

October 18, 2024

**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, October 22, 2024. A quorum of the Port Commission is intended to meet at 9:15 a.m., or thereafter, immediately following the adjournment of the Audit Committee meeting 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 Marilyn Navarro [mnavarro@porthouston.com](mailto:mnavarro@porthouston.com) or Erik Eriksson [eriksson@porthouston.com](mailto:eriksson@porthouston.com). They may also be reached by telephone at (713) 670-2817 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 Marilyn Navarro 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.



**8:15 am      Audit Committee meeting**  
**9:15 am      Port Commission meeting**  
**10:00 am     Port Development Corporation meeting**  
**10:30 am     Business Equity Committee meeting**

**All four meetings will use the same meeting link below:**

-- Do not delete or change any of the following text. --

**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=m303c36dafbbd61677d2d77b17126008e>

**Join by meeting number**

Meeting number (access code): 2481 623 3916

Meeting password: Octmtgs

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

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**Tuesday, October 22, 2024**  
**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. Special Port Commission Public Meeting - August 8, 2024
2. Port Commission Public Meeting - September 24, 2024

**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

**General**

1. Presentation by staff, deliberation, public comment, and possible action regarding the Port Authority's proposed 2025 Strategic Plan.

**G. BUSINESS EQUITY**

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1. No items.

**H. CHANNEL INFRASTRUCTURE**

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**Staff Report** – Selected agenda items – Lori Brownell, Chief Channel Infrastructure Officer

**General**

1. Authorize an interlocal agreement with the Houston-Galveston Area Council to purchase remote sensing data and services, in an amount not to exceed \$16,000.

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

2. Approve the renewal of expiring Port Authority pipeline and transmission line licenses for thirty-year terms for the following entities: Air Liquide Large Industries U.S. LP and Chevron Phillips Chemical Company LP.
3. Approve the transfer of fourteen pipeline licenses from Easton Energy Pipelines LLC to ONEOK NGL Distribution Systems, LLC.
4. Approve the transfer and renewal of twelve expiring Port Authority pipeline licenses for thirty-year terms, from ExxonMobil Pipeline Company to ExxonMobil Pipeline Company LLC.
5. Approve the transfer and renewal of a 36-inch pipeline license from E T Crude Pipeline LLC to ETP Crude LLC, crossing Carpenter's Bayou in three locations.
6. Transfer and amend an existing pipeline license for two 10-inch and two 16-inch pipelines across Harbor Drive from SESCO Cement Corporation to SESCO Terminals Corporation facilities and set the expiration date to be coterminous with the latter's lease.

### **I. COMMERCIAL**

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

#### ***Leases***

1. Approve an amendment to the cattle lease with James H. Jackson Industries, Inc. for approximately 8.96 acres out of Block 5 at Bayport Container Terminal to extend the term for five years, at an annual base rent of \$179.20.

### **J. FINANCE**

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

#### ***General***

1. Approve adoption of resolutions, agreements, and documents to give effect to a new \$150,000,000 Third Lien Revolving Note Purchase Program with Truist Bank and affiliates, including authorization to (a) draw under such financing, (b) incur borrowings thereunder, (c) incur rating agency fees, commitment fees, paying agent fees, financial advisory fees, and other costs related to the program (Costs) in an amount not to exceed \$1,800,000 for the period through November 7, 2029, and (d) in addition to the Costs, incur applicable interest costs relating to the borrowing thereunder.
2. Adopt a resolution expressing the Port Authority's intent to finance expenditures related to the acquisition of land and equipment, for and design and construction of, terminal, dock, and wharf facilities and related channel improvements, with the proceeds of debt obligations.
3. Approve the adoption of an Amended and Restated Third Supplemental Resolution establishing the Port Authority Third Lien Revenue Extendible Commercial Paper Program and related agreements and documents.
4. Approve the external audit plan proposed by Forvis Mazars to conduct the scope of work for the 2024 financial statement audit, the Port Authority Promotion and Development Fund audit, and the Port of Houston Authority Restated Retirement Plan (Pension Plan).

