

AGENDA

**Port Freeport
Port Commission
Regular Meeting
Thursday, October 19, 2023, 1:00 pm - 5:00 pm
In Person & Videoconference - Administration Building - 1100 Cherry Street - Freeport**

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

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

Join Zoom Meeting

<https://us02web.zoom.us/j/83027184784?pwd=T3Y0OXlUR2NRdGVBTepLSmM5MFhuQT09>

Meeting ID: 830 2718 4784

Passcode: 684471

Dial by your location

• 1 346 248 7799 US (Houston)

Meeting ID: 830 2718 4784

Find your local number: <https://us02web.zoom.us/j/kciMGC4bik>

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 Meeting held September 28, 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. Receive report from Commissioners on matters related to:
 - A. October 12 Finance Committee Meeting
 - B. October 12 ESG & Sustainability Committee Meeting
 - C. October 12 OSS Committee Meeting
 - D. Port Commission related meetings or conferences, Port presentations and other Port related matters.
12. Recognition of Phyllis Saathoff for acceptance of the Texas Transportation Institute Russell Perry Award.
13. Approval to pay legal bills submitted for the month of September 2023.
14. Approval of a Construction Contract with Noble Building & Development, LLC for the Administrative Building Repairs & Improvements, for an amount not to exceed \$293,715.00.
15. Approval of a Professional Services Agreement with SteLar Consulting Services, LLC for the Cathodic Protection Docks 1, 2, 3, 5 & 7 project, for an amount not to exceed \$632,544.00.
16. Approval of a Professional Services Agreement with SAFEbuilt Texas, LLC for building code plan review and code inspections for the new Fruit Transfer Facility project, for an amount not to exceed \$50,000.
17. Discuss and consider approval of a Crane Construction and Erection Agreement with Shanghai Zhenhua Heavy Industries Co., Ltd. (ZPMC) for the design, manufacture, supply, commissioning, transportation and site supervision of two (2) Ship-to-Shore Cranes for Port Freeport, Texas, USA
18. Adoption of a Resolution authorizing the utilization of capital reserves for capital improvements.
19. Adoption of a Resolution approving the acceptance of the Port's portion of proceeds received from high bidders on delinquent tax property held in trust by Brazoria County, Texas and authorizing the Chairman to join in conveyance to high bidders.
20. Approval of Executive Director/CEO and Commissioners' travel for the month October 2023.
21. Discussion regarding proposal for term limits (two elected 6-year terms) for Port Commissioners.
22. EXECUTIVE SESSION in accordance with Subchapter D of the Open Meetings Act, Texas Government Code Section 551.001, et. seq., to review and consider the following:
 - A. Under authority of Section 551.071 (Consultation with Attorney):
 1. Consultation with attorney under Government Code Section 551.071(1) (to seek or receive attorney's advice on pending or contemplated litigation).
 2. Consultation with attorney under Government Code Section 551.071(2) (to seek or receive attorney's advice on legal matters that are not related to litigation).
 - B. Under authority of Section 551.087 (Economic Development Negotiations or Incentives):
 1. To discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations.
 - i. Business and Economic Development Reports.
 2. To deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).
 - C. Under authority of Section 551.072 (Deliberation of Real Property Matters) for discussion regarding:
 1. The potential exchange, lease, or value of real property located in Freeport, Texas, including but not limited to the area known as the 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, 7 and 8.
 3. The potential exchange, lease, or value of real property located at Port Freeport, including but not limited to Parcels 14, 19, 27, 34 and property on Quintana Island.
 - D. Under authority of Section 551.076 (Deliberation of Security Matters) for discussion regarding:
 1. Discussion regarding issues related to the deployment, or specific occasions for implementation of security personnel or devices or security audit and services.

E. Under authority of Section 551.074 (Deliberation of Personnel Matters) for discussion regarding:

1. Deliberation regarding the appointment, employment, evaluation, reassignment, duties of a public officer or employee, including but not limited to: Executive Director/CEO.

23. RECONVENE OPEN SESSION:

24. Adjourn.

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

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



Phyllis Saathoff, Executive Director/CEO

PORT FREEPORT

In compliance with the Americans with Disabilities Act, the District will provide for reasonable accommodations for persons attending its functions. Requests should be received at least 24 hours in advance.



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

MEMORANDUM

TO: Phyllis Saathoff, Executive Director/CEO
FROM: Darlene Winkler, Communications Specialist
DATE: October 19, 2023
SUBJECT: Public Affairs – October 2023

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.

