

AGENDA

**Port Freeport
Port Commission
Regular Meeting**

Thursday, October 22, 2020, 1:00 pm - 5:00 pm

Via Video/Teleconference - Administration Building - 1100 Cherry Street - Freeport



Notice is hereby given that in accordance with the order the Office of the Governor issued March 16, 2020, and due to imminent threat to public health and safety and urgent public necessity, the Port Freeport Port Commission will conduct a Regular Meeting on Thursday, October 22, 2020 at 1:00 p.m. by video/teleconference initiated from the Administration Building, 1100 Cherry Street, Freeport, Texas. In order to meet CDC guidelines for social distancing and slow the spread of the Coronavirus (COVID-19), the public can join the video/teleconference meeting by following the instructions below. When the spread of COVID-19 is no longer an imminent threat to our community, in-person meetings will resume.

The meeting will not be open for the public to physically attend the meeting, but the Port welcomes the public to attend virtually. Public comment will be available at the beginning of the meeting on the agenda item indicated below. Following public comment, the public will not be permitted to communicate with the Port Commission.

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

Please join the meeting from a computer, tablet or smartphone.

<https://global.gotomeeting.com/join/598918749>

You can also dial in using your phone.

United States (Toll Free): [1 866 899 4679](tel:18668994679)

Access Code: 598-918-749

All participants will be muted until the meeting begins.

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<https://global.gotomeeting.com/install/598918749>

A link for GoToMeeting Instructions is available at <http://www.portfreeport.com/meeting-agenda>

1. CONVENE OPEN SESSION in accordance with Texas Government Code Section 551.001, et. seq., to review and consider the following:
2. Invocation.
3. Roll Call.
4. Public Comment. (Public comment will be limited to 5 minutes per participant and must be completed virtually via the toll free number)
5. Approval of minutes from the Regular Meeting held October 8, 2020.
6. Receive reports from Executive 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.
 - A. Executive Director/CEO
 - B. Chief Financial Officer
 - C. Director of Engineering
 - D. Director of Operations

E. Director of Business & Economic Development

7. Receive report from Commissioners on matters related to meetings and conferences attended, Port presentations and other related Port Commission matters.
8. 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.
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 551.072 (Deliberation of 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 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 and 7.
 3. The potential exchange, lease, or value of real property located at Port Freeport, including but not limited to Parcel 14 and Surfside Lots.
 - B. 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. Approval of Second Amendment to the Marine Terminal Services Agreement between Port Freeport and CMA CGM, S.A.
12. 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
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MEMORANDUM

TO: Phyllis Saathoff, Executive Director/CEO

FROM: Jessica Follett, Public
Affairs Manager

DATE: October 15, 2020

SUBJECT: Public Affairs – October 2020

PUBLIC AFFAIRS

Communications and Media

Staff continues to post on social media port facts, safety awareness, hurricane preparedness, and other information pertinent to our community.

COVID-19 – The website and various social media channels are being maintained as a resource to the public for information on COVID-19 as it relates to Port Freeport and the community.

Hurricane Season – The website and social media are being maintained as a resource to the public for information on tropical weather events and effects on Port operations.

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 and social media for matters pertaining to Port Freeport.

Press Releases and News Postings – The following press releases were distributed in October:

Port Freeport Appoints New Public Affairs Manager distributed to Port contacts and published on Port Freeport website and social media on October 2, 2020.

Pending press releases include:

Port Freeport Annual Golf Tournament Raises Funds Benefitting Texas Port Ministry – November/December

Saathoff Named President of the Texas Ports Association (TPA)
Saathoff Named Chairwoman of the Port Authority Advisory Committee (PAAC)

Community Events and Meetings

Port Events

Port Freeport Annual Golf Tournament – Final planning for the 9th Annual Port Freeport Golf Tournament benefitting Texas Port Ministry to be held at The Wilderness Golf Course in Lake Jackson on October 19, 2020 is underway. Due to COVID 19 and precautions that are in place to protect the health and well-being of players and volunteers, the tournament will be held in a single-flight format with individual teams teeing off in 10- to 14-minute increments. The Public Affairs team is working closely with the golf course to ensure the safety of all participants. Sponsorship and additional tournament information is posted online at www.portfreeport.com/freeport-community/golf-tournament and has been marketed to Port Freeport contacts.

