

MEMORANDUM

Legal Division



Date: March 23, 2021

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 March 23, 2021

Minute No. Amount Event/Action

General

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

Minutes

2021-0323-01 Approve the minutes of the February 23, 2021 Port Commission meeting

Staff Reports

2021-0323-02 Roger Guenther, Executive Director, presented a summary of selected financial and operational matters

| <u>Minute No.</u> | <u>Amount</u> | <u>Event/Action</u> |
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| Appearances | | |
| 2021-0323-03(a) | | Chairman Campo recognized Tim Pylate, Executive Director, Armand Bayou Nature Center, who addressed the Port Commission |
| 2021-0323-03(b) | | Chairman Campo recognized Kristine Singleton, Healthy Port Communities Coalition (HPCC) and Texas Health and Environment Alliance (THEA), who addressed the Port Commission |
| 2021-0323-03(c) | | Chairman Campo asked if anyone else would like to address the Port Commission; there was no response |
| Executive | | |
| 2021-0323-04 | | Chairman Campo recognized Mr. Guenther and Commissioner Cloonan to provide a report of selected Executive Division agenda items |
| 2021-0323-05 | | Staff update and discussion regarding state legislative matters, and action that the Port Authority take a neutral position on SB 1774/HB 3713 |
| 2021-0323-06 | | Reconstitute the Port Commission's Procurement and Small Business Development Task Force as the Business Equity and Procurement Committee (<i>As amended to reconstitute the Port Commission's Procurement and Small Business Development Task Force as the Business Equity Committee</i>) |
| Commercial | | |
| 2021-0323-07 | | Chairman Campo recognized Mr. Heidt to provide a report of selected Commercial Division agenda items |
| 2021-0323-08 | \$60,000 | Approve the Port Authority's 2021 membership in the Greater Houston Partnership at the Managing Partner level with associated membership fees |
| 2021-0323-09 | \$768,000 | Approve a services agreement with Kinne International, Inc. (Kinne) for a term of three years with a two- year option, to provide marketing services to develop new intermodal rail service for international waterborne containers to/from the intermodal rail facility at Barbours Cut Terminal and providing for payment to Kinne for certain brokerage and |

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| | | other services, as well as per unit fee payments per intermodal lift |
| 2021-0323-10 | | Approve (i) a fifty-year lease agreement with Portwall Partners, Ltd., for approximately 55.89-acres of unimproved real property located on the south side of Port Road outside the Bayport Container Terminal secured area, effective no earlier than April 1, 2021, at an annual base rent of \$900,000 beginning at the full operations commencement date and subject to an annual increase of the greater of 2% or the increase in the Consumer Price Index and (ii) consent to a sublease by Portwall Partners, Ltd. to Packwell Inc. for the concurrent fifty-year term of the lease |
| 2021-0323-11 | | Approve a lease agreement for a one-year term with Sunbelt Group L.P. dba Arrow Steel Processors, for approximately 7.8 acres out of the Port Authority's Block 13A at Northside Turning Basin effective no earlier than April 1, 2021, at an annual base rent of \$284,383.08 |
| | | Finance (no items) |
| | | Infrastructure |
| 2021-0323-12 | | Chairman Campo recognized Mr. Heidt to provide a report of selected Infrastructure Division agenda items |
| 2021-0323-13 | \$135,150 | Approve staff's ranking of vendors and award a professional services contract for preparation of a sampling analysis plan and analytical report for the dredging of Port Authority facilities to the top-ranked proposer: staff ranking – first, Benchmark Ecological Services, LLC; second, InControl Technologies, LLC; and third, Lloyd Engineering, Inc. Port Commission adopted the staff-recommended ranking and authorized award |
| 2021-0323-14 | \$88,179 | Approve a change order with Jerdon Enterprise, L.P. to perform additional work associated with the trench drain repairs at Bayport Container Terminal |
| 2021-0323-15 | \$71,587 | Enter into an Interlocal Agreement with Harris County to provide wage rate compliance services for a one- year term |

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| 2021-0323-16 | \$250,000 | Authorize the Port Authority to enter into a long-term maintenance agreement for the Memorial Tract with Armand Bayou Nature Center, including a one-time payment |
| 2021-0323-17 | | Approve the renewal of the following expiring Port Authority licenses for new ten-year terms: CenterPoint Energy Houston Electric, LLC, CenterPoint Energy Intrastate Pipelines, LLC, CenterPoint Energy Resources Corporation, Houston Pipe Line Company LP, Kinder Morgan Texas Pipeline LLC, Oxy Vinyls, LP, and Valero Refining-Texas, LP |
| 2021-0323-18 | | Issue a pipeline license to Enterprise TE Products Pipeline Company LLC for one 16-inch natural gas pipeline under and across the Port Terminal Railroad Association's Southside Mainline railroad right-of-way and one 12-inch natural gas pipeline under and across the Port Terminal Railroad Association's Pasadena Cut-Off railroad right-of-way |
| 2021-0323-19 | | Issue a transmission line license to CenterPoint Energy Houston Electric LLC for one 6-inch transmission line and one 6-inch conduit under and across the Port Authority's property at the Barbours Cut Terminal |
| 2021-0323-20 | | Issue a transmission line license to Level 3 Communications, LLC for one fiber optic cable line under the Port Authority's Southside Mainline railroad right-of-way, at Channel City Road |
| 2021-0323-21 | | Issue a transmission line license to Comcast of Houston, LLC for one fiber optic cable line under the Port Terminal Railroad Association's Southside Mainline railroad right-of-way near Beltway 8 |
| 2021-0323-22 | | Issue a marine construction permit to Air Products, LLC to construct a 32-mile long, 16-inch diameter hydrogen pipeline crossing the Houston Ship Channel in Galveston Bay |
| 2021-0323-23 | | Amend a marine construction permit issued to Intercontinental Terminals Company, LLC for a new terminal facility to modify the removal and relocation of |

