

AGENDA

**Port Freeport
Port Commission
Regular Meeting
Thursday, January 25, 2024, 1:00 pm - 5:00 pm
In Person & Videoconference - Administration Building - 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/83433740939?pwd=ajZneXdCQW11Smt5K3lUWWZka0JHZz09>

Meeting ID: 834 3374 0939

Passcode: 845843

Dial by your location

• 1 346 248 7799 US (Houston)

Meeting ID: 834 3374 0939

Find your local number: <https://us02web.zoom.us/u/kuU3WSouv>

1. CONVENE OPEN SESSION in accordance with Texas Government Code Section 551.001, et. seq., to review and consider the following:
2. Invocation.
3. Pledge of Allegiance: U.S. Flag & Texas Flag
4. Roll Call.
5. Safety Briefing.
6. Call to identify and discuss any conflicts of interest that may lead to a Commissioner abstaining from voting on any posted agenda item.
7. Public Comment. (Public comment on any matter not on this Agenda will be limited to 5 minutes per participant and can be completed in person or by videoconference)
8. Public Testimony. (Public testimony on any item on this Agenda will be limited to 5 minutes per agenda item to be addressed per participant and can be completed in person or by videoconference. The participant shall identify in advance the specific agenda item or items to be addressed.
9. Approval of minutes from the Regular Meetings held November 16, 2023 and December 14, 2023.
10. Receive reports from Executive Staff on activities and matters related to administrative affairs, financial results, facility engineering matters, operations and vessel activity, port safety matters, port security matters, port tenant updates, USCOE, and other related port affairs.
 - A. Executive Director/CEO
 - B. Director of Engineering
 - C. Director of Operations
 - D. Director of Business & Economic Development
 - E. Chief Financial Officer
11. Approval of financial reports presented for the period ending November 30, 2023 and December 31, 2023.

12. Receive report from Commissioners on matters related to:
 - A. January 17 ESG & Sustainability Committee Meeting
 - B. January 17 Finance Committee Meeting
 - C. January 17 OSS Committee Meeting
 - D. Port Commission related meetings or conferences, Port presentations and other Port related matters.
13. Discussion and possible support of Phillips 66 request for increase in vessel berthings.
14. Approval of a Professional Services Agreement with LJA Engineering for the Velasco Terminal Area 5 Concrete Container Yard - MP88 Project, for an amount not to exceed \$849,800.00.
15. Approval of an Easement to CenterPoint Energy Houston Electric for the relocation of a power pole and associated power lines at FM 1495 and 8th Street.
16. Adoption of a Resolution regarding Charles River Houston Two and Protection for Communities.
17. Approval of a Request for Proposal (RFP) regarding Market Study.
18. Approval of a Request for Proposal (RFP) regarding Website Redesign.
19. Approval of Executive Director/CEO and Commissioners' travel for January - March 2024.
20. Discussion regarding possibilities of regional water detention.
21. EXECUTIVE SESSION in accordance with Subchapter D of the Open Meetings Act, Texas Government Code Section 551.001, et. seq., to review and consider the following:
 - A. Under authority of Section 551.071 (Consultation with Attorney):
 1. Consultation with attorney under Government Code Section 551.071(1) (to seek or receive attorney's advice on pending or contemplated litigation).
 2. Consultation with attorney under Government Code Section 551.071(2) (to seek or receive attorney's advice on legal matters that are not related to litigation).
 - B. Under authority of Section 551.087 (Economic Development Negotiations or Incentives):
 1. To discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations.
 - i. Business and Economic Development Reports.
 2. To deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).
 - C. Under authority of Section 551.072 (Deliberation of Real Property Matters) for discussion regarding:
 1. The potential lease, or value of real property located at Port Freeport, including but not limited to the Expansion Area.
 2. The potential purchase, exchange, lease or value of real property located at Port Freeport, including but not limited to the real property located at and contiguous to Berths 1, 2, 5, 7 and 8.
 3. The potential exchange, lease, or value of real property located at Port Freeport, including but not limited to Parcels 14, 19, 27, 34 and property on Quintana Island.
 - D. Under authority of Section 551.076 (Deliberation of Security Matters) for discussion regarding:
 1. Discussion regarding issues related to the deployment, or specific occasions for implementation of security personnel or devices or security audit and services.
 - E. Under authority of Section 551.074 (Deliberation of Personnel Matters) for discussion regarding:
 1. Deliberation regarding the appointment, employment, evaluation, reassignment, duties of a public officer or employee, including but not limited to: Legal Counsel, Executive Director/CEO, Director of Operations, Director of Economic Development and Chief Financial Officer.
22. RECONVENE OPEN SESSION to review and consider the following:
23. Approval of a Master Rail Switching Agreement between Port Freeport and Rail Link, Inc.
24. Approval of a Professional Services Agreement with SheyHarding Executive Search.

25. Discuss and consider action resulting from Executive Session.
26. Approval of November & December invoices for Randle Law Office and approval of a Professional Services Agreement between Port Freeport and Randle Law Office for legal services to be effective January 1, 2024.
27. Adjourn.

The Port Commission does not anticipate going into a closed session under Chapter 551 of the Texas Government Code at this meeting for any other items on the agenda, however, if necessary, the Port Commission may go into a closed session as permitted by law regarding any item on the agenda.

With this posted notice, Port Commissioners have been provided certain background information on the above listed agenda items. Copies of this information can be obtained by the public at the Port Administrative offices at 1100 Cherry Street, Freeport, TX.



Phyllis Saathoff, Executive Director/CEO
PORT FREEPORT

Participation is welcomed without regard to race, color, religion, sex, age, national origin, disability or family status. In accordance with Title II of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act, persons with disabilities needing reasonable accommodations to participate in this proceeding, or those requiring language assistance (free of charge) should contact the Executive Assistant no later than forty-eight (48) hours prior to the meeting, at (979) 233-2667, ext. 4326, email: bevers@portfreeport.com.

La participación es bienvenida sin distinción de raza, color, religión, sexo, edad, origen nacional, discapacidad o situación familiar. De acuerdo con el Título II de la Ley de Estadounidenses con Discapacidades y la Sección 504 de la Ley de Rehabilitación, las personas con discapacidades que necesiten adaptaciones razonables para participar en este procedimiento, o aquellas que requieran asistencia lingüística (sin cargo), deben comunicarse con el Asistente Ejecutivo a más tardar cuarenta -ocho (48) horas antes de la reunión, al (979) 233-2667, ext. 4326, correo electrónico: bevers@portfreeport.com.