

April 21, 2022

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 26, 2022. A quorum of the Port Commission is intended to meet at 9:15 a.m. at the Port of Houston Authority Executive Office Building, Fourth Floor Boardroom, 111 East Loop North, Houston, Texas 77029. The member of the Port Commission presiding over the meeting is intended to be present at that location, which shall be open to the public during the open portions of the meeting.

In addition, pursuant to Government Code Sec. 551.127 permitting a governmental body to hold a public meeting by videoconference call, the meeting may also be accessed via Webex webinar, as provided on the following page.

PORT OF HOUSTON AUTHORITY
of
HARRIS COUNTY, TEXAS

Erik A. Eriksson
Secretary



Additional Public Meeting Notifications.

1. 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 or Erik Eriksson eeriksson@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, and will be available to the public, as will written minutes after Port Commission approval.
2. 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 or Erik Eriksson eeriksson@porthouston.com, and by mail at 111 E. Loop N, Houston, Texas 77029.
3. Due to health and safety concerns related to COVID-19, this meeting will offer the options to participate by videoconference or in-person. The meeting will be open to the public but restrictions regarding allowable room capacity and seating arrangements may be in place.



-- Do not delete or change any of the following text. --

When it's time, join your Webex meeting here.

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More ways to join:

Join from the meeting link

<https://porthouston.webex.com/porthouston/j.php?MTID=mac78879593224560df57abfd5b1b658>

Join by meeting number

Meeting number (access code): 2495 478 1215

Meeting password: AprPC2022

Tap to join from a mobile device (attendees only)

+1-720-650-7664,,24954781215## United States Toll (Denver)

+1-469-210-7159,,24954781215## United States Toll (Dallas)

Join by phone

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You can also dial 173.243.2.68 and enter your meeting number.

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Tuesday, April 26, 2022
PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

9:15 a.m.
111 East Loop North
Houston, TX 77029
Fourth Floor Boardroom
And Via WebEx

A. CALL TO ORDER

B. OPENING REMARKS BY CHAIRMAN AND COMMISSIONERS

1. Governance, legislative, policy, operational, and community matters

C. APPROVAL OF MINUTES

1. Port Commission Public Meeting - March 21, 2022

D. STAFF REPORTS

1. Summary of selected financial and operational matters

E. APPEARANCES

1. Dr. Steve Roop, CEO, FSX, LLC
2. Public Comment

F. EXECUTIVE

Staff Report – Selected agenda items – Tom Heidt, Chief Operating Officer

General

1. Approve the actuarial audit of the Port of Houston Authority Restated Retirement Plan August 1, 2021 Actuarial Valuation.
2. Adopt the Business Equity Committee Charter to amend and restate the Procurement and Small Business Development Task Force Charter.

G. BUSINESS EQUITY

1. No items.

H. COMMERCIAL

Staff Report – Selected agenda items – John Moseley, Chief Commercial Officer

Leases

1. Approve an amendment to the lease with Cooper/Ports America, LLC for approximately 3.20 acres out of Block 21 at Northside Turning Basin, to extend the term for one year with four one-year mutual renewal options, effective no earlier than June 1, 2022, at an annual base rent of approximately \$94,329, subject to annual base rent escalation of the greater of 3% or the increase in the Consumer Price Index, upon the election of each one-year mutual renewal option.
2. Approve an amendment to the lease with Empire Stevedoring (Houston) Inc. for approximately 2.75 acres in Block 11 at the Turning Basin area (West), to extend the term for one year, effective no earlier than June 1, 2022, at an annual base rent of approximately \$64,825.
3. Approve an amendment to the lease with Empire Stevedoring (Houston) Inc. for approximately 0.74 acres out of Block 1 at the Southside Wharves, to extend the term for one year, effective no earlier than June 1, 2022, at an annual base rent of approximately \$33,879.

I. FINANCE

Staff Report – Selected agenda item – Tim Finley, Chief Financial Officer

General

1. Approve the fiscal year 2021 Annual Comprehensive Financial Report.

J. INFRASTRUCTURE

Staff Report – Selected agenda items – Rich Byrnes, Chief Infrastructure Officer

Awards, Amendments & Change Orders

1. Award a construction contract to AAA Asphalt Paving, Inc. for the 2022 annual pavement drainage and dust control work at Turning Basin Terminal in an amount not to exceed \$1,229,865.
2. Amend the Advanced Funding Agreement with the Texas Department of Transportation to increase the funding for drainage improvements connected to the Southbound Loop 610 Feeder Road at the Turning Basin Terminal in the amount of \$230,471.
3. Amend the professional services contract with Lockwood, Andrews & Newnam, Inc. to perform services for additional design for the rail spur at Bayport Container Terminal in an amount not to exceed \$172,710.
4. Approve a change order with George Hedge Contractors, Inc. for ballast material cost escalation associated with construction of the rail spur at Bayport Container Terminal Phase 2 in an amount not to exceed \$70,268.
5. Approve a change order with Jerdon Enterprise, Inc. to perform additional work associated with the annual pavement replacement at Barbours Cut Terminal and Bayport Container Terminal 2021-2022 in an amount not to exceed \$604,120.

