

Minutes of Port Commission Special Meeting
April 11, 2024
In Person & Videoconference

A Special Meeting of the Port Commission of Port Freeport was held April 11, 2024, beginning at 8:35 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.

Join Zoom Meeting

<https://us02web.zoom.us/j/88261821485?pwd=TKRrXVmpHWlEwUXEzMnowd2dyQTlwUT09>

Meeting ID: 882 6182 1485

Passcode: 809037

Dial by your location

• +1 346 248 7799 US (Houston)

Meeting ID: 882 6182 1485

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

Commissioners present in person:

Mr. Ravi Singhania, Chairman
Mr. Rob Giesecke, Vice Chairman
Ms. Barbara Fratila, Secretary
Mr. Kim Kincannon, Asst. Secretary
Mr. Rudy Santos, Commissioner
Mr. Dan Croft, Commissioner

Staff Members Present:

Mr. Grady Randle, General Counsel
Ms. Phyllis Saathoff, Executive Director/CEO
Mr. Rob Lowe, Director of Administration/CFO
Mr. Jason Hull, Director of Engineering
Mr. Chris Hogan, Director of Protective Services
Mr. Brandon Robertson, Director of Information Technology
Ms. Missy Bevers, Executive Assistant
Ms. Mary Campus, Controller
Ms. Christine Lewis, Safety Coordinator
Mr. Jesse Hibbetts, Interim Director of Operations
Mr. Chas Gryseels, Engineering Specialist
Mr. Jason Miura, Director of Business & Economic Development

Also, present:

Mr. Chris Moore, Texas Port Ministry

Ms. Heather Cook, 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 Singhanian noted that all Commissioners were present in the board room.
5. Safety Briefing – Ms. Christine Lewis provided tips for protection against 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 by Commissioners.

7. Public Comment – There were no public comments.
8. Public Testimony – There was no public testimony.
9. 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 551.074 (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.

10. RECONVENE OPEN SESSION to review and consider the following:

11. Discuss and consider action resulting from Executive Session.

Ms. Saathoff stated that staff is prepared to move forward with filling the Director of Operations position and requesting the Port Commission to affirm Ms. Saathoff's actions to fill the position.

A motion was made by Commissioner Croft to approve the offer for the Port Freeport Director of Operations position. The motion was seconded by Commissioner Santos with all Commissioners present voting in favor of the motion.

After an additional discussion in Executive Session at 4:07 pm, the Port Commission reconvened 4:14 pm with the following motion...

A motion was made by Commissioner Croft to approve the offer for the Port freeport Director of Operations position as discussed in Executive Session. The motion was seconded by Commissioner Santos with all Commissioners present voting in favor of the motion.

12. Conduct a Planning Workshop for Port Freeport regarding the following:

- A. Introductory Remarks.
- B. Review of the following Port Policies:
 - 2.1 Commission Officers and Organization
 - 2.4 Executive Director/CEO
 - 2.5 Press Releases/Statements of Official Viewpoint
 - 2.7 Legislative Action
 - 2.8 Legal Defense for Commissioners
 - 2.9 To Be Deleted (June 8, 2023 Commission Action)
 - 3.4 Conflicts of Interest
- C. Port-Owned lots in City of Freeport.
- D. Update on RFP process for Market Assessment.

Introductory Remarks

Ms. Saathoff began the workshop by stating that staff discussed conducting an April workshop to discuss administrative policies with the Port Commission. The workshop will also be an opportunity to provide an update on matters covered at the November workshops and how they are aligning with the priorities and goals of the organization. While its early in the year, Ms. Saathoff noted the budgeting and capital planning processes are approaching therefore it is a good time to discuss where the Port is at and what items will be under consideration as staff moves into the budgeting process. Commissioner Singhania commented that while the workshop is mostly informational, the Port Commission has discussed holding workshops more than once a year and this is a positive step taken in that direction. He also acknowledged the information is not a finished product but rather an opportunity for staff to receive feedback on what they present.

