



## REGULAR PORT COMMISSION MEETING

Tuesday, June 18, 2024 at 3:00 PM

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

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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 Port Commission upon the request of the chairman, any member(s) of Port Commission and/or the City Attorney:**

*Announcement by the Chairman that Port Commission will retire into closed session for consultation with City Attorney on matters in which the duty of the attorney to the Port Commission under the Texas disciplinary rules of professional conduct of the state bar of Texas clearly conflicts with the open meetings act (title 5, chapter 551, section 551.071(2) of the Texas government code).*

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

### AGENDA

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

#### MEETING PROCEDURE

*Public notice is hereby given that the Port Commission of the City of Port Lavaca, Texas, will hold a meeting TUESDAY, JUNE 18, 2024 beginning at 03:00 p.m., at the regular meeting place in Council Chambers at City Hall, 202 North Virginia Street, Port Lavaca, Texas to consider the following items of business:*

*The meeting will also be available via the video conferencing application "ZOOM".*

*Join Zoom Meeting:*

<https://us02web.zoom.us/j/84320276269?pwd=Eb0oRMYyEtibrceE8wqOI06ZXrZ4pA.1>

*Meeting ID: 843 2027 6269*

*Passcode: 681698*

*One Tap Mobile*

*+13462487799,,82182482989#,,, \*912619# US (Houston)*

*Dial by your location*

*+1 346 248 7799 US (Houston)*

**CALL TO ORDER**

**COMMENTS FROM THE PUBLIC** - *(Limited to 3 minutes per individual unless permission to speak longer is received in advance. You may make public comments as you would at a meeting by logging on with your computer and using "Join Zoom Meeting" information on first page of this agenda).*

**CONSENT AGENDA**

1. APPROVAL OF MINUTES
  - a) MINUTES OF MAY 21, 2024 - REGULAR MEETING
  
2. RECEIVE HARBOR MASTER'S INSPECTION / MAINTENANCE REPORT FOR MAY 2024.

**REPORTS**

3. RECEIVE FINANCIAL REPORTS OF PORT REVENUE FUND
  - a) Tariff Report
  - b) Account Aging Report
  - c) Payment Report
  - d) Revenue and Expenditure Report
  - e) Balance Sheet / Property Tax Distribution
  - f) Profit and Loss Cash Flow Report
  
4. REVIEW US. ARMY CORPS OF ENGINEERS PUBLIC NOTICE NO. SWG-2024-00114, REGARDING THE PROPOSED LIVING SHORELINE PROTECTION PROJECT FROM FISHER HARBOR TO NEAR SCULLY'S
  
5. CITY MANAGER'S REPORT.
  
6. RECEIVE HARBOR MASTER'S OPERATIONS, PROMOTION/DEVELOPMENT ACTIVITY REPORT
  - a) City Harbor
  - b) Nautical Landings Building
  - c) Nautical Landings Marina
  - d) Smith Harbor
  - e) Harbor of Refuge

**ACTION ITEMS: NEW BUSINESS**

7. RECEIVE AND DISCUSS STATUS REPORT FROM THE TARIFF DEVELOPMENT COMMITTEE.
8. SET DATE FOR BUDGET WORKSHOP TO DISCUSS THE 2024-2025 PORTS AND HARBORS BUDGET.

**COMMENTS**

9. COMMENTS FROM THE COMMISSIONERS.

**ADJOURNMENT****CERTIFICATION OF POSTING NOTICE**

This is to certify that the above notice of a regular meeting of The Port Commission of the City of Port Lavaca, scheduled for **Tuesday, June 18, 2024**, beginning at **3:00 p.m.**, was posted at city hall, easily accessible to the public, as of **5:00 p.m. Friday, June 14, 2024**.

          /s/ Rachel Garza          

**Rachel Garza**, *Administrative Assistant*

**ADA NOTICE**

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

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# COMMUNICATION

SUBJECT: APPROVAL OF MINUTES

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## INFORMATION:

a) MINUTES OF MAY 21, 2024 - REGULAR MEETING



# REGULAR PORT COMMISSION MEETING

Tuesday, May 21, 2024, at 3:00 PM

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

## MINUTES

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

On this the 21<sup>st</sup> day of May 2024, the Port Commission of the City of Port Lavaca, Texas, convened in a regular session at 3:00 p.m. in the regular meeting place in City Council Chambers at City Hall, 202 North Virginia Street, Port Lavaca, Texas, with the following Commissioners in attendance:

**ROLL CALL:**

Raymond Butler	Commissioner / Secretary
Mike McGuire	Commissioner
Sue Traylor	Commissioner
Robert Knox	Commissioner
Jamie O'Neil	Commissioner

And with the following Commissioners absent:

Alex Davila	Commissioner / Chairman
Larry Nichols	Commissioner

### CONSENT AGENDA

#### 1. APPROVAL OF MINUTES

##### a) MINUTES OF APRIL 16, 2024 - REGULAR MEETING

Motion made by Commissioner McGuire

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

THAT, the May 21, 2024, minutes of the Regular Port Commission meeting held on June 11, 2024, are hereby approved.

Seconded by Commissioner Traylor

Motion passed by the following vote:

Voting Aye: Raymond Butler, Mike McGuire, Sue Traylor, Robert Knox, and Jamie O’Neil.

Voting Nay: None

**2. RECEIVE HARBOR MASTER'S INSPECTION / MAINTENANCE REPORT FOR APRIL 2024.**

Motion made by Commissioner McGuire

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

THAT, the Harbor Master’s April 2024 Inspection Reports of the Port Commission Regular meeting held on May 21<sup>st</sup>, 2024, are hereby approved.

Seconded by Commissioner Traylor

Motion passed by the following vote:

Voting Aye: Alex Davila, Mike McGuire, Sue Traylor, Robert Knox, and Jamie O’Neil.

Voting Nay: None

**REPORTS**

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

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

➤ A copy of these reports, in their entirety, can be found in the Port Commission meeting packet dated May 21<sup>st</sup>, 2024.

Agenda item discussed.

No action was taken.

#### 4. CITY MANAGER'S REPORT

- TPWL Grant — Renovations to the Nautical Landings Marina Breakwater  
The project has been approved by the TPWD Wildlife Habitat Assessment (WHAB) and was sent back to USFWS for final approval. Kateryna Thomas, our Capital Improvement Projects and Grants Coordinator prepared and received approval for an 18-mo extension for this grant.

I have reached out to both Congressman Cloud's office and Sen. Cornyn's office asking for help to expedite this federal approval. They have both responded and are looking into the issue.

- CDBG-MIT Coastal Resilience Living Shoreline Project  
Mott McDonald has submitted the USCOE permit application. Raymond Butler, Jim Rudellat and I met with the engineers on Friday to discuss options with regard to the NMFS request for fish gaps. We agreed that at least one fish gap would not be a bad idea. Although NMFS has requested gaps every 500 ft (which would require 3 gaps), we believe we can provide one protected gap and stay close to budget. Mott McDonald is preparing a response report to submit to USCOE, and we'll see where that goes. To comply fully with the NMFS request, would require us to reduce the height of the breakwater to bring the cost within budget.
- ReStore (cleanup of old barge(s) in Smith Harbor)  
Kim Griffith is working on the Work Plan which should be submitted by the end of the month.
- CDBG-MIT Round 2 Application for use of funds (Voluntary Restoration II and Culvert replacement at the Harbor of Refuge):  
There is still no news from GLO regarding the applications to use our Round 2 CDMB-MIT allocation funding.
- MBMT Grant Downtown Waterfront Public Access Improvement:  
Jim and I are working with Matt on the scope of the USCOE permit application and I'll share with you a preliminary concept sketch at the meeting.

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

##### a) City Harbor

- 1) 1 May 2024 Received signed lease from Prestige Oysters for track 10.

##### b) Nautical Landings Building

- 1) Working on building improvements lighting, two cupolas and storefront at the south end of the building.

**c) Nautical Landings Marina**

- 1) Horizon Environmental has been onsite 16 times since the last PC meeting.
- 2) Working on dock improvements valves, lighting, cleats & lighting power washing deck boards.

**d) Smith Harbor**

- 1) Harbor and parking lot improvements (Jody Weaver)

**e) Harbor of Refuge**

- 1) 19 April 2024 Received letter from Manson Dredging claiming ownership dredge pipe.
- 2) 22 May 2024 will put ad in Port Lavaca Wave (Public Auction Lash Barges).
- 3) Aerial spraying Precision Flying will spray as soon as we get a favorable wind.
- 4) Diamond K should be on site 16<sup>th</sup> & 17<sup>th</sup> of May to disassemble move the track above the drainpipes.

**ACTION ITEMS: NEW BUSINESS****6. RECEIVE AND DISCUSS STATUS REPORT FROM THE TARIFF DEVELOPMENT COMMITTEE.**

I am working on a draft Tariff Circular for the City of Port Lavaca Ports & Harbors. I hope to have something ready to distribute to the committee in the next week or two for an initial review.

Attached is a draft Table of Contents and the section entitled "Description & Jurisdiction of Port Commission."

- A copy of this draft can be found in the Port Commission Packet dated May 21<sup>st</sup>, 2024)

**COMMENTS****7. COMMENTS FROM THE COMMISSIONERS.**

Agenda item discussed.

No action necessary.



**ADJOURNMENT**

Commissioner Knox made a motion to adjourn the meeting.

Commissioner Traylor seconded this motion.

Motion passed by the following vote:

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

Voting Nay: None

The meeting was adjourned at 3:58 p.m.

These minutes were approved on June 18, 2024.

ATTEST:

\_\_\_\_\_  
Alex Davila, Chairman

\_\_\_\_\_  
Rachel Garza, Admin Assist.

# **COMMUNICATION**

**SUBJECT:** RECEIVE HARBOR MASTER'S INSPECTION / MAINTENANCE REPORT  
FOR MAY 2024.

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## **INFORMATION:**

# Port Lavaca Port Commission Monthly Inspection

Month: MAY 2024 Location: City Harbor

18 JUNE 2024

## 1. Fueling Area

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

## 2. Decking

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

## 3. Main Frame & Floats

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

## 4. CLEAN UP

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

## 5. Water Lines, Valves, Etc.

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

## 6. Electrical & Lights

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

## 7. Pilings, Guides & Rollers

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

**8. Rub Rails & Fenders**

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

**9. Cleats & Kevels**

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

**10. Gates & Locks**

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

**11. Railing**

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

**12. Cement Slab**

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

**13. Bulkhead**

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

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

# Port Lavaca Port Commission Monthly Inspection

Month: MAY 2024 - Location: Harbor of Refuge

18 JUNE 2024

## 1. Road

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

## 2. Rail spur

Condition: Satisfactory Unsatisfactory Not Applicable

Comments: 16 May 2024 Diamand K removed the RR tracks over the drain pipes. 6 June 2024 Public Works pulled the drain pipes under the rail spur due to the bottoms of the pipes folding inward restricting water flow.

## 3. Main Frame & Floats

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

## 4. Environmental

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

## 5. Water Lines, Valves, Etc.

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

## 6. Electrical & Lights

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

## 7. PERMIT

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

**8. Rub Rails & Fenders**

Condition: Satisfactory Unsatisfactory Not Applicable  
Comments:

**9. Cleats & Kevels**

Condition: Satisfactory Unsatisfactory Not Applicable  
Comments:

**10. Gates & Locks**

Condition: Satisfactory Unsatisfactory Not Applicable  
Comments:

**11. Mulch**

Condition: Satisfactory Unsatisfactory Not Applicable  
Comments:

**12. Cement Cap**

Condition: Satisfactory Unsatisfactory Not Applicable  
Comments:

**13. Bulkhead**

Condition: Satisfactory Unsatisfactory Not Applicable  
Comments:

**14. CLEAN UP**

Condition: Satisfactory Unsatisfactory Not Applicable

Comments: 3 April 2024 took John Sterling with Precision Flying Service out to the old dump site at HOR for aerial spraying. They will spray when the wind is out of the right direction.

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

# Port Lavaca Port Commission Monthly Inspection

Month: MAY 2024 Location: NLM / Smith Harbor

18 JUNE 2024

## 1. Boats

Condition: Satisfactory Unsatisfactory Not Applicable

Comments:

## 2. Decking

Condition: Satisfactory Unsatisfactory Not Applicable

Comments: 7 June 2024 Barefoot Construction PSI washed all Wood decking on dock A.

## 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: 11 June 2024 Barefoot Construction replaced

All bad rubber bumpers on dock A.

**9. Cleats & Keels**

Condition: Satisfactory **Unsatisfactory** Not Applicable

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

**10. Gates & Locks**

Condition: **Satisfactory** Unsatisfactory Not Applicable

Comments:

**11. Dredging**

Condition: **Satisfactory** Unsatisfactory Not Applicable

Comments:

**12. Cement**

Condition: **Satisfactory** Unsatisfactory Not Applicable

Comments:

**13. Bulkhead**

Condition: **Satisfactory** Unsatisfactory Not Applicable

Com

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



# Port Lavaca Port Commission Monthly Building Inspection

Month: MAY 2024 Location: **NLB**

**18 JUNE 2024**

**1. Building Maintenance:**

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

**2. Decking:**

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

**3. Flooring:**

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

**4. Windows:**

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

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

Condition: **Satisfactory** Unsatisfactory Not Applicable  
Comments: 7 June 2024 Port Lavaca Plumbing cleaned condensate  
Drain in the mechanical room.

**6. Electrical & Lights**

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

**7. HVAC**

Condition: **Satisfactory** Unsatisfactory Not Applicable

Comments: 31 May 2024 Barefoot Construction replaced bad Fan motor for HVAC Day Room & Harbormaster office.

