

December 7, 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, December 12, 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 Liana Christian lchristian@porthouston.com or Erik Eriksson eeriksson@porthouston.com. They may also be reached by telephone at (713) 670-2615 or (713) 670-2614, and by mail at 111 E. Loop N, Houston, Texas 77029.
 - 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 Liana Christian or Erik Eriksson at least three days prior to the meeting.
3. This meeting will offer the options to participate by videoconference (see next page) or in-person. Restrictions regarding allowable room capacity and seating arrangements may be in place at the meeting.



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=m0795f479125e82b7f914af79b51246e3>

Join by meeting number

Meeting number (access code): 2491 657 0170

Meeting password: DecPC

Tap to join from a mobile device (attendees only)

+1-720-650-7664,,24916570170## United States Toll (Denver)

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Tuesday, December 12, 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 - October 24, 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. Adopt the proposed 2024 Incentive Award Plan.
2. Approve the Amended and Restated Certificate of Formation of Port Houston Local Government Corporation and Amended and Restated Bylaws of Port Houston Local Government Corporation.

G. BUSINESS EQUITY

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

Awards, Amendments & Change Orders

1. Approve the year three funding of a professional services contract with Nurseify, LLC D/B/A Culture Advisors (formerly IMC Culture) for assistance with implementation of a Diversity, Equity, and Inclusion plan initiative in an amount not to exceed \$332,900.

General

2. Amend the Minority- and Woman-Owned Business Enterprise Development Policy.

H. CHANNEL INFRASTRUCTURE

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

Awards, Amendments & Change Orders

1. Approve staff's ranking and award a two-year professional services contract in an amount not to exceed \$185,000 for sediment sampling analysis plans, sediment sampling, and analytical reports for the material from maintenance dredging of Port Authority-owned facilities to the top-ranked proposer: staff ranking – first, Lloyd Engineering, Inc.; second, Terracon Consultants, Inc.; and third, Benchmark Ecological Services, Inc.
2. Approve staff's ranking of vendors and award a professional services contract in an amount not to exceed \$538,180 for a sediment sampling analysis plan of Port Authority-owned facilities to the top-ranked proposer: staff ranking – first, Lloyd Engineering, Inc.; second, ANAMAR Environmental Consulting, Inc.; and third, Benchmark Ecological Services, Inc.

General

3. Approve the change of control of Vopak Moda Houston Holdco LLC under its lease for approximately 50 acres of submerged and filled submerged lands in the George M. Patrick and George Ross Surveys and Houston Ship Channel resulting from a transfer of Moda Infrastructure LLC's 50% equity interest.

Permits/Licenses/Pipeline Easements

4. Approve renewal of the following expiring Port Authority licenses for new thirty-year terms: Easton Energy Pipelines LLC, Enterprise Texas Pipeline LLC, and Linde Inc.
5. Approve a private adjacency barge fleeting lease agreement with, and issue a marine construction permit to, Kirby Inland Marine, LP for approximately 5.632 acres of submerged land in the San Jacinto River for a minimum amount of \$262,518 for a ten-year term.
6. Issue a pipeline license to South Texas NGL Pipeline LLC for one 6-inch propylene pipeline crossing the Port Terminal Railroad Association Southside Mainline railroad right-of-way near Rohm and Haas Road and Independence Parkway.
7. Amend a pipeline license issued to HSC Pipeline Partnership, LLC for the addition of a surface site on the Port Authority's Sims Bayou property.
8. Terminate all existing Beltway 8 property easements and licenses for Kinder Morgan Texas Pipeline LLC and its predecessors, and issue a pipeline easement for a 16-inch pipeline and relocation agreement to Kinder Morgan Texas Pipeline LLC across the Beltway 8 property.

I. COMMERCIAL

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

Leases

1. Award a contract for broker services to Colliers International Houston, Inc. for marketing and leasing of the Greens Bayou Terminal property for a fee of 1% of the base rent over the first initial ten years, paid in three installments based on the lease structure.

2. Approve a lease for a five-year term with a five-year mutual extension option with Enstructure Richardson I LLC for approximately 12.55 acres out of Blocks 33 and 33A at Industrial Park East, at an annual base rent of approximately \$512,395, subject to annual base rent escalation of the greater of 3% or the increase in the Consumer Price Index.

J. FINANCE

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

General

1. Approve and adopt the proposed Internal Audit 2024 Annual Audit Plan.
2. Authorize payment to the Harris County Appraisal District for appraisal services to be provided to the Port Authority for fiscal year 2024 in an amount not to exceed \$405,000, and payment to the Harris County Tax Assessor-Collector for collection services for the 2023 tax year in an amount not to exceed \$1,100,000.

K. INFRASTRUCTURE

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

Awards, Amendments & Change Orders

1. Award a contract to C. F. McDonald Electric, Inc. for the purchase and delivery of electrical substation equipment for Container Yard 8 at Bayport Container Terminal in an amount not to exceed \$2,996,469.
2. Award a professional services contract to Burrer Engineering for communication and power layout expansion design at the west end of Barbours Cut Terminal in an amount not to exceed \$201,847.

General

3. Enter into a Pipeline Crossing Agreement with Union Pacific Railroad Company for two proposed Port Authority waterline crossings at south Turning Basin Terminal and authorize a payment to Union Pacific in an amount not to exceed \$16,440.

