

AGENDA

**Port Freeport
Port Commission
Regular Meeting
Thursday, February 11, 2021, 1:00 pm - 5:00 pm
Via Video/Teleconference - Administration Building - 1100 Cherry Street - Freeport**



Notice is hereby given that in accordance with the order the Office of the Governor issued March 16, 2020, and due to imminent threat to public health and safety and urgent public necessity, the Port Freeport Port Commission will conduct a Regular Meeting on Thursday, February 11, 2021 at 1:00 p.m. by video/teleconference initiated from the Administration Building, 1100 Cherry Street, Freeport, Texas. In order to meet CDC guidelines for social distancing and slow the spread of the Coronavirus (COVID-19), the public can join the video/teleconference meeting by following the instructions below. When the spread of COVID-19 is no longer an imminent threat to our community, in-person meetings will resume.

The meeting will not be open for the public to physically attend the meeting, but the Port welcomes the public to attend virtually. Public comment will be available at the beginning of the meeting on the agenda item indicated below. Following public comment, the public will not be permitted to communicate with the Port Commission.

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

Please join the meeting from a computer, tablet or smartphone.

<https://global.gotomeeting.com/join/861890213>

You can also dial in using your phone.

United States (Toll Free): [1 866 899 4679](tel:18668994679)

Access Code: 861-890-213

All participants will be muted until the meeting begins.

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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. Public Comment. (Public comment will be limited to 5 minutes per participant and must be completed virtually via the toll free number)
6. Approval of minutes from the Regular Meeting held January 28, 2021.
7. Receive update from federal consultants Van Scoyoc Associates.
8. Receive report from Executive Director/CEO and/or Port staff on activities and matters related to COVID-19 health safety matters, administrative affairs, financial results, facility engineering matters, operations and vessel activity, port safety matters, port security matters, Port tenant updates, USCOE, and other related port affairs.
9. Approval and award of contract for Property, Boiler and Machinery, and Terrorism insurance coverage for a one-year term beginning March 1, 2021, as obtained by broker Authur J. Gallagher & Co.
10. Approval and ratification of correct terms for tax abatement with Trinity Turbine Technology, LP, Trinity Turbine Real

Estate, LLC, and Trinity Coatings, LLC.

11. Adoption of a Resolution Ordering an Election to be held May 1, 2021 for the purpose of electing two Port Commissioners, Positions 4 and 6.
12. Approval of a Joint Election Agreement and Contract for Election Services between Brazoria County and Port Freeport for the May 1, 2021 Election.
13. 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.
14. 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):
 1. Consultation with attorney to discuss potential litigation.
 - B. Under authority of Section 551.072 (Deliberation of Real Property Matters) for discussion regarding:
 1. 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 or adjacent to the following streets: FM 1495; East 2nd Street; Terminal Street and East 8th Street in Freeport, Texas.
 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. The potential exchange, lease, or value of real property located at Port Freeport, including but not limited to Parcels 14 and Surfside Lots.
15. RECONVENE OPEN SESSION:
16. 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.

**PORT FREEPORT
RESOLUTION ORDERING AN ELECTION**

RESOLUTION ORDERING AN ELECTION FOR PORT COMMISSIONERS FOR POSITION NO. 4 AND POSITION NO. 6, RESPECTIVELY, TO BE HELD ON SATURDAY, MAY 1, 2021; PROVIDING FOR SAID ELECTION TO BE CONDUCTED BY BRAZORIA COUNTY AND HELD JOINTLY WITH THE NAMED POLITICAL SUBDIVISIONS; SETTING DAYS AND HOURS FOR EARLY IN-PERSON VOTING AT THE POLLING PLACES DESIGNATED; APPOINTING ELECTION OFFICERS AND AUTHORIZING PUBLICATION OF NOTICE OF SAID ELECTION.