**8. Roof:**

Condition: **Satisfactory** Unsatisfactory Not Applicable

Comments:

**9. Parking:**

Condition: **Satisfactory** Unsatisfactory Not Applicable

Comments:

**10. Fire Extinguishers:**

Condition: **Satisfactory** Unsatisfactory Not Applicable

Comments:

**11. Hand Railing:**

Condition: **Satisfactory** Unsatisfactory Not Applicable

Comments:

**12. Stairs & Steps**

Condition: **Satisfactory** Unsatisfactory Not Applicable

Comments:

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

# COMMUNICATION

SUBJECT: RECEIVE FINANCIAL REPORTS OF PORT REVENUE FUND

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## INFORMATION:

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

Date Received	Reference	Description	CRUDE OIL	/	REPORTING MONTH	BARRELS OF CRUDE OIL	PAID @ \$0.125 PER BARREL
11/29/2023	1201384	EQUALIZER, INC.	OIL	/	10/2023	65,049.370	\$8,131.17
1/25/2024	1207911	EQUALIZER, INC.	OIL	/	11/2023	81,905.300	\$10,238.16
1/25/2024	1207912	EQUALIZER, INC.	OIL	/	12/2023	80,435.950	\$10,054.49
2/29/2024	1211694	EQUALIZER, INC.	OIL	/	01/2024	68,604.150	\$8,575.51
3/27/2024	1214986	EQUALIZER, INC.	OIL	/	02/2024	57,461.690	\$7,182.71
5/1/2024	1218781	EQUALIZER, INC.	OIL	/	03/2024	54,766.170	\$6,845.77
5/30/2024	1222214	EQUALIZER, INC.	OIL	/	04/2024	24,722.060	\$3,090.26
		EQUALIZER, INC.	OIL	/	05/2024		
		EQUALIZER, INC.	OIL	/	06/2024		
		EQUALIZER, INC.	OIL	/	07/2024		
		EQUALIZER, INC.	OIL	/	08/2024		
		EQUALIZER, INC.	OIL	/	09/2024		

FY 2023-2024 - TOTAL	\$54,118.07
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DAILY DOCK RENTAL

Date Received	REPORTING MONTH	Reference	Description	Public Dock	REPORTING MONTH	PAID
11/28/2023	OCTOBER	1201258	MONTHLY DOCK FEE	\$500.00	10/2023	Paid
1/25/2024	NOVEMBER	1207909	MONTHLY DOCK FEE	\$750.00	11/2023	Paid
1/25/2024	DECEMBER	1207910	MONTHLY DOCK FEE	\$1,000.00	12/2023	Paid
2/29/2024	JANUARY	1211699	MONTHLY DOCK FEE	\$750.00	01/2024	Paid
3/27/2024	FEBRUARY	1214994	MONTHLY DOCK FEE	\$500.00	02/2024	Paid
4/26/2024	MARCH	1218440	MONTHLY DOCK FEE	\$750.00	03/2024	Paid
5/28/2024	APRIL	122072	MONTHLY DOCK FEE	\$500.00	04/2024	Paid
	MAY		MONTHLY DOCK FEE		05/2024	
	JUNE		MONTHLY DOCK FEE		06/2024	
	JULY		MONTHLY DOCK FEE		07/2024	
	AUGUST		MONTHLY DOCK FEE		08/2024	
	SEPTEMBER		MONTHLY DOCK FEE		09/2024	



From : Lamin Cargo Control  
 To : GulfMark Energy Inc.

Attn : Paul Migala / GulfMark Energy Inc. paulm@gulfmarkenergy.com  
 Shelly Smith / GulfMark Energy Inc. shellys@gulfmarkenergy.com

**Load RECAP - Original**

Product : CRUDE BLENDSTOCK  
 Vessel : MM - 90  
 Location : Gulfmark -Port Lavaca, TX  
 Tank(s) - 2 | 1  
 Date : 16-APR-2024  
 File NA° : PVI-13209  
 Ref. NA° : ER240401

**QUANTITIES - CRUDE BLENDSTOCK**

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

TCV, Barrels @ 60 °F 19,776.01  
 Free Water 0.00  
**GSV**

Barrels @ 60 °F 19,776.01  
 Gallons @ 60 °F 830,592.42

Long Tons - Air 2,818.890  
 Metric Tons - Air 2,864.125  
 Short Tons - Air 3,157.157  
 Kilograms - Air 2,864,125.0  
 Pounds - Air 6,314,314.0

API Gravity @ 60 °F (C) 23.5

**NSV**

Barrels @ 60 °F 19,756.157  
 Gallons @ 60 °F 829,758.30

Long Tons - Air 2,816.059  
 Metric Tons - Air 2,861.249  
 Short Tons - Air 3,153.987  
 Kilograms - Air 2,861,249.0  
 Pounds - Air 6,307,973.0

S&W % 0.100\*\*  
 S&W Vol. 19.86  
 S&W Source

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

**Total Vessel Quantities**

Vessel : MM - 90

TCV, Bbls @ 60 °F 19,944.36  
 Free Water 0.00  
**GSV**

From : Lamin Cargo Control  
 To : GulfMark Energy Inc.

Item #3.

Attn : Paul Migala / GulfMark Energy Inc. paulm@gulfmarkenergy.com  
 Shelly Smith / GulfMark Energy Inc. shellys@gulfmarkenergy.com

**Load/RECAP - Original**

Product : CRUDE OIL  
 Vessel : FMT - 3060  
 Location : Gulfmark -Port Lavaca, TX  
 Tank(s) - 2 | 1  
 Date : 09-APR-2024  
 File NA° : PVI-13202  
 Ref. NA° : VEG240402

**QUANTITIES - CRUDE OIL**

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

TCV, Barrels @ 60 °F 4,974.27  
 Free Water 0.00  
**GSV**

Barrels @ 60 °F 4,974.27  
 Gallons @ 60 °F 208,919.34

Long Tons - Air 708.579  
 Metric Tons - Air 719.950  
 Short Tons - Air 793.609  
 Kilograms - Air 719,950.0  
 Pounds - Air 1,587,217.0

API Gravity @ 60 °F (T) 23.6

**NSV**

Barrels @ 60 °F 4,965.91  
 Gallons @ 60 °F 208,568.22

Long Tons - Air 707.388  
 Metric Tons - Air 718.740  
 Short Tons - Air 792.275  
 Kilograms - Air 718,740.0  
 Pounds - Air 1,584,550.0

S&W % 0.168\*\*  
 S&W Vol. 8.36  
 S&W Source Volumetric Composite  
 \*\* Quality based on individual open and close of shore tank.

**Total Vessel Quantities**

Vessel : FMT - 3060

TCV, Bbls @ 60 °F	VEF of 1.0042 Applied	No VEF Applied
Free Water	4,969.23	4,990.10
	0.00	0.00

HELENA CHEMICAL

0.79

Date Received	Reference	Description	BARGE SHORT TONS	RAIL SHORT TONS	REPORTING MONTH	TOTAL FERTILIZER BULK TONS	BARGE ONLY	RAIL ONLY	TOTAL TARIFF AMOUNT PAID @ \$0.79 PER TON
11/1/2023	ACH PMT	HELENA CHEMICAL	4199.908	0	10/2023	4,199.908	\$3,317.93	\$0.00	\$3,317.93
12/13/2023	ACH PMT	HELENA CHEMICAL	11897.681	0	11/2023	11,897.681	\$9,399.17	\$0.00	\$9,399.17
12/27/2023	ACH PMT	HELENA CHEMICAL	9736.646	0	12/2023	9736.646	\$7,691.95	\$0.00	\$7,691.95
2/2/2024	ACH PMT	HELENA CHEMICAL	3377.583	0	01/2024	3377.583	\$2,668.29	\$0.00	\$2,668.29
2/29/2024	ACH PMT	HELENA CHEMICAL	6384.241	0	02/2024	6384.241	\$5,043.55	\$0.00	\$5,043.55
4/1/2024	ACH PMT	HELENA CHEMICAL	7251.033	0	03/2024	7251.033	\$5,728.32	\$0.00	\$5,728.32
5/1/2024	ACH PMT	HELENA CHEMICAL	16667.154	0	04/2024	16667.154	\$13,167.05	\$0.00	\$13,167.05
6/5/2024	ACH PMT	HELENA CHEMICAL	6054.358	0	05/2024	6,054.358	\$4,782.94	\$0.00	\$4,782.94
	ACH PMT	HELENA CHEMICAL			06/2024		\$0.00	\$0.00	\$0.00
	ACH PMT	HELENA CHEMICAL			07/2024		\$0.00	\$0.00	\$0.00
	ACH PMT	HELENA CHEMICAL			08/2024		\$0.00	\$0.00	\$0.00
	ACH PMT	HELENA CHEMICAL			09/2024				
<b>TOTAL</b>			<b>65568.604</b>	<b>0</b>					
<b>FY 2023-2024 - TOTAL</b>							<b>\$51,799.20</b>	<b>\$0.00</b>	<b>\$51,799.20</b>

99-1810-00

MONTHLY RAIL FEE

Date Received	REPORTING MONTH	Reference	Description	RAIL	REPORTING MONTH	PAID
9/26/2023	OCT	ACH	MONTHLY RAIL FEE	\$1,000.00	10/2023	PAID
10/26/2023	NOV	ACH	MONTHLY RAIL FEE	\$1,000.00	11/2023	PAID
11/27/2023	DEC	ACH	MONTHLY RAIL FEE	\$1,000.00	12/2023	PAID
1/2/2024	JAN	ACH	MONTHLY RAIL FEE	\$1,000.00	01/2024	PAID
1/26/2024	FEB	ACH	MONTHLY RAIL FEE	\$1,000.00	02/2024	PAID
2/26/2024	MAR	ACH	MONTHLY RAIL FEE	\$1,000.00	03/2024	PAID
4/1/2024	APR	ACH	MONTHLY RAIL FEE	\$1,000.00	04/2024	PAID
4/26/2024	MAY	ACH	MONTHLY RAIL FEE	\$1,000.00	05/2024	PAID
5/28/2024	JUNE	ACH	MONTHLY RAIL FEE	\$1,000.00	06/2024	PAID
	JULY	ACH	MONTHLY RAIL FEE		07/2024	
	AUG	ACH	MONTHLY RAIL FEE		08/2024	
	SEPT	ACH	MONTHLY RAIL FEE		09/2024	

\$9,000.00





### MONTHLY TARIFF REPORT

DATE: May 25th 2024

REPORTING PERIOD: May (MONTH) 2024 (YEAR)

COMPANY NAME: Helena Agri-Enterprises, LLC

MAILING ADDRESS: 225 Schilling Blvd., Suite 300  
(P. O. Box Number or Street)

Collierville (City) TN (State) 38017 (Zip Code)

-----  
6,054.358 Tons of Fertilizer DRY OR LIQUID @ 0.79¢ per ton  
Tons BARGE / RAIL (Name of Product)

0 Barrels of Crude Oil CRUDE CONDENSATE @ 0.125¢ per barrel  
Tons (Name of Product)

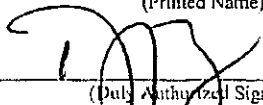
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Subject to the tariff adopted by the City of Port Lavaca Port Commission are hereby reported by the above-named company during the period covered hereby and payment in the amount of \$ 4,782.94 is attached hereto representing tariff due in accordance with the 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 25th day of May, 2024

Terminal Manager \_\_\_\_\_  
(Title)

Trey Franz \_\_\_\_\_  
(Printed Name)

  
\_\_\_\_\_  
(Duly Authorized Signature)

Port Commission's Main Office Phone Number: (361) 552-9793 Ext. 221 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



**DRAFT SURVEY BY DISPLACEMENT**

**AGS 292 B**

Barge Type : **BOX**

Depth =	13.000 ft	Length of Box =	200.000 ft
Beam =	35.000 ft	Bilge Radius =	0.500 ft
Spec Grv =	0.9975 (LIGHT Condition)		
Spec Grv =	0.9975 (LOADED Condition)		

**LIGHT FREEBOARDS**

**LOADED FREEBOARDS**

Fwd Port =	11 ft	6.000 in	Fwd Port =	4 ft	1.000 in
Fwd Stbd =	11 ft	5.500 in	Fwd Stbd =	4 ft	4.000 in
Mid Port =	11 ft	5.750 in	Mid Port =	3 ft	11.250 in
Mid Stbd =	11 ft	6.000 in	Mid Stbd =	4 ft	1.000 in
Aft Port =	11 ft	5.500 in	Aft Port =	4 ft	1.250 in
Aft Stbd =	11 ft	6.000 in	Aft Stbd =	4 ft	2.750 in

**Full Load:**

Mean Draft = 8 ft 10.458 in  
 Volume (Cu. Ft.) = 62,077.356

**Light Barge:**

Mean Draft = 1 ft 6.208 in  
 Volume (Cu. Ft.) = 10,598.190

**Cargo Deadweight:**

Pounds = 3,205,810  
**Short Tons = ✓ 1,602.905**  
 Metric Tons = 1,454.133  
 Long Tons = 1,431.165

AmSpec MTS Inc.



*Tommy L. Prejean*

Tommy L. Prejean, Operations

3/25/2024  
 Page 1

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**DRAFT SURVEY BY DISPLACEMENT**

**CC 2009**

Barge Type : **RAKE**

Depth =	14.000 ft	Length of Box =	172.000 ft
Beam =	35.000 ft	Bilge Radius =	0.500 ft
Spec Grv =	0.9975 (LIGHT Condition)	Rake Length =	28.000 ft
Spec Grv =	0.9975 (LOADED Condition)	Rake Height =	14.000 ft

**LIGHT FREEBOARDS**

**LOADED FREEBOARDS**

Fwd Port =	12 ft	0.250 in	Fwd Port =	5 ft	4.500 in
Fwd Stbd =	12 ft	0.250 in	Fwd Stbd =	5 ft	4.500 in
Mid Port =	12 ft	3.750 in	Mid Port =	5 ft	3.000 in
Mid Stbd =	12 ft	3.250 in	Mid Stbd =	5 ft	4.000 in
Aft Port =	12 ft	7.000 in	Aft Port =	5 ft	2.750 in
Aft Stbd =	12 ft	8.000 in	Aft Stbd =	5 ft	4.250 in

**Full Load:**

Mean Draft = 8 ft 8.167 in  
Volume (Cu. Ft.) = 56,998.577

**Light Barge:**

Mean Draft = 1 ft 8.250 in  
Volume (Cu. Ft.) = 10,688.696

**Cargo Deadweight:**

Pounds = 2,883,898  
**Short Tons = ✓ 1,441.949**  
Metric Tons = 1,308.116  
Long Tons = 1,287.454

AmSpec MTS Inc.



Larry C. Zeringue, Operations

4/12/2024  
Page 1

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**DRAFT SURVEY BY DISPLACEMENT**

**ACL 33403 B**

Barge Type : **BOX**

Depth =	13.000 ft	Length of Box =	200.000 ft
Beam =	35.000 ft	Bilge Radius =	0.500 ft
Spec Grv =	0.9980 ( <b>LIGHT</b> Condition)		
Spec Grv =	0.9980 ( <b>LOADED</b> Condition)		

**LIGHT FREEBOARDS**

**LOADED FREEBOARDS**

Fwd Port =	11 ft	3.750 in	Fwd Port =	4 ft	3.500 in
Fwd Stbd =	11 ft	3.000 in	Fwd Stbd =	4 ft	3.500 in
Mid Port =	11 ft	5.250 in	Mid Port =	4 ft	2.500 in
Mid Stbd =	11 ft	5.500 in	Mid Stbd =	4 ft	3.000 in
Aft Port =	11 ft	4.750 in	Aft Port =	4 ft	4.000 in
Aft Stbd =	11 ft	5.000 in	Aft Stbd =	4 ft	1.000 in

**Full Load:**

Mean Draft = 8 ft 9.083 in  
 Volume (Cu. Ft.) = 61,275.273

**Light Barge:**

Mean Draft = 1 ft 7.458 in  
 Volume (Cu. Ft.) = 11,327.356

**Cargo Deadweight:**

Pounds = 3,112,012  
**Short Tons = 1,556.006**  
 Metric Tons = 1,411.587  
 Long Tons = 1,389.291

AmSpec MTS Inc.