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. Great Lakes Dredge and Dock Co. LLC (GLDD) was awarded the contract for Reaches 1, 2, and 4 by the United States Corps of Engineers on May 30th. A mechanical dredge commenced work in Reach 4 (Upper Stauffer Channel) June 26, 2023; that work has been completed. The mechanical dredge moved back to Reach 2 to continue deepening in the bend easing area. Ellis Island Dredge is working offshore on Reach 1. The dredged material is being placed offshore in the EPA approved designated area in the Gulf of Mexico. 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.portfreeportbondelection.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 — There were no press releases distributed in late September or early October.

Pending press release: TxDot Transportation Short Course Russell H. Perry Award

PORT COMMISSION

RAVI K. SINGHANIA, CHAIRMAN; ROB GIESECKE, VICE CHAIRMAN; BARBARA FRATILA, SECRETARY; KIM KINCANNON, ASST. SECRETARY;
DAN CROFT, COMMISSIONER; RUDY SANTOS, COMMISSIONER; PHYLLIS SAATHOFF, EXECUTIVE DIRECTOR/CEO

Social Media Postings – The following posts to Facebook were made in late September and October

September 29 - Port Commission Recap

October 2 - TxDOT Maritime Port Authority Advisory Committee Announcement

October 6 - Columbus Day Closing (p.m.)

October 6 - Golf Tournament Thank You, Sponsors (a.m.)

October 7 - Golf Tournament Thank You, Sponsors (a.m.)

October 7 - Golf Tournament Thank You, Sponsors (p.m.)

October 8 - Golf Tournament, Thank You, Sponsors (a.m.)

October 8 - Golf Tournament, Thank You, Sponsors (p.m.)

October 9 - Golf Tournament, Thank You, Sponsors (a.m.)

October 9 - Golf Tournament, Thank You, Sponsors (p.m.)

October 10 - Golf Tournament, Thank You, Sponsors (a.m.)

October 10 - Golf Tournament, Thank You, Sponsors (p.m.)

October 11 - Reminder: Finance Advisory Committee Meeting (a.m.)

October 11 - Reminder: ESG & Sustainability Advisory Committee Meeting (p.m.)

October 11 - Reminder: OSS Advisory Committee Meeting (p.m.)

October 11 - Golf Tournament, Thank You, Sponsors (p.m.)

October 12 - Golf Tournament, Thank You, Sponsors (a.m.)

October 12 - Golf Tournament, Thank You, Sponsors (p.m.)

October 13 - Golf Tournament, Thank You, Sponsors (a.m.)

October 13 - Golf Tournament, Thank You, Sponsors (p.m.)

October 18 – Commission Meeting Reminder

October 20 – Commission Meeting Recap

October 30 – Halloween Driving Safety Tips

October 31 – Halloween Holiday

Port Events

Community Advisory Panel (C.A.P.) – The last quarterly CAP meeting for this year is scheduled for December 5th to be held at the Angleton High School CTE building. New member appointments should be emailed to Tricia Vela at vela@portfreeport.com.

Port Freeport Take-A-Child Fishing Tournament (TACFT) - Save The Dates: Captain's Dinner, May 9, 2024, and May 11, 2024, for the 24th Annual Take-A-Child Fishing Tournament.

Port Freeport Golf Tournament – The planning efforts for the 12th Annual Port Freeport Golf Tournament benefiting the Texas Port Ministry (TPM) are being finalized. The tournament will be held on Monday, October 16, 2023, at The Wilderness Golf Course in Lake Jackson, Texas with a four-person team shotgun start format. Registration will begin at 7:00 a.m. and the tee time is 8:00 a.m. Sponsorship and additional tournament information are posted online at <https://www.portfreeport.com/freeport-community/golf-tournament>. Sponsors (78) have generously committed over \$92,000, donated items for silent auction, and discounted services. The 36 team spots have been filled.

The tournament flyer was shared with Port contacts, the Port Commissioners, and CAP members. Public Affairs marketing efforts through social media posts on Facebook, email campaigns, and direct contact with prospective sponsors.

The Facts published the event in the sports section on the following dates:

September 22 & 27

October 4 & 5

All support throughout this fundraising effort is appreciated.

Port Presentations, Tours, and Meetings

October 11-12 - TxDOT's Short Course Conference (Phyllis, speaker and award recipient)

October 25 – The Alliance Transportation & Infrastructure Summit (Miura, speaker)

November 7 - Gulf Coast Chapter of WEDA (Phyllis speaker)

Community Events:

Texas A&M University Galveston career fair will be held on November 5th, staff will be present at a port sponsored booth.

