

Minutes of Port Commission Special Meeting
May 14, 2025
In Person & Videoconference

A Special Meeting of the Port Commission of Port Freeport was held May 14, 2025, beginning at 2:02 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.

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Commissioners present in person:

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:

Ms. Heather Cook, Randle Law Firm

Ms. Phyllis Saathoff, Executive Director/CEO

Mr. Rob Lowe, Director of Administration/CFO

Mr. Brandon Robertson, Director of Information Technology

Mr. Jesse Hibbetts, Director of Operations

Ms. Missy Bevers, Executive Assistant

Ms. Amy O'Brien, Controller

Ms. Amanda Veliz, Public Affairs Manager

Absent:

Mr. Ravi Singhania, Chairman

Also, present:

Ms. Gloria Millsap, Senator Joan Huffman's Office

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 Giesecke noted that Commissioner Singhania was absent, and Commissioner Santos was running a few minutes late. All other Commissioners were present in the Board Room.
3. Public Comment – There were no public comments.
4. Public Testimony – There was no public testimony.
5. Adoption of a Resolution Canvassing the Election for Port Commissioners Position No. 3 and Position No. 5 held on Saturday, May 3 2025.

Mr. Lowe read the following resolution canvassing the election....

At a regular meeting of the Port Commission of Port Freeport held at the Administration Building of Port Freeport at 1100 Cherry Street, Freeport, Texas, on May 14, 2025, among other business, on motion duly made and seconded, the following resolution was passed and adopted:

WHEREAS, on May 3, 2025, an election was held to elect Port Commissioners for Position No. 3 and Position No. 5; and

WHEREAS the returns of the election have been made to the Port Commission and show that the votes for Port Commissioners for Position No. 3 and Position No. 5 were cast as follows:

Port Commissioner, Position No. 3

<i>Name</i>	<i>Votes</i>
1. Ravi K. Singhania	4280
2. Mike Challenger	1725

Port Commissioner, Position No. 5

<i>Name</i>	<i>Votes</i>
1. Dan Croft	4946

WHEREAS Ravi K. Singhania received a majority of all votes cast for Port Commissioner, Position No. 3; and

WHEREAS Dan Croft received a majority of all votes cast for Port Commissioner, Position No. 5; and

NOW, THEREFORE BE IT RESOLVED BY THE PORT COMMISSION OF PORT FREEPORT:

That all of the recitals contained in this resolution are found to be true and are adopted as findings of fact by this governing body; and

That the results of the election as tabulated and canvassed reflect the votes cast at the election; and

That the Port Commission accepts and approves the returns for the election, as received and canvassed, and declares that the following persons are declared elected and may qualify for the office indicated for a six (6) year term beginning at first regular meeting following the election.

Port Commissioner, Position No. 3 – Ravi K. Singhania

Port Commissioner, Position No. 5 – Dan Croft

Mr. Lowe stated that staff recommends adoption of the resolution read that reflects the canvassed votes of the election.

Commissioner Giesecke noted that Commissioner Santos arrived to the meeting at 2:05 p.m.

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

6. Discuss and consider policy changes regarding Canvassing of Elections, Seating Commissioners and Election of Officers.

Ms. Saathoff stated that as Mr. Randle has previously reported that with regard to the election of officers, the Commission can't continue voting by written ballot for electing officers, it will be an oral process. The policy and procedure that was previously developed and adopted has been amended to reflect that change back to oral nominations/votes. She further stated that during discussions, staff and legal counsel decided it would be better if the canvassing and seating of elected commissioners addressed in the first paragraph were pulled out and put into a separate procedure. The current policy addresses election of officers which states that at the first regular meeting after the general election, the election of officers would take place. Ms. Saathoff noted there was one other clarification made within the document stating that it has been the Port's policy that in holding an office, an officer cannot hold the same office for consecutive terms, adding that the way it was previously written was confusing. The policy now reads that no office holder may hold the same office for consecutive terms. The only other change to policy as previously mentioned is that staff removed the reference to written ballot nominations. The process for calling for nominations for each position and voting has not been changed. With regard to the canvass policy, it states that the Commission will canvass election (as done earlier in the meeting), and then any new Commissioners once qualified by executing their declaration, taking their oaths, posting their bonds, or any other legally required action may, at the discretion of the current chair, take their seat at that time, but no later than the first regular meeting after the general election, so they can be seated before officers are elected. Their term will begin with the first regular meeting after the general election. Commissioner Croft commented that it was different from before as the positions had been assumed in June. Ms. Saathoff agreed but stated when the procedures were adopted in 2023, the Commission changed it to be the first regular meeting after the election. Commissioner Croft also inquired whether the new chair would assume the gavel upon election or after all positions are filled. Ms. Saathoff stated the procedure states the current chair will conduct all the elections and will then hand over the gavel. Commissioner Giesecke inquired if the formal nomination process used in 2021 would be utilized noting the policy is kind of silent as far as the mechanism of how the Commission votes, whether there are nominations and so forth. Ms. Saathoff stated that each position is taken individually with the

chair asking for nominations and after no further nominations are made, nominations will close and a vote will be taken. Commissioner Giesecke asked if the process needed to be spelled out in the policy if it's going to be done that way. Ms. Saathoff stated that it was never a written policy before, it's just the way it was done with the chairman calling for nominations for each office. Ms. Cook noted there is no legal requirement to have a written policy for the process.

A motion was made by Commissioner Fratila to adopt the changes to the policy and procedures as presented. The motion was seconded by Commissioner Croft with all Commissioners present voting in favor of the motion.

Commissioner Giesecke and Ms. Saathoff noted there would not be an executive session held, and the meeting was adjourned at 2:24 PM.