L. OPERATIONS

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

Awards, Amendments & Change Orders

1. Award a contract to Aries Building Systems, LLC for the purchase of a modular building for Central Maintenance at Turning Basin Terminal, using the Local Government Purchasing Cooperative's BuyBoard Program, in an amount not to exceed \$170,000.
2. Issue a purchase order to Rush Truck Centers of Texas, LP dba Rush Truck Center, Houston for the purchase of one 2023 Peterbilt truck with a 4,500-gallon fuel tank for Bayport Container Terminal, using the Local Government Purchasing Cooperative's BuyBoard Program, in an amount not to exceed \$330,000.
3. Authorize payment to Kalmar, the sole source provider, for annual maintenance services for the marine terminal position detection software system for Barbours Cut Terminal and Bayport Container Terminal in an amount not to exceed \$215,377.

4. Award a three-year maintenance and support contract to IdSoftware Identification Management Systems, LLC, for the Transportation Worker Identification Credential reader software application installed at Bayport Container Terminal and Barbours Cut Terminal truck gates in an amount not to exceed \$172,074.

General

5. Issue Stevedore Licenses for one-year terms commencing January 1, 2024 to Agri American Stevedores, LLC; APS Stevedoring, LLC; BBM Terminals Corp.; SSA Gulf, Inc.; Cooper/Ports America LLC.; CT Stevedoring, Inc.; Gulf Stream Marine, Inc.; Jacintoport International, LLC; Kinder Morgan, Inc.; Empire Stevedoring (Houston), Inc.; Enstructure Richardson II, LLC (previously known as Richardson Stevedoring, and Logistics Services, Inc.); Schroder Marine Service; Suderman Contracting Stevedoring, Inc.; and Terminal Link Texas, upon each applicant's satisfactory completion of all requirements and obligations for license issuance.

6. Authorize a compliance agreement with U.S. Department of Agriculture, Animal and Plant Health Inspection Service, Plant Protection and Quarantine program relating to the certification of Port Authority facilities for the handling of refrigerated containers completing cold treatment.

7. Authorize updates to Tariffs 8, 14, and 15 relating to the handling of refrigerated containers completing cold treatment.

8. Authorize updates to Tariff 8 relating to parking rules and violations.

9. Authorize updates to Tariff 14 and 15 regarding billing practices, gate operations start time, and extended gate hours.

M. PEOPLE

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

Awards, Amendments & Change Orders

1. Authorize funding for calendar year 2024 for payment of claims from the Port Authority's self-funded group medical benefits program for active employees and retirees who are not Medicare-eligible, and eligible dependents, in an amount not to exceed \$17,500,000.

2. Approve a change order with BKJ Global Management Consulting, LLC for additional project management, analysis, and testing services for the Next Generation (NXGEN) Collaboration project for an additional amount not to exceed \$150,000.

N. SECURITY AND EMERGENCY OPERATIONS

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

Awards, Amendments & Change Orders

1. Issue a purchase order to Motorola Solutions for the purchase of land mobile radio equipment including radios, batteries, chargers, related hardware, and accessories for the Port Operations and Port Security and Emergency Operations Divisions, using the Houston-Galveston Area Council's cooperative purchase program, in an amount not to exceed \$500,000.

2. Enter into a three-year governmental services contract with the City of La Porte Emergency Medical Service for emergency medical services in an amount not to exceed \$247,239.75.

O. TECHNOLOGY

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

Awards, Amendments & Change Orders

1. Approve staff's ranking and award services agreements for Next Generation (NXGEN) Enterprise Resource Planning (ERP), Phase III as follows: Alight Solutions, for implementation, consulting, and professional services in an amount not to exceed \$15,000,000 as to Scope 1; TREScope, for implementation, consulting, and professional services in an amount not to exceed \$970,000 as to Scope 1A; and TREScope, for implementation, consulting, and professional services in an amount not to exceed \$3,100,000 as to Scope 2.
2. Issue a purchase order to World Wide Technology LLC for professional services to perform a network assessment to improve its resiliency and redundancy, using Texas Department of Information Resources cooperative purchase program, in an amount not to exceed \$325,000.
3. Issue a purchase order to SHI Government Solutions for the purchase of Information Technology servers and related hardware, software, subscriptions, maintenance, and support, to replace end of support server hardware, using Texas Department of Information Resources cooperative purchase program, in an amount not to exceed \$1,600,000.
4. Issue a purchase order to Durian Consultants LLC for purchase of professional advisory services, using the United States General Services Administration, in an amount not to exceed \$3,000,000.
5. Issue a purchase order to SHI Government Solutions for Next Generation (NXGEN) INFOSEC End Point Protection anti-virus (EPP/EDR) software for a five-year term, using Texas Department of Information Resources cooperative purchase program, in an amount not to exceed \$275,000.
6. Issue a purchase order to MCA Communications Inc. for purchase of cameras and installation, using Texas Department of Information Resources cooperative purchase program, in an amount not to exceed \$174,000.
7. Issue a purchase order to Aries Building Systems, LLC for purchase of a dedicated project management office space structure to support the Next Generation (NXGEN) Enterprise Resource Planning (ERP) implementation project, using Harris County Department of Education's Choice Partners, a cooperative purchase program, in an amount not to exceed \$260,000.

P. 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, and (ii) *Port of Houston Authority v. Ootzie Properties-Hou, LLC*
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 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 - January 23, 2024
2. Adjourn Port Commission Meeting