Community Events and Meetings - (*Informational purpose only*)

Weekly – Business Roundtable Virtual Meetings (speakers vary)

September 29 – Brazosport College Cirque Du Soiree (*information only, no Port purchased tickets*)

October 3 - Brazoria Hispanic Chamber of Commerce - State of the County

October 4 - Brazosport Chamber of Commerce - State of the Community Luncheon

October 5 - The Alliance - State of Higher Education

October 7 – Columbia Heritage Foundation Roughneck Blowout

October 12 - BC Courthouse Administration Building Ribbon Cutting & Open House

October 13 – Freeport Police Department Blue Santa Golf Tournament

October 13 - ABC Golf Tournament

Upcoming Community Events and Meetings - (*Informational purpose only*)

October 20 – ACIT Golf Tournament

November 9 – Highway 36A Coalition Luncheon


April 24, 2024 - Boys and Girl Club Celebrity Golf Tournament (Rescheduled from October 6)



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

MEMORANDUM

TO: Commissioners
Directors
Legal Counsel

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

DATE: October 10, 2023

SUBJECT: Departmental Report

PROJECTS

1. **Port-wide Pavement Repairs** – This project involves repairing and/or replacing asphalt and concrete pavement throughout the various areas of the Port. Work on the expansion joints on Docks 1 and 2 is in progress now. Work near the docks must be closely scheduled around Port operations.



2. **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 dredge, GL 54, has completed work in Reach 4, and continues work in the Bend Easing area of Reach 2. Work on the side slopes in the bend easing area to protect them from erosion is now complete. The asphalt roadway will be repaired to a pre-construction condition in the coming days.



3. **Parcel 14 Pump Station** - This project involves adding a dewatering pump on Port property along East Floodgate Road in order to maintain an empty outfall ditch. At this time the pump submittals have been signed and returned to the contractor so he can order the pumps. The lead time is very long, and the equipment is expected to arrive in November 2023.
4. **Gate 12 and Velasco Terminal Rider 37** – Gate 12 continues to move forward with plan development. The preliminary design is ongoing now. The project will be out for bid in April 2024.
5. **Administration Building Repairs and Improvements** – This project involves replacing joint sealant at the concrete wall panels, windows, and exterior doors around the building to seal out water and wind blown rain. It also repairs & repaints areas around windows that have been damaged by previous occurrences of water intrusion. The project will be considered for award to the lowest bidder that met all of the Port's qualifications at the October 19th Commission meeting.

**PORT FREEPORT
OPERATIONS ACTIVITY SUMMARY
SEPTEMBER 2023**

A. MONTHLY ACTIVITY EXPLANATION

- * Total import/export activity for the month of September was as expected.
- * LNG experienced (**15**) vessels this month.
- * Riviana experienced (**1**) vessel this month.
- * Vulcan Material did not experience any vessels this month.
- * Total (**9**) RoRo vessels handled.
- * Tenaris experienced (**1**) vessels, (**11**) barges and (**0**) railcars this month.
- * Total of (**9**) Container vessel calls.
- * CEMEX transferred product from truck to (**8**) rail cars.
- * Vulcan Material handled (**95**) rail cars this month.
- * Average vessel activity in 2022 was 38 per month. This month, we handled 40 vessels (15 LNG & 25 Inner Harbor).
- * *Enterprise/Seaway received (**8**) vessels.*
- * *There were (**95**) 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 (**124**) vessels for export.
- * Tenaris has handled (**32**) vessels, (**118**) barges and (**391**) railcars.
- * Total (**106**) RoRo vessels handled.
- * YTD (**110**) Container vessel calls.
- * CEMEX handled (**178**) railcars with **12,199** Tons of Co2.
- * Vulcan handled (**1,510**) railcars with **173,614** Tons of Limestone and (**2**) Vessels.
- * Total vessels handled this fiscal year is **402** compared to **433** last year (**124** LNG & **278** Inner Harbor).
- * *Enterprise Seaway Vessels Year-to-date (**126**)*
- * *Total Port wide Vessels Fiscal Year-to-date (**1,095**)*
- * *Total Vehicles Handled Year-to-date (**91,056**)*
- * *Total Containers Handled (**48,043**)*
- * *Total Railcars Handled (**2,092**)*

C. INSIGHT TO ACTIVITY FOR OCTOBER 2023

- * LNG has scheduled (**17**) vessels.
- * Riviana Foods has scheduled (**0**) vessels.
- * Vulcan Material has scheduled (**0**) vessels and (**95**) Railcars for October.
- * Expecting to handle (**10**) RoRo vessels.
- * Tenaris has (**3**) vessels, (**12**) barges and (**18**) Railcars planned.
- * Expecting (**8**) Container vessels.

