

Minutes of Pilot Commission

Port Freeport

March 28, 2017

A Meeting of the Pilot Commission of Port Freeport was held March 28, 2017, beginning at 5:32 PM in the Port Freeport Administration Building, 1100 Cherry Street, Freeport, Texas.

Commissioners present:

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

Staff Members present:

Ms. Phyllis Saathoff, Executive Director/CEO
Mr. Al Durel, Director of Operations
Ms. Missy Bevers, Executive Assistant

Absent:

Mr. Bill Terry, Commissioner
Mr. Ravi Singhanian, Commissioner
Mr. Jason Hull, Director of Engineering
Ms. Dianna Kile, Director of External/Government Affairs
Mr. Jason Miura, Director of Business & Economic Development
Mr. Mike Wilson, Director of Business Development
Mr. Chris Hogan, Director of Protective Services

Also present:

Mr. Matt Allen, Cordoba Law Firm
Captain Daniel Blanton, Brazos Pilots Association
Captain James Teeter, Brazos Pilots Association
Ms. Linda Hooser, GAC Shipping
Ms. Ann Marie Poninski, P66
Mr. Scott Litton, Moran Shipping

1. CONVENE OPEN SESSION in accordance with Texas Government Code Section 551.001, et. seq., to review and consider the following:
2. Approval of minutes from the Pilot Commission Meeting held March 9, 2017.

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

3. Acceptance of the 2016 Year End Report for the Brazos Pilots Association Education Fund.

Captain Daniel Blanton stated there was only one expenditure from last year and that was maintenance for staff iPad PPU's. In the coming year, they expect to see expenditures for training for the new pilots as well as simulation training with BP, LNG and tugboat simulator in Houston. Commissioner Kresta asked that the next report include a breakdown of what the expenditures are for. Ms. Saathoff stated that in the past, the Pilots have included the detail and expect they will continue to do so. Captain Blanton agreed adding as the report gets more complicated, the report will be more robust in detail. The ending balance in the cash account is \$53,458.59 while the balance in the investment account is \$37,098.47. This report meets the requirements of the transportation code for reporting details of the account.

A motion was made by Commissioner Santos to accept the report as presented. The motion was seconded by Commissioner Pirtle with all Commissioners present voting in favor of the motion.

4. EXECUTIVE SESSION in accordance with Subchapter D of the Open Meetings Act, Texas Government Code Section 551.001, et. seq., to review and consider the following:

- A. Under authority of Section 551.071 (consultation with attorney) for discussion regarding:

1. Consultation with attorney regarding matters pertaining to Pilots & Pilotage Rules and Regulations of Freeport Harbor Channel.

5. RECONVENE OPEN SESSION to review and consider the following:

6. Discuss and consider matters pertaining to Pilots & Pilotage Rules and Regulations of Freeport Harbor Channel.

Ms. Saathoff previously discussed with the Pilots and the channel users that a document was being prepared that would contain the Pilot rules and associated procedures. The rules stem from Transportation Code 68 that governs pilotage of the Freeport Harbor Channel and the authority and responsibilities of the Pilot Board. Ms. Saathoff then went over the items covered in the document and highlighted a few additional changes to be made. Prior to this meeting Ms. Saathoff provided the current draft document to the Brazos Pilots. West Gulf Maritime Association, representatives for Phillips 66, BASF Corporation, Freeport LNG and Dow Chemical also received a copy late the prior week with a request to review the document and forward any comments or added value improvements to Ms. Saathoff. Additionally, Ms. Saathoff recommended adding the waiver forms to this document as a new exhibit. Commissioner Hoss then read the waiver process as outlined in the document. Discussion then began regarding the lead time for submitting a waiver for a variance. A request was made to distribute a copy of the document to agents, channel uses and industry asking for comments/feedback and bring this back for approval at a later date.

This item was tabled.

7. Discuss and consider the March 23, 2017 letter from Brazos Pilots Association regarding Update – Safety margin vessels passing vessels docked at Dock #3.

Mr. Durel reported on the meeting held to discuss the situation with the Hoegh vessel wanting to come in and a rice vessel at Dock 3 and Phillips working their barges at their Dock 4 where the combined beams were greater than 180 feet. In the guidebook, it references a 180-foot combined beam limit of the two vessels with one passing a vessel at Dock 3. After discussing the situation with the pilots that day, they agreed to bring the Hoegh vessel in. At Captain Blanton's request, a meeting was held between the Port, the Pilots, Phillips and the agent for Hoegh to discuss this situation. As a result of the meeting, the Pilots are extending the safety parameters beyond 180 feet. If the combined beams are between 180-200 feet, action is required by the Port and Phillips. If the combined beams are beyond 200 feet, a vessel will not pass until the barges at Phillips Dock 4 or the vessel at Dock 3 are cleared.

8. Adjourn.

With no further business before the Commission, the meeting adjourned at 8:47 p.m.