

February 17, 2023

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, February 21, 2023. 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.



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

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Meeting number (access code): 2493 380 9834

Meeting password: PCCRC23

Tap to join from a mobile device (attendees only)

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Tuesday, February 21, 2023
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 - January 26, 2023

D. STAFF REPORTS

1. Summary of selected financial and operational matters

E. APPEARANCES

1. Public Comment

F. EXECUTIVE

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

General

1. Enter into an Agreement Extending the Industrial District Agreement between the City of Seabrook and the Port of Houston Authority.
2. Discontinue imposition of early collection penalties pursuant to Texas Tax Code §33.11, in connection with 2022 property taxes that become delinquent before July 1, 2023.

G. BUSINESS EQUITY

1. No items.

H. COMMERCIAL

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

Leases

1. Approve a lease for a one-year term with R. Warehousing & Port Services, Inc. for approximately 2.07 acres out of Block 29 at Industrial Park East, effective no earlier than March 1, 2023, at an annual base rent of approximately \$81,226.

2. Approve a lease for a three-year term with AllTrans Port Services LLC for approximately 1.04 acres out of Block 23D at Industrial Park East, effective no earlier than March 1, 2023, at an annual base rent of approximately \$40,809, subject to the annual base rent escalation of the greater of 3% or the increase in the Consumer Price Index.

I. FINANCE

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

Awards, Amendments & Change Orders

1. Authorize \$1,600,000 to fund payments for workers' compensation and liability claims for insurance year 2023-2024 in accordance with the Amended Insurance Program and Indemnification Policy dated February 2018.

2. Approve the purchase of insurance from various carriers effective March 1, 2023, for the Port Authority's primary and excess property and casualty insurance coverage needs, in a total amount not to exceed \$7,001,000.

J. INFRASTRUCTURE

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

Awards, Amendments & Change Orders

1. Approve staff's ranking of vendors and award a professional services contract in an amount not to exceed \$3,646,813 for the design of Container Yard 8 at Bayport Container Terminal to the top-ranked proposers: staff ranking – first, Lockwood, Andrews, & Newnam, Inc.; second, AECOM Technical Services, Inc.; and third, Hatch Associates Consultants, Inc.

2. Approve an amendment for an environmental consulting services agreement with InControl Technologies, LLC to conduct a Non-Aqueous Phase Liquid (NAPL) recovery at the 4.52-acre Port Authority property at Turning Basin Terminal in an amount not to exceed \$160,000.

3. Approve a change order with Rigid Constructors, LLC to perform additional work associated with construction of the 12- acre expansion of an interim container storage facility at the west end of Barbours Cut Terminal in an amount not to exceed \$82,857.

4. Approve a change order with McCarthy Building Companies, Inc. to perform additional work associated with the rehabilitation and repair of Wharf No. 8 at Turning Basin Terminal in an amount not to exceed \$629,020.

5. Authorize an agreement with Gin City Mitigation Bank to acquire wetland mitigation credits for E2 Clinton Placement Area located in Harris County, in the amount not to exceed \$1,250,000.

Permits/Licenses/Pipeline Easements

6. Approve the renewal of the following expiring Port Authority licenses for new thirty-year terms: Chevron Phillips Chemical Company LP, Energy Transfer Mont Belvieu NGLs LP, Houston Pipe Line Company LP, and Kinder Morgan Crude & Condensate LLC.

7. Issue a transmission line license to CenterPoint Energy Houston Electric, LLC for one 138kV electrical line over and across Sims Bayou near Highway 225.

8. Transfer and renew a pipeline and communications line license from Musket Corporation to Watco Transloading, LLC for two twelve-inch ethanol pipelines, two communications lines, and one conduit, crossing the Northside Mainline Railroad near Federal Road.

9. Issue a private adjacency barge fleeting lease agreement and a marine construction permit to Gates Fuel Service, LLC for approximately 3.99 acres of submerged land in Carpenters Bayou at an initial monthly rental amount of \$1,137 for a ten- year term.

