

MEMORANDUM

Legal Division



Date: July 21, 2021

<p>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</p>	<p>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</p>
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From: Erik Eriksson

Subject: Minute Numbers/Port Commission Meeting, dated July 20, 2021

<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
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General

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

Mr. Guenther recognized Congresswoman Sheila Jackson Lee, who addressed the Port Commission

Executive

2021-0720-01

Endorse the observance of Juneteenth as an annual holiday for employees

<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
Minutes		
2021-0720-02		Approve the minutes of the June 14, 2021 and June 22, 2021 Port Commission meetings
Staff Reports		
2021-0720-03(a)		Roger Guenther, Executive Director, presented a summary of selected financial and operational matters
2021-0720-03(b)		Rich Byrnes, Chief Infrastructure Officer, presented a Sustainability Action Team update
Appearances		
2021-0720-04(a)		Chairman Campo recognized Juan Flores, Air Alliance Houston, who addressed the Port Commission
2021-0720-04(b)		Chairman Campo recognized Stephanie Thomas, Public Citizen, who addressed the Port Commission
2021-0720-04(c)		Chairman Campo asked if anyone would like to address the Port Commission; there was no response
Commercial		
2021-0720-05		Chairman Campo recognized Mr. Heidt to provide a report of selected Commercial Division agenda items
2021-0720-06	\$55,000	Approve a sponsorship with Breakbulk Events and Media for the 2021 Breakbulk Americas Conference
2021-0720-07		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%
2021-0720-08		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,

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		subject to an annual increase of the greater of 3% or increase in the Consumer Price Index
		Finance
2021-0720-09		Chairman Campo recognized Mr. Heidt to provide a report of selected Finance Division agenda items
2021-0720-10		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
2021-0720-11	\$525,000	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
2021-0720-12		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
2021-0720-13		Adopt an amended investment policy for the Port of Houston Authority Restated Retirement Plan (Pension Plan)

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2021-0720-14		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
		Infrastructure
2021-0720-15		Chairman Campo recognized Mr. Heidt to provide a report of selected Infrastructure Division agenda items
2021-0720-16	\$100,000	Approve staff's ranking of vendors and award a two-year environmental consulting agreement 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 Port Commission adopted the staff-recommended ranking and authorized award
2021-0720-17	\$201,000	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
2021-0720-18	\$1,286,829	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
2021-0720-19	\$133,500	Approve a change order with Archer Western Construction, LLC. to perform additional work associated with the expansion of gate facilities at Barbours Cut Terminal
2021-0720-20	\$100,000	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
2021-0720-21	\$699,360	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

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		any over dredge cost at \$3.76 per cubic yard in an amount not to exceed \$116,560
2021-0720-22		Approve the renewal of the following expiring Port Authority licenses for new ten-year terms: ExxonMobil Pipeline Company and Targa Downstream LLC
2021-0720-23		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
		Operations
2021-0720-24		Chairman Campo recognized Mr. Heidt to provide a report of selected Operations Division agenda items
2021-0720-25	\$425,000	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
2021-0720-26	\$400,000	Approve staff's ranking of vendors and award a two-year contract 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. Port Commission adopted the staff-recommended ranking and authorized award
2021-0720-27	\$800,000	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
2021-0720-28	\$350,000	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

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2021-0720-29	\$150,000	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 Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal
2021-0720-30	\$80,000	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
2021-0720-31	\$250,000	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 Barbours Cut Terminal and Bayport Container Terminal
2021-0720-32	\$160,000	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
2021-0720-33	\$110,000	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
People		
2021-0720-34		Chairman Campo recognized Mr. Heidt to provide a report of selected People Division agenda items
2021-0720-35	\$145,500	Approve a professional services contract with IMC Culture 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
2021-0720-36	\$1,000,000	Authorize approval of a multi-year program and funding for the development and improvement of parks and green spaces in East Harris County and authorize the Community Relations Committee to review staff recommendations and approve awards under this program

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Port Security and Emergency Operations (no items)		
Technology		
2021-0720-37		Chairman Campo recognized Mr. Heidt to provide a report of selected Technology Division agenda items
2021-0720-38	\$104,822	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
2021-0720-39	\$60,000	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
2021-0720-40	\$150,000	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
2021-0720-41	\$170,000	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
2021-0720-42	\$95,000	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, for a five-year term
2021-0720-43	\$74,000	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

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		Recess Open Meeting and Convene Executive Session
		Reconvene Open Meeting
2021-0720-44		Authorize the Port Authority to amend the agreements for legal services with (a) the AZA law firm, and (b) the Bracewell LLP law firm 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
		Adjourn Meeting

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