not Applicable  
 Comments:

#### 13. Bulkhead

Condition: **Satisfactory** Unsatisfactory Not Applicable  
 Comments:

Harbor Master: *[Signature]*



## **COMMUNICATION**

**SUBJECT:** CONSIDER Amendment No. 1 to the Ground Lease Agreement for TRACTS 7, 8, and 11 at CITY HARBOR (WILD REEF SEAFOOD): Presenter Jody Weaver

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## **INFORMATION:**

CITY OF PORT LAVACA


# 6

PORT COMMISSION MEETING: MAY 4, 2021

DATE: 4.26.2021

TO: PORT COMMISSION

CC: JIM RUDELLAT, HARBOR MASTER

FROM: JODY WEAVER, INTERIM CITY MANAGER 

SUBJECT: PROPOSED AMENDMENT NO. 1 TO GROUND LEASE AGREEMENT FOR WILD REEF SEAFOOD (TRACTS 7, 8 AND 11 CITY HARBOR)

John Tesvich dba Wild Reef Seafood LLC wants to increase traffic in the store by offering for sell off-premises beer and wine. In order to allow Mr. Tesvich to move forward with this plan, the definition of "Permitted Use" in the Ground Lease Agreement must be amended and the Mayor would need to sign off on the ABC application.

The current "Permitted Use" reads as follows:

" ... the operation of Tenant's seafood business, including loadings and unloading of seafood boats, storage of seafood and shall include the full retail sale of seafood products."

The suggested amendment would add the following text to the above definition, after "products".

"..., convenience store items and off-premises beer and wine, as permitted by the Texas Alcohol and Beverage Commission.

Recommendation:

- Recommend to Council approval of the above cited amendment to the definition of "Permitted Use" in the Ground Lease Agreement with Wild Reef Seafood and recommend Council authorize the Mayor to sign the TABC permit application as owner of the facility.

Attachment: TABC Application information



TEXAS ALCOHOLIC BEVERAGE COMMISSION

Texans Helping Businesses & Protecting Communities

PERSONAL HISTORY

Item #6.

L- PHS (11/2020)

Every officer and majority owner must complete a Personal History Statement. Answer all questions. Any false statement will disqualify you and subject you to prosecution under section 101.69 of the Texas Alcoholic Beverage Code and other criminal statutes.

OWNER/APPLICANT

1. Trade Name (Name of restaurant, bar, etc.) Wild Reef Seafood, LLC.
2. Location Address: 732 Broadway St. Port Lavaca, TX 77979
3. Marital Status: [X] Married
4. Full Legal Name (Last, First, Middle) Tesvich John Ante
Social Security Number 438-70-1152
Issuing State/ Driver's License Number Louisiana / 03861639
Date of Birth (mm/dd/yyyy) April 19, 1957
Place of Birth (City, State, Country) Port Sulphur, Louisiana, USA
Email Address jatesvich@yahoo.com

SPOUSE

5. Full Legal Name (Last, First, Middle) Tesvich Jane Pobrica
Social Security Number 435-78-9548
Issuing State/ Driver License Number Louisiana 004294559
Date of Birth (mm/dd/yyyy) June 3, 1960
Place of Birth (City, State, Country) Buras, Louisiana, USA

OTHER RESIDENT

6. Do you live with anyone over the age of 18, other than your spouse? [X] YES [ ] NO
If "YES" please provide their information below: (If additional space is needed, please attach a page with information.)
Full legal name (Last, First, Middle)
Social Security Number
Issuing State/ Driver License No.
Date of Birth (mm/dd/yyyy)
Relationship

RESIDENTIAL ADDRESSES

7. List residential addresses for the past five (5) years starting with current address. If you have not lived in Texas for the previous 12 months, you are required to provide TABC with an official copy of your criminal background check from the FBI or state police of any state where you lived in the previous five years. (If additional space is needed, please attach a list with the following information.)