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

5. Approve and ratify two one-year extensions of the term of the subscription agreement with FinQuery, LLC (formerly, LeaseQuery, LLC), in an aggregate amount not to exceed \$59,880, and approve a one-year extension of the term of the subscription agreement with FinQuery, LLC, in an amount not to exceed \$38,000.

**K. 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 an agreement not to exceed \$200,000 for non-hazardous and hazardous waste recycling, disposal, and management to the top-ranked proposer: staff ranking – first, Heritage-Crystal Clean, LLC; second, Lone Star Hazmat Response, LLC; and third, Anderson Pollution Control, Inc. dba Horizon Environmental.
2. Award a professional services contract to AECOM Technical Services, Inc. for the design of wharf crane tie-down to support larger ship-to-shore cranes on Wharf 5 at Bayport Container Terminal in an amount not to exceed \$239,678.
3. Amend the professional services contract with WSP USA to perform additional work associated with the design of the fender system at Wharf 2 at Turning Basin Terminal, in an amount not to exceed \$250,325.
4. Amend the professional service contract with Jacobs Engineering Group, Inc. to perform additional work to design Bayport Container Terminal Wharf No. 1 East and the conceptual design of future Wharves 8 and 9 (Phase 3) in an amount not to exceed \$4,372,025.
5. Approve a change order with McDonald Electric, Inc. to perform additional work associated with the installation of redundant power to serve Wharves 4, 5, and 6, and wheeled reefer power supply at Barbours Cut Terminal in an amount not to exceed \$266,012.
6. Approve a change order with Russell Marine, LLC to perform additional work associated with the Yacht Basin repair at Care Terminal in an amount not to exceed \$153,820.
7. Approve a change order with Diversified Fall Protection, the sole source provider, to perform additional work associated with the construction of rail spur at Bayport Container Terminal in an amount not to exceed \$120,750.

**L. MAINTENANCE**

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***Staff Report*** – Selected agenda items – Paulo Soares, Chief Port Maintenance Officer

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

1. Approve staff's ranking of vendors and award a two-year contract in an amount not to exceed \$800,000 for warehouse door repair services at Turning Basin Terminal to the top-ranked proposer: staff ranking - first, Johnson Equipment Company; and second, Generocity Services, Inc.
2. Award a two-year contract to Texas Marine Shipyard, LLC for marine vessel strap lifting, dry grounded storage, and shipyard services in an amount not to exceed \$200,000.

3. Award a two-year contract to Kemah Hardware & Lumber Wholesale, LLC, for the purchase of wood products for general maintenance and repairs to infrastructure at Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal in an amount not to exceed \$400,000.
4. Award two-year contracts to (i) AutoZone Parts, Inc. in an amount not to exceed \$300,000 and (ii) Advance Stores Company Incorporated dba Advance Auto Parts in an amount not to exceed \$300,000, using Omnia Partners, a cooperative purchase program, for the purchase of auto parts for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal.
5. Award a contract to Briggs Truck & Rail, using the Local Government Purchasing Cooperative's BuyBoard program, a cooperative purchase program, for the purchase of twenty clean diesel tier-4 engine yard tractors for Barbours Cut Terminal and Bayport Container Terminal, in an amount not to exceed \$3,300,000, that are subsidized by two SPRY grants in a total amount of \$1,391,733.
6. Approve an amendment to the purchase order with Toplift North America, Inc. in an amount not to exceed \$95,000, to provide for rental of one Toplift Ferrari F579W reach stacker for Barbours Cut Terminal for an additional five-month term.
7. Approve a change order with Yellowstone Landscape for mowing services and landscape maintenance at Turning Basin Terminal in an amount not to exceed \$300,000.
8. Approve a change order with Ardent Services LLC for the installation of feeder cable for crane 203 at Bayport Container Terminal in an amount not to exceed \$15,414.

## **M. OPERATIONS**

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**Staff Report** – Selected agenda items – Ryan Mariacher, Chief Port Operations Officer

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

1. Award a professional services contract to Kalmar USA Inc., the sole source provider, for position detection system equipment and installation services for five rubber tire gantry cranes in an amount not to exceed \$190,000.

