

AGENDA

**Port Freeport
Port Commission
Regular Meeting
Thursday, September 22, 2022, 1:45 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/89170314899?pwd=V0grSTBEUIFJNmxmY0tXlY0g4K3AwZz09>

Meeting ID: 891 7031 4899

Passcode: 388521

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1 346 248 7799 US (Houston)

Meeting ID: 891 7031 4899

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

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 3 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. Approval of minutes from the Regular Meetings held August 25, 2022 and September 8, 2022.
10. Receive reports from Executive 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.
 - A. Executive Director/CEO
 - B. Chief Financial Officer
 - C. Director of Engineering
 - D. Director of Operations
 - E. Director of Business & Economic Development

11. Receive report from Commissioners on matters related to:
 - A. September 22 Finance Advisory Committee
 - B. Port Commission related meetings or conferences, Port presentations and other Port related matters.
12. Approval of financial reports presented for the period ending August 31, 2022.
13. Approval of a modification to the Tax Abatement Agreement between Port Freeport and Freeport LNG Development, LP and FLNG Liquefaction 4, LLC.
14. Approval of proposed adjustments to Port Freeport Tariff No. 005.
15. Approval of an Inter-Agency Cooperation Contract between Texas A&M University-Corpus Christi for maintenance of the NOAA PORTS System.
16. Approval of an extension to the Memorandum of Understanding between Port Freeport and Panama Canal Authority.
17. Discuss and consider sponsorship for a Recycled Plastic Playground Project at Surfside Beach Jetty Park.
18. Discuss and consider rules and procedures for conducting Port Commission meetings.
19. Discussion on term limits, possibly two consecutive terms, for Port Commissioners; and approve necessary actions to implement.
20. 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.
 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 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, 19, 27, 34 and property on Quintana Island.
 - D. 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 and Director of Business & Economic Development.
21. RECONVENE OPEN SESSION to review and consider the following:
22. Consideration and possible approval of a Resolution authorizing a Ground Lease Agreement between Port Freeport and PRP KDC Freeport Development, LLC and related agreements, including a Permitted Mortgagee Recognition Agreement, a Sublease Non-Disturbance Agreement, an Indemnity Agreement (Financing Related Documents), an Agreement for Liquidated Damages, a Ground Lease Estoppel and a Memorandum of Lease.
23. Consideration and possible approval of a Commission Agreement between Port Freeport and Jones Lang Lasalle Brokerage, LLC related to the proposed Ground Lease Agreement between Port Freeport and PRP KDC Freeport Development, LLC.
24. Consideration and possible approval of a Resolution authorizing a Marine Terminal Services Agreement between Port Freeport and Volkswagen Group of America, Inc.

25. 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.

A handwritten signature in black ink, reading "Phyllis Saathoff". The signature is written in a cursive style with a large, stylized "P" and "S".

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.

Minutes of Port Commission Regular Meeting
August 25, 2022
In Person & Videoconference

A Regular Meeting of the Port Commission of Port Freeport was held August 25, 2022, beginning at 2:30 PM 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.

Join Zoom Meeting

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Meeting ID: 872 9974 6114

Find your local number: <https://us02web.zoom.us/u/k8VqjAweY>

Commissioners present in person:

Mr. John Hoss, Chairman
Mr. Rudy Santos, Vice Chairman
Mr. Dan Croft, Secretary
Mr. Rob Giesecke, Asst. Secretary
Mr. Ravi Singhania, Commissioner
Mr. Shane Pirtle, Commissioner

Staff Members Present:

Mr. Peter Nemeth, Interim Legal Counsel
Ms. Phyllis Saathoff, Executive Director/CEO
Mr. Rob Lowe, Director of Administration/CFO
Mr. Al Durel, Director of Operations
Mr. Mike Wilson, Director of Economic Development & Freight Mobility
Mr. Jason Hull, Director of Engineering
Mr. Chris Hogan, Director of Protective Services
Mr. Brandon Robertson, Network Systems Manager
Ms. Missy Bevers, Executive Assistant
Ms. Mary Campus, Controller
Ms. Tricia Vela, Public Affairs Assistant
Mr. Jesse Hibbetts, Operations Manager
Ms. Holly Soria, Operations Coordinator
Ms. Hannah Fitzsimmons, Operations Specialist
Ms. Christine Lewis, Safety Coordinator

Also, present:

Mr. Chris Moore, Texas Port Ministry
Mr. Stuart Herbst, Terracon
Ms. Megan Mikutis, Randle Law Office
Mr. James Nash, WGMA

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 Hoss noted that all Commissioners were present in the Board Room.
5. Safety Briefing – Ms. Christine Lewis provided a safety moment regarding flooding and mosquitoes.
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 noted from Commissioners.

7. Public Comment – There were no public comments.
8. Public Testimony – There was no public testimony.
9. Approval of minutes from the Regular Meeting held August 11, 2022.

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

10. Receive reports from Executive 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.

A. Executive Director/CEO

Ms. Saathoff stated that plans for the October 17 annual golf tournament benefiting Texas Port Ministry are well underway with more than two-thirds of the teams filled and sponsorships still coming in. Ms. Saathoff gave a federal update stating the Senate Committee on Appropriations released their FY23 spend bills which covers energy and water. Staff is monitoring. The Inflation Reduction Act holds about \$3 billion that would fund electrification at ports to be spread out over five years via a grant program. Staff will review for any opportunities. The next bid package for the FHCIP is scheduled to be advertised November 9, bid opening December 12 and award approximately January 31, 2023. The City of Angleton has contacted the Port about providing a tour to a delegation from Belize. The City will be entering into sister city agreement with a city from Belize

and wants the Port to be part of the program when the delegation arrives. Date to be announced. Marshall Tidwell from Jones Creek is requesting a meeting between the Port, TxDOT and Zachary Construction regarding the wide loads down Highway 36 through the construction areas.

B. Chief Financial Officer

Mr. Lowe gave a presentation regarding the financial results for the month of July.

C. Director of Engineering

Mr. Hull shared a current photo of the progress at Berth 8 stating the last pile was driven August 22. Regarding the demolition project, the contractor is running about 3 days ahead of schedule.

D. Director of Operations

Mr. Durel reported on a few highlights from his written report stating that July was the first full month without an LNG vessel with current year-to-date total at 149. For July, the Port handled 11 RoRo vessels and 10 container vessels. Tenaris steel this month included 2 ships, 16 barges and 31 railcars. Last year, the Port averaged 44 vessels per month but in July the Port handled 24. Year to date, the Port has handled 415 vessels with last year at 444 vessels. Mr. Durel also shared some pictures of the recent cement vessel worked at Dock 7. Bay-Houston Towing announced they will release three tugs assigned to Freeport LNG and will return September 30. Additionally, Freeport LNG is looking to start up partial operations in November.

E. Director of Business & Economic Development

Mr. Miura reported on upcoming events stating the Breakbulk Americas Conference will be held September 27-29 in Houston. The Consul General of India, Aseem Mahajan, will visit Port Freeport September 7 and will also be the guest speaker for the Brazosport Chamber Luncheon the same day. Staff has scheduled a meeting with Port partners, tenants and users September 9 to discuss a general rate adjustment to Port Tariff No. 005. Mr. Miura also updated the Commission on the Port's work with MARAD to modify the Port's project designation for container on barge that utilizes the Port's heavy-lift corridor and the marine highway. The Port is working closely with MARAD to develop a hub and spoke network with Port Freeport as the hub and additional Texas ports as the spoke. Next steps will be to get the project designated by MARAD and once designated, will seek funding for a planning study.

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

A. August 12 Strategic Planning Advisory Committee – Commissioner Singhania reported

the committee received an update from staff regarding the progress of the FHCIP including the extra cost of dredging stating the Corps' share is everything up to 51 ft. with the Port's share at 50% (51 ft -56 ft.). He also noted that the extra land associated with Reach 1 (Port's share) would be minimal, assuming the settling difference would not be much different. The committee discussed 51 ft. vs. 56 ft. and where the Port would have been cost wise if the project had been delayed, it would have cost the Port more than. The Port has a channel that can be used in the future without recurring cost. - The committee received an update on Sabine to Galveston and Ike Dike- and what the impact to the Port will be. Discussion also took place regarding ~~and~~ the Inflation Reduction Act. With Commissioner Singhania noting there is \$1.3 billion located within the POWERS

Program for port electrification. Staff will be looking at consultant for grant writing to obtain funds. With regard to the FHCIP, Commissioner Giesecke clarified that the 50% Port share would be for the excess sedimentation cost associated with the 56-foot depth vs. the 51-foot depth. Commissioner Hoss asked if staff had a number for what the minimal cost may be. Mr. Hull stated that sedimentation is variable from year to year with drought or rains contributing. He also explained that costs every year is a variable. Sedimentation quantity (cost) depends on how much is shoaled, how much fuel prices are, labor cost or dredge availability that year. Commissioner Hoss then inquired if staff has a history of the cost in the past. Staff indicated that a slide was shared with the committee noting the average has been 2.9 million cubic yards of maintenance dredging with the Corps budgeting approximately \$10 million/year. Staff doesn't know what is going to change and how much additional dredging there will be. Mr. Hull noted another variable is with the Brazos River flood gates with the Corps increasing the width from 75 feet to 125 feet. With the bigger opening, the Corps has indicated there will be more shoaling. Commissioner Singhanian noted that with the new gates and additional siltation, the cost will still be on the Corps. The Port's liability stays only with extra siltation between 51 and 56 feet; therefore, the gates should not have any impact on the Port's liability.

- B. August 12 Personnel Advisory Committee - Commissioner Singhanian reported that the committee discussed the personnel budget stating that given the CPI and cost of living increase, a 6.6% was proposed however, the committee discussed it further and broke it down into two parts to benefit employees whose compensation is below \$100,000.00. One part would be a fixed amount increase for everyone and the second a percentage which includes merit. Additionally, the committee discussed as well as an inflation adjustment for employees in the form of a one-time lump sum payment. Personnel matters were also discussed under executive session. Performance review forms were also discussed.
- C. August 24 OSS Advisory Committee – Commissioner Pirtle deferred his comments to agenda items 14 and 15 which are on the agenda for consideration.
- D. August 24 Finance Advisory Committee – Commissioner Croft reported the committee discussed the Port Freeport tax abatement guidelines as well as proposed general rate adjustment to the Port tariff.
- E. Port Commission related meetings or conferences, Port presentations and other Port related matters.

Commissioner Singhanian reported attending the India Consul Dinner August 15. He also noted the Consul General will be arriving September 6 for dinner, then visiting the Port September 7 and attending Chamber luncheon as a guest speaker the same day. He also reported attending the Maritime Dinner August 20 and a few others everyone attends.

Commissioner Giesecke reported attending the Brazosport Chamber luncheon August 11, the Brazoria County Cities Association (BCCA) dinner August 17, the 36A Coalition luncheon August 18 as well as the Angleton Chamber luncheon held earlier in the day.

Commissioner Santos reported also attending the Angleton Chamber luncheon.

Commissioner Croft reported attending an executive committee meeting for CCA Texas.

Commissioner Pirtle reported that he is interim chair for 36A Coalition.

12. Approval of financial reports presented for the period ending July 31, 2022.

A motion was made by Commissioner Croft to approve the financial reports as presented. The motion was seconded by Commissioner Pirtle with all Commissioners present voting in favor of the motion.

13. Approval of a Correction Easement Grant and Partial Release for the North Wave Barrier.

Mr. Hull stated the Port Commission previously approved an easement to the Velasco Drainage District to relocate the North Wave Barrier and release the old North Wave Barrier. In the easement grant document, there was an error with some of the numbers and this document will correct those errors. Mr. Hull clarified that this correction does not change what was released or granted, only the location/point of beginning. Mr. Hull showed the Commission the three areas within the document where the errors were made. Staff recommends approval.

Commissioner Croft noted that this error was made by the surveyor and not Port Freeport.

A motion was made by Commissioner Pirtle to approve the correction easement as recommended by staff. The motion was seconded by Commissioner Giesecke with all Commissioners present voting in favor of the motion.

14. Approval of a new Stevedore License application submitted by Associated Terminals Pangaea Logistics, LLC.

Mr. Durel stated that this company is also a stevedore for On-Site Concrete, and they requested Associated Terminals also get a stevedore license to perform work in Freeport. All the necessary paperwork has been submitted and is in order. The application was also reviewed with the OSS Advisory Committee previously. Staff recommends approval.

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

15. Approval of a new Stevedore License application submitted by Vanquish Crane and Construction.

This item was tabled.

16. Discuss and consider the adoption, amendment, repeal or reauthorization of the Port Freeport Tax Abatement Guidelines and Criteria, to be effective August 25, 2022 – August 24, 2024.

This item was tabled.

17. Discuss and consider approving a one-time lump sum inflation payment.

Mr. Lowe stated that staff met the with Personnel Advisory Committee in August 2021 to present a preliminary personnel budget and make a recommendation of a 5% adjustment for wages for FY22. During this meeting, the committee discussed the possibility of considering additional adjustments during the fiscal year based on inflation. At the most recent Personnel Advisory Committee meeting, the topic was discussed further and based on an extraordinarily high year over year CPI increase and overall inflationary market, staff and the committee discussed bringing a recommendation for Port Commission's consideration of a one-time lump sum inflation payment of \$1500 per employee which would be based on 40-hour employees with a full year tenure, otherwise would be prorated accordingly. Port staff has remained diligent in managing expenses and as such, the favorability in the budget can easily accommodate. Staff recommends approval of the payment.

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

18. 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 551.087 (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 Concerning 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 are known as the East End of Freeport and bordered by or adjacent to the following streets: FM1495; 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, 19, 27, 34 and property on Quintana Island.

19. RECONVENE OPEN SESSION:

20. Adjourn.

With no further business before the Commission, the meeting adjourned at 7:03 PM

John Hoss, Chairman

Rudy Santos, Vice Chairman

Dan Croft, Secretary

Rob Giesecke, Asst. Secretary

Ravi K. Singhania, Commissioner

Shane Pirtle, Commissioner

Minutes of Port Commission Regular Meeting
September 8, 2022
In Person & Videoconference

A Regular Meeting of the Port Commission of Port Freeport was held September 8, 2022, beginning at 1:06 PM 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.

The videoconference is available online as follows:

Join Zoom Meeting

<https://us02web.zoom.us/j/83496211915?pwd=R000aXBybWtDWHpiZ2VESWxnS3FCZz09>

Meeting ID: 834 9621 1915

Passcode: 339624

Dial by your location

+1 346 248 7799 US (Houston)

Meeting ID: 834 9621 1915

Find your local number: <https://us02web.zoom.us/u/kbiRNdxh79>

Commissioners present in person:

Mr. John Hoss, Chairman
Mr. Rudy Santos, Vice Chairman
Mr. Dan Croft, Secretary
Mr. Rob Giesecke, Asst. Secretary
Mr. Ravi Singhania, Commissioner
Mr. Shane Pirtle, Commissioner

Staff Members Present:

Mr. Peter Nemeth, Interim Legal Counsel
Ms. Phyllis Saathoff, Executive Director/CEO
Mr. Rob Lowe, Director of Administration/CFO
Mr. Al Durel, Director of Operations
Mr. Mike Wilson, Director of Economic Development & Freight Mobility
Mr. Jason Hull, Director of Engineering
Mr. Chris Hogan, Director of Protective Services
Mr. Jason Miura, Director of Business & Economic Development
Mr. Brandon Robertson, Network Systems Manager
Ms. Missy Bevers, Executive Assistant
Ms. Mary Campus, Controller
Ms. Tricia Vela, Public Affairs Assistant
Mr. Jesse Hibbetts, Operations Manager
Ms. Christine Lewis, Safety Coordinator

Also, present:

Mr. Chris Moore, Texas Port Ministry
Ms. Megan Mikutis, Randle Law Office
Mr. Drew Masterson, Masterson Advisors
Mr. Thomas Stroschein
Ms. Barabara Fratila
Mr. Sammy Chambless
Mr. James Nash, WGMA

1. CONVENE OPEN SESSION in accordance with Texas Government Code Section 551.001, et. seq., to review and consider the following:
2. Invocation –Chris Moore, Texas Port Ministry
3. Pledge of Allegiance – U.S. Flag and Texas Flag
4. Roll Call – Commissioner Hoss noted that all Commissioners were present in the Board Room.
5. Safety Briefing – Ms. Christine Lewis provided a safety moment regarding weather preparations for extreme conditions.
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 noted from Commissioners.

7. Public Comment – There were no public comments.
8. Public Testimony – There was no public testimony.
9. Approval of minutes from the Special Meeting held August 24, 2022, and the Regular Meetings held August 25, 2022.

Commissioner Singhania requested the August 25 minutes be tabled for further modifications to be made under Commissioner committee reports. He also asked that an additional clarification be made to the August 24 minutes under item 6 regarding the Age 65 and Older and Disabled exemption, stating that because three commissioners qualify for the exemption, it automatically becomes open to a vote.

A motion was made by Commissioner Singhania to approve the August 24 minutes with the additional clarification added. The motion was seconded by Commissioner Santos with all Commissioners present voting in favor of the motion.

10. 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.

Ms. Saathoff reported that staff has received a signed engagement letter from Randle Law Office noting the new general counsel will be present at the next board meeting. She thanked Mr. Nemeth for serving as general counsel in the interim. The Port Freeport golf tournament preparations are in full swing with all teams filled and community support very strong. The tournament will be held October 17. The Community Advisory Panel (CAP) will meet September 13. Ms. Saathoff will be in Corpus Christi the morning of September 13 attending the Port Authority Advisory Committee (PAAC) and Texas Ports Association (TPA) where she will also relinquish her leadership roles for both. The House Transportation Committee is being held today to hear testimony from TPA Executive Director, Eddie Campirano from Brownsville and Walker Smith from Harlingen. An additional hearing will be held at a later date. With regard to federal matters, Congress will be back in session for eleven days this month. The Senate will not be passing any appropriations bills, so Congress will be working on a continuing resolution which will most likely carry through early December. She also reported that she and Mr. Miura made customer visits last week in the New York/New Jersey area noting they went very well.

11. Conduct workshop regarding Fiscal Year 2022/2023 Budget for Port Freeport.

Mr. Lowe reminded the commission that the first budget workshop was previously held August 24 and what is being presented today has been updated to consider the tax rate proposal that was made at the same meeting. He noted no other financial changes were made to the presentation other than administrative changes related to terminology and/or additional data added to slides. Mr. Lowe stated the overall budget summary stating a \$41.6 million in operating revenues and \$25.6 million in operating expenses which nets to an operating profit of \$16 million with an operating margin of 38%. A decrease in net assets of \$22.4 million is based on contributions to the USACOE for the Freeport Harbor Channel Improvement Project of \$60.9 million. Planned capital expenditures amount to \$72 million plus contributed to others of \$60.9 (FHCIP) million for a total of \$132.9 million which will be funded through cash flows, debt and grants. Debt service interest expense on existing debt amounts to \$9 million. Staff anticipates a \$55.8 million issuance of General Obligation debt for the Freeport Harbor Channel Improvement Project. Commissioner Giesecke inquired if the anticipated 3% interest rate was still current expectation on the new GO issuance. Mr. Lowe expects it to be a bit higher but asked Drew Masterson with Masterson Advisors, to comment on the rate. Mr. Masterson stated that the rate would be in the 4% range, which is 2% higher than last year. 26% of revenues will come through operating revenue, 21% from reserves, 34% from debt financing with uses at 81% capital investment and 9% of operating expenses. Total operating revenues is \$41.6 million an increase of the 2022 forecast of \$2 million. Mr. Lowe noted staff shows it to remain level with the business interruption insurance claim that is still outstanding. Tonnage is 14.7 million, ship calls is 483 which is up from 453. Volumes are up 15% over 2022 forecast due to the resumption of Freeport LNG business operations. Lease revenues are at \$12.6 million, an increase of \$223 thousand. The Ad Valorem taxes would be forecast at \$6.782 million, which is at the 3.5 cent tax rate proposed August 24. Mr. Lowe shared the updated tax levy projection slide with the reduction to 3.5 cent line for the 2023 fiscal year. He noted that for modeling purposes moving forward, the rate was kept flat as a visual to see how it would be broken down between the M&O and I&S rates. Ms. Campus noted that the operating expenses are as discussed at the August 24 workshop stating that depreciation is \$11.1 million adding that if you take the total of \$25.6 million in expenses, less the depreciation, you have \$14.5 million

in actual expenses. Salaries, wages and benefits increased from the 2022 forecasted 27% with a total budget \$6.2 million. FY2023 includes a 6.6% increase in CPI/merit raises, filling six vacant positions, a request for one new position and changing a part-time position to a full-time position. Also included is \$40,000 available in market adjustments. There is a 10% increase forecasted in group health insurance and 5% increase in dental premiums with a renewal date of January 1. The percent of group health to total wages and benefits is 16.5% and assumes full participation in the retirement plan and the percent benefits to salaries and wages at 39%. Commissioner Singhanian clarified that although a 6.6% increase in CPI/merit raise is budgeted, it does not mean that everyone will get a 6.6% increase as each individual has to be approved by their supervisor, director or CEO. The same goes for a commissioner increase. Professional Services is budgeted at \$2.9 million which is an increase over the 2022 forecast of \$513 thousand or 21%. Professional services include security service fees, K9 detection services, surveying, environmental consulting, federal and state level government liaisons, port planning services, granted related assistance, election service fees and compensation consulting. Training, Travel, and Promotional budgeted \$879,900 which is an increase from 2022 forecasted \$364 thousand for 70%. Staff assumed a resumption to normal levels from COVID but will continue to monitor. This category includes commercial events participation, the website redevelopment, which was carried over from fiscal year 2022, advertising and targeting publication, sales travel, government relations and travel, state and federal interaction, community events that include four CAP meeting, training and education which is focuses on professional development, training and certifications. Utilities increased \$113 thousand or 15% to \$854,900. This is based on a calculation using an average of the previous year and includes an increase in the City of Freeport water and sewer rates of 9%. Business insurance increased \$141 thousand or 9% over 2022 forecasted to \$1,672,300. This reflects the property insurance increase of 6.68% that renewed March 1, 2021, as well as the liability package renewal package July 1, 2021, of 11.53% increase. Staff has programmed in a 15% increase in premiums for 2023 based on additional assets and market pressures. Other services and charges decreased \$144 thousand or 22% to \$503,600. This area includes dues, services and memberships but IT contracted services, port-a-cans and hand wash stations as well. Maintenance and repair decrease \$462 thousand or 27% to \$1.2 million. Special projects include a carryover of the Administration building repairs and maintenance. Crane trolley repairs have also been added however it could be capitalized depending on final scope. The truck scale line replacement, fire diesel pump repairs are also included. Other significant items include maintaining equipment such as the ZPMC cranes, security equipment, cleaning and maintenance of office buildings, dust control product, road repairs and mowing. Depreciation expenses of \$11.1 million is an increase of \$3.2 million due to the addition of the levee stabilization project, berth 8 and ro-ro ramp. Commissioner Singhanian inquired when Berth 8 will be in operation if the full depreciation would be taken or if it would be prorated. Mr. Lowe stated the berth and ro-ro ramp will be operational in May and it will be prorated. Regarding the debt interest and fees slide, Mr. Lowe noted this slide was altered based on August 24 conversations and now includes call dates. In addition, a conversation also took place regarding premiums and Mr. Masterson was invited to join the meeting to answer any specific questions the commission may have. Mr. Masterson did confirm that premiums should be a net neutral view to the port as an entity and premiums are paid up front. Under the call date category, Commissioner Giesecke asked about the "current" notation inquiring how long the window is open. Mr. Masterson clarified that it is open through maturity. This applies to all the other bonds as well. A look at the Port's Capital Expansion Plan by way of the strategic initiatives show \$60.9 million for the Freeport Harbor Channel project, \$55.3 million for the buildout of the Port's Container Handling

Facilities, \$11.1 million for the development of warehousing and OEM distribution facilities and \$5.6 million for port infrastructure support. Finally, the Port's capital funding by source shows 46% through general obligation debt, 30% by grant programs, 7% through cash flow reserve and 17% through revenue debt.

12. Adoption of the FY2022/2023 Budget for Port Freeport.

Commissioner Giesecke commented stating that there is a lot to like in this budget and as expressed previously, he doesn't see any real relief for the taxpayers adding that since 2019, the EBIDA (earnings before investment income, depreciation and amortization) is up from \$17,160,000 to \$27,077,000, an almost \$10 million increase with no real tax relief anticipated in this budget and will have to vote no for the budget.

Commissioner Santos thanked staff for their efforts in building this year's budget.

A motion was made by Commissioner Santos to approve the FY 2023 budget of Port Freeport as presented by staff. The motion was seconded by Commissioner Croft with five Commissioners voting in favor of the motion and Commissioner Giesecke voting no. The motion passed.

13. Adoption of a Resolution setting the 2022 Tax Rate for Port Freeport.

A motion was made by Commissioner Santos to approve the 2022 tax rate of 3.5 cent/100 valuation. The motion was seconded by Commissioner Pirtle.

Commissioner Giesecke asked Mr. Nemeth if a motion to amend would be in order at this moment. Mr. Nemeth stated that once a motion is made, it can be amended if the person making the motion agrees to amend the motion, but you can ask to have it amended. Commissioner Giesecke argued that once the Chair opens for debate, that's the appropriate time to make a motion to amend adding that although Mr. Nemeth stated a motion was already being considered, a motion to amend takes priority as a subsidiary motion vs. the main motion. He also stated that legal got him last time in between after the motion had been made before the chair restated the question and opened it up for debate so when its open for debate, that's when the motion to amend is in order. Mr. Nemeth clarified that under general rules for meetings, the person who made the motion, once its seconded, has the ability to request that motion be voted on or he can in turn accept an amendment and amend it. If the motion does not pass, you are able to make another motion. Commissioner Santos clarified/repeated the procedure laid out by legal counsel and then stated he does not want to amend his motion. Commissioner Giesecke argued that is not correct, stating a motion to amend is in order once the debate is open, after the chairman restates the motion, then its open to the floor and open to the amendment. Commissioner Croft asked if there was a second to his motion. There was no motion or second on the table. Commissioner Giesecke asked if the Commission was in the deliberation phase. Counsel confirmed they are in the deliberation phase. Commission Giesecke commented that after what happened last time, he went and got a book.

Commissioner Giesecke made a motion to amend the main motion to provide a maintenance and operation tax rate of zero, an interest and sinking fund rate of \$0.16856 cents/\$100 for a

total tax rate of \$0.16856 cents/\$100. The motion was seconded by Commissioner Singhania.

Commissioner Hoss noted that while Commissioner Giesecke references *Robert's Rules of Order*, he reminded the Commission that it has not been fully adopted and the Commission generally uses an amended version. To be consistent with what has been done in the past, the Chairman has asked the person making a motion if he's willing to amend and the person who seconded the motion if he's willing to continue the second on the amendment and not address it as a subsidiary motion. Commissioner Giesecke stated the main motion was to adopt a rate of .035 rate, the subsidiary motion takes precedence over the main motion until the subsidiary motion is disposed of. Commissioner Singhania asked Mr. Nemeth to weigh in on the discussion. Mr. Nemeth stated that under the strict following of *Robert's Rules of Order*, Commissioner Giesecke is correct. He further explained that at this point, there would be a vote on whether to amend the motion. This would require a majority vote to amend the motion and then the motion can be considered as amended. He clarified that it is a motion to amend the motion, it's not a motion to approve the tax rate. Commissioner Hoss followed up by stating it is not the content of what's being presented, it's the action of whether or not you're going to amend something, basically overriding the person that made the original motion. Mr. Nemeth further clarified where the commission stands at this moment stating that Commissioner Giesecke asked that the original motion be amended to provide a zero-tax rate for M&O and maintain the I&S rate. If there is to be a vote on that, it would be a vote to amend the original motion, not a vote on the original motion. If the vote on the amendment passes, then you would in turn vote on the tax rate Commissioner Giesecke is proposing. If the vote on the amendment does not pass, then you vote on the original motion as made.

After additional discussion and clarification, Commissioner Hoss asked for a vote on the motion made by Commissioner Giesecke to amend the original motion made by Commissioner Santos. The motion was seconded by Commissioner Singhania with Commissioners Giesecke and Singhania voting yes and Commissioners, Hoss, Santos, Croft and Pirtle voting no. The motion did not pass.

Mr. Nemeth stated that since the motion to amend did not carry, the commission is back to the original motion as made.

At this time, Commissioner Pirtle commented that if you look back the tax rates, the commission has reduced the tax rates since 2011 continuously and the latest tax approval was by the voters. It's not fair or true to say the Port is not reducing rates as we are down significantly, about 30%, from where we were in 2011. Commissioner Giesecke replied that the legislature defines the no new revenue rate, which is the rate multiplied by the valuation, as the valuations go up, taxes go up if the rate stays constant. They define this term as the no new revenue rate, with the predecessor being the effective rate. In 2018, the rate adopted was 3.67% above the effective rate; in 2019, the rate adopted was 1.68% above the effective rate; in 2020, the terminology was changed, and the adopted rate was 7.78% above the no new revenue rate; last year was a 0.2% reduction from the no new revenue rate and now we are proposing a 3.5 cent which is 2.5% reduction. If you look at it since 2018, we've had a net tax increase if you consider the rates multiplied by the valuation. Commissioner Hoss argued that the rates have gone down. Commissioner Giesecke stated that if you hold the rates the same and valuations go up, it's a tax increase. If the tax base increases and more things are added to the base. The no new revenue rate only considers the properties that were

on the tax roll the previous year so the new valuation for new properties/construction is not included in the calculation of the no new revenue rate, and neither are tax abatements. Mr. Lowe clarified that is true for the first year of the tax abatements but cumulatively, if something would have come on in 2018, it would have been there 2020 vs. 2021 but the year it rolls off it would not be counted but subsequently it would be compared year over year. Commissioner Giesecke also noted that if the Commission had adopted a rate higher than the no new revenue rate, the Port would have been required by law to publish a notice that said notice of hearing on tax increase.

At this time, Commissioner Hoss called for the vote on the original motion made by Commissioner Santos to approve the 2022 tax rate of 3.5 cent/100 valuation. All Commissioners voted yes.

Ms. Saathoff added for the record that this is a 22.4% reduction in the M&O rate, with the rate just adopted.

14. Discuss and consider the adoption, amendment, repeal or reauthorization of the Port Freeport Tax Abatement Guidelines and Criteria, to be effective September 8, 2022 – September 7, 2024.

Mr. Lowe stated that staff has previously met with the Finance Advisory Committee and once with the Commission with the guidelines being tabled based on language recommendations staff received. Staff reviewed the language recommendations with the Finance Committee and now proposes the following language modifications to Section 2 (h)(6) that was discussed with the committee. *“When seeking employees for direct employment by the owner of the planned improvement at the abated facility site, it is required that applicant seek qualified workers who are United States citizens or legal residents (and give preference to veterans of the U.S. armed forces) prior to seeking non-resident workers from other countries. For all employees of applicant who will work at properties for which an abatement is granted, applicant must use E-Verify or other appropriate methods to confirm the identity and employment eligibility of those employees to work in the United States.”*

Mr. Lowe then presented the amended language Commissioner Giesecke submitted to staff earlier in the day. Commissioner Giesecke stated that his issue with the revised language is that it basically eviscerates it. He agrees with everything but the last part where it says, *“use E-Verify or other appropriate methods”*. He stated that every employer is required to use some method to verify the person’s right to work in the United States. His issue is that some of the methods used to confirm identity consist of documents with no photo that can easily be forged (i.e., voter registration card and social security card), and this is considered enough. Commissioner Giesecke stated that he looked at the Texas Transportation Code and found the following. He also noted that under the Texas Transportation Code, TxDOT is required for their contractors (and sub-contractors) to participate in E-Verify. The highlighted areas indicate the operative parts of the code....

Texas Transportation Code

Sec. 223.051. VERIFICATION BY CONTRACTORS. (a) In this section, "E-verify program" has the meaning assigned by Section 673.001, Government Code.

(b) The department may not award a contract for the construction, maintenance, or improvement of a highway in this state to a contractor unless the contractor and any subcontractor register with and participate in the E-verify program to verify employee information. The contractor and any subcontractor must continue to participate in the program during the term of the contract.

Texas Government Code

Sec. 673.001. DEFINITIONS. In this chapter:

(1) "E-verify program" means the electronic verification of employment authorization program of the federal Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Pub. L. No. 104-208, reprinted in note, 8 U.S.C. Section 1324a), operated by the United States Department of Homeland Security, or a successor employment authorization program designated by the United States Department of Homeland Security or other federal agency authorized to verify the employment authorization status of newly hired employees under the federal Immigration Reform and Control Act of 1986 (8 U.S.C. Section 1101 et seq.).

Based on this language from the Transportation Code, Commissioner Giesecke is proposing the following definition for E-Verify be added to the guidelines which will cover the current E-Verify program or other programs the federal government may offer. He noted that this is exactly what the State of Texas has and has been in place since approximately 2017 in the Transportation Code and is in practice now for TxDOT contracts.

1. In Section 1 (Definitions) on Page 2, insert a new Subsection (g) as follows and redesignate all succeeding subsections:

(g) "E-Verify Program" means the electronic verification of employment authorization program of the federal Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Pub. L. No. 104-208, reprinted in note, 8 U.S.C. Section 1324a), operated by the United States Department of Homeland Security, or a successor employment authorization program designated by the United States Department of Homeland Security or other federal agency authorized to verify the employment authorization status of newly hired employees under the federal Immigration Reform and Control Act of 1986 (8 U.S.C. Section 1101 et seq.).

Note: This definition is sourced directly from the Texas Government Code, Subsection 673.001(1)

Commissioner Giesecke proposes the modified language below for Section 2 (h)(6)....

2. On Page 8, modify the amended Subsection 2(h)(6) as follows:

(6) Must file a plan statement with application demonstrating willingness and planned efforts to use qualified Port Freeport vendors and service providers where applicable in the construction and operations of the facility. Port Freeport vendors and service providers must be competitive with non-county vendors and service providers regarding price, quality, safety, availability and ability to perform. When seeking employees for direct employment by the owner of the planned improvement at the abated facility site, it is required that applicant seek qualified workers who are United States citizens or legal residents (and give preference

to veterans of the U.S. armed forces) prior to seeking non-resident workers from other countries. For all employees of applicant who will work at properties for which an abatement is granted, applicant must ~~use E-Verify or other appropriate methods to confirm the identity and employment eligibility of those employees to work in the United States~~ register with and participate in the E-Verify Program to verify employee information. The applicant must continue to participate in the program during the Abatement Period.

Note: The inserted phrases are taken directly from the Texas Transportation Code, Subsection 223.051 (b)

Discussion then began among the Commission regarding the proposed language noting concerns with E-Verify being the only means to verify employee information as well as how the applicants would be audited to ensure E-Verify is being used. The Commission asked legal counsel to weigh in on the topic. Mr. Nemeth noted that he does not have a problem with E-Verify as it's one way an employer can meet his obligation under federal law. His only concern with this language is it demands that they do that. While there is nothing wrong with this, does the Port want to get into the weeds of how a company does their legally required business. There are other ways to comply (i.e., I-9 form, passport, birth certificate, but by adopting this language, the Port is saying you can't use that, you have to use E-Verify.

Commissioner Pirtle said he appreciated Commissioner Giesecke's research on this. Thinks it would be beneficial to the Port and to the County to verify who is being employed but not sure specifying just E-Verify is right. He questioned who at the Port would audit compliance. Commissioner Pirtle said the County has an established group that does this and the Port tries to be consistent with the County. Commissioner Giesecke this language is just mandating the company use E-Verify. It would not be too difficult to verify.

Commissioner Hoss asked the Finance Advisory Committee what their recommendation was. The committee expressed concern about the original language, legal counsel massaged the language and came back with what staff is presenting today. The committee has not seen the language Commissioner Giesecke is proposing today. Commissioner Giesecke noted again that he is fine with everything else presented, just not the language that reads "*other appropriate methods*" feeling it is too vague a description, so he looked for something that was established, passed by the legislature and has been in practice. He pointed out this would only be for the employees of the applicant and does not extend to their contractors and subcontractors.

Commissioner Pirtle again expressed concern about verifying compliance. Commissioner Giesecke said we would not be auditing at the individual employee level. The company could be required to provide proof of registration E-Verify.

Commissioner Pirtle suggested approving the guidelines as presented in order to move forward to get guidelines in place but go back to the committee to further discuss the language regarding E-Verify and see if committee can come to a resolution, and then bring that revised language back to the Commission for approval.

After reviewing the staff recommended language again and discussing a bit further, a motion was made by Commissioner Pirtle to approve the guidelines as presented by staff with the

intention that the Finance Advisory Committee will review the E-Verify language at a future date. The motion was seconded by Commissioners Croft.

Commissioner Giesecke made a motion to amend Commissioner Pirtle's motion to include the adoption of Brazoria County's graduated scale with the adjustments that we remove the 8th year on Tiers 3 and 4 not going beyond 7 years. He further stated that this gives the Port the flexibility to adopt an abatement at 100% but manages the expectation for companies requesting an abatement. The motion was seconded by Commissioner Singhanian adding that the County has the option to give a 100%, and they did on Volkswagen. He noted that he would rather see the Port follow/keep the County's guidelines, allowing them to be the administrator, than trying to tweak them.

Commissioner Pirtle noted for clarification that staff's recommendation was to adopt the guidelines with the wording previously discussed without the graduated scale but rather, use it as a reference.

Commissioner Singhanian commented that from his perspective, it does not really matter what is adopted, the Commission as a whole decides what amount they want to give. His opinion is to move forward with the understanding that the E-Verify language will be tweaked once the committee has reviewed and made their recommendation.

Commissioner Hoss called for a vote on Commissioner Giesecke's motion to amend the original motion. Commissioners Giesecke and Singhanian voted yes, in favor of the motion to amend. Commissioners Hoss, Santos, Croft and Pirtle voted no. The motion to amend did not pass.

Commissioner Hoss then called for a vote on Commissioner Pirtle's original motion to adopt the guidelines as presented by staff without the graduated scale. All Commissioners voted yes to adopt the guidelines as presented.

15. Approval of Executive Director/CEO and Commissioners' travel for the months of September and October 2022.

Ms. Saathoff stated that she will be traveling to Corpus Christi to attend the Texas Ports Association and Port Authority Advisory meetings, then attending the Automotive Logistics Conference with Mr. Miura in Detroit and attending the AAPA Annual Convention in October with Commissioner Singhanian and possibly Commissioner Pirtle.

A motion was made by Commissioner Singhanian to approve the travel. The motion was seconded by Commissioner Santos 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 or a settlement offer).

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.
- C. Under authority of Section 551.072 (Deliberation Concerning 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 are known as the East End of Freeport and bordered by or adjacent to the following streets: FM1495; 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, 19, 27, 34 and property on Quintana Island.

17. RECONVENE OPEN SESSION:

18. Adjourn.

With no further business before the Commission, the meeting adjourned at 3:20 PM.

John Hoss, Chairman

Rudy Santos, Vice Chairman

Dan Croft, Secretary

Rob Giesecke, Asst. Secretary

Ravi K. Singhania, Commissioner

Shane Pirtle, Commissioner



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MEMORANDUM

TO: Phyllis Saathoff, Executive Director/CEO
FROM: Darlene Winkler, Communications Specialist
DATE: September 22, 2022
SUBJECT: Public Affairs – September 2022

PUBLIC AFFAIRS

Communications and Media

Staff continues to post on social media port facts, press releases, safety awareness, hurricane preparedness, and other information pertinent to our community.

COVID-19 – The website and various social media channels are being maintained as a resource to the public for information on COVID-19 as it relates to Port Freeport and the community.

Freeport Harbor Channel Marine Traffic – The website is being maintained as a resource to the Freeport Harbor Channel community for information on marine traffic related to FHCIP dredging. Orion is currently performing dry excavation work in the bend east of P66. No impact to vessel traffic. Channel dredging is expected to resume by 2nd quarter 2023. Updates will be posted accordingly.

Freeport Harbor Channel Improvement Project – Staff continues to respond to inquiries from the public regarding Port Freeport and the Freeport Harbor Channel Improvement Project, as well as maintain updated information on both www.portfreeport.com and www.portfreeportbonderection.com.

Print and Social Media Monitoring – Staff continues to monitor publications, newspapers, agendas, and social media for matters pertaining to Port Freeport, Port Freeport's partners, and the harbor community.

Press Releases and News Postings — The following press releases were distributed in late August and September.

PORT COMMISSION

JOHN HOSS, CHAIRMAN; RUDY SANTOS, VICE CHAIRMAN; DAN CROFT, SECRETARY; ROB GIESECKE, ASST. SECRETARY;
RAVI K. SINGHANIA, COMMISSIONER; SHANE PIRTLE, COMMISSIONER; PHYLLIS SAATHOFF, EXECUTIVE DIRECTOR/CEO

PORT FREEPORT COMMISSION APPROVES EXEMPTION INCREASE was released on August 26, 2022.

PORT COMMISSION LOWERS TAX RATE AND APPROVES 2023 BUDGET was released on September 12, 2022

Port Events

Community Advisory Panel (C.A.P.) – The quarterly meeting was held on Tuesday, September 13, 2022, at the ABC Building in Freeport. There were 44 members and guests in attendance. Phyllis Saathoff and Rob Lowe provided members with an update on current projects along with the Port's budget and tax rate overview.

The tentative date for the future C.A.P. meeting is ***Thursday, December 1, 2022.***

Port Freeport Take-A-Child Fishing Tournament (TACFT) – SAVE THE DATES! The 23rd Annual Port Freeport Take-A-Child Fishing Tournament will be held ***Saturday, May 6, 2023***, at Freeport Municipal Park. The Captain's Dinner will be held on ***Thursday, May 4, 2023***, at River Place in Freeport.

Port Freeport Golf Tournament – Planning continues for the 11th Annual Port Freeport Golf Tournament benefiting Texas Port Ministry (TPM). The tournament will be held on Monday, October 17, 2022, at The Wilderness Golf Course in Lake Jackson, Texas with a four-person team shotgun start format. Registration will begin at 6:30 am and tee time is at 7:30 am. Sponsorship and additional tournament information are posted online at <https://www.portfreeport.com/freeport-community/golf-tournament> and on social media.

On September 7, 2022, *The Facts* advertised the golf tournament in their Sports Section under the upcoming tournaments.

On September 8, 2022, *The Facts* advertised the golf tournament in their Sports Section under the upcoming tournaments.

With the generosity of 77 sponsors and 41 teams in a two-flight tournament, \$66,000 was raised for TPM in 2021. This year, the goal is to fill the single-flight tournament with 36 teams and approximately \$67,000 for TPM. To date, 66 sponsors have committed to over \$84,500 and discounted services, and a full flight of 36 teams. There is a short waiting list of interested teams and sponsors

The tournament flyer continues to be shared with Port contacts to fill available sponsorship levels. You may send additional contacts to Darlene Winkler. All support is appreciated to assist with this fundraising effort.