*Tommy L. Prejean*

Tommy L. Prejean, Operations

2/23/2024

Page 1

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**DRAFT SURVEY BY DISPLACEMENT**

**CH 9379**

Barge Type : **RAKE**

Depth =	12.000 ft	Length of Box =	167.000 ft
Beam =	35.000 ft	Bilge Radius =	0.500 ft
Spec Grv =	0.9975 ( <b>LIGHT</b> Condition)	Rake Length =	28.000 ft
Spec Grv =	0.9975 ( <b>LOADED</b> Condition)	Rake Height =	11.500 ft

**LIGHT FREEBOARDS**

**LOADED FREEBOARDS**

Fwd Port =	10 ft	2.000 in	Fwd Port =	3 ft	2.750 in
Fwd Stbd =	10 ft	1.250 in	Fwd Stbd =	3 ft	2.000 in
Mid Port =	10 ft	4.250 in	Mid Port =	3 ft	2.750 in
Mid Stbd =	10 ft	3.750 in	Mid Stbd =	3 ft	1.500 in
Aft Port =	10 ft	7.250 in	Aft Port =	3 ft	2.250 in
Aft Stbd =	10 ft	7.000 in	Aft Stbd =	3 ft	1.250 in

**Full Load:**

Mean Draft = 8 ft 9.917 in  
 Volume (Cu. Ft.) = 56,817.576

**Light Barge:**

Mean Draft = 1 ft 7.750 in  
 Volume (Cu. Ft.) = 10,136.779

**Cargo Deadweight:**

Pounds = 2,906,996  
**Short Tons = ✓ 1,453.498**  
 Metric Tons = 1,318.593  
 Long Tons = 1,297.766

AmSpec MTS Inc.



*Larry C. Zeringue*

Larry C. Zeringue, Operations

4/7/2024  
 Page 1

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ACCOUNT NO#	NAME	LAST PAY	ST	--CURRENT--	+1 MONTHS	+2 MONTHS	+3 MONTHS	+4 MONTHS	--BALANCE--
99-1415-00		6/03/2024	A						0.00
99-1583-06		3/15/2024	A						0.00
99-1733-02		6/07/2024	A	178.46CR					178.46CR
99-1734-00		5/29/2024	A						0.00
99-1745-01		6/03/2024	A						0.00
99-1746-01		6/03/2024	A						0.00
99-1783-00		6/05/2024	A						0.00
99-1800-01		6/03/2024	A						0.00
99-1810-00		5/28/2024	A	0.82CR					0.82CR
99-1883-00		5/29/2024	A	359.39CR					359.39CR
99-1893-00		6/03/2024	A						0.00
99-1909-01		6/10/2024	A	353.18CR					353.18CR
99-1913-02		5/10/2024	A	693.13					693.13
99-1923-06		5/24/2024	A						0.00
99-1930-01		5/22/2024	A						0.00
99-1931-07		6/10/2024	A	208.35CR					208.35CR
99-1932-06		6/10/2024	A	208.35CR					208.35CR
99-1933-03		5/24/2024	A						0.00
99-1973-06		6/11/2024	A						0.00
99-1983-09		5/31/2024	A						0.00
99-1993-04		5/31/2024	A						0.00
99-2003-04		6/07/2024	A	0.08CR					0.08CR
99-2013-09		8/03/2022	A					4,551.12	4,551.12
99-2043-07		6/03/2024	A						0.00
99-2053-11		6/03/2024	A						0.00
99-2063-11		6/11/2024	A						0.00
99-2073-09		6/03/2024	A						0.00
99-2133-06		6/03/2024	A						0.00
99-2163-03		6/03/2024	A						0.00
99-2173-08		6/13/2024	A	279.30					279.30
99-2193-07		5/21/2024	A						0.00
99-2213-04		6/03/2024	A						0.00
99-2223-12		6/03/2024	A						0.00
99-2233-07		5/09/2024	A	** 630.00	630.00	400.00			1,660.00
99-2243-12		12/12/2023	A	426.66CR					426.66CR
99-2253-07		5/24/2024	A						0.00
99-2273-08		6/03/2024	A						0.00
99-2313-15		5/03/2024	A	176.40CR					176.40CR
99-2421-07		6/03/2024	A						0.00
99-2443-05		6/03/2024	A						0.00
99-2481-05		6/03/2024	A						0.00
99-2543-09		6/03/2024	A						0.00

**** BOOK # :0099	TOTAL ACCOUNTS:	42	309.26CR	630.00	400.00	0.00	4551.12	5271.86
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**REPORT TOTALS**	TOTAL ACCOUNTS:	42	309.26CR	630.00	400.00	0.00	4551.12	5271.86
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\*\* 99-2233-07 - Demand Letter to vacate or bring account up to date.

VENDOR NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-103058 BAREFOOT, MARK E.	I-002120	504 51000533.14	CONTRACTED SERVICES : FILL IN BLOCK WALL - NL		65563	\$378.00
01-103058 BAREFOOT, MARK E.	I-002123	504 51000533.14	CONTRACTED SERVICES : REPLACE FLANGES		65563	\$1,660.00
01-103058 BAREFOOT, MARK E.	I-002125	504 51000542.25	R & M- BUILD : REPAIR TO ROOF - NL		65669	\$4,860.00
<b>VENDOR TOTALS</b>						<b>\$6,898.00</b>
01-102565 CARD SERVICE CENTER	I-0305/042024	504 51000544.50	R & M- FURNITURE : WALMART - CLOCK & BATTERIES		664	\$28.93
01-102565 CARD SERVICE CENTER	I-0305/042024	504 51000533.14	CONTRACTED SERVICES : DOCK REPAIR SUPPLIES		664	\$816.88
01-102565 CARD SERVICE CENTER	I-0305/042024	504 51000529.11	LIGHTING & DÉCOR : AMAZON - LIGHTS & BULBS		664	\$56.87
<b>VENDOR TOTALS</b>						<b>\$902.68</b>
01-104071 ENTERPRISE FLEET MANAG	I-FBN4993163	504 51000544.55	R & M - VEHICLE : MAINTENANCE MANAGEMENT		65585	\$14.02
01-104071 ENTERPRISE FLEET MANAG	I-FBN4993163	504 51000551.11	VEHICLE LEASE : MIANTENANCE MANAGEMENT		65585	\$934.72
<b>VENDOR TOTALS</b>						<b>\$948.74</b>
01-102882 FRONTIER SOUTHWEST INC	I-18830907065/042024	504 51000536.02	TELEPHONE : CELL PHONE CHARGES APRIL 2024		65592	\$147.46
01-102882 FRONTIER SOUTHWEST INC	I-18830907065/052024	504 51000536.02	TELEPHONE : CELL PHONE CHARGES MAY 2024		65700	\$152.82
<b>VENDOR TOTALS</b>						<b>\$300.28</b>
01-102490 U.S. BANK NATIONAL ASS	I-04/2024	504 51000525.01	FUEL : FUEL APRIL 2024		65593	\$60.62
<b>VENDOR TOTALS</b>						<b>\$60.62</b>
01-100700 MCGREW, TERRI	I-412774	504 51000523.03	CLEANING & JANITORIAL : CLEANING SERVICES		65617	\$620.00
<b>VENDOR TOTALS</b>						<b>\$620.00</b>



VENDOR NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-102645 GEXA ENERGY, LP.	I-33929820-4	504 51000536.01	ELECTRICITY : ELECTRICITY SERVICES APRIL 2024		65182	\$ 2,004.11
			NAUTICAL LANDING FLOOD LIGHT			\$ 64.84
			NL BOAT SLIPS			\$ 377.30
			HARBOR OF REFUGE			\$ -
			HARBOR OF REFUGE FLOOD LIGHT			\$ 626.04
			CITY HARBOR			\$ -
			106 S COMMERCE ST UNIT MAIN			\$ 935.93
<b>VENDOR TOTALS</b>						<b>\$2,004.11</b>
01-104228 PATTILLO, BROWN & HILL	I-482030	504 51000532.01	AUDIT FEES : AUDIT FEES		65625	\$3,000.00
			<b>VENDOR TOTALS</b>			
01-100334 PORT LAVACA, CITY OF	I-202405220665	504 51000525.01	FUEL : FUEL- JIM RUDELLAT		65734	\$16.21
01-100334 PORT LAVACA, CITY OF	I-202405220665	504 51000544.55	R & M- VEHICLE : BOAT INSPECTION - J. RUDELLATE		65734	\$25.00
<b>VENDOR TOTALS</b>						<b>\$41.21</b>
01-100335 PORT LAVACA, CITY OF	I-04/2024	504 51000536.03	WATER : WATER / SEWER APRIL 2024		65628	\$696.57
			<b>VENDOR TOTALS</b>			
01-100373 QUILL CORPORATION	I-38686804	504 51000521.01	OFFICE : INK		65737	\$102.20
			<b>VENDOR TOTALS</b>			
01-102309 REPUBLIC SERVICES #847	I-0847-001330502	504 51000533.14	CONTRACTED SERVICES : CONTAINER - PORT COMM.		65740	\$443.31
			<b>VENDOR TOTALS</b>			

VENDOR NAME	ITEM #	G/L ACCOUNT	NAME DESCRIPTION	CHECK #	AMOUNT
01-100840 ROBERTS, ODEFEY, WITTE	I-1608-004M/58	504 51000532.07	LEGAL- REGULAR : PORT COMMISSON - MARCH 2024	65634	\$448.00
<b>VENDOR TOTALS</b>					<b>\$448.00</b>
01-102621 UNIFIRST CORPORATION	I-2680057764	504 51000523.03	CLEANING & JANITORIAL : CLEANING SUPPLIES	65649	\$43.98
01-102621 UNIFIRST CORPORATION	I-2680058447	504 51000523.03	CLEANING & JANITORIAL : CLEANING SUPPLIES	65649	\$52.95
01-102621 UNIFIRST CORPORATION	I-2680059174	504 51000523.03	CLEANING & JANITORIAL : CLEANING SUPPLIES	65759	\$43.68
01-102621 UNIFIRST CORPORATION	I-2680059980	504 51000523.03	CLEANING & JANITORIAL : CLEANING SUPPLIES	65759	\$72.06
<b>VENDOR TOTALS</b>					<b>\$212.67</b>
01-102014 VERIZON WIRELESS	I-9961820967	504 51000536.02	TELEPHONE : CELL PHONE CHARGES	65652	\$40.21
<b>VENDOR TOTALS</b>					<b>\$40.21</b>

<b>REPORT GRAND TOTAL</b>	<b>\$16,718.60</b>
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CITY OF PORT LAVACA  
 REVENUE AND EXPENDITURES REPORT (UNAUDITED)  
 AS OF: MAY 31ST, 2024

Item #3.

504-PORT & HARBORS FUND  
 FINANCIAL SUMMARY

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>								
USER & SERVICE CHARGES	672,689	672,689	0	76,683.99	529,250.28	0.00	143,438.72	78.68
FINES & FORFEITURES	500	500	0	0.00	0.00	0.00	500.00	0.00
OTHER REVENUE	35,600	35,600	0	1,367.49	20,364.05	0.00	15,235.95	57.20
GRANT AND CONTRIBUTION R	1,200,000	1,200,000	0	0.00	0.00	0.00	1,200,000.00	0.00
INTERGOVERNMENTAL REVENUE	12,215	12,215	0	0.00	0.00	0.00	12,215.00	0.00
<b>TOTAL REVENUES</b>	<b>1,921,004</b>	<b>1,921,004</b>	<b>0</b>	<b>78,051.48</b>	<b>549,614.33</b>	<b>0.00</b>	<b>1,371,389.67</b>	<b>28.61</b>
<u>EXPENDITURE SUMMARY</u>								
TECHNOLOGY SERVICES	1,422	1,422	0	118.44	857.08	0.00	564.92	60.27
CITY HARBOR	7,000	7,000	0	0.00	2,583.94	0.00	4,416.06	36.91
HARBOR OF REFUGE	330,000	330,000	0	4,985.00	19,235.00	19,503.57	291,261.43	11.74
SMITH HARBOR	11,000	11,000	0	0.00	0.00	0.00	11,000.00	0.00
NAUTICAL LANDINGS MARINA OPERATIONS	30,000	30,000	0	221.50	221.50	0.00	29,778.50	0.74
<b>TOTAL EXPENDITURES</b>	<b>2,183,488</b>	<b>2,183,488</b>	<b>0</b>	<b>33,369.11</b>	<b>346,882.07</b>	<b>19,503.57</b>	<b>1,817,102.36</b>	<b>16.78</b>
REVENUES OVER/ (UNDER) EXPENDITURES	( 262,484)	( 262,484)	0	44,682.37	202,732.26	( 19,503.57)	( 445,712.69)	69.81-

CITY OF PORT LAVACA  
 REVENUE AND EXPENDITURES REPORT (UNAUDITED)  
 AS OF: MAY 31ST, 2024

Item #3.

504-PORT & HARBORS FUND  
 REVENUES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET	
<b>USER &amp; SERVICE CHARGES</b>									
436.01	CITY HARBOR-DOCK LEASE	115,000	115,000	0	8,240.03	56,136.04	0.00	58,863.96	48.81
436.09	HOR - DAILY DOCK RENTA	7,200	7,200	0	8,000.00	74,000.00	0.00	66,800.00	1,027.78
436.10	HOR - RENTAL	4,000	4,000	0	0.00	0.00	0.00	4,000.00	0.00
436.11	HOR - DOCK LEASES	250,932	250,932	0	21,646.87	175,692.14	0.00	75,239.86	70.02
436.12	TARIFFS	110,000	110,000	0	23,103.08	101,134.33	0.00	8,865.67	91.94
436.20	N L DOCK RENT- TRANSIE	500	500	0	0.00	0.00	0.00	500.00	0.00
436.21	N L-DOCK LEASE	85,000	85,000	0	7,114.70	52,563.96	0.00	32,436.04	61.84
436.22	N L -BLDG LEASE	80,077	80,077	0	7,204.31	56,923.81	0.00	23,153.19	71.09
436.23	N L - BLDG RENTAL	0	0	0	0.00	0.00	0.00	0.00	0.00
436.24	SMITH HARBOR RENT	19,980	19,980	0	1,375.00	12,800.00	0.00	7,180.00	64.06
	<b>TOTAL USER &amp; SERVICE CHARGES</b>	<b>672,689</b>	<b>672,689</b>	<b>0</b>	<b>76,683.99</b>	<b>529,250.28</b>	<b>0.00</b>	<b>143,438.72</b>	<b>78.68</b>
<b>FINES &amp; FORFEITURES</b>									
442.01	LATE PAYMENT PENALTIES	500	500	0	0.00	0.00	0.00	500.00	0.00
	<b>TOTAL FINES &amp; FORFEITURES</b>	<b>500</b>	<b>500</b>	<b>0</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>500.00</b>	<b>0.00</b>
<b>OTHER REVENUE</b>									
451.01	INTEREST INCOME	35,000	35,000	0	1,301.49	14,445.29	0.00	20,554.71	41.27
455.01	OTHER FINANCING SOURCE	0	0	0	0.00	0.00	0.00	0.00	0.00
459.10	2018 C. O. PROCEEDS	0	0	0	0.00	0.00	0.00	0.00	0.00
459.11	AUCTION/SALE PROCEEDS	0	0	0	0.00	4,125.00	0.00	4,125.00	0.00
459.12	TML REIMBURSEMENTS	0	0	0	0.00	1,409.01	0.00	1,409.01	0.00
459.71	WASHER-DRYER INCOME	600	600	0	66.00	384.75	0.00	215.25	64.13
459.90	MISCELLANEOUS	0	0	0	0.00	0.00	0.00	0.00	0.00
459.92	EQUITY BALANCE FORWARD	0	0	0	0.00	0.00	0.00	0.00	0.00
	<b>TOTAL OTHER REVENUE</b>	<b>35,600</b>	<b>35,600</b>	<b>0</b>	<b>1,367.49</b>	<b>20,364.05</b>	<b>0.00</b>	<b>15,235.95</b>	<b>57.20</b>
<b>GRANT AND CONTRIBUTION R</b>									
481.00	CAPITAL CONTRIBUTIONS	0	0	0	0.00	0.00	0.00	0.00	0.00
481.01	GENERAL LAND OFFICE RE	0	0	0	0.00	0.00	0.00	0.00	0.00
482.01	CAPITAL CONTRIBUTIONS	0	0	0	0.00	0.00	0.00	0.00	0.00
482.02	GRANT REVENUE	1,200,000	1,200,000	0	0.00	0.00	0.00	1,200,000.00	0.00
	<b>TOTAL GRANT AND CONTRIBUTION R</b>	<b>1,200,000</b>	<b>1,200,000</b>	<b>0</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>1,200,000.00</b>	<b>0.00</b>
<b>INTERGOVERNMENTAL REVENUE</b>									
493.00.1	XFER IN- FUND 001	0	0	0	0.00	0.00	0.00	0.00	0.00
493.88	XFER IN- 206 FARE FUND	12,215	12,215	0	0.00	0.00	0.00	12,215.00	0.00
	<b>TOTAL INTERGOVERNMENTAL REVENUE</b>	<b>12,215</b>	<b>12,215</b>	<b>0</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>12,215.00</b>	<b>0.00</b>
<b>TOTAL REVENUES</b>	<b>1,921,004</b>	<b>1,921,004</b>	<b>0</b>	<b>78,051.48</b>	<b>549,614.33</b>	<b>0.00</b>	<b>1,371,389.67</b>	<b>28.61</b>	

CITY OF PORT LAVACA  
 REVENUE AND EXPENDITURES REPORT (UNAUDITED)  
 AS OF: MAY 31ST, 2024

Item #3.