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| | | approximately 120,000 cubic yards of material to obtain depths of -16.5 Mean Lower Low Water |
| 2021-0323-24 | | Amend a pipeline license issued to Blanchard Pipe Line Company LLC to remove the existing pipeline and relocate a new pipeline to a greater depth across Cedar Bayou |
| | | Operations |
| 2021-0323-25 | | Chairman Campo recognized Mr. Heidt to provide a report of selected Operations Division agenda items |
| 2021-0323-26 | \$175,000 | Approve staff's ranking of vendors and award a two-year contract for the purchase of scaffolding services for wharf crane maintenance at Barbours Cut Terminal and Bayport Container Terminal to the top-ranked proposer: staff ranking – first, TAP Industrial Services, Inc.; and second, Axios Industrial Maintenance Contractors, Inc. Port Commission adopted the staff-recommended ranking and authorized award |
| 2021-0323-27 | \$244,000 | Award a three-year contract to Ennis-Flint, Inc. for the purchase of traffic paint for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal |
| 2021-0323-28 | \$350,000 | Award a two-year contract to Sunbelt Rental, Inc. for the rental of heavy equipment for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal |
| 2021-0323-29 | \$200,000 | Award a two-year contract to Kalmar USA Inc., Bromma Americas, the sole source provider, for purchase of quarterly inspection services for Bromma spreader bars and over-height attachments at Barbours Cut Terminal and Bayport Container Terminal |
| 2021-0323-30 | \$223,113 | Award a professional services contract to Kalmar USA Inc., the sole source provider, for position detection system equipment and installation services for nine rubber tire gantry cranes |
| 2021-0323-31 | \$300,000 | Issue a purchase order to Generocity Services, Inc. for repairs to warehouse doors at Turning Basin Terminal, using Harris County Department of Education's Choice Partners, a cooperative purchase program |

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| 2021-0323-32 | | Amend the Freight Handling Assignment Agreements for terminal services at the Turning Basin Terminal, to extend the term of the agreements for six-months through September 30, 2021 |
| 2021-0323-33 | | Approve (i) a change of control with respect to the acquisition of Empire Stevedoring (Houston) Inc. (Empire) by QSL Stevedoring, as a transfer under Empire's leases for approximately (a) 5.53 acres out of Blocks 2 and 3, Southside Wharves, dated April 1, 2017, (b) 0.74 acres out of Block 1, Southside Wharves, dated February 1, 2020, and (c) 2.75 acres out of Block 11, Southside Wharves, dated February 1, 2020, and new lease agreements with Empire for one-year terms effective no earlier than February 1, 2021 for (i) the 0.74 acre premises, at an annual base rent of \$32,266, and (ii) the 2.75 acre premises, at an annual base rent of \$61,738 |
| 2021-0323-34 | | Approve a lease of approximately 46 acres in Barbours Cut Terminal to Cooper/Ports America, LLC, effective May 1, 2021, at an annual base rent of \$1,210,435 and for a term of five years, with a reduced footprint of 31.5 acres beginning on May 1, 2022 |
| 2021-0323-35 | | Approve a five-year renewal of 1.72-acre chassis yard lease with Cooper/Ports America, LLC. effective May 1, 2021, at an annual base rent of \$73,416 |

People (no items)

Port Security and Emergency Operations

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| 2021-0323-36 | | Chairman Campo recognized Mr. Heidt to provide a report of selected Port Security and Emergency Operations Division agenda items |
| 2021-0323-37 | \$150,000 | Award the purchase of a Mobile Emergency Response Center trailer from Comprehensive Communication Services, utilizing a Texas Department of Information Resources contract, with an estimated net cost to the Port Authority, after Federal Emergency Management Agency Port Security Grant reimbursement, of \$37,500 (25% of total cost) |

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| 2021-0323-38 | \$450,000 | Approve a second amendment to the existing purchase order with Garner Environmental Services for emergency standby products and services |
| 2021-0323-39 | \$311,620 | Approve a change order with Motorola Solutions to perform additional work associated with the construction of two Astro P25 Simulcast Radio Tower sites |

Technology (no items)

Recess Open Meeting and Convene Executive Session

Reconvene Open Meeting

| | | |
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| 2021-0323-40 | | Authorize the Port Authority to enter into or amend the agreement for legal services with Littler Mendelson on the terms discussed in Executive Session, and to authorize the Chief Legal Officer to do all things necessary to give effect to that |
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Adjourn Meeting

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