

Minutes of Port Commission Regular Meeting
April 14, 2022
In Person & Videoconference

A Regular Meeting of the Port Commission of Port Freeport was held April 14, 2022, beginning at 1:01 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.

Public comment will be available at the beginning of the meeting during the agenda item devoted to public comment. Public comment may be communicated in person or by videoconference, but in either event public comment will be limited to 5 minutes per participant and must be communicated verbally. Following public comment, the public will not be permitted to communicate with the Port Commission.

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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. 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. Nick Malambri, Engineering Specialist

Also, present:

Mr. Chris Moore, Texas Port Ministry
Mr. Bobby Fuller, Texas Port Ministry
Mr. Doug Gilman, Gilman & Allison LLP
Mr. Henry Chambless
Ms. Melania Oldham
Ms. Barbara Fratila

1. CONVENE OPEN SESSION in accordance with Texas Government Code Section 551.001, et. seq., to review and consider the following:
2. Invocation – Mr. Bobby Fuller, Texas Port Ministry
Commissioner Hoss took a moment to remember former Commissioner Bill Terry, who recently passed away.
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. 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.

6. Public Comment – There were no comments from the public.
Mr. Chris Moore with Texas Port Ministry invited the Commission and members of the public to attend Bobby Fuller’s Retirement Reception to be held June 20. He also noted that Monday Meals have started again at the ministry and shared a story regarding a Ukrainian crew that recently called Port Freeport.

Ms. Melanie Oldham addressed the Commission regarding the Port’s increased truck traffic and its affect to the citizens of Freeport.

7. Approval of minutes from the Regular Meeting held March 24, 2022.

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

8. Receive reports 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 on her recent attendance at the AAPA Legislative Summit in Washington, DC and noted that she will also attend the upcoming NWC Legislative Summit to also be held in Washington, DC April 25-26. Jason Miura will be attending the JOC Breakbulk Conference in New Orleans the same week. Ms. Saathoff and Mr. Miura both attended the Port of the Future Conference held in Houston where Ms. Saathoff participated

on two panel discussions regarding the shipping container problem and current grant funds availability and competitiveness of the programs. Ms. Saathoff gave an update on the FY2022 Corps Work Plan noting the plan is expected to be released before the end of April. She also noted that while Washington is lifting COVID restrictions, access to government offices is still very restricted and does not anticipate unescorted visits to congressional offices before June 1. Lastly, Ms. Saathoff reported the Rosenberg EDC recently visited the Port for a tour of the facilities.

9. Approval of a Contract with Saltwater Salvage, LLC for the Docks 1, 2, 3, & 5 Sheet Pile Repair 2022 project, in an amount not to exceed \$180,500.00.

Mr. Hull stated that staff received three bids for this project with the low bid submitted by Saltwater Salvage, LLC in the amount of \$180,500.00. Saltwater has done a number of projects for the Port and has met all requirements. Repairs include physical damage as well as corrosion to the docks. Staff recommends approval.

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

10. Approval of a purchase from Portal Crane Group for power reel cables, in the amount of \$118,319.80.

Mr. Durel stated that with the expansion of Dock 8, staff will need to relocate the power supply for the gantry cranes to Dock 8 so the cranes can transverse from Dock 7 to the end of Dock 8 and back. Staff will need 1400 feet of cable in order to transit to the farthest end. Staff will need to purchase two cables (one for each crane) in the amount of \$118,319.80 and will take 21-23 weeks for the cables to arrive once ordered. Mr. Durel noted the old cables will be kept as spares.

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

11. Approval of Commissioners' travel for the month of April 2022.

This item was tabled.

12. Update and discussion regarding the search for General Counsel and the Request for Proposals.

Ms. Saathoff reported the Port timely received six proposals in response to the Request for Proposals for outside legal counsel for serving as General Counsel for the Port. Staff will review the proposals and putting in form that is easy to compare. Ms. Saathoff will meet with the Chairman and Vice Chairman to set up schedules for review and consideration. She suggested reserving the week of May 9th for firm interviews.

13. 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 551.072 (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.
- C. Under authority of Section 551.076 (Deliberation of Security Matters) for discussion regarding:
 - 1. Issues related to the deployment or specific occasions for implementation of security personnel or devices or security audit services.

14. RECONVENE OPEN SESSION:

15. Adjourn.

With no further business before the Commission, the meeting adjourned at 3:50 PM.