

May 18, 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, May 23, 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.**

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<https://porthouston.webex.com/porthouston/j.php?MTID=ma2884c8ddb66840bd5055cfd4eba42dc>

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Meeting number (access code): 2493 394 4720

Meeting password: MayPC

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**Tuesday, May 23, 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 - May 2, 2023

**D. STAFF REPORTS**

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1. Summary of selected financial and operational matters

**E. APPEARANCES**

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1. Captain Jason Smith, U.S. Coast Guard Captain of the Port
2. Public Comment

**F. EXECUTIVE**

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

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

1. Award a two-year professional services contract to Critical Mention, Inc. to provide news media monitoring services in an amount not to exceed \$16,000, and a two-year professional services contract to Business Wire, Inc. to provide press release distribution services in an amount not to exceed \$74,000.

***General***

2. Enter into an Interlocal Agreement for delinquent tax collection services with Harris County and other participating entities.

## **G. BUSINESS EQUITY**

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**Staff Report** – Selected agenda item – Maxine Buckles, Chief Business Equity Officer

### **General**

1. Enter into a strategic alliance memorandum between the U.S. Small Business Administration (SBA) Houston District Office and the Port Authority to codify, develop, and foster mutual understanding of the working relationship between the SBA and the Port Authority.

## **H. CHANNEL INFRASTRUCTURE**

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**Staff Report** – Selected agenda items – Charlie Jenkins, Chief Channel Infrastructure Officer

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

1. Amend the professional services contract with HDR, Inc. to provide continued engineering, design, project coordination, and other general assistance for the Houston Ship Channel Expansion Channel Improvement Project (Project 11) in an amount not to exceed \$605,000.

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

2. Approve the renewal of the following expiring Port Authority licenses for new thirty-year terms: Celanese Chemicals, Inc., Energy Transfer Mont Belvieu NGL Pipelines LLC, Enterprise Houston Ship Channel, L.P., and KM Liquids Terminals LLC.

3. Issue a marine construction permit to Watco Dock and Rail, LLC for the expansion of existing Dock 5, including upland excavation, and dredging.

4. Amend a pipeline license with HSC Pipeline Partnership, LLC for one 8-inch ethylene pipeline, adding an additional crossing of the Southside Mainline railroad right-of-way.

## **I. COMMERCIAL**

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

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

1. Approve staff's ranking of vendors and award two contracts, each for a two-year term and each in an amount of \$60,000 annually with a one-year mutual extension option, in an amount of \$60,000, for photography and videography services to the two top-ranked proposers: staff ranking - first, Twice Media Productions; and second, CK Productions.

2. Award a service contract for two years with an option to renew for an additional year, to STS Brand, LLC for the promotional items ordering program in an amount not to exceed \$160,000 annually.

### **Leases**

3. Approve a lease for a three-year term with AllTrans Port Services LLC for approximately 1.89 acres out of Block 23B at Industrial Park East, effective no earlier than June 1, 2023, at an annual base rent of approximately \$79,221, subject to annual base rent escalation of the greater of 3% or the increase in the Consumer Price Index.

4. Approve a lease for a two-year term with Cooper/Ports America, LLC for approximately 3.04 acres out of Block 23 at Industrial Park East, effective no earlier than June 1, 2023, at an annual base rent of approximately \$102,144, subject to annual base rent escalation of the greater of 3% or the increase in the Consumer Price Index.
5. Approve a lease for a two-year term with Enstructure Richardson I LLC for approximately 1.33 acres out of Block 27D at Industrial Park East, effective no earlier than June 1, 2023, at an annual base rent of approximately \$55,748, subject to annual base rent escalation of the greater of 3% or the increase in the Consumer Price Index.
6. Approve an amendment to the lease with Galveston Bay Foundation for an approximate 1.5-acre oyster recycling site and 0.33-acre non-exclusive access road area out of the Memorial Tract, to extend the term for five years, effective no earlier than July 1, 2023, at an annual rent of \$10.
7. Approve an amendment to the lease with Empire Stevedoring (Houston) Inc. for approximately 0.74 acres out of Block 1 at Southside Wharves, to extend the term for one year, effective no earlier than June 1, 2023, at an annual base rent of approximately \$35,573.
8. Approve an amendment to the lease with Empire Stevedoring (Houston) Inc. for approximately 2.75 acres out of Block 11 at Turning Basin (West), to extend the term for one year, effective no earlier than June 1, 2023, at an annual base rent of approximately \$68,067.
9. Approve the change of control of Dixie Cullen Interests Inc., a tenant under three Port Authority leases, resulting from the acquisition of a majority of its equity interests by affiliates of Briarwood Partners, LLC.