As of October 15, 43 teams have been filled and 81 sponsors have been secured for a total revenue of \$81,000 in sponsorships and team fees. A maximum of 43 teams are allowed for this year's tournament. Thank you to all of our generous sponsors, donors, and players for benefitting Texas Port Ministry this year.

Community Advisory Panel (CAP) – **October 26, 27, & 29, 2020** – To protect the health and well-being of our CAP members, employees, and the community, the October CAP meetings will be held on three separate nights to provide for small attendance and social distancing protocols. Staggered small group tours will be offered along with pre-packaged dinners in an open-air setting. Invitations have been sent to all participants detailing additional health and safety protocols, including sanitization of dining tables and tour vans between small groups.

Port Presentations, Tours, and Meetings

October 7, 2020 – Phyllis Saathoff, CEO/Executive Director, provided a briefing and tour of Port Freeport to Texas A&M University-Galveston student, Klayton Simonette.

Community Events and Meetings

October 6, 2020 – Jessica Follett, Public Affairs Manager, attended a ribbon cutting and tour of Sweeny ISD's new CP Chem Career Technology Education (CTE) Center at Sweeny High School.

October 9, 2020 – Port Freeport provided a hole sponsorship for the Boys and Girls Club of Brazoria County annual golf tournament.

October 16, 2020 – Port Freeport sponsored a team and provided a hole sponsorship at the Junior Achievement of Brazoria County annual golf tournament.

October 16, 2020 – Port Freeport provided a hole sponsorship and raffle item for the Freeport Police Department annual golf tournament.

Upcoming Community Events and Meetings

October 16, 2020 – Junior Achievement of Brazoria County Golf Tournament

October 16, 2020 – Freeport Police Department Golf Tournament

October 21 – November 20 – Port Freeport United Way Campaign

October 26, 2020 – Texas A&M University-Galveston Virtual Career Fair

Weekly – Angleton Chamber of Commerce Virtual Luncheons (speakers vary)

Weekly – Business Roundtable Virtual Meetings (speakers vary)



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TO: Commissioners
Chief Executive Officer

FROM: Rob Lowe

DATE: October 22, 2020

SUBJECT: CFO Update

- Consistent with prior years, the September/YTD financial statements are not yet finalized as additional processes and steps are taken to close out the fiscal year.
- Holly Gautreaux, Accounting Analyst, responsible for Billing and FTZ matters, resigned effective 11/02/20. A search is currently underway for her replacement.

PORT COMMISSION


SHANE PIRTLE, CHAIRMAN; PAUL KRESTA, VICE CHAIRMAN; RUDY SANTOS, SECRETARY; JOHN HOSS, ASST. SECRETARY;
RAVI K. SINGHANIA, COMMISSIONER; DAN CROFT, COMMISSIONER; PHYLLIS SAATHOFF, EXECUTIVE DIRECTOR/CEO



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MEMORANDUM

TO: Commissioners
Directors
Legal Counsel

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

DATE: October 15, 2020

SUBJECT: Departmental Report

PROJECTS

- 1. Velasco Terminal, Berths 8** – This project entails construction of Berth 8, which will extend the wharf another 928 feet north of Berth 7. The first shipment of piling is now being installed. Excavation and demolition work of the original tie-back system is ongoing. The channel dredging will be a separate construction project that will begin after we send our project cost share funds to the Corps.
 $\$33,741,059 / \$115,804,280 = 29\%$ complete



PORT COMMISSION

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RAVI K. SINGHANIA, COMMISSIONER; DAN CROFT, COMMISSIONER; PHYLLIS SAATHOFF, EXECUTIVE DIRECTOR/CEO