At a regular meeting of the Port Commissioners of Port Freeport held at the office of said Port at 1100 Cherry Street, Freeport, Texas, at 1:00 p.m. on the 11th day of February 2021, among other business came on to be considered the following resolution, which upon motion duly made and seconded, was adopted by vote of all Port Commissioners present:

FINDINGS

1. Due and proper notice of the date, time, place, and purpose of this meeting has been duly given in accordance with the provisions of the Texas Open Meetings Act, and such meeting has been conducted in accordance with said Open Meetings Act.

2. The Port Commission finds that an election for two Port Commissioners for Position No. 4 and Position No. 6, respectively, should be (i) held on the 1st Saturday in May, namely, May 1, 2021, (ii) conducted by the Brazoria County Elections Division of the Office of the County Clerk of Brazoria County and (iii) held jointly with each of the several political subdivisions herein named, and that the Port should enter into an agreement with the County Clerk of Brazoria County to hold the May 1, 2021 election jointly with each of the several political subdivisions herein named in the election precincts, as herein designated, and that otherwise the election should be held as herein specified.

The Port Commission further finds:

3. That said election should be held jointly with the following tentatively scheduled political subdivisions, both as to election day voting and in-person early voting during the permitted early voting period for such election, namely:

- a. City of Alvin
- b. Alvin ISD
- c. Angleton-Danbury Hospital District
- d. Angleton ISD
- e. City of Angleton
- f. Village of Bailey's Prairie
- g. Village of Bonney
- h. City of Brazoria
- i. Brazosport ISD
- j. Brookside Village
- k. Columbia-Brazoria ISD

- l. City of Clute
- m. City of Danbury
- n. Danbury ISD
- o. City of Freeport
- p. Port Freeport
- q. Hillcrest Village
- r. Town of Holiday Lakes
- s. City of Iowa Colony
- t. City of Jones Creek
- u. City of Lake Jackson
- v. Village of Liverpool
- w. City of Manvel
- x. City of Oyster Creek
- y. City of Pearland
- z. Pearland ISD
- aa. Town of Quintana
- bb. City of Richwood
- cc. Village of Surfside
- dd. City of Sweeny
- ee. Sweeny ISD
- ff. Sweeny Hospital District
- gg. City of West Columbia

4. That said joint election is to be conducted as provided by Chapter 271 of the Texas Election Code, and other applicable election laws, and that the election precincts and polling places for election day voting and in-person early voting locations be as more fully set forth in the notice of election, attached hereto and incorporated herein.

5. That the election officers as appointed by Brazoria County should be appointed election officers for Port Freeport for the May 1, 2021 election held jointly with the political subdivisions listed above for both the election day voting locations as well as in-person early voting locations; and that said officers should be authorized to appoint a sufficient number of clerks to assist them in performing their duties as same.

6. That Port Freeport shall share the cost of administering the May 1, 2021 joint election based on the cost per polling place and the allocation of costs, unless specifically stated otherwise, is mutually agreed to be shared according to a formula which is based on the cost per polling place. The normal rental rate charged for Brazoria County's rental equipment used on election day shall be divided equally among the participants utilizing a polling place. Costs for early voting by personal appearance will be divided by all participating political subdivisions as follows: The total cost of all locations will be divided by all participants in the joint election and each participant's cost share will be based on registered voters.

7. That notice of said election as set forth on the form of Notice attached be published as required by law.

NOW THEREFORE, BE IT RESOLVED AND ORDERED by the Port Commission of Port Freeport that an election for two Port Commissioners for Position No. 4 and Position No. 6,

respectively, be held on the 1st Saturday in May, namely, May 1, 2021, that said election be conducted by the Brazoria County Elections Division of the Office of the County Clerk of Brazoria County and that said election be held jointly with each of the following tentatively named political subdivisions (as set forth above):

