

December 4, 2020

**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, December 8, 2020. 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.



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.

The **Community Relations Committee** will begin once the Port Commission meeting has adjourned. The **Compensation Committee** meeting will follow the Community Relations meeting.

Meeting number (access code): 146 605 6066

Meeting password: qiQuUR3ib38

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

[+1-720-650-7664](tel:+1-720-650-7664),[,1466056066##](tel:+1-720-650-7664) United States Toll (Denver)

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You can also dial 173.243.2.68 and enter your meeting number.

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**Tuesday, December 8, 2020**  
**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. Port Commission Public Meeting - October 27, 2020

**D. STAFF REPORTS**

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1. Summary of selected financial and operational matters

**E. APPEARANCES**

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1. Roland Garcia, Commissioner - Board of Pilot Commissioners for Harris County Ports
2. Elena Craft, Environmental Defense Fund
3. Port of Houston Authority 2020 Disparity Study - Rodney Strong, Project Executive; Dr. J. Vince Eagan, Principal Investigator, Dr. Rom Haghghi, Chief Statistician, and Michele Clark-Jenkins, Project Manager - Griffin & Strong P.C.
4. Public Comment

**F. EXECUTIVE**

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

1. Approve the Port Authority's membership in the National Association of Waterfront Employers and payment of dues for a period of one year in the amount of \$65,000.
2. Enter into a service agreement with the Greater Houston Port Bureau, Inc. to provide vessel traffic movement data (real-time and historical) for a one-year period in the amount of \$80,000, and subscribe to HarborLights for twenty-five users in the amount of \$10,000, for a total of \$90,000.

***General***

3. Approve and adopt the proposed Internal Audit 2021 Annual Audit Plan.

4. Authorize an amendment to the Amended Interlocal Agreement with the Board of Pilot Commissioners for Harris County Ports to provide for limited services.

## **G. COMMERCIAL**

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### ***Leases***

1. Approve a one-year lease with R. Warehousing & Port Services, Inc. for approximately 8.32 acres at Northside Turning Basin effective no earlier than January 1, 2021, at an annual rent of \$193,789.

2. Approve a sixth amendment to the Lease Agreement with Sesco Cement Corp. for approximately 20.14 acres out of the Turning Basin West to extend the original lease term from thirty-one years and six months to fifty years, effective January 1, 2021, at an annual rent of \$396,455 subject to annual base rent escalation of the Consumer Price Index not to exceed 4%.

3. Authorize the extended term of a month-to-month lease with R. Warehousing & Port Services, Inc. for approximately 2 acres out of the Northside Turning Basin effective no earlier than January 1, 2021 with a 3% annual increase on an existing month-to-month premium rate for an annual rent of \$91,142.

## **H. FINANCE**

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### ***General***

1. Review, deliberation, and possible action regarding the Port of Houston Authority 2020 Disparity Study.

2. Authorize payment to the Harris County Appraisal District for appraisal services to be provided to the Port Authority for fiscal year 2021 in an amount not to exceed \$405,000, and authorize payment to the Harris County Tax Assessor-Collector for collection services for the 2020 tax year in an amount not to exceed \$1,100,000.

3. Acknowledge receipt and filing of the revised report regarding the Port of Houston Authority Restated Retirement Plan prepared by AndCo Consulting LLC, an independent investment consultant, as required by Texas Government Code Sec. 802.109.

4. Approve the actuarial valuation report dated as of August 1, 2020 for the Port of Houston Authority Restated Retirement Plan (Pension Plan).

5. Adopt an amended investment policy for the Port of Houston Authority Restated Retirement Plan (Pension Plan).

6. Adopt an amended investment policy for the Port of Houston Authority OPEB Plan, an irrevocable trust established for other post-employment benefits.

## **I. INFRASTRUCTURE**

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

1. Approve staff's ranking of vendors and award a two-year environmental consulting agreement in an amount not to exceed \$200,000 for general environmental consulting services to the top-ranked proposer: staff ranking- first, Spirit Environmental, LLC; second, Terra Nova Consulting, Inc.; and third, InControl Technologies, Inc.