504-PORT & HARBORS FUND  
 TECHNOLOGY SERVICES  
 DEPARTMENTAL EXPENDITURES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
<b>SERVICES</b>								
50070536.504 CABLE & INTERNET- PORT	1,422	1,422	0	118.44	857.08	0.00	564.92	60.27
TOTAL SERVICES	1,422	1,422	0	118.44	857.08	0.00	564.92	60.27
<b>TOTAL TECHNOLOGY SERVICES</b>								
	1,422	1,422	0	118.44	857.08	0.00	564.92	60.27

CITY OF PORT LAVACA  
 REVENUE AND EXPENDITURES REPORT (UNAUDITED)  
 AS OF: MAY 31ST, 2024

Item #3.

504-PORT & HARBORS FUND  
 CITY HARBOR  
 DEPARTMENTAL EXPENDITURES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
<b>SERVICES</b>								
50800533.20 CONTRACTED SERV-CITY H	5,000	5,000	0	0.00	2,583.94	0.00	2,416.06	51.68
TOTAL SERVICES	5,000	5,000	0	0.00	2,583.94	0.00	2,416.06	51.68
<b>MAINTENANCE</b>								
50800542.21 R & M- INFRAS- CITY HA	1,000	1,000	0	0.00	0.00	0.00	1,000.00	0.00
50800543.22 R & M- BLDG.- CITY HAR	1,000	1,000	0	0.00	0.00	0.00	1,000.00	0.00
50800543.24 R & M- IMPROV OTB- CIT	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL MAINTENANCE	2,000	2,000	0	0.00	0.00	0.00	2,000.00	0.00
<b>TOTAL CITY HARBOR</b>	<b>7,000</b>	<b>7,000</b>	<b>0</b>	<b>0.00</b>	<b>2,583.94</b>	<b>0.00</b>	<b>4,416.06</b>	<b>36.91</b>

CITY OF PORT LAVACA  
 REVENUE AND EXPENDITURES REPORT (UNAUDITED)  
 AS OF: MAY 31ST, 2024

Item #3.

504-PORT & HARBORS FUND  
 HARBOR OF REFUGE  
 DEPARTMENTAL EXPENDITURES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
<b>SERVICES</b>								
50820533.20 CONTRACTED SERV- HOR	230,000	230,000	0	0.00	2,000.00	10,753.57	217,246.43	5.55
TOTAL SERVICES	230,000	230,000	0	0.00	2,000.00	10,753.57	217,246.43	5.55
<b>MAINTENANCE</b>								
50820542.21 R & M- INFRASTRUCTURE	100,000	100,000	0	4,985.00	17,235.00	8,750.00	74,015.00	25.99
TOTAL MAINTENANCE	100,000	100,000	0	4,985.00	17,235.00	8,750.00	74,015.00	25.99
<b>TOTAL HARBOR OF REFUGE</b>	<b>330,000</b>	<b>330,000</b>	<b>0</b>	<b>4,985.00</b>	<b>19,235.00</b>	<b>19,503.57</b>	<b>291,261.43</b>	<b>11.74</b>

CITY OF PORT LAVACA  
 REVENUE AND EXPENDITURES REPORT (UNAUDITED)  
 AS OF: MAY 31ST, 2024

Item #3.

504-PORT & HARBORS FUND  
 SMITH HARBOR  
 DEPARTMENTAL EXPENDITURES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
<u>SERVICES</u>								
50840533.20 CONTRACTED SERV- SMITH	10,000	10,000	0	0.00	0.00	0.00	10,000.00	0.00
TOTAL SERVICES	10,000	10,000	0	0.00	0.00	0.00	10,000.00	0.00
<u>MAINTENANCE</u>								
50840542.21 R & M- INFRAS- SMITH H	1,000	1,000	0	0.00	0.00	0.00	1,000.00	0.00
TOTAL MAINTENANCE	1,000	1,000	0	0.00	0.00	0.00	1,000.00	0.00
<b>TOTAL SMITH HARBOR</b>	<b>11,000</b>	<b>11,000</b>	<b>0</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>11,000.00</b>	<b>0.00</b>



CITY OF PORT LAVACA  
 REVENUE AND EXPENDITURES REPORT (UNAUDITED)  
 AS OF: MAY 31ST, 2024

Item #3.

504-PORT & HARBORS FUND  
 NAUTICAL LANDINGS MARINA  
 DEPARTMENTAL EXPENDITURES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
<b>SERVICES</b>								
50860533.20 CONTRACTED SERV- NL MA	25,000	25,000	0	221.50	221.50	0.00	24,778.50	0.89
TOTAL SERVICES	25,000	25,000	0	221.50	221.50	0.00	24,778.50	0.89
<b>MAINTENANCE</b>								
50860542.03 R & M- BUILDING- NL MA	2,000	2,000	0	0.00	0.00	0.00	2,000.00	0.00
50860542.21 R & M- INFRAS- NL MAR	3,000	3,000	0	0.00	0.00	0.00	3,000.00	0.00
50860542.25 R & M- BULD (NAUTICAL	0	0	0	0.00	0.00	0.00	0.00	0.00
50860543.26 R & M- INFRAS- NL MARI	0	0	0	0.00	0.00	0.00	0.00	0.00
50860543.27 R & M- IMPROV OTB- NL	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL MAINTENANCE	5,000	5,000	0	0.00	0.00	0.00	5,000.00	0.00
<b>TOTAL NAUTICAL LANDINGS MARINA</b>	<b>30,000</b>	<b>30,000</b>	<b>0</b>	<b>221.50</b>	<b>221.50</b>	<b>0.00</b>	<b>29,778.50</b>	<b>0.74</b>

CITY OF PORT LAVACA  
 REVENUE AND EXPENDITURES REPORT (UNAUDITED)  
 AS OF: MAY 31ST, 2024

Item #3.

504-PORT & HARBORS FUND  
 OPERATIONS  
 DEPARTMENTAL EXPENDITURES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUEGET BALANCE	% OF BUDGET
<b>PERSONNEL SERVICES</b>								
51000511.01 SALARIES & WAGES	79,875	79,875	0	5,301.89	51,066.07	0.00	28,808.93	63.93
51000511.06 SALARIES & WAGES-TEMP	0	0	0	0.00	0.00	0.00	0.00	0.00
51000511.07 SALARIES & WAGES-OVERT	0	0	0	0.00	0.00	0.00	0.00	0.00
51000512.05 EMPLOYER-SOCIAL SECURI	4,514	4,514	0	384.99	3,791.82	0.00	722.18	84.00
51000512.10 EMPLOYER-T.M.R.S.	4,460	4,460	0	346.22	3,251.05	0.00	1,208.95	72.89
51000512.20 GROUP H/D INS PREMIUMS	10,946	10,946	0	1,027.39	8,211.56	0.00	2,734.44	75.02
51000512.30 WORKER'S COMPENSATION	1,800	1,800	0	0.00	1,509.40	0.00	290.60	83.86
51000512.31 UNEMPLOYMENT INSURANCE	0	0	0	0.00	0.00	0.00	0.00	0.00
51000512.40 SAFETY PAY	500	500	0	0.00	0.00	0.00	500.00	0.00
<b>TOTAL PERSONNEL SERVICES</b>	<b>102,095</b>	<b>102,095</b>	<b>0</b>	<b>7,060.49</b>	<b>67,829.90</b>	<b>0.00</b>	<b>34,265.10</b>	<b>66.44</b>
<b>MATERIALS &amp; SUPPLIES</b>								
51000521.01 OFFICE	1,000	1,000	0	102.20	702.85	0.00	297.15	70.29
51000523.03 CLEANING & JANITORIAL	11,000	11,000	0	832.67	6,815.33	0.00	4,184.67	61.96
51000524.19 COVID-19 EXPENDITURES	0	0	0	0.00	0.00	0.00	0.00	0.00
51000525.01 FUEL	1,000	1,000	0	76.83	229.04	0.00	770.96	22.90
51000526.01 GENERAL SAFETY & TOOLS	300	300	0	0.00	54.94	0.00	245.06	18.31
51000528.03 NON-CAPITALIZED ASSETS	0	0	0	0.00	0.00	0.00	0.00	0.00
51000529.11 LIGHTING & DECORATION	2,000	2,000	0	56.87	1,406.87	0.00	593.13	70.34
<b>TOTAL MATERIALS &amp; SUPPLIES</b>	<b>15,300</b>	<b>15,300</b>	<b>0</b>	<b>1,068.57</b>	<b>9,209.03</b>	<b>0.00</b>	<b>6,090.97</b>	<b>60.19</b>
<b>SERVICES</b>								
51000531.01 TRAVEL & TRAINING	500	500	0	0.00	68.94	0.00	431.06	13.79
51000531.04 DUES, SUBSCR., & PUBLI	5,500	5,500	0	0.00	5,199.95	0.00	300.05	94.54
51000532.01 AUDIT FEES	6,000	6,000	0	3,000.00	3,000.00	0.00	3,000.00	50.00
51000532.06 HEALTH & FITNESS	0	0	0	0.00	0.00	0.00	0.00	0.00
51000532.07 LEGAL- REGULAR	5,000	5,000	0	448.00	807.50	0.00	4,192.50	16.15
51000533.14 CONTRACTED SERVICES	24,000	24,000	0	3,298.19	20,836.84	0.00	3,163.16	86.82
51000535.01 GENERAL LIABILITY INSU	3,287	3,287	0	0.00	4,528.57	0.00	1,241.57	137.77
51000535.10 WINDSTORM INS	20,000	20,000	0	0.00	0.00	0.00	20,000.00	0.00
51000535.11 FLOOD INS	1,800	1,800	0	0.00	0.00	0.00	1,800.00	0.00
51000536.01 ELECTRICITY	31,627	31,627	0	2,004.11	14,708.16	0.00	16,918.84	46.51
51000536.02 TELEPHONE	2,100	2,100	0	340.49	1,430.49	0.00	669.51	68.12
51000536.03 WATER	6,200	6,200	0	696.57	6,084.59	0.00	115.31	98.14
51000536.07 CABLE & INTERNET	0	0	0	0.00	0.00	0.00	0.00	0.00
<b>TOTAL SERVICES</b>	<b>106,014</b>	<b>106,014</b>	<b>0</b>	<b>9,787.36</b>	<b>56,665.14</b>	<b>0.00</b>	<b>49,348.86</b>	<b>53.45</b>
<b>MAINTENANCE</b>								
51000541.02 LANDSCAPING	5,000	5,000	0	0.00	1,140.00	0.00	3,860.00	22.80
51000542.03 R & M- BUILDING	0	0	0	0.00	0.00	0.00	0.00	0.00
51000542.21 R & M- INFRAST. (HARBO	0	0	0	0.00	0.00	0.00	0.00	0.00
51000542.25 R & M- BUILD (NAUTICAL	80,000	80,000	0	4,860.00	13,848.00	0.00	66,152.00	17.31
51000543.04 R & M IMPROVEMENT OTB	2,500	2,500	0	0.00	0.00	0.00	2,500.00	0.00
51000543.06 R & M- IMPROVEMENTS (	0	0	0	0.00	0.00	0.00	0.00	0.00
51000543.22 R & M- BUILD (CITY HAR	0	0	0	0.00	275.00	0.00	275.00	0.00
51000544.50 R & M- FURNITURE & EQU	4,000	4,000	0	28.93	2,090.68	0.00	1,909.32	52.27
51000544.55 R & M- VEHICLES & TRAI	500	500	0	39.02	1,531.35	0.00	1,031.35	306.27

CITY OF PORT LAVACA  
 REVENUE AND EXPENDITURES REPORT (UNAUDITED)  
 AS OF: MAY 31ST, 2024

Item #3.