2. **FHCIP** – This project consists of deepening and improving the Freeport Channel. This is a Civil Works project that was authorized in WRRDA 2014. The contract was signed with the contractor Great Lakes Dredge and Dock (GLDD). The Corps issued the notice to proceed (NTP) to GLDD on 10/13/2020. The pipeline installation will begin in late November 2020 and the dredge will begin in January 2021.
3. **Levee Stabilization and Wave Barrier Relocation** – This project involves relocation of the north wave barrier to allow for a bend easing and stabilization of a levee on the Dow thumb that has a lower than satisfactory factor of safety for global stability. The shop drawings for the piling are being reviewed at this time. After approval, the order for the piling will be placed with the supplier. Construction will begin after the 2020 Hurricane season is over on November 30, 2020.
4. **Warehouse Improvements** – This project is to make modifications and improvements to various buildings inside the port and to make repairs to exterior walls and upgrade the operational effectiveness and efficiencies outside the buildings. Final plans are completed at this time.
5. **Berth 2 and 3 Floodwall Modifications** –The modifications include demolition of two sections of concrete wall, approximately 100-ft long each, and replacing them with sections of a removable and deployable system. The design is moving forward using conservative wave modeling. The permit application was submitted to VDD on June 5, 2020. The VDD and the Corps are reviewing the submittal package at this time. Our engineering consultant has asked for direction on how to proceed as the Corps is telling them the wall should be a different height than what the VDD is telling them.

**PORT FREEPORT
OPERATIONS ACTIVITY RECAP
SEPTEMBER 2020**

A. MONTHLY ACTIVITY EXPLANATION

1. Total import/export activity for the month of September was as expected.
 - * LNG experienced (9) vessels.
 - * Riviana did not schedule any vessels this month.
 - * Vulcan experienced (1) vessel.
 - * HAL handled (10) RoRo vessels.
 - * Tenaris did not experience a vessel this month.
 - * Total of (13) Container vessel calls.
 - * CEMEX Continues their operations of transferring product from Truck to Rail.
 - * **Average vessel activity in 2019 was 27 per month. This month, we handled 34 vessels (9 LNG & 25 Inner Harbor).**
 - * **There were 91 Total Vessel arrivals Port wide for September.**

B. FISCAL YEAR ACTIVITY EXPLANATION

- * Total Tons for this year are better than expected. This is due to the addition of vessel calls by LNG and RoRo vessels.
- * LNG has handled (83) vessels for export.
- * Tenaris has handled (20) vessels.
- * Steel volumes are down 18% compared to this time last year.
- * HAL has handled (115) RoRo vessels.
- * YTD (154) Container vessel calls.
- * Vulcan Limestone volume is at **621,903** Tons.
- * Vulcan handled 285 Railcars with **30,787** Tons of Limestone.
- * Total vessels handled this fiscal year is **412** compared to 325 last year (83 LNG & 242 Inner Harbor).

C. INSIGHT TO ACTIVITY FOR OCTOBER 2020

- * LNG has scheduled (15) Vessels.
- * Riviana Foods has not scheduled a vessel.
- * Vulcan Material has scheduled (1) vessel for October.
- * HAL is expecting to handle (15) RoRo vessels.
- * Tenaris has (0) vessels planned.
- * Expecting (12) Container vessels.

D. OPERATIONAL MEETINGS AND AGENDAS

HURRICANE SEASON IS HERE

- * Safety – Mike Quilty Hosted a Virtual Tenant Safety Meeting.
- * Safety – Mike Quilty Conducted many Safety Observations with Stevedores, ILA and Tenants.
- * Safety – Mike Quilty Assisted in Port Hurricane/Tropical Storm Readiness.
- * Security – Chris Hogan Attended many Conference Calls and Meetings related to Hurricane/Tropical Storm Activity in the Gulf.
- * Security – Chris Hogan Demonstrated the “Scanning” Ability of the Security Boat.
- * Security – Chris Hogan Attended many conference calls and meetings related to COVID-19.
- * Mike/Austin/Jesse/Al Attended many meetings and conference calls related to COVID-19.
- * The Port Coordination Team was activated to monitor recent Hurricane/Tropical Storm Activity.
- * Operations/Safety Attended the “LSHSC”. (Virtual)
- * All personnel practicing and following COVID-19 guidelines – No Operations/Maintenance Personnel has contracted COVID-19.

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 22nd day of October, 2020, 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.

