

## AGENDA

**Port Freeport  
Port Commission  
Regular Meeting  
Wednesday, October 23, 2019, 4:30 pm - 7:30 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 10, 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. October 10 Personnel Advisory Committee
  - B. October 18 Strategic Planning Advisory Committee
  - C. 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. Seventh Supplemental Resolution Authorizing the Issuance of Port Freeport Senior Lien Revenue Bonds, Series 2019A (AMT); Prescribing the Terms and Provisions Thereof; Approving the Sale of the Bonds and Authorizing the Execution and Delivery of a Bond Purchase Agreement and a Paying Agent/Registrar Agreement; Approving the Preparation and Distribution of an Official Statement; and Resolving Other Matters Related Thereto.
11. Eighth Supplemental Resolution Authorizing the Issuance of Port Freeport Senior Lien Revenue Bonds, Series 2019B (Non-AMT); Prescribing the Terms and Provisions Thereof; Approving the Sale of the Bonds and Authorizing the Execution and Delivery of a Bond Purchase Agreement and a Paying Agent/Registrar Agreement; Approving the Preparation and Distribution of an Official Statement; and Resolving Other Matters Related Thereto.
12. Approval of Construction Contract with McCarthy Building Companies, Inc. for the Velasco Terminal, Berth 8 project, for an amount not to exceed \$129,677,607.30.
13. Approval of Construction Contract with Saltwater Salvage for the Docks 1, 2, 3 and 5 Sheet Pile Repairs 2019 project, for an amount not to exceed \$170,000.00.
14. Approval of an amendment to the Professional Services Agreement with REM (Risk Engineering & Management).
15. Approval of updates to Port Policies 5.2, 5.5, 5.6, 6.1, 6.2 and 6.3.
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 and discussion regarding Special District Local Laws Code Title 5 Transportation, Subtitle A Navigation District and Port Authorities, Chapter 5002 Subchapter A.
  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.
- 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. 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.
  3. 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.
  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.
- C. 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 and Chief Financial Officer.
17. RECONVENE OPEN SESSION:
18. 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.



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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.