Table with 4 columns: Number and Street, City, State, ZIP, From (mm/yyyy), To (mm/yyyy). Row 1: 30300 Hwy 23, Buras, LA, 70041, 01/1982, PRESENT. Row 2: 8. Business Phone No. 337-413-8000, Residential Phone No. 504-564-2733, Mobile Phone No. 504-912-2750

RESIDENT STATUS

9A. Are you a U.S. citizen? [X] YES [ ] NO
B. If "YES" answer the following: [X] Native Born [ ] Naturalized. If "Naturalized," Provide the "A" Number
C. If "NO" What is your legal status in the United States? Explain below, or attach a page with information.
D. Provide all documents such as Visa, Resident Alien, Employment Authorization Documents, etc.

TABC USE ONLY
APPLICANT [ ] YES [ ] NO
SPOUSE (BE/BG ONLY) [ ] YES [ ] NO
OTHER [ ] YES [ ] NO
CH - Date Entered
Supervisor's Signature
Destroy Date

## **COMMUNICATION**

**SUBJECT:** CONSIDER two (2) year option to extend lease of SLIP CH1 and adjacent Land and Buildings (BIG BEAR SHRIMP AND SEAFOOD): Presenter Jody Weaver

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### **INFORMATION:**

CITY OF PORT LAVACA


# 7

PORT COMMISSION MEETING: MAY 4, 2021

**DATE:** 4.28.2021

**TO:** PORT COMMISSION

**CC:** JIM RUDELLAT, HARBOR MASTER

**FROM:** JODY WEAVER, INTERIM CITY MANAGER 

**SUBJECT:** **BIG BEAR 2-YR OPTION TO EXTEND LEASE OF SLIP CH1/ADJACENT LAND AND BUILDINGS**

As reported at the March Port Commission meeting, Big Bear Shrimp & Seafood, LLC submitted their request to exercise their one two (2) year option to extend the lease to June 30, 2023.

There was some discussion at the March Port Commission meeting that there had been some discussion with Mark Dietzel of Big Bear about increasing his rent from \$300/month to \$500/month when the agreement was made to permit the installation of the generator and CenterPoint gas main. I did contact Mark and asked him about this. Mark does not recall any discussion of-increasing the rent. I did listen to the recording of the Port Commission meeting in January 2020 when approval of the gas line was provided and there was no discussion of amending the rental rate.

The current lease does state that the rent covers "Slip CH1 and adjacent land and buildings." For consideration, Mr. Dietzel did pay \$700 to Centerpoint Energy for the gas line, which is now a permanent improvement to the slip. The current lease document does allow for a single 2-year extension of this lease with written notice from Big Bear to the City within 60 days of the expiration date of June 30, 2021, which has been met.

My recommendation is to accept the location of the generator as part of the leased Slip CH1 space and more carefully describe the limits of the lease in a new lease document to be executed beginning July 1, 2023.

Note Effective July 1, 2021 the rental rate of \$300 will be adjusted by the most current Municipal Cost Index published at that time. An MCI adjustment will also be made effective July 1, 2022.

# INVOICE



Always There.®

Business Process Organization  
PO Box 2883  
Houston, TX 77252-2883  
Fax (713) 945-7033

Remit to:  
Business Process Organization  
PO Box 2883  
Houston, TX 77252-2883  
Fax (713) 945-7033

DATE: JANUARY 21, 2020

**CUSTOMER INFORMATION:**

Mark Deitzel  
807 Fulton St.  
Port Lavaca, TX 77979

FOR:  
INSTALL SERVICE LINE: 807 FULTON ST., PORT LAVACA, TX

Submitted By: Tommy Fikac  
Contact Phone: 830-643-6926

*← this is actual work address*

*Mailng Address is 1 Las Brisas Pl  
Port Lavaca Tx 77979*

DESCRIPTION FOR WORK ORDER	WORK ORDER NUMBER	AMOUNT
Install 300' of 1" PLA service line at 807 Fulton St., Port Lavaca, TX 300' less 100' allowable = 200' @ 3.50/ft = \$700.00	92784015	\$700.00

BIG BEAR SHRIMP & SEAFOOD LLC 3/12  
TERRI DIETZEL  
MARK DIETZEL  
2241 HWY 35 N  
PORT LAVACA, TX 77979  
361-553-8091 OR 361-648-4521

4819

88-8745/3131

Date 01-22-2020

CHECK ARMOR

PAY to the order of

*CenterPoint Energy*

*700.00*

Dollars

CAL-COM FEDERAL CREDIT UNION  
PORT LAVACA, TX 77979 • VICTORIA, TX 77901  
P.O. BOX 1005 • PORT LAVACA, TX 77979  
361-552-7476

