

AGENDA

**Port Freeport
Port Commission
Regular Meeting
Thursday, October 18, 2018, 12:15 pm - 3:15 pm
Administration Building - 1100 Cherry Street - Freeport**



1. CONVENE OPEN SESSION in accordance with Texas Government Code Section 551.001, et. seq., to review and consider the following:
2. Invocation.
3. Pledge of Allegiance: U.S. Flag & Texas Flag
4. Roll Call.
5. Safety Briefing.
6. Approval of minutes from the Regular and Special Meetings held September 27, 2018.
7. Reports from Executive Staff:
 - A. Receive report from Executive Director/CEO on activities and matters related to administrative affairs. Port tenant updates, USCOE, rail issues, AAPA Committees, leases, contracts, upcoming Port and civic events and other related administrative affairs.
 - B. Receive report from Chief Financial Officer on monthly activity and matters related to financial results, investments, insurance, leases, real property matters and other related administrative affairs.
 - C. Receive report from Director of Engineering on activities and matters related to Freeport Harbor Federal Channel, capital projects, Hydrographic Report and other related facility engineering matters.
 - D. Receive report from Director of Operations on activities and matters related to operations, vessel activity, tonnage and other related port operation matters.
 - E. Receive report from Director of Protective Services on activities and matters related to safety meetings/injury report, security meetings, EMS update and other related safety, security and environmental matters.
 - F. Receive report from Director of Business & Economic Development on activities and matters related to industry meetings, sales reports, advertising, web activity, Foreign-Trade Zone and other ocean transportation related matters.
8. Receive report from Commissioners on matters related to:
 - A. October 18 Finance Advisory Committee
 - B. October 18 Personnel Advisory Committee
 - C. Meetings and conferences attended, Port presentations and other related Port Commission matters.
9. Receive update from staff regarding the Brazoria-Fort Bend Rail District and the Brazoria-Fort Bend Nexus Project Group.
10. Public Comment
(Comments will be limited to 5 minutes per guest)
11. Ratification and approval of emergency repair in the amount of \$46,205.25 payable to Choctaw Construction Services.
12. Approval of a Construction Contract with Sytek Omni for asbestos abatement and demolition of houses, for an amount not to exceed \$148,380.00.
13. Adoption of a resolution approving the acceptance of the Port's portion of proceeds received from high bidders on delinquent tax property held in trust by Brazoria County, Texas and authorizing the Chairman to join in conveyance to high bidders.
14. 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 to discuss potential litigation.

2. Consultation with attorney to discuss potential litigation.
 3. Consultation with attorney regarding legal matters related to Agreement with Paul Bridges and Associates, LLC.
 4. Consultation with attorney and discussion regarding Special District Local Laws Code Title 5 Transportation, Subtitle A Navigation District and Port Authorities, Chapter 5002 Subchapter A.
 5. Consultation with attorney regarding legal matters arising out of:
 - a. Texas Water Code, Chapters 60, 62 and 63
 - b. Texas Government Code:
 - Chapter 551, Subchapter D
 - Chapter 552, Subchapter A
 - Title 5, Subtitle A, Chapter 553
 - Title 4, Subtitle B, Chapter 418
 - c. Transportation Code, Section 222.005
 - d. Title 6, Civil Practice and Remedies Code
- B. Under authority of Section 551.072 (Deliberation of Real Property Matters) for discussion regarding:
1. Discussion regarding the exchange, lease or value of real property located on East Brazos Street.
 2. Discussion regarding First Amendment to the Lease Agreement between Port Freeport and A&R Logistics.
 3. Discussion regarding the potential exchange, lease, or value of real property located in Freeport, Texas, including but not limited to the area known as the East End of Freeport and bordered by the following streets: FM 1495; East 2nd Street; Terminal Street and East 8th Street in Freeport, Texas.
 4. The potential purchase, exchange, lease or value of real property located at Port Freeport, including but not limited to the real property located at and contiguous to Berths 1, 2, 5 and 7.
 5. The potential exchange, lease, or value of real property located at Port Freeport, including but not limited to Parcels 7, 8, 10, 26 and 37.
 6. The potential exchange, lease, or value of real property located at Port Freeport, including but not limited to Parcels 4, 5, 6, 9, 14, 19, 27, 31, 34, 35 and 38.
- C. Under authority of Section 551.076 (Deliberation of Security Matters) for discussion regarding:
1. Discussion regarding issues related to the deployment, or specific occasions for implementation of security personnel or devices or security audit and services.
- D. Under authority of Section 551.074 (Deliberation of Personnel Matters) for discussion regarding:
1. Deliberation regarding the appointment, employment, evaluation, reassignment, duties of a public officer or employee, including but not limited to: Executive Director/CEO, Chief Financial Officer, Director of Operations, Operations Manager, Director of Engineering, Director of Protective Services, Director of Economic Development and Director of Business & Economic Development.
15. RECONVENE OPEN SESSION to review and consider the following:
 16. Approval of a Professional Services Agreement with Paul Bridges and Associates, LLC for Container Crane Procurement.
 17. Discuss and consider purchase of Port safety vehicle.
 18. Approval of a Purchase Contract in the amount of \$120,000.00 for property located on East Brazos Street.
 19. Discuss and consider granting authority to Executive Director/CEO Phyllis Saathoff to execute any and all documents necessary and required by Stewart Title to close the transactions on the following property:
423 E. 2nd Street, Freeport, TX (East End Property) and 702 N. Avenue G, Freeport, TX (Avenue G Property)
 20. Discuss and consider approving First Amendment to the Lease Agreement between Port Freeport and A&R Logistics.
 21. Discuss and consider approving modification to Marine Terminal Agreement for real property located at Port Freeport.
 22. Adjourn.

The Port 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 Port 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.