D. OPERATIONAL MEETINGS AND AGENDAS

- * OPTS, Safety, Security – Attended the RoRo “Table Top” Exercise.
- * Safety – Christine Lewis – Conducted a “Walk About” of the Amports Vehicle and High & Heavy Receiving Area.
- * Security – Chris Hogan – Hosted the First RoRo Table Top Exercise.
- * Austin – Jesse –Al – Participated in the Port Tariff Review Process.
- * Jesse - Austin – Attended “Break Bulk” Conference in Houston.
- * Austin – Hannah - Jesse – Attended the “LSHSC” Meeting at the Port’s EOC.
- * Austin – Jesse - Al – Continue Working with Paul Bridges for the Potential Purchase of (2) STS Cranes.
- * Al-Jesse-Austin-Ops Staff-Maint Staff- Attended Monthly Port Ops Safety Meeting



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: October 13, 2023

SUBJECT: October Finance Report

- As is customary, September year-end financial statements require additional activities and are thus not yet complete. We are striving to have them available for our November meeting.
- Texas Port Ministry informed port staff of their intent to exercise their first right to extend their lease. The original lease will expire on 5/31/24 and includes two 25 year extension options with this request being the first.

PORT COMMISSION

RAVI K. SINGHANIA, CHAIRMAN; ROB GIESECKE, VICE CHAIRMAN; BARBARA FRATILA, SECRETARY; KIM KINCANNON, ASST. SECRETARY;
DAN CROFT, COMMISSIONER; RUDY SANTOS, COMMISSIONER; PHYLLIS SAATHOFF, EXECUTIVE DIRECTOR/CEO



1103 Cherry Street
Freeport, Texas 77541 USA
www.texasportministry.org
979-233-5641

Aug. 31, 2023

To Phyllis Saathoff, Rob Lowe and Port Commissioners:

Texas Port Ministry would like to request the extension of the Ground Lease Agreement with the Brazos River Harbor Navigation District. According to Article 2: LEASE TERM of said agreement, 2.01 Fixed Commencement and Termination Date & 2.02 Right to Extend, the current lease commenced on the 1st day of June, 1989 and expires on the 31st day of May, 2024. The lease agreement states that the Lessee's request for extension must take place in the form of a letter of extension request (6) months prior to the expiration of the primary term. This letter is Texas Port Ministry's request to extend our agreement another 25 years as stated in Article 2, 2.02.

Texas Port Ministry is grateful for the long standing relationship that we have enjoyed with Port Freeport and we look forward to that relationship extending through this potential lease agreement for the good of all seafarers, truck drivers and port workers that call on Port Freeport.

Sincerely,

A handwritten signature in blue ink that reads "R. Chris Moore".

R. Chris Moore
Director, Texas Port Ministry



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

TO: Port Commission
Executive Director/CEO

FROM: Rob Lowe

DATE: October 12, 2023

SUBJECT: Legal Invoices

Finance is still in the process of closing out the fiscal year and as legal invoices are normally approved with the financial statements each month we are requesting approval to pay the current outstanding invoices from the Randle Law Office; Crain, Caton and James; and McFarland.

PORT COMMISSION

RAVI K. SINGHANIA, CHAIRMAN; ROB GIESECKE, VICE CHAIRMAN; BARBARA FRATILA, SECRETARY; KIM KINCANNON, ASST. SECRETARY;
DAN CROFT, COMMISSIONER; RUDY SANTOS, COMMISSIONER; PHYLLIS SAATHOFF, EXECUTIVE DIRECTOR/CEO



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

MEMORANDUM

TO: Commissioners
Directors
Legal Counsel

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

DATE: October 4, 2023

SUBJECT: Administrative Building Repairs & Improvements

This project involves replacing joint sealant throughout the building envelope and repairing water damage to sheetrock and associated painting. It also includes replacing doors and corroded door hardware. The project had two bidders as shown in the attached bid tabulation. The lowest bid meeting all of the contract requirements was Noble Building & Development, LLC based in Angleton, TX.

I recommend award of a contract to Noble Building and Development, LLC for an amount of **not to exceed \$293,715.00.**

PORT COMMISSION



BID TABULATION SHEET
ADMINISTRATIVE BUILDING REPAIRS & IMPROVEMENTS
PROJECT NO. 22-08
BID OPENING: JUNE 20, 2023, 2:00 P.M.

Name	Amount	Bond/CC	Qualification Statement	Addendum	Insurance Certificate	Days
Linbeck Group LLC	\$482,200.00	Yes	Yes	Yes	Yes	70
Noble Building & Development, LLC	\$293,715.00	Yes	Yes	Yes	Yes	75


Signatures: Jason Hull



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

MEMORANDUM

TO: Commissioners
Directors
Legal Counsel

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

DATE: October 11, 2023

SUBJECT: Professional Services Agreement for Cathodic Protection System on
Docks 1, 2, 3, 5 & 7

Attached is a Professional Services Agreement with Stelar Consulting Services, LLC for Engineering service to design and provide construction oversight services for the Cathodic Protection System on Docks 1, 2, 3, 5 & 7. The impressed current cathodic protection system provides critical corrosion protection on the underwater sheet pile and other critical structural components that are necessary to keep the docks operational. The existing system is not currently providing adequate protection to all of the underwater components and corrosion is resulting.