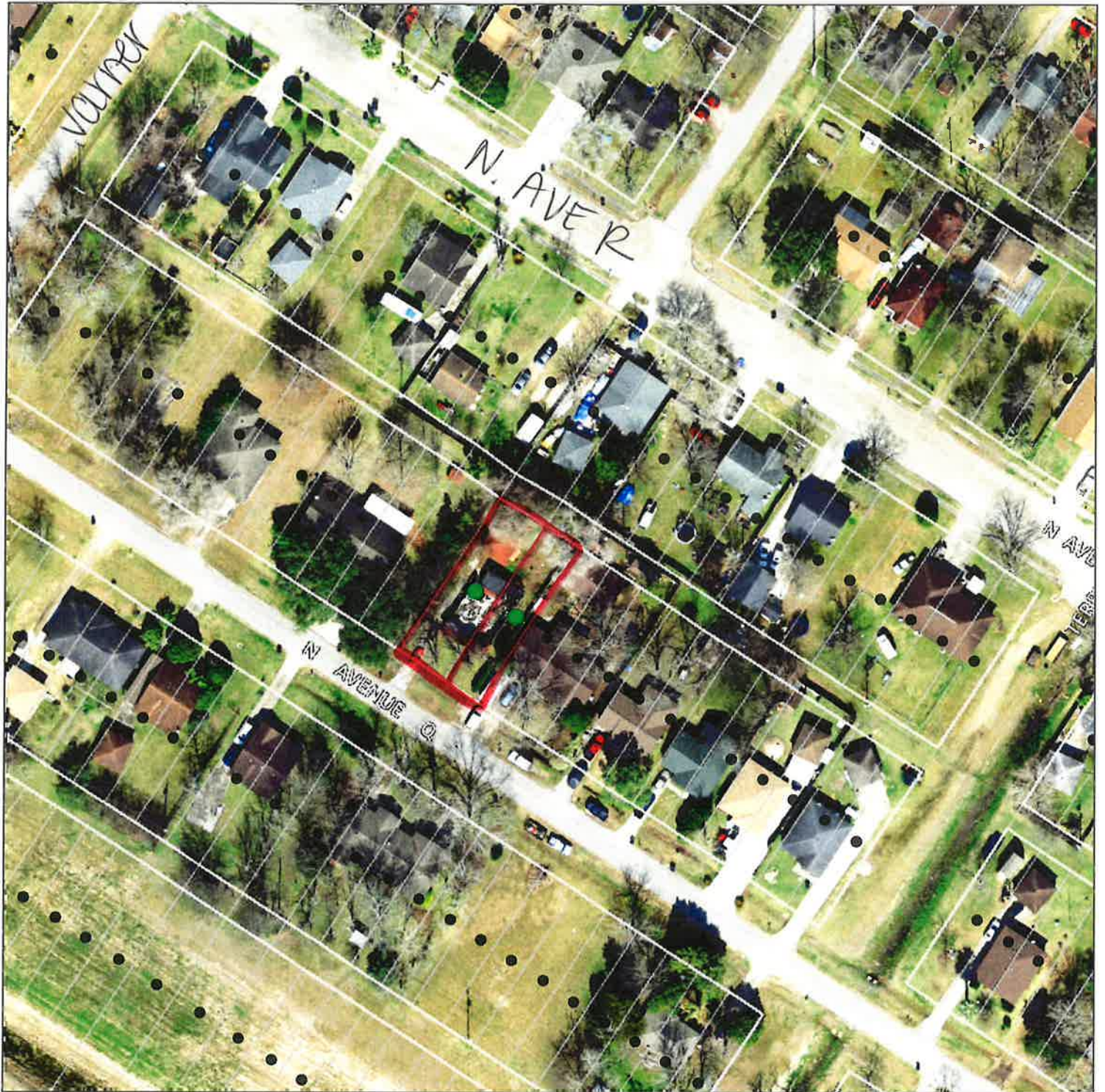
RESOLUTION

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.

October 22, 2020 Resolution
Exhibit A - Resale Offers

Account Number	Legal Description	In Trust To	Adjudged Value	Required Opening Bid	Amount Bid
8110-3536-111	VELASCO (FREEPORT) BLK 754 LOT 1-1A ACRES 0.1779	BRAZORIA COUNTY	\$14,800.00	\$14,800.00	\$4,067.00
2510-0048-150	CARLTON WOODED ACRES (A0138 S M WILLIAMS) BLK 2 LOT 4F ACRES 1.0000	SWEENEY ISD	\$8,100.00	\$8,100.00	\$4,275.79
Totals			\$22,900.00	\$22,900.00	\$8,342.79



