

Minutes of Port Commission Special Meeting
April 18, 2023
In Person & Videoconference

A Special Meeting of the Port Commission of Port Freeport was held April 18, 2023, beginning at 7:36 AM 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/82928613783?pwd=SU9ocVUwMnZVRiswVkVOcUl6SVkrdz09>

Meeting ID: 829 2861 3783

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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. Shane Pirtle, Commissioner

Commissioners present by videoconference:

Mr. Ravi Singhania, Commissioner

Staff Members Present:

Mr. Grady Randle, Legal Counsel
Ms. Phyllis Saathoff, Executive Director/CEO
Mr. Rob Lowe, Director of Administration/CFO
Mr. Jason Hull, Director of Engineering
Ms. Missy Bevers, Executive Assistant
Mr. Rico Arbolante, Help Desk Technician

Also, present:

Mr. Peter Nemeth, Crain, Caton & James
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. Roll Call – Commissioner Hoss noted that Commissioner Singhanian was present by videoconference while all other Commissioners were present in the Board Room.
3. 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.

4. Public Comment – There were no public comments.
5. Public Testimony – There was no public testimony.
6. 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).

7. RECONVENE OPEN SESSION:

Commissioner Hoss noted that Commissioner Singhanian left the meeting during executive session at 8:10 AM.

8. Consideration and possible approval of an amended Mediator’s Settlement Proposal dated 04-14-2023 providing a Framework for Resolution of issues between Port Freeport and the City of Freeport.

As part of the negotiating team, Commissioner Giesecke stated the team worked hard on it, hit the City’s appraisal number and felt it was a good agreement. They basically gave the City what they were asking for in terms of the price, thought it was a good resolution and still stands by that.

Commissioner Pirtle thanked the negotiating team for their time spent working through the process.

Commissioner Hoss stated that the mediator did a fine job moving things along and communicating and with assistance from the state rep, helping to craft some of the legislation. He echoed Commissioner Giesecke by stating he believes it meets the requirements of the citizens of Freeport to protect them from growth and actually puts the control in their hands for future growth. He supports the settlement.

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

9. Adoption of a Resolution in favor of proposed legislation (House Bill CS HB 5336 and any companion Senate bill).

Commissioner Hoss stated that the Commission still supports the legislation, the Port's state rep and senator and their attention to this matter.

Commissioner Giesecke stated that the last time the Commission had a resolution in support of legislation, he voted against it because it had disannexation in it and he did not like that and did not like the threat. This resolution is a balanced approach, giving the city (the citizens) protection against further encroachment by the Port. It takes voter approval for any purchase of property in the protected zones and believes it's about the most balanced thing the Port can do because it gives the City that guardrail to keep the Port from going further. He added that it's a good compromise and thanked Representative Vasut's efforts in crafting the legislation. He supports it.

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

10. Adjourn.

With no further business before the Commission, the meeting adjourned at 8:35 AM.