I have reviewed the proposal and the fee and recommend approval of an amount **not to exceed \$632,544.00.**

PORT COMMISSION


RAVI K. SINGHANIA, CHAIRMAN; ROB GIESECKE, VICE CHAIRMAN; BARBARA FRATILA, SECRETARY; KIM KINCANNON, ASST. SECRETARY;
DAN CROFT, COMMISSIONER; RUDY SANTOS, COMMISSIONER; PHYLLIS SAATHOFF, EXECUTIVE DIRECTOR/CEO



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

MEMORANDUM

TO: Commissioners
Directors
Legal Counsel

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

DATE: October 11, 2023

SUBJECT: **PSA with SAFEbuilt TEXAS, LLC for building code plan review and code inspections for the new fruit transfer facility**

I have selected SAFEbuilt TEXAS, LLC, based on demonstrated qualifications, as the most qualified firm to provide building code plan review and building code inspections for the new fruit transfer warehouse. This PSA is for the fruit transfer facility project only. The total fee for plan review and inspections is **not to exceed \$50,000.**

I recommend approval.

PORT COMMISSION

RAVI K. SINGHANIA, CHAIRMAN; ROB GIESECKE, VICE CHAIRMAN; BARBARA FRATILA, SECRETARY; KIM KINCANNON, ASST. SECRETARY;
DAN CROFT, COMMISSIONER; RUDY SANTOS, COMMISSIONER; PHYLLIS SAATHOFF, EXECUTIVE DIRECTOR/CEO



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

MEMORANDUM

TO: Port Commissioners
Chief Executive Officer

FROM: Rob Lowe

DATE: October 13, 2023

SUBJECT: Utilization of Reserve for Capital Improvements

The Port Commission passed a resolution on October 22, 2015 creating a reserve for Capital Improvements. Annual contributions from Port operating revenues have been made since and the current balance is \$17,548,246. The reserve can be utilized to fund Freeport harbor channel improvements, capital and maintenance dredging, dredge disposal area improvements, land purchases and any other Port capital improvement or capital maintenance items. Staff plans to bring a recommendation to issue \$25M in revenue bonds to the Port Commission in November. This plan and modeling of the bonds was shared with the Finance Committee on October 12, 2023. Current plans would have a bond closing date in February 2024 and in the interim, staff is requesting the utilization of the Capital Reserve to advance fund the first two payments of the ship to shore gantry cranes for an amount not to exceed \$9,000,000. There will be an advance funding resolution allowing the port to reimburse our accounts for this spending once the bond proceeds are received. Staff will present a reconciliation of the Capital Reserve once the funding is received and reimbursed.

PORT COMMISSION

RAVI K. SINGHANIA, CHAIRMAN; ROB GIESECKE, VICE CHAIRMAN; BARBARA FRATILA, SECRETARY; KIM KINCANNON, ASST. SECRETARY;
DAN CROFT, COMMISSIONER; RUDY SANTOS, COMMISSIONER; PHYLLIS SAATHOFF, EXECUTIVE DIRECTOR/CEO

RESOLUTION

At a Regular Meeting of the Port Commission of Port Freeport held at the office of said Port at 1100 Cherry Street, Freeport, Texas on the 19th of October 2023, among other business came on to be considered the following resolution, which was upon motion duly made and seconded, adopted by vote of all Commissioners present, which resolution is as follows:

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. A Resolution was passed on October 22, 2015 to create a Reserve for Capital Improvements.
3. The contributions to the fund are based on the Commission's desire to commit each fiscal year an amount from Port operating revenues equal to the maintenance and operations portion of the Port's tax rate.
4. The reserve can be used to fund Freeport harbor improvements, capital and maintenance dredging, dredging, dredge disposal area improvements, land purchases and any other Port capital improvements or capital maintenance items.
5. The FY 2024 capital plan includes the purchase of two ship to shore gantry cranes.
6. The reserve for capital improvement balance is currently \$17,548,246.

RESOLUTION

NOW THEREFORE, BE IT RESOLVED by the Port Commission of Port Freeport that the reserve for capital improvements may be utilized for up to \$9,000,000 to advance fund the purchase of two ship to shore gantry cranes to be subsequently reimbursed through future revenue bond proceeds and/or port operating revenue. A reconciliation of the reserve shall be presented to the Port Commission after the issuance of FY2024 revenue bonds.

