

AGENDA

Port Freeport
Pilot Commission
Special Meeting

Thursday, May 28, 2020, 11:30 am - 12:00 pm

Via Video/Teleconference - Administration Building - 1100 Cherry Street - Freeport



Notice is hereby given that in accordance with the order the Office of the Governor issued March 16, 2020, and due to imminent threat to public health and safety and urgent public necessity the Port Freeport Pilot Commission will conduct a Special Meeting on Thursday, May 28, 2020 at 11:30 a.m. in the Administration Building, 1100 Cherry Street, Freeport, Texas in part by video/teleconference in order to advance the public health goal of limiting face-to-face meetings (also called "social distancing") to slow the spread of the Coronavirus (COVID-19).

The meeting agenda and agenda packet are posted online at www.portfreeport.com.

Please join my meeting from your computer, tablet or smartphone.

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1. CONVENE OPEN SESSION in accordance with Texas Government Code Section 551.001, et. seq., to review and consider the following:
2. Roll Call.
3. Approval of minutes from the Special Meeting held March 12, 2020.
4. Approval of the appointment of Captain Sean Kelly as Branch Pilot for the Ports of Brazoria County.
5. Approval of the appointment of Captain Ross Coviello as Branch Pilot for the Ports of Brazoria County.
6. Adoption of a Resolution recognizing Captain James Teeter for his years of service as a Branch Pilot for the Ports of Brazoria County.
7. Receive update from the Brazos Pilots Association regarding 2020 vessel traffic, financial report, pilot boat fee collection and expenditures and other pilot matters.
8. Adjourn.

The Pilot Commission does not anticipate going into a closed session under Chapter 551 of the Texas Government Code at this meeting for any other items on the agenda, however, if necessary, the Pilot Commission may go into a closed session as permitted by law regarding any item on the agenda.

With this posted notice, Port Commissioners have been provided certain background information on the above listed agenda items. Copies of this information can be obtained by the public at the Port Administrative offices at 1100 Cherry Street, Freeport, TX.



Phyllis Saathoff, Executive Director/CEO
PORT FREEPORT

In compliance with the Americans with Disabilities Act, the District will provide for reasonable accommodations for persons attending its functions. Requests should be received at least 24 hours in advance.

Minutes of Pilot Commission

Port Freeport

March 12, 2019

A Special Meeting of the Pilot Commission of Port Freeport was held March 12, 2020, beginning at 12:35 PM at the Port Freeport Administration Building, 1100 Cherry Street, Freeport, Texas.

Commissioners present:

Mr. Shane Pirtle, Chairman
Mr. Paul Kresta, Vice Chairman
Mr. John Hoss, Secretary/Treasurer
Mr. Rudy Santos, Commissioner
Mr. Ravi Singhanian, Commissioner
Mr. Dan Croft, Commissioner

Staff Members present:

Mr. Jason Cordoba, Legal Counsel
Ms. Phyllis Saathoff, Executive Director/CEO
Mr. Al Durel, Director of Operations
Mr. Jason Hull, Director of Engineering
Mr. Chris Hogan, Director of Protective Services
Ms. Missy Bevers, Executive Assistant
Ms. Mary Campus, Controller
Mr. Brandon Robertson, Network Systems Manager
Ms. Lauren McCormick, Public Affairs Manager
Mr. Mike Quilty, Safety Coordinator

Also, Present:

Captain Daniel Blanton, Brazos Pilots Association
Ms. Tammy Moss, Brazos Pilots Association
Mr. Noah Niday
Ms. Taylor Niday
Ms. Sarah Niday
Mr. John Niday
Mr. Daniel Rainwater
Ms. Roxanne Rainwater
Mr. Javier Infante, Associated Testing

1. CONVENE OPEN SESSION in accordance with Texas Government Code Section 551.001, et. seq., to review and consider the following:

Commissioner Pirtle noted that Commissioner Croft and Commissioner Singhanian would be arriving late to the meeting. All other Commissioners were present.

