

July 20, 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, July 25, 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.



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=m29aded1af87f87c35932ef399fe19423>

Join by meeting number

Meeting number (access code): 2482 838 2233

Meeting password: JULPC23

Tap to join from a mobile device (attendees only)

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You can also dial 173.243.2.68 and enter your meeting number.

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Tuesday, July 25, 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 - June 27, 2023

D. STAFF REPORTS

1. Summary of selected financial and operational matters

E. APPEARANCES

1. Public Comment

F. EXECUTIVE

1. No items.

G. BUSINESS EQUITY

1. No Items.

H. CHANNEL INFRASTRUCTURE

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

General

1. Enter into a Dredged Material Placement Easement with the U.S. Army Corps of Engineers for the use of the East 2 Clinton Dredged Material Placement Area.
2. Enter into an agreement with Adloy, LLC to place approximately 240,000 cubic yards of dredged material into its private dredged material placement area at \$10 per cubic yard, in an amount not to exceed \$3,000,000.

Awards, Amendments & Change Orders

3. Amend the contract with Weeks Marine Inc. to modify the scope of work to reduce maintenance dredging at Bayport Container Terminal berths and vicinity, resulting in a net contract reduction of \$4,391,200.
4. Amend the professional services contract with the TC&B/GBA joint venture of AECOM Technical Services Inc. and Gahagan & Bryant Associates, Inc. for the Houston Ship Channel project and beneficial use sites, to provide additional engineering, design, and other general assistance, in an amount not to exceed \$300,000.

Permits/Licenses/Pipeline Easements

5. Approve the change of control of Deer Park Refining, LP, a licensee under multiple agreements, including a Master Intra-Plant Multiple License agreement, resulting from transfer of its general partner interest to PMI Services North America, Inc.
6. Approve the renewal of the following expiring Port Authority licenses for new ten-year terms: Celanese Ltd., and Texas Brine Company, LLC.
7. Issue a transmission line license to Comcast Cable Communication Management, LLC for a fiber optic/communication line along High Level Road to service Port Authority tenant Enstructure, LLC.
8. Issue a transmission line license to Comcast Cable Communication Management, LLC for one fiber optic/communication line along the Port Terminal Railroad Association Northside Mainline railroad right-of-way adjacent to Haden Road.
9. Amend a transmission line license to Southwestern Bell Telephone Company to add an additional fiber optic cable/communication line crossing the Port Terminal Railroad Association Northside Mainline railroad right-of-way near Federal Road.
10. Issue a pipeline license to Kinder Morgan Tejas Pipeline LLC for one 4-inch natural gas pipeline along unused railroad right-of-way east of Miller Cut-Off Road.
11. Issue a marine construction permit to Baywater Operating, LLC for a drilling barge, well heads, and to dredge a slip for access to Scott Bay.

I. COMMERCIAL

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

Awards, Amendments & Change Orders

1. Approve staff's selection of ten real estate firms to form a pool from which to select firms to advise and assist with the Port Authority's real estate brokerage and consulting needs over the next five years.

Leases

2. Approve a lease for a two-year term with Covey Transport, Inc. for approximately 3.66 acres out of Block 3 at Turning Basin West, at an annual base rent of approximately \$88,858, subject to annual base rent escalation of the greater of 3% or the increase in the Consumer Price Index.

3. Approve a lease for a two-year term with Terminal Investment Corporation, d/b/a TICO Terminal Services, for approximately two acres out of Block 4D at Northside Turning Basin, at an annual base rent of approximately \$54,720, subject to annual base rent escalation of the greater of 3% or the increase in the Consumer Price Index.
4. Approve the change of control of Matthews Brothers Dredging, LLC, a tenant under a Port Authority lease, resulting from the acquisition of a majority of its equity interests by an affiliate of Carr's Hill Capital Partners UGP, LLC.
5. Approve a fourth amendment to the lease with Kinder Morgan Petcoke, L.P. to (i) reduce the leased acreage by approximately 5.17 acres from 90.3 acres to 85.13 and (ii) to retroactively reduce the monthly base rent based on the acreage reduction from October 5, 2022.
6. Approve an amendment to the lease with Texas Stevedoring Services LLC to (i) reduce the premises area in the Barbours Cut Terminal Administration Building by approximately 280 square feet and (ii) extend the term for two years and four months with a one-year mutual option to extend the term, effective no earlier than September 1, 2023, at an annual base rent of approximately \$36,880, subject to annual base rent escalation of 3%.
7. Approve an amendment to the lease with Volkswagen Group of America, Inc. for approximately 70.85 acres out of Blocks 15, 16, and 18 at the Northside Turning Basin to extend the term for three months, at a monthly base rent of approximately \$397,024, and additional vessel and rail fees of approximately \$229,684 and \$118,292, respectively.