504-PORT & HARBORS FUND  
 OPERATIONS  
 DEPARTMENTAL EXPENDITURES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
51000544.65 R & M- MACHINERY & EQU	200	200	0	0.00	0.00	0.00	200.00	0.00
51000544.75 DREDGING	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL MAINTENANCE	92,200	92,200	0	4,927.95	18,885.03	0.00	73,314.97	20.48
<b>SUNDRY</b>								
51000551.11 VEHICLE LEASES	12,215	12,215	0	934.72	5,759.31	0.00	6,455.69	47.15
51000552.02 PRI & INT EXPENSE	0	0	0	0.00	0.00	0.00	0.00	0.00
51000552.03 BOND ISSUANCE COST- AM	0	0	0	0.00	0.00	0.00	0.00	0.00
51000552.15 DEBT SERVICE- PRINCIP	0	0	0	0.00	0.00	0.00	0.00	0.00
51000552.25 DEBT SERVICE- INTEREST	0	0	0	0.00	0.00	0.00	0.00	0.00
51000553.01 XFER OUT- FD 001- ADMI	51,181	51,181	0	4,265.08	34,120.64	0.00	17,060.36	66.67
51000553.02 XFER OUT- FD 310- '08	125,785	125,785	0	0.00	62,892.50	0.00	62,892.50	50.00
51000553.05 XFER OUT- FD 322 - 201	132,276	132,276	0	0.00	66,138.00	0.00	66,138.00	50.00
51000553.60 XFER OUT- FD 165 HAZAR	0	0	0	0.00	0.00	0.00	0.00	0.00
51000553.65 XFER OUT- FD 210 EDA G	0	0	0	0.00	0.00	0.00	0.00	0.00
51000553.80 XFER OUT- FD 220	0	0	0	0.00	0.00	0.00	0.00	0.00
51000554.81 DEPRECIATION EXPENSE	0	0	0	0.00	0.00	0.00	0.00	0.00
51000554.84 BAD DEBT EXPENSE	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL SUNDRY	321,457	321,457	0	5,199.80	168,910.45	0.00	152,546.55	52.55
<b>CAPITAL EXPENDITURES</b>								
51000561.02 CE- LAND & IMPROVEMENT	0	0	0	0.00	0.00	0.00	0.00	0.00
51000562.03 CE- BUILDING & IMPROV	0	0	0	0.00	2,485.00	0.00	2,485.00	0.00
51000563.05 CE- INFRASTRUCTURE	1,167,000	1,167,000	0	0.00	0.00	0.00	1,167,000.00	0.00
TOTAL CAPITAL EXPENDITURES	1,167,000	1,167,000	0	0.00	2,485.00	0.00	1,164,515.00	0.21
<b>TOTAL OPERATIONS</b>	<b>1,804,066</b>	<b>1,804,066</b>	<b>0</b>	<b>28,044.17</b>	<b>323,984.55</b>	<b>0.00</b>	<b>1,480,081.45</b>	<b>17.96</b>
<b>TOTAL EXPENDITURES</b>	<b>2,183,488</b>	<b>2,183,488</b>	<b>0</b>	<b>33,369.11</b>	<b>346,882.07</b>	<b>19,503.57</b>	<b>1,817,102.36</b>	<b>0.00</b>
REVENUES OVER/(UNDER) EXPENDITURES	( 262,484)	( 262,484)	0	44,682.37	202,732.26	( 19,503.57)	( 445,712.69)	69.81-

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

504-PORT & HARBORS FUND

ACCOUNT# TITLE

ASSETS

111.21	CLAIM ON CONS CASH	439,567.21
112.11.6001	INVESTMENTS-LOGIC	283,990.62
113.22	ALLOWANCE FOR UNCOLLECT(	14,575.43)
113.24	UNAPPLIED CREDITS (	4,375.02)
113.27	PTC ACCTS RECEIVABLE (UB	59,744.50
113.27.1004	ACCTS REC-HARBOR OF REFU	1,087,224.00
113.29.1000	ACCOUNTS RECEIVABLE-MISC	442.58
116.01.0001	PREPAID INSURANCE	13,810.30
151.01.1000	LAND	1,919,338.57
152.01.1000	BUILDINGS	1,459,961.39
152.02.2000	ACCUM DEPRECIATION-BUIL(	888,052.27)
153.01.1000	IMPROVEMENTS OTHER THAN	2,050,980.24
153.02.2000	ACCUM DEPR-IMPR OTHER T(	1,788,212.78)
154.01.1000	MACHINERY & EQUIPMENT	43,140.00
154.02.2000	ACCUM DEPR-MACHINERY & (	31,423.84)
155.01.1000	CONSTRUCTION IN PROGRESS	75,751.67
156.01.1000	INFRASTRUCTURE	7,996,420.23
156.02.2000	ACCUM DEPREC.- INFRASTR(	3,000,495.80)

439,567.21 +  
 283,990.62 +  
 723,557.83 \* +

9,703,236.17

TOTAL ASSETS

9,703,236.17

LIABILITIES

207.21	CUSTOMER DEPOSIT (	50.00)
211.10	AP PENDING (DUE TO CONS	1,907.05
211.99	YMCA (	4.35)
212.30	ACCRUED VACATION	5,227.20
213.01	BOND PREMIUM (SERIES '18	75,866.89
215.90.1004	DEFERRED REV-HARBOR OF R	1,087,224.00
216.20.3006	BONDS PAYABLE-CURRENT	190,000.00
217.11	NL MARINA DEPOSITS	2,091.50
221.20	BONDS PAYABLE NON-CURREN	1,555,000.00

2,917,262.29

TOTAL LIABILITIES

2,917,262.29

FUND EQUITY/BALANCE

## BALANCE SHEET - UNAUDITED

AS OF: MAY 31ST, 2024

Item #3.

## 504-PORT &amp; HARBORS FUND

ACCOUNT#	TITLE		
320.07	ENCUMBRANCES	( 214,553.87)	
320.08	RESERVE FOR ENCUMBRANCES	214,553.87	
320.09	PRIOR YEAR ENCUMBRANCE	188,424.23	
320.10	PRIOR YEAR RESERV/ENC	( 188,424.23)	
320.60	FUND BALANCE COMMITTED	90,552.00	
320.65	NET INVEST. IN CAPITAL A	3,393,536.00	
320.98	FUND BALANCE UNRESV	3,099,153.62	
	TOTAL FUND EQUITY/BALANCE		<u>6,583,241.62</u>
	TOTAL REVENUES	549,614.33	
	TOTAL EXPENSES	346,882.07	
	EXCESS REVENUES OVER EXPENDITURES		<u>202,732.26</u>
	TOTAL LIABILITIES & FUND EQUITY/BALANCE		<u><u>9,703,236.17</u></u>

Item #3.

210-PORT COMMISSION PROJECTS

ACCOUNT# TITLE

ASSETS

111.21	CLAIM ON CONS CASH	( 42,700.00)
113.29.1000	ACCOUNTS RECEIVABLE- MIS	2,500.00
155.01.1000	CONSTRUCTION IN PROGRESS	40,200.00

0.00

TOTAL ASSETS

0.00

LIABILITIES

0.00

TOTAL LIABILITIES

0.00

FUND EQUITY/BALANCE

320.07	ENCUMBRANCES	( 1,154,330.36)
320.08	RESERVE FOR ENCUMBRANCES	1,154,330.36

TOTAL FUND EQUITY/BALANCE

0.00

TOTAL REVENUES 0.00

TOTAL EXPENSES 0.00

EXCESS REVENUES OVER EXPENDITURES

0.00

TOTAL LIABILITIES & FUND EQUITY/BALANCE

0.00

Item #3.

310-08 PC DEBT SERVICE

ACCOUNT# TITLE

ASSETS

111.21	CLAIM ON CONS CASH	36,411.06	
		<u>36,411.06</u>	36,411.06
TOTAL ASSETS			<u>36,411.06</u>

LIABILITIES

212.60	ACCRUED BOND INTEREST	3,824.00	
		<u>3,824.00</u>	3,824.00
TOTAL LIABILITIES			<u>3,824.00</u>

FUND EQUITY/BALANCE

320.01	FUND BAL-RSRV'D/DEBT SER	24,244.46	
320.10	PRIOR YEAR RESERV/ENC (	1,320.75)	
320.98	FUND BALANCE UNRESV	62,059.22	
TOTAL FUND EQUITY/BALANCE			<u>84,982.93</u>
TOTAL REVENUES		63,902.88	
TOTAL EXPENSES		<u>116,298.75</u>	
EXCESS REVENUES OVER EXPENDITURES		( 52,395.87)	
TOTAL LIABILITIES & FUND EQUITY/BALANCE			<u>36,411.06</u>

BALANCE SHEET - UNAUDITED

AS OF: MAY 31ST, 2024

Item #3.

322-SERIES 2018 DEBT SERVICE

ACCOUNT# TITLE

<u>ASSETS</u>			
111.21	CLAIM ON CONS CASH	( 43,227.18)	
			( 43,227.18)
	TOTAL ASSETS		( 43,227.18)
<u>LIABILITIES</u>			
212.60	ACCRUED INTEREST PAYABLE	7,068.00	
			7,068.00
	TOTAL LIABILITIES		7,068.00
<u>FUND EQUITY/BALANCE</u>			
320.98	FUND BALANCE	( 6,800.54)	
	TOTAL FUND EQUITY/BALANCE		( 6,800.54)
	TOTAL REVENUES	66,267.86	
	TOTAL EXPENSES	109,762.50	
	EXCESS REVENUES OVER EXPENDITURES		( 43,494.64)
	TOTAL LIABILITIES & FUND EQUITY/BALANCE		( 43,227.18)



# Port Commission Snapshot

	March	April	May	FYTD	
<b>City Harbor</b>					
Revenue	\$ 8,240.03	\$ 8,240.03	\$ 8,240.03	\$ 56,136.04	
Expenses	\$ 2,403.18	\$ 1,670.09	\$ 2,026.31	\$ 18,614.26	
<b>Gain / (Loss)</b>	<u>\$ 5,836.85</u>	<u>\$ 6,569.94</u>	<u>\$ 6,213.72</u>	<u>\$ 37,521.78</u>	
<b>Harbor of Refuge</b>					
Revenue	\$ 44,269.98	\$ 35,875.19	\$ 52,749.95	\$ 350,826.47	
Expenses	\$ 11,923.97	\$ 8,476.55	\$ 15,136.01	\$ 97,412.61	
<b>Gain / (Loss)</b>	<u>\$ 32,346.01</u>	<u>\$ 27,398.64</u>	<u>\$ 37,613.94</u>	<u>\$ 253,413.86</u>	
<b>Nautical Landings</b>					
Revenue	\$ 18,434.83	\$ 14,610.91	\$ 14,385.01	\$ 115,406.53	
Expenses	\$ 13,070.85	\$ 13,928.38	\$ 15,739.75	\$ 95,708.39	
<b>Gain / (Loss)</b>	<u>\$ 5,363.98</u>	<u>\$ 682.53</u>	<u>\$ (1,354.74)</u>	<u>\$ 19,698.14</u>	
<b>Smith Harbor</b>					
Revenue	\$ 1,675.00	\$ 1,375.00	\$ 1,375.00	\$ 12,800.00	
Expenses	\$ 553.89	\$ 384.93	\$ 467.03	\$ 3,631.32	
<b>Gain / (Loss)</b>	<u>\$ 1,121.11</u>	<u>\$ 990.07</u>	<u>\$ 907.97</u>	<u>\$ 9,168.68</u>	
<b>Interest Income</b>	<u>\$ 1,796.28</u>	<u>\$ 1,871.05</u>	<u>\$ 1,301.49</u>	<u>\$ 14,445.29</u>	
<b>Total Gain / (Loss)</b>	<u>\$ 46,464.23</u>	<u>\$ 37,512.23</u>	<u>\$ 44,682.37</u>	<u>\$ 334,247.76</u>	\$ 549,614.33

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

# Cash Profit and Loss Statement

	March	April	May	FYTD
<b>City Harbor</b>				
Dock Lease	\$ 8,240.03	\$ 8,240.03	\$ 8,240.03	\$ 56,136.04
Oyster Tarrifs	\$ -	\$ -	\$ -	\$ -
Late Payment Penalties	\$ -	\$ -	\$ -	\$ -
<b>Total City Harbor</b>	<b>\$ 8,240.03</b>	<b>\$ 8,240.03</b>	<b>\$ 8,240.03</b>	<b>\$ 56,136.04</b>
<b>Harbor of Refuge</b>				
<b>Tarrifs</b>				
Oil	\$ 7,182.71	\$ -	\$ 9,936.03	\$ 54,118.07
Fertilizer	\$ -	\$ 5,728.32	\$ 13,167.05	\$ 47,016.26
Oyster	\$ -	\$ -		\$ -
<b>Rentals</b>				
Daily Dock Rental	\$ 15,500.00	\$ 8,500.00	\$ 8,000.00	\$ 74,000.00
Dock Rentals	\$ -	\$ -	\$ -	\$ -
Dock Leases	\$ 21,587.27	\$ 21,646.87	\$ 21,646.87	\$ 175,692.14
Late Payment Penalties	\$ -	\$ -	\$ -	\$ -
<b>Total Harbor of Refuge</b>	<b>\$ 44,269.98</b>	<b>\$ 35,875.19</b>	<b>\$ 52,749.95</b>	<b>\$ 350,826.47</b>
<b>Nautical Landings</b>				
Dock Rent	\$ -	\$ -	\$ -	\$ -
Dock Lease	\$ 7,158.02	\$ 7,459.10	\$ 7,114.70	\$ 52,563.96
Building Lease	\$ 7,151.81	\$ 7,151.81	\$ 7,204.31	\$ 56,923.81
Building Rentals	\$ -	\$ -		\$ -
Washer-Dryer	\$ -		\$ 66.00	\$ 384.75
Miscellaneous	\$ -	\$ -	\$ -	\$ 1,409.01
Late Payment Penalties	\$ -			\$ -
Auction Proceeds	\$ 4,125.00	\$ -	\$ -	\$ 4,125.00
<b>Total Nautical Landings</b>	<b>\$ 18,434.83</b>	<b>\$ 14,610.91</b>	<b>\$ 14,385.01</b>	<b>\$ 115,406.53</b>
<b>Smith Harbor</b>				
Rent	\$ 1,675.00	\$ 1,375.00	\$ 1,375.00	\$ 12,800.00
Late Payment Penalties	\$ -	\$ -	\$ -	\$ -
<b>Total Smith Harbor</b>	<b>\$ 1,675.00</b>	<b>\$ 1,375.00</b>	<b>\$ 1,375.00</b>	<b>\$ 12,800.00</b>
<b>Interest Income</b>	<b>\$ 1,796.28</b>	<b>\$ 1,871.05</b>	<b>\$ 1,301.49</b>	<b>\$ 14,445.29</b>
<b>Total Income</b>	<b>\$ 74,416.12</b>	<b>\$ 61,972.18</b>	<b>\$ 78,051.48</b>	<b>\$ 549,614.33</b>

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

# Cash Profit and Loss Statement

Item #3.