Port Presentations, Tours, and Meetings

September 22 - Central Fort Bend Transportation & Technology Conference (PS – panelist)

October 18 - City of Belize Visit/Tour (morning)

October 25 – Fort Bend County Round Table (PS – panelist)

Community Events and Meetings

Weekly – Business Roundtable Virtual Meetings (speakers vary)

August 1 – Joint CAP meeting

September 7 - Cancelled - Brazosport Chamber of Commerce Luncheon (New date TBA)

September 8 – Brazoria Chamber of Commerce Annual Banquet

September 10 – Brazoria Community Library Association Bash

September 12 - ABC Annual Golf Tournament

September 15 – JA Business Hall of Fame

September 17 - Brazoria County Hispanic Chamber of Commerce Latin Festival

September 19 – Angleton Chamber of Commerce Fall Golf Tournament

September 20 – State of the Port Q & A Luncheon (Rob Lowe)

September 21 - Lower Brazos River Coalition Luncheon

September 22 - Angleton Chamber of Commerce: Cyber Security

Upcoming Community Events and Meetings

September 23 – Mid-Coast ACIT Annual Golf Tournament

September 24 – West Columbia Chamber of Commerce Annual Gala Casino Night

September 28 – ABC Joint Membership Event & Luncheon

September 29 - Brazosport Chamber of Commerce: State of the Community Luncheon

October 1 - Columbia Heritage Foundation Roughneck Blowout

October 7 – Boys & Girls Club Golf Tournament

October 12 - The Alliance: State of the Local Economy

October 13 - Angleton Chamber of Commerce: 1st Annual Women's Conference

October 14 - Freeport Police Dept. Blue Santa Golf Tournament

October 18 – Texas A & M Galveston Career Day

October 25 - Brazoria County Hispanic Chamber of Commerce: State of The County Luncheon

October 27 - Transportation & Infrastructure Summit

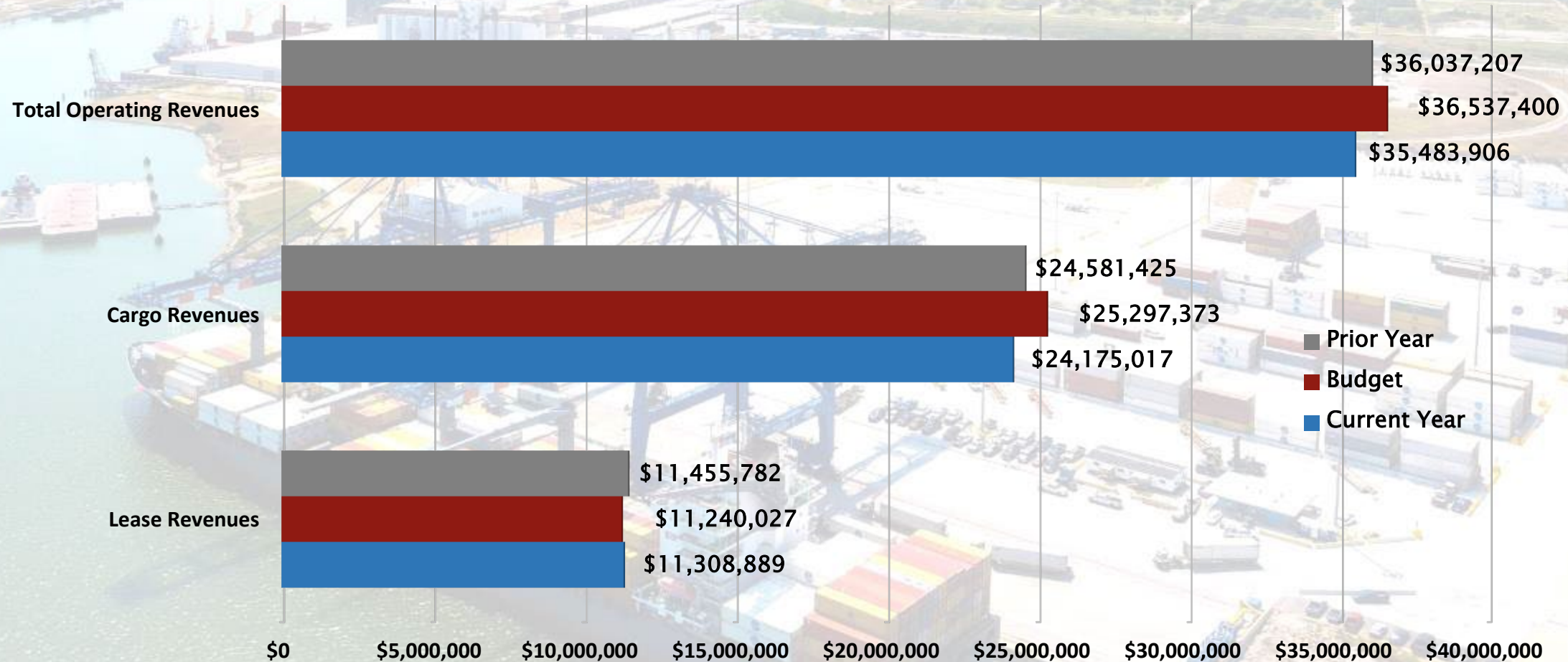


Financial Report for August 31, 2022

September 22, 2022

Rob Lowe | Chief Financial Officer

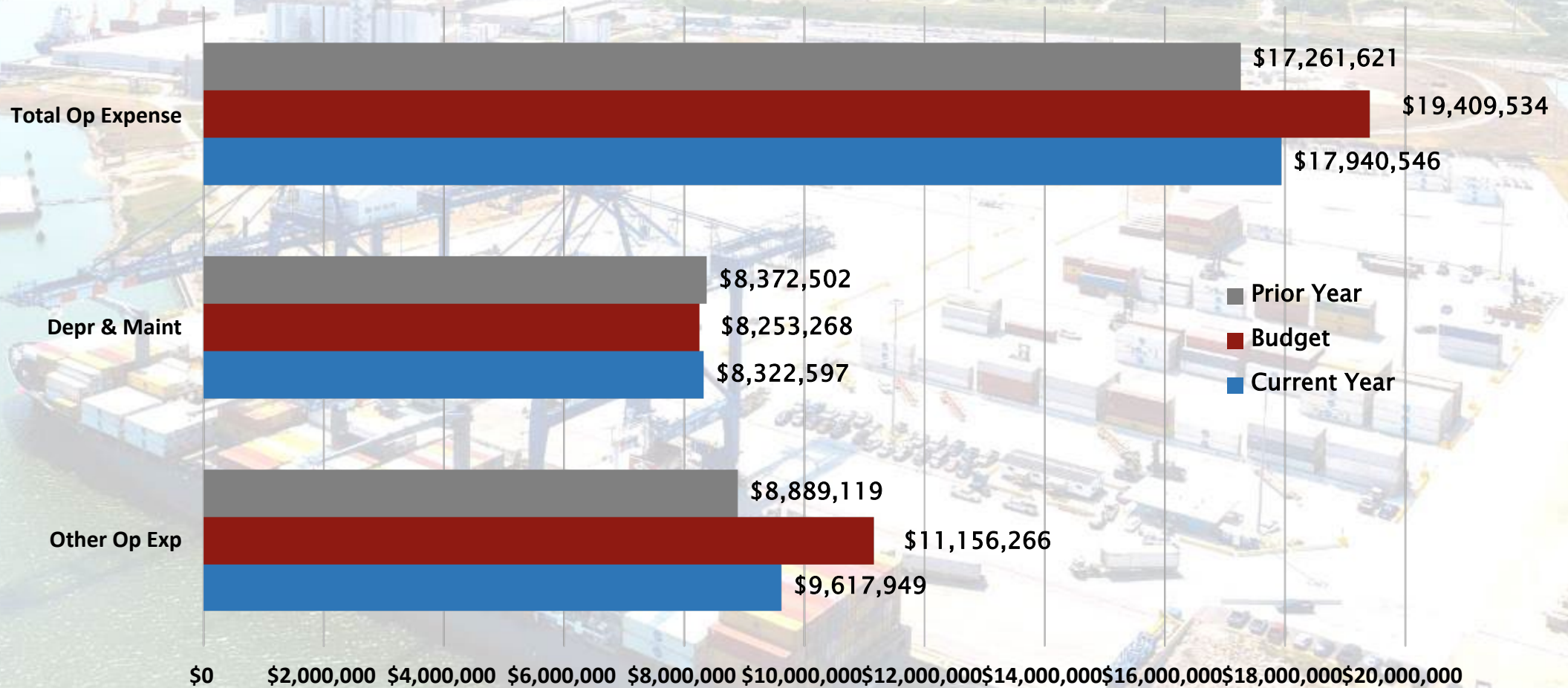
FY 2022 YTD OPERATING REVENUES



COMPARISON:

- Operating revenues are down over PY 2% and budget 3%
- Cargo revenues below PY by 2%; budget by 4%
- As compared to budget, cargo volumes are up in agriculture products, containerized cargo , and project cargo
- Lease revenues are below PY 1% and are 1% above budget

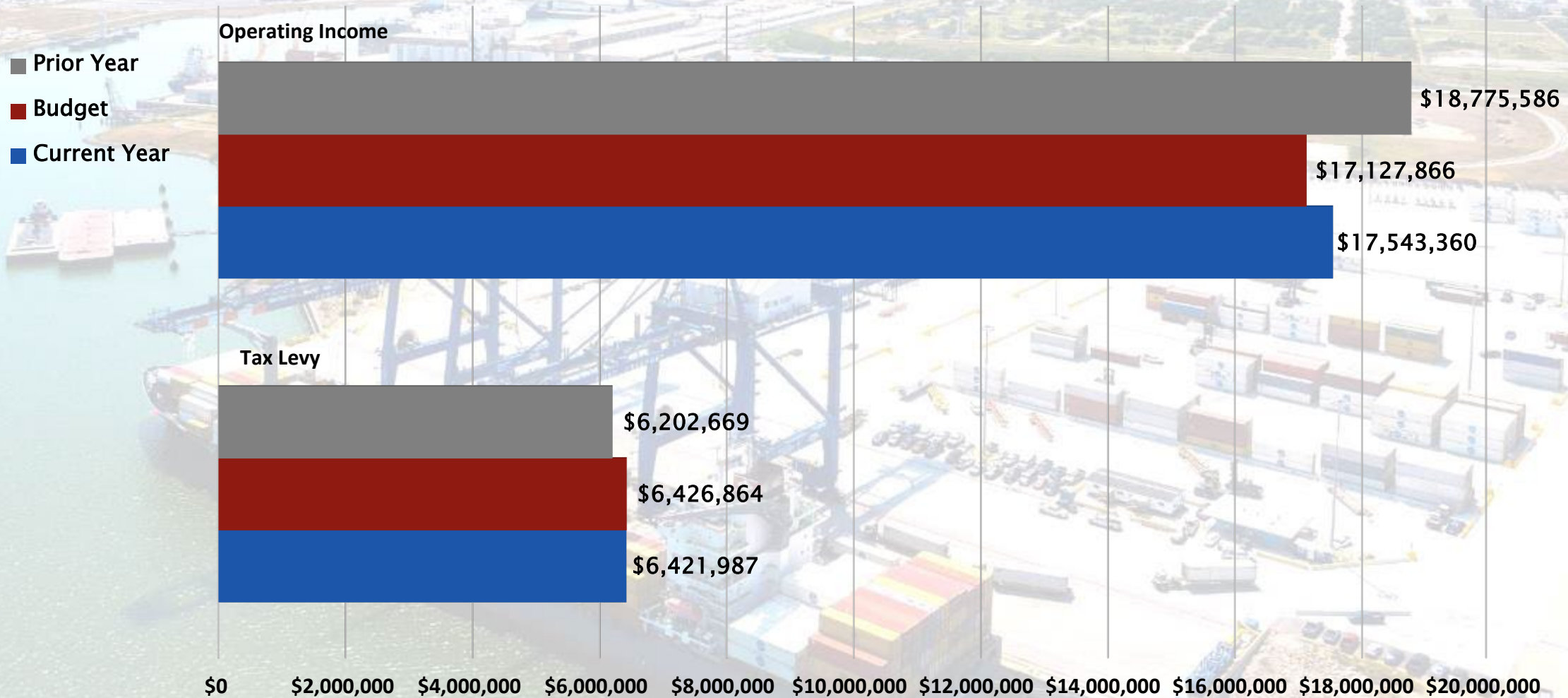
FY 2022 YTD OPERATING EXPENSE



COMPARISON:

- Total operating expenses are above prior year by 4%, below budget 8%
- Depr & maint are 1% below the PY and above budget 1%
- Other expenses are 8% above PY and below budget by 14%

FY 2022 YTD OPERATING INCOME



COMPARISON:

- Operating income is 7% below PY and above budget by 2%

FY 2022 YTD CHANGE IN NET POSITION

Change in Net Position

- Non-Operating Revenue (Expense) includes Ad Valorem Taxes, Investment Income, Debt Service and Gain (Loss) on Sale of Assets
- Drivers for comparison to budget are primarily timing of capital contribution projects.

| | Year To Date | YTD Budget | Total 2022 Budget |
|--|-----------------|-----------------|-------------------|
| Operating Income | \$ 17,543,360 | \$ 17,127,866 | \$ 18,424,600 |
| Non-Operating Revenue (Expenses) | \$ (1,744,562) | \$ (2,105,947) | \$ (2,942,000) |
| Capital Contributed (To) From Others | | | |
| Freeport Harbor Channel Improvement Project | \$ (45,469,509) | \$ (31,050,000) | \$ (31,050,000) |
| Contributed to Port | \$ - | \$ 50,000 | \$ 50,000 |
| Grants | \$ 143,056 | \$ 375,000 | \$ 375,000 |
| Emergency Recovery Efforts | \$ (169,207) | \$ - | \$ - |
| | | | |
| Change In Net Position | \$ (29,696,862) | \$ (15,603,081) | \$ (15,142,400) |

FY 2022 YTD CASH FLOWS

| <i>Cash Flow Measure</i> | <i>Current Year</i> | <i>Prior Year</i> |
|--|------------------------|----------------------|
| <i>Cash Provided by Operations</i> | \$ 23,734,825 | \$ 21,065,121 |
| <i>Cash Provided by Non-Cap Financing</i> | 6,230,563 | 6,202,103 |
| <i>Cash Used by Cap Financing</i> | (104,238,720) | (16,327,697) |
| <i>Cash Provided by Investing Activities</i> | 353,875 | 271,334 |
| <i>Net Increase (Decrease) in Cash</i> | (\$ 73,919,457) | \$ 11,210,861 |

COMPARISON:

- Operating cash flow is positive due to increase in operating revenues
- Cash provided from non cap financing are tax levy collections
- Capital Financing funds used for capital improvements.

FY 2022 STATISTICS

| <i>Measure</i> | <i>Current Year</i> | <i>Prior Year</i> | <i>Budget</i> |
|--|----------------------------|--------------------------|----------------------|
| <i>Operating Margin</i> | <i>49%</i> | <i>52%</i> | <i>47%</i> |
| <i>Current Ratio (unrestricted)</i> | <i>3.4 to 1</i> | <i>5.7 to 1</i> | <i>n/a</i> |
| <i>Debt to Net Assets Ratio</i> | <i>1.272 to 1</i> | <i>1.283 to 1</i> | <i>n/a</i> |

ACCOUNTS RECEIVABLE AGING

| <i>Year</i> | <i>0-30 days</i> | <i>31-60 days</i> | <i>61-90 days</i> | <i>Over 90 days</i> |
|---|----------------------------------|-------------------------------|-------------------------------|------------------------------|
| <i>August 31, 2022 FY 2022</i> | 92% \$5,960,307 | 6% \$411,139 | 2% \$162,020 | 0% \$8,417 |
| <i>August 31, 2021 FY 2021</i> | 95% \$8,195,966 | 4% \$318,418 | 1% \$92,868 | 0% \$22,233 |
| <i>August 31, 2020 FY 2020</i> | 90% \$2,233,460 | 7% \$182,185 | 2% \$42,115 | 1% \$32,850 |

An aerial photograph of a busy port facility. A large container ship is docked at a pier, with several large blue gantry cranes positioned over its deck. The ship's deck is filled with stacks of colorful shipping containers in shades of blue, yellow, and red. To the right of the ship, the port yard is visible, featuring numerous stacks of containers, several semi-trailers, and various pieces of port equipment. In the background, there are large industrial silos, a baseball field, and other port infrastructure. The water of the harbor is visible on the left side of the image.


Questions and Comments?



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MEMORANDUM

TO: Commissioners
Directors
Legal Counsel

FROM: Jason Hull, P.E. 
Director of Engineering

DATE: September 13, 2022

SUBJECT: Departmental Report

PROJECTS

1. **Velasco Terminal, Berth 8** – This project entails construction of Berth 8, which will extend the wharf another 928 feet north of Berth 7. Installation of the wharf piling is now completed. Installation of the concrete wharf pile caps continues moving from the south toward the north. Pile cap closures and crane beams are following behind the piling. Deck panel installation has also begun.



PORT COMMISSION

2. **FHCIP Excavation of Bend Easing** – Orion Construction was awarded the project and has now begun removing the old shoreline protection material. Completion is expected on or before 3/22/2023.
3. **FHCIP Reaches 1, 2, and 4** – This project involves deepening the Freeport Ship Channel to various depths ranging from 26-ft to 56-ft depending on the Reach. The 100% bid package is being reviewed by the various departments within the Corps of Engineers and they expect to advertise the project on 12/28/2022, and open bids on 2/3/23, with an expected award date of 3/24/2023.
4. **Gate 8 Guardhouse Expansion** – This project involves adding a small electrical/communication equipment room onto the rear of the guardhouse so that port staff can relocate electrical/communication equipment from the bathroom to this dedicated room with a dedicated air-conditioning system. Design work is now ongoing.
5. **East End Properties Demolition 2022** - This project involves removing asbestos from 11 structures in the East End and after asbestos removal, demolition of 20 structures. Abatement work is underway now, and completion is expected on or before 9/23/2022.
6. **Docks 1, 2, 3, and 5 Sheet Pile Repair Project 2022** – This project involves repairing holes and tears in the underwater sheetpile that were noted in the last underwater inspection survey. Work is underway now, and activities are being closely coordinated with berth availability and vessel schedules.
7. **Parcel 14 Phase 2 Rail** – This project involves constructing 4 more tracks to the existing 3 tracks on Parcel 14. The FRA has completed their plan review and we are making UPRR changes to the plans. The project will advertise on 9/27 and 10/4. Bids will be opened on 10/18 and considered for award on 10/27.

**PORT FREEPORT
OPERATIONS ACTIVITY SUMMARY
AUGUST 2022**

A. MONTHLY ACTIVITY EXPLANATION

- * Total import/export activity for the month of August was as expected.
- * LNG did not experience any vessels this month.
- * Riviana did not experience any vessels this month.
- * Vulcan Material experienced (**1**) vessel this month.
- * Total (**7**) RoRo vessels handled.
- * Tenaris experienced (**1**) vessel, (**8**) barges and (**71**) railcars this month.
- * Total of (**8**) Container vessel calls.
- * CEMEX transferred product from truck to (**22**) rail cars.
- * Vulcan Materials handled (**95**) rail cars this month.
- * Average vessel activity in 2021 was 44 per month. This month, we handled 18 vessels (0 LNG & 18 Inner Harbor).
- * *Enterprise/Seaway received (**12**) vessels.*
- * *There were (**87**) Total Vessel arrivals Port wide.*

B. FISCAL YEAR ACTIVITY EXPLANATION

- * Total Tons for this year are as expected. This is due to the transition of vessel calls by LNG and additional calls of Steel Bars and RoRo vessels.
- * LNG has handled (**149**) vessels for export.
- * Tenaris has handled (**28**) vessels, (**93**) barges and (**367**) railcars.
- * Total (**124**) RoRo vessels handled.
- * YTD (**98**) Container vessel calls.
- * CEMEX handled (**195**) railcars with **15,253** Tons of Co2.
- * Vulcan handled (**950**) railcars with **101,723** Tons of Limestone and (**5**) Vessels.
- * Total vessels handled this fiscal year is **433** compared to **491** last year (**149** LNG & **284** Inner Harbor).
- * *Enterprise Seaway Vessels Year-to-date (**122**)*
- * *Total Port wide Vessels Fiscal Year-to-date (**1,105**)*
- * *Total Vehicles Handled Year-to-date (**80,166**)*
- * *Total Containers Handled (**40,208**)*
- * *Total Railcars Handled (**1,546**)*

C. INSIGHT TO ACTIVITY FOR SEPTEMBER 2022

- * LNG has scheduled (0) vessels.
- * Riviana Foods has scheduled (2) vessel.
- * Vulcan Material has scheduled (0) vessels for September.
- * Expecting to handle (10) RoRo vessels.
- * Tenaris has (3) vessels, (6) barges and (15) Railcars planned.
- * Expecting (9) Container vessels.

D. OPERATIONAL MEETINGS AND AGENDAS

- * OPTS, Safety, Security – Working with OnSite Cement and Stevedore. We conducted a “Pre-Opts” vessel meeting.
- * OPTS, Safety, Security – Participated in the Annual Port Tariff “Review”
- * Safety- Christine Lewis– Coordinated the “Safety Appreciation Luncheon” for Port Staff.
- * Security- Chris Hogan – USCG Conducted their “Annual Inspection of Compliance” at Port Freeport- No Issues.
- * Jesse –Austin– Participated in a “RoRo Roundup” meeting. This “Roundup” will be a learning opportunity for the ILA.
- * Holly – Has started the process of “Renewal” of Stevedore Licenses.
- * Al – Met with ILA and Ports America to Review “High & Heavy” Cargo Opts.
- * Austin – Working with Riviana and Brazos Pilots to Coordinate the Discharge of Rice Vessel at Dock 3.
- * Jesse – Completed the Operations Budget Process.



PORT FREEPORTSM

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Interim Financial Report

(unaudited)

For the Period ending:

August 31, 2022

PORT COMMISSION

JOHN HOSS, CHAIRMAN; RUDY SANTOS, VICE CHAIRMAN; DAN CROFT, SECRETARY; ROB GIESECKE, ASST. SECRETARY;

RAVI K. SINGHANIA, COMMISSIONER; SHANE PIRTLE, COMMISSIONER; PHYLLIS SAATHOFF, EXECUTIVE DIRECTOR/CEO

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Management Narrative

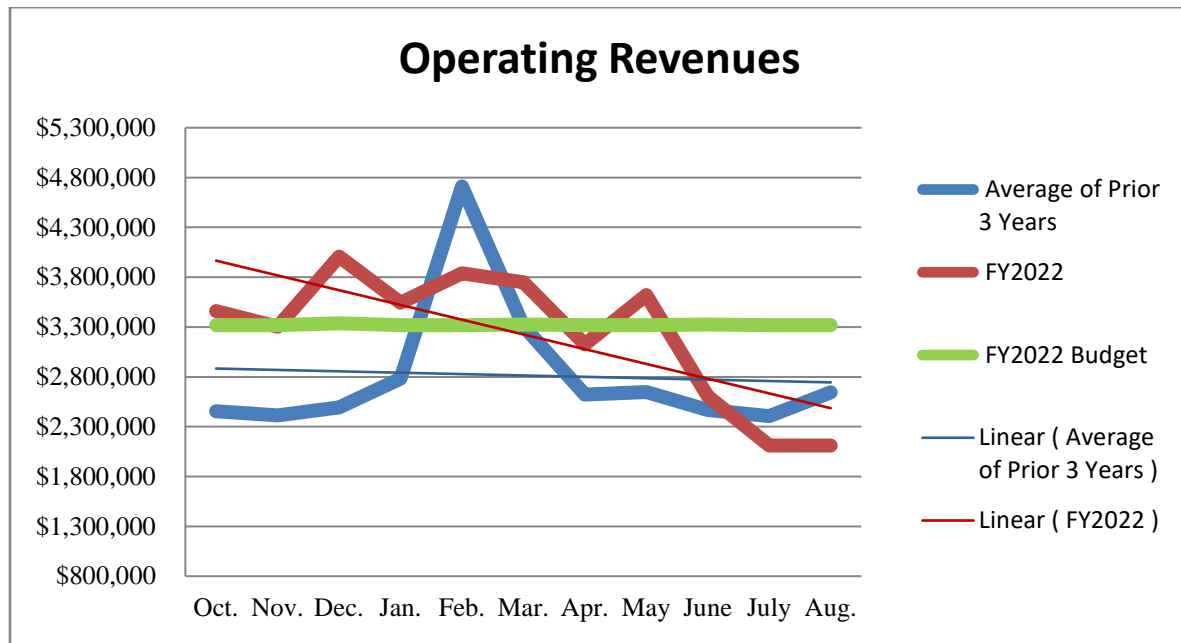
For the eleven months of Fiscal Year 2022, the Port continued to remain on a positive financial foundation with operating revenues 3% below planned levels. Further, operating expenses were under planned levels and are below budget by a factor of 8%. These factors combined have contributed to producing an operating profit of \$17,543,360 and an operating margin of 49%, which is above planned performance levels by 2% or \$415,494 and is \$1,212,226 or 7% below prior year's results.

The Port's overall position remains strong as evidenced in a current ratio (unrestricted) of 3.4 to 1, which reflects a strong liquidity position, and a debt ratio of 127.2% which is supported by our strong credit rating. The following table provides additional summary level information.

| | Year to Date | | Variance | % Var |
|---|------------------------|------------------------------|----------------------------|-------|
| | Actuals | Budget | Favorable (Unfavorable) | |
| Statement of Revenues, Expenses and Changes in Net Assets | | | | |
| Operating revenues | \$ 35,483,906 | \$ 36,537,400 | \$ (1,053,494) | -3% |
| Operating expense | <u>17,940,546</u> | <u>19,409,534</u> | 1,468,988 | 8% |
| Operating income (loss) | <u>17,543,360</u> | <u>17,127,866</u> | 415,494 | 2% |
| Operating margin | 49.4% | 46.9% | | |
| Net non operating revenues (expense) | (47,214,071) | (33,105,947) | (14,108,124) | 43% |
| Capital contributions | 143,056 | 375,000 | (231,944) | 0% |
| Net extraordinary revenue (expense) | <u>(169,207)</u> | <u>-</u> | (169,207) | 0% |
| Change in net assets | <u>\$ (29,696,862)</u> | <u>\$ (15,603,081)</u> | \$ (14,093,781) | |
| Balance Sheet | | | | |
| Cash and cash equivalents | \$ 64,708,202 | Current ratio (unrestricted) | | |
| Current unrestricted assets | 55,552,470 | 3.4 to 1 | | |
| Total assets | 505,999,808 | | | |
| Current unrestricted liabilities | 16,107,698 | Debt to Net Assets Ratio | | |
| Total liabilities | 290,738,610 | 127.2% | | |
| Total Net Assets | \$ 215,261,198 | | | |

The balance of this narrative provides detailed explanations and supplementary information for the variances when comparing budget to actual for the period ended August 31, 2022.

OPERATING REVENUES



Total operating revenues for the period ending August 31, 2022, are \$35,483,906. This is \$1,053,494 or 3% below planned levels. The following provide more specific explanations for variances in revenue:

Wharfage revenue stands at \$11,128,703, which is under budget by \$1,345,562 or 11%. The following is a brief analysis of wharfage results by cargo category:

| | 11 Months Budget | Year To Date | Over (Under) | % Over (Under) |
|----------------------|------------------------|----------------------|-----------------------|-------------------|
| Agriculture Products | \$ 123,063 | \$ 243,925 | \$ 120,862 | 98% |
| Bulk Aggregate | 200,200 | 180,200 | (20,000) | -10% |
| Containerized Cargo | 1,283,420 | 1,472,534 | 189,114 | 15% |
| General Cargo | 9,276,405 | 7,686,936 | (1,589,469) | -17% |
| Project Cargo | 100,833 | 173,871 | 73,038 | 72% |
| Ro-Ro Cargo | 1,490,344 | 1,371,237 | (119,107) | -8% |
| Total | \$ 12,474,265 | \$ 11,128,703 | \$ (1,345,562) | |

Dockage revenue stands at \$6,603,759, consistent with wharfage revenues, which is \$605,001 or 8% below budgeted levels. Year-to-date ship calls are 433 compared to a budget of 495.

Equipment use fees, stands at \$1,281,517, which is over budget \$110,200 or 9% due to crane and equipment usage.

Security fees, consistent with wharfage and dockage, stand at \$2,273,627, which is \$117,315 or 5% below budget.

Facility use fees are \$1,532,730. This is over budget by \$478,563 or 45% due to facility usage outside of tenant leased areas.

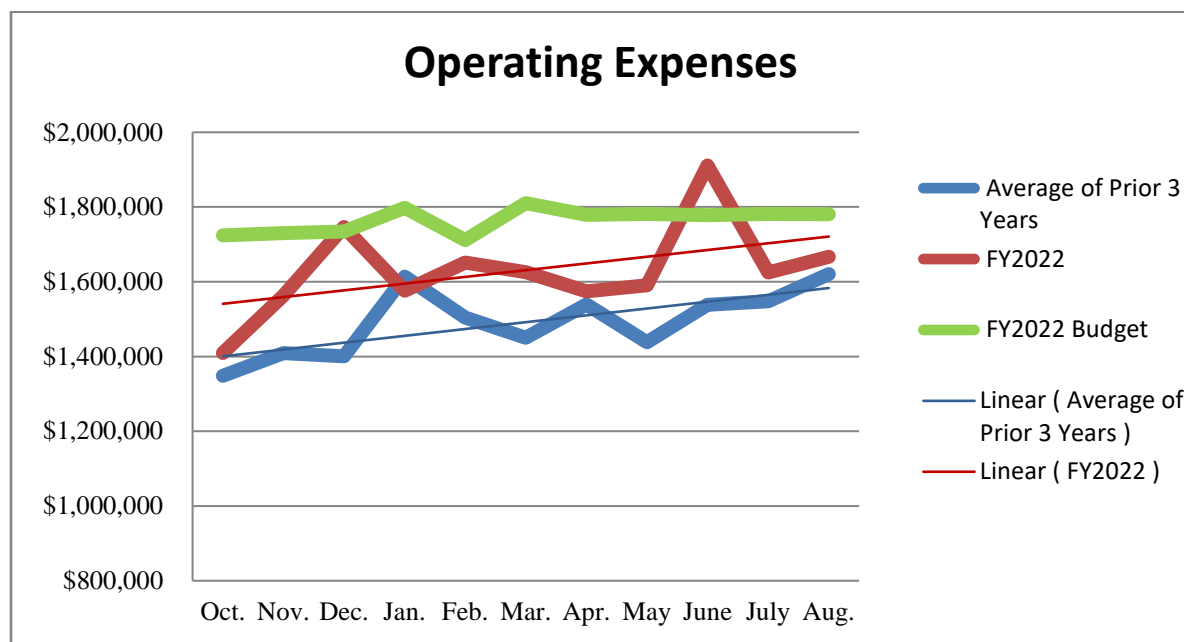
Other customer service fees (Port service charges, incidental services, customer re-bills, water, etc.) are \$1,330,598 which is \$351,426 or 36% above budgeted levels due to customer rebilling.

Ground leases stand at \$10,504,466, which is \$130,465 or 1% above budget levels.

Other leases are \$804,423, which is \$61,603 or 7% below budget levels.

Other revenue is \$24,083, which is \$5,333 or 28% above budgeted levels.

OPERATING EXPENSES



Total operating expenses are \$17,940,546, which is under budget \$1,468,988 or 8% for the period ended August 31, 2022. Following are more specific explanations for variances in operating expenses:

Port salaries/wages and benefits are \$4,313,027. This is \$649,727 or 13% less than budget. Currently, there are three vacancies and two new positions not filled when compared to Fiscal Year 2022 Budget. Operations overtime is \$25,337 or 18% over budget.

Professional services are \$2,171,928, which is under budget \$310,380 or 13% due to timing of services. Security services, at \$1,603,266 is the majority of this budget item and is 1% below budgeted levels.

Training, travel & promotional expenses are \$397,476 which is under budget \$335,435 or 47%. Following is a brief explanation of some of the sub-categories within this line item:

- Commercial advertising is \$123,765, which is below budgeted levels \$164,153 or 57% due to timing or postponement of ad development services.
- Sales/promotional travel costs are \$32,776 which is under budgeted levels by \$21,725 or 40% due to timing of travel.
- Governmental relations costs are \$7,276 which is below budget by \$31,186 or 81% due to timing of government related travel.
- Community events are \$37,270 which is below budgeted levels \$13,731 or 27% due timing and postponement of events.
- Technical training is \$25,808 which is \$82,817 or 76% under budget due to timing or postponement of training.

Supplies are \$154,002 which is \$9,047 or 6% above budget primarily due to increased fuel prices. Fuel is over budget \$20,405 or 57%.

Utilities at \$614,808 are under budget \$118,991 or 16% due to the timing of the receipt of the bill and related customer rebilling. City of Freeport is having billing issues, so the water/sewer billing is estimated.

Business insurance is \$1,371,201, which is \$48,087 or 3% below budgeted levels.

Other services and charges at \$595,507 are \$64,744 or 10% below budget due to timing of subscriptions and dues. The purchase of the managed detection response software/subscription is offset by the grant revenue. In addition, the usage of contract labor to backfill a vacant position was not budgeted.

Maintenance and repair expenses at \$1,072,337 are \$209,122 or 24% above budget. It should be noted that there are some customer damaged property repairs, which is offset by other services and charges revenue for the rebilling to the customer for the damages. Following is a brief explanation of some of the repairs by facility/equipment type:

- Crane trolley cable repairs are \$77,665.
- Repairs to the Emergency Operations Building VRV (HVAC) system was \$25,087.
- Repairs to the transit shed and warehouse sprinkler system were \$29,252.
- Emergency repairs to the water supply lines were \$17,838.
- Sewer line repairs were \$4,331.
- Joint repairs at Berth 1 were \$17,600.
- Transformer oil change was \$7,311.

- Transformer service and repairs were \$11,397.
- Emergency repairs to truck scales were \$6,237.
- Pallet stock and labor to repair pallets is \$30,249.
- Emergency repairs to the backflow valve at Gate 14 area was \$3,220.
- Emergency repairs to the underground electrical on Pete Schaff Blvd were \$3,568.

Depreciation expense at \$7,250,260 is \$139,793 or 2% below budget levels due to timing of additions.

Operating income is \$17,543,360 compared to a total fiscal year budget of \$18,424,600, shows a positive result for Fiscal Year 2022.

NON-OPERATING REVENUES (EXPENSES)

Ad Valorem tax collections are posted utilizing the certified appraised values less the related fees. Adjustments are made throughout the year from the tax office reports to reflect appraisal and tax office adjustments as well as prior year collections and penalty and interest. Year to date values are \$6,421,987 compared to an annual budget of \$6,422,200.

Investment income is \$136,509 or 27% below budget due to change in fair market values (loss), increased funds invested, and low interest rates. Investment rates conditions are improving.

Gain (Loss) on Sale of Assets is the entry of the receivable for the sale of land to the State of Texas.

Debt interest and fees are \$8,574,871, which is \$145,440 or 2% below budgeted levels due to the budget amount being evenly distributed over twelve months.

Capital Contributions to Others budget includes \$31,050,000 in contributions to the U.S. Army Corps of Engineers for the Freeport Harbor Channel Improvement Project and \$50,000 in contributions to the Port for cost share of improvements. There has been \$45,469,509 in expenses for these projects.

Grant Revenue budgeted for the Fiscal Year 2022 is \$375,000. There has been \$143,056 in grant revenue for Fiscal Year 2022. The grant revenue is funded on a reimbursement basis, so the capital contributions are recorded when the expenditures for each project are reported quarterly.

Extraordinary Item is emergency recovery efforts from the 2021 Hurricane Nicholas damages. Expenses so far have been \$169,207, which includes roof/gutter repairs to transit shed #1. Supplies for repairs have been challenging to obtain by contractors to repair the damages.

**PORT FREEPORT
BALANCE SHEET**

| | <u>8/31/2022</u> | <u>9/30/2021</u> |
|---|-----------------------|-----------------------|
| ASSETS | | |
| CURRENT ASSETS: | | |
| CASH AND CASH EQUIVALENTS | \$ 35,929,761 | \$ 57,580,744 |
| INVESTMENTS | 9,958,733 | 0 |
| RECEIVABLES (net of allowance for uncollectibles): | | |
| TRADE ACCOUNTS | 6,499,168 | 5,042,395 |
| PROPERTY TAXES | 70,472 | 62,864 |
| OTHER | 368,325 | 40,032 |
| OTHER GOVERNMENTS | 641,051 | 652,143 |
| ACCRUED INTEREST | 213 | 0 |
| PREPAIDS | 1,087,493 | 928,156 |
| INVENTORY | 997,254 | 970,061 |
| TOTAL UNRESTRICTED CURRENT ASSETS | \$ 55,552,470 | \$ 65,276,395 |
| RESTRICTED ASSETS: | | |
| CASH AND CASH EQUIVALENTS | 28,778,441 | 53,113,244 |
| INVESTMENTS | 6,854,317 | 44,746,721 |
| RECEIVABLES (net of allowance for uncollectibles): | | |
| PROPERTY TAXES | 40,604 | 25,995 |
| OTHER | - | 501 |
| ACCRUED INTEREST | 15,140 | 232,719 |
| BOND DISCOUNTS AND ISSUANCE COSTS | 6,604 | 7,767 |
| TOTAL RESTRICTED ASSETS | 35,695,106 | 98,126,947 |
| TOTAL CURRENT ASSETS | 91,247,576 | 163,403,342 |
| PROPERTY, PLANT, AND EQUIPMENT: | | |
| PROPERTY, PORT, AND FACILITIES | 511,982,149 | 468,198,940 |
| LESS ACCUMULATED DEPRECIATION | (97,229,917) | (90,003,084) |
| PROPERTY, PLANT, AND EQUIPMENT NET | 414,752,232 | 378,195,856 |
| TOTAL ASSETS | \$ 505,999,808 | \$ 541,599,198 |
| LIABILITIES | | |
| CURRENT LIABILITIES: | | |
| ACCOUNTS PAYABLE | \$ 10,151,599 | \$ 9,357,196 |
| EQUIPMENT LEASE PAYABLE | 1,489,502 | 1,489,502 |
| ACCRUED COMPENSATED ABSENCES | 195,296 | 333,519 |
| UNEARNED LEASE INCOME | 4,271,301 | 4,015,079 |
| TOTAL CURRENT LIABILITIES | \$ 16,107,698 | \$ 15,195,296 |
| LIABILITIES PAYABLE FROM RESTRICTED ASSETS: | | |
| ACCRUED BOND INTEREST PAYABLE | 2,226,824 | 2,695,658 |
| BONDS PAYABLE | - | 5,630,000 |
| TOTAL CURRENT LIABILITIES FROM RESTRICTED ASSETS | 2,226,824 | 8,325,658 |
| NON-CURRENT LIABILITIES | | |
| EQUIPMENT LEASE PAYABLE | 3,082,840 | 3,082,840 |
| BONDS PAYABLE | 248,035,000 | 248,035,000 |
| BOND PREMIUMS | 21,286,248 | 22,002,242 |
| TOTAL NON-CURRENT LIABILITIES | 272,404,088 | 273,120,082 |
| TOTAL LIABILITIES | \$ 290,738,610 | \$ 296,641,036 |
| NET ASSETS | | |
| NET INVESTMENT IN CAPITAL ASSETS | \$ 147,433,104 | \$ 169,104,874 |
| RESTRICTED-DEBT SERVICE | 12,708,880 | 13,774,096 |
| RESTRICTED-CAPITAL PROJECTS (Corps) | 12,431 | 12,799 |
| RESERVE FOR CAPITAL IMPROVEMENTS | 14,172,508 | 10,495,791 |
| UNRESTRICTED | 40,934,275 | 51,570,602 |
| TOTAL NET ASSETS | \$ 215,261,198 | \$ 244,958,162 |

PORT FREEPORT
STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN FUND NET ASSETS
August 31, 2022

| | YEAR TO DATE | PRIOR YEAR TO DATE | % OVER (UNDER) | 11 MONTHS BUDGET | % OVER (UNDER) | TOTAL 2021/2022 BUDGET |
|---|------------------------|------------------------|-------------------|------------------------|-------------------|------------------------------|
| OPERATING REVENUES: | | | | | | |
| Wharfage | \$ 11,128,703 | \$ 12,538,905 | -11% | \$ 12,474,265 | -11% | \$ 13,608,300 |
| Dockage & deep water berth | 6,603,759 | 6,717,589 | -2% | 7,208,760 | -8% | 7,864,100 |
| Equipment & pallet use fees | 1,281,517 | 1,009,653 | 27% | 1,171,317 | 9% | 1,277,800 |
| Facility use fees | 1,532,730 | 1,051,663 | 46% | 1,054,167 | 45% | 1,150,000 |
| Security Fees | 2,273,627 | 2,269,394 | 0% | 2,390,942 | -5% | 2,608,300 |
| Other Customer Service Fees | 1,330,598 | 987,263 | 35% | 979,172 | 36% | 1,072,100 |
| Ground leases | 10,504,466 | 10,660,442 | -1% | 10,374,001 | 1% | 11,300,600 |
| Other leases | 804,423 | 795,340 | 1% | 866,026 | -7% | 944,700 |
| Other revenue | 24,083 | 6,958 | 246% | 18,750 | 28% | 25,000 |
| Total Operating Revenues | 35,483,906 | 36,037,207 | -2% | 36,537,400 | -3% | 39,850,900 |
| OPERATING EXPENSES: | | | | | | |
| Port salaries/wages | 3,219,300 | 3,161,623 | 2% | 3,657,366 | -12% | 3,993,600 |
| Port employee benefits | 1,093,727 | 1,169,482 | -6% | 1,305,388 | -16% | 1,648,300 |
| Professional services | 2,171,928 | 1,938,677 | 12% | 2,482,308 | -13% | 2,722,000 |
| Training, travel, and promotional | 397,476 | 232,672 | 71% | 752,911 | -47% | 802,900 |
| Supplies | 154,002 | 127,980 | 20% | 144,955 | 6% | 156,700 |
| Utilities | 614,808 | 688,360 | -11% | 733,799 | -16% | 800,500 |
| Business Insurance | 1,371,201 | 1,134,331 | 21% | 1,419,288 | -3% | 1,557,500 |
| Other services & charges | 595,507 | 435,994 | 37% | 660,251 | -10% | 723,800 |
| Maintenance & repair | 1,072,337 | 841,005 | 28% | 863,215 | 24% | 927,300 |
| Depreciation | 7,250,260 | 7,531,497 | -4% | 7,390,053 | -2% | 8,093,700 |
| Total Operating Expenses | 17,940,546 | 17,261,621 | 4% | 19,409,534 | -8% | 21,426,300 |
| OPERATING INCOME (LOSS) | 17,543,360 | 18,775,586 | -7% | 17,127,866 | 2% | 18,424,600 |
| NON-OPERATING REVENUES (EXPENSES) | | | | | | |
| Ad Valorem tax collections | 6,421,987 | 6,202,669 | 4% | 6,426,864 | 0% | 6,422,200 |
| Investment Income | 136,509 | 211,837 | -36% | 187,500 | -27% | 200,000 |
| Gain (loss) on sale of assets | 271,813 | 460,696 | -41% | - | 0% | - |
| Debt interest and fees | (8,574,871) | (8,031,002) | 7% | (8,720,311) | -2% | (9,564,200) |
| CAPITAL CONTRIBUTIONS (TO) FROM OTHERS: | | | | | | |
| Freeport Harbor Improvement Project | (45,469,509) | (14,435,939) | 215% | (31,050,000) | 46% | (31,050,000) |
| Brazoria-Fort Bend County Rail District | - | 1,051 | -100% | - | 0% | - |
| Levee Stabilization - Reach 2 | - | (23,819,481) | -100% | - | 0% | - |
| Contributed Capital-Other | - | 43,200 | -100% | 50,000 | 0% | 50,000 |
| OTHER: | | | | | | |
| Dredge material placement fees | - | 246,000 | -100% | - | 0% | - |
| Total Non-Operating Revenue (Expenses) | (47,214,071) | (39,120,969) | 21% | (33,105,947) | 43% | (33,942,000) |
| INCOME (LOSS) BEFORE CONTRIBUTIONS AND EXTRAORDINARY EXPENSE | (29,670,711) | (20,345,383) | 46% | (15,978,081) | 86% | (15,517,400) |
| CAPITAL CONTRIBUTIONS: | | | | | | |
| Grants: | | | | | | |
| Grants Port-Freeport | 143,056 | - | 0% | 375,000 | -62% | 375,000 |
| Total Capital Contributions-Grants | 143,056 | - | 0% | 375,000 | -62% | 375,000 |
| EXTRAORDINARY ITEM | | | | | | |
| Emergency Recovery Efforts - Hurricane | (169,207) | - | 0% | - | 0% | - |
| Net Extraordinary Income (Expense) | (169,207) | - | 0% | - | 0% | - |
| CHANGE IN NET POSITION | \$ (29,696,862) | \$ (20,345,383) | 46% | \$ (15,603,081) | 90% | \$ (15,142,400) |

STATEMENT OF CASH FLOWS

August 31, 2022

| | YEAR TO DATE | PRIOR YEAR TO DATE |
|--|-----------------------------|------------------------------|
| Cash Flows from Operating Activities: | | |
| Operating Income (Loss) | \$ 17,543,360 | \$ 18,775,586 |
| Adjustments to Reconcile Operating Income (Loss) to Net Cash Flows from Operating Activities: | | |
| Depreciation | 7,250,260 | 7,531,497 |
| Dredge Material Placement Fees | - | 246,000 |
| Change in Assets and Liabilities: | | |
| Trade receivables | (1,456,875) | (5,474,152) |
| Other receivables | (328,293) | 1,281 |
| Inventories | (27,193) | 91,609 |
| Prepaid and Other | (158,836) | (273,483) |
| Accounts payable | 794,403 | 272,906 |
| Deferred lease income | 256,222 | 26,848 |
| Accrued compensated absences | <u>(138,223)</u> | <u>(132,971)</u> |
| Total Cash Provided from (Used for) Operating Activities | <u>23,734,825</u> | <u>21,065,121</u> |
| Cash Flows from Non-capital Financing Activities: | | |
| Property tax receipts | 6,466,403 | 6,266,217 |
| Property tax collection expense | (66,633) | (64,114) |
| Emergency Recovery Efforts - Disaster Related | <u>(169,207)</u> | <u>-</u> |
| Total Cash Provided from (Used for) Non-capital Financing Activities | <u>6,230,563</u> | <u>6,202,103</u> |
| Cash Flows from Capital Financing Activities: | | |
| Principal payments under debt obligations | (5,630,000) | (5,095,000) |
| Interest and fees paid under debt obligations | (9,758,536) | (171,344) |
| Proceeds from sale of long-term debt obligations | - | 67,020,000 |
| Land, capital improvement, and equipment purchases | (43,806,636) | (40,470,253) |
| Other capital acquisition (costs) or recoveries, extraordinary | - | - |
| Capital contributions | (45,469,509) | (38,211,169) |
| Gants received | 154,148 | 139,373 |
| Proceeds from sale/disposal of capital assets | <u>271,813</u> | <u>460,696</u> |
| Total Cash Provided from (Used for) Capital Financing Activities | <u>(104,238,720)</u> | <u>(16,327,697)</u> |
| Cash Flows from Investing Activities: | | |
| Investment earnings | 1,322,465 | 477,057 |
| Change in FMV of marketable investment securities | <u>(968,590)</u> | <u>(205,723)</u> |
| Total Cash Provided from (Used for) Investing Activities | <u>353,875</u> | <u>271,334</u> |
| Net Increase(Decrease) in Cash and Cash Equivalents | (73,919,457) | 11,210,861 |
| Cash and Cash Equivalents at Beginning of Period | <u>155,440,709</u> | <u>147,510,153</u> |
| Cash and Cash Equivalents at End of Period | <u>\$ 81,521,252</u> | <u>\$ 158,721,014</u> |