RESOLUTION APPROVING SALE OF PROPERTY HELD IN TRUST

At a regular meeting of the Port Commission of Port Freeport held at the office of Port Freeport at 1100 Cherry Street, Freeport, Texas, on the 19th day of October, 2023, among other business came on to be considered the following resolution, which, upon motion duly made and seconded, was adopted by vote of all Commissioners present:

FINDINGS

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

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

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

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

RESOLUTION

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

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



Brazoria County Tax Office

KRISTIN R. BULANEK

TAX ASSESSOR-COLLECTOR

111 E. Locust
Angleton, Texas 77515

979.864.1320
FAX 979.864.1346

Wednesday, September 27, 2023

Port of Freeport
Attn: Rob Lowe
1100 Cherry St.
Freeport, TX. 77541

RE: Account No. 0112-0022-000, 0112-0022-110, & 0112-0022-120

Dear Mr. Lowe:

The Property Tax Resale Committee of Brazoria County has received an offer on the above-referenced account held in trust. Included with this letter is the property information.

The Property Tax Resale Committee has agreed to accept the offer. Please present this offer to your governing body for approval.

Once approved, please notify the Brazoria County Tax Office and include the account number and a copy of the minutes.

If you have any questions, please do not hesitate to contact our office.

Sincerely,

Betreace McFatter

TAX RESALE PROPERTY INFORMATION

RESALE MEETING OF: 9/26/2023

IN TRUST TO: COLUMBIA-BRAZORIA ISD

PREVIOUS OWNER: AUGUSTA PRUITT ROBBINS, ET AL

ACCOUNT #: 0112-0022-000
0112-0022-110
0112-0022-120

LEGAL DESCRIPTION: 0112-0022-000: A0112 PERRY & AUSTIN
TRACT 4 ACRES 58.66, UNDIVIDED
INTEREST 1.2000000000%

0112-0022-110: UNDIVIDED 1.1900000000%

0112-0022-120: UNDIVIDED 1.1900000000%

PHYSICAL ADDRESS: 0 COUNTY ROAD 488C

SCHOOL DISTRICT: COLUMBIA-BRAZORIA ISD

OFFER MADE BY: ZJ ABBASALY

AMOUNT OF OFFER: \$2,184.48

MINIMUM BID AT SALE: \$4,368.95

ADJUDGED VALUE: \$13,054.00

CURRENT LAND VALUE: \$19,257.00

CURRENT IMPROVEMENT: \$518.00

CITY WEED/DEMO LIENS: NA

SHERIFF'S DEED FILE DATE: 3/16/2023

REDEMPTION DATE: 9/16/2023

POST JUDGMENT TAXES: \$439.08

POST JUDGMENT YEARS: 2022

VOTE: AYE NAY

K. BULANEK
K. STEWART
JUDGE SEBESTA
D. LINDER
CIVIL DIVISION REP.

X
X
X
X
X

PBFCM REPRESENTATIVE PRESENT

Cause Number:	112094-T	Account Number:	0112-0022-000 0112-0022-110 0112-0022-120
Bid Amount:	\$2,184.48	Current Land Value \$:	\$19,257.00
Offer Made By:	ZJ ABBASALY	Adjudged Value\$:	\$13,054.00

Judgment Information

Taxing Entity	Tax Years	Amount Due
BC	2001-2021	\$699.35
Columbia-Brazoria ISD	2001-2021	\$2,065.10
BRHND	2001-2021	\$73.38
BCES #2	2001-2021	\$104.89
BCES #1	2001-2021	\$120.45
WBDD #11	2001-2021	\$32.71
		\$3,095.88

Costs

Court Costs	\$315.40	Sheriff Fee's	\$592.13
Publication Fee's		Research Fee's	\$333.33
Ad Litem		Recording Fee's	\$25.00
Liens		Certified Mail	\$2.19
Deed Recording	\$38.00	Deed File Date	
Total			\$1,268.05