Review of Port Policies

2.1 Commission Officers and Organization

Mr. Lowe explained the changes to this policy which include administrative suggestions, substantive changes as well as the inclusion of what the Port Commission adopted last year regarding the Rules for Election (“the Rules”). Mr. Lowe explained the changes staff made under Terms of Office were in an effort to align with what the Port Commission adopted under the Rules. The Port Commission and Mr. Lowe discussed the proposed changes and potential circumstances that could take place. Suggestions made to this section was to rename the section “Officers Terms of Office” for less confusion and after discussing the proposed language change to the second paragraph, staff agreed to return to the original language. Under Election of Officers, staff modified the language to align with the language adopted last year in the Rules. Commissioner Giesecke asked for more clarity in the language to state the canvassing of election and election of officers will take place at two different meetings as the current language could be interpreted that both will happen at the same meeting. Mr. Lowe stated the language was pulled directly from what was adopted in the

Rules, therefore, the language in that document will need to be modified as well. Commissioner Singhania inquired where the section concerning quorums was located. Mr. Lowe explained that it's included in the Rules which is an attachment to the policy. He further explained that after consulting with Counsel, staff determined to include the Port Freeport's Election Policy, Rules of Order and the Rules of Order Resource adopted last year, as exhibits to this policy instead of creating a separate policy. Staff suggested adding a reference to note the three documents are exhibits under this policy. Mr. Lowe moved on to the Formation and Function section, explaining the changes are more administrative changes to show the committees were changed in name to eliminate the word "advisory" in the title. Staff also added the OSS (Operations, Safety & Security) Committee to the list since it combined two previous committees into one. There were no substantive changes under the Finance and Audit Committee. Commissioner Kincannon noted the ESG Committee needed to be added to the opening paragraph of this section. The Strategic Planning Committee was changed back to the Capital Planning with no substantive changes. As previously mentioned, the Operations Committee was combined with Security & Safety to create one committee (OSS). Mr. Lowe took the key components from each to build the description into one committee. The Personnel Committee had no substantive changes. Security and Safety Committee language will be redlined to be deleted so it's not a duplicate. Mr. Lowe added the Environmental, Social and Corporate Governance Committee and included language that captures the nature of the committee. Commissioner Singhania clarified that the committee should be Environmental, Social, Governance and Sustainability (ESG&S). With regard to Exhibit A, staff will amend the language in the first section so it is clear two separate meetings will be held to canvass the election and to elect officers. Staff also clarified that if the existing Chairman is not re-elected, the role then falls to the Vice Chairman for conducting the meeting. Commissioner Singhania then inquired about the roles of the committees and suggested the website redevelopment fall under ESG&S Committee. Staff will add this to the committee description. Commissioner Singhania then moved the discussion to quorums in committees asking staff to also include language stating that two members of the committee must be present; however, if the third member is not present, a Commissioner can be drafted as a substitute for the committee. Ms. Saathoff asked counsel if this was the appropriate place to add language that an additional Commissioner who is not a member of the committee, could sit in on the meeting to observe only and not participate. Counsel cautioned having a quorum of the Commission in committees. Staff agreed not to add language. Commissioner Singhania also noted that committees individually do not run or create any item on their own, it has to be assigned by the Port Commission. Ms. Saathoff expanded further to say that most items going to committee for review are items that will be recommended for approval to the Port Commission, adding that if it's something that's outside of the scope of what the Port Commission has already directed or approved as budget items, the Port Commission would need to get consensus on a new effort before action is taken. Commissioner Singhania gave the example of Commissioners all having different thoughts about how to develop the water retention property. They should all have a discussion and consensus from the Commission of a topic before charging it. Commissioner Giesecke asked for further clarification regarding an additional commissioner, who is not a member, attending committee meetings only as an observer. His recollection is that Counsel gave his blessing when this was previously discussed. Mr. Randle misunderstood the question and clarified that a fourth commissioner could attend as an observer only, with no participation. Staff will add language to the policy to clarify if a non-member of the committee attends the meeting, they should not participate.

2.4 Executive Director/CEO

Commissioner Singhania first commented that language should be added to the policy stating the Chief Financial Officer and the Executive Assistant report to the Port Commission as well with no other changes to the policy. Commissioner Kincannon noted that Director of Information Technology should also be added under Assistants and Other Employees. Mr. Lowe clarified this policy is written in a manner of direct reports to the CEO noting the Director of Information Technology or Director of Protective Services are not listed because they report to another member that reports directly to the CEO, therefore the change Commissioner Kincannon noted will not be made.

