

Minutes of Port Commission Meeting
April 23, 2026
In Person & Videoconference

A Regular Meeting of the Port Commission of Port Freeport was held April 23, 2026, beginning at 1:03 PM at the Administration Building, 1100 Cherry Street, Freeport, Texas.

Commissioners present in person:

Mr. Rob Giesecke, Chairman
Mr. Rudy Santos, Vice Chairman
Mr. Kim Kincannon, Secretary
Mr. Dan Croft, Asst. Secretary
Ms. Barbara Fratila, Commissioner
Mr. Ravi Singhania, Commissioner

Staff Members Present:

Ms. Heather Cook, Randle Law Firm
Ms. Phyllis Saathoff, Executive Director/CEO
Mr. Rob Lowe, Director of Administration/CFO
Mr. Jason Hull, Director of Engineering
Mr. Chris Hogan, Director of Protective Services
Mr. Brandon Robertson, Director of IT
Mr. Jesse Hibbetts, Director of Operations
Ms. Missy Bevers, Executive Assistant
Ms. Amy O'Brien, Controller
Ms. Christine Lewis, Safety Coordinator
Ms. Amanda Veliz, Public Affairs Manager
Ms. Danielle Allen, Procurement Manager
Ms. Vicki Smith, Accounting Manager
Mr. Chas Gryseels, Project Engineer
Ms. Ruby Dunn, Receptionist (virtual)

Absent:

Mr. Jason Miura, Director of Business & Economic Development

Also, present:

Mr. Chris Moore, Texas Port Ministry
Mr. Chris Motley, Freeport Fire Department
Mr. Will Bohlen, GHD
Mr. Jason Foltyn, GFT
Mr. Santos Aluiso, ILA
Ms. Melanie Oldham (virtual)
Ms. Kelsea Hiebert, BFS (virtual)

1. CONVENE OPEN SESSION in accordance with Texas Government Code Section 551.001, et. seq., to review and consider the following:
2. Invocation – Mr. Chris Moore, Texas Port Ministry
3. Pledge of Allegiance – U.S. Flag and Texas Flag

4. Roll Call – Commissioner Giesecke noted that Commissioner Santos would be arriving late to the meeting. All other Commissioners were present in the board room.
5. Safety Briefing – Ms. Christine Lewis provided tips for staying safe around electricity at home and at work.
6. Call to identify and discuss any conflicts of interest that may lead to a Commissioner abstaining from voting on any posted agenda item.

There were no conflicts identified.

7. Public Comment – There were no public comments.
8. Public Testimony – There was no public testimony.
9. Receive reports from Executive Staff on activities and matters related to administrative affairs, financial results, facility engineering matters, operations and vessel activity, safety matters, security matters, tenant updates, USCOE, and other related port affairs.

A. Executive Director/CEO

Ms. Saathoff asked Ms. Veliz to give an update on the Take-a-Child Fishing Tournament. Ms. Veliz stated that the tournament will be held at the Freeport Municipal Park on May 9 beginning at 8:00 a.m. She thanked the sponsors and community partners for their continued support of the event noting that approximately \$64,500 has been contributed for the event. Over 200 door prizes will be available for the kids and the entry fee, as always, is two canned goods which will be donated to the Dream Center. Ms. Veliz also noted that registration forms (in English and Spanish) are located on the port's website this year and available to print along with forms for any ADA requests that may be needed. Ms. Saathoff reported that the financial results remain on track or better than budget with operations staff and members of ILA staying busy handling all the cargo moving through the port. Ms. Saathoff also reported that staff is expecting MARAD's announcement of the 2025 Port Infrastructure Development Program grant funds at any time. Staff continues to monitor but feels the delay is with the Office of Management and Budget who will approve the final list before releasing the projects. Staff will continue to monitor and send out details once confirmation is received. In the meantime, the 2026 Port Infrastructure Development Program application period has opened, with submissions due in early June. Staff is working with Goodman who is assisting with the process. The port has also submitted a Berth 3 Modernization project through Congressman Weber's office for Community Project Funding. The project was included in the list that was forwarded to the Appropriations Subcommittee. Ms. Saathoff stated that there is no guarantee the project will stay in, but the port is always grateful to Congressman Weber and his continued support of Port Freeport. Additionally, Ms. Saathoff participated at the Viva Fresh Conference and Expo in San Antonio with the business development team which was a successful event. She also attended the National Waterways Conference with Commissioners Kincannon and Singhania, and they were able to connect with U.S. Army Corps Engineers Headquarters personnel, along with the professional staffers with the Senate and House Appropriations Committees and Transportation and Infrastructure Committees. She also announced that Mr. Sang Yi, who is the deputy administrator for

MARAD has given notice that he will be taking the CEO position at the American Association of Port Authorities which will begin in early May.

