

AGENDA

**Port Freeport
Port Commission
Regular Meeting
Thursday, November 16, 2023, 1:00 pm - 5:00 pm
In Person & Videoconference - Administration Building - 1100 Cherry Street - Freeport**

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. The videoconference is available online as follows:

Join Zoom Meeting

<https://us02web.zoom.us/j/88605745678?pwd=M0EzTWkyaGJqSFVWeUsvbG9xbzZBZz09>

Meeting ID: 886 0574 5678

Passcode: 329519

Dial by your location

• 1 346 248 7799 US (Houston)

Meeting ID: 886 0574 5678

Find your local number: <https://us02web.zoom.us/u/kba2NSCKm>

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. Call to identify and discuss any conflicts of interest that may lead to a Commissioner abstaining from voting on any posted agenda item.
7. Public Comment. (Public comment on any matter not on this Agenda will be limited to 5 minutes per participant and can be completed in person or by videoconference)
8. Public Testimony. (Public testimony on any item on this Agenda will be limited to 5 minutes per agenda item to be addressed per participant and can be completed in person or by videoconference. The participant shall identify in advance the specific agenda item or items to be addressed.
9. Recognition of Veterans.
10. Receive update from Carriage House Partners, LLC regarding legislative affairs.
11. Presentation of check to Texas Port Ministry from proceeds of Port Freeport Golf Tournament.
12. Approval of minutes from the Regular Meeting held October 19, 2023.
13. Receive reports from Executive Staff on activities and matters related to 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.
 - A. Executive Director/CEO
 - B. Director of Engineering
 - C. Director of Operations

- D. Director of Business & Economic Development
 - E. Chief Financial Officer
14. Approval to pay legal bills submitted for the month of October 2023.
 15. Receive report from Commissioners on matters related to the following:
 - A. November 13 Finance Committee Meeting
 - B. November 13 Personnel Committee Meeting
 - C. Port Commission meetings or conferences, Port presentations and other Port related matters.
 16. Approval of Construction Contract with McDonald Municipal and Industrial for the Fiber Optic Extension Project, for an amount not to exceed \$363,469.00.
 17. Discuss and consider proposals received for Port Freeport Electricity Contract.
 18. Approval of a renewal for Port Freeport Health, Dental and Vision Insurance.
 19. Adoption of a Resolution Authorizing a Contribution to the Port Freeport Retirement Plan.
 20. Adoption of a Resolution of the Port Commission of Port Freeport Approving a Plan of Finance; Authorizing the Financial Advisor and Bond Counsel to proceed with the necessary arrangements to facilitate the Plan of Finance, including providing notice of and conducting a Public Hearing pursuant to Section 147(F) of the Code; and Declaring an Official Intent to Reimburse Certain Expenditures; and Approving other Matters Related Thereto.
 21. Discuss and consider approving appointment to the Board of Directors of the Brazos Harbor Industrial Development Corporation.
 22. Approval of Certified Tax Report 502C for the 2023 Tax Roll in compliance with Texas Property Tax Code 26.09(e).
 23. 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.
 24. Approval of Executive Director/CEO and Commissioners' travel for the months of November 2023-March 2024.
 25. Continuation of the November 2, 2023 Workshop, including but not limited to the following:
 - A. Review Port-Owned Parcels Use, Remediation/Valuation.
 - B. Financial Update.
 - C. Website Update.
 - D. Review of Travel Policy & Expenses Allowed.
 - E. Open Meetings Act Discussion.
 26. 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 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 551.087 (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 Reports.
 2. To deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).
 - C. 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 in Freeport, Texas, including but not limited to the area known as the Expansion Area 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, 7 and 8.
 3. The potential exchange, lease, or value of real property located at Port Freeport, including but not limited to Parcels 14, 19, 27, 34 and property on Quintana Island.
- D. Under authority of Section 551.076 (Deliberation of Security Matters) for discussion regarding:
1. Discussion regarding issues related to the deployment, or specific occasions for implementation of security personnel or devices or security audit and services.
- E. Under authority of Section 551.074 (Deliberation of Personnel Matters) for discussion regarding:
1. Deliberation regarding the appointment, employment, evaluation, reassignment, duties of a public officer or employee, including but not limited to: Executive Director/CEO, Chief Financial Officer, Director of Operations, Director of Engineering, Director of Protective Services, Director of Economic Development, Director of Business & Economic Development and Director of Information Technology.
27. RECONVENE OPEN SESSION to review and consider the following:
28. Affirm pay increases for Chief Financial Officer, Director of Operations, Director of Engineering, Director of Protective Services, Director of Economic Development and Director of Business & Economic Development.
29. 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.