2.5 Press Releases/Statements of Official Viewpoint

Ms. Saathoff stated that staff has been in discussions about this policy but does not have revisions at this time. She further stated there have been conversations prior regarding personal statements, inquiring if the policy needs to be changed or not. There tends to be an official viewpoint from the Port, but Commissioners do receive calls from the media. Commissioner Singhania commented that as elected officials, the Commissioners can speak to the public however he isn't sure about employees of the Port. Ms. Saathoff stated that its rare a situation presents itself with employees adding the team knows to refer such inquiries to her or Public Affairs. Commissioner Giesecke commented that the policy looks fine as it is.

2.7 Legislative Action

There are no changes to this policy. Staff will consider it reviewed as of today's date (April 11, 2024) and not bring it to committee.

2.8 Legal Defense for Commissioners

Commissioner Singhania stated when he joined the Port, the insurance policy covered legal defense for port employees only. After attending an AAPA Commissioners Seminar, the Port bought a separate policy for commissioners' coverage. Since that time, it has been determined under Texas Local Government Code that commissioners are considered employees. With that being said, it should be determined if a separate policy is needed if they are covered as employees however the intent is that commissioners should be covered for legal defense. Mr. Lowe stated that director and officer coverage is a standard within industry and is laid out in the Port's liability renewal presented every year. The Port is currently more heavily insured in this area than others. Mr. Lowe and Ms. Campus confirmed the coverage includes employees, executives, officials and commissioners. Ms. Campus added that her recollection of this policy was if there was a situation where a commissioner was involved in a lawsuit and they had legal counsel of their own, this policy was drafted so that commissioners would be reimbursed for their own legal fees. Ms. Saathoff concurred. Mr. Randle confirmed staff was talking about the civil aspect, not criminal and gave a real-life example adding that staff needs to consider whether or not they want to include language in this policy that states whether or not fees will be reimbursed for criminal activity. Commissioner Fratila commented that language could be included to the list of items that will not be covered that states fees will not be covered should a Commissioner be found guilty of criminal acts. Staff will revise the policy to include clarification to references and reimbursement guidelines with regard to criminal activity versus civil activity.

2.9 To Be Deleted (June 8, 2023 Commission Action)

No discussion.

3.4 Conflicts of Interest

Mr. Lowe stated substantive changes to this policy fell under Section VIII – Filing of Disclosure Form Requestion by Chapter 176 of the Texas Local Government Code noting legislative changes to the language that veered from the use of the word person to vendor and also lowered the Local Government Officer aggregate gift reporting threshold amount from \$250 to \$100. Additionally, Mr. Lowe noted the current policy provides three points to the following:

A Local Government Officer Is not required to file a conflicts disclosure statement in relation to a gift accepted by the Local Government Officer if the gift is:

- given by a family member of the person accepting the gift (*can be kept but not in statute*)
- A political contribution ad defined by Title 35, Election Code; or (*in statute*)
- food, lodging, transportation or entertainment accept as a guest. (*statute only lists food but Port policy includes all three*)

Mr. Lowe added that he looked back at the history and could not find where the legislature made changes to the language above nor could he find why the Port added lodging, transportation and entertainment to the policy. Commissioner Giesecke commented that the policy should not be at odds with the state law. Mr. Lowe concurred. The Port Commission and staff agreed to remove the additional language added by the Port and stick with what the law states. Mr. Lowe also noted a statement added at the end of the policy that indicates the Conflicts Of Interest Exhibit A will be executed biannually to coincide with Commissioners elections. Two of the five exhibits will be downloaded from the Texas Ethics Commission website to reflect the updates regarding vendor and threshold amounts. Commissioner Giesecke commented on Section II – General Policy Consideration suggesting staff add specific language highlighting the Port’s public perception, reputation or public trust that commissioners or employees will do not anything to create conflict of interest. Staff will add language to the policy.