NOTES TO FINANCIAL STATEMENTS

Note 1 - Accounts Receivable Aging

| | | | |
|------------------------------|-----------|------------------|-----|
| 0 - 30 days | \$ | 5,960,307 | 92% |
| 31 - 60 days | | 411,139 | 6% |
| 61 - 90 days | | 162,020 | 2% |
| Over 90 days | | 8,417 | 0% |
| Allowance for uncollectibles | | (42,715) | -1% |
| Net Trade A/R | \$ | 6,499,168 | |

Note 2 - Accounts Payable Information

| | | |
|--------------------------|-----------|-------------------|
| Retainage Withheld | \$ | 5,829,833 |
| Corps of Engineers* | | 620,518 |
| Employee Payroll Related | | 16,762 |
| Accounts Payable | | 3,684,486 |
| Total A/P | \$ | 10,151,599 |

45' Project - \$620,518

Note 3 - Debt Service Information

| | Original Amount of Issue | Principal Paid | Issue Outstanding |
|---|-----------------------------|----------------------|-----------------------|
| General Obligation Bonds, Series 2019 | \$ 31,795,000 | \$ 1,080,000 | \$ 30,715,000 |
| General Obligation Bonds, Series 2021 | 37,135,000 | - | 37,135,000 |
| Senior Lien Revenue Refunding Bonds, Series 2013A | 33,065,000 | 18,025,000 | 15,040,000 |
| Senior Lien Revenue and Refunding Bonds, Series 2015A | 39,635,000 | 5,510,000 | 34,125,000 |
| Senior Lien Revenue and Refunding Bonds, Series 2018 | 32,865,000 | 2,180,000 | 30,685,000 |
| Senior Lien Revenue and Refunding Bonds, Series 2019A | 45,200,000 | 2,525,000 | 42,675,000 |
| Senior Lien Revenue and Refunding Bonds, Series 2019B | 29,480,000 | 1,705,000 | 27,775,000 |
| Senior Lien Revenue and Refunding Bonds, Series 2021 | 29,885,000 | - | 29,885,000 |
| 2014 Equipment Lease Payable | 14,100,000 | 9,527,658 | 4,572,342 |
| Total Bonds | \$ 293,160,000 | \$ 40,552,658 | \$ 252,607,342 |

| | | |
|--|----|-------------|
| Less Current Portion of Long-Term Debt Payable | \$ | 1,489,502 |
| Long-term Debt Payable | \$ | 251,117,840 |

Note 4 - Net Asset Information

A Special Reserve for Capital Improvements was created on Oct 22, 2015. A commitment was made to fund this reserve with an amount equal to the total maintenance and operations portion of the Port's tax rate.

| | | |
|--------------------------------|----|-----------|
| Fiscal Year 2016 Amount Funded | \$ | 3,423,398 |
| Fiscal Year 2017 Amount Funded | \$ | 3,570,000 |
| Fiscal Year 2018 Amount Funded | \$ | 3,887,346 |
| Fiscal Year 2019 Amount Funded | \$ | 4,269,552 |
| Fiscal Year 2020 Amount Funded | \$ | 4,120,672 |
| Fiscal Year 2021 Amount Funded | \$ | 3,981,963 |
| Fiscal Year 2022 Amount Funded | \$ | 3,627,381 |

PORT FREEPORT
OPERATING EXPENSES BY DEPARTMENT
August 31, 2022

| | YEAR TO-DATE | PRIOR YEAR TO-DATE | PRIOR YEAR % OVER (UNDER) | 11 MONTHS BUDGET | BUDGET % OVER (UNDER) | TOTAL 2022 BUDGET |
|---------------------------------|-------------------|-----------------------|---------------------------------|------------------------|-----------------------------|-------------------------|
| COMMISSIONERS | | | | | | |
| OPERATING EXPENSES: | | | | | | |
| Port salaries/wages | \$ 52,800 | \$ 52,800 | 0% | \$ 55,458 | 0% | \$ 60,500 |
| Port employee benefits | 67,275 | 86,604 | -22% | 78,718 | 0% | 86,074 |
| Professional services | - | \$ 34,239 | -100% | - | 0% | - |
| Training, travel & promotional | 24,464 | 17,578 | 39% | 66,748 | -63% | 72,500 |
| Supplies | 84 | 617 | -86% | 458 | -82% | 500 |
| Utilities | 7,107 | 7,090 | 0% | 7,380 | -4% | 8,050 |
| Total Operating Expenses | \$ 151,730 | \$ 198,928 | -24% | \$ 208,762 | -27% | \$ 227,624 |

ADMINISTRATION & FOREIGN TRADE ZONE

| | | | | | | |
|---------------------------------|----------------------|----------------------|-----------|----------------------|------------|----------------------|
| OPERATING EXPENSES: | | | | | | |
| Port salaries/wages | \$ 1,069,369 | \$ 1,046,666 | 2% | \$ 1,276,567 | -16% | \$ 1,393,300 |
| Port employee benefits | 311,630 | 318,986 | -2% | 398,122 | -22% | 507,539 |
| Professional services | 497,345 | 386,869 | 29% | 772,662 | -36% | 856,750 |
| Training, travel & promotional | 96,493 | 65,555 | 47% | 166,781 | -42% | 180,800 |
| Supplies | 23,593 | 21,012 | 12% | 29,202 | -19% | 31,550 |
| Utilities | 58,495 | 51,011 | 15% | 62,609 | -7% | 68,300 |
| Business Insurance | 1,371,201 | 1,134,331 | 21% | 1,419,288 | -3% | 1,557,500 |
| Other services & charges | 477,899 | 285,448 | 67% | 444,173 | 8% | 484,700 |
| Maintenance & repair | 84,012 | 91,065 | -8% | 323,442 | -74% | 339,150 |
| Depreciation | 7,250,260 | 7,531,497 | -4% | 7,390,053 | -2% | 8,093,700 |
| Total Operating Expenses | \$ 11,240,297 | \$ 10,932,440 | 3% | \$ 12,282,899 | -8% | \$ 13,513,289 |

ENGINEERING

| | | | | | | |
|---------------------------------|-------------------|-------------------|-----------|-------------------|-------------|-------------------|
| OPERATING EXPENSES: | | | | | | |
| Port salaries/wages | \$ 371,245 | \$ 353,317 | 5% | \$ 392,333 | -5% | \$ 428,000 |
| Port employee benefits | 127,097 | 124,331 | 2% | 130,624 | -3% | 168,314 |
| Professional services | 48,678 | 23,204 | 110% | 91,667 | -47% | 100,000 |
| Training, travel & promotional | 7,880 | 7,122 | 11% | 26,416 | -70% | 28,800 |
| Supplies | 2,409 | 2,234 | 8% | 5,454 | -56% | 5,950 |
| Utilities | 6,640 | 5,920 | 12% | 6,512 | 2% | 7,100 |
| Other services & charges | 537 | 80 | 571% | 2,387 | -78% | 2,600 |
| Maintenance & repair | 184 | 86 | 114% | 462 | -60% | 500 |
| Total Operating Expenses | \$ 564,670 | \$ 516,294 | 9% | \$ 655,855 | -14% | \$ 741,264 |

OPERATIONS

| | | | | | | |
|---------------------------------|---------------------|---------------------|-----------|---------------------|-----------|---------------------|
| OPERATING EXPENSES: | | | | | | |
| Port salaries/wages | \$ 1,275,786 | \$ 1,292,800 | -1% | \$ 1,409,694 | -9% | \$ 1,539,209 |
| Port employee benefits | 440,426 | 488,054 | -10% | 513,105 | -14% | 652,675 |
| Professional services | 12,017 | 1,202 | 900% | 3,500 | 243% | 4,000 |
| Training, travel & promotional | 21,114 | 9,369 | 125% | 28,563 | -26% | 31,000 |
| Supplies | 80,512 | 66,561 | 21% | 63,130 | 28% | 68,450 |
| Utilities | 501,089 | 586,247 | -15% | 598,034 | -16% | 652,400 |
| Other services & charges | 62,045 | 77,018 | -19% | 156,810 | -60% | 174,450 |
| Maintenance & repair | 903,642 | 673,692 | 34% | 483,315 | 87% | 526,650 |
| Total Operating Expenses | \$ 3,296,631 | \$ 3,194,943 | 3% | \$ 3,256,151 | 1% | \$ 3,648,834 |

PORT FREEPORT
OPERATING EXPENSES BY DEPARTMENT
August 31, 2022

| | YEAR TO-DATE | PRIOR YEAR TO-DATE | PRIOR YEAR % OVER (UNDER) | 11 MONTHS BUDGET | BUDGET % OVER (UNDER) | TOTAL 2022 BUDGET |
|------------------------------------|-------------------|-----------------------|---------------------------------|------------------------|-----------------------------|-------------------------|
| <u>BUSINESS DEVELOPMENT</u> | | | | | | |
| OPERATING EXPENSES: | | | | | | |
| Port salaries/wages | \$ 336,263 | \$ 307,607 | 9% | \$ 398,839 | -16% | \$ 436,800 |
| Port employee benefits | 116,082 | 113,979 | 2% | 146,371 | -21% | 183,568 |
| Professional services | 10,622 | 20,000 | -47% | - | 0% | - |
| Training, travel & promotional | 242,513 | 130,039 | 86% | 452,552 | -46% | 476,900 |
| Supplies | 3,202 | 2,368 | 35% | 3,987 | -20% | 4,350 |
| Utilities | 6,647 | 6,205 | 7% | 7,563 | -12% | 8,250 |
| Other services & charges | 20,349 | 42,494 | -52% | 20,627 | -1% | 22,500 |
| Maintenance & repair | - | - | 0% | - | 0% | - |
| Total Operating Expenses | \$ 735,678 | \$ 622,692 | 18% | \$ 1,029,939 | -29% | \$ 1,132,368 |

PROTECTIVE SERVICES

| | | | | | | |
|---------------------------------|---------------------|---------------------|-----------|---------------------|------------|---------------------|
| OPERATING EXPENSES: | | | | | | |
| Port salaries/wages | \$ 113,837 | \$ 108,433 | 5% | \$ 124,475 | -9% | \$ 135,791 |
| Port employee benefits | 31,217 | 37,528 | -17% | 38,448 | -19% | 50,130 |
| Professional services | 1,603,266 | 1,473,163 | 9% | 1,614,479 | -1% | 1,761,250 |
| Training, travel & promotional | 5,012 | 3,009 | 67% | 11,851 | -58% | 12,900 |
| Supplies | 44,202 | 35,188 | 26% | 42,724 | 3% | 45,900 |
| Utilities | 34,830 | 31,887 | 9% | 51,701 | -33% | 56,400 |
| Other services & charges | 34,677 | 30,954 | 12% | 36,254 | -4% | 39,550 |
| Maintenance & repair | 84,499 | 76,162 | 11% | 55,996 | 51% | 61,000 |
| Total Operating Expenses | \$ 1,951,540 | \$ 1,796,324 | 9% | \$ 1,975,928 | -1% | \$ 2,162,921 |

CONSOLIDATED - TOTAL

| | | | | | | |
|---------------------------------|----------------------|----------------------|-----------|----------------------|------------|----------------------|
| OPERATING EXPENSES: | | | | | | |
| Port salaries/wages | \$ 3,219,300 | 3,161,623 | 2% | \$ 3,657,366 | -12% | \$ 3,993,600 |
| Port employee benefits | 1,093,727 | 1,169,482 | -6% | 1,305,388 | -16% | 1,648,300 |
| Professional services | 2,171,928 | 1,938,677 | 12% | 2,482,308 | -13% | 2,722,000 |
| Training, travel & promotional | 397,476 | 232,672 | 71% | 752,911 | -47% | 802,900 |
| Supplies | 154,002 | 127,980 | 20% | 144,955 | 6% | 156,700 |
| Utilities | 614,808 | 688,360 | -11% | 733,799 | -16% | 800,500 |
| Business Insurance | 1,371,201 | 1,134,331 | 21% | 1,419,288 | -3% | 1,557,500 |
| Other services & charges | 595,507 | 435,994 | 37% | 660,251 | -10% | 723,800 |
| Maintenance & repair | 1,072,337 | 841,005 | 28% | 863,215 | 24% | 927,300 |
| Depreciation | 7,250,260 | 7,531,497 | -4% | 7,390,053 | -2% | 8,093,700 |
| Total Operating Expenses | \$ 17,940,546 | \$ 17,261,621 | 4% | \$ 19,409,534 | -8% | \$ 21,426,300 |

PORT FREEPORT - VELASCO TERMINAL ONLY

STATEMENT OF REVENUES AND EXPENSES

August 31, 2022

| | YEAR TO DATE | PRIOR YEAR TO DATE | % OVER (UNDER) | 11 MONTHS BUDGET | % OVER (UNDER) | TOTAL 2022 BUDGET |
|---|---------------------|-----------------------|-------------------|------------------------|-------------------|-------------------------|
| OPERATING REVENUES: | | | | | | |
| Wharfage | \$ 1,644,491 | \$ 1,221,742 | 35% | \$ 1,538,614 | 7% | \$ 1,678,494 |
| Dockage & deep water berth | 740,867 | 636,870 | 16% | 812,756 | -9% | 886,642 |
| Equipment & pallet use fees | 1,118,743 | 968,400 | 16% | 1,126,969 | -1% | 1,229,420 |
| Facility use fees | 384,800 | 125,077 | 208% | 62,242 | 518% | 67,900 |
| Security Fees | 226,805 | 187,588 | 21% | 241,993 | -6% | 263,992 |
| Other Customer Service Fees | 352,698 | 333,398 | 6% | - | 0% | - |
| Ground leases | 352,550 | 216,637 | 63% | 428,417 | -18% | 450,874 |
| Total Operating Revenues | 4,820,954 | 3,689,712 | 31% | 4,210,991 | 14% | 4,577,322 |
| OPERATING EXPENSES: | | | | | | |
| Port salaries/wages | 213,317 | 273,938 | -22% | 257,526 | -17% | 280,937 |
| Port employee benefits | 54,215 | 88,168 | -39% | 90,665 | -40% | 122,809 |
| Training, travel, and promotional | - | - | 0% | 1,146 | -100% | 1,250 |
| Utilities | 103,991 | 103,659 | 0% | 143,413 | -27% | 156,450 |
| Business Insurance | 301,404 | 296,952 | 1% | 314,395 | -4% | 344,907 |
| Maintenance & repair | 495,967 | 320,372 | 55% | 145,349 | 241% | 158,550 |
| Depreciation | 2,621,085 | 2,630,848 | 0% | 3,273,875 | -20% | 3,571,500 |
| Total Operating Expenses | 3,789,979 | 3,713,937 | 2% | 4,226,369 | -10% | 4,636,403 |
| OPERATING INCOME (LOSS) | 1,030,975 | (24,225) | 4356% | (15,378) | 6804% | (59,081) |
| NON-OPERATING REVENUES (EXPENSES) | | | | | | |
| Debt interest and fees | (1,811,352) | (706,136) | 157% | (3,040,301) | -40% | (3,317,856) |
| Total Non-Operating Revenue (Expenses) | (1,811,352) | (706,136) | 157% | (3,040,301) | -40% | (3,317,856) |
| CHANGE IN NET POSITION | \$ (780,377) | \$ (730,361) | 7% | \$ (3,055,679) | -74% | \$ (3,376,937) |

PORT FREEPORT
Port Improvement Projects Summary
August 31, 2022

| Project | Contract Award | Change Orders | Total Contract | Current Year Budget | Incurred to Date FY 2022 | CIP Prior Years | Incurred to Date Total | Balance to Finish |
|---|-----------------------|------------------------|-----------------------|-------------------------|--------------------------|--------------------------|--------------------------|-------------------------|
| Velasco Term Phase II - Berth 8 | 133,856,037.88 | (13,283,496.98) | 120,572,540.90 | 49,084,100.00 | 19,116,225.58 | 82,857,443.53 | 101,973,669.11 | 18,598,871.79 |
| EDSA | 4,144,063.24 | 589,830.00 | 4,733,893.24 | | 304,551.16 | 3,835,598.28 | 4,140,149.44 | 593,743.80 |
| Construction | 129,677,607.30 | (13,873,326.98) | 115,804,280.32 | | 18,811,674.42 | 78,987,477.91 | 97,799,152.33 | 18,005,127.99 |
| Other not in contract | 34,367.34 | 0.00 | 34,367.34 | | 0.00 | 34,367.34 | 34,367.34 | 0.00 |
| RORO Ramp - Berth 8 | 24,921,340.40 | 392,100.00 | 25,313,440.40 | 0.00 | 18,264,637.11 | 748,327.65 | 19,012,964.76 | 6,300,475.64 |
| EDSA | 46,652.40 | 392,100.00 | 438,752.40 | | 27,448.45 | 222,091.65 | 249,540.10 | 189,212.30 |
| Construction | 24,874,688.00 | 0.00 | 24,874,688.00 | | 18,237,188.66 | 526,236.00 | 18,763,424.66 | 6,111,263.34 |
| Other not in contract | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 |
| VT- North Gate Entrance | 0.00 | 0.00 | 0.00 | 400,000.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| EDSA | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 |
| Construction | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 |
| Other not in contract | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 |
| Land & Improvements | 4,785,015.82 | 0.00 | 4,785,015.82 | 750,000.00 | 570,445.20 | 4,214,570.62 | 4,785,015.82 | 0.00 |
| EDSA | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 |
| Construction | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 |
| Other not in contract | 4,785,015.82 | 0.00 | 4,785,015.82 | | 570,445.20 | 4,214,570.62 | 4,785,015.82 | 0.00 |
| Parcel 14 Rail Development Phase II | 407,412.00 | 0.00 | 407,412.00 | 250,000.00 | 151,045.40 | 0.00 | 151,045.40 | 256,366.60 |
| EDSA | 399,662.00 | 0.00 | 399,662.00 | | 143,295.40 | 0.00 | 143,295.40 | 256,366.60 |
| Construction | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 |
| Other not in contract | 7,750.00 | 0.00 | 7,750.00 | | 7,750.00 | 0.00 | 7,750.00 | 0.00 |
| Transit Shed Modifications | 248,216.43 | 0.00 | 248,216.43 | 1,500,000.00 | 750.00 | 213,097.98 | 213,847.98 | 34,368.45 |
| EDSA | 248,000.00 | 0.00 | 248,000.00 | | 750.00 | 212,881.55 | 213,631.55 | 34,368.45 |
| Construction | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 |
| Other not in contract | 216.43 | 0.00 | 216.43 | | 0.00 | 216.43 | 216.43 | 0.00 |
| M & R - Joint Repairs | 0.00 | 0.00 | 0.00 | 20,000.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| EDSA | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 |
| Construction | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 |
| Other not in contract | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 |
| M & R - Railroad Track Renovations | 0.00 | 0.00 | 0.00 | 25,000.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| EDSA | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 |
| Construction | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 |
| Other not in contract | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 |
| M & R - Roads | 0.00 | 0.00 | 0.00 | 200,000.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| EDSA | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 |
| Construction | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 |
| Other not in contract | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 |
| Operations Building Upgrade | 76,821.12 | 0.00 | 76,820.93 | 0.00 | 66,733.24 | 4,337.69 | 71,070.93 | 5,750.00 |
| EDSA | 8,000.00 | 0.00 | 8,000.00 | | 0.00 | 2,250.00 | 2,250.00 | 5,750.00 |
| Construction | 68,820.93 | 0.00 | 68,820.93 | | 66,733.24 | 2,087.69 | 68,820.93 | 0.00 |
| Other not in contract | 0.19 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 |
| Maintenance Shop Repairs | 74,820.93 | 0.00 | 74,820.93 | 0.00 | 68,820.93 | 3,045.00 | 71,865.93 | 2,955.00 |
| EDSA | 8,087.69 | 0.00 | 8,087.69 | | 2,087.69 | 3,045.00 | 5,132.69 | 2,955.00 |
| Construction | 66,733.24 | 0.00 | 66,733.24 | | 66,733.24 | 0.00 | 66,733.24 | 0.00 |
| Other not in contract | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 |
| Dole Office Bldg Repairs | 0.00 | 0.00 | 0.00 | 100,000.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| EDSA | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 |
| Construction | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 |
| Other not in contract | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 |
| Gate 8 Renovations | 0.00 | 0.00 | 0.00 | 170,000.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| EDSA | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 |
| Construction | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 |
| Other not in contract | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 |
| VT Backlands Area IV | 528,394.21 | 0.00 | 528,394.21 | 2,000,000.00 | 4,817.39 | 92,961.92 | 97,779.31 | 430,614.90 |
| EDSA | 528,388.18 | 0.00 | 528,388.18 | | 4,817.39 | 92,955.89 | 97,773.28 | 430,614.90 |
| Construction | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 |
| Other not in contract | 6.03 | 0.00 | 6.03 | | 0.00 | 6.03 | 6.03 | 0.00 |
| Inner Harbor Berth Repairs | 59,800.00 | 0.00 | 59,800.00 | 400,000.00 | 0.00 | 59,800.00 | 59,800.00 | 0.00 |
| EDSA | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 |
| Construction | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 |
| Other not in contract | 59,800.00 | 0.00 | 59,800.00 | | 0.00 | 59,800.00 | 59,800.00 | 0.00 |
| Levee Stabilization Reach 2 | 30,996,557.18 | 0.00 | 30,996,557.18 | 0.00 | 4,711,367.20 | 26,285,189.98 | 30,996,557.18 | 0.00 |
| EDSA | 1,911,557.18 | 0.00 | 1,911,557.18 | | 19,293.20 | 1,892,263.98 | 1,911,557.18 | 0.00 |
| Construction | 29,085,000.00 | 0.00 | 29,085,000.00 | | 4,692,074.00 | 24,392,926.00 | 29,085,000.00 | 0.00 |
| Other not in contract | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 |
| Total | | | | \$ 54,899,100.00 | \$ 42,954,842.05 | \$ 114,478,774.37 | \$ 157,433,616.42 | \$ 25,629,402.38 |

Vendor Expenditure

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This report also includes bank accounts that only have balances.

Bank Account: Date Filter: 08/01/22..08/31/22

Check Ledger Entry:

| Check No. | Check Date | Vendor No. | Vendor Name | Check Amount | |
|--------------|-----------------|-----------------|---|-------------------|-------------|
| Invoice No. | PO No. | GL Account Name | Line Description | | Line Amount |
| 90787 | 08/05/22 | V00107 | HDR, Inc | 156,146.60 | |
| 124433 | | 122007 | Construction in Progress | | 9,646.60 |
| 124495 | | 114861 | FHIP Reach 1 | | 146,500.00 |
| 124495 | | 114861 | FHIP - Reach 4 | | |
| 124495 | | 114861 | Professional Services for the FHCIP Reach 1 & 4 | | |
| 124495 | | 114861 | Project No. 20-06 | | |
| 124495 | | 114861 | Board Approved 6/25/2020 | | |
| 124495 | | 114861 | 2019 GO Bond | | |
| 124495 | | 114861 | Other Accounts Payable (JE) | | |
| | | | Line Amount Total | | 156,146.60 |
| 90788 | 08/05/22 | V00005 | Phyllis Saathoff | 1,574.80 | |
| 124496 | | 122066 | Telephone | | 136.75 |
| 124496 | | 122066 | Governmental Relations Travel | | 1,345.17 |
| 124496 | | 122066 | Sales/Promotion Travel | | 92.88 |
| | | | Line Amount Total | | 1,574.80 |
| 90789 | 08/05/22 | V00007 | Office Universe, Inc. | 530.69 | |
| 124384 | | 121967 | Office Supplies | | 191.40 |
| 124385 | | 121968 | Office Supplies | | 311.75 |
| 124386 | | 121974 | Office Supplies | | 27.54 |
| | | | Line Amount Total | | 530.69 |
| 90790 | 08/05/22 | V00010 | Specialties Company | 282.29 | |
| 124389 | | 121966 | M&R Groundskeeping Equipment-5510 John Deere | | 105.54 |
| 124414 | | 122002 | M&R Groundskeeping Equipment-5510 John Deere | | 76.48 |
| 124522 | | 122097 | M&R TOE-Yard Truck-PF01 | | 100.27 |
| | | | Line Amount Total | | 282.29 |
| 90791 | 08/05/22 | V00012 | FedEx | 24.16 | |
| 124424 | | 121989 | Postage and Freight | | 16.76 |
| 124460 | | 122081 | Postage and Freight | | 7.40 |
| | | | Line Amount Total | | 24.16 |
| 90792 | 08/05/22 | V00023 | Patrick's Enterprises, Inc. | 100.00 | |
| 124387 | | 121964 | M&R Bldgs-Operations Bldg | | 100.00 |
| | | | Line Amount Total | | 100.00 |
| 90793 | 08/05/22 | V00039 | Brazosport Tire | 225.20 | |
| 124514 | | 122089 | M&R Groundskeeping Equip Zero Turn 61" Mower | | 225.20 |
| | | | Line Amount Total | | 225.20 |
| 90794 | 08/05/22 | V00041 | Evco Industrial Hardware | 39.10 | |
| 124492 | | 122073 | Safety Supplies | | 39.10 |
| | | | Line Amount Total | | 39.10 |
| 90795 | 08/05/22 | V00043 | Union Pacific Railroad Company | 11,476.00 | |
| 124528 | | 122101 | Construction in Progress | | 7,750.00 |
| 124528 | | 122101 | Parcel 14 Rail phase 2 | | |
| 124530 | | 122067 | M&R Terminal Facilities-Other | | 3,726.00 |
| | | | Line Amount Total | | 11,476.00 |

Vendor Expenditure

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| Check No. | Check Date | Vendor No. | Vendor Name | Check Amount | |
|--------------|-----------------|-----------------|---|-----------------|----------|
| Invoice No. | PO No. | GL Account Name | Line Description | Line Amount | |
| 90796 | 08/05/22 | V00046 | Sprint Waste Services | 471.24 | |
| 124464 | 122017 | | Contract Services | | 471.24 |
| | | | Line Amount Total | | 471.24 |
| 90797 | 08/05/22 | V00054 | Payment vendor ledger entry is not found check# 90797. | 0.00 | |
| | | | Line Amount Total | | |
| 90798 | 08/05/22 | V00054 | Summit Electric Supply | 2,730.15 | |
| 124392 | 121958 | | M&R Transit Shed-T.S. 1 | | 44.85 |
| 124393 | 121959 | | M&R Transit Shed-T.S. 3 | | 790.00 |
| 124394 | 121960 | | M&R Warehouse-Warehouse 51 | | 693.43 |
| 124395 | 121961 | | M&R Transit Shed-T.S. 1 | | 395.00 |
| 124396 | 121962 | | M&R Leased Facilities-T.S. 5 Offices | | 790.00 |
| 124397 | 121963 | | M&R Warehouse-Warehouse 51 | | 60.00 |
| 124419 | 122003 | | M&R Leased Facilities-24A (Chiquita) | | 13.70 |
| 124420 | 122004 | | M&R Leased Facilities-24A (Chiquita) | | 39.88 |
| 124421 | 122005 | | M&R Bldgs-Admin Bldg 1100 Cherry St | | 143.05 |
| 124422 | 122006 | | M&R Leased Facilities-24A (Chiquita) | | 276.80 |
| | | | Line Amount Total | | 3,246.71 |
| 90799 | 08/05/22 | V00058 | Ravi K. Singhania | 1,655.07 | |
| 124508 | 122065 | | Sales/Promotion Travel | | 1,655.07 |
| | | | Line Amount Total | | 1,655.07 |
| 90800 | 08/05/22 | V00062 | AT&T Mobility | 351.28 | |
| 124456 | 122070 | | Telephone | | 87.82 |
| 124456 | 122070 | | Telephone | | 219.55 |
| 124456 | 122070 | | Telephone | | 43.91 |
| | | | Line Amount Total | | 351.28 |
| 90801 | 08/05/22 | V00067 | Quill Corporation | 149.82 | |
| 124493 | 122085 | | Office Supplies | | 22.79 |
| 124493 | 122085 | | Office Supplies | | 11.40 |
| 124493 | 122085 | | Office Supplies | | 2.85 |
| 124493 | 122085 | | Office Supplies | | 11.40 |
| 124493 | 122085 | | Office Supplies | | 11.40 |
| 124494 | 122086 | | Office Supplies | | 34.28 |
| 124494 | 122086 | | Office Supplies | | 17.14 |
| 124494 | 122086 | | Office Supplies | | 4.28 |
| 124494 | 122086 | | Office Supplies | | 17.14 |
| 124494 | 122086 | | Office Supplies | | 17.14 |
| | | | Line Amount Total | | 149.82 |
| 90802 | 08/05/22 | V00071 | Verizon Wireless | 151.98 | |
| 124467 | 122071 | | Telephone | | 76.00 |
| 124467 | 122071 | | Telephone | | 37.99 |
| 124467 | 122071 | | Telephone | | 37.99 |
| | | | Line Amount Total | | 151.98 |
| 90803 | 08/05/22 | V00077 | Brookside Equipment | 48.64 | |
| 124404 | 121995 | | M&R Groundskeeping Equipment-5510 John Deere | | 48.64 |
| | | | Line Amount Total | | 48.64 |

Vendor Expenditure

Period: 08/01/22..08/31/22

Port Freeport

Friday, September 16, 2022

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| Check No. | Check Date | Vendor No. | Vendor Name | Check Amount | |
|--------------|-----------------|-----------------|---|-------------------|-------------|
| Invoice No. | PO No. | GL Account Name | Line Description | | Line Amount |
| 90804 | 08/05/22 | V00080 | On Hold Marketing Works | 39.00 | |
| 124463 | 122080 | | Lease Expense | | 39.00 |
| | | | Line Amount Total | | 39.00 |
| 90805 | 08/05/22 | V00083 | Jason Hull | 213.55 | |
| 124461 | 122084 | | Telephone | | 136.75 |
| 124461 | 122084 | | Community Events | | 13.00 |
| 124461 | 122084 | | Technical Training | | 63.80 |
| | | | Line Amount Total | | 213.55 |
| 90806 | 08/05/22 | V00095 | Swisher & Swisher | 1,000.00 | |
| 124509 | 118205 | | M&R Other-Mowing, Weed Control Etc | | 1,000.00 |
| 124509 | 118205 | | Annual Herbicide Application for Designated Areas | | |
| 124509 | 118205 | | 7/01/21 - 6/30/23 | | |
| 124509 | 118205 | | Two Year Service | | |
| | | | Line Amount Total | | 1,000.00 |
| 90807 | 08/05/22 | V00096 | Centerpoint Energy | 25.59 | |
| 124526 | 122102 | | Water & Gas | | 25.59 |
| | | | Line Amount Total | | 25.59 |
| 90808 | 08/05/22 | V00114 | AT&T:171-799-3737 001 | 726.54 | |
| 124457 | 122072 | | Telephone | | 141.74 |
| 124457 | 122072 | | Telephone | | 70.91 |
| 124457 | 122072 | | Telephone | | 283.35 |
| 124457 | 122072 | | Telephone | | 17.73 |
| 124457 | 122072 | | Telephone | | 70.98 |
| 124457 | 122072 | | Telephone | | 17.73 |
| 124457 | 122072 | | Telephone | | 17.73 |
| 124457 | 122072 | | Telephone | | 35.46 |
| 124457 | 122072 | | Telephone | | 70.91 |
| | | | Line Amount Total | | 726.54 |
| 90809 | 08/05/22 | V00150 | Brazoria County Clerk's Office | 200.00 | |
| 124525 | 122103 | | Office Supplies | | 200.00 |
| | | | Line Amount Total | | 200.00 |
| 90810 | 08/05/22 | V00177 | Arthur J. Gallagher Risk Management Services, Inc. | 162,561.50 | |
| 124454 | 122077 | | Prepaid Insurance | | 151,861.50 |
| 124455 | 122078 | | Prepaid Insurance | | 10,700.00 |
| | | | Line Amount Total | | 162,561.50 |
| 90811 | 08/05/22 | V00188 | Steve Alongis | 70.00 | |
| 124465 | 122076 | | M&R Other-Mowing, Weed Control Etc | | 70.00 |
| | | | Line Amount Total | | 70.00 |
| 90812 | 08/05/22 | V00193 | Grainger | 135.13 | |
| 124516 | 122090 | | M&R TOE-Gantry Crane | | 67.57 |
| 124516 | 122090 | | M&R TOE-Gantry Crane | | 67.56 |
| | | | Line Amount Total | | 135.13 |
| 90813 | 08/05/22 | V00200 | The Chamber Brazosport Area | 850.00 | |
| 124466 | 122079 | | Community Events | | 850.00 |
| | | | Line Amount Total | | 850.00 |

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| Check No. | Check Date | Vendor No. | Vendor Name | Check Amount | |
|-----------------------|------------|-----------------|--|------------------|-------------|
| Invoice No. | PO No. | GL Account Name | Line Description | | Line Amount |
| 90814 08/05/22 | | V00201 | CDW Government | 990.00 | |
| 124458 | 122068 | | Contract Services | | 990.00 |
| | | | Line Amount Total | | 990.00 |
| 90815 08/05/22 | | V00210 | Mimecast North America, Inc. | 561.51 | |
| 124383 | 121979 | | Contract Services | | 561.51 |
| | | | Line Amount Total | | 561.51 |
| 90816 08/05/22 | | V00228 | Department of Information Resources | 348.87 | |
| 124409 | 121984 | | Telephone | | 68.06 |
| 124409 | 121984 | | Telephone | | 34.05 |
| 124409 | 121984 | | Telephone | | 136.06 |
| 124409 | 121984 | | Telephone | | 8.51 |
| 124409 | 121984 | | Telephone | | 34.09 |
| 124409 | 121984 | | Telephone | | 8.51 |
| 124409 | 121984 | | Telephone | | 8.51 |
| 124409 | 121984 | | Telephone | | 17.03 |
| 124409 | 121984 | | Telephone | | 34.05 |
| | | | Line Amount Total | | 348.87 |
| 90817 08/05/22 | | V00256 | Blueline Shop & Copy Center | 152.80 | |
| 124376 | 121965 | | Community Event-TACFT | | 152.80 |
| | | | Line Amount Total | | 152.80 |
| 90818 08/05/22 | | V00436 | Ultima Media | 34,510.00 | |
| 124469 | 121885 | | Auto Logistics Conference with booth | | |
| 124469 | 121885 | | Commercial Events-Silver Sponsor | | 18,750.00 |
| 124510 | 122010 | | AL Newsletter Banner (6 Months) | | 6,000.00 |
| 124510 | 122010 | | AL Leaderboard Banner (12 Months) | | 9,760.00 |
| | | | Line Amount Total | | 34,510.00 |
| 90819 08/05/22 | | V00531 | Rob Lowe | 273.50 | |
| 124470 | 122083 | | Telephone | | 136.75 |
| 124470 | 122083 | | Telephone | | 136.75 |
| | | | Line Amount Total | | 273.50 |
| 90820 08/05/22 | | V00583 | Beaed LP | 165.68 | |
| 124401 | 122000 | | Safety Supplies | | 165.68 |
| | | | Line Amount Total | | 165.68 |
| 90821 08/05/22 | | V00668 | DARE Capital Partners, LLC | 1,442.06 | |
| 124527 | 122093 | | M&R Other-Mowing, Weed Control Etc | | 1,253.20 |
| 124527 | 122093 | | Contract Labor Expense | | 188.86 |
| | | | Line Amount Total | | 1,442.06 |
| 90822 08/05/22 | | V00770 | UniFirst Holdings Inc. | 63.02 | |
| 124511 | 117829 | | Annual Contract - Ops Employees uniforms, mats | | |
| 124511 | 117829 | | towels, soap etc. | | |
| 124511 | 117829 | | Maint and Operations Supplies | | |
| 124511 | 117829 | | Other Receivables | | |
| 124511 | 117829 | | M&R Bldgs-Operations Bldg | | |
| 124511 | 117829 | | Annual Contract - EOC mats, soap etc. | | |
| 124511 | 117829 | | M&R Bldgs-Security Bldg | | |
| 124511 | 117829 | | Annual Contract - Admin mats, soap etc. | | |
| 124511 | 117829 | | M&R Bldgs-Admin Bldg 1100 Cherry St | | |
| 124511 | 117829 | | M&R Bldgs-Security Bldg | | |

Port Freeport

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| Check No. | Check Date | Vendor No. | Vendor Name | Check Amount | |
|--------------|-----------------|-----------------|---|------------------|--------------|
| Invoice No. | PO No. | GL Account Name | Line Description | | Line Amount |
| 124545 | 112704 | | Retainage Payable | | |
| 124545 | 112704 | | Retainage Payable | | |
| 124545 | 112704 | | Retainage Payable | | -114,934.24 |
| 124546 | 117954 | | Construction in Progress | | 1,668,874.97 |
| 124546 | 117954 | | RO/RO ramp for VT Berth 8 project | | |
| 124546 | 117954 | | Board Approved 5/27/2021 | | |
| 124546 | 117954 | | Retainage Payable | | |
| 124546 | 117954 | | Retainage Payable | | |
| 124546 | 117954 | | Retainage Payable | | |
| 124546 | 117954 | | Retainage Payable | | |
| 124546 | 117954 | | Retainage Payable | | |
| 124546 | 117954 | | Retainage Payable | | |
| 124546 | 117954 | | Retainage Payable | | |
| 124546 | 117954 | | Retainage Payable | | -83,443.75 |
| | | | Line Amount Total | | 3,769,181.37 |
| 90826 | 08/09/22 | V00014 | Al Durel | 180.00 | |
| 124532 | 122121 | | Subscriptions | | 180.00 |
| | | | Line Amount Total | | 180.00 |
| 90827 | 08/09/22 | V00021 | Gulf Coast Paper Company | 749.82 | |
| 124518 | 122098 | | Office Supplies | | 749.82 |
| | | | Line Amount Total | | 749.82 |
| 90828 | 08/09/22 | V00032 | Matheson Tri Gas | 314.71 | |
| 124519 | 122100 | | Maint and Operations Supplies | | 314.71 |
| | | | Line Amount Total | | 314.71 |
| 90829 | 08/09/22 | V00039 | Brazosport Tire | 162.56 | |
| 124515 | 122092 | | M&R TOE-Caterpillar | | 162.56 |
| | | | Line Amount Total | | 162.56 |
| 90830 | 08/09/22 | V00054 | Summit Electric Supply | 677.29 | |
| 124523 | 122094 | | M&R Terminal Facilities-Other | | 677.29 |
| | | | Line Amount Total | | 677.29 |
| 90831 | 08/09/22 | V00070 | Darlene Winkler | 59.51 | |
| 124533 | 122119 | | Community Event-TACFT | | 10.42 |
| 124534 | 122120 | | Community Events | | 49.09 |
| | | | Line Amount Total | | 59.51 |
| 90832 | 08/09/22 | V00087 | Payment vendor ledger entry is not found check# 90832. | 0.00 | |
| | | | Line Amount Total | | |
| 90833 | 08/09/22 | V00087 | Payment vendor ledger entry is not found check# 90833. | 0.00 | |
| | | | Line Amount Total | | |
| 90834 | 08/09/22 | V00087 | Payment vendor ledger entry is not found check# 90834. | 0.00 | |
| | | | Line Amount Total | | |
| 90835 | 08/09/22 | V00087 | Reliant | 85,017.14 | |
| 124471 | 122034 | | Electricity | | 27.68 |
| 124472 | 122035 | | Electricity | | 163.95 |
| 124473 | 122036 | | Electricity | | 151.61 |
| 124474 | 122037 | | Electricity | | 159.12 |
| 124475 | 122040 | | Electricity | | 68.75 |

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| Check No. | Check Date | Vendor No. | Vendor Name | Check Amount | |
|--------------|-----------------|-----------------|-------------------------------------|------------------|--|
| Invoice No. | PO No. | GL Account Name | Line Description | Line Amount | |
| 124476 | 122041 | | Electricity | 24.33 | |
| 124477 | 122042 | | Electricity | 73.31 | |
| 124478 | 122044 | | Electricity | 20.37 | |
| 124479 | 122045 | | Electricity | 698.66 | |
| 124480 | 122046 | | Electricity | 54.42 | |
| 124481 | 122048 | | Electricity | 33.27 | |
| 124482 | 122049 | | Electricity | 79.41 | |
| 124483 | 122051 | | Electricity | 6.30 | |
| 124484 | 122052 | | Electricity | 108.97 | |
| 124485 | 122053 | | Electricity | 14.79 | |
| 124486 | 122056 | | Electricity | 583.43 | |
| 124487 | 122057 | | Electricity | 668.99 | |
| 124488 | 122058 | | Electricity | 392.76 | |
| 124489 | 122060 | | Electricity | 46.70 | |
| 124490 | 122061 | | Electricity | 29.41 | |
| 124491 | 122064 | | Electricity | 658.86 | |
| 124497 | 122063 | | Electricity | 1,141.54 | |
| 124498 | 122062 | | Electricity | 15,851.79 | |
| 124499 | 122059 | | Electricity | 3,589.93 | |
| 124500 | 122055 | | Electricity | 6,701.94 | |
| 124501 | 122054 | | Electricity | 2,853.54 | |
| 124502 | 122050 | | Electricity | 5,907.39 | |
| 124503 | 122047 | | Electricity | 1,236.15 | |
| 124504 | 122043 | | Electricity | 3,967.94 | |
| 124505 | 122039 | | Electricity | 1,260.30 | |
| 124506 | 122038 | | Electricity | 4,016.64 | |
| 124507 | 122033 | | Electricity | 34,424.89 | |
| | | | Line Amount Total | 85,017.14 | |
| 90836 | 08/09/22 | V00091 | Wells Fargo | 14,300.73 | |
| 124553 | 122115 | | Other Accounts Payable (JE) | 14,300.73 | |
| | | | Line Amount Total | 14,300.73 | |
| 90837 | 08/09/22 | V00104 | Donald Mullett | 182.24 | |
| 124535 | 122122 | | Flexible Spending Emp Reimbursement | 182.24 | |
| | | | Line Amount Total | 182.24 | |
| 90838 | 08/09/22 | V00110 | Jason Miura | 100.00 | |
| 124538 | 122110 | | Flexible Spending Emp Reimbursement | 100.00 | |
| | | | Line Amount Total | 100.00 | |
| 90839 | 08/09/22 | V00115 | AT&T:979-373-0020 6635 | 1,214.82 | |
| 124541 | 122117 | | Telephone | 461.62 | |
| 124541 | 122117 | | Telephone | 230.82 | |
| 124541 | 122117 | | Telephone | 60.74 | |
| 124541 | 122117 | | Telephone | 230.82 | |
| 124541 | 122117 | | Telephone | 230.82 | |
| | | | Line Amount Total | 1,214.82 | |
| 90840 | 08/09/22 | V00178 | Waypoint | 52,200.47 | |
| 124512 | 120600 | | Virtual Infrastructure Refresh | 52,200.44 | |
| 124512 | 120600 | | Virtual Infrastructure Refresh | 0.03 | |
| 124512 | 120600 | | TXDIR Quote:DIR-TSO-3763 | | |
| 124512 | 120600 | | Board Approved: 02/24/2022 | | |
| | | | Line Amount Total | 52,200.47 | |

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| Check No. | Check Date | Vendor No. | Vendor Name | Check Amount | |
|--------------|-----------------|---------------|--|--|-------------|
| | Invoice No. | PO No. | GL Account Name | Line Description | Line Amount |
| 90841 | 08/09/22 | V00193 | Grainger | 308.28 | |
| | 124517 | 122091 | | M&R TOE-Gantry Crane | 154.14 |
| | 124517 | 122091 | | M&R TOE-Gantry Crane | 154.14 |
| | | | | Line Amount Total | 308.28 |
| 90842 | 08/09/22 | V00208 | Brandon Robertson | 3,521.81 | |
| | 124543 | 122118 | | Telephone | 150.00 |
| | 124543 | 122118 | | Virtual Infrastructure Refresh | 1,990.00 |
| | 124543 | 122118 | | Office Supplies | 105.22 |
| | 124543 | 122118 | | Furniture and Equipment Purchases <\$5,000 | 1,276.59 |
| | | | | Line Amount Total | 3,521.81 |
| 90843 | 08/09/22 | V00256 | Blueline Shop & Copy Center | 52.76 | |
| | 124513 | 122095 | | Safety Supplies | 52.76 |
| | | | | Line Amount Total | 52.76 |
| 90844 | 08/09/22 | V00291 | Moore Supply | 251.30 | |
| | 124520 | 122096 | | M&R Bldgs-Admin Bldg 1100 Cherry St | 251.30 |
| | | | | Line Amount Total | 251.30 |
| 90845 | 08/09/22 | V00593 | McAllen Signal and Boring , LLC | 500.00 | |
| | 124548 | 120931 | | Monthly Hwy 36 Signal Inspection | 500.00 |
| | 124548 | 120931 | | March 2022-September 2022 | |
| | | | | Line Amount Total | 500.00 |
| 90846 | 08/09/22 | V00608 | Economic Development Alliance for Brazoria Countv | 130.00 | |
| | 124459 | 122014 | | Community Events | 90.00 |
| | 124459 | 122014 | | Community Events | 40.00 |
| | | | | Line Amount Total | 130.00 |
| 90847 | 08/09/22 | V00663 | B&K Motor Parts, Inc | 1,108.74 | |
| | 124542 | 122114 | | Fuel/Oil | 389.18 |
| | 124542 | 122114 | | M&R TOE-General Terminal Ops Equip & Tools | 54.72 |
| | 124542 | 122114 | | Fuel/Oil | -8.36 |
| | 124542 | 122114 | | M&R Vehicles-Ford Pick Up | 298.76 |
| | 124542 | 122114 | | M&R Vehicles-Ford Expedition | 179.61 |
| | 124542 | 122114 | | Maint and Operations Supplies | 83.94 |
| | 124542 | 122114 | | M&R Vehicles-Ford Pick Up | 20.99 |
| | 124542 | 122114 | | M&R Vehicles-Ford Pick Up | 6.50 |
| | 124542 | 122114 | | M&R Vehicles-2020 Chev PU | 44.91 |
| | 124542 | 122114 | | M&R Vehicles-Ford Expedition | 38.49 |
| | | | | Line Amount Total | 1,108.74 |
| 90848 | 08/09/22 | V00682 | SHI Government Solutions Inc. | 4,916.31 | |
| | 124554 | 121900 | | Contract Services | 4,916.31 |
| | 124554 | 121900 | | Fortinet Firewall Renewal | |
| | 124554 | 121900 | | Quote: 22250356 | |
| | | | | Line Amount Total | 4,916.31 |
| 90849 | 08/09/22 | V00770 | UniFirst Holdings Inc. | 63.02 | |
| | 124551 | 117829 | | Annual Contract - Ops Employees uniforms, mats | |
| | 124551 | 117829 | | towels, soap etc. | |
| | 124551 | 117829 | | Maint and Operations Supplies | |
| | 124551 | 117829 | | Other Receivables | |
| | 124551 | 117829 | | M&R Bldgs-Operations Bldg | |
| | 124551 | 117829 | | Annual Contract - EOC mats, soap etc. | |
| | 124551 | 117829 | | M&R Bldgs-Security Bldg | |

