

**MEMORANDUM**

Legal Division



Date: April 28, 2021

To: Christine Abbruscato  
Maria Aguirre  
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 April 27, 2021

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Minute No.

Amount

Event/Action

**General**

Chairman Campo convened the virtual Port Commission meeting

Chairman Campo recognized Commissioner Rodney Ellis, Harris County Precinct 1, who addressed the Port Commission

Chairman Campo recognized Mayor Sylvester Turner, who addressed the Port Commission

Chairman Campo recognized Commissioner Adrian Garcia, who addressed the Port Commission

<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
		Chairman Campo provided opening remarks
<b>Minutes</b>		
2021-0427-01		Approve the minutes of the March 11, 2021 and March 23, 2021 Port Commission meetings
<b>Staff Reports</b>		
2021-0427-02		Roger Guenther, Executive Director, presented a summary of selected financial and operational matters
<b>Appearances</b>		
2021-0427-03(a)		Chairman Campo recognized Joel DeJean, LaRouche, who addressed the Port Commission
2021-0427-03(b)		Chairman Campo recognized Adrian Shelley, Director, Texas Office, Public Citizen, who addressed the Port Commission
2021-0427-03(c)		Chairman Campo recognized Rev. James Caldwell, Coalition of Community Organizations, who addressed the Port Commission
2021-0427-03(d)		Chairman Campo recognized Kristine Singleton, Texas Health and Environment Alliance (THEA), who addressed the Port Commission
2021-0427-03(e)		Chairman Campo recognized Ronald Bettag, LaRouche, who addressed the Port Commission
2021-0427-03(f)		Chairman Campo asked if anyone else would like to address the Port Commission; there was no response
<b>Executive</b>		
2021-0427-04		Chairman Campo recognized Commissioner Corgie to introduce agenda Item F1
2021-0427-05	\$1,000,000	Approve a Founding Park Partner sponsorship level of \$250,000 a year to support the Houston Parks Board 50/50 Park Partners Plan

<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
2021-0427-06		Chairman Campo recognized Mr. Heidt to provide a report of selected Executive Division agenda items
2021-0427-07	\$66,000	Enter into a professional services contract with Brown Consulting for state governmental policy consulting and support
2021-0427-08	\$66,000	Enter into a professional services contract with Michael Toomey for state governmental policy consulting and support
2021-0427-09	\$125,000	Amend the professional services agreement with the TC&B/GBA joint venture of AECOM Technical Services Inc. and Gahagan & Bryant Associates, Inc. to perform a supplemental economic study based on the Houston Ship Channel Expansion Channel Improvement Project (Project 11) Final Integrated Feasibility Report and Environmental Impact Statement

Agenda Item F5 was deferred to the end of the meeting

### **Commercial**

2021-0427-10		Chairman Campo recognized Mr. Heidt to provide a report of selected Commercial Division agenda items
2021-0427-11		Authorize a second amendment to the Lease Agreement for an additional three-year term with Cooper/Ports America, LLC, for approximately 15.56 acres out of the Port Authority's Block 19 at Northside Turning Basin effective no earlier than July 1, 2021, at an annual base rent of \$592,608 with a 3% annual increase
2021-0427-12		Authorize a fourth amendment to the Lease Agreement for an additional one-year term with Cooper/Ports America, LLC, for approximately 3.20 acres which includes Warehouse 21-A, the apron adjacent to Warehouse 21-A, an additional open area of approximately 57,210 sq. ft., and a rail spur of approximately 500 linear ft., out of the Port Authority's Block 21 at Northside Turning Basin, effective no earlier than June 1, 2021, at an annual base rent of \$89,837

<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
2021-0427-13		Authorize an amendment to the Lease Agreement for an additional five-year term with Texas Brine Company, LLC, for approximately 2.91 acres out of the Port Authority's Block 5 at Rosa Allen effective no earlier than August 1, 2021, at an annual base rent of \$63,435 with a 3% annual increase
		<b>Finance</b>
2021-0427-14		Chairman Campo recognized Mr. Heidt to provide a report of selected Finance Division agenda items
2021-0427-15	\$400,000	Award a three-year contract, with an additional one-year option, to Universal Industrial Supply, to provide safety personal protective equipment (PPE) and vending machines (for dispensing PPE), at Barbours Cut Terminal, Bayport Container Terminal, and the Turning Basin Terminal, and additional safety equipment
2021-0427-16		Approve the Port Authority's fiscal year 2020 Comprehensive Annual Financial Report
2021-0427-17		Adopt a Statement of Objectives and Policy for the Port Authority 401(a) Defined Contribution and 457(b) Deferred Compensation Plans (DC Plans)
2021-0427-18		Adopt a Revenue Bond Debt Policy and Procedures for the Port Authority ( <i>As amended to term the documents as "Policies"</i> )
2021-0427-19		Adopt a Disclosure Policy and Procedures for the Port Authority ( <i>As amended to term the documents as "Policies"</i> )
		<b>Infrastructure</b>
2021-0427-20		Chairman Campo recognized Mr. Heidt to provide a report of selected Infrastructure Division agenda items
2021-0427-21	\$460,900	Approve staff's ranking of vendors and award a professional services contract for the "u-shaped property" pre-development design in the vicinity of the Bayport Container Terminal to the top-ranked proposers: staff ranking – first,

