

**MEMORANDUM**

Legal Division



Date: December 9, 2020

To: Christine Abbruscato  
Lisa Ashley  
Chris Brown  
Lori Brownell  
William Buck  
Maxine Buckles  
Rich Byrnes  
Trae Camble  
Yvette Camel-Smith  
Jeff Davis  
Curtis Duncan  
Norma Essary  
Ron Farrow  
Tim Finley  
Roland Gonzalez  
Roger Guenther  
Tom Heidt  
Kerrick Henny  
Leslie Herbst

Roger Hoh  
Charlie Jenkins  
David Jochnau  
Garry McMahan  
Bruce Mann  
Ryan Mariacher  
John Moseley  
Gilda Ramirez  
Mike Shaffner  
Jessica Shaver  
Mark Smith  
Paulo Soares  
Randy Stiefel  
Dominic Sun  
RD Tanner  
Jessica Thomas  
Charles Thompson  
Roger Walter  
Marcus Woodring

From: Erik Eriksson

Subject: Minute Numbers/Port Commission Meeting, dated December 8, 2020

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Minute No.                      Amount                      Event/Action

**General**

Chairman Campo convened the virtual Port Commission meeting and provided opening remarks

**Minutes**

2020-1208-01                      Approve the minutes of the October 27, 2020 Port Commission meeting

**Staff Reports**

2020-1208-02                      Roger Guenther, Executive Director, presented a summary of selected financial and operational matters

<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
<b>Appearances</b>		
2020-1208-03(a)		Chairman Campo recognized Commissioner Rodney Ellis, Harris County Precinct 1, who addressed the Port Commission
2020-1208-03(b)		Chairman Campo recognized Council Member Robert Gallegos, Houston City Council District I, who addressed the Port Commission
2020-1208-03(c)		Chairman Campo introduced Commissioner Roland Garcia, Board of Pilot Commissioners for Harris County Ports, who addressed the Port Commission
2020-1208-03(d)		Chairman Campo introduced Dr. Elena Craft, Environmental Defense Fund, who addressed the Port Commission
2020-1208-03(e)		Chairman Campo introduced Rodney Strong, Project Executive, Griffin & Strong P.C., who addressed the Port Commission and introduced Michele Clark-Jenkins, Project Manager, who presented the findings and recommendations of the Port of Houston Authority 2020 Disparity Study
2020-1208-03(f)		Chairman Campo recognized Ingrid Robinson, President, Houston Minority Supplier Development Council, who addressed the Port Commission
2020-1208-03(g)		Chairman Campo recognized Nannette Ray, MBEIC (MBE Input Committee) Chair, Houston Minority Supplier Development Council, who addressed the Port Commission
2020-1208-03(h)		Chairman Campo recognized Terence Narcisse, Executive Director, East Harris County Empowerment Council, who addressed the Port Commission
<b>Executive</b>		
2020-1208-04		Chairman Campo recognized Mr. Heidt to provide a report of selected Executive Division agenda items
2020-1208-05	\$65,000	Approve the Port Authority's membership in the National Association of Waterfront Employers and payment of dues for a period of one year

<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
2020-1208-06	\$90,000	Enter into a service agreement with the Greater Houston Port Bureau, Inc. to provide vessel traffic movement data (real-time and historical) for a one-year period in the amount of \$80,000, and subscribe to HarborLights for twenty-five users in the amount of \$10,000
2020-1208-07		Approve and adopt the proposed Internal Audit 2021 Annual Audit Plan.
2020-1208-08		Authorize an amendment to the Amended Interlocal Agreement with the Board of Pilot Commissioners for Harris County Ports to provide for limited services
<b>Commercial</b>		
2020-1208-09		Chairman Campo recognized Mr. Heidt to provide a report of selected Commercial Division agenda items
2020-1208-10		Approve a one-year lease with R. Warehousing & Port Services, Inc. for approximately 8.32 acres at Northside Turning Basin effective no earlier than January 1, 2021, at an annual rent of \$193,789
2020-1208-11		Approve a sixth amendment to the Lease Agreement with SESCO Cement Corp. for approximately 20.14 acres out of the Turning Basin West to extend the original lease term from thirty-one years and six months to fifty years, effective January 1, 2021, at an annual rent of \$396,455 subject to annual base rent escalation of the Consumer Price Index not to exceed 4%
2020-1208-12		Authorize the extended term of a month-to-month lease with R. Warehousing & Port Services, Inc. for approximately 2 acres out of the Northside Turning Basin effective no earlier than January 1, 2021 with a 3% annual increase on an existing month-to-month premium rate for an annual rent of \$91,142
<b>Finance</b>		
2020-1208-13		Chairman Campo recognized Mr. Heidt to provide a report of selected Finance Division agenda items
2020-1208-14	\$1,505,000	Authorize payment to the Harris County Appraisal District for appraisal services to be provided to the Port Authority