1 Property with Geographic ID matching "81103536111"

VELASCO (FREEPORT), BLOCK 754, LOT 1-1A

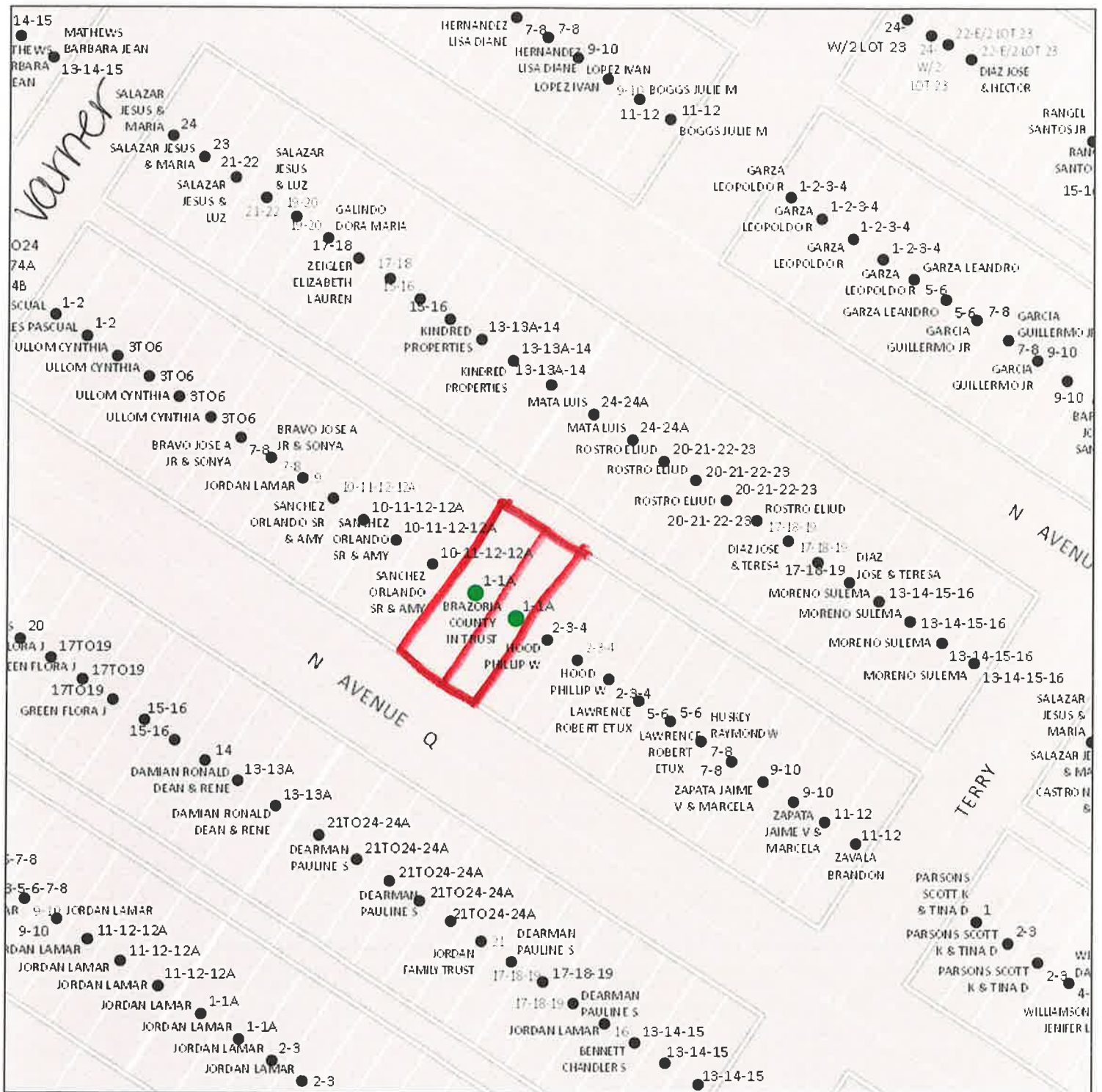
Property ID 261677

Geo ID 8110-3536-111

Owned by BRAZORIA COUNTY IN TRUST

Address 1524 N AVE Q , FREEPORT

[Full Details](#)