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		Lockwood, Andrews and Newnam, Inc.; second, Halff Associates, Inc.; and third, Cobb, Fendley & Associates, Inc.
		Port Commission adopted the staff-recommended ranking and authorized award
2021-0427-22	\$5,950,000	Approve staff's ranking of vendors and award a construction contract for Beltway 8 site preparation to the top-ranked proposer: staff ranking - first, R & T Ellis Excavating, Inc.; second, Spaw Glass Civil Construction, Inc.; and third, Standard Constructors, Inc.
		Port Commission adopted the staff-recommended ranking and authorized award
2021-0427-23	\$299,685	Award an environmental consulting services agreement to InControl Technologies, LLC, the sole source provider, to conduct a non-aqueous phase liquid recovery operation at Port Authority property at the Turning Basin Terminal
2021-0427-24	\$243,260	Amend the professional services contract with Lockwood, Andrews & Newnam, Inc. for re-design services and construction/bid phase services for the rail spur at Bayport Container Terminal Phase 2
2021-0427-25	\$55,000	Amend a professional services contract with HDR Engineering, Inc. for construction management services for the Beltway 8 site preparation project for the Houston Ship Channel Expansion Channel Improvement Project
2021-0427-26	\$276,000	Amend the professional services contract with CAVU International 1, LLC for continuous improvement, process execution checklists development, and operational excellence facilitation
2021-0427-27	\$73,835	Approve a change order with McCarthy Building Companies, Inc. to perform additional work associated with the rehabilitation of Wharf 3, construction of electrical infrastructure, and lighter aboard ship (LASH) dock demolition at Barbours Cut Terminal
2021-0427-28	\$200,000	Enter into a purchase agreement with Lower Brazos River Mitigation Bank to purchase wetland mitigation credits in order to satisfy mitigation requirements for property on the north side of the Bayport Channel

<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
2021-0427-29	\$7,500,000,	Provide the Port Authority's required cost share and amend the Project Management Plan to support the U.S. Army Corps of Engineers for (i) construction of the Dollar Reef oyster mitigation feature, and (ii) construction oversight of the Port Authority-led construction packages for the Houston Ship Channel Expansion Channel Improvement Project
2021-0427-30	\$50,611	Authorize an agreement with CenterPoint Energy to sell surplus equipment to the Port Authority for an amount not to exceed \$8,000; and reconstruct electrical infrastructure for an amount not to exceed \$42,611 at Barbours Cut Terminal
2021-0427-31		Approve the renewal of the following expiring Port Authority licenses for new ten-year terms: CenterPoint Energy Houston Electric, LLC, CenterPoint Energy Intrastate Pipeline, Inc, CenterPoint Energy Resources Corp, CenterPoint Energy Resources Corp d/b/a CenterPoint Energy Texas Gas Operations, ExxonMobil Pipeline Company, Kinder Morgan 2-Mile, LLC, Kinder Morgan Crude & Condensate LLC, Kinder Morgan Tejas Pipeline LLC, Kinder Morgan Texas Pipeline LLC, and Lone Star NFL Mont Belvieu LP
2021-0427-32		Issue a transmission line license to Southwestern Bell Telephone Company for one telecommunication cable over the railroad line adjacent to George Altvater Boulevard at Barbours Cut Terminal
2021-0427-33		Issue a marine construction permit to Timtom Land Holdings, LLC to perform dock rehabilitation on an existing structure to remove existing monopiles and add new monopiles in the San Jacinto River
2021-0427-34		Issue a marine construction permit to Cargill, Inc. to deepen its existing berths to -46.5 feet Mean Lower Low Water and authorize the rehabilitation of its existing dock structure in the Houston Ship Channel
2021-0427-35		Amend a pipeline license issued to Equistar Chemicals, LP to remove the existing pipeline and relocate a new pipeline to a greater depth across Cedar Bayou