General

6. Approve an agreement with HGS, LLC d.b.a. RES Environmental Operating Company, LLC to acquire wetland mitigation credits relating to the U.S. Army Corps of Engineers development permit for the Port Authority's 64-acre tract southwest of Bayport Terminal, in the amount not to exceed \$1,270,000.

Permits/Licenses/Pipeline Easements

7. Issue a roadway crossing license to CenterPoint Energy Houston Electric, LLC for improvements to a gate, access road, and pad site at the Clinton Tract.

8. Issue a transmission line license to CenterPoint Energy Houston Electric, LLC for two 138kV transmission lines over and across Greens Bayou, approximately 0.63 miles upstream of the Crosby Freeway bridge.

9. Issue a transmission line license to Comcast of Houston, LLC for one fiber optic cable line under and across the Port Terminal Railroad Association Southside Mainline railroad right-of-way at the Beltway 8 bridge.

10. Amend the barge fleeting lease with and marine construction permit issued to Pelican Marine Services, LLC, to authorize the addition of up to fourteen pilings in the Houston Ship Channel along the southern boundary of the Beltway 8 property.

K. OPERATIONS

Staff Report – Selected agenda items – Jeff Davis, Chief Port Operations Officer

Awards, Amendments & Change Orders

1. Approve staff's ranking of vendors and award a contract in an amount not to exceed \$1,483,000 for the purchase of two loaded-container handling machines for Barbours Cut Terminal and Bayport Container Terminal to the top-ranked proposers: staff ranking - first, Taylor Machine Works, Inc.; and second, Briggs Industrial Solutions Inc. fka Briggs Equipment, Inc.

2. Award a two-year contract to Apache Oil Company for the purchase of grease and miscellaneous engine, transmission, and hydraulic oils for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal in an amount not to exceed \$850,000.

3. Award a two-year contract to Paige Electric, LP for the purchase of miscellaneous electrical cables for wharf and rubber-tired gantry cranes at Barbours Cut Terminal and Bayport Container Terminal in an amount not to exceed \$1,250,000.

4. Issue a purchase order to R.B. Everett & Company for the purchase of one Doosan DL220-5 wheel loader for Turning Basin Terminal, using Local Government Purchasing Cooperative's BuyBoard, a cooperative purchase program, in a total amount not to exceed \$176,000.

5. Issue a purchase order to Rush Bus Centers for the purchase of two twenty-six passenger buses for Barbours Cut Terminal, using the Houston-Galveston Area Council Cooperative Purchase Program, in a total amount not to exceed \$230,000.

6. Amend the contract previously awarded to Konecranes, Inc., the sole source provider, for the replacement of festoon system on three wharf cranes at Bayport Container Terminal for a revised contract amount not to exceed \$2,600,000.

7. Approve a change order with Rush Truck Center of Texas, LP dba Rush Truck Center Houston for the purchase of Cummins diesel engine parts and related services for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal in an amount not to exceed \$110,000.

General

8. Approve the lease of approximately 6.5 acres and the Shed No. 3 warehouse at Barbours Cut Terminal to Cooper/Ports America, LLC for a term of ten years at an annual rent of \$224,400, subject to escalation and possible abatement as provided in the lease.

9. Approve the Memorandum of Agreement to Reimburse U.S. Customs and Border Protection (CBP), providing for Port Authority responsibility for data cabling and electrical components and for reimbursement of CBP for an amount not to exceed \$285,964.90 for communications and information technology hardware purchased by CBP for use at Barbours Cut Terminal and Bayport Container Terminal.

10. Amend the Section 559 Reimbursable Services Agreement and Memorandum of Understanding with U.S. Customs and Border Protection in an amount not to exceed \$1,000,000 to cover a projected two years of reimbursement for overtime services.

L. PEOPLE

1. No items.

M. SECURITY AND EMERGENCY OPERATIONS

1. No items.

N. TECHNOLOGY

Staff Report – Selected agenda item – Charles Thompson, Chief Information Officer

Awards, Amendments & Change Orders

1. Award a one-year contract to Mythics Inc. for Oracle Cloud Services and Licensing, using Texas Department of Information Resources cooperative purchase program, in an amount not to exceed \$361,598.

O. RECESS OPEN MEETING AND CONVENE EXECUTIVE SESSION

1. Consultation with Attorneys (Section 551.071, Texas Open Meetings Act), including consultations regarding (i) Port of Houston Authority v. Louis Dreyfus Company Houston Export Elevator LLC, in the Southern District of Texas, (ii) Standard Constructors, Inc. v. Port of Houston Authority, in the 151st Judicial District Court of Harris County, Texas, (iii) City of Richmond v. J.A. Croson Company, 488 U.S. 469 (1989), Adarand Constructors, Inc. v. Peña, 515 U.S. 200 (1995), and Texas Government Code Chapter 2254, Professional and Consulting Services, and (iv) proposed amendments to the agreements for legal services with Ahmad, Zavitsanos, Anaipakos, Alavi & Mensing P.C. and Baker Botts L.L.P.

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 Officers and Employees (Section 551.074, Texas Open Meetings Act) including deliberation regarding 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

P. RECONVENE OPEN MEETING

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

Q. CLOSING REMARKS BY CHAIRMAN AND COMMISSIONERS

1. Governance, legislative, policy, operational, and community matters

R. ADJOURN MEETING

1. Next Meeting Requested - May 24, 2022
2. Adjourn Port Commission Meeting