2. Approval of minutes from the Special Meetings held June 13, 2019.

A motion was made by Commissioner Santos to approve the minutes as presented. The motion was seconded by Commissioner Hoss with all Commissioners present voting in favor of the motion.

3. Receive recommendation from the Brazos Pilots Association for the appointment of Deputy Branch Pilot.

Captain Blanton stated the Brazos Pilots Association recommends the appointment of Mr. Noah Niday for deputy branch pilot. Captain Blanton added that with Ross Coviello and Sean Kelly completing the deputy branch pilot training program in June and with the addition of Noah Niday, the Pilots will have a solid crew operating on the channel and in a position to help Port Freeport grow safely and efficiently.

4. Review and consider selection of Deputy Branch Pilot for the Ports of Brazoria County.

Mr. Durel stated that staff has reviewed Mr. Niday's application and supporting documentation. He noted that Mr. Niday originally applied in 2018 so a request was made to update his information. All documents have been submitted and staff finds everything to be in order.

A motion was made by Commissioner Singhanian to approve the Pilot's recommendation of Noah Niday as deputy branch pilot. The motion was seconded by Commissioner Kresta with all Commissioners present voting in favor of the motion.

5. Receive update from the Brazos Pilots Association regarding 2019 and 2020 vessel traffic, financial report, pilot boat fee collection and expenditures and other pilot matters, including pilot transfer safety.

Captain Blanton gave a presentation to the Board regarding vessel traffic, pilot boat fees and education fund. The pilots handled 1,028 vessels in 2019 which is up from 2018. For 2020, the pilots are at 180 vessels for January and February. This is a 30% increase in vessel traffic over previous year. RoRo carriers, Tenaris and the addition of CMA have contributed to the increase in traffic. Pilot boat fees received in 2019 totaled \$346,000 and \$71,000 has been received in the first quarter 2020. The Pilots anticipate paying off the pilot boat in 5 years. The education fund is used for pilot training. Approximately \$50,000 has been used from the education fund in training for Captain Coviello and Captain Kelly. The pilots anticipate using additional funds for training new deputy pilot Noah Niday as well as continuing education for Captain Burns and Captain Blanton.

Captain Blanton also gave an update on COVID-19, how it's affecting pilot operations and how the Pilots are protecting themselves as well as the Port and others. The CDC, U.S. Coast Guard and Customs and Border Protection are working together on the issue to screen and vet vessels before they arrive. Capt. Blanton explained that when a vessel calls the port, it is required to send an electronic notice of arrival (ENOA) to the Coast Guard that includes the name of the vessel, a complete crew list, travel destinations and previous ports of the vessel. If any of the criteria requires additional screening, (i.e., a crew member or the vessel itself traveled to a category 3 country or if anyone on board is displaying symptoms), they must report that as well. If this is reported in the ENOA, the U.S. Coast Guard Houston-Galveston Sector has a liaison

with CDC who will flag the vessel for additional screening by CDC which includes boarding the vessel and screening individual crew members. If a vessel is not flagged for any of the criteria, the Coast Guard will place them on a clear to enter list and they will be able to order a pilot and proceed into the port. If there is a gap between the ENOA and when a pilot is ordered (i.e., fog) that could stretch the distance between the ENOA and the vessel arrival to 14-days, which is the incubation period for the virus, a stop gap measure is put in as recommended by the Coast Guard, the agents will again be asked if the vessel or crew members have traveled to a category 3 country and if anyone is displaying symptoms. If yes, they will go back into the screening pool with the CDC. Capt. Blanton also noted that if the original ENOA triggers one of the screening questions the CDC boards the vessels and clears them, an email is sent to the Pilots letting them know the vessel triggered additional inspections under CDC protocol for coronavirus but has since been cleared and the vessel can move forward. Additionally, the Pilots are using Purell on the boat and in vehicles and have instructed other pilots to avoid eating and drinking on board. There is a MSIB the Coast Guard puts out for guidance on how the Coast Guard will proceed. If they feel the virus is decreasing, they will notify the pilots through an additional MISB with a stand down order. If it escalates, will issue a strategic command for a stand-up order. He noted these have been issued in Miami and Los Angeles because of the cruise ships. If Houston-Galveston Sector issues a stand-up strategic command, it'll be in Galveston. At this point, they are not doing it, but Freeport will be included if a command is issued.