<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
		for fiscal year 2021 in an amount not to exceed \$405,000, and authorize payment to the Harris County Tax Assessor-Collector for collection services for the 2020 tax year in an amount not to exceed \$1,100,000
2020-1208-15		Acknowledge receipt and filing of the revised report regarding the Port of Houston Authority Restated Retirement Plan prepared by AndCo Consulting LLC, an independent investment consultant, as required by Texas Government Code Sec. 802.109
2020-1208-16		Approve the actuarial valuation report dated as of August 1, 2020 for the Port of Houston Authority Restated Retirement Plan (Pension Plan)
2020-1208-17		Adopt an amended investment policy for the Port of Houston Authority Restated Retirement Plan (Pension Plan)
2020-1208-18		Adopt an amended investment policy for the Port of Houston Authority OPEB Plan, an irrevocable trust established for other post-employment benefits
2020-1208-19		<p>Authorize the Executive Director to develop a plan of action and program for the commission's consideration to address disparities in the participation of small-, minority-, and woman-owned businesses in Port Authority contracts.</p> <p>The proposed plan of action and program should address departmental responsibilities for, but not be limited to, the following:</p> <ul style="list-style-type: none"> <li>• Development of goals, objectives, and measurements;</li> <li>• Implementation guidelines;</li> <li>• Procurement and award of contracts;</li> <li>• Monitoring, administration, and accountability of these contracts;</li> <li>• Awareness and accessibility of the program and its administration.</li> </ul> <p>It should also include budget recommendations for proposed staffing, support, training, necessary technology investments, and timelines.</p>

**Infrastructure**

<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
2020-1208-20		Chairman Campo recognized Mr. Heidt to provide a report of selected Infrastructure Division agenda items
2020-1208-21	\$200,000	<p>Approve staff's ranking of vendors and award a two-year environmental consulting agreement for general environmental consulting services to the top-ranked proposer: staff ranking- first, Spirit Environmental, LLC; second, Terra Nova Consulting, Inc.; and third, InControl Technologies, Inc.</p> <p>Port Commission adopted the staff-recommended ranking and authorized award</p>
		RFP-1589
2020-1208-22	\$2,629,550	<p>Approve staff's ranking of vendors and award a professional services contract for the design of Wharf 7 at Bayport Container Terminal to the top-ranked proposers: staff ranking – first, Jacobs Engineering Group, Inc.; second, Hatch Associates Consultants, Inc.; and third, AECOM Technical Services, Inc.</p> <p>Port Commission adopted the staff-recommended ranking and authorized award</p>
2020-1208-23	\$600,000	Award a construction contract to AAA Asphalt Paving, Inc. for the annual pavement drainage and dust control work at Industrial Park East
		CSB-1655
2020-1208-24	\$75,000	Amend the professional services contract with HDR Engineering, Inc. for engineering services associated with the management of placement areas at Bayport Container Terminal
2020-1208-25	\$226,103	Approve a change order with McCarthy Building Companies, Inc. to perform additional work associated with the rehabilitation of Wharves 4 and 5 at Bayport Container Terminal
2020-1208-26	\$55,699	Approve a change order with Standard Constructors, Inc. to perform additional work associated with land development preparation south of Port Road at Bayport Container Terminal
2020-1208-27		Approve the renewal of the following expiring Port Authority licenses for new ten-year terms: ExxonMobil