J. FINANCE

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

General

1. Approve an order authorizing the sale of Port of Houston Authority of Harris County, Texas, First Lien Revenue Bonds, Series 2023 (NON-AMT), in an aggregate principal amount not to exceed \$425,000,000, a Fourth Supplemental Resolution and a Bond Purchase Agreement in connection therewith, and other instruments and matters incident thereto.
2. Hearing and possible action to (i) amend and restate the Port Authority's Deferred Compensation 457(b) Plan and Defined Contribution 401(a) Plan, (ii) amend the current agreements with Nationwide Retirement Solutions, Inc. for the administration of the plans, and (iii) delegate authority to staff to implement new investment options for the plans.
3. Adopt a revised Disclosure Policy for the Port Authority.

K. 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 \$867,810 for site investigation to support the design of Wharf 1 at Bayport Container Terminal to the top-ranked proposers: staff ranking – first, Jacobs Engineering Group, Inc.; second, WSP USA, Inc.; and third, AECOM Technical Services, Inc.

2. Approve staff's ranking of vendors and award a construction contract in an amount not to exceed \$419,650 for demolition of Wharf Crane Nos. 5 and 11 at Barbours Cut Terminal to the top-ranked proposers: staff ranking – first, Patriot Demolition Services, Inc.; second, D. H. Griffin of Texas, Inc.; and third, Grant Mackay Company, Inc.

L. OPERATIONS

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

Awards, Amendments & Change Orders

1. Award a services agreement to Rescar Companies for rail switching services at the Barbours Cut Terminal Rail Ramp in an amount not to exceed \$1,000,000.
2. Award a contract to Konecranes Finland Corporation for the purchase of five container yard cranes for Barbours Cut Terminal in an amount not to exceed \$16,864,911.
3. Award a two-year contract for preventative maintenance and inspection services to Vertiv Corporation, a sole source service provider, for Liebert® Uninterruptible Power Supply battery, static transfer switch, power distribution units, and monitoring products for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal in an amount not to exceed \$200,000.
4. 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 \$250,000.
5. Approve a change order with Bishop Lifting Products, Inc. for the purchase of wire ropes and related components for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal in an amount not to exceed \$300,000.

General

6. Approve a memorandum of agreement with U.S. Customs and Border Protection (CBP) for reimbursement of an amount not to exceed \$100,000 for communications and information technology hardware purchased by CBP for use at Bayport Container Terminal.

M. PEOPLE

1. No Items.

N. SECURITY AND EMERGENCY OPERATIONS

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

General

1. Approve an updated Interlocal Agreement between the City of League City and the Port Authority, providing for membership in the Gulf Region Information and Dispatch system at no additional cost.

O. TECHNOLOGY

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

Awards, Amendments & Change Orders

1. Approve the purchase of annual software subscription and support services for Cognos budgeting software from Mark III Systems, using a State of Texas Department of Information Resources cooperative purchase contract, in an amount not to exceed \$174,251.

P. RECESS OPEN MEETING AND CONVENE EXECUTIVE SESSION

1. Consultation with Attorneys (Section 551.071, Texas Open Meetings Act), including consultation regarding (i) Houston Ship Channel Expansion Channel Improvement Project and (ii) proposed amendments to the agreement for legal services with Andrews Myers PC

2. Real Estate (Section 551.072, Texas Open Meeting Act), including disposition of Pelican Island property

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)

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

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

R. CLOSING REMARKS BY CHAIRMAN AND COMMISSIONERS

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

S. ADJOURN MEETING

1. Next Meeting Requested - September 26, 2023

2. Adjourn Port Commission Meeting