

July 15, 2021

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 20, 2021. Pursuant to Governor Abbott's action of March 16, 2020 to allow virtual and telephonic open meetings to maintain government transparency, the Port Commission will meet at 9:15 a.m. via Webex webinar, which can be accessed as provided on the following page.

PORT OF HOUSTON AUTHORITY
of
HARRIS COUNTY, TEXAS

Erik A. Eriksson
Secretary



Formal Public Meeting Notifications.

1. This virtual meeting is permitted by Governor Abbott's order suspending certain provisions of the Texas Open Meetings Act to minimize the impact of the coronavirus outbreak.
2. 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 eriksson@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, as also required by the governor's order, and will be available to the public, as will written minutes after Port Commission approval.
3. 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 eriksson@porthouston.com, and by mail at 111 E. Loop N, Houston, Texas 77029.



Please note the following to help the meeting run smoothly:

- The meeting will begin at **9:15 a.m.**
- **Please dial in via phone for the audio portion** and use your attendee number to merge your phone and computer presence.
- **All participants will be muted upon entry.** Please stay muted unless speaking.
- **Please turn off your video** to help the call run more smoothly.

More ways to join:

Join from the meeting link

<https://porthouston.webex.com/porthouston/j.php?MTID=mc5d16d70a917521d6f891030f989af3d>

Join by meeting number

Meeting number (access code): 1464 52 5394

Meeting password: UKcuw2PHu76

Tap to join from a mobile device (attendees only)

[+1-720-650-7664](tel:+1-720-650-7664),[,1464525394##](tel:+1-720-650-7664) United States Toll (Denver)

[+1-469-210-7159](tel:+1-469-210-7159),[,1464525394##](tel:+1-469-210-7159) United States Toll (Dallas)

Join by phone

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

+1-469-210-7159 United States Toll (Dallas)

[Global call-in numbers](#)

Join from a video system or application

Dial [1464525394](tel:+1464525394)@porthouston.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Join using Microsoft Lync or Microsoft Skype for Business

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Tuesday, July 20, 2021
PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

9:15 a.m.
111 East Loop North
Houston, TX 77029

A. CALL TO ORDER

B. CHAIRMAN'S REMARKS

1. Governance, legislative, policy, and operational matters

C. APPROVAL OF MINUTES

1. Special Port Commission Public Meeting - June 14, 2021
2. Port Commission Public Meeting - June 22, 2021

D. STAFF REPORTS

1. Summary of selected financial and operational matters
2. Rich Byrnes, Chief Infrastructure Officer — Sustainability Action Team update

E. APPEARANCES

1. Public Comment

F. EXECUTIVE

General

1. Endorse the observance of Juneteenth as an annual holiday for employees.

G. COMMERCIAL

Awards, Amendments & Change Orders

1. Approve a sponsorship with Breakbulk Events and Media for the 2021 Breakbulk Americas Conference in an amount not to exceed \$55,000.

Leases

2. Approve a third amendment to the Lease Agreement with Terminal Link Texas, LLC for an additional three- year term for approximately 1,394 sq. ft. in the Berth 5 Stevedore Support Building in Harris County, effective no earlier than October 1, 2021, at an annual base rent of \$45,708, and subject to an annual increase of 3%.

3. Approve a lease agreement for a ten-year term with Conestoga Supply, LLC for approximately 106,813 sq. ft. out of the Port Authority's Block 22 of Building 50 in Industrial Park East in Harris County, effective no earlier than August 1, 2021, at an annual base rent of \$192,263.40, subject to an annual increase of the greater of 3% or increase in the Consumer Price Index.

H. FINANCE

General

1. Authorize the Port Authority to (a) plan and prepare for the future issuance of revenue bonds for long-term financing to fund a portion of the Port Authority's share of Project 11 construction costs; (b) appoint PFM Financial Advisors LLC as financial advisor, and Siebert Williams Shank & Co., LLC (senior manager), Academy Securities, Inc., Morgan Stanley, Raymond James & Associates, Inc., and RBC Capital Markets, LLC as underwriters, to assist in the bond issuance; (c) appoint Orrick, Herrington & Sutcliffe LLP as bond counsel, West and Associates, L.L.P. as co-bond counsel, Bracewell LLP as disclosure counsel, and Hardwick Law Firm, LLC as co-disclosure counsel; and (d) prepare documentation authorizing the issuance of revenue bonds.

