

July 28, 2022

**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, August 2, 2022. 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.



The **Business Equity Committee** meeting will begin once the Port Commission meeting adjourns.

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

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**Tuesday, August 2, 2022**  
**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 - June 17, 2022
2. Port Commission Public Meeting - June 28, 2022

**D. STAFF REPORTS**

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1. Summary of selected financial and operational matters

**E. APPEARANCES**

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1. Michael Zhang, Co-founder of Enviroeener Engineering Consulting
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 professional services contract to Drewry Shipping Consultants Limited to study federal maintenance funding for the Houston Ship Channel system in an amount not to exceed \$90,000.

**Leases**

2. Declare as surplus and authorize the donation of approximately 20.5 gross acres, out of the Harris & Wilson Survey, to the City of Houston for the development of a park and other public uses.

**G. BUSINESS EQUITY**

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1. No items.

## **H. COMMERCIAL**

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

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### **Leases**

1. Approve a lease for a one-year term with a one-year mutual renewal option with Cooper/Ports America, LLC for approximately 3.80 acres out of Block 6 at Northside Turning Basin, effective no earlier than September 1, 2022, at an annual base rent of approximately \$144,780, subject to annual base rent escalation of the greater of 3% or the increase in the Consumer Price Index, upon the exercise of the one-year mutual renewal option.
2. Approve a lease for a one-year term with a one-year mutual renewal option with Cooper/Ports America, LLC for approximately 8.04 acres out of Block 25 at Industrial Park East, effective no earlier than September 1, 2022, at an annual base rent of approximately \$323,400, subject to annual base rent escalation of the greater of 3% or the increase in the Consumer Price Index, upon the exercise of the one-year mutual renewal option.
3. Approve a lease for a one-year term with a one-year mutual renewal option with Cooper/Ports America, LLC for approximately 1.90 acres out of Block 9A at Northside Turning Basin, effective no earlier than September 1, 2022, at an annual base rent of approximately \$51,619, subject to annual base rent escalation of the greater of 3% or the increase in the Consumer Price Index, upon the exercise of the one-year mutual renewal option.
4. Ratify the extended term of a month-to-month lease with R. Warehousing & Port Services, Inc., commencing September 10, 2022, for approximately 11.83 acres out of Blocks 33 and 33A at Industrial Park East, at an annual base rent of approximately \$514,879.
5. Approve (i) an amendment to the lease with the City of Galena Park for approximately 203.79 acres out of the east side of the Clinton site in the Ezekiel Thomas Survey, A-73, to extend the term for five years, effective no earlier than September 1, 2022, at an annual base rent of approximately \$3,600, and (ii) consent to extend its sublease to Galena Park Riding Club for five years, to run conterminously with the extended term of the lease.
6. Approve an amendment to the lease with Cooper/Ports America, LLC for approximately 5.18 acres out of Block 11 at Northside Turning Basin to extend the term for three years, effective no earlier than September 1, 2022, at an annual base rent of approximately \$271,432, subject to annual base rent escalation of the greater of 3% or the increase in the Consumer Price Index.
7. Approve an amendment to the lease with Cooper/Ports America, LLC for approximately 1.62 acres out of Block 6A at Northside Turning Basin to extend the term for three years, effective no earlier than September 1, 2022, at an annual base rent of approximately \$69,460, subject to annual base rent escalation of the greater of 3% or the increase in the Consumer Price Index.
8. Approve a lease for a six-year term with Cooper/Ports America, LLC for approximately 4.34 acres out of Block 8A at Northside Turning Basin, effective no earlier than August 3, 2022, at an annual base rent of approximately \$91,869, with an annual abatement resulting in annual net base rent of approximately \$27,560, subject to (i) annual base rent escalation of the greater of 3% or the increase in the Consumer Price Index, and (ii) cumulative abatement not exceeding \$500,000.

9. Approve a lease for a six-year term with Cooper/Ports America, LLC for approximately 7.94 acres out of Block 7 at Northside Turning Basin, effective no earlier than August 3, 2022, at an annual base rent of approximately \$168,073, with annual abatement resulting in annual net base rent of not less than approximately \$50,422, subject to (i) annual escalation of the greater of 3% or the increase in the Consumer Price Index, and (ii) cumulative abatement not exceeding \$1,000,000.