Port Freeport and the Brazos Pilots recently received a letter from American Pilots' Association regarding pilot ladder safety. Capt. Blanton stated that trap door ladders are the biggest problems because the gangway and the pilot ladder are one unit that is lowered down. In Freeport, the only two vessels that use this accommodation are the VLGC's that go to Phillips and container ships. If the Pilots have an issue with safety, they contact the ship's owner directly to resolve the issue. To date, they have been successful with this method and have not reached a point where they refuse to pilot one of the vessels. Capt. Blanton assured the Board that if they reach a point and refuse a vessel, they will work with the Port to resolve the issue. Commissioner Pirtle stated the Pilots have the Board's full support and is ready to assist if needed.

6. Adjourn.

With no further business before the Commission, the meeting adjourned at 1:05 p.m.

Shane Pirtle, Chairman

Paul Kresta, Vice Chairman

John Hoss, Secretary/Treasurer

Rudy Santos, Commissioner

Ravi Singhania, Commissioner

Dan Croft, Commissioner

A RESOLUTION OF THE PORT COMMISSION OF PORT FREEPORT BEING ALSO THE PILOT COMMISSION OF SAID PORT, APPOINTING SEAN KELLY BRANCH PILOT FOR PORT FREEPORT AND REQUIRING THAT THE BOND BE SUBMITTED TO SAID PORT FOR APPROVAL TOGETHER WITH OATH AND AFFIDAVIT OF LOYALTY

BE IT RESOLVED by the Port Commission of Port Freeport being also the Pilot Commission for said Port;

1. SEAN KELLY is hereby appointed Branch Pilot for Port Freeport.
2. The said SEAN KELLY shall submit to the Pilot Commission a bond in the sum of \$25,000.00 payable to the Governor of the State of Texas together with sureties thereon in accordance with law for approval by this Commission.
3. SEAN KELLY shall take the oath and affidavit of loyalty in accordance with law and submit said oath and affidavit to this Commission.

ADOPTED AND APPROVED this the 28th day of May 2020.

Shane Pirtle, Chairman

Paul Kresta, Vice Chairman

Rudy Santos, Secretary/Treasurer

John Hoss, Commissioner

Ravi K. Singhania, Commissioner

Dan Croft, Commissioner

ATTEST:

Rudy Santos, Secretary/Treasurer

A RESOLUTION OF THE PORT COMMISSION OF PORT FREEPORT BEING ALSO THE PILOT COMMISSION OF SAID PORT, APPROVING THE FIDELITY BOND OF SEAN KELLY, BRANCH PILOT FOR PORT FREEPORT

BE IT RESOLVED by the Port Commission of Port Freeport, being also the Pilot Commission of said Port:

1. The Bond of SEAN KELLY in the amount of Twenty-Five Thousand (\$25,000.00) Dollars, payable to the Governor of the State of Texas, conditioned that the said SEAN KELLY will faithfully perform the duties of Branch Pilot for Port Freeport, having been presented to the Port Commission, and having been found sufficient and correct, the said bond, and the surety thereon, are hereby approved by the Commission.

2. Such approval shall be indicated by the signatures of the Commissioners thereon, attested by the Secretary, under the seal of the Port.

3. Such bond, together with a certified copy of this resolution, shall be forwarded to and deposited with the Secretary of State, and the Secretary is hereby directed to do so.