Port-Owned lots in City of Freeport

Mr. Lowe stated that he has a meeting scheduled with legal counsel to discuss this process further to understand what the public posting requirements are versus having a package available here at the port with all of the details of the sale. He presented a document with the 10 properties listed indicating the BCAD values. The Port will reject any bids deemed too low and will include a disclaimer noting such on the notices. He also noted previous guidance from the Port was to not indicate the BCAD values and leave it open-ended. Ms. Saathoff added the Port will have to be compliant with the Language Assistance Plan adding language in the notice that Spanish version will be available by contacting the Port office. Commissioner Giesecke commented that he would rather hire a broker to dispose of the lots and does not like just using the values indicated by the appraisal district because it does not include individual characteristics of the lots, suggesting the Port hire a broker to give the Port a broker’s price opinion on the lots to get a baseline of what they are worth. Additionally, he commented on frustration from the marketing aspect adding that legal notices alone are not going to get the same exposure as putting them in MLS, suggesting a possible news release in The Facts as well as adding a notice of properties available on the website with instructions on how to bid on them. He further stated that while the Port is putting the properties back into the public, they do not need to give them away at fire sale prices. Ms. Saathoff commented that was not the intention, staff wants to make sure the Port is compliant with the law. The sale can be promoted to encourage as many bids as possible. Commissioner Fratila requested a map indicating where the properties are located along with

the list. Mr. Lowe will send the maps previously presented back out to the Commissioners. Commissioner Giesecke also suggested putting For Sale signs up on the properties. Staff has captured all suggestions made and will move forward with the process while consulting counsel on the legal aspects. Commissioner Croft inquired if an auction could be done and if it was possible to pay a real estate agent commission if they brought a customer to the table following the protocols set forward. Mr. Randle stated only cities can use brokers to dispose of the property however the Port can use a broker (Sellers Broker) to assist in putting together a package while still honoring the law in disposing of the property. Mr. Lowe stated that staff did not pursue this avenue when brokers were taken off the table since they were not allowed. However, if counsel is comfortable with hiring a broker to assist in marketing the properties, staff will pursue as an additional tool for the process. Commissioner Singhanian agreed with an earlier comment about sending out a press release to the public stating the Port previously acquired land that is no longer needed and is putting it back out for public use.

Mr. Hull presented an overall view of Parcels 15, 16 and 17 to show the location of the parcels for awareness during the discussion noting the parcels were acquired in the 1982 land purchase from Freeport Minerals. He started with Parcel 15 noting its location on a subsequent map. The parcel is 17.5 acres and does not include two areas highlighted that are owned by the City of Freeport. There is also a 27' HLP Easement (high voltage transmission power line) included, and drainage ditches located on the parcel as well. Next Mr. Hull noted Parcel 16's location on the map pointing out the area that includes a Velasco Drainage and Levee Easement and the 27' HLP Easement previously mentioned. He also noted that Velasco Blvd. was given to the City in an easement. The width between the two easements is 605 ft. He reminded the Commission the easement does not allow for any permanent structures or trees, but you could build a walking trail or sidewalk in it. Commissioner Singhanian suggested the Port work with VDD, to see how the Port could have a retention basin in that area. Mr. Hull then noted on the map where Parcel 17 is located which runs between Velasco Blvd. and the Port Administration Bldg. The 27' HLP Easement extends through this parcel as well and is bisected in several locations by ditches which he also notes on the map. He indicated an area on the Parcel that could be explored for a retention basin which is approximately 10 acres. Parcel 17 is 62.9 acres with the Velasco Drainage Levee Easement encompassing an additional 16.3 acres. Commissioner Giesecke inquired about permitting requirements should the 10-acre area be used given it is currently a shallow freshwater pond if it would be deep enough to accommodate a retention basin and how the water would get to it. Mr. Hull then led the discussion first explaining the area would need to be determined if it was jurisdictional or not and a permit would be required to fill or dredge the area, both of which are not recommended. He showed an aerial of the area pointing out where a pipe could be installed that would connect to the pond/retention area explaining how the water would flow to the area. They also discussed the pros/cons of using other areas on Parcels 15, 16 or 17 for retention versus using the established pond on 17. Consultation would also need to take place with Velasco Drainage District to determine what would be the best avenue that would not disrupt the pump stations. A working group consisting of Commissioners Fratila, Kincannon and Giesecke was established to work with Mr. Hull to begin a dialogue with Velasco Drainage District.

Update on RFP process for Market Assessment

Mr. Miura gave an update on the RFP process stating the Port has received proposals from the following firms noting they are all qualified firms...

EBP (*Company name, does not stand for anything*)

DUAGA

KPMG

Martin & Associates

Metro Analytics

Staff has performed an initial review of the proposals and will meet with the appropriate committee to present the highest scoring proposals and determine the next steps, anticipating bringing a final candidate for approval to the April 25 Port Commission meeting (tentative). Commissioner Singhania suggested creating an ad hoc committee with himself, Commissioner Croft and Commissioner Giesecke participating. Mr. Miura noted that based on the timelines submitted in the proposals, they are looking at a minimum of a 5-month timeframe depending on which candidate is recommended.