### ***General***

2. Amend Tariff Nos. 14 and 15 governing Barbours Cut Terminal and Bayport Container Terminal to (i) amend the Port Authority Terminal Use Chassis Rental Fee, effective November 1, 2024, and (ii) adjust demurrage practices and rates for loaded import containers and authorize adjustments of the Sustained Import Dwell Fee and the Excessive Import Dwell Fee, effective January 1, 2025.

### ***Leases***

3. Approve a fifteen-year lease (with two five-year unilateral extension options) with The Andersons, Inc. for the 20.22-acre site at the Woodhouse Terminal including Houston Public Grain Elevator No. 2, at an annual base rent of \$1,500,000 for each of the first four years followed by an annual base rent of \$2,750,000 beginning the fifth year, subject to annual base rent escalations, with a total reimbursement amount not to exceed \$13,000,000 and a total base rent abatement amount not to exceed \$10,000,000, for certain capital improvements.

## **N. PEOPLE**

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

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

1. Authorize an agreement with Aetna Life Insurance Company for stop-loss insurance coverage for the calendar year 2024 for the Port Authority's self-funded group medical benefits program for active employees, retirees who are not Medicare-eligible and dependents, in an amount not to exceed \$2,513,511, and authorize renewal negotiations with Aetna Life Insurance Company prior to contract expiration.
2. Renew agreement for the second-year option with Voya for group insurance coverage for both short-term and long-term disability for calendar year 2025 under the guaranteed rate for a total amount not to exceed \$687,566.

## **O. SECURITY AND EMERGENCY OPERATIONS**

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**Staff Report** – Selected agenda items – Amy Seymour, Chief Port Security and Emergency Operations Officer

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

1. Award a contract to Ready2Go Restroom Trailer Sales, LLC for the purchase of four trailer-mounted portable guard booths with generators in an amount not to exceed \$175,000.
2. Award two contracts for emergency standby products and services if required in the event of an emergency, in amounts not to exceed \$50,000 each, for three-year terms with options of two-year extensions each, to Garner Environmental Services, Inc. and Cotton Commercial USA, Inc.

### ***General***

3. Authorize an agreement with the Houston Ship Channel Security District for payment of the current year (2024-2025) contribution in an amount not to exceed \$61,675.

## **P. 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 SHI Government Solutions, Inc. for Microsoft licensing and subscriptions using the Texas Department of Information Resources cooperative purchase program, in an amount not to exceed \$2,490,696 over a three-year period and authorize a three-year renewal of the Microsoft Enterprise Agreement.
2. Issue a purchase order to Xennex for the purchase of support and maintenance of the Port Authority's NetApp data storage environment (data and hard drive storage), using the Texas Department of Information Resources cooperative purchase program, in an amount not to exceed \$215,000.
3. Issue a purchase order to Cyber One for purchase of selected vulnerability management programs along with software subscriptions, using the United States General Services Administration, an agency of the United States, in an amount not to exceed \$160,000 over a three-year period, subject to potential Port Security Grant reimbursement of \$120,000.



4. Amend and extend the professional services contract with GHD, Inc. to provide owner's representative services for the Next Generation Enterprise Resource Planning Program in an amount not to exceed \$800,000.

**Q. RECESS OPEN MEETING AND CONVENE EXECUTIVE SESSION**

1. Consultation with Attorneys (Section 551.071, Texas Open Meetings Act), including consultations regarding (a) 33 U.S.C.A. §§5(b) and 2236, (b) Tariff Nos. 14 and 15 governing Barbours Cut Terminal and Bayport Container Terminal, and (c) proposed amendments to the agreements for legal services with Andrews Myers, P.C. and Baker Wotring LLP

2. Real Estate (Section 551.072, Texas Open Meeting Act), including deliberations regarding disposition of Buffalo Bayou submerged lands

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

**R. RECONVENE OPEN MEETING**

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

**S. CLOSING REMARKS BY CHAIRMAN AND COMMISSIONERS**

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

**T. ADJOURN MEETING**

1. Next Meeting Requested - November 12, 2024 Budget Workshop

2. Adjourn Port Commission Meeting