2. Approve staff's ranking of vendors and award a professional services contract in an amount not to exceed \$2,629,550 for the design of Wharf 7 at Bayport Container Terminal to the top-ranked proposers: staff ranking – first, Jacobs Engineering Group, Inc.; second, Hatch Associates Consultants, Inc.; and third, AECOM Technical Services, Inc.
3. Award a construction contract to AAA Asphalt Paving, Inc. for the annual pavement drainage and dust control work at Industrial Park East in an amount not to exceed \$600,000.
4. Amend the professional services contract with HDR Engineering, Inc. for engineering services associated with the management of placement areas at Bayport Container Terminal in an amount not to exceed \$75,000.
5. Approve a change order with McCarthy Building Companies, Inc. to perform additional work associated with the rehabilitation of Wharves 4 and 5 at Bayport Container Terminal in an amount not to exceed \$226,103.
6. Approve a change order with Standard Constructors, Inc. to perform additional work associated with land development preparation south of Port Road at Bayport Container Terminal in an amount not to exceed \$55,699.

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

7. Approve the renewal of the following expiring Port Authority licenses for new ten-year terms: ExxonMobil Pipeline Company, South Tex 66 Pipeline Company, LTD, and Valero Refining-Texas, LP.
8. Issue a marine construction permit to Russell Marine, LLC to dredge a 4.33-acre area in Old River.
9. Issue a transmission line license to Comcast Cable Communications Management, LLC for one fiber optic cable line over the Port Terminal Railroad Association's Southside Mainline railroad right-of-way.
10. Issue a pipeline license to Chevron Phillips Chemical Company LP for two 8-inch refined petroleum products pipelines under and across the Port Terminal Railroad Association's Southside Mainline railroad right-of-way.
11. Amend a marine construction permit to CGBM Global LLC to modify the placement of two spud barges for the purpose of securing fleeting vessels and to rescind a previous authorization for the construction of a bulkhead, a 1.0-acre area of fill, installation of eight pilings, dredging to -8.0 feet Mean Lower Low Water, and the removal of approximately 27,000 cubic yards of dredged material in Old River.
12. Amend a marine construction permit to CGBM Global LLC to modify the placement of one spud barge for the purpose of permitting a marine fueling and supply station, and increase the authorized dredge depth from -4.0 to -12.0 feet Mean Lower Low Water in Old River.

**Project 11**

13. Enter into a reimbursement agreement for design and permitting with Energy Transfer Operating L.P. related to pipeline relocated within Segment 1 of the Houston Ship Channel Expansion Channel Improvement Project at a total cost not to exceed \$2,000,000, for which the Port Authority would be responsible for one half, for a total amount not to exceed \$1,000,000.

**J. OPERATIONS**

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**Awards, Amendments & Change Orders**

1. Award a three-year contract to Johnson Controls Fire Protection LP, using the Texas Comptroller's Texas Multiple Award Schedule contract, for the purchase of monitoring, inspection, repair services, and spare parts for fire alarm and suppression systems at Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal in an amount not to exceed \$400,000.

**General**

2. Recommendation to issue Stevedore Licenses for one-year terms commencing January 1, 2021, to Agri American Stevedores, LLC; APS Stevedoring, LLC; BBM Terminals Corp.; Ceres Gulf, Inc.; Cooper/Ports America; Gulf Stream Marine, Inc.; Jacintoport International, LLC; Marine Terminal Corporation East; Richardson Stevedoring and Logistics Services, Inc.; Schroder Marine Service; Southern Stevedoring Co.; and Suderman Contracting Stevedores, Inc., upon each applicant's satisfactory completion of all requirements and obligations for license issuance.

3. Reissue and amend Port Authority Tariff Nos. 8, 14, and 15 covering the Turning Basin Terminals, Barbours Cut Terminal, and Bayport Container Terminal, all effective on or around January 1, 2021 and a 3% increase in the Harbor Fee, such increase to be included and published in Port Authority Tariff No. 8 effective January 1, 2021.

4. Amend the Freight Handling Assignment Agreements for terminal services at the Turning Basin Terminal to extend the term of the agreements through March 31, 2021.

5. Amend the lease between Terminal Link Texas, LLC and the Port Authority to provide for a right of first refusal to lease a 22.36-acre site at Bayport Container Terminal.

6. Hold steady any "Carrier's Commitment Discount Level" that would otherwise decrease for the six-month period beginning January 1, 2021, under Port Authority Marine Terminal Services Agreements.