	March	April	May	FYTD	
<b>City Harbor</b>					
Overhead Allocation	\$ 2,403.18	\$ 1,670.09	\$ 2,026.31	\$ 15,755.32	
R&M Infrastructure	\$ -		\$ -	\$ -	
R&M Building	\$ -	\$ -	\$ -	\$ 275.00	
Contracted Services	\$ -	\$ -	\$ -	\$ 2,583.94	
<b>Total City Harbor</b>	<b>\$ 2,403.18</b>	<b>\$ 1,670.09</b>	<b>\$ 2,026.31</b>	<b>\$ 18,614.26</b>	
<b>Harbor of Refuge</b>					
Overhead Allocation	\$ 11,296.51	\$ 7,850.51	\$ 9,524.97	\$ 74,060.08	
Electricity	\$ 627.46	\$ 626.04	\$ 626.04	\$ 4,117.53	
R&M Infrastructure	\$ -	\$ -	\$ 4,985.00	\$ 17,235.00	
Contracted Services			\$ -	\$ 2,000.00	
<b>Total Harbor of Refuge</b>	<b>\$ 11,923.97</b>	<b>\$ 8,476.55</b>	<b>\$ 15,136.01</b>	<b>\$ 97,412.61</b>	
<b>Nautical Landings</b>					
Overhead Allocation	\$ 4,634.87	\$ 3,221.00	\$ 3,908.02	\$ 30,386.28	
Cable & Internet	\$ 118.44	\$ 118.44	\$ 118.44	\$ 857.08	
R&M Building			\$ 4,860.00	\$ 13,848.00	
R&M Infrastructure				\$ -	
R&M Furniture & Equip	\$ -	\$ 1,977.70	\$ 28.93	\$ 2,090.68	
Cleaning & Janitorial	\$ 388.54	\$ 914.58	\$ 832.67	\$ 6,815.33	
Lighting & Decoration	\$ -	\$ -	\$ 56.87	\$ 1,827.19	
Contracted Services	\$ 6,263.19	\$ 5,757.75	\$ 3,519.69	\$ 20,638.02	
Windstorm Insurance				\$ -	
Flood Insurance				\$ -	
Electricity	\$ 330.67	\$ 1,348.52	\$ 1,378.07	\$ 10,590.63	
Telephone	\$ 195.14		\$ 340.49	\$ 1,430.49	
Water		\$ 590.39	\$ 696.57	\$ 6,084.69	
Landscaping	\$ 1,140.00	\$ -	\$ -	\$ 1,140.00	
R&M Improvement OTB	\$ -	\$ -	\$ -	\$ -	
<b>Total Nautical Landings</b>	<b>\$ 13,070.85</b>	<b>\$ 13,928.38</b>	<b>\$ 15,739.75</b>	<b>\$ 95,708.39</b>	
<b>Smith Harbor</b>					
Overhead Allocation	\$ 553.89	\$ 384.93	\$ 467.03	\$ 3,631.32	
Contracted Services		\$ -	\$ -	\$ -	
<b>Total Smith Harbor</b>	<b>\$ 553.89</b>	<b>\$ 384.93</b>	<b>\$ 467.03</b>	<b>\$ 3,631.32</b>	
<b>Total Expenses</b>	<b>\$ 27,951.89</b>	<b>\$ 24,459.95</b>	<b>\$ 33,369.11</b>	<b>\$ 215,366.57</b>	
<b>Operating Cash Flow</b>	<b>\$ 46,464.23</b>	<b>\$ 37,512.23</b>	<b>\$ 44,682.37</b>	<b>\$ 334,247.76</b>	
CE- Land & Improvements	\$ -	\$ -	\$ -	\$ -	
CE - Buildings			\$ -	\$ 2,485.00	
CE - Infrastructure		\$ -	\$ -	\$ -	
Dredging		\$ -	\$ -	\$ -	
Transfer Out Fund 310		\$ -	\$ -	\$ 62,892.50	
Transfer Out Fund 322		\$ -	\$ -	\$ 66,138.00	
<b>Net Cash Flow</b>	<b>\$ 46,464.23</b>	<b>\$ 37,512.23</b>	<b>\$ 44,682.37</b>	<b>\$ 202,732.26</b>	\$ 346,882.07

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

# PORT COMMISSION MONTHLY OVERHEAD

Personnel Services	\$	7,060.49
Office	\$	102.20
Travel & Training		
Fuel	\$	76.83
General safety and tools		
Non -Capitalized Assets		
Dues & Subscriptions		
Audit Fees	\$	3,000.00
Health & Fitness		
Legal - Regular	\$	448.00
General Liability Ins.		
R & M Vehicles	\$	39.02
Vehicle Leases	\$	934.72
Administrative costs	\$	4,265.08
<b>Total</b>	<b>\$</b>	<b><u>15,926.34</u></b>

	% allocation	Allocation amount
City Harbor	12.72%	\$ 2,026.31
Harbor of Refuge	59.81%	\$ 9,524.97
Nautical Landings	24.54%	\$ 3,908.02
Smith Harbor	2.93%	\$ 467.03
	<b>100.00%</b>	<b>\$ 15,926.34</b>

# Cash, Encumbrances, Budgeted CIP, & Bond Payments

Item #3.

Ending Cash Assets	As of 03/31/2024	As of 04/30/2024	As of 05/31/2024
Ending Cash	\$ 347,010.59	\$ 388,758.21	\$ 439,567.21
Inventments Logic	\$ 281,427.47	\$ 282,689.13	\$ 283,990.62
Fund 210 Port Projects	\$ (42,700.00)	\$ (42,700.00)	\$ (42,700.00) *1
Debt Service Funds (310 & 322)	\$ (6,872.57)	\$ (6,816.12)	\$ (6,816.12)
<b>Total Ending Cash Assets</b>	<b>\$ 578,865.49</b>	<b>\$ 621,931.22</b>	<b>\$ 674,041.71</b>

Current Encumbrances				Ordered	Received	Outstanding
<u>PO#</u>	<u>Task Order</u>	<u>Contractor</u>	<u>Project Description</u>			
24-00048	#22	Victoria Engineering	Harbor of Refuge Restoration	\$ 25,000.00	\$ 14,246.43	\$ 10,753.57
24-00057	#32	Victoria Engineering	Culvert Replacement	\$ 35,000.00	\$ 26,250.00	\$ 8,750.00
24-00046		Victoria Engineering	Breakwater Engineering	\$ 40,000.00	\$ 10,000.00	\$ 30,000.00
					<b>Total</b>	<b>\$ 49,503.57</b>

Budgeted Capital Improvement Projects		Total
1 Texas Parks & Wildlife Match		\$ 167,000.00
		<b>Total</b>
		<b>\$ 167,000.00</b>

Remaining Bond Payments		Total
1 FY 23/24 Remaining Bond Payments		\$ 31,899.00
		<b>Total</b>
		<b>\$ 31,899.00</b>

\*1 This amount represents the negative fund balance in Fund 210 to be reimbursed by Fund 504. This amount includes Engineering for Breakwater for \$40,000, and CDBG- MIT application of \$30,400 that has been fully paid. We received reimbursement of \$120,000 for the EDA Grant on 04/25/2023 which reduced the negative fund balance in Fund 210.

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

# **COMMUNICATION**

SUBJECT: CITY MANAGER'S REPORT.

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## **INFORMATION:**

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**CITY OF PORT LAVACA**


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**MEETING:** JUNE 18, 2024 **AGENDA ITEM** \_\_\_\_\_

**DATE:** 6.16.2024

**TO:** PORT COMMISSION BOARD MEMBERS CC: JIM RUDELLAT, HARBOR MASTER

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

**SUBJECT:** **CITY MANAGER’S MONTHLY REPORT**

---

- City Harbor Flood Light billing:

There still has been no change in the billing for the Flood lights at the Harbor of Refuge since we switched them to LED in December. I’ve asked Vee Strauss to see if she can track this down and will again work with GEXA on our end to get this resolved. Once we get the billing corrected, I will work with GEXA to get a credit for the months since the new lights were installed mid December.

- Financial posting of Property Tax Revenue:

As you recall, Council adopted a budgetary policy for the 2024-25 Fiscal year which states “ It will be the general policy of the City that fees collected will be spent on maintenance and capital improvements of the Ports and Harbors Fund facilities, grounds, and other structures. Annually, an amount equal to the sum of all property taxes collected from Port Commission leased properties shall be transferred from the General Fund to the Ports and Harbors Fund for which sum will be spent on maintenance and capital improvements of the Port facilities, grounds, and other structures. No other general fund tax dollars will be used for this purpose, except as a loan from the General Fund to the Ports and Harbors Fund, approved by Council”.

Brittney and I have discussed this and our plan is to include revenue in the Ports & Harbors 2024-25 Budget from the general fund equal to the amount of 2023 tax dollars collected from Port Commission lease properties. At the end of each year, as we look at the budget for the next fiscal year, we will compare the actual tax dollars collected versus what was budgeted and consider any needed adjustment as we then budget the next fiscal year’s revenue based upon the prior year’s collections on these leased properties.

- TPWL Grant – Renovations to the Nautical Landings Marina Breakwater:

All the environmental documentation has been submitted to NOAA US Fisheries for final approval. I was told on May 15, that this could take 6 months. I then contacted the offices of both Congressman Cloud and Senator Cornyn for any help they could provide. Last week, I did get a response from Senator Cornyn’s office with a copy of the response they received from NOAA US Fisheries basically saying that for anything different than “normal” to happen, an expedited request would need to be submitted and included the lengthy list of requirements for that. The request is not coming from us, and technically I don’t think it’s coming from TPWL either. I believe it’s from the Texas Fish & Wildlife Service. Anyway, we’d have to convince the submitter to resubmit this as an expedited review, which will take time to prepare time and then it will take more time for the request for an expedited review to be reviewed, which may or may not be approved and all this may actually delay things longer than if we just wait. So, we’re just going to wait and keep touching bases with them to hopefully move it along in less than 6 months. (Maybe Congressman Cloud’s office will have better luck).

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**CITY OF PORT LAVACA**

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- CDBG-MIT Coastal Resilience Living Shoreline Project

The application for an Army of Corps of Engineer's permit has been submitted and the COE has published it for public comments. The deadline is July 8. On Friday, I emailed the Port Commission and Council a link to the publication. A comment letter to the COE in support of the project certainly wouldn't hurt.

- ReStore (clean up of old barge(s) in Smith Harbor)

The Workplan has been prepared and submitted by our consultant Kim Griffith. We are awaiting approval by TCEQ before moving forward with bid package preparation or meeting any other environmental requirements that may arise.

- CDBG-MIT Round 2 Application for use of funds (Voluntary Restoration II and Culvert replacement at the Harbor of Refuge):

I had a meeting with KSBR (our grant administrator) and GLO yesterday to receive clarification on several RFI's that GLO has requested. It sounds like these RFI's are being asked of all applicants to help satisfy any future queries to GLO from HUD. The good news is at least someone has started to look at the application.

- Replacement of culverts under rail at Corporation Ditch (Harbor of Refuge)

As you recall, we have made application to utilize part of our allocation of CDBG-MIT funds to construct this project. See the comments above regarding the status of the grant application. Because the structural condition of the culverts has continued to deteriorate to the point that if we were to have a significant rain event this summer, the culverts may have caused upstream flooding, we contracted with Diamond K to remove a portion of the rail and then the Public Works Department rented equipment to remove the culverts to eliminate any potential obstruction.

- GLO CEPR GRANT: GLO is working with Mott McDonald for our two projects: 1) engineering phase for the shoreline protection projects at the Harbor of Refuge (Ports & Harbors) and 2) engineering study phase for shoreline protection and upgrades to protective groins at the Lighthouse Beach. (Lighthouse Beach Fund). The GLO is performing all the management of these two projects. There is an initial project meeting and site visit scheduled for June 26 with Mott McDonald and the GLO for the shoreline protection project at the Harbor of Refuge. We have paid our \$275,200 match, \$200,000 of which will be reimbursed by the Matagorda Bay Mitigation Trust Fund. We will submit for reimbursement as soon as the check clears the bank.

- Navarez Restaurant: I am often asked for updates on this commercial construction project upland of Smith Harbor. I can report that construction is ongoing. They have removed their construction fence that was encroaching into the access easement on the lower level. There are some noted construction deficiencies that must be corrected before the construction is approved, including the approved plans were not followed such that the stairs to the restaurant level do not have a proper landing and the door swing is in the wrong direction.



# CITY OF PORT LAVACA

• **MBMT Grant Downtown Waterfront Public Access Improvement:**

Below is a draft copy of the site plan for the COE permit application. At this time, we are only asking for authorization to construct the bulkheading shown on the south side of the peninsula and the shown fishing deck and finger piers. We still have time to discuss and fully consider options for other amenities planned for this area. After more discussion with fisherman, I more and more think that creating a parking area with a turn around cul-dec sac provides the best use and function of this area and does not take away from the fishing and other recreational opportunities available for the east end of the peninsula.



# COMMUNICATION

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

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## INFORMATION:

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

## AGENDA 6

### A) City Harbor

- 1) 12 June 2024 placed add in the paper bid to lease track 9 & 9A..

### B) Nautical Landings Building

- 1) Working on building improvements lighting, two cupolas and storefront on the south end of the building.

### C) Nautical Landings Marina

- 1) Horizon Environmental has been onsite 13 times since the last PC meeting.
- 2) Working on dock improvements valves, lighting, cleats & lighting power washing deck boards.

### D) Smith Harbor

- 1) Harbor and parking lot improvements (Jody Weaver)

### E) Harbor of Refuge

- 1) Dredge pipe has been sold to Encore Dredging, has been pulled out water.
- 2) 22 May 2024 will put ad in Port Lavaca Wave (Public Auction Lash Barges)  
We had two bids – (1) Glick Equipment LP. \$25,000  
(2) Encore Dredging \$15,000.
- 3) Aerial spraying Precision Flying they have their chemical Rep. develop a recipe.
- 4) 16 May 2024 Diamond K disassemble moved the track above the drainpipes. Pipes have been Removed by Public Works.

### F) To Do List - Raymond Butler

# **COMMUNICATION**

**SUBJECT:** RECEIVE AND DISCUSS STATUS REPORT FROM THE TARIFF DEVELOPMENT COMMITTEE.

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## **INFORMATION:**

# CITY OF PORT LAVACA



TARIFF CIRCULAR NO. 1

RATES, CHARGES, RULE & REGULATIONS  
GOVERNING ACTIVITY AND USE OF THE

PORTS & HARBORS FACILITIES  
UNDER THE JURISDICTION OF THE CITY OF PORT LAVACA

Approved by  
City of Port Lavaca City Council  
with advisement of the City of Port Lavaca Port Commission  
202 N. Virginia St.  
Port Lavaca, Texas 77979  
Date: \_\_\_\_\_

## TABLE OF CONTENTS

APPLICATION	ITEM	PAGE
SECTION 1 – General Information, Rules & Regulations		
Description & Jurisdiction of Port Commission	1	
Definitions	5	
Application of Tarriff	10	
Limitation of Liability	15	
City of Port Lavaca Held Harmless	20	
Damage to City of Port Lavaca property	25	
Holidays	30	
Signs	35	
Demurrage or Detention	40	
Ports & Harbors Modifications	45	
Insurance	50	
Access to Records	55	
Payment of Invoices and Charges	60	
Fire Protection	65	
Implied Contract	80	
SECTION 2 – Regulations Governing Use of Waterway		
Berth and Fleet Assignments	200	
Harbor & Safety Requirements	205	
Fleeting/Mooring	215	
Dockage	220	
Bunker Fee, Tank Truck to Vessel	230	
Manifests required of Vessels	235	
SECTION 3 – Regulations Governing Facilities and Cargo		
Stevedore & Freight Handling	300	
Handling Hazardous Cargo	310	
Rail Operations and Transloading	330	
Transshipment of Cargo	340	
SECTION 4 – Wharfage Charges		
Wharfage Charges by Commodity	400	
SECTION 5 – Fees		
General Fees	500	
Harbor of Refuge	510	
Nautical Landings Marina	520	
Smith Harbor and City Harbor	530	

## SECTION 1 – GENERAL INFORMATION, RULES & REGULATIONS

### DESCRIPTION & JURISDICTION OF PORT COMMISSION

### ITEM 1

Mariners are to consult appropriate authorities and information sources when determining constraints upon navigation in and around the Harbor of Refuge, Smith Harbor, Nautical Landings Marina, and City Harbor and not rely upon information contained herein for the purpose of safe navigation.