## **J. FINANCE**

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

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

1. Award a two-year contract with 2 two-year extensions to Meeder Public Funds, Inc. for investment consulting and advisory services for the Port Authority's operating and bond funds cash and investments, effective July 1, 2023 in an amount not to exceed \$125,000, per year, for the first two year term.

## **K. INFRASTRUCTURE**

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

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

1. Award a contract to McDonald Municipal and Industrial for the purchase and delivery of electrical substation equipment for Container Yards 6 and 7 at Barbours Cut Terminal in an amount not to exceed \$2,743,000.
2. Award a construction contract to Custer Fence, LLC for container yard perimeter security fence repair and installation at Barbours Cut Terminal west end in an amount not to exceed \$280,294.
3. Amend a professional services contract with AECOM Technical Services, Inc. to perform additional work associated with the rehabilitation of Wharves 20 and 21 at Turning Basin Terminal in an amount not to exceed \$49,045.

4. Amend the environmental consulting agreement with Terra Nova Consulting Inc. for general environmental consulting services in an amount not to exceed \$250,000.
5. Approve a change order with McCarthy Building Companies, Inc. to perform additional work associated with the construction of Wharf 6 at Bayport Container Terminal in an amount not to exceed \$191,624.
6. Approve a change order with McCarthy Building Companies, Inc. to perform additional work associated with the rehabilitation and repair of Wharf 8 at Turning Basin Terminal in an amount not to exceed \$165,190.
7. Approve a change order with R&T Ellis Excavating, Inc. to perform additional work associated with land development of 35-acres south of Port Road at Bayport Container Terminal in an amount not to exceed \$5,253,512.
8. 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 \$144,426.

## **L. OPERATIONS**

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**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 \$130,000 for the purchase and installation of truck service beds for Bayport Container Terminal to the top-ranked proposer: staff ranking – first, The Trux Super Store; and second, General Truck Body.
2. Award a two-year contract to Monument Chevrolet for the purchase of General Motors parts and related services for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal, using Omnia Partners (formally Sourcewell), a cooperative purchase program contract, in an amount not to exceed \$800,000.
3. Award a two-year contract to Carrier Enterprise, LLC for the purchase of spare and replacement parts for Carrier heating, ventilation, and air conditioning units at Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal, using the Local Government Purchasing Cooperative's BuyBoard Program, in an amount not to exceed \$200,000.
4. Amend the contract previously awarded to Dan R. Dalton, Inc. for structural repairs to wharf crane No. 308 at Barbours Cut Terminal in an amount not to exceed \$50,000, for a revised contract amount not to exceed \$100,000.
5. Authorize payment to Smart Tecs LLC for annual maintenance services for the Marine Terminal Gate Operating Software System for Barbours Cut Terminal and Bayport Container Terminal in an amount not to exceed \$413,106.
6. 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 \$876,631.

## **M. PEOPLE**

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

### **General**

1. Hearing and possible action to amend and restate the Port Authority's 401(a) Defined Contribution Plan in accordance with Internal Revenue Service restatement requirements.

## **N. 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. Award a two-year contract, with a one-year mutual extension option, to Boot Barn for the purchase of safety footwear for designated employees in an amount not to exceed \$120,000.

## **O. TECHNOLOGY**

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**Staff Report** – Selected agenda items – Charles Thompson, Chief Information Officer

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

1. Issue a purchase order to Precision Task Group, Inc. for the purchase of subscription-based licensing, training, and delivery assurance services for the Workday Enterprise Resource Planning platform, using Texas Department of Information Resources' cooperative purchase program, in an amount not to exceed \$20,000,000 over 15 years.

## **P. RECESS OPEN MEETING AND CONVENE EXECUTIVE SESSION**

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1. Consultation with Attorneys (Section 551.071, Texas Open Meetings Act), including consultations regarding (i) claims of Great Lakes Dredge & Dock Company, LLC, (ii) claims of the Port Authority against TPC Group LLC, (iii) claims of Standard Constructors, Inc., and (iv) proposed amendment to the agreement for legal services with Baker Botts L.L.P.

2. Real Estate (Section 551.072, Texas Open Meeting Act) including disposition of Galveston Bay vicinity 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

## **Q. RECONVENE OPEN MEETING**

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

## **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 - June 27, 2023
2. Adjourn Port Commission Meeting