

April 23, 2021

**NOTICE OF MEETING**  
**OF THE**  
**PORT COMMISSION**  
**OF THE**  
**PORT OF HOUSTON AUTHORITY**

In accordance with the official practice of the Port Commission of the Port of Houston Authority, there is attached hereto a copy of the Agenda of the regular meeting to be held on Tuesday, April 27, 2021. Pursuant to Governor Abbott's action of March 16, 2020 to allow virtual and telephonic open meetings to maintain government transparency, the Port Commission will meet at 9:15 a.m. via Webex webinar, which can be accessed as provided on the following page.

PORT OF HOUSTON AUTHORITY  
of  
HARRIS COUNTY, TEXAS

Erik A. Eriksson  
Secretary



### **Formal Public Meeting Notifications.**

1. This virtual meeting is permitted by Governor Abbott's order suspending certain provisions of the Texas Open Meetings Act to minimize the impact of the coronavirus outbreak.
2. In accordance with the Port Commission's usual practice:
  - a. Members of the public may speak during the posted public comment section.
    - Please register to speak no later than an hour before the meeting by emailing to Liana Christian [lchristian@porthouston.com](mailto:lchristian@porthouston.com) or Erik Eriksson [eriksson@porthouston.com](mailto:eriksson@porthouston.com)
    - Please provide name and the organization the speaker represents, if applicable.
    - Comments are limited to three minutes.
  - b. An audio recording of the meeting is being made, as also required by the governor's order, and will be available to the public, as will written minutes after Port Commission approval.
3. To request accommodations under the Americans with Disabilities Act or language access services, please contact the Port Houston– Legal Division at least three days prior to the meeting. The Legal Division may be reached by telephone at (713) 670-2450, by email at [lchristian@porthouston.com](mailto:lchristian@porthouston.com) or Erik Eriksson [eriksson@porthouston.com](mailto:eriksson@porthouston.com), and by mail at 111 E. Loop N, Houston, Texas 77029.



Please note the following to help the meeting run smoothly:

- The meeting will begin at **9:15 a.m.**
- **Please dial in via phone for the audio portion** and use your attendee number to merge your phone and computer presence.
- **All participants will be muted upon entry.** Please stay muted unless speaking.
- **Please turn off your video** to help the call run more smoothly.

#### **Join by meeting number**

Meeting number (access code): 187 790 7427

Meeting password: eMHxzWxm376

#### **Tap to join from a mobile device (attendees only)**

[+1-720-650-7664,,1877907427##](tel:+1-720-650-7664,,1877907427##) United States Toll (Denver)

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Dial [1877907427@porthouston.webex.com](tel:1877907427@porthouston.webex.com)

You can also dial 173.243.2.68 and enter your meeting number.

#### **Join using Microsoft Lync or Microsoft Skype for Business**

Dial [1877907427.porthouston@lync.webex.com](tel:1877907427.porthouston@lync.webex.com)



**Tuesday, April 27, 2021**  
**PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY**

**9:15 a.m.**  
**111 East Loop North**  
**Houston, TX 77029**

**A. CALL TO ORDER**

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**B. CHAIRMAN'S REMARKS**

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1. Governance, legislative, policy, and operational matters

**C. APPROVAL OF MINUTES**

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1. Special Port Commission Public Meeting - March 11, 2021
2. Port Commission Public Meeting - March 23, 2021

**D. STAFF REPORTS**

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1. Summary of selected financial and operational matters

**E. APPEARANCES**

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1. Public Comment

**F. EXECUTIVE**

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***Awards, Amendments & Change Orders***

1. Consideration and possible action to approve a Founding Park Partner sponsorship level of \$250,000 a year to support the Houston Parks Board 50/50 Park Partners Plan, in a total amount not to exceed \$1,000,000.
2. Enter into a professional services contract with Brown Consulting for state governmental policy consulting and support in an amount not to exceed \$66,000.
3. Enter into a professional services contract with Michael Toomey for state governmental policy consulting and support in an amount not to exceed \$66,000.
4. Amend the professional services agreement with the TC&B/GBA joint venture of AECOM Technical Services Inc. and Gahagan & Bryant Associates, Inc. to perform a supplemental economic study based on the Houston Ship Channel Expansion Channel Improvement Project (Project 11) Final Integrated Feasibility Report and Environmental Impact Statement, in an amount not to exceed \$125,000.

**General**

5. Approve the new Minority- and Woman-Owned Business Enterprise Development Policy and the Amended and Restated Small Business Development Policy.

**G. COMMERCIAL**

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**Leases**

1. Authorize a second amendment to the Lease Agreement for an additional three-year term with Cooper/Ports America, LLC, for approximately 15.56 acres out of the Port Authority's Block 19 at Northside Turning Basin effective no earlier than July 1, 2021, at an annual base rent of \$592,608 with a 3% annual increase.

2. Authorize a fourth amendment to the Lease Agreement for an additional one-year term with Cooper/Ports America, LLC, for approximately 3.20 acres which includes Warehouse 21-A, the apron adjacent to Warehouse 21-A, an additional open area of approximately 57,210 sq. ft., and a rail spur of approximately 500 linear ft., out of the Port Authority's Block 21 at Northside Turning Basin, effective no earlier than June 1, 2021, at an annual base rent of \$89,837.