1 Property with Geographic ID matching "81103536111"

VELASCO (FREEPORT), BLOCK 754, LOT 1-1A

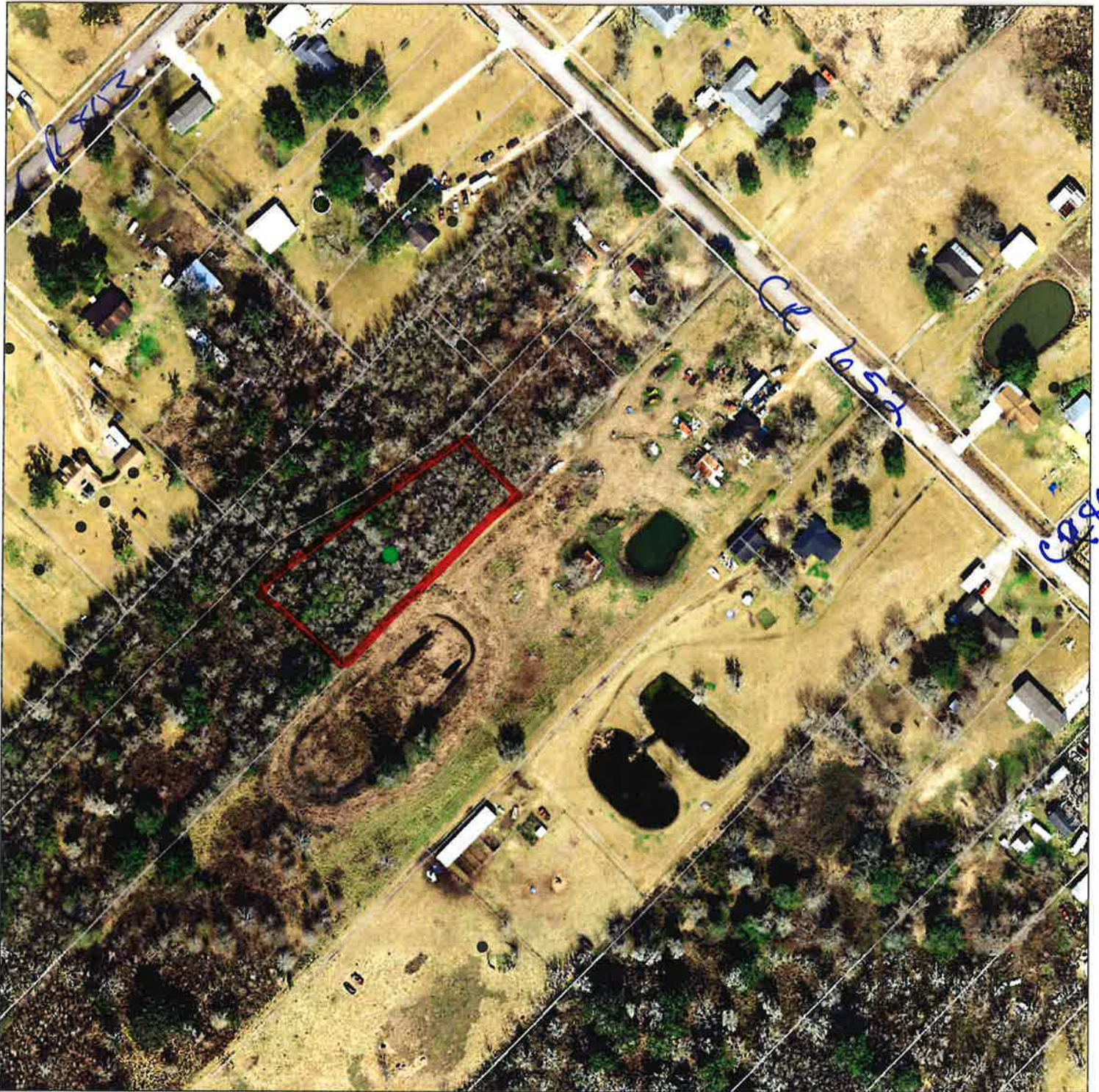
Property ID 261677

Geo ID 8110-3536-111

Owned by BRAZORIA COUNTY IN TRUST

Address 1524 N AVE Q , FREEPORT

[Full Details](#)