<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
2021-0427-36		Amend a transmission line license to CenterPoint Energy Houston Electric, LLC to add an additional fiber optic line over the Southside Mainline railroad right-of way
2021-0427-37		Approve a private adjacency barge fleeting lease agreement with and issue a marine construction permit to SJI Group, LLC for approximately 12.95 acres of submerged lands in the Alexander Island Barge Channel at a monthly rental amount of \$3,885 for a ten-year term
<b>Operations</b>		
2021-0427-38		Chairman Campo recognized Mr. Heidt to provide a report of selected Operations Division agenda items
2021-0427-39	\$87,100	Award a contract to Davey Coach Sales, Inc. for the purchase of two used shuttle buses for Bayport Container Terminal
2021-0427-40	\$300,000	Award a two-year contract to Marine Tekno Services LLC for repair services to radiators, air, and fuel coolers for terminal equipment at Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal
2021-0427-41	\$1,500,000	Award a three-year contract to Bubenzer Bremsen America, LLC dba Pintsch Bubenzer USA, the sole source provider, for the purchase of spare and replacement Pintsch Bubenzer brake parts for wharf and rubber tyred gantry cranes at Barbours Cut Terminal and Bayport Container Terminal
2021-0427-42	\$1,448,000	4.Issue a purchase order to Caldwell Country Chevrolet for the purchase of forty-five vehicles needed by the Barbours Cut Terminal, Bayport Container Terminal, Central Maintenance, Safety, Project and Construction Management, Security, and Port Police departments, using Local Government Purchasing Cooperative's BuyBoard, a cooperative purchase program
2021-0427-43	\$720,000	Authorize additional purchase order funding for continuing pandemic response services with Ambassador Services, LLC
2021-0427-44	\$2,036,956	Ratify emergency purchase orders to Anixter, Inc. for purchase of electrical cables in an amount not to exceed \$1,036,020 for Bayport Container Terminal and to Power

<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
		Line Solutions, Inc. for purchase of installation and electrical contracting work at Bayport Container Terminal in an amount not to exceed \$1,000,936
2021-0427-45	\$773,268	Authorize payment to Navis LLC for annual maintenance services for the Marine Terminal Management Software System for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal
2021-0427-46		Approve a new Subrule 118 to Tariff 14 for a charge of \$65.74 for every container lifted at the ramp point from or to a rail car to or from a chassis
2021-0427-47		Approve a twenty-year lease with C&C Houston Bayport of a 21.53-acre parcel of land at Bayport Container Terminal Complex south of Port Road for a rental amount of \$36,687.12 per month with a right of first refusal for the adjacent 8.29 acre tract
2021-0427-48		Approve a ten-year lease with CMC Americas LLC of a 22.52-acre parcel of land at Bayport Container Terminal Complex south of Port Road for a rental amount of \$ 38,374.08 per month, with two options each to extend the term five years, exercisable at Tenant's sole option
2021-0427-49		Approve a second amendment to the lease between the Port Authority and Lansing Trade Group, LLC for the Houston Public Grain Elevator No. 2, for an extension term of one-year to commence no earlier than June 1, 2021, for a rental rate of \$103,000 per month
		<b>People (no items)</b>
		<b>Port Security and Emergency Operations</b>
2021-0427-50		Chairman Campo recognized Mr. Heidt to provide a report of selected Port Security and Emergency Operations Division agenda items
2021-0427-51	\$150,000	Amend the existing purchase order to Motorola Solutions for the purchase of land mobile radio equipment including radios, batteries, chargers, related hardware, and accessories for the Operations, Port Security, and Emergency Operations Departments using the Houston-Galveston Area Council's cooperative purchase program



<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
		<b>Technology</b>
2021-0427-52		Chairman Campo recognized Mr. Heidt to provide a report of selected Technology Division agenda items
2021-0427-53	\$125,000	Issue a purchase order to Netsync Network Solutions for purchase of VMware annual software licensing and software support to the Port Authority's existing Information Technology infrastructure, using Texas Department of Information Resources' cooperative purchase program

**Executive**

2021-0427-54 Chairman Campo recognized Commissioner Cloonan to introduce agenda Item F5

2021-0427-55 Approve the new Minority- and Woman-Owned Business Enterprise Development Policy and the Amended and Restated Small Business Development Policy *(As amended to reflect that the policy "Marketplace" includes the eight county area: Harris, Montgomery, Fort Bend, Galveston, and Brazoria AND Chambers, Liberty, and Waller; and to authorize the Chief Legal Officer to incorporate, as he considers reasonable or necessary, non-substantive comments provided by outside counsel, and notify the commission as to those)*

Chairman Campo provided closing remarks

**Adjourn Meeting**

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