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 \$420,000 for the purchase of seven 10,000-lb. forklifts for Barbours Cut Terminal and Bayport Container Terminal to the top-ranked proposers: staff ranking - first, American Lift & Equipment, Inc.; and second, Associated Supply Company, Inc.; and approve staff's ranking of vendors and award a contract in an amount not to exceed \$240,000 for the purchase of one 36,000-lb. forklift for Bayport Container Terminal to the top-ranked proposers: staff ranking - first, Associated Supply Company, Inc.; second, Toplift North America; and third, Lonestar Forklift 2017 USA, Inc.

2. Issue a purchase order to R.B. Everett & Company for the purchase of BROCE Street Broom Sweeper for Turning Basin Terminal, using Local Government Purchasing Cooperative's BuyBoard, a cooperative purchase program, in a total amount not to exceed \$80,000.

3. Issue a three-year purchase order to Cintas Corporation for cleaning, rental, and purchase of uniforms for maintenance personnel at Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal, using the Local Government Purchasing Cooperative's BuyBoard, a cooperative purchasing program, in an amount not to exceed \$900,000.

Leases

4. Approve a ten-year lease of the 188,105 square foot building known as Building 50 in Industrial Park East with Cooper/Ports America, LLC, to commence on March 1, 2023, with a rent abatement amount not to exceed \$1,500,000, and an initial base rent amount of \$28,215.75 per month.

General

5. Amend Port Authority Tariff No. 8 covering the Port of Houston effective March 1, 2023, to update a subrule regarding hazardous commodities, and amend Port Authority Tariffs Nos. 14 and 15 covering Barbours Cut Terminal and Bayport Container Terminal effective March 1, 2023, to revise certain subrules relating to chassis.

6. (i) Issue a stevedore license and (ii) approve assignment by Richardson Stevedoring and Logistics Services, Inc. of a freight handling assignment agreement and assignments by R Warehousing & Port Services, Inc. and Richardson Steel Yard, Inc. of various leases, to subsidiaries of Enstructure LLC.

L. PEOPLE

Staff Report – Selected agenda item – Jessica Shaver, Chief People Officer

Awards, Amendments & Change Orders

1. Approve an amendment to the professional services contract with Nursify, LLC d/b/a IMC Culture for human resources services in an amount not to exceed \$100,000.

M. SECURITY AND EMERGENCY OPERATIONS

Staff Report – Selected agenda item – Marcus Woodring, Chief Port Security and Emergency Operations Officer

Awards, Amendments & Change Orders

1. Approve the authorized two-year extension to the unarmed, uniformed Security Gate Officer services contract with Allied Universal Security Service, LLC for continuing services effective August 1, 2023, and approve a new purchase order to fund the two-year extension in an amount not to exceed \$15,600,000.

N. TECHNOLOGY

Awards, Amendments & Change Orders

1. Issue a purchase order to Smart-Tecs, the sole source provider, for the purchase of spare parts for Gate Operating System (GOS) environment in an amount not to exceed \$100,000.

2. Issue a purchase order to CDWG 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 \$145,000.

O. RECESS OPEN MEETING AND CONVENE EXECUTIVE SESSION

1. Consultation with Attorneys (Section 551.071, Texas Open Meetings Act), including consultation regarding (i) the Memorandum of Settlement Agreement with the City of Seabrook, Texas, (ii) claims of Standard Constructors, Inc., and (iii) proposed amendment to the agreement for legal services with Andrews Myers, P.C.

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

P. RECONVENE OPEN MEETING

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

Q. INFRASTRUCTURE

1. Approve a change order with George Hedge Contractors, Inc. to perform additional work associated with the construction of the rail spur at Bayport Container Terminal Phase 2 in an amount not to exceed \$1,035,000.

R. CLOSING REMARKS BY CHAIRMAN AND COMMISSIONERS

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

S. ADJOURN MEETING

1. Next Meeting Requested - March 20, 2023 - Monday

2. Adjourn Port Commission Meeting