NOT NEGOTIABLE

⑈004819⑈ ⑆313187458⑆0002868909⑈

## **COMMUNICATION**

**SUBJECT:** CONSIDER Amendment to current and Standard Lease document of the Section entitled Delinquent Payments: Presenter Jody Weaver

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## **INFORMATION:**

## CITY OF PORT LAVACA

Agenda # 8

**PORT COMMISSION MEETING: MAY 4, 2021**

**DATE:** 4.29.2021

**TO:** PORT COMMISSION

**CC:** JIM RUDELLAT, HARBOR MASTER

**FROM:** JODY WEAVER, INTERIM CITY MANAGER

**SUBJECT:** **CONSIDER AMENDMENT TO CURRENT AND STANDARD LEASE DOCUMENT OF THE SECTION ENTITLED DELINQUENT PAYMENTS.**

At present we have 4 tenants that pay Monthly Tariffs: Helena, Equalizer, Prestige and Miller's Seafood. All have had difficulty in submitting their tariff payments on or before the 10<sup>th</sup> of each month. Recently Helena has established a procedure specifically for and unique to the City of Port Lavaca so they are generally able to get the payment in by the 10<sup>th</sup>.

*Section 5.04 Delinquent Payments* currently reads as follows:

*All rent and other payments required of Tenant hereunder which are not paid within ten (10) days following receipt of written notice from City shall bear interest at the maximum rate allowed by law (or, if there is no maximum rate, at ten percent (10%) per annum) from the date due until the date paid. In no event, however, shall the charges permitted under this Section or elsewhere in this Lease, to the extent any or all of the same are considered to be interest under applicable law, exceed the maximum rate of interest allowable under applicable law."*

As you are aware, the City is no longer sending out a monthly written notice, as suggested in the current lease language. The Rent is a consistent monthly amount that is established in the lease document and amended by written notice, so there is no need for the City to send an invoice each month. Other than the Dockage Tariff, which is based upon a fixed linear footage of dock length established in the lease, the tariffs payments change each month, depending upon the number of sacks/tons/barrels/days/days etc. as applicable for each tariff.

To provide adequate time for our tenants to collect and process the information needed to determine and pay the tariff dollars owed, I am recommending the following amendment be made to the standard lease document. This amendment makes it clear that the City will not be sending a monthly invoice, that the rent and dock tariff is due on the 1<sup>st</sup>, and the other tariff charges will be due on the 25<sup>th</sup>. In addition, specifically for the oyster tariffs, the tenant must submit with their payment, a copy of the Texas Oyster Sales Fee Report that is due to the State Comptroller's office by the 20<sup>th</sup> of the month, or the following Monday if the 20<sup>th</sup> lands on a weekend. In this way, we have verification that the payment being made is based upon the same information being provided to the State of Texas.

This proposed revision is being made in response to conversations I have had with our 4 tenants and listening to their concerns.

**PROPOSED REVISED Section 5.04 Delinquent Payments**

"The City of Port Lavaca is under no obligation to send an invoice or monthly Notice for Rent or Tariffs due. Rent and any Dock tariffs, which are established in the lease for a fixed linear footage of dock space, are due on the 1<sup>st</sup> of each month. All other tariffs and/or other payments required of Tenant are due by the 25<sup>th</sup> day of the month following the month when the charges are incurred. All payments for Oysters shall be accompanied by a copy of the applicable Texas Oyster Sales Fee Report the Tenant submitted to the Texas State Comptroller. All Rent and other payments required of Tenant hereunder which are not paid by the dates cited above shall bear interest at the maximum rate allowed by law (or, if there is no maximum rate, at ten percent (10%) per annum) from the date due until the date paid. In no event, however, shall the charges permitted under this Section or elsewhere in this Lease, to the extent any or all of the same are considered to be interest under applicable law, exceed the maximum rate of interest allowable under applicable law."



b.



Item #8.

