

AGENDA

**Port Freeport
Port Commission
Regular Meeting
Wednesday, May 29, 2019, 1:00 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 May 16, 2019.
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 matters and meetings, 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, environmental matters and other related facility engineering matters.
 - D. Receive report from Director of Operations on activities and matters related to operations, vessel activity, tonnage, safety meetings/injury report, security meetings, EMS update and other related port operation and security matters.
 - E. Receive report from Director of Business & Economic Development on activities and matters related to industry meetings, sales reports, advertising, web activity, Foreign-Trade Zone, Rail District and other ocean transportation related matters.
8. Receive report from Commissioners on matters related to:
 - A. May 9 Operations, Safety & Security Advisory Committee
 - B. May 16 Personnel Advisory Committee
 - C. May 17 Finance Advisory Committee
 - D. Meetings and conferences attended, Port presentations and other related Port Commission matters.
9. Public Comment
(Comments will be limited to 5 minutes per guest)
10. Receive update from the Brazos Pilots regarding Dispatch Services.
11. Approval of financial reports presented for the period ending April 30, 2019.
12. Approval of a Construction Contract with Burnside Services for the Velasco Terminal Backland Development, Area 3 project, for an amount not to exceed \$4,990,627.70.
13. Approval of liability insurances through broker Arthur J. Gallagher & Co. for a total premium of \$152,991.
14. Adoption of a Resolution of the Port Commission of Port Freeport approving the Preliminary Official Statement; and approving other matters incidental thereto.
15. Approval of Port Policies 3.7 (Employment), 4.1-4.3 (Employment Status & Records), 8.1 and 8.7 (Ethics, Conduct & Disciplinary Action).
16. 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 legal matters arising out of Texas Transportation Code, Title 4 Navigation, Subtitle A Waterways and Ports, Chapter 52 Texas Deepwater Port Procedures Act.
 4. Consultation and discussion with attorney regarding the terms and conditions of Third Amendment to Lease Agreement with Horizon Terminal Services, LLC.
 5. Consultation and discussion with attorney regarding the terms and conditions of second Lease Agreement with Horizon Terminal Services, LLC.
 6. Discussion regarding appointment of Port Freeport representative to Brazoria-Fort Bend Rail District.
- B. 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 Parcel 14.
 5. The potential exchange, lease, or value of real property located at Port Freeport, including but not limited to Parcels 4, 5, 6, 9, 19, 27, 31, 34, 35 and 38.
17. RECONVENE OPEN SESSION to review and consider the following:
 18. Approval of Third Amendment to Lease Agreement between Port Freeport and Horizon Terminal Services, LLC.
 19. Approval of second Lease Agreement between Port Freeport and Horizon Terminal Services, LLC.
 20. 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.