<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
		Pipeline Company, South Tex 66 Pipeline Company, LTD, and Valero Refining-Texas, LP
2020-1208-28		Issue a marine construction permit to Russell Marine, LLC to dredge a 4.33-acre area in Old River
2020-1208-29		Issue a transmission line license to Comcast Cable Communications Management, LLC for one fiber optic cable line over the Port Terminal Railroad Association's Southside Mainline railroad right-of-way
2020-1208-30		Issue a pipeline license to Chevron Phillips Chemical Company LP for two 8-inch refined petroleum products pipelines under and across the Port Terminal Railroad Association's Southside Mainline railroad right-of-way
2020-1208-31		Amend a marine construction permit to CGBM Global LLC to modify the placement of two spud barges for the purpose of securing fleeting vessels and to rescind a previous authorization for the construction of a bulkhead, a 1.0-acre area of fill, installation of eight pilings, dredging to -8.0 feet Mean Lower Low Water, and the removal of approximately 27,000 cubic yards of dredged material in Old River
2020-1208-32		Amend a marine construction permit to CGBM Global LLC to modify the placement of one spud barge for the purpose of permitting a marine fueling and supply station, and increase the authorized dredge depth from -4.0 to -12.0 feet Mean Lower Low Water in Old River
2020-1208-33	\$1,000,000	Enter into a reimbursement agreement for design and permitting with Energy Transfer Operating L.P. related to pipeline relocated within Segment 1 of the Houston Ship Channel Expansion Channel Improvement Project at a total cost not to exceed \$2,000,000, for which the Port Authority would be responsible for one half, for a total amount not to exceed \$1,000,000
<b>Operations</b>		
2020-1208-34		Chairman Campo recognized Mr. Heidt to provide a report of selected Operations Division agenda items
2020-1208-35	\$400,000	Award a three-year contract to Johnson Controls Fire Protection LP, using the Texas Comptroller's Texas

<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
		Multiple Award Schedule contract, for the purchase of monitoring, inspection, repair services, and spare parts for fire alarm and suppression systems at Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal
2020-1208-36		Recommendation to issue Stevedore Licenses for one-year terms commencing January 1, 2021, to Agri American Stevedores, LLC; APS Stevedoring, LLC; BBM Terminals Corp.; Ceres Gulf, Inc.; Cooper/Ports America; Gulf Stream Marine, Inc.; Jacintoport International, LLC; Marine Terminal Corporation East; Richardson Stevedoring and Logistics Services, Inc.; Schroder Marine Service; Southern Stevedoring Co.; and Suderman Contracting Stevedores, Inc., upon each applicant's satisfactory completion of all requirements and obligations for license issuance
2020-1208-37		Reissue and amend Port Authority Tariff Nos. 8, 14, and 15 covering the Turning Basin Terminals, Barbours Cut Terminal, and Bayport Container Terminal, all effective on or around January 1, 2021 and a 3% increase in the Harbor Fee, such increase to be included and published in Port Authority Tariff No. 8 effective January 1, 2021
2020-1208-38		Amend the Freight Handling Assignment Agreements for terminal services at the Turning Basin Terminal to extend the term of the agreements through March 31, 2021
2020-1208-39		Amend the lease between Terminal Link Texas, LLC and the Port Authority to provide for a right of first refusal to lease a 22.36-acre site at Bayport Container Terminal
2020-1208-40		Hold steady any "Carrier's Commitment Discount Level" that would otherwise decrease for the six-month period beginning January 1, 2021, under Port Authority Marine Terminal Services Agreements
2020-1208-41		Authorize the amended Industrial Water Supply Agreement with the City of Pasadena
2020-1208-42	\$260,000	Rescind a purchase order with Carrier Enterprise, LLC, and issue a purchase order to Carrier Corporation for purchase and installation of two 150-ton chiller units for the Bayport Container Terminal's Administration and Maintenance & Repair buildings, using the Sourcewell cooperative purchase

