

AGENDA

**Port Freeport
Port Commission
Regular Meeting
Thursday, November 14, 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 October 23, 2019 Regular Meeting.
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. November 14 Personnel Advisory Committee
 - B. November 14 Strategic Planning Advisory Committee
 - C. November 14 Finance Advisory Committee
 - D. Meetings and conferences attended, Port presentations, Rail District and other related Port Commission matters.
9. Public Comment
(Comments will be limited to 5 minutes per guest)
10. Approval of financial reports presented for the period ending September 30, 2019.
11. Receive presentation from Texas COLT, LLC regarding their deepwater port license application.
12. Approval of Change Order No. 1 to Prism in the amount of \$28,385.00 for additional asbestos abatement work for the East End Properties 2018 project.
13. Discuss and consider awarding contract to McCarthy Building Companies, Inc. for the Velasco Terminal, Berth 8 project, for an amount not to exceed \$129,677,607.30.
14. Adoption of a Resolution authorizing a contribution to fund Port reserves for capital improvements.
15. Approval of a renewal for Port Freeport Health, Dental and Vision Insurance.
16. Approval of a renewal with Texas Association of Counties for Port Freeport Workers Compensation Policy.
17. Approval of the Fort Velasco Signal Station Annual Financial Report.
18. 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.
19. 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 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.
 - 3. Consultation with attorney and discussion regarding Open Meetings Act and Public Information Act.
 - B. Under authority of Section 551.071 (Consultation with Attorney) and Section 551.072 (Deliberation of Real Property Matters) for discussion regarding:
 - 1. Consultation with attorney regarding request for termination of Lease Agreement received from Mediterranean Shipping Company, S.A.
 - C. Under authority of Section 551.072 (Deliberation of Real Property Matters) for discussion regarding:
 - 1. 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.
 - 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. The potential exchange, lease, or value of real property located at Port Freeport, including but not limited to Parcel 14.
 - 4. 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.
 - 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.
20. RECONVENE OPEN SESSION to review and consider the following:
- 21. Approval of a Purchase Contract for property located at 411 E. Broad Street.
 - 22. Discuss and consider First Amendment to the Lease Agreement between Port Freeport and Ports America.
 - 23. Discuss and consider First Amendment to the Lease Agreement between Port Freeport and Gulf Stream Marine.
 - 24. Discuss and consider approval of Lease Termination Agreement with Mediterranean Shipping Company, S.A.
 - 25. Discuss and consider approval of Reservation Agreement between Port Freeport and Trammel Crow Company.
 - 26. Discuss and consider approval of Reimbursement Agreement between Port Freeport and Trammel Crow 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.