ADOPTED AND APPROVED this the 28th day of May 2020.

Shane Pirtle, Chairman

Paul Kresta, Vice Chairman

Rudy Santos, Secretary/Treasurer

John Hoss, Commissioner

Ravi K. Singhanian, Commissioner

Dan Croft, Commissioner

ATTEST:

Rudy Santos, Secretary/Treasurer

THE STATE OF TEXAS
COUNTY OF BRAZORIA

AFFIDAVIT OF LOYALTY

BEFORE ME, the undersigned authority, on this day personally appeared SEAN KELLY who after being by me duly sworn, upon his oath deposes and says as follows:

I.

My name is SEAN KELLY. I am a resident of the State of Texas and the County of Brazoria and have been for more than one year next preceding the filing of this affidavit. I am a candidate for the appointment to the office of Branch Pilot for Port Freeport, subject to the action of the Port Commission of Port Freeport, being also the Pilot Commission of said Port.

II.

If appointed to the office of Branch Pilot for Port Freeport, I will support and defend the Constitution and Laws of the United States of America and the State of Texas. I believe in, approve of, and if appointed, will support and defend our representative form of Government and will resist any effort or movement from any source which seeks to subvert or destroy the same of any part thereof.

WITNESS MY HAND this 28th day of May 2020.

SEAN KELLY

SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned authority, by the said ROSS COVIELLO this the 28th day of May 2020, to certify which witness my hand and official seal.

Notary Public in and for
the County of Brazoria

CERTIFICATE OF APPOINTMENT

This instrument certifies that SEAN KELLY has duly qualified to act as Branch Pilot for Port Freeport, pursuant to his appointment to such position by the Port Commission of Port Freeport, being also the Pilot Commission of said Port, by taking the oath and filing the bond required by law. Such appointment was made by resolution of said Port Commission adopted on the 28th day of May 2020. Such bond, and the sureties thereon, were approved by resolution of said Port Commission adopted on the 28th day of May 2020 and said bond has been deposited in the Office of the Secretary of State.

Dated and signed this the 28th day of May 2020, by the Port Commission of Port Freeport, being also the Pilot Commission of said Port.

Shane Pirtle, Chairman

Paul Kresta, Vice Chairman

Rudy Santos, Secretary/Treasurer

John Hoss, Commissioner

Ravi K. Singhanian, Commissioner

Dan Croft, Commissioner

ATTEST:

Rudy Santos, Secretary/Treasurer

A RESOLUTION OF THE PORT COMMISSION OF PORT FREEPORT BEING ALSO THE PILOT COMMISSION OF SAID PORT, APPOINTING ROSS COVIELLO BRANCH PILOT FOR PORT FREEPORT AND REQUIRING THAT THE BOND BE SUBMITTED TO SAID PORT FOR APPROVAL TOGETHER WITH OATH AND AFFIDAVIT OF LOYALTY

BE IT RESOLVED by the Port Commission of Port Freeport being also the Pilot Commission for said Port;

1. ROSS COVIELLO is hereby appointed Branch Pilot for Port Freeport.
2. The said ROSS COVIELLO shall submit to the Pilot Commission a bond in the sum of \$25,000.00 payable to the Governor of the State of Texas together with sureties thereon in accordance with law for approval by this Commission.
3. ROSS COVIELLO shall take the oath and affidavit of loyalty in accordance with law and submit said oath and affidavit to this Commission.

ADOPTED AND APPROVED this the 28th day of May 2020.

