

## Minutes of Meeting March 9, 2017

A Regular Meeting of the Port Commission of Port Freeport was held March 9, 2017 beginning at 3:00 PM at the Administration Building, 1100 Cherry Street, Freeport, Texas.

### Commissioners present:

Mr. Ravi Singhania, Chairman  
Mr. Bill Terry, Vice Chairman  
Mr. Paul Kresta, Secretary  
Mr. Rudy Santos, Asst. Secretary  
Mr. Shane Pirtle, Commissioner  
Mr. John Hoss, Commissioner

### Staff Members Present:

Mr. Jason Cordoba, Legal Counsel  
Ms. Phyllis Saathoff, Executive Director/CEO  
Mr. Jeff Strader, Chief Financial Officer  
Mr. Al Durel, Director of Operations  
Mr. Jason Hull, Director of Engineering  
Ms. Dianna Kile, Director of External/Government Affairs  
Ms. Missy Bevers, Executive Assistant  
Ms. Mary Campus, Controller  
Mr. Brandon Robertson, Network Systems Manager  
Mr. Cecil Booth, Project Engineer  
Mr. Nick Malambri, Engineering Specialist  
Ms. Callie Cole, Accounting Clerk

### Absent:

Mr. Chris Hogan, Director of Protective Services  
Mr. Mike Wilson, Director of Economic Development  
Mr. Jason Miura, Director of Business & Economic Development

### Also present:

Mr. Bob Arroyave, Brown & Gay Engineer  
Mr. Bobby Fuller, Texas Port Ministry  
Mr. William Wachel, WSP/PB  
Mr. Niels Aalund, WGMA  
Ms. Citlalli Martinez, WGMA  
Mr. David Eby, Terracon  
Mr. Jason Mills, Terracon  
Mr. Peter Nemeth, Crain, Caton & James  
Mr. Patrick Bonorden, Fugro Consultants  
Mr. Tim Kulshar, Red Hook Terminals  
Mr. Bruce Reed, P66  
Ms. Ann Poninski, P66

1. CONVENE OPEN SESSION in accordance with Texas Government Code Section 551.001, et. seq., to review and consider the following:
2. Invocation – Mr. Bobby Fuller, Texas Port Ministry
3. Pledge of Allegiance: U.S. Flag & Texas Flag
4. Roll Call.  
Commissioner Singhanian noted that all Commissioners were present.
5. Safety Briefing – Mr. Ben Westerlin
6. Approval of minutes from the Regular Meeting held February 23, 2017.

A motion was made by Commissioner Kresta to approve the minutes as presented. The motion was seconded by Commissioner Hoss with all Commissioners present voting in favor of the motion.

7. 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.

Ms. Saathoff asked Ms. Kile to speak on behalf of the upcoming Take-A-Child Fishing Tournament. Ms. Kile extended an invitation to the audience to attend the tournament which is scheduled for May 13 at Freeport Municipal Park. She also encouraged those without children to consider being a sponsor of the event.

Ms. Saathoff reported on activities and meetings held in Austin for Brazoria County Day. She also reported that a bill will be filed to extend the Heavy Lift Corridor from Loop 419 at Highway 35 to the Tenaris pipe fabrication facility. Matagorda County has issued a resolution of support with Brazoria County to approve March 14. Staff has also met with the Mayors of West Columbia, Jones Creek, Brazoria and Freeport, all of whom will be seeking a support resolution. The bill is expected to be filed today or tomorrow (March 10) by Senator Kolkhurst. Ms. Saathoff will be attending the first meeting of the newly appointed Texas Ports Infrastructure & Innovation Committee March 13. Testimony will be allowed by invitation only. A member of the Texas Ports Association will be speaking on behalf of seaports.

8. Receive report from Commissioners on matters related to meetings and conferences attended, Port presentations and other related Port Commission matters.

Commissioner Pirtle reported attending meetings with TxDOT as well the Governor's office of Economic Development to educate them on Port Freeport. He also commended staff for the development of the new Port brochure and informational pocket carrier. Commissioner Pirtle also attended the Brazoria County Bird Observatory, Angleton Rotary and the Red, White & Blue Festival in Danbury.

In addition to attending Brazoria County Day, Commissioner Terry commended staff for their work while in Austin.

Commissioner Santos reported attending Brazoria County Day as well.

Along with Commissioner Singhanian and Ms. Saathoff, Commissioner Hoss reported attending the February 24 meeting in Dallas with Representative Joe Barton. He also attended Brazoria County Day.

Commissioner Singhanian also reported on his attendance at Brazoria County Day and meeting with Representative Joe Barton. He thanked staff for hosting Friends of the River for a tour of the Port March 1.

9. Receive update from staff regarding the Brazoria-Fort Bend Rail District and proposed legislation.

Ms. Saathoff stated the Rail District is continuing discussion with Freese & Nichols regarding the Master Service Agreement. They recently had a special meeting February 25 focusing the roles and responsibilities, their goals, objectives and guiding principles of the Rail District Board. A key decision made at the meeting was to engage the services of Christina Wisdom as their legislative counsel/consultant in Austin. Ms. Saathoff also reported that a House Bill has been filed by Representative Miller's office that will provide additional opportunities for the Rail District.

10. Public Comment

There were no comments from the public.

11. 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 legal matters related to an Agreement between Port Freeport and the Texas Department of Transportation.
2. Consultation with attorney regarding legal matters related to a pipeline easement.
3. Consultation with attorney regarding legal matters related to a pipeline access agreement.
4. Consultation with attorney regarding a modification to Port Freeport Tariff No. 5.
5. Consultation with attorney regarding the terms and conditions of a proposed Lease Agreement with U.S. Customs Border Protection.

B. Under authority of Section 551.072 (deliberation of real property) 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. 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. 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 2<sup>nd</sup> Street; Terminal Street and East 8<sup>th</sup> Street in Freeport, Texas.
  4. 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.
- C. Under authority of Section 551.074 (deliberation of personnel matters) for discussion regarding:
1. Deliberation regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: New Chief Financial Officer.
  2. Discussion regarding the goals and performance of the Executive Director/CEO.

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

13. Approval of a Professional Services Agreement with WSP Parsons Brinkerhoff for Velasco Terminal Facility Integration Planning in an amount not to exceed \$99,800.00.

Mr. Hull stated that the agreement is to integrate Velasco Terminal into State Highway 36 to better accommodate larger traffic flow. It is his recommendation to approve the Professional Services Agreement with WSP Parsons Brinkerhoff who is the most qualified firm for this project.

A motion was made by Commissioner Pirtle to approve the agreement. The motion was seconded by Commissioner Kresta with all Commissioners present voting in favor of the motion.

14. Approval of a modification to Port Freeport Tariff No. 5.

This item was tabled.

15. Approval of a Resolution in support of designation of heavy lift corridor from 5261 Seventh Street in Bay City, Texas to the entrance of Port Freeport.

Ms. Saathoff stated that a bill will be filed in support of extending the Heavy Lift Corridor from Loop 419 to 5261 Seventh Street in Bay City. In 2011, Texas Legislature amended the Transportation Code to create the first Heavy Lift Corridor and subsequently revised in 2015 adding the route from Port Freeport to CP Chem. Because Tenaris and Port Freeport desire to designate a route from the Port to their facility, staff is seeking adoption of a resolution in support of this extension.

A motion was made by Commissioner Pirtle to approve the resolution. The motion was seconded by Commissioner Hoss with all Commissioners present voting in favor of the motion.

16. Adjourn.

With no further business before the Commission, the meeting adjourned at 7:29 p.m.