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| Check No. | Check Date | Vendor No. | Vendor Name | Check Amount | |
|--------------|-----------------|-----------------|---|------------------|-----------|
| Invoice No. | PO No. | GL Account Name | Line Description | Line Amount | |
| 124551 | 117829 | | Annual Contract - Admin mats, soap etc. | | |
| 124551 | 117829 | | M&R Bldgs-Admin Bldg 1100 Cherry St | | |
| 124551 | 117829 | | M&R Bldgs-Security Bldg | | |
| 124551 | 117829 | | M&R Bldgs-Operations Bldg | | |
| 124551 | 117829 | | Other Receivables | | 13.83 |
| 124551 | 117829 | | Maint and Operations Supplies | | |
| 124551 | 117829 | | 3Year Agreement Effective June 2021 - May 2023 | | |
| 124551 | 117829 | | M&R Bldgs-Admin Bldg 1100 Cherry St | | |
| 124551 | 117829 | | CHANGE ORDER #1 | | |
| 124551 | 117829 | | 2% Annual Increase based on BuyBoard - No auto | | |
| 124551 | 117829 | | Maint and Operations Supplies | | 23.85 |
| 124551 | 117829 | | renewal after the end of Year 3 | | |
| 124551 | 117829 | | Year 1 of 3 Year Agreement June 2021 - May 2022 | | |
| 124551 | 117829 | | Maint and Operations Supplies | | 25.34 |
| | | | Line Amount Total | | 63.02 |
| 90850 | 08/09/22 | V00853 | Great-West Life & Annuity | 237.50 | |
| 124537 | 122106 | | Contract Services | | 237.50 |
| | | | Line Amount Total | | 237.50 |
| 90851 | 08/09/22 | V00864 | Visual Edge IT | 158.31 | |
| 124468 | 122074 | | Contract Services | | 158.31 |
| | | | Line Amount Total | | 158.31 |
| 90852 | 08/09/22 | V00866 | Elmridge Protection Products, LLC | 2,178.66 | |
| 124544 | 121793 | | Furniture and Equipment Purchases <\$5,000 | | 1,939.90 |
| 124544 | 121793 | | Furniture and Equipment Purchases <\$5,000 | | 189.90 |
| 124544 | 121793 | | Delivery Fee | | 48.86 |
| 124544 | 121793 | | (10) iEVAC Smoke/Fire Hood w/belt Pouch | | |
| 124544 | 121793 | | Quote: 4256 | | |
| | | | Line Amount Total | | 2,178.66 |
| 90853 | 08/09/22 | V00872 | Stericycle, Inc | 407.12 | |
| 124539 | 122104 | | Office Supplies | | 79.43 |
| 124539 | 122104 | | Office Supplies | | 39.72 |
| 124539 | 122104 | | Office Supplies | | 158.88 |
| 124539 | 122104 | | Office Supplies | | 9.93 |
| 124539 | 122104 | | Office Supplies | | 39.72 |
| 124539 | 122104 | | Office Supplies | | 9.93 |
| 124539 | 122104 | | Office Supplies | | 9.93 |
| 124539 | 122104 | | Office Supplies | | 19.86 |
| 124539 | 122104 | | Office Supplies | | 39.72 |
| | | | Line Amount Total | | 407.12 |
| 90854 | 08/09/22 | V00874 | Allied 100, LLC dba AEDCenter | 220.00 | |
| 124531 | 122111 | | Safety Supplies | | 220.00 |
| | | | Line Amount Total | | 220.00 |
| 90855 | 08/17/22 | V00085 | Moffatt & Nichol | 26,275.40 | |
| 124563 | 109484 | | Professional Services for the Velasco Terminal | | |
| 124563 | 109484 | | Berths 8 & 9 | | |
| 124563 | 109484 | | Construction in Progress | | 22,565.30 |
| 124563 | 109484 | | Board Approved 1/24/19 | | |
| 124563 | 109484 | | Change Order #1 | | |
| 124563 | 109484 | | Construction in Progress | | |
| 124563 | 109484 | | Board Approved 1/28/2021 | | |
| 124564 | 117346 | | Construction in Progress | | 3,710.10 |

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| Invoice No. | PO No. | GL Account Name | Line Description | | |
| 124564 | 117346 | | Velasco Terminal Ro/Ro Ramp @ Berth8 | | |
| 124564 | 117346 | | Board Approved 3/25/2021 | | |
| | | | Line Amount Total | 26,275.40 | |
| 90856 | 08/17/22 | V00001 | Norma Cheline | 1,300.00 | |
| 124549 | 119523 | | Renewal of Storage Building Lease | 1,300.00 | |
| 124549 | 119523 | | January 1, 2022 to December 31, 2022 | | |
| | | | Line Amount Total | 1,300.00 | |
| 90857 | 08/17/22 | V00005 | Phyllis Saathoff | 1,814.54 | |
| 124634 | 122188 | | Telephone | 136.75 | |
| 124634 | 122188 | | Commercial Events | 1,667.79 | |
| 124634 | 122188 | | Sales/Promotion Travel | 10.00 | |
| | | | Line Amount Total | 1,814.54 | |
| 90858 | 08/17/22 | V00006 | Michaela Bevers | 104.30 | |
| 124610 | 122196 | | Telephone | 75.00 | |
| 124610 | 122196 | | Sales/Promotion Travel | 4.56 | |
| 124610 | 122196 | | Automobile Expense | 24.74 | |
| | | | Line Amount Total | 104.30 | |
| 90859 | 08/17/22 | V00009 | Williams Diesel, Inc | 45.80 | |
| 124601 | 122146 | | M&R Vehicles-Ford Pick Up | 11.52 | |
| 124602 | 122147 | | M&R TOE-Yard Truck-PF01 | 34.28 | |
| | | | Line Amount Total | 45.80 | |
| 90860 | 08/17/22 | V00011 | Gulftex Vending | 197.10 | |
| 124536 | 122105 | | Office Supplies | 75.08 | |
| 124536 | 122105 | | Office Supplies | 37.54 | |
| 124536 | 122105 | | Office Supplies | 9.39 | |
| 124536 | 122105 | | Office Supplies | 37.55 | |
| 124536 | 122105 | | Office Supplies | 37.54 | |
| | | | Line Amount Total | 197.10 | |
| 90861 | 08/17/22 | V00013 | Mary Campus | 42.97 | |
| 124609 | 122202 | | Automobile Expense | 42.97 | |
| | | | Line Amount Total | 42.97 | |
| 90862 | 08/17/22 | V00026 | Lowe's | 2,236.00 | |
| 124576 | 122142 | | M&R Docks-Dock Berth 5 | 870.87 | |
| 124576 | 122142 | | M&R Leased Facilities-HTS(Hoegh)- P14 Gate | 313.48 | |
| 124576 | 122142 | | M&R Bldgs-Gate 4 | 284.05 | |
| 124576 | 122142 | | M&R Transit Shed-T.S. 1 | 711.55 | |
| 124576 | 122142 | | M&R Bldgs-Operations Bldg | 56.05 | |
| | | | Line Amount Total | 2,236.00 | |
| 90863 | 08/17/22 | V00030 | Girouard's Ace Hardware | 912.86 | |
| 124575 | 122138 | | M&R Docks-Dock Berth 1 | 20.15 | |
| 124575 | 122138 | | M&R Transit Shed-T.S. Sprinkler System | 30.34 | |
| 124575 | 122138 | | M&R Bldgs-Scale House | 8.97 | |
| 124575 | 122138 | | Maint and Operations Supplies | 16.38 | |
| 124575 | 122138 | | M&R Other-Mowing, Weed Control Etc | 19.98 | |
| 124575 | 122138 | | Maint and Operations Supplies | 23.97 | |
| 124575 | 122138 | | M&R Bldgs-Gate 4 | 1.64 | |
| 124575 | 122138 | | M&R Transit Shed-T.S. 1 | 207.30 | |
| 124575 | 122138 | | M&R Docks-Dock Berth 2 | 11.99 | |
| 124575 | 122138 | | M&R Transit Shed-T.S. 1 | 69.96 | |
| 124575 | 122138 | | M&R Groundskeeping Equipment-5510 John Deere | 3.91 | |

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| Check No. | Check Date | Vendor No. | Vendor Name | Check Amount | |
|--------------|-----------------|-----------------|--|-----------------|--|
| Invoice No. | PO No. | GL Account Name | Line Description | Line Amount | |
| 124575 | 122138 | | M&R Groundskeeping Equipment-5510 John Deere | 3.28 | |
| 124575 | 122138 | | Maint and Operations Supplies | 2.40 | |
| 124575 | 122138 | | M&R Groundskeeping Equipment-5510 John Deere | 26.29 | |
| 124575 | 122138 | | M&R Bldgs-Operations Bldg | 12.95 | |
| 124575 | 122138 | | M&R Transit Shed-T.S. 1 | 3.99 | |
| 124575 | 122138 | | M&R Bldgs-Operations Bldg | 29.35 | |
| 124575 | 122138 | | M&R Leased Facilities-24A (Chiquita) | 109.23 | |
| 124575 | 122138 | | M&R Transit Shed-T.S. 1 | 52.33 | |
| 124575 | 122138 | | M&R TOE-Gantry Crane | 18.99 | |
| 124575 | 122138 | | M&R TOE-Gantry Crane | 18.99 | |
| 124575 | 122138 | | M&R Bldgs-Security Bldg | 12.17 | |
| 124575 | 122138 | | M&R Transit Shed-T.S. 1 | 89.88 | |
| 124575 | 122138 | | M&R Warehouse-Warehouse 51 | 4.08 | |
| 124575 | 122138 | | M&R Warehouse-Warehouse 51 | 4.76 | |
| 124575 | 122138 | | M&R Leased Facilities-24A (Chiquita) | 84.00 | |
| 124575 | 122138 | | Safety Supplies | 25.58 | |
| | | | Line Amount Total | 912.86 | |
| 90864 | 08/17/22 | V00040 | The Brazosport Facts | 1,160.00 | |
| 124573 | 122125 | | Community Advertising | 1,160.00 | |
| | | | Line Amount Total | 1,160.00 | |
| 90865 | 08/17/22 | V00041 | Evco Industrial Hardware | 293.32 | |
| 124585 | 122157 | | M&R TOE-General Terminal Ops Equip & Tools | 30.92 | |
| 124586 | 122159 | | Safety Supplies | 142.08 | |
| 124587 | 122161 | | M&R Vehicles-Ford Pick Up | 120.32 | |
| | | | Line Amount Total | 293.32 | |
| 90866 | 08/17/22 | V00046 | Sprint Waste Services | 604.90 | |
| 124592 | 122151 | | Contract Services | 219.96 | |
| 124593 | 122152 | | Contract Services | 170.82 | |
| 124593 | 122152 | | Contract Services | 214.12 | |
| | | | Line Amount Total | 604.90 | |
| 90867 | 08/17/22 | V00049 | Brazos Fasteners | 60.00 | |
| 124584 | 122155 | | M&R Groundskeeping Equipment-5510 John Deere | 60.00 | |
| | | | Line Amount Total | 60.00 | |
| 90868 | 08/17/22 | V00054 | Summit Electric Supply | 452.91 | |
| 124595 | 122148 | | M&R Terminal Facilities-Other | 452.91 | |
| | | | Line Amount Total | 452.91 | |
| 90869 | 08/17/22 | V00055 | Jesse Hibbetts | 850.83 | |
| 124606 | 122194 | | Flexible Spending Emp Reimbursement | 108.00 | |
| 124607 | 122195 | | Flexible Spending Emp Reimbursement | 742.83 | |
| | | | Line Amount Total | 850.83 | |
| 90870 | 08/17/22 | V00067 | Quill Corporation | 206.95 | |
| 124615 | 122192 | | Office Supplies | 204.95 | |
| 124615 | 122192 | | Office Supplies | 0.76 | |
| 124615 | 122192 | | Office Supplies | 0.38 | |
| 124615 | 122192 | | Office Supplies | 0.10 | |
| 124615 | 122192 | | Office Supplies | 0.38 | |
| 124615 | 122192 | | Office Supplies | 0.38 | |
| | | | Line Amount Total | 206.95 | |

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| Check No. | Check Date | Vendor No. | Vendor Name | Check Amount | |
|--------------|-----------------|-----------------|---|-------------------|------------|
| Invoice No. | PO No. | GL Account Name | Line Description | Line Amount | |
| 90871 | 08/17/22 | V00075 | Vicki L. Smith | 23.27 | |
| 124620 | 122189 | | Office Supplies | | 23.27 |
| | | | Line Amount Total | | 23.27 |
| 90872 | 08/17/22 | V00083 | Jason Hull | 63.67 | |
| 124605 | 122200 | | Flexible Spending Emp Reimbursement | | 63.67 |
| | | | Line Amount Total | | 63.67 |
| 90873 | 08/17/22 | V00097 | Comcast Business | 2,631.42 | |
| 124626 | 122193 | | Contract Services | | 2,631.42 |
| | | | Line Amount Total | | 2,631.42 |
| 90874 | 08/17/22 | V00101 | Payment vendor ledger entry is not found check# 90874. | 0.00 | |
| | | | Line Amount Total | | |
| 90875 | 08/17/22 | V00101 | Sunstates Security, LLC | 145,404.74 | |
| 124560 | 122173 | | Security Service Fees | | 960.31 |
| 124566 | 122130 | | Security Service Fees | | 36,042.23 |
| 124567 | 122131 | | Security Service Fees | | 928.50 |
| 124568 | 122132 | | Security Service Fees | | 148.95 |
| 124569 | 122133 | | Security Service Fees | | 625.82 |
| 124570 | 122134 | | Security Service Fees | | 665.06 |
| 124571 | 122135 | | Security Service Fees | | 33,715.37 |
| 124572 | 122136 | | Security Service Fees | | 890.89 |
| 124577 | 122170 | | Security Service Fees | | 150.21 |
| 124578 | 122171 | | Security Service Fees | | 310.51 |
| 124579 | 122172 | | Security Service Fees | | 34,079.63 |
| 124580 | 122169 | | Security Service Fees | | 62.10 |
| 124617 | 122182 | | Security Service Fees | | 389.24 |
| 124618 | 122183 | | Security Service Fees | | 702.81 |
| 124619 | 122185 | | Security Service Fees | | 919.82 |
| 124636 | 122184 | | Security Service Fees | | 34,813.29 |
| | | | Line Amount Total | | 145,404.74 |
| 90876 | 08/17/22 | V00102 | ABB, Inc Marine & Ports | 2,800.00 | |
| 124623 | 121097 | | Gantry Pendant Station including 30 Ft cable. | | |
| 124623 | 121097 | | M&R TOE-Gantry Crane | | 1,400.00 |
| 124623 | 121097 | | M&R TOE-Gantry Crane | | 1,400.00 |
| 124623 | 121097 | | Article no: L000187 | | |
| 124623 | 121097 | | Quote # 20486122 | | |
| 124623 | 121097 | | Proprietary Vendor for Cranes | | |
| | | | Line Amount Total | | 2,800.00 |
| 90877 | 08/17/22 | V00119 | JH Sanchez Holding Company | 6,495.00 | |
| 124629 | 120825 | | Janitorial Services February 2022 - March 2023 | | |
| 124629 | 120825 | | M&R Bldgs-Admin Bldg 1100 Cherry St | | 2,723.00 |
| 124629 | 120825 | | M&R Bldgs-Security Bldg | | 650.45 |
| 124629 | 120825 | | M&R Bldgs-Operations Bldg | | 889.45 |
| 124629 | 120825 | | M&R Bldgs-Buildings VT Berth 7 | | 948.60 |
| 124629 | 120825 | | M&R Bldgs-Buildings VT Berth 7 | | 142.67 |
| 124629 | 120825 | | M&R Transit Shed-T.S. 3 | | |
| 124629 | 120825 | | M&R Bldgs-Maintenance Bldg | | 110.00 |
| 124629 | 120825 | | M&R Bldgs-Security Bldg | | 880.00 |
| 124629 | 120825 | | M&R Transit Shed-T.S. 3 | | |

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| Check No. | Check Date | Vendor No. | Vendor Name | Check Amount | |
|--------------|-----------------|-----------------|---|------------------|--|
| Invoice No. | PO No. | GL Account Name | Line Description | Line Amount | |
| 124629 | 120825 | | M&R Bldgs-Buildings VT Berth 7 | 59.33 | |
| 124629 | 120825 | | M&R Transit Shed-T.S. 3 | 91.50 | |
| 124629 | 120825 | | 3rd Year of 3 Year Contract Feb 2022 - Jan 2023 | | |
| 124629 | 120825 | | Board Approved 1/23/2020 | | |
| | | | Line Amount Total | 6,495.00 | |
| 90878 | 08/17/22 | V00166 | Van Scoyoc Associates | 11,031.66 | |
| 124638 | 115717 | | Consultant Fees - Other | 11,000.00 | |
| 124638 | 115717 | | Govt. Liaison Service Agreement Oct.2020-Sept 2023 | | |
| 124638 | 115717 | | Consultant Fees - Other | 31.66 | |
| 124638 | 115717 | | Expenses Incurred-Not to exceed \$8K over course of | | |
| 124638 | 115717 | | 3yrs contract-CA 10/8/2020 | | |
| | | | Line Amount Total | 11,031.66 | |
| 90879 | 08/17/22 | V00178 | Waypoint | 1,279.00 | |
| 124552 | 122107 | | Contract Services | 1,279.00 | |
| | | | Line Amount Total | 1,279.00 | |
| 90880 | 08/17/22 | V00181 | Canon Solutions America, Inc. | 170.24 | |
| 124604 | 122191 | | Maint & Repair - Office Equipment | 170.24 | |
| | | | Line Amount Total | 170.24 | |
| 90881 | 08/17/22 | V00187 | Brazoria County Septic Service | 1,477.00 | |
| 124625 | 122156 | | Contract Services | 1,477.00 | |
| | | | Line Amount Total | 1,477.00 | |
| 90882 | 08/17/22 | V00193 | Grainger | 335.98 | |
| 124588 | 122153 | | M&R TOE-Gantry Crane | 7.26 | |
| 124588 | 122153 | | M&R TOE-Gantry Crane | 7.26 | |
| 124589 | 122154 | | M&R TOE-Gantry Crane | 160.73 | |
| 124589 | 122154 | | M&R TOE-Gantry Crane | 160.73 | |
| | | | Line Amount Total | 335.98 | |
| 90883 | 08/17/22 | V00250 | Lincoln National Life Insurance Company | 4,264.52 | |
| 124630 | 122190 | | Retirement Expense | 312.38 | |
| 124630 | 122190 | | Retirement Expense | 136.16 | |
| 124630 | 122190 | | Retirement Expense | 505.53 | |
| 124630 | 122190 | | Retirement Expense | 11.13 | |
| 124630 | 122190 | | Retirement Expense | 107.22 | |
| 124630 | 122190 | | Retirement Expense | 37.10 | |
| 124630 | 122190 | | Retirement Expense | 68.64 | |
| 124630 | 122190 | | Retirement Expense | 53.43 | |
| 124630 | 122190 | | Retirement Expense | 37.10 | |
| 124631 | 122199 | | Group STD Insurance | 289.34 | |
| 124631 | 122199 | | Group STD Insurance | 176.16 | |
| 124631 | 122199 | | Group STD Insurance | 596.00 | |
| 124631 | 122199 | | Group STD Insurance | 17.83 | |
| 124631 | 122199 | | Group STD Insurance | 137.98 | |
| 124631 | 122199 | | Group STD Insurance | 51.60 | |
| 124631 | 122199 | | Group STD Insurance | 142.89 | |
| 124631 | 122199 | | Group STD Insurance | 131.83 | |
| 124631 | 122199 | | Group STD Insurance | 75.18 | |
| 124631 | 122199 | | Group LTD Insurance | 93.09 | |
| 124631 | 122199 | | Group LTD Insurance | 247.65 | |
| 124631 | 122199 | | Group LTD Insurance | 145.17 | |
| 124631 | 122199 | | Group LTD Insurance | 395.79 | |
| 124631 | 122199 | | Group LTD Insurance | 10.78 | |

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| Check No. | Check Date | Vendor No. | Vendor Name | Check Amount | |
|--------------|-----------------|-----------------|--|------------------|--|
| Invoice No. | PO No. | GL Account Name | Line Description | Line Amount | |
| 124631 | 122199 | | Group LTD Insurance | 136.05 | |
| 124631 | 122199 | | Group LTD Insurance | 48.65 | |
| 124631 | 122199 | | Group LTD Insurance | 86.40 | |
| 124631 | 122199 | | Group LTD Insurance | 91.97 | |
| 124631 | 122199 | | Group LTD Insurance | 45.44 | |
| 124631 | 122199 | | Group LTD Insurance | 76.03 | |
| | | | Line Amount Total | 4,264.52 | |
| 90884 | 08/17/22 | V00291 | Moore Supply | 576.60 | |
| 124521 | 122099 | | M&R Bldgs-Admin Bldg 1100 Cherry St | 576.60 | |
| | | | Line Amount Total | 576.60 | |
| 90885 | 08/17/22 | V00341 | Matthews Crane Certification | 4,250.00 | |
| 124547 | 121780 | | Annual OSHA Inspection-ZPMC Crane 1 & 2 | | |
| 124547 | 121780 | | M&R TOE-Gantry Crane | 2,125.00 | |
| 124547 | 121780 | | M&R TOE-Gantry Crane | 2,125.00 | |
| | | | Line Amount Total | 4,250.00 | |
| 90886 | 08/17/22 | V00349 | Saber Power Services | 11,397.24 | |
| 124637 | 122160 | | M&R Terminal Facilities-Other | 11,397.24 | |
| | | | Line Amount Total | 11,397.24 | |
| 90887 | 08/17/22 | V00365 | Bill Spitzer & Associates | 350.00 | |
| 124581 | 122149 | | M&R TOE-Gantry Crane | 175.00 | |
| 124581 | 122149 | | M&R TOE-Gantry Crane | 175.00 | |
| | | | Line Amount Total | 350.00 | |
| 90888 | 08/17/22 | V00490 | Applied Industrial Technologies | 3,202.46 | |
| 124624 | 121558 | | Bearings for Gantry Reducer. SKF-22316E | | |
| 124624 | 121558 | | Bearing for Gantry Reducer. SKF-23036 CC/W33 | 1,601.23 | |
| 124624 | 121558 | | Bearings for Gantry Reducer. SKF-22316E | | |
| 124624 | 121558 | | Bearings for Gantry Reducer. SKF-23036 CC/W33 | 1,601.23 | |
| 124624 | 121558 | | Quote # 510726773 | | |
| | | | Line Amount Total | 3,202.46 | |
| 90889 | 08/17/22 | V00517 | Covenant K9 Detection Services | 4,200.00 | |
| 124562 | 119365 | | Security Service Fees | 4,200.00 | |
| 124562 | 119365 | | Day Rate for K9 Detection Services (6 hours / Day | | |
| 124562 | 119365 | | October 2021 - September 2022 | | |
| 124562 | 119365 | | Board Approved 9/23/2021 | | |
| | | | Line Amount Total | 4,200.00 | |
| 90890 | 08/17/22 | V00531 | Rob Lowe | 2,485.00 | |
| 124635 | 122186 | | Flexible Spending Emp Reimbursement | 2,485.00 | |
| | | | Line Amount Total | 2,485.00 | |
| 90891 | 08/17/22 | V00624 | CBRE, Inc.-Valuation and Advisory Services | 7,500.00 | |
| 124561 | 113142 | | Construction in Progress | | |
| 124561 | 113142 | | Appraisal/Consultation Services-NTE | | |
| 124561 | 113142 | | Commission Approved 1/9/2020 | | |
| 124561 | 113142 | | Construction in Progress | | |
| 124561 | 113142 | | Construction in Progress | | |
| 124561 | 113142 | | Change order 5/11/20 | | |
| 124561 | 113142 | | Construction in Progress | 7,500.00 | |
| 124561 | 113142 | | Appraisal/Consultation Services-NTE | | |
| 124561 | 113142 | | Commission Approved 5/18/2020 | | |
| 124561 | 113142 | | Change Order 9/10/2020 | | |
| 124561 | 113142 | | Construction in Progress | | |

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| Check No. | Check Date | Vendor No. | Vendor Name | Check Amount | |
|--------------|-----------------|-----------------|--|------------------|-------------|
| Invoice No. | PO No. | GL Account Name | Line Description | | Line Amount |
| 124561 | 113142 | | Appraisal/Consultation Services-NTE | | |
| | | | Line Amount Total | | 7,500.00 |
| 90892 | 08/17/22 | V00668 | DARE Capital Partners, LLC | 1,391.46 | |
| 124628 | 122143 | | M&R Other-Mowing, Weed Control Etc | | 1,262.24 |
| 124628 | 122143 | | Contract Labor Expense | | 129.22 |
| | | | Line Amount Total | | 1,391.46 |
| 90893 | 08/17/22 | V00673 | Phoenix Products LLC | 765.36 | |
| 124614 | 122176 | | M&R TOE-Gantry Crane | | 382.68 |
| 124614 | 122176 | | M&R TOE-Gantry Crane | | 382.68 |
| | | | Line Amount Total | | 765.36 |
| 90894 | 08/17/22 | V00678 | Law office of Everett S. Stovall | 350.00 | |
| 124557 | 122124 | | Construction in Progress | | 350.00 |
| | | | Line Amount Total | | 350.00 |
| 90895 | 08/17/22 | V00682 | SHI Government Solutions Inc. | 4,370.44 | |
| 124565 | 121417 | | 2022 Cyber Security Upgrade | | 3,361.76 |
| 124565 | 121417 | | Moxa EDS-P510A-8PoE-2GTXSFP-T-Switch | | |
| 124565 | 121417 | | 2022 Cyber Security Upgrade | | 1,008.68 |
| 124565 | 121417 | | Moxa NRD-240-48-PSU | | |
| 124565 | 121417 | | Texas DIR Contract # DIR-TSO-4056 | | |
| 124565 | 121417 | | Quote#: 22065123 | | |
| | | | Line Amount Total | | 4,370.44 |
| 90896 | 08/17/22 | V00690 | Delta Fire & Safety of Texas | 13,240.00 | |
| 124627 | 121770 | | Enforcer 30 Fire Suppression CAFS Unit | | 12,875.00 |
| 124627 | 121770 | | Enforcer 30 Fire Suppression CAFS Unit - Freight | | 365.00 |
| | | | Line Amount Total | | 13,240.00 |
| 90897 | 08/17/22 | V00697 | Northern Safety Co., Inc. | 789.84 | |
| 124612 | 122179 | | Safety Supplies | | 438.80 |
| 124622 | 122177 | | Safety Supplies | | 351.04 |
| | | | Line Amount Total | | 789.84 |
| 90898 | 08/17/22 | V00770 | UniFirst Holdings Inc. | 65.72 | |
| 124639 | 117829 | | Annual Contract - Ops Employees uniforms, mats | | |
| 124639 | 117829 | | towels, soap etc. | | |
| 124639 | 117829 | | Maint and Operations Supplies | | |
| 124639 | 117829 | | Other Receivables | | |
| 124639 | 117829 | | M&R Bldgs-Operations Bldg | | |
| 124639 | 117829 | | Annual Contract - EOC mats, soap etc. | | |
| 124639 | 117829 | | M&R Bldgs-Security Bldg | | |
| 124639 | 117829 | | Annual Contract - Admin mats, soap etc. | | |
| 124639 | 117829 | | M&R Bldgs-Admin Bldg 1100 Cherry St | | |
| 124639 | 117829 | | M&R Bldgs-Security Bldg | | |
| 124639 | 117829 | | M&R Bldgs-Operations Bldg | | |
| 124639 | 117829 | | Other Receivables | | 13.83 |
| 124639 | 117829 | | Maint and Operations Supplies | | |
| 124639 | 117829 | | 3Year Agreement Effective June 2021 - May 2023 | | |
| 124639 | 117829 | | M&R Bldgs-Admin Bldg 1100 Cherry St | | |
| 124639 | 117829 | | CHANGE ORDER #1 | | |
| 124639 | 117829 | | 2% Annual Increase based on BuyBoard - No auto | | |
| 124639 | 117829 | | Maint and Operations Supplies | | |
| 124639 | 117829 | | renewal after the end of Year 3 | | |

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| Invoice No. | PO No. | GL Account Name | Line Description | | Line Amount |
| 124639 | 117829 | | Year 1 of 3 Year Agreement June 2021 - May 2022 | | |
| 124639 | 117829 | | Maint and Operations Supplies | | |
| 124639 | 117829 | | Maint and Operations Supplies | | 51.89 |
| | | | Line Amount Total | | 65.72 |
| 90899 | 08/17/22 | V00803 | PPG Architectural Finishes | 616.32 | |
| 124591 | 122145 | | M&R TOE-Gantry Crane | | 308.16 |
| 124591 | 122145 | | M&R TOE-Gantry Crane | | 308.16 |
| | | | Line Amount Total | | 616.32 |
| 90900 | 08/17/22 | V00809 | Thomson Reuters Holdings Inc. | 187.00 | |
| 124574 | 118864 | | Subscriptions | | 187.00 |
| 124574 | 118864 | | Monthly Feature Fee for CLEAR Investigation/ | | |
| 124574 | 118864 | | Background Services for 1 Year | | |
| 124574 | 118864 | | October 2021 - September 2022 | | |
| | | | Line Amount Total | | 187.00 |
| 90901 | 08/17/22 | V00821 | Summit Fire & Security | 4,730.14 | |
| 124540 | 122108 | | M&R Terminal Facilities-Other | | 816.00 |
| 124550 | 122109 | | M&R Terminal Facilities-Other | | 3,220.00 |
| 124600 | 122150 | | M&R Transit Shed-T.S. Sprinkler System | | 694.14 |
| | | | Line Amount Total | | 4,730.14 |
| 90902 | 08/17/22 | V00850 | Kendra L. Conkle | 924.00 | |
| 124556 | 122127 | | Promotional Items - Commercial | | 924.00 |
| | | | Line Amount Total | | 924.00 |
| 90903 | 08/17/22 | V00873 | Nearmap US, Inc. | 5,000.00 | |
| 124633 | 121555 | | Contract Services | | 416.67 |
| 124633 | 121555 | | Contract Services | | 4,583.33 |
| 124633 | 121555 | | 1Year Subscription to Aerial Imagery (GIS) | | |
| 124633 | 121555 | | Quote# Q078158 | | |
| | | | Line Amount Total | | 5,000.00 |
| 90904 | 08/17/22 | V00874 | Allied 100, LLC dba AEDCenter | 306.00 | |
| 124603 | 122180 | | Safety Supplies | | 306.00 |
| | | | Line Amount Total | | 306.00 |
| 90905 | 08/17/22 | V00887 | UPS Supply Chain Solutions | 42.14 | |
| 124558 | 122128 | | M&R TOE-Gantry Crane | | 19.88 |
| 124558 | 122128 | | M&R TOE-Gantry Crane | | 19.87 |
| 124559 | 122129 | | M&R TOE-Gantry Crane | | 1.20 |
| 124559 | 122129 | | M&R TOE-Gantry Crane | | 1.19 |
| | | | Line Amount Total | | 42.14 |
| 90906 | 08/17/22 | V00890 | Kerkton Security Technologies LLC | 400.00 | |
| 124608 | 122197 | | Contract Services | | 400.00 |
| | | | Line Amount Total | | 400.00 |
| 90907 | 08/23/22 | V00007 | Office Universe, Inc. | 48.47 | |
| 124613 | 122181 | | Office Supplies | | 46.07 |
| 124462 | 122075 | | Office Supplies | | 2.40 |
| | | | Line Amount Total | | 48.47 |
| 90908 | 08/23/22 | V00010 | Specialties Company | 76.18 | |
| 124650 | 122209 | | M&R Groundskeeping Equipment-5510 John Deere | | 76.18 |
| | | | Line Amount Total | | 76.18 |

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| Invoice No. | PO No. | GL Account Name | Line Description | | Line Amount |
| 90909 08/23/22 | | V00012 | FedEx | 7.19 | |
| 124644 | 122217 | | Postage and Freight | | 7.19 |
| | | | Line Amount Total | | 7.19 |
| 90910 08/23/22 | | V00021 | Gulf Coast Paper Company | 163.34 | |
| 124555 | 122126 | | Office Supplies | | 62.23 |
| 124555 | 122126 | | Office Supplies | | 31.11 |
| 124555 | 122126 | | Office Supplies | | 7.78 |
| 124555 | 122126 | | Office Supplies | | 31.11 |
| 124555 | 122126 | | Office Supplies | | 31.11 |
| | | | Line Amount Total | | 163.34 |
| 90911 08/23/22 | | V00031 | Culligan Water Systems | 125.84 | |
| 124678 | 117977 | | Service Agreement for Water Softener Rental & | | |
| 124678 | 117977 | | RO System and Ice Machines | | |
| 124678 | 117977 | | M&R Bldgs-Operations Bldg | | |
| 124678 | 117977 | | M&R Bldgs-Buildings VT Berth 7 | | |
| 124678 | 117977 | | M&R Transit Shed-T.S. 1 | | |
| 124678 | 117977 | | M&R Bldgs-Operations Bldg | | |
| 124678 | 117977 | | M&R Transit Shed-T.S. 1 | | |
| 124678 | 117977 | | M&R Bldgs-Operations Bldg | | 125.84 |
| 124678 | 117977 | | For Services 8/01/2021 - 7/31/2022 | | |
| | | | Line Amount Total | | 125.84 |
| 90912 08/23/22 | | V00041 | Evco Industrial Hardware | 322.73 | |
| 124660 | 122232 | | M&R Docks-Dock Berth 7-VT | | 87.61 |
| 124661 | 122235 | | Maint and Operations Supplies | | 19.70 |
| 124662 | 122236 | | M&R Docks-Dock Berth 7-VT | | 215.42 |
| | | | Line Amount Total | | 322.73 |
| 90913 08/23/22 | | V00046 | Sprint Waste Services | 471.24 | |
| 124594 | 122158 | | Contract Services | | 471.24 |
| | | | Line Amount Total | | 471.24 |
| 90914 08/23/22 | | V00047 | Art's Sign Service | 152.72 | |
| 124640 | 122210 | | M&R Vehicles-2020 Chev PU | | 152.72 |
| | | | Line Amount Total | | 152.72 |
| 90915 08/23/22 | | V00054 | Summit Electric Supply | 3,334.89 | |
| 124596 | 122164 | | Maint and Operations Supplies | | 599.90 |
| 124597 | 122165 | | M&R Leased Facilities-24A (Chiquita) | | 715.64 |
| 124598 | 122166 | | M&R Leased Facilities-24A (Chiquita) | | 720.41 |
| 124599 | 122168 | | M&R Terminal Facilities-Other | | 274.31 |
| 124616 | 122167 | | M&R Transit Shed-T.S. 1 | | 411.12 |
| 124652 | 122201 | | M&R Terminal Facilities-Other | | 600.00 |
| 124653 | 122212 | | M&R Terminal Facilities-Other | | 13.51 |
| | | | Line Amount Total | | 3,334.89 |
| 90916 08/23/22 | | V00055 | Jesse Hibbetts | 165.99 | |
| 124666 | 122233 | | Sales/Promotion Travel | | 165.99 |
| | | | Line Amount Total | | 165.99 |
| 90917 08/23/22 | | V00062 | AT&T Mobility | 364.49 | |
| 124659 | 122244 | | Telephone | | 90.94 |
| 124659 | 122244 | | Telephone | | 173.73 |
| 124659 | 122244 | | Telephone | | 73.24 |

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| Invoice No. | PO No. | GL Account Name | Line Description | | Line Amount |
| 124659 | 122244 | | Telephone | | 26.58 |
| | | | Line Amount Total | | 364.49 |
| 90918 | 08/23/22 | V00098 | Suburban Propane | 364.18 | |
| 124651 | 122211 | | Fuel/Oil | | 364.18 |
| | | | Line Amount Total | | 364.18 |
| 90919 | 08/23/22 | V00125 | AT&T:979-230-9161 754-5 | 444.22 | |
| 124641 | 122219 | | Telephone | | 48.68 |
| 124641 | 122219 | | Telephone | | 48.68 |
| 124641 | 122219 | | Telephone | | 346.86 |
| | | | Line Amount Total | | 444.22 |
| 90920 | 08/23/22 | V00132 | American Journal of Transportation | 620.00 | |
| 124673 | 120124 | | 1/2 Page Ad Gulf Ports & Trade 2022 | | |
| 124673 | 120124 | | 1/2 Page Ad Top 100 Container Ports 2022 | | |
| 124673 | 120124 | | 1/2 Page Ad North American Auto Logistics | | |
| 124673 | 120124 | | 2022 Daily Newsletter banner Ad (180X150) | | 620.00 |
| | | | Line Amount Total | | 620.00 |
| 90921 | 08/23/22 | V00147 | Greater Angleton Chamber of Commerce | 350.00 | |
| 124645 | 122231 | | Community Events | | 350.00 |
| | | | Line Amount Total | | 350.00 |
| 90922 | 08/23/22 | V00159 | Principal Life Insurance-PLIC-SBD Grand Island | 4,175.88 | |
| 124682 | 122226 | | Group Life Insurance | | 297.34 |
| 124682 | 122226 | | Group Life Insurance | | 136.53 |
| 124682 | 122226 | | Group Life Insurance | | 377.98 |
| 124682 | 122226 | | Group Life Insurance | | 11.04 |
| 124682 | 122226 | | Group Life Insurance | | 119.23 |
| 124682 | 122226 | | Group Life Insurance | | 50.05 |
| 124682 | 122226 | | Group Life Insurance | | 94.21 |
| 124682 | 122226 | | Group Life Insurance | | 46.73 |
| 124682 | 122226 | | Group Life Insurance | | 78.02 |
| 124683 | 122227 | | Group Dental Insurance | | 375.40 |
| 124683 | 122227 | | Group Dental Insurance | | 246.13 |
| 124683 | 122227 | | Group Dental Insurance | | 722.38 |
| 124683 | 122227 | | Group Dental Insurance | | 12.99 |
| 124683 | 122227 | | Group Dental Insurance | | 292.23 |
| 124683 | 122227 | | Group Dental Insurance | | 67.03 |
| 124683 | 122227 | | Group Dental Insurance | | 51.43 |
| 124683 | 122227 | | Group Dental Insurance | | 231.22 |
| 124683 | 122227 | | Group Dental Insurance | | 123.26 |
| 124683 | 122227 | | Group Dental Insurance | | 190.41 |
| 124683 | 122227 | | Group Dental Insurance | | 93.00 |
| 124683 | 122227 | | Other Receivables- Kresta | | 51.43 |
| 124683 | 122227 | | Group Vision Insurance | | 73.68 |
| 124683 | 122227 | | Group Vision Insurance | | 51.57 |
| 124683 | 122227 | | Group Vision Insurance | | 149.12 |
| 124683 | 122227 | | Group Vision Insurance | | 3.03 |
| 124683 | 122227 | | Group Vision Insurance | | 61.23 |
| 124683 | 122227 | | Group Vision Insurance | | 13.02 |
| 124683 | 122227 | | Group Vision Insurance | | 12.08 |
| 124683 | 122227 | | Group Vision Insurance | | 48.32 |
| 124683 | 122227 | | Group Vision Insurance | | 25.14 |

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| Invoice No. | PO No. | GL Account Name | Line Description | Line Amount | |
| 124683 | 122227 | | Group Vision Insurance | 39.49 | |
| 124683 | 122227 | | Group Vision Insurance | 19.08 | |
| 124683 | 122227 | | Other Receivables- Kresta | 12.08 | |
| | | | Line Amount Total | 4,175.88 | |
| 90923 | 08/23/22 | V00166 | Van Scoyoc Associates | 11,016.35 | |
| 124677 | 115717 | | Consultant Fees - Other | 11,000.00 | |
| 124677 | 115717 | | Govt. Liaison Service Agreement Oct.2020-Sept 2023 | | |
| 124677 | 115717 | | Consultant Fees - Other | 16.35 | |
| 124677 | 115717 | | Expenses Incurred-Not to exceed \$8K over course of | | |
| 124677 | 115717 | | 3yrs contract-CA 10/8/2020 | | |
| | | | Line Amount Total | 11,016.35 | |
| 90924 | 08/23/22 | V00187 | Brazoria County Septic Service | 1,688.00 | |
| 124679 | 122207 | | Contract Services | 1,688.00 | |
| | | | Line Amount Total | 1,688.00 | |
| 90925 | 08/23/22 | V00192 | Glomar International, Inc. | 2,959.66 | |
| 124675 | 121901 | | M&R TOE-Gantry Crane | 1,479.83 | |
| 124675 | 121901 | | M&R TOE-Gantry Crane | 1,479.83 | |
| 124675 | 121901 | | Quote Q22-1505a Crane Parts | | |
| | | | Line Amount Total | 2,959.66 | |
| 90926 | 08/23/22 | V00201 | CDW Government | 377.98 | |
| 124642 | 122222 | | Contract Services | 377.98 | |
| | | | Line Amount Total | 377.98 | |
| 90927 | 08/23/22 | V00270 | The Bulletin | 295.00 | |
| 124672 | 122245 | | Community Advertising | 295.00 | |
| | | | Line Amount Total | 295.00 | |
| 90928 | 08/23/22 | V00445 | BP Equipment | 1,350.00 | |
| 124582 | 122162 | | M&R Rail-Other | 675.00 | |
| 124583 | 122163 | | M&R Bldgs-Gate 14 | 675.00 | |
| | | | Line Amount Total | 1,350.00 | |
| 90929 | 08/23/22 | V00456 | Superior Fence Services | 345.00 | |
| 124658 | 122203 | | M&R Terminal Facilities-Other | 345.00 | |
| | | | Line Amount Total | 345.00 | |
| 90930 | 08/23/22 | V00457 | Gulf Ports Association | 500.00 | |
| 124664 | 122234 | | Technical Training | 500.00 | |
| | | | Line Amount Total | 500.00 | |
| 90931 | 08/23/22 | V00668 | DARE Capital Partners, LLC | 1,325.50 | |
| 124680 | 122206 | | M&R Other-Mowing, Weed Control Etc | 1,325.50 | |
| | | | Line Amount Total | 1,325.50 | |
| 90932 | 08/23/22 | V00683 | Knight Security Systems LLC | 8,052.11 | |
| 124647 | 122223 | | M&R IT Equipment | 590.47 | |
| 124681 | 121021 | | Emergency Recovery Efforts - Hurricane | 7,461.64 | |
| 124681 | 121021 | | 1 Lift and 48 hours of Camera Troubleshooting | | |
| 124681 | 121021 | | Hurricane Damaged Cameras | | |
| 124681 | 121021 | | Concept Submittal #: 111655 | | |
| | | | Line Amount Total | 8,052.11 | |
| 90933 | 08/23/22 | V00729 | Kevin R. Hartney | 125.25 | |
| 124646 | 122220 | | Employment Related | 125.25 | |
| | | | Line Amount Total | 125.25 | |