2. Authorize the Port Authority to (a) negotiate a renewal or new flexible rate revolving note programs or such other debt financing agreements with financial institutions for such amounts and terms as deemed necessary or advantageous, with all proposed debt financing subject to final approval by the Port Commission (b) engage Masterson Advisors LLC as financial advisor with advisory, fees not to exceed \$150,000, (c) approve reimbursement to financial institution for upfront costs associated with the financing arrangement not to exceed \$150,000, and (d) engage credit rating agencies at a cost not to exceed \$225,000 to obtain ratings for the new financing as may be necessary.

3. Adopt an amended investment policy for the Port of Houston Authority Other Post-Employment Benefit (OPEB) Plan, an irrevocable trust established for other post-employment benefits.

4. Adopt an amended investment policy for the Port of Houston Authority Restated Retirement Plan (Pension Plan).

5. Approve Pacific Life Funds Advisors as new investment manager for the Port of Houston Authority Restated Retirement Plan (Pension Plan) and the Port of Houston Authority Other Post-Employment Benefit (OPEB) Plan.

I. INFRASTRUCTURE

Awards, Amendments & Change Orders

1. Approve staff's ranking of vendors and award a two-year environmental consulting agreement in an amount not to exceed \$100,000 for the monitoring and maintenance of the Bayport Container Terminal sound monitoring system to the top ranked proposer: staff ranking - first, SLR International Corporation; and second, Collaboration in Science and Technology, Inc dba CSTI Acoustics.

2. Approve staff's ranking of vendors and award a construction contract to Four Seasons Development Company for the annual perimeter security fence replacement at Turning Basin Terminal for 2021 in an amount not to exceed \$201,000.

3. Amend the professional services contract with AECOM Technical Services, Inc. to perform services for rehabilitation and repair design of Wharf Nos. 20, 21, 24, 25, and 26 at Turning Basin Terminal in an amount not to exceed \$1,286,829.

4. Approve a change order with Archer Western Construction, LLC. to perform additional work associated with the expansion of gate facilities at Barbours Cut Terminal in an amount not to exceed \$133,500.

General

5. Approve the purchase of supplies needed by the U.S. Coast Guard to relocate channel markers to be removed during dredging of the segment of the Houston Ship Channel included in Contract Package 3/4a in an amount not to exceed \$100,000.

6. Enter into a Memorandum of Understanding and temporary license with the U.S. Army Corps of Engineers for the placement of maintenance dredged material from berths at the Bayport Container Terminal into a federally managed dredged material placement area for \$582,800 and approve any over dredge cost at \$3.76 per cubic yard in an amount not to exceed \$116,560.

Permits/Licenses/Pipeline Easements

7. Approve the renewal of the following expiring Port Authority licenses for new ten-year terms: ExxonMobil Pipeline Company and Targa Downstream LLC.

8. Issue a marine construction permit to and approve a private adjacency barge fleeting lease agreement with Turn Services, LLC for approximately 16.39-acres of submerged lands in the Alexander Island Barge Channel at a monthly rental amount of \$4,917 for a ten-year term.

J. OPERATIONS

Awards, Amendments & Change Orders

1. Award a gate-ticket printing contract to Southland Printing Company for a term of five years to supply 50,000,000 gate interchange cards for Barbours Cut Terminal and Bayport Container Terminal in an amount not to exceed \$425,000.

2. Approve staff's ranking of vendors and award a two-year contract in an amount not to exceed \$400,000 to perform occupational and safety inspection services for equipment at Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal to the top-ranked proposers: staff ranking - first, Pattie Services, LLC dba Patriot Specialty Services; and second, Kempco Inspection Services, Inc.

3. Award a two-year contract to Southern Tire Mart for the purchase of miscellaneous tires for trucks, passenger vehicles, and yard tractors at Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal in an amount not to exceed \$800,000.

4. Award a three-year contract to Cole Technology for the purchase of new and repaired J.R. Merritt master control switches for wharf and rubber-tyred gantry cranes at Barbours Cut Terminal and Bayport Container Terminal in an amount not to exceed \$350,000.