<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
		program
		<b>People</b>
2020-1208-43		Chairman Campo recognized Mr. Heidt to provide a report of selected People Division agenda items
2020-1208-44	\$1,885,980	Authorize an agreement with Aetna Life Insurance Company to provide stop-loss insurance coverage for calendar year 2021 for the Port Authority's self-funded group medical benefit program for active employees, retirees who are not Medicare-eligible, and dependents
2020-1208-45	\$48,000	Authorize an amended agreement with Aetna Life Insurance Company to provide professional third-party administration services for the Port Authority's self-funded group medical benefit program for active employees, retirees who are not Medicare-eligible, and dependents for calendar year 2021
2020-1208-46	\$15,500,000	Authorize funding for calendar year 2021 for the payment of claims from the Port Authority's self-funded group medical benefit program for active employees, retirees who are not Medicare-eligible, and dependents
2020-1208-47	\$90,000	Enter into a one-year agreement with the Houston International Seafarers' Center to provide humanitarian services to seafarers whose vessels call at the terminals of the Port Authority, effective January 1, 2021
		<b>Port Security and Emergency Operations</b>
2020-1208-48		Chairman Campo recognized Mr. Heidt to provide a report of selected Port Security and Emergency Operations Division agenda items
2020-1208-49	\$690,950	Approve staff's ranking of vendors and award a two-year service contract for shipyard maintenance services of six Port Authority vessels to the top ranked proposer: staff ranking – first, Southwest Shipyard, L.P.; second, National Cotton Inc. dba Pier 77 Marine; and third, Marine TeKno Services, LLC
	CSP-1628	Port Commission adopted the staff-recommended ranking and authorized award



<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
2020-1208-50	\$226,259.25	Enter into a three-year governmental services contract with the City of La Porte Emergency Medical Service for emergency medical services
2020-1208-51		Renew a Memorandum of Understanding with the City of Houston for five years to provide closed Point of Dispensing Services in the event of a public health emergency
<b>Technology</b>		
2020-1208-52		Chairman Campo recognized Mr. Heidt to provide a report of selected Technology Division agenda items
2020-1208-53	\$3,100,000	Approve staff's ranking of vendors and award a security services contract in an amount not to exceed \$3,100,000 subject to potential Port Security grant reimbursement of \$450,000 for Security Operations Center (SOC), System Information and Event Management (SIEM), Threat Intelligence Platform (TIP), and Security Orchestration & Automated Response (SOAR) services payable over three years plus two one-year renewal options to the top-ranked proposer: staff ranking- first, Critical Start, Inc.; second, Red River Technology LLC; and third, Fulcrum Technology Solutions  Port Commission adopted the staff-recommended ranking and authorized award
2020-1208-54	\$75,000	Approve staff's ranking of vendors and award a security services contract in an amount not to exceed \$75,000 subject to potential Port Security grant reimbursement of \$56,250 for information security training for Port Authority employees and third party users of Port Authority information and technology systems payable over three years plus two one-year renewal options to the top-ranked proposer: staff ranking- first, Red River Technology LLC; second, Critical Start, Inc.; and third, CapGemini America  Port Commission adopted the staff-recommended ranking and authorized award
2020-1208-55	\$150,000	Issue a purchase order to SHI Government Solutions for a three-year purchase agreement of next generation anti-virus Endpoint Protection Platform/Endpoint Detection and Response (EPP/EDR) software, using Texas Department of

<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
		Information Resources' cooperative purchase program, for the three years
		<b>Recess Open Meeting and Convene Executive Session</b>
		<b>Reconvene Open Meeting</b>
2020-1208-56		Authorize Chairman Campo to negotiate with Roger Guenther on future compensation
2020-1208-57		Authorize the Port Authority to enter into or amend the agreements for legal services with (a) Baker Wotring LLP, (b) Haynes and Boone, LLP, (c) W. Allyn Hoaglund, and (d) Amy Loeserman Klein on the terms discussed in Executive Session, and to authorize the Chief Legal Officer to do all things necessary to give effect to the foregoing
		<b>Adjourn Meeting</b>

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