

Minutes of Port Commission Special Meeting
December 19, 2024
In Person & Videoconference

A Special Meeting of the Port Commission of Port Freeport was held December 19, 2024, beginning at 8:37 AM at the Administration Building, 1100 Cherry Street, Freeport, Texas.

This meeting agenda with the agenda packet is posted online at www.portfreeport.com

The meeting will be conducted pursuant to Section 551.127 of the Texas Government Code titled "Videoconference Call." A quorum of the Port Commission, including the presiding officer, will be present at the Commissioner Meeting Room located at 1100 Cherry Street, Freeport, Texas. The public will be permitted to attend the meeting in person or by videoconference.

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Commissioners present in person:

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

Staff Members Present:

Mr. Grady Randle, General Counsel
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. Jason Miura, Director of Business & Economic Development
Ms. Missy Bevers, Executive Assistant
Mr. Rico Arbolante, Help Desk Technician
Mr. Jesse Hibbetts, Director of Operations
Ms. Amanda Veliz, Public Affairs Manager
Mr. Chas Gryseels, Project Engineer
Ms. Christine Lewis, Safety Coordinator

Also, present:

Ms. Jessica Scanlon, Hot Dog Marketing

1. CONVENE OPEN SESSION in accordance with Texas Government Code Section 551.001, et. seq., to review and consider the following:
2. Roll Call - Commissioner Singhania noted that all Commissioners were present in the board room.
3. 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 noted by Commissioners.

4. Public Comment – There was no public comment.
5. Public Testimony – There was no public testimony.
6. Continuation of November 14, 2024 Workshop, including but not limited to the following:
 - A. Safety Update.
 - B. Website Redesign and Mission, Vision & Core Values Update.
 - C. Accessibility Plans & Community Engagement Update.
 - D. Policy Matters including but not limited to Matters Unrelated to Port, Whistleblower Policy, Ethics Policy, Conflict of Interest Policy and Purchasing Policy.

Safety Update

Ms. Lewis gave a safety update that covered activities the department handles including inspections, meetings, investigations and continuing back to basics. She explained that some of the inspections conducted are for the two fire buggies and the fire suppression systems in the back of a patrol vehicles which are checked monthly. Emergency equipment, including the AEDS and fire extinguishers, are also maintained and checked to ensure everything is current. The safety department holds quarterly tenant meetings, quarterly walkabouts and conducts port staff safety training. Ms. Lewis noted she frequents the Freeport Warehouse LLC project to make sure everything is in compliance adding there hasn't been any safety issues with them. Meetings have also been held regarding FM1495 crossing and with stevedores when there are safety related concerns. In addition, Ms. Lewis attends the ABC Safety Council and the Brazoria County Petrochemical Council safety programs. She also stated that safety maintains a proactive approach with new tenants and businesses offering welcome packets that outline safety requirements and documents needed to help maintain consistency. Safety is also available 24/7 to answer any questions or address issues that may arise. Ms. Lewis noted that she observes vessel operations and attends tailgate meetings to ensure information being put out is correct adding that being visible helps noting regular patrols. With regard to investigations and corrections, once safety is notified of an incident, pictures and information are collected for the investigation. Depending on the incident, a comprehensive review is done with the tenant or person involved to come up with proactive measures whether it's additional training, disciplinary or restrictive activity. Safety continues with back to basics which includes closed-toed shoes and Class 2 Type R safety vests. Safety vests are available at a low cost for those who come to the Port and have incorrect PPE. Safety also monitors all the truck staging areas, the non-TWIC lot and the lots at Parcel 14 and 19 to make sure things flow properly. She explained the non-TWIC lot has some

areas they're working on to make it more manageable noting the Del Monte cross-dock project opening up will alleviate a lot of trucks in the non-TWIC lot. Safety projects the department continues to work on included the following:

- FM 1495 Crossing
- Low line Identification
- Hands on training
- Speed limit issue on long straights and sign relocation
- NON-TWIC parking area and security check-in
- Delineator lane designation
- Project Cargo movements
- Traffic flow for Gate 12

FM 1495 Crossing and Improvements.

Safety has added more signage, uniformed officers with lighted vehicles, automatic flaggers, restriping of the roadway, extra lighting and the corner of Highway 36 has been mowed and now provides better visibility. Lighting has been added to both sides of the street and the automatic arms are still in place and are utilized which helps with the Port traffic. The uniformed officers take care of the FM 1495 traffic which has reduced issues. She also noted that if the port gets any additional business on Parcel 19, it will impact the intersection and additional safety precautions will have to be implemented. Ms. Saathoff noted this intersection will eventually be a lighted intersection which will help manage the traffic. Ms. Lewis also noted the uniformed officers will be able to control traffic lights at the intersection which will be an added benefit with the cross traffic. Staff continues to meet with TxDOT throughout the project, adjusting tenant flags as construction shifts, making sure the port is in compliance with what is currently in place for that traffic control area.