## **I. FINANCE**

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

### ***General***

1. Approve the formation of a pool for selection of a transition management firm following termination of an investment manager for the Port of Houston Authority Restated Retirement Plan (Pension Plan) and Other Post-Employment Benefit Plan (OPEB Plan) assets comprised of Abel Noser LLC, BTIG, LLC, Capital Institutional Services, Inc., and Loop Capital Markets LLC.
2. Adopt a revised Investment Policy for Port Authority funds, including operating, project, debt service, and debt service reserve funds, and approve the Port Authority's revised Internal Controls for Investments.
3. Approve assignment of the investment management agreement with Smith Graham Investment Advisors, L.P. to Loop Capital Asset Management-TCH, LLC, for the management of a fixed income assets portfolio for the Port of Houston Authority Restated Retirement Plan (Pension Plan).

## **J. 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 construction contract in an amount not to exceed \$3,994,800 for a new fender system at Wharf 1 at Turning Basin Terminal to the top-ranked proposer: staff ranking - first, Forde Construction Company, Inc.; and second, McCarthy Building Companies, Inc.
2. Approve staff's ranking of vendors and award a construction contract in an amount not to exceed \$4,997,384.90 to construct a 14.5 acre interim container storage facility for redevelopment of the west end of Barbours Cut Terminal to the top-ranked proposer: staff ranking - first, Rigid Constructors, LLC.; second, McCarthy Building Companies, Inc.; and third, Satterfield & Pontikes Construction, Inc.
3. Approve staff's ranking of vendors and award a professional services contract in an amount not to exceed \$60,000 to perform construction material testing during the construction of a 14.5 acre interim container storage facility for redevelopment of the west end of Barbours Cut Terminal to the top-ranked proposers: staff ranking - first, Ninyo & Moore Geotechnical and Environmental Sciences Consultants; second, HVJ Associates, Inc.; and third, Terracon Consultants, Inc.
4. Approve staff's ranking of vendors and award a construction contract in an amount not to exceed \$3,468,671 for the rehabilitation and repair of Wharves 47, 48, and 1E at South Turning Basin Terminal to the top-ranked proposer: staff ranking - first, Russell Marine LLC; and second, MB Western Industrial Contracting Co.

5. Approve staff's ranking of vendors and award a professional services contract in an amount not to exceed \$70,000 to perform construction material testing for the rehabilitation and repair of Wharves 47, 48, and 1E at South Turning Basin Terminal to the top-ranked proposers: staff ranking - first, HVJ Associates, Inc.; second, Terracon Consultants, Inc.; and third, Braun Intertec Corporation.

6. Approve staff's ranking of vendors and award a construction contract in an amount not to exceed \$30,958,000 for the construction of Container Yards 4 North and 5 North of the reconstruction of 87 acres of container yards at Barbours Cut Terminal to the top-ranked proposer: staff ranking - first, McCarthy Building Companies; second, Archer Western Construction; and third, Satterfield & Pontikes, Inc.

7. Approve staff's ranking of vendors and award a professional services contract in an amount not to exceed \$450,000 to perform construction material testing during the construction of Container Yards 4 North and 5 North of the reconstruction of 87 acres of container yards at Barbours Cut Terminal to the top-ranked proposers: staff ranking - first, Aviles Engineering; second, Ninyo & Moore; and third, Terracon.

8. Amend the services agreement with Avison Young-Texas LLC, to perform additional work associated with analysis and design support for evaluation and possible construction of a new Executive Office Building in an amount not to exceed \$353,430.

9. 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 a net amount of \$60,841.

10. Authorize a month-to-month lease with 2Plus of Texas, Inc. dba STAR to lease vans under the Houston-Galveston Area Council METROVan Program for an additional one-year period and for an additional amount not to exceed \$35,000.

11. Authorize payment to the U.S. Army Corps of Engineers under the Memorandum of Agreement pursuant to Section 214 of Public Law 106-541 to expedite the evaluation of Port Authority permit applications for approximately one year for \$50,000.

### ***General***

12. Authorize restriction of a 100-foot by 7,350-foot tract of Port Authority railway right-of-way property to commercial/industrial use and plume management zone requirements, at the request of Shell Oil Company and Deer Park Refinery and as required by the Texas Commission on Environmental Quality, and authorize an agreement related thereto with such entities.

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

13. Issue a transmission line license to Comcast Cable Communications Management, LLC for a fiber optic cable line crossing Turning Basin property along High Level Road.