13. RECONVENE 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.
 - C. Under authority of Section 551.072 (Deliberation of Real Property) for discussion regarding:
 1. The potential 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, 6, 7 and 8.
 2. The potential exchange, lease, or value of real property located at Port Freeport, including but not limited to Parcels 19, 26, 27, 31, 34 and 35.
 - 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.

14. RECONVENE OPEN SESSION to review and consider the following:

15. Continue Workshop for Port Freeport regarding the following:

- A. Safety Update.
- B. Operations Update.
- C. Capital Projects Update.
- D. Environmental, Social, Governance and Sustainability Update.
- E. Update on RFP process for Website Redesign.

Safety Update

Ms. Lewis began her presentation noting Port Freeport employees have gone 1,923 days without time loss injury. Safety efforts throughout the Port include going back to basics with requirements of Class 2 safety vests and closed toe shoes. Banners and signage have been put up throughout the port with these reminders. The safety team continues to attend pre-vessel tenant meetings and tailgate meetings in an effort to be more visible and available for on hand guidance regarding safety which has helped change the safety culture. Monthly inspections also continue with the fire buggies and emergency equipment (fire extinguishers, AEDs). The safety team recently addressed an odor issue with a gas line on Parcel 19. They contacted the owner/manager of the line to resolve the problem. The area is now checked daily with a physical walkaround weekly. Ms. Lewis also gave an update on the various training and meetings safety has provided or participated in recently and includes the following...

- Brazosport Safety Council/BCPC Monthly Trainings: Heat Awareness
- Port Ministry Training: Port Safety Requirements; Explanation of the pamphlet and Q&A after.
- Active Shooter Stop the Bleed Training
- Quarterly Tenant Meeting
- Monthly Port Staff Training
- Port Ministry Banquet
- VW Security Team and APS Stevedore; Welcome Packet; Responsibilities
- Del Monte Cross Dock Project; Construction Site; Met w/Superintendent regarding PPE while on site.
- Quarterly Tenant Walkabouts
- WGMA Joint Safety Meeting; Upcoming Safety Fair/RoRo Rodeo

Ms. Lewis explained that once safety discovers or is notified of an incident, the team begins to collect information onsite to aid with an investigation. She shared the following incidents that occurred during the quarter and how they were mitigated...

- Amports rusted sewer lid that does not close properly
- Chiquita vessel container incident
- Del Monte yard construction

The safety team has been working on a few projects including the new rescue container which is now operational. All stevedores will be trained on use of the container and safety protocols. A training and demonstration class will be held April 15. Staff identified an area at Dock 8 that has an opening at the edge and should have a 10-inch barricade to prevent anyone from driving off the dock. Staff is discussing options for what can be put in place that doesn't interfere with RoRo operations when a vessel is in. Staff has a temporary barrier set up until a more permanent option is determined. Staff also identified a safety hazard in front of the check-in booth on the Non-TWIC parking lot where drivers were not protected. Staff is discussing moving the 10-foot barricades to the front of the booth to provide protection to drivers on either side. Staff has identified areas where there are speed limit issues, including Parcel 14/19 roadway, Pete Schaff Blvd., Port Road and Turning Basin Road. Staff has discussed installing rubberized speed bumps in these areas to force drivers to slow down for the bumps. Lastly, the Gate 8 Dole Interchange has been creating traffic congestion. Ms. Lewis shared a map and explained that security cannot turn OTR trucks around and OTR trucks who need to rescale cannot cross Warehouse 51 to adjust tandems to come back to rescale. Dole trucks waiting on access to interchange must cross outbound traffic lane and trucks entering from Dole interchange must go around waiting trucks. Staff identified a former Dole truck wash drive that runs behind the scale house and is in direct line with the Dole Interchange. Trucks exiting through the Dole Interchange will only use this lane which will remove the truck congestion. Improvements safety has made throughout the Port include ensuring that all railroad crossings on Parcels 14 and 19 are clearly marked and signage has been relocated that is no longer needed or repositioned to face appropriate direction. Lastly, Ms. Lewis went over the areas the team is looking to improve/purchase and have included in their budget. These include the following...

