

AGENDA

**Port Freeport
Port Commission
Regular Meeting
Thursday, October 13, 2016, 4:00 pm - 6:00 pm
Administration Building - 1100 Cherry Street**



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 Moment.
6. Approval of minutes from the Regular Meeting held September 22, 2016.
7. Upcoming Meetings:
 - October 14 - Port Commission Workshop
 - November 10 - Port Commission Meeting
 - December 1 - Port Commission Meeting
8. 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 External/Government Affairs on activities and matters related to federal, state and local governmental affairs. Port tenant updates, USCOE, rail issues, HGAC/TPC, Committees, upcoming Port and civic events and other related governmental affairs.
 - D. Receive report from Director of Engineering on activities and matters related to Freeport Harbor Federal Channel, capital projects and other projects, Hydrographic Report and other related facility engineering matters.
 - E. Receive report from Director of Operations on activities and matters related to operations, vessel activity, tonnage and other related port operation matters.
 - F. 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.
 - G. 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.
9. Receive report from Commissioners on matters related to meetings and conferences attended, Port presentations and other related Port Commission matters.
10. Public Comment
(Comments will be limited to 5 minutes per guest)

11. Approval of an Award of Contract for the Velasco Terminal, Backland Areas 5 and 6, Clearing and Stabilization project.
12. Approval to purchase limestone for the Velasco Terminal, Backland Areas 5 and 6, Clearing and Stabilization project.
13. Adoption of a Resolution Expressing Intent to Finance Expenditures Incurred.
14. Adoption of a resolution approving contribution to the Port Reserve for Capital Improvements.
15. Discuss and consider granting authority to Executive Director/CEO Phyllis Saathoff to execute any and all documents necessary and required by Stewart Title to close the transactions on the following properties:
 - 207 E. 7th Street, Freeport, TX (East End Property) and 319 W. 9th Street, Freeport, TX (9th Street Property)
 - 310 E. 6th Street, Freeport, TX (East End Property) and 203 W. 9th Street, Freeport, TX (9th Street Property)
 - 327 E. 7th Street, Freeport, TX (East End Property) and 222 W. 9th Street, Freeport, TX (9th Street Property)
 - 527 E. 6th Street, Freeport, TX (East End Property) and 218 W. 9th Street, Freeport, TX (9th Street Property)
 - 213 E. 7th Street, Freeport, TX (East End Property) and 315 W. 9th Street, Freeport, TX (9th Street Property)
 - 221 E. 5th Street, Freeport, TX (East End Property) and 302 W. 9th Street, Freeport, TX (9th Street Property)
 - 218 E. 6th Street, Freeport, TX (East End Property) and 318 W. 9th Street, Freeport, TX (9th Street Property)
 - 302 E. 6th Street, Freeport, TX (East End Property) and 322 W. 9th Street, Freeport, TX (9th Street Property)
16. 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.
17. Discuss and consider sponsorship level for the Gateway to Americas Conference 2016 being held October 24-26, 2016.
18. Approval of Executive Director/CEO and Commissioner travel for the month of November, 2016.
19. Receive update from staff regarding the Brazoria-Fort Bend Rail District and the Brazoria-Fort Bend Nexus Project Group.
20. Receive briefing from staff on the Water Resources & Development Act 2016 and H.R. 5325 (Continuing Appropriations and Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2017, and Zika Response and Preparedness Act) and the impacts to the Port Freeport channel projects.
21. 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 regarding tax abatement guidelines.
 2. Consultation with attorney regarding purchase contract for property at 314 E. Broad Street.
 3. Consultation with attorney regarding matters related to Port Freeport Tariff No. 5.
 - B. Under authority of Section 551.072 (deliberation of real property matters) for discussion regarding:
 1. Discussion regarding the terms and conditions of a Second Amendment to the Lease Agreement between Port Freeport and Mammoet USA South, Inc.
 2. 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.
 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. 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.

5. 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, 34, and 38.

C. 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.

22. RECONVENE OPEN SESSION to review and consider the following:

23. Approval of a purchase contract for property at 314 E. Broad Street.

24. Discuss and consider approval of Port Freeport tax abatement guidelines.

25. Discuss and consider ratification of the prior approval of the following tax abatement agreements: BASF Corporation Reinvestment Zone No. 15; Trinity Turbine Technology, LP; Amended BASF Corporation Reinvestment Zone No. 15; Phillips 66 Company Reinvestment Zone 6; Modification & Assignment of BASF Corporation No. 14; Dow Chemical Company Reinvestment Zone No. 1; Praxair, Inc. Reinvestment Zone No. 1.

26. Approval of a Second Amendment to the Lease Agreement between Port Freeport and Mammoet USA South, Inc.

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.



Jeff Strader, Chief Financial Officer

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.