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| Check No. | Check Date | Vendor No. | Vendor Name | Check Amount | |
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| Invoice No. | PO No. | GL Account Name | Line Description | Line Amount | |
| 90934 | 08/23/22 | V00770 | UniFirst Holdings Inc. | 27.88 | |
| 124684 | | 117829 | Annual Contract - Ops Employees uniforms, mats | | |
| 124684 | | 117829 | towels, soap etc. | | |
| 124684 | | 117829 | Maint and Operations Supplies | | |
| 124684 | | 117829 | Other Receivables | | |
| 124684 | | 117829 | M&R Bldgs-Operations Bldg | | |
| 124684 | | 117829 | Annual Contract - EOC mats, soap etc. | | |
| 124684 | | 117829 | M&R Bldgs-Security Bldg | | |
| 124684 | | 117829 | Annual Contract - Admin mats, soap etc. | | |
| 124684 | | 117829 | M&R Bldgs-Admin Bldg 1100 Cherry St | | |
| 124684 | | 117829 | M&R Bldgs-Security Bldg | | |
| 124684 | | 117829 | M&R Bldgs-Operations Bldg | | |
| 124684 | | 117829 | Other Receivables | | |
| 124684 | | 117829 | Maint and Operations Supplies | | |
| 124684 | | 117829 | 3Year Agreement Effective June 2021 - May 2023 | | |
| 124684 | | 117829 | M&R Bldgs-Admin Bldg 1100 Cherry St | | 27.88 |
| 124684 | | 117829 | CHANGE ORDER #1 | | |
| 124684 | | 117829 | 2% Annual Increase based on BuyBoard - No auto | | |
| 124684 | | 117829 | Maint and Operations Supplies | | |
| 124684 | | 117829 | renewal after the end of Year 3 | | |
| 124684 | | 117829 | Year 1 of 3 Year Agreement June 2021 - May 2022 | | |
| 124684 | | 117829 | Maint and Operations Supplies | | |
| 124684 | | 117829 | Maint and Operations Supplies | | |
| | | | Line Amount Total | | 27.88 |
| 90935 | 08/23/22 | V00803 | PPG Architectural Finishes | 616.32 | |
| 124649 | | 122208 | M&R TOE-Gantry Crane | | 308.16 |
| 124649 | | 122208 | M&R TOE-Gantry Crane | | 308.16 |
| | | | Line Amount Total | | 616.32 |
| 90936 | 08/23/22 | V00827 | H&E Equipment Services | 5,500.00 | |
| 124676 | | 122087 | Magnum MLT6SK Light Tower | | 5,500.00 |
| 124676 | | 122087 | Light Tower; E/N: 10241065 | | |
| | | | Line Amount Total | | 5,500.00 |
| 90937 | 08/23/22 | V00833 | M & J Environmental Services LLC | 419.00 | |
| 124632 | | 119313 | Disinfectant Treatment for Admin-5,000 sq ft (77%) | | 322.63 |
| 124632 | | 119313 | Disinfectant Teatment for EOC - 1,500 sq ft (23%) | | 96.37 |
| | | | Line Amount Total | | 419.00 |
| 90938 | 08/23/22 | V00863 | Enrico Arbolante | 300.00 | |
| 124643 | | 122225 | Telephone | | 300.00 |
| | | | Line Amount Total | | 300.00 |
| 90939 | 08/23/22 | V00864 | Visual Edge IT | 54.57 | |
| 124621 | | 122187 | Contract Services | | 54.57 |
| | | | Line Amount Total | | 54.57 |
| 90940 | 08/30/22 | V00107 | HDR, Inc | 146,500.00 | |
| 124704 | | 114861 | FHIP Reach 1 | | 146,500.00 |
| 124704 | | 114861 | FHIP - Reach 4 | | |
| 124704 | | 114861 | Professional Services for the FHCIP Reach 1 & 4 | | |
| 124704 | | 114861 | Project No. 20-06 | | |
| 124704 | | 114861 | Board Approved 6/25/2020 | | |
| 124704 | | 114861 | 2019 GO Bond | | |

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| Invoice No. | PO No. | GL Account Name | Line Description | | Line Amount |
| 124704 | | 114861 | Other Accounts Payable (JE) | | |
| | | | Line Amount Total | | 146,500.00 |
| 90941 | 08/30/22 | V00004 | City of Freeport | 1,538.47 | |
| 124686 | | 122249 | Water & Gas | | 295.24 |
| 124687 | | 122250 | Water & Gas | | 62.60 |
| 124688 | | 122251 | Water & Gas | | 101.54 |
| 124689 | | 122252 | Water & Gas | | 625.87 |
| 124690 | | 122253 | Water & Gas | | 453.22 |
| | | | Line Amount Total | | 1,538.47 |
| 90942 | 08/30/22 | V00007 | Office Universe, Inc. | 13.04 | |
| 124648 | | 122224 | Office Supplies | | 13.04 |
| | | | Line Amount Total | | 13.04 |
| 90943 | 08/30/22 | V00010 | Specialties Company | 2,235.80 | |
| 124706 | | 122204 | Hydraulic valve and fittings for wheel brakes | | |
| 124706 | | 122204 | Cranes 1 & 2 | | |
| 124706 | | 122204 | SFC 1/4" F Flow control valve - 5000# at 70°F | | 939.28 |
| 124706 | | 122204 | SFC 1/4" F Flow control valve - 5000# at 70°F | | 939.28 |
| 124706 | | 122204 | 2404-08-04 #8 MJIC X 1/4 MPT adapter | | 38.53 |
| 124706 | | 122204 | 2404-08-04 #8 MJIC X 1/4 MPT adapter | | 38.52 |
| 124706 | | 122204 | 6505-08-04 Fitting | | 140.10 |
| 124706 | | 122204 | 6505-08-04 Fitting | | 140.09 |
| 124706 | | 122204 | Quote: 48657 | | |
| | | | Line Amount Total | | 2,235.80 |
| 90944 | 08/30/22 | V00012 | FedEx | 12.78 | |
| 124691 | | 122256 | Other Receivables-NB | | 12.78 |
| | | | Line Amount Total | | 12.78 |
| 90945 | 08/30/22 | V00015 | Mike Wilson | 325.79 | |
| 124746 | | 122301 | Sales/Promotion Travel | | 325.79 |
| | | | Line Amount Total | | 325.79 |
| 90946 | 08/30/22 | V00021 | Gulf Coast Paper Company | 437.43 | |
| 124663 | | 122241 | Office Supplies | | 382.31 |
| 124714 | | 122263 | Office Supplies | | 55.12 |
| | | | Line Amount Total | | 437.43 |
| 90947 | 08/30/22 | V00023 | Patrick's Enterprises, Inc. | 8.00 | |
| 124590 | | 122144 | M&R Transit Shed-T.S. 1 | | 8.00 |
| | | | Line Amount Total | | 8.00 |
| 90948 | 08/30/22 | V00041 | Evco Industrial Hardware | 169.65 | |
| 124713 | | 122262 | M&R TOE-Gantry Crane | | 84.83 |
| 124713 | | 122262 | M&R TOE-Gantry Crane | | 84.82 |
| | | | Line Amount Total | | 169.65 |
| 90949 | 08/30/22 | V00044 | Ready Refresh | 507.54 | |
| 124667 | | 122243 | Office Supplies | | 65.08 |
| 124667 | | 122243 | Office Supplies | | 32.54 |
| 124667 | | 122243 | Office Supplies | | 8.14 |
| 124667 | | 122243 | Office Supplies | | 32.54 |
| 124667 | | 122243 | Office Supplies | | 336.70 |
| 124667 | | 122243 | Office Supplies | | 32.54 |
| | | | Line Amount Total | | 507.54 |

Vendor Expenditure

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| Check No. | Check Date | Vendor No. | Vendor Name | Check Amount | |
|-----------------------|---------------|--|--------------------------------------|------------------|--|
| Invoice No. | PO No. | GL Account Name | Line Description | Line Amount | |
| 90950 08/30/22 | V00049 | Brazos Fasteners | | 105.49 | |
| 124710 | 122265 | | M&R TOE-Hyster Forklift 440 | 15.70 | |
| 124724 | 122283 | | M&R TOE-JLG 80 HX Manlift | 15.54 | |
| 124725 | 122284 | | M&R TOE-JLG 80 HX Manlift | 74.25 | |
| | | | Line Amount Total | 105.49 | |
| 90951 08/30/22 | V00054 | Summit Electric Supply | | 2,407.38 | |
| 124654 | 122213 | | M&R Terminal Facilities-Other | 552.20 | |
| 124655 | 122214 | | M&R Bldgs-Admin Bldg 1100 Cherry St | 295.70 | |
| 124656 | 122215 | | M&R Terminal Facilities-Other | 80.00 | |
| 124657 | 122216 | | M&R Leased Facilities-24A (Chiquita) | 66.38 | |
| 124668 | 122237 | | M&R Leased Facilities-24A (Chiquita) | 168.38 | |
| 124669 | 122238 | | M&R Terminal Facilities-Other | 203.60 | |
| 124670 | 122239 | | M&R Docks-Dock Berth 1 | 997.98 | |
| 124671 | 122240 | | Maint and Operations Supplies | 43.14 | |
| | | | Line Amount Total | 2,407.38 | |
| 90952 08/30/22 | V00062 | AT&T Mobility | | 351.28 | |
| 124722 | 122290 | | Telephone | 87.82 | |
| 124722 | 122290 | | Telephone | 219.55 | |
| 124722 | 122290 | | Telephone | 43.91 | |
| | | | Line Amount Total | 351.28 | |
| 90953 08/30/22 | V00067 | Quill Corporation | | 259.73 | |
| 124693 | 122255 | | Office Supplies | 156.99 | |
| 124693 | 122255 | | Office Supplies | 99.99 | |
| 124693 | 122255 | | Postage and Freight | 2.75 | |
| | | | Line Amount Total | 259.73 | |
| 90954 08/30/22 | V00071 | Verizon Wireless | | 322.38 | |
| 124735 | 122291 | | Telephone | 62.99 | |
| 124735 | 122291 | | Telephone | 69.44 | |
| 124735 | 122291 | | Telephone | 189.95 | |
| | | | Line Amount Total | 322.38 | |
| 90955 08/30/22 | V00084 | Crain, Caton & James | | 70,440.75 | |
| 124698 | 122275 | | Legal Fees | 13,500.00 | |
| 124699 | 122276 | | Legal Fees | 55,140.75 | |
| 124700 | 122277 | | Legal Fees | 1,800.00 | |
| | | | Line Amount Total | 70,440.75 | |
| 90956 08/30/22 | V00086 | Blank Rome | | 2,669.00 | |
| 124697 | 122273 | | Legal Fees | 1,727.00 | |
| 124708 | 122274 | | Legal Fees | 942.00 | |
| | | | Line Amount Total | 2,669.00 | |
| 90957 08/30/22 | V00088 | Blue Cross Blue Shield of Texas | | 67,508.36 | |
| 124723 | 122281 | | Other Receivables | 992.77 | |
| 124736 | 122282 | | Group Medical Insurance | 10,424.08 | |
| 124736 | 122282 | | Group Medical Insurance | 7,942.16 | |
| 124736 | 122282 | | Group Medical Insurance | 22,833.71 | |
| 124736 | 122282 | | Group Medical Insurance | 496.39 | |
| 124736 | 122282 | | Group Medical Insurance | 6,949.39 | |
| 124736 | 122282 | | Group Medical Insurance | 992.77 | |
| 124736 | 122282 | | Group Medical Insurance | 1,985.54 | |
| 124736 | 122282 | | Group Medical Insurance | 5,956.62 | |
| 124736 | 122282 | | Group Medical Insurance | 4,963.85 | |

Vendor Expenditure

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| Check No. | Check Date | Vendor No. | Vendor Name | Check Amount | |
|--------------|-----------------|-----------------|---|------------------|--|
| Invoice No. | PO No. | GL Account Name | Line Description | Line Amount | |
| 124736 | 122282 | | Group Medical Insurance | 1,985.54 | |
| 124736 | 122282 | | Group Medical Insurance | 1,985.54 | |
| | | | Line Amount Total | 67,508.36 | |
| 90958 | 08/30/22 | V00090 | Cordoba Law Firm, P.L.L.C. | 181.50 | |
| 124711 | 122278 | | Construction in Progress | 181.50 | |
| | | | Line Amount Total | 181.50 | |
| 90959 | 08/30/22 | V00101 | Sunstates Security, LLC | 37,037.92 | |
| 124731 | 122295 | | Security Service Fees | 986.04 | |
| 124732 | 122294 | | Security Service Fees | 151.47 | |
| 124733 | 122297 | | Security Service Fees | 908.25 | |
| 124741 | 122296 | | Security Service Fees | 34,992.16 | |
| | | | Line Amount Total | 37,037.92 | |
| 90960 | 08/30/22 | V00102 | ABB, Inc Marine & Ports | 8,857.80 | |
| 124674 | 119692 | | Crane 1 & 2 System Upgrade | | |
| 124674 | 119692 | | ZPMC Crane ABB Computer Systems Upgrade | 8,857.80 | |
| 124674 | 119692 | | Automation Builder & CMS Upgrade | | |
| 124674 | 119692 | | Included: Upgrade Hardware, software, spares, | | |
| 124674 | 119692 | | installation & testing | | |
| 124674 | 119692 | | Reference #: KR20050701-D1 | | |
| 124674 | 119692 | | Proprietary Vendor | | |
| 124674 | 119692 | | Commission Approved 11/17/2021 | | |
| | | | Line Amount Total | 8,857.80 | |
| 90961 | 08/30/22 | V00114 | AT&T:171-799-3737 001 | 726.10 | |
| 124721 | 122299 | | Telephone | 141.65 | |
| 124721 | 122299 | | Telephone | 70.87 | |
| 124721 | 122299 | | Telephone | 283.18 | |
| 124721 | 122299 | | Telephone | 17.72 | |
| 124721 | 122299 | | Telephone | 70.94 | |
| 124721 | 122299 | | Telephone | 17.72 | |
| 124721 | 122299 | | Telephone | 17.72 | |
| 124721 | 122299 | | Telephone | 35.43 | |
| 124721 | 122299 | | Telephone | 70.87 | |
| | | | Line Amount Total | 726.10 | |
| 90962 | 08/30/22 | V00149 | Brazoria Chamber of Commerce | 240.00 | |
| 124709 | 122270 | | Dues & Memberships & Licenses | 240.00 | |
| | | | Line Amount Total | 240.00 | |
| 90963 | 08/30/22 | V00178 | Waypoint | 5,079.50 | |
| 124685 | 122112 | | Contract Services | 5,079.50 | |
| 124685 | 122112 | | Veeam BR & O365 License/Support Renewals | | |
| 124685 | 122112 | | Yearly Renewals of Backup Software | | |
| 124685 | 122112 | | Quote # AAAQ13953 | | |
| | | | Line Amount Total | 5,079.50 | |
| 90964 | 08/30/22 | V00196 | Hydradyne, LLC | 57.72 | |
| 124665 | 122242 | | M&R TOE-Gantry Crane | 28.86 | |
| 124665 | 122242 | | M&R TOE-Gantry Crane | 28.86 | |
| | | | Line Amount Total | 57.72 | |
| 90965 | 08/30/22 | V00214 | McFarland PLLC | 18,453.24 | |
| 124702 | 122272 | | Construction in Progress | 18,450.00 | |
| 124702 | 122272 | | Construction in Progress | 3.24 | |
| | | | Line Amount Total | 18,453.24 | |

Vendor Expenditure

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| Check No. | Check Date | Vendor No. | Vendor Name | Check Amount | |
|--------------|-----------------|-----------------|--|-----------------|----------|
| Invoice No. | PO No. | GL Account Name | Line Description | Line Amount | |
| 90966 | 08/30/22 | V00219 | Toyotalift of Houston | 616.17 | |
| 124718 | 122264 | | M&R TOE-Toyota Forklift | | 616.17 |
| | | | Line Amount Total | | 616.17 |
| 90967 | 08/30/22 | V00258 | HubSpot, Inc. | 3,600.00 | |
| 124701 | 122259 | | Contract Services | | 3,600.00 |
| | | | Line Amount Total | | 3,600.00 |
| 90968 | 08/30/22 | V00291 | Moore Supply | 23.77 | |
| 124715 | 122279 | | M&R Transit Shed-T.S. 1 | | 23.77 |
| | | | Line Amount Total | | 23.77 |
| 90969 | 08/30/22 | V00364 | Brazosport Plumbing & Heating | 675.00 | |
| 124726 | 122285 | | M&R Bldgs-Admin Bldg 1100 Cherry St | | 675.00 |
| | | | Line Amount Total | | 675.00 |
| 90970 | 08/30/22 | V00389 | Austin Seth | 355.50 | |
| 124707 | 122269 | | Sales/Promotion Travel | | 139.00 |
| 124707 | 122269 | | Office Supplies | | 216.50 |
| | | | Line Amount Total | | 355.50 |
| 90971 | 08/30/22 | V00436 | Ultima Media | 4,000.00 | |
| 124694 | 122198 | | Auto Logistics Magazine full page Ad | | |
| 124694 | 122198 | | FTZ Advertising | | 4,000.00 |
| | | | Line Amount Total | | 4,000.00 |
| 90972 | 08/30/22 | V00438 | ODP Business Solutions LLC | 1,280.00 | |
| 124739 | 121866 | | EOC Command Center Chairs | | 1,280.00 |
| 124739 | 121866 | | Realspace Hurston Task Chair, Black (Item# 219491) | | |
| | | | Line Amount Total | | 1,280.00 |
| 90973 | 08/30/22 | V00625 | PAS Property Acquisition Services LLC | 1,375.00 | |
| 124705 | 122268 | | Construction in Progress | | 1,375.00 |
| | | | Line Amount Total | | 1,375.00 |
| 90974 | 08/30/22 | V00667 | ECR-EI Campo Refrigeration | 859.20 | |
| 124712 | 122260 | | M&R Bldgs-Buildings VT Berth 7 | | 859.20 |
| | | | Line Amount Total | | 859.20 |
| 90975 | 08/30/22 | V00668 | DARE Capital Partners, LLC | 1,254.09 | |
| 124703 | 122266 | | M&R Other-Mowing, Weed Control Etc | | 1,144.75 |
| 124703 | 122266 | | Contract Labor Expense | | 109.34 |
| | | | Line Amount Total | | 1,254.09 |
| 90976 | 08/30/22 | V00768 | Tamara L. Kuchar | 192.07 | |
| 124719 | 122280 | | Flexible Spending Emp Reimbursement | | 192.07 |
| | | | Line Amount Total | | 192.07 |
| 90977 | 08/30/22 | V00770 | UniFirst Holdings Inc. | 14.00 | |
| 124695 | 117829 | | Annual Contract - Ops Employees uniforms, mats | | |
| 124695 | 117829 | | towels, soap etc. | | |
| 124695 | 117829 | | Maint and Operations Supplies | | |
| 124695 | 117829 | | Other Receivables | | |
| 124695 | 117829 | | M&R Bldgs-Operations Bldg | | |
| 124695 | 117829 | | Annual Contract - EOC mats, soap etc. | | |
| 124695 | 117829 | | M&R Bldgs-Security Bldg | | |
| 124695 | 117829 | | M&R Bldgs-Security Bldg | | 14.00 |
| 124695 | 117829 | | Annual Contract - Admin mats, soap etc. | | |

Vendor Expenditure

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Port Freeport

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| Check No. | Check Date | Vendor No. | Vendor Name | Check Amount | |
|---|-----------------|-----------------|--|---------------------|-------------|
| Invoice No. | PO No. | GL Account Name | Line Description | | Line Amount |
| 124695 | 117829 | | M&R Bldgs-Admin Bldg 1100 Cherry St | | |
| 124695 | 117829 | | M&R Bldgs-Security Bldg | | |
| 124695 | 117829 | | M&R Bldgs-Operations Bldg | | |
| 124695 | 117829 | | Other Receivables | | |
| 124695 | 117829 | | Maint and Operations Supplies | | |
| 124695 | 117829 | | 3Year Aggreement Effective June 2021 - May 2023 | | |
| 124695 | 117829 | | M&R Bldgs-Admin Bldg 1100 Cherry St | | |
| 124695 | 117829 | | CHANGE ORDER #1 | | |
| 124695 | 117829 | | 2% Annual Increase based on BuyBoard - No auto | | |
| 124695 | 117829 | | Maint and Operations Supplies | | |
| 124695 | 117829 | | renewal after the end of Year 3 | | |
| 124695 | 117829 | | Year 1 of 3 Year Agreement June 2021 - May 2022 | | |
| 124695 | 117829 | | Maint and Operations Supplies | | |
| 124695 | 117829 | | Maint and Operations Supplies | | |
| | | | | Line Amount Total | 14.00 |
| 90978 | 08/30/22 | V00808 | Whitener Enterprises Inc. | 3,309.00 | |
| 124743 | 122123 | | 700 Gallons of Unleaded Gasoline | | 2,226.00 |
| 124743 | 122123 | | 300 Gallons of Diesel | | 1,083.00 |
| | | | | Line Amount Total | 3,309.00 |
| 90979 | 08/30/22 | V00878 | Modern System Concepts, Inc. | 1,850.00 | |
| 124738 | 121771 | | M&R IT Equipment- Man Hours | | 1,680.00 |
| 124738 | 121771 | | M&R IT Equipment-Trip Fees | | 170.00 |
| 124738 | 121771 | | NTE for 16 hours labor to clean cameras throughout | | |
| 124738 | 121771 | | the Port | | |
| | | | | Line Amount Total | 1,850.00 |
| 90980 | 08/30/22 | V00892 | City of Iowa Colony | 20.00 | |
| 124728 | 122289 | | Community Events | | 20.00 |
| | | | | Line Amount Total | 20.00 |
| 90981 | 08/30/22 | V00893 | The Detail Shop | 150.00 | |
| 124745 | 122300 | | M&R Docks-Dock Berth 7-VT | | 150.00 |
| | | | | Line Amount Total | 150.00 |
| 90982 | 08/31/22 | V00452 | Breakbulk US OPCO Inc. | 9,000.00 | |
| 124747 | 120123 | | Commerical Event-JOC Breakbulk-Business | | 9,000.00 |
| 124747 | 120123 | | Developmen | | |
| 124747 | 120123 | | Breakbulk Americas 2022 Sep 27-29 Conference | | |
| 124747 | 120123 | | Booth | | |
| 124747 | 120123 | | 10X20 | | |
| | | | | Line Amount Total | 9,000.00 |
| Texas Gulf Bank Accounts Payable | | | | 5,042,644.09 | |



1100 CHERRY ST. • FREEPORT, TX 77541
(979) 233-2667 • 1 (800) 362-5743 • FAX: (979) 373-0023
WWW.PORTFREEPORT.COM

TO: Port Commissioners
Executive Director/CEO

FROM: Rob Lowe

DATE: September 15, 2022

SUBJECT: FLNG Tax Abatement Modification

Freeport LNG Development, LP and FLNG Liquefaction 4, LLC have submitted a request to modify our tax abatement agreement for Train 4. Per the attached letter, Freeport LNG estimated construction of Train 4 would begin in 2022, however due to commercialization issues, they are now anticipating beginning construction in 2024. As such, the agreement would be modified to begin in 2025 as opposed to the current 2023 start date. Brazoria County approved their modification on August 9, 2022.

Summary of changes:

IV. VALUE AND TERM OF ABATEMENT

4.01 This Tax Abatement shall be effective January 1, ~~2023-2025~~ and shall continue for a period of ten (10) years, or one-half (½) the productive life of the improvements, whichever is less. One hundred percent (100%) of the value of New Eligible Properties shall be abated subject to Section 4.03 herein below.

4.02 Pursuant to the above-provisions and subject to Section 4.03 herein below, the term of abatement under this Agreement shall commence January 1, ~~2023-2025~~ and continue through December 31, ~~20322034~~. The benefits of abatement shall continue throughout the last year in which abatement is applied ~~as long as~~ the property and property owner continue to qualify for abatement throughout the last

4.04 The payment obligation under Section 4.03 is a continuing obligation. Owner understands and agrees that this Agreement mandates that Owner's abated improvements be in active service and operation as part of a facility operating in a producing capacity for a period of twenty (20) years from the effective commencement date of this agreement (to December 31, ~~20422044~~) in order for Owner to receive ten (10) full years of abatement that are not subject to the term reduction and recapture/payment obligation provisions of Section 4.03 of this Agreement.

PORT COMMISSION

JOHN HOSS, CHAIRMAN; RUDY SANTOS, VICE CHAIRMAN; DAN CROFT, SECRETARY; ROB GIESECKE, ASST. SECRETARY;
RAVI K. SINGHANIA, COMMISSIONER; SHANE PIRTLE, COMMISSIONER; PHYLLIS SAATHOFF, EXECUTIVE DIRECTOR/CEO

6.05 The Owner ~~estimated in its application that construction of the improvements will begin in March of 2022 with completion estimated in the first quarter of 2026~~estimates that construction of the improvements will begin in 2024.

VII. EVENT OF DEFAULT

7.01 During the abatement period covered by this Agreement, the Port may declare a default hereunder by the Owner if:

- (a) the Owner fails to commence construction of the new facility described in Section VI above, and the Application attached hereto as Exhibit A within two (2) years from the date this ~~Agreement-Modification~~ is executed;
- (b) the Owner fails to construct the new facility described in Section VI above;
- (c) the Owner refuses or neglects to comply with any of the terms of this Agreement;
- (d) any representation made by the Owner in this Agreement is false or misleading in any material respect; or
- (e) the constructed facility fails to meet the economic qualifications of Section 2(h) of the Port Guidelines and Criteria. The economic qualifications of Section 2(h) therein expressly include the requirement that the level of employment stated in the Application for the property that is the subject of the Tax Abatement Agreement be maintained for the duration of the abatement period.

9.04 Owner has a continuing obligation for a period of twenty (20) years from the effective commencement date of this Agreement (to December 31, ~~2042~~2044) to report to the Port any plant closure or permanent cessation of production at the abated facility and to furnish to the Port upon request a written confirmation as to whether or not the abated improvements are in service as part of a producing facility or, if applicable, a statement of the beginning and ending dates of production from and/or the beginning and ending dates of operation of the abated facility improvements; or to provide other similar information necessary to determine the actual or estimated productive life of the abated improvements.



Mr. Rob Lowe
Director of Administration / CFO
Port Freeport
110 Cherry Street
Freeport, Texas 77541

September 1, 2022

RE: Tax Abatement Agreement with Freeport LNG Development, LP and FLNG Liquefaction 4, LLC for Property Located in Freeport LNG Brazoria County Reinvestment Zone No. 21.01 (the Abatement Agreement)

Dear Mr. Lowe

Freeport LNG Development, LP on behalf of itself and FLNG Liquefaction, 4, LLC hereby respectfully requests the terms of the Abatement Agreement be modified in accordance with Section 13.01 by the Port Commission as set forth herein. Section 4.01 and Section 4.02 of the Abatement Agreement currently state that "this Tax Abatement shall be effective January 1, 2023..." and "...the term of the Abatement under this Agreement shall commence January 1, 2023", respectively.

At the time of entering into this tax abatement agreement, Freeport LNG estimated that construction on the Train 4 project would begin in 2022, or later. However, due to circumstances beyond our control, largely related to issues surrounding the commercialization of Train 4, we may not commence construction on the Eligible Property, as described in Section 2.01c of the Abatement Agreement, until 2024.

As a result of the construction delays mentioned above, no on-site capital investment will have been made in 2023 and Freeport LNG would receive zero benefit for the first tax year, 2023. Therefore, we respectfully request Port Freeport Commissioners to modify the Abatement Agreement as necessary so that January 1, 2025 will be the new effective date and the first year of the ten-year abatement period. Additionally, we request the following modifications, the correspondence and related dates in Sections 4.01, 4.02, 4.04, 6.05, and 9.04 of the Abatement Agreement be increased by a year.

Freeport LNG Development, L.P.

333 Clay Street, Suite 5050 • Houston, Texas 77002-4173 • Phone: 713-980-2888 • Fax: 713-980-2903



In the event that on-site capital investment begins in 2023, we understand that the Agreement will become effective January 1 following the start of construction, or January 1, 2024.

Please let us know if you have any questions or require any additional information.

Best Regards,

A handwritten signature in blue ink that reads "Anne-Marie Suire".

Anne-Marie Suire

Head of Tax

Freeport LNG Development, L.P.

333 Clay Street, Suite 5050

Houston, TX 77002

Freeport LNG Development, L.P.

333 Clay Street, Suite 5050 • Houston, Texas 77002-4173 • Phone: 713-980-2888 • Fax: 713-980-2903



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TO: Executive Director/CEO
Port Commissioners
Legal Counsel

FROM: Director of Business and Economic Development

DATE: September 22, 2022

SUBJECT: General Rate Adjustment to Port Freeport Tariff No. 005

On August 25, staff met with the Finance Advisory Committee and recommended a 5% General Rate Adjustment to Port Freeport Tariff No. 005, with some rates being adjusted on a case-by-case basis, to be effective October 01, 2022.

Port Freeport's last General Rate Adjustment was also 5% and took effect October 01, 2021. The change in Consumer Price Index from October 2021 to June 2022 was 8.23%. Staff realizes the change in Consumer Price Index is greater than the proposed adjustment yet is cognizant that back-to-back years of 5% tariff increases is not a circumstance that the Port's customers are accustomed to. Staff recommends adopting a 3-year period wherein total tariff adjustments do not lag far behind the total change in consumer price index for the same period. This approach was supported by the Finance Advisory Committee.

On September 09, staff met with Port Partners, Tenants and Users to receive comments and answer questions about the proposed General Rate Adjustment. The materials were provided to the invitee in advance. There was no feedback received during the meeting that would change staff's recommendation.

Today, staff recommends a 5% General Rate Adjustment to Port Freeport Tariff No. 005, with some rates being adjusted on a case-by-case basis to be effective October 01, 2022.

(continued)

[PORT COMMISSION](#)

JOHN HOSS, CHAIRMAN; RUDY SANTOS, VICE CHAIRMAN; DAN CROFT, SECRETARY; ROB GIESECKE, ASST. SECRETARY.
RAVI K. SINGHANIA, COMMISSIONER; SHANE PIRTLE, COMMISSIONER; PHYLLIS SAATHOFF, EXECUTIVE DIRECTOR/CEO

Finance Advisory Committee

General Rate Adjustment to Port Freeport Tariff No. 005

September 22, 2022

Page 2

Enclosed please the memo from August 25 to the Finance Advisory Committee, a spreadsheet that outlines the rate adjustments and a redline and clean version of the tariff.



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(979) 233-2667 • 1 (800) 362-5743 • FAX: (979) 373-0023
WWW.PORTFREEPORT.COM

TO: Executive Director/CEO
Port Commissioners
Legal Counsel

FROM: Director of Business and Economic Development

DATE: August 25, 2022

SUBJECT: General Rate Adjustment to Port Freeport Tariff No. 005

Staff recommends a 5% General Rate Adjustment to Port Freeport Tariff No. 005, with some rates being adjusted on a case-by-case basis effective October 01, 2022.

Please note the below CPI table published by U.S. Bureau of Labor Statistics.

| CPI for All Urban Consumers (CPI-U) | | | | | | |
|-------------------------------------|--------------------------------------|---------|---------|---------|---------|---------|
| Area: | Houston-The Woodlands-Sugar Land, TX | | | | | |
| Years: | 2017 to 2022 | | | | | |
| Year | Feb | Apr | Jun | Aug | Oct | Dec |
| 2017 | 219.061 | 219.852 | 220.805 | 221.255 | 223.213 | 221.568 |
| 2018 | 224.711 | 225.116 | 227.393 | 226.307 | 228.070 | 226.557 |
| 2019 | 226.804 | 229.261 | 229.316 | 229.423 | 230.041 | 228.765 |
| 2020 | 230.147 | 226.387 | 228.898 | 228.978 | 229.885 | 230.388 |
| 2021 | 232.442 | 236.604 | 239.374 | 241.088 | 243.813 | 245.509 |
| 2022 | 250.563 | 256.668 | 263.874 | | | |
| DELTA OCT 21 - JUN 22 | | 8.23% | | | | |

Port Freeport's last tariff adjustment of 5% took effect October 01, 2022. The above CPI table reflects an 8.23% increase since the last adjustment.

Staff realizes that CPI is greater than the proposed adjustment yet is cognizant that back-to-back years of 5% tariff increase is not a circumstance that our customers are accustomed to. Staff recommends monitoring the current inflationary environment while maintaining a multi-year approach to ensure that the tariff adjustments do not lag far behind CPI.

If the Finance Committee supports this approach, then staff will hold a meeting with Port partners, tenants and users to advise the proposed rate adjustment and then request a subsequent committee

[PORT COMMISSION](#)

JOHN HOSS, CHAIRMAN; RUDY SANTOS, VICE CHAIRMAN; DAN CROFT, SECRETARY; ROB GIESECKE, ASST. SECRETARY.
RAVI K. SINGHANIA, COMMISSIONER; SHANE PIRTLE, COMMISSIONER; PHYLLIS SAATHOFF, EXECUTIVE DIRECTOR/CEO

Finance Advisory Committee

General Rate Adjustment to Port Freeport Tariff No. 005

August 25, 2022

Page 2

meeting to provide the committee feedback before seeking final Port Commission approval of the adjustment.

| | | 2021 | | | 2022 | | | |
|-------------|---|-------------|---------------------|-------------|---------------|---------------------|-------------|-----------|
| TARIFF ITEM | DESCRIPTION | RATE | UNIT OF MEASURE | NEW MINIMUM | PROPOSED RATE | UNIT OF MEASURE | NEW MINIMUM | DELTA |
| 305 | Disposal of oily residue and waste | \$ 0.21 | Per barrel | \$ 105.00 | \$ 0.22 | Per barrel | \$ 110.25 | 5.0% |
| 330 | Berth Applications and arrangements | \$ 840.00 | vacate penalty/hr | | \$ 882.00 | vacate penalty/hr | | 5.0% |
| 335 | Bunkers | \$ 0.19 | Per barrel | \$ 31.50 | \$ 0.20 | Per barrel | \$ 33.00 | 5.0% |
| 340 | Cleanliness of Premises | \$ 137.55 | Per 1k cargo tons | \$ 200.00 | \$ 144.43 | Per 1k cargo tons | \$ 210.00 | 5.0% |
| 385 | Port Security- Unarmed Security | Cost +20% | Per Hour ST | | | Per Hour ST | | |
| 385 | Port Security- Armed Security | Cost +20% | Per Hour OT | | | Per Hour OT | | |
| 385 | Port Security- Waterside Patrol | \$ 257.50 | Per Hour | | \$ 270.38 | Per Hour | | 5.0% |
| 390 | Port Security Fees Vessels | 9.73% | of Dockage | | 10.22% | of Dockage | | 5.0% |
| 390 | Port Security Fees Break-Bulk | \$ 0.22 | Per Ton | | \$ 0.23 | Per Ton | | 5.0% |
| 390 | Port Security Fees Bulk Cargo | \$ 0.08 | Per Ton | | \$ 0.08 | Per Ton | | NO CHANGE |
| 390 | Port Security Fees Containers | \$ 4.33 | Per Container | | \$ 4.54 | Per Container | | 5.0% |
| 390 | Port Security Fees Vehicles | \$ 1.40 | Per Unit | | \$ 1.47 | Per Unit | | 5.3% |
| 390 | Port Security Fees Railcars | \$ 25.00 | Per Car | | \$ 26.25 | Per Car | | 5.0% |
| 405 | Stevedore Contractor License | \$ 2,835.00 | Application | | \$ 2,976.75 | Application | | 5.0% |
| 405 | Stevedore Contractor License Renewal | \$ 1,155.00 | Per Year | | \$ 1,212.75 | Per Year | | 5.0% |
| 405 | Port Service Charge | \$ 0.40 | Per Ton | NO CHANGE | \$ 0.40 | Per Ton | | 0.0% |
| 410 | Permits - Hot Work | \$ 97.00 | each | | \$ 101.85 | each | | 5.0% |
| 410 | Permits - Over Dimensional/Overweight | \$ 570.00 | each | | \$ 598.50 | each | | 5.0% |
| 415 | Dockage 0 to 199' | \$ 3.14 | Per foot | | \$ 3.29 | Per foot | | 5.0% |
| 415 | Dockage 200 to 399 | \$ 3.98 | Per foot | | \$ 4.18 | Per foot | | 5.0% |
| 415 | Dockage 400 to 499 | \$ 5.49 | Per foot | | \$ 5.77 | Per foot | | 5.0% |
| 415 | Dockage 500 to 599 | \$ 7.47 | Per foot | | \$ 7.85 | Per foot | | 5.0% |
| 415 | Dockage 600 to 699 | \$ 8.74 | Per foot | | \$ 9.18 | Per foot | | 5.0% |
| 415 | Dockage 700 to 799 | \$ 11.02 | Per foot | | \$ 11.57 | Per foot | | 5.0% |
| 415 | Dockage 800 to 899 | \$ 13.51 | Per foot | | \$ 14.18 | Per foot | | 5.0% |
| 415 | Dockage 900 and Over | \$ 15.97 | Per foot | | \$ 16.77 | Per foot | | 5.0% |
| 415 | Barges @ Dock 4 Only | \$ 192.85 | Per Barge | | \$ 202.50 | Per Barge | | 5.0% |
| 415 | Barges, Intercoastal or river (minimum) | \$ 192.85 | Per 24-hour period | | \$ 202.50 | Per 24-hour period | | 5.0% |
| 415 | Supply boats | \$ 964.34 | Per day | | \$ 1,012.56 | Per day | | 5.0% |
| 420 | Shed Hire Up to 500 Net tons | \$ 451.08 | each | | \$ 473.63 | each | | 5.0% |
| 420 | Shed Hire 501 to 1000 Net tons | \$ 631.74 | each | | \$ 663.33 | each | | 5.0% |
| 420 | Shed Hire 1001 to 5000 Net tons | \$ 836.26 | each | | \$ 878.08 | each | | 5.0% |
| 420 | Shed Hire 5001 Net tons and over | \$ 1,216.90 | each | | \$ 1,277.74 | each | | 5.0% |
| 445 | Equipment - Forklift 5000 to 6000 | \$ 27.27 | Per Hour | 2 Hours | \$ 28.63 | Per Hour | 2 Hours | 5.0% |
| 445 | Equipment - Forklift 15000 | \$ 45.44 | Per Hour | 2 Hours | \$ 47.72 | Per Hour | 2 Hours | 5.0% |
| 445 | Equipment - Forklift Hyster | \$ 187.48 | Per Hour | 2 Hours | \$ 196.85 | Per Hour | 2 Hours | 5.0% |
| 445 | Equipment - Forklift 8000 | \$ 32.95 | Per Hour | 2 Hours | \$ 34.60 | Per Hour | 2 Hours | 5.0% |
| 445 | Equipment - Container Handler/Top Loader | \$ 185.21 | Per Hour | 2 Hours | \$ 194.47 | Per Hour | 2 Hours | 5.0% |
| 445 | Equipment - Yard Truck | \$ 42.04 | Per Hour | 2 Hours | \$ 44.14 | Per Hour | 2 Hours | 5.0% |
| 445 | Equipment - Power Sweeper | \$ 42.04 | Per Hour | 2 Hours | \$ 44.14 | Per Hour | 2 Hours | 5.0% |
| 445 | Equipment - Street Sweeper | \$ 162.23 | Per Hour | 2 Hours | \$ 170.34 | Per Hour | 2 Hours | 5.0% |
| 445 | Equipment - 80' Manlift | \$ 102.74 | Per Hour | 2 Hours | \$ 107.88 | Per Hour | 2 Hours | 5.0% |
| 445 | Equipment - 135' Manlift | \$ 173.04 | Per Hour | 2 Hours | \$ 181.69 | Per Hour | 2 Hours | 5.0% |
| 445 | Equipment - Scissor Lift | \$ 54.08 | Per Hour | 2 Hours | \$ 56.78 | Per Hour | 2 Hours | 5.0% |
| 445 | Pallets | \$ 1.41 | Per Ton | \$ - | \$ 1.48 | Per Ton | \$ - | 5.0% |
| 445 | Equipment - Gantry Crane | \$ 840.00 | Per Hour | 4 Hours | \$ 882.00 | Per Hour | 4 Hours | 5.0% |
| 445 | Equipment- Gantry Crane Overtime | \$ 862.50 | Per Hour | \$ 862.50 | \$ 905.62 | Per Hour | \$ 862.50 | 5.0% |
| 445 | Equipment - Gantry Crane Gang Detention Credit | \$ (140.00) | Per 5 minutes | Per 5 min | \$ (140.00) | Per 5 minutes | Per 5 min | NO CHANGE |
| 475 | Water - Fresh water | \$ 16.25 | Per 1000 Gallons | \$ 97.50 | \$ 19.15 | Per 1000 Gallons | \$ 115.00 | 17.8% |
| 475 | Water - Connection | \$ 56.25 | each | \$ - | \$ 59.06 | each | \$ - | 5.0% |
| 475 | Water - Connection at Overtime | \$ 103.00 | each | \$ - | \$ 108.15 | each | \$ - | 5.0% |
| 475 | Water - Hoses | \$ 83.00 | for all hoses | \$ - | \$ 87.15 | for all hoses | \$ - | 5.0% |
| 480 | Patrol Services | \$ 111.00 | Per Day | \$ - | \$ 116.55 | Per Day | \$ - | 5.0% |
| 485 | Information Technology Fees- Dedicated Talk Group | \$ 210.00 | Annually | NO CHANGE | \$ 220.50 | Annually | | 5.0% |
| 485 | Information Technology Fees- Radio Usage | \$ 8.50 | Per Radio Per Month | NO CHANGE | \$ 8.93 | Per Radio Per Month | | 5.0% |
| 485 | Information Technology Fees- EOC IDF Device | \$ 55.00 | Per Month | | \$ 57.75 | Per Month | | 5.0% |
| 485 | Information Technology Fees- EOC Rack Space | \$ 110.00 | Per Month | | \$ 115.50 | Per Month | | 5.0% |
| 485 | Information Technology Fees- Fiber | \$ 110.00 | Per Month | | \$ 115.50 | Per Month | | 5.0% |
| 500 | Incidental Services - Labor | \$ 61.00 | Per Hour | \$ - | \$ 64.05 | Per Hour | \$ - | 5.0% |
| 505 | Truck Scales | \$ 12.00 | per truck | \$ - | \$ 12.00 | per truck | \$ - | 0.0% |
| 540 | Minimum Invoice | \$ 52.50 | per invoice | | \$ 55.00 | per invoice | | 4.8% |
| 575 | Wharfage - Bulk | \$ 0.81 | Per ton | \$ - | \$ 0.85 | Per ton | \$ - | 5.0% |
| 575 | Wharfage - Rice by Truck / Rail | \$ 0.79 | Per Ton | \$ - | \$ 0.83 | Per Ton | \$ - | 5.0% |
| 575 | Wharfage - Crude / Petroleum by Truck | \$ 22.28 | per truck | \$ - | \$ 23.40 | per truck | \$ - | 5.0% |

| TARIFF ITEM | DESCRIPTION | RATE | UNIT OF MEASURE | NEW MINIMUM | PROPOSED RATE | UNIT OF MEASURE | NEW MINIMUM | DELTA |
|-------------|--|-------------|---------------------|--|---------------|---------------------|---|-------|
| 586 | Terminal Use Charges- Containers | \$ 52.50 | per container unit | 7 days free time and \$5/TEU/Day thereafter | \$ 55.00 | per container unit | 7 days free time and \$5.50/TEU/Day thereafter | 4.8% |
| 586 | Terminal Use Charges- Rail Cars | \$ 210.00 | Per loaded rail car | 7 days free time and \$15/car/day thereafter | \$ 220.50 | Per loaded rail car | 7 days free time and \$15.75/car/day thereafter | 5.0% |
| 586 | Terminal Use Charges | \$ 0.87 | Per Ton | \$ - | \$ 0.92 | Per Ton | \$ - | 5.0% |
| 586 | Terminal Use Charges- Acreage | \$ 3,635.92 | Per Acre | \$ - | \$ 3,817.71 | Per Acre | \$ - | 5.0% |
| 586 | Terminal Use Charges- Warehouse | \$ 0.50 | Per Sq. Ft. | \$ - | \$ 0.53 | Per Sq. Ft. | \$ - | 5.0% |
| 586 | Terminal Use Charges- Office Space | \$ 4.55 | Per Sq. Ft. | \$ - | \$ 4.77 | Per Sq. Ft. | \$ - | 5.0% |
| 586 | Terminal Use Charges- Third Party | \$ 2.27 | Per Ton | \$ - | \$ 2.38 | Per Ton | \$ - | 5.0% |
| 625 | Wharfage - Containers | \$ 3.30 | Per Ton | \$ - | \$ 3.46 | Per Ton | \$ - | 5.0% |
| 635 | Wharfage - NOS | \$ 2.75 | Per Ton | \$ - | \$ 2.89 | Per Ton | \$ - | 5.0% |
| 640 | Wharfage - New and Used Passenger Vehicles | \$ 7.67 | Per Auto | \$ - | \$ 8.05 | Per Auto | \$ - | 5.0% |
| 640 | Wharfage - All other RoRo Cargo | \$ 4.33 | Per Ton | \$ - | \$ 4.54 | Per Ton | \$ - | 5.0% |
| 640 | Wharfage - Passenger Vehicles not on ship | \$ 15.33 | Per Auto | \$ - | \$ 16.10 | Per Auto | \$ - | 5.0% |
| 640 | Security Fee - Passenger Vehicles not on Ship | \$ 2.88 | Per Auto | \$ - | \$ 3.02 | Per Auto | \$ - | 5.0% |
| 640 | Wharfage - All other Roro cargo not on ship | \$ 8.65 | Per Ton | \$ - | \$ 9.08 | Per Ton | \$ - | 5.0% |
| 640 | Security Fee- All other Roro cargo not on ship | \$ 9.17 | Per Unit | \$ - | \$ 9.63 | Per Unit | \$ - | 5.0% |
| 710 | Wharfage - Rice | \$ 2.54 | per ton | | \$ 2.67 | per ton | | 5.0% |
| 720 | Wharfage - Project Cargo | \$ 2.75 | Per ton or CBM | \$ - | \$ 2.89 | Per ton or CBM | \$ - | 5.0% |
| 721 | Wharfage - Wind | \$ 2.75 | Per Ton | \$ - | \$ 2.89 | Per Ton | \$ - | 5.0% |
| 721 | Wharfage - Wind | \$ 1.75 | Per CBM | \$ - | \$ 1.84 | Per CBM | \$ - | 5.0% |
| 724 | Temporary Dredge Pipeline Right of Way | \$ 541.06 | application fee | \$5100 deposit | \$ 541.06 | \$5100 deposit | \$ - | 0.0% |
| 724 | Pipeline not over 8" | \$ 3.00 | per LF per pipe | | \$ 3.00 | | \$ - | 0.0% |
| 724 | over 8" but not over 16" | \$ 4.15 | per LF per pipe | | \$ 4.15 | | \$ - | 0.0% |
| 724 | over 16" but not over 32" | \$ 7.95 | per LF per pipe | | \$ 7.95 | | \$ - | 0.0% |

PORT FREEPORT

TARIFF NO. 005

RATES, CHARGES, RULES, REGULATIONS AND SERVICES AVAILABLE AT PUBLIC WHARVES

**ISSUED BY
PORT FREEPORT
1100 CHERRY ST.
FREEPORT, TX 77541
TELEPHONE (979) 233-2667**

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GULF SEAPORTS MARINE TERMINAL CONFERENCE
Federal Maritime Commission Agreement 224-200163
Approved December 2, 1988

Participating Members

- (1) Board of Commissioners of the Port of New Orleans
- (2) Board of Commissioners of Lake Charles Harbor and Terminal District
- (3) Greater Baton Rouge Port Commission
- (4) Orange County Navigation and Port District of Orange, Texas
- (5) Mississippi State Port Authority at Gulfport
- (6) Port of Beaumont Navigation District of Jefferson County, Texas
- (7) Port of Houston Authority of Harris County, Texas
- (8) Board of Trustees of the Galveston Wharves
- (9) Alabama State Port Authority, Mobile, Alabama
- (10) South Louisiana Port Commission, LaPlace, Louisiana
- (11) Brownsville Navigation District of Cameron County, Texas
- (12) Port of Port Arthur Navigation District of Jefferson County, Texas
- (13) Tampa Port Authority of Hillsborough County, Florida
- (14) Port of Corpus Christi Authority
- (15) Panama City Port Authority
- (16) Port of Pensacola
- (17) Port Freeport of Brazoria County, Texas
- (18) Board of Commissioners of the Jackson County Port Authority (Port of Pascagoula)
- (19) Manatee County Port Authority of Palmetto, Florida
- (20) St. Bernard Port, Harbor and Terminal District, Chalmette, LA
- (21) Port of West St. Mary, Franklin, LA
- (22) Port Fourchon, LA

NOTICE: The Gulf Seaports Marine Terminal Conference agreement permits the participating members to discuss and agree upon port terminal rates, charges, rules, and regulations. Any such rates, charges, rules, and regulations adopted pursuant to said agreement, shall be published in the respective tariffs of said members and so identified by proper symbol and explanation.

