

**MEMORANDUM**

Legal Division



Date: February 27, 2019

To: Lisa Ashley  
Bruce Birdwell  
Chris Brown  
Maxine Buckles  
Rich Byrnes  
Trae Camble  
Yvette Camel-Smith  
Spencer Chambers  
Jeff Davis  
Curtis Duncan  
Ron Farrow  
Tim Finley  
Mark Griffin  
Roger Guenther  
Tom Heidt  
Leslie Herbst  
Roger Hoh  
Lindsay Hook  
Charlie Jenkins

Bruce Mann  
Ryan Mariacher  
John Moseley  
Gilda Ramirez  
Mike Shaffner  
Jessica Shaver  
Alex Skinner-Klee  
Mark Smith  
Paulo Soares  
Randy Stiefel  
Dominic Sun  
RD Tanner  
Jessica Thomas  
Charles Thompson  
Mark Vincent  
Roger Walter  
Marcus Woodring  
Ramon Yi

From: Erik Eriksson

Subject: Minute Numbers/Port Commission Meeting, dated February 26, 2019

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Minute No.                      Amount                      Event/Action  
**General**

Chairman Campo convened the meeting of the Port Commission and welcomed everyone

Chairman Campo recognized Felix Chevalier, representing the International Committee for the Houston Livestock Show and Rodeo, who introduced José Ramón Cabañas Rodríguez, Ambassador of the Republic of Cuba to the U.S. Embassy of Cuba, who addressed the Port Commission

Chairman Campo provided opening remarks

<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
<b>Minutes</b>		
2019-0226-01		Approve the minutes of the January 29, 2019 Port Commission meeting
<b>Appearances</b>		
2019-0226-02		Chairman Campo confirmed that no one had registered to address the Port Commission
<b>Staff Reports</b>		
2019-0226-03		Roger Guenther, Executive Director, presented a summary of selected financial and operations matters
<b>G. Executive</b>		
2019-0226-04		Deliberation regarding measures to minimize or prevent impacts to traffic on the Houston Ship Channel
2019-0226-05		Deliberation regarding Port Commission committees and task forces, including their activities, the establishment of additional committees or task forces, and appointment and approval of committee and task force chairs and members
<b>H. Commercial</b>		
<b>Staff Report – selected agenda items – Tom Heidt, Chief Operating Officer</b>		
2019-0226-06		Approve, effective March 1, 2019 (i) fees for legal and administrative work requested by Port Authority tenants and other users and operators for certain lease or agreement-related actions, of \$1,650 for up to the first 10 work hours and \$225 for each additional hour, and (ii) fees for temporary licenses and rights-of-way of \$550 per month
2019-0226-07		Approve amendments to a 0.1815-acre surface easement and a 0.67-acre aerial easement for electrical transmission, distribution, and communication facilities held by CenterPoint Energy Houston Electric, LLC, in connection with its existing surface and aerial easement at the north side of the Port Authority's North L Street property

<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
2019-0226-08		Approve a lease agreement with Houston International Seafarers Centers, Inc. for an approximate 5,810 square foot office building located on 1.1766 acres at the Barbours Cut Terminal, effective March 1, 2019 for a one-year term, at an annual rental of \$10 per year
2019-0226-09		Approve the fifth amendment to the Ridge POH I, LLC lease to commence its construction period with a 3% increase in monthly rent to \$9,614 subject to tenant's six-month option to cancel
2019-0226-10		Amend the lease with Hansen-Mueller Company of 17.03 acres, including the Houston Public Elevator No. 1, at the Turning Basin Terminal to extend the term for an additional five years, commencing no earlier than July 1, 2019, at an annual rental of \$552,428, subject to annual increase of the greater of 3% or the increase in the Consumer Price Index
<b>I. Finance</b>		
<b>Staff Report – selected agenda items – Tim Finley, Chief Financial Officer</b>		
2019-0226-11		Authorize advertisement and receipt of responses for three formal procurements
2019-0226-11(a)		Request for proposals to purchase and install one generator for Turning Basin Fire Station
2019-0226-11(b)		Request for proposals for the purchase of one hydro-graphic survey vessel
2019-0226-11(c)		Request for proposals for professional services for procurement of electricity with renewable energy
2019-0226-12		Award a contract to Branch Banking and Trust Company (BB&T) for depository banking services for a four-year period, commencing on or about March 1, 2019
2019-0226-13	\$1,750,000	Authorize funding of the Port Authority's self-insurance loss fund account for workers' compensation and liability claims for insurance year 2019-2020, and authorize its third-party claims administrator to pay claims from such account in accordance with the Amended Insurance Program and Indemnification Policy dated February 2018