3. Authorize an amendment to the Lease Agreement for an additional five-year term with Texas Brine Company, LLC, for approximately 2.91 acres out of the Port Authority's Block 5 at Rosa Allen effective no earlier than August 1, 2021, at an annual base rent of \$63,435 with a 3% annual increase.

**H. FINANCE**

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**Awards, Amendments & Change Orders**

1. Award a three-year contract, with an additional one-year option, to Universal Industrial Supply, to provide safety personal protective equipment (PPE) and vending machines (for dispensing PPE), at Barbour's Cut Terminal, Bayport Container Terminal, and the Turning Basin Terminal, and additional safety equipment, in an amount not to exceed \$400,000.

**General**

2. Approve the Port Authority's fiscal year 2020 Comprehensive Annual Financial Report.

3. Adopt a Statement of Objectives and Policy for the Port Authority 401(a) Defined Contribution and 457(b) Deferred Compensation Plans (DC Plans).

4. Adopt a Revenue Bond Debt Policy and Procedures for the Port Authority.

5. Adopt a Disclosure Policy and Procedures for the Port Authority.

**I. INFRASTRUCTURE**

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**Awards, Amendments & Change Orders**

1. Approve staff's ranking of vendors and award a professional services contract in an amount not to exceed \$460,900 for the "u-shaped property" pre-development design in the vicinity of the Bayport Container Terminal to the top-ranked proposers: staff ranking – first, Lockwood, Andrews and Newnam, Inc.; second, Halff Associates, Inc.; and third, Cobb, Fendley & Associates, Inc.

2. Approve staff's ranking of vendors and award a construction contract in an amount not to exceed \$5,950,000 for Beltway 8 site preparation to the top-ranked proposer: staff ranking - first, R & T Ellis Excavating, Inc.; second, Spaw Glass Civil Construction, Inc.; and third, Standard Constructors, Inc.
3. Award an environmental consulting services agreement to InControl Technologies, LLC, the sole source provider, to conduct a non-aqueous phase liquid recovery operation at Port Authority property at the Turning Basin Terminal in an amount not to exceed \$299,685.
4. Amend the professional services contract with Lockwood, Andrews & Newnam, Inc. for re-design services and construction/bid phase services for the rail spur at Bayport Container Terminal Phase 2 in an amount not to exceed \$243,260.
5. Amend a professional services contract with HDR Engineering, Inc. for construction management services for the Beltway 8 site preparation project for the Houston Ship Channel Expansion Channel Improvement Project in an amount not to exceed \$55,000.
6. Amend the professional services contract with CAVU International 1, LLC for continuous improvement, process execution checklists development, and operational excellence facilitation in an additional amount not to exceed \$276,000.
7. Approve a change order with McCarthy Building Companies, Inc. to perform additional work associated with the rehabilitation of Wharf 3, construction of electrical infrastructure, and lighter aboard ship (LASH) dock demolition at Barbours Cut Terminal in an amount not to exceed \$73,835.

***General***

8. Enter into a purchase agreement with Lower Brazos River Mitigation Bank to purchase wetland mitigation credits in order to satisfy mitigation requirements for property on the north side of the Bayport Channel in an amount not to exceed \$200,000.
9. Provide the Port Authority's required cost share, in an amount not to exceed of \$7,500,000, and amend the Project Management Plan to support the U.S. Army Corps of Engineers for (i) construction of the Dollar Reef oyster mitigation feature, and (ii) construction oversight of the Port Authority-led construction packages for the Houston Ship Channel Expansion Channel Improvement Project.
10. Authorize an agreement with CenterPoint Energy to sell surplus equipment to the Port Authority for an amount not to exceed \$8,000; and reconstruct electrical infrastructure for an amount not to exceed \$42,611 at Barbours Cut Terminal, for a total amount not to exceed \$50,611.

***Permits/Licenses/Pipeline Easements***

11. Approve the renewal of the following expiring Port Authority licenses for new ten-year terms: CenterPoint Energy Houston Electric, LLC, CenterPoint Energy Intrastate Pipeline, Inc, CenterPoint Energy Resources Corp, CenterPoint Energy Resources Corp d/b/a CenterPoint Energy Texas Gas Operations, ExxonMobil Pipeline Company, Kinder Morgan 2-Mile, LLC, Kinder Morgan Crude & Condensate LLC, Kinder Morgan Tejas Pipeline LLC, Kinder Morgan Texas Pipeline LLC, and Lone Star NFL Mont Belvieu LP.

12. Issue a transmission line license to Southwestern Bell Telephone Company for one telecommunication cable over the railroad line adjacent to George Altvater Boulevard at Barbours Cut Terminal.

13. Issue a marine construction permit to Timtom Land Holdings, LLC to perform dock rehabilitation on an existing structure to remove existing monopiles and add new monopiles in the San Jacinto River.