SHIPPERS' REQUESTS AND COMPLAINTS: Shippers, or other users of the facilities and services of the members of said Conference, desiring to present requests or complaints with respect to any such rates, charges, rules, and regulations adopted pursuant to said Conference agreement, should submit the same, in writing to the Chairman of the Conference, at the address below, giving full particulars, including all relevant facts, conditions, and circumstances pertaining to the request or complaint. Should further information be required by the Conference for full consideration of the request or complaint, the Conference Chairman will so advise by mail. The said Chairman will notify such shipper or complainant of the docketing of the matter and of the date and time of the proposed meeting and if said shipper and complainant desires to be heard, he shall make request upon the Chairman in advance of the meeting

~~Richard Self~~Bill Inge
Conference Chairman c/o
~~Lake Charles Harbor &
Terminal~~Alabama State Port
Authority
PO Box 1588
Mobile, AL. 36633~~District 1611 West~~

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Issued: October 1, 202~~1~~4

Effective: October 1, 202~~1~~4

~~Sallier Street~~
~~Lake Charles, LA 70601~~

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SUBJECT: RULES AND JURISDICTION

JURISDICTION OF PORT FREEPORT

(A) The Port Commission of Port Freeport, of Brazoria County, Texas, has jurisdiction over and control of navigable waters of Port Freeport.

(B) The Commissioners constitute the Pilot Commission for the appointment of and operations of Port Freeport Pilots. The Pilots, operating as the Brazos Pilots, are appointed by the Governor of Texas upon recommendation of the Pilot and Canal Commissioners (Port Freeport Commissioners). The Commissioners have designated the Chief Executive Officer as Chief Inspector of Pilots. Pilotage rates are uniform. The Pilots are under the supervision of the Commissioners.

(C) The Commissioners have jurisdiction over and control of the use of all facilities owned by Port Freeport and over any facilities operated by Port Freeport. All port property and port leases are subject to the terms, rates and conditions of Tariff No. 5, unless otherwise specified under separate contract.

(D) The Commissioners have the authority to regulate and fix charges for the use of such waterways and facilities.

GENERAL AUTHORITY

(A) Port Freeport, publisher of this tariff, is the official contractor for the loading and unloading of all cargo received at its terminals unless authorized by the Chief Executive Officer.

(B) The docks are for the handling of intracoastal, coastwise, intercoastal, import and export cargoes exclusively. Port Freeport reserves the right to control the loading and unloading of all freight handled on these facilities, and the rates to be charged. Port Freeport will perform themselves or through their authorized agents the loading and unloading of all freight at the rates named in this tariff. Subsequent handling of freight from a point of rest constitutes an additional handling subject to handling charges provided in this tariff for loading or unloading.

(C) All users of these facilities must comply with this tariff and no user of these facilities will be permitted to deviate from the rates, rules and regulations herein prescribed unless specifically authorized by the Chief Executive Officer.

CARGO STATEMENTS

All vessels, their owners and agents shall, within five days after date of sailing of any such vessel, report to Port Freeport all cargo loaded and unloaded at all locations within Port Freeport. Such reports to show units, dimensions of units, packages, commodities, tonnage, cubic meters, and origin and destination. Any other data required for proper statistical information may be requested by the Chief Executive Officer.

Failure to file certified copies of manifests within the time specified shall constitute, in opinion of Port Freeport, cause for suspension of credit or other privileges of the vessel, until such failure is remedied.

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Issued: October 1, 2022⁺

Effective: October 1, 2022⁺

RECORDS ACCESS

Upon request by Port Freeport, vessels, their owners, agents, masters, stevedores, and all other users of the Port facilities shall produce manifests of cargo, delivery orders, dock receipts, interchanges, reports and/or other documents as required. The purpose of said requests shall be for the purpose of ascertaining the accuracy of the manifests in order to verify the proper charges are paid under this tariff or other written agreement between the parties. Said documentation shall be provided to Port Freeport following forty-eight (48) hours after request. Failure to provide accurate records (i.e., dimensions, weights, manifest, etc.), particularly those used for billing purposes by Port Freeport, may be a violation of Chapter 37 of the Texas Penal Code and federal law and may be reported to the proper authorities by Port Freeport.

DELINQUENT LIST

Port Freeport reserves the right at any time or times and without notice to deny the use of its facilities to any user who or which is delinquent in payment of its accounts for more than thirty (30) days; such denial may be continued until such accounts are fully paid up and in current status.

APPLICATION

(A) The Rates, Rules and Regulations contained in this Tariff shall apply equally to all users of the waterways and facilities of Port Freeport and shall apply on all traffic on the waterways and facilities from the effective date shown in this Tariff and on all amendments thereto.

(B) Amendments shall be issued to cover needed changes in this Tariff. However, this Tariff is subject to change at the discretion of the Port Commission.

(C) The use of the waterways and facilities under the jurisdiction of Port Freeport shall constitute consent to the terms and conditions of this Tariff and evidences an agreement on the part of all vessels, owners.

(D) This tariff is made available to the public and is accessible on the Port Freeport website, at www.portfreeport.com, pursuant to the Shipping Act of 1984, as amended, and 46 C.F.R. Section 525.2, and by hard copy upon request to Port Freeport.

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Issued: October 1, 2022⁺

Effective: October 1, 2022⁺

SUBJECT: ABBREVIATIONS

| | |
|--------|---|
| ¢ | Cents |
| \$ | Dollar |
| % | Percent |
| (A) | Addition |
| (C) | Change in wording which results in neither an increase nor reduction in rates |
| (I) | Increase |
| (N) | New item |
| (R) | Reduction |
| Cu. Ft | Cubic feet |
| cwt | Hundred-pound weight |
| FMC | Federal Maritime Commission |
| FTZ | Foreign Trade Zone |
| GRT | Gross registered ton |
| ISO | International Standardization Organization |
| KG | Kilogram |
| Lbs. | Pounds |
| LOA | Length-over-all |
| MBF | Thousand board feet |
| MT | Metric ton |
| NOS | Not otherwise specified |
| O/T | Other than |
| (*) | The rate, rule, or regulation bearing this reference mark is published pursuant to agreement of Gulf Port Members of the Gulf Seaports Marine Terminal Conference |

SUBJECT: DEFINITIONS**AGENT OR VESSEL AGENT**

Any party who acts on behalf of another party, including but not limited to the party or entity, who submits the application for a vessel's berth.

ARRIVAL AT BERTH

The time at which an incoming vessel moors to her berth calculated from the time the last line is secured.

BERTH

The water area at the edge of a wharf, including mooring facilities, used by a vessel while docked.

BERTH SPACE

The area within Port Freeport's facilities designated or allotted by Port Freeport for use for the receipt and accommodation of freight for export pending arrival of the vessel to which such freight is consigned and for the receipt and accommodation of import freight pending delivery or tender of delivery by the steamship company to the owner or consignee thereof.

BONDED STORAGE

Storage accomplished under bond payable to the United States Treasury Department until cleared for entry by the United States Customs

BUNKERS

Any marine fuel, i.e., IFO, MDO, MGO, or LNG to be delivered to an oceangoing vessel by means of bunker barge, tanker, or tank truck.

CAPTAIN OF THE PORT (COTP)

Captain of the Port (COTP) means the officer of the Coast Guard, under the command of a District Commander, so designated by the Commandant for the purpose of giving immediate direction to Coast Guard law enforcement activities within an assigned area.

CARGO

Any commodity (dry bulk, liquid bulk, breakbulk, autos, machinery, equipment, baled, palletized, bagged, containerized, crated, etc.) imported, exported, domestic or stored at the Port facilities carried by vessel, truck, rail, or barge.

CHASSIS

A wheel assembly constructed to accept mounting of containers and equipment with a device for coupling to a self-powered tractor for movement.

CHECKING

The service of counting and checking cargo against appropriate documents for the account of the cargo or the vessel, or other person requesting the same.

CONTAINER

A standard ISO seagoing container 20 feet in length or over.

COST PLUS

Any operation not covered by Port Freeport Tariff is usually performed on a cost plus 20% supervision basis.

DAY

A consecutive 24-hour period or fraction thereof.

DOCKAGE

The charge assessed against a vessel for berthing at a wharf, pier, bulkhead structure, or bank or for mooring to a vessel also berthed.

FEDERAL MARITIME COMMISSION (FMC)

Agency, which administers various federal statutes regarding ocean shipping, ports and marine terminals.

FEU

(Forty-foot Equivalent Unit) is an inexact unit of cargo capacity often used to describe the capacity of container ships and container terminals.

FOREIGN TRADE ZONE (FTZ)

Designated areas, approved by the Federal government, considered outside the Customs territory of the United States. An isolated policed area adjacent to a port of entry (as a seaport or airport) where foreign goods may be unloaded for immediate transshipment or stored, repacked, sorted, mixed, or otherwise manipulated without being subject to import duties.

FREE TIME

The specified period during which cargo may occupy space as directed by the Chief Executive Officer or their designee on terminal property free of terminal storage charges.

HANDLING

The service of physically moving cargo between point of rest and any place on the terminal facility, other than the end of ship's tackle.

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HAZARDOUS MATERIAL (HAZMAT)

Any of a list of materials, compiled by the Federal government and considered to be health/safety hazards.

HOLIDAYS

| | |
|-----------------------------------|---|
| New Year's Day | January 1 |
| Martin Luther King Jr.'s Birthday | 3 rd Monday in January |
| President's Day | 3 rd Monday in February |
| Good Friday | Friday before Easter Sunday |
| Memorial Day | Last Monday in May |
| Independence Day | July 4 |
| Labor Day | 1 st Monday in September |
| Columbus Day | 2 nd Monday in October |
| Veteran's Day | November 11 |
| Thanksgiving Holidays | 4 th Thursday in November and 4 th Friday in November |
| Christmas | December 24 th & 25 th |

A) On holidays observed by ILA, all Loading/Unloading will be performed at overtime rates.

B) No work shall be performed on Labor Day or Christmas Day unless agreed otherwise.

C) When scheduled holidays fall on Saturdays, the previous Friday will be recognized as the holiday and when the scheduled holiday falls on Sunday, Monday will be recognized as the holiday.

LINER SERVICE

Vessels making regularly scheduled calls for the receipt and delivery of cargo and/or passengers

LEASE

A contractual agreement wherein Port Freeport is referred as landlord, and Port user is referred to as tenant. Terms of agreement may supersede some terms of the prevailing tariff.

LOADING OR UNLOADING

The service, whether provided by the Port or 3rd party, of loading or unloading cargo between any place on the terminal and railroad cars, trucks, or any other means of land conveyance to or from the terminal facility.

LO/LO

This abbreviation stands for Lift-on/Lift-off. Cargo or containers are lifted onto or off a vessel by crane.

MANIFEST

An itemized list of all cargo loaded or unloaded from a vessel.

MARGINAL TRACKS

Railroad tracks on the wharf apron within reach of ship's tackle.

OVER DIMENSIONAL, OVERWEIGHT CARGO

Cargo that measures over sixty-feet in length, or over twenty-feet in width, or over twenty-feet in height or weighs in excess of seventy thousand pounds.

PALLETS

The term "pallet" when applicable in this tariff in connection with unit loads, means expendable pallets constructed in such a manner to permit normal handling with forklift trucks and without damage to the cargo.

SECTION TWO

PASSENGER VEHICLE

A motor vehicle used to transport persons and designed to accommodate 10 or fewer passengers, including the operator.

POINT OF REST

The area of the terminal facility which is assigned for the receipt of inbound cargo from the ship and from which inbound cargo may be delivered to the consignee and that area of the terminal facility which is assigned for the receipt of outbound cargo from shipper for loading of vessel.

PROJECT CARGO

A project, consisting of separate and differing items, various lengths, widths, and weights, or not otherwise specified (NOS); to be stored, loaded, discharged over various time periods.

RO/RO

The abbreviation stands for roll-on/roll off. Self-propelled or non-self-propelled cargo that is rolled onto a vessel as opposed to being lifted onboard using cranes.

SHED HIRE

A charge assessed against a vessel for providing a wharf shed for assembling and distributing cargo.

SHIP SIDE

The location of cargo within reach of ship's tackle or in berth space, in accordance with the customs and practices of this port.

STEVEDORES

Companies which employ labor and contract with vessels for handling of cargo on vessels and at waterside.

STRIPPING CONTAINERS

Unloading cargo from containers.

STUFFING CONTAINERS

Loading cargo into containers.

TARIFF

A publication issued by Port Freeport and filed with the Federal Maritime Commission, which sets up the definitions, rates, rules, and regulations for the Port in general or for a particular function of the Port.

TERMINAL

Use of the word "terminal" in this tariff means the facilities of Port Freeport.

TERMINAL STORAGE

Port may, at its sole discretion, allow port Users to use areas in the port for the storage of cargo at a specified storage rate. Terminal storage may include providing warehouse, terminal, or off-site facilities for the storage of inbound or outbound cargo, including wharf storage, shipside storage, closed or covered storage, opened or ground storage, and bonded storage, after storage arrangements have been made.

TERMINAL USE FEE

A fee assessed for the use of any Port owned property and facilities for the movement within or loading or unloading of cargo to or from any means of conveyance.

TEU

(Twenty-foot Equivalent Unit) is an inexact unit of cargo capacity often used to describe the capacity of
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SECTION TWO

container ships and container terminals.

SECTION TWO

TON

Subject to a specific exception, the term "ton" as used in the tariff, refers to a U.S. Short Ton of a unit weight of 2,000 pounds.

TRAFFIC

- A) INTRACOASTAL TRAFFIC: All traffic between interior points served by canals and rivers within the state of Texas. (Including intra-ports)
- B) COASTWISE TRAFFIC: All traffic between any two ports of the United States.
- C) INTERCOASTAL TRAFFIC: All traffic between Atlantic and Gulf ports of the United States and the West Coast of the United States.
- D) IMPORT TRAFFIC: All traffic moving from any foreign ports to the continental United States.
- E) EXPORT TRAFFIC: All traffic moving from the continental United States to foreign ports.

TRANSIT SHED

A covered area designated for short term use in cargo operations – to/from vessel, and/or truck, and/or railroad car.

TRANSSHIPPED CARGO

Cargo landed from a vessel and reloaded on a second vessel without being removed from the wharves. Transshipped cargo may move into warehouses and/or open storage areas provided it remains in-bond. Tariff rates will be used for storage or handling where applicable.

UNITIZED

The term "unitized" when applicable in this tariff in connection with loading and unloading, means shipments of commodities, either pre-palletized, skidded, crated, boxed, or packaged to permit free access of forklift trucks.

USER

A user of the facilities owned, leased, and/or controlled by Port Freeport shall include any vessel or person using any Port of Freeport properties, facilities, or equipment, or to whom or for whom, any service, work, or labor is furnished, performed, done, or made available by Port Freeport, or any person owning or having custody of cargo moving over such facilities.

VESSEL

Every description of water craft or other artificial conveyance, whether self-propelled or non-self-propelled, used, or capable of being used, as a means of transportation on water, and shall include in its meaning the owner, disponent owner, and/or charterer thereof.

WHARF

Any wharf, pier, quay, landing, or other stationary structure to which a vessel may make fast, or which may be utilized in the transit or handling of cargo or passengers and shall include other port terminal facility areas alongside of which vessels may lie or which are suitable for and are used in the loading, unloading, assembling, distribution, or handling of cargo.

WHARFAGE

A charge assessed against the cargo or vessel on all cargo passing or conveyed over, onto, or under wharves or between vessels (to or from barge, lighter, or water) when berthed at wharfs or when moored in slip adjacent to wharf. Wharfage is solely the charge for use of wharf and does not include charges for any other service.

SUBJECT: WATERWAY REGULATIONS

ITEM 305⁽¹⁾**DISPOSAL OF OILY RESIDUE AND WASTE**

Issued: September 1, 2015

Effective: October 1, 202~~4~~²

Annex V of the International Convention for the Prevention of Pollution from Ships (MARPOL) and the United States Coast Guard's Implementing Regulations (33 CFR parts 151-158) require that reception facilities be available for those vessels which have indicated to Port Freeport in advance, the need to dispose of ship generated refuse.

Vessel owner, disponent owner or their agent will obtain a company acceptable to the United States Coast Guard to provide these services and shall contact Port Freeport's operations department for an approved list of vendors.

It is the responsibility of the vessel to provide ships agent(s) a minimum of seventy-two (72) hours advance notice, the amount of refuse that will be discharged upon vessel arrival. ~~\$.24-.22~~ per barrel with ~~\$105.00~~^{110.25} minimum fee per vessel shall apply.

ITEM 310**BALLAST, RUBBISH, TRASH**

Issued: December 18, 2003

Effective: November 1, 2017

It is strictly prohibited to throw or discharge ballast, rubbish, gray water, sludge, dunnage, ashes, or anything into the waterways. Applicant will comply at all times with applicable federal, state, and local laws and regulations and international treaties and conventions related to safety and environmental protection of the marine environment, including, but not limited to, federal, state and local regulations regarding the discharge of ballast water. Any tools, materials, equipment, dropped over the side, are to be reported. Vessels requiring ballast disposal service shall make necessary arrangements with the Director of Operations.

Priority of berth space for such operations shall be solely at the discretion of the Director of Operations. Should any vessel, its owners or agents, stevedore, or other user of the facilities abandon any drums, boxes or other containers of cargo upon Port Freeport property and not remove same therefrom within 48 hours after notification by Port Freeport of the location of such items, same will be removed by Port Freeport, its employees or contractors, and the cost of such removal plus twenty percent shall be billed to the vessel, its owners or agents, stevedore or freight handler or other user of the facilities which shall be deemed by its failure to remove same to have agreed to the payment for same.

Issued: October 1, 202~~4~~²[Return to Table of Contents](#)Effective: October 1, 202~~4~~²

ITEM 315

SIGNS

Issued: December 30, 1993
Effective: November 1, 2017

Painting or erecting signs on Port Freeport structures is prohibited. Signs may be erected on Port Freeport structures or property only after submission to the Chief Executive Officer or their designee of design, materials, fastenings, and method of erection, and upon written permission from the Chief Executive Officer or their designee.

ITEM 320

SPEED LIMIT

Issued: December 30, 1993
Effective: May 1, 2019

In combination with the authority bestowed by the State of Texas; whereby the control and operation of all types of vessels using the harbors, turning basins, navigable channels and waterways within this district, and regulations promulgated by the Secretary of the Army, this tariff adopts these operational rules governing vessel speeds.

- (A) Every vessel shall, at all times, proceed at a safe speed so to avoid collision and be stopped within a distance appropriate to the prevailing circumstances and conditions.
- (B) Every vessel shall reduce its speed sufficiently to prevent any damage when approaching another vessel in motion or tied up to a wharf or other structure, or any other manner of structures or improvements likely to be damaged by collision, suction, or wave action.
- (C) Vessels may not exceed a safe maneuvering and steerage speed and will not create any unusual wake.
- (D) Vessels and their operators shall be liable for damage or injuries caused by excessive operating speeds or wakes.

ITEM 325

COLLISIONS

Issued: December 30, 1993
Effective: May 1, 2019

In the event of collision between any craft or vessel with another craft or vessel, or between a craft or vessel and any wharf, dock, pier, bridge system, a written report shall be submitted to the Chief Executive Officer, Port of Freeport," by the pilot and the master, owner, agent, or operator of said dock facility," and such report shall be filed within 24 hours of the time of the collision.

Any vessel or craft, proceeding to sea after a collision or accident, shall mail, through its master, from its next port of call, a report on such occurrence. The pilots are to report details of grounding, collisions, accidents, and incidents of interest to the Chief Executive Officer.

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Issued: October 1, 202~~2~~⁴

Effective: October 1, 202~~2~~⁴

ITEM 330⁽¹⁾**BERTH APPLICATIONS AND ARRANGEMENTS (*)**

Issued: September 1, 2015

Effective: October 1, 202~~2~~⁴

All vessels, or their agents, charterers, or owners, desiring a berth at the wharves of Port Freeport shall make application for such berth on prescribed forms, such to show date of arrival, departure, and type and quantity of cargo to be handled and other information needed. All such applications to be filed with the Director of Operations, at least (72) hours prior to vessel arrival.

As a part of its application for berth, the vessel, its owners, or agents, shall advise Port Freeport of the protection and indemnity association (P & I Club) which affords the vessel indemnity coverage as well as the name and telephone number of the local legal representative thereof knowledgeable with regard to such coverage.

Any damage caused by the vessel to the wharf or any installation or equipment which is the property of Port Freeport, whether it be through incompetence or carelessness on the part of the pilot or officer of the ship carrying out operations or for any other reason, shall be the responsibility of the master and of the owners of the ship causing the damage. Port Freeport shall be able to detain the ship until it has received a satisfactory guarantee for the amount of the damage caused or a reasonable estimate thereof.

The signed application and berth assignment form shall constitute a contract, subject to the rates, rules, and regulations, and provisions contained in this tariff between Port Freeport and the vessel, her agents, charterers, and owners. Berth availability shall be at the sole discretion of the Director of Operations or their designee and is subject to change.

Whenever other vessels are waiting to load or unload cargo and there is the need for the vessel already in berth to work overtime to minimize further delay, such vessels, their agents, charterers, and owners will work overtime at their own expense when requested to do so by the Director of Operations.

Any vessel, her agents, charterers, and owners refusing to work overtime at her agents, charterers and owners' expense shall at their expense vacate the berth on order of the Director of Operations. The berth shall then be assigned to the next waiting vessel in turn whose agents, charterers, and owners are agreeable and willing to work cargo on overtime. The vessel ordered to vacate a berth for refusing to work cargo on overtime, will be reassigned to the berth ahead of other waiting vessels when willing to work on overtime or when there is no further need for overtime work.

Any vessel having completed loading and unloading cargo shall on request of the Director of Operations vacate the berth immediately.

Any vessel, her agents, charterers, and owners failing to timely vacate its berth when so ordered, shall be subject to payment of additional dockage charges at the rate of ~~\$840.00~~^{\$882.00} per hour or fraction thereof.

Assessment of the additional dockage charge shall not affect the right of Port Freeport to remove such vessel at cost, risk, and expense of her agent, charterer, and owner.

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BERTH APPLICATIONS AND ARRANGEMENTS (*) (Cont'd)

Port Freeport at its sole discretion may deny the right to moor a vessel and may order a vessel to vacate its berth at Port Freeport docks when Port Freeport deems it necessary for reasons of safety, security and/or other operational considerations.

SOVEREIGN IMMUNITY

To the extent Owner or Operator of vessel ("LINE") has or hereafter may acquire any immunity from jurisdiction of any court or from any legal process, LINE hereby waives such immunity and agrees not to assert, by way of motion, defense or otherwise, in any suit, action or proceeding, the defense or claim of sovereign immunity or any claim that LINE, its vessel or cargo is not personally subject to the jurisdiction of the applicable Courts by reason of sovereign immunity or otherwise, or that LINE, vessel or cargo is immune from any legal process (whether through service of notice, attachment or arrest prior to judgment, attachment in aid of execution, or otherwise) with respect to itself or its property, or that the suit, action or proceeding is brought in an inconvenient forum, or that the venue of the suit, action or proceeding is improper, or that this Tariff may not be enforced in or by such courts.

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Issued: October 1, 202~~2~~¹

Effective: October 1, 202~~2~~¹

SUBJECT: REGULATIONS ON USE OF FACILITIES

ITEM 335⁽¹⁾**BUNKERS AND BUNKERING**

Issued: September 1, 2015

Effective: October 1, 202~~2~~⁴

(A) When bunkers are pumped from barge or tank truck to vessel, a charge of \$0.~~19-20~~ per barrel will be assessed. Dockage will not be charged on the bunker barge. A minimum charge of ~~\$34.50~~\$33.00 will be assessed on tank trucks.

~~(B) This charge shall not apply to liquefied natural gas facilities that will be supplied with or that will supply liquefied natural gas as bunker fuel by United States flag vessels.~~

~~(C)~~(B) To comply with U.S. Coast Guard Regulations, advance notification of vessel to vessel transfers (for vessels with a capacity of 250 barrels or more) including transfers between vessels at a dock or pier, are to be reported by the lightering or bunkering vessel, and such vessel must submit a four (4) hour advance notification to the Coast Guard, Marine Safety Office by telephone at (979) 766-3686, via facsimile at (979) 766-3689 or by radio over VHF-FM Channel 83.

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ITEM 340⁽¹⁾**CLEANLINESS OF PREMISES**

Issued: September 1, 2015

Effective: October 1, 202~~2~~⁴

(A) Steamship agents and operators and other users of the wharves, sheds and other property of Port Freeport shall be held responsible for cleaning of the property which they have been allowed to use or assigned or leased to them, including adjacent aprons ~~and gutter~~, within 24 hours of completion of vessel operations, as directed by the Director of Operations.

(B) If such user does not properly clean the wharf or property he has been using, the Director of the Operations Department shall order the property cleaned and bill the user responsible:

- 1) An assessment of ~~\$137.55~~\$144.43 per each 1,000 cargo tons, or
- 2) Cleanup cost-plus twenty percent (20%) whichever is greater, or
- 3) ~~\$200~~\$210.00 minimum

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ITEM 345**SAFETY**

Issued: July 27, 2006

Effective: ~~May-October 1, 2022~~

GENERAL SAFETY

(A) Users shall comply with all safety standards and accident prevention regulations promulgated by federal, state or local authorities having jurisdiction, including Port Freeport, and shall at all times conduct all operations in a manner to avoid the risk of bodily harm to any persons and the risk of damage to any property, equipment or material. Users shall continuously inspect all work, materials, and equipment to discover and determine any conditions, which might involve such risks and shall be solely responsible for discovery, determination and correction of any such conditions and shall continue to be responsible until all work is completed.

(B) Users are responsible for actions of omissions or commission by its representatives, personnel, agents, contractors and vendors and their respective employees and shall be liable and shall promptly remedy damage or loss to property as a result of such acts. Users shall be fully responsible for the safety and health protection of its representatives, employees, agents, contractors, vendors and their respective employees and visitors it brings on site.

(C) Users shall conduct a site safety orientation for new hires and a regular periodic training meeting for employees or personnel working on or using Port Freeport's facilities. Port Freeport has the right to monitor such meetings. Further, Users shall provide suitable training about, but not be limited to, safe work practices, safety policies and rules, personal protective equipment requirements and hazardous materials. Contractors and vendors shall provide specialized training to personnel engaged in risky and non-routine tasks.

(D) Users' employees, agents, contractors, and visitors are required to wear appropriate personal protective equipment per safety rules and regulations.

(E) Users shall designate a "Safety Representative" on-site that is responsible for the administration of its safety program. The Safety Representative shall have the necessary ability, knowledge, and training in safety practices to maintain a safe work environment. The name and contact information for the Safety Representative shall be provided to Port Freeport ~~Security~~ Safety Department (979) 373-5900 ~~13~~.

(F) Safety Representatives shall successfully complete the Port Safety Officer orientation program provided by Port Freeport.

(G) The Safety Representative shall attend all Tenant Safety Meetings.

(H) Users shall upon request provide Port Freeport with a copy of its Safety Plan (i.e., safety policy and safety procedures). All such plans shall include an Emergency Action Plan as required by 29 CFR 1917.30. The Emergency Action Plan shall be in writing and shall describe designated actions the Port Users' employees must take to ensure safety during a fire or other emergency incident.

(I) All accidents or damage on Port Freeport's property are to be reported to Port Freeport Security (979) 373-5900 immediately upon occurrence. Port Freeport Safety is to be provided with a written accident investigation report about all a) accidents resulting in fatality, lost time, when personnel are hospitalized as

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Issued: ~~October 1, 2022~~

Effective: ~~October 1, 2022~~

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a result of a single incident or b) any damage to Port Freeport equipment or property; or c) any damage greater than \$1000.00 to non-Port Freeport equipment or property damage occurs within ten (10) days, the

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Issued: October 1, 2022⁺

Effective: October 1, 2022⁺

User shall submit a written update to Port Freeport each Friday by noon until the accident investigation is completed. Port Freeport reserves the right to conduct an independent investigation. If the incident occurred on Port Freeport property, Port Freeport Protective Services shall be granted access to the area, to the extent permitted by law.

(J) —The Safety requirements set out herein are only minimum requirements and the User should take all precautions necessary to prevent bodily injury or property damage. In the event Port Freeport observes any unsafe practice, it may stop the User's work. Port Freeport does not assume Users' responsibility for the safety and health of its personnel and the discovery and/or elimination of hazards, which could possibly cause accidents or damage. Users agree to indemnify and hold harmless Port Freeport from and against all losses, claims, demands and suits for damages including court costs and attorney fees resulting from or relating to that Users' compliance or failure to comply with this Item 345.

(K) Users are obligated to contractually bind its Contractors, representatives, vendors, suppliers, agents and their respective employees to the provisions set forth in this Item 345 as well as all applicable provisions set forth in this Subcontract. In addition, all persons seeking access to Port Freeport will follow operational safety guidance as per the Port safety guidelines.

(L) Port Freeports reserves the right to conduct safety inspections of Port Freeport tenants to assure the tenants are following the safety requirements within this Tariff.

(M) Port Freeport reserves the right to inform the United States Coast Guard or appropriate agency of any health or safety risk or other nonconformity regarding any vessel docked at Port Authority Facilities pursuant to Title 33 of the Code of Federal Regulations Part 96.

(N) All safety training, safety inspections, and safety meetings shall be documented and maintained per applicable laws and regulations.

(O) Any User of Port facilities or property may be required to appear before the Port Commission regarding any safety incident or safety record as a condition to maintain a Port Freeport issued license or permit or to continue use of Port Freeport facilities and property.

CORRECTIVE ACTIONS

Port Freeport may issue a Notice of Safety Violation for any violation to the safety requirements within this document. Additionally, Port Freeport may impose corrective actions, including but not limited to suspension of port entry rights, stop work, and/or revoke Port Freeport issued licenses/permits. In the event of revocation of license or permit, the User will be permitted an opportunity to present to the Port Commissioners on why such license or permit should not be revoked.

If a Notice of Safety Violation is issued, a copy of the Notice of Safety Violation shall be given to the individual and their employer. Any Notice of Safety Violation may be appealed to the Director of Protective Services, within 30 days of the date it is given to the individual. In such appeal, the individual shall have the right to present any materials or statements pertinent to the matter at hand.

VEHICLE SAFETY

(A) All persons shall comply with all posted speed limits and traffic signs while operating any motorized vehicle on Port Freeport property.

(B) Any person operating a commercial vehicle on Port Freeport property, which has had prior or shall have a subsequent operation on public roads, shall have-maintain a valid commercial driver's license ~~in-effect~~ at all times during the operation of such vehicle. Any person operating a motorized vehicle on Port Freeport property shall have-maintain a valid state driver's license ~~in-effect~~ at all times during the

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operation of such vehicle.

(C) Handheld smart devices for any purpose other than navigational aids or use by emergency personnel operating in their official capacities is prohibited while operating a motorized vehicle on Port Freeport property.

ITEM 350**DAMAGE TO PROPERTY OF PORT FREEPORT**

Issued: December 1, 1994

Effective: May 1, 2019

Users of the facilities of Port Freeport shall be held responsible for all damage to the property of Port Freeport occasioned by them, and any such damage shall be responsible for such damage billed against the user responsible for such damage at cost plus twenty percent (20%). For limits of liability on Port Freeport, see Sub rule 81, Item 495. Any damage to Port Freeport property shall be immediately reported to Port Freeport Security and/or Operations.

ITEM 355**DAMAGE OR LOSS AND LIABILITY (*)**

Issued: April 26, 2007

Effective: November 1, 2017

Except as may be caused by its own negligence, but without waiving any of Port Freeport's legal rights to immunity, Port Freeport shall neither be responsible for injury to, or loss of, any cargo being loaded or unloaded at its public wharves; nor any delays, injury to, or loss of, cargo on its wharves or in its sheds, by fire, leakage, or fire protection devices; acts of terrorism, storms or hurricanes; nor collapse of building, wharves, floors, or foundations; nor breakage of pipes; nor loss or injury caused by rats, mice, weevils, moths, animals, birds, insects; neither frost nor the elements; nor any delay, loss or damage arising from combination of strikes, tumult, insurrections, or acts of God, or force majeure.

Liability for loss or damage as a result of switching operations on the leased tracks of Port Freeport is set forth in contract between Port Freeport and Union Pacific Railroad.

Any loss or damage which may be caused by the acts of Port Freeport employees or equipment, shall be agreed upon in writing at the place and time of the loss or damage, and in no event will any claim whatsoever be accepted for such damage unless the claim is made within 30 days of the occurrence. Except as may be caused by the acts of Port Freeport's own negligence, but without waiving any of Port Freeport's legal right to immunity, users agree to indemnify and save harmless Port Freeport from and against all losses, claims, demands, and suits for damages, including death and personal injury, and including court costs and attorney's fees, incident to, or resulting from their operations on the property of Port Freeport and the use of its facilities.

In the event suit should be brought by or against Port Freeport in a court of competent jurisdiction to collect any monies due, enforce any provision or remedy any default under this tariff by User or Users of the public facilities of Port Freeport, which suit results in a final judgment, then the prevailing party shall be entitled to recover of and from the non-prevailing party, in addition to the usual court costs, reasonable attorney's fees. For limits of liability on Port Freeport, see Sub rule 81, item 495.

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Issued: October 1, 2022~~+~~Effective: October 1, 2022~~+~~

ITEM 365

FIRE PREVENTION

Issued: December 30, 1993

Effective: ~~November~~October 1, 2022~~17~~

(A) Smoking and open flames: It is unlawful to smoke, weld or have open flames in the sheds or within 50' of the piers. [Refer to Item 410- Permits.](#)

(B) Vehicle Parking: Automobiles, trucks, trailers, or other motor vehicles shall not park on the waterfront facilities, or in sheds except while waiting to load or discharge cargo, ship supplies, or passengers when attended by a driver, or when handled or stored as cargo, or when parked in a designated area. [No idle running vehicles shall be left unattended.](#)

(C) Refueling on docks or piers: It is unlawful to refuel vehicles, automobiles, or vehicular cargo within 50' of sheds or pier. Exception: Mobile cranes working cargo are allowed to be refueled alongside the wharves by a tank fueling vehicle in compliance with 2017 NFPA 385 and 2015 International Fire Code 5706.6. Additionally, the fuel vehicle must ~~be in compliance~~[comply](#) with all Department of Transportation and City of Freeport standards.

ITEM 370

FUMIGATION REQUIREMENTS

Issued: December 30, 1993

Effective: November 1, 2017

All commodities bagged or packaged that are subject to insect/pest infestation, which remain in transit sheds for a period of 45 days, or show signs of infestation before 45 days, must be fumigated immediately and each 45-day period thereafter as long as the cargo remains in the transit sheds.

Fumigation expense will be for the account of the cargo owner, shipper, consignee, or whoever has care custody, and control of the cargo. If fumigation is not performed as required, Port Freeport reserves the right to fumigate such commodities and bill the cargo owner, shipper consignee or whoever has care custody and control of the cargo.

ITEM 375

HANDLING of HAZARDOUS COMMODITIES

Issued: December 30, 1993

Effective: November 1, 2017

Shipments of articles classified as explosive or dangerous in applicable regulations of the Department of Transportation will be permitted only upon full compliance with such regulations by shippers, their agents, and the agencies of transportation. Conformance shall be made also to such further rules or regulations as

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may be issued by other state, federal or municipal authorities. (Cont'd)

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HANDLING of HAZARDOUS COMMODITIES (Cont'd)

For the protection and safety of Port Freeport, users of its facilities, and the general public, rights are reserved to issue such directives or regulations as may be deemed necessary by Port Freeport to ensure safe handling, stowing, loading, discharging, or transportation of explosives or dangerous articles within the confines of Port Freeport facilities or waterfront. Notification is required prior to the tender of explosives or dangerous articles.

The master, agent, or person in charge of any domestic or foreign vessel which is inbound into the jurisdiction of Port Freeport, which has on board any hazardous commodities so classified in applicable regulations of the Department of Transportation, shall submit a listing of the weight of such commodity, its label, and the location at which it is stowed within the vessel to a representative of Port Freeport upon arrival at the wharf.

Port Freeport may refuse the use of its facilities or waterfront for the handling, stowing, loading, discharging or transportation of such explosives or dangerous articles, which are considered by the Chief Executive Officer as offering undue risk or exposure to such risk.

ITEM 380

INSURANCE (*)

Issued: April 15, 2004

Effective: ~~November-October 1, 2022~~¹⁷

(A) All vehicles entering Port premises may be required to show proof of automobile liability insurance as required by the State of Texas. Vehicles not in possession of proof of insurance will not be permitted to enter Port premises until proof of insurance coverage is produced.

State of Texas minimum auto insurance requirement:

- \$30,000 in bodily injury coverage per person
- \$60,000 in bodily injury coverage total per incident
- \$25,000 in property damage coverage per incident

(B) Steamship agencies and subcontractors working for them, stevedoring companies and subcontractors working for them, doing business on or in connection with the facilities of Port Freeport shall keep in full force and effect, the following coverage. The coverage designated by an asterisk (*) must name Port Freeport as an additional Insured and must contain a subrogation waiver in favor of Port Freeport.

*1. General Liability insurance covering claims for personal injury, death and property damage and its operations to be carried out upon or in connection with the public facilities of Port Freeport. The limits of general liability shall not be less than a combined single limit of \$1,000,000 per occurrence, subject to a \$2,000,000 general aggregate limit, and providing a deductible not to exceed \$25,000.

*2. Automobile liability, including coverage for all owned, non-owned and hired vehicles, with a minimum combined bodily injury and property damage limits of \$1,000,000. (Cont'd)

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Issued: October 1, 2022⁺

Effective: October 1, 2022⁺

SECTION FOUR

INSURANCE (*) (Cont'd)

*3. Workers' Compensation Coverage (with U.S. Long-shoremen and Harbor Workers Act coverage if workers are working aboard a vessel and/or performing Longshore duties) at statutory limits.

*4. Employer's liability insurance with limits of no less than \$1,000,000.

*5. Umbrella or Excess Liability insurance with limits of \$5,000,000 per occurrence and annual aggregate, except automobile liability, which is not subject to an aggregate, to apply in excess of insurance provided for in items (B)1, (B)2 and (B)4 above.

(B) II. Any delivery drivers to Port premises in connection with motor vehicle deliveries only, shall be required to show proof of automobile liability insurance. Vehicles not in possession of proof of insurance will not be permitted to enter Port premises until proof of insurance coverage is produced, unless authorized by Port Freeport Operations or Protective Service Management.

Auto liability including hired and non-owned vehicles minimum limit: \$300,000 any once occurrence

The Policy or Policies shall be endorsed to provide, that thirty (30) days prior written notice shall be given to the Board of Commissioners of Port Freeport in the event of cancellation or material changes in the policy. Such insurance should be placed in a company or companies having a current Best's General Policyholders Rating of A+ or A or their equivalents, and a copy of the Policy or Policies of Insurance, or Certificate or Certificates of Insurance shall be delivered to the Board of Commissioners of Port Freeport. Certificate or Certificates of Insurance so furnished shall certify that the Policy or Policies comply with the requirements of this item. Port Freeport reserves the right to change established minimum coverage limits for special situations.

(C) All others (contractors, subcontractors, suppliers, and services, etc.) working for Port Freeport shall have and keep in effect. The coverage designated by an asterisk (*) must name Port Freeport as an additional Insured and must contain a subrogation waiver in favor of Port Freeport.

*1. General Liability insurance covering claims for personal injury, death and property damage and its operations to be carried out upon or in connection with the public facilities of Port Freeport. The limits of general liability shall not be less than a combined single limit of \$1,000,000 per occurrence, subject to a \$2,000,000 general aggregate limit, and providing a deductible not to exceed \$25,000.

*2. Automobile liability, including coverage for all owned, non-owned and hired vehicles, with a minimum combined bodily injury and property damage limits of \$1,000,000.

3. Workers' Compensation Coverage (with U.S. Long-shoremen and Harbor Workers Act coverage if workers are working aboard a vessel and/or performing Longshore duties) at statutory limits. Employer's liability insurance with limits of no less than \$1,000,000.

The Policy or Policies shall be endorsed to provide, that thirty (30) days prior written notice shall be given to the Board of Commissioners of Port Freeport in the event of cancellation or material changes in the policy. Such insurance should be placed in a company or companies having a current Best's General Policyholders Rating of A+ or A or their equivalents, and a copy of the Policy or Policies of Insurance, or Certificate or Certificates of Insurance shall be delivered to the Board of Commissioners of Port Freeport. Certificate or Certificates of Insurance so furnished shall certify that the Policy or Policies comply with the requirements of this item. Port Freeport reserves the right to change established minimum coverage limits for special situations.

(D) Certificates of insurance evidencing that all the listed coverages are in force and effect must be Issued: October 1, 2022+ Effective: October 1, 2022+

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SECTION FOUR

provided directly by the issuing company or its agent. Evidence must be provided showing that the agent is licensed in Texas. Liability policies must provide for deductible rather than retention.

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ITEM 385⁽¹⁾

PORT SECURITY MEASURES

Issued: September 1, 2015

Effective: October 1, 202~~2~~⁴

(A) Port Freeport may, from time to time, implement and enforce such security measures, procedures, policies and regulations, and furnish and maintain such services and devices for the protection of persons and property on or about the channels, waterways, docks, slips and other facilities and improvements owned, operated or controlled by the Port as the Port deems reasonably necessary, including specifically, and without limitation, those required by 33 CFR section 105, as amended, and other applicable federal, state and local laws and regulations regarding maritime security ("Port Security Measures"). The Port may institute tariffs to cover the cost of Port Security Measures to be paid by the Users who shall be liable for such charges as set out in the tariff.

(B) Users and its agents, employees, contractors, and invitees shall comply with any and all Port Security Measures in effect or as levied from time to time by the Port. Should any of these parties cause the Port to be levied a fine due to act or omission, physically or verbally, of agents, employees, contractors or invitees, User shall be responsible for such fine plus a ten percent (10%) administration fee.

(C) Any and all Port Security Measures are for the protection of the channels, waterways, Port properties and the terminal in general.

