

AGENDA

**Port Freeport
Port Commission
Regular Meeting
Thursday, March 23, 2017, 3:00 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 Briefing.
 6. Approval of minutes from the Regular Meeting held March 9, 2017.
 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 issues, AAPA Committees, leases, contracts, upcoming Port and civic events and other related administrative affairs.
 - B. Receive report from Controller 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, and overview of Emergency Action Plans.
 - 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.
 8. Receive report from Commissioners on matters related to:
 - A. March 9 & 23 Strategic Planning Advisory Committee
 - B. March 9 Finance Advisory Committee
 - C. March 15 Security/Safety 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. Approval of financial reports presented for the period ending February 28, 2017.
 11. Adoption of a Resolution approving the application for tax abatement for Phillips 66 for property located in the Phillips 66 Reinvestment Zone No. 7, approving Tax Abatement Agreement on the same terms and conditions as granted to Phillips 66 by Brazoria County and authorizing Chairman and Secretary to execute said agreement.
 12. Approval of a contract with Sunstates Security for security services for a term of 3 years in the amount of \$1,279,279.00 per year with option to renew for 2 years.
 13. Adoption of a resolution declaring items surplus and ordered sold separately for cash, after notice of sale and receipt of

bids to the highest bidder; destroyed if no bids are received; or offered as trade-in for new property of the same general type.

14. 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.
15. Receive update from staff regarding the Brazoria-Fort Bend Rail District, and the Brazoria-Fort Bend Nexus Project Group.
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 551.074 (deliberation of personnel matters) for discussion regarding:
 1. Discussion regarding the goals and performance of the Executive Director/CEO.
 - 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 4, 5, 6, 9, 14, 19, 27, 31, 34, and 38.
 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.
 - C. Under authority of Section 551.071 (consultation with attorney) for discussion regarding:
 1. Consultation with attorney regarding the terms and conditions of a Lease Agreement between Port Freeport and Brazos River Fleeting.
 2. Consultation with attorney regarding a Purchase Contract in the amount of \$105,000.00 for property at Lot One (1) through Fifteen (15), Block Nineteen (19) Freeport Townsite in the City of Freeport, Brazoria County, Texas, according to the map or plat thereof recorded in Volume 2, Page 95 of the Plat Records of Brazoria County, Texas.
17. RECONVENE OPEN SESSION to review and consider the following:
18. Discuss and consider Executive Director/CEO compensation.
19. 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:

515 E. Broad Street, Freeport, TX (East End Property) and 523 W. 5th Street, Freeport, TX
427 E. Broad Street, Freeport, TX (East End Property) and 528 Montgomery Street, Clute, TX (land owned by East End resident, house contracted by Port Freeport)
20. Approval of a contract with James Construction for the Parcel 14 Rail Development project in the amount of not to exceed \$21,286,265.94.
21. Approval of a Purchase Order to Vulcan Materials for the purchase of Limestone at our contracted rate, in the amount of not to exceed \$2,065,000.00 to be used on the Parcel 14 project.
22. Approval of a contract with Tegrity Homes for the New Housing Project 2017 in the amount of not to exceed \$2,927,500.00.
23. Approval of a Professional Services Agreement with John T. Jakubik, Associates in the amount of \$30,300.00 for surveying of HTS lease areas.
24. Discuss and consider approval of a Resolution amending Port Freeport Investment Policy 9.1.
25. Approval of a Lease Agreement with Brazos River Fleeting for a certain 1.2 acres of land owned by Port Freeport situated in the 5.252 acre tract for a term of 10 years in the amount of \$20,000.00 per year with two 5-year options to renew .
26. Approval of a Purchase Contract in the amount of \$105,000.00 for property at Lot One (1) through Fifteen (15), Block Nineteen (19) Freeport Townsite in the City of Freeport, Brazoria County, Texas, according to the map or plat thereof recorded in Volume 2, Page 95 of the Plat Records of Brazoria County, Texas.

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.