- Updated signs at each gate identifying required PPE and no photography;
- Signs identifying all emergency equipment and locations;
- Employee Appreciation Luncheon: Milestone w/1923 days without time loss injury;
- Ensuring adequate funds to stay ahead of the Port growth;
- Another set automatic flaggers;
- Radar gun for safety vehicle;
- Emergency bag w/ AED and First Aid Supply; and
- Handheld radios to be able to respond to emergency calls/situations.

Commissioner Singhania inquired if the safety team tracks tenants' safety performance/record/lost time at the quarterly meetings. Safety does not have access to that information. Ms. Saathoff noted the information is requested and provided when stevedore licenses are submitted. Ms. Lewis also noted when a tenant has an incident, it has to be a certain amount before its reported to safety, not all incidents are reported. Ms. Saathoff reminded the Commission of the report that is submitted to the Commission each month that tracks safety and security incidents inside the Port (port-wide).

Operations Update

This item was deferred to the April 25, 2024 Port Commission Meeting.

Capital Projects Update

This item was deferred to the April 25, 2024 Port Commission Meeting.

Environmental, Social, Governance and Sustainability

Ms. Saathoff stated that staff has moved into a limited contact with Goodman Corporation with regard to the EPA Grants opportunity. Mr. Miura gave an up explaining there is \$3 billion funds available with a May 28 deadline to file. There are two programs available, the EPA Clean Ports for Climate and Air Quality Planning and the Zero Emission Technology Deployment Competition. The Port engaged the Goodman Corporation to perform a discovery to determine where the Port best stacks up in each program. Concurrently, the Port has reached out to their active operating stevedores and terminal operators to submit a wish list for zero emission technology which includes commercial vehicles and cargo handling equipment (yard trucks, forklifts, reach stackers, top picks). The equipment must also be Build America, Buy America noting Taylor is one of the only companies who provide this equipment. The Port will try to go for both programs but at minimum, will shoot for the climate and air quality planning. Ms. Saathoff clarified the grant will be for the Port's tenants operating in the Port and not going to be the Port's financial commitment nor will it be the direct owner and user of the equipment. Staff is still obtaining information from tenants to determine their interests, type of equipment and costs before they can determine the best way to approach the relationship which will involve a legal analysis. Staff will continue to update as the process moved along.

Ms. Saathoff gave an update on the Language Assistance Plan (LAP) implementation stating the plan is being incorporated and the website has been updated to provide a direct link for translation assistance with guidance on who to contact (in English and Spanish). The complaint form has also been added to the website under the Forms and Documents page with the title in English and Spanish. Ms. Saathoff stated that after all documentation was submitted, she was reminded that even though the Port has been complying with the American Disabilities Act for decades, the Port needed an American Disabilities Assistance Plan (ADAP) for this as well. Following a similar format, staff created another button on the Forms and Documents page that includes the ADA Accommodations Request Form stated in English and Spanish as well. The same complaint form will be used for any type of discrimination. Staff will track internally and report to the Port Commission monthly under if any requests have been made. Legal counsel has reviewed all forms and documents. Ms. Saathoff noted the language assistance, or other type of assistance is being incorporated into the Take-a-Child Fishing Tournament. Entry forms are available on the website in both English and Spanish and will be available in both forms at the tournament. The rules for the event will also be available in English and Spanish. Advertising now includes a notice for who to contact for language assistance or accommodation. Ms. Saathoff noted that when the website redesign is done, there will be more pages dedicated for information such as this in order to enhance how information is communicated to the public. Training will also be held for staff on the LAP and ADAP.

Update on RFP process for Website Redesign

Mr. Miura gave an update on the RFP process for website redesign stating the Port received proposals from the following firms with two coming in over budget...

Acuta Digital

BlueByrd

Fastspot

Hog Dog Marketing

KitelyTech

Paper Tiger
RWS

Staff has reviewed proposals and is prepared to make a recommendation to the Port Commission at the April 25 Port Commission and meeting with the appropriate committee beforehand. Timeline for this project ranges from 15 weeks to 11 months. Commissioner Singhania suggested creating an ad hoc committee with Commissioners Fratila, Kincannon and Giesecke participating.

16. Adjourn.

With no further business before the Commission, the meeting adjourned at 4:14 PM.