Low Line Identification.

Staff has ordered identifiers (reflective discs) to hang on low lying lines that some equipment is too tall or comes too close to the communication lines throughout the port. The reflective discs have been added to these lines. Additionally, signage has been ordered that indicates how high a line is to also alert operators to the low line.

Training.

Staff is looking to do hands-on training with the rescue container and the fire buggies. Safety has added extra safety equipment to the rescue container that includes a complete first aid bag, extra battery operated lighting that can be hung to illuminate the container and head lamps. Mr. Hogan is working with the fire department for them to do training with the rescue container as well. Ms. Lewis has done training with ILA and stevedores, but for new customers coming on board, more training will be offered for anyone wanting to participate. The same hands on training will be offered for the fire buggy. Additionally, how-to sheets with step-by-step instructions will also be available.

Speed Limit Issues.

Safety and security monitor the speed limits. The long straights, Parcel 14 roadway, Pete Schaff Road and Turning Basin Road, are a problem for the port. Staff has discussed installing speed bumps across the road to get the over the road trucks to slow down a bit. Ms. Lewis identified signage that needs to be updated or replaced throughout the port due to storm damage or have faded out. She also noted some signs that need to be relocated where there's no purpose or traffic. These signs will be reused in areas needed.

Non-TWIC parking area and security check-in.

Since the last update, a check-in booth has been put in place for security to do non-TWIC check-ins which has reduced foot traffic crossing FM 1495 as well as relieve the congestion at Gate 8.

Delineator lane designation (Amports traffic lanes).

The traffic lanes need to be repainted, and in the meantime, staff ordered delineator cones that will be adhered down the lane to identify outbound / inbound traffic lane designation. Ms. Lewis explained that there are six inbound lanes, one outbound lane and a parking lane. Issues arise when an OTR truck or car hauler parks in the outbound lane, forcing cars or trucks going to Parcel 4, 19 or the yellow yard to go around them putting them in the incoming lane creating head on traffic. The painter will add new arrows, and a solid white line as well as other designated items.

Project Cargo Movements.

Safety has assisted with escorting two projects from the Dock 8 area, through the port and out Gate 4. Traffic was stopped for the cargo to move freely through the port which took less than 45 minutes. Safety ensured all tenants were made aware when the two major project cargos moves were happening. The moves were made without any issues with everyone on board helping with the process.

Gate 12 Traffic Flow.

Safety is reviewing what signage will be needed at the gate, what safety equipment will be needed on board at the site and how traffic will flow coming into the port and going out of the port, before gate operations begin.

Ms. Lewis ended her presentation highlighting some of the items discussed and noting a few things she would like to see moving forward:

- Updated signage throughout the Port
- Identifying all the emergency equipment throughout the port (stickering, cataloging and mapping)
- Employee Safety Appreciation Luncheon recognizing 2085 no time lost days.
- Evaluate budget for safety needs.
- Another set of automatic flaggers
- Radar gun for the safety vehicle
- Solar panel flashing lights for traffic control.
- Added emergency equipment bag and AED to safety vehicles.
- All AEDs have been checked with batteries replaced, if needed.
- Hosting quarterly and tenant safety meetings and walkabouts
- Safety training with port staff with all new material
- Added safety equipment to the rescue container.

Website Redesign and Mission, Vision & Core Values Update

Mr. Miura introduced Ms. Jessica Scanlon, CEO of Hot Dog Marketing who joined the meeting virtually to present draft statements related to the mission, vision and core values. The statements were drafted using data collected from the surveys. He noted that Hot Dog is also working on redeveloping the Port's website and creating new marketing material. Ms. Scanlon explained that Hot Dog has already done quite a bit of discovery and market research for the project in addition to holding a customer insight workshop with stakeholders to discuss the now and future of the port. One-on-one interviews were also held along with