7. Authorize the amended Industrial Water Supply Agreement with the City of Pasadena.

8. Rescind a purchase order with Carrier Enterprise, LLC, and issue a purchase order to Carrier Corporation for purchase and installation of two 150-ton chiller units for the Bayport Container Terminal's Administration and Maintenance & Repair buildings, using the Sourcewell cooperative purchase program, in an amount not to exceed \$260,000.

## **K. PEOPLE**

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

1. Authorize an agreement with Aetna Life Insurance Company to provide stop-loss insurance coverage for calendar year 2021 for the Port Authority's self-funded group medical benefit program for active employees, retirees who are not Medicare-eligible, and dependents, in an amount not to exceed \$1,885,980.
2. Authorize an amended agreement with Aetna Life Insurance Company to provide professional third-party administration services for the Port Authority's self-funded group medical benefit program for active employees, retirees who are not Medicare-eligible, and dependents for calendar year 2021, in an amount not to exceed \$48,000.
3. Authorize funding, in an amount not to exceed \$15,500,000, for calendar year 2021 for the payment of claims from the Port Authority's self-funded group medical benefit program for active employees, retirees who are not Medicare-eligible, and dependents.
4. Enter into a one-year agreement with the Houston International Seafarers' Center to provide humanitarian services to seafarers whose vessels call at the terminals of the Port Authority, effective January 1, 2021, in an amount not to exceed \$90,000.

## **L. PORT SECURITY AND EMERGENCY OPERATIONS**

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

1. Approve staff's ranking of vendors and award a two-year service contract in an amount not to exceed \$690,950 for shipyard maintenance services of six Port Authority vessels to the top ranked proposer: staff ranking – first, Southwest Shipyard, L.P.; second, National Cotton Inc. dba Pier 77 Marine; and third, Marine TeKno Services, LLC.
2. Enter into a three-year governmental services contract with the City of La Porte Emergency Medical Service for emergency medical services in an amount not to exceed \$226,259.25.

### **General**

3. Renew a Memorandum of Understanding with the City of Houston for five years to provide closed Point of Dispensing Services in the event of a public health emergency.

## **M. TECHNOLOGY**

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

1. Approve staff's ranking of vendors and award a security services contract in an amount not to exceed \$3,100,000 subject to potential Port Security grant reimbursement of \$450,000 for Security Operations Center (SOC), System Information and Event Management (SIEM), Threat Intelligence Platform (TIP), and Security Orchestration & Automated Response (SOAR) services payable over three years plus two one-year renewal options to the top-ranked proposer: staff ranking- first, Critical Start, Inc.; second, Red River Technology LLC; and third, Fulcrum Technology Solutions.
2. Approve staff's ranking of vendors and award a security services contract in an amount not to exceed \$75,000 subject to potential Port Security grant reimbursement of \$56,250 for information security training for Port Authority employees and third party users of Port Authority information and technology systems payable over three years plus two one-year renewal options to the top-ranked proposer: staff ranking- first, Red River Technology LLC; second, Critical Start, Inc.; and third, CapGemini America.



3. Issue a purchase order to SHI Government Solutions for a three-year purchase agreement of next generation anti-virus Endpoint Protection Platform/Endpoint Detection and Response (EPP/EDR) software, using Texas Department of Information Resources' cooperative purchase program, in an amount not to exceed \$150,000 for the three years.

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

1. Consultation with Attorneys (Section 551.071, Texas Open Meetings Act), including consultations regarding (a) Kozlowski, et al v. Buck et al and (b) proposed amendments to the agreements for legal services with (i) Baker Wotring LLP, (ii) Haynes and Boone, LLP, (iii) W. Allyn Hoaglund, and (iv) Amy Loeserman Klein

2. Real Estate (Section 551.072, Texas Open Meeting Act), including disposition of Barbours Cut Terminal and Beltway 8 vicinity properties

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

4. Employment and Evaluation of Public Officers and Employees (Section 551.074, Texas Open Meetings Act), including deliberation regarding amendment to the employment agreement with the Executive Director of the Port Authority

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**

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

**P. ADJOURN MEETING**

1. Next Meeting Requested - January 26, 2021

2. Adjourn Port Commission Meeting