- a. City of Alvin
- b. Alvin ISD
- c. Angleton-Danbury Hospital District
- d. Angleton ISD
- e. City of Angleton
- f. Village of Bailey's Prairie
- g. Village of Bonney
- h. City of Brazoria
- i. Brazosport ISD
- j. Brookside Village
- k. Columbia-Brazoria ISD
- l. City of Clute
- m. City of Danbury
- n. Danbury ISD
- o. City of Freeport
- p. Port Freeport
- q. Hillcrest Village
- r. Town of Holiday Lakes
- s. City of Iowa Colony
- t. City of Jones Creek
- u. City of Lake Jackson
- v. Village of Liverpool
- w. City of Manvel
- x. City of Oyster Creek
- y. City of Pearland
- z. Pearland ISD
- aa. Town of Quintana
- bb. City of Richwood
- cc. Village of Surfside
- dd. City of Sweeny
- ee. Sweeny ISD
- ff. Sweeny Hospital District
- gg. City of West Columbia

and be conducted as provided in Chapter Section 271 of the Election Code, and other applicable election laws; and that the election precincts and polling places be as more fully set out in the notice of election attached hereto for election day voting locations and in-person early voting locations.

BE IT FURTHER RESOLVED AND ORDERED that the election officers as appointed by Brazoria County are hereby appointed election officers for Port Freeport for said election for both the election day voting locations as well as in-person early voting locations; and that said

officers should be authorized to appoint a sufficient number of clerks to assist them in performing their duties as same.

BE IT FURTHER RESOLVED AND ORDERED that Port Freeport pay a share of the cost of administering the May 1, 2021 joint election based on the cost per polling place and the allocation of costs, unless specifically stated otherwise, is mutually agreed to be shared according to a formula which is based on the cost per polling place. The normal rental rate charged for Brazoria County's rental equipment used on election day shall be divided equally among the participants utilizing a polling place. Costs for early voting by personal appearance will be divided by all participating political subdivisions as follows: The total cost of all locations will be divided by all participants in the joint election and each participant's cost share will be based on registered voters.

BE IT FURTHER RESOLVED AND ORDERED that notice of said election as set forth in the form attached be published as required law.

BE IT FURTHER RESOLVED that the Chairman and Secretary of the Port Commission be, and they are hereby authorized to execute such orders and agreements with the County Clerk of Brazoria County and/or the other political subdivisions with which the joint election is being held as are necessary to the conducting of the May 1, 2021 joint election.

Shane Pirtle, Chairman

ATTEST: _____
Rudy Santos, Secretary

RESOLUTION APPROVING SALE OF PROPERTY HELD IN TRUST

At a regular meeting of the Port Commission of Port Freeport held at the office of Port Freeport at 1100 Cherry Street, Freeport, Texas, on the 11th day of February, 2021, among other business came on to be considered the following resolution, which, upon motion duly made and seconded, was adopted by vote of all Commissioners present:

FINDINGS

1. Due and proper notice of the date, time, place and purpose of this meeting has been duly given in accordance with the provisions of the Texas Open Meetings Act, and such meeting has been conducted in accordance with said Open Meetings Act.

2. The County of Brazoria, State of Texas, has heretofore instituted tax suits and has been awarded tax judgments relative to the hereinafter described tracts and parcels of land, where, in each instance, as a result of delinquent tax sales, the high bid was less than the amount of taxes owing on each respective parcel. Each such parcel was bid off to Brazoria County for the amount of judgment against each respective parcel and each such parcel of property is held in trust due to delinquent tax foreclosure.

3. The Property Resale Committee of Brazoria County has advertised for, received, and opened sealed bids on each said parcel of property held in trust and determined that in each instance, the high bid is less than the amount of taxes owing on each respective parcel. The account number, legal description, entity holding in trust, appraised value, opening bid and amount bid for each respective parcel, are described in Exhibit "A" attached hereto.

4. The Property Resale Committee of Brazoria County has requested that Port Freeport approve the sale amount of each respective item of property as described in Exhibit "A" attached hereto, in accordance with Section 34.05 of the Property Tax Code of the State of Texas, and that Port Freeport join in the conveyances to respective high bidders to evidence Port Freeport's consent to each such sale.