the survey. She further explained that for the purpose of the presentation, she'll be using the results of the Commissioner survey, then briefly discuss what the mission, vision, core values are and how they will play together with the identity and marketing messaging. Lastly, she will present the draft statements for consideration. She gave a brief overview of the customer insight summary which gathered a diverse group of stakeholders including tenants, port leadership, community partners and stevedores, to discuss the port get feedback on goals, mission and values. The discussion also included competitors, SWOT analysis, exercises and customer mapping. Goals discussed at the workshop included develop land, technology improvements, channel operations without restrictions, zero emissions for vessels and greater sustainability, resiliency and community buy in and support. Ms. Scanlon explained that a SWOT analysis was also done with the group and highlighted some of the strengths and opportunities noted including opportunity for growth while remaining flexible and accessible, having global reach, working on attracting new partners and creating space for new business. Sustainability and efficiency were also key points. With regard to the one-on-one interviews, Hot Dog spoke with a wide variety of individuals, including partners, commissioner, former commissioners, customers, leadership team and tenants. Major themes from the conversations included the port focusing on high growth and strategic expansion, prioritizing community engagement and public relations, team's dedication to the people being its main point of culture difference with other ports as it's a very people centric culture and finally, operational efficiency and strategic location one of the major reasons why customers choose to do business at Port Freeport. Ms. Scanlon also shared impactful quotes pulled from the interviews stating that growing responsibly came up quite a bit along with the people aspect. "We are all working for efficiency and effectiveness." and "Have respect for every person and position in the organization. This place doesn't work without good people in all positions." Lastly, one person clearly stated, "The vision is to put this port in a position to develop the infrastructure that will compel commerce to come here." The Commissioners survey revealed three major themes. Economic development - the port's vision needs to be centered around job creation and economic growth for the County. Infrastructure and location - the port should be capitalizing on its location and upgraded infrastructure for years to come. Responsibility - the port needs to make sure it includes some sort of statement about responsible growth. Ms. Scanlon then shared a slide that showed values in order of importance/priorities based on the feedback. Economic development lead the way, followed by port growth, innovation and modernization, community engagement, sustainability and accessibility. Words that resonate with the team helps Hot Dog see how the team sees the port and also helps Hot Dog draft statements that align with the team views. These words included proactive and efficient, strategic, business friendly, engaged, resilient, innovative and responsible. Ms. Scanlon then briefly went over the following terms:

Why = Purpose Statement

The main reason why anyone would choose to do business with the Port or choose to work for the organization. It is also the driving force behind marketing efforts

How = Mission Statement

How the Port will live its purpose and reach its vision

What = Vision Statement

The direction the Port is currently going and what it hopes to achieve in the future

Who = Your Audience.

Business partners, community members, community partners and the people who work at the port.

Ms. Scanlon also shared a graphic recommended by Hot Dog for the Port's purpose statement. It covers the three pillars of how the Port lives the brand identity purpose by partnering with businesses, driving job creation and economic growth and engaging with the community. She stated the mission statement was drafted based on the research and survey completed knowing it needs to speak to responsible growth, work closely with the community while focusing on what makes the port special (the people) and mentioning sustainability. The mission statement for consideration states the following...

"To foster economic growth by providing efficient and world-class port services. We do this while promoting sustainable and responsible development and prioritizing community and people-first values."

The vision statement was drafted to include information about responsible growth, becoming a highly competitive world class port while staying centered on its core function of being an economic engine and speak to the neighbor and community partner it wants to be and should be slightly aspirational. The vision statement drafted for consideration is...

"To be a globally recognized gateway for commerce, known for our efficiency, innovation, and commitment to sustainability, while fostering economic opportunity and building strong connections with our community and partners."

Lastly, Ms. Scanlon presented four core values to consider for adoption that include aspects of the organization that will help to find alignment with all the people the Port comes across and will help the Port understand who will make good business partners in the future. The values include the following:

- Respect and integrity
- Operational excellence
- Collaboration
- Community
-

Ms. Scanlon asked the Commission to please send any thoughts or considerations they may have after having time to review the information. Commissioner Singhania commented that he would like to see is "while fostering responsible economic opportunity and growth," adding that you can do economic growth but not be responsible. Commissioner Croft commented that while it's a lot of information to absorb, they will share their ideas to come up with something that can be finessed a bit. Commissioner Singhania also noted the port should be a globally recognized gateway for maritime commerce. He also suggested adding this to the January agenda to review after Commissioners have had time to submit their comments.

Accessibility Plans & Community Engagement Update

Mr. Lowe covered the public information request, language assistance, and Americans with Disabilities Plan update. He began with the public information requests stating that as of November 12, the Port had received 21 requests for the year. Breaking down the requests, he stated there were seven requests for bid information, six that were legal in nature and three staff directory related matters. He noted here that there are a couple of organizations who routinely ask for a breakdown of staff positions adding the port did receive three that were not related to Port Freeport, just as a governmental entity. Additionally, there was one request for a disbursement and one for a commercial contract. The bid information requests are typically for the bid tabulation sheet. Staff will continue to update the commission monthly. Mr. Lowe stated that staff has added a Language Assistance Plan (LAP) in the past year. The Port entered into an agreement with a company known as Language Line under a Texas DIR contract. He explained that through the Language Line, the Port has access to on demand interpretation services for over 240 languages. To date, there have been no requests