Shane Pirtle, Chairman

Paul Kresta, Vice Chairman

Rudy Santos, Secretary/Treasurer

John Hoss, Commissioner

Ravi K. Singhania, Commissioner

Dan Croft, Commissioner

ATTEST:

Rudy Santos, Secretary/Treasurer

A RESOLUTION OF THE PORT COMMISSION OF PORT FREEPORT BEING ALSO THE PILOT COMMISSION OF SAID PORT, APPROVING THE FIDELITY BOND OF ROSS COVIELLO, BRANCH PILOT FOR PORT FREEPORT

BE IT RESOLVED by the Port Commission of Port Freeport, being also the Pilot Commission of said Port:

1. The Bond of ROSS COVIELLO in the amount of Twenty-Five Thousand (\$25,000.00) Dollars, payable to the Governor of the State of Texas, conditioned that the said ROSS COVIELLO will faithfully perform the duties of Branch Pilot for Port Freeport, having been presented to the Port Commission, and having been found sufficient and correct, the said bond, and the surety thereon, are hereby approved by the Commission.

2. Such approval shall be indicated by the signatures of the Commissioners thereon, attested by the Secretary, under the seal of the Port.

3. Such bond, together with a certified copy of this resolution, shall be forwarded to and deposited with the Secretary of State, and the Secretary is hereby directed to do so.

ADOPTED AND APPROVED this the 28th day of May 2020.

Shane Pirtle, Chairman

Paul Kresta, Vice Chairman

Rudy Santos, Secretary/Treasurer

John Hoss, Commissioner

Ravi K. Singhania, Commissioner

Dan Croft, Commissioner

ATTEST:

Rudy Santos, Secretary/Treasurer

THE STATE OF TEXAS
COUNTY OF BRAZORIA

AFFIDAVIT OF LOYALTY

BEFORE ME, the undersigned authority, on this day personally appeared ROSS COVIELLO who after being by me duly sworn, upon his oath deposes and says as follows:

I.

My name is ROSS COVIELLO. I am a resident of the State of Texas and the County of Brazoria and have been for more than one year next preceding the filing of this affidavit. I am a candidate for the appointment to the office of Branch Pilot for Port Freeport, subject to the action of the Port Commission of Port Freeport, being also the Pilot Commission of said Port.

II.

If appointed to the office of Branch Pilot for Port Freeport, I will support and defend the Constitution and Laws of the United States of America and the State of Texas. I believe in, approve of, and if appointed, will support and defend our representative form of Government and will resist any effort or movement from any source which seeks to subvert or destroy the same of any part thereof.

WITNESS MY HAND this 28th day of May 2020.

ROSS COVIELLO

SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned authority, by the said ROSS COVIELLO this the 28th day of May 2020, to certify which witness my hand and official seal.

Notary Public in and for
the County of Brazoria

CERTIFICATE OF APPOINTMENT

This instrument certifies that ROSS COVIELLO has duly qualified to act as Branch Pilot for Port Freeport, pursuant to his appointment to such position by the Port Commission of Port Freeport, being also the Pilot Commission of said Port, by taking the oath and filing the bond required by law. Such appointment was made by resolution of said Port Commission adopted on the 28th day of May 2020. Such bond, and the sureties thereon, were approved by resolution of said Port Commission adopted on the 28th day of May 2020 and said bond has been deposited in the Office of the Secretary of State.

Dated and signed this the 28th day of May 2020, by the Port Commission of Port Freeport, being also the Pilot Commission of said Port.

Shane Pirtle, Chairman

Paul Kresta, Vice Chairman

Rudy Santos, Secretary/Treasurer

John Hoss, Commissioner

Ravi K. Singhania, Commissioner

Dan Croft, Commissioner

ATTEST:

Rudy Santos, Secretary/Treasurer



May 8, 2020

Subject: Captain James Teeter retirement

To Whom It May Concern:

Captain James Teeter has officially retired after 19 years of service to the Brazos Pilots and the Freeport Ship Channel. In his 19 years of service to our organization he has piloted 8,463 ships safely through the channel. He has twice served as president of our organization ensuring our business was well helmed all the while ensuring the ships continued to move safely and efficiently.

He was a great asset to us and the Port of Freeport. We wish him and his wife Toni the very best for these retirement years and their future endeavors.

Regards,

Daniel Blanton
President