(1) In the event that User requires additional unarmed security on Port Freeport property, User shall utilize a state licensed security firm of their choice, or the Port can provide these services at the tariff rate.

(2) In the event the User requires additional armed security within Port Freeport property, User shall coordinate additional security through Port Freeport's Protective Services **with a minimum of 4-hour notice**. Non-Port Freeport armed security services may be used with the approval of the Port.

(3) Additional security measures may also include patrol, which consist of land-based or water-based patrols in a specific area or around a specific vessel. Non-Port Freeport security patrol services may be used with the approval of the Port outside the restricted area and Port Freeport harbor security zones. Additional security measures may also include canine detection capabilities for narcotics, explosives, and firearm on Port Freeport owned or leased property.

(4) User shall be responsible for arranging additional security at User's sole cost and expense.

(5) Under no circumstances shall the Port be responsible for or liable to User or any other person, for losses due to destruction, theft, burglary or for vandalism of its cargo or property.

(6) Additional security function(s) provided by the Port will be charged at the rate of:

- Unarmed Security, if requested will be at cost plus twenty percent (20%).
- Armed Security, if requested will be at cost plus twenty percent (20%). (Cont'd)
- Security Investigation requests- \$50/hour (4-hour minimum). If video footage is required approved media shall be provided by requestor.
- Waterside Patrol, dedicated to specific task, area, or vessel: ~~\$257-50~~^{270.38}/hour (4-

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Issued: October 1, 202~~2~~⁴

Effective: October 1, 202~~2~~⁴

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hour min)

PORT FREEPORT TARIFF NO. 005

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PORT SECURITY MEASURES (Cont'd)

- Special Services – Port Freeport is prepared to offer armed patrol, waterside armed patrol and/or armed anchorage escort services on a case-by-case basis, the cost to be determined based on circumstances and no less than cost plus twenty percent (20%).

(D) Port Freeport right to deny or revoke access: Port Freeport reserves the right to deny or revoke access to Port Freeport property for any security or safety reason as determined solely and conclusively by Port Freeport.

(E) Individuals accessing the Port more than (4) times per month for (2) consecutive months shall obtain a Port Freeport identification card, which can be obtained at Port Freeport's Emergency Operation Center. Individuals must have a purpose of business within the Port prior to obtaining a Port Freeport identification card. Port Freeport identification cards are granted at the sole discretion of Port Freeport for a period determined by Port Freeport. The Port reserves the right to suspend or revoke a Port Freeport identification card at any time.

(F) All security related incidents on Port Freeport property shall be reported to Port Freeport Security immediately under the conditions and timelines set forth in Tariff item 345.

TWIC ESCORT REQUIREMENTS FOR INDIVIDUALS

Possessing a TWIC does not grant automatic access to Port Freeport's restricted area facilities. There must be a reason to be on property, and approval for access is required. U.S. Coast Guard regulations allow for certain non-TWIC holders to be escorted in restricted and secure areas as long as they have a reason to be on the property and are approved for access.

At Port Freeport, a Port Freeport Escort Credential is required in order to perform escort duties. An escort card may be issued according to current port procedures, which includes both the sponsoring company and Port Freeport approval along with the successful completion of the Port Freeport TWIC Escort training program. There is no charge for the training program if attended on a regularly scheduled day, but there is a fee for the Port Freeport Escort Credential. Reference Port Freeport Tariff Item 390 for fee amounts.

TWIC escorting privileges are granted at the sole discretion of Port Freeport for a period determined by Port Freeport. Additionally, Port Freeport reserves the right to deny granting escorting privileges or to suspend, revoke or deny renewal of escorting privileges previously granted to an individual, for any such reason as Port Freeport deems necessary including, but not limited to the following:

- Submittal by an employer or nominated applicant of false or misleading information.
- Failure to adhere to the policies, rules, and regulations of Port Freeport or other applicable federal, state or local laws and regulations including but not limited to:
 - Any attempt to gain entry to Port Freeport's facilities or restricted areas within its facilities through fraud or deception;
 - Any attempt to bypass established entry points; (Cont'd)

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Issued: October 1, 2022~~+~~

Effective: October 1, 2022~~+~~

TWIC ESCORT REQUIREMENTS FOR INDIVIDUALS (Cont'd)

- Use or attempted use of a credential issued to anyone other than the approved TWIC escort or loaning of an approved TWIC escort credential to another person;
- Use or attempted use of a fraudulent credential;
- Failure to perform escorting duties in the manner prescribed by Port Freeport policy.
- Submittal by an approved TWIC escort of false or misleading information or refusing to cooperate in a security-related investigation.
- Conviction of an approved TWIC escort of any offense for which he/she would have initially been denied approval in accordance with the policies of Port Freeport.
- Failure to present a TWIC upon request or loss of TWIC privileges at any regulated port authority.
- An employer no longer meets the criteria under which its eligibility was initially established, or an approved TWIC escort leaves the employment of the company for which escorting privileges were approved.
- The loss of the original sponsor.
- Violation of Port Freeport safety and security policies.

SPONSORSHIP FOR A TWIC ESCORT COMPANY

TWIC escorts companies shall have a sponsor to operate within Port Freeport. Additionally, TWIC escorts companies shall complete an application for their TWIC Escort License. The TWIC Escort sponsor and license application forms may be obtained from the Port Freeport Emergency Operation Center.

There is no fee for sponsoring a contract TWIC escort company.

TWIC escorts companies shall pay an annual license and application fee to provide TWIC escorting services on Port Freeport property. Reference Tariff Item 390 for fee amounts. Port Freeport reserves the right to deny granting TWIC Escort License and privileges or to suspend, revoke or deny renewal of such escorting licenses and privileges previously granted to a company, for any such reason as Port Freeport deems necessary including, but not limited to the actions listed within the previous section of the Tariff.

New TWIC Escort License applications and renewals shall be presented to Port Freeport's Board of Commissioners for approval. If the license application does not get approved, 50% of the license and application fee will be refunded.

A TWIC escort company may be sponsored by multiple firms. There shall be a separate sponsor form for each sponsor, but only one application is necessary. (Cont'd)

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Effective: October 1, 2022~~+~~

SPONSORSHIP FOR A TWIC ESCORT COMPANY (Cont'd)

All individuals who provide TWIC escort services and are employed by a TWIC escort company shall complete an Individual TWIC Escort sponsor forms, which may be obtained at the Port Freeport Emergency Operation Center. These individuals shall successfully complete the Port Freeport provided TWIC Escort training program prior to being granted a Port Freeport Escort Credential. The TWIC Escort training course shall be provided on a regularly scheduled basis. Individuals may obtain the course schedule at Port Freeport's Emergency Operation Center. There is no fee for the regularly scheduled course. If needed, a TWIC escort company may request a class on a non-regularly scheduled day. Reference Tariff Item 390 for fee amounts.

The following Employers are eligible to sponsor a contract firm to provide TWIC Approved Escort services:

- (1) Tenants leasing land, buildings, or office space within the boundaries of Port Freeport.
- (2) Port Freeport.
- (3) Steamship Agents with vessels routinely calling on Port Freeport.

TWIC escorts companies shall not stage company equipment or escort vehicles on Port Freeport property unless:

- (1) The equipment and/or vehicles are staged on Port Freeport property leased/rented by the contract TWIC escort company. The rates for this property shall be at the going Tariff rate or an agreed upon contract rate.
- (2) The equipment and/or vehicles are staged on Port Freeport property leased/rented by the contract TWIC escort company's sponsor.

SPONSORSHIP FOR AN INDIVIDUAL TWIC ESCORT

All individuals not associated with a TWIC escort company that are applying for a Port Freeport Escort Credential shall have a sponsor. The Individual TWIC Escort sponsor forms may be obtained from the Port Freeport Emergency Operation Center. The User Company assumes the liability of penalties levied against Port Freeport as they relate to the failure of the respective escort to comply with escorting responsibilities mandated by applicable sections of the TWIC regulation. The following Employers are eligible to sponsor their employees for TWIC Approved Escort privileges:

- Tenants leasing land, buildings, or office space within the boundaries of Port Freeport.
- Steamship Agents with vessels routinely calling on Port Freeport.
- Companies who provide transportation for vessel crews, agents, or tenants.
- TWIC escort contractor companies contracted by Port Freeport or its tenants and clients to perform TWIC escort functions within the restricted areas.
- Employees of Port Freeport and its elected officials. (Cont'd)

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Issued: October 1, 2022~~4~~

Effective: October 1, 2022~~4~~

SPONSORSHIP FOR AN INDIVIDUAL TWIC ESCORT (Cont'd)

- Port Freeport Protective Services.
- Contractors or other invitees of Port Freeport, its tenants, or vessels who provide necessary, on-going services to facilities or vessels.

Individuals shall successfully complete the Port Freeport provided TWIC Escort training program prior to being granted a Port Freeport Escort Credential. The TWIC Escort training course shall be provided on a regularly scheduled basis. Individuals may obtain the course schedule at Port Freeport's Emergency Operation Center. There is no fee for the regularly scheduled course. If needed, a sponsoring company may request a class on a non-regularly scheduled day. Reference Tariff Item 390 for fee amounts.

Individuals who are granted a Port Freeport Escort Credential shall:

- Possess and maintain a valid TWIC.
- Be sponsored by their employer as a TWIC escort within the Restricted Access areas.
- Be a direct employee of the sponsoring employer and may not be sponsored by more than one employer.
- Complete the training requirements listed in 33 CFR 105.215, as provided by the Port Freeport's Protective Services Department.
- Must possess a working cellular telephone while engaged in Approved Escort duties.
- Possess a valid Port Freeport identification. This identification shall be on the person at all times when on Port Freeport property.
- Possess a valid Port Freeport TWIC Escort credential. This credential shall be on the person at all times when on Port Freeport property.

TWIC ESCORT PROCESS

Users may choose any licensed TWIC escort service. Prior to entering a restricted or secure area, approved escorts shall check-in with security at the facility's access control point (i.e., gate or checkpoint). Security shall confirm that the approved escort possesses a current and valid Port Freeport identification card, Port Freeport TWIC Escort credentials, and TWIC identification card. The approved escort and the non-TWIC holders being escorted shall sign-out at the Facility Security Station upon their departure.

At the discretion of Port Freeport, Protective Services may review the credentials and identification cards listed above at any time within a restricted or secured area. Additionally, both the approved escort and the non-TWIC holders being escorted may have their vehicle screened at any time within a restricted or secured area.

Approved escorts may escort a maximum of:

- Five (5) stationary non-TWIC holders
- Two (2) non-TWIC holders in motion

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Issued: October 1, 2022~~+~~

Effective: October 1, 2022~~+~~

TWIC ESCORT PROCESS (Cont'd)

For stationary non-TWIC holders, the approved escort shall stay within physical proximity of the non-TWIC holders that they are escorting. The non-TWIC holder shall stay within visual sight of the approved escort at all times.

Approved Escorts must possess a working cellular telephone while engaged in escorting duties in Restricted Areas and must immediately report loss of side-by-side contact with escorted individuals, or any suspicious activity engaged in by such escorted individuals, to the Port Freeport Gate 8 operations (979) 233-3565.

The approved escort shall not be relieved of custody or responsibility for escorted persons until the approved escort, and each of the non-TWIC holders being escorted by the Approved Escort have checked-out at the facility's access control point or been transferred to another approved escort. If transferred to another approved escort, there shall be physical evidence of this confirmation (ex. log, record, etc.).

ITEM 390^(I)
PORT SECURITY FEES

Issued: September 1, 2015

Effective: October 1, 202~~4~~

In order to fulfill our responsibilities for security, including but not limited to responsibilities mandated under the Maritime Transportation Security Act of 2002 and the US Coast Guard regulation 33 CFR 105, Port Freeport will assess a Port Security Fee as set forth herein. Such fee, in the amounts set forth below, shall be in addition to all other fees and charges due under this tariff:

Vessels (including, without limitation, barges):

Nine percent (~~9.73~~10.22 %) of total dockage assessed per port call

Cargo:

Break-bulk ~~\$0.23~~2 per ton

Bulk Cargo (dry or liquid) \$0.08 per ton

Containers ~~\$4.33~~54 per loaded

container Vehicles \$1.4~~7~~9 per unit

Loaded railcars ~~\$26.25~~5 per car

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Issued: October 1, 202~~4~~

Effective: October 1, 202~~4~~

PORT SECURITY FEES (Cont'd)**OTHER SECURITY RELATED FEES**

Port Freeport will assess security related security fee as set forth herein. Fees listed below may be paid at Port Freeport's Emergency Operation Center. Such fee, in the amounts set forth below, shall be in addition to all other fees and charges due under this tariff:

Port Freeport Identification Card:

Initial Port Identification Card: \$27.00

Replacement Port Identification Card: \$54.00

Renewal Port Identification Card: \$16.00

Port Freeport TWIC Escort Credential:

Initial Port Credential: \$27.00

Replacement Port Credential: \$54.00

Renewal Port Credential: \$16.00

Parking Pass:

Dock Side Parking Pass: \$106.00/year; or \$6.00/day

TWIC Escorts:

TWIC Escort Company License: \$320.00/year initial; \$110.00/year renewal

TWIC Escort Training on Non-Regularly Scheduled Day: \$54.00/student

(includes cost of escort credential)

TRAFFIC VIOLATIONS

A written warning may be issued at the discretion of the security officer for any traffic violation (ex. speeding; failure to stop; striking a fixed object). For traffic offenses that have an increased safety risk, Port Freeport may also exercise its right to revoke the offender's Port Freeport access rights for a short period of time, but for more serious offenses, Port Freeport may also exercise its right to revoke the offender's Port Freeport access rights for a longer period of time.

For repeat offenders, Port Freeport may also exercise its right to revoke the offender's Port Freeport access right up to one (1) year or longer.

Licensed law enforcement officials may issue citation(s) and may detain and/or arrest traffic offenders to the limit allowed by local, state, or federal law.

PARKING VIOLATIONS

A written warning may be issued at the discretion of the security officer for any parking violation. For offenses with an increased risk to safety and/or security (ex. blocking traffic; illegal parking on the dock), vehicles may be towed at the owner's expense.

For repeat offenders, Port Freeport may also exercise its right to revoke the offender's Port Freeport access right up to one (1) year.

Licensed law enforcement officials may issue citation(s) and may detain and/or arrest parking offenders to the limit allowed by local, state, or federal law.

ITEM 395⁽¹⁾
PAYMENT OF BILLS (*)

Issued: September 1, 2015

Effective: October 1, 2020

(A) A lien in favor of Port Freeport shall arise on all cargo and personal property moved onto Port premises to secure the payment of all fees, interest, penalties, and other charges payable under this tariff. If there are carrier liens on cargo for unpaid charges for storage or other terminal charges established pursuant to 49 U.S.C. 80109, whether established by contract or by law, said carrier liens shall inure to the benefit of Port Freeport on cargo or personal property moved on to Port premises, and the carrier shall be deemed to have assigned such liens to Port Freeport to secure the payment of all sums payable under this tariff.

(B) All charges incurred under provisions of this tariff are due upon presentation and shall be payable within thirty (30) days from the date of the bill or invoice.

Late Charges: Interest at a rate of one and one-half percent (1.50%) per month or the maximum legal percentage allowed by the state of Texas, will be assessed on the balance due on invoices more than thirty (30) days old, calculated on a daily basis, for each day over 30 days, and the amount of such penalty shall be added to the amount due each month until the amount of arrearage is paid. In addition, any party owing the invoice, or any part thereof shall pay and be responsible for paying, jointly and severally, all of Port Freeport's costs and expenses in collecting the invoice including reasonable attorney's fees.

(C) Presentation of bills to owners and agents of vessel or to stevedores is done as a matter of accommodation and convenience and shall not constitute a waiver of the lien for charges furnished the vessel for which the Maritime Law gives a lien.

(D) Port Freeport does not recognize the numerous shippers or consignees and cannot attempt to collect or assist in collecting storage and similar bills which may be passed on to shipper and consignees by the vessel, its owners and agents, such bills are due when presented and must be paid regardless of when the vessel, its owners and agents are reimbursed.

(E) Invoices must be paid when presented, and errors if any, will be rectified by Port Freeport.

(F) Port Freeport reserves the right to estimate and collect in advance all charges which may accrue against vessels, their owners, and agents, or against cargo loaded or discharged by such vessels, or from other users of the facilities of Port Freeport, whose credit has not been properly established with Port Freeport or who are habitually on the delinquent list. Use of facilities may be denied until such payments or deposits are made.

(G) Port Freeport reserves the right to apply any payment received against the oldest bills rendered against vessels, their owners and agents, or other users of facilities, except that payment made on behalf of specific vessels and/or owners will be applied, as specified by the payer.

ITEM 405⁽¹⁾**STEVEDORE CONTRACTOR LICENSE**

Issued: September 1, 2015

Effective: October 1, 202~~2~~⁴

Any person or other entity must hold a valid Stevedore License approved by the Port Freeport Commission to operate as a stevedore at facilities owned or operated by Port Freeport.

(A) Stevedore contractors whether currently performing or desiring to perform stevedore services at Port Freeport facilities, are required to file an application for a Stevedore Contractor's license. All stevedoring companies are subject to the following conditions:

(1) The stevedore company must file a new application with the \$2,~~976.75~~^{835.00} fee along with certificates of insurance for workmen's compensation, and employers' liability, general automobile liability, comprehensive, and personal injury insurance, and U.S. Longshoremen and Harbor Workers Act. The application will be subject to approval by the Board of Commissioners. Port Freeport reserves the right to establish minimum coverage limits.

(2) Issuance, Duration and Expiration of Licenses

Issuance of a license shall be evidenced by the dated signature of Port Freeport's Chief Executive Officer or their designee on the original or renewal application form after the Board of Commissioners has approved or renewed the license.

Stevedore Licenses shall be issued only to be effective during a given calendar year.

Every Stevedore License shall automatically expire on December 31 of the calendar year in which the license was in effect and thereafter is invalid and without effect unless the Board of Commissioners approves a renewal of the license for the following calendar year.

Without the Board of Commissioners approval, no action or inaction of Port Freeport staff shall operate to revive an expired or terminated Stevedore License.

Stevedore Licenses that have not been renewed on or prior to December 31 are expired and holders of such licenses must file an application for a new license.

The expiration or termination of a Stevedore License shall be without prejudice to the option of the license holder to file an application for a new Stevedore License.

(3) Requirements for License Approval

No Stevedore License shall be approved unless the proposed license holder is shown to be a financially and legally responsible operator, who is ready and able competently to perform stevedoring services, ~~taking into account~~^{considering} the management, ownership and control of the license holder. Financially responsible operators are those who regularly comply with their contractual undertakings and legal obligations, are not in default and have no material history of default in their obligations, and who at all times maintain in force and effect the insurance required of holders of a Stevedore License. (Cont'd)

STEVEDORE CONTRACTOR LICENSE (Cont'd)

Legally responsible operators are those who regularly comply with and who have no history of violation of material federal and state statutes, including those statutes having particular applicability to those in the stevedoring business, as well as the Tariffs of Port Freeport.

Competent operators are those whose past practices demonstrate their commitment to safe and efficient performance of stevedoring services for others and who possess the skill, experience, equipment, and personnel necessary to do so.

The proposed license holder must provide the OSHA Log 300 and the Total Recordable Incident Rate (TRIR) which reflects a company's safety record. The proposed license holder must also provide a copy of the company's safety plan or policy, the number of lost time injury events in the past year for both Port Freeport site and corporate and the company's drug and alcohol policy must include random testing.

(4) Annual Renewal of Licenses

No Stevedore License shall be renewed except upon the filing with Port Freeport of a fully completed renewal application, including proof of required insurance, payment of the required renewal license fee of \$1, ~~212.75~~~~+55.00~~ and the approval of the renewal by the Board of Commissioners.

(5) Consideration of Original and Renewal Applications

Port Freeport shall review each original or renewal application, may require the applicant to submit additional information, and may consider additional information obtained through an investigation or submitted by the public that bears on an applicant's responsibility or competence.

Port Freeport's staff shall make a written recommendation to the Board of Commissioners on each original and renewal application received.

All original and renewal applications shall be acted upon by the Board of Commissioners at the publicly posted meetings. Notice of such action shall be posted in accordance with the Texas Open Meetings Act.

Original or renewal applicants who are the subject of a negative recommendation, and License holders that are the subject of a recommendation of revocation or suspension, shall be given notice of the substance and grounds for the recommendation and may address the Board of Commissioners in public session.

All original and renewal applications for a Stevedore License filed with Port Freeport, written materials obtained or received by Port Freeport in connection with its consideration of an application, and the written recommendations of Port Freeport staff to the Board of Commissioners, shall be considered public records, with the exception of an applicant's customer or other proprietary information that is exempted from disclosure by the Texas Public Information Act.

(6) Revocation, Suspension and Termination of License

Denial or Revocation of License. The Board of Commissioners may deny, revoke, or decline to approve or renew a Stevedore License if the license holder does not meet all of the requirements for license approval, or has made material misrepresentation on an original or renewal application, or has been convicted of a material criminal offense. A material criminal offense is one that directly relates to the competence, duties and responsibilities of the Stevedoring License holder. (Cont'd)

STEVEDORE CONTRACTOR LICENSE (Cont'd)

Suspension and Termination of License. Any license holder may have its license suspended or terminated as follows:

i. Safety Incidents. Port Freeport holds safety as a critical obligation, which is incumbent on all users of the Port facilities, including licensed stevedores. Maintaining a safe work environment is mandatory to maintaining a Stevedore License at Port Freeport. As a condition to obtaining and maintaining a Stevedore License, the stevedore must enforce its own safety policy and comply with all Port safety policies, currently existing or hereafter implemented, as to the stevedore's employees, agents, contractors, and invitees.

A license holder shall immediately, but in no event not less than 24 hours after the incident, report to the Port any violation of a stevedore's safety policy or the Port's safety policy. Said report will be in writing and delivered to both the Port Director of Operations and Director of Protective Services. The license holder will cooperate in the furnishing of any and all information requested by the Port.

The Executive Port Director, or an appointed designee, may immediately recommend to the Board to suspend a Stevedore license as a result of any safety incident at Port Freeport, including whether or not said safety incident results in bodily injury or injury to personal property. The license holder may seek reinstatement of the Stevedore License by requesting a hearing in front of the Port Commissioner's Operations Committee. The Port Commissioner Operations Committee may recommend to the Board discretion to reinstate the Stevedore License and may impose additional requirements or limitations in reinstating the Stevedore License.

ii. Failure to Comply with Tariff. The Executive Port Director, or an appointed designee, may immediately recommend to the Board to suspend a Stevedore License for the license holder's failure to comply with the terms of the Tariff, as it exists or hereafter amended. The license holder may seek reinstatement of the Stevedore License by requesting a hearing in front of the Port Commissioner's Operations Committee. The Port Commissioner Operations Committee has sole discretion to recommend to the Board to reinstate the Stevedore License and may impose additional requirements or limitations in reinstating the Stevedore License.

(7) Automatic Termination of License

For Attempted Transfer of License. A Stevedore License shall not be sold, transferred, assigned, or otherwise used by anyone other than the license holder named in the license application. A license holder's Stevedore License shall automatically terminate on the date and time of any attempted sale, transfer, assignment, or use of the license by another person or entity.

For Change in Control. Stevedore Licenses are issued upon the assumption that the management and control of the license holder is as stated in the application. In the event of the change of control of a Stevedore License holder, or of that part of a license holder's stevedoring business conducted at Port Freeport's facilities, the license holder's Stevedoring License shall automatically terminate on the date and time of the change.

Change control means, as pertinent to the license holder, the sale of a controlling interest of the stock of a privately held corporation holding the license, or the merger of a privately or publicly held corporate license holder with another corporate entity, or the sale of a controlling interest in a business. (Cont'd)

STEVEDORE CONTRACTOR LICENSE (Cont'd)**(8) Stevedore Insurance**

Every holder of a Stevedore License shall maintain the following insurance continuously in force and effect:

- a. General Liability insurance covering claims for personal injury, death and property damage and its operations to be carried out upon or in connection with the public facilities of Port Freeport. The limits of general liability shall not be less than a combined single limit of \$1,000,000 per occurrence, subject to a \$2,000,000 general aggregate limit, and providing a deductible not to exceed \$25,000, and must name Port Freeport as an additional insured, and must contain a subrogation waiver in favor of Port Freeport. Liability coverages must afford "occurrence" coverage.
- b. Automobile liability, including coverage for all owned, non-owned and hired vehicles, with a minimum combined bodily injury and property damage limits of \$1,000,000, and must name Port Freeport as an additional insured, and must contain a subrogation waiver in favor of Port Freeport. Liability coverages must afford "occurrence" coverage.
- c. Employer's liability insurance with limits of no less than \$1,000,000, and must name Port Freeport as an additional insured, and must contain a subrogation waiver in favor of Port Freeport. Liability coverages must afford "occurrence" coverage.
- d. Stevedore's Legal Liability insurance with limits of no less than \$1,000,000, and must name Port Freeport as an additional insured, and must contain a subrogation waiver in favor of Port Freeport. Liability coverages must afford "occurrence" coverage.
- e. U.S. Longshoremen & Harbor Workers and Texas Workers Compensation at statutory limits and must contain a subrogation waiver in favor of Port Freeport.
- f. Umbrella or Excess Liability insurance with limits of \$5,000,000 per occurrence and annual aggregate, except automobile liability, which is not subject to an aggregate, to apply in excess of insurance provided for in items (8)1, (8)2, (8)3, and (8)4 above, and must name Port Freeport as an additional Insured, and must contain a subrogation waiver in favor of Port Freeport. Liability coverages must afford "occurrence" coverage.

All of the listed coverages shall contain a provision to the effect that the insurer shall not cancel or materially amend the policy without first giving Port Freeport thirty days' prior written notice of intent to cancel or amend.

Such insurance should be placed in a company or companies having a current Best's General Policyholders Rating of A+ or A or their equivalents.

Certificates of insurance evidencing that all of the listed coverages are in force and effect must be provided directly by the issuing company or its agent. Evidence must be provided showing that the agent is licensed in Texas. Liability policies must provide for deductible rather than retention.

(B) Stevedore company employees are subject to all rules and regulations of Port Freeport and those local, state, and federal regulations pertaining to workers and safety. Stevedore companies are responsible for their employee's safety and conduct while working at Port Freeport. Port Freeport must be informed by the stevedore company when any employee is dismissed from work. Dismissed employees must leave Port Freeport premises immediately and remain the responsibility of the stevedore company until they leave.
(Cont'd)

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Issued: October 1, 2022~~+~~

Effective: October 1, 2022~~+~~

(C) Port Service Charge

A use fee of \$0.40 per short ton of manifested cargo handled will be billed to stevedores. Port Freeport provides clean rest rooms, janitorial supplies, ice, use of roadways, dock aprons, maintenance of rail and common areas, dock lighting, plumbing and sewage.

(D) Stevedoring Companies operating at Port Freeport are responsible and liable for all damages to the facilities, equipment, and cargos in the sheds. Damages must be reported in writing after each accident.

(E) Stevedore companies are responsible for keeping work areas safe and litter free. Machines used by stevedores must be in a safe condition and free from oil or fuel leaks. Stevedore equipment, supplies, and dunnage are not permitted to remain in sheds upon completion of each vessel without permission.

(F) Stevedore companies operating at Port Freeport facilities are required to have a drug and alcohol policy in force when a stevedore license is issued. This policy must include random testing and be available for inspection by Port Freeport when requested.

ITEM 410⁽¹⁾

PERMITS

Issued: September 1, 2015

Effective: October 1, 2022~~+~~

(A) WELDING/HOT WORK

Welding, oxyacetylene, electric or other “hot work” at Port Freeport facilities is permitted subject to the conditions set out by the U.S. Coast Guard Captain of the Port and the conditions set out in the Welding and Hot Work Permit issued by Port Freeport. A copy of the permit issued by Port Freeport must be in the possession of the person on the job in charge of the operation and that person must and cause all others to fully comply with all applicable codes and industry standards and with all applicable federal, state, and local laws, rules, and regulations. Hot work will not be permitted when conditions are deemed to be hazardous to Port Freeport facilities. Suitable fire extinguishing equipment shall be available in the hot work area ready for instant use.

Service Fee - \$~~101.85~~~~97.00~~

(B) OVER DIMENSIONAL / OVERWEIGHT CARGO

Handling, lifting, loading, unloading, or in any way moving “Over Dimensional/Overweight Cargo” to / from a Vessel / Barge at Port Freeport facilities shall be subject to a duly authorized Over Dimensional/Overweight Cargo Permit, and any conditions set forth therein. The Over Dimensional/Overweight Cargo Permit shall be approved by Port Freeport Director of Operations or his designee.

A copy of said permit issued by Port Freeport shall be in the possession of the person designated by the Stevedore as responsible for the operation. That designee shall cause all persons involved with the operation to fully comply with all applicable codes, industry standards and safety rules, including but not limited those set forth in the Over Dimensional/Overweight Cargo Permit and this Tariff. Port Freeport retains the right to unilaterally deny an Over Dimensional/Overweight Permit and may require any terms reasonably necessary to ensure the safe movement of Over Dimensional/Overweight Cargo.

Permit Fee - \$~~598.50~~~~70.00~~

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Issued: October 1, 2022~~+~~

Effective: October 1, 2022~~+~~

SUBJECT: VESSEL REGULATIONS

ITEM 415^(I)**DOCKAGE ON ALL VESSELS (*)**

Issued: September 1, 2015

Effective: October 1, 202~~2~~⁴

Basis of Charges: (A) Dockage shall be based on the length overall of the vessel as shown in the most current Lloyd's Register of Ships. Port Freeport reserves, without question, the right to admeasure any vessel when deemed necessary, and use such measurement as the basis of the charge.

Time Begins: (B) Dockage on all vessels (except as shown herein) shall be charged from the time a vessel makes fast to a wharf or occupies the berth immediately alongside until it is freed from and vacates such berth or wharf. Each succeeding twenty-four-hour period after the actual time of docking shall be considered a full day.

Dockage Rate: (C) Dockage on all vessels except as otherwise provided in this item shall be charged on the length overall of vessels in feet (meters) shown in Lloyd's Register of Ships and shall be on the following basis:

| Length Overall of Vessel in Feet | | Rate per Foot Per 24-hour day |
|-------------------------------------|----------|------------------------------------|
| Over | Not Over | |
| 0 | 199 | \$3. 29 ¹⁴ |
| 200 | 399 | \$4. 183 ⁹⁸ |
| 400 | 499 | \$5. 77 ⁴⁹ |
| 500 | 599 | \$7. 85 ⁴⁷ |
| 600 | 699 | \$9. 188 ⁷⁴ |
| 700 | 799 | \$11. 57 ⁰² |
| 800 | 899 | \$14. 183 ⁵¹ |
| 900 | And Over | \$16. 775 ⁹⁷ |

(D) After the 24-hour period, any period of berth occupancy of twelve hours or less will be billed at one half of that day's dockage. Approval or disapproval will be given on an individual ship basis by the Director of Operations.

(E) Barges berthed at the barge dock No. 4 will be charged at a rate of \$~~202.50~~^{192.85} per 24-hour period. No more than two barges are permitted at the barge dock at one time.

(F) Dockage on barges, intercoastal or river barges shall be charged at the length overall (LOA) rate of the vessel, with a minimum of \$~~202.50~~^{192.85} per 24-hour period.

(G) Any vessel berthed in an unauthorized manner or unassigned berth without submission and approval of a berth application or that has been shifted without the approval of the Director of Operations shall be subject to a payment of dockage in an amount equal to twice the published rate. Such vessel may be moved at the Director of Operation's request to a properly designated berth without notice at the owner's risk and expense.

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Issued: October 1, 202~~2~~⁴Effective: October 1, 202~~2~~⁴

DOCKAGE ON ALL VESSELS (*) (Cont'd)

(H) Flat rates on supply boats for offshore operations will be billed \$~~1012.56~~~~964.34~~ per day regardless of how many trips in and out (this is a per vessel rate).

(I) Dockage shall not be charged on the following:

1. Government vessels visiting the Port as part of celebrations at the discretion of the Chief Executive Officer.
2. Pleasure craft not carrying passengers for hire, docking to load or discharge passengers and promptly vacating berth, provided such charge is expressly waived by the Chief Executive Officer.

ITEM 420^(I)**SHED HIRE**

Issued: September 1, 2015

Effective: October 1, 202~~2~~⁴

(A) This charge will not apply against vessels loading or discharging cargo direct from car, truck, or barge to vessel. (Cont'd)

(B) Shed hire shall be charged against a vessel loading or discharging cargo based on the quantity of cargo loaded or discharged as follows:

| | |
|-----------------------------|--|
| (1) Up to 500 net tons | \$ 473.63 ⁵ 1.08 |
| (2) 501 to 1,000 net tons | \$ 631.74 ⁶ 3.33 |
| (3) 1,001 to 5,000 net tons | \$ 878.08 ³ 6.26 |
| (4) 5,001 net tons and over | \$ 1,277.74 16.90 |

ITEM 425**PILOTAGE RATES**

Issued: December 1, 1997

Effective: November 1, 2017

For pilot rates contact:
Brazos Pilots Association
2502 Deep Sea Drive
Freeport, Texas 77541
(979) 233-1120

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Issued: October 1, 202~~2~~⁴

Effective: October 1, 202~~2~~⁴

SUBJECT: SPACE RENTALS, FREE TIME, AND PENALTIES

ITEM 430**CONDITIONS GOVERNING MERCHANDISE**

Issued: December 30, 1993

Effective: October 1, 2020

Port Freeport does not engage in the warehousing of property on its wharves or premises. All property landed or received on the wharves or premises of Port Freeport is thereafter at the risk of the owner, except as provided in Item 375. The quoting of penalty rates does not imply that Port Freeport will permit property to remain on its wharves any particular time. Port Freeport reserves the right to remove any or all such property to any other part of the wharves or premises or remove and place in storage elsewhere at the risk and expense of the owner; and Port Freeport may retain possession of the property until all charges are paid in full and may sell the cargo for such unpaid charges in accordance with state law.

Steamships, their owners and agents, or others having property on the wharves or premises shall be required at all times to have a watchman protecting such property.

ITEM 435_{(C)(I)}**FREE TIME**

Issued: September 1, 2015

Effective: November 1, 2017

OPEN OR WAREHOUSE STORAGE: No free time allowance unless otherwise agreed. Arrangements for the use of this facility must be made with the Chief Executive Officer or their designee in advance of cargo arrival at Port Freeport. SEE ITEM 586

SUBJECT: EQUIPMENT CHARGES**ITEM 440****DAMAGE BY EQUIPMENT**

Issued: December 30, 1993

Effective: November 1, 2017

Equipment with lugs or steel treads must be kept off concrete wharf by suitable mats. The Director of Operations is to specify such protection. Failure to so provide shall make User liable for damages.

ITEM 445(I)(A)**EQUIPMENT CHARGES**

Issued: September 1, 2015

Effective: October 1, 202~~2~~⁴

(A) The following equipment is available for rent with a 2-hour minimum rental. Billing shall be assessed in half hour increments beginning at the time of pick-up and rounded to the nearest quarter hour, subject to the following:

- (1) Forklift Machine - 5,000 to 6,000 lb. capacity - ~~\$28,637.27~~/hour
- (2) Forklift Machine - 15,000 lb. capacity - ~~\$47,725.44~~/hour
- (3) Forklift Machine - Hyster 440/40,500 lb. capacity - ~~\$196,8587.48~~/hour
- (4) Forklift Machine 8,000 lb. capacity - ~~\$34,602.95~~/hour
- (5) Container Handler/Top Loader - ~~\$194,4785.21~~ without operator
- (6) Yard Truck - ~~\$44,142.04~~/hour
- (7) Power Sweeper - ~~\$44,142.04~~/hour
- (8) Street Sweeper - ~~\$170,3462.23~~/hour – to include operator
- (9) 80' Manlift - ~~\$107,882.74~~/hour
- (10) 135' Manlift - ~~\$181,6973.04~~/hour
- (11) Scissor Lift - ~~\$56,784.08~~/hour

(B) PALLETS: Port Freeport will furnish pallets in good order when requested by customers. Pallet use rate is ~~\$1.484~~ per 2,000 lbs. Before return, user will clean pallets of all foreign material and repair all damaged boards and runners with comparable dimension hardwood. If pallets are not cleaned or repaired, the cost of cleaning and repairing will be assessed to the user plus 20%.

(C) Gantry Crane

User will furnish a **certified** crane operator. Electricity and maintenance shall be furnished by Port. Billing shall be assessed in half hour increments, subject to the following:

1. A rate of ~~\$8240.00~~ per crane per hour with a 4-hour minimum during straight time hours.
2. A rate of ~~\$905,62862.50~~ per crane per hour will apply during over time hours.
3. Ordering or cancelling of Gantry Cranes to be the same as ordering or cancelling of labor.
4. Gang detention expenses caused by gantry crane failure will be administered on the following basis:
 - a. After the first half-hour of gang detention, the Port will credit, upon application, the Vessel Operator's account at the rate of \$140.00 per five-minute increment for each five-minute increment of each gang which is eligible for a credit for gang detention expenses. Any time in excess of a five-minute period which is not a full five minutes will not be credited. The time for each container gang which is entitled to credit for gang detention expenses shall be computed separately and shall not be cumulated.

Issued: October 1, 202~~2~~⁴[Return to Table of Contents](#)Effective: October 1, 202~~2~~⁴

EQUIPMENT CHARGES (Cont'd)

All applications for gang detention must be received within six months of Vessel completion. Applications received after six months, will be denied. In the event any party other than the Vessel Operator may be entitled to credit or reimbursement for gang detention expenses, that party shall make application to the Vessel Operator, who shall be solely responsible for issuing such credit or reimbursing such expenses to the requesting party.

b. No credits will be given for (1) Gantry Crane failure brought about by abuse by the User of the Wharf Crane; (2) Yard Crane failure, yard congestion, or other operational terminal delays; (3) Service area power failures; or (4) Acts of God.

ITEM 450**REMOVAL OF OBJECTS FROM CHANNEL**

Issued: December 30, 1993

Effective: ~~October~~November-1, 20~~22~~17

~~Stages and/or save-all nets must be used to prevent cargo or equipment from falling into the channel. In the event contractors, stevedores, Channel or others responsible do not set stages or save all nets properly, Port Freeport reserves the right to stop loading or unloading of vessel until stages are properly placed.~~ Contractors, stevedores, or others shall be liable for the removal of any articles dropped in basin or channel and Port Freeport reserves the right to remove such articles, on a basis of cost-plus 20 percent, at the expense of contractor, stevedore, or others responsible for the vessel.

ITEM 455**RESPONSIBILITY OF USER ON EQUIPMENT RENTED FROM PORT FREEPORT**

Issued: April 17, 2003

Effective: May 1, 2019

(A) All steamships, their owners, agents and stevedores, or others hereinafter called User, renting, or using freight handling machinery or equipment on Port Freeport's property, shall be under and subject to the following conditions and charges. The renting or use of Port's property which shall constitute an agreement with Port Freeport to pay such charges and be bound by such conditions.

(B) Condition of, and Responsibility for Leased Equipment:

Port Freeport equipment is presumed to be in good operating condition when turned over to User; but Port Freeport does not warrant the equipment's condition. Port Freeport's sole responsibility shall be to furnish mechanic(s) believed to be competent to make such repairs if User notifies Port Freeport of a breakdown. Port Freeport will not be responsible for delays caused by breakdown of equipment or other causes. Port Freeport reserves the right to stop operation of equipment at any time to make repairs that appear to be necessary.

(C) By receiving possession thereof, User of Port Freeport's equipment agrees that upon termination of the period of use it will be returned to Port Freeport in the same condition as when received, ordinary wear and tear accepted.

(D) Cranes and/or other equipment is under the User's orders and supervision and User accepts sole responsibility and liability for any damage or injury of whatever nature to property or persons caused by

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Issued: October 1, 202~~2~~1

Effective: October 1, 202~~2~~1

RESPONSIBILITY OF USER ON EQUIPMENT RENTED FROM PORT FREEPORT (Cont'd)

the operation of such cranes and/or equipment, including damages to Port Authority property. User agrees to hold harmless and fully indemnify Port Authority from any and all liability from personal injuries or property damage occasioned by the operations, use or possession of such cranes and/or other equipment. For limits of liability on Port Freeport, see Item 495.

ITEM 460^(I)
USE OF PRIVATELY OWNED CRANES

Issued: September 1, 2015
Effective: November 1, 2017

Privately owned cranes may be used on the property of Port Freeport by permission of the Director of Operations.

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Issued: October 1, 2022⁺

Effective: October 1, 2022⁺

SUBJECT: CHARGES FOR ELECTRIC CURRENT, LIGHTS, ICE AND WATER

ITEM 465
ELECTRIC CURRENT

Issued: August 30, 1996
 Effective: May 1, 2019

Electric Current Supplied: Electric current normally would be supplied direct to users by the Reliant Energy, except in cases where this would be impractical. In such cases, Port Freeport will supply electric current, pursuant to request to and arrangements with Port Freeport's Director of Operations.

ITEM 470
ICE

Issued: December 1, 1995
 Effective: November 1, 2017

Contact the Director of Operations for availability of ice.

ITEM 475⁽¹⁾
WATER

Issued: September 1, 2015
 Effective: October 1, 202~~2~~⁴

(A) A charge for water shall be made of \$1~~9.156-25~~ per 1,000 gallons. Rate may be adjusted as necessary to cover Port Freeport costs.

(B) Minimum sale of water to be \$~~115.0097.50~~ per service for ships.

(C) Service Charge:
 For each connection - \$~~59.066-25~~
 For each connection on overtime - \$10~~8.153-00~~
 For hoses supplied - \$~~87.153-00~~

(D) A watchman will be required and provided at rate shown for special watchman when water is supplied on overtime

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Issued: October 1, 202~~2~~⁴

Effective: October 1, 202~~2~~⁴

SUBJECT: MISCELLANEOUS

ITEM 480^(I)
PATROL SERVICES

Issued: September 1, 2015
Effective: October 1, 202~~2~~¹

(A) Vessels calling Port Freeport will be assessed a charge of \$11~~6.55~~^{4.00} per day for patrol services.

ITEM 485
INFORMATION TECHNOLOGY FEES

Issued: October 1, 2017
Effective: October 1, 202~~2~~¹

Port Freeport will assess cyber technology fees as set forth herein. Such fee, in the amounts set forth below, shall be in addition to all other fees and charges due under this tariff:

Radio Communications:

Dedicated Talk Group: \$~~220.50~~^{10.00}
annuallyRadio Usage Fee: \$~~8.93~~
~~50~~/radio/month

Additional Services:

EOC Datacenter IDF Wall Mounted Device -
\$~~57.75~~⁵/month EOC Datacenter Rack Space -
\$11~~5.50~~⁰/month per 1U (1.75")
Port Freeport Pair of fiber (From EOC Datacenter to Warehouse) -
\$11~~5.50~~⁰/monthPort Freeport will not provide any devices or cables.
Port Freeport will not provide internet services. Please contact your internet service provider.

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Issued: October 1, 202~~2~~¹

Effective: October 1, 202~~2~~¹

SUBJECT: SPECIAL SERVICES

ITEM 495
LIMITS OF LIABILITY

Issued: December 30, 1993
Effective: November 1, 2017

No provisions contained in this tariff shall limit or relieve Port Freeport from liability for its own negligence, nor require any person(s), vessels, or lessees to indemnify or hold harmless Port Freeport from liability for its own negligence.

ITEM 500
INCIDENTAL SERVICES

Issued: September 1, 2015
Effective: October 1, 202~~2~~⁴

(A) Any special services not covered in this tariff shall be provided at actual cost-plus twenty percent (20%). The labor rate shall be \$~~64.05~~^{4.00} per hour per person with one hour minimum.

ITEM 505
TRUCK SCALE

Issued: September 1, 2015
Effective: October 1, 202~~2~~⁴

Port Freeport maintains, for use of its clients, a 70', 100,000 lb. capacity platform truck scale. ~~Port Freeport has Weigh masters licensed by the State of Texas.~~ One copy of weight certificates will be supplied. Charges for use of the scale are:

Charge Per Truck - \$12.00

~~(A) Due to Texas Statute effective September 1983 forcing additional responsibility and liability on loaders of trucks, effective immediately, when trucks are loaded by labor directly employed by Port Freeport it shall be mandatory those trucks weigh on Port premises before cargo release is given allowing trucks to depart Port facilities.~~

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Issued: October 1, 202~~2~~⁴

Effective: October 1, 202~~2~~⁴

SUBJECT: LOADING/UNLOADING REGULATIONS

ITEM 515**APPLICATION OF TIME**

Issued: April 17, 2003

Effective: May 1, 2019

All times covered herein apply to guaranteed times. Straight time applies from 8:00 a.m. to 12:00 noon, and 1:00 p.m. to 5:00 p.m., except on Saturdays, Sundays, and labor holidays. Local Union guarantee shall apply for all call outs.

Overtime applies from 1:00 a.m. to 6:00 a.m., 7:00 a.m. to 8:00 a.m., 5:00 p.m. to 6:00 p.m., and 7:00 p.m. to 12:00 midnight, and on Saturdays, Sundays, and labor holidays.

Double time applies from 6:00 a.m. - 7:00 a.m.; 12:00 noon - 1:00 p.m.; 6:00 p.m. - 7:00 p.m.; 12:00 midnight - 1:00 a.m.