for assistance from anyone in the community. Likewise, with regard to the Americans with Disabilities Access, there have been no requests made for assistance, to date. He also noted that staff identified and updated six areas throughout the Port that needed ADA improvements which were previously covered by Mr. Hull. Ms. Saathoff then followed up with an additional update regarding the Language Assistance Plan and other Title VI compliance matters that she's been working on in order for the Port to proceed with contracting for the federal grant funds and respond to TxDOT in their compliance check of the Port. She noted the Port received an extensive pre-grant checklist from Maritime Administration - USDOT which was related to the PIDP Grant. The Port responded to the request but was then asked for more detail on several areas including updating the years which staff determined the households or the number of people that are limited English proficient. Ms. Saathoff noted its consistent across the navigation district that Spanish or Hispanic is the most frequent limited English proficiency population, with the same in Freeport. Additionally, households were consistent in the ratio of number of limited English proficient language per household; Spanish was much higher than the next highest limited English proficient language in the county. She explained the question was asked because the next highest limited English proficient language was Asian and MARAD thought the Port met the threshold of having to provide all vital documents in that language as well. Moving forward, Spanish or Hispanic will be the language the Port will translate its vital documents and other information requests within reason. Ms. Saathoff has updated the appendix and the Language Assistance Plan to show the new data. The plan will ultimately be available on the new website for anyone that wants to look at it. Additionally, the language tool reference guide (for handing out) was also simplified and reflects that Port Freeport is providing the guide. Additionally, the Port has other compliance areas that come with the requirement that any subrecipients as well as anyone the Port contracts with the federal funds they have certain requirements for compliance. The Port now has checklists that will need to be provided to subrecipients. Ms. Saathoff created the checklists and will be put on the website. There are also checklists regarding ADA accessibility and Title VI, all parts of the Port's comprehensive Title VI Compliance Program which includes the ADA Plan, Language Assistance Plan and a Public Participation Plan. The Port must demonstrate its doing things in a way that provides opportunity for everyone to participate from competitive bidding, to accessing agendas for meetings, to reaching the community through the Community Advisory Panel, and the Port's liaisons for different chambers throughout the navigation district as well as participation with the economic alliances. She noted that the Port is, and has been, meeting the requirements, but it's now documented in a plan. Additionally, the Port received a MARAD letter of notification that its Title VI Compliance Plan has been reviewed and accepted.

Policy Matters including but not limited to Matters Unrelated to Port, Whistleblower Policy, Ethics Policy, Conflict of Interest Policy and Purchasing Policy

Mr. Lowe reminded the Commission that the policy related to the ban on TikTok was previously approved at the November Workshop. In addition, there are a few other concepts that have been brought up with different board members and staff recently that staff is seeking direction on whether or not the board wants staff to pursue presenting these matters to committees for further consideration. With regard to the conflict of interest policy, Mr. Lowe stated the policy requires acknowledgement by the board members and staff every two years. The board previously agreed this acknowledgement would fall in sync with the election of board members and staff will maintain that two year cycle. In addition, the first new policy to consider is the Port's position on matters unrelated to the Port. Commissioner

Singhania commented that topics may arise that aren't related to the port, but that the Port may try to get pulled into it either by other institutions or by individual beliefs. Mr. Lowe has looked at the University of Texas policy and feels he could create a policy for consideration to a committee if the board wants to pursue. Likewise, with a whistleblower policy and ethics policy (code of conduct). Commissioner Singhania feels that with several commissioners serving on other boards, issues may come up that something is not happening in a certain way, a policy would offer a level of protection to the board. Mr. Lowe stated that staff will draft policies to present to committee if it's something the board wants to pursue. The board had no objections.

7. RECONVENE 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 551.0760 (Deliberation of Security Matters):
 1. Issues related to the deployment, or specific occasions for implementation of security personnel or devices or security audit and services.
 - B. 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.
 - C. Under authority of Section 551.072 (Deliberation of Real Property):
 1. The potential lease or value of real property located at Port Freeport, including but not limited to Parcels 1 and 19.
 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, 7 and 8.
 3. The potential exchange, lease, or value of real property located at Port Freeport, including but not limited to Parcels 4, 5, 6, 7, 8, 9, 10, 34, 37 and 38.
 4. The potential exchange, lease, or value of real property located at Port Freeport, including but not limited to Parcels 14, 15, 16, 17, 26, 27, 31 and 35.
8. RECONVENE OPEN SESSION:
9. Adjourn.

With no further business before the Commission, the meeting adjourned at 12:51 PM.