# Texas Oyster Sales Fee Report

You have certain rights under Chapters 552 and 559, Government Code, to review, request and correct information we have on file about you. Contact us at the address or phone numbers listed on this form.

a. T Code ■ 80100  
c. Taxpayer number  
1-74-2484648-7

d. Filing period  
MONTH ENDING 03/31/2021  
e. 2103

f. Due date  
04/20/2021

g. Name and mailing address (Make any necessary name or address changes below.)  
  
MILLER SEAFOOD CO., INC.  
1102 BROADWAY ST  
PORT LAVACA TX 77979-2716

**IMPORTANT**  
Black out this box if your mailing address has changed. Show changes by the preprinted information. 1.   
If you are no longer in business or your business name and/or location has changed, refer to the Business Changes instructions on the back of this form.  
h.  i.

**REMINDER**  
Even if you do not handle or accept oysters from any harvest boat(s) in a specific month, you must still file a report with \$0.00 due.

COLUMN A Total pounds handled WHOLE NUMBERS ONLY	COLUMN B Number of barrels (Column A ÷ 300) ROUNDED TO 2 DECIMAL PLACES	COLUMN C Number of containers over 110 lbs. WHOLE NUMBERS ONLY
483300	1611.00	
285500	951.00	
0		

Location name and address	Outlet number	Certificate number
MILLER'S SEAFOOD 905 S PINE ST SEADRIFT TX 77983	00031	TX0000107SS
MILLER SEAFOOD CO INC 515 FULTON ST PORT LAVACA TX 77979-2723	00032	TX0000150SS
MILLER'S SEAFOOD CO INC 1102 BROADWAY ST PORT LAVACA TX 77979-2716	00034	TX0000134SP
Location name and address	Outlet number	Certificate number

j. ■ 80180

1. Total number of barrels (Column B total from ALL locations) (Rounded to 2 decimal places) ----- 1. ■ 2562.00

2. Fee amount due (Multiply the amount in Item 1 x \$1.00) ----- 2. ■ 2562.00

3. Total number of containers over 110 Lbs. (Column C total from ALL locations) (WHOLE NUMBERS ONLY) ----- 3. ■ 00

4. Overweight penalty due (Multiply the amount in Item 3 x \$5.00) ----- 4. ■ 00

5. Total fee and overweight penalty due (Item 2 plus Item 4) ----- 5. ■

28-100 (Rev. 11-18/9) \*\*\* DO NOT DETACH \*\*\*

6. Late penalty (See instructions on back) ----- 6. 0

7. Interest due (See instructions on back) ----- 7. 0

8. TOTAL AMOUNT DUE AND PAYABLE (Item 5 plus Item 6 and Item 7) ----- 8. ■ 2562.00

Taxpayer name  
MILLER SEAFOOD CO., INC.  
k.  l.

■ T Code ■ Taxpayer number ■ Period  
80020 17424846487 2103

Make the amount in Item 8 payable to State Comptroller. Our mailing address is P.O. Box 149361, Austin, TX 78714-9361.

If you have any questions regarding Oyster Sales Fee, contact the Texas State Comptroller's field office in your area or call 1-800-252-5555 or 512-463-4600.

I declare that the information in this document and all attachments is true and correct to the best of my knowledge and belief.

sign here *[Signature]*  
Authorized agent  
Preparer's name (Please print)  
CURTIS O MILLER  
Daytime phone (Area code & number) 361-552-1483 Date 4/16/21

## **COMMUNICATION**

**SUBJECT:** CONSIDER Moratorium on Rail Car Tariff charges, retroactive to October 1, 2020, to provide time to receive input from Helena Chemicals: Presenter Jody Weaver

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## **INFORMATION:**

CITY OF PORT LAVACA

#9

**PORT COMMISSION MEETING: MAY 4, 2021**

**DATE:** 4.29.2021

**TO:** PORT COMMISSION

**CC:** JIM RUDELLAT, HARBOR MASTER

**FROM:** JODY WEAVER, INTERIM CITY MANAGER

**SUBJECT: CONSIDER MORITORIUM ON RAIL CAR TARRIFF CHARGES RETROACTIVE TO OCT 1, 2020 TO PROVIDE TIME TO RECEIVE INPUT FROM HELENA CHEMICALS**

At the City Council meeting on April 12, Council asked that Helena be provided time to gather information and then meet with myself, Jerry Smith, Jim Rudellat and representatives of the Port Commission to consider their information and reevaluate the tariff rates voted in last October and then bring a recommendation back to Council.