Commissioner Giesecke noted that Commissioner Santos joined the meeting at 1:15 p.m.

Commissioner Singhanian asked Ms. Saathoff to share with the public how the issues going on in the Middle East are impacting the port. As previously mentioned, Ms. Saathoff stated that vessel and cargo activity portwide continues to be very steady however, noting there are impacts to the carriers and the cargo owners because of the fuel price escalation. The ship lines quickly put their customers on notice of a fuel surcharge. She also stated that with new business prospects, delays can be expected on making any new markets decisions with the uncertainties and continued price increases. She noted there are vessels that are still trapped and being held hostage in the Strait of Hormuz. It was reported today that a couple of cargo vessels have been taken control of and moved into Iranian waters. Likewise, some lines are also adjusting their routes but depending on what markets are connecting with the U.S. or other areas of the world; those adjustments may take longer and do not happen overnight. Port Freeport is still seeing steady cargo movements in and out of the port. The energy sector is in great demand with energy products in the U.S. stable and doing quite well. She noted that Dow Chemical is also doing well because of the need to fill gaps with resin and polyethylene production. Staff will continue to monitor and report any variances or concerns as they assess the ongoing situation. It was also noted by Commissioner Croft that the Panama Canal is at max capacity with ships moving through the canal. Ms. Saathoff stated their water levels have been good, so they have the capability to be at max movements through the canal adding that during the Chinese New Year, there were fewer container vessels needing to move through the Panama Canal with the capacity absorbed by the LNG market. There isn't a deficit for the canal and that is expected to continue. Commissioner Giesecke commented on the 2025 U.S. Census Trade Bureau data included in Ms. Saathoff's report. Ms. Saathoff stated that as of the year 2025, Port Freeport now ranks 9th in the U.S. overall in foreign waterborne export tonnage, and 13th for total foreign waterborne tonnage. She also noted that for fiscal year end, the port moved 40.6 million tons of cargo through Port Freeport and for the calendar year, it dropped down just under 40 million but is consistently staying at or above the 40 million mark, putting the port 4th in the state.

B. Director of Engineering

In addition to his written report, Mr. Hull shared a screenshot of the Ellis Island highlighting the area it's working in and noted that it will leave at the end of the month to work at Sabine Neches while the Dodge Island comes to finish up spots the Corps identifies. He also reminded the Commission that once the contractor is done, checked the surveying work and submitted it to the Corps of Engineers, the Corps will then send their own survey boat out to confirm the work. If all agree, the surveys will be sent to NOAA (National Oceanic and Atmospheric Administration) for publishing in the ENC charts. Commissioner Kincannon inquired about the distance from the dredge location to the spoil deposit. Mr. Hull explained that the spoil deposit is an area and not a single point and is probably a mile or two in nautical distance. He also explained that the contractor uses a specific grid format so they're not piling in one area. They also drag the area to smooth it out from time to time. Ms. Saathoff also mentioned that Reach 1 and 2 were in the final contract and should be completed soon and accepted by the Corps (Reaches 3 and 4 were previously accepted). Later this year the Corps is planning a clean sweep of the entire system under the maintenance contract that is out for bid to address any siltation that may

have occurred and will include the two foot maintenance dredging and two feet of over dredge. Mr. Hull also stated the Corps of Engineers is going to put out a contract for Placement Area 1 Containment Dike Raise this summer with Corps funds and will increase the amount of storage capacity.

C. Director of Operations

Mr. Hibbetts announced that the Ro/Ro Rodeo will be held May 5 from 8:00 a.m.-12:00 p.m. He also reported on statistics for March stating there were 57 vessels for the month, which is the most vessels year-to-date and for the current fiscal year. Tonnage is up and on pace across all sectors the port is handling. Rail is expected to go up in the next couple of months as the port's new OEM customer will be ramping up for a busy June and July. He stated that April is shaping up to be a very busy month noting that the current forecast of 47 expected vessels for has already gone up since publishing his report. He also noted that while the steel sector was light for March because of scheduled maintenance at the plant, it will be picking back up in April.

D. Director of Business & Economic Development

Mr. Miura submitted a written report in his absence.

E. Chief Financial Officer

Mr. Lowe presented the financial results for the month of March.

10. Receive reports from Commissioners on matters related to Port Commission-related meetings or conferences, Port presentations and other Port-related matters.

Commissioner Singhania reported attending the National Waterways Conference, Angleton Rotary Gala, JA Celebrity Waiter and 100 Club Annual Banquet.

Commissioner Kincannon reported attending the Jeff Barry Port Visit, State of the County Luncheon, Col. Dake Port Visit and also attended the National Waterways Conference.

Commissioner Santos reported also attending the State of the County Luncheon, the Executive Leadership meeting port visit with Col. Dake, Angleton Chamber Luncheon and Fleet Week in Houston.