All properties now or subsequently owned by the City which are designated port, wharf and dock property or waters shall hereafter be placed under the supervision and control of the City Council. In order to provide a forum for public regarding such properties, a Port Commission has been created by ordinance by Council, to consist of not less than five (5) nor more than seven (7) members. Said Commissioners shall be qualified voters of the City, shall be over twenty-five (25) years of age, shall not be members of the Council, and shall be appointed to serve without compensation for a period of two (2) years, by a majority vote of the Council. Commissioners may be removed by a majority vote of the Council with or without cause.

The Port Commission shall provide recommendations to the City Manager regarding said port, wharf and dock properties and waters, and is expressly empowered to:

- (a) Appoint its own Chair and Secretary and adopt its own rules and order of business. It shall keep minutes of its meetings and the minutes shall be open to public inspection. Its meetings shall be conducted in accordance with the Texas Open Meetings laws.
- (b) Provide recommendations regarding the extension and improvement of the physical properties to facilitate the most efficient operation of the port and for the best interest of the inhabitants of the City.
- (c) Make recommendations to the Council for ordinances to provide for the issuance of licenses and/or permits and to adopt such rules and regulations it deems necessary for the operation of the port, as well as for the use of port property, so long as the same are not inconsistent with the general laws and administrative rules relative thereto.
- (d) Review and provide recommendations to the Council on the budget for port operations each year at the regular budget time for the City.

**DEFINITIONS****ITEM 5**

- (1) **AGENT:** The party or entity responsible for a request for services or the Owner/Operator of a tow or its equipment upon water of the CITY OF PORT LAVACA.
- (2) **BARGE:** Any non-self-propelled vessel.
- (3) **BARREL:** 42 US gallons of fresh water.
- (4) **BERTH:** The water area at the edge of a wharf, including mooring facilities, used by a vessel while docked or otherwise secured.
- (5) **CARGO:** The measured product moved by any conveyance on or off the properties of the CITY OF PORT LAVACA PORTS & HARBORS for which charges will be assessed based on weight, volume or head count.
- (6) **CARGO OWNER:** The party or corporation, including shippers, agents, or their designees, that is/are responsible for the management of cargo handled at the Terminal.
- (7) **CITY:** The City of Port Lavaca; The City of Port Lavaca Ports & Harbors; 202 N. Virginia St. Port Lavaca, Texas 77979.
- (8) **CONTRACTOR:** A third party entity engaged by the Port to provide specific services on an exclusive basis to tenants or users of Port facilities or assets which require specified Port operating services as permitted under individually issued Operating or Usage Permits.
- (9) **DAY:** A period of 24 consecutive hours or fractional part thereof.
- (10) **DEMURRAGE:** See Storage
- (11) **DOCK:** Shall mean all docks, floats, slips, wharves, ramps, piers, bulkheads, dolphins, and sea walls owned or operated by the CITY OF PORT LAVACA.
- (12) **DOCKAGE:** The charge assessed against a vessel for berthing at a wharf, pier, bulkhead or for mooring to a vessel so berthed.
- (13) **FACILITIES:** Any wharf, dock, berth, fleet, shed, warehouse, improved-open area, rail track, pipeline, road, equipment, material handling machinery, appliance, land or any structure of any kind within the jurisdiction of VCND and is either owned or leased by the Victoria County Navigation District.
- (14) **FLEET:** The areas determined by CITY to be used for lay berth or services to vessels not engaged in cargo operation.
- (15) **FREE TIME:** The specified period during which cargo may occupy space assigned to it on VCND property free of wharf demurrage or terminal storage immediately prior to it loading or subsequent to the discharge of such cargo on or off the vessel.
- (16) **FREIGHT HANDLER:** Shall mean any management company or entity engaged in the management of the handling of cargo on behalf of a rail carrier at the Port's rail facilities.
- (17) **HANDLING:** The specific service of physically moving cargo between points of rest and any place on the properties of the CITY.
- (18) **HARBOR MASTER:** An employee of the CITY who reports to the City Manager and supervises the operations in the ports and harbors of the CITY and administers its rules.
- (19) **HAZARDOUS MATERIALS:** Shall mean any liquid or solid material as defined under 49 CFR Parts 171-179, or as designated by the US EPA and/or the



- Commission on Environmental Quality as hazardous waste, including waste oils, solvents and other substances requiring special protections, handling, and disposal.
- (20) **LOADING & UNLOADING:** The service of loading or unloading cargo between any place on the facilities and rail cars, barges, lighters or trucks or any other conveyance to or from the facilities.
- (21) **MANIFEST:** Shall mean any formal list of cargo loaded onto or discharged from, or persons arriving on or embarking on, a vessel, including crew.
- (22) **OVERALL:** Shall mean the greatest distance between two points either above or below the water.
- (23) **PERSON:** Vessels, agents, owners, masters, and operators, including but not limited to, natural persons, artificial persons, corporations, partnerships, organizations, and associations, and to sovereigns, governments, nations, states, municipalities and agents and/or their instruments thereof.
- (24) **PORT:** The Ports and Harbors of the City of Port Lavaca, Texas, including all wharves, docks, berths, fleets, sheds, warehouses, improved-upon areas, rail tracks, pipelines, roads, equipment, material handling machinery, appliances, land, or any structure of any kind within the jurisdiction of the City Council and either owned or leased by the City of Port Lavaca.
- (25) **PORT COMMISSION:** A board consisting of not less than five (5) nor more than seven (7) members appointed by the City of Port Lavaca City Council with powers and duties as set out in the City of Port Lavaca Home Rule Charter.
- (26) **POINT OF REST:** The area of any facility of VCND which is assigned for the receipt of inbound cargo and for the delivery of outbound cargo to or from vessels, consignees, shippers or other transportation conveyance.
- (27) **STEVEDORE:** Shall mean any management company or entity engaged in the management of the handling of cargo and/or passengers, on behalf of the vessel operator, at marine facilities.
- (28) **STORAGE:** A service provided for the use of facilities for inbound or outbound cargo, from any conveyance, after the expiration of free time.
- (29) **TARIFF:** The rates, charges, rules and regulations governing activity, services and use of the facilities of the CITY as set forth in this agreement and any amendments thereto.
- (30) **TENANT:** Any party that leases property for exclusive or non-exclusive use at a marine facility.
- (31) **TON:** A unit of weight of 2,000 pounds.
- (32) **TRANSLOAD:** The service of transfer of cargo between rail car, vessel or other transport conveyance without an intermediate point of rest.
- (33) **USAGE:** The use of CITY facilities by any rail carrier, lighter, operator, trucker, shipper, consignee, their agents, servants and/or employees when they perform their own Handling, Loading or Unloading; or the use of any facilities for any gainful purpose for which a charge is not otherwise specified.
- (34) **USER:** Any rail carrier, lighter, operator, trucker, tenant, shipper or consignee using the facilities of the CITY.
- (35) **VESSEL:** Includes within its meaning every description of watercraft whether self-propelled or non-self-propelled, used or capable of being used, as a means of

- transportation on water and shall include in its meaning the owner thereof.
- (36) **WHARFAGE:** Wharfage is the charge assessed against freight passing or conveyed over, onto or under wharves or between vessels or overside vessels when berthed at wharf or moored in slip adjacent to wharf; it is the charge for use of wharf and does not include charge for any other service.
- (37) **WHARF:** Any wharf, pier, landing, quay or other stationary structure to which may be utilized in the transit or handling of cargo or passengers and shall include other Port facility areas along side of which vessels may lie or which are suitable for and are used in the loading, unloading, distribution, assembling or handling of cargo.
- (38) **WHARF DEMURRAGE:** The charge assessed against cargo remaining in or on facilities of the CITY after the expiration of free time unless alternative arrangements have been made for storage.

### **APPLICATION OF TARIFF**

### **ITEM 10**

The rates, rules and regulations published in this Tariff apply equally to all cargo, users of the waterway, tenants and facilities of the CITY. The use of CITY facilities, to include the waterways under CITY jurisdiction, constitutes an acceptance by the User of all charges, rules and regulations published. The User agrees to pay all charges and be governed by all rules contained herein.

Amendments may be issued to address needed changes or revisions to the Tariff. The Tariff is subject to change by majority vote of the City Council. The CITY reserves the right to determine the charge or interpret the Tariff should it not specifically address the issues at hand, so long as it is applied equally to similarly situated users.

### **LIMITATION OF LIABILITY**

### **ITEM 15**

Except for liability under Texas law, if any, for damage caused by its negligence, CITY shall not be liable for any loss or damage to any cargo handled over or through its facilities, nor shall it be liable for any delay, loss or damage resulting from strikes, tumult, channel blockages or acts of God.

The CITY is not a common carrier and does not accept care, custody or control of any cargo or other property while on its wharves, docks, buildings or other facilities managed or controlled by CITY.

The CITY has jurisdiction over all properties whatsoever within the PORT and shall make and enforce such rules and regulations as may be necessary to promote and facilitate traffic, business and to secure safety and equal convenience to all authorized users thereof.

Persons entering Facilities shall do so at their own risk.

In the case of occurrence of unusual circumstances, without any fault of CITY, including without limitation, damage or destruction to premises, including vessels or cargo, by fire, flood, civil disturbance, earthquake, tidal wave, wind, explosion, public enemies, war, Acts of God, marine

casualty, Government action, labor actions, or similar circumstance, CITY shall not be held liable for any impacts on users, vessels, persons, or cargo.

No provision contained in this Tariff shall limit or relieve CITY from liability for its own negligence, nor require any authorized user to indemnify or hold harmless VCND from liability for its own negligence. No provision contained in this Tariff shall be interpreted in any manner as a waiver of any rights or protections against suit and/or liability, including, without limitation, any sovereign immunity protection which Landlord may possess or enjoy, now or in the future, by virtue of its status and existence as a governmental entity in the State of Texas.

### **CITY OF PORT LAVACA HELD HARMLESS**

**ITEM 20**

All Users agree to indemnify and save harmless CITY from and against all losses, claims, demands and suits for damages, including death and personal injury, and including court costs and attorney fees, incident to or resulting from their operations on the property of CITY and the use of its facilities.

### **DAMAGE TO CITY OF PORT LAVACA PROPERTY**

**ITEM 25**

All vessels, owners, agents, tenants and users of CITY facilities shall be responsible for all damage to property and facilities of the CITY resulting from their use. Any such damage shall be repaired and billed against the user responsible, whether or not such damage is caused by negligence or use by operation and/or conduct of third parties participating with them or on their behalf. The expense of replacement or repair will be billed against the responsible party for such damages at cost plus 20%.

In the event any damage is done to property and facilities of CITY, the person or persons responsible for said damage, or in any way involved, shall give a full report to the HARBOR MASTER giving date and hour said damage occurred, names and addresses or description of the witnesses or other persons, vessels, vehicles or instrumentalities involved, as well as any other pertinent facts and information which may be available. The person, persons, or entity causing the damage will be held responsible for reimbursing CITY for the cost of repairing said damage, including the cost of any emergency actions required to be taken by CITY, the U.S. Coast Guard, and/or other emergency services to limit the scope of such damage.

For facilities utilized under exclusive or preferential agreements, damage and repair requirements may, as agreed by CITY, be conducted annually through joint survey and subsequent determination of user responsibility.

### **HOLIDAYS**

**ITEM 30**

The CITY observes the following holidays: If any holiday falls on a Saturday, the preceding Friday will be the day of observance. If any holiday falls on a Sunday, the following Monday will be the day of observance.

New Year Day....	January 1
Good Friday....	The Friday preceding Easter

Memorial Day....	May 30
Independence Day...	July 4
Labor Day....	1st Monday in September
Veterans Day ...	November 11
Thanksgiving Day....	4th Thursday in November
Thanksgiving Friday	4th Friday in November
Christmas Eve....	December 24
Christmas Day....	December 25

**SIGNS****ITEM 35**

Erection or painting of signs on CITY property or structures is prohibited. Signs may be erected only upon written consent of the PORT COMMISSION subsequent submittal of design, dimension, proposed location, materials of construction, fastenings and method of erection. CITY reserves the right to make modifications to the foregoing submittal and to remove any erected sign for lack of maintenance subsequent a written notice and 30-day cure period. Should CITY removal be required, removal will be at cost plus 20%.DE

**DEMURRAGE OR DETENTION****ITEM 40**

Except when caused by its own negligence, CITY will not be responsible for any demurrage or detention on railcars, vessels or trucks.

**HARBOR MODIFICATIONS****ITEM 45**

CITY maintains sole jurisdiction over the waterway lying within the City Limits of the City of Port Lavaca, Texas, and any modifications or structures within it. No piles shall be driven nor shall any platform be erected without written permission from the CITY. Furthermore, no modifications or alterations to the bank or waterway are permitted without obtaining written authorization; this includes any of the following: filling in, construction, repair, dredging, removal or demolition of any kind made to the waterfront or channel.

**INSURANCE****ITEM 50**

The charges provided herein do not include any expense for insurance covering owner's interest in the property, nor will insurance be affected by CITY under its policies.

**ACCESS TO RECORDS****ITEM 55**

Vessels, their owners, agents and masters, and all other users of the facilities shall be required to grant access to manifests of cargo, railroad documents and all other documents for the purpose of audit for ascertaining the correctness of reports filed; or securing necessary data to facilitate the correct estimate of charges.

**PAYMENT OF INVOICES AND CHARGES****ITEM 60**

All wharfage and dock usage charges incurred by a shipper in the loading and unloading of commodities at the PORT are due and payable to CITY within **ten (10)** days after the end of the calendar month in which such wharfage or dock usage charges were incurred. All bills for charges other than for wharfage or for the use of CITY's facilities are due upon presentation. Failure to pay any charges incurred by a shipper when due shall place the name of the vessel, its owners and agents, and the shipper upon a delinquent list at which time the use of the PORT will be denied. Any charges remaining unpaid 30 days past the date on which they are due shall be subject to an interest charge of 10% per month. Prompt written response is required for any charges in dispute or else interest charges will apply. Accounts referred to an attorney or an agency for collection are subject to a surcharge and additional court and collection costs.

Presentation of bills to owners and agents of vessels or to stevedores is done as a matter of accommodation and convenience and shall not constitute a waiver of the lien for charges furnished the vessel for which maritime law provides a lien.

CITY reserves the right to estimate and collect in advance all charges which may accrue against vessels, their owners and agents, or against cargo loaded or discharged by such vessels or from other users of the facilities of CITY whose credit has not been properly established or does not remain in good standing with CITY. Use of facilities may be denied until such advance payment or deposits are made.

CITY reserves the right to apply any payment received against the oldest bills rendered against vessels, their owners and agents, or other users of facilities.

Vessels, their owners and agents, by the loading of cargo from wharves or the discharging of cargo thereon, agree to pay all penalty charges then accrued or which may accrue on such cargo, as well as any charges which may accrue from the removal of such cargo to another part of the wharves for storage elsewhere. These charges shall be assessed against the vessels, their owners and agents responsible for the cargo and making use of a berth as permitted by CITY.

Vessels, their owners and agents shall make collection of penalty charges before releasing merchandise. The amount of accrued penalty charges may be obtained from CITY.