1 Property with Property ID matching "514484"

CARLTON WOODED ACRES (A0138 S M WILLIAMS) BLK 2 LOT 4F ACRES 1.00

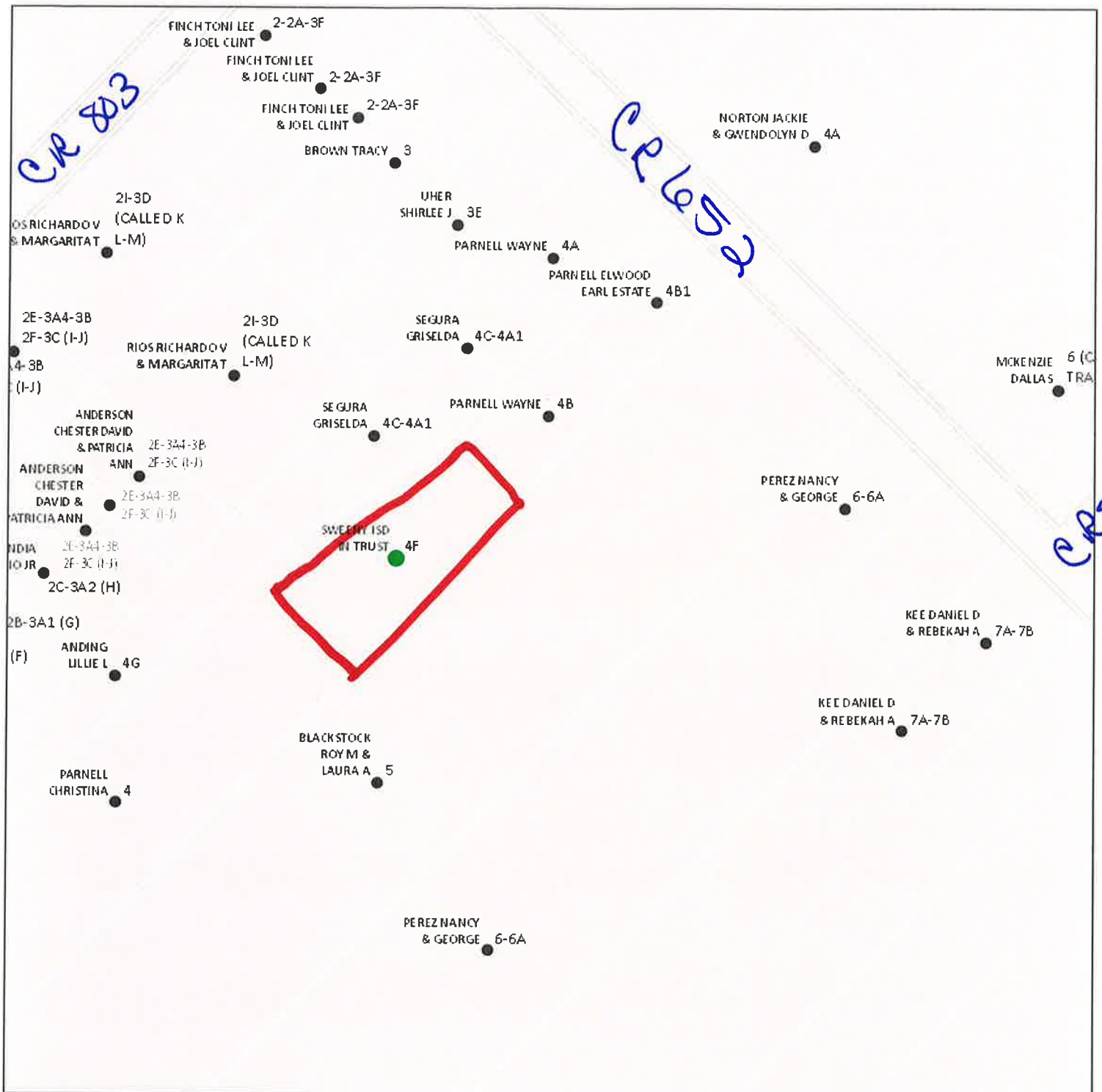
Property ID 514484

Geo ID 2510-0048-150

Owned by SWEENY ISD IN TRUST

Address COUNTY ROAD 652 OFF

[Full Details](#)



1 Property with Property ID matching "514484"

CARLTON WOODDED ACRES (A0138 S M WILLIAMS) BLK 2 LOT 4F ACRES 1.00

Property ID 514484

Geo ID 2510-0048-150

Owned by SWEENEY ISD IN TRUST

Address COUNTY ROAD 652 OFF

[Full Details](#)