Therefore, in light of 1) the discussion at the City Council meeting on April 12 and 2) the fact that Helena has disputed the rail car rate in particular as being excessive and 3) there is a question of how many days are to be charged since the length of time the rail cars sit is out of Helena's control, and 4) Helena has therefor not paid any of this tariff to date, I am recommending to Port Commission to consider placing a moratorium on the \$75/day/car rail rate, retroactive to October 1, 2020, until such time this meeting requested by Council is accomplished and a recommendation is taken back to Council for any new action.

Note: Helena is also requesting a re-evaluation of other rates, but Helena has been paying - and will continue to pay - those charges as stipulated in the current rate structure, until a recommendation is made to Council for any change.

# COMMUNICATION

**SUBJECT:** CONSIDER APPROVAL OF URBAN ENGINEERING TASK # 25 FOR  
ENGINEERING FOR IMPROVEMENTS TO THE UPPER DOCK AT THE CITY HARBOR:  
Presenter Jody Weaver

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## INFORMATION:

This is Task Order No. 25,  
consisting of 3 pages.

**Task Order**

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In accordance with paragraph 1.01 of the Standard Form of Agreement Between Owner and Engineer for Professional Services – Task Order Edition, dated November 13, 2017 ("Agreement"), Owner and Engineer agree as follows:

1. **Specific Project Data**

A. Title: City of Port Lavaca – City Harbor Docks - Upper Dock

Description: Design plans & specifications, prepare bid documents and perform contract administration for repairs to the City Harbor Docks - Upper Dock including the ramp.

2. **Services of Engineer**

Engineer shall have those responsibilities set forth in Exhibit A.

3. **Owner's Responsibilities**

Owner shall have those responsibilities set forth in Exhibit B.

4. **Times for Rendering Services**

Services will be rendered in a timely manner and in accordance with the schedule determined during the Study and Report Phase of the Project.

5. **Payments to Engineer**

A. Owner shall pay Engineer for services rendered as follows:

<i>Category of Services</i>	<i>Compensation Method</i>	<i>Lump Sum, or Estimate of Compensation for Services</i>
<i>Design, Bidding and Contract Administration</i>	<i>Fixed Fee</i>	<i>\$18,000.00</i>

B. The terms of payment are set forth in Article 4 of the Agreement and in Exhibit C.

B. Reimbursable Expenses: Includes fees charged by outside entities have review authority over the project, government agency fees and advertising fees. See Appendix 1 to Exhibit C "Reimbursable Expenses Schedule"

6. **Consultants:** None

7. **Other Modifications to Agreement:** None

8. **Attachments:** None

9. **Documents Incorporated By Reference:** Master Agreement Between City of Port Lavaca and Victoria Engineering, Inc. dba Urban Engineering dated November 13, 2017. This includes all Attachments to that Agreement (Attachments A – Attachment I inclusive).

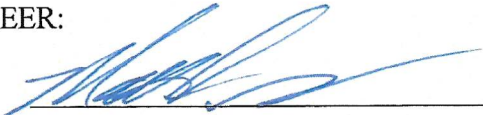
Terms and Conditions: Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is \_\_\_\_\_, \_\_\_\_\_.

OWNER:

ENGINEER:

By: \_\_\_\_\_

By:  \_\_\_\_\_

Name: Jack Whitlow

Name: Matt A. Glaze, P.E.

Title: Mayor

Title: Senior Engineer

Engineer License or Firm's  
Certificate No. TREF# F-160  
State of: Texas

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: Jody Weaver, P.E.

Name: Matt A. Glaze, P.E.

Title: City Engineer

Title: Senior Engineer

Address: 202 N. Virginia St.  
Port Lavaca, TX 77979

Address: 2004 N. Commerce St.  
Victoria, TX 77901

E-Mail Address: [jweaver@portlavaca.org](mailto:jweaver@portlavaca.org)

E-Mail Address: [mglaze@urbanvictoria.com](mailto:mglaze@urbanvictoria.com)

Phone: 361-552-9793

Phone: 361-578-9836

Fax: 361-552-6062

Fax: N/A