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED that Port Freeport hereby consents to the acceptance of the high bid as to each respective parcel as described in Exhibit "A" attached hereto and the conveyance of each respective parcel to each respective high bidder; and that Port Freeport accept its pro rata share of the proceeds; and

BE IT FURTHER RESOLVED, that the Chairman of the Port Commission be, and he is hereby authorized to join in the conveyance to each respective high bidder of each respective parcel to evidence Port Freeport's consent to each respective sale for less than the amount of taxes owing.

February 11, 2021 Resolution
Exhibit A - Resale Offers

Account Number	Legal Description	In Trust To	Adjudged Value	Required Opening Bid	Amount Bid
7501-0197-000	SHADOW BEND (AO102 E P MYRICK) BLK 3 LOT 62 (CAUSE NO 95T5135) ACRES 0.1585	DANBURY ISD	\$800.00	\$2,215.44	\$500.00
7501-0203-000	SHADOW BEND (AO102 E P MYRICK) BLK 3 LOT 68 (CAUSE NO 95T5135) ACRES 0.1335	DANBURY ISD	\$800.00	\$2,255.69	\$500.00
7501-0204-000	SHADOW BEND (AO102 E P MYRICK) BLK 3 LOT 69 (CAUSE NO 94T5473) ACRES 0.1825	BRAZORIA COUNTY	\$1,000.00	\$1,650.00	\$5,000.00
7501-205-000	SHADOW BEND (AO102 E P MYRICK) BLK 3 LOT 70 (CAUSE NO 94T5473) ACRES 0.2259	BRAZORIA COUNTY	\$1,000.00	\$1,650.00	\$500.00
7501-0209-000	SHADOW BEND (AO102 E P MYRICK) BLK 3 LOT 74 (CAUSE NO 95T5128) ACRES 0.1617	DANBURY ISD	\$800.00	\$800.00	\$500.00
7501-0212-000	SHADOW BEND (AO102 E P MYRICK) BLK 3 LOT 77 (CAUSE NO 95T5128) ACRES 0.1412	DANBURY ISD	\$800.00	\$800.00	\$500.00
7501-0213-000	SHADOW BEND (AO102 E P MYRICK) BLK 3 LOT 78 (CAUSE NO 95T5128) ACRES 0.1598	DANBURY ISD	\$800.00	\$800.00	\$500.00
7501-0214-000	SHADOW BEND (AO102 E P MYRICK) BLK 3 LOT 79 (CAUSE NO 95T5128) ACRES 0.1474	DANBURY ISD	\$800.00	\$800.00	\$500.00
7501-0254-000	SHADOW BEND (AO102 E P MYRICK) BLK 4 LOT 38 (CAUSE NO 96T5634) ACRES 0.1345	DANBURY ISD	\$801.00	\$1,806.43	\$500.00
7501-0261-000	SHADOW BEND (AO102 E P MYRICK) BLK 5 LOT 6 (CAUSE NO 94T5473) ACRES 0.1672	BRAZORIA COUNTY	\$1,000.00	\$1,650.00	\$500.00
7501-0262-000	SHADOW BEND (AO102 E P MYRICK) BLK 5 LOT 7 (CAUSE NO 94T5473) ACRES 0.1986	BRAZORIA COUNTY	\$1,000.00	\$1,650.00	\$500.00
7501-0263-000	SHADOW BEND (AO102 E P MYRICK) BLK 5 LOT 8 (CAUSE NO 94T5473) ACRES 0.1495	BRAZORIA COUNTY	\$800.00	\$1,650.00	\$500.00