<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
2019-0226-14	\$139,500	Authorize renewal of the agreement with McGriff, Seibels & Williams of Texas, Inc. to serve as the Port Authority's Property and Casualty Insurance Broker of Record for an additional one-year period beginning July 1, 2019
<b>J. Infrastructure</b>		
<b>Staff Report – selected agenda items – Rich Byrnes, Chief Infrastructure Officer</b>		
2019-0226-15		Reject and re-advertise for competitive sealed bids for the relocation of communications infrastructure along Peninsula Boulevard at Jacintoport Terminal
2019-0226-16	\$24,298,500	Approve staff's ranking of vendors and award a construction contract for the rehabilitation of Container Yard 1 North and Container Yard 2 North at Barbours Cut Terminal to the top-ranked proposers: staff ranking – first, McCarthy Building Companies, Inc.; second, Orion Industrial Construction, LLC; and third, Pulice Construction, Inc.  Port Commission adopted the staff-recommended ranking and authorized award
2019-0226-17	\$410,000	Approve staff's ranking of vendors and award a professional services contract to perform construction material testing services during the rehabilitation of Container Yard 1 North and Container Yard 2 North at Barbours Cut Terminal to the top-ranked proposer – first, Aviles Engineering Corp.; second, Terracon; and third, Fugro USA Land, Inc.  Port Commission adopted the staff-recommended ranking and authorized award
2019-0226-18	\$131,382	Amend the professional services contract with BGE, Inc. to perform construction phase services associated with the rehabilitation of Container Yard 1 North and Container Yard 2 North at Barbours Cut Terminal
2019-0226-19	\$5,632,125	Approve staff's ranking of vendors and award a contract for renovation of the Executive Office Building at the Turning Basin Terminal, to the top-ranked proposers: staff ranking – first, Housing and Land Development Corporation dba

<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
		IKLO Construction; second, Gadberry Construction; and third, Centennial Constructors Enterprise
		Port Commission adopted the staff-recommended ranking and authorized award
2019-0226-20	\$1,000,000	Issue a purchase order to OFS Brands-Agile Interiors for the purchase of office furniture in connection with the renovation of the Executive Office Building, using the National Intergovernmental Purchasing Alliance through The Cooperative Purchasing Network, a cooperative purchasing program
2019-0226-21	\$372,505	Award a construction contract to Electra Link, Inc. for Information Technology improvements in connections with renovation of the Executive Office Building, using the Texas Department of Information Resources cooperative purchasing program
2019-0226-22	\$1,502,368	Award a construction contract to Forde Construction Company, Inc. for annual pavement replacement at Barbours Cut and Bayport Container Terminals in 2019
2019-0226-23	\$784,760	Award a construction contract to Jerdon Enterprise L.P. for annual concrete replacement at Turning Basin Terminal in 2019
2019-0226-24	\$651,470	Award a construction contract to Bryant Industries for the annual fender system maintenance at Barbours Cut and Bayport Container Terminals in 2019
2019-0226-25	\$61,622	Approve a change order to Forde Construction Company, Inc. to perform additional work associated with the repair of deck and backup pavement at Wharf Nos. 1, 2, and 3 at Jacintoport Terminal
2019-0226-26	\$71,587	Enter into an Interlocal Agreement with Harris County to provide wage rate compliance services for a one-year term
2019-0226-27	\$12,500,728	Enter into an agreement with Praxair, Inc. for relocating pipelines at Bayport Container Terminal
2019-0226-28		Issue a pipeline license to Magellan Pipeline Company, L.P. for one 20-inch refined product pipeline under and across

<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
		the Seymore Track, Northside Mainline railroad right-of-way and Magellan Spur Track right-of-way
2019-0226-29		Amend a pipeline license to MVP Terminalling LLC to add a 20-inch refined products pipeline across the Southside Mainline railroad right-of-way

**K. Operations**

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

2019-0226-30	\$300,000	Award a contract to Applied Industrial Technologies, Inc. for purchase of machinery components for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal
2019-0226-31	\$2,900,000	Award a contract to Wesco Distribution, Inc. for purchase of LED lighting for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal
2019-0226-32		Approve an amendment to the long-term Lease Agreement with Houston Terminal, LLC for an Empty Container Depot at Bayport Container Terminal
2019-0226-33		Ratify a month-to-month lease with Houston Terminal, LLC for approximately 15.75 acres at Bayport Container Terminal at the current monthly rental of \$132,950.72, subject to change upon adjustment of Port Authority month-to-month lease rates
2019-0226-34		Approve the change of control of Ceres Gulf, Inc. from NYK Energy Transport (USA), Inc., as current owner of 51% indirect ownership interest in Ceres Gulf, Inc., to MIP III Bluefin B Holdco, L.P., in connection with three leases at the Barbours Cut Container Terminal and the Turning Basin

**L. People**

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

2019-0226-35	\$85,000	Approve a professional services contract with ICF SH&E, Inc. to update the Port Authority Strategic Plan and provide
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Minute No.

Amount

Event/Action

strategic planning services

**M. Port Security and Emergency Operations (no items)**

**N. Technology (no items)**

**O. Recess Open Meeting and Convene Executive Session**

**P. Reconvene Open Meeting**

2019-0226-36

Motion to authorize the Port Authority to amend its agreement for legal services with Ewell, Brown, Blanke & Knight LLP on the terms discussed in Executive Session, and to authorize the Executive Director to do all things necessary to give effect to the foregoing

**Q. Adjourn Meeting**

NEXT MEETING REQUESTED

March 26, 2019

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