## **K. 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 two-year contract in an amount not to exceed \$900,000 for mowing services and landscape maintenance for Turning Basin Terminal to the top-ranked proposers: staff ranking - first, Yellowstone Landscape; second, Paige Management, LLC; and third, Ambassador Services, LLC.
2. Approve staff's ranking of vendors and award a contract in the amount not to exceed \$65,270,796 for the purchase of twenty-six electric container yard cranes for Barbours Cut Terminal and Bayport Container Terminal to the top-ranked proposer: staff ranking - first, Konecranes Finland Corporation; and second, Shanghai Zhenhua Heavy Industries Co., Ltd. (ZPMC).
3. Approve staff's ranking of vendors and award a contract in the amount not to exceed \$40,950,000 for the purchase of three dockside electric container cranes for Wharves Nos. 2, 5, and 6 at Bayport Container Terminal to the top-ranked proposer: staff ranking - first, Shanghai Zhenhua Heavy Industries Co., Ltd. (ZPMC); and second, Konecranes Finland Corporation.
4. Approve staff's ranking of vendors and award a two-year contract in an amount not to exceed \$650,000 for maintenance and repair of elevators at Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal to the top-ranked proposer: staff ranking – first, RICO Elevators, Inc.; second, Elevators of Beaumont (Stark Business Ventures); and third, Hoist and Crane Service Group.
5. Award a two-year contract to Apache Oil Company for the purchase of miscellaneous filters for terminal equipment at Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal in the amount not to exceed \$500,000.
6. Enter into a two-year Interlocal Agreement with Gulf Coast Authority for industrial wastewater treatment at Bayport Container Terminal in an amount not to exceed \$200,000.
7. Award a three-year contract to Mi-Jack Products, Inc., the sole source provider, for purchase of parts and services for hybrid crane systems at Barbours Cut Terminal in an amount not to exceed \$150,000.
8. Award a three-year contract to United Rentals, Inc. for the rental of emergency power generation for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal, using a Sourcewell cooperative purchase program contract, in an amount not to exceed \$300,000.
9. Authorize a two-year agreement for preferential berthing rights at the Port Authority's North Side Turning Basin Terminal with G2 Ocean Holding AS.

### **General**

10. Approve an amendment to the thirty-year lease with Texas Stevedoring Services, LLC, to increase the acreage of the interim leased premises thereunder.



11. Approve (i) a chassis lease with North American Chassis Pool Cooperative LLC (NACPC) as lessor for a five-year term for 200 chassis with total base rent not to exceed \$1,806,750, and (ii) a chassis lease with Interpool, Inc. dba TRAC Intermodal as lessor for a two year term for 213 chassis with a total base rent not to exceed \$699,705.

## **L. PEOPLE**

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1. No items.

## **M. 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. Issue a purchase order to NRT Sales LLC for purchase of a restroom trailer through the United States General Services Administration, in an amount not to exceed \$70,000.
2. Authorize the execution of a reimbursable agreement with the U.S. Department of Commerce, National Oceanic and Atmospheric Administration, for the enhancement, management, operation, maintenance, and repair of the Houston- Galveston Physical Oceanographic Real-Time System, for a five-year period in an amount not to exceed \$598,986, and a net additional expenditure of \$481,584.

## **N. TECHNOLOGY**

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

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

1. Approve the purchase of annual software subscription and support services for Sterling electronic data interchange software from Soal Technologies, using a State of Texas Department of Information Resources cooperative purchase contract, in an amount not to exceed \$54,983.
2. Approve the purchase of annual software subscription and support services for Cognos budgeting software from Soal Technologies Company, using a State of Texas Department of Information Resources cooperative purchase contract, in an amount not to exceed \$105,450.
3. Issue a purchase order to Xennex LLC for renewal of Infoblox maintenance to provide network-related functionality using Texas Department of Information Resources' cooperative purchase program, in an amount not to exceed \$66,000.
4. Issue a purchase order to Mythics, Inc. for purchase of the annual software license verification fee for JDEdwards Enterprise Resource Planning software, using Texas Department of Information Resources cooperative purchase program, in an amount not to exceed \$241,429.
5. Issue a purchase order to Solid Border Inc. for purchase of select updated firewalls along with software, subscriptions, and maintenance for firewalls, using Local Government Purchasing Cooperative's BuyBoard, a cooperative purchase program, in an amount not to exceed \$195,000.
6. Issue a purchase order to Critical Start for purchase of Mimecast annual software licensing and software support, using Texas Department of Information Resources' cooperative purchase program, in an amount not to exceed \$77,000.

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

1. Consultation with Attorneys (Section 551.071, Texas Open Meetings Act), including consultations regarding proposed amendment to the agreement for legal services with Best Best & Krieger LLP
2. Real Estate (Section 551.072, Texas Open Meetings Act)
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), including deliberations regarding public employees
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

**P. RECONVENE OPEN MEETING**

1. Announce any items from Executive Session requiring Port Commission action
2. Regular Code of Ethics training and review

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

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

**R. ADJOURN MEETING**

1. Next Meeting Requested - September 27, 2022
2. Adjourn Port Commission Meeting