Commissioner Fratila reported attending the Friends of the River Breakfast, Brazoria Chamber Luncheon, Brazosport Chamber Luncheon and 100 Club Banquet.

Commissioner Croft reported attending the Jeff Barry Port Visit, State of the County, Friends of the River Breakfast and the Economic Development Alliance Meeting.

In addition to attending similar events mentioned, Commissioner Giesecke also had an introductory meeting with Freeport City Manager Danielle Kelly and attended Freeport City Council meetings.

11. Consent Agenda.

- A. Approval of Minutes from the Regular Meeting held March 26, 2026.
- B. Approval of financial reports for the period ending March 31, 2026.
- C. Approval of a Resolution adopting 2024 International Building Codes.

A motion was made by Commissioner Kincannon to approve the consent agenda. The motion was seconded by Commissioner Croft with all Commissioners present voting in favor of the motion.

12. Approval of a Professional Services Agreement with HDR, Inc. for a Submittal of 408A for the Docks 1, 2, 3 and 5 Floodwall Modification, for an amount not to exceed \$215,274.00.

Mr. Hull stated that the flood wall was designed and built by the Corps of Engineers in about 2010 and since that time, staff has come up with a better way to provide protection that's more conducive to operating a port. He noted the Corps' existing design had some problems, but this new design corrects the problems at no cost to them. He went on to explain that the design was submitted to the Velasco Drainage District, which is the non-federal sponsor for the flood protection system, got approval and was sent to the Corps of Engineers at which time they were embarking upon the Sabine-Galveston Project, and the project was paused because of differences in the understanding of what sea level rise meant and didn't mean. Mr. Hull stated that this proposal will take the exact 2019 design, review it against current Corps engineering regulations and engineering manuals to ensure that what was done previously can be modified to comply with current regulations. The design will then be resubmitted to U.S. Army Corps of Engineers in Galveston for approval and once approved (approvals are good for five years), Mr. Hull will notify the Port Commission of said approval. At that time, if the port chooses to move forward with the construction, Mr. Hull will request another fee from HDR to perform the construction oversight, which is not included in this \$215,274. This fee is just to get a permit. The process is anticipated to take approximately 11 months; however, it could take longer, which is why Mr. Hull did not include the construction oversight fee in this proposal. He further noted that \$2.6 million is the estimated amount in the budget for construction of the floodwall. He also explained that the existing floodwall is a fixed wall (3 feet high - 12 inches thick) and has openings that are closed with removable fiberglass panels and will remain in place. The modifications will include a modified concrete traffic barrier (similar to highway concrete barriers) that will be behind the existing wall, closer inland along the wall of the transit sheds. He stated that the barriers will fasten together and sit on the concrete wharf on self-weight, explaining that they will have enough mass to stay in place and will interlock together on the ends, tongue in groove style (4 feet high - 48 inches). Additionally, Mr. Hull stated that most of the barriers will remain in place unless they're needed for port operations. The barriers can be lifted with a forklift, relocated inside the port and then installed in the event of a hurricane. He further explained that the intent of the existing wall was not to demolish it as it would cost more money to do so.

A motion was made by Commissioner Kincannon to approve the professional services agreement with HDR Inc. for submittal of the 408A for the Docks 1, 2, 3 and 5 floodwall modification for an amount not to exceed \$215,274. The motion was seconded by Commissioner Singhania with all Commissioners present voting in favor of the motion.

13. Approval to Purchase Order with Clements Plumbing for relocation of a water meter, for an amount not to exceed \$28,350.89.

Mr. Hull stated that this item was in the capital budget at \$100,000 and involves relocating a fairly new existing water meter on Parcel 1 behind the Dole yard. Mr. Hull stated that normally the city would do the work, charge the port a fee to relocate the meter with the port obligated to use the meter because it belongs to the city. He explained that it's a little different

scenario in that the city has a third-party contractor (Veolia) that operates the water system and that operator did not want to do the work. After discussing with the city, the water department instructed the port to use the city's pre-approved contractors. Mr. Hull obtained two bids with Clements Plumbing submitting the lowest bid of \$28,350.89. Clements has also done work for the port previously and is a city approved contractor. Mr. Hull noted that the city will be present when the meter is being relocated to ensure there is no monkey business or tweaking of the meter. The meter's new location will be at 5th Street and Pine Street, which will put all of the port's property behind a city meter so the port can be accurately and properly billed for use. Mr. Hull recommends approval.

A motion was made by Commissioner Singhania to approve the purchase order. The motion was seconded by Commissioner Santos with all Commissioners present voting in favor of the motion.

14. Adoption of a resolution authorizing execution of an Advance Funding Agreement with the Texas Department of Transportation for the FM 1495 Truck Parking Project.