CITY reserves the right to detain a vessel; establish a maritime lien upon the vessel, its cargo, and freights; or arrest a vessel for all unpaid charges due.

**FIRE PROTECTION****ITEM 65**

Smoking and the use of open lights or fires in or around facilities of the CITY or on any vessel or rail car within the jurisdiction of the CITY is strictly prohibited.

Handling of explosives is strictly prohibited without the prior written consent of CITY.

The storage, keeping or use of acid, gasoline, distillates or other liquid petroleum products, except lubrication oil, on properties of the CITY is strictly prohibited. CITY may authorize acceptable



designated areas at the request of a tenant so long as tenant agrees to conform to any requirements of the CITY regarding the material, its use or security of the designated area.

No person may obstruct or interfere with free and easy access in case of fire to any properties or facilities within the jurisdiction of CITY. No person shall remove or in any manner disturb any fire extinguisher, fire hose, hydrant or any other fire-fighting appliance installed or placed in or upon the PORT facilities.

## **IMPLIED CONTRACT**

**ITEM 80**

Entry upon the PORT by a person or vessel - whether by land, water, or otherwise shall constitute an agreement by such person or vessel to comply with this tariff, any supplemental rules and regulations, and all applicable local, state, and federal regulations.

## **SECTION 2 – REGULATIONS GOVERNING USE OF WATERWAY**

### **BERTH & FLEET ASSIGNMENTS**

**ITEM 200**

Wharf and dock assignments may be governed by tenant agreements granting preferential use or non-exclusive use. Any preferential use shall be monitored and controlled by the tenant. Preferential use will not exclude the CITY to make berth assignment when it deems the facility is underutilized and such assignment will not negatively impact the tenant's operation.

All non-exclusive use wharves and docks are multi-user facilities. Certain interests may have a preferential berth at a facility that allows them to conduct operations upon arrival. Any wharf or dock not so contractually designated is usually assigned by the HARBOR MASTER on a first come first served basis subject to the terms, conditions and charges contained herein. Should any conflict or interpretation be required, the HARBOR MASTER will determine the order of assignment.

To expedite the handling of vessels and to avoid congestion, the HARBOR MASTER may order vessels already in berth to work continuously at their expense. A vessel refusing to work may be ordered to vacate the berth. Once ordered to vacate and notice being given to the master or person in charge, should they fail to comply with the instruction, the owner of the vessel shall be liable for all damage which may arise.

Additionally, the HARBOR MASTER may, at their discretion, order a vessel to move, to such a place as directed, when:

1. It is necessary for the proper operation of the facility;
2. There is an emergency;
3. Terminal congestion may be ameliorated by such a move;
4. A vessel is offensive or hazardous;
5. A vessel contains hazardous cargo or cargo that is liable to damage other vessels, cargo,

- or Port facilities; and/or
6. The vessel's berthing is in conflict with another vessel who had previous arrangements.

## **HARBOR & SAFETY REQUIREMENTS**

## **ITEM 205**

The CITY monitors the safety performance of vessel operation upon the waterways within its jurisdiction. All users are responsible for compliance of their vessels to rules which are established to protect people, assets and the environment of the CITY, tenants, property owners and other vessels.

- (1) **SPEED:** As stipulated by the US Coast Guard in CFR Title 33, Part 162.75 "Speeding in narrow sections is prohibited. Official signs indicating limited speeds shall be obeyed. Vessels shall reduce speed sufficiently to prevent damage when passing other vessels or structures in or along the waterway."

The maximum speed for all vessels shall be in accordance with CFR Title 33, Parts 83.06 and 164.11. Notwithstanding, vessels shall operate at slow bell or slower entering, while present in, and upon exiting the turning basin, and shall not exceed three miles per hour while passing any wharf, dock, bridge abutment or moored vessel.

- (2) **AUTOMATIC IDENTIFICATION SYSTEM (AIS):** Vessels equipped with AIS, as required by CFR Title 33, Part 164.46, must have the system active while in the jurisdiction of the CITY, unless the CITY is notified otherwise in advance.
- (3) **MOORINGS:** All vessels, when not underway, shall at all times be properly made fast using good and sufficient moorings considering the practice of good seamanship, cargo operation and weather considerations present and contemplated.
- (4) **FIRE ALARM:** In the event of a fire on board any vessel not underway, such vessel may sound five prolonged blasts of the whistle or siren as an alarm indicating fire on board or at a dock to which it is moored. Such signal may be repeated to attract attention. The signal is not a substitute for, but may be used in addition to, other means of reporting the fire.
- (5) **ACCIDENT & COLLISION REPORTING:** Any fire, accident, pollution or other casualty of any kind whatsoever, occurring within the jurisdiction of the CITY must be reported to the HARBOR MASTER. Reporting requirements include incidents of groundings or striking of stationary objects. Reports are to be made in writing by electronic, facsimile transmission or other written form at the earliest opportunity and not more than twenty-four hours after the incident.
- (6) **POLLUTION, OIL & REFUSE:** All vessel owners, agent and operators shall comply with all federal, state or local regulations pertaining to placing or discharging into CITY waters any sewage, garbage, fuels, contaminants or refuse of any kind covered by such laws. Vessels discharging oil from bilge or tanks into CITY waters will be reported to the US Coast Guard and other appropriate authority for prosecution under appropriate federal and state laws or regulations.

Throwing of any rubbish or contaminant into CITY waters is strictly prohibited. Rubbish, garbage, dunnage or other general waste material shall be disposed of only in containers designated for this use and supplied by the vessel owner, agent or operator. Placing of any hazardous material or pollutant into such containers is prohibited. Vessels shall retain aboard any rubbish which cannot be properly placed in designated containers.

- (7) RULES OF THE ROAD: All vessels shall comply with the applicable "Rules of the Road" and nothing herein is intended to supersede the regulations pertaining to safe navigation.
- (8) BUNKERING OF VESSELS: Bunkering of vessels by tank truck will be permitted at any open dry cargo dock which has been designated to permit such activity. No bunkering shall take place while cargo operations are being performed simultaneously at the same berth. All preventive actions, including a contingent spill plan, for a safe and efficient fueling operation must be established between the delivery carrier and vessel before any transfer commences.
- (9) VESSEL REPAIRS: No vessel repairs will be made to vessels involving, welding, burning or other fire risk activity without the issuing of an appropriate hot work permit issued by the USCG and advisement to the HARBOR MASTER. Vessel repairs will be permitted at CITY open berths under the condition that the vessel will not be inoperable during any cargo operation and can be underway upon one-hour notice at all other times. The use of any dockside equipment, machinery or idle periods impacting the one-hour notice period requires notification and authorization from the HARBOR MASTER.
- (10) REMOVAL OF SUNKEN VESSELS: It shall be the responsibility of the vessel owner to salvage and/or adequately remove any vessel which may sink in the CITY's jurisdiction. Should a vessel sink while moored or working at facilities owned by CITY but under an exclusive use agreement to a second party, the second party shall be responsible for its salvage and/or adequate removal in the event the owner fails to act. Vessel owner shall salvage and/or remove said vessel within 48 hours after CITY requests same. If, in the discretion of the CITY, the vessel constitutes a hazard to navigation or impedes operation of PORT, arrangements may be permitted for its immediate removal by the CITY at vessel owner's risk and expense. Should the sinking impede operations or the responsible party fail to act, additional penalties of up to \$1,000 per Day may be assessed.
- (11) LICENSING AND VESSEL REQUIREMENTS - SHIFT VESSELS OPERATING IN BASIN: All vessels in operation in all waterways within the CITY's jurisdiction must meet all local, state, and federal requirements. All towboats operating in all waterways within the CITY's jurisdiction must be operated at all times by a U.S. Coast Guard licensed Captain with a valid Operator Uninspected Towing Vessel (OUTV) license; must meet American Waterways Operators Responsible Carriers Program requirements in all respects; must meet U.S. Coast Guard Subchapter M Inspection Requirements, as applied to inland towing vessels; and must meet the following additional standards -
- Minimum 600 horsepower,
  - Twin screws,
  - AIS equipped,



- Radar equipped, and
- Adequate eye level to see over empty barges.

(12) **TONNAGE REPORTING REQUIREMENTS:** All Users in the PORT must comply with all reporting requirements of local, state, and federal agencies in addition to those laid out in this tariff. Such reporting must be submitted in accordance with the requirements of the relevant agencies. In addition, tonnage movements must be reported to CITY concurrently with any cognizant local, state, and/or federal agencies. Tonnage movements must be reported to CITY in the manner laid out in "Exhibit D — Tonnage Reporting" attached to this Tariff.

(13) **PENALTIES FOR INFRACTIONS:** Any User in violation of any provision of this Section will be subject to a penalty of \$250 per infraction in addition to any other fees, penalties, or other consequences to which the User may be subject.

**FLEETING/MOORING**

**ITEM 215**

The CITY seeks to promote orderly and safe navigation of all waterways within its jurisdiction. For the safety of all users, the CITY may provide fleeting/mooring areas for the orderly safe mooring of vessels awaiting cargo operation or idled in the waterway, subject to the coordination with and approval of the Harbor Master. Any unauthorized fleeting or mooring shall result in a fine of not less than \$500 per day. The CITY does not operate as a fleet service and all risk of use rests with the owner/operator. No barges containing hazardous materials are to be fledted and left unattended. Fleeting is available to vessels at a rate of

- \$175.00 per day for Regulation Barges (10,000 barrel capacity)
- \$250.00 per day for Over-sized Barges (exceeding 35 ft x 200 ft.)
- \$250.00 per day for all other fledted vessels, equipment or materials

**DOCKAGE**

**ITEM 220**

Dockage for all self-propelled and non-self-propelled vessels shall be based on Length Overall (LOA) in feet per Day as follows:

74 ft. or less, per day	\$75.00
75 ft to 100 ft, per day	\$125.00
101 ft. to 200 ft. per day	\$200.00
201 ft or greater	\$250.00



**BUNKER FEE, TANK TRUCK TO VESSEL****ITEM 230**

Bunkers may be delivered by tank truck with prior notification to the HARBOR MASTER. A charge of **\$50.00 per truck** is assessed against the vessel for transfer of fuel at CITY PORT facilities.

**MANIFESTS REQUIRED OF VESSELS****ITEM 235**

Vessel Operators, shippers, operators, or their agents, utilizing facilities within the jurisdiction of the CITY, are required to furnish the HARBOR MASTER with complete copies of vessel manifests showing names of consignees or consignors and the weights or measurements of all freight loaded or discharged at the PORT. Such manifests must be certified as correct by an authorized official of the company and must also designate the basis of weight or measurement on which freight was assessed. In lieu of manifests, freight bills containing all information as required above may be accepted at the discretion of the HARBOR MASTER.

Manifests shall be submitted to the HARBOR MASTER within seven (7) days of the arrival or within seven (7) days of the departure of any vessel.

Failure to submit the manifest within the time specified shall constitute cause for suspension of vessel privileges until such failure is remedied.

**SECTION 3 – REGULATIONS GOVERNING FACILITIES & CARGO****HANDLING HAZARDOUS MATERIALS****ITEM 310**

Materials classified as hazardous by the USCG or OT will be accepted by the CITY for handling in waterborne commerce only if such materials and the way they are handled conforms with all rules and regulations promulgated by those agencies. Conformance is required to such further OSHA, federal, state and local regulations, as well as all provisions of this tariff, any prevailing Port rules and regulations, and any permit(s) issued to the User handling the hazardous materials.

Notice shall be given to the HARBOR MASTER of any vessel, truck, rail, vehicle, or any other conveyance carrying cargo which is hazardous, extremely flammable, corrosive, explosive, or otherwise possesses a significant risk of harm to property or persons at least seventy-two (72) hours prior to landing or use of facilities or equipment at the Port. All hazardous cargo must be properly labeled in accordance with Federal HAZMAT and International HAZCOM requirements. Failure to have proper labeling will result in cargo being refused entry into the Terminal.

The CITY may refuse the use of its facilities for the handling of hazardous and dangerous materials if, in the CITY's opinion, handling the hazardous materials constitutes an undue risk to the Port, Users, Tenants, and/or the citizens within the City of Port Lavaca.



**TRANSSHIPMENT OF CARGO****ITEM 340**

Cargo, which is discharges from a vessel and intended for transshipment will be assessed wharfage on the outward movement if reloaded within seven (7) days of initial placement. If cargo remains beyond the seventh day, the inward and outward wharfage will be assessed, as well as any other applicable charges set forth in this Tariff.

**SECTION 4 – WHARFAGE CHARGES****WHARFAGE CHARGES BY COMMODITY****ITEM 400**

All wharfage charges are in U.S. Dollars (USD) per Ton (2,000 pounds) unless otherwise noted.

- Crude petroleum, condensate, and other Liquid hydrocarbons, PER BARREL \$0.125
- Bulk product liquid or dry, PER TON \$0.79
- Oysters, PER SACK **###.##**

Westside CC = 50 cents/sack for oysters and \$0.15/lb for other seafood commodities

**SECTION 5 – FEES****GENERAL****ITEM 500**

Potable Water: Refer to Appendix A -Chapter 50 Utilities of the City of Port Lavaca Code of Ordinances.

**HARBOR OF REFUGE****ITEM 510**

Dedicated Dockage space provided with a ground lease	\$4.00/LF
Rail Spur Maintenance Fee	\$1,000/MO

**NAUTICAL LANDINGS MARINA****ITEM 520**

Dockage/Stall Rentals	\$6.30/LF/MO
110v 30-amp Connection	\$52.50/MO
220v 50-amp Connection	\$105.00/MO
Transient Rate <35 ft LOA	\$15.75/DAY
Transient Rate >35 ft	\$21.00/DAY
Water and Trash is included in all Dockage/stall rentals	

**SMITH HARBOR AND CITY HARBOR****ITEM 530**

Commercial Fishing Vessel Dockage Monthly rate	
First 25 ft. of LOA	\$175.00/MO
Each additional foot of LOA > 25 ft.	\$ 5.00/MO

**Commercial Fishing Vessel Dockage Daily Rate \$25.00/DAY**

**RAIL OPERATIONS AND TRANSLOADING****ITEM 330**

*The CITY maintains rail track for the use of tenants and customers. The Port is served by the UPRR. Use of the CITY track is governed by the granting of a Rail Usage Permit that outlines the manner and conditions under which rail switching will be provided. CITY reserves the right to coordinate use based on utilization and preference deemed in the best interest of the PORT and its Users.*

*All rail charges are for the account of the User. Transloading taking place on port facilities not under lease are subject to prior approval by the HARBOR MASTER and the User will be assessed a \$35.00 per car transload fee in addition to any other charge herein.*

*The following free time and rail storage rates will apply:*

	<i>Free Time</i>	<i>Charge After Free Time Expires</i>
<i>Manifest Cars</i>	<i>3 days</i>	<i>\$20 per car per day</i>
<i>Unit Trains</i>	<i>10 days</i>	<i>\$5 per car per day</i>

*Free Time and Rail Storage shall be calculated based on when railcars are brought to a point of rest at the port (arrival) to when railcars are removed from the Port (departure).*