14. Issue a marine construction permit to Cargill, Inc. to deepen its existing berths to -46.5 feet Mean Lower Low Water and authorize the rehabilitation of its existing dock structure in the Houston Ship Channel.

15. Amend a pipeline license issued to Equistar Chemicals, LP to remove the existing pipeline and relocate a new pipeline to a greater depth across Cedar Bayou.

16. Amend a transmission line license to CenterPoint Energy Houston Electric, LLC to add an additional fiber optic line over the Southside Mainline railroad right-of way.

### ***Leases***

17. Approve a private adjacency barge fleeting lease agreement with and issue a marine construction permit to SJI Group, LLC for approximately 12.95 acres of submerged lands in the Alexander Island Barge Channel at a monthly rental amount of \$3,885 for a ten-year term.

## **J. OPERATIONS**

### ***Awards, Amendments & Change Orders***

1. Award a contract to Davey Coach Sales, Inc. for the purchase of two used shuttle buses for Bayport Container Terminal in an amount not to exceed \$87,100.

2. Award a two-year contract to Marine Tekno Services LLC for repair services to radiators, air, and fuel coolers for terminal equipment at Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal in an amount not to exceed \$300,000.

3. Award a three-year contract to Bubenzer Bremsen America, LLC dba Pintsch Bubenzer USA, the sole source provider, for the purchase of spare and replacement Pintsch Bubenzer brake parts for wharf and rubber tyred gantry cranes at Barbours Cut Terminal and Bayport Container Terminal in an amount not to exceed \$1,500,000.

4. Issue a purchase order to Caldwell Country Chevrolet for the purchase of forty-five vehicles needed by the Barbours Cut Terminal, Bayport Container Terminal, Central Maintenance, Safety, Project and Construction Management, Security, and Port Police departments, using Local Government Purchasing Cooperative's BuyBoard, a cooperative purchase program, in a total amount not to exceed \$1,448,000.

5. Authorize additional purchase order funding for continuing pandemic response services with Ambassador Services, LLC for \$720,000.

6. Ratify emergency purchase orders to Anixter, Inc. for purchase of electrical cables in an amount not to exceed \$1,036,020 for Bayport Container Terminal and to Power Line Solutions, Inc. for purchase of installation and electrical contracting work at Bayport Container Terminal in an amount not to exceed \$1,000,936.

7. Authorize payment to Navis LLC for annual maintenance services for the Marine Terminal Management Software System for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal in an amount not to exceed \$773,268.

**General**

8. Approve a new Subrule 118 to Tariff 14 for a charge of \$65.74 for every container lifted at the ramp point from or to a rail car to or from a chassis.

9. Approve a twenty-year lease with C&C Houston Bayport of a 21.53-acre parcel of land at Bayport Container Terminal Complex south of Port Road for a rental amount of \$36,687.12 per month with a right of first refusal for the adjacent 8.29 acre tract.

10. Approve a ten-year lease with CMC Americas LLC of a 22.52-acre parcel of land at Bayport Container Terminal Complex south of Port Road for a rental amount of \$ 38,374.08 per month, with two options each to extend the term five years, exercisable at Tenant's sole option.

11. Approve a second amendment to the lease between the Port Authority and Lansing Trade Group, LLC for the Houston Public Grain Elevator No. 2, for an extension term of one-year to commence no earlier than June 1, 2021, for a rental rate of \$103,000 per month.

**K. PEOPLE**

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1. No items.

**L. PORT SECURITY AND EMERGENCY OPERATIONS**

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**Awards, Amendments & Change Orders**

1. Amend the existing purchase order to Motorola Solutions for the purchase of land mobile radio equipment including radios, batteries, chargers, related hardware, and accessories for the Operations, Port Security, and Emergency Operations Departments using the Houston-Galveston Area Council's cooperative purchase program, in an amount not to exceed \$150,000.

**M. TECHNOLOGY**

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**Awards, Amendments & Change Orders**

1. Issue a purchase order to Netsync Network Solutions for purchase of VMware annual software licensing and software support to the Port Authority's existing Information Technology infrastructure, using Texas Department of Information Resources' cooperative purchase program, in an amount not to exceed \$125,000.

**N. RECESS OPEN MEETING AND CONVENE EXECUTIVE SESSION**

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1. Consultation with Attorneys (Section 551.071, Texas Open Meetings Act), including consultation regarding (a) *Kozlowski, et al v. Buck et al*, and (b) proposed amendment to the agreement for legal services with Lynette Fons.

2. Real Estate (Section 551.072, Texas Open Meetings Act)

3. Economic Development Negotiations or Incentives (Section 551.087, Texas Open Meetings Act)

4. Employment and Evaluation of Public Employees (Section 551.074, Texas Open Meetings Act)



5. Security-Related Matters (Sections 418.175-418.183 of the Texas Government Code, and Section 551.076, Texas Open Meetings Act)

6. Adjourn Executive Session

**O. RECONVENE OPEN MEETING**

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1. Announce any items from Executive Session requiring Port Commission action

**P. ADJOURN MEETING**

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1. Next Meeting Requested - May 25, 2021

2. Adjourn Port Commission Meeting