5. Award a two-year contract for preventative maintenance and inspection services to Vertiv Corporation, the sole source service provider, for Liebert Uninterruptible Power Supply batteries, static transfer switches, power distribution units, and monitoring products at Barbour's Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal in an amount not to exceed \$150,000.
6. Award an annual contract to AssetWorks, LLC, the sole source provider, for software maintenance, support, and extended hardware warranty of Fleet Focus M5, Enterprise Asset Management System, and Fuel Focus software, the Port Authority's fueling and fleet management system, in an amount not to exceed \$80,000.
7. Award a three-year contract to Yard Mule Specialists, Inc., the sole source provider, for purchase of spare and replacement Capacity brand parts for yard tractors at Barbour's Cut Terminal and Bayport Container Terminal in an amount not to exceed \$250,000.
8. Issue a purchase order to Siddons Martin Emergency Group, LLC for the purchase of one Ford F-350 Rescue HAZMAT Truck, using the Houston-Galveston Area Council Cooperative Purchasing Program, in an amount not to exceed \$160,000.
9. Award a three-year contract to Automated Logic Contracting Services, Inc., the sole source provider, for maintenance and support of building automation systems at Bayport Container Terminal and Turning Basin Terminal in an amount not to exceed \$110,000.

K. PEOPLE

Awards, Amendments & Change Orders

1. Approve a professional services contract with IMC Culture, in an amount not to exceed \$145,500, to perform a Diversity, Equity, and Inclusion (DEI) assessment and assist staff to develop a DEI Plan in alignment with the Strategic Plan objective to foster a culture of diversity and inclusion, innovation, and open communication.
2. Authorize approval of a multi-year program and funding for the development and improvement of parks and green spaces in East Harris County in a total amount not to exceed \$1,000,000 and authorize the Community Relations Committee to review staff recommendations and approve awards under this program.

L. PORT SECURITY AND EMERGENCY OPERATIONS

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1. No items.

M. TECHNOLOGY

Awards, Amendments & Change Orders

1. Approve the purchase of annual software subscription and support services for Cognos budgeting software from Mark III Systems, Inc., using a State of Texas Department of Information Resources cooperative purchase contract, for one year in an amount not to exceed \$104,822.
2. Approve the purchase of annual software subscription and support services for ManageEngine Service Desk ticketing software from CDWG LLC, using a State of Texas Department of Information Resources cooperative purchase contract, for one year in an amount not to exceed \$60,000.

3. Issue a purchase order to Solid Border Inc. for purchase of select updated firewalls along with software, subscriptions, and maintenance for all Port Authority firewalls at each Port Authority location, using Local Government Purchasing Cooperative's BuyBoard, a cooperative purchase program, in an amount not to exceed \$150,000.
4. Issue a purchase order to Prescriptive for purchase of the annual hardware maintenance and support for the Port Authority's NetApp data storage environment, using the Texas Department of Information Resources cooperative purchase program, in an amount not to exceed \$170,000.
5. Issue a purchase order to CDWG LLC for purchase of Absolute software and service that monitors the location of the Port Authority's laptops and tablets, and ensures they are trackable and protected, using the National Intergovernmental Purchasing Alliance, a cooperative purchase program, in an amount not to exceed \$95,000 for a five-year term.
6. Issue a purchase order to Critical Start for purchase of Mimecast annual software licensing and software support to the Port Authority's existing Information Technology infrastructure, using Texas Department of Information Resources' cooperative purchase program, in an amount not to exceed \$74,000.

N. RECESS OPEN MEETING AND CONVENE EXECUTIVE SESSION

1. Consultation with Attorneys (Section 551.071, Texas Open Meetings Act), including consultations regarding (a) City of Richmond v. J.A. Croson Company, 488 U.S. 469 (1989), Adarand Constructors, Inc. v. Peña, 515 U.S. 200 (1995), and Texas Government Code Chapter 2254, Professional and Consulting Services, and (b) proposed agreements or amendments to agreements for legal services with Ahmad, Zavitsanos, Anaipakos, Alavi & Mensing P.C., Bracewell LLP, Orrick, Herrington & Sutcliffe LLP, West and Associates, L.L.P., and Hardwick Law Firm, LLC.
2. Real Estate (Section 551.072, Texas Open Meetings Act), including deliberations regarding disposition including (a) leasing of Scott Bay submerged lands and (b) disposition of Barbours Cut Terminal and Beltway 8 vicinity properties
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

O. RECONVENE OPEN MEETING

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

P. ADJOURN MEETING

1. Next Meeting Requested - September 29, 2021
2. Adjourn Port Commission Meeting