

## AGENDA

**Port Freeport  
Port Commission  
Regular Meeting  
Thursday, September 12, 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 following hearings and meetings held:  
August 22 Public Hearing  
August 22 Regular Meeting  
August 29 Public Hearing  
August 29 Special Meeting
7. Receive report from Executive Director/CEO and/or Port staff 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.
8. Receive report from Commissioners on matters related to 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. Adoption of a Resolution approving the application for tax abatement between Port Freeport and Chevron Phillips Chemical Company for property located in Chevron Phillips Chemical Company Reinvestment Zone No. 2, approving Tax Abatement Agreement on the same terms and conditions as granted to Chevron Phillips Chemical Company by Brazoria County and authorizing Chairman and Secretary to execute said agreement.
11. Discussion regarding staff recommendation on property insurance as it relates to Parcel 14 rail improvements.
12. Adoption of a Resolution setting the 2019 Tax Rate for Port Freeport.
13. Adoption of the FY 2019/2020 Budget for Port Freeport.
14. Adoption of a Resolution of the Port Commission approving a plan of finance; authorizing the financial advisor and bond counsel to proceed with the necessary arrangements to facilitate the plan of finance, including providing TEFRA notice and conducting TEFRA hearing and approving other matters related hereto.
15. Adoption of a Resolution of the Port Commission approving the reimbursements of certain expenditures related to the design, construction, improvement, development and equipment of a levee stabilization project necessary for channel navigation improvements.
16. Approval of a Purchase Order to Maintenance of Way Construction Services in the amount of \$38,887.00 for Riviana Railroad Track Repairs.
17. Approval of a Memorandum of Understanding between Port Freeport and the Department of the Army for Reach 1 (Entrance and Jetty Channel) of the Freeport Harbor Channel Improvement Project.
18. Approval of a Change Order to HDR, Inc. for additional geotechnical sampling on Reach 3 (Lower Stauffer Channel) of the Freeport Harbor Channel Improvement Project, in the amount of \$353,297.00.
19. Approval of Amendment No. 1 to the Professional Services Agreement between Port Freeport and David Miller & Associates, Inc.
20. Approval of Port Policies 5.1-5.4 (Attendance/Compensated Absences).
21. Approval of a Form of Credentials appointing Phyllis Saathoff as delegate to the Annual Convention and Annual Meeting of the American Association of Port Authorities.
22. Approval of Commissioners travel for the month of September 2019.

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):
    - 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.
  - 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 or adjacent to 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 551.071 (Consultation with Attorney) and Section 551.072 (Deliberation of Real Property Matters) for discussion regarding:
    - 1. Consultation with attorney regarding request for temporary waiver of insurance requirements under Lease Agreements.
  - 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.
24. RECONVENE OPEN SESSION to review and consider the following:
25. Consideration and possible approval of request for temporary waiver of insurance requirements under Lease Agreements.
26. 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.