Ms. Saathoff stated that as previously reported, the Texas Department of Transportation applied with U.S. DOT for a grant to improve the non-TWIC truck staging lot directly across from Gate 8. She explained that the project scope consisted of the design and construction of what TxDOT calls a freight intermodal facility that would include a new parking lot, an office building with restrooms and sidewalks on FM 1495 from 8th Street to 4th Street. It will also have designated truck parking spaces and some passenger vehicle spaces. TxDOT is ready to move forward with the project which is just over \$10 million in total estimated cost with the port's local participation at \$878,310. Ms. Saathoff stated that this project partners with TxDOT and helps to support their goal of providing more facilities for truck parking throughout the state. She further explained that in order to initiate the project and the engineering and design for it, the port must enter into an Advanced Funding Agreement. The resolution for approval states that after all changes to the agreement have been agreed to, Ms. Saathoff is authorized to execute the documents.

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

15. Adoption of a resolution recognizing Chiquita Fresh North America L.L.C.

Ms. Saathoff stated that April 1 was the 30 year anniversary of Chiquita operating at Port Freeport and staff wanted to acknowledge their partnership and what they've meant to the port and the community with a resolution. She stated that the port will also be hosting a small dinner in May with Chiquita personnel that will be in Freeport and will present the resolution to them and have a photo opportunity to celebrate the milestone. Ms. Saathoff briefly read some highlights from the resolution stating that Chiquita has maintained continuous operations at the port facilitating approximately 1500 vessel calls and supported the movement of an estimated 125,000 containers of bananas and other imported fresh fruit which represents millions and millions of boxes of fruit distributed throughout the United States. Chiquita has also been a strong supporter of exports of resin, petroleum products and other proteins to Central America growing the diversity of products that move through Port Freeport. They have established vessel rotations that have connected the port to key ports in Central America, including Guatemala, Honduras, Costa Rica improving the port's global

connectivity, and also has a very strong and shared commitment to operational excellence, sustainability, economic growth and job creation. Lastly, Ms. Saathoff stated that the resolution recognizes and honors Chiquita's 30 years at Port Freeport and its partnership that has not only strengthened the port, but international trade, economic development and jobs as well, and the port commends them for their consistency, reliability and commitment to excellence. Ms. Saathoff requests approval of the resolution.

A motion was made by Commissioner Singhania to adopt the resolution. The motion was seconded by Commissioner Kincannon with all Commissioners present voting in favor of the motion.

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 under Government Code Section 551.071(1) (to seek or receive attorney's advice on pending or contemplated litigation).
 2. Consultation with attorney under Government Code Section 551.071(2) (to seek or receive attorney's advice on legal matters that are not related to litigation).
 - B. Under authority of Section 551.076 (Deliberation of Security Matters):
 1. Discussion regarding issues related to the deployment, or specific occasions for implementation of security personnel or devices or security audit and services.
 - C. Under authority of Section 551.087 (Economic Development Negotiations or Incentives):
 1. To discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations.
 - i. Business and Economic Development Report including potential offers of financial or other incentives to the business prospect.
 2. To deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).
 - D. Under authority of Section 551.072 (Deliberation Concerning Real Property Matters) for discussion regarding:
 1. 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, 3, 5, 7 and 8.
 2. The potential lease or value of real property located at Port Freeport or adjacent to Port Freeport, including but not limited to Parcel 1.
 3. The potential exchange, lease, or value of real property located at Port Freeport, including but not limited to Parcels 14, 19, 27, 31, 34, 38 and property on Quintana Island.

17. RECONVENED OPEN SESSION:

18. Approval of a Second Amendment to the Pipeline Right-of-Way and Easement between Port Freeport and FLNG Liquefaction 4, LLC.

Mr. Lowe stated that staff is requesting approval of a second amendment to the pipeline right-of-way pipeline easement between Port Freeport and Freeport LNG. He explained that the original easement was executed in 2018 with the requirement that FLNG construct the pipeline within 60 months of execution of the easement. On April 28, 2022, the Port Commission approved an extension to complete construction by June of 2026. Freeport LNG will not be able to meet that deadline and has asked the port to extend the deadline to 2030. Staff recommends approval.

A motion was made by Commissioner Singhania to approve the second amendment to the Pipeline Right-of-Way and Easement between Port Freeport and FLNG Liquefaction 4, LLC. The motion was seconded by Commissioner Santos with all Commissioners present voting in favor of the motion.

19. Approval of a Lease Agreement between Port Freeport and Freeport LNG Development, L.P.

Mr. Lowe stated that Freeport LNG has requested the lease of a portion of Parcel 31 of approximately 25 acres. Staff recommends approval.

A motion was made by Commissioner Croft to approve the lease agreement between Port Freeport and Freeport LNG Development, L.P. The motion was seconded by Commissioner Singhania with all Commissioners present voting in favor of the motion.

20. Adjourn.

With no further business before the Commission, the meeting adjourned at 6:43 PM.