Where fractional hour requires full hour charge, fractional hour straight time or overtime will be applied to fill out fractional hour overtime or double time on a continuous period of operation.

ITEM 520**APPLICATION OF RATES**

Issued: December 30, 1993

Effective: May 1, 2019

The rates named herein apply on the specific commodities and in the specific packaging shown.

ITEM 525**BAD ORDER OR OVERLOADED/IMPROPERLY LOADED CARS**

Issued: December 30, 1993

Effective: October 1, 2020

All cars placed by the railroad will be accepted as good-order cars and will be loaded or unloaded except those cars improperly loaded will not be handled at regular tariff rates. The person responsible for loading/unloading the car will be called and a special contract entered into covering the unloading of improperly loaded cars.

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Issued: October 1, 202~~2~~⁴

Effective: October 1, 202~~2~~⁴

ITEM 535**LOADING AND UNLOADING TRUCKS**

Issued: December 30, 1993

Effective: November 1, 2017

Motor trucks delivering direct to transit shed or receiving cargo in transit shed shall be charged the loading and/or unloading rates in this tariff unless contractually agreed otherwise.

ITEM 540^(I)**MINIMUM INVOICE**

Issued: September 1, 2015

Effective: October 1, 202~~2~~⁴

The minimum charge for loading, unloading or wharfage shall be \$~~55.00~~^{2.50}.

ITEM 545**ORDER AND RELEASE OF RAIL CARS**

Issued: December 30, 1993

Effective: May 1, 2019

Port Freeport does not order or release railroad cars. It is the responsibility of the Tenant, consignee, or cargo owner to order and release from the railroad and notify Director of Operations. All charges are the responsibility of the Tenant, consignee, or cargo owner.

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SUBJECT: WHARFAGE APPLICATION AND REGULATIONS**ITEM 575^(I)**
BULK COMMODITIES

Issued: September 1, 2015

Effective: October 1, 202~~2~~⁴

- A. Bulk commodities, dry or liquid, import or export will be charged a wharfage rate of \$0.8~~5~~¹ per 2,000 pounds.
- B. Domestic Milled rice that exits the Port via truck or rail will be assessed a rate of \$0.~~83~~⁷⁹ per 2,000 pounds.
- C. Crude and/or petroleum products (NOS) of all kinds (including but not limited to methane, LPG, propane, gasoline, diesel, and/or jet fuel) that enter or exit the Port via tank trucks will be assessed a rate of \$~~23.40~~^{2.28} per truck.

ITEM 585
RESPONSIBILITY FOR PAYMENT

Issued: December 30, 1993

Effective: November 1, 2017

All vessels and their owners receiving any commodity on a wharf or in a transit shed or loading or unloading any commodity while at a wharf, thereby contract to pay and are responsible for the wharfage on such commodities, at the rate provided herein, to be collected either from vessels, their owners, or their agents.

ITEM 586^(I)
TERMINAL USE CHARGES

Issued: September 1, 2015

Effective: October 1, 202~~2~~⁴

Charges quoted herein are in addition to wharfage when applicable, and such other charges as may accrue under terms of this tariff.

- (A) A terminal use charge of \$~~5.00~~^{2.50} per container unit, whether full or empty, loaded to or discharged from ocean going vessels. Includes 7 days free time and \$5.~~50~~⁷⁵ per TEU per day thereafter on Velasco Terminal.
- (B) A terminal use charge of \$~~220.50~~^{49.00} per loaded railroad car will be assessed on commodities arriving to or departing from Port facilities. Includes 7 days free time and \$15.~~75~~⁷⁵ per car per day thereafter.
- (C) A terminal use charge of \$0.~~92~~⁸⁷ per ton will be assessed on commodities handled to or from terminal shed to or from motor trucks.

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TERMINAL USE CHARGES (Cont'd)

(D) A charge of \$3,~~817.71~~~~635.92~~ per acre or portion thereof will be assessed on a per month basis against cargo landing in designated storage area and / or located on leased space after the lease has been terminated. This includes any commodity / cargo imported, exported and domestic requiring storage on Port facilities. Designation of area will be determined by availability and discretion of Chief Executive Officer or designee.

(E) A charge of \$0.~~530~~ per square foot per month or portion thereof will be assessed on a per month basis against cargo landing in designated covered storage area inside warehouse. This includes any commodity / cargo imported, exported and domestic requiring storage on Port facilities. Designation of area will be determined by availability and discretion of Chief Executive Officer or designee.

(F) A charge of \$4.~~7755~~ per square foot per month (including electricity) or portion thereof will be assessed on a per month basis for designated office space (when available). The cost of electricity and water shall be included. The cost of internet, telephone and housekeeping shall be the responsibility of the occupant. All other rules within Port Tariff No. 005 will apply. Designation of area will be determined by availability and discretion of Chief Executive Officer or designee.

(G) A terminal use charge of \$2.~~3827~~ per ton will be assessed to 3rd parties (stevedores/terminal operators) using Port facilities on commodities handled to or from ocean containers to or from over the road trucks (also known as a swing/trans load/ transfer), for the use of port truck dock facilities or port rail sidings. This will also apply to commodities handled for USDA and CBP Inspections.

ITEM 600**GENERAL RULES & REGULATIONS ON CONTAINERS, CONTAINERIZED & RO-RO CARGO**

Issued: December 1, 1996
Effective: October 1, 2021

Facility use and services will be provided at tariff rates, rules and regulations equal in terms and applications to all users. Use of the facilities shall constitute a consent to conditions herein contained, evidencing thereby agreement on the part of all vessels, roll-off cargo their owners and agents, and other users however described to pay all charges specified and be governed by all such rules and regulations. Except as to these specific provisions provided in this Section, governing rules, regulations, and charges are set forth in other portions of this tariff. Stevedoring services, cargo handling rates and charges are provided by others and are not included as part of this tariff.

ITEM 625⁽¹⁾**WHARFAGE ON CONTAINERS**

Issued: September 1, 2015
Effective: October 1, 202~~1~~

Wharfage on all containerized cargo or empty containers moved through the terminal:

\$3.~~4630~~ per 2,000 Pounds

[Return to Table of Contents](#)

Issued: October 1, 202~~1~~

Effective: October 1, 202~~1~~

WHARFAGE ON CONTAINERS (Cont'd)

(A) This charge is assessed on the gross weight of the container whether full or empty and is in addition to all other applicable charges.

(B) Containerized cargo received into Port Freeport's Container Terminal by rail or truck, and subsequently forwarded from the terminal by rail or truck for movement beyond Freeport, is subject to the wharfage charge applicable on export or import containerized cargo.

ITEM 635^(I)

WHARFAGE CHARGES

Issued: September 1, 2015
Effective: October 1, 202~~2~~⁴

All commodities not otherwise specified shall be charged a wharfage rate of:

~~WHARFAGE Wharfage~~ N.O.S. \$2.~~89~~⁷⁵ per 2,000 lbs.

ITEM 640^{(A)(I)}

RORO CARGO

Issued: September 1, 2015
Effective: October 1, 202~~2~~⁴

~~NEW AND USED PASSENGER VEHICLES WHARFAGE~~New and Used Passenger Vehicles Wharfage: \$8.05~~7.67~~ PER UNIT
~~ALL OTHER RORO CARGO WHARFAGE~~All other RoRo Cargo Wharfage:

\$4.~~54~~³³ PER TON

CARGO THAT ARRIVES INTO THE PORT AND DEPARTS THE PORT NOT ON A VESSEL

~~PASSENGER VEHICLES AS PER ABOVE~~Passenger Vehicles as per above:
\$16.~~105.33~~ PER UNIT TRANSIT FEEper unit transit fee / \$3.~~022.88~~ PER UNIT SECURITY FEEper unit security fee

~~AGRICULTURAL AND CONSTRUCTION~~Agricultural and Construction:
\$9.~~088.65~~ PER TON TRANSIT FEEper ton transit fee / \$9.~~6317~~ PER UNIT SECURITY FEEper unit security fee

ITEM 710^(I)

RICE

Issued: September 1, 2015
Effective: October 1, 202~~2~~⁴

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Issued: October 1, 202~~2~~⁴

Effective: October 1, 202~~2~~⁴

SECTION TWELVE

WHARFAGE: \$2.~~67~~⁵⁴ per 2,000 lbs.

[Return to Table of Contents](#)

Issued: October 1, 202~~2~~⁴

Effective: October 1, 202~~2~~⁴

ITEM 720_(I)**PROJECT CARGO – NOT SPECIFIED**

Issued: September 1, 2015

Effective: October 1, 202~~2~~⁴

Project cargo will be charged a wharfage rate of \$2.~~8975~~ per 2,000 pounds or 1 CBM (1 cubic meter) whichever is greater.

ITEM 721_(I)**WIND POWER GENERATION CARGO**

Issued: September 1, 2015

Effective: October 1, 202~~2~~⁴

Wharfage \$2.~~8975~~ per 2,000 pounds or \$1.~~8475~~ per CBM whichever is greater

This item covers all wind components and related parts shipments, including but not limited to blades, tower sections, nacelles and nose cones.

[Return to Table of Contents](#)Issued: October 1, 202~~2~~⁴Effective: October 1, 202~~2~~⁴

SUBJECT: PIPELINE RIGHT OF WAY**ITEM 724_(A)****TEMPORARY DREDGE PIPELINE RIGHT OF WAY CHARGES**

Issued: March 23, 2017

Effective: October 1, 2021

Licenses: For Temporary Dredge Pipelines

Application fee of \$541.06 (20 years) in addition to pipeline fees listed below:

Note: A minimum \$5,100.00 refundable deposit for potential damages due to temporary dredge pipeline placement will be required at the time of application. Such deposit will be refunded subject to final inspection after temporary dredge pipeline has been removed. Port Freeport reserves the right to request a greater deposit based on the estimated length of the temporary dredge pipeline. The term of the license shall terminate the earlier of the following dates: 1) completion of the project or 2) one (1) year from the date the access agreement is executed. This item does not apply to pipelines carrying any substance other than dredge materials.

Description: For temporary dredge pipeline installations along, across, under or within railroad right-of-way, submerged lands, and other properties.

- A) Pipeline not over 8" diameter
\$3.00 per LF per pipe
- B) Over 8" but not over 16" diameter
\$4.15 per LF per pipe
- C) Over 16" but not over 32" diameter
\$7.95 per LF per pipe

For Qualification for Pipeline License and Application please click here:

http://www.portfreeport.com/forms_new.asp[Return to Table of Contents](#)Issued: October 1, 202~~2~~¹Effective: October 1, 202~~2~~¹

INTER-AGENCY COOPERATION CONTRACT
BETWEEN
PORT FREEPORT
AND
TEXAS A&M UNIVERSITY-CORPUS CHRISTI

SECTION I. CONTRACTING PARTIES

Receiving Agency: Port Freeport
1100 Cherry St.
Freeport, TX 77541
979 233-2667

Performing Agency: Texas A&M University – Corpus Christi (TAMU-CC)
6300 Ocean Drive, Unit 5844
Corpus Christi, Texas 78412
(361) 825-3882

SECTION II. STATEMENT OF SERVICES TO BE PERFORMED

The National Oceanic and Atmospheric Administration's (NOAA) National Ocean Service (NOS) is responsible for providing real-time oceanographic data and other navigation products to promote safe and efficient navigation within U.S. waters. The need for these products is great and rapidly increasing; maritime commerce has tripled in the last 50 years and continues to grow. Ships are getting larger, drawing more water and pushing channel depth limits to derive benefits from every inch of draft. By volume, more than 95 percent of U.S. international trade moves through the nation's ports and harbors, with about 50 percent of these goods being hazardous materials. A major challenge facing the nation is to improve the economic efficiency and competitiveness of U.S. maritime commerce, while reducing risks to life, property, and the coastal environment. With increased marine commerce comes increased risk to the coastal environment, making marine navigation safety a serious national concern. From 1996 through 2000, for example, commercial vessels in the United States were involved in nearly 12,000 collisions, allisions, and groundings.

NOAA Physical Oceanographic Real-Time System (PORTS[®]) is a decision support tool that improves the safety and efficiency of maritime commerce and coastal resource management through the integration of real-time environmental observations, forecasts and other geospatial information. PORTS[®] measures and disseminates observations and predictions of water levels, currents, salinity, and meteorological parameters (e.g., winds, atmospheric pressure, air and water temperatures) that mariners need to navigate safely.

The PORTS[®] provides accurate and reliable oceanographic and environmental data from locations within the local maritime community to enhance navigation safety, hazardous material spill response, search and rescue operations, and environmental management. One vital

component to the success of the PORTS® is the continued operation and maintenance of the system. This purpose of this Contract is to perform the continued operation, maintenance, repair and management of the Freeport PORTS® in accordance with the Scope of Work (SOW) outlined in Exhibit A.

TAMU-CC is uniquely qualified to undertake the requirements of the proposed SOW. TAMU-CC began working with NOAA NOS in 1988 during the installation of two water level stations in the Corpus Christi Bay area. Since then, the technology transfer has grown benefiting both agencies as well as local, state, and federal stakeholders.

Beginning in 1995, TAMU-CC has been contracted to NOAA NOS for the service, maintenance, and emergency repair of all NOAA National Water Level Observation Network (NWLON) stations located in Texas. In addition to the Texas NWLON stations, TAMU-CC has maintained the Houston-Galveston PORTS® and Lake Charles PORTS®. TAMU-CC has also installed and maintained PORTS® in Pascagoula and Gulfport MS, and Mobile, AL.

TAMU-CC understands the operation of equipment and tools relative to the operations performed in the maintenance of Freeport PORTS®. All field personnel are knowledgeable and experienced in the use of handheld PC devices, meters, hand tools, power tools, motor vessels, trucks, trailers, and gas-powered equipment. Field personnel have the years of training and on-the-job experience required to perform the duties required under the SOW including all facets of the installation, maintenance, and repair of water level and meteorological sensors and associated equipment as well as current meter systems.

TAMU-CC's Conrad Blucher Institute for Surveying and Science (CBI) is an organized research unit at the University and supported by the University's sponsored research administration, accounting, purchasing, travel, and other relevant offices. All management, purchasing, and accounting transactions are initiated locally at CBI by well-qualified staff and internal procedures follow university, state and federal guidelines.

Experienced personnel currently employed at CBI are utilized as lead technicians and/or crew chiefs according to the skill set and experience of the individual. CBI recognizes that our greatest asset is the experience of all the professional people that comprise our Institute. Because CBI personnel are skilled and cross-trained in many areas, their expertise allows flexibility for completing task orders successfully. CBI staff work continuously to create methods/procedures, which result in a more productive and efficient work environment.

CBI has an exemplary safety record. A safe working environment and high standards are the priority for all CBI staff. All CBI field staff are periodically trained in CPR, First Aid, and AED, and have scientific SCUBA diving and U.S. Coast Guard Seamanship Certifications. Although it is expected that contract divers will perform all diving, CBI personnel have been trained and approved as scientific divers for TAMU-CC. CBI will be solely responsible for contract divers.

CBI and Field Operations is currently staffed by the following personnel.

Full Time Staff:

Dr. Richard Smith – Executive Director

Ms. Gina Concannon – Associate Executive Director

Ms. Deanna Crites – Assistant Director for Research Administration

Ms. Devon Steffan – Manager, Research Project Administration

Mr. Zach Hasdorff – Research Engineering Associate IV (Field Operations Supervisor)

Mr. Hugo Mahlke – Research Engineering Associate III (Field Ops)

Mr. Joshua Salazar – Research Engineering Associate I (Field Ops)

Mr. Dominic Vargas – Research Technician II (Field Ops)

Hannah Hanley - Research Engineering Associate I

Mr. Craig Palmer – Mechanic (Fleet and Equipment Maintenance)

Mr. Niall Durham – Software Applications Developer II (Programming and IT Support)

Ms. Devon Steffan, Research Project Administration Manager, with CBI will be the **Principal Investigator (PI)** for this project. Ms. Steffan has been with the institute since 2016 and has extensive knowledge and experience of this project including technical requirements, deliverables, and project reporting. Ms. Steffan will be responsible for working with the project's Technical Representative for scheduling field activities, deliverables, and other associated tasks.

Mr. Zachary Hasdorff, Field Operations Supervisor, will serve as the **Technical Representative (TR)** for this project and the Co-PI. Mr. Hasdorff has been with CBI since 2008, performing installation, service, maintenance, and repairs on remote data collection systems. His knowledge and expertise with PORTS[®] projects is outstanding, and he is essential to CBI field operations.

SECTION III. TERM OF CONTRACT

This Contract takes effect on October 1, 2022, and shall terminate on September 30, 2023, unless terminated earlier by written notice from Port Freeport to TAMU-CC.

SECTION IV. AMENDMENT, TERMINATION AND STOP ORDERS

1. This Contract may be altered or amended by mutual written consent or terminated by Port Freeport at any time by written notice to TAMU-CC. Upon receipt of such termination notice, TAMU-CC shall, unless the notice directs otherwise, immediately discontinue all work in connection with the performance of this Contract and shall proceed to cancel promptly all existing orders insofar as such orders are chargeable to this Contract. TAMU-CC shall submit a statement showing the work performed under this Contract to the date of termination. Port Freeport shall then pay TAMU-CC promptly for costs incurred for work performed under this Contract, less all payments that have been previously made.
2. Port Freeport may issue a written Stop Work Order to TAMU-CC at any time. Upon receipt of such order, by TAMU-CC's Contract representative, Dr. Ahmed Mahdy and TAMU-CC's Principal Investigator, Ms. Devon Steffan, TAMU-CC shall discontinue all work under this Contract and cancel all orders pursuant to this Contract, unless the order directs otherwise. If Port Freeport does not issue a written Restart Order within 60 days after receipt by TAMU-CC of the Stop Work Order, TAMU-CC shall regard this Contract terminated in accordance with the foregoing provisions.

SECTION V. MISCELLANEOUS PROVISIONS

1. Intellectual Property:
Copyright
Title to and the right to determine the disposition of any copyrights or copyrightable material first produced or composed in the performance of this Contract will remain with TAMU-CC.
2. Force Majeure:
TAMU-CC or Port Freeport may be excused from performance under this contract for any period when performance is prevented as the result of an act of God, strike, war, civil disturbance, epidemic, or court order, provided that the party experiencing the event of Force Majeure has prudently and promptly acted to take any and all steps that are within the party's control to ensure performance and to shorten the duration of the event of Force Majeure. The party suffering an event of Force Majeure shall provide notice of the event to the other parties as soon as practicable but not later than 36 hours. Subject to this provision, such nonperformance shall not be deemed a default or a ground for termination.

3. Title to any equipment purchased under this Contract will be the property of Port Freeport and will be delivered to Port Freeport upon termination of this Contract. Equipment shall be defined as a single item with an initial acquisition cost of \$5,000 or more and a useable life of one year or more. As these purchases are not considered capital equipment for TAMU-CC, the applicable Facilities and Administrative, (F&A) cost rate, at the time of purchase, will be applied to the cost of the equipment. Table 2 in Exhibit A lists the equipment.
4. Station spares and components identified in Table 3 in Exhibit A below will be delivered to the Port Freeport upon termination of this Contract.

SECTION VI. COMPENSATION AND METHOD OF PAYMENT

1. TAMU-CC shall submit quarterly fixed-price invoices for services performed along with monthly reports covering the same period. Fixed-price billing will be based on a fixed cost for regularly scheduled operation and maintenance visits as listed below.
2. TAMU-CC shall submit time and materials invoices for services performed on an approved Resource Estimate (RE). Please see Exhibit A: EMERGENCY MAINTENANCE for an explanation of services.
 - a. TAMU-CC suggests that Port Freeport set aside \$15,000 for emergency or unscheduled maintenance. Port Freeport is not obligated to expend these funds, and the Parties will address each request to perform emergency/unscheduled maintenance on a case-by-case basis.

| Annual Operations & Maintenance (O&M) | | | |
|--|-----------------|-----------------------|-----------------|
| ID | Name | Visits | Cost |
| fr0101 | LB 6 | 2 visits | \$20,406 |
| fr0201 | Surfside Marina | 2 visits | \$14,558 |
| | | | |
| | | O&M Total: | \$34,964 |
| Emergency/Unscheduled Maintenance Set Aside | | | \$15,000 |
| | | Grand Total: | \$49,964 |

Note: The existing NOS National Water Level Observation Network (NWLON) station will be maintained by NOS.

SECTION VII. CORRESPONDENCE

For Port Freeport:

Contract Issues:

Jason Hull
Director of Engineering
Port Freeport
1100 Cherry St.
Freeport, TX 77541
979 233-2667 x4322
Email: hull@portfreeport.com

For TAMU-CC:

Contract Issues:

Director
Office of Sponsored Research
Administration
Texas A&M University – Corpus
Christi
6300 Ocean Drive, Unit 5844
Corpus Christi, Texas 78412-5844
Phone: (361) 825-3882
Email: research.office@tamucc.edu

Project Coordination:

Ms. Devon Steffan
Conrad Blucher Institute
Texas A&M University – Corpus
Christi
6300 Ocean Drive, Unit 5799
Corpus Christi, Texas 78412-5799
Phone: (361) 825-3846
Email: devon.steffan@tamucc.edu

IN WITNESS WHEREOF, the parties have caused this Contract to be duly executed in multiple originals.

RECEIVING AGENCY:

PORT FREEPORT

PERFORMING AGENCY:

**TEXAS A&M UNIVERSITY –
CORPUS CHRISTI**

Phyllis Saathoff
Executive Port Director/CEO

Date: _____

Director
Office of Sponsored Research
Administration

Date: _____

EXHIBIT A

OPERATIONS AND MAINTENANCE OF FREEPORT PORTS® SCOPE OF WORK (SOW)

This Scope of Work (SOW) identifies how the Conrad Blucher Institute (CBI) at Texas A&M University – Corpus Christi (TAMU-CC) will perform the operation, maintenance, and management of sensors and data collections systems that will make up Freeport Physical Oceanographic Real-Time System or Freeport PORTS® (FRPORTS®).

The plan calls for:

1. Operation, maintenance, and management of one (1) data collection system at Surfside Marina.
2. Operation, maintenance, and management of one (1) Acoustic Doppler Current Profiler (ADCP) and shore station on the United States Coast Guard (USCG) Aid To Navigation (ATON) LB 6, LL #26935 located on the Freeport Harbor entrance channel.

Table 1: Station Information

| Station | Station Name | System | Device | Owner | Contractor |
|---------|--------------------|------------|---------------|---------------|-------------|
| Fr0101 | LB 6 | Currents | ADCP | Port Freeport | TAMU-CC/CBI |
| Fr0201 | Surfside Marina | Currents | HADCP | Port Freeport | TAMU-CC/CBI |
| Fr0101 | LB 6 Shore Station | Components | Shore Station | Port Freeport | TAMU-CC/CBI |

GENERAL TASKS

CBI shall perform the following duties

1. Arrange for secure and appropriate storage of all spare sensors and components, to serve as a staging area for field operations
2. Maintain a physical property inventory report of spare components and other equipment. See Table 2 for a list of spare equipment
3. Setup, configuration, testing of all components.
4. Archival of all station/sensor/system documentation for submission to National Oceanic and Atmospheric Administration's (NOAA) Center for Operational and Oceanographic Products and Services (CO-OPS) for station/sensor setup, data collection, validation, and dissemination.
5. Staff each field team with the appropriate number of qualified personnel to accomplish the perform maintenance of the current meter station to include all professional, technical, and support personnel,
6. Furnish all vehicles, vessels, equipment, tools, materials, and supplies necessary to supervise and assist with the maintenance.
7. Manage required CBI support contracts for services required

TAMU-CC and CBI will be conducting research utilizing data collected by these data collection stations. Faculty, staff, and students will be conducting research in the fields of Oceanography, Marine Science, Marine Safety and Transportation, and others not identified here. CBI will be conducting research on forecast and modeling programs, statistical modeling, and other areas of research interest within the University.

OBSERVING SYSTEM

Pier Mounted Acoustic Doppler Current Profiler (SL-ADP)

For real-time current measurement systems installed on piers and similar structures, CO-OPS generally use the Sontek YSI Side-Looking Acoustic Doppler Profiler (SL-ADP); however, these sensors are no longer in production. The Nortek AWAC Side Looking sensor is also an approved and used sensor. These sensors can be mounted to vertical surfaces to measure the currents at a single depth for multiple horizontal cells. These instruments are connected via a cable to a Data Collection Platform (DCP) on the pier. These sensors are typically installed 15 feet below Mean Lower Water Level (MLLW) (or one-half of the distance between the bottom and MLLW for water depths less than 30 feet). A critical component of these sensors' operation is that the instrument's orientation (pitch and roll) tilt and roll cannot generally exceed one (1) degree in either axis, as measured by the SL-ADP or H-ADCP.

Buoy Mounted Acoustic Doppler Current Profiler (AQD)

For real-time current measurement systems installed on U.S. Coast Guard Aid to Navigation (ATON) buoys, CO-OPS generally uses the Nortek 1 MHz Aquadopp Current Profiler. The ATON current measurement system uses a custom designed clamping device ("Clamparatus") specially made for this application. There are two versions of the ATON current measurement utilized by CO-OPS. The first system works in conjunction with a Shore Communication Station, which collects and stores the data. The data are then transmitted over GOES and/or polled, and then ingested by CO-OPS and disseminated.

ATON Shore Station

The ATON current meter shore stations will be installed supporting the collecting, store, and forwarding capability, of data collected from the system on the ATON. The shore station consists of a data collection system, satellite transmitter, internet modem, regulators, batteries, and associated equipment required for continuous operation.

| Table 2: Equipment list >\$5k | | | | |
|---|---------------------------|----------------|-------------|--------------------|
| QTY | Manufacture/Vendor | Model # | TYPE | Description |
| 2 | Nortek | AWAC | Sensor | AWAC 400 kHz |
| 2 | Nortek | 901105 | Sensor | Aquadopp 1Mhz ADCP |

OPERATION, MAINTENANCE, AND MANAGEMENT (O&M)

CBI shall staff each field team with the appropriate number of qualified personnel to accomplish the task. This includes all professional, technical, and support personnel, along with their travel and transportation expenses to and from each location. The routine operations and scheduled and unscheduled maintenance of the Freeport PORTS®, Acoustic Doppler Current Profiler (ADCP) measurement systems will be carried out by individual(s) knowledgeable in the methods and procedures of CO-OPS. Routine inspections and scheduled and unscheduled maintenance of the measurement systems will be completed by CBI or its designated operators.

CBI shall designate an operator (or operators) to perform the following local duties:

- a. Schedule maintenance activities and ensure that they are conducted according to or exceeding CO-OPS specifications to minimize downtime
- b. Obtain quick initial and follow-up response support as required to rapidly diagnose problems and thus minimize system down time
- c. Manage support contracts (e.g., diving services, vessels, measurement subsystem maintenance, and data acquisition and dissemination subsystem maintenance);
- d. Interact, in a professional manner, with Port Freeport, NOAA; U.S. Coast Guard; U.S. Army Corp. of Engineers; local Port Authorities; other federal agencies; ship pilots and masters; ferry, tug and tow operators; companies engaged in maritime commerce; environmental agencies; the general public; and others as required
- e. Submit documentation to include but not limited to, applicable site reports, sensor and station metadata and other supporting documentation as stated in the CO-OPS Standing Project Instructions (see the Schedule, Reports, and Deliverable sections for more information) for each site visit
- f. Maintain field activity logs for the removal, repair, and maintenance of all sensors. Completed station logs and reports shall be transmitted to CO-OPS within five (5) business days of service. Copies shall be retained by CBI and made available for CO-OPS review upon request
- g. Bench test all systems/sensors prior to use in the field for all service maintenance (scheduled and unscheduled maintenance)
- h. Arrange for secure and appropriate storage of all spare components, to serve as a staging area for field operations. This location will require telephone and power utilities.
- i. Maintain a physical property inventory report of the spare components and other equipment. See Table 3.

Table 3: Station and spare components

| Manufacture/Vendor | Model # | Description |
|---------------------------|-----------------|--------------------|
| Sutron | 8080-0001-2B | XDARK |
| Sutron | SL3-XMTR-1 | Satlink |
| Machine Tech | N/A | Clamperatus |
| Ameresco Solar | 40J-V | Solar Panel |
| Ameresco Solar | HPM18 | Mounts |
| Ameresco Solar | ASC 12/8 | Regulators |
| Source Inc | Sierra Wireless | RV50 |
| Top Signal | TS22097 | IP Antennas |

Scheduled Maintenance

Real-time Current Measurement Stations Routine Maintenance

This section covers the general tasks for performing routine maintenance on PORTS® current measurement stations.

Table 4 identifies the Sensor Service Interval schedule for maintenance station visits.

1. Provide instrument set up, deployment, and recovery operations. CBI personnel will work with CO-OPS to establish or change setup parameters as needed.
2. Provide qualified personnel and vessel support for deployment and recovery operations.
3. Verify the status of sensor operation.
4. Perform sensor checkouts and assembly prior to sensor deployment.
5. CBI shall collect all associated metadata during sensor setup, deployment, recovery, and data retrieval. Station reports and checklists shall be thoroughly filled out for the deployments and recoveries.
6. Upgrade DCP software and electronic modules as needed.
7. Upon system recovery, CBI shall be responsible for refurbishing and storing all platform components.

Routine Maintenance Intervals

CBI will perform inspections that meet or exceed requirements set forth by CO-OPS based on the time of the award. Routine maintenance intervals in **Table 4** below are based on the date of this draft.

NOAA CO-OPS recently modified their routine maintenance intervals for side looking current meters eliminating the bi-monthly inspections. It is the opinion of the project PI and CO-PI, that the elimination of bi-monthly inspections has the potential to reduce the sensor life due to longer periods of deployment in saltwater. If a station issue arises outside of the scheduled 6-month service interval, any work will be performed as emergency/unscheduled maintenance. See Emergency/Unscheduled Maintenance section below.

Daily

CBI shall monitor the various Freeport PORTS® data products issued by NOS so as to maintain knowledge of those products and the associated data values. CBI shall respond within a reasonable time to all requests from Port Freeport or NOS regarding instrument status, repair schedules, etc.

Side-Looking Currents Station

- I. **Six (6) Month Service Interval**
 - a. CBI shall employ or provide diver services to inspect and clean marine growth and fouling from all underwater components of the horizontally mounted current meter

to ensure proper chain movement and data collection. Digital photographs or video before and after cleaning are required and will be provided to Port Freeport.

- b. CBI shall inspect and replace expired standard batteries in the DCP and top side electronics with approved replacements, per Engineering Bulletin 10-002: Standardize Battery Type for CO-OPS Water Level and Meteorological Stations with Photovoltaic Charging Systems. Batteries shall be labeled with the installation date, shall be load tested annually, and shall be replaced every four years per the Standing Project Instructions for CO-OPS Observing Systems. CBI shall properly dispose of all old batteries.

II. Two (2) Year Service Interval

- a. Replace the side-looking current meter with a spare sensor. CBI will return sensors to CO-OPS or the manufacturer (as directed by CO-OPS) for testing, upgrade, or repair, as needed. If repairs are needed to a sensor, a Resource Estimate will be issued to cover the costs. See Emergency/Unscheduled Maintenance section.
- b. CBI shall replace expired all gel cell with approved replacements. Batteries shall be labeled with the maintenance date and replaced every four years. CBI shall properly dispose of all old batteries.

Buoy-Mounted Current Measurement System and Shore-base Station

I. Six (6) Month Service Interval

- a. CBI shall replace all buoy-mounted current meter systems (both shore-based and iAtoN) with a complete replacement system. Batteries shall be replaced and the current meter and Clamparatus shall be cleaned for redeployment in the future. At the shore-based station, CBI shall inspect and replace expired standard batteries; top side electronics with approved replacements; and inspect and clean the solar panels. Batteries shall be labeled with the installation date, shall be load tested annually, and shall be replaced every four years. CBI shall properly dispose of all old batteries. Refer to SOP for installation and maintenance of iAtoN and ATON systems.

II. Two (2) Year Service Interval

- a. Replace the side-looking current meter with a spare sensor. CBI will return sensors to CO-OPS or the manufacturer (as directed by CO-OPS) for testing, upgrade, or repair, as needed. If repairs are needed to a sensor, a Resource Estimate will be issued to cover the costs. See Emergency/Unscheduled Maintenance section.

Sensor Service Intervals

CBI will service, maintain and calibrate the sensors in accordance with the following schedule:

Table 4. Sensor Service Intervals

| Sensor | 2 Mo | 6 Mo | Yearly | 2 Year | 4 Year |
|-------------------|------|------|--------|--------|--------|
| Side-Looking ADCP | | D/C | | R | |
| Buoy-Mounted ADCP | | R/K | | R/L | |

| | | | | | |
|--------------------|--|-----|--|--|---|
| Solar Panels | | I/C | | | |
| Standard Batteries | | I | | | R |

Key: C-Clean, D-Dive, I- Inspect, K-Calibrate On-Site, L-Return to CO-OPS for Calibration, R-Replace, S-Service

EMERGENCY/UNSCHEDULED MAINTENANCE

CBI may be required to perform unscheduled maintenance that is outside of the operation and maintenance service intervals. These visits may be to address a wide-range of station issues, install new/improved software updates, and utilities that may arise outside of the scheduled maintenance intervals. Unscheduled servicing will be conducted after obtaining emergency/unscheduled maintenance authorization from Port Freeport Representative (PFR).

CBI's TR or designee shall be available via cell phone with voice mail messaging and email to remotely access systems and attempt to restore functions, reboot, or reload software. If remote repair attempts fail, CBI shall notify the PFR, who with the PI or designee will make a joint determination on the need for emergency/unscheduled onsite maintenance. CBI will schedule emergency repairs as soon as authorized.

While most communications will be conducted during normal business hours, the PI or designee will act as watch stander for this project. Watch standers are equipped with a cell phone, voicemail messaging, and email, and will be able to respond to system problems within 24 hours of problem identification. The PI or designee will notify the PFR of system, sensor, or station issues. The PI or designee will discuss issues with the PFR and develop a course of action to address the station/data issues.

If it is determined that an emergency/unscheduled maintenance visit will be required, a Resource Estimate (RE) of expenses to resolve the known issue will be submitted to PFR for approval.

The PI or designee will provide the PFR with an RE identifying the expected costs for an Emergency Site visit to address the sensor or system malfunctions or failures assuming all remote system access and troubleshooting attempts have failed to resolve the issues. Upon approval of the RE by the PFR, the PI or designee will schedule an emergency site visit and notify the PFR once scheduled.

CBI shall provide all equipment, components, supplies, vehicles, vessels, tools, labor, and safety gear required for each the repair. All work shall be conducted in accordance with standard CO-OPS practices, unless otherwise specified.

Maintenance & Repair Response Times

CBI will acknowledge and provide a plan for repairs of all components within 24 business hours of identification of failure. If a site visit is required, the visit will be scheduled within 48-72 hours after receiving approval from the PFR and when weather conditions allow. Systems requiring access by vessel may take longer due to sea state.

MAJOR MAINTENANCE

Major maintenance tasks identified during the maintenance visits shall be discussed with the PFR in detail. Site visits required will be scheduled unless immediate action is required.

Major maintenance issues will be discussed between the PI or designee and the PFR. Once a course of action has been agreed upon, the PI or designee will develop a schedule based on available resources and systems, sensor, or component availability.

STATION DOCUMENTATION

Following each scheduled or emergency station visit, CBI shall complete and archive a Site Report, using CBI's proprietary database, describing the maintenance and repair action performed. If the sensor or datum offset changes, CBI shall notify CO-OPS via email at nos.coops.oetteam@noaa.gov.

CBI will archive all Site Visit Reports with complete station documentation using CBI's proprietary database within 30 calendar days of station maintenance or annual inspection and will retain these records for a period of 3 years. Station documentation will be made available to Port Freeport upon request.

For any repairs, CBI shall photograph physical damage to station components or supporting infrastructure, due to vandalism, environmental damage, etc., prior to performing repairs. When possible, CBI shall also photograph completed repairs performed at the station and shall submit all photographs with the site report.

DELIVERABLES

Progress Report

The PI or designee shall prepare and submit a monthly progress report to Port Freeport Contract Representative and to NOS.

The reports will include the following information:

- Summary of maintenance activities
- Schedule of upcoming events
- Identification of potential problems or long-term issues relating to the operations, maintenance, use, and development of the system
- Other information as appropriate

CBI will provide such reasonable assistance as may be reasonably requested by Port Freeport or the NOS Maritime Services Program Manager that is required to support the FRPORTS®.

EXHIBIT B: Budget

1. **Operation, maintenance, and management (O&M)** - CBI shall submit quarterly fixed-price invoices for O&M services performed. Fixed-price billing will be based on a fixed cost for regularly scheduled operation and maintenance visits as listed below. Please see Exhibit A for an explanation of services

O&M

| ID | Name | Number of Visits | Cost |
|--------------|-----------------|------------------|------------------|
| FR 0101 | LB 6 | 2 | \$ 20,406 |
| FR 0201 | Surfside Marina | 2 | \$ 14,558 |
| <hr/> | | | |
| TOTAL | | | \$ 34,964 |

2. **Emergency Maintenance** - CBI shall submit time and materials invoices for services performed on an approved Resource Estimate (RE). Please see EMERGENCY MAINTENANCE section in Exhibit A for an explanation of services.
 - a. CBI suggests that the Freeport set aside **\$15,000** for emergency or unscheduled maintenance. Freeport is not obligated to expend these funds, and the Parties will address each request to perform emergency/unscheduled maintenance on a case-by-case basis.

WRITTEN NOTICE No. 3

In accordance with paragraph No. 7 of the MEMORANDUM OF UNDERSTANDING between the PANAMA CANAL AUTHORITY and PORT FREEPORT (TX) (MOU) dated September 8, 2011, the parties state the following:

1. That a discrepancy has been identified in the title of the document between its Spanish and English versions, for which the title of the Agreement in the Spanish version will be:

**MEMORANDO DE ENTENDIMIENTO
entre la
AUTORIDAD DEL CANAL DE PANAMÁ
y el
PUERTO DE FREEPORT (TX)**

2. That, in addition and in accordance with the provisions of paragraph No. 2 of the MOU, the parties hereby agree to renew the MOU for five (5) years, from the date of signature.

All other terms of the MOU not amended herein shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed by their duly authorized representatives as follows:

PANAMA CANAL AUTHORITY
AUTHORITY

PORT FREEPORT (TX)

Ricaurte Vásquez M.
Administrator

John Hoss
Chairman

Date: _____

Date: _____

NOTIFICACIÓN ESCRITA No. 3

De acuerdo con el párrafo No. 7 del ACUERDO DE COOPERACIÓN MUTUA entre la AUTORIDAD DEL CANAL DE PANAMÁ y el PUERTO DE FREEPORT (TX) (Acuerdo) fechado 14 de diciembre de 2010, las partes manifiestan lo siguiente:

1. Que se ha identificado una discrepancia en el título del documento en sus versiones en los idiomas español e inglés, por lo cual el título del Acuerdo en la versión en español, será:

MEMORANDO DE ENTENDIMIENTO
entre la
AUTORIDAD DEL CANAL DE PANAMÁ
y el
PUERTO DE FREEPORT (TX)

2. Que adicionalmente y conforme a lo establecido en el párrafo No. 2 del Acuerdo, el mismo es renovado por cinco (5) años, a partir de la firma de esta renovación y será renovable por mutuo acuerdo de las partes.

Todos los demás términos del Acuerdo no enmendados en este documento, permanecerán iguales.

EN TESTIMONIO DE LO CUAL, las partes acuerdan que el presente documento sea puesto en efecto por sus representantes debidamente autorizados como sigue:

AUTORIDAD DEL CANAL DE PANAMÁ

PUERTO DE FREEPORT (TX)

Ricaurte Vásquez M.
Administrador

John Hoss
Presidente

Fecha: _____

Fecha: _____



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WWW.PORTFREEPORT.COM

MEMORANDUM

TO: Commissioners

FROM: Phyllis Saathoff, Executive Director/CEO

DATE: September 22, 2022

SUBJECT: Playground Project at Surfside Beach Jetty Park

An effort initiated by the Brazoria County Petrochemical Council is underway to replace the playground equipment at the Surfside Beach Jetty Park (SBJP) with new equipment made from recycled plastics. The SBJP is owned and was built by Port Freeport in the early 1990's as part of the 45-ft Channel Deepening and Widening Project. Subsequently, an interlocal agreement was executed with Brazoria County for the operation and maintenance of the Park. The County will be responsible for the procurement and installation of the new equipment. It is my recommendation that Port Freeport participate in replacement of the playground equipment at a Tier 1 \$15,000 level.

PORT COMMISSION

JOHN HOSS, CHAIRMAN; RUDY SANTOS, VICE CHAIRMAN; DAN CROFT, SECRETARY; ROB GIESECKE, ASST. SECRETARY;
RAVI K. SINGHANIA, COMMISSIONER; SHANE PIRTLE, COMMISSIONER; PHYLLIS SAATHOFF, EXECUTIVE DIRECTOR/CEO

**RESOLUTION AUTHORIZING EXECUTION OF
GROUND LEASE AGREEMENT
BETWEEN
PORT FREEPORT AND PRP-KDC FREEPORT DEVELOPMENT, LLC
AND RELATED AGREEMENTS**

At the regular meeting of the Port Commission of Port Freeport held at the Administration Building of the Port at 1100 Cherry Street, Freeport, Texas, on September 22, 2022, among other business, on motion duly made and seconded, the following resolution was passed and adopted:

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. PRP-KDC Freeport Development, LLC ("PRP-KDC") has asked to lease approximately one hundred twenty-one (121) acres of land (the "Land") for development of an automotive facility for the storage and processing of imported passenger vehicles, which will then be subleased by PRP-KDC to Volkswagen Group of America, Inc ("VWGoA").

3. To finance the initial construction and development of the automotive facility, PRP-KDC desires to collaterally assign or mortgage its leasehold interest in the lease to be entered into with Port Freeport as security for a loan to be made by CGA Mortgage Capital, LLC (the "Lender").

4. In connection with the transactions contemplated with PRP-KDC, the following documents have been presented to the Port Commission for consideration on this date (collectively, the "Transaction Documents"):

- (a) Ground Lease Agreement to be executed by Port Freeport, as Landlord, and PRP-KDC, as Tenant, for a term of 31 Lease Years ending no later than March 31, 2055;
- (b) Memorandum of Ground Lease to be executed by Port Freeport and PRP-KDC;
- (c) Sublease Non-Disturbance Agreement to be executed by Port Freeport, PRP-KDC and VWGoA;
- (d) Permitted Mortgagee Consent and Recognition Agreement to be executed by Port Freeport, PRP-KDC and the Lender;
- (e) Indemnity Agreement (Financing Related Documents) to be executed by PRP REI, LLC in favor of Port Freeport;
- (f) Agreement for Liquidated Damages to be executed by KDC Holdco LLC in favor of Port Freeport; and
- (g) Landlord Estoppel to be executed by Port Freeport.

5. After review and consideration of the Transaction Documents, the Port Commission finds and determines that the terms of the Transaction Documents are acceptable and execution of the Transaction Documents should be approved.

NOW, THEREFORE, BE IT ORDERED AND RESOLVED, that the form and substance of the proposed Transaction Documents be, and are hereby, authorized and approved; and

BE IT FURTHER ORDERED AND RESOLVED, that the Chairman and Secretary of the Port Commission or the Executive Director/CEO of Port Freeport be, and each of them is hereby, singularly authorized and directed to execute and deliver the Transaction Documents, substantially in the form presented at this meeting and with such nonmaterial changes as may be approved by the official executing same, their execution thereof to constitute conclusive evidence of such approval.

**RESOLUTION AUTHORIZING EXECUTION OF
MARINE TERMINAL SERVICES AGREEMENT
BETWEEN
PORT FREEPORT AND VOLKSWAGEN GROUP OF AMERICA, INC.**

At the regular meeting of the Port Commission of Port Freeport held at the Administration Building of the Port at 1100 Cherry Street, Freeport, Texas, on September 22, 2022, among other business, on motion duly made and seconded, the following resolution was passed and adopted:

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. Volkswagen Group of America, Inc. (“VWGoA”) desires to establish regular service and call at port facilities of Port Freeport for the purpose of loading and unloading imported passenger vehicles. Based on VWGoA’s anticipated volumes of cargo, Port Freeport is willing to offer VWGoA certain favorable agreements for services at the port facilities.
3. The terms for the proposed services to be provided by Port Freeport are more particularly set forth in a Marine Terminal Services Agreement (“MTSA”) to be entered into between Port Freeport and VWGoA, which has been presented to the Port Commission for consideration on this date. The initial term of the proposed MTSA is for 20 years. The MTSA includes one 10-year renewal option and will terminate no later than March 31, 2055.
4. After review and consideration of the MTSA, the Port Commission finds and determines that the terms of the MTSA are acceptable and execution of the MTSA should be approved.

NOW, THEREFORE, BE IT ORDERED AND RESOLVED, that the form and substance of the proposed MTSA be, and are hereby, authorized and approved; and

BE IT FURTHER ORDERED AND RESOLVED, that the Chairman and Secretary of the Port Commission or the Executive Director/CEO of Port Freeport be, and each of them is hereby, singularly authorized and directed to execute and deliver the MTSA, substantially in the form presented at this meeting and with such nonmaterial changes as may be approved by the official executing same, their execution thereof to constitute conclusive evidence of such approval.