Proposed Distribution

Offer Amount

Costs

\$2,184.48

\$1,268.05

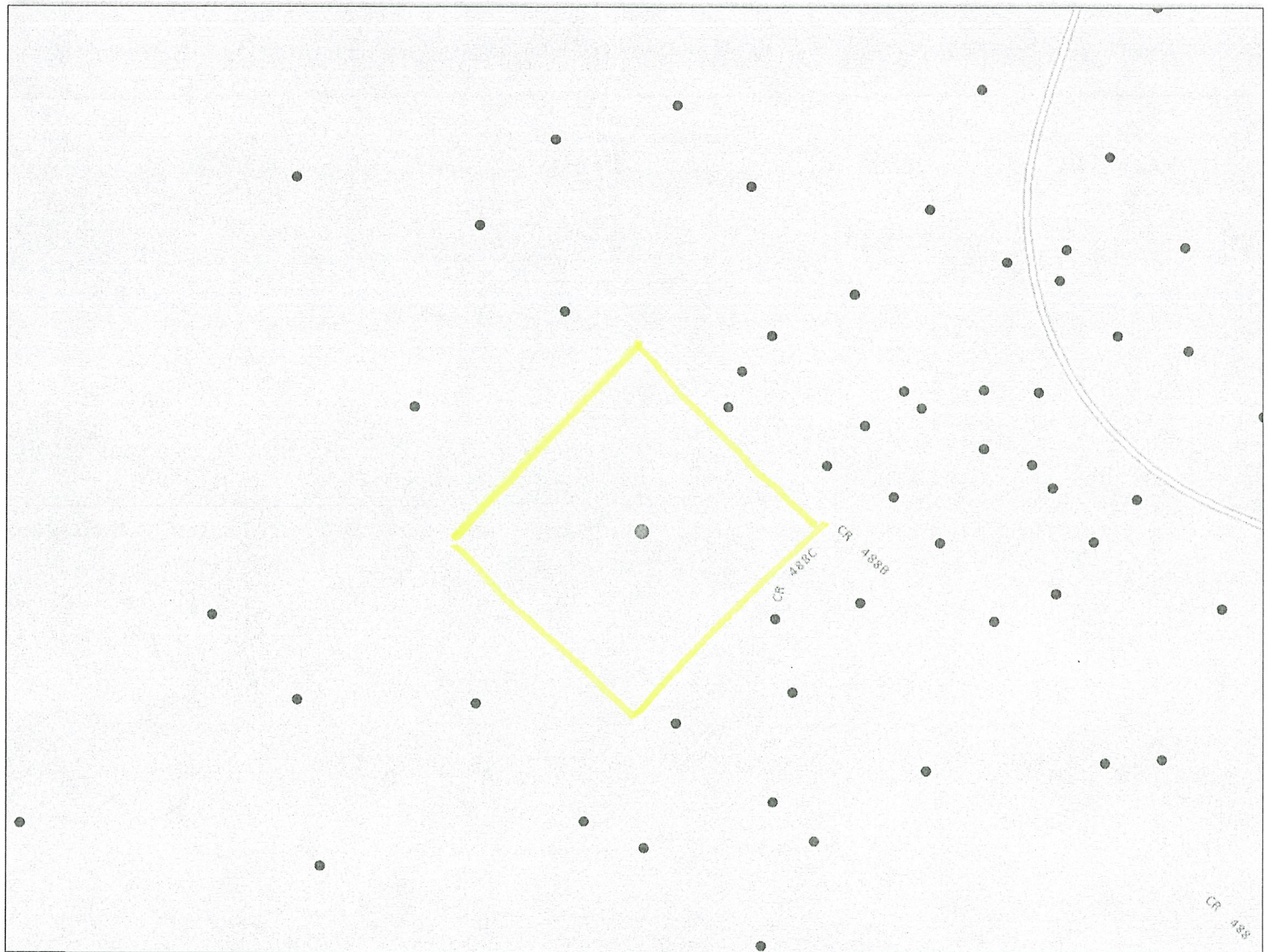
Net to Distribute \$

\$916.43

BC	22.59%	207.02
Columbia-Brazoria ISD	66.70%	611.30
BRHND	2.37%	21.72
BCES #2	3.39%	31.05
BCES #1	3.89%	35.66
WBDD #11	1.06%	9.68
0	0.00%	0.00
0	0.00%	0.00
0	0.00%	0.00
		916.43

Post Judgment Information

Taxing Entity	Tax Year's	
BC	2022	\$94.59
Columbia-Brazoria ISD	2022	\$292.54
BRHND	2022	\$9.71
BCES #2	2022	\$20.79
BCES #1	2022	\$16.46
WBDD #11	2022	\$4.99
0		
0		
0		
Post Judgment Total		\$439.08