7501-0264-000	SHADOW BEND (AO102 E P MYRICK) BLK 5 LOT 9 (CAUSE NO 94T5473) ACRES 0.1597	BRAZORIA COUNTY	\$800.00	\$1,650.00	\$500.00
7501-0265-000	SHADOW BEND (AO102 E P MYRICK) BLK 5 LOT 10 (CAUSE NO 94T5473) ACRES 0.1597	BRAZORIA COUNTY	\$800.00	\$1,650.00	\$500.00
7501-0270-000 & 7501-0271-000	SHADOW BEND (AO102 E P MYRICK) BLK 5 LOT 15 & 16 (CAUSE NO 95T5170) ACRES 0.2942	DANBURY ISD	\$1,600.00	\$2,416.92	\$1,000.00
7501-0273-000	SHADOW BEND (AO102 E P MYRICK) BLK 5 LOT 18 (CAUSE NO 94T5473) ACRES 0.1604	BRAZORIA COUNTY	\$800.00	\$1,650.00	\$500.00
7501-0274-000	SHADOW BEND (AO102 E P MYRICK) BLK 5 LOT 19 (CAUSE NO 94T5473) ACRES 0.1529	BRAZORIA COUNTY	\$800.00	\$1,650.00	\$500.00
7501-0275-000	SHADOW BEND (AO102 E P MYRICK) BLK 5 LOT 20 (CAUSE NO 94T5473) ACRES 0.1730	BRAZORIA COUNTY	\$800.00	\$1,650.00	\$500.00
7501-0276-000	SHADOW BEND (AO102 E P MYRICK) BLK 5 LOT 21 (CAUSE NO 94T5473) ACRES 0.1437	BRAZORIA COUNTY	\$800.00	\$1,650.00	\$500.00
7501-0277-000	SHADOW BEND (AO102 E P MYRICK) BLK 5 LOT 22 (CAUSE NO 94T5473) ACRES 0.1427	BRAZORIA COUNTY	\$800.00	\$1,650.00	\$500.00
7501-0278-000	SHADOW BEND (AO102 E P MYRICK) BLK 5 LOT 23 (CAUSE NO 94T5473) ACRES 0.1397	BRAZORIA COUNTY	\$800.00	\$1,650.00	\$500.00
7501-0279-000	SHADOW BEND (AO102 E P MYRICK) BLK 5 LOT 24 (CAUSE NO 94T5473) ACRES 0.1546	BRAZORIA COUNTY	\$800.00	\$1,650.00	\$500.00
7501-0280-000	SHADOW BEND (AO102 E P MYRICK) BLK 5 LOT 25 (CAUSE NO 94T5473) ACRES 0.1372	BRAZORIA COUNTY	\$800.00	\$1,650.00	\$500.00
7501-0281-000	SHADOW BEND (AO102 E P MYRICK) BLK 5 LOT 26 (CAUSE NO 94T5473) ACRES 0.1517	BRAZORIA COUNTY	\$800.00	\$1,650.00	\$500.00
7501-0282-000	SHADOW BEND (AO102 E P MYRICK) BLK 5 LOT 27 (CAUSE NO 94T5473) ACRES 0.1532	BRAZORIA COUNTY	\$800.00	\$1,650.00	\$500.00
7501-0283-000	SHADOW BEND (AO102 E P MYRICK) BLK 5 LOT 29 (CAUSE NO 94T5473) ACRES 0.1430	BRAZORIA COUNTY	\$800.00	\$1,650.00	\$500.00
7501-0284-000	SHADOW BEND (AO102 E P MYRICK) BLK 5 LOT 28 (CAUSE NO 94T5473) ACRES 0.1313	BRAZORIA COUNTY	\$800.00	\$1,650.00	\$500.00
7501-0285-000	SHADOW BEND (AO102 E P MYRICK) BLK 5 LOT 30 (CAUSE NO 94T5473) ACRES 0.1476	BRAZORIA COUNTY	\$800.00	\$1,650.00	\$500.00
7501-0286-000	SHADOW BEND (AO102 E P MYRICK) BLK 5 LOT 31 (CAUSE NO 94T5473) ACRES 0.1544	BRAZORIA COUNTY	\$800.00	\$1,650.00	\$500.00
7501-0287-000	SHADOW BEND (AO102 E P MYRICK) BLK 5 LOT 32 (CAUSE NO 94T5473) ACRES 0.1324	BRAZORIA COUNTY	\$800.00	\$1,650.00	\$500.00

Totals \$25,601.00 \$48,194.48 \$20,000.00