

AGENDA



**Port Freeport
Port Commission
Regular Meeting
Thursday, November 29, 2018, 2:00 pm - 5:00 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 Meeting held November 8, 2018 and Special Meeting held November 19, 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. November 8 & 29 Finance Advisory Committee
 - B. November 8 & 29 Operations/Safety/Security Advisory Committee
 - C. November 8 & 29 Personnel Advisory Committee
 - D. November 8 & 29 Strategic Planning Advisory Committee
 - E. 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. Approval of financial reports presented for the period ending September 30, 2018.
12. Presentation of check to Texas Ports Ministry from proceeds of Port Freeport Golf Tournament.
13. Approval of contract with Restocon Corp., in the amount of \$44,944.00, for the Administration Building (Observation Deck) Waterproofing Project.
14. Approval of Change Order No. 2 with Vernor Material & Equipment for the Velasco Terminal, Backland Area 5 Stabilization Project, for an amount not to exceed \$4,772.66.
15. Approval of Change Order No. 1 with AAA Asphalt Paving, Inc. for the Port Road Repairs Contract No. 17-09 in order to construct Backland Area 5 Access Road Improvement, for an amount not to exceed \$121,000.00.

16. Approval to make payment to CenterPoint for Parcel 14 Rail Development Project for new electrical services and modifications, for an amount not to exceed \$123,427.00
17. Approval of a Professional Services Agreement with Moffatt & Nichol in the amount of \$72,100.00 for the Underwater Inspection of Docks 1, 2, 3, 5 and 7.
18. Approval of a renewal for Port Freeport health, dental and vision insurance.
19. Adoption of a Resolution authorizing a contribution to the Port Freeport Retirement Plan.
20. Approval of Port Policy 2.4 - Executive Director/CEO.
21. Discuss and consider setting the 2019 Port Commission meeting dates.
22. Discuss and consider setting date to conduct Board Workshop.
23. 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 and discussion regarding Special District Local Laws Code Title 5 Transportation, Subtitle A Navigation District and Port Authorities, Chapter 5002 Subchapter A regarding Pilot Dispatch Services.
 4. 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 551.071 (Consultation with Attorney) and Section 551.072 (Deliberations Concerning Real Property) for discussion regarding:
 1. Consultation with attorney and discussion regarding the terms and conditions of the Lease Agreement between Port Freeport and G&H Towing Company.
 - C. Under authority of Section 551.072 (Deliberation of Real Property Matters) for discussion regarding:
 1. 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.
 2. 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.
 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 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.
 - D. 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.
 - E. 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.
24. RECONVENE OPEN SESSION to review and consider the following:

25. Discuss and consider Resolution authorizing Executive Director/CEO to advocate for the Texas Ports Association sponsored and proposed legislative changes for the upcoming 86th session of the Texas Legislature.
26. Discuss and consider approving a Lease Agreement between Port Freeport and G&H Towing Company.
27. 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.