1 Property with Property ID matching "158678"

A0112 PERRY & AUSTIN TRACT 4 ACRES 58.66, Undivided Interest 5.7140000000%

Property ID 158678

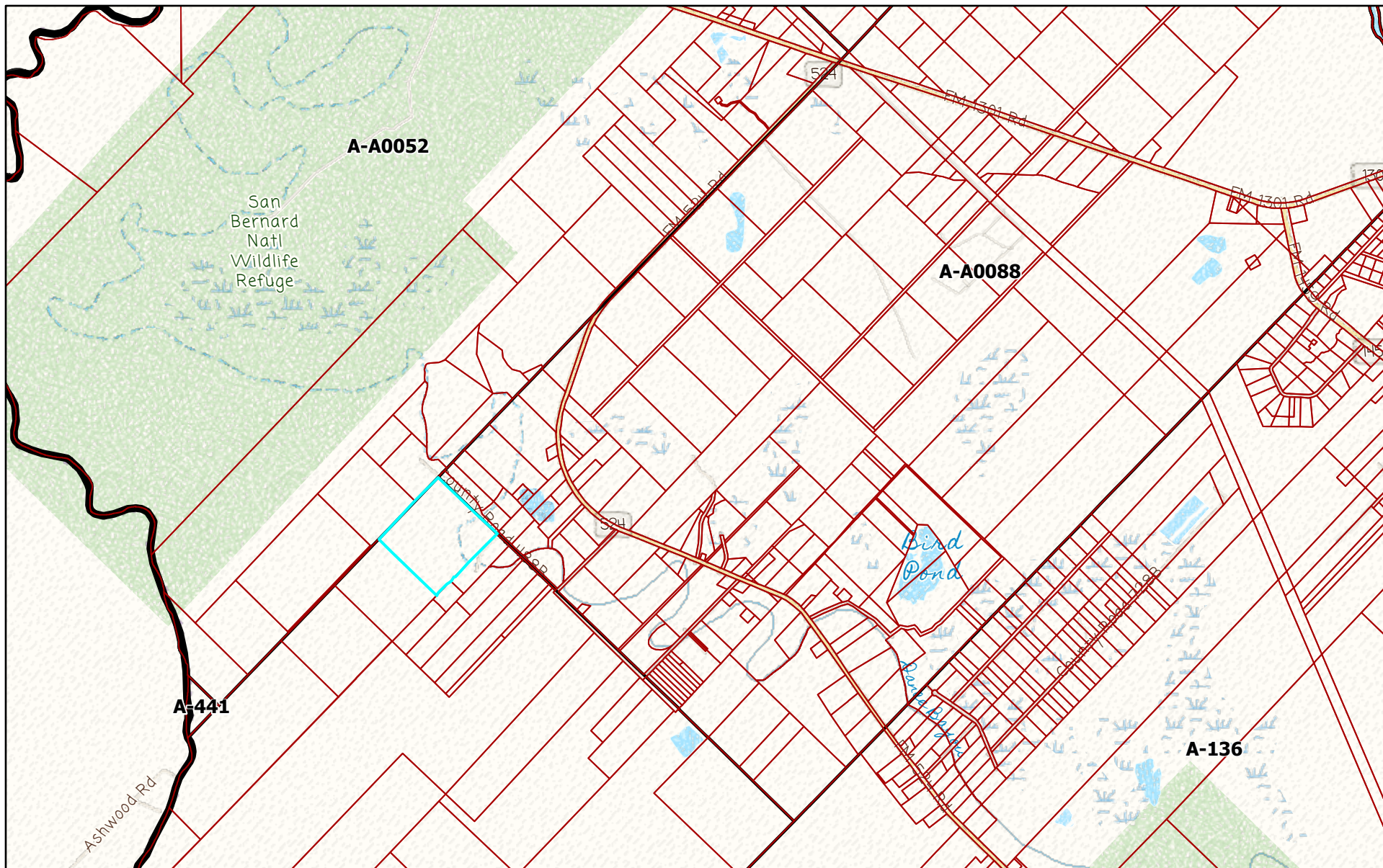
Geo ID 0112-0007-000

Owned by GORDON LUCY ESTATE




Address COUNTY ROAD 488C , 77480

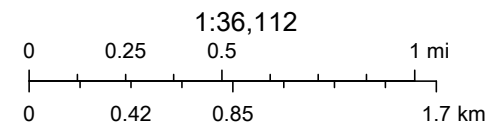
[Full Details](#)

Brazoria CAD Web Map



10/12/2023, 9:22:27 AM

-  Abstracts
-  Brazoria County Boundary
-  Parcels
-  Texas County Boundaries



Texas Parks & Wildlife, CONANP, Esri, HERE, Garmin, Foursquare, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US

Brazoria County Appraisal District, BIS Consulting - www.bisconsulting.com

Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.



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

**EXECUTIVE DIRECTOR/CEO
COMMISSIONER
TRAVEL ARRANGEMENTS
October 2023**

*Texas Transportation Institute Short Course Awards & Luncheon
October 10, 2023
College Station, TX
Mileage per Attendee
Attendees: Saathoff, Santos, Kincannon*