

March 16, 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 Monday, March 20, 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](mailto:lchristian@porthouston.com) or Erik Eriksson [eeriksson@porthouston.com](mailto: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](mailto:lchristian@porthouston.com) or Erik Eriksson [eeriksson@porthouston.com](mailto: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.



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

**Join meeting**

**More ways to join:**

**Join from the meeting link**

<https://porthouston.webex.com/porthouston/j.php?MTID=mcbfe88f287c2db3bd0727b2dbfe9ba8d>

**Join by meeting number**

Meeting number (access code): 2485 286 7233

Meeting password: MarPC

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

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Need help? Go to <https://help.webex.com>



**Monday, March 20, 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**

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**B. OPENING REMARKS BY CHAIRMAN AND COMMISSIONERS**

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

**C. APPROVAL OF MINUTES**

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1. Port Commission Public Meeting - February 21, 2023

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

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

1. Enter into a professional services contract with Brown Consulting for state governmental policy consulting and support in an amount not to exceed \$66,000.
2. Enter into a professional services contract with Michael Toomey and Associates for state governmental policy consulting and support in an amount not to exceed \$66,000.

***General***

3. Approve the amended Port of Houston Authority Promotion and Development Fund Policy.

**G. BUSINESS EQUITY**

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1. No items.

## **H. COMMERCIAL**

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

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

1. Approve an amendment to increase funds on the current contract with STS Brand LLC for the purchase of promotional items in an amount not to exceed \$50,000.

### **Leases**

2. Approve an amendment to the lease with TPC Group LLC for approximately 6 acres out of Block 3 at Sims Bayou to extend the term for one year, effective no earlier than April 1, 2023, at an annual base rent of approximately \$273,767, subject to annual base rent escalation of the greater of 3% or the increase in the Consumer Price Index.

3. Approve the change of control of Gulf Winds International, Inc. under its lease for approximately 11.273 acres at the Bayport Container Terminal, commencing November 1, 2018, resulting from the purchase of its capital stock by Gulf Winds International Acquisition, LLC.

4. Approve (i) an amendment to the lease with the City of Galena Park for approximately 203.79 acres out of the east side of the Clinton site in the Ezekiel Thomas Survey, A-73, to extend the term for five years, effective no earlier than April 1, 2023, at an annual base rent of approximately \$3,600, and (ii) consent to the sublease by the City of Galena Park to Susan Tettenhorst, as an individual, for five years to run coterminously with the extended term of the lease.

## **I. FINANCE**

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

### **General**

1. Authorize the Port Authority to (a) plan and prepare for the future issuance of revenue bonds for long-term financing to fund remaining portions of the Port Authority's share of Project 11 construction costs; (b) appoint PFM Financial Advisors LLC as financial advisor, and Morgan Stanley (Senior Manager), Loop Capital Markets LLC (co-senior manager) and Hilltop Securities Inc. and Blaylock Van LLC as underwriters, to assist in the bond issuance; (c) appoint Greenberg Traurig, LLP and Baker Williams Mattiesen LLP as co-bond counsel, and Bracewell LLP and West and Associates, L.L.P. as co-disclosure counsel; and (d) prepare documentation authorizing the issuance of revenue bonds.

2. Adopt a resolution expressing the Port Authority's intent to finance Houston Ship Channel Expansion Channel Improvement Project expenditures with the proceeds of tax-exempt debt obligations.

## **J. INFRASTRUCTURE**

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

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

1. Approve staff's ranking of vendors and award a construction contract to Hi-Tech Electric, Inc. for medium voltage electrical cable installation at Bayport Container Terminal in an amount not to exceed \$1,974,706.

2. Award a contract to SNM2R for support of the Port Authority Environmental, Sustainability, Safety, Governance (ES<sup>2</sup>G) Action Plan using Catena Foundation Grant funds in an amount not to exceed \$500,000.
3. Amend a professional services contract to TC&B/GBA, a Joint Venture of Turner Collie & Braden Inc. and Gahagan & Bryant Associates, Inc. to provide continued engineering, design, project coordination, and other general assistance for the Houston Ship Channel Expansion Channel Improvement Project in an amount not to exceed \$2,475,100 for a total amount of \$31,616,700.
4. Amend the 4B/5 Alternate B dredging contract in an amount not to exceed \$165,000 to Weeks Marine, Inc. to remove obstructions located in the Bayport Ship Channel and Barbours Cut Ship Channel at the former Lighter Aboard Ship (LASH) dock for the Houston Ship Channel Expansion Channel Improvement Project.
5. Approve a change order with Rigid Constructors, LLC to perform additional work associated with the 12-acre interim container storage facility expansion at the west end of Barbours Cut Terminal in an amount not to exceed \$1,388,263.

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

6. Approve the renewal of the following expiring Port Authority licenses for new thirty-year terms: Enterprise Houston Ship Channel, L.P., Enterprise Intrastate LLC, HSC Pipeline Partnership, LLC, Linde Inc., Seaway Crude Pipeline Company LLC, and Seminole Pipeline Company, LLC.
7. Issue a transmission line license to CenterPoint Energy Houston Electric, LLC for one fiber communication line over and across Buffalo Bayou.
8. Issue a transmission line license to CenterPoint Energy Houston Electric, LLC for one 138kV electrical line over and across Brays Bayou.
9. Issue a pipeline easement and relocation agreement to Kinder Morgan Texas Pipeline LLC (Kinder Morgan) across the Port Authority's Beltway 8 property and terminate all existing Beltway 8 property easements and licenses held by Kinder Morgan and its predecessors.

#### **K. OPERATIONS**

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

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

1. Award a contract to ABB Inc., the sole source provider, for the purchase of upgrades to safety centers and related parts on four wharf cranes at Barbours Cut Terminal and Bayport Container Terminal in an amount not to exceed \$100,000.

#### **L. PEOPLE**

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

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

1. Authorize the renewal of the agreement with SumTotal Systems, LLC for software licenses for an integrated, automated Learning Management System and Talent Suite in an amount not to exceed \$234,521 for a two-year period.

## **M. SECURITY AND EMERGENCY OPERATIONS**

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

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

1. Issue a purchase order to Cavender Grande Ford for the purchase of one Ford F-350 Rescue HAZMAT Truck, including outfitting by Siddons Martin Emergency Group, LLC using the Houston-Galveston Area Council Cooperative Purchasing Program, in an amount not to exceed \$182,000.

### **General**

2. Approve the CIMA Member Services Agreement with the Channel Industries Mutual Aid to share emergency equipment, materials, and manpower to fight major fires, chemical releases, and other major emergencies that may occur along the Houston Ship Channel.

## **N. TECHNOLOGY**

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1. No items.

## **O. 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 (i) TCW, Inc. v. Evergreen Shipping Agency (AM.) Corp. & Evergreen Line Joint Service Agreement, Federal Maritime Commission Docket No. 1966, (ii) Transportation Code Chapter 431 Subchapter D, and (iii) proposed amendments to the agreement for legal services with Boyar Miller and Bracewell LLP

2. Real Estate (Section 551.072, Texas Open Meeting Act) including disposition of Pelican Island property and possible acquisition of Greater Fifth Ward property

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**

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

## **Q. EXECUTIVE**

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**Staff Report** – Selected agenda item – Tom Heidt, Chief Operating Officer

### **General**

1. Authorize the creation of the Port Houston Local Government Corporation.

## **R. CLOSING REMARKS BY CHAIRMAN AND COMMISSIONERS**

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

**S. ADJOURN MEETING**

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1. Next Meeting Requested - May 